The Courage To Be

part two

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ПРАВО
в действие

НАЦИОНАЛНА ЛГБТИ ПРАВНА ПРОГРАМА

The project National LGBTQ Legal Program exists with the financial support of Iceland, Lichtenstein and Norway, through the Financial Mechanism of EEA. The main goal of the National LGBT Legal Program is to empower the LGBTQ community by providing direct access to legal protection in Sofia, Plovdiv, Varna, Burgas and Veliko Tarnovo.

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Kingdom of the Netherlands

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Contents

Bulgaria is an especially unwelcoming, oftentimes even hostile place for people from minorities and marginalised groups. The truth about discrimination here sinks in the swamp of corruption, lack of justice and difficult physical survival. This book is an attempt to break the stereotypes and bias towards LGBTI people in Bulgaria. It is a collection of eleven stories of couples or individual persons who found the strength to change not only the course of their own personal story but also society as a whole with the help of Youth LGBT Organisation Deystvie's Legal Program.

These are stories of hardship but also of dealing with it, stories about discrimination but also about the fight against it, stories about institutional neglect but also about battles won. These are stories about people actively fighting for their right to live in a secure and accepting environment.

People who have the courage to be.

Teodor Ivanov

Att. Denitsa Lyubenova & Veneta Limberova

The Youth LGBT Organisation Deystvie was founded in 2012 with the mission to help and improve the life of LGBTI people in Bulgaria. The organisation pursues the ultimate goal of full legal recognition and social inclusion by offering pro bono legal services, working on strategic litigation, advocating legislative changes, organising public events, protests and rallies.

This is the second part of the The Courage to Be series. In 2017, we published the stories of ten openly LBT women (Black Flamingo publishing house). The next book, The Courage to Be a Parent, which will present mothers and fathers of young LGBT Bulgarians, is coming soon.

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ПРАВО
в действие

НАЦИОНАЛНА ЛГБТИ
ПРАВНА ПРОГРАМА

Deystvie's Legal Program was set up in 2014 by attorney at law Denitsa Lyubenova, and Veneta Limberova joined her in 2015.

Initially, the Legal Program's activity was focused on informing authorities about cases of discrimination, incidents or crimes related to sexual orientation. Our efforts are aimed at informing the LGBTI community about their rights and recognizing situations of discrimination.

Between 2014 and 2016, opportunities to file lawsuits in court were extremely rare – on the one hand, people from the LGBTI community had difficulties recognizing cases of discrimination, on the other hand, there was the fear that filing a lawsuit or a complaint might have negative consequences for their personal or professional lives. This fear was additionally amplified by any kind of governmental policy on dealing with various forms of discrimination, prevention, or the fight against the so-called institutional or legislatively embedded discrimination against LGBTI persons.

The first sign that change was possible came with the first strategic lawsuit for marriage equality by the brave Lili and Dari (Lili Babulkova and Darina Koilova). When court proceedings began in 2017, media interest in the case was enormous.

That was a chance for the broader public to learn about the problems of a homosexual couple in Bulgaria.

2018 also brought a huge victory – for the first time, a Bulgarian court recognised the consequences of a same-sex marriage. In 2019, the court ruling was confirmed as final and became effective.

That same year, the Legal Program began working on an online platform offering information and legal advice, trainings for attorneys, coordinators and volunteers. Consultations are now available in the five biggest cities in the country: Sofia, Plovdiv, Burgas, Varna and Veliko Tarnovo.

Now, at the end of 2020, despite the occasional feeling of hopelessness, the goal is clearer than ever: equality and acceptance of the LGBTI people in the country. This is a change that cannot be achieved without the motivation and civic energy of people such as the protagonists of this book, but also of the anonymous brave ones among us who, despite the fear, inconvenience or the hostility of people around them, have not given up on asserting their rights.
The national LGBTI Legal Program exists thanks to the voluntary efforts of a group of lawyers and activists, and project funding. Your donations would greatly contribute to the program's sustainability and independence.

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The National LGBTI Legal Program project is aimed at empowering the LGBTI community by providing direct access to legal protection through the National LGBTI Legal Program in the cities of Sofia, Plovdiv, Varna, Burgas and Veliko Tarnovo.

We provide legal aid and consultations to victims of discrimination and human rights violations.

legal@deystvie.org

Lilly and Dary

Change is Us

Legal Case

Recognition in Bulgaria of their marriage concluded in the UK

As always, let's begin by briefly introducing yourselves.

D: I'm Dari. I'm a translator and activist, and a wife for some time now.

L: I'm Lilly. We've been married for several years.

Let's get to the point. Tell us about your experience and issues with Bulgarian authorities.

D: When we were in the UK a few years ago /the late fall of 2016), we decided to get married because to us it was an important step in our relationship…

L: Because we wanted to. That's reason enough.

D: Then we found out that, once we're back, we need to register our marriage at the municipality within 6 months. We had not just the right but the duty by law to file our applications and inform the authorities that we had concluded marriage somewhere. In May 2017, we went, each in the municipality she was registered at. They accepted the applications. My municipality refused to change my civil status. Her municipality failed to respond, which is a tacit refusal.

L: I never received a response. Hers came within more or less a month, stating that there was no way her civil status could be changed because of the Constitution and the Family Code. Actually I think they didn't mention the Constitution, just the Family Code which follows the provisions of the Constitution anyway and says that marriage is between a man and a woman.

We're talking about the Sofia municipality?

L: Yes. In her case the Lyulin region, in mine Ovcha Kupel. In Lyulin, at least they were kind enough to give us a written document.
We received these refusals and decided we were going to appeal them.

Did you know about any similar cases in the past?

L: Honestly, no. We had no knowledge of anyone who had tried to do anything like that before, to file applications to inform the municipality. We did know there were similar cases. We knew, personally or through someone else, several couples living in Bulgaria who had concluded marriage abroad at some point in the past. But they never tried. None of them had been to the municipality, none of them had tried to inform the authorities, simply because in our situation we have more legal knowledge than the average person and we are familiar with the provisions of the Family Code and the Constitution. And it's clear that as things are currently, our family falls outside the legal framework. But, given that it does objectively exist, we thought that the legal framework needed to be broadened.

What were your next steps?

D: Then we appealed this refusal before the Sofia City Administrative Court, it being the competent institution. One way or another, we understand there is no legal framework we can fit into right now but this is something quite a few Bulgarian couples need –

to be seen by the law in their actual situation. This kind of relationship which develops between individual people, and between their relatives, should be acknowledged by the law in some way. And for us the way was this. We filed a plea in court and we waited.

L: The wait there was relatively short. I believe it was in the first days of 2018 when the ruling came out, but it was not in our favour and more or less repeated the same arguments. We had approached the case from the point of view of the Private International Law Code, under which marriages concluded between Bulgarian citizens abroad are recognised in Bulgaria as long as they cover three simple conditions. The first is that it be concluded by competent persons abroad, which is the case. The second is that it is legal in the country where it was concluded, which is the case. And the third is that it does not violate local public order.

How is 'public order' defined?

L: There's no specific definition anywhere in the current legislation. The definition of 'public order' is actually subject to interpretation. Bulgarian courts have chosen the narrowest definition possible, i.e. legal norms. The truth is, we spoke to lawyers at the time who told us that the Bulgarian Supreme Administrative Court had ruled on the topic of 'public order' in very different cases, stating that this is a broader concept than just the legal framework and that it should account for the actual reality of society. To me, as someone who is not an expert in law, based on what we

had discussed, this was what I saw as our legal opportunity.

Because, in the end, it's absurd to say the recognition of our marriage would contradict public order, when in fact not recognising it creates much bigger threats to the public order.

We could, for instance, commit a number of crimes which the law prohibits in case of family or marriage relations. There's nothing stopping either of us for example from marrying in Bulgaria. Now in Bulgaria we have proof on paper both of us are not married (we needed civil status certificates for something completely unrelated). With this certificate we could easily go to any municipality in Bulgaria and conclude marriage with some guy, potentially without him even knowing about our situation. And that would put us in a legally absurd situation, which, however, would obviously be more compatible with public order for the Bulgarian court than there being legal recognition of a family that does exist anyway.

Did you expect the court to rule differently?

D: We were hoping. Although, given the current situation in Bulgaria, it wasn't realistic.

D: It could have been different if the Supreme Administrative Court had said: "We have these provisions of the Family Code and the Constitution but, on the other hand, this union between these two people doesn't go against public order". And, yes, I don't know whether from a strictly legal point of view the court could have ruled that our marriage be recognised, but I believe they could have stated that Bulgarian

legislation needs to be complemented with some form of union between two people which is not marriage, so there's no contradiction with the Constitution, which people obviously regard as inalterable till the end of time. Still, it would have been a way to acknowledge the actual situation. And that was, numerically speaking, 5-6% expectations in that sense. The rest was that it wouldn't happen because during the last 2-3 years more than ever, since I've become a conscious and active person, there's been a kind of huge public pressure by small but very noisy social groups in the direction of a very peculiar Balkan type of conservatism. It's clear – the Istanbul Convention, the Childcare Strategy, the Social Services bill and now sexual education. They're trying to scare people that they want to take their children and pervert them. The executive clearly constantly gives in to this kind of pressure.

Clearly those who are "for the European development of Bulgaria" are not at all interested in continuing Bulgaria's European development.

People in the executive sometimes generate this kind of pressure themselves.

L: That's on top of everything. I'd rather not talk about them. Clearly those who are "for the European development of Bulgaria" [Translator's note: reference to the ruling party GERB, an acronym in Bulgarian of Citizens for the European Development of Bulgaria.] are not at all interested in continuing Bulgaria's European development. But, yes, in this context it was highly unlikely for the court to rule any differently.

How did you find out about the court's decision?

L: We found out about the final decision from our lawyers who heard it from bTV when the media contacted them for comment. And it turned out the court had issued a press release before informing us.

How did it make you feel?

D: Pretty bad.

L: I don't know; I wasn't very surprised. What was nasty was the way it was done. I understand we cause a certain degree of discomfort with what we do.

D: We can't imagine what exactly this discomfort consists of.

L: I mean discomfort on the level of the court, the state. For them these are potential PR catastrophes. We simply notice how they try to avoid the topic in a very strange way. During the first and last session of the Sofia City Administrative Court in late 2017, there was a short article in a community media about the legal suit being about to begin. So the mass media heard about it and there was huge media attention. For several days, of course, which is how long media attention normally lasts. Dozens of media, electronic and print, got in touch with us for comment and interviews. When the ruling came out a month later, once again there was interest, although it was less at this point, to follow up on what happened. Now that we have the final ruling... I don't want to sound like a conspiracy theorist, but I find it extremely strange that not a single media was interested. bTV did

I expect things to change and I can't expect somebody else to do it for me. I have no illusions we can change the whole world but we can file a suit when the situation demands it or respond to media interest when there is any.

There were interviews with you and articles about you in the media. What did publicity bring you, good and bad?

get in touch with us before that to do a report and we had arranged to meet so they could film it, which caused a horrible reaction in her family and generally very serious consequences but anyway, we decided we would both do this interview. Finally they told us they had decided not to shoot, just one hour before the arranged time. Then in the evening there was, let's call it a protest, although I think it was more of a form of the community coming together and declaring their readiness, saying this isn't over. Even then bTV showed up last minute, we talked, then they didn't air anything. And I think there was one woman from the National Radio who tried to talk to me and was very surprised who we were because she thought we were part of the Norwegian thing rally [Translator's note: Around the same time true and fake news about Norwegian authorities taking away the children of abusive Bulgarian parents in Norway combined to produce mass hysteria among the more conservative people in Bulgarian society.], which was taking place at the same time. Their rally was very sweet by the way. They just did 5 or 6 circles round the Tsar Osvoboditel monument in their cars because it was a car rally. And we joked it's like a horo [Translator's note: Traditional ring dance in some regions of Bulgaria] with cars. But, yes, media interest in our case was almost non-existent.

L: I've always taken publicity as a personal duty to a broader community and to history but, most of all, to

myself. I expect things to change and I can't expect somebody else to do it for me. I have no illusions we can change the whole world but we can file a suit when the situation demands it or respond to media interest when there is any. It's exhausting and it has a horribly negative effect on me when complete strangers hate me openly, fervently.

What are the next steps after this so-called "final ruling" of the Supreme Administrative Court?

D: Now we've decided to appeal before the European Court of Human Rights. We have six months to draft our plea. And we're hoping they'll rule as they have on other European cases in similar situations and won't give in to current public pressure.

L: One way or another, specifically in cases such as ours, there's what in their language is called "established case-law". I'm not sure whether it was the only case but ours is almost identical to a plea against Italy several years ago. Frankly, we found out about this case through our work and we read about it. For me, and I think for both of us, this was the first motivation, the first idea that we could actually do something with this marriage we've concluded. In general terms, in this case the European Court of Human Rights told Italy and generally all countries: "No, we cannot tell individual countries how to define marriage. We leave that to their judgement. But we can say that, under the European Convention on Human Rights, states are required to offer their citizens some form of union which is legally recognised."

And the final result of our case should be the same.

Does this case guarantee similar rulings in the future?

L: I see absolutely no reason why article 8 on the protection of personal and family life in combination with the established case-law should lead to any other ruling. We've done everything that was required from us, namely we have exhausted all possibilities on the national level: we filed applications, we appealed the refusals. In the end, it has become clear that on the national level Bulgaria will not offer a solution to our problem. The authorities refuse to look into introducing registered partnership, or civil union, or whatever, which would avoid this horrific clash with the Constitution. So, obviously, this information is going to have to come from someplace else. Bulgarian authorities, Bulgarian courts included, should know that the current case-law on the European level – the EU, the Council of Europe in this case with its European Court of Human Rights, is moving in this direction. So the only thing Bulgarian authorities can do right now, if it's so important to them that this doesn't happen, is slow it down through procedural tricks. We cannot avoid that,

at some point all states that do want to observe their obligations to the EU and the Council of Europe will have to introduce some form of cohabitation for same-sex couples, as this will also apply, by the way, for heterosexual couples who do not want to conclude marriage.

How many countries like Bulgaria are there in the EU?

L: The countries that have no form of same-sex partnership and do not recognise those concluded abroad are six. There were six last time I checked and I haven't heard of any changes. And they are Romania, Slovakia, Slovenia, Lithuania, Bulgaria and Poland.

It seems there are no surprises in the list.

L: No surprises. It's clear that in our part of the world we're not very prepared to just let people live their lives. I don't think it's even that much a matter of being conservative, as it is this strong feeling people have of being part of the lives of others. Everyone here thinks they have the right to judge how you live your life.

Were you interested in the reactions to your story among broader society?

D: We looked at forums, discussions and Facebook shares. As you know, what's most visible there are the voices of those who scream, who are full of hate and a very peculiar feeling of threat people who actually have no contact with us whatsoever have. Everyone else – friends, people from the community – supported us, they sent us personal messages, a couple of times people even stopped us in the street to congratulate us.

L: But anyway, this time it wasn't only negative reactions.

This time?

D: Compared to other news on LGBT topics. There were some positive comments here and there initially

when the news came out that we were suing. Right now, the more news come out, not necessarily on traditional media, maybe on Facebook, like statuses and publications, posts, say by Deystvie, the more people snap out of their indifference and begin to talk. Which is very nice and comforting and I hope soon they'll be a lot more than the ones screaming.

And something Lilly mentioned – 'threat', what do you think they see as a threat? Or are they just trying to cause a moral panic?

L: I believe most people do indeed feel threatened. Often when there are debates, say on the concept of 'homophobia', the fact that it contains 'phobia', there are people who proudly say: "I'm not afraid of anything, I just hate you", this perhaps helps me be more empathic to people who are obviously not our supporters. But I think people are indeed worried by the fact that the world is changing in ways they can't understand or imagine and in the end, to them personally, are not necessary. And when they talk about the "terrifying Norwegians", when they talk about "drag queens reading fairy tales to kids in kindergarten", when they talk about how "once gay marriage is legal, they'll start brainwashing society so they can make it a norm, the norm", I guess everyone understands that's exaggerated but indeed people are worried that the world is changing and it's changing in a way they don't like. In the end it's true – the world is changing extremely quickly right now. I don't think we're the first generation in this situation but one of those generations who find

themselves living in a world which is completely different from the one they were born in. Personally I'm not conservative but I am someone who likes a certain level of comfort, predictability, stability and I'm also worried by many developments, I am worried about how the world is changing and how I can't even sustain the illusion of having control over things. The problem is some people refuse to realise that – first that they have no control over things, second that not every change is negative, and the third and main thing here, the fact that it doesn't concern you doesn't mean it's not important. And yes, I think it is fear. And, of course, there's a smaller group of people who have their political and financial interests, or both, and know how to use and manipulate the feelings of the larger group. It's nasty but it's not a shock, it's just how politics works.

Are you afraid of these people who are, supposedly, afraid of you? You mentioned negative comments but that's on Facebook which is a horrible breeding ground for this type of hatred. But then there's also the physical space, the street.

D: We're definitely worried. I don't know why but I'm unable to feel fear on the practical level. I hope life doesn't prove me wrong. I think if I'm facing somebody who feels some kind of hatred, I could… explain.

'Scary' things are not scary once you understand them. This is our main instrument – information.

Let's not only talk about dark and difficult things. Tell me about your wedding. Most people say those are some of their best memories.

D: We have quite a few memories in that sense because we had two parties. We managed to have people come from Bulgaria to the official marriage in England, including part of our families and some friends. But we couldn't have everyone around us, everyone who supports us, who we would have liked to have with us when we're celebrating such an important step, so we had another party here with about 80 people.

L: In England it was more modest, of course. But there were enough people. They were enough because they were very close to us, and the very fact they travelled to England in November which is not a nice time to visit, meant a lot. There was a short ceremony at the municipality, the brides were walked down the aisle one by one. I was accompanied by my father, which would've never happened in Bulgaria, because we just don't have this ritual here. But there you go, it was a film fantasy come true. Then we celebrated at our friends', where we were living at the time. Luckily, they have a big house and were able to host all our guests. Of course, we had to make do in some ways, like spending our wedding night in a room with five more people. It was more like a mountain hut than real romance but… It was great, a non-conventional wedding day, wedding night and wedding memory, it was wonderful.

What about the party in Bulgaria?

D: The party in Bulgaria was in a restaurant, it was posh. There were some kind of traditional rites – breaking the bread, stepping on each other's feet maybe, I don't remember exactly…

L: It was a mix – we used the frame of the usual Bulgarian wedding with a little queer twist here and there. Actually we organised it ourselves in maybe a month and a half. We had some friends do some stuff other people pay for I guess. Like somebody playing the host, leading us through all those rites, somebody taking photos. And, yes, everything was unprofessional but it was very personal.

What do you want to say to people who are worried about fighting for their rights?

L: First, that not everyone has to do things the way we did, at this scale, it's definitely not anybody's duty to go public. This is a stage in our community work and our community struggle but not everyone has to take part in it. Some people feel more prepared but there are so many other roles. I think anyone who has decided to go to court is doing a kind of micro-activism, which is extremely important. You don't have to be on TV. It's just good to take that part of your life that can be controlled into your own hands.

Especially the LGBT community in general and same-sex couples in particular, and same-sex couples with kids, have so many things that are beyond their control, so many let's-hopes and God-forbids and what not. We should all be prepared that life and the world do not revolve around us, but we all need to have

the confidence that some things are indeed up to us, that there are some important life decisions we can make on our own, that with will and effort we can guarantee a certain degree of calmness, of stability.

And I guess the more people work on it together, the greater the chance of success.

L: It helps a lot to have a critical mass of people who want change and say it openly. Rather than just sitting at home thinking: "Wouldn't it be nice if things were different!" That's it – you want to change your family name to have your husband or wife's family name. OK, there's a way – go and do it. You want to contest the fact that the state doesn't recognise your legal and valid marriage – do it, there's a way. You want to change the sex in your ID – there's a way. And in the end anyone can live their life thinking there is no way, or, even if there is, it's very difficult, or if it's not difficult, what are the other people going to think. I'm certainly not in a position to judge anybody or tell them: "Don't live your life like that", but from my perspective I can say that as hard and unpleasant as the process may be, it's actually very rewarding.

Because?

L: Because you take back some control.

Radina and Denitsa

Bulgarian Family 2.0

Legal Case

Taking the partner's surname

Please introduce yourselves.

D: My name is Denitsa and I work as an Institutional Partnerships Senior Specialist at Teach for Bulgaria. I am a historian by education.

R: My name is Radina and I am from the town of Panagyurishte. I have a degree in landscape architecture, but I have been working in digital marketing for the past eight years, and I landed a new job recently, which is a great change since I work from home – it's a perfect fit for my lifestyle. Dentisa and I have been together for 6 years. We have a son, Kaloyan, who is sleeping in the other room right now. We got married on March 13, 2019 in Denmark.

How did you meet?

D: In 2012 I was working for Free Sofia Tour, the organization which makes free sightseeing tours in Sofia and other cities. I was in charge of interviewing prospective guides. Radina applied and was hired. We became friends, we got very close and two years later we started dating.

Is it hard to work at the same place as your partner?

D: Radina and I are very different in character and habits. She wakes up early and prefers to get a lot done in the morning, while I cannot function before 11 AM. However, we've been working together for 8 years now, we are seasoned, so I wouldn't say it's hard for us to make professional decisions and be a couple at the same time.

R: The problem was rather ethical, as we both had managerial positions in a

board that consisted of three people – Denitsa, I and a colleague of ours.

