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Adoption of law drafts and law amendments

Statement of the Grand Mufti's Office in Bulgaria at the OSCE/ ODIHR HDIM in Warsaw

Muslim Denomination in Bulgaria (30.09.2016) - On July 20, 2016 at the National Assembly, the nationalistic political party ATAKA introduced amendments to the Law of the Religions in which Religious organizations and communities are to be restricted to use their mother tongue or another language during the implementation of worship and rituals; to be restricted to receive donations and to get involved in joint activities with other organizations and many other amendments that restrict the freedom of religion. ***(National Assembly of the Republic of Bulgaria - Amendments to the Law of the Religions – (No.654-01-95 submitted on 20th July 20 2016 by the Political Party ATAKA and No. 654-0196 submitted on 21st July 2016 by the coalition of Patriotic Front).(1)***

The motives of the proposal reads that the state does not interfere with the religious activities of the denominations, yet, at the same time, the very same proposal is full of prohibitions concerning the existence and functioning of the denominations.

All these amendments neither allow Muslims to observe their religious ceremonies in another language except the Bulgarian one, nor can they receive donations, nor can they get involved in joint activities with other organizations.

With reference to the above I would like to remind you that Muslim prayers all over the world are delivered in the original language of the Quran (quotations from the Holy Book in their original). This is the rule and the prayers cannot be recited in another way. Another aspect worth knowing is that the mother tongue of a big portion of the Muslims in Bulgaria is not the Bulgarian language.

In this case the prohibition breaks a couple of international conventions, constitutional rights, as well as the freedom of speech and the Act on Discrimination. We consider that the use of mother tongue and other languages during religious ceremonies has been the freedom fought for after a long duration of time of the totalitarian regime during the period of transition of our country to democracy.

The prohibition to receive donations and financial aid deprives the Muslim community and it is put into isolation and destined to extermination. The state aid rendered to the institution is a symbolic one and it is not possible for the institution of the Muslim

community in Bulgaria to keep functioning with that aid, so it is doomed to destruction. The people who submitted the amendments to the act are aware of this situation; more likely, all that has been done on purpose.

The prohibition to carry out joint activities with other organizations from foreign countries also breaks major rights of freedom and art. 6 of the Law of the Religions. All this reminds the Muslim denomination of the restrictions imposed during the communist regime in the past. At the same time, we would like you to take into account that these changes refer to other religions apart from Islam.

Another proposal for amendments is prohibition to use loud speakers (***Amendment to the Law of the Religions – prohibition to use loud speakers: No. 654-01-99 submitted on 28th July 2016 by the Coalition Patriotichen Front /Patriotic Front) (2)***)

The draft act has been proposed because of nationalistic motives aiming to restrict the freedom of religion of the Muslim community in Bulgaria. According to the proposal submitted to the National Assembly the loud speakers on mosques threaten national security.

We should remind you that there are restrictions on the decibels of the loud speakers set in the current valid laws; the Muslim community strictly observes these rules. Further, officers from Sofia Municipality regularly measure the level of noise from the loud speakers to check if the legal provisions are observed.

With reference to that again I would like to give an example. During Holy days and Friday prayers the mosque in Sofia cannot house the visitors and people are forced to deliver their prayers outdoors, on the street. In such cases the loud speakers are most needed because the worshippers who sit outside can hear the liturgy only if loud speakers are used.

Furthermore, the Nationalists in the Parliament offered a law to ban the burqa for women (***Law draft to ban the dress covering the face – No.654-01-58, proposed on 24 April 2016 by the Coalition Patriotichen Front /Patriotic Front. Adopted on first reading at the plenary session on 15 June 2016) (3)***)

The politicians make public comments on banning the burqa in all public spaces. These are mostly politicians from the extreme-nationalist party. According to the members of the party there should not be any religious symbols, they should be removed and banned, including the burqa, beard and other symbols. This view is also shared by the Prosecutor General.

The main reasons for these measures is that those women who wear burqas, and men who wear beards are dangerous and viewed as symbols of extremism and terrorism. Reasoning says that this will prevent trampling on the principles of democracy, gender equality and humanism.

Article 1 of the draft says that the law regulates the fully and partial hiding the face of the people in the country. And article 2 explains what is fully and partial coverage. According to the text partial cover is the use of a veil or cloth to close the greater part of the head or face, including hair, ears and more, whatever the name of the dress. This is good evidence that the bill is not to ban the burqa, but to ban of the headscarf, veil and clothing of Muslim women as a whole. This is a clear Islamophobic act and violation of fundamental freedoms.

It is to be stressed that there is no burqa tradition in Bulgaria. While the proposed ban, if passed, would affect only a very small number of women, it would force them to make an

unenviable choice: Obey the law and deny their faith; Obey their faith and risk criminal charges; Stay at home and become isolated from the community. Moreover, such a prohibition is undertaken by a number of municipalities in the country.

Rather than encouraging tolerance, pluralism and respect, a ban on the burqa simply removes the face veil from the public. Previously, studies conducted in some Western European countries point to an increase in intolerance, even violence, towards women wearing face veils after the introduction of the ban in those countries.

I must emphasize that the Office of the Grand Mufti and the Muslim community in Bulgaria do not support the burqa. But at the same time we do not support prohibitions that limit the freedom of choice of individuals, which are undermining the principles of democracy, individual rights, and humanism. Our society is tolerant and open-minded enough for a diverse range of religious beliefs and practices, which includes wearing the headscarf, burqa, niqab or face veil etc.

Such a ban is a clear discrimination against a small part of society, which members, including many old women and grandmothers, made their democratic choice. It is also important to emphasize that the tradition of covering the head (fully or partly) with a veil and cover is not something new in the country, but a long standing tradition – they have always dressed this way. This prohibition would mean a forcible change of something traditional for them.

We presume it would also pave the way for other bans, as openly banning headscarves and other religious freedoms that we already see with the draft laws and amendments to the laws. In this connection, it should be recalled that the danger is not what is on the head, but inside it.

Amendments to the Penal Code No.654-01-54, proposed on 7 April 2016 by the Coalition Patriotichen Front / Patriotic Front. Adopted on first reading at the plenary session on 23 June 2016 (4)

On 23rd June the Parliament adopted by a large majority at first reading the amendments to the Penal Code despite the reservations of the Muslim community and human rights activists. The expression of "radical islam" was added to the paragraph 1, section 31, article 91 and paragraph 2, article 108. In motives of the proposers it is written that terrorism is because of radical Islam. The word "Islam" equates with ideologies like fascism and antidemokratizm. The religion must be separated by ideologies as a whole.

The Muslim community in Bulgaria is against all kinds of terrorism and radicalism and generally supports such a law and codes. It is necessary for the security and protection of the whole society. But at the same time it offends the feelings of Muslims. It is islamophobic and not acceptable. Thus these amendments allow the abuse of human rights and religious freedoms and open doors for arbitrariness and violation of human rights.

We think that it is wrong to copy other countries, where the situation is quite different, as members of the Nationalists in the Parliament say that such amendment is necessary, because most countries began to make similar laws after being attacked by terrorism. We must take into account the situation and realities in our country before offering any law drafts. Here I would like to add that radicalism and terrorism have no connection with Islam and are alien concepts to our Muslims.

In regard to the proposal for amendments to the above-mentioned laws, the Muslim denomination in Bulgaria has held lots of meetings with the representatives of different political parties at the National Assembly. Despite this all the amendments were accepted

by the commissions and some of them were passed at the first reading at the session of the Parliament.

