

Bilitis

Rainbow Families in Bulgaria



*Bilitis Resource Center Foundation
Sofia 2017, Bulgaria*

Rainbow Families in Bulgaria

Bilitis Resource Center Foundation

Authors: Gloria Filipova and Monika Pisankaneva

Interviews conducted by: Gloria Filipova

Editor: Radoslav Stoyanov

Editor of the English version: Laurel Zmolek-Smith

Design: Pol Naidenov

Sofia, 2017

This publication was created with the support of ILGA-Europe within its Documentation and Advocacy Fund. The opinions expressed in the document do not necessarily reflect any official position of ILGA-Europe.

Table of Contents

Introduction	3
Connection with Other Research	7
Legal Framework	8
Institutionalized Discrimination	9
Problems in the Sphere of Health Services	12
Parenthood-Related Restrictions and Challenges	15
Impossibility of Adoption as a Family	16
Restricted Access to Assisted Reproduction	18
Second Parents'/Stepparents' Rights Violations	20
Violations of Children's Rights	23
Impossibility to Inherit	25
No Access to Widower's/Hereditary Pension	27
Problems with Financial and Other Institutions	27
Lack of Protection in Cases of Domestic Violence	29
Obstruction of the Mobility Rights	30
Impossibility of Family Reunification if one of the Partners is a Third Country National	31
No Access to Work Bonuses and Social Insurance of the Partner	32
Daily Problems	33
Discrimination and Stigma	34
Semi-Visibility in Front of Friends and Relatives	36
Dealing with the Lack of Acceptance in the Closest Environment	41
Low Awareness of LGBTI Identities in Society	45
Lack of Visibility and Role Models	47
Explaining the Situation to the Children	49
Fear of Potential Discrimination against Children	50
Coping Strategies	52
Conclusion and Recommendations	54

Introduction

The question of “gay marriage” has stirred debate since the very early days of the Bulgarian lesbian and gay movement¹ (the end of the 1990s) and brings to the surface many existing prejudices related to gender, gender roles, the definition of family and the application of the principle of equal rights to different groups of people. The Bulgarian Constitution defines marriage as a union between a man and a woman (article 46) in the spirit of traditionalism, which accepts the existence of only 2 genders with fixed gender roles. Similarly, the Family Code does not accept any other options for legalizing families except for the traditional marriage between a man and a woman (Family Code 10/2009/article 5). Unlike the Family Code, the Law on Protection against Domestic Violence (03/2005) makes use of the phrase “de facto marital cohabitation” and provides protection to heterosexual cis-gender partners who live in such or have lived in such cohabitation (article 3, paragraph 2), but it does not ensure protection if the partners are of the same gender. In researched legal cases, when a homosexual person has been refused protection under that law, the rejection was justified by the lack of legal recognition of the families in which both partners are of the same gender². This is just one of the many unfavorable legal implications of the lack of legal recognition of rainbow families in Bulgaria.

The majority of Bulgarians believe that when LGBTI activists speak of the need to legalize LGBTI families that they are talking about “special rights.” The opinion that “society is not ready yet” to accept equal marriage legislation for partners of the same gender is widely shared. People think that the widespread traditionalism and the influence of the Orthodox Christian Church are the main obstacles that work against changing public attitudes on marriage

¹ The LGBTI movement was called the lesbian and gay rights movement in the 1990s.

² Court decision № 26/07.10.2014 of Sofia District Court, III Civil Department, Trial Chamber 83, in response to Request for Legal Protection № 8100486/02.10.2014, states that the supplicant is not among the persons actively legitimated to seek protection by the Law on Protection against Domestic Violence. “Our law does acknowledge legal marriage only between a man and a woman, hence, de facto marital cohabitation can exist only between a man and a woman.”

equality. Not enough attention is given to the lack of civic education in the mainstream schools, which can help build better-informed attitudes towards LGBTI people, as multiple research studies have shown.³

Pointing to religiosity as an obstacle to adopting equal marriage legislation is also somewhat arbitrary and is largely muted by other factors.⁴ Legal recognition of marriages between two people with the same gender has been adopted both in highly secular countries that are protestant religion (Sweden, 2009) and in countries with a higher level of traditionalism and a strong catholic religiosity (Portugal, 2010). Research about the connection between the level of tolerance of homosexuality and the existence of legal recognition of marriages between same-sex partners prove that the tolerance level is a prerequisite for adoption of such legislation, but the characteristics of political elites, which determine the legislative process, are of primary importance. At the same time, the existence of a marriage equality law has the reverse positive implication on the level of tolerance, i.e. countries which have marriage equality laws exhibit a steady increase in the level of tolerance towards LGBTI people.⁵

The public attitude towards marriage equality in Bulgaria cannot be analyzed separately from data on the level of acceptance of LGBTI people in society. Bulgaria is one of the EU-member states that has the lowest level of acceptance of LGBTI, according to Eurobarometer research from 2015. 58% of citizens would feel uncomfortable if a gay or lesbian person were elected to the highest electable political position (21% EU average) and 59% if a transgender person were elected to such position (29% EU average). 37% would feel not at all comfortable if they had a gay or lesbian colleague, and 38% if they had a transgender colleague. 74% would feel totally uncomfortable if one of their children fell in love with a person of the same gender, and 75%

³ Marc Hooghe & Cecil Meeusen, Is Same-Sex Marriage Legislation Related to Attitudes Toward Homosexuality? (p.4), In *Sexuality Research and Social Policy*, Volume 10, December 2013, Springer.

⁴ Ibid (p.3).

⁵ Ibid, (p.10-13).

with a person who was transgender. Only 19% of the respondents consider it totally acceptable for same-sex couples to show intimacy in public (49% EU average). At the same time, there is a low level of recognition of the widespread discrimination on the basis of sexual orientation (34% compared to 38% EU average) and on the basis of gender identity (31% compared to 56% EU average).⁶ This data is an indicator of the sizeable lag in value transformation in Bulgaria. The acceptance of the universal human rights value-set is usually related to the number of years of democratic governance, the economic stability, the GDP per capita and the influence of transnational models (for example, the values accepted in other EU member states).

This report presents the current status of LGBTI families in Bulgaria. It is based on qualitative research conducted in the community by Bilitis Resource Center Foundation in 2016. The report contributes to filling in a large gap in the scientific literature on LGBTI families in Bulgaria. It can be used as the basis for future advocacy initiatives that lead to marriage equality.

The “rainbow family” concept, which is used by the international LGBTI movement to denote the diverse family spaces of LGBTI partners, is not very well known in Bulgaria. The public only recognizes the term “gay marriage.” For the purpose of our research we have used the term “LGBTI families” to underline that these are not only families of same-sex partners, but also families in which one or more of the partners are transgender, intersex, or gender non-binary. We also included in the research target group families of single parents who self-identify as L.G.B.T or I.

The selection of families to be interviewed was made on the basis of interest in participation, which was expressed after we published an announcement on social networks, including restricted-access Facebook groups created by LGBTI people. This selection method did not lead to the identification of families in which one or both partners were jobless or live below the poverty line. We

6

http://ec.europa.eu/justice/discrimination/files/eurobarometer_lgbt_i_graphs_fac_tsheet_national.pdf

also did not come across LGBTI families that live in very small towns or villages. Even if some of the respondents were born in small towns, at the time of the interviews they were living in large cities with populations over 100,000 people. Consequently, the research is not representative of the entire LGBTI community, but rather represents the point of view of people who live in big cities, have at least a secondary level of education (most interviewees had actually completed higher education), are employed or self-employed, and have an income that is average or higher-than-average for Bulgaria. In short, we interviewed LGBTI families who have developed coping mechanisms for dealing with the system and the challenges in life, in spite of the stigma that they confront (or live in fear of) on a daily basis.

The research outlines the main challenges that LGBTI families face as a result of the lack of legal recognition of their family status. The research is based on semi-structured interviews of 26 LGBTI families from 4 main cities (Sofia, Plovdiv, Varna and Ruse). Each interview lasted from 60 to 90 minutes. A demographic chart of the interviewees is included at the end of the report.

The interviewees answered questions related to their relationships with relatives, colleagues and friends; their decision to raise children or not; questions related to getting pregnant and giving birth; questions related to parents rights; the attitude of public institutions (schools, hospitals, etc.) towards the family and the children; questions related to common property, inheritance, and the access to information for the health condition of the partner if one of the partners is hospitalized. The respondents also shared coping strategies that help them deal with difficult life situations in the absence of legal recognition of their family.

The report will be disseminated to public institutions in the spheres of health care, education, social policy, human rights, and other spheres mentioned above. It will be used as the basis for evidence-based advocacy to achieve marriage equality in Bulgaria.

Connection with Other Research

The topic of LGBTI families is under-researched in Bulgaria. The only research report that we identified was the Master's thesis of Vladislav Petkov, titled "Same-sex Marriages in Bulgaria: Practices and Imagination." The research was conducted within the Master's Program of Cultural Anthropology at Sofia University "St. Kliment Ohridsky" in 2016. The research report was given to us by the author, an LGBTI activist.

Vladislav Petkov interviewed 19 lesbian and gay respondents, 8 women and 9 men, who were living or planning to live in a same-sex family. He has questioned how the respondents defined the essence of family and kinship, and analyzed the practices of same-sex families in Bulgaria compared to families of different-sex partners. He also outlined the factors that determine same-sex families' reactions in different life situations. Petkov discusses same-sex families' living strategies in the context of anthropological research of kinship.

Petkov's conclusions which relate to the need of legal recognition for the daily challenges that same-sex families face overlap with the conclusions of this research. He reflects upon the visibility of same-sex families in the chapter "Secret and Public Families" and comments on the public attitude towards LGBTI people, which is usually expressed with the statement "I have nothing against LGBTI people as long as they do not boast about their sexuality." This statement rejects the visibility of LGBTI people in general. The expression of intolerance of LGBTI visibility is even stronger when it comes to LGBTI families, because the latter are perceived as a threat to the traditional family.

It is important to note that Petkov shares that during the course of the research he met many people who asked the question, "Are there any same-sex families in Bulgaria?" This is a question that we were also very often asked, and in some cases – by people who self-identify as LGBTI. Petkov concludes that in view of the legal framework and the traditional understanding of family, this question about the existence of LGBTI families can produce a variety of answers. One thing is certain: asking this question highlights the great invisibility of same-sex families as a coping mechanism to avoid stigma and discrimination.

“The difference in the ways in which same-sex families and different-sex families organize their family lives is not radical and is mainly the result of the strategies that the same-sex families adopt to cope with legal and the social restrictions.”

