



The Global Initiative
for Economic, Social and Cultural Rights

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**RESPONSE OF THE
GLOBAL INITIATIVE FOR ECONOMIC, SOCIAL AND CULTURAL RIGHTS (GI-ESCR)
AND EQUAL OPPORTUNITIES ASSOCIATION (EOA) TO THE RESPONSE OF THE
GOVERNMENT OF BULGARIA DATED 21 MAY 2012
REGARDING COMMUNICATION
MS. NAIDENOVA ET AL. V. REPUBLIC OF BULGARIA
COMMUNICATION NO. 2073/2011
HUMAN RIGHTS COMMITTEE**

30 MAY 2012

I. RESPONSE REGARDING DENIAL OF ACCESS TO WATER

1. On 19 May 2012, Equal Opportunities Association (EOA), representing the Dobri Jeliatzkov community, met with the Sofiyska voda water company in order to negotiate reestablishment of access to water. The individual homes lack access to water infrastructure and the Dobri Jeliatzkov community has shared this limited water source for over fifty years. EOA and Sofiyska voda water company initially agreed that the Dobri Jeliatzkov community requires access to water and began discussing details on how to reestablish connection including having EOA guarantee payment.

2. This meeting was later attended by the Mayor of Vuzrajdane sub-district of Sofia Municipality, as these local authorities claim to own the land on which the Dobri Jeliaskov community has resided for over 70 years and therefore have to agree to any reestablishment of access to water. Upon the arrival of the Mayor, it became apparent that he municipality was reluctant to allow access to water to be reestablished.

3. Eventually, EOA was asked to leave the room so that the Mayor and her staff could meet privately with staff of the Sofijska voda water company. It is unknown what transpired at this meeting, but EOA was promised to be informed of any decision. No information has been forthcoming as of 30 May 2012.

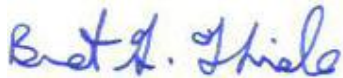
4. Subsequent to this meeting, a Deputy Mayor met with the Dobri Jeliaskov community and informed them that the authorities refused to agree with reconnection of water access for the community. Water access has yet to be re-established.

II. RELEVANT DECISION OF THE EUROPEAN COURT OF HUMAN RIGHTS

5. Petitioners would also like to draw the Committee's attention to a recent decision of the European Court of Human Rights that is relevant to this case.

6. In the case of *Yordanova and Others v. Bulgaria* (Application no. 25446/06), decided on 24 April 2012, the European Court unanimously ruled that a threatened forced eviction of a long-standing Roma community, notwithstanding its informal tenure status, would violate Article 8 of the [European] Convention for the Protection of Human Rights and Fundamental Freedoms and that the Bulgarian authorities must consider alternatives to eviction including regularizing tenure status and upgrading existing housing in consultation with the community. Article 8 of the European Convention guarantees respect for the home and is similar to the protections found in Article 17 of the International Covenant on Civil and Political Rights.

Respectively submitted,



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