International law recognizes that freedom of conscience and religion belongs to the essential core of natural rights which positive law can never legitimately deny. The acceptance of the religious freedom of other persons and groups is the cornerstone of dialogue and cooperation and guarantee of all other freedoms. If freedom of religion is not respected, inevitably many other freedoms will be eroded as well.

Today, the threat of radicalism and terrorism has been accompanied by a rising tide of suspicion and intolerance directed at Muslim communities. Such prejudices and stereotypes must be dispelled. In the current climate of fear and insecurity, it's crucial for officials, media, political and community leaders to use appropriate language both in the national and international arena to prevent the spread of Islamophobia and play in speaking out against islamophobia and religious discrimination and promoting the principles of multiculturalism.

In this regard, terrorism should not be associated with any religion, ethnic group and ideology and the values and delicate matters of faith groups. This will pave the way to national and international stability, peace, security and the rule of law.

To foster a human rights culture we need education, political and community leadership and legislative action. We need to engage – through education, though political debate, through community dialogue – in a national conversation about protecting human rights.

I'd like to stress once again that Muslims in Bulgaria are not strangers, but are local and they love their country and they have always been loyal citizens and genuine patriots. In our country there has been good coexistence between different religious and ethnic groups for centuries. There has never yet been a case of conflict between them, even in the hardest of times in the past. It has been like that for hundreds of years and it will be like that in the future. Let's make sense to the notorious tolerance of ethnic and religious co-existence with which we love to boast.

I would like to highlight once again that the Muslim community in Bulgaria supports similar laws for the benefit of society and the whole country. But we cannot agree with texts that undermine the dignity of the community and discriminate against one group to draw political dividends. Therefore the aforementioned proposals for adoption of law drafts and amendments to the laws are not patriotic, on the contrary, their target is to kindle feud among the different religions in the country, to wreak havoc and generate fear psychosis among the public. All those are so Islamophobic and dangerous for democracy, stability and the future of the country.

- (1) National Assembly of the Republic of Bulgaria - <http://www.parliament.bg/bg/bills/ID/42281>
- (2) National Assembly of the Republic of Bulgaria - <http://www.parliament.bg/bg/bills/ID/42288>
- (3) National Assembly of the Republic of Bulgaria - <http://www.parliament.bg/bg/bills/ID/42106>
- (4) National Assembly of the Republic of Bulgaria - <http://www.parliament.bg/bg/bills/ID/42090>

**2016 OSCE Human Dimension Implementation Meeting
written statement to Working session 12: Fundamental**

freedoms I (continued), including freedom of thought, conscience, religion or belief

Muslim Denomination in Bulgaria (Grand Mufti's Office in the Republic of Bulgaria) (28.09.2016) - The commitments adopted by OSCE participating States in 1975 by Helsinki Act have articulated and clarified the importance and relevance of Freedom of Religion and Belief to comprehensive security. The states have, in particular, highlighted the role of Freedom of Religion and Belief in strengthening democratic governance based on the rule of law and respect for human rights and its contribution to creating environments of mutual respect, tolerance and understanding among peoples of different religions, beliefs and cultures. Recent developments, in particular the idea that religions can endanger peaceful coexistence, have brought the interrelationship between freedom of religion or belief and security into sharp focus.

The Muslim community in Bulgaria is increasingly concerned about the recent human rights violations and abusive political discourse that increases the feeling of insecurity among the Muslims in the country. Security-oriented counter-terrorism measures are having a disproportionate impact on the Muslim community and individuals. Some political parties take advantage of the current situation in Europe and offer restrictive laws that were not there even during the totalitarian regime and are contrary to fundamental freedoms and in particular the freedom of religion or belief. The politicians from across the political spectrum, legislative power and the judiciary have capitalized on this structural Islamophobia to enforce discriminatory policies. The recently proposed law drafts and amendments to the Law of Religions in the National Parliament clearly deny certain rights to Muslim community in Bulgaria.

Adoption of law drafts and amendments to the laws

On July 20, 2016 at the National Assembly, the nationalistic political party ATAKA introduced amendments to the Law of the Religions in which Religious organizations and communities are to be restricted to use their mother tongue or another language during the implementation of worship and rituals; to be restricted to receive donations and to get involved in joint activities with other organizations and many other amendments that restrict the freedom of religion. (National Assembly of the Republic of Bulgaria - Amendments to the Law of the Religions – (No.654-01-95 submitted on 20th July 20 2016 by the Political Party ATAKA and No. 654-0196 submitted on 21st July 2016 by the coalition of Patriotic Front).

The motives of the proposal reads that the state does not interfere with the religious activities of the denominations, yet, at the same time, the very same proposal is full of prohibitions concerning the existence and functioning of the denominations.

All these amendments neither allow Muslims to observe their religious ceremonies in another language except the Bulgarian one, nor can they receive donations, nor can they get involved in joint activities with other organizations.

With reference to the above I would like to remind you that Muslim prayers all over the world are delivered in the Arabic language of the Quran (quotations from the Holy Book in their original). This is the rule and the prayers cannot be recited in another way. Another aspect worth knowing is that the mother tongue of a big portion of the Muslims in Bulgaria is not the Bulgarian language. In this case the prohibition breaks a couple of international conventions, constitutional rights, as well as the freedom of speech and the Act on Discrimination. We consider that the use of mother tongue and other languages during religious ceremonies has been the freedom fought for after a long duration of time of the totalitarian regime during the period of transition of our country to democracy.

The prohibition to receive donations and financial aid deprives the Muslim community and it is put into isolation and destined to extermination. The state aid rendered to the institution is a symbolic one and it is not possible for the institution of the Muslim community in Bulgaria to keep functioning with that aid, so it is doomed to destruction. The people who submitted the amendments to the act are aware of this situation; more likely, all that has been done on purpose.

The prohibition to carry out joint activities with other organizations from foreign countries also breaks major rights of freedom and art. 6 of the Law of the Religions. All this reminds the Muslim denomination of the restrictions imposed during the communist regime in the past. At the same time, we would like you to take into account that these changes refer to other religions apart from Islam.

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We think that it is wrong to copy other countries, where the situation is quite different, as members of the Nationalists in the Parliament say that such amendment is necessary, because most countries began to make similar laws after being attacked by terrorism. We must take into account the situation and realities in our country before offering any law drafts. Here I would like to add that radicalism and terrorism have no connection with Islam and are alien concepts to our Muslims.

In regard to the proposal for amendments to the above-mentioned laws, the Muslim denomination in Bulgaria has held lots of meetings with the representatives of different political parties at the National Assembly. Despite this all the amendments were accepted by the commissions and were passed at the first reading at the session of the Parliament.

While no one can question the value of Parliaments and parliamentary committees scrutinizing new law drafts, this process is subject to fundamental limitations. There is no explicit requirement for the parliamentary committees to investigate the human rights compatibility of the proposed bill.

International law recognizes that freedom of conscience and religion belongs to the essential core of natural rights which positive law can never legitimately deny. The acceptance of the religious freedom of other persons and groups is the cornerstone of dialogue and cooperation and guarantee of all other freedoms. If freedom of religion is not respected, inevitably many other freedoms will be eroded as well.

Today, the threat of radicalism and terrorism has been accompanied by a rising tide of suspicion and intolerance directed at Muslim communities. Such prejudices and stereotypes must be dispelled. In the current climate of fear and insecurity, it's crucial for officials, media, political and community leaders to use appropriate language both in the national and international arena to prevent the spread of Islamophobia and play in speaking out against islamophobia and religious discrimination and promoting the principles of multiculturalism.

