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**The rise of nationalisms in Bulgaria**

**and their impact on religious freedom**

***Some reflections about the interactions between national identity, nationalism, state and society, and non-mainline religions or belief communities***

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Nationalism is a concept about which scholars have expressed divergent and even conflicting opinions and have failed to reach a consensus on its definition. Nationalism is often connotated negatively when it is related to conflicts and various forms of social hostility but it can also be a constructive driving force in a collective identity-building process in other contexts.

Nationalism is a complex phenomenon. Many scholarsargue that there is more than one type of nationalism and that the word should be used in the plural instead of the singular as each form of nationalism is different, has its own ingredients and manifests itself in different ways.

Nationalism is often closely linked to national, ethnic or religious identity.

The intensity of the focus on religious identity, when professed by the State and its institutions, can lead to some sort of “soft nationalism” which disregards diversity, otherness and inclusiveness, and sidelines but does not advocate or uses violence against specific religious groups or their members. However, after a certain threshold, the intensity of the national identity professed by the State can lead to “aggressive nationalism”. Nevertheless, in both contexts, soft or aggressive, nationalist, political, cultural and social movements can be at work and lead to intolerance, hostility and acts of violence against persons and communal institutions or buildings.

Nationalism in Bulgaria which is incarnated by extreme-right political parties but also by Orthodox movements permeates other political parties and the whole society. This has led to the politicization of religion and the converse influence of the majority religion on politics. The influence of the Bulgarian Orthodox Church supported by a majority of the population easily leads to political activism and action, reinforcing its position and its own values in society but also disregarding the specific needs of religious minorities.

My reflections will focus on the current negative impact of nationalism and nationalist movements on the life of non-mainline religious communities and their members in Bulgaria. They will cover the following issues:

* Nationalist and aggressive political forces behind the hostility towards non-Orthodox communities
* Religious freedom in Bulgaria: Constitutional and legislative framework
* The fight against discriminatory amendments to the Religious Denominations Act
* Social hostility against two religious communities: Muslims and Jehovah’s Witnesses.

**Nationalist and aggressive forces behind the hostility towards non-Orthodox communities**

The **UNITED PATRIOTS** is a nationalist electoral alliance formed in August 2014 by three political parties: the Bulgarian National Party (VMRO), the National Front for the Salvation of (NFSB) and ATTAKA. The coalition is part of the current government in Bulgaria. On 9 May 2018, they submitted a draft law meant to restrict the rights of non-Orthodox religions.

**VMRO (Internal Macedonian Revolutionary Organisation)** was a revolutionary national liberation movement in the Ottoman territories in Europe, that operated in the late 19th and early 20th centuries. Its DNA is anti-Ottoman and therefore anti-Muslim. It was banned under Communism but was re-established as a right-wing political party in the 1990s.

**NFSB (National Front for the Salvation of Bulgaria)** is a nationalist party that was established on 17 May 2011 in Burgas. The party was a member of the Europe of Freedom and Democracy (EFD) group during the 7th European Parliament legislature.

**ATTAKA** asserts it is "neither left nor right, but Bulgarian”. It is considered ultranationalist, racist, anti-Semitic, anti-Roma, anti-Muslim and anti-Turkish. It is closely tied with the Bulgarian Orthodox Church.

These are the main nationalist forces which threaten non-Orthodox minorities.

**Religious freedom in Bulgaria: The constitutional and legal framework**

The constitution of Bulgaria[[1]](#endnote-1) upholds freedom of religion or belief in Articles 13 and 37, which establish protections for all religions, recognises Eastern Orthodox Christianity as the “traditional religion” of the country and bans the use of religion for violent or political ends.

The main law regulating freedom of religion or belief is the Religious Denominations Act (2002), which provides measures for the legal recognition of religious denominations and communities. Registration is required for all groups if they want to engage in public worship. However, the Bulgarian Orthodox Church, whose status as the traditional Church of Bulgaria, is exempted from registration.[[2]](#endnote-2) There are currently 156 registered religious groups.[[3]](#endnote-3)

In the last few years, there have been attempts by far-right nationalist political parties to reduce the rights of non-Orthodox communities.

