

April 17, 2025

POSITION

REGARDING THE DEMOLITION OF HOMES IN "ZAHARNA FABRIKA"
NEIGHBORHOOD, ILINDEN DISTRICT, SOFIA MUNICIPALITY, BULGARIA

To:

Ms. Natalia Kiselova

Chairperson of the National Assembly

Mr. Rosen Zhelyazkov

Prime Minister of the Republic of Bulgaria

Ms. Denitsa Sacheva

Chair of the Committee on Labour, Social and Demographic Policy of the National Assembly

Mr. Nikolay Nankov

Chair of the Committee on Regional Policy, Public Works and Local Government of the National Assembly

Mr. Vasil Terziev

Mayor of Sofia Municipality

Dear Madam Chair of the National Assembly,

Dear Mr. Prime Minister,

Dear Madam Chair of the Committee on Labour, Social and Demographic Policy,

Dear Mr. Chair of the Committee on Regional Policy, Public Works and Local Government,

Dear Mr. Mayor of Sofia Municipality,

We are deeply concerned about the approach taken by the authorities during the demolition of informal dwellings in Sofia's "Zaharna Fabrika" neighbourhood on April 15, 2025, and the resulting consequences for residents.

According to media reports, the forced eviction was carried out under a police blockade, with a ban on filming and restricted access to the area - including for human rights organizations representing residents in proceedings before the European Court of Human Rights (ECHR). On April 12, 2025, the Court issued an interim measure under Rule 39 of its Rules of Procedure, instructing the Bulgarian state to refrain from demolishing structures in "Zaharna

Fabrika." Despite this, on April 15 at 5:00 a.m., gendarmerie, heavy machinery, and water cannon entered the neighbourhood, and all buildings - including those explicitly covered by the Court's protection - were demolished.

This constitutes a serious breach of Bulgaria's international legal obligations as a signatory to the European Convention on Human Rights. Under the Convention, the state is required to: respect the right to private and family life and to one's home (Article 8); ensure protection against discrimination (Article 14); provide an effective remedy (Article 13); and comply with interim measures issued under Rule 39. Failure to observe such measures also constitutes a violation of Article 34, which safeguards the right to individual petition and prohibits any hindrance to the proceedings before the Court.

Beyond the legal implications, the grave social consequences of this operation are deeply alarming. More than 200 individuals, including young children, elderly persons, people with disabilities, and those suffering from chronic or oncological illnesses - were evicted from their homes without prior notice, without the opportunity to collect personal belongings, and without any assurance of alternative housing. This has triggered a humanitarian crisis among the affected families, further exacerbating their poverty and social exclusion. Particularly troubling are the risks of re-victimization and the infliction of additional physical and emotional harm on people already living in highly vulnerable conditions, deprived of institutional protection and support. Such actions not only undermine social integration efforts but also entrench long-term patterns of exclusion and inequality.

The manner in which this operation was conducted - at dawn, under heavy police presence, and without public oversight - raises serious concerns about the state's treatment of its most vulnerable citizens and its commitment to upholding principles of equality and dignity. Even when legal grounds exist, both state and local authorities carry a moral and institutional obligation to act with care, compassion, and respect for human dignity. Demolishing the homes of impoverished people without securing alternative shelter does not resolve the problem of illegal construction - it only deepens marginalization, fuels alienation, and intensifies social tensions.

Such actions carry a range of serious consequences - undeniably for the directly affected families, and potentially for the state and society as a whole. This may include:

- Reputational and legal harm to Bulgaria on the international stage;
- Financial sanctions and compensations ordered by the European Court of Human Rights;

- Erosion of public trust in institutions and a growing sense of injustice;
- Escalation of social tensions and heightened risk of conflict within affected communities;
- Further entrenchment of poverty, marginalization, and vulnerability among the poorest segments of the population.

It must be emphasized that the issue of informally built housing is not an isolated occurrence. It affects thousands of Roma families, not only in other Sofia neighbourhoods such as Fakulteta and Filipovtsi, but also in dozens of settlements across the country. In many cases, these neighbourhoods have existed for decades - some were established in the mid-20th century following Decree No. 258 of 1958 (the so-called "Decree on Sedentarisation"), and others even predate Bulgaria's Liberation.

After 1990, many of the lands on which these neighbourhoods were built - formerly predominantly public property - were privatized through restitution or sale, despite the presence of long-established, inhabited communities. The absence of a consistent state policy and comprehensive spatial planning enabled the transfer of ownership without taking into account the actual needs of long-term residents. This situation highlights both the lack of an adequate legal framework for addressing informal housing and significant institutional shortcomings - namely, insufficient capacity, poor coordination, and the absence of sustainable mechanisms for implementing long-term solutions. As a result, thousands of Roma households continue to live in neighbourhoods with an uncertain legal status, facing persistent legal and social insecurity, and lacking predictable and equitable mechanisms for regulating and protecting their rights.