In this regard, terrorism should not be associated with any religion, ethnic group and ideology and the values and delicate matters of faith groups. This will pave the way to national and international stability, peace, security and the rule of law.

To foster a human rights culture we need education, political and community leadership and legislative action. The final ingredient is community engagement. We need to engage – through education, through political debate, through community dialogue – in a national conversation about protecting human rights.

Muslims in Bulgaria are not strangers, but are local and they love their country and they have always been loyal citizens and genuine patriots. In our country there has been good coexistence between different religious and ethnic groups for centuries. There has never yet been a case of conflict between them, even in the hardest of times in the past. It has been like that for hundreds of years and it will be like that in the future. Let's make sense to the notorious tolerance of ethnic and religious co-existence with which we love to boast.

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WAQF properties (communal properties)

The issue of restitution of the communal properties of the Muslim community in Bulgaria is one of the most important issues which remain unsolved after the democratic changes. The Muslim community is the only among the others in the country that failed to regain

their inheritance, despite the changes in the legislation after the totalitarian regime. The reasons are mainly legal and administrative obstacles. These properties include buildings, schools, social centers, mosques and farmlands, demised for centuries in favor of all Muslims in Bulgaria but nationalized and expropriated during the different regimes in the country.

In the beginning of the democratic changes in 1990, the Muslim community gained rights for restitution of their community properties by laws, which were nationalized during the Totalitarian rule. However, most of the properties today cannot be returned due to a number of administrative and legal obstacles.

Numerous properties which belonged to the Muslim denomination have been destroyed by means of the "Act on the Territory Arrangement of Settlements" and new buildings have been erected in their places for which we cannot claim. Yet there are lots of properties that exist and it is known that the Muslim community is the owner of the properties but for which it could not receive notary deeds for ownership. Many of the properties were destroyed and obliterated with the Territory Arrangement Act and new properties were built up in their places which we could not claim for. Most of the properties, mainly mosques, buildings and land, are owned by central and local governments and have been declared as National monuments of culture, and transferred to the regional governments. This is why the Muslim community has a number of obstacles in repairing this historical heritage.

The central and local governments neglect the maintenance of the buildings or just do not have funds for this. Most of them go to ruin. Apparently if they are not repaired in a short time, most of them will disappear or survive as totally different type of buildings, as some local governments started a project in which the mosques are converted into museums or municipality administration buildings.

The Bulgarian local authorities carried out such discriminative and Islamophobic acts against Muslim shrines in some municipalities in the country. This strongly biased attitude of intimidation and harassment displayed by various representatives of the local authorities towards Muslim holy sites, contradicts the democratic principles of our country, violates freedom of conscience and religion, and democratic human rights, while harming and causing grave concern for the Muslim community. The multiplication of similar cases in different locations with a single object of damage, namely mosques, deeply offends the Muslims in Bulgaria. The constantly occurring desecration of our temples and the attempts to change their function is a clear sign of an anti-democratic, Islamophobic and irrational management approach, which overlaps with the habits in the feudal system.

Recent studies ascertained over 3000 communal properties (mosques, schools, office buildings, agricultural land, etc.), most of which have no notarial acts in the registers. Even mosques' ownership is not provable for the lack of legal documents. So there were ongoing cases of restitution only for 28 properties, mainly mosques, until the lawsuits were stopped by judicial authorities due to another reason, namely because of the question of who is the heir of these properties?

Another issue of serious concern is with the mosque in Sofia, where the things seem dire. Over the years Sofia Municipality has made no sense as a municipal policy to co-operate and facilitate the Muslim community in Sofia regarding their religious duties and rituals, on the contrary the municipality has pursued a discriminative policy and using administrative sanctions against the Grand Mufti's Office. Around 70,000 Muslims currently live in Sofia, who have only one mosque built several centuries ago. Construction of a second religious temple is not permitted by the municipality, although the Muslim community has ground plot for years. It is known that the only available one in the capital city is not enough to house the flow of worshippers. It has a seating

capacity of 500-600 people. However, on Fridays more than 700 worshippers enter the mosque and around 250-300 people remain outside. The situation is most striking during both Eids. Every time early in the morning about 2500-3000 Muslim men congregate and unsuccessfully try to hear the sermons, to pray and perform the prayer together with those who are inside for nearly 2 hours. During the winter season or when the weather is very hot and sometimes rainy, visitors often return without having performed their prayers. The mosque is visited by ambassadors, representatives and employees of foreign diplomatic missions who often have to pray outside in the street and we cannot provide them with the necessary comfort and sufficient protection. I believe that these facts which can be checked every Friday are quite eloquent and should be considered whenever the topic for a second mosque is debated. A wellknown fact is that in May 2011 congregation were a target for assault by the far right political party. One of the reasons was the prayer outside of the mosque. Thus far the Muslim community has not received clear and adequate answers so as to justify preventing the construction of the second mosque in the city. It would take an act of congress to talk over the projects of essential with the local administration regarding the Muslim community in the city. Currently a significant part of Muslims pray in temporary shelters in the capital.

Similar is the case with the permission for administrative and educational center for the Higher Institute for Islamic Studies in Sofia. This project dates back to 2000 but it has not started yet. It was widely discussed and criticized by statesmen, politicians, media and part of the Bulgarian public which influenced the publicity negatively and caused serious tension on ethnic and religious basis. Many obstacles occurred since we intended the construction of the project. The problems are connected with the construction permit, changing the plans, documentation etc. However, there is no reasonable answer up to the present.

The latest example is the municipality's decision to demolish the minaret of the new constructed mosque in Burgas under the pretext that the minaret is illegal, without offering any alternative solution for the matter.

Nevertheless, there are good practices in relations between the Office of the Grand Mufti (Muslim community) and the government. The relationship of the Muslim denomination has always been at a good level in recent years. As an example - a number of mosques of historical value were repaired by the state in the person of the Directorate of Religious Affairs at the Council of Ministers in recent years.

Hate incidents

Islamophobic sentiment and hate incidents continue to be a serious threat to the community and cause a feeling of insecurity among the Muslims.

On 9th August 2016 unknown person/people desecrated the funeral vehicle belonging to the Regional Office of the Mufti in Pleven town. The mufti of Pleven made a complaint against the perpetrators. The mayor of the municipality assisted him. In June the facade of the mosque in the town of Yambol was painted with offensive words. During the Muslim holydays on 12-15 of September this year, the outer wall of the Office of the Grand Mufti was painted with nationalist symbols and threatening words.

