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STIGMATIZING QUARANTINES OF ROMA SETTLEMENTS IN SLOVAKIA AND BULGARIA

The authorities in Bulgaria and Slovakia have put a number of Roma settlements under compulsory quarantine, arguing that such measures are necessary for the protection of public health and safety. Amnesty International considers that unless the governments can justify that these measures were lawful, pursue a legitimate aim, are proportionate to that aim and are not discriminatory, they amount to a violation of human rights.

Amnesty International is seriously concerned about the implementation and enforcement of the quarantine measures. According to our research, the authorities have failed to provide the Roma families living in affected settlements with the necessary means to protect themselves, and have also failed to ensure that they have adequate access to water, sanitation, food, hygiene products and health care.

Across Europe, Roma represent one of the most disadvantaged communities. In Slovakia and Bulgaria, many Roma families live in poverty, in overcrowded housing and in informal settlements without adequate access to public supply of water and electricity. Roma experience marginalization and discrimination in all walks of life, from education and health to employment. Persistent inequalities have left many Roma in an even more precarious position during the pandemic. In addition to being at heightened risk of infection, the measures instituted by the states to address the health crisis, including lockdowns and social distancing, are likely to push many Roma further into poverty and social isolation. The Slovak and Bulgarian authorities must provide urgent assistance to the Roma communities to enable them to protect themselves both from the disease and the potentially devastating social and economic consequences of governmental response to it.

BULGARIA

Since 13 March, when the Bulgarian National Assembly declared a state of emergency, the authorities have introduced gradually stricter measures to prevent the spread of the virus, including bans on inter-city travel and broad restrictions to freedom of movement. While measures apply nation-wide, Bulgaria's Roma community is disproportionately affected by the government's response to the pandemic.

Under special measures, mayors across Bulgaria have cordoned off Roma villages and informal settlements and set up roadblocks and policed checkpoints to prevent residents from entering and leaving. The authorities have built temporary walls around and imposed a complete containment regime on Roma areas in the towns of Nova Zagora, Kazanlak and Sliven, home to some 50.000 Roma, arguing that "lack of discipline among its residents" makes the social distancing measures difficult to enforce.¹

Similar measures were introduced in the Roma neighborhood of Shesti near Nova Zagora after the authorities argued that residents did not have access to clean water and sanitation and therefore were not able to maintain the recommended level of hygiene to curb the spread of the virus outside of settlements. The authorities, however, did not take steps to ensure that the settlement is granted full access to public supply of water during the pandemic. In some cases, government officials claimed that the measures were necessary in Roma communities because of the high numbers of Roma returning to Bulgaria from seasonal and informal work in some of the severely affected European countries, such as Spain and Italy, posing risks to the rest of the population.² The government is recommending a 14-day self-quarantine for

¹ Romea, "Bulgarian officials exploiting fear of COVID-19 to discriminate against Roma," 28 March 2020, <http://www.romea.cz/en/news/world/bulgarian-officials-exploiting-fear-of-covid-19-to-discriminate-against-roma>, Euractive, "Bulgarian authorities struggle to enforce containment among Roma population," 20 March, 2020, <https://www.euractiv.com/section/languages-culture/news/bulgarian-authorities-struggle-to-enforce-containment-with-roma-population/>

² Romea, "Bulgarian officials exploiting fear of COVID-19 to discriminate against Roma," 28 March 2020, <http://www.romea.cz/en/news/world/bulgarian-officials-exploiting-fear-of-covid-19-to-discriminate-against-roma>

all individuals returning from these countries, but Amnesty International is not familiar with any cases where quarantine measures were applied as forcefully as in Roma neighborhoods.

Several towns, including the seaside town of Burgas, decided to use drones with thermal sensors to remotely take temperature of residents in Roma settlements.³ While drone technology has been used in other European countries to gauge temperatures of groups of people, in Bulgaria it appears to target exclusively the Roma population.⁴ Yet, it is not clear what measures would be put in place if some of the Roma identify as COVID-19 positive; nor is it clear how the government will ensure that the needs of affected people are met during the quarantine and the rest of the community protected from the spread of the virus.