This situation stands in direct contradiction to numerous binding and politically endorsed international standards that affirm the right to adequate and dignified housing. Among these are:

- **Universal Declaration of Human Rights**, Art. 25(1): "Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing..."
- **Revised European Social Charter**, Art. 31: "Right to housing: To ensure access to housing of an adequate standard, prevent and reduce homelessness, and promote access to housing for those without adequate resources."
- **International Covenant on Economic, Social and Cultural Rights**, Art. 11: "The States Parties recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing..."

- **UN 2030 Agenda for Sustainable Development**, Target 11.1: “By 2030, ensure access for all to adequate, safe and affordable housing and basic services and upgrade slums.”
- **European Pillar of Social Rights**, Principle 19: “Access to social housing or housing assistance of good quality shall be provided for those in need. Vulnerable people have the right to appropriate assistance and protection against forced eviction. Adequate shelter and services shall be provided to the homeless to promote their social inclusion.”

The demolition of the only homes of families with children, leaving them homeless, constitutes a grave violation of Article 14 of the Constitution of the Republic of Bulgaria, which states that the family, motherhood, and children shall enjoy the protection of the state and society.

We underscore that in a number of municipalities, mayors and local councils are actively seeking solutions for families facing housing insecurity due to the informal status of their dwellings. However, the current legislative framework fails to equip them with adequate tools for flexible, socially responsive, and legally sound intervention. Urgent legislative changes and development of a national policy that reflects the real living conditions and needs of these households are needed, without pushing them further into homelessness and social exclusion.

Recognizing that the demolition of the only homes of the poorest families continues to be practiced by Bulgarian authorities—undermining the country’s international reputation and raising serious legal and moral concerns—we call on national and local authorities to take concrete, coordinated, and timely action. Situations such as that in Zaharna Fabrika must be addressed through systemic, humane, and sustainable approaches in order to prevent future crises.

In this regard, we call upon:

The National Assembly:

- To issue a public recommendation or declaration that promotes a systemic and humane approach by institutions and local authorities in addressing housing crises and protecting vulnerable groups.
- To develop and adopt legislative amendments that empower municipalities to act effectively, equitably, and with care when responding to housing insecurity.

The Chairs and Members of the Committee on Labour, Social and Demographic Policy and the Committee on Regional Policy, Public Works and Local Government:

- To organize joint or individual hearings with the relevant ministers - of Interior, Regional Development and Public Works, Justice, and Labour and Social Policy - concerning the "Zaharna Fabrika" operation and the current national policy on housing security for vulnerable groups. The inclusion of the Minister of Justice is particularly important, as the Ministry is responsible for coordinating the implementation of decisions of the European Court of Human Rights and Bulgaria's international legal obligations.
- To initiate the establishment of a joint task force, composed of members from relevant parliamentary committees and experts from civil society, tasked with discussing the necessary legal reforms related to territorial planning, social housing, and the role of municipalities in managing housing crises.

The Prime Minister and the Council of Ministers:

- To initiate the development of a **long-term national housing policy** by mandating the relevant ministries - the Ministry of Regional Development and Public Works (MRDPW) and the Ministry of Labour and Social Policy (MLSP) - to prepare:
 - A National Strategy for Quality and Secure Housing, including effective solutions for households living in informal dwellings;
 - A Support Mechanism for Municipalities to respond to housing crises;
 - Safeguards to prevent mass homelessness during the enforcement of housing regulations.
- To establish an **inter-institutional coordination mechanism** involving relevant ministries, municipalities, and civil society organizations. This mechanism should ensure:
 - Protection of the rights of affected individuals;
 - Prevention of violence and arbitrariness;
 - Provision of temporary shelter;
 - Proper documentation and institutional accountability.

Such a framework would help prevent chaotic and repressive operations like the one carried out in Zaharna Fabrika.

The Mayor of Sofia Municipality:

- To order an internal review of the actions taken by the district administration in “Ilinden,” in light of the public interest, the rights of affected individuals, and the rule of law.
- To ensure that any future demolitions involving families’ only homes are carried out only with prior social assessment and are accompanied by timely social support, access to adequate alternative housing, and meaningful consultation with civil society organizations.

In conclusion, we urge the Bulgarian state to act in accordance with its constitutional and international obligations by placing human dignity at the centre of all housing policies and enforcement practices.

No family should be forced into homelessness. No child should be left without shelter. Poverty must never be treated as a crime.

We call for decisive, humane, and coordinated action to prevent further harm, to repair the damage already done, and to ensure that the rights of the most vulnerable are protected - not in words, but in practice.

Respectfully,

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