With regard to the stated above our recommendations to the Bulgarian authorities are:

1. We appeal to the Members of Parliament of the Republic of Bulgaria to vote in accordance with their conscience and not to allow the rights of a portion of citizens to be disrespected; in this way they can guarantee the freedom of religion and conscience. To respect human rights and religious freedoms when adopting laws and amendments, which are guaranteed by international treaties and the Constitution;

2. We urge the Constitutional Court to review the decision of parliament about the above mentioned laws and amendments. To observe the constitutional rights of the citizens and to defend democracy and fundamental freedoms in Bulgaria;
3. Take effective measures, including the adoption, in conformity with the constitution and international obligations of Bulgaria, of such laws which can be necessary to provide protection against any acts that constitute incitement to hatred and violation of fundamental rights;
4. If necessary the matter of law drafts and amendments to be referred to the Venice Commission, Council of Europe;
5. Ensure that public officials at all levels, including ministers and politicians, refrain from making statements that incite violence and discrimination;
6. Develop codes of conduct for political representatives to condemn unequivocally all manifestations of hate in public discourse and acts of violence based on bias and refrain from making discriminatory statements;
7. Launch public awareness activities disassociating terrorism and violent extremism with Muslims and Islam;
8. Develop comprehensive education policies and awareness raising strategies to combat discrimination and promote tolerance and mutual understanding. Education must be the essential central plank to every strategy. Overcoming prejudice requires education, community engagement and dialogue;
9. In the current climate of fear and insecurity, political and community leaders have a vital role to play in speaking out against discrimination, non-tolerance and promoting the principles of multiculturalism and social inclusion. Positive public statements can be extraordinarily powerful and send a vital symbolic message to the community that nontolerance and discrimination is never acceptable.
10. Discriminatory attitudes are often deeply embedded and hard to shake. Overcoming prejudice requires education, community engagement and dialogue, leadership and, laws and policies which reflect – and promote – the principle of non-discrimination.
11. Submissions to Cabinet about new laws or policies must be accompanied by a Human Rights Impact Statement. New bills must be accompanied by a human rights compatibility statement. A parliamentary scrutiny committee must independently assess the human rights compatibility of new bills, and Parliament must justify its actions if it decides to pass laws which are inconsistent with human rights principles.

Recommendations to ODIHR/OSCE:

- The Office of Democratic Institutions and Human Rights/OSCE to monitor the irregularities in the above proposals for amendments to the laws and their voting in the Parliament hall.
- If necessary the matter of law drafts and amendments to be referred to the Venice Commission, Council of Europe; • Develop analytically rigorous studies on possible relations between hate crimes and manifestations of intolerance and discrimination in public discourse;

- Design guidelines and compile examples of good practices to combat manifestations of Islamophobia in political discourse, including the media and political speech;
- Support civil society in monitoring, reporting on and countering discriminatory speech in the media including on the Internet, in particular through monitoring and reporting of Islamophobic speech;
- ODIHR to observe closely the process of combating intolerance and discrimination against Muslims, as well as the Freedom of Religion of Muslim minorities in non-Muslim countries;
- OSCE Ministerial Council to adopt a decision according to which Islamophobia should be a specific form of racism and recognize officially and condemn it . The OSCE to agree on a roadmap to ensure that participating states adopt national strategies to combat Islamophobia in areas such as employment, education, health, hate crime, criminal justice and legislation. The national counter-terrorism measures must build on independent impact assessment studies, include human rights safeguards and be complemented by long-term prevention through equality and social inclusion policies.

Social and political hostility against Jehovah's Witnesses

European Association of Jehovah's Christian Witnesses (26.09.2016) - <http://www.osce.org/odihr/267891?download=true> - Jehovah's Witnesses in Bulgaria enjoy a measure of freedom to worship and generally carry out their religious activities without disturbance. However, the Witnesses suffer numerous incidents of assaults and harassment motivated by religious hatred. Local authorities provide some assistance but generally fail to prosecute attackers or protect the victims. ☒ Some municipalities amend ordinances in an attempt to restrict the activity of Jehovah's Witnesses. The VMRO and NFSB nationalist political parties actively seek to ban Jehovah's Witnesses. In addition to using the media to slander the Witnesses, they use their influence to create ordinances forbidding door-to-door religious evangelizing, use of literature carts, and speaking to people in the streets.

Societal Abuses and Discrimination

Physical Assaults, Harassment, and Vandalism

(1) Burgas. On 17 April 2011, a mob organised by the VMRO political party attacked the Kingdom Hall of Jehovah's Witnesses. Attendees were kicked and hit, leaving them with injuries and bleeding wounds. During the attack, members of the crowd, including representatives of VMRO, shouted insults and threats. The Kingdom Hall was attacked a number of times after this incident, and an unsuccessful attempt was made to set the building on fire. The Burgas Prosecutor's Office reached a settlement with seven of the eight perpetrators charged, fining each of them BGN 200 (EUR 102).¹ However, the Prosecutor's Office terminated the penal proceedings against the leader of the mob, Mr Georgi Drakaliev. As of April 2016, civil claims against the perpetrators are ongoing.

(2) Shumen. On 30 July 2016, Jérémy Petit, a French citizen residing in Bulgaria, offered an invitation to a convention of Jehovah's Witnesses to a young man sitting on a public bench. The man reacted angrily and pushed Mr Petit's literature folder out of his hands. When Mr Petit bent over to get his folder, the man kicked him in the head. Mr Petit fell, hit his head on the ground, and was unconscious for at least seven minutes. He suffered an injury to his left eyeball, bruising and swelling of the eyelids due

to mucosal bleeding, bruising of the radix nasi and the right eyelid, a lacerated contusion at the left occipital bone, and a brain concussion. The perpetrator was arrested, and the victim is pressing charges against him.

Defamation

(1) The newspaper Vseki Den wrote an article about the **30 July 2016** attack on Jérémy Petit, with the title "A Man of Shumen Beats an Agitator of Jehovah's Witnesses." The article contained several false and derogatory assertions and indicated that Mr Petit was beaten because he was agitating people.

(2) For years, SKAT TV has circulated throughout the entire country slanderous statements about Jehovah's Witnesses, both on television and on the Internet. On **22 July 2016**, Nadia Lilova, journalist for SKAT TV, encouraged the people of Stara Zagora to alert municipal officials when they see Jehovah's Witnesses "agitating" people.

(3) On **18 May 2016**, the newspaper Konkurent published slanderous statements about Jehovah's Witnesses. (4) On 27 March 2016, in the newspaper Trud, a member of Parliament, Atanas Stoyanov, wrote that Jehovah's Witnesses are a dangerous sect and falsely stated that they are prohibited in numerous countries of the EU.

Restrictions on Religious Freedom

On **14 March 2016**, amendments and supplements were made to Bulgaria's Law of Religion. If these go into effect, they will seriously restrict the activity and worship of Jehovah's Witnesses and other religions in Bulgaria.

Municipal Ordinances Restricting Religious Activity

In recent months, municipalities throughout Bulgaria have made amendments to ordinances, varying in their reach and intent, to interfere with the manifestation of religious belief. The amended ordinances unlawfully restrict religious activity, in contradiction of rights guaranteed by Bulgaria's Constitution and the European Convention on Human Rights. The VMRO and NFSB political parties go further, actively trying to ban Jehovah's Witnesses in Bulgaria. They use the media to slander the Witnesses, and use their political influence to change ordinances to stop the Witnesses' door-to-door religious activity, use of a literature cart, and speaking to people on the streets.

Partial List of Municipalities With Ordinances Restricting Religious Activities

(1) Belene (2) Brusartsi (3) Burgas (4) Varna (5) Devnya (6) General Toshevo (7) Gurkovo (8) Kavarna (9) Kazanluk (10) Karlovo (11) Krichim (12) Kyustendil (13) Perushtitsa (14) Pleven (15) Popovo (16) Razgrad (17) Rakitovo (18) Stara Zagora (19) Harmanli (20) Haskovo (21) Shumen (22) Chirpan

The municipal ordinances are framed to restrict peaceful manifestation of religious belief.