The introduction of measures focused on Roma neighborhoods has been accompanied by an increasingly hostile anti-Roma rhetoric, frequently stoked by politicians. The Bulgarian National Movement (VMRO) party, a junior coalition partner in the government, has exploited the public health crisis to present Roma as a collective threat to the general population that needs to be “controlled and contained”.⁵ There was no evidence of confirmed cases among the Roma community at that time.⁶

The country’s Interior Minister Mladen Marinov has also threatened further coercive measures “to protect the general population” if Roma fail to comply with strict social distancing measures.⁷ While Roma communities remain confined to their settlements, there is no evidence that the authorities have provided any assistance to the families living there to ensure that they can comply with government advice on how to protect against infection such as through regular hand washing, access necessary health care if they have symptoms of COVID-19, and provide for their families during the quarantine.

SLOVAKIA

As of 3 April, the authorities in Slovakia started testing residents of some Roma settlements. The testing was initially carried out in 33 out of several hundred settlements, with the assistance of the army.⁸ It focused on Roma locations, where the authorities recorded returns of residents from abroad, especially from the Czech Republic and the United Kingdom. During the testing, Amnesty International notified the government of Slovakia that without providing Roma with the necessary means to protect themselves, including ensuring access to water and sanitation, targeted testing will only add to the stigmatisation and prejudice they already face.

On 9 April, a day after International Roma Day, the government of Slovakia decided to quarantine five entire Roma settlements in eastern Slovakia: three in the village of Krompachy, and one in the villages of Bystrany and Žehra. The government argued that such measures were necessary to protect public health as there were 31 positive cases in those five settlements, which have over 6,800 residents.⁹ Amnesty International spoke to residents and others who confirmed that the Roma were not informed about the duration and the conditions of their confinement. The authorities reportedly did not separate those who had positive tests for COVID-19 from the rest of the community. Moreover, according to available evidence, the authorities did not put in place adequate provisions of food and medical supplies. In one of the settlements, the residents together with a local entrepreneur set up an improvised system of food supply. In another of the quarantined settlements, the authorities were selling simple food packages for 15 Euros, which raises concerns over affordability for families who lost their income due to the measures.

Roma from one of the settlements told Amnesty International that a number of residents needed medicine for chronic diseases such as diabetes, heart-diseases and asthma. They also reported instances when an ambulance initially refused

³ Roma Times, “In Bulgaria, the temperature of the Roma is measured by drones,” 25 March, 2020, <https://romatimes.news/index.php/en/categories/social/4548-in-bulgaria-the-temperature-of-the-roma-is-measured-by-drones>, The Mayor, “How drones help cities during the coronavirus pandemic,” 24 March 2020, <https://www.themayor.eu/en/how-drones-help-cities-during-the-coronavirus-pandemic>

⁴ Euractiv, “Wearing a mask is now ‘obligatory’, policy of allowing movement of seasonal workers criticized,” 12 April, 2020, https://www.euractiv.com/section/health-consumers/short_news/bulgaria-update-covid-19/

⁵ In a letter to Bulgaria’s National Crisis Committee, VMRO’s vice president Angel Dzhabazki openly argued that Roma settlements could turn out to be a “real nest of contagion”.