Petkov also highlights the fact that the lack of legal recognition of same-sex families infringes not only on the rights of the people who live in such families, but also works against public interest.

“The lack of legal recognition of same-sex families infringes not only on their rights, but also works against the public interest. For example, article 22, paragraph 1 of the Civil Procedure Code (2007) states that a Judge is obliged to recuse him/herself from a case if the Judge is in de facto marital cohabitation with one of the parties in the case. As long as the same-sex couples are not qualified as de facto marital couples within the existing laws, this rule does not affect the people who live in such families. This is just one of many legal situations in which a conflict of interest can be overlooked as a result of the lack of legal recognition of the same-sex families. Other cases have been described by Stoyan Stavru (2012)⁷.”

Legal Framework

The only form of family recognition in Bulgaria is civil marriage, which determines the rights and obligations of partners. There are no de facto matrimonial unions, registered partnerships, or any other forms of family spaces in the law. Legal marriage is described in the Family Code (2009), which determines (article 3) that every person has the right to enter into marriage and create a family under the conditions described in this code. One of the conditions stated there is that the marriage is created by the free and mutual consent of a man and a woman (article 5).

⁷ Stavru, St. (2012) De Facto Marital Cohabitation – Quasi-Marriage or Fact of Normative Steroids? [online] <http://challengingthelaw.com/semeino-i-nasledstvenopravo/faktichsko-sajitelstvo/>, accessed on 10.04.2017

Article 4 of the Family Code (2009) states that only the kind of civil marriage prescribed in the code is applicable to all laws relating to marriage. Our research has shown that these implications are much more far-reaching than the right to common property, inheritance and the parents' rights, which are the main rights attributed to getting married. In the course of the interviews, we identified tens of other forms of the breaching of rights, which the LGBTI people are forced to live with as a result of the lack of legal recognition of their families. Their personal fights usually remain hidden from the public attention, hence, the majority of people do not understand how the rights of LGBTI people are disrespected.

Institutionalized Discrimination

The lack of trust in public institutions is a very common phenomenon in Bulgaria that concerns more than just LGBTI people. It is not the first time that we've conducted qualitative research in the LGBTI community that the respondents state that they do not trust and would never turn to public institutions for help such as social services, public hospitals or the police. The victims of homophobic or transphobic hate crimes, or domestic violence, for example, do not trust police officers and are afraid of incurring additional harassment and discrimination if they report a crime. That is why these crimes remain mostly unreported by LGBTI victims. The lack of trust towards medical specialists is also very high in the LGBTI community, especially among transgender people. A number of medical services depend on a person's biological sex, and the clinical paths of the national health insurance system do not recognize the needs of transgender people. For example, a trans man who has successfully accomplished legal gender recognition and changed his legal documents without body correction surgery is not able to receive a free check-up by a gynecologist because the National Health Fund prescribes such a clinical path only to women.

In our interviews with people living in rainbow families, most of the respondents confirmed that institutions are an unbreakable wall for LGBTI people. On one hand, this is due to the legal gaps which infringe on the human rights of LGBTI people, but on the other hand, this is due to the lack of awareness and knowledge on the topic which is very widespread among public

servants. In this chapter, we will present examples that demonstrate how the uninformed attitude of public servants and the lack of legal recognition of LGBTI families lead to numerous obstacles for LGBTI people.

Most of the respondents answered the question of whether they would seek help from public institutions as a family in the following way: state institutions are the last resource that they would turn to for help in any life situation.

“The largest difficulties will be with public institutions. Society will eventually accept us, but I do not see how we can break through these institutions. Why do we need to migrate to other countries in order to enjoy the respect of our basic human rights?” – gay man, 24, Sofia

There are many examples that justify these fears and demonstrate the widespread prejudice towards LGBTI people by public institutions. In one of the families that we interviewed, one of the partners was a gay man born in Iran who had recently migrated to Bulgaria as a refugee, but had not received legal status yet. He fled Iran to escape the death penalty, went to Turkey, but was not able to enter Bulgaria at the invitation of his partner, because the state does not recognize the right to family reunification of same-sex couples when one of the partners is from a third country. Bilitis issued an invitation, which helped the person to enter Bulgaria legally with a tourist visa. Later on, he applied for refugee status. The interview took place during the period when the man was still waiting for the decision regarding international protection.

His partner shared a story about a meeting with a public servant in which they had discussed the legal status of the Iranian partner in Bulgaria. They felt extremely humiliated by the comments of the public servant about the sexual orientation of the partners.

“I asked her how she knows that my partner is not gay, and she said: ‘Because I see that he is not gay.’ I told her that we live together as a family, and she laughed as if I was joking. We were at that meeting because we wanted to ensure his legal presence in Bulgaria for a long time. We wanted him to receive refugee status because he is gay and in Iran is a dangerous and impossible place to live as a gay man; he is not going back. We knew that Bulgaria is one of the countries that provides refugee status to people who are gay and threatened by the

death penalty in their country of origin. She said that we had to do medical examinations in order to prove that he is gay. I could not believe my ears, but she confirmed that she was serious. How can one prove that one is gay? She said that living together did not prove anything, and that we do not look like gay men.” – gay man, 48 years, Sofia

The stereotype of how gay men should look is strong Bulgarian society; obviously some public servants share that perception as well. Ideally, one would expect that public servants behave professionally and respect the right to self-identification of the person that they talk to, especially when his life is at stake. The idea that a person must be submitted to a medical examination to prove that he is gay is illegal and humiliating.

Further in this chapter we will review different aspects of the institutionalized discrimination against partners and children in LGBTI families resulting from the lack of legal recognition of their family status, including:

- Problems in the sphere of health services and with access to information about the health status of one's partner in cases of hospitalization;
- Lack of second parent rights, access to adoption as a family, lack of recognition of family relationship with the children (if children in the same family have different parents);
- Restrictions on common property, inheritance, lack of access to widower's pension and social insurance of the partner;
- Infringement of mobility rights and impossibility of family reunification if one of the partners is a third country national.

The problems listed above concern not only the partners in same-sex families, but also in families in which one or more partners are trans or intersex people. We interviewed one family in which both partners were both trans people and a heterosexual couple (one of them self-identifying as a man, and the other – as a woman), however, the legal gender of both partners was male, hence, they suffered from the same infringements of rights as the people in same-sex families. In another family we interviewed, one of the partners was an intersex person in the process of obtaining legal gender recognition as a man. At the time of the interview, his legal gender was still female; hence, the law did not legally recognize their family with his female partner.

Problems in the Sphere of Health Services

When we asked the respondents about the most severe problems that they had experienced, or fear that they will experience as an LGBTI family, the anxiety caused by lack of access to information about the health status of the partner came to the front. Although most of the respondents had not experienced life-threatening situations in which their partners had not been allowed to visit them in hospital, or to make life-saving decisions on their behalf; most respondents said that they lived with the fear that this might happen one day.

The fear that the partners might not be allowed to be together during critical moments was present in all interviews. The respondents were explicit that during life-threatening situations when they were worried about the life of their partner, experiencing administrative restrictions was the last thing that they would like to face. The fear of homophobic or transphobic reactions from healthcare specialists in cases of hospitalization of one of the partners was also always present. Finally, and importantly, the respondents underlined that they would not like to be dependent on the good will (or lack of it) of the health specialists in order to be allowed to stay with their partners in life-threatening situations.

Led by such concerns, people from LGBTI communities choose to pay for private health care wherever they can afford it, because they believe that in private medical practices they will be treated more appropriately. However, we should underline the fact that private health care is not accessible to everyone for financial reasons.

A gay respondent told us that he needs to be hospitalized every year for a medical procedure and when he asked the hospital if his partner could visit him, he was told that he could be visited by relatives every day, but the visits by friends are limited to once a week. He also told us that:

“When you are taken to the hospital in an emergency situation, someone has to bring your personal items. I have been in such situations and the hospital allows only a person from the family to bring the items-- As if someone who is not a biological relative would not be able to bring you the items which you need at the moment” –

gay man, 48, Sofia.

The restriction of access to information about the health status of a partner also raises the concern of access to information about the health status of a child in same-sex families. The parent who does not have parents' rights is not able to visit the child if the child is hospitalized. This problem can be partially solved with a notary verified power-of-attorney provided by the biological parent. The solution is partial and does not serve the best interest of the child.

“I have provided a notary-signed power-of-attorney to the second mother of the child in order to be able to visit the child if he is in the hospital. But the child is not able to receive information about the health status of his second mother if she is hospitalized, and is not able to visit her, because she is not his mother by law”- lesbian, 37, Sofia.

According to the Health Law (01/2005), if the patient is a minor or an infant, any medical intervention is performed only with the consent of the parents or a custodian.⁸

Article 92, paragraph 4 of the same law states that the patient has the right to authorize in writing a third person to be informed on behalf of the patient, but this rule does not apply if life-saving decisions are to be made.

We consulted medical specialists to find out how the right of same-sex partners to visit each other or their children in hospitals is regulated. It turned out that there are no universal rules. It very much depends on the internal regulations of the hospital and the attitude of the medical team who takes care of a specific patient. The most common case is that if the patient's condition is not very serious, almost anybody is allowed to visit the patient. However, if the patient's life is threatened, if the patient is in a coma or in reanimation, the medical institution allows only relatives to visit the patient and make decisions.

Even when medical personnel show understanding, some respondents shared that they would not reveal their relationship in front of other patients in order to avoid additional tension in an already difficult situation. A 25-year-old gay man from Sofia told us about one such situation:

⁸ Health Law (in power since 01.01.2005), article 87, paragraph 2

“Once I was hospitalized for a surgery and my closest person is him; my relatives live far away from here. I insisted that we go to a private hospital because I knew that their attitude would be relatively more “European” compared to the public hospitals. We did not have a problem with the access to visits, but we still told the patient who was in the same room that the person visiting me was my brother. We had to lie in order to avoid an unpleasant situation.”

Another big concern shared by same-sex partners was that they are not allowed to make life-saving decisions for each other.

“I am 22 years older than him, and it is expected that I will be the first to leave (die). If I am unconscious in the hospital, my mother would be asked to make decisions for me, but I would like this right to be granted to my partner” – gay man, 48, Sofia.

Many questions arise in relation to access to information regarding maternity care. Some couples shared that they have chosen to give birth in a private hospital so that the non-biological mother would be able to visit her partner. Public hospitals expressly state that only the father would be allowed to attend the birth.

