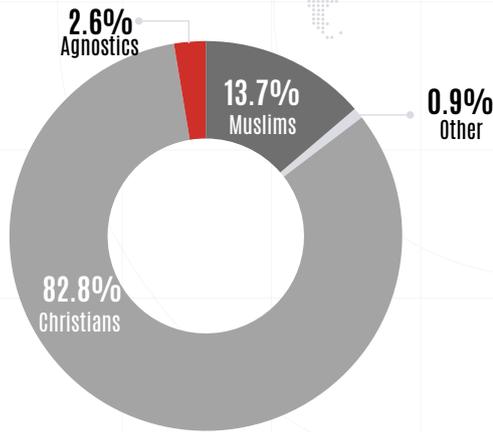




BULGARIA

RELIGIONS



LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Bulgaria’s constitution, adopted in 1991 and amended through 2015,¹ upholds freedom of religion and belief in Articles 13 (1-4) and 37 (1-2). The latter extend protection to all religions, recognise Eastern Orthodox Christianity as the “traditional religion” of the country, and ban the use of religion for violent or political ends.

The primary law regulating freedom of religion or belief is the Religious Denominations Act (2002), which provides protocols for the legal recognition of religious denominations and communities. All religious groups may legally worship without registering, but registered groups receive some benefits. The Bulgarian Orthodox Church is exempt from the registration requirement due to its status as the traditional Church of Bulgaria.² As of 2019, there were 191 registered religious groups.³

In the last few years, some far-right nationalist parties have tried to reduce the rights of non-Orthodox communities and their members. In 2014, they formed an electoral alliance under the name “United Patri-

ots”, which comprised the Bulgarian National Party (VMRO), the National Front for the Salvation of Bulgaria (NFSB) and ATAKA. This alliance is part of Bulgaria’s current coalition government.

On 9th May 2018, the three largest political parties in Bulgaria proposed a law that could have been used to hinder the religious activities of religious minorities, but this outcome was avoided in the final version approved in December 2018. The original draft included several restrictions regarding the funding of religious groups from abroad and the participation of foreign clergy in religious rites in Bulgaria. This had been building up over the years as theological schools, clergy training programs, missionary activity and free worship outside of designated buildings faced growing obstacles. One of the most contentious aspects of the bill was the requirement for religious groups to have at least 300 members to apply for official registration, and the proposal to increase it to 3,000.⁴ This legislation would also have excluded Catholic, Protestant and Jewish communities from state subsidies.

Following protests by the various faith communities⁵ and with the support of international human rights institutions, the controversial provisions were removed

from the draft law during a vote in the National Assembly of Bulgaria on 21st December 2018. This was considered a great victory for religious freedom in an EU-member state and a lesson for the future.

Municipal ordinances restricting the right to share one's beliefs in public spaces, particularly those targeting Jehovah's Witnesses, have been regularly challenged as unconstitutional in the courts and have received a number of favourable rulings.⁶

INCIDENTS AND DEVELOPMENTS

Jehovah's Witnesses were victimised in several incidents.⁷ In May 2018, vandals broke the windows of the Jehovah's Witnesses' rented place of worship in Petrich, and the property owner subsequently decided to discontinue the lease agreement.⁸

In June and July 2018, a man assaulted Jehovah's Witnesses in the street in Nova Zagora on three separate occasions. The police registered a complaint and said they would "visit the perpetrator," but he was not prosecuted.⁹

In 2019, the Supreme Court ruled in favour of Jehovah's Witnesses against the Bulgarian National Movement (VMRO) in a case of violence that had occurred eight years earlier. On 17th April 2011, a group of Jehovah's Witnesses gathered to commemorate the memorial of Jesus' death. A mob of 60 people, organised by the leader of the VMRO, Georgi Drakaliev, brutally attacked the Jehovah's Witnesses. The mob inflicted some injuries, and the victims brought this incident to the courts. The Supreme Court ruled against Drakaliev and ordered him to compensate the claimants.¹⁰

Muslims have also faced hostility, as evidenced by the following incidents.

In July 2018, a few residents of the village of Gradnitsa desecrated 55 Muslim and 14 Christian graves. They were subsequently arrested by police.

On 5th July 2019,¹¹ there was an attack on the office of Bulgaria's Grand Mufti in Sofia. The windows of the building were smashed with stones by an unknown person. This happened three days after swastikas and other hate symbols appeared on the walls of a mosque in the central town of Karlovo.

"This is a typical hate crime. Unfortunately, in Bulgar-

ia, no one is being convicted of such crimes. They are always declared as [the work of] drunks or hooligans," stated Jelal Faik, spokesperson for the Grand Mufti's Office.¹² Faik noted that this was "a planned and deliberate act" as evidenced by the degree of preparedness of the attackers, as the security cameras showed. He added that the presence of the nationalist United Patriots party in the ruling coalition government has fuelled anti-Muslim sentiments among some Bulgarians.