(1) Burgas. Article 4 (5) of the Ordinance for Preservation of Public Order in the Territory of Burgas Municipality forbids "religious agitation on the streets of the city by means of the distribution of free printed materials—brochures, leaflets, books and the like."

(2) Kavarna. On 1 March 2016, amendments were made to Ordinance No.1. Art. 8, which now states: "(1) It is forbidden to express publicly religious convictions by representatives of religions that are not registered under the Law for Religions or while

not adhering to the requirements of the Law for Meetings, Gatherings and Manifestations. (2) It is forbidden to carry out religious propaganda at the homes of citizens without explicit advance agreement expressed on the part of the latter. (3) It is prohibited to carry out religious agitation on the city streets by means of distributing free printed materials—brochures, pamphlets, books and the like. (4) Upon violation of the preceding paragraph guilty persons will be punished with a fine in the amount of BGN 100 to BGN 500 [EUR 51-EUR 255]. (5) A repeat offense by the guilty persons is punishable with a fine in the amount of BGN 1,000 to BGN 2,000 [EUR 511-EUR 1023].”

(3) Shumen. The Municipal Council of Shumen accepted proposed amendments to the Ordinance for Maintaining and Preserving Public Order in the Shumen Municipality, with Ref. o. 81, dated 28 February 2016. It reads as follows: “Religious propaganda at the homes of the citizens is prohibited.” This new law went into effect **on 14 March 2016.**

(4) Stara Zagora. On 31 March 2016, additional provisions were inserted in the municipality’s ordinance regarding activity of religious communities. Article 25 specifies that (1) public religious displays that disturb the public peace, morale, and traditions are prohibited, (2) carrying out religious propaganda at the homes of citizens without an explicit advance approval by the latter is forbidden, and (3) it is forbidden to carry out religious agitation on city streets by giving out free printed materials—brochures, pamphlets, books, and the like.

(5) Vratsa. On 16 July 2016 the Vratsa municipality put into effect an ordinance (similar to the one in Stara Zagora) that interferes with manifestation of belief. A growing number of municipalities have begun enforcing these ordinances and attempt to fine the Witnesses for sharing their beliefs, as reported below.

Police and Municipal Interference With Manifestation of Belief

For the most part, individual police officers deal with Jehovah’s Witnesses respectfully when they find them engaged in their lawful religious activity. At times, however, police interfere with the Witnesses’ manifestation of belief, citing violations of local ordinances.

(1) Burgas. On 21 January 2016, Mr Strahov, one of Jehovah’s Witnesses, was in a public area, using a mobile cart to display publications of Jehovah’s Witnesses. Police officers arrived and asked if Mr Strahov had a permit to carry out this activity. One of the officers issued a citation, and on 2 March 2016, the Burgas Municipality issued a fine of BGN 500 (EUR 255) to Mr Strahov. The Burgas Regional Court later cancelled the fine for technical reasons. Between March and June 2016, six other Witnesses received fines between BGN 50 and BGN 100 (EUR 25 and EUR 51) under the same ordinance.

(2) Sandanski. On 1 June 2016, two of Jehovah’s Witnesses, R. Guliev and V. Vasilev, were summoned to the police station. They were informed that a complaint had been made by Atanas Stoyanov, a VMRO member of Parliament. Mr Guliev was asked to write an explanation. When Mr Guliev requested a copy of the complaint, the police officer became very angry and said that it was forbidden. The police officer threatened to arrest and beat Mr Guliev. Another police officer also claimed that it was forbidden to give Mr Guliev a copy of the complaint. The Witnesses understood that the complaint was against the organization of Jehovah’s Witnesses.

(3) Silistra. Police Inspector Hamdi ordered Jehovah’s Witnesses to stop using the literature cart in their public religious activity or they would receive a fine. The Witnesses went to the municipal office, where Chief Inspector Valeri Velikov explained that the Witnesses do not have the right “to distribute their opinion.” He claimed that the Bulgaria Constitution only applies to generally accepted communication and not to sharing

religious beliefs in public, whether using a cart on the street or doing so in an organized way from house to house.

(4) Stara Zagora. On 16 February 2016, two of Jehovah's Witnesses, Titus Schäfer and Stela Stoyanova, were sharing their religious beliefs on Yuriy Venelin Street. Two police officers and an officer of the Municipal Security arrived and checked their documents. The police officers were not sure whether a permit was required but nonetheless issued Mr Schäfer a warning, accusing him of violating the general order.

(5) Based on an ordinance that entered into force **on 28 April 2016**, four Witnesses— E. Kovach, J. Reich, M. Becker, and I. Perri—each received a citation from the police merely for peacefully sharing their faith with their neighbours.

(6) Vratsa. On 26 March 2016, two of Jehovah's Witnesses, P. Vladimirova and H. Mixer, were sharing their faith by exhibiting religious publications on a mobile cart in Macedonia Square. Marin Tselinov, a municipal officer, threatened the Witnesses, saying that he would gather football hooligans who would return with bats. He also said that they would go to the place where the Witnesses meet "to destroy this sect" so that the Witnesses would no longer exist in Vratsa. He took two of the books and threw them on the ground. When Mrs Mixer attempted to record the incident, he grabbed her cell phone, threatened to break it, and deleted the recording. A few days later, Mr Tselinov wrote a slanderous newspaper article about Jehovah's Witnesses.

Interference With Freedom of Assembly

Petrich. On 23 March 2016, about 50 persons were present at the Hotel Bulgaria as the Witnesses held the annual Memorial of Christ's death. A group of about ten persons from the political party VMRO, including Kiril Stoykov and Stoyan Bozhinov, constantly interrupted the meeting and refused to leave.

On 28 March 2016, two police inspectors promised that they would warn the members of VMRO not to cause the Witnesses any problems either as individuals or at the Kingdom Hall.

Positive Developments

(1) Plovdiv. The City Council did not accept amendments to the Ordinance of Public Order and Security submitted by the political party VMRO to prohibit the "sect Jehovah's Witnesses."

(2) Sofia. On 2 June 2016, three inspectors approached Witnesses who were using a mobile literature cart and respectfully requested evidence of permission for that activity. On 15 July 2016, the Witnesses in Sofia received approval to continue this activity for the month of August 2016.

(3) Kyustendil. The Administrative Court cancelled six criminal decrees and fines of up to BGN 800 (EUR 409) issued to Witnesses for participating in their religious activity. The court reasoned that "the Applicant is held liable for an act, which by its essence represents the exercise of her right to religious freedom guaranteed to her by the Constitution and the LRA [Law of Religious Acts]." The court determined that the ordinance "contradicts the enactment of a higher power [the Constitution and the LRA] and therefore, ... the act of a higher power shall be applied."

(4) In January 2015, Jehovah's Witnesses learned that the mayor of Kyustendil, Mr Paunov, had decided unilaterally to change the registered classification of their place of worship, prohibiting it from being used as either a lecture hall or a prayer house. On 3

May 2016, the Kyustendil Administrative Court satisfied the Witnesses' appeal and cancelled as unlawful the mayor's order against their house of worship.

(5) On 25 January 2016, the Commission for Protection Against Discrimination ruled that the Bulgarian channel SKAT TV and two journalists had deliberately spread false information about Jehovah's Witnesses. After explaining that the right to freedom of expression is subject to restrictions that prevent hostility, the Commission ordered them to pay almost the maximum fine. Jehovah's Witnesses are pursuing several other similar cases.