“When I was pregnant with our first child, I went on an open-house tour of one of the most prestigious public hospitals in Sofia. I had chosen to give birth there because the hospital had a reputation for good medical specialists and offered private rooms with additional payment. During the tour, one of the doctors who oversees the maternity ward proudly stated that only the father is allowed to be present when the woman gives birth. Not the mother of the woman, nor her sister, or friend, or whoever else, but only the father. Immediately after this visit, I changed my mind and went to a private hospital. I was lucky that I came up with enough money to pay to give birth in a private hospital, so that my partner could be with me” – lesbian, 48, Sofia

Whether the other partner will be provided with access to information about the health status of the birth-giving partner once again depends on the attitude of the health specialists in the specific medical practice. The internal

regulations are subjectively applied and the access to information and visits for same-sex partners is unpredictable.

Parenthood-Related Restrictions and Challenges

Bulgarian legislation defines a family as a union between a man and a woman, hence the parents of a child can be only a man and a woman, or single parents, but not parents of the same legal gender. Same-sex (same-gender) families in Bulgaria have neither the right to adopt abandoned children, nor the right to legally recognize or adopt their partner's children.

Having in mind that surrogate motherhood is not legally regulated in Bulgaria, and that same-sex couples are not allowed to adopt, gay couples commonly do not have the opportunity to raise children. Hence, the recent interest in co-parenting, expressed by some of our respondents. However, we were not able to identify any existing cases of co-parenting between gay and lesbian couples.

Many of our respondents expressed interest in adopting children. Two lesbian couples shared that they had a strong interest in adopting a child raised in a social care institution in order to give that child a better chance in life, but they knew that they would not be allowed to do so.

We did not identify any gay families raising children. Nor did we identify trans parents. Only lesbian couples had experience raising children, and one family in which one of the partners is intersex and the other is a woman (at the time of the interview, the intersex partner was still legally a woman).

The intersex respondent shared that he had begun his legal procedure for gender reassignment several years before. He wanted to change his legal gender from female to male, which would also give him a chance to obtain parental rights for their children. At the time of the interview, only the biological mother had parental rights. Aside from the problems with the legal framework, the family shared that they do not face any problems in the social acceptance of the intersex father from the schools that the children attend. The fact that schools and kindergartens do not usually require any legal proof of parenthood for stepfathers serves this family well:

“We usually write that he is the stepfather when we fill in school or

kindergarten documents that ask who will take the children home after classes. No one has asked us to prove by means of legal documents that he is the stepfather. No one has questioned that. He also goes to parents' meetings. We have never been asked about his legal gender: obviously, he looks like a man, and he is accepted as a man and a father" – pansexual woman, 48, Sofia.

All respondents interviewed were above the poverty threshold and they shared that they did not have serious financial difficulties. Most of them had stable jobs and the ability to provide a good standard of living for their children. Hence, the legal framework was their main concern, and some respondents (especially men) had lost hope that they would be able to raise a child with their partner in Bulgaria.

Impossibility of Adoption as a Family

Within the current legal framework, the only option for adopting a child by a same-sex couple would be if one of the partners applies as a single parent. This would mean that the partners would have to hide their relationship during the whole procedure and afterwards whenever the social institutions visit the family. Revealing the relationship could create many complications for the family.

We met only one couple in which the partners were discussing the possibility of taking that risk, and they were reviewing all the implications of the decision to pursue a single-parent adoption. They shared that they had discussed it for a long time and had consulted with some people who work in the social-care institutions. Initially, they wanted to find open-minded people in the institutions with whom to share their relationship, because they did not want to hide for 2 years while the background checks of the potential parent take place. When they contacted some good acquaintances who were working in social institutions, they were advised not to reveal their relationship.

“There is no official clause which states that adoption by a homosexual mother is harmful for the child, hence, the institution would not be able to reject my request. But the attitudes of the public servants would contribute to restricting access to adoption, and I

would forever remain on the waiting list. This is called “tacit refusal”; access is not officially denied, but de facto, your turn never comes. In short, we were advised not to make the social workers suspicious, and never to not touch upon this topic” – lesbian, 30, Sofia.

Their story features the difficulties that a same-sex couple needs to overcome if one of the partners decides to adopt a child as a single parent:

“The process of adopting a child in Bulgaria has never been easy. In our case, the biggest concern is that we should never appear before social workers as a couple. We could never talk to them about how we were going to raise the child as a family. She will have to deal with all these questions on her own. She will not be alone, but in practice, in all talks with institutions, she would have to say that she is alone. They ask her about the “support structures,” and she has to give the impression that I do not exist in this support structure. She could not even use the expression “our child,” but she had to talk about “my child.” It is insane” - lesbian, 30, Sofia.

The other partner confirmed that the situation is highly repressive and restrictive:

“When I need to answer the question about the support structures for the child, I am not able to mention her (my partner’s) parents and relatives, who are close to me as well, and will have a role in the child’s life. I would have to hide our relationship with them, and would not be able to share their contribution. After the official adoption, the social workers visit the family quite often to check if the child is being raised in a good environment; this is important, but for us this means that she would have to leave every time they pay a visit. The child will know that it has two mothers. It is terrible that we will have to teach the child to say something else to the social workers. Because of all that, we are still thinking about whether or not and how to go through with it” – lesbian, 34, Sofia.

Even if social workers do not see a problem with the fact that the couple is comprised of same-sex partners, they can only grant permission for adoption to one of the partners because Article 81, paragraph 1 of the Family Code

states that, “No one can be adopted by two different persons, unless they are spouses.”

The male respondents over 40 shared that they had already given up the idea of raising a child because they did not expect to be given adoption rights within their lifetime. In relation to adoption rights, they were affected by double discrimination, being gay and male. In the Bulgarian context, there has not been a single case of adoption by a male single parent. This is another case of tacit refusal. The law does not state that men cannot be given the right to adopt as single parents, but social attitudes restrict their access to adoption.

“The most natural way for us to raise a child is to adopt a child. However, this is not possible for us in Bulgaria; hence, we have already given up the idea of raising kids. We are now around 40. In 10 years, even if the legal situation improves, we will be 50 already” – gay man, 38, Sofia.

“It turns out that it is very expensive for two men to adopt a child from a surrogate mother, so if we decide to adopt a child, this will not happen in Bulgaria. Here the procedure is very difficult and troublesome. Adoption for a single man is even more difficult. Friends have told me that the social workers look for proof that the single man is gay, and if they find out that he is homosexual the adoption is not granted” – gay man, 26, Sofia.

Restricted Access to Assisted Reproduction

There are different methods of assisted reproduction in Bulgaria, but all those that are free-of-charge or are accessible only to married women with reproductive problems. Some of our respondents had experience with in-vitro procedures, while others had used artificial insemination services in private clinics. The main challenge in using assisted reproduction services is the high cost of the procedure. Artificial insemination is cheaper than in-vitro, but the chance of getting pregnant is lower. This usually requires several procedures, which raises the costs.

There are some municipal programs in Bulgaria that financially assist couples

with reproductive problems. However, they are not accessible to same-sex couples. We learned about these programs from one of our respondents who had researched them.

“There are local government programs which assist couples with reproductive problems, but they are designed for the different-sex couples. If the couple is of same-sex partners, and the partners are clinically healthy, they are not able to apply for financial support. Unfortunately, artificial insemination and the in-vitro services are too expensive” – bisexual woman, 30, Sofia.

The regulations of the “In-Vitro Program,” published on the Sofia Municipality website state that:

“The candidates – families or couples – that apply for funding from the Program should meet the following requirements: *1. To have legal marriage or de facto marital status.*”

The terms “de facto marital status” or “de facto spouse cohabitation” are used in different laws and orders; however, the exact meaning is unclear. For example, in the Law on Protection against Domestic Violence the term “de facto marital status,” as we will see in the next paragraph as used in court implies that the couple must be comprised of different sex partners.

In the municipal “In Vitro” program, the main requirement is the existence of a reproductive problem. Hence, if both partners in a same-sex female couple are clinically healthy and do not have reproductive problems, they will not have access to it. Even if the partners have reproductive problems, they will not meet the other main requirement, to be married or in de facto marital cohabitation. In short, the municipal in vitro program is not open to same-sex families.

One of our respondents described a different kind of restriction, which she had come across, when she wanted to conceive by using her partner’s egg.

“I wanted to be inseminated while bearing one of her eggs, but it turned out to be impossible in Bulgaria. We wanted to use the same

donor, this time with her egg, because she does not want to give birth, while I am OK with this. The laws regulating reproduction in our country discriminate against women who live in same-sex couples, and want to have biological children born by their partner. In England, she could give me her egg, but we would not be allowed to use the same donor. We could go to Spain, but this would mean very high costs, if we wanted to transport the material, to legalize it, etc. This situation creates many emotional difficulties and blocks the development of the family” – lesbian, 37, Sofia.

We find this restriction in Order 28, from June 2007, which regulates activities of assisted reproduction. The order was issued by the Ministry of Health. Article 12, paragraph 1 of this order states that, “The donation of eggs for conceiving and bearing by another woman can be done by anonymous donors or from relatives (sister, cousin) in the cases of Article 130, paragraph 4, point 4 of the Health Law”.⁹

According to this order, a woman can donate an egg cell to her sister, cousin or to a totally unknown recipient, but not to her partner. Hence, this order indirectly discriminates against same-sex couples.

Second Parents’/Stepparents’ Rights Violations

Parents of children in rainbow families need to constantly maneuver within the existing legal framework and seek loopholes in the law in order to achieve the level of security which different-sex families obtain as soon as the partners get legally married (or live in de facto marital cohabitation). The most common concern expressed by our respondents who were raising children or planning to raise children, was the lack of shared parental rights. The non-biological parent has no rights with respect to the children of the family. The same holds in cases of adoption. Only the adoptive parent has parental rights over the child, while the second parent remains hidden and without any parental rights.

Most of our respondents shared that raising children is the greatest challenge that they can imagine as a rainbow family in the Bulgarian context. Some

⁹ Accessed on April 10, 2017 at: <http://lex.bg/laws/ldoc/2135557092>.

respondents shared that they could live without the benefits which legal marriage provides as long as they are sure that they can guarantee the safety and non-discrimination of their children. The most common concerns shared in the interviews were:

- How can we be treated legitimately as parents in the eyes of health institutions, schools, kindergartens, social services?
- How will society accept us, if the fact that we are raising children in a same-sex family becomes known?

“If I give birth and my partner does not have parental rights over the child, I find this very disturbing and threatening. What will happen if the child needs to be hospitalized and I am not there? She (my partner) cannot even tell the doctors, ‘I am his mother.’ I am deeply worried by the fact that officially we will not be considered a family. People who are not in our situation do not understand that familial rights are extremely important to us to ensure that we live normally. Some of the rainbow families invent super risky strategies in order to ensure the protection of their child if something happens to the biological parent: for example the father or the brother of the non-biological parent adopts the child, but this cannot be done in all cases”- bisexual woman, 29, Sofia.