⁶ 24 часа, “Джамбазки от ВМРО: Затворете гетата навсякъде,” 18 March 2020, <https://www.24chasa.bg/novini/article/8320602?fbclid=IwAR2GHHjKcKHQLGsfqEdlofzUd34XChq3icFW-IBLxRH1MBqHDFXwdryT8Q>

, “The New York Times, “Bulgaria’s Roma say some Coronavirus measures are discriminatory,” 24 March, 2020, <https://www.nytimes.com/reuters/2020/03/24/world/europe/24reuters-health-coronavirus-bulgaria-roma.html>

⁷ The Star, “Bulgaria’s Roma say some coronavirus measures are discriminatory,” 25 March 2020, <https://www.thestar.com.my/news/world/2020/03/25/bulgaria039s-roma-say-some-coronavirus-measures-are-discriminatory>

⁸ <https://www.vlada.gov.sk/stat-zacne-od-piatka-s-testovanim-marginalizovanych-romskych-komunit/>

⁹ Data on the number of residents in the settlements are available here: <https://www.minv.sk/?atlas-romskych-komunit-2019>

to come and assist residents who needed health care. In addition, people in the settlements were worried about the lack of information about the duration of the quarantine and the lack of resources to sustain themselves should the quarantine last longer.

On 12 April, the authorities announced that they will move the infected individuals from the settlements into the state quarantine. However, the number of those transferred remains extremely low and the settlements are still closed and patrolled by the police and army.

INTERNATIONAL HUMAN RIGHTS LAW

Under international human rights law, quarantines should be implemented in a manner that is non-discriminatory; responds to a pressing public or social need, pursues a legitimate aim, and is proportional to that aim. They should be of limited duration, subject to review, and the authorities must adopt the least restrictive alternative where several types of limitations are available. Based on these, Amnesty International considers that any measures that deliberately target entire communities, without evidence that such communities present a danger for public health during the pandemic, are likely to be arbitrary and disproportionate, and may constitute discrimination.

The governments of Bulgaria and Slovakia must justify the public health basis for the complete quarantine of the Roma communities described in this document and demonstrate that all less restrictive measures were adequately explored.

International human rights law also requires that states implement quarantine and isolation measures in a safe and respectful manner. In order to enhance public trust and cooperation, respect affected people's right to dignity, authorities should provide adequate information to those placed under the quarantine and ensure regular communication. However, Roma communities under quarantine in Slovakia and Bulgaria reported lack of adequate information on the duration and the conditions of their confinement.

Quarantines of Roma living in settlements disproportionately affect people living in poverty, who have limited savings and may not be able to sustain themselves through the quarantine period without an income. The inability to engage in informal work on which many families depend, exposes Roma to increased poverty and further social exclusion. It is the responsibility of the governments in Bulgaria and Slovakia to ensure that the economic and social rights of those under quarantine, including the right to food, water, sanitation and an adequate standard of living, are guaranteed.

Amnesty International is also concerned about the heavy-handed enforcement of the quarantine by the police and the army. The presence of armed military personnel around the perimeter of settlements appears intimidatory and raises questions about adequacy for the purposes of law enforcement and protection of public health. In particular, the fact that they carry weapons which should only be deployed in high risk scenarios, but that do not have a place in day-to-day law enforcement, gives evidence of a highly worrying "enemy" approach. Thus, the adopted measures risk further spreading the fear within Romani communities and further alienating Roma from the rest of the society.

Roma in Slovakia and Bulgaria remain one of the most disadvantaged communities; many live in overcrowded multi-generational households, often without access to clean water and sanitation. Without urgent support from the authorities, preventive measures, including self-isolation, social distancing and frequent hand washing are difficult to comply with in many Roma communities. Unable to adequately protect themselves, Roma are particularly vulnerable to the infection. Quarantines specifically targeting Roma settlements – without simultaneous dedicated assistance to the community, including immediate access to water and sanitation as well as medical care – could have a catastrophic impact on Roma communities.

Furthermore, considering the long-standing failure of governments to guarantee adequate and safe sanitation, access to water, electricity or healthcare in many Roma settlements would result in people being confined in potentially harmful conditions.

Amnesty International calls on the governments in Bulgaria and Slovakia to immediately ensure that Roma in the quarantined settlements have access to provisions of food, medicine, hygiene products and health care, and are supported to comply with public health measures in a manner that respects their human rights. The organization further urges both governments to stop using the law enforcement and military to spread fear and intimidate the residents of the Roma settlements.