D: We completed our time at the board, but we decided to head elsewhere professionally. The first thing we did was to apply for jobs in the same organization we both liked – Teach for Bulgaria. We didn't necessarily want to work together again, but we didn't mind it, either.

R: Actually we didn't apply for teaching positions, we wanted to be on the staff. Denitsa still works there, she got the job, but I didn't.

Why?

R: I didn't have a lot of experience in what they were looking for. In hindsight, I am happy that it didn't work out.

D: Yes. At that point she was offered a job as marketing expert at Ucha.se, and later became their marketing director.

Tell us a bit more about your wedding. How did you decide to take this important step? And why did you choose Denmark?

D: A couple close to us, two boys, who really wanted to have a child, and had reviewed all kinds of options. They had checked different options such as surrogacy, international adoption, anything really, but they insisted on doing it as a couple. After all their research they had decided to adopt a child from a country which would allow a same-sex couple to adopt and take a child abroad. In order to do that, they had to reside at the same address and be married. So they moved in together and

started researching marriage options. It turned out that Denmark is the easiest, most painless and cheapest place to get married. Many countries require that you have a domicile there, and you have to fulfill many other criteria. Whereas in Denmark you can simply send your documents online, turn up on the appointed day, sign, and leave. Another couple from our social circle, two girls, had also said that they want to go with the boys and get married in Denmark.

R: The girls have an adopted son, 4 years-old. Our sons appeared in our lives at around the same time. And when they decided to get married, I had a lot of questions for them. Radi was in her second year of maternity leave at that time. We lived on one salary plus 380 leva. Marriage was the last thing on our minds. We had completely different worries, like, when will this kid finally learn to sleep? (laughs). So we talked to the girls about why they were taking this step. She simply said, "Look, you never know who's going to get elected and whether you might need to flee to another country." That was her argument. That argument became the leitmotif of our wedding. Denitsa said, "We also need to get married. We just need to get our relationship recognized by the law."

D: Every once in a while I get a very strong urge to emigrate. In other times it's less intense, but the feeling has rarely left me in the last few years. Not because I am gay. I just cannot stand the political situation in the country. One of the important arguments for marriage is that if you go to Germany for work and your partnership is not legally recognized, your wife and child

are "nobodies" to you. Meaning they don't have the right to stay there for more than six months.

R: We made the decision at the end of 2018, when we learned that Denmark is about to introduce stricter requirements for foreigners. We are members of a group of LGBTI parents in Bulgaria, and one of the couples there who had gotten married in Denmark a long time ago, in 2015 I think, had told us about their wedding. And then a lot of the other couples in the group, who already had children, got motivated to get married, because there was talk that changes in Danish law will prevent foreigners from getting married so easily. (This is what was expected, but it didn't happen.) That's why many members of the group hurried to file their paperwork. It's a pragmatic decision, but when you have a child, you begin to worry more about certain things. For us as well, formalizing our partnership was a way to have something on paper. A marriage, which would tell any democratic European country that we are both mothers to our child. Relationships like ours must get legally recognized, they must become more visible.

D: We expected the Danish law to change after January 1st. We had exactly 2 months – November and December, to send in our documents. We made a decision in a week, and it more or less sounded like that: "Hey, do you want to get married? – Yes, it might be a good idea, it has such and such advantages." There was nothing romantic about it. We married money, as they say, or rather – rights.

A pragmatic choice?

D: We were already engaged at that point. We viewed marriage in entirely practical terms – it was a contract that gave us a set of rights.

R: Actually we chose a date which was emblematic for our relationship. March 13th was an extremely cold day in Denmark. But the best part was that my mother, Denitsa's sister and her boyfriend, as well as 6-7 of our friends were there. We rented a large Airbnb apartment and we threw a moderately large wedding by Danish standards. By the way, Denitsa Lyubenova was in Denmark on another business trip and came to our wedding. .

Tell us about Kaloyan. How old is he now? How did you decide to become parents?

D: I really wanted to have a child. When we started dating, we already knew each other pretty well, we were very close and we loved each other a lot. I was already 29. I started the conversation about children and I believed that she should give birth first. I was very excited about the idea of having twins, unlike her.

R: In general I was very worried by the prospect of having a child together. I have always known that I want children, but I didn't want these children to suffer because of our family configuration. This was the greatest concern for me at the time

I wondered whether it would be fair to give life to a child in a country where they would be picked on for having two mothers.

And then, at just the right time, I came across an interview with Gogi /editor's note Gloriya Filiphova conducted interviews as part of research on LGBTI families in Bulgaria, published by Bilitis Fondation./

D: I tried to tell her that children will always find a reason to pick on each other. Children born to heterosexual families are mocked for their protruding ears, for not being able to pronounce the sound "r" correctly, for not being able to play football, and so on.

R: She explained that this is just how children act. Of course, attitudes do matter. If the father in the family uses "gay" as an insult, the children will absorb it.
We decided to meet Gogi, and then we realized that there are families like ours in Bulgaria, with children. I didn't know that.

D: I didn't know it either, I had only seen it in movies such as The L Word.

It could seem highly improbable, considering realities in Bulgaria.

R: Yes. And it turned out that these children are 5, or 7, or 12 years of age. So there are people who have taken this step a long time ago. We got in touch with the two families through Gogi. I had a lot of concerns. We didn't know how to approach it in a purely technical way, to begin with.

D: We thought that we would need assisted reproduction, but we feared that if we told a random gynecologist we wanted a baby, they would throw us out of their practice, sprinkling us with

garlic and holy water, and we would just die of shame.

R: Gogi gave us the emails of the two families, one in Plovdiv and one in Sofia. They described the process in a very kind and detailed manner, down to the cost of each step, assuring us it would all be well in the end.

D: They gave us a list of doctors and clinics, told us what we should know and look for – all the information we needed. And it all suddenly became very tangible.

R: The girls from Sofia invited us over to meet their kid. I don't know about Denitsa, she was always braver in such endeavours, but for me personally this was very reassuring. I saw that indeed,

there were other such families and their children were fine, so it would be fine for us too.

After that we just followed in the footsteps of one of the families. We chose their obstetrician. We went to the Shterev clinic. I put Denitsa's name on the form as my partner. We went to see the doctor together. She looked at us and said, how can I help you, girls? I anxiously said that we wanted a baby. She asked which one of us is Radina, I said "I am" and that's how it started. The doctor used to joke that I would go first, and then it would be Denitsa's turn. Our doctor is the loveliest person in the world. We recommended her to all our friends, including our heterosexual friends. She is extremely open-minded, very cool. She's always happy to see us. Because now we are trying for a second child.

I got pregnant right away, with the easier method. But we spent a long time choosing a donor. What eye color

should he have, how long should his legs be, what should the subject of his PhD be... (They laugh.) It was strange.

D: This, by the way, deserves a conversation of its own. Imagine that you have to choose how your child should look without having any emotional attachment, or an idea, indeed, about the father. The bank has millions of donors. Millions of sperm options, each with its different genetic information. And you can choose among them, literally as if you were choosing a laundry machine. (They laugh.) You can use various characteristics as search filters.

How detailed are the descriptions?

D: Extremely detailed. You can choose the race, height, hair and eye color of the donor. Since we didn't have any specific preferences, we ended up with a lot of results. If you just want an European male, 1.7 to 2 meters tall, there are hundreds of options.
Each donor has something like an interview featured in their profile. You can learn this person's favorite childhood memory, whether he plays an instrument, what he likes to eat, what his favorite color is, everything.

R: You have a letter from him, you have a recording of his voice describing why he decided to donate his sperm.

D: There was an emotional intelligence test. There were a lot of things to choose from. Which was probably one of the hardest parts for us – to choose a donor that we both agree on. As we already said, we are extremely different and it was hard to agree on a donor. Because you are not choosing someone

to live with, you are choosing the best possible configuration of genes. You have the donor's family tree: who died when, and of what. And, you know, we ourselves have diabetes in our families, grandparents with heart problems and so on, but we want a donor without a drop of bad blood! (They laugh.) It's just that when you get an opportunity to make such choices, you become quite an evil and intolerant human being. It was a curious experience.

R: Our son was born on November 1, 2017. He is growing up a healthy and happy boy. He's already attending a private kindergarten. We feel very welcome there.

D: All institutions that we've had to deal with since we became parents have been totally ok with us parenting.

Tell us about your experience with Bulgarian authorities. You are married and have a child. What's on his birth certificate? Does your marriage exist as far as Bulgarian authorities are concerned, both at the local and the state level? Did you experience any setbacks?

R: Really our first administrative hurdle was our son's second name, because my name is Radina and he would have to be "Radinov", but we didn't want that, we wanted him to be "Radev". So he took on my father's second name, because there was a small issue with having what we wanted. Later we found out that we just hadn't been insistent enough. Otherwise he has my surname. Kaloyan was born before we were married. Therefore Denitsa doesn't have any parental rights, not only in Bulgaria, but in most countries, even if they

recognize gay marriage. This is simply because we were married after having the child. We had an idea to take steps to get our marriage legally recognized here. Together with Deystvie, we filed papers… actually we petitioned the Sofia Regional Court to have Denitsa's name legally changed. Our idea was for her to take my surname, so as to have the same name as the child. Now the three of us have the same surname. And the baby, which Denitsa will hopefully have, will have the same name. This is a really exciting prospect for us.
We petitioned the court to have Denitsa's name changed from Denitsa Yordanova Todorova to Denitsa Yordanova Petrishka on the grounds of our marriage and the fact that we have a child who has Radina Petrishka's name. We requested that we all have the same surname. We explained that a number of issues could arise from Denitsa as a mother having a different surname, for example that she could be denied visiting rights should he be hospitalized.The court requested us to prove that we live in "an active homosexual partnership". This is a direct quote. We filed copies of our marriage certificate, translated and legalized, our child's birth certificate, photos from our wedding, and so on.

D: We attached photos to prove that we didn't meet yesterday. We had included photos from our holidays throughout the years, explaining where they were taken, what year, which village.

R: The judge didn't even look at them.

D: Anyway, we did our best. Denitsa Lyubenova had explained that a witness could testify on our behalf that we lived together and we were a couple.

R: It all lasted less than 10 minutes. The judge asked if I agreed that Denitsa should take my name, he asked the witness how long we had known each other and that was it. We waited two months for the ruling. It was in our favour. In his judgement, the judge had noted that we live in an active homosexual partnership and we have a child whom we "raise together".
He had also referred to the fact that there are heterosexual couples who are not married, but want the woman to have the man's surname and file such lawsuits. Therefore, denying our request would be an act of discrimination. This was his argument to allow it. Denitsa was allowed to change her surname, then she changed her documents, business cards, the signature in her email and so on. I still haven't gotten used to it – when she introduces herself over the phone, I still jump when I hear my surname. But it's great! We have a common surname – I, the child and Denitsa are all Petrishki! This was our small, but important little thing, which doesn't mean anything to any Bulgarian institution. Now Denitsa can take the child to the doctor and say, "My name is Denitsa Petrishka, and this is Kaloyan Petrishki", and no one will ask, "Are you this child's mother?" Which was one of our fears.
When we got married in Denmark, we had decided that we would register our marriage in the municipality. For me - not so much for Deni - it has always been important to use this marriage, our situation, the existence of our child to create more visibility: „Here we are, we exist, and we have to have some rights". So far we aren't getting any recognition from the authorities. Some of the couples in our LGBTI

For me it has always been important to use this marriage, our situation, the existence of our child to create more visibility: „Here we are, we exist, and we have to have some rights."

parenting group have their wills already written. We don't, we just rely on our families being understanding, should something happen to me or Denitsa – if I die, I want her to get the child. But she has no rights over him. She owns the apartment we live in. If something happens to her, in theory her parents could evict me and the child. Our partnership is not recognized anywhere. We can't own anything together, we can't take a loan together. But, in general, I believe that when you meet people face to face, they are much more likely to accept you than when you are just "that bad gay person who goes to gay pride".

D: As a matter of fact, so far we haven't had any problems. We both get a lot of support from friends and at work. I am in charge of partnerships at Teach for Bulgaria and I work with over a hundred very traditional schools. Some of their principals know about me and there are no issues. It's the same with the pediatrician, in hospitals, even in court, like we said. To summarize, the people we meet in our daily lives are far more adequate than those who leave comments online. So, for me, things look very different outside the internet. And there's another paradox: we go to Greece for holiday and we're married, we come back and we're not married (They laugh). It's quite schizophrenic and I get very confused indeed. Once we cross the border, literally, things change. My sister lives in Germany – when we visit, we are legally married, because Germany recognizes our marriage. When we come back to Bulgaria, we are not. How is this possible?

What is your conclusion? That there needs to be more visibility, that people should hear about such lawsuits, and judges should see people like you?

R & D: Yes!

R: I am the person who worries more in our relationship. Denitsa is a lot more direct and open. Well, she doesn't greet the shop assistant with "Hi, I am gay, I have a wife and we got this child made in the Shterev clinic!" (They laugh) But in certain daily situations, when you have to explain who you are and who this child is, you just have to state it calmly as a matter of fact. This is exactly what makes us visible in society and increases awareness, so that difference gets normalized. When most families like us are not only recognized, but liked, we will get to where we want to be. This is the way to do it.

D: I am a woman, but I am a non-biological parent. When people learn that I have a child, they assume that I am the mother. It is interesting that people never think the child might be adopted. I think that adoptive mothers have similar conversations. And when they start asking me about birth and nursing, we always get to the point where I say that I actually have a wife who is the biological mother and we raise our son together. I have to explain this very often. Radina can talk about giving birth and nursing without explaining herself every time. But yes, we try to raise awareness every time we get a chance. Luckily, we have never felt physically threatened and I hope we never feel that way. I know this is not the experience of a large part of the LGBTI community. Other than online, we have never encountered even the slightest bit of homophobia.

We are not out and about very much, but we don't live in isolation either. We have our social contacts. Oh! And something very nice, which we didn't get to mention, and I always want to share it: when Kaloyan was born, Teach for Bulgaria gave me a "paternity leave". My direct manager spoke to the then-executive director and told me: "You have a right to these days off even if the law doesn't recognize it." So I had 14 days of paid leave. This is one of the positive examples that still keep us here.

Antoniy

How Antonia became Antoniy

Legal Case

Legally gender change and fighting for changing name and ID

Please introduce yourself. What should we know about you?

My name is Antoniy Hristov. It used to be Antonia Hristova. I am sorry that I cannot provide you with a very dramatic story – mine just wasn't such. I am self-aware, I am at peace with myself and I am not afraid to be who I am.
At 13 I already knew that I would transition. Most transgender people, who undergo reassignment surgery, have been aware of their gender identity since childhood. I am not an exception.
When I was a kid, I thought I was a boy. Only later did I discover I wasn't.

I remember the exact moment when I realized I was different. I was about four years old.

We were playing football and one of the boys went in the bushes to pee, then another one followed, then another, until we all ended up in corners and bushes, peeing at the same time. Suddenly I realized I didn't pee as others did. I don't remember how old I was, perhaps four or five years old. After that, during puberty, I got estranged from my friends, because that was how it was meant to be. At that age boys develop an interest in girls and girls develop an interest in boys. That's the darkest period in general, puberty. My puberty was extremely secretive. I kept everything to myself. It was at 17 when I told some very close friends that I actually liked girls. To which they had a very tongue-in-cheek reply: "No way, really?! We had no idea!" Because it was so obvious. After that I had my first girlfriend who helped me stop feeling like such an extraterrestrial. I realized that what was happening was normal. Until then I had thought of myself as an aberration.
In 2008, I saw a YouTube video of a person who had transitioned. Through this person, who has two children now, by the way, I learned what "transgender" was and I found out what I am. At that moment I simply knew that I would transition eventually, I even imagined starting at around 20 years of age. And that's just what happened.
At 19, I went to the Netherlands to study international media and entertainment management. I didn't like the course, so I moved to the UK. Here I learned that the healthcare system covered sex reassignment therapy. But it would take a lot of time because there were many people on the list. Once I signed up, it took about 2 and a half years for me

to start hormone therapy. During these years, I had two or three appointments with a psychiatrist in order to get approved, to confirm that I want to proceed and that I do see myself as male. They had asked me to start living as a man, which was a bit weird, since I had been living as a man for as long as I could remember. Then they required that I talk to a therapist in Bulgaria, in my own language, which I did. I started hormone therapy on January 5, 2017.

Tell us a bit about your experience as a trans person in Bulgaria before you left. What kind of problems and attitudes did you encounter here?

I knew that I couldn't come out as myself in Bulgaria, I couldn't say that I am trans and that I want to change my sex, because my parents were completely unprepared for it at the time. I was still living with them and it was much harder to stand up for myself. After you move out of the house and you support yourself, it's quite different. Before I came out to my parents, I had to prepare mentally for the possibility that they might not accept the fact and that I might lose them. I had to be ready for that option, as I didn't know how they would react. Luckily, it didn't go that bad. Of course, there were tears on the part of my mother and a lot of drama from my father, but in the end they both came to terms with it and now they all use the pronoun "he" with me. And everything is alright.

In Bulgaria I barely had any problems, simply because I never put myself in a position of conflict. I just gave the appearance of a tomboy who dressed like a guy, which was also risky to a degree, as being gay or lesbian is still a taboo in Bulgaria. But in general people didn't ask any questions, even if they might have wondered about me, especially my family. When I turned up with a girlfriend for the first time, there was some drama, because that's when my mother finally realized that I do like and date girls. However, I rarely let external factors such as society, parents or friends affect me, and this has helped me a lot. I know that queer people llike me face a lot of aggression from family members, friends, parents, society, etc. But personally, I have never experienced any.

You mentioned that you decided to take this important step in your life after you moved to the UK. What are the hurdles to people who want to complete the journey in Bulgaria?

The only other person who's changed their ID that I know of is Paul Naidenov. He put me in touch with Deni /Editor's note: Denitsa Lyubenova, a lawyer from Deystvie/, because I read an article about Paul's name change. I didn't even know it was possible here. In the UK, I changed my identity, meaning my name and gender, through a Deed Poll, which is an official document about a person's birth name. Meaning you have a new name on your official British documents, but it is still associated with the name on your Bulgarian ID. That's how I got around the issue in the UK until I realized I could change my name on my Bulgarian documents. I didn't even know it was possible. Paul got me in touch with Denitsa Lyubenova who took my case.

Tell us about your experience with the legal program.

I was lucky to meet Deni, because she did everything. It was quick, it took about a year. I met her and Deystvie's president Veneta Limberova when I came to Bulgaria for the hearing. It was a really easy process. As I don't spend a lot of time here, nor do I know many people from the community, I don't know how it usually goes, all I know is what Deni told me - that my case went very smoothly. My family simply had to provide a few documents, including something in writing from my mother and grandmother, if I remember correctly. It's great that there are people in Bulgaria who take such cases, because, as far as I know, it's not in the constitution, there aren't any specific provisions in the legal system. They have found a legal loophole to help people like me to change their documents. /Editor's note: In Bulgarian law, there aren't specific provisions guaranteeing the rights of trans people for legal change. Nevertheless, all cases are heard on the basis of the constitution and existing laws, the principle of case-law/

You mentioned the court hearing. Many people are unaware of the specifics of the procedure and won't know much about it. What was it like?

It was very quick, to be honest. My grandmother and my lawyer Denitsa came with me to court. Denitsa and the judge spoke legalese and most of it went over my head, but I did know what it was generally about. I don't remember if there were questions for me, if there were, they must have been really minor. Most of the time I stood by silently. Before the

hearing, Deni had prepared me for the possible questions and the appropriate answers to them.

Were you anxious at all about appearing in court?

Not at all. After I came out to my parents and they accepted my transition, I didn't care about anyone else's opinion. I even got used to the idea that I might not be able to change my documents. I was considering seeking refugee status in the UK if Bulgaria didn't let me be the person I was.
In general, I had problems with my ID only when I travelled. I already had a beard and the only things that didn't go with it were the name and gender on my ID.

You mentioned your parents a few times and it sounds like the hardest thing in your journey was telling them. Am I right?

Oh, yes, because a lot of emotions are involved. And yes, it was painful, because they were not supportive at first. To them, changing my gender was a bit Frankensteinian, as if I were experimenting with my body and myself. I had to do a lot of explaining, a lot of showing them videos of other people who had gone through this, I had to tell them about the history of the transgender movement and how it started. As a whole, we had some learning to go through.

How long was it?

Pretty long. Even after I changed my documents, they would still sometimes refer to me as "she". I had decided to take offence deliberately, because they weren't putting in enough effort to address me as "he". So I would get upset and make unpleasant comments if they got it wrong. And every time the reaction would be, "well, I forget, it's not easy for me, because you were a certain person for me for 19 years, and now you want to be another person." And every time I would have to explain that I am still the same person, but with a different name.
Now it's not a problem. Even my grandmother, whom I told first, because she is the one who gets me the most, even she changed the pronoun.
It's hard to go through this process of self-awareness, of finding out who you are, and to realize you were born in the wrong body. Some people, including myself, blame themselves for it. But new research shows that being trans is

coded in your body before you are born, during cell division while you are in your mother's womb.

How did your social circle react? Your friends?