**The fight against discriminatory amendments**

**to the Religious Denominations Act**

In May 2018, the three largest political parties in Bulgaria filed a proposed law that could have been used to hinder the religious activity of religious minorities.

On 11 October 2018, the lawmakers approved on first reading changes to the Religious Denominations Act. In large part, the amendments to the law began as an attempt, among other things, to stem any influence of preachers of radical Islam in Bulgaria. The initial version of the law thus provided for several restrictions regarding funding of religious groups from abroad and participation of foreign clergy in religious rituals in Bulgaria. However, the amendments were also to significantly restrain the rights of minority faith groups, hampering theological schools, clergy training, missionary activity and free worship outside of designated buildings. One of the highly contentious clauses insisted on a denomination having to have at least 300 members in order to apply for official registration. Later on, the required membership for official registration as a religious group was even raised to 3000!

The original intent of the lawmakers was to limit the right to open religious schools, to train denominational ministers, and to exclude from State subsidies communities gathering less than 1% of the population. Such a restriction would have discriminated against the Catholic Church (0.7%), the Protestant denominations (0.9% all together) and the Jewish community (700 members only). In fact, only the Orthodox Christians (60%) and Muslims (8%) represent more than 1% of believers.

Whereas the bill was originally supposed to fight radical Islam, its first draft would have paradoxically given more rights to this religion than to Catholics, Protestants and Jews.

The objective was also clearly to strangle non-Orthodox movements by law.

OSCE, US and EU institutions expressed serious concerns about the draft law.

***National and international protests***

Because these restrictions were written as of general application, this led to objections by other faith groups that would have been affected. Several faith groups also underlined that it was not appropriate to try to address a national security issue by rewriting the Religious Denominations Act.

Under such a threat, non-Orthodox believers of various faiths in Bulgaria united and organized peaceful and silent marches and protests, carrying Bulgarian flags, in front of the Parliament in Sofia and in many towns around the country since the initial proposed bill was tabled.

Statements of disagreement with the new legislation were also published by the World Evangelical Alliance (WEA), the European Evangelical Alliance (EEA), the World Methodist Council (WMC), the European Methodist Council (EMC), the Pentecostal European Fellowship (PEF), the Baptist World Alliance (BWA), the European Baptist Federation (EBF), and the Conference of European Churches (CEC).

***The parliamentary debates***

On 21 December 2018, Bulgaria’s National Assembly approved the second and final reading of amendments to the Religious Denominations Act that had been the subject of controversy since the first reading on 11 October.

The version approved by Bulgaria’s Parliament on 21 December envisages state subsidies

* for denominations of more than one per cent of the population, with a total subsidy of up to 15 million leva (about 7.5 million euro)
* for officially registered religious denominations on the basis of how many citizens declared themselves to be an adherent of that denomination in the most recent census, at 10 leva per person,

This means that state subsidies for the Bulgarian Orthodox Church and for Bulgaria’s Muslims are guaranteed by the law as approved on 21 December, though at the discretion of the government and Parliament, subsidies may be voted for other faiths.

The amendments provide that where a state subsidy is used to pay clergy and employees of religious institutions, their salaries may not exceed the average monthly salary of a teacher.

Informal calculations showed that the Bulgarian Orthodox Church would get 15 million leva, while the Muslim community would get 6 million leva.

The law also requires faith groups to submit annually to the Cabinet’s Directorate of Religious Denominations a list of houses of worship used for services, which the directorate will compile in a public register.

***Rejected amendments of the United Patriots***

The United Patriots, the coalition of nationalist and far-right parties that is the minority partner in government, walked out in protest against the rejection of their stricter rules over funding and property, and the defeat of other provisions they wanted, such as the ban on foreign funding.

To their chagrin, a proposal to allow a religious denomination to formally register only if it has a minimum 300 Bulgarian citizens as members was voted down. A proposal setting the number at 3000 also was rejected.

Another proposal to compel all religious denominations to fly the Bulgarian national flag outside their houses of worship also was rejected.