“Society still does not accept such families, but our circle of friends is super-friendly; they are already asking us when we will have kids, etc. In my opinion, the biggest difficulty will be the second parent’s rights over the child, and how to present the family to of schools, hospitals and other institutions. We can provide a notary certified power-of-attorney document for the second mother, but imagine going to the park with the child and always bringing a folder of documentation...”
- lesbian, 29, Sofia.

The coping strategies are different – getting married in another EU state, providing power-of-attorney to the second parent, or adoption of the child by the father of the second mother to ensure that the child will have a legal second parent if something happens to the biological parent. There is not enough lived experience to indicate which of these strategies are most successful.

“I was living in great fear when I was pregnant because my parents had more rights over the child than my partner. This is why I gave birth in England. That way, the second mother received parental rights. These rights are not recognized in Bulgaria, but might possibly be taken into account if a situation arises. I have made a notary-certified bequest to her, but what will be taken into account, we do not know. There is not enough legal practice in this sphere. I have heard of a case in which one of the mothers died, and her parents did not allow the other mother to see the child until the child turned 18 years old. Hence, I believe that same-sex partners should be well-prepared if they want to raise children, and all existing information should be shared within the community“- lesbian, 37, Sofia.

Another approach that has been used by two of the couples interviewed was to ask the father of the non-biological mother to recognize the child, in order to ensure a second parent in the case of death of the biological mother. This approach also has its drawbacks. In the first place, not every homosexual woman had the support of her parents. In the second place, the non-biological mother legally becomes a sibling of the child, which makes many women feel very uncomfortable.

Two lesbians who had used the strategy of adoption of the child by the father of the non-biological mother have come across unexpected difficulties. For example, if the mothers want to travel with the child abroad, they need a written notary-certified Declaration of the father. In this particular case, the father who adopted the child lived in a different city and the couple had to travel extensively every time when they needed a document signed by him.

Another complication may occur if the LGBTI families are given access to legal marriage one day. The non-biological mother who has been a legal sibling of her child will have a difficulty to change her legal status from sibling to a mother.

Nevertheless, this coping strategy is well known in the community and many couples use it to avoid the more severe difficulties that could emerge if something happened to the biological parent. Most interviewed couples did not expect to be given access to legal marriage anytime soon.

Some respondents shared that they considered such “compensation” strategies humiliating. Here are some of their comments:

“These arrangements are so fake. Are we going to be a family or something else? The child will have to accept that it has two mothers anyway. It will be even more difficult to explain to the child why one of the mothers is his sister. We will either be a family, or we will avoid having a child” - lesbian, 33, Varna.

“One of my biggest concerns are the children. I consider it very humiliating to use this strategy of adoption of the child by one of my parents. I do not want my child to be legally my brother or sister. What if I have to take the child to hospital one day, and I have to say, “I am his brother,” how will I be able to twist my tongue to say that?” – gay man, 24, Sofia.

Another huge problem is related to access to paid leave when a child gets sick. Only the parent with parental rights may take leave.

“If I am on a business trip abroad and the child gets sick, the other mother is not able to take sick leave, because she has no legal relationship to the child” - lesbian, 37, Sofia.

The main frustration comes from the constant need of the non-biological parent to explain her/his relationship to the child, to self-legitimize, or to hide in certain situations. The lack of shared parental rights leads to all that.

Sometimes, the lack of shared parental rights for same-sex partners goes against public interest. A respondent shared how her partner once signed a document giving permission to their daughter to take part in a school trip. The school authorities accepted the document, but this put them in an awkward situation, because the person who had signed the permission did not have any legal relationship to the student.

Violations of Children’s Rights

The lack of legal recognition of rainbow families means that it is impossible to use the legal regulations regarding common property and caretaking/custody

of children in cases of separation. The financial support of the children depends entirely on the goodwill of the partners after the separation. The biological parent who has the parental rights is not able to demand child support from the other parent. At the same time, the non-biological parent has no legal right to see the child, and there have been cases in which the access of the child to the second parent has been refused after the separation. In the end, the lack of family equality legislation leads to hindering acting in the best interest of the child.

“I can take the child out of the country without the consent of the second mother. I can do that without informing her, while if there were two parents on the Birth Certificate, each parent needs to give a notary-certified permission if the other parent wants to take the child out of the country. We had friends who separated, and the biological mother of the child decided that it had not been a good idea that they had child together. She refused the second mother access to the child altogether. The grandmother of the child even gave a radio interview in which she said that that the second mother’s access to the child would be completely denied. Is this not bad for the child?” - lesbian, 37, Sofia.

The case shared by the respondent became popular in the mass media after the interview given by the child’s grandmother on Darik Radio. She said that access to the child would be denied for the non-biological mother and all of her relatives. She underscored that the relatives had no rights to seek justice in a legal way, thusly demonstrating how the lack of legal recognition of same-sex families negatively affects not only the partners, but also their children and all of their relatives.

Lack of recognition that children in a rainbow family are siblings if they are born to different mothers is a violation of children’s rights. In addition to the emotional wounds that it creates, there are also practical implications that make the parents’ lives more difficult. Schools and kindergartens in Bulgaria usually allow children from the same family to attend the same school/kindergarten. This way the children can be together, and the daily life of the parents is made easier because they do not need to travel to different institutions in different parts of the city. We came across a case in which the children of a same-sex family were not recognized as a brother and a sister

because they were born by different mothers. Hence, the family was not able to enroll the two children in the same kindergarten. Places at public kindergartens in the big cities are limited and children from the same family are given additional points in the enrollment system. Specific to this case was that the children were biologically sister and brother, because the mothers used material from the same donor for conceiving. However, since the children were born by different mothers, they had absolutely no relationship in their legal documents. Living in the same family, and having common genes did not matter for the legal recognition of sibling status.

“We had to fill in the data in the electronic system for enrollment in the kindergarten, and the second parent cannot be mentioned there, because legally I am not a parent. Hence, the children’s rights to be in the same kindergarten as siblings were affected. We were thinking about trying to prove that the children were siblings, but since we would be the first such case, we were not sure if the kindergarten would accept that. We asked my father to recognize the child in order to ensure a second parent in case something happened to the first parent. However, I would not like to say that my father is the second parent; I would like to be open to society and to declare that I am the second parent.... In the electronic system for enrollment, if you choose “mother” from the drop-down menu, you cannot choose again “mother” in the second drop-down menu” bisexual women, 34, Plovdiv.

Impossibility to Inherit

The lack of parental rights makes automatic inheritance impossible. The non-biological parent is able to leave a notary-certified bequest in the name of the child. However, the direct relatives of the non-biological parent can legally challenge this bequest and prove it invalid under Bulgarian law. The law expects a certain part of the property of a dead person to be inherited by direct relatives. Hence, a bequest cannot entitle a person who is not a direct relative to inherit the entire property.

The lack of inheritance rights negatively affects not only the children, but also partners in same-sex families, who are not able to automatically inherit the

common property. Bequests left in the name of the partner can be challenged and made invalid by the direct relatives of the other partner. The same holds true for donations: donated property can be challenged after the death of the person by one's direct relatives.

"All that we have – a house, car, apartment, villa – for whom, if there is no one to inherit it?" – gay man, 42, Sofia.

"We have started building our future together, but we are not allowed to marry and our relationship is not recognized as de facto marital cohabitation. We have agreed that life is a struggle, and we will fight together – we are fighting for our business, we are fighting to have a common home, but I am a bit worried that I may be without any property when he dies. At the moment, we live in an apartment which legally belongs to him. Our joint business was also legally in his name initially. If something happens to him, I will be left alone, without a home. So I began thinking that we need to ensure somehow our common rights to the property. In 10 years, we will be 35 and 37, so what will you do if something happens and at that age you need to start from zero?" – gay man, 25, Sofia.

"We are living together and he is my closest person, but in the eyes of the law he is no one, so what if something happens to me? The 20-year olds usually do not care about that, but when one reaches certain age, one begins thinking about all this. It is very important to be able to share property, income, everything" – gay man, 49, Sofia.

In the course of the interviews, our respondents told us about some loopholes in the law, which can be used to ensure the common property, but they cannot be used in 100% of the cases:

"You can bypass the law when you bequest your property to someone for caretaking. Unfortunately, you cannot bequest the house, the car and your bank account to your newborn child" – bisexual woman, 26, Sofia.

"I am going to consult with an experienced lawyer in order to see how I can bypass my biological relatives and leave a bequest to her. I have some property in my name and I think that if my relatives were entitled

to distribute this, she would not get anything” - trans man, 37, Sofia.

No Access to Widower’s/Hereditary Pension

In cases of death, in addition to any property that the deceased person has left, the members of his family and his direct relatives have access to some social security support. If the dead person has children under 18, the latter receive the so-called hereditary pension, and the spouse has access to the so-called widower’s pension. The widower’s pension is a percentage of the pension that the dead person had received, according to the national regulations of pension insurance. The same holds for cases when the spouse was not a pensioner, but died as a result of workplace accident.

According to Article 80, paragraph 2 of the Social Insurance Code, “the children, the survivor spouse and the parents have the right to hereditary pension.” In the case of a same-sex family, the children will have the right to hereditary pension only if they lose their biological parent, but not if they lose their second parent. The survivor spouse does not have access to widower’s pension.

Caretaking for an ill relative who needs ongoing care is also recognized under Bulgarian law as a work experience. Again, the partners in a same-sex family do not have access to this right, because they are not recognized as relatives. The same limitation holds when the non-biological parent decides to take long-term care of an ill child, or a child with disability.

Problems with Financial and Other Institutions

Rainbow families are invisible to the public as well as to many private institutions (such as banks, private insurance companies, etc.). This creates limitations on the rights to access to various services. In addition to the difficulties with schools, kindergartens, and social services, our respondents shared many other examples of unequal access to services resulting from the lack of recognition of their families.

One of the spheres in which our respondents shared experiencing many difficulties are in relationships with financial institutions. Different banks have

different policies relating to the recognition of same-sex families. One respondent shared that he was not able to declare his partner as a guarantor on a loan application. Another couple shared that after many trials and errors, they had finally identified a private bank which accepted their family status (regardless of the law). Again, there is no universal regulation, and the access to financial services for the rainbow family depends on the goodwill of the service providers in the financial institutions.

“I was applying for a bank loan, and the bank asked me if I lived with a partner. I told them that I lived with a man, and they relied ‘Let’s put someone else on the form, it is not possible to put another man on the form.’ Initially, they did not even realize that he was my partner, but probably thought that he was a roommate or just a friend. When I told them that he was my partner, they went silent” – gay man, 24, Sofia.