All the friends I've told are still my friends. Most of them were even using the pronoun "he"' long before I started transitioning. When I moved to the UK, my best friend was already living here. Even now, if I have a problem, she'll be there for me. She's played a big part in the entire process. She helped me fill some paperwork, she came with me to my very first doctor's appointment – because in Britain you have to start from a GP in order to be referred to a transgender clinic in London. She uses "he" with me, she's been doing it for a very long time. It's even strange for me now, looking back at it, because it's been such a long time that I feel I've always been a "he" and nothing else.
Every time you tell someone you are trans, it's strange. In general I always prepare for the worst – that this person will want nothing to do with me. Lately I've been considering being more open about who I am. Perhaps not being open about it has been a defense mechanism. I know of people, who've been subjected to violence, who were beaten up and so on. Having transitioned is perhaps a bit easier than being gay. Right now I look as a short boy and I don't insist on everyone knowing the details. Of course, my girlfriend has to know, it's impossible for her not to. I present myself as male, I act as male and... I don't know, perhaps it would be harder to hide if I was gay.

Telling your story right now is exactly the opposite of hiding. It's incredibly brave to speak out, with your real name. Aren't you scared?

When I realized my story would be published, the only thing that gave me a pause is that at one point I might want to come back to Bulgaria to create films, because this is what I do. But lately I've been considering coming out to the world and letting more people know I've transitioned. Yes, of course, I have my concerns. I am generally very cautious when I'm back in Bulgaria. For now I've had just one instance of skin-headed guys shouting "hey, little gay guy" after me, because I was wearing yellow trousers in the city center. Such situations are the only thing that frightens me. But despite the fear, it's worth it, because it's good for people in

Bulgaria, who might feel up against a wall and for whom it's hard to take the step I've taken. Perhaps this is the big reason behind my courage right now.

Evelina and Milena

For the Child's Sake

Legal Case

A consultation regarding European legislation in relation to one partner bearing a child with genetic material from the other one

Tell us a bit about yourselves – what do you do?

M: We work in a financial institution. I'm the manager and Evelina also works there. Now she's on maternity leave but she comes from time to time to lend a hand.

You're colleagues?

E: Yes, at my last workplace before I gave birth.

Tell me a bit more about how you met.

E: I'm four years older. We met in Studentski Grad in Sofia. In a bar called Chadara, maybe you know it. She had come from Sofia for 20 days from Burgas. And things just happened suddenly. I fell for her hard.

M: Me too (laughing), me too.

E: Her 20 days were over and she went back to Burgas. I couldn't take it. Then I decided to change my life and I left for Burgas.

I guess that wasn't easy?

E: No, it wasn't. My childhood friends in Sofia admired my courage to just get up and go, given I had only known her for a few days. But I just fell in love, truly, madly, deeply. I felt like I was flying, not touching the ground.

What was the first thing you said to each other when you met?

E: Well, she was late for our first date. Maybe about an hour late, I'll never forget it. And I keep rubbing it in.
(They laugh.)

An hour is more than a little late for a first date.

E: Yes, but I was patient. To top it all, she came in a tracksuit, like a batka. She came in an Adidas tracksuit and Adidas sneakers, whereas I was all dressed up. But she was just very beautiful – she still is – and I didn't dare say anything. That was eight years ago in May.

Eight years is quite a lot of time. How have your relations evolved? How has your daily life changed from the beginning to now?

E: Tremendously! In the beginning of a relationship, you know, everything's rosy, emotions raging. Throughout the summer we were at the seaside, discos, then it switched to work, household stuff, renting a place, then another one. We went through all sorts of difficulties.

What kind of difficulties did you have to go through?

M: Financial ones. As well as a clash of characters. We moved in together very early, which was good, but it turned out to have its downsides too because our characters were pretty different.

E: We're radically different! (They laugh.)

Can you give me an example?

M: I'm very open, talkative, I like meeting people, whereas she's more introverted, she doesn't trust people easily.

E: Not only that. Her grandmother's spoiled her, she's used to home-cooked meals. But she can't cook. That was a problem. (They laugh.) Now she can!

You two are married. How long did it take you between when you first got together and the moment you decided to take that big step? It is a big step, given where we live.

E: We met in 2012. Sometime after the third year we began thinking about having a child. The way we wanted to do it was very difficult and complicated in Bulgaria. /Editor's note: The girls wanted an egg cell from one of them to be fertilised with donor material and the embryo to be transferred to the other one. This way Evelina would bear a child with DNA from Milena). In 2016, we got in touch with Veneta Limberova. Milenka searched the internet and found the Youth Organisation "Deystvie".

M: We met in Sofia. We explained our idea. They said it was the first inquiry of this kind that they had. We surprised them a bit, but Veneta said she had a friend in Spain and she would check. They warned it would cost a whole lot of money which we didn't have at the time.

E: But that motivated us even more. We even moved to a cheaper apartment. We told ourselves we would save so we could make our dream come true. And

after two years we had the money we needed, we cultivated the necessary emotions, patience, attitudes and we achieved our goal. Our dream.

How does it actually work? Could you tell us your story a bit more in detail from the moment you made the decision, to the moment your dream came true?

E: We tried in Bulgaria, but here this method isn't allowed. We asked friends

in Greece, it wasn't allowed there either. Time went by and we waited. It was a very emotional period. And then I contacted someone I was close with who was living in Spain, who agreed to help us. She said we needed to be married, so they could do the procedure in the clinic, and she began researching what the requirements were for us as Bulgarian citizens. The first condition was that we went to Valencia and registered as residents there. Then we needed to apply for marriage.

My acquaintance (she's a Georgian married to a Bulgarian) did us a huge favour registering us at her address. Then we applied. It was pretty easy for us as Bulgarian citizens. Approval from the Spanish authorities takes up to three months. I'll always say God helped us. Things happened really quickly and easily for us indeed.

They called us in about a month and a half to tell us we have a date for a marriage. In Spain they give you a date. We got married on 9 February 2018.

M: On 10 February, we went to the clinic, almost running, and we began the procedure.

How did the marriage itself go? Were there any guests, any relatives? Was there a celebration?

M: We just wanted to be married so we could have a child. But our acquaintance – I repeat, God sent her – she made this day an exceptional celebration, although our relatives couldn't come.

E: She had prepared everything: cake, treats, a feast. Naturally, I wore a white dress. We had two bridal bouquets. Incredible! She really made sure that

the event wasn't just signing and exchanging rings but a real wedding experience.

M: They gave us a wedding night as a present. They rented a hotel room decorated with flowers in the shape of a heart. Plus the first letters of our names.

E: Like in the movies.

M: And there was a bottle of champagne.

That sounds so romantic.

M: Yes, it was romantic indeed.

You said you wanted to be married as fast as possible, so you could get the procedure for having a baby going. How difficult is that in Spain? Besides the financial cost you already mentioned, were there any other hurdles you didn't expect or lessons you learned you didn't know before? How does it all work?

E: The first problem was the language. Our acquaintance and her daughter had to be with us all the time to translate. The second problem was calculating so Milena would be in Spain on the first day of her period so they could do the procedure. Because after we got married and submitted the documents at the clinic, we came back to Bulgaria.

M: Yes, it's complicated in terms of tickets and logistics.

E: And another thing: Milena has a phobia of injections. And the genetic tests discovered she had a severe form of anaemia. And again an emotional

breakdown. She had to go through that too. In general, the most serious problems were emotional. You have to have a very strong personality.
We already had nine embryos. Milena did her part in Spain. After that it was my turn.
I needed to be in Spain for the last day of my period and immediately go to the clinic. We did the procedure. We put in two embryos with the clear understanding we might have twins. We decided to do two, just to be on the safe side.

Did you choose the donor?

E: Yes. They don't give you a picture there. You choose by eye and hair colour, certain characteristics. It was easy for us to choose. Since in our case the egg cell is hers, Milena's, we wanted the donor to look like me, that is with brown hair and blue eyes. I have blue eyes and fair skin. In terms of nationality, we chose a Spanish person.

You mentioned your acquaintance living in Spain several times. Certainly she was one of the people who provided huge support, including emotional.

E и M: Yes!

Did you families and friends support you in this process?

M: Emotionally no, but my father did help us financially.

E: To me, emotional support was the most important thing, you'll always find the money one way or another. Our acquaintance in Spain helped us the most. But we also have Milena's father to thank.

M: It turned out to be more expensive than what we expected and the money wasn't enough.

How did your families accept the idea, the desire, the dream to have a child?

E: I didn't tell my parents. Now they know. They know who I've been living with for so many years. They're older so I didn't tell them. I only told my cousin whom I feel close like a mother, like a friend, like a sister, like everything. But them I didn't tell. They only found out recently, when the baby was born. They found out the whole truth. What I'm telling you now, I told my mother last year. Now I told my father too and he didn't take it very well. He hasn't spoken to me in three months.

M: My mother was sick. She died little before the baby was born. My father, on the other hand, knew everything and supported us a lot. Only he and his partner knew and no one else.

Tell us about the kid!

E: Oh, he's a delight!

M: Should I bring him?

E: He's very cute, very smiling. Sammy, duckling! (She laughs.) There goes one hand, there go two! /Translator's note: Bulgarian nursing rhyme./

How old is he now?

E: He's a year and two months. He won't try to walk on his own but walks around in this device called a walker. Without it he's kind of cautious, he won't let go. Spaniards are a bit lazy. So

is Milena, I think that's the reason he won't let go and walk. But he's a great joy! This is the greatest thing. Also, Milena was there with me when I gave birth. It was a great emotion.

Tell us about it. What was the process? Did you have to give birth in a private clinic, how did it happen?

E: In a public hospital. The regional hospital in Burgas, it's the biggest hospital in the city.

M: We asked quite a few people about doctor recommendations. And it turned out the public hospital had some of the best ones, and the department itself was very good. They had a big neonatology department, so it was the most logical choice. Not that there was much choice anyway.
We also thought about Sofia. One doctor frightened us during the pregnancy.

E: That's the only thing I don't like about Burgas – because it's a small town, there are no experts. Everyone leaves here. They go abroad or to Sofia. And the incompetent doctors come to work in Burgas. In the sixth month of the pregnancy they told us our man had the Down syndrome. We even called Veni then, we cried, we suffered, tremendous emotion.

M: And our doctor was a bit unprepared. They told us: "Well, if that's the case, you need to have an abortion right away."

E: ... To induce the birth, an abortion and all kinds of horrors. That was very hard for us. We went to a medical examination in Sofia. Then another one. Sofia is indeed different.

We are extremely thankful to the exceptional doctor from the Nadezhda clinic – Zheni Panayotova. They also do in vitro procedures there.
Zheni Panayotova said that before she saw the foetus and all its organs, she wouldn't sign. Here in Burgas the examination was less than 20 minutes. In Sofia it was eight hours. That was because Sammy had turned upside down. I had to walk around, to jump up and down. And, yes, another strong emotion during the pregnancy.

How did people in the hospitals and clinics react to the fact that you're a same-sex couple who wants to have a child?

M: They don't.

E: Yes, they don't at all. Doctors don't care. I told this doctor absolutely everything the very first time I went for an examination. Because to me that's very important. We paid a very high price (and I don't mean the money) to have a child, so for me it was important that our doctor was careful and without prejudice. So I told him everything. I told him about us, about the procedure being in vitro, about Spain, absolutely everything. He took it very well. Our doctor had a great attitude.

What led you to Deystvie's legal program?

E: Milena found them on the internet somehow. We met and they were amazed to hear our idea to have a child. Then Veni said we were the first people who turned to them for this kind of support, for assistance to have a baby this way. The bad thing is that legally in Bulgaria only I am the mother of the child, whereas in Spain we're both

mothers. In Bulgaria, on paper, I'm the sole parent. We asked Milena's father for assistance. He agreed to recognise the child.

M: So, legally now I'm the child's sister.

E: Yes, very sad. This rotten country!

Except this kind of problem, have you encountered discrimination or a lack of understanding from other institutions in Bulgaria?

E: Never. It hasn't happened. Even at the first exam at the pediatrician, all three of us went together and I told her: "I just want to warn you, we're both mothers." She replied: "Alright, no problem." Even before Samuil was born, we never encountered any kind of discrimination, like people pointing their finger at us "They're gay! They're lesbians!" or anything like that.

M: Maybe they did behind our backs but never to our faces.

E: Maybe they do talk behind our backs, everybody in Burgas knows about us by now. (They laugh.) But we never encountered direct discrimination to our faces.
To me, the most important thing is how the two of us will raise and bring up this child. Society doesn't worry me. As long as the child is prepared for every kind of clash. He's little now but the environment he'll grow up in is very important. It's clear he will encounter some form of aggression or insults, but we'll try to protect him as much as possible.

What do you think is the most difficult or the most important thing you have to teach a child?

E: To be a good person. To me, that's the most important thing. I'm even a hundred percent sure Milena will say the same thing. What's the most important thing to teach Samy?

M: To be a good person.

E: (laughing) I wasn't watching her. You saw me!

What do you expect of Deystvie's legal program, what kind of support do you need?

E: The only thing I want everyone to focus on is legalising same-sex marriage. I need for Deystvie to direct their efforts there. Because this really is a huge problem, the biggest one. If I get hit by a car tomorrow, Milena wouldn't have any rights over the child. The other thing I'll ask of Veni and Denitsa is assistance in changing my family name. I want to have the family name Atanasova, as our son is called Samuil Atanasov.
So far we haven't gone to court. Here in Burgas, when we had to prepare the documents the Spanish authorities wanted of us,

the head of the municipal administration gave us a declaration that Milena and I live as a family. This declaration bore the stamp of the Burgas municipality.

I terribly regret I have all the documents except for this declaration, I don't even have a copy. I really resent that because that's a huge trump card. The municipality here gave me a document stating I live with another woman as a family. With a stamp! Really, a great document. And maybe that was the reason things happened so quickly for us.

Lauren, Vicky and AJ

Not Without Our Daughter

Legal Case

Two mothers fight Sofia Municipality's Civil Registration and Administrative Services Department (ESGRAON), which refuses to enforce the law with respect to their daughter and denies her access to public healthcare and childcare facilities, as well as the right to reside in her home country.

L: My name is Lauren and I am from the USA. I've been in Bulgaria for nearly three years. Vicky and I have been together for about ten years, we are married and we have a beautiful daughter – AJ. I am from Denver where it's very gay-friendly, laid-back and easy going. I think this is a big reason why I am laid back and easy going myself and I would like to live in a place that is also like that.

V: I was born in Bulgaria. I moved to the States when I was 19, so you can say that I've spent most of my adult life there. We decided to move back here because of Lauren, honestly, I didn't want to come back. I was born in Bulgaria, I love it, but at the same time I know it has its problems. Yet, it's my home and we decided to stay. I am glad to be back.

How did you two meet?

V: Oh, it's a very complicated story – we met at a bar.

Л: Yes, at a gay bar, can you imagine…

V: A gay bar in Vegas. We both lived in Vegas at the time. It's funny that I was working right next to her apartment, but we didn't know each other. At the time I was delivering pizza and I actually delivered a pizza to her apartment once, but that's not how we met. And yet, here we are, ten years later. After Vegas I moved to Denver to be with her and now we are in Bulgaria.

So you got married in the States?

V: Yes, in 2019.

L: We were engaged for about 4-5

years and last year we finally did the paperwork.

Just for comparison – is it complicated to get married in the USA?

L: No. Gay marriage was legal in Colorado before it was legalized nationwide. /Editor's note: Denver is the capital of Colorado. Gay marriage was legalized in all states in 2015./

V: It's very easy to get married there now, and even before that there were options like domestic partnership. We had something like that. Civil union was another option. However now with marriage we have exactly the same rights as everyone else, including immigration, taxation, everything. Because options like domestic partnership have their limitations. A marriage is a marriage.

How about Bulgaria, did the authorities recognize your marriage?

V: Not at all. I changed my name, I took Lauren's surname. And now in fact I have two names – I am Victoria Mitchner in the US and Victoria Ilych in Bulgaria.

L: With two sets of IDs, one for each country.

V: Veneta and Denitsa are helping me change my name, but we shouldn't have to go through such complications. I mean, I have dual citizenship, and I have to have the same name, I cannot have five passports with five different names. This makes no sense.

Why did you seek assistance from Deystvie?

L: I first came here as a tourist and I had to find a way to extend my stay. Because even though Vicky and I were a couple, we weren't married yet and I wasn't entitled to anything as her partner. Initially I met Denitsa and the plan was for her to help us with immigration. But we ended up hiring an external immigration lawyer, and Deystvie helped us with additional things like preparing for the baby, because we already knew we would try to start a family.
I think we got in touch with Deystvie on facebook. We started going to their events and I think that was when we realized we needed help. At that moment I had figured out how to stay legally in Bulgaria for a year. But that meant that I would have to reapply every year. I can't work here, actually, so I was running out of options. At the same time we already had AJ, who only has U.S. citizenship and we needed legal assistance with all these issues.

V: In the beginning we weren't pursuing anything in particular, to be honest, we had found a loophole that would help Lauren stay legally in Bulgaria. But with the baby in the picture, I decided that authorities should recognize her as my daughter as well and we needed assistance from Deystvie's legal program.

Tell us about the legal struggles you are facing right now.

V: Long story short – we decided to have a baby. We also decided to raise her here, simply because it's a lot cheaper. Healthcare in the USA is not affordable, it would be impossible for us to manage there. We had AJ in the States, so that I would be listed as her legal parent, even though I am not her

biological mother.
So we decided to go back to the States, we got married there and I was listed as her legal parent on her birth certificate. In the eyes of American authorities we are both parents to AJ, even though Lauren gave birth to her. When we returned here, we tried to register AJ as my daughter – I submitted her birth certificate from the States, all the necessary paperwork. I was denied because I wasn't her biological mother. This is one of the issues.
The other one is that I can't change my name. Authorities here don't recognize Lauren as my wife. This creates a number of complications – AJ doesn't have a personal identification number in Bulgaria, she has no access to a GP, she has no rights here – she is simply an American citizen.

How are the cases going?

V: Initially we filed documents with the municipality, they denied us. Or rather, they didn't deny us, there was just no response, even after months of waiting. Now we submitted the paperwork again with the help of Deni and Veneta. So we're waiting. It's been a year and a half and we're still waiting. At the end it's just sad.
I am a Bulgarian citizen, I want to stay here and I believe I have something to offer. I have brought over two other people, who have a lot to offer to Bulgaria. It would be the easiest thing for us just to pack our stuff and go back to the U.S. And not deal with any of it.

But we both believe that Bulgaria is a good place to live and it can change for the better. If we all do something about it.

I would like us to talk a bit more about how and if Bulgaria is a good place to live. There are several big issues that are important when it comes to this. The first one is whether you think you will face any pressure or risks if you tell your story publicly.

V: I was against the idea of going public at first, to be honest. For one thing, I have family here. As I said, I've lived here, I grew up here and I am aware of the risks. I've been attacked more than once in Borissova garden, not just for being gay, but simply because someone wanted to steal my shoes. I knew how dangerous it can be and I thought, I don't want to put my family through this. But when the baby came, I told myself, "No, this has to change, she's my daughter and I want her to be recognized as such." Lauren has always been open to going public, but for me it was a little bit of a struggle. Now I believe this is the right way to go, we have to tell our story, people should hear about the kind of problems we're facing. I am sure that there will be a lot of hate and very little support, but still…

I think it is extremely important to stand up for family rights and there's no reason for us to be treated differently.

L: In Denver, I was very involved with an LGBT hub. I volunteered, I would support Pride every year. I think it is extremely important to stand up for family rights and there's no reason for us to be treated differently. And I want to do the same thing here, even if it's dangerous or hard. Of course, I don't speak the language, so I don't get the small nuances. If I see the news, for example, I won't be able to pick up on the terrible hatred that is sometimes between the lines. You can say I am lucky in my ignorance. But at the same

time you can't sit around doing nothing. You just can't.

Tell us about the people who are supporting you in this fight – family and friends. How is the situation affecting them?

V: We are lucky that my family is very supportive, they love both Lauren and AJ. Our friends are very supportive as well.

L: There are also other people in the community, both in and out of the spotlight, who help us, even by sharing their stories with us. There are also many people who would step in, should something happen to us on the street.

V: I believe that for the most part we've surrounded ourselves with good and supportive people. I spent the last 12 years abroad, which makes me feel like a bit of an outsider here. But there's also social media where I can read a lot of negative comments. I am very much aware how much hate there is out there, not only towards gay people, but towards anyone different in general.

Do you think attitudes have changed here in the time you were away?

V: I was away for 12 years. I think there has been some change, but honestly I was hoping for more. I see external changes – Sofia, for example, my home city, has changed a lot. There is a lot more diversity, many people from different countries and backgrounds. But the mentality of Bulgarians hasn't changed, it's pretty much what it was in the 90s.

That's a bit scary, isn't it?

V: Yes, that's what I mean. For example, I think young people are more open and less prejudiced, a lot more progressive, they travel a lot, and the internet has given us access to a lot of information. But even young people are somewhat stuck in that old way of thinking. I see it in some of the things they do and some of the things they say…

L: Some of the comments they make…

What kind of comments?

L: They are not unique to the queer community: you can hear a lot of racist talk, most often about the Roma. Even people who are seemingly progressive and have good intentions make such comments. You have no idea what people are like before they leave their comfort zone. And when they do, you learn what they really think about certain issues.

What are your impressions from the gay community here? Do you get support from it and do you think it's a strong community?