***Reaction of the extreme-right nationalist parties***

Yulian Angelov, an MP for the nationalist VMRO, objected to the funding formula approved, said that the law was an “insult” to the church and was “subversive and anti-Bulgarian.”

Iskren Vesselinov of the United Patriots explained to reporters the group’s objections to the final form of the law, saying that it had wanted to provide a formula for state funding while banning foreign funding. “Now we are giving millions, and at the same time taking from Turkey, to whom these people will be loyal,” he said, in an apparent reference to the country’s Muslim minority, many of whom are of Bulgarian Turkish ethnicity.

Against a background of years of complaints from Bulgarian nationalists against mosques using loudspeakers to relay the call to prayer, the parliament adopted amendments banning religious groups from using loudspeakers and other such sound devices, unless for major religious holidays and celebrations.

***Conclusions***

Thanks to the mobilization of national and international faith communities and human rights institutions, the main provisions violating freedom of religion were removed from the draft law voted on by the National Assembly of Bulgaria on 21 December 2018. This was a great victory for religious freedom in a member state of the European Union and a lesson for the future.

**Social hostility towards Muslims: The case Karaahmed v. Bulgaria at the European Court in Strasbourg**

A case filed with the European Court in Strasbourg clearly illustrates the role played by a far-right nationalist political party in the attack on a mosque in Sofia as well as the passivity of the police and the judiciary.

In March 2015, the European Court of Human Rights ruled that Bulgaria violated the right to religious freedom of Muslims and failed to properly investigate a clash between supporters of a far-right party and Muslim worshippers at a mosque in Sofia.

The attack on a mosque in Sofia by a Bulgarian far-right party in 2011, which authorities failed to prevent, resulted in a violation of article 9 (freedom of thought, conscience and religion), the European Court of Human Rights ruled in the case Karaahmed v. Bulgaria.

The court held the State responsible for its failure to protect the applicant, Veli Karaahmed, and other worshippers from stones and metal pipes thrown by demonstrators, and also criticized authorities’ inadequate—and incomplete—investigation into the attack.

### *The attack*

Attaka, a nationalist party in Bulgaria, began a campaign in 2006 against what it called the "howling" emanating from the loudspeakers of the Banya Bashi Mosque in Sofia. In May 2011, party supporters mounted loudspeakers on a car and circled close to the mosque, playing recordings of church bells and Christian chants during the regular Friday prayer that was taking place at the time.

During the next Friday prayer, Attaka organized a protest next to the mosque, which had been authorized by the mayor. Around 150 Attaka members and supporters, including party leader Volen Siderov and other high-ranking officials, gathered directly in front of the mosque near many worshippers.

Waving flags and banners with nationalist slogans, protesters shouted racist insults, including "filthy terrorists," "scum" and "Turkish stooges." One of the participants slowly cut a Turkish fez with a pocketknife while saying, "Can you hear me? We shall now show you what will happen to each one of you!"

The police allowed the demonstration to continue even after protesters began hurling stones, wooden flagpoles and metal piping at the worshippers, and even set fire to prayer rugs. Only after this violence was underway did officers intervene, and five Muslims, five policemen and one Attaka MP were injured in the clash, which was widely reported on and filmed by numerous media outlets.

### *The ECtHR ruling*

The ECHR ruled that the applicant, together with his fellow worshippers, was the victim of an infringement of his freedom to practice his religion, and this was a result of Attaka demonstrators’ actions, which the authorities failed to prevent. No fair balance was struck between the demonstrators’ rights and the rights of the applicant and other worshippers.

In the court’s view, given the racist views of Attaka on Islam and Muslims, it should have been clear to the domestic authorities what kind of demonstration could coincide with Friday prayers at the mosque. However, no concrete preventive steps to manage the situation were taken until after the demonstration had begun.

Obviously, the objective of this demonstration was not only about the loudspeaker volume of the Friday call to prayer. The demonstrators, mostly wearing black, voiced slogans that made plain their views of both ethnic Turks and Muslims living in Bulgaria. Attaka’s actions were not designed to express discontent at noise levels or even to express opposition to Islam but were clearly calculated to cause disruption to worshippers and to provoke violence.

