

Delegation of the Republic of Bulgaria

Working Session 10

Freedom of thought, conscience, religion or believe

Written statement in the exercise of the right to reply to the Grand Mufti's Office in the Republic of Bulgaria

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In his statement on 1 October 2012 (doc. HDIM.NGO/0260/12) the representative of the Grand Mufti's Office in the Republic of Bulgaria referred to the legal proceedings in the Regional Court of Pazardzik city against 13 Bulgarian citizens.

The Delegation of the Republic of Bulgaria would like to stress that in a democratic society any comment on legal proceedings of an independent court of justice is unacceptable, moreover when the legal proceedings of the court are ongoing. In case when the court issues a decision the interested parties may refer to the mechanisms of appeal provided in the Law on Judicial Authority.

We reject the allegations that the legal proceedings are aimed at undermining the authority of the religious institutions of the Muslims and insulting the Muslim community in the Republic of Bulgaria. The charges were filed against individuals for committing specific actions stipulated in the Penal Code Article 108, paragraph 1 (propagating fascist or other anti-democratic ideology or forcible change of the social and state system), Article 109, paragraph 1 (forming or leading an organised criminal group having the goal of committing crime) and Article 164 (propagating hatred on religious grounds).

The Delegation of the Republic of Bulgaria rejects the allegation that the ongoing legal proceedings represent a restriction of the freedom of thought and the free exercise of religion. The freedoms of thought and religion are guaranteed by the Constitution of the Republic of Bulgaria and the related legislation. The Bulgarian citizens irrespective of their ethnic origin and religion have equal rights and enjoy the fundamental freedoms.

The religious denomination of the Muslims in the Republic of Bulgaria is registered with the court as a legal personality and nobody doubts or appeals this registration. The suggestion to amend the Religious Denominations Act and to recognize Islam as a traditional religion is an attempt to circumvent the judicial system and to involve the state in the settlement of a dispute related to the internal organization of a religious denomination which is separated from the state under the Constitution. Such action is contrary to the Constitution and a draft law proposed by the political party Movement for Rights and Freedoms has already been turned down by the National Assembly.

The Delegation of the Republic of Bulgaria rejects the allegations about the so called “information eclipse” regarding the legal proceedings in the Regional Court of Pazardzik city. In a democratic society the freedom of media and the freedom of religion are both fundamental freedoms and no one of them shall be restricted in favor of the other. The Bulgarian legislation provides effective legal remedies against publications and broadcasts which may be considered untrue or undermining the authority.

The statistical data shows that the Republic of Bulgaria has the largest number of mosques and Muslim houses of worship per capita among EU member States – more than 1 200. This is another proof that the Muslims in the Republic of Bulgaria enjoy their constitutional freedom of religion.