L: Sometimes we get support. I wouldn't say it's a strong community, because it's very small. And it's somewhat disjointed. In the US, we were part of a much stronger community, even though there wasn't much to do in terms of changing laws. It was about getting together, hanging out. Here a lot of people prefer to remain anonymous, some people are even scared to walk down the street, others yet appear as if they don't care enough to follow through with what they say. They say, let's fight injustice, and where are they? Why aren't they

at important events and protests?

V: In all honesty, we don't know many people in the community here. But from what we've seen, it doesn't strike us as very strong. We went to a few protests. I would expect that people here would be more outraged, that they would go and protest and make themselves heard. But no. There were about a hundred people at the protest in support of Lilly and Dari. Veneta said that it was a good turnout, but to me it seemed like there was barely anyone. I expected more.

L: Just to compare with Denver, where I've lived most of my life, when the right to marry was extended to everyone, thousands of people celebrated in the city center, it was almost unreal. And it was an ordinary afternoon, after work… People just stopped whatever they were doing and showed up. I think it's a bit easier here to get the afternoon off, you'd think that if something important was happening, people would just gather. But I don't see it happening.

Indeed, there is a lot of apathy here and it's hard to get support for social causes. This is something I would like us to talk about. There are institutional and legal barriers, but for the most part it comes down to public opinion. How can we change it?

V: The gay community in Bulgaria is very small and I think it can't change anything on its own. I think the question is how to get straight people on our side. I think it comes down to marketing and using social media to inform the majority of people why some things have to change. We have

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to get them to take it to heart, when it does not directly affect them. Because people are usually interested in things that personally affect them. How can we get the average person to see our problem as something that affects them as well? This is another reason we are sharing our story: we are young, we look nice, we have a baby – perhaps people will look at us and say, they look nice, perhaps it's not that scary, it's not a thing to hide, there's a baby involved. If you get people to like you or they are touched by your story, I think they'll get involved in your causes. But we cannot achieve this if the gay community is so small, or if we only wait passively for something to happen. We need more allies, especially allies outside the gay community.

L: I agree, but I think there's more to it. The people we meet here are very kind once they get to know us. When we meet face to face and we tell them our story, they say "Oh, you are a gay couple, that's great!" – and we don't have any problems. But they have to know you personally. If they don't know anyone from the gay community, they cannot relate to our problems. So their only idea of gay people comes from certain celebrities like my favorite singer Azis (they laugh), which is… I don't know, very limited. It is not a realistic image of the queer community. I don't watch Bulgarian TV, so I don't know how or if the community is represented. But if people know someone in person, they can reason that we are not a threat.

Indeed there is a difference. When people meet informally, they have positive experiences. On the other hand, there are members of the polit-

ical establishment, people in power, whose messages are leaning more and more to the far right, and who are constantly fear mongering that LGBT, Roma, migrants and so on are the real problem of society.

V: I have heard such comments about foreigners from everywhere: "Why are they here, they are stealing our jobs". But that's perhaps a global issue, politics is sliding more and more to the far right. Differences make people afraid.

Is it correct to say that you are sharing your story publicly partly because you want change?

V: Yes. As I said, I love Bulgaria and I want it to be a better place to live. It might sound unconvincing, but I do believe it could be better for everyone. Many things can change, it is not only about our marriage. I wouldn't want to say that people here are oppressed, but they are definitely very depressed. And I think they can be woken up and start looking for change. Many people think "Nothing will change, so why even bother."

L: There is a defeatist attitude here when it comes to policies and to politics as a whole.

Let's go back to your legal struggles, because I think it is the most important part. I find it very concerning that AJ doesn't have health insurance. How do you manage when she gets sick?

V: We are lucky that we can afford private healthcare, but if we couldn't, we wouldn't have any options. It's quite expensive.

L: A visit to the doctor is 100 lv, and this is just for a check-up. When she got sick and she had a running nose and a cough, we, as first-time parents, were worried and took her to the doctor. A 10-minute check-up cost 100 lv. Of course we won't spare money where her health is concerned, but she must have the right to a pediatrician like any other child.

If nothing changes and you decide to stay, what kind of problems will you be facing when it's time for her to start school?

V: I don't think she'll be entitled to a place in a public school, because she doesn't have a personal identification number. We haven't planned that far. But I know for certain that she can't go to kindergarten, unless it's a private one. I don't know about school, I guess it's the same – she can only go to a private school. But what if you can't afford it? All of this creates a lot of complications for people like us, who want to stay in Bulgaria. There's plan B, we can always go back to the states. What about those who can't?

L: We are talking about healthcare, kindergarten, school – these are all basic things that every child must have access to. What if I get sick and I go to the hospital – who will take care of her? Vicky has no right to a sick leave to take care of her. Other parents have the right to something like 60 days of leave to care for a sick child.

V: I can't get leave from work, I don't have a right to maternity leave. I can't do anything if my child needs me. The state just doesn't recognize me as her parent. I'm not asking for anything from

the state. Even if we do get the birth certificate and I am on it as a mother, I won't use maternity leave, we are not trying to benefit from the system. We just want her to be recognized as my child. If something happens to Lauren, what are we going to do?

L: If something happens to me and Vicky decides to stay here, AJ, as an American citizen, has to apply for a permit to stay here each year.

V: I would have to adopt her, but how can I adopt her, when I am her parent according to American law?

Are there any reactions to your story? Any comments?

V: Yes, mostly on Facebook. I think people are afraid, or too reserved to tell you what they think to your face. But I've seen horrible comments on Facebook. Someone had written that I had no right to call myself AJ's mom, that I was something like a distant relative to her, an aunt at best. That was very hurtful. But in general, hate is mostly confined to social media, we either don't know such people in person, or they are afraid to say such things to our faces. Who knows, maybe they say them behind our backs.

L: There's another big difference. In the States we can walk hand in hand on the street, we can kiss each other on the cheek. We don't do that here, not publicly, not in the park. Perhaps sometimes, when we are in a larger group of friends. Which is a shame.

This is a conscious decision on your part?

L & V: Yes.

V: We travel a lot. Before we came to Bulgaria, we spent a year travelling around Asia, India and many places where it's obviously not ok to be gay. We were very aware of our actions and the habit stayed with us.

Are you scared sometimes?

L: I'm not afraid I might get yelled at. But I am afraid that someone might harm AJ or take her away from us because they think we are unfit to parent her, because we are a same-sex couple.

V: I don't know what scares me. You never know who's behind you on the street, who might see you and what they might do. We are trying to be cautious. Better safe than sorry.

So now you are awaiting the court's ruling?

V: We are waiting for the ruling on my name change. We have also submitted AJ's papers and birth certificate, which means that we want authorities to recognize that I, as a Bulgarian citizen, have a child and that it must also have Bulgarian citizenship. We are waiting. The most important thing for me is for AJ to get recognized as my child. But this could lead to another problem – I could be listed as a single mother on her birth certificate, which means that then we'll have to appeal to get Lauren on it. Because we are both parents to AJ.

L: This would be a partial solution to her problem, AJ's problem, so she would be able to stay here and get the rights she deserves. Then we would have to fight to get me listed on her certificate as well. In the foreseeable

future, I will still have to apply for a permit to stay in Bulgaria and I'll have to deal with this every year.

What will happen if your application is denied?

L: If they say no, I can appeal, but I have no idea if I'll be successful. I know that I can stay until there's ruling in the appeal, which gives me an additional month or two. Then I can apply again on different grounds. But I won't lie or declare some fictitious reason for staying. If they say no, I'll have to leave.

V: The law is very specific about the grounds for getting a residence permit. For example if you have a job or want to start a business…

L: Or if you buy real estate for 1 million dollars or more – obviously I can't afford that. One realistic option is to begin studies, which, however, would be hard for me. I don't speak Bulgarian very well, so my only option is the American University, which costs as much as in the States, meaning I can't afford it. What other grounds for permit are there?

V: Having a job. But no one will hire Lauren, because her employer would have to go through a very tedious process for her work permit.

L: I started two jobs when I came here and we started this process, but the papers that are required in the US and here are incompatible. It was very hard and my employers decided it's too long and expensive.

V: Generally speaking, they want documents which we have here in Bulgaria, but which don't exist in the US.

L: So if I want to start a job, I would have to work in the absolutely same field as I did in the US. But there aren't many options for foreigners here – I could either work in customer support, or as a teacher. My professional background is different.

It sounds like there's a new hurdle every step of the way. So what keeps you going?

V: No idea. Perhaps we're not very smart…

L: It does look very discouraging. We left the States, where we were working non-stop, we travelled for a year… I fell in love with Bulgaria, this is Vicky's country, she has family here…

V: She also loves rakia. (They laugh.)

L: I do love rakia. I don't drink the sweet ones, only the regular, homemade.

V: She's hardcore.

L: I drink it with water, I also like banitsa. So if you can get past the closed-mindedness, it's a beautiful country, people are nice, hospitable and friendly once you get to know them. And we can spend time with AJ while she is younger, which would be impossible in the States.

V: I think the positives are more than the negatives. But sometimes the negatives are so demotivating. Sometimes we're just ready to pack up and leave. The last time I went to the municipality to file AJ's birth certificate, they didn't let me.

L: And the lady there was extremely rude.

On what grounds?

V: Since the very beginning I've been trying to get a written document where they state that they refuse to issue a birth certificate for AJ. They just won't give it to me. The lady started talking about "people of your kind". It is infuriating that people who work for public institutions feel at liberty to act that way and be so disrespectful. Being inefficient is one thing, but acting this way? Who gives them the right? They have to serve the public, but they aren't serving the public. Her attitude was extremely offensive. So there are moments when we feel it's not worth it, and it's very exhausting not to know where you'll be six months from now. We can't make any plans.

L: Do we hope to stay? Definitely. But there's a great chance that I won't be allowed another year here. They have the right to do this, they have the power. Actually I don't want to use the word "right", it's just that they have the power. Now my family is trying to visit us here. We are lucky to have two very supportive families. But we can't plan a family vacation. It's very limiting. We want to decorate AJ's room, but then we're thinking, what's the point if we'll have to leave in a few months. It's very discouraging.

What do you plan to do, if you can't change your name and you can't get a birth certificate for AJ?

V: We'll appeal. Even if we're away. If we can't stay legally, we'll leave. But we'll keep fighting. I think it's my right to get her legally recognized as my child and even if it takes 10 years, I believe we're going to get there eventually. We won't give up.

Galya

Of fireflies and people

Legal Case

Hate crime – minor body injury inflicted for homophobic motives

My name is Galya Petkova. I'm the owner of, to my knowledge, the only lesbian bar in Bulgaria, together with the woman who was my partner for 13 years. We're no longer a couple but we still work together and we're very happy. I'm the owner of the 65 Firelflies bar.

And this is precisely where we're doing the interview. Why 65 Fireflies?

For no special reason at all. 65 is the street number. Fireflies because when we first came to have a look at the place, the garden was absolutely wild and it was full of bugs. so we joked: bugs, buggies and the like and finally ended up with fireflies.

Tell me about the only lesbian bar in the country!

The first one I opened many years ago, I don't even remember any more, maybe 25 years ago, was called B52 and it was at the corner of Dunav and Iskar but it didn't last long because priorities changed. Then Zara and I decided to open Essence. It's still in business, it turns 17 this year.

You're a veteran in the business. How did you come up with the idea of opening a bar in the first place?

I've gone through every possible position in a bar – from washing dishes to assistant chef, chef, waiter, bartender, manager, everything. The time came when I decided it would be better if I was the one telling people what to do rather than being told. It wasn't easy. There's a price you have to pay. It's hard work. I worked every single day for 15 years without a single day off to get where I am now. You just have to work hard and at some point things begin to fall into place. You always have to give first and only afterwards can you take. When you're moving in the right direction, in your own lane, things happen easily. If you force yourself to do something that's not your thing, of course it doesn't work.

What's your goal?

My goal is to be happy. To be my own master, the master of my time, to have nobody telling me what to do, being able to choose. And if now I were to decide that I don't like the weather here because it's raining but at Gradina, for example, it's nice, I can just get in my car and go there.

Did you get to the point where you can afford it?

To my great joy, yes. I thank God for supporting us in everything we do. This obviously is our thing because it has been working out fine. People like us, this has become a wonderful place. I dare say there's no other one like it. I at least haven't seen it. We get a lot of foreign customers who are amazed when they come here because they've been to many places but never seen anything like this.

How do you work with someone you had an intimate relationship with but no longer do?

With a lot of love. After all, we know each other very well. Of course, we went through a lot of drama, thank God it didn't last long. But at some point we realised we've taken what we've taken, we've learned some lessons – how to communicate, how to be together in what we do and we can move on. We came to this conclusion some time ago – that if there is such a thing as unconditional love, it's our love. Because although we're no longer together, we're still a family and keep raising our "offspring".

When we're talking about Essence, it's one of how many places in Bulgaria which are openly gay-friendly?

I have no idea, I never counted them. In any case, they're not a lot. Things have changed since we first started. 15 years ago there was no way these women could go to a normal straight bar without getting into trouble – being scoffed at or even getting into bar fights. Now that's not the case. Now at least the people who go to bars know life is a bit more colourful and there's a place for everyone under the sun. I think the integration of young gay people in Bulgaria has advanced. I'm talking about bars, because the streets are something else.

How are things changing in the general context of the acceptance of LGBT people in Bulgaria?

Let's begin with politics. Politics are in no way oriented towards support for the community. Actually, we have all the obligations of heterosexual people and almost none of their rights. Because I, for example, might find marriage meaningless but I do want to have the possibility to do it if I so choose. My sister who is heterosexual is happily divorced,

my brother who is heterosexual is happily married. I can't marry, nor can I get divorced. That's absurd. I know many homosexual couples of women who have children together and this issue hasn't been solved in any way. And they have to have good lawyers play tricks so if something happens to one of them, the other one can raise her children instead of them being sent to a foster home.

This is the political and institutional side that has to do with children. There are problems on the more everyday level even in recognising hate speech...

There are many problems. We have practically nothing, that's the truth. Every year, we wonder if there's going to be a Pride Parade or not. If they will allow us to go out on the streets. That's not even the 'A' in the alphabet, it's before the 'A'. I don't know whether people realise they're trying to contest our right to exist, our right to personal choice. I get out in the street to say I don't have your rights. And you won't let me because you say it's showing off. How then am I supposed to stand up for my rights? What way is there? The Pride Parade started out as a form of protest. In Bulgaria, unfortunately, it is still a form of protest, but in many countries in Europe it's a celebration. Last year we were at the Pride Parade in Valencia. The whole city celebrated, everybody! And I thought to myself: "When are we going to have this in Bulgaria? It's like we're living in the Stone Age!"
I hope I live to see the change with my own eyes here in Bulgaria.

Has there been any positive change since the first Pride Parade?

Oh, yes! At the first Pride Parade they smashed a Molotov cocktail two meters away from my feet. I was in the first line with Zara and other people. There are photographs. The photographer made a great shot, from down low it looks like fire is dividing the street into two. And we're in the back. Also, they slammed I don't know how many skinheads down to the ground, it was scary. The police did tremendous work that day because there were skinheads coming out of every street corner, along Kanala they flowed out of every possible place. It was hell. We were really scared back then. After those events we even wondered whether to open the bar because they knew the places. But, thank God, it all passed.

What you say – that skinheads were pouring out of every street corner – is very interesting. It seems some years ago the obvious extreme right, fascist young men were more or more visible – on the street, at concerts, in bars, etc. Now it seems there are not so many of them on the street but they have political representation in the Parliament and in the government. Which is scarier?

Both are very scary. Just think about what it's like to live in hatred all your life. It's a choice. And nothing can justify their actions. Whatever these people have experienced, if they have been beaten when they were kids, whatever it is – it's a choice. My life was not in any way easy, I've been through a lot. I could've found at least ten reasons to be bad and "get my revenge". No, that's a choice. The biggest problem right now is they're using them as mercenaries, as weapons – during protests, if somebody somewhere needs to be beaten up, journalists… we've seen what they do.

What's your feeling about how the media talk about LGBT people in Bulgaria?

They only talk about it around the Pride Parade. January, February, March, April – nothing, except if they beat somebody up.

Except for the time around the Pride Parade, we don't exist, we're not there, we're wearing invisible hats.

Meanwhile we're expected to do the same things as any other citizen. The media do exactly what the politicians do – nothing.

Speaking of the media, the attack against you was one of the more visible and well-covered incidents of this kind.

Yes, you could say that. There are many such cases, but little publicity. If I hadn't told the story on Facebook so it could be seen and shared by many people, nobody would have covered it. I know about many people who have sustained injuries in a similar way, but, because they don't trust the system, they don't even report it. I don't trust it either. I really hoped my attitude would be challenged, but to this day /Editor's note: almost a year and a half after the incident/ it's not clear who the person who hit me was.

Let's talk about the case. What happened that day?

It was a wonderful day, the first warm day of the year /Editor's note: 10 February 2019/, Sunday afternoon. I was walking my dog which is a Bichon Frise – a very weird breed, which is why I mention it. The dog had a blue Mohawk at the time. I passed by a stranger on the street. He looked me in the eye, called me a "dirty faggot" and passed by. He didn't even realise I was a woman. If he had, maybe he wouldn't have hit me.

Before saying that, did you notice anything special about him?

No, we just passed by each other on the street.

What did he look like? I mean we spoke about skinheads and how obvious they are.

He might have been a skinhead once. He was about 40-45. A normal looking guy. He was wearing a bright blue jumper and a red tracksuit or vice versa, bright colours, my favourite. When I heard what he said, I just passed by. It depends on my mood, sometimes I do react when I'm tired of crap. But then I just passed by. I felt great because it was warm and I love it when it's warm. I didn't want to be bothered with crap. After I passed him by, it was down near the underpass at the Bridge of Lovers, I heard footsteps behind me – like an approaching threat. I was about to turn and right at that moment he hit me. I didn't even have the time to react. I couldn't protect myself, it happened unexpectedly. He turned and ran away. That was it. I spit out two teeth there and then. I had coffee spilled all over me because I had a cup of coffee in my hand. At first you don't know what to do. I went home. I lived really close at the time and I wanted to see what the damage was because I could feel some teeth were missing. I called Zara, I told her, she went crazy. When she came, she insisted that I called the police. I said, "Why should I call the police? What are they going to do? They'll do nothing, as usual." And they did nothing, as usual.

You did call them?

I called 112. they were very polite and worried. They sent the police. The police came immediately. The policemen were very nice. The thing is, they didn't do anything with the case.

The perpetrator wasn't identified. Frankly, he didn't look like someone who sits all day reading books. So I'm guessing he also had other offences and I suspected they knew who he was. Like I said many times, if I sit in front of that Nedelya confectionery for two days, I'll see and recognise him. He lives there, I'm 100% sure. Because what he said as he was hitting me, "Don't let me see you in this neighbourhood again", is a typical thing for someone from the centre of Sofia to say. I know because I've heard friends of mine talk that way about the city. We've begun dividing people along all sorts of lines. That's the main problem. It's not just skin colour, it's not just sexual orientation. At some point we start dividing people into people from the city and people from villages, then we go to the micro level – "I'm from the centre, you're a peasant from Lyulin"/ Translator's note: A working-class neighbourhood in the periphery of Sofia/ and so on. People can't understand that life's too short to waste your time with such nonsense.

Did the police take the matter seriously?

I don't know how they would have treated it if the case hadn't come out in the media. But the truth is, it gained great publicity. After the first two interviews I gave, because they also invited me to some morning show, the police called me up to sign a declaration that I didn't have the right to discuss the case before the media, so I wouldn't obstruct the investigation.

So what happened? You went to the police department to sign your testimony?

I went, I testified at the police department. The next day I got a medical certificate. They said it was a "minor body injury" because it was unclear whether my tooth had a cavity. A "medium body injury" is a certain number of teeth, I don't remember how many anymore, knocked out but only if they were in perfect health. I said, "Well, how are you going to establish whether these teeth have cavities if they're on the sidewalk? How does it work exactly?" I also went to the dentist and it turned out the situation was pretty bad because except for these two which were immediately visible, in the end they pulled out five teeth all together. By a single blow!

Alright, so they called you up, you testified, did they ever call you again?

I went there with Denitsa Lyubenova from Deystvie to have them explain what the investigation had come to because they had seized recordings from video cameras in the area, they had a photo and the question was whether the person could be identified based on that photo. Their analysis concluded that the person could not be recognised from the photograph. It was true that the angle the picture was taken from and its quality were not good. If the attacker was found, the picture could be pinned to him, the other way around it would be difficult.

I can't imagine something like that happening to you out of the blue.

I couldn't believe it either, and I did ask myself at the time why this happened. Because everything happens for a reason. In my case the specific reason was I had a severe form of periodontitis without any symptoms. And I wouldn't have known until my teeth just fell out in five years. But the whole thing could have happened much more smoothly, not having five teeth pulled out because of this case. The Boss could have sent me less harsh a sign, so to speak (laughs). But thanks to what happened, I found out about this periodontitis and took measures.

That's a very positive way of accepting a horrible situation. Why did you decide to go public about what happened?

First, there are a lot of people who have not come out publicly, so they can't say, "I got beaten up because I'm gay", because if you haven't come out, your parents don't know, your friends don't know, the people you work with don't know, you can't go public about it. Second, there are people who are afraid of mob law, that is of being beaten up again.

Aren't you afraid of that?

Frankly, no. It never crossed my mind. I just wanted to share the pain I felt, I don't mean physical pain. My romantic bubble burst. All my life I believed Bulgarians were not racists, were not homophobic. But I reached the conclusion I had constructed a wonderful heavenly bubble I live in. My friends are great, the places I go to are my kind of places. When I go out, I have run into trouble, usually with

the bouncers, but, thank God, nothing serious. After this incident, I realised I wasn't really aware of what goes on outside my bubble.