Our respondents have experienced problems with insurance agencies and pension funds as well:

“I have a life insurance policy, but he is not entitled to receive anything if something happens to me. It does not matter that we have lived together for 10 years. I feel that I am in a situation that forces me to bypass the law in order to create some security for our family” – gay man, 26, Sofia.

LGBTI families cannot receive tax deductions as a family and do not have access to low-interest loans as a young family, in contrast to different-sex families.

In addition to the unequal access to financial and insurance services as spouses, the partners in LGBTI families often experience mockery by service professionals when they call for help in emergency situations.

“One night he was very emotional and left saying something about putting an end to his life. I was terrified and called the police. The police officers showed up laughing. I was telling them that something bad could be happening, and they were looking at me in a mocking way. We agreed that if I found something out I would call them back. When I called, the operator responded with a laugh. She said, ‘Oh, you are those guys...’ They behaved as if they were saying, ‘Why are you bothering us with your gay dramas?’ but the situation was serious, and

I was terrified” – gay man, 24, Sofia.

This disparaging and mocking attitude of the police results in the underreporting of hate crimes, as well as in a reluctance of the LGBTI people to seek help in cases of domestic violence or any other emergency.

Lack of Protection in Cases of Domestic Violence

We did not come across a respondent who is a survivor of domestic violence. Information on this topic was gathered from a former study, conducted by Bilitis in 2015, which threw light on the domestic and dating violence experienced by lesbians, bisexual and trans-women. That research was based on interviews of 40 respondents from across Bulgaria, conducted within the cross-EU project “Bleeding Love.” The results were published in a report that can be found in the link below.¹⁰ The research showed that domestic violence is a common problem in LBT women’s families.

According to the research data collected within the Bleeding Love project, most LBT women who are victims of domestic or dating violence neither report to the police, nor seek help from organizations which provide services to victims, such as NGOs that run crisis centers. The reasons for underreporting are the fear of being “outed,” and fear of the negative attitude of the service professionals in those institutions. The victims expressed their concerns that if they share their sexual orientation with the public servants that the case will not be taken seriously, and they will become victims of mocking and hatred. The most seriously affected by the lack of responsiveness of the institutions were trans-women sex workers. One of the respondents who was a sex worker in a major city reported daily harassment on behalf of police officers.

The same research revealed a case of domestic violence in which the victim, a lesbian woman, did not receive protection under the Law Against Domestic Violence. Her request for protection was denied by the first level court (district court). The case was presented to us by Denitsa Lyubenova, the lawyer who helped the victim to file the request for protection.

“The woman filed a complaint to Sofia District Court, with the request

¹⁰ Accessed in Internet on April 15, 2017 at: <http://www.bilitis.org/publications>.

to receive legal protection on the basis of the Law for protection against Domestic Violence. The court rejected the request with the following justification: “the Bulgarian Law recognizes marriage only between a man and a woman, as a result, de facto marital cohabitation is possible only between people with different gender.”¹¹

Order № 26 from 07.10.2014 on civil case № 53154/2914 of Sofia District Court, 83-rd trial chamber states: “Our court system acknowledges marriage only between a man and a woman, hence, de facto marital cohabitation may exist only between a man and a woman.” On this basis, the court has decided that the supplicant is not able to receive legal protection under the Law Against Domestic Violence.¹²

Article 5 from the Law on Protection against Domestic Violence (2005) envisions a number of support measures, including, removing the perpetrator from the place of cohabitation; forbidding the perpetrator to come close to the victim; temporary relocation of the child (if there is one); obliging the perpetrator to attend social programs, etc.. The existing court practice shows that the victims of domestic violence in same-sex families cannot make use of any of the existing measures of protection and prevention prescribed by the law.

Obstruction of the Mobility Rights

If one of the spouses in a different-sex family receives a visa or a green card for traveling abroad, the other spouse automatically receives the right to join her/him. This is not valid when the partners are from the same sex. The partners in LGBTI families are often confronted with the uneasy choice of whether to refuse travel opportunities because their partners are not entitled to move freely with them.

¹¹ Novachkova, L., and Pisankanewa, M. (2016). *Report within the project Bleeding Love: raising awareness on domestic and dating violence against lesbians, bisexual and trans women in the EU*. Sofia: Bilitis Resource Center Foundation, pages. 8-9.

¹² *Ibid*, page.7

“I was thinking about applying for a Master’s program in Canada, but then I decided not to apply, because if I move to Canada, he will not be able to join me. If we were recognized as a family he would be able to get a visa to travel with me. We often hear about free movement rights within the EU. However, in our country, this essential right is restricted for partners in same-sex families”– gay man, 24, Sofia.

Another respondent shared about earning specializations in the USA and Australia, which he did, but his partner was not able to travel with him. Whether to take up a career opportunity abroad, or to stay home with one’s partner is a choice which many LGBTI people in Bulgaria have to make.

Impossibility of Family Reunification if one of the Partners is a Third Country National

The EU Directive on the rights to free movement from April 30, 2006 obliges all member states to ensure harmonization of this directive with the national laws related to free movement. In the framework of the EU law, Bulgaria is obliged to guarantee the right to free movement for EU nationals who are residing in Bulgaria, as well as for refugees who have received international protection in Bulgaria, including in cases when their partners are of the same gender. As far as Bulgarian citizens are concerned, Bulgaria is obliged to guarantee family reunification rights only if the two people are legally married (or wish to get married in Bulgaria). De facto, this guarantees the rights of different-sex couples only. The EU Free Movement Directive does not influence the state laws regarding same-sex families. Hence, the Bulgarian state is not obliged to guarantee the rights of its own citizens to family reunification with third-country nationals when the partners are of the same gender.

Unfortunately, in some situations this restriction may endanger the life of one of the partners. We came across a case in which one of the partners was a gay man from Iran, and he went through extreme challenges in order to be able to come to Bulgaria to live with his Bulgarian partner.

“He is from Iran and there is a death penalty for being gay in Iran. His former partner disappeared one day and he was supposedly killed by

his own family. The government brings legal cases against homosexuals. First, they are offered the option of changing their gender through corrective surgery, which is absurd because gay people are not trans people; and if they refuse, they are killed – usually by being hanged. The families often prefer to kill their own child when they realize that the police know about him. The killing is usually done by the brothers and cousins; they do it to protect the honor of the family. Recently my partner’s brother, who knows that he is gay, lied to him that their mother was seriously ill in order to make him go back to be killed. Only his sister supports him, but she is not able to do much, because the women in their society do not have the same rights as men. His sister wrote to him that his brother had lied, that their mother is not in hospital and he should not go back.

The lack of a law that recognizes our family will not stop us from loving each other, because love cannot be limited by a law. At the same time, it is not fair that a heterosexual man, when he falls in love with a woman from a third country, can easily invite her with a marriage visa, while a gay man is not able to invite legally his partner from a third country. There are many countries in the EU which recognize the marriages or registered partnerships of the same-sex partners. If the laws have changed in so many EU countries, there must be some logic in it.” – gay man, 49, Sofia.

No Access to Work Bonuses and Social Insurance of the Partner

Employment in a given company or a public institution often entails some bonuses and benefits for the partners of the employees, but they are not accessible to the same-sex partners. We came across several cases when the partners of our respondents were not able to take advantage of workplace bonuses.

“My job provides access to recreation resorts in which spouses can pay the same reduced price. This is a bonus for spouses, and not for partners like us. My partner cannot use this bonus, because within the current law he has no relationship to me” – gay man, 33, Sofia.

“I was considering taking a job in the Ministry of Foreign Affairs, but I decided not to. If one is a diplomat and goes on a mission abroad, one’s family automatically receives the right to move with the person, and financial support, and the children are allowed to study in the foreign country on state support. I was imagining how if I shared that my partner was a woman, and I felt sure that my family would not be provided with all those benefits”– lesbian, 26, Sofia.

“I receive additional health insurance from my job, which I can transfer to a member of the family. However, only legal members of the family are considered. My partner works in another city and has no GP here, so it would be wonderful if she could make use of my additional health insurance, but there is no way to transfer it to her” – bisexual woman, 34, Sofia.

Daily Problems

In addition to institutionalized discrimination, LGBTI people are subjected to daily pressure resulting from the social stigma and lack of acceptance of their relationships. The daily issues that rainbow families must deal with are different depending on where they live and the partners’ identities.

LGBTI people are as a rule more visible and more easily accepted in the largest cities, especially in the capital Sofia. Many people from smaller communities are impatient to graduate high school and move to Sofia in order to be able to live more openly. In smaller communities, the news that someone is homosexual, bisexual or transgender would spread quickly and create numerous difficulties for the person and the person’s closest relatives.

Trans people are the least accepted and the most discriminated against minorities among LGBTI. They face a number of institutional problems related to legal gender recognition and the access to adequate health care. On a daily basis, they have to deal with rejection, verbal harassment, psychological and physical violence. This reinforces their invisibility, and most trans-people disappear from the community once they accomplish their legal gender recognition successfully. Hence, it was rather difficult to identify trans respondents for our research. We did just one interview with a rainbow family

in which both partners were trans people.

One of the partners in the trans family self-identified as a man, and the other as a woman. The male partner had successfully accomplished a legal gender recognition case, and his gender marker and name were legally changed. The female partner was still living with her legal gender assigned at birth. Hence, the family faced all the issues of a same-sex family (two partners with male legal gender), in addition to the stigma related to their trans identities.

They shared some of the daily difficulties experienced by trans people who live in de facto marital relationships with cisgender people:

“A friend of ours, a trans-woman, managed to change her legal gender successfully, but during the case the Prosecutor stated “If you allow her to change her legal gender, she will be able to marry her boyfriend and this will be a precedent for a gay marriage!” This cannot be a precedent for a gay marriage, because she is a woman, and all her legal documents now prove that she is a woman” – trans woman, 33, Sofia.

The roots of daily issues faced by LGBTI people and their families commonly result from the lack of awareness of LGBTI identities, which fuels stigma and lack of acceptance. Many people make harassing comments about LGBTI without realizing that there might be some LGBTI people around who feel deeply insulted.

Discrimination and Stigma

Discrimination is a phenomenon which every LGBTI person has faced in some situation in life, no matter if one lives alone or with a partner. This part of the report will shed light on daily discrimination faced by LGBTI families which arise from the fact that they are a type of family which society does not recognize or accept.