The inadequacy of the authorities’ actions continued after the attack. The investigation into alleged preaching of religious hatred, opened on May 25, 2011, still has yet to be completed nearly four years after the event. It is also extremely troubling that no progress has been made in identifying and charging those responsible for throwing objects and setting fire to prayers rugs, even though these individuals can be clearly seen on video recordings.

Finally, with the exception of one Attaka official, none of the individuals who took a leading role in the demonstration that day has been interviewed. The immunity of MPs does not prevent them from being questioned. Therefore, the investigation was an ineffective response to what happened.

The Court of Human Rights awarded the applicant 3,000 euros for non-pecuniary damages.

***Conclusion:*** This decision sent by the European Court is a strong warning sent to the Bulgarian authorities.

**Social hostility towards Jehovah’s Witnesses**

Political and social hostility, stigmatizing campaigns by some media as well as police passivity are the main drivers behind aggressions targeting people who belong to a non-Orthodox community such as Jehovah’s Witnesses. A few examples:

***Incidents***

*Incident 1*

On 1 July 2018, in Nova Zagora,two Jehovah’s Witnesses, Tatyana Borisova Aleksandrova and Maria Isabel de la Mata Palomino de Lopez, were walking down the street when a young man assaulted and punched them. Both of the women were bruised and distressed after the incident. Two days later,they filed a complaint with the police and supplied the address of the attacker as he had already attacked them the day before. There was no prosecution.

*Incident 2*

On 6 October 2017, in Purvomaytsi,two Jehovah’s Witnesses, Yaroslav Pavelski and Stefka Jelyazkova Petrova, were walking in the village after visiting friends who had invited them to return to discuss the Bible. The mayor, Yasen Stefanov Yankov, drew up alongside them in his chauffeur-driven car, angrily shouted at them and told them they had no right to walk around in his village. Ms Petrova calmly stated that since she was a resident of the village, she did have a right to use the pavements. He responded: “You have absolutely no rights! Get out of here!” After shouting more abuses at them, the mayor drove off.

*Incident 3*

On 23 December 2017, in Vratsa,three Witnesses, Mr Tasho Tashev, Ms Krasa Tasheva and Mr Yuha Hyvenen, were standing by a cart displaying Bible literature in the city centre, Macedonia Square. Two men, Momchil Yankov and Martin Ivanov, approached the Witnesses and began mocking them. One of the Witnesses filmed the escalating situation on her mobile phone and informed the men that they were being recorded. The men shouted threats of violence, used abusive language and made false allegations against the Witnesses.

When police officers arrived, they told the Witnesses that they were violating a by-law of the Vratsa Municipality and they had to cease their activity. They also demanded to see written permission from the municipality. The officers refused to provide a warning protocol that would have explained the grounds for demanding that the Witnesses leave.

The Witnesses lodged a complaint against Mr Yankov and Mr Ivanov with the local police. It appeared that the perpetrators were associated with VMRO, a political party that actively fights against Jehovah’s Witnesses.

*Incident 4*

There were at least five libelous articles from online newspapers that maligned Jehovah’s Witnesses. One negative article, written by Petya Petrova and posted on 18 May 2018 (https://www.struma. com/), also gave the address of the building the Witnesses rented for their meetings. Soon after, vandals smashed the windows of the building, causing the owner to cancel his rental contract with the Witnesses. A follow-up article in the same online paper claimed that the owner evicted the Witnesses.

*Incident 5*

On 4 June 2016, Nikolai Stoyanov was standing by a small literature display stand on a public street in Burgas, offering free religious publications of Jehovah’s Witnesses to passersby. When police came by at about 7:00 p.m., they charged Nikolai with violating a municipal ordinance and fined him 50 leva ($27 U.S.). He was one of five Witnesses in Burgas who were charged and fined during May and June for their peaceful religious activity.

***Legal battles against city councils for the right to share one’s religious beliefs in the public space***

Nikolai Stoyanov and the four other Witnesses appealed the criminal decrees and fines. In decisions of October and November 2016, the Burgas Regional Court vindicated Nikolai and the other Witnesses and canceled their fines.