Something the person who hit you certainly did not do was try to put himself in your shoes, try to understand you. Can you put yourself in his shoes, can you understand why he did it; out of fear, out of hatred?

I don't know what it was. He probably had his personal problems and I was just his means of letting off steam. But if he hit me without any reason, without even knowing me, in the street in broad daylight, imagine what his family suffers, his wife and his kids. Because that's the worst thing – the fact that somebody like that cannot be different and if he's chosen to live in hatred, his children are probably going to be the same. Because children are like a sponge, they're born clean but they follow models. Unfortunately, we're not aware. We have trauma which forms between the age of 0 and 11-12.

Really scary. If you look at the most spiteful and hate-filled comments on social media, most often they come from young men. Their profile pictures are very often of them and their little kids. What can we expect of those kids when they grow up?

They're the next aggressive young men. What we can do is just pray these kids get therapy, work on themselves, admit there is a problem, choose to be happy rather than drown in hatred. There's nothing else we can do. Whatever we say to children, they follow an example, they imitate behaviour. And if there's any contradiction between what is said and what is done, then trust is lost.

People are the product of their environment. What civilising mechanisms do you think can be applied: legal, economic, political?

Many things could be done on a higher level. To begin with, the rights we were talking about need to be recognised for same-sex couples. Problems could be spoken about more openly. Young people nowadays are more open, all sorts of information is accessible, you could learn about anything if you want to.

That's interesting because, on the one hand, yes, people have unprecedented access to information, but at the same time they're victims of conspiracy theories and fake news. We have fresh examples in Bulgaria – the Istanbul Convention, the Childcare Strategy, Norwegian gays etc.

The interesting thing is that if you go to one of those groups and ask them, "How many of you know-it-alls have actually read those two documents?", the answer would probably be zero. None of them have read the texts and actually know what they're about. Because if you have read it, you either have to be very stupid to react this way, or you just let somebody who's not much smarter that you tell you "the truth" all the time. I have no other explanation. It's all because of ignorance. Fake news is a huge problem for society. People don't read the entire article, they just read the titles, they see one or two words because they're lazy but they do form an opinion. And if you ask somebody like that a couple of questions more specifically about the facts, they just can't answer and they become aggressive.
I don't know what it'll take to change something. Despite the scandals and the disgraceful acts, Bulgarians keep electing the same politicians.

The problem is the people pulling the strings are not in the Parliament. Faces might change but the situation will remain the same.

Besides that, people in government, especially in recent years, have been inculcating the idea that people's problems are the fault of marginalised groups – Roma, homosexual people, refugees.

Because it's easier. People don't have the courage to attack those who are powerful. So they attack minorities.

Let me ask you one last thing about the attack. After you went to the police with attorney Denitsa Lyubenova, they showed you the pictures from the cameras, was there any further development?

We went several times, they showed us the evidence and finally they said the case was closed and officially the perpetrator was unknown. I asked the policewoman whether I could arrest him if I found him. She said, "You can, but don't

beat him up!" So I can do a citizen's arrest.

Aggression causes more aggression.

Exactly, so I'm hoping love works the same way – love generates love. That's the only thing we can count on – get to know ourselves and work on our own problems. Do our best. Beyond that, it's the Boss who decides.

The Boss?

The universe, God, the Lord, people have different names for him. I call him the Boss.

Martin

Fear and Loathing in the Helthcare System

Legal Case

Refused diagnosis and treatment (for suspected discriminatory motives) of a patient with HIV, leading to his death

I live in a small village in the Balkan range near Elena. There are about eight people permanently living here. It's hard to get here, the road is almost nonexistent. I raise a few animals and I work in IT. My boyfriend Craig's death and the endless drama and unanswered questions about our healthcare system and the country's social policies led me to meet Veni /Editor's note: Veneta Limberova from Deystvie who is also present during the conversation/.

Unfortunately, the central topic we're here to talk about is tragic – your boyfriend's health problems and death. But before that, tell me about him and your life together!

M: He was a good person. His main goal in life was to find a way for people to live better, for example by teaching them how they can filter their water on their own. Another one of our projects was making bricks out of waste bio-material we throw away anyway. He wanted to make our lives more independent from the system.

You used to live together in this village you mentioned?

M: Yes. I knew him for over 10 years. We had been living together for 8 years. We moved to this village together about 5 years ago. He was an Englishman, from southern England. We met through work.

How exactly did you meet?

M: We met through common acquaintances. He needed people with certain skills, they told me, we met and we started working together. Initially it was entirely professional. Then after a few years things got deeper.

How did you decide to move to the countryside? Few people are willing to give up the comforts of the city.

M: Before moving to the Elena Balkan, we rented a small house near Smolyan. We wanted to be a bit further from the madness in Sofia. Both of us were in IT anyway, we didn't need to have an office. At one point we had a bigger project and it brought in more money and we decided to have something of our own because we were renting a place in Sofia and a place near Smolyan.

Tell us about how you moved and your life together.

M: It's peaceful and quiet here. Initially we began with serious renovation work on the house, big plans. Renovation work is still ongoing. It's a bit more difficult now that I'm alone. The house wasn't in a very good condition, so we had to build a new one. We tried to do too many things at the same time but it was fun. We met the locals. Most of them are older people, retired. We brought freshness into the village. We put up an internet connection in the entire village because here network coverage is poor, if not lacking. We did it so we could work but also so older people who use Viber or other apps could keep in touch with their loved ones, who are in Tarnovo or Ruse or wherever.

That says a lot about your characters – the fact that you go to some place not to isolate yourselves from people but on the contrary, to help them.

M: My boyfriend thought that if you help one or two people live a little bit better, they might help another one or two people. And with more and more people helping other people that could grow into something bigger.

Was this the idea behind the projects you mentioned in the beginning?

M: The biobricks project, for example, was based on other projects we'd seen for bricks made of straw and mushroom mycelium. They're used for insulation. We made several prototypes of such bricks. We even sent samples to the Technical University in Sofia to measure their density, how resistant they are to fire, humidity and so on. The idea was to come up with a simple process so anybody, even without any engineering knowledge, could produce them themselves. The concept would have been entirely open source because both of us as IT experts are strong supporters of the open source concept. The more people work on something and it's shared freely, the better the chances of it working right and being successful. We had several presentations in Tarnovo and in Sofia, videos on YouTube, lots of people were interested but our project was still in a very early stage. We worked on it in the little free time after work on renovating the house and our jobs. The idea was to quickly build small light buildings, temporary or permanent.

I'm asking you about all these details because this helps us get to know you and your deceased boyfriend a little bit, your view of the world. And, unfortunately, we have to talk about these horrible events – the illness and the clash with healthcare institutions in the country. Tell us about the problems – when did they begin and what did you go through?

M: All the time I knew him I never knew of him having had any pains or aches. I never saw him take any kind of pill. He only took vitamin C. It all started January last year. /Editor's note: January 2019/. He began to feel unwell. He thought it was some kind of cold. He felt unwell for one or two weeks then he felt better. In another week or so, his health condition began to deteriorate very quickly. We went the normal way – first we went to the general practitioner. He had blood tests done. They showed very low levels of hemoglobin. The doctor said it was probably some kind of anemia so he sent him to a hematologist. The hematologist prescribed the intake of iron for a month. My boyfriend began to take this iron but things did not get better. We went to the hematologist again. He said they would have to admit him. The next morning, they admitted him to the hospital in Veliko Tarnovo. He could barely walk by then. They did tests. He wanted me to go home but I decided to stay another couple of hours. Good thing I stayed. An hour later the doctor came – the same hematologist who's the head of the ward, and she said, "Make him get up, get him dressed and go." At first I wasn't sure I was really hearing what she said. I asked for an explanation, she just said, "Get him dressed and go. I'm not telling you anything, it's the law. We've spoken to the director of the hospital." I was absolutely shocked. The third time I asked what was happening and why they were kicking us out, she said, "We ran some tests. It's possible he has HIV. We'll let you know the results in two weeks." I told her my boyfriend wasn't feeling well and wasn't able to walk on his own, "What am I supposed to do, leave him in front of the hospital to die there?"

All of this happened in his presence?

M: In his presence, yes. They began to push us. Nurses came who began to pack our stuff. They basically kicked us out like dirty animals. I asked what I was supposed to do during those two weeks, where I could take him for treatment in the meantime. The answer was, "That's none of our busi-

ness, take him wherever you want." I dressed him, I took him down to the car. All the time I was trying hard not to panic. I began calling friends. I don't remember how many hundred people I called. They advised me first to go to the University Hospital in Pleven. We headed for Pleven and several hours later we were in the emergency room in Pleven. I didn't work there either. They said, "We can't take him in because we don't know whether he was discharged from the hospital in Veliko Tarnovo. Did they give you any document?" I told them they didn't give me any kind of document, that they didn't even give us a reason for kicking him out. But they absolutely refused to admit him. I began calling people again. Some friends of mine told me to take him to Sofia. They had spoken to doctors in Pirogov and gotten them to see him in the emergency room.

All this happened the same day?

M: The same day, yes. It was about midnight when he was admitted into Pirogov. That wasn't easy either. Some of the doctors were pretty arrogant, saying things like, "What's this guy doing in Bulgaria, why doesn't he go to England! What have you brought him to me for!" But, under the circumstances, that was the least of our problems. I went to see him the next morning. Some acquaintances gave me Veni's number. I got in touch with her and told her what had happened.

Was the head of the hematology ward at the Veliko Tarnovo hospital the first person to tell you, and in this way, that there was a possibility your boyfriend had HIV?

M: Yes. Before that both of us had all sorts of tests done at least every six months.

What happened at Pirogov?

M: They began treatment. They did blood transfusions, tests, etc. His condition began to improve a little bit. He stayed in Pirogov for three or four days and began to walk on his own. He still got tired very quickly, but he was feeling better.

What steps did you discuss with Veneta and the legal program?

M: I got in touch with Veni, we met and I told her the story. We discussed our steps. They said they would request information from the Veliko Tarnovo hospital. They asked for my consent. We wanted to know why and how they decided to kick us out that way. Veni put me in touch with Checkpoint, so I could have tests done and also have additional tests done for Craig. The greatest help and the thing I appreciate the most has been the emotional support. Because if I had to manage all on my own, I would have probably gone crazy.

That's a major issue, support. I can't imagine what it's like to have your world turn upside down in a matter of days. What support did you get?

M: The only support I got was from Veni and her team, the people at Checkpoint Sofia /Editor's note: an organisation of experts committed to offering accessible testing and consultations on HIV and other sexually transmitted diseases/ and the doctors at the HIV ward at the Infectious diseases hospital in Sofia. Everybody else treated us like we were extraterrestrials or I don't know what… it's beyond words.

That's a textbook example of institutionalised discrimination. Have you ever encountered similar treatment before?

M: No, it was the first time I experienced anything like it. For the simple reason the two of us together never had any business with any kind of institution before.

Yes, there were weird looks and remarks, but I had never experienced being totally neglected, as if you didn't even exist as a person.

How do you feel when that happens?

M: It makes you feel like you're not a human being.

Has it ever crossed your mind to pursue some kind of retribution in court?

M: That could happen in an international court, not in Bulgaria. After it all ended in the worst possible way, we found out there had been internal audits and the like by the Ministry of Healthcare but they led to nothing. In the end, their conclusion was that the doctors had done their job

perfectly. If you ask them, they'll tell you everything was in order and there was never a problem. They come up with thousands of excuses. The audits are done by pretty much the same doctors, they'll never go against one another.

Veni, a question to you: was it Deystvie who requested an audit of this case, or is it done automatically in this type of circumstances?

V: It's certainly not done automatically. We got assistance from the UK embassy. We informed them immediately. We met Martin on 19 March, Craig passed away on 5 May. Lots of things happened within that month and a half. Our first step was to request information from the hospital in Veliko Tarnovo. A local lawyer from the city helped us with that. It was a slow process though. We never did manage to see copies of the documents from the hospital. There are certainly many reasons but at the end we received no logical explanation. In order to be able to continue the procedure, we needed approval by any of Craig's inheritors, which only goes to show a major problem of people living here – because of the impossibility to make our relationship official, in case of death or a severe illness, partners have no right or possibility legally to request anything whatsoever. We have to rely on someone's benevolence, someone who'll understand us, who'll help us. Most often we rely on institutions. Because we tell our stories, in many cases we get compassion from people in institutions.

M: When you have a problem like that, you have to rely on someone showing social skills or having a soul.

V: In the beginning, it was very important to find out more about this

discriminatory treatment and gather information, but very quickly we got to the point where we needed support from health workers, doctors who could actually help us find out what was happening to him because Craig passed away without being diagnosed. At least that's the feeling we have. What pains us the most as people and as a legal program is we mobilised all our available contacts and in the end they weren't enough. And if today it's Craig, tomorrow it's me, the day after it could be anybody, we're together in this. And unfortunately we're unable to help each other, we get to a point where our healthcare system and we as people just freeze because, on the one hand, the healthcare system itself has its problems, on the other hand, there's the huge discrimination not only towards gay people, but mostly towards those living with HIV. In Bulgaria, HIV patients usually die not because of their HIV status but because they are refused treatment.

Is there any legal provision for prosecuting refusal of treatment?

V: Of course. The first step is a medical audit. But that's done by doctors. If not the same doctors, then ones who are in a similar position. They have an unwritten rule to protect each other. I spoke to a doctor holding a high office who said, "What's the big deal, we've done everything we could!" That may indeed be the case but our feeling, because of the discriminatory attitude, is not enough effort was put into finding out the cause. When someone needs treatment for HIV, they get it in the respective hospital for infectious diseases, that's five hospitals in the

entire country. But in this case, Craig had a very severe anaemia, the cause of which was not established. That is, his condition was anaemia but the reason for that condition remained unclear until the very end. I remember when Martin called me one morning, sometime around May 1, and told me doctors suspected Craig had cancer. We were glad that at least maybe we know the reason for his condition. But his very admission to the Specialised Oncological Hospital, the way he was met, the way he was kicked out, the contacts we needed to use in order for him to be admitted at all…

He was kicked out of there too?

V: Naturally! Also the way they treated Martin, the lack of expertise. They didn't even give us a discharge summary, that is an opinion based on the tests performed. To phrase it in legal parlance, we'll gather the facts and we'll form some kind of opinion. It was clear to us that the treatment at the Hospital for Infectious Diseases was just meant to keep him alive rather than cure him. The people there were very kind, they did everything they could to help until the reason for his condition was established.

How long did the whole thing continue, from when Craig first showed any symptoms to when he passed away, and the subsequent expert opinion which found that everything in his treatment had been right?

M: It all began on March 18 of last year, Craig passed away on May 5. The audit was completed in June or July. The audit stated that the doctors had done their job.

V: Which, I repeat, might actually have been the case because, in the end, none of us has expert knowledge. And it is possible that everyone involved in the process did their best. That may be because there are situations where they can't say what's happening. But, even if we accept that's the case, all the horror of this experience, the need to constantly draw upon your connections to get a test or a diagnosis…

And, above all, getting kicked out of everywhere.

M: Yes, first they kicked us out of Tarnovo, then, when he was admitted in the HIV ward, doctors would come, look at him and say, "This isn't going to work." He was admitted into the National Haematology, supposedly they did some kind of test and in one hour they said, "He's fine, this isn't the place for him, go back!" and they gave me some kind of document that said, "test results pending". That was it. Discharging someone in a critical condition with "test results pending" to me does not look like a job well done.

What do you think was the reason for this behaviour?

M: First of all, lack of education, negligence. And perhaps a long instilled fear. Perhaps hatred. And the fact that during our great Transition, healthcare has become a business. But in our case it wasn't even a matter of money. Because we could afford to pay. We even tried to get him admitted into a private hospital. But they refused too. So it wasn't about money.

V: I've worked on many healthcare cases. There are situations where they don't tell the patient their diagnosis,

it's only shared between doctors. I guess, on the one hand, there are the problems in the healthcare system. On the other hand, there is the lack of knack and emotional intelligence in the communication between doctors and patients and the failure to understand that the patient is the one responsible and that they should be informed, so they can choose their treatment. Because, in the end, his condition might indeed have been terminal and might have had a name, but we weren't given that information. Maybe "Test results pending", "we're out of beds", "there's nothing wrong with him", in fact, meant something else. But again, we weren't given that information, no one understood the reason. Because among the people who tried to help us, there were doctors and people who were close with doctors, so we would have understood.

I spoke to people who worked at the Infectious Diseases Hospital and they shared with me that in Craig's and other cases it's difficult to find an expert to help with the diagnosis. They told me about someone with the chickenpox who just needed resuscitation but they refused to admit him. In other words, there's a problem with the very idea of the departments for infectious diseases. Excuse my cynicism, but they have a body count problem, when you have an infectious disease, you're a risk to other patients, you're contagious. And in that case both society and the healthcare system just throw you out. They tell you, "Solve your problems yourself!"

The media constantly report cases of patients who *also* suffered because of a lack of equipment or adequate treatment from doctors, but what you're

telling me is just shocking.

V: It's a systemic problem. You do come across good people, there are more good people than bad ones. The thing is, there's a system behind them.

I think there are two types of reactions this story can provoke. One is absolute despair, the other is anger. Is there a third one?

M: Somehow, at some point all that fused into one emotion. I was in a state where I said to myself, "I don't care what happens to me, I have to find a way to help him." In a moment like that you're in autopilot mode and you have no idea what's going on.

Were you in touch with his family in England?

M: Mostly with his mother. She was living here at the time. But since last year, a little after Craig passed away, we haven't been in touch.

So now what? How do you go on with your life after something like that?

M: Thousands of things went through my mind, but I decided I needed to continue with my life. After all, I have people I love by my side who rely on me to a certain extent. I still think I need to help people, continue with the things Craig wanted to do.

So despite the loss and the bitterness, you've found the strength to preserve yourself, the will to be useful?

M: I have. The world is chaotic and if I stop trying to be a good person, the downward spiral will remain unchanged. In helping at least one person I could slow down the decline of our shared world. I do what I think is right, what should happen will happen.

Veni, legally speaking, is this where the story ends? His loved ones don't know why Craig lost his life, nobody bears responsibility, everyone,

supposedly, did all they could but the feeling is of quite the opposite and this isn't the only case of this kind. Is there a way to change the course of this type of problems?

V: I don't know. Yes and no. Hypothetically, from a legal perspective, it doesn't have to end here and we could continue our work. In the legal program, we often get help from lawyers who aren't normally into LGBT lawsuits but specialise in one field or another. In Craig's case, we consulted the two lawyers in Bulgaria who we know work in the field of the so-called medical law. So it doesn't have to end here. It's not clear what the outcome of such a lawsuit might be. But I think

such lawsuits, audits, reports, complaints need to be filed, regardless of whether they have a chance of being successful.

Because that's a way to draw attention. You've done something, you've contributed to things getting better. Right now, we can't continue for legal reasons, mostly because Craig's inheritors don't want to and Martin, due to the lack of legislation, is not one of them. But sharing the story, telling it helps. It is a fact that at the legal program we know all too well it won't be long before we have another case like this. I hope we'll be much better prepared, all of us, the community, us at the legal program, society as a whole, to be able to help much more next time. Even if Craig's heirs were willing, a case like this wouldn't stand a chance in Bulgaria. But there is another way, outside Bulgaria which is much longer, slower but it's something and must be pursued. I also want to repeat what Martin said, let's be better people and

help each other.

Martin, I imagine it's very painful for you to tell this story and experience it all over. That takes tremendous courage. Why did you decide to go public about it? In your position many people would just hide from the world.

M: Maybe it's a kind of hope that if we talk about it, if we don't just drop it, a red light might switch on in someone's head and they'll say, "Wait, that's not right!" Some decision-maker might say, "Let's do something good for these people!"

Yavor

The Lack of Sex Education is Deadly

Legal Case

Amendment of Ordinance 34 of the Ministry of Health concerning people living with HIV

Please introduce yourself.

My name is Yavor Konov and I am the president of the IVOR Foundation, founded at the end of 2018. We are not an LBGT+ organization, nor are we focusing solely on HIV. IVOR was created in the mould of many western foundations dedicated to gay men's health. As a foundation focused on the health of gay and bisexual men in Bulgaria and their sexual health in particular, our mission is to democratize important health-related information. If we take HIV, for example, we provide information on the clinics which provide antiretroviral therapy in Bulgaria. This information is not a secret, but it is not widely available either. We provide information on therapy options available in Bulgaria – almost all are available, by the way. We provide information on different sexually transmitted diseases – HIV, HPV, hepatitis A, B and C, as well as others. We also provide counselling via dating apps such as Grindr and Romeo.

Why did you start the foundation? What are the issues with healthcare information and communication in Bulgaria that create a need for it?

We ourselves had a lot of deliberations on the need for IVOR. We were aware that LGBT organizations sometimes promote sexual health and they have good campaigns, but it's not their long term focus. Deystvie, for example, have a legal program, Bilitis focuses on trans and intersex rights, so we needed an organization that focuses on healthcare, specifically on the sexual health of gay men. Speaking about HIV, it is a sexually transmitted infection for which there is no cure yet, nor is there a vaccine. This makes it very different from all the others I mentioned. This is the reason why we have to keep talking about the fact that sexually, HIV is most commonly transmitted during anal sex, which is in turn practiced most frequently by gay and bisexual men.