Daily discrimination of LGBTI families occurs unexpectedly, and raises concerns about what the majority sees as a family:

“We were in an amusement park with the children and there was a family package, but the cashier refused to sell us a family package,

because they said that we were not a family. I called the Manager and told him that the Queen of England has signed a document which defines us as a family, and we were shocked by the disrespect shown by his employees. The Manager was looking at us with amazement, but finally they sold us a family package. It is not only about the costs; it is also about what a family is"- lesbian, 37, Sofia.

This case also underlines the necessity of constant self-legitimation of LGBTI partners in the eyes of the public: they are forced to prove that they are a family, because for the majority, this is not a self-evident fact. Many female couples also shared that they are not taken seriously by others, if they share publicly that they are a family. Many people joke with them and accept their relationship as something temporary. As a result of patriarchal values, male sexuality is taken more seriously, so when two men say that they are a couple this is considered irreversible. Conversely, when two women share that they are a couple, people start thinking that this will change when one or both of the women "meets the right man." This sexist understanding leads to the oversexualization of the relationships between homosexual partners (both women and men), and decreases the significance of all other aspects of the relationship.

The male couples more often face violence and aggression than female couples do. The latter are usually met with pseudo-acceptance. Their stories show two different aspects of pseudo-acceptance. On one hand, the heterosexual men demonstrate pseudo-acceptance of lesbian relationships because they wish to be intimate partners with a female couple (this is the common male sexual fantasy for threesomes with two women). On the other hand, people show pseudo-acceptance of lesbian couples because they believe that these women have lived through some trauma which made them homosexual, so healing of the trauma will bring them back on the right track, and they will again become heterosexual. These outdated beliefs are still very strong in the Bulgarian environment. Many of our lesbian respondents shared stories which illustrate how common they are:

"I was a member of the section electoral commission in the last general election. When a gay person entered the voting section, this stirred debate among the members of the commission. Someone stated that gay people are sick. I confronted him with some scientific

facts, but initially I did not say that I am homosexual too. The debate became more heated and at one point, I stated openly that I also live in a homosexual relationship. All members of the committee kept silence for a moment. Then one of the older women began mourning over me: “Look what a nice girl you are. What has happened to you? How did you fall into this situation?” Obviously, people think that something terrible must have happened to a woman to make her lesbian” – lesbian, 26, Sofia.

“Recently we have been quite open about our relationship, even outside of Sofia. However, people think that we are just friends, because it is quite common for two young women to hold hands; many do this. People do not understand what we mean when we say that we are together. Even if they catch the meaning, there is no negative reaction, it is more a reaction of curiosity: they want to see how far we can go, if it will be like in the movies“– lesbian, 26, Sofia.

“If a man and a woman are living together, people do not care if they are married or not; they are automatically accepted as a family. On the other hand, if two women are living together, they should be just friends, roommates, or ‘are they ...?’ the last thing that comes to people’s minds is that they are lesbians. The possibility of getting legally married may not fix everything, but at least will help to mainstream LGBTI families to some extent. It is much more difficult to talk negatively of legally acknowledged relationships. The only positive recognition for us now is that we are not criminals. Otherwise, in people’s minds we do not exist”- lesbian, 33, Sofia.

Semi-Visibility in Front of Friends and Relatives

Our respondents were open about their sexual orientation or gender identity to different extents. All of them shared that they choose (or have chosen in the past) the extent of openness depending on the people that surround them. Even those who are now open with everyone have had periods in their lives in which they were selectively out or semi-out (for example, out to friends, but not out to parents.) The most negative reaction towards coming out usually comes from the closest relatives. The parents of LGBTI people are the ones

who accept the information with the strongest fear or rage. Friends and colleagues usually express milder reactions.

Many of the respondents shared that they start a conversation about their sexual orientation or gender identity in a very careful manner, by initially checking the general attitude regarding the topic of the person who they are talking with. Often, they find out that people share common prejudices against LGBTI without having met an LGBTI person in real life:

“I haven’t been rejected for being a lesbian, but many of the people I know do not accept LGBTI people in principle. They tell me, ‘you are not like them, we do not have a problem with you, you are OK, but the others are abnormal.’ People are prejudiced because they are uninformed; there is very low awareness”– lesbian, 33, Plovdiv.

Some LGBTI families are not sure how much information they need to provide to other parents when the children start going to school.

“Our child began going to school last year, and we arranged a meeting with the principal and the psychologist to discuss our family configuration, and to ask them if we should tell the other parents, so that they know. I suggested telling all of the parents during a parents’ meeting, but they told me that it might create an unintended negative response, and it would be better to keep silent as long as no one asks about it. I do not think that this was the best approach, because some parents learned that our daughter had two mothers at the end of the school year and were shocked. I believe that the other people have the right to know. It does not mean walking around with a sign, but there should be information about it”- lesbian, 37, Sofia.

When children of LGBTI families are open about their families, they are often not taken seriously:

“The child tells everybody that she has two mothers, but people do not take her seriously. Once a priest asked her if she behaves well for her mother and father, and she replied that she has two mothers, and he laughed, and it was obvious that he did not believe her” - lesbian, 37, Sofia.

Ironically, there were stories which demonstrated how the most conservative institution, which rejects homosexuality (the Orthodox Church), showed the highest level of acceptance of the parents and the child as a family when they requested to baptize the child:

“We had a marvelous experience baptizing our child. Her second mother wanted very much for the child to be baptized, and I agreed, but only if the priest was informed that we were a same-sex family. She went to the church and talked to the priest and he responded that every child of God could be baptized, although what we have done is a sin. I don’t know what she told him, but finally the priest talked to the abbot and they agreed to baptize the child. I was thrilled when during the ceremony the priest said, “Let the parents of the child come!” Until that special moment, no other public institution of the civil state had called us “parents.” The priest was very kind, the child liked it, and for the first time in our lives, we stood on either side of her during an official ceremony as parents of the child“- lesbian, 37, Sofia.

One of the questions that we asked during the interviews was to what extent partners show intimacy in public places. A common reaction was defensiveness, and some of the respondents hurried to underline that they do not “show off” or “parade” their sexual orientation. The term “parading” carries a negative connotation reinforced by the mass media when they talk about LGBTI people. It instills in LGBTI people that any display of intimacy and love towards one’s partner is “parading” and disturbs others. This view has been deeply internalized by many LGBTI people and some use it as an argument against holding Sofia Pride.

The problem of invisibility of LGBTI people in Bulgaria is a serious one. Sofia is a safe oasis which allows a greater level of freedom of expression than the smaller towns, and is a relatively safe place for a couple of women to show intimacy in public (however, not in all areas of the city.) It is at the same time much more risky for a gay male couple to be seen holding hands or kissing, even in the center of the capital. Women show intimacy because as seen from the citations above, holding hands and hugging between women who are just friends is widely accepted in society.

Gay couples compared their experience abroad with the situation in Bulgaria. They shared about traveling to different destinations where it is OK for male couples to show intimacy as a couple. They underlined that this as a major factor for their choice of vacation destinations.

“Last summer, we went to the Canary Islands and we were in a town that is a favorite place for gay people. At the same time, there are many heterosexual tourists, families with children, grandmothers, but nobody is disturbed by gay couples. We hold hands, hug each other when we are out having a coffee and nobody cares. And no one from the neighboring table would make a comment, “Come here, baby, because these faggots are hugging,” as we would hear in Sofia...” - gay man, 27, Sofia.

“We never show intimacy when we are in Bulgaria. When we are abroad – yes, we do. At present, there is no sense in showing intimacy in public, because the most you can achieve would be to instigate aggression and they may beat you up. I don’t see what else can happen” – gay man, 49, Sofia.

“We usually do not show intimacy in public places. I have some personal convictions; I always think about safety. I imagine that if we show intimacy in front of parents with children, they will start nagging, “How are you not ashamed of doing that in front of the children?” and older people would react the same way. I do not want to get into that turmoil and try to avoid it. If we are in a safe environment and know the people around us well, we are not afraid even to kiss. But we are afraid to do it in public. I have already accepted that restriction subconsciously, so I am OK with it” – gay man, 26, Sofia.

“We have had moments when we were out at a restaurant, and we were happy; we were joyful and felt like hugging each other, but there is no way that we would ever do it in public. If we were in a country in which this was acceptable, we would do it, but not here. Most people say that there is no way to legalize same-sex relationships in the next 10 years in Bulgaria. We are afraid that it will be too late for us to become fathers at 40 something. In our environment, all parties concerned always avoid this topic, the government, the organizations

and even within the community“– gay man, 25, Sofia.

Hiding one’s intimate relationship is burdensome, even though that it is habitual for most LGBTI people.

“In addition to the legal environment, there is a whole other repressive apparatus that you constantly feel. The hiding of intimate relationships becomes a habit for most people. However, after I attended some trainings, this has become unbearable for me. I always need to consider who to tell and who not to tell. There is not a single day in which I am not confronted at least once with a question which requires an answer about the gender of my partner. Even when I go to the hairdresser’s, they ask me about my girlfriend, and I wonder whether to lie or to tell the truth. I attend a language course, and today the teacher made such a comment, in which she assumed the female gender of my partner. If I shared that my partner is a man, the entire group would have fallen silent“ – gay man, 33, Sofia.

Showing intimacy selectively and being semi-visible as a couple is a common situation for most LGBTI people.

“Our families know about us; our friends too. The only people who do not know are her colleagues. She works in a very large hotel with people who are much older than she is and this topic is never discussed. According to them, I am her roommate. They probably intuitively feel it, but they never comment about our relationship” – lesbian, 33, Varna.

“She is younger than me and much shyer. She needs a few drinks to overcome her inhibitions. In general, we avoid showing intimacy anywhere except in a gay club. We do hold hands sometimes in public, but we never kiss” – lesbian, 33, Varna.

The question of how much intimacy is publicly acceptable is a troubling one. Some couples are more self-restrictive than others, but most of the interviewees agreed that having a law which recognizes LGBTI relationships would create space for more intimacy in public places.

“I don’t think that the status of gay people in Bulgaria is utterly

unbearable; there are much worse places in the world. We do, however, need legal recognition of our families, which will gradually change public attitudes. I wish I could hug my partner when we are together drinking coffee in public. We do not need anything else; I do not like it when heterosexual couples are kissing in public either” – gay man, 49, Sofia.

Fortunately, some of our respondents shared positive experiences with passers-by in Sofia. A positive friendly glance can make a big difference:

“We were once getting off the metro and we were holding hands, and we forgot to be cautious, so a mother with a baby stroller saw us. We were startled, but she had already seen us, and she only smiled, which made us so happy!” – gay man, 24, Sofia.