Religious Freedom Objectives

Jehovah's Witnesses respectfully request the government of Bulgaria to:

- (1) Ensure that law-enforcement authorities provide appropriate protection against physical assaults on Jehovah's Witnesses and acknowledge acts of religious hatred
 - (2) Protect the right to manifest one's religious beliefs individually and jointly with others
 - (3) Strike down discriminatory municipal ordinances that restrict peaceful religious expression
 - (4) Allow Jehovah's Witnesses to build houses of worship without interference or discrimination
 - (5) Hold responsible those who slander others in the public media and incite religious hatred
- Representatives of Jehovah's Witnesses welcome the opportunity to engage in a constructive dialogue with representatives of the Bulgarian government.

Bulgaria bans full-face Islamic veil

Channel News Asia (30.09.2016) - <http://bit.ly/2dJMyB7> - Bulgaria's parliament approved on Friday (Sep 30) legislation outlawing face-covering Islamic veils in public, joining a small number of EU countries as debate rages across Europe about religious freedoms.

The law "bans wearing in public clothing that partially or completely covers the face", referring to the burqa or the more common niqab.

Infringements carry fines of 200 leva (103 euros, \$114), rising to 1,500 leva for repeated offences.

Bulgaria's mostly centuries-old Muslim community, dating back to conversions during Ottoman times, makes up around 13 per cent of the population, mostly in the Turkish minority.

Muslim women in Bulgaria have generally worn just a simple scarf to cover their hair.

But recently there has been a small rise in the number of women wearing the niqab among ultra-conservative Muslim communities of the Roma minority.

The often impoverished and marginalised Roma make up just under 10 per cent of Bulgaria's population, around a third of whom are Muslim. Several Bulgarian towns had already banned the niqab at local level.

The legislation was approved despite opposition from the MDL Turkish minority party which accused the other parties of "sowing religious intolerance".

France and Belgium have both banned the burqa or niqab and Switzerland's lower house this week narrowly approved a draft bill on a nationwide ban. In August Germany's interior minister came out in favour of a partial ban.

France was also this summer embroiled in a row over bans on the burkini, a full-body Islamic swimsuit, in resorts around the Riviera. A poll published earlier this month showed Britons to be strongly in favour of a burqa ban.

Anti-Muslim parliamentary initiatives

Written statement of the Muslim denomination in Bulgaria at the OSCE/ ODIHR (Warsaw, 19 September – 30 September 2016)

Muslim Denomination in Bulgaria (27.09.2016) - <http://bit.ly/2dee70b> - The commitments adopted by OSCE participating States in 1975 by Helsinki Act have articulated and clarified the importance and relevance of Freedom of Religion and Belief to comprehensive security. The states have, in particular, highlighted the role of Freedom of Religion and Belief in strengthening democratic governance based on the rule of law and respect for human rights and its contribution to creating environments of mutual respect, tolerance and understanding among peoples of different religions, beliefs and cultures. Respect for religious freedom lies at the very heart of security and stability in the OSCE area. But I note with distress that there are already many warning signs which indicate that freedom of religion lies at risk. Recent developments, in particular the idea that religions can endanger peaceful coexistence, have brought the interrelationship between freedom of religion or belief and security into sharp focus.

The Muslim community in Bulgaria is increasingly concerned about the recent islamophobic and abusive political discourse that increases the feeling of insecurity among the Muslims in the country. Security-oriented counter-terrorism measures are having a disproportionate impact on the Muslim community and individuals. Some political parties in Bulgaria take advantage of the current situation in Europe and offer restrictive laws that were not there even during the totalitarian regime and are contrary to fundamental freedoms and in particular the freedom of religion or belief. The recently proposed law drafts and amendments to the Law of Religions in the National Parliament clearly deny certain rights to Muslim community in Bulgaria.

Adoption of law drafts and amendments to the laws

On July 20, 2016 at the National Assembly, the nationalistic political party ATAKA introduced amendments to the Law of the Religions in which Religious organizations and communities are to be restricted to use their mother tongue or another language during the implementation of worship and rituals; to be restricted to receive donations and to get involved in joint activities with other organizations and many other amendments that restrict the freedom of religion. ***(National Assembly of the Republic of Bulgaria - Amendments to the Law of the Religions – (No.654-01-95 submitted on 20th July 2016 by the Political Party ATAKA and No. 654-01- 96 submitted on 21st July 2016 by the coalition of Patriotic Front).***

The motives of the proposal reads that the state does not interfere with the religious activities of the denominations, yet, at the same time, the very same proposal is full of prohibitions concerning the existence and functioning of the denominations.

All these amendments neither allow Muslims to observe their religious ceremonies in another language except the Bulgarian one, nor can they receive donations, nor can they get involved in joint activities with other organizations.

With reference to the above I would like to remind you that Muslim prayers all over the world are delivered in the original language of the Quran (quotations from the Holy Book in their original). This is the rule and the prayers cannot be recited in another way. Another aspect worth knowing is that the mother tongue of a big portion of the Muslims in Bulgaria is not the Bulgarian language. In this case the prohibition breaks a couple of international conventions, constitutional rights, as well as the freedom of speech and the Act on Discrimination. We consider that the use of mother tongue and other languages during religious ceremonies has been the freedom fought for after a long duration of time of the totalitarian regime during the period of transition of our country to democracy.

The prohibition to receive donations and financial aid deprives the Muslim community and it is put into isolation and destined to extermination. The state aid rendered to the institution is a symbolic one and it is not possible for the institution of the Muslim community in Bulgaria to keep functioning with that aid, so it is doomed to destruction. The people who submitted the amendments to the act are aware of this situation; more likely, all that has been done on purpose.

The prohibition to carry out joint activities with other organizations from foreign countries also breaks major rights of freedom and art. 6 of the Law of the Religions. All this reminds the Muslim denomination of the restrictions imposed during the communist regime in the past. At the same time, we would like you to take into account that these changes refer to other religions apart from Islam.

Another proposal for amendments is prohibition to use loud speakers (***Amendment to the Law of the Religions – prohibition to use loud speakers: No. 654-01-99 submitted on 28th July 2016 by the Coalition Patriotichen Front /Patriotic Front***)

The draft act has been proposed because of nationalistic motives aiming to restrict the freedom of religion of the Muslim community in Bulgaria. According to the proposal submitted to the National Assembly the loud speakers on mosques threaten national security.

We should remind you that there are restrictions on the decibels of the loud speakers set in the current valid laws; the Muslim community strictly observes these rules. Further, officers from Sofia Municipality regularly measure the level of noise from the loud speakers to check if the legal provisions are observed.

With reference to that again I would like to give an example. During Holy days and Friday prayers the mosque in Sofia cannot house the visitors and people are forced to deliver their prayers outdoors, on the street. In such cases the loud speakers are most needed because the worshippers who sit outside can hear the liturgy only if loud speakers are used.

Furthermore, the Nationalists in the Parliament offered a law to ban the burqa for women (***Law draft to ban the dress covering the face – No.654-01-58, proposed on 24 April 2016 by the Coalition Patriotichen Front /Patriotic Front. Adopted on first reading at the plenary session on 15 June 2016***)

The politicians make public comments on banning the burqa in all public spaces. These are mostly politicians from the extreme-nationalist party. According to the members of the party there should not be any religious symbols, they should be removed and

banned, including the burqa, beard and other symbols. This view is also shared by the Prosecutor General.

The main reasons for these measures is that those women who wear burqas, and men who wear beards are dangerous and viewed as symbols of extremism and terrorism. Reasoning says that this will prevent trampling on the principles of democracy, gender equality and humanism.