Tell us more about IVOR's projects.

We democratize information for the digital era. Everything is online, via Facebook, Instagram, Twitter. We sponsor content that we want to spread. For example, during our latest campaign, our sponsored post about antiretroviral treatment clinics in Bulgaria reached about 50,000 people (we target only men), which is quite impressive. On the dating apps we

have about 50-60 unique counselling sessions per month. We try to visit different cities, so that our consulting profile on the apps can reach as many people in Bulgaria as possible. At the end of 2019 we completed our first campaign on HPV – the Human Papillomavirus. In Bulgaria we still think this is a female sexual health issue, but that is not true – many gay and straight men die of throat or anal cancer, caused by HPV. So much like the vaccination campaigns targeted at parents with children, we wanted to say that there is a vaccine, available to adults. I myself am proud to say I have gotten the shot.

How did your partnership with Deystvie begin?

I joined Deystvie because of the need to change Ordinance 34. This was our first common project. Thanks to it now people who live with HIV, but are in a stable condition and have undetectable viral load, can get prescriptions covering a three-month period, instead of just one month, as it was before.
In 2019, together with Deystvie, we conducted an online survey among HIV positive people and we used the answers to make proposals to the Ministry of Health. They replied. It was an unsatisfactory reply, but still a reply. What we now want is for the prescriptions to cover a 6-month period, because patients get monitored every 6 months. In other words, there's no need for an otherwise stable patient to go somewhere just to get a prescription. Our proposals concern cutting red tape for patients and medical professionals alike. We want to make it easier for everybody.

What was the situation before the change?

Ordinance 34 is an ordinance of the Ministry of Health. Unlike other chronic conditions, the treatments for HIV, tuberculosis and heroin addiction are funded directly by the Ministry of Health, and do not depend on your health insurance. This is good, actually, since if you don't have health insurance, you can still access HIV treatment, which is not the case with Hepatitis C. in Bulgaria, there's treatment for Hepatitis C, but if you're not insured, you won't get it. So this is a good solution, and Ordinance 34 regulates the prescription of medicines for HIV, tuberculosis and heroin addiction. Before I joined Deystvie, the ordinance stated that people living with HIV have to visit a facility every month

to get a prescription. This was particularly problematic in Sofia, since the waiting room at the clinic was 2 by 2 meters – a closet, basically, while the patients were more than a thousand already. So imagine that all these people have to squeeze through this space each month, and in the mornings only, since it's only open in the mornings. Many people who would like their health status to remain confidential, are completely exposed since this waiting room is for HIV patients only. It is cruel, very indiscreet indeed. So a couple of friends and I decided that we would like to change this practice in accordance with the western models. We wrote letters, we met with the Expert Council on HIV and AIDS which advises the Ministry. There was a lot of kicking the can down the road, a lot of red tape, a lot of "Yeah, I hope we'll change that" and promises of the sort. I realized things were going nowhere and I met with Vladislav Petkov (an anthropologist, legal expert and LGBT activist), Veneta Limberova (Deystvie's president), Lilly Dragoeva /Editor's note: the managing director of Bilitis/, i.e. with most of the people involved in LGBT rights (but not health) advocacy. Since gay men are most affected by HIV, it was logical to work with LGBT organizations. Veneta and I spoke and later we decided to take on the Ordinance. I joined Deystvie in August of 2017 and we successfully changed the Ordinance in July 2018 – 11 months in total. We pushed for the change aggressively, we started a petition that collected more than 400 signatures from the gay community, from people, living with HIV, their families, nurses and doctors.

Besides the petition, what other actions did you have to take?

Together with Veneta, Deystvie's president, we had to attend many meetings with different departments in the Ministry of Health. We were consulted by the Department of promotion and prevention, which has since changed its name. At this meeting we learned that we could speed up the change if we got the consent of the medical professionals and the heads of all HIV clinics. So we got on to it –first we talked to Nina Yantcheva, M.D., the head of the busiest clinic in Sofia, the one with the small waiting room. Once we had her support, we proceeded with hospitals in other cities such as Plovdiv, Stara Zagora and Varna. Pleven did not give us their explicit approval, but they signed the general petition. This was our first substantial victory. At the meeting in Sofia I was surprised by Veneta's straightforward approach: "Doctor

Yantcheva, we are going to need a signed statement from you that we have to change the prescription period." Veneta did not beat around the bush, and for me, having no experience in such activism, it was amazing that we immediately got a positive reaction. So we gathered all the paperwork, we included all letters of support, as well as the petition, and around Christmas of 2017 we submitted them to the Ministry. Word got around that the Ministry of Health department responsible for this particular ordinance was opposed to the change. Then we got the Ombudsman Maya Manolova involved. With her support we got directly in touch with the president of the National Patients' Organization Stanimir Hassardjiev. He met with a number of departments on our behalf, including the Department of drug policy. His conviction helped see the change through.

Was there a lot of resistance from the medical community?

The drug policy department was our greatest opponent, since they feared that they would "lose control", whatever that means. Did they think people would throw away their medicine if they got three months' supply, rather than one? Or that they wouldn't take it? This is life-saving therapy and I don't see how people would voluntarily do that.
Together with Deystvie we were also the first ones to promote the fact that

undetectable HIV is non-transferable HIV.

/Editor's note: Even though it is popular knowledge in the west, Yavor Konov was the first person to start the conversation in Bulgaria, getting both LGBTI organizations and the Ministry of Health on his side. The message is extremely important, because it means that with regular therapy, an HIV patient's viral load decreases below detectable levels and cannot be transmitted, e.g. the patient is not infectious./ Meaning that even without a condom, a person with undetectable viral load cannot infect another person. There was a lot of opposition to this. It was a painful process and I frequently despaired. But we managed! We changed the Ordinance with the help of many people: more than 400 signatories, the support of medical professionals, the Ombudsman, Deystvie, Stanimir Hassardjiev... too many people.

You mentioned it would be even better if prescriptions were issued for a 6-month period.

After our latest survey from 2019 – a survey, done by IVOR, I contacted Veneta again and we requested another change. The Ministry's reply was that there hasn't been a year since the first change, and they'd rather wait. They also pointed out there is a problem in the supply chain, but this is not an issue for patients, it's an issue for the ones making the orders. We will wait and we'll remind them again that such a survey exists and that we expect that, following western practices, prescriptions will cover a 6-month course of therapy. Because patients are monitored on a 6-month basis. (Editor's note: The comfort and good care of patients is one argument in this struggle, but another and a very important one is that patients find it much easier to follow their course of therapy if prescription drugs cover a longer period. The more people with HIV stick to therapy, the less likely are they to develop AIDS or transmit the virus.)

What does the experience of other European countries show?

The UK follows a 6-month prescription model, as well as a 6-month monitoring model for stable patients. At the end of 2018, The Guardian announced that the UK has achieved its 90/90/90 targets, which means that 90% of the people, living with HIV in the UK are aware they are infected, 90% of them have begun therapy, and 90% of the people in therapy have viral load below the detectable levels. So if a country that applies a 6-month model, and also applies PrEP, has hit its 90/90/90 targets two years in advance (2020 is the deadline for 90/90/90 targets, set by UNAIDS, the HIV and AIDS wing of the UN), the model works and people are not throwing away their drugs. Especially if there is good doctor-patient communication, which is key, and which provides important information, such as "You are now starting a course of therapy, you should stick to it and in a few months the viral load in your blood will be undetectable". Long story short, communication and coordination are key, and especially good patient-doctor relationships.

What is the situation in Bulgaria regarding the 90/90/90 targets?

I am still searching for data on those last 90% – how many people in therapy have undetectable viral load. I can't find

such data in official press releases of the Ministry. The latest one, from December 1, 2019, stated the total of people who have tested positive in the history of the National HIV Reference Laboratory. There was data on how many people started therapy, but no data about how many of them had undetectable viral load. This is the second year in a row such data is missing from the release and I don't know why. But there is monitoring, and 97% of the people who are tested every six months, have started therapy. This is a great achievement, but we don't know how many of these people have undetectable viral load. I would guess it's a large number. Veneta and I plan to request official information on this.

I think things in Bulgaria are going very well. Some really fantastic things happened in the last three years, there have been a number of great campaigns from many organizations.

The male gay community in particular has access to regularly updated information on HIV, regular testing, PrEP – the prevention pill, which is already available in Bulgaria. Things are going well. Let me explain what I mean: 2018 was a record year in terms of new infections in Bulgaria, with 311 or 312 new cases. That's not how the Ministry framed it in its press releases back then. Yet only a year later, in December 2019, there were only 218 new cases in total. Even if we consider that there were 20-30 cases identified which didn't make the statistics because they were identified later in December, it's a significant drop – about 20%. Which tells us that therapy also acts as prevention – soon after a person starts therapy, they stop being infectious because their virus load drops. In my opinion, PrEP is also getting more popular, many people buy it on the internet. But they shouldn't have to, it should be included in your health insurance, like it is in Germany, Norway, France or Belgium. There's a regulated way to obtain PrEP there.

What is PrEP?

PrEP is a pill that prevents you from contracting HIV if you take it daily (for vaginal sex), so a woman who has receptive vaginal sex has to take it every day for prevention. If you are having anal sex, it's enough to take it 24 to 2 hours before intercourse, and then twice more, 24 and 48 hours after intercourse. This is a schedule for gay and bisexual

men approved by the World Health Organization. We are promoting PrEP right now and it's already available in certain pharmacies in the three largest cities. I'm not able to discuss the price, but it costs a lot less then before, because a generic drug is already available.

How long has PrEP been available in Bulgaria?

It has always been available, but it was a patent medicine before, with an ugly and brutal price nobody could afford. The patent expired in 2018, if I am correct, and since then many pharmaceutical companies have been producing it at good prices. We've also talked with the importer to lower the price even more, so that people in Bulgaria who want to take it, can get it. The importer agreed, so now the price is lower than ever, competitive with some of the prices that legal European websites offer. Which is great.
In the spring of 2020, the HIV clinic in Plovdiv agreed to issue prescriptions for both PrEP and PEP. PEP, or post-exposure prophylaxis, means that if you have intercourse with a person in risk of HIV, or you have found out that they have HIV, but are not on therapy, and are infectious, you can start taking PEP up to 72 hours after the intercourse. If you take it for a month, it will prevent infection. PEP is already available here, and people who need either pill can go to Plovdiv, get a prescription issued, and be directed to a pharmacy that carries it.

Is it available only in Plovdiv?

The Sofia clinic already prescribes PEP as well.

But it would be better if it was available everywhere.

It would be good if you could get a prescription in all 5 HIV clinics – in Sofia, Plovdiv, Stara Zagora, Varna and Pleven. We'll try to get there. Our plan is to talk to all of them, and point to the example of Dr. Stoytcheva in Plovdiv who has agreed to establish prescription protocols for it.

I'd like to return to the topic of the ordinance. You mentioned that such a great success involves a large community of people. How do we mobilize such a group?

I have to say that I can be a pretty persistent little bugger.

It's important to be persistent to the point of annoyance. Communication is the key. There has to be communication, and if it still doesn't work, you have to keep bugging people. You'll probably get there, but even if you don't, you still have to keep trying.

You say medical care and awareness are improving in Bulgaria. But how's the larger social picture in Bulgaria? Is there acceptance, understanding, empathy?

If we are talking about the stigma – the so-called serophoby, or HIV phobia, things are improving in my opinion. In all our campaigns, we, as IVOR, as well as other organizations keep messaging about the undetectable viral load, about the fact that treatment is free for everyone, that there are no side effects or they are minor. This is a scientific consensus, not a personal opinion.

Sexual health campaigns are easier than other causes in that unlike gay marriage, where you have to challenge tradition and core beliefs, here we're dealing only with facts.

This makes it easier and people are willing to listen. As a result I do believe that there is less stigma associated with living with HIV. PrEP also plays a role, since many people who use it, read about HIV and are aware of undetectable HIV. There's a trend in western online communities, people on Grindr for example, to state in their profile that they are on PrEP or that they have undetectable HIV. So there's a tendency to discriminate slightly against HIV negative people, who are not on PrEP.

Whenever the question of sexual health education comes up, we see a powerful surge of neoconservative moral panic. In other words, a large part of society finds it very hard to talk about sex-related topics. Why, do you think?

It's true, it's very hard and I don't understand why. Sexual education is based on scientific facts, not interpretation. It's a fact that 12-year-olds watch porn on their smartphones, and they only need to google "bukakke" or something of the sort to come across any porn genre. So 12-year-olds without any sexual education can see all kinds of acts performed on women. Parents know that their children are curious and find information on their own, but I think many parents are

in denial and feel great discomfort to talk about sex. I am mystified about the silence of the ministries of health and education about this, because this is a topic that concerns public health. The lack of sexual education is deadly. How many women lose their life to cervical cancer each year? I think the number is around 300, and 90% of the cases are HPV-related. HPV is a virus for which there is a vaccine. In a sex ed class all students will learn that HPV is the cause of 5% of cancer incidencies worldwide – cervical, vulvar, anal cancer, cancer of the throat, the head and a few others. We can prevent 5% of cancer cases in the world, which is incredible! We could talk about this in a sex ed classes, only we have none.

My guess is that teachers find it hard to talk about this as well.

Teachers could be trained if there was a training system. I haven't looked at teacher training, but I'm guessing there's a top-bottom approach – it's regulated by a law or an ordinance. So you can train a few teachers to talk about sexually transmitted diseases. Sex in the sense of intercourse, not in the sense of biological sex, as it could be interpreted in the previous wording. Because the anus is not a sex organ, and neither is the mouth. This terminology has already been fixed in the health ministry's documents, so we can safely call them STDs.

What other changes, besides Ordinance 34, are necessary in your opinion in order to improve awareness and promote a culture of health?

We need sexual health education classes in school, just like we take maths, chemistry and physics. Education brings change, it's at the root of any significant change. Without classes founded on facts and science, we'll still have 35 year-old gay people who believe that there's something wrong with them and who choose "a private life" in hiding in order "not to worry" their parents. A sex ed class will teach people that it's normal to be gay, and that there are vaccines for three of the sexually transmitted infections – HPV, hepatitis A and B. It will inform you that HPV can be deadly and that hepatitis B can be chronic and you may have to take pills for the rest of your life. It's all about education. Organizations such as ours exist because someone needs to fill that gap, the absence of sex ed. If there was sex ed, there'd still be a need

for us, but our job would be a lot easier and more pleasant, and we wouldn't have to fill in for the Ministry of Health.

Rossi and Zlati

Three Kids and a Dash

Legal Case | Taking the partner's surname

Z: I'm Zlati, nice to meet you. My surname is Karabajakova-Encheva.

R: I'm Rositsa Encheva. Thanks to Deystvie, the court allowed my partner to take my surname.

How did you decide to be family, why didn't you get married abroad, as many other couples do?

R: Oh, we will get married, we just haven't gotten there yet.

Z: We can't find the time. We have three kids, which is the most important and meaningful thing for every family, in my opinion. Everything else can wait. We have been together for 9 years.

In 9 years there must have been hundreds, probably even thousands of challenges to your relationship.

Z: There are challenges every day.

R: We go through a lot, but our relationship is what keeps us together. We work together on our problems. Sooner or later every relationship has to deal with something.

Starting a family is a major step. Tell us about the decision to have children.

Z: I always wanted kids. I was even brave enough to want three..

R: I also always wanted kids, but not three.

How many did you imagine?

R: Two. I had my fears, as I knew what a huge responsibility this is and how

dedicated you have to be. When we had to decide if we wanted twins, I didn't even call to ask her. Because the embryologists told me: "We like to joke, but with you the chances for twins are significant." And I told myself "We have talked about this, so no problems!". We hoped to have twins the first time. Zlati gave birth to the first child.

Let's go back to when you became a family. What happened after you moved in together?

Z: We started researching how we could have kids. Rosi did most of it, as I have always been swallowed by my work. She is so precise, so thorough, you can completely rely on her, she doesn't miss a thing. She found a sperm bank with thousands of donors. So I told her, look, it's crazy to read through all of them, choose a few that you like and we'll go look at them together. And so we did, we chose a donor, and we chose a reproductive clinic afterwards.

Tell us about the process, how hard is it, do you have to be prepared in advance?

R: Bringing a new life into the world is a huge responsibility and the biological father does matter, it's important what kind of genes the child has. We wanted more information about the donor. We considered the options time and again – should we involve a third person in our family as a dad, or will we simply need a donor. So we thought it through very carefully, in view of future complications. Getting pregnant is actually the easiest part. We decided we didn't want a third person in the family after all, since this person could potentially come

between the two of us, or between us and the child in the future. It would also be easier for the child to know that it has two parents. Then we got to the donor part and we found out information on donors in Bulgaria is very sparse. I had seen an interview with doctor Shterev and I discovered that there are other options, but I didn't know where to look for them. I had contacted Aksinia Gentcheva /Editor's note: Aksinia Gencheva was the president of the first LGBT organisation in Bulgaria, BGO Gemini, in the last years of its existence. Aksinia and Gemini were among the organizers of the international conference of ILGA Europe in Sofia in 2006 and the first pride marches in Bulgaria. The first Sofia Pride march took place in 2008/. She was the founder of one of the first gay organisations in Bulgaria and her first child was donor conceived. So she advised me how to proceed.

Z: As a gay couple we had worries how and where to go.

Did you have to talk to a medical expert in the beginning of the process, or what?

R: Now it's a lot easier, but we didn't have much information back then, more than ten years ago. We had to read a lot and do a lot of research. We had already chosen the donor before we got to the clinic and we knew what we wanted. Doctors were a bit surprised, because you usually do this at the clinic, i.e. first comes the examination, and then you're sent to the embryologists who show you the sperm banks. They advised us what to look for.

Z: For example, it's good to check if the

donor already has any children born alive.

R: The person we had chosen hadn't mentioned children on his form. Despite this, we definitely wanted him to be the donor, because for us the things he wrote in his donor profile were important.

Z: He had given seven to eight pages of information about his family all the way up to his grandparents –what their occupations had been, whether they'd had heart problems. A lot of info.

R: He had also listed his likes and dislikes, his studies, his travels. All the information that you would get on a first date with somebody. Besides this, we had a letter accompanying his interview in which he explained why he had chosen to donate sperm. We could see a lot of the traits we were looking for and we appreciated – a caring and responsible person who wanted to help others. Kindness and helpfulness are some of the things we value most, and we were looking for someone like us, so the child could inherit these traits.

What happened after you chose the person?

Z: We went to the Shterev Clinic for a preliminary check-up. It turned out that it wasn't going to be so easy, because I had some problems. I went through a laparoscopic surgery. Still, the clinic advised us to choose the in vitro procedure, as my tubal patency results were not perfect. We were already mentally ready for in vitro because we wanted to succeed.

R: We had it all planned from the very beginning.

Z: Even the astrological sign, but…

R: …we kind of missed that one. It was important for us to have as much donor material as possible, because we had planned to have two children – Zlati would give birth to the first one, and I'd have the second one.

We wanted to conceive from the same donor, so that our children would be real siblings. We knew that growing up here in Bulgaria would be hard on them and wanted to make it as easy as possible, so that they could be comfortable when they had to answer questions. A blood relation also helps you feel close.

Our plan has been working so far.

Z: That's why we decided against involving a third parent. It's hard enough to be dealt two gay parents at birth and to have to explain it, a third person would be an additional complication. Even now we have to say things like, "There are different families, baby" every day.

One common issue same-sex couples have is the birth certificate of the child. What is written on the certificates of your children?

R: My father is listed as a father of our child.

Z: Meaning our daughter is her sister…

R: We did this because of the surname, and because we wanted to have at least partial parental rights over the child, because if something happens to Zlati, I have nothing.

Z: It was important for me that she has rights over the child, as well as a sense of security.

R: My father agreed to it, it wasn't an issue at all. He said: "The important thing is for you to be well and happy as a family".
…Here's a funny story from a vacation in Turkey. The whole family was there – my mother, my father, my grandparents, my sister with my niece, and us two with the three kids. At the border they asked to see Dea's father and her granny – my mother – told her "Go get your grandpa!" And Dea was like, grandpa, come here…
When the twins were born, I had to ask my father to give them his name as a middle name, so that we could all have matching names and surnames. So we are all Grudevi Enchevi now.
/Editor's note: Per the Bulgarian naming tradition, children have a middle name derived from the given name of the father, and a surname common to all generations. When Dea was born, Rosi's father was listed as her father, so she took his given name as a middle name, as well as his surname. When Rosi gave birth to the twins, they automatically took the same surname, but her father had to give her permission to use his given name as a middle name for the children. Otherwise their middle name would have been derived from her given name./

Is it easier now, when everybody has the same surname?

Z: We feel more relaxed, of course.

In theory, if your father hadn't given you his permission, what would have that meant?

R: It would have been very difficult, because then our first child would have taken only Zlati's names. And we

don't know whether her father would have given us the permission to take his names. By law, these are the two options: either her father allows her to use his given name and surname, or she has to give her name to the child as a middle name.

And who'd be listed as a father?

Z: Nobody.

R: This is the case with the twins in fact. On one hand, it saves us a lot of bureaucratic hassle. On the other hand, it's indeed extremely annoying that I can't get my child out of the country, that I can't get a passport issued for her, that I can't make decisions for her. I depend on the goodwill of people. And certain people and authorities are not cooperative. They insist that I present powers of attorney and all kinds of papers. And it is not about how hard it's for me, it's about the humiliation the child has to go through – going from counter to counter and from institution to institution, while we have to find gentle explanations of her situation. She doesn't understand entirely why her grandfather has taken the role of her father. She knows that she has his names, but she doesn't know why

How old is she?