In the meantime, Jehovah’s Witnesses challenged the constitutionality of the ordinance in Burgas. On October 12, 2016, the Burgas Administrative Court determined that the ordinance that purported to restrict the Witnesses’ religious activity violated Bulgaria’s constitutional guarantees and its international commitments to religious freedom.

The Burgas City Council was already aware that the restrictive provisions of the Ordinance for Preservation of Public Order violated constitutional rights. In 2013, a nationalist political party had proposed amendments, alleging that some people in the community were complaining about the Witnesses’ religious activity. The district governor reviewed the ordinance and concluded that the amendments were discriminatory and issued an order declaring them unconstitutional. However, the next district governor revoked the order, and the city council passed the amendments. The Ombudsman warned the city council that the new regulations were unlawful, but they remained in effect until the Burgas Regional Court invalidated them.

Similar cases occurred in Kyustendil, where the city council also knowingly adopted amendments to an ordinance that restricted religious freedom and then directed municipal police to enforce those amendments. The Kyustendil Administrative Court overturned six criminal decrees and fines of up to 800 leva ($439 U.S.) imposed on Witnesses for allegedly illegal religious activity, stating in one of its decisions: “The Applicant is held liable for an act that 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].”

On June 24, 2016, the same court granted an application filed by local Witnesses and declared the amendments made to the ordinance to be unconstitutional. The Kyustendil City Council has appealed the decision to the Supreme Court.

By the time of this incident, at least 44 municipalities in Bulgaria had amended ordinances to restrict religious activity of registered religious organizations. When local authorities enforce the restrictive ordinances, the Witnesses face written warnings, citations, fines, threats, and even violence.

***Legal battles against hate speech and anti-religious violence***

In March 2019, the Supreme Court of Cassation of Bulgaria, the highest court of the land, issued favorable rulings in three cases involving Jehovah’s Witnesses.[[4]](#endnote-4)

Two of the cases involved slander from media outlets. In 2012, the newspaper Vseki Denpublished a libelous article about their beliefs. Similarly, in 2014, station SKAT TV televised false reports about their organization. In both instances, the media outlets denied Jehovah’s Witnesses’ requests to retract their negative statements. After a series of court cases and appeals, the issues reached the Supreme Court. On 18 March 2019, the Supreme Court ruled against SKAT TV. On 26 March, the Court used the ruling as a precedent to penalize Vseki Den,condemning what the Court characterized as the “hate speech.”

The third case involved the violent persecution of Jehovah’s Witnesses by the far-right nationalist political group VMRO-Bulgarian National Movement. On 17 April 2011, Jehovah’s Witnesses gathered to commemorate the Memorial of Jesus’ death. An aggressive mob of 60 people, organized by political leader Georgi Drakaliev of the VMRO, brutally attacked the meeting, inflicting injuries to some Jehovah’s Witnesses. The victims took the matter to the courts. The case eventually came before the Supreme Court. On 20 March 2019, the Court ruled against Mr. Drakaliev, who now must compensate the victims.

***Conclusions***

These court decisions should have a deterrent effect on far-right activists tempted by acts of violence against any religious minority and can now be used by Bulgarian Jehovah’s Witnesses as a basis to protect their right to religious freedom.

1. Bulgaria’s Constitution of 1991 with Amendments through 2007, constituteproject.org, <https://www.constituteproject.org/constitution/Bulgaria_2007.pdf?lang=en> (accessed 18th October 2019). [↑](#endnote-ref-1)
2. Religious Denominations Act’, (Durzhaven vestnik n.120/29.12.2002), Legirel, Centre national de la recherche scientifique, <http://www.legirel.cnrs.fr/spip.php?article540&lang=fr> (accessed 18th October 2019). [↑](#endnote-ref-2)
3. Bureau of Democracy, Human Rights and Labor, ‘Bulgaria’, International Religious Freedom Report for 2016, U.S. State Department, <https://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>, (accessed 19th October 2019). [↑](#endnote-ref-3)
4. <https://www.jw.org/en/news/jw/region/bulgaria/Supreme-Court-Victories-Protect-Religious-Freedom-for-Jehovahs-Witnesses-in-Bulgaria/> [↑](#endnote-ref-4)