Article 1 of the draft says that the law regulates the fully and partial hiding the face of the people in the country. And article 2 explains what is fully and partial coverage. According to the text partial cover is the use of a veil or cloth to close the greater part of the head or face, including hair, ears and more, whatever the name of the dress. This is good evidence that the bill is not to ban the burqa, but to ban of the headscarf, veil and clothing of Muslim women as a whole. This is a clear Islamophobic act and violation of fundamental freedoms.

It is to be stressed that there is no burqa tradition in Bulgaria. While the proposed ban, if passed, would affect only a very small number of women, it would force them to make an unenviable choice: Obey the law and deny their faith; Obey their faith and risk criminal charges; Stay at home and become isolated from the community. Moreover, such a prohibition is undertaken by a number of municipalities in the country.

Rather than encouraging tolerance, pluralism and respect, a ban on the burqa simply removes the face veil from the public. Previously, studies conducted in some Western European countries point to an increase in intolerance, even violence, towards women wearing face veils after the introduction of the ban in those countries.

I must emphasize that the Office of the Grand Mufti and the Muslim community in Bulgaria do not support the burqa. But at the same time we do not support prohibitions that limit the freedom of choice of individuals, which are undermining the principles of democracy, individual rights, and humanism.

Our society is tolerant and open-minded enough for a diverse range of religious beliefs and practices, which includes wearing the headscarf, burqa, niqab or face veil etc.

Such a ban is a clear discrimination against a small part of society, which members, including many old women and grandmothers, made their democratic choice. It is also important to emphasize that the tradition of covering the head (fully or partly) with a veil and cover is not something new in the country, but a long standing tradition – they have always dressed this way. This prohibition would mean a forcible change of something traditional for them.

We presume it would also pave the way for other bans, as openly banning headscarves and other religious freedoms that we already see with the draft laws and amendments to the laws. In this connection, it should be recalled that the danger is not what is on the head, but inside it.

Amendments to the Penal Code No.654-01-54, proposed on 7 April 2016 by the Coalition Patriotichen Front / Patriotic Front. Adopted on first reading at the plenary session on 23 June 20164

On 23rd June the Parliament adopted by a large majority at first reading the amendments to the Penal Code despite the reservations of the Muslim community and human rights activists. The expression of "radical islam" was added to the paragraph 1, section 31, article 91 and paragraph 2, article 108. In motives of the proposers it is written that terrorism is because of radical Islam. The word "Islam" equates with

ideologies like fascism and antidemokratizm. The religion must be separated by ideologies as a whole.

The Muslim community in Bulgaria is against all kinds of terrorism and radicalism and generally supports such a law and codes. It is necessary for the security and protection of the whole society. But at the same time it offends the feelings of Muslims. It is islamophobic and not acceptable. Thus these amendments allow the abuse of human rights and religious freedoms and open doors for arbitrariness and violation of human rights.

We think that it is wrong to copy other countries, where the situation is quite different, as members of the Nationalists in the Parliament say that such amendment is necessary, because most countries began to make similar laws after being attacked by terrorism. We must take into account the situation and realities in our country before offering any law drafts. Here I would like to add that radicalism and terrorism have no connection with Islam and are alien concepts to our Muslims.

In regard to the proposal for amendments to the above-mentioned laws, the Muslim denomination in Bulgaria has held lots of meetings with the representatives of different political parties at the National Assembly. Despite this all the amendments were accepted by the commissions and some of them were passed at the first reading at the session of the Parliament.

International law recognizes that freedom of conscience and religion belongs to the essential core of natural rights which positive law can never legitimately deny. The acceptance of the religious freedom of other persons and groups is the cornerstone of dialogue and cooperation and guarantee of all other freedoms. If freedom of religion is not respected, inevitably many other freedoms will be eroded as well.

Today, the threat of radicalism and terrorism has been accompanied by a rising tide of suspicion and intolerance directed at Muslim communities. Such prejudices and stereotypes must be dispelled. In the current climate of fear and insecurity, it's crucial for officials, media, political and community leaders to use appropriate language both in the national and international arena to prevent the spread of Islamophobia and play in speaking out against islamophobia and religious discrimination and promoting the principles of multiculturalism.

In this regard, terrorism should not be associated with any religion, ethnic group and ideology and the values and delicate matters of faith groups. This will pave the way to national and international stability, peace, security and the rule of law.

To foster a human rights culture we need education, political and community leadership and legislative action. We need to engage – through education, through political debate, through community dialogue – in a national conversation about protecting human rights.

I'd like to stress once again that Muslims in Bulgaria are not strangers, but are local and they love their country and they have always been loyal citizens and genuine patriots. In our country there has been good coexistence between different religious and ethnic groups for centuries. There has never yet been a case of conflict between them, even in the hardest of times in the past. It has been like that for hundreds of years and it will be like that in the future. Let's make sense to the notorious tolerance of ethnic and religious co-existence with which we love to boast.

I would like to highlight once again that the Muslim community in Bulgaria supports similar laws for the benefit of society and the whole country. But we cannot agree with texts that undermine the dignity of the community and discriminate against one group to draw political dividends. Therefore the aforementioned proposals for adoption of law

drafts and amendments to the laws are not patriotic, on the contrary, their target is to kindle feud among the different religions in the country, to wreak havoc and generate fear psychosis among the public. All those are so Islamophobic and dangerous for democracy, stability and the future of the country.

WAQF properties (charitable foundations)

The issue of **restitution of the communal properties of the Muslim community** in Bulgaria is one of the most important issues which remain unsolved after the democratic changes. The Muslim community is the only among the others in the country that failed to regain their inheritance, despite the changes in the legislation after the totalitarian regime. The reasons are mainly legal and administrative obstacles. These properties include buildings, schools, social centers, mosques and farmlands, demised for centuries in favor of all Muslims in Bulgaria but nationalized and expropriated during the different regimes in the country.

In the beginning of the democratic changes in 1990, the Muslim community gained rights for restitution of their community properties by laws, which were nationalized during the Totalitarian rule. However, most of the properties today cannot be returned due to a number of administrative and legal obstacles.

Numerous properties which belonged to the Muslim denomination have been destroyed by means of the "Act on the Territory Arrangement of Settlements" and new buildings have been erected in their places for which we cannot claim. Yet there are lots of properties that exist and it is known that the Muslim community is the owner of the properties but for which it could not receive notary deeds for ownership. Many of the properties were destroyed and obliterated with the Territory Arrangement Act and new properties were built up in their places which we could not claim for. Most of the properties, mainly mosques, buildings and land, are owned by central and local governments and have been declared as National monuments of culture, and transferred to the regional governments. This is why the Muslim community has a number of obstacles in repairing this historical heritage.

The central and local governments neglect the maintenance of the buildings or just do not have funds for this. Most of them go to ruin. Apparently if they are not repaired in a short time, most of them will disappear or survive as totally different type of buildings, as some local governments started a project in which the mosques are converted into museums or municipality administration buildings.

The Bulgarian local authorities carried out such discriminative and Islamophobic acts against Muslim shrines in some municipalities in the country. This strongly biased attitude of intimidation and harassment displayed by various representatives of the local authorities towards Muslim holy sites, contradicts the democratic principles of our country, violates freedom of conscience and religion, and democratic human rights, while harming and causing grave concern for the Muslim community. The multiplication of similar cases in different locations with a single object of damage, namely mosques, deeply offends the Muslims in Bulgaria. The constantly occurring desecration of our temples and the attempts to change their function is a clear sign of an anti-democratic, Islamophobic and irrational management approach, which overlaps with the habits in the feudal system.