R: She's seven. After she realized she and I share the same middle name and surname, she started cracking jokes about mommy Zlati "not being one of us".

Z: She'd say, "We're Enchevi, and you're not…"

R: This was very hurtful to Zlati, she felt isolated and sad.

Z: I just wanted to be part of the family. It's painful to be left out when you're supposed to be a part of it.

I never even dreamed of changing my name before the people from Deystvie came along.

After I saw it was possible, I was hell-bent to do it. I went to court full of emotions, but they didn't have any questions for me at all, just for Rossi.

How did you find out about Deystvie?

R: We met at a gathering organized by Deystvie in Plovdiv. The topic was advice to the LGBTI community on how to start a family.

Z: This was our first meeting of this kind and we were very excited to go.

R: I came upon info about this meeting online purely by accident. We already had Dea – our first daughter. We decided to go and meet other people like us, in the hopes that we might be able to help them.

Z: And, more importantly, to look for ways for improvement of our common situation. This was the most important part for me – that we got things moving, that we started doing something for everyone. So we went to the meeting and we realized we were the only couple with a child in the entire city.

R: We still are, to this day we don't know of another couple with kids in Plovdiv. In Sofia yes, but not in Plovdiv.

The meeting was in 2015 and that's when we met Deni and Veni and we told them our story. At that point Zlati was very determined to change her name and started asking Deni about it. After a while we wrote to tell them we were ready and we were looking for ways to start the process.
We learned that there was a solution, which was great because we were looking at all kinds of different ideas. It wasn't just about the name, we wanted to legalise our parenthood in some way. We were looking for any legal options that would give us the rights we wanted as a family.

Z: I don't remember exactly how long it took. Maybe around a year. I only remember when we submitted the documents. Deni guided us through the process.

R: The idea was that the court case should present the things the way they are – that we are a same-sex couple. That's why I was subpoenaed before the court. The case was brought before the Plovdiv District Court and we won it at first instance.

How many times did you have to go to the courthouse?

R: Just once. Everything went very, very well for us.

Z: ...despite the very hostile environment in the courtroom – we were not accepted at all

R: They were mocking us. I remember the judge's questions. It was very difficult for me to be there, because I was pregnant, and it was very emotional to have to explain why this case is important for us on top of that…

What were their questions?

Z: They didn't ask me anything, all the questions were directed at her.

You want to change your name but they don't ask you anything?

Z: No, absolutely nothing.

R: I was called as a witness and I had to explain why Zlati had to take my surname. How Dea has the same middle name and surname as myself and according to the documents she is my sister, but I have more parental rights over her than Zlati… How Zlati almost always has to prove that she is her biological parent…

Z: Luckily, I have the proof.

R: But you don't have it on you all the time, do you? If we have to go somewhere with Dea and I go in first and say that I am the mother, it's extremely difficult for Zlati to convince people that she is a parent as well.

Z: We've already been through this.

What happened?

Z: Dea broke her nose and we went to the ER. Rossi went in with Dea while I parked the car. I was second to enter the building. It was night and the security stopped me: "Where are you going?" – "I'm with the kid that just went inside." – "She went in with her mother, who are you?" I had to go to reception and give them my personal identification number. They probably had a way to know that I'm the mother and they let me in. They were more or less kind though.

R: There used to be no issues In Plovdiv before, but friends told us that in Sofia, one the biggest ERs only lets the biological mother in. But things have changed here as well and it's a lot harder. And we understand this by all the new paperwork we constantly have to present.

To wrap up the court story – what did they ask you to say?

R: They asked me to explain why I think of myself as a mother to this child, given that I have no legal parental rights. That's what the judge asked me and she was very insistent on explaining that I am not the mother. So how do I dare use this word and call myself a mother. I had to justify my motherhood and she was constantly circling back to the fact that legally I am not a mother.

Z: In other words, she was bullying her.

How did you feel?

R: I felt very, very bad, because it was humiliating. I like to draw a comparison to adoption, because if I had adopted my child, they wouldn't have put me through this. Also, if you adopt a child, you get full parental rights without anyone investigating what your sexual orientation is and poking at all kinds of personal details. While in court I was trying to tell the judge that I have created this child and I had to explain what I mean by this.
How I may not have physically given birth to her, but I was there since she was a single cell. And we all know that when you raise a kid, it's impossible not to build a strong emotional bond with them. If I had adopted my child, I would have been her mother and I wouldn't

have been treated this way. Society would have applauded me for adopting a child, whereas now I am supposed to be embarrassed that I am raising my own kid with my partner. This is very hard and that's why we are tough as nails when we go to kindergartens and schools with her.

Z: We are calm, but persistent, upfront and extremely open.

R: It doesn't take long for people to understand that I am not just a parent on paper. When they observe my attitude at the day-care or kindergarten, they realize what my role is.

So when people meet you, they are inclined to understand things that they didn't before.

R: It's definitely hard for them in the beginning and they surely have a lot of reservations and concerns. We were very lucky to find people who value us. I remember once when I was in one of Dea's classes. The teachers had asked me to help, because we were organising a surprise party for the other parents for the Day of the Christian Family. During the preparations a few kids asked Dea: "Dea, is it true that you have two mothers and no father?" Dea, slightly embarrassed, said: "Yes, I have two mothers". The teacher was protective without being forceful, she said: "Yes, Dea has two mothers and she should be very happy, because they are great parents."

We can see that our kid wants to be like everybody else. She doesn't want to be different, but at this point in her life she feels the disparity.

At the Deystvie gathering we met another family and we started seeing them because of the kids. Later we decided to form a group, to organize more people like ourselves, so that our kids understand that they are not alone, that there are many others like them. The meetings helped us and the children a lot. But the kids still feel different and that's not because we make them feel that way, or the teachers or other kids make them feel that way. It is because we are constantly forced to explain things about our family, about our blood relations and our names. The more the children grow up, the harder it gets, because they begin to understand things and they start thinking about them. We raise them to be good citizens, to keep the environment clean, to do well in school, to do their part for the prosperity of the country, to help each other out, because we are a society. But at some point they see that this society does not care about them. I can see that Dea is hurt, she is very sensitive and very clever, she can feel it. I have to thank the schools and kindergartens she attended, because they didn't make her feel different even for a moment. I was never discriminated against because I am not her biological parent, I am even the speaker of her class in the parent school board.

I think the people that complain the most that progressive, LBGTI, etc. issues dominate the public, political and media discourse are actually not that many, they are just very loud. In this respect the majority of people should side with changes in the legislation which in effect discriminate against a significant part of society.

R: Many children suffer because of this and we have to fight for their future. Because tomorrow they will have to govern, teach and cure us.

Z: We want them to be good people, to give their best at what they're doing. And In order to give your best, you have to feel well. We have decided to raise our children here. We had a choice to leave and go to a place where we would have felt better, our children would have felt better. We made an effort to stay in Bulgaria. We did it, because we think our place is here and we should change things for the better.

This is a big struggle.

Z: We are not alone.

Who are the people who help you?

Z: The people around us, our friends.

R: I had my reservations towards NGOs. I changed my mind, when I saw the amount of work they did and the things they made happen and that their causes were real. This made me feel a lot safer, because up to that point I didn't know who to turn to when something would go wrong. Now that I had to get in touch with an NGO for the second time, I got in touch with Deystvie, because we wanted to publish a children's book we wrote for our kids, for all kids. Raising our first daughter we realized that children's books feature very limited role models for kids. We make kids believe in princes and princesses and all this nonsense. We wanted them to see the families of our kind as well. Our initial idea was to describe all the possible family models

– a man and a woman, two women, two men, every family configuration. I pitched the idea to a close friend of mine – she writes very well – and she agreed. In the end though, she wrote a different kind of book, she expanded on our idea and now the book is about different people in general (people with dyslexia, blind people, overweight people, same-sex families). The book is set on planet Forest. It's a very interesting and tender book, which hopefully will teach kids about tolerance.

When will it be out?

R: Very soon, we hope. We were putting together more things, because we were planning to ask for support from the broader public. I announced the idea on my Facebook profile and I made the post public to reach more people. But some quite evil people showed up. I knew that there were a lot of haters, but I didn't expect that there would be direct threats to me and my family, that they would instigate hate towards us. This head collision was a real shocker. The post was shared in some very ugly Facebook groups. There was talk about how we should be set on fire, that whoever sees us should do terrible things to us. They put up a picture of me and one of our kids. The pictures and our names were all over the internet. I was accused that I was brainwashing little children and we wanted to corrupt them. I knew that the person instigating this hate was not capable of acting on it, but I also saw the kind of people that were responding and it made me feel extremely threatened. I was very worried about the kids, that these people might do something to them or

I had my reservations towards NGOs. I changed my mind, when I saw the amount of work they did and the things they made happen and that their causes were real. This made me feel a lot safer.

that they might do something to me in front of our kids. I tried to discuss it and the person blocked me, but continued to instigate violence. I got in touch with Deni to ask her for advice. I had to write a complaint and file it with the district attorney's office. So I wrote it and Deni and two other lawyers reviewed it and we filed it. The complaint was rejected. The prosecutor said in her reply that people were "just sharing opinions". I couldn't believe it, I had described everything word by word, I had screenshots of their posts attached, I had described the threats the way the lawyers advised me. Denitsa then wrote a rebuttal of the rejection referring to all articles of the law that were violated. Then we got a call from the police. They asked me: "What do you want us to do exactly? What should we say to these people – that they shouldn't bother you?" I went to the station, I described the case to the policeman, I showed him the threats.

So the first step was a complaint. What then?

R: Rejection, and then rejection again. Then – explanations at the police station. From then on, I don't know.

There was no information?

R: The person who threatened me shared on his facebook profile that the police interrogated him as well.

Z: The threats came in two waves, at one point there was real panic and fear.

R: The police inspector was quite supportive, he told me that I'm within my right and we all have the right to feel safe, calm and free. I don't know what

the police did, but I regularly check this person's profile, because I expect all kinds of retaliation.

A while ago your story got media attention, you gave interviews and so on. Is there a difference in the way people react now and back then?

R: There were no threats back then. There were a lot of insults in the comments to the video and the interview. Such comments can't get to me in any way, but direct threats are absolutely not acceptable.
According to the comments, we were trying to make Bulgarian kids gay.

Z: The whole frenzy with "gender" theory is in the public eye right now. People are scared, because they don't know, they don't understand, they don't have any information.

R: Our observations since we became a couple and had our children are that people accept us, but everyone feels sorry for the kids, as if we damaged them in some way.

How so?

R: Apparently because we've denied them a father. Moreover – because we are teaching them that "this is normal", which is supposed to mean that they will grow up to be like us. I detect these fears even in my closest circle of family and friends. People are worried for our kids. We didn't get any support for the book from anyone except my immediate family. People think it's not right for such a book to exist. The issue is that there is a same-sex couple in the book, even two same-sex couples and

we show that as normal. And everybody is saying to us "It's OK for you, but don't preach it to the kids."

Z: "Deal with it , we accept you, but…"

R: This is where hypocrisy comes in. I've had enough of this fake acceptance, because this is what it is – fake, it's not there. This can make you feel very lonely, but at the same time it makes you stronger and more driven. We continue to show people that despite everything, we believe that we are a completely ordinary family. That's why I say that it's not so hard on us as it is on our children. If we don't fight against it now, if we don't change the status quo, we will leave this burden to the kids. And we don't want that.

Adam

There is Hope Here

Legal Case

Giving a refugee status to an Iraqi citizen applying for international protection because of persecution motivated by his sexual orientation

I was born in Baghdad, in a middle class family with several children. Both of my parents are educated and have prestigious professions. I grew up in Iraq, and in 2005, they started to kidnap a lot of people, like the sons and daughters of some professors or doctors. And then, when I applied to university, I was accepted, graduated and found a job.
About my sexuality, I was struggling for sure, because being born in such a country with very conservative circumstances wasn't easy. I felt like I was alone. And that was why I wanted to share my story in Bulgaria, because a lot of people feel like they are totally alone. For example, being a teenager who lives disconnected in a village somewhere is very difficult. At that age I felt totally lost, I didn't know what I wanted, I was sure that there was something different about me and I was sure it was taboo. Because we study religion in every school, you know that this is something that is forbidden. In Arabic you say "Haram", which is like "should not be done". So my sexuality was always a secret. I myself was not fine with it, let's say.
I started dating guys at that time, I knew I was attracted to them, but it wasn't clear in terms of "this is my life, this is me". When I was 19, I went to a psychotherapist. I chose to do that because I was struggling so much – I was in denial, I couldn't share my story with anyone. Also, the people that I knew, they were only for the sake of sex, they were not friends or anything. I'd meet them through apps or websites. I went to a therapist because of a friend who told me, "go there, he will help you". And after a while, I was fine, I knew that I was not interested in girls at all, and I should accept myself the way I was.

So why did you leave Iraq?

I was texting with a guy for a long time – on and off, on and off, we didn't meet at all. He was from Baghdad. The guy was weird. He would text me, and then didn't for one month, and then texted me again. We met one time and this was really the beginning of me meeting people. When we met, we went and had some lunch, it was very normal, nothing happened… I hate going back to that story… After that we met for a second time and he insisted that we meet at his place to have sex or something. We went there – it was something like a billiard cafe, or a shisha bar. It was Friday, so it was closed, because these things mostly don't operate on Fridays. We started kissing and then he started becoming violent, very violent.

He had a gun and handcuffs. At that point I started feeling there was something wrong about the whole situation, that this was not a fetish or a game. Sadly, that was one of my first sexual experiences. When he started getting violent, he told me he was some kind of security or police protecting the culture from “faggots”. And then he told me to tell him stories about myself and to report names, and he recorded it. He put me in the bathroom, locked me there, took my phone. I was bleeding from my nose, it wasn't a big trauma, he didn't leave a scar, but I was affected by it. After a while, he was talking with my parents on the phone. I was so afraid, not only of dying, because at that time a lot of people were dying after being kidnapped, they were torturing gay guys. We had a wave of killings of gay men in Iraq. One happened in 2008, one in 2010. And then there were rare cases here and there. The way they were killing people was by putting glue in their anuses, then throwing them in rural areas in the desert. So people were dying from the toxic reaction of the body, it poisons itself in about three days. He asked me, "How do you want to be killed?" I was terrified.

How old were you at the time?

I was 22 or 23. I told him, "Do what you want, just don't tell my family". I was ready to die rather than tell my family anything. Which is more terrifying than the kidnapping. Then I discovered there were other people there, he wasn't alone – they were like a mafia or something, but they had military uniforms. So I began to realise he wasn’t some random guy but part of some kind of organisation. I spoke to my parents while I was locked in the bathroom, he brought me the phone. He told them I was fine, I wasn’t dead. I don't know what they talked about, I couldn't hear. My father asked me, "Are you OK?", I said, "I'm totally OK, don't worry, nothing happened". I didn't know what he wanted, what was going on – would they kill me, why was this whole thing happening. Hours went by. He came back during the night, he wanted to give me food, I didn't want to eat, I was so terrified. I was so afraid, because I didn't want my family to suffer. He told me that because I look good and I behave well, I have a career, either he will kill me or let me go but I would have to work for him. I would have to bring people to him, he would use me as bait to trap other people “to clean up the world, the culture”, he said. After a while, after this night, he let me go. I went back home, my whole family was waiting at my grandparents'

place, except my parents because they still lived in another town. They were all crying, not knowing what was going on. I still remember that when he dropped me off in front of the house, he asked, "Do remember my number?" I said, "Yeah", and he said, "You will call me tomorrow after you get a new phone so we can work together". I said, "OK, OK, fine, I'll do that". I was met by my aunt, my uncle, my grandfather, everyone was there. I was terrified this fool had told them I was gay. My family cried, they were happy I was back, because a lot of people had been kidnapped around that time, and they never came back. Obviously, this guy had taken money from my family, for him it was just business.

This experience made me suffer for a long time. After that I realised I couldn't stay in the country any longer and that I should just leave. I didn't have time to apply for a visa or anything. I went to Turkey for a while. Then I crossed into Bulgaria through the forest. It was not my intention to stay in Bulgaria, I wanted to go to Belgium because my family knows people there. My family didn't know what had happened, me being gay and this guy having kidnapped me because of that. When I came to Bulgaria, I was trapped here. The police and the authorities stopped people from crossing into Serbia or anywhere else. I decided to stay because I was tired, it was already a month of barely eating, of sleeping in the forest or wherever I could find. And there came a point at which I said to myself, "OK, that's it, at least here I'm safe". So I stayed, other people left for other places, but I stayed in Bulgaria. I applied for asylum. At the time, I was living in Plovdiv because a friend of a friend of my mom was living in Plovdiv. They helped me, but they also didn't know about my sexuality. I wanted to contact someone who could help me with the procedure. I contacted Denitsa, we met in person after a day or two. She really helped me with the procedure because at that time Iraqis were being deported regardless of their stories or reasons for leaving.

This was in 2015?

Yeah, towards the end of 2015, let's say October. I had an asylum interview with a lady in Harmanli. Initially, I told her my story, I told her what happened to me, and she almost laughed. I was shocked. I said to myself, "She's not taking my case seriously at all". So I needed help. I visited the Deystvie website, I contacted them, and they responded really fast. Denitsa took me to Harmali in her car, she talked to the

lady personally. Then this lady started behaving differently, she took me more seriously. After I told her everything, she approved my case and gave me asylum in Bulgaria. This was something I can never forget.

How did you find out about Deystvie's legal program?

I'm a bit lucky. With all this stuff, I still had the support of my family at least financially because in Bulgaria you get nothing at all. When the legal action begins, it is very difficult. At first I rented a small apartment, more like a garage, let's say, in Sofia. I met people through an app, through Grindr, we would chat. A guy showed up who was interested because I spoke Arabic as a native language and he was studying Arabic. I couldn't imagine the authorities could send me back to Iraq or Turkey. This guy told me to look up LGBT organisations. We searched together. After a while he sent me a link to Deystvie, and we wrote them. That's how I reached them. I sent them an email and they contacted me directly.

Did the legal proceedings for obtaining the asylum status take long?

It happened fast. First of all, I wasn't rejected, this is very important. You know, in Bulgaria there are not a lot of refugees, so you can say it's even faster than in Germany. The whole thing took about three months. I had two interviews, one of them – the one I told you about, was something like an introduction. The second was more detailed, they asked me about my sexual orientation, they asked me about my thoughts about religion and many other things. Then the lady official decided to give me refugee status for the maximum period, for five years.

Something that is both funny and sad, is that you need an address registration, otherwise you can't get an ID or any kind of travel document. I was renting an apartment, paying with my own money, without any help. Then I rented another apartment in Sofia together with a guy from Varna. I told the landlord that I wanted an address registration before taking the apartment, he said, "Fine, no problem". Then we went to the municipality the lady at the desk said to the landlord, "Are you sure you want to do this for this guy who comes from Iraq, maybe he is a part of ISIS, maybe he is a terrorist!" He said, "Oh, yeah, I won't do it!" So he didn't agree to give me an address registration. I called Denitsa because I could sense something wasn't right, I couldn't really understand

everything they were saying because I don't speak Bulgarian. She told me, "Maybe he doesn't want to do it because of the lady at the municipality". All this was after I got the refugee status. When you get refugee status, you get checked by National Security very thoroughly. Then an acquaintance helped me by registering me at their apartment. So this is how I finally got an address registration. It was not easy.

Tell us a bit about your time in Bulgaria. Did you have any problems here apart from those with the authorities?

I'll tell you something – at that time I felt safe just being out of Iraq. Maybe people in Bulgaria think the situation in their country is bad, but the important thing for me it was that at least I wasn't terrified of the police, at least I wasn't terrified of the army, at least wasn't terrified of people finding out I'm gay. I've heard a lot of stories like mine in Iraq in Grindr and elsewhere.

People have lost their lives just for being gay. In Bulgaria, the situation was better than what I was used to, at least there was Gay Pride, I could see people I could relate to.

But for sure it's not easy being gay and coming from the Middle East. I wasn't really welcome everywhere. One thing that annoyed me was that when I used to go to a gay club, they wouldn't let me in a lot of the times.

Why?

Face control. One other thing, people I was going out with were kind of asking me really weird questions, like: "Do you still have camels in Iraq?" and stuff like that. There is this constant underestimation that terribly affects your self-confidence. I didn't experience any real threats in Bulgaria. Mostly because I always kept myself in a safe zone, I surrounded myself with queer people. When I worked in Sofia as software support with Arabic in one of the big companies, I was not open about my sexuality with my colleagues either. But my close friends knew and accepted it. Just to be on the safe side, I didn't communicate with a lot of people though, I kind of isolated myself to keep away from trouble.

Something you said a couple of times is that it's very

dangerous for gay people in Iraq. Is there a gay community, even if not an open one?