Despite these incidents of hostility, religious communities agree that the number and intensity of attacks has dramatically decreased. Nevertheless, it is important to note that Jewish organisations have expressed concern about rising anti-Jewish hate speech and other manifestations of anti-Semitism. They equally denounced attempts by government leaders to distort historical facts at Holocaust-related events, and to honour individuals complicit in the deportation of Jews during the Second World War.¹³

On 5th May 2019, Pope Francis visited Bulgaria at the invitation of the country's political authorities. The next day he celebrated the First Communion of 250 children in the Catholic-majority town of Rakovski. However, the Orthodox Church gave him a cold reception. Patriarch Neophyte and members of the Holy Synod, the country's Orthodox leadership, accepted to meet the pontiff, albeit without liturgical garments. The offer to hold joint prayers or services had already been rejected. Bulgaria's Orthodox Church has always refused to engage in interreligious dialogue with the Roman Catholic Church, which has 44,000 members in the country.¹⁴ Though tiny, this community has developed social programs benefitting the local population. In Stara Zagora, near the Roma district, the Salesians are building a school and a church in the Eastern style.¹⁵

PROSPECTS FOR RELIGIOUS FREEDOM

Hopes for interreligious dialogue between the Roman Catholic Church and the Orthodox Church of Bulgaria were not fulfilled by the Pope's visit.

Far-right nationalist movements remain a constant threat to non-Orthodox groups, especially Muslims, Jews and Jehovah's Witnesses. These targeted religious minorities use all legal instruments available

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to fight against intolerance, hate speech and human rights violations perpetrated by extreme-right political parties.

Fortunately, Bulgarian courts are increasingly demonstrating their independence from political influence. As a consequence, the future of the rule of law, and respect for human rights including religious freedom, in Bulgaria lies in the hands of the judiciary.

SOURCES / ENDNOTES

- 1 Bulgaria 1991 (rev. 2015), Constitute Project, https://www.constituteproject.org/constitution/Bulgaria_2015?lang=en (accessed 16th January 2021).
- 2 “Religious Denominations Act,” Legirel, <http://www.legirel.cnrs.fr/spip.php?article540&lang=fr> (accessed 29th February 2020).
- 3 Office of International Religious Freedom, “Bulgaria,” 2019 International Religious Freedom Report, U.S. State Department, <https://www.state.gov/reports/2019-report-on-international-religious-freedom/bulgaria/> (accessed 24th January 2021).
- 4 Vldy Raichinov, “3,000 members required for a Bulgarian faith group to obtain judicial entity,” Evangelical Focus, 22nd November 2018 http://evangelicalfocus.com/europe/4017/Bulgaria_religion_law_3000_members_required_for_faith_group_to_obtain_judicial_entity (accessed 29th February 2020).
- 5 Gregor Puppink, “Great victory for religious freedom in Bulgaria,” Human Rights Without Frontiers (HRWF), <https://hrwf.eu/wp-content/uploads/2019/01/Bulgaria2018.pdf> (accessed 29th February 2020).
- 6 “Supreme Court victories protect religious freedom for Jehovah’s Witnesses in Bulgaria,” Jehovah’s Witnesses, 20th May 2019, <https://www.jw.org/en/news/jw/region/bulgaria/Supreme-Court-Victories-Protect-Religious-Freedom-for-Jehovahs-Witnesses-in-Bulgaria/> (accessed 29th February 2020).
- 7 “Bulgaria: Religious freedom concerns”, Office of General Counsel at World Headquarters of Jehovah’s Witnesses, Religious freedom concerns: Statement by the European Association of Jehovah’s Christian Witnesses, Organization for Security and Cooperation in Europe (OSCE), 13th September 2017 <https://www.osce.org/odihr/340956?download=true> (accessed 29th February 2020).
- 8 Ibid.
- 9 Office of International Religious Freedom, “Bulgaria,” 2018 Report on International Religious Freedom, U.S. Department of State, <https://www.state.gov/reports/2018-report-on-international-religious-freedom/bulgaria/> (accessed 29th February 2020).
- 10 “Supreme Court Victories Protect Religious Freedom for Jehovah’s Witnesses in Bulgaria,” Jehovah’s Witnesses, 20th May 2019, <https://www.jw.org/en/news/jw/region/bulgaria/Supreme-Court-Victories-Protect-Religious-Freedom-for-Jehovahs-Witnesses-in-Bulgaria/> (accessed 16th January 2021)
- 11 Statement of the Office of the Grand Mufti of Bulgaria at the OSCE/ODIHR HDIM in Warsaw, 24th September 2020, <https://www.osce.org/odihr/433727?download=true> (accessed 29th February 2020).
- 12 “Bulgarian Muslims condemn Islamophobic attacks,” Balkan Insight, 5th July 2019, <https://balkaninsight.com/2019/07/05/bulgarian-muslims-condemn-islamophobic-attacks/> (accessed 29th February 2020).
- 13 Office of International Religious Freedom (2018), op. cit.
- 14 “Pope Francis begins visit to Orthodox Bulgaria and North Macedonia,” BBC News, 5th May 2019, <https://www.bbc.com/news/world-europe-48167804> (accessed 25th March 2020).
- 15 “Bulgarian: New Salesian presence in Stara Zagora under construction,” ANS, 13th March 2020, <https://www.infoans.org/en/sections/news-photos/item/9975-bulgaria-new-salesian-presence-in-stara-zagora-under-construction> (accessed 25th March 2020).