Recent studies ascertained over 3000 communal properties (mosques, schools, office buildings, agricultural land, etc.), most of which have no notarial acts in the registers. Even mosques' ownership is not provable for the lack of legal documents. So there were ongoing cases of restitution only for 28 properties, mainly mosques, until the lawsuits were stopped by judicial authorities due to another reason, namely because of the question of who is the heir of these properties?

Another issue of serious concern is with the mosque in Sofia, where the things seem dire. Over the years Sofia Municipality has made no sense as a municipal policy to co-operate and facilitate the Muslim community in Sofia regarding their religious duties and rituals, on the contrary the municipality has pursued a discriminative policy and using administrative sanctions against the Grand Mufti's Office. Around 70,000 Muslims currently live in Sofia, who have only one mosque built several centuries ago. Construction of a second religious temple is not permitted by the municipality, although the Muslim community has ground plot for years. It is known that the only available one in the capital city is not enough to house the flow of worshippers. It has a seating capacity of 500-600 people. However, on Fridays more than 700 worshippers enter the mosque and around 250-300 people remain outside. The situation is most striking during both Eids. Every time early in the morning about 2500-3000 Muslim men congregate and unsuccessfully try to hear the sermons, to pray and perform the prayer together with those who are inside for nearly 2 hours. During the winter season or when the weather is very hot and sometimes rainy, visitors often return without having performed their prayers. The mosque is visited by ambassadors, representatives and employees of foreign diplomatic missions who often have to pray outside in the street and we cannot provide them with the necessary comfort and sufficient protection. I believe that these facts which can be checked every Friday are quite eloquent and should be considered whenever the topic for a second mosque is debated. A wellknown fact is that in May 2011 congregation were a target for assault by the far right political party. One of the reasons was the prayer outside of the mosque. Thus far the Muslim community has not received clear and adequate answers so as to justify preventing the construction of the second mosque in the city. It would take an act of congress to talk over the projects of essential with the local administration regarding the Muslim community in the city. Currently a significant part of Muslims pray in temporary shelters in the capital.

Similar is the case with the **permission for administrative and educational center** for the Higher Institute for Islamic Studies in Sofia. This project dates back to 2000 but it has not started yet. It was widely discussed and criticized by statesmen, politicians, media and part of the Bulgarian public which influenced the publicity negatively and caused serious tension on ethnic and religious basis. Many obstacles occurred since we intended the construction of the project. The problems are connected with the construction permit, changing the plans, documentation etc. However, there is no reasonable answer up to the present.

Nevertheless, there are good practices in relations between the Office of the Grand Mufti (Muslim community) and the government. The relationship of the Muslim denomination has always been at a good level in recent years. As an example - a number of mosques of historical value were repaired by the state in the person of the Directorate of Religious Affairs at the Council of Ministers in recent years.

With regard to the stated above our recommendations to the Bulgarian authorities are:

1. We appeal to the Members of Parliament of the Republic of Bulgaria to vote in accordance with their conscience and not to allow the rights of a portion of citizens to be disrespected; in this way they can guarantee the freedom of religion and conscience. To respect human rights and religious freedoms when adopting laws and amendments, which are guaranteed by international treaties and the Constitution;
2. We urge the Constitutional Court to review the decision of parliament about the above mentioned laws and amendments. To observe the constitutional rights of the citizens and to defend democracy and fundamental freedoms in Bulgaria;

3. Take effective measures, including the adoption, in conformity with the constitution and international obligations of Bulgaria, of such laws which can be necessary to provide protection against any acts that constitute incitement to hatred and violation of fundamental rights;
4. If necessary the matter of law drafts and amendments to be referred to the Venice Commission, Council of Europe;
5. Ensure that public officials at all levels, including ministers and politicians, refrain from making statements that incite violence and discrimination;
6. Develop codes of conduct for political representatives to condemn unequivocally all manifestations of hate in public discourse and acts of violence based on bias and refrain from making discriminatory statements;
7. Launch public awareness activities disassociating terrorism and violent extremism with Muslims and Islam;
8. Develop comprehensive education policies and awareness raising strategies to combat discrimination and promote tolerance and mutual understanding. Education must be the essential central plank to every strategy. Overcoming prejudice requires education, community engagement and dialogue;
9. Discriminatory attitudes are often deeply embedded and hard to shake. Overcoming prejudice requires education, community engagement and dialogue, leadership and, laws and policies which reflect – and promote – the principle of non-discrimination.

Recommendations to ODIHR/OSCE:

- The Office of Democratic Institutions and Human Rights/OSCE to monitor the irregularities in the above proposals for amendments to the laws and their voting in the Parliament hall.
- If necessary the matter of law drafts and amendments to be referred to the Venice Commission, Council of Europe;
- Design guidelines and compile examples of good practices to combat manifestations of Islamophobia in political discourse, including the media and political speech;
- Support civil society in monitoring, reporting on and countering discriminatory speech in the media including on the Internet, in particular through monitoring and reporting of Islamophobic speech;
- ODIHR to observe closely the process of combating intolerance and discrimination against Muslims, as well as the Freedom of Religion of Muslim minorities in non-Muslim countries;
- OSCE Ministerial Council to adopt a decision according to which Islamophobia should be a specific form of racism and recognize officially and condemn it. The OSCE to agree on a roadmap to ensure that participating states adopt national strategies to combat Islamophobia in areas such as employment, education, health, hate crime, criminal justice and legislation etc.

Bulgarian town bans women from wearing full-face

Local government of Pazardzhik adopts measure to fine those from the Muslim minority who defy the ban.

Aljazeera (27.04.2016) - <http://bit.ly/245ERry> - The central Bulgarian town of Pazardzhik has banned the wearing of full-face veils in public in a move the local government said would prevent tension among communities and boost security.

The ban introduced on Wednesday, the first of its kind in the Balkan country, was backed from politicians across the political spectrum in the town of some 70,000 people, where wearing full-face veils had become common among some women from the Muslim Roma minority.

"I am tired to hear that Pazardzhik is the town of the burqas. We want to say aloud that we are not that, but a town of responsible people and we will be associated with other achievements," Mayor Todor Popov told national radio.

Muslims make up about 12 percent of Bulgaria's 7.2 million population and most belong to a centuries-old community, largely ethnic Turks, among whom full-face veils are not common.

Popov said fines would be imposed on anyone who defies the ban, which police said was needed because the veils, which cover all but the eyes, hampered quick identification.

Part of the Roma minority practises a conservative form of Islam and its women have started wearing full-face veils in recent years, angering nationalists.

Many Bulgarians are concerned that the refugee inflows into Europe may pose a threat to their predominantly Orthodox Christian culture and help radicalise part of the country's long-established Muslim minority.

ISIL trial

In February, 13 men - most from Pazardzhik's Roma minority - went on trial charged with helping people join the Islamic State of Iraq and the Levant (ISIL, also known as ISIS) group in Syria, propagating an extremist ideology and inciting to war.

Earlier this month, the nationalist Patriotic Front coalition, which backs the government, proposed a nationwide ban on full-face veils, arguing that such clothing was not typical for Bulgarian Muslims.

The nationalists argued that such veils presented a national security risk and the issue had grown in importance following the violent Islamist attacks in Paris and Brussels.