There is a big gay community, but no one is open about being gay. They don't dare tell anyone they're gay. Sometimes they are afraid to say it to each other even. There is no safety at all. You are always on the lookout. Because if anyone finds out and exposes you, you'd lose your life. Either you lose it in the sense that you die, or you lose it… For example, I know one guy whose brother found out he was gay. Their parents didn't know, but the brother wouldn't let the guy go out of their house for at least six months, he tortured him. It is terrifying when you hear stories like these. There is no freedom, you can never share who you are. I'm lucky because one of my siblings knows, and almost accepted it after a while. We're close, so I could share, but there are many people who can't share with anyone, not anyone. Even here in Germany, I don't want to share it with people from Iraq. Why? Because it is a big shame, a big shame for the family. Iraq is very conservative, not as much as Saudi Arabia or Iran, but still conservative. If I said I was gay, there would be many consequences. One of them, which is very bad, is that my sisters would never be married. My parents could lose their jobs, easily.

They would either have to disown me or they themselves would be shunned by society.

People are so connected in our society, so you would affect a big number of people. I'm fine as long as this only affects myself, but I don't want to hurt others, I don't want to make them suffer.

Do parents really disown their children?

It can happen. My parents don't know about me. One time I had a conversation about it with my father. He said, "What's wrong, you don't have a girlfriend? If you were gay, I would not talk to you until I die!" He told me that. I don't know if he means it, but it was serious. Yes, parents disown children, because what else would they do? It's very sad. At my workplace I'm still not open. Because I'm not used to being open about it. I'm not afraid, but I'm still not openly gay at my workplace. I have a lot of friends who also don't know I'm gay. I always try to avoid mentioning it, especially if the

people I'm talking to are Arabs or Iraqis. Because with just one post on Facebook they can out me. I sometimes tell my boyfriend that even though I'm out of Iraq, out of Baghdad, I feel like I'm keeping myself inside a cage.

How do you deal with all that? Do you have a plan for the future?

One of the things that is really annoying is when my mom nags me to get married. Because marriage in Iraq is traditional, it's always planned. Now I have a job, I have some kind of stability in Germany, and I think that maybe someday I'll tell her. I'm not really sure though. We talk a lot about it – my boyfriend and I. My mom could visit some time, and I'm afraid that if she visits, she'd find out for herself. I'd prefer to tell her in advance. Another problem is that if people from Arabic countries in Europe see a German guy who is gay, they would be fine with him, because he's German, but if they see someone who is Arabic and is gay, for them that is a disaster. They see it as an attack on their religion and they get really defensive. My boyfriend and I hug and kiss on the street here, it is mostly viewed as being OK, but one time we were attacked by a guy who was either Lebanese or Palestinian. And although he was born here in Germany, he started a fight with me. We were going home from a party in the subway and he started shouting in Arabic. I thought that we should be speaking in German so that the other passengers could understand what was happening. My boyfriend is Italian, we speak to each other in German. So this guy, he didn't touch us or anything, but he was very upset, he was shouting. So it is still not easy. Do I have a plan for the future? I don't know. Now I feel more relaxed, but I need more time. I practice with my boyfriend's family, they are very accepting, it's very nice. I have sessions with a psychotherapist here, I've always had problems because of the pressure. This psychotherapist has been telling me that I don't love myself enough. So I'm always working on that, a big part of this problem is my family for sure. I hope someday I can tell my parents, but I'm aware that it might not happen ever.

This is not your first interview. Are you afraid of publicity, of someone recognising you in your story?

I'm afraid, but I want to share my story, because I feel Bulgaria is a place where there is some hope. I think my story might be helpful because my case was the first of its kind – an

openly gay person seeking asylum because of prosecution connected to his sexual orientation. But, for sure, I am afraid of the publicity. I know it can be risky, but you know what, there is no evidence that it's me. Even if someone finds out, I can still deny it. Part of it is that in Iraqi culture, depictions of gay people are extremely negative. For example, people can never think that a doctor can be gay, that a lawyer can be gay, an engineer can be gay. In their imagination a gay person can only be an illiterate criminal or something. There is this belief that first you become alcoholic, then a drug addict, and that leads to a person turning gay. Changing this way of thinking is hopeless. And this is not because people are disconnected or because they don't have experience living in the world. My parents are educated, they've traveled, but they also believe such stuff, it's a cultural thing.

Do you think all this can change with future generations?

I don't know, honestly. There's this international activist fighting for gay rights, he comes from Iraq, he is currently living in Sweden, we went to the same high school. We've been having these discussions – I feel there will either be no change or very little change, but people will never be accepting. We'll need ages just to achieve what Bulgaria has right now. For you it might seem funny, but I think it's not easy getting to that point. Bulgaria today is so much better compared to where I come from. People in Iraq don't respect the law. At least people in Bulgaria do that. After 2003, the clan structures became really strong. So now I have this problem; my Bulgarian document expires at the end of this year – 2020. And then I will have to go back to the Iraqi passport. I went to the Iraqi embassy, and they told me, "No, we changed your surname from your grandfather's name to your clan name". So these clans are very strong in the country, they have their own laws and they will never accept LGBT people.

How long did you stay in Bulgaria?

A year and a half, maybe two years. I tried to get a job in Bulgaria. This is another difference between the systems in Bulgarian and in Germany – in Germany, wherever you come from, your degree can be recognized after you take some exams, and then you can work in your field or continue at university and so on. In Bulgaria this was very difficult. I

applied at the university in Plovdiv and they told me I had to repeat all my studies from the beginning. This is one of the reasons why it was impossible to stay in Bulgaria longer. It was a difficult journey coming to Germany, but it's better, professionally speaking.
After this long journey, I feel more stable. And this is why I feel I can come out to my parents in the next few years.

Do you feel happy?

Yeah, for sure, I feel so much better than before. I don't feel afraid of a lot of things, and this is very important to me. I proved myself in my job, which is also important to me. Of course, there is no absolute happiness, I still struggle with some stuff, but it's so much better. I still miss my home. I wasn't allowed to go back for the five years after I left.

Why aren't you allowed to go back?

In the EU, when you get any travel document that is related to a refugee status, you are not allowed to go back to your country. Also, it's very difficult to get a visa to Turkey or somewhere else. So it's as if you are trapped in the Schengen zone plus Romania and Bulgaria. But you are not allowed to go to the UK. So I couldn't meet my family for a long time. I met them once, they visited me, luckily they got a visa easily. I miss home. Apart from not being able to express my sexuality and all that, I miss my family.

You did some interviews in Bulgaria. What were the reactions to those interviews?

I don't speak Bulgarian. At the time I was living with a guy in Bulgaria and we went through some comments below one of the video interviews. People were saying, "As if we don't have enough faggots in the county already, now we have to import them!" There were no nice comments there. I decided not to read them, I didn't want to see that. But from the gay community, I felt a lot of support. I remember that we all felt great, we felt victorious, because my case meant a lot to a lot of people, and we celebrated the outcome. It made a difference that the state accepted me in a legal sense. I still have good connections with the people from Deystvie. I feel they are part of my family, they really supported me so much. I was absolutely alone when I was in Bulgaria. If it wasn't

for them, it would've been so much more difficult and challenging for me. They gave me support I couldn't previously even dream of. Legal support, but also emotional support – I didn't feel alone, I didn't feel judged, they accepted me the way I was. At that time, even after meeting a lot of people in Bulgaria, it was rare that someone would want to be my friend. The people from Deystvie made me feel at home. I felt safe. If I had a problem, I could call and ask for support. Also, I learned a lot about LGBT, because back then I didn't know what all that meant. Honestly, I wish I could continue living in Bulgaria, but unfortunately I couldn't practice my profession there.

The Great Victory

A Conversation with Denitsa Lyubenova from Deystvie

Legal Case

Two foreign citizens, married in France and living in Bulgaria, tried to obtain permanent residence permits in Bulgaria.

How did you learn about Christina and Mariama?

Mariama sent us an email describing their situation. She, a French citizen, and Christina, who has a dual Chilean-Australian citizenship, came to live in Bulgaria in December of 2017. Christina had initially obtained a residence permit as a member of the family of an EU citizen. However, a year later, in December 2018, the Migration Directorate of the Ministry of the Interior denied her request, stating that she and her partner had a same-sex marriage. In her email, Mariama described how she had been looking for LGBTI organizations in Bulgaria, which could assist them and publicize their case. Mariama herself had a law degree, so she was very well aware that, pursuant to EU legislation, her wife had the right to stay legally in Bulgaria. So she came upon Deystvie. We received her email in the evening and both Veneta and I replied simultaneously. A day later we met in person.

Tell us more about their situation.

They have been together for 15 years. They had a "registered partnership" in France, which was afterwards converted to marriage after France legalized same-sex marriage on June 1, 2016. Mariama was a diplomat and they had lived in France, Morocco and Romania before finally moving to Bulgaria, where they had bought a country house. Upon coming to Bulgaria, Christina applied for a long-term residence permit as a member of the family of an EU citizen, which was granted. A year later she was denied the right to stay in Bulgaria, which, in our opinion, was a result of the controversy regarding the Istanbul Convention.

What does the process of applying for long-term residence entail legally? Is it hard to get a permit issued in general, or only in this case?

It is quite easy for EU citizens and members of their families, including children and spouses, even in the absence of marriage, because it's laid out both in the national and the EU legislation. The requirements are minimal – the EU citizen and the member of their family have to present valid IDs and medical insurance for a certain period of time. They have to prove that they have enough means to support themselves without relying on benefits – the equivalent of 12 minimal monthly wages, and they have to show a rental contract

or a deed proving they have a place to live. And when this concerns a family member, this marriage or relationship is proven in one of the following ways: if it is a marriage, they have to present a marriage certificate, or if it is a relationship, they have to submit a signed declaration therefor. Up until a few years ago there were no problems for citizens of the EU and their partners, if their partners were of the opposite sex. But for same-sex couples, it's a different story.

Is the long-term residence permit a temporary permit?

Yes. Depending on the validity of your ID and the duration of your medical coverage, the permit can be valid for one, three or five years. But you have the option to extend it – the following year you just have to present the same paperwork to the Migration Directorate.

So, in Christina and Mariama's case, the Directorate changed its mind the second time around?

Exactly. In 2017, Christina was granted a long-term residence permit for one year on the grounds that she is a member of an EU citizen's family. In November 2018, she went to renew her permit and filed her paperwork, but this time she was denied that.

Was the Migration Directorate obliged to provide a reasoning for their denial?

There was a reasoned decision of the Migration Directorate with which they explained their refusal with the argument that same-sex marriage could not be grounds for granting residence, since the Bulgarian constitution did not allow same-sex marriages. They quoted a ruling of the Constitutional court.

What happened after you met with Christina and Mariama, what were the next steps you took?

They had already started legal proceedings with another lawyer. The case had reached the Administrative Court of Sofia City, but it was yet to be defended there. The other lawyer and I agreed to represent Christina and Mariama together. The hearing was in June, and it so happened that the Court of Justice of the European Union ruled in the

Coman case the very same day. The Coman ruling came in the morning, and our hearing was in the afternoon.

What is the Coman ruling and why was it significant to Christina and Mariama's case?

The Coman case is a preliminary ruling of the CJEU requested by the Constitutional Court of Romania and refers to the interpretation of the Directive on freedom of movement in the EU. Adrian Coman was a Romanian citizen. He and his husband Mr. Hamilton were legally married in Belgium, with all the rights they derive from that. They moved to Romania, but the state contested Hamilton's right to reside there, since he was a third-country national and the state did not recognize their marriage. The case made it to the Romanian constitutional court on appeals, and the court requested a preliminary ruling – this was a request to the Court of Justice of the European Union to interpret a provision in EU law. In this case, the CJEU had to give a ruling on whether the definition of "spouse" in the Directive on freedom of movement extended to the partners in a same-sex marriage. The court ruled that it must be interpreted broadly and that it includes same-sex partners as well. The key point is that for the purposes of freedom of movement "spouse" cannot be interpreted restrictively to exclude persons of the same sex, since that would be an infringement of both the Directive and the fundamental principles of EU law, specifically the Charter of Fundamental Rights of the European Union.
But back to our story. At the court of first instance, the chamber consisted of a single judge. When I referred to the ruling in the Coman case, she told me she was already familiar with it and there was no need for me to continue. I also presented written arguments later, as Bulgarian courts tend to prefer them. We got a ruling in our favour about ten days later. However, the Migration Directorate chose to appeal and our case got to the Supreme Administrative Court.

How long did that take?

Christina filed papers for her permit in December of 2018, and the final ruling of the Supreme Administrative Court came in December of 2019. This is an entire year during which Christina was not allowed to leave Bulgaria, she was not allowed to work, she couldn't move freely or lead a full life.

What were the grounds for the Migration Directorate's appeal?

They repeated their grounds for denying Christina long-term residence. The other thing they cited, to our surprise, was the Coman ruling itself, which they had interpreted in ways, mysterious to anyone with a law degree. They had reviewed the judgement very thoroughly, claiming that it did not apply to Christina and Mariama, because the Coman case referred to "a citizen of Romania and a third-country national", whereas their case was about "a citizen of the EU and a third-country national". Even though the Coman judgement explicitly states which nationals may be awarded residency.

In the end Christina and Mariama's case made it to the Supreme Administrative Court. What happened there?

The Supreme Administrative Court had to review the ruling of the court of first instance, as well as the appeal of the Migration Directorate. We had to present our take on the appeal. We submitted our statement and there was a hearing, which was attended by about 20 to 30 people. Due to the presence of so many people the court rescheduled our hearing to come first, as it was scheduled to be later in the day. We presented short oral arguments and we also submitted a brief. And then we waited. The ruling came pretty quickly compared to Lilly and Dari's case, for instance. Proceedings in migration cases are usually expedient, because the people in question can't do anything while their cases are pending. So we were waiting anxiously, because if the Supreme Administrative Court would not uphold the EU law, we would have to deal with Christina's deportation. Where to, I have no idea, because she is not just an Australian national, she's also a citizen of Chile who is married to a citizen of France. So we were going through all the possible scenarios in our heads – would they refer the case back to the first instance, would they issue a refusal. It was very stressful for all of us.

How did Christina and Mariama take it?

In the beginning they were enthusiastic, especially after the first ruling. The Migration Directorate's appeal made their lives a living hell, because it took a whole year in which Christina, an active adult, didn't have the right to work and

was completely dependent on her partner. This affected not only your relationship, but your sense of self-worth. The denial was traumatic itself, because they were married, but they had an entire state telling them to go to hell, and that their marriage was worth nothing to the state, that they were second-class citizens, because they happen to be lesbians.

This case was among the few to receive a lot of media attention. What is your opinion of the media coverage, did the journalists act professionally and do a good job?

I think the media did a good job. They managed to convey both the legal and the human aspect of the case. There were very good interviews with Christina and Mariama, also on regional outlets in Ruse and Varna. The two of them live in a village somewhere between these two cities. In this respect, Bulgarian media helped illuminate some of the problems that gay people in Bulgaria face. There are hundreds of other issues, many other rights that gay people are denied. But this particular case was very well covered – from the fact that the state refuses to recognize their same-sex relationship to the reasons why. Journalists also covered the ruling in the Coman case, but their great achievement was that they captured the emotions of Christina and Mariama, they managed to show what they were going through and what they were up against. Because they were up against the whole state, the entire state apparatus. Any way you look at it.

I asked this question specifically because LGBTI issues are rarely in the eye of the media, or if they are, they rarely have a human face. Perhaps having more sensitive coverage is key for garnering wider support.

This case was most certainly given a human face. Until Lilly and Dari sued to have their marriage recognized, the media, and mostly the TV networks, only covered Sofia Pride and other controversial issues that could boost their ratings. Until Lilly and Dari came along, the problems of the LGBTI community in Bulgaria had no face. Sure, there were talking heads on TV, myself, Deystvie and other advocacy organizations included. But we weren't there in our personal capacity, we were there to speak on LGBTI issues as a whole. When Christina and Mariama and Lilly and Dari shared their stories, they lent these issues a human face – they were ordinary people talking about their personal feelings and

struggles. This provokes empathy and understanding. So in this respect we can definitely say things have taken a turn for the better. These two couples played an important role towards better LGBTI representation and a more considerate approach to LGBTI issues in Bulgaria.

If we look at the two cases together – Christina and Mariama's and Lilly and Dari's – we see that some justice has been served in the first one, while none in the latter. How can this type of case-law help others in their position?

Lilly and Dari and Christina and Mariana's efforts, the publicity of their cases and their strength to keep fighting started a movement in Bulgaria.

We can safely say that the movement for LGBTI rights that has been growing in the last two-three years is a result of these couples' courage. The actions of LGBTI advocacy groups have definitely contributed to it, but activists alone cannot energize the movement in the way people from the very community can. Because the injustice they face drives people to act, to bring cases before the court, to advance their own rights.

You are talking in terms of public opinion. If we talk strictly about case-law however, has there been any progress, is there any reason to be enthusiastic?

There's definitely been some progress. I cannot be entirely optimistic because of the outcome of Lilly and Dari's case. There are attempts to move things forward, but things in Bulgaria are always interrelated and the large social context affects what happens in court. Judges are not entirely confident in their authority. It seems that most of them try to avoid ruling in contentious cases. This is why I have a lot of respect for the courage of Judge Yankulova from the Administrative Court – Sofia City who ruled in favour of Christina and Mariama in the court of first instance. After the ruling, she was dragged through the mud by certain media, she was labelled as a "Soros' judge" and "the judge of the gay community", implying that she was bribed by us.

It must be a great feeling, being so powerful and rich as to influence the court in Bulgaria? (laughter)

We did find it funny at a point, yes. However, we plan to keep working on Lilly and Dari's case and to take it to the European Court of Human Rights. I am confident that the ECHR will rule that Bulgaria has to implement a law regulating same-sex partnerships, and that the country will be obliged to recognize marriages performed abroad, be they between two Bulgarian nationals, or between a Bulgarian and a foreign citizen.

Are there many EU countries which lack such a law?

No, they are very few. Even the ones which don't allow gay marriage recognize it in some way. The countries without any legal recognition of same-sex partnerships are very few – Bulgaria, Romania and perhaps one or two others. We are talking about a very small share of EU members, or even Council of Europe members – the larger community of 43 states. The Baltic countries also recognize same-sex partnerships in some form. Even Romania has a provision in its constitution to recognize same-sex marriages performed abroad.

So Romania is a step ahead of us?

Exactly. Last year (2019) they held a referendum on outlawing same-sex marriage. There is no law against gay marriage there currently, however their constitution defines marriage as the legal union of two persons, while the family code states that the persons must be of opposite sexes. The goal of the referendum was to change the constitution and explicitly prohibit marriage between same-sex couples. It didn't succeed, because it didn't get the necessary votes to be introduced in parliament. If it had, the parliament most probably would have approved the change.

How do you find the energy to fight these cases? Considering our very discouraging record on LGBTI rights?

There's the thirst for justice and the unfaltering belief that justice will prevail. Sometimes I despair. I despair because of the general situation here, and sometimes I despair because of the people who oppose LGBTI rights. It's very discouraging when everybody tells you no. But I get my energy from the people who want to stand up for their rights. If they are here, then my work is meaningful. Until there are people

who understand the fight is worth it, until there are people ready to find for the common good and for justice, it is my duty to stand by them. Because many people don't have the knowledge that we do, they cannot fight injustice, pain and insults on their own. We, on the other hand, have some experience already

I am not saying we know everything or that we can do everything, I am only saying that we have to put everything that we know in the service of justice and the happiness of as many people as possible.

Are you afraid sometimes? You've been the subject of attacks before, physical attacks.

Fear can suffocate you very easily if you let it. The authorities, as well as those who throw stones and sow destruction, use fear to keep you trapped, they try to shut your mouth and make you quiet and obedient, make you not think and live with the status quo which you cannot believe you can change.

If you let fear guide you, it will tell you nothing will ever change. And fear will always be there, but the point is to be able to live your life freely despite its presence.

If you obey fear, you surrender your power to the ones who use fear against you and try to break you. When you learn to live in the presence of fear – something that I think I managed to do – you can do wonders.

How many cases are you working on right now?

There are many. Some weeks we file as many as two or three cases. There are petitions for name changes, discrimination cases, complaints about physical violence, petitions for recognition of marriages, trans rights cases. The cases are many and concern different issues. I would like to go back to Lilly and Dari and Christina and Mariama for a moment. I think they really encouraged the LGBTI community to use the court system and fight for their rights. And we are now reaping what they sowed. I would also like to mention our trans rights cases. I want to tell all trans people: don't be afraid and have faith in what we're doing. Legal action is the only way for a trans person to live a full life, to feel accepted and valued.

We talked about fear and about going public. Putting the two together perhaps makes it understandable why many people fear taking the first step. I mean that maybe finding the courage is the hardest part.

Many people ask us for advice, and when we tell them how things are and what they can expect, they give up. But still, the majority of people take action, and they see it through.

What's your greatest legal victory?

Christina and Mariama's case, I would say. It's a pretty big victory. It was also a big achievement when in 2015, following a case we argued, the State Agency for Refugees began granting refugee status to people persecuted for their sexual orientation. The case we worked on was the first one where the agency recognized that a person in need of international protection must be granted a refugee status rather than humanitarian protection. Through subsequent legal action we helped establish case law, which saw not only the Agency, but also the Supreme Administrative Court apply in full the rulings of the Court of Justice of the European Union and the European Court of Human Rights. These are key victories for me, and we have to look at them not only as legal victories, but as social victories. The case of Lilly and Dari, for example, is a social victory for the LGBTI community, not in the sense of the legal outcome, but in the sense that it managed to create a community of people who support each other and fight together. To me, this is also a great victory.

We thank the brave ones who not only stand up for their rights, but contribute to a change with their stories.

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