Dealing with the Lack of Acceptance in the Closest Environment

The question of coming out as a couple to their closest relatives always triggered emotional reactions. It turned out that for most LGBTI people, it is easier to be out to friends than to parents and close relatives. Lack of acceptance by parents is one of the most hurtful experiences which LGBTI people live through.

Parents who have internalized public stigma against LGBTI people are afraid that their children will be discriminated against, tortured, or publicly shamed. The reasons for lack of acceptance by parents of LGBTI people are different, but most of them are rooted in public prejudice. The result is always the same: LGBTI children are deeply hurt and need to learn to overcome this trauma. The stories which we heard varied from extremely negative to eventual happy endings. Cases in which parents react negatively at first, but learn to accept their children over time, are very common.

Some parents believe that homosexuality can be cured, so they arrange “dates” with acceptable different-gender partners, take their children to psychologists, or ask them not to come out in public, because they believe that this is a phase which will pass. Others behave as if they had never learned that their child is homosexual, bisexual or transgender.

“I do not have a problem with who I am; I even say this without being asked. The biggest pressure comes from my family. My parents especially are not able to get used to this. They have known for nine or ten years already, but we are still at war about it”– gay man, 24, Sofia.

“I have not met with verbal or physical aggression, but what worries me is the situation with my parents. Now they are OK, but in the beginning, my father wanted to take me to some islands, to give me pills, etc... He read on the Internet that there are some islands on which you are escorted by several women at a time, and this changes your sexual orientation. This passed. At present, he still does not fully accept my sexual orientation, but my mother is much more positive” – gay man, 26, Sofia.

Other parents refuse to accept their children’s identities for many years, no matter how hard the children try to overcome this barrier. Some of the respondents underlined that they had made the choice to live their lives as they are, although they felt deeply hurt by the ongoing lack of acceptance from their closest relatives. Many have fought to be independent from their parents in order to be who they are.

“When my mother learned about my first relationship with another woman, it was brutal. She reacted in such a sharp way, and she sent me to a psychiatrist, because she considered it to be abnormal. Afterwards, I never talked about it again. At present, she has guessed that I’m in a new relationship, because she had seen us together. She told me a year later and again there were very ugly fights between us. In reality, I am a different person at home. My mother tells me, ‘I want you to be happy,’ and I reply, ‘I am happy,’ but she continues, ‘You need to get married, to have children, to be happy in the way I know happiness’” - lesbian, 28, Sofia.

“I lived for a long time with the conviction that it was not necessary for my mother to accept me; it is enough that I accept her as she is, as long as we do not have conflicts. However, the conflicts escalated, and in recent years, they became unbearable. The largest conflict that we had was on the day when my partner’s mother had to undergo a

surgery. We were in the hospital and my partner was shaking. Then I had to go home, because there was a birthday party and all our relatives were there, and my mother did not want to answer the question of where I was. She knew what we were going through, but nevertheless, she made a big scandal with very ugly insulting words. I was shocked, because it was a situation when someone's life was in danger, and there was the human side to it. I would have helped any other person in a similar situation, even if she were not my partner. I believe that the mother's role is to provide support. In that moment, I told my mother that there should be some boundaries in the lack of acceptance. I figured out that she is repressing me on daily basis, because she cannot accept my sexuality. This is a major part of me, although I am several thousand other things as well" – lesbian, 28, Sofia.

Parents who do not accept the sexual or gender identity of their children sometimes use very painful strategies to convert their children to what they think is normal.

"My parents went through a very intensive period of rage and rejection. Then they began talking in plural about us, which showed me that they knew that I did not live alone. But the period of fearful rejection was very painful. They would say, 'You will send us to the grave.' It was a very serious drama" – bisexual woman, 30, Sofia.

"In the beginning they (my parents) would say, 'We will get ill and die because of the things you are doing.' They were very negative; it hurt me a lot. I understand them, because they had never been told that homosexuality was normal; they had learned that it was a disorder" – bisexual woman, 29, Sofia.

Many of our respondents emphasized the necessity of building resilience as a survival strategy, which has helped them maintain their relationships and, at the same time, try to overcome the generational, religious, and moral differences that alienate them from their parents. Building resilience, for many of our respondents, meant not blaming themselves, and to learn to live with the deep emotional trauma caused by broken relationships with their parents.

The relationship with parents commonly deteriorates even more when a same-sex couple makes the decision to have children. Then the seriousness of their intentions to live together as a family cannot be ignored. One of our female respondents underlined that many same-sex couples do not have children not because they do not want to, nor because they are not able to afford it, but namely because of the lack of support from the parents. This is what she told us:

“When we decided to have a child, it was a big drama. My parents learned that I was pregnant when I was in the 5th month and they could hardly accept it. On one hand, they were happy, but on the other – they were wondering how to explain it to our relatives. They did not know how to inform my grandmother. They thought that it would be better to tell her that I had met someone for one night and that is how I had become pregnant. Her parents supported us, but asked why I would give birth and not her. Her sister said that the child would not be her niece. They were also afraid that I might decide to take the child and leave (this is again because of the lack of legal regulation.) Parents refuse support, firstly, because they do not have enough information, and secondly, because the entire society rejects us. No parents want to have a child that is an outsider. They want to prevent their children from becoming outsiders, that is why they refuse to support us. Yet, they should understand that for us this is traumatic” - lesbian, 37, Sofia.

“My family is not supportive at all; they are hostile. We have been fighting for more than a year now. My mother believes that I should be like ‘the others.’ If we decide to have children, we will have so many difficulties. I am sure that we will find solutions, but what worries me the most is the attitude of my parents and my brother. This would be a serious issue for my mother’ – lesbian, 28, Sofia.

One of our male respondents, who is of Roma ethnic origin, told us about the problem with early arranged marriages in the Roma community. He emphasized that one can enter into an arranged marriage before one is clear about her/his sexual orientation or gender identity. This cultural trend is slowly beginning to change.

“If my parents respected tradition, they would not have let me be single past the age of 17. I have some friend, who are gay men and have married to women because of pressure from their parents. I know a gay man who forced his son into marriage, because he was afraid that his son might also become gay. So he married him when the boy was only 15” – gay man, 42, Sofia.

All of the stories above show the extent to which internalized homophobia can be detrimental to LGBTI people and their parents and closest relatives. Our respondents spoke about the rejection from parents with a great deal of pain and disappointment. They longed for a renewal of the connection with their closest relatives.

Low Awareness of LGBTI Identities in Society

Low awareness of LGBTI identities is the main reason for rejection. One’s sexual orientation or gender identity are still taboo topics in Bulgarian society. The public narrative on these topics is not based on scientific research; it is fueled by prejudice and outdated stereotypes. The educational system does not help change the perspective either. It does not create space for an informed discussion about sexual orientation, gender identity or gender expression.

The observation that people speak negatively about LGBTI people because of common bias, based on stereotypes, was shared by all respondents. They told us many stories how people who spoke negatively about LGBTI people had changed their tone as soon as they realized that they were talking to someone who self-identifies as a member of this community. Unfortunately, hatred does not always stop when the speaker realizes that there is an LGBTI person around. Sometimes the aggression escalates. Respondents also shared that although they had not been personally attacked by hate speech, they have frequently witnessed hate speech against LGBTI people.

The myths about LGBTI families are many. One of them is that a same-sex couple can only raise a homosexual child, hence they should not be allowed to raise children at all. Male couples face the strongest prejudice. On one hand, it is a common belief that men cannot take good care of themselves, hence,

they cannot be good parents (if there is no woman in the family). On the other hand, male homosexuality is wrongly associated with pedophilia, resulting in the fear that a child of gay couple will be sexually assaulted.

Another stereotype is that if a child is raised by same-sex parents it will not learn to communicate with elders from a different gender. These myths are so deeply rooted that some radical opponents make a statement that homosexuality is part of a wider plan for extermination of the Bulgarian nation, because everybody will become gay and nobody will give birth to children.

“The big issue is two people from the same gender raising children. People think that homosexual parents will raise a homosexual kid, as if we had fallen from the sky. In fact, many heterosexual women in Bulgaria are raising their children with another woman: their mother or grandmother. In that case there is an imaginary father figure, who may or may not show up at some point, but this solves the big issue” – lesbian, 29, Sofia.

These false beliefs can be counterbalanced only by means of raising awareness whenever an opportunity arises. Some of our respondents recognized their own role in disseminating information:

“In my view, it is very important to have an LGBTI movement and for people to talk about this even if they are not activists. For example, a colleague of mine came back from Germany some years ago. He knew that I was in a relationship with another woman, but was not aware that we are not allowed to adopt children. When he asked me: ‘You can adopt a child in Bulgaria, can’t you?’ and I replied that we could not, he was shocked. This is why it is important for everyone to disseminate information on the issues we face with their closest circle” – bisexual woman, 30, Sofia.

“There are many people who have a negative attitude towards us, but there are also others who are not homophobes; they simply do not know what kind of issues we face. When people have not come across a problem themselves they think, ‘What kind of problems do you have?’ For example, it has never come to his mind how it feels if you are not a legal parent of your child; that is why it is important to talk

about that” – bisexual woman, 29, Sofia.

“People do not feel comfortable rejecting you openly; then you realize that they have changed their attitude and are not so open to you any more. They will not show it in front of you, but their attitude changes. They do not know how to behave around you. It is good that this awkwardness changes with time, and the more people like us they know, the easier it becomes to accept them” - lesbian, 35, Sofia.

“The future of humankind is the children, so if we do not start with the children and teach them to understand and accept diversity, it will be much more difficult to change their perspective when they are grown-ups” – trans man, 37, Sofia.

Lack of Visibility and Role Models

The lack of positive role models has a huge impact on public opinion. Well-known LGBTI people who have a good public image are very few and far between in Bulgaria. There are some notorious LGBTI characters in the public sphere who are targets of gossip, and people believe that they have chosen to be LGBTI in order to attract public attention. On the other hand, there are well-known public figures, whose homosexuality or bisexuality are a public secret, but the latter have not come out at present. Aside from the debates stirred by Sofia Pride, there are very few instances of serious discussion of LGBTI people’s rights in Bulgaria. LGBTI people are commonly the subject of mockery and joking in mainstream spaces, and the terminology related to LGBTI is not correctly used. For example, people do not use the term “transgender,” but “transvestite,” or “transsexual.” A counter-trend of providing objective reporting on LGBTI issues is growing in some media outlets over the last few years.

“I noticed that when Obama’s speech was translated and broadcasted the part in which he talks about marriage equality was purposefully ignored. As if, it was something irrelevant to our Bulgarian context. There is some artificial fear that if someone talks about it, he could be thought of as gay” – lesbian, 30, Sofia.

