

Religious Persecution in Bulgaria

Introduction

1. The European Centre for Law and Justice (ECLJ) is an international, non-governmental organisation dedicated to promoting and protecting human rights around the world. The ECLJ holds Special Consultative Status before the United Nations Economic and Social Council. The purpose of this report is to raise concerns regarding human rights violations in Bulgaria for the 2020 Universal Periodic Review (UPR).

Background

2. Article 13 of the Constitution of Bulgaria states that “[t]he practicing of any religion shall be unrestricted”. In addition, Bulgaria is a signatory to and has ratified the International Covenant on Civil and Political Rights (ICCPR), which also outlines protections for religious freedom. Eastern Orthodox is the largest religion within Bulgaria and it comprises approximately 76% of the population. The next largest religion is Islam, which makes up 10% of the population. Protestants make up only 1% of the population, and Roman Catholics make up .8%. Other religions such as Judaism, Jehovah’s Witnesses, and the Church of Latter Day Saints combine for only .2% of the population. The remaining portion of the population identify as unaffiliated¹.

3. During the previous UPR cycle, the Former Yugoslav Republic of Macedonia recommended that Bulgaria adhere to principles in Article 11 of European Convention of Human Rights, as well as protect the right for people to enjoy freedom of assembly². Bulgaria noted that it supports this measure. However in 2018, its parliament drafted rules that would severely restrict the right of people of minority religions to freely assemble, by denying legal registration based on membership quotas³.

Registration of Religious Organisations

4. All religious organisations, other than the constitutionally recognised Bulgarian Orthodox Church, are required to register with the government in order to operate lawfully within the country. Applicants seeking registration are required to submit detailed information including: religious beliefs, service practices, financial and property information, as well as a list of representatives⁴.

¹ BUREAU OF DEMOCRACY, H.R. AND LAB., U.S. DEP’T OF STATE, BULGARIA 2018 INTERNATIONAL RELIGIOUS FREEDOM REPORT (2018) [hereinafter BULGARIA REPORT].

² Working Group on the Universal Periodic Review, Geneva Switz., 4-15 May 2015, *National Report Submitted in Accordance with Paragraph 5 of the Annex to Human Rights Council Resolution 16/21 Libya*, A/HRC/WG.6/22/LBY/1.

³ *Bulgarian Evangelicals Alarm About Religion Law “Threatening Rights and Freedoms of Churches”*, EVANGELICAL FOCUS (9 Nov. 2018), http://evangelicalfocus.com/europe/3983/Bulgarian_evangelicals_alarm_about_religion_law_threatening_rights_and_freedoms_of_churches.

⁴ BULGARIA REPORT, *supra* note 1.

5. Registered organisations enjoy numerous benefits that are not afforded to non-registered groups. Groups that are not registered are prohibited from accessing public funding, owning property, operating schools, and publishing and distributing religious materials⁵.

6. The Bulgarian government clearly favors one religious organisation – the Bulgarian Orthodox Church – and restricts the religious activity of any organisations that fail to acquire legal registration. Even those groups that do register are limited in their religious activities. In 2018, this favoritism came even sharper into focus as the Bulgarian Parliament drafted legal amendments that would further prevent certain religious organisations from being able to obtain legal registration⁶.

Proposed Religious Restrictions

7. Since the last UPR cycle, the Bulgarian government threatened to take a giant step back in guaranteeing religious liberty for all of its citizens. As stated above, in 2018, the Bulgarian Parliament drafted changes to the 2002 Religious Denominations Act that would severely restrict religious freedom and provide increased governmental control over the country's minority religions⁷.

8. Under the 2018 proposed rules, only Bulgarian citizens would be permitted to carry out religious services, and only so long as they were trained in Bulgaria or received training from an approved foreign school⁸. Training members of the clergy as well as running religious schools would be restricted to only Eastern Orthodox and Muslim groups⁹. A foreigner would be permitted to conduct religious services only if they were accompanied by a Bulgarian ordained minister¹⁰. The changes would also establish a membership quota of 3,000, which would be a form of discrimination against minority religions¹¹.

9. These amendments directly contradicted the principles established in the 2002 Religious Denominations Act. Article 4 of the Act states:

Religious denominations shall be free and equal. Religious institutions shall be separate from the State.

State interference in the internal organisation of self-governed religious institutions shall not be permitted.

The State shall provide conditions for free and unhindered exercise of the rights of religion assisting with maintenance of tolerance and respect between the believers from the different religions and between believers and non-believers.

⁵ *Id.*

⁶ BULGARIA REPORT, *supra* note 1.

⁷ *Bulgarian Evangelicals Alarm About Religion Law*, *supra* note 3.

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Id.*

It shall not be permitted to discriminate on religious beliefs¹².

10. These proposed changes drew widespread criticism from leaders of all faiths, including leaders of the Eastern Orthodox Church¹³. The World Evangelical Association Secretary General and CEO, Bishop Efraim Tendero, stated:

The proposed law legalizes state interference in the affairs of religious communities, which invariably comes at the expense of religious freedom. At a time when governments worldwide face the challenge of strengthening freedoms while maintaining security, we call on Bulgaria and other democratic countries to lead by example and to strengthen the right to religious freedom rather than to weaken it¹⁴.

11. Due to the widespread backlash to these proposals, the Bulgarian Parliament voted to remove these extremely restrictive provisions¹⁵. However, the fact that this discriminating and restrictive proposal was even debated and up for consideration is deeply concerning.

Conclusion

12. We ask that Bulgaria uphold the principles established within Article 18 of the ICCPR, which states:

Everyone shall have the right to freedom of thought, conscience, and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching¹⁶.

13. We are encouraged that Bulgaria ultimately rejected the proposed restrictions, but concerned by the fact they were proposed in the first place. The failed restrictions highlight the problems that can come with such stringent registration requirements. One such problem of the government requiring detailed information on religious organisations is that the government can then tailor the law in order to discriminate against particular religions by imposing quota requirements, etc.

14. The ECLJ respectfully requests that Bulgaria work to reform its laws to ensure that members of all religions are able to freely practice their religion.

¹² Religious Denominations Act (2002) Art. 4 (Unofficial Translation).

¹³ *Bulgarian Evangelicals Alarm About Religion Law*, *supra* note 3.

¹⁴ *WEA Expresses Concern Over Bulgaria Draft Law Jeopardizing Religious Freedom*, WORLD EVANGELICAL ALLIANCE (8 Nov. 2018), <https://www.worldea.org/news/4905/wea-expresses-concern-over-bulgaria-draft-law-jeopardizing-religious-freedom>.

¹⁵ *Bulgarian Parliament Drops Most Restrictions in Religion Law*, BAPTIST STANDARD (21 Dec. 2018), <https://www.baptiststandard.com/news/world/bulgarian-parliament-drops-most-restrictions-in-religion-law/>.

¹⁶ International Covenant on Civil and Political Rights, Dec. 16, 1966, S. Treaty Doc. No. 95-20, 6 I.L.M. 368 (1967), 999 U.N.T.S. 171, art. 18.