“I came across an article about a couple of lesbians who are actresses and wanted to adopt a child, and how wrong this was. If famous people

provoke such hatred, what could we say about ordinary LGBTI people?” – lesbian, 33, Sofia.

“In Bulgaria people believe that a gay man should look like Azis (a famous pop-folk singer) or Evgeni Minchev (a flamboyant dandy). People cannot imagine that a straight-looking man could be gay. When I tell them that I am gay, they reply, ‘You do not look like Evgeni Minchev.’ They cannot imagine other types of gay people. We do not have any well-known people in different spheres of life who are out as gay, and this is the major problem’ – gay man, 49, Sofia.

“I am not against people looking however like, but there is a negative stereotype of gay people, for which we also have some responsibility. People think that we are strange because nobody comes out and everybody is hiding. What if we begin doing it the hard way: not to disturb anyone, but to show that there are diverse gay people?” – gay man, 24, Sofia.

The lack of role models does not concern just the sphere of mass media. We do not see LGBTI families in everyday life. At present, there is a large number of LGBTI families who are planning to live together until the end of their lives, instead of entering into fake heterosexual marriages, as it used to be 25-30 years ago. This new generation of LGBTI families do not have access to historical experience, and they do not know people from the older generations who are like them. Such stories can be found in books, movies, but not in their own environment. Many respondents answered that they would be interested in meeting other LGBTI families, and to maintain contact. They were interested in exchanging information about LGBTI-friendly doctors, legal services, and other useful information, which will improve the safety and quality of their lives. We connected some of the respondents during the research and they called us back and were happy that they increased their network of contacts. The idea for an online platform for exchange of useful knowledge among LGBTI families was born.

“when we began living together I was wondering if there are others like us in Bulgaria, so when I found a video about them (a famous couple of lesbians) I told to myself, ‘Hey, there are others like us, and they even live in a village, it’s so cool.’ It is great to be able to see such

a story. We were stressed that we did not know any other lesbian couples personally. We wanted to get to know such couples in order to be able to ask them all questions that we needed to ask. I would like to get to know the stories of other families, and to be in touch, and to exchange experiences with them” – bisexual woman, 29, Sofia.

“The stereotypes about us in the mass media are many, and some of them are internalized, we do not open our eyes, so we allow this to happen” – gay man, 21, Sofia.

Explaining the Situation to the Children

Explaining the situation of having two mothers or two fathers to the child is an issue which raises many concerns for LGBTI people. These concerns are rooted mainly in the fact that the child will not know other families like theirs. We heard such concerns from same-sex couples in Plovdiv and Ruse, where there are many fewer LGBTI families. The couples raising children shared that their children accept them as a normal (standard) family.

“The child asks us which of us was wearing a dress when we got married, and we tell her. Then she tells her friends that she has two mothers, and they do not understand, and she explains: ‘One of them is like a man, and the other is like a woman; one of them gives birth, and the other is stronger like the daddies’ - lesbian, 37, Sofia.

“We may tell the child that it is normal, but when he goes out, he will be told other things. If the law accepted us, it would be easier for the children to adapt. We want to do the best for our children. We will be OK, but they also need to grow up psychologically stable. We are fighting for our children to grow up without being discriminated against; it is not about us – it is about them” – bisexual woman, 39, Plovdiv.

“I do not think that it is so hard to explain to a child that there are gay families; I have done this already. You should be saying it straightforward; there is no other way. In the beginning, they do not accept it, but then they get used to it. The school environment is the

bigger issue. When they are young, they do not have any stereotypes, but this changes when they start going to school, and this is when the problems arise” – gay man, 27, Sofia.

Fear of Potential Discrimination against Children

In addition to the legal framework, the greatest concern for LGBTI parents is that their children will be discriminated against at school. We did not record any stories of serious discrimination against children at school, but to some extent this might be due to the fact that the children of most of the couples we interviewed were still in school. Children in kindergarten were not yet influenced by homophobic stereotypes, and if they shared that they lived with two mothers, the other children accepted that as normal. There is not enough practical experience of same-sex families to see how their children will be accepted at school. Some couples prefer to speak openly with the school administration, while others prefer to keep their relationship secret. This also depends on the environment; whether the school has an open policy towards students from diverse backgrounds.

Children in the upper grades feel more public pressure than those in lower grades do. The stigma against LGBTI identities influences them more heavily.

“In our case, it is more difficult to hide because both of us have been in the media. We have not been verbally harassed, but we have some concerns about our children, especially our daughter who is now 12 years old. Last year, when her father was giving interviews as an intersex person in the mass media, her classmates made some very ugly comments about him. She had not shared with them that this was her father, because she was afraid that they would start mocking her as well. Similarly, when I am in the mass media regarding Sofia Pride, she does not speak about Pride with anyone at school. Her classmates make comments, but she does not take sides, she just keeps silent. She has told only her closest friends that her parents are among the Pride organizers. The issue that we see is that she needs to be “in the closet,” just as we used to be many years ago. It is a pity that she needs to hide who her parents are in order to avoid being harassed” – pansexual

woman, 48, Sofia.

We learned about another case of a negative reaction towards the son of a same-sex couple who goes to school in Ruse. He told his classmates that his mother lives with another woman, and the classmates made some extremely negative comments. Worried that this may trigger bullying of the child, the parents told him to hide the nature of their relationship at school.

The school environment is known to be unfriendly towards LGBTI people, hence the parents' concerns are valid. At the same time, the LGBTI parents understand that no one is immune to harassment at school, and hiding one's identity in order to avoid harassment might not be the best strategy for dealing with it.

“There are many other reasons why one can become a victim of harassment at school. The last time when I visited a school there was a child who was mocked because he had large ears. Children will always find a reason to harass one another; having two mothers is not a bigger issue than having a mole” – bisexual woman, 30, Sofia.

Having in mind the homophobic attitudes in society, some of our respondents thought that it was better not to raise children, because they did not want to expose their children to so much hatred. They were hoping to see a change in the near future, but were not ready to compromise the safety of children at present. And last, but not least, some respondents thought that we need more visibility in order to stimulate the positive changes in attitudes:

“At this stage, it would be better not to allow adoption for same-sex couples in Bulgaria. Our society is not ready yet. Even if we are pressed by Europe to accept same-sex adoption, we may be allowed to do it, but the child will be bullied at school. Changing this needs time and targeted efforts. The young generation in school now is more open to this, and when they grow up, they will change the environment. To force your child to hide his family is a kind of psychological harassment. Psychologists explain that the more things you need to hide, the more pressure you feel and this may force you to look for other “outlets.” That is why, it is best not to have this right at this stage” – gay man, 49, Sofia.

Coping Strategies

Many of our respondents joked that creating a family in Bulgaria as an LGBTI person develops one's creative abilities. Starting with coming out to one's parents to the relationship with institutions, banks, health care, etc. – LGBTI people are forced to think of various strategies to cope with the discrimination that non-LGBTI people usually do not experience.

The common strategies to deal with challenges in everyday life are

- To assess every daily situation in terms of whether it is safe to come out, and whether it is safe to demonstrate one's relationship in public places;
- To maintain contacts with other LGBTI families and exchange experiences about LGBTI-friendly services;

Common strategies to deal with legal barriers are

- Adoption of the child by a close relative of the second parent;
- Bringing a notary-certified power of attorney granted to the second parent by the one who has the parent's rights everywhere;
- Buying common property together to ensure joint property rights.

Presenting one's partner to one's parents also requires a well thought-out strategy:

“My strategy was first to introduce him as a friend so that they began to like him and only after that to tell them that he was my partner. I think it worked” – gay man, 34, Sofia.

Many LGBTI people feel that the only way out of the difficulties they face in Bulgaria is migration to countries where there is a more favorable legal and social situation. The couples that plan to have children are among the most determined to make this choice.

“We are thinking of moving to another country in which it would be accepted as normal to live our lives and raise our children as a same-sex couple. We are tired of explaining everywhere that we are a family, and we are tired of dealing with the stigma on daily basis. We would not like to be forced to do ridiculous things, such as have the father of my partner adopt our child. The lack of legal recognition of our family

creates lots of insecurity. We wonder how we would be able to raise our children in this country. We would be better off not raise them here. The lack of legal recognition of our family forces us to migrate” – lesbian, 26, Sofia.

“The words “family” and “marriage” are patriarchal institutions in my opinion. But civil unions should exist, because I am a tax-payer like everyone else; the state should return part of my taxes if they will not give me equal rights” – gay man, 33, Sofia.

Conclusion and Recommendations

In conclusion, LGBTI families in Bulgaria are slowly but surely gaining more visibility, mostly because of media reports about same-sex couples, including some about raising children. At the same time, people from the LGBTI communities are becoming increasingly critical towards the situation they are forced to live in, and there is a growing recognition of the need to make changes.

The changes that our respondents considered important and urgent are the following:

- More visibility and the creation of a positive image of LGBTI communities;
- Inclusion of topics related to sexual orientation and gender identity in school;
- Creation of a network for the exchange of information;
- Legalization of same-sex marriages and the civil unions (registered partnerships)
- Legalization of adoption by LGBTI families.

Even respondents who declared that they are not interested to get married confirmed that they would support a marriage equality initiative because it would allow many other LGBTI people to live in legally recognized families.

The main conclusion of this research is that marriage equality is important to ensure equal rights for LGBTI people. The lack of marriage equality leads to institutionalized discrimination against LGBTI people in many spheres of life. In some cases, it also goes against public interest. The full respect of LGBTI people's rights and the elimination of discrimination against them requires a change in the definition of marriage in the Bulgarian Constitution in order to remove the barrier to introducing marriage equality text into the Family Code. We will opt for a definition of marriage as a union between two people, regardless of their gender, gender identity, or sexual orientation. The first step towards marriage equality in Bulgaria would be the introduction of a de facto marriage cohabitation law, regardless of the gender identity or sexual orientation of the partners.

Demographic Chart

LGBTI Families

This demographic chart includes information shared by the interviewees regarding their self-identification. Total number of respondents: 50.

Age	From 21 to 53		
Gender	Women X 28 (including 1 trans woman)		
	Men X 22 (including 1 trans man, 1 intersex man)		
	Intersex X 1		
	Transgender X 2		
Ethnicity (ethnic minority)	1 Ethnic-Roma, 1 Persian		
Nationality	48 Bulgarian, 1 Italian, 1 Iranian		
Education	Primary 0	Secondary/High School 11	Higher (University Degree) 39
Employment	Unemployed 0	Self-employed 9	Employee 41
Type of Family	Single parent 2	Lesbian couple 12	Family with 1 intersex partner 1
	Gay couple 10	Trans couple 1	Family with children 7