

Muslim Denomination in Bulgaria
(Office of the Grand Mufti in the Republic of Bulgaria)
Address: 27, Bratia Miladinovi str., 1301 Sofia/Bulgaria; tel: +359 2 9816001; fax: +359 2
9803058; web: www.grandmufti.bg

OSCE Human Dimension Implementation Meeting
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Written statement to:

Working session 13: Tolerance and non-discrimination II

Dear Chair,

Distinguished representatives

And esteemed NGO Delegates,

Bias incidents, intolerance and discrimination target individuals because of what they look like, how they worship, or who they love. They endanger our pursuit of freedom and opportunity. They erode, undermine, and attack the identity and heritage of the citizens. They dehumanize people, and they shake the foundations of our cultural and religious institutions.

Islamophobia and anti-Muslim hate is a reality in the lives of many Muslims in the Bulgaria. They continue to be a serious threat to the Muslim community and cause a feeling of insecurity among the Muslims. It is manifested primarily at the level of hate speech against Muslims and Islam, as well as bias motivated acts and discrimination.

However, the extent and manifestations of this reality are often unknown and undocumented, especially in official data sources, meaning that it can be difficult to analyze the situation and to establish solutions to it.

Recent years a number of bias motivated crimes and attitudes against Muslims were recorded. Almost all cases remain undisclosed and unpunished, with the exception of a few. One of the reasons is that victims of hate crimes are being denied justice by the failure of investigators and prosecutors to take discriminatory motives into account. Hate crimes are typically investigated as offences motivated by “hooliganism”, rather than crimes targeting victims on account of their protected characteristics, or it turns out that the perpetrators are usually mentally ill. Victims continue to have no confidence in law enforcement, police, prosecutors and the judiciary. In most cases, they are of the opinion that there will be no effective investigation and results to their benefit, as well as they refuse to file complaints for this very reason. The full extent of anti-Muslim hate crimes in Bulgaria and their impact on victims therefore remains largely hidden and unacknowledged.

The Muslim denomination has repeatedly shown its willingness to work with police and law enforcement agencies throughout the country to counter hatred, violate stereotypes and protect the civil rights of Bulgarian Muslims.

Another issue is the *restitution of the communal properties (waqfs) of the Muslim community* in Bulgaria, which is one of the most important issues, remained 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 issue of **constriction and getting permission for mosques** in some municipalities in the country is still current issue.

For example, about 5,000 Muslims live in the town of Stara Zagora. The existing mosque was returned into a museum years ago. Subsequently, a building plot was purchased. According to experts, there are no any legal obstacles to the construction of a prayer house, but the municipality does not issue a permit for its construction.

A similar problem is with the project in the residential district “Orlandovtsi” of the capital Sofia, where hundreds of Muslims live but they do not have a prayer house. And the municipality does not issue a permit. The case have been brought to the court, which is also keeping its silence on the matter.

In some municipalities in the country there is also a problem with **the azan – calling worshipers for prayer**. Although there are no legal obstacles, some municipal councils are trying to impose a ban for local Muslim communities. Such is the problem in “Nadejden” village, Harmanli municipality.

A recent example of hate incidents:

On July 4th, 2019 at 6:20 pm, the Head Office building of the Islamic community in Sofia has been the target of an Islamophobic attack by an unknown person who, in front of dozens of witnesses, broke the windows of the ground floor with a stone. His action was also captured by security cameras. Fortunately there were no injuries. After the attack, the person fled in an unknown direction. After being caught, the perpetrator is found to be mentally ill. Interesting is the fact that the same perpetrator attacks in the same way the building of a political party affiliated with Turks and Muslims in the country.

On July 1st 2019, the historical mosque “Kurshun mosque” in Karlovo town was an object of hate attack. The mosque walls vandalized with immoral writings and swastikas. The Local Muslim community insisted the case to be investigated as a hate crime.

On a positive note I should point out that,

Notwithstanding the many serious human rights violations, including discrimination on ethnic and religious grounds and religious freedom, many positive changes have taken place in recent years, including a number of important legislative and institutional reforms. In this respect, I would like to emphasize that the government is taking great care to promote tolerance and inter-religious co-existence in the country.

Despite the extremely Islamophobic sentiments and discriminatory intentions of some political parties in the course of the debate on a new Law on Religions in the country, the National Assembly of Bulgaria succeeded in passing a good Law, which is a great achievement in building trust between religious communities and the state. This deserves admiration for the Bulgarian government and the National Assembly.

Laudable is the fact that in January 2018 the Bulgarian Ministry of Foreign Affairs requested OSCE/ODIHR for a legal review of the provisions of the Criminal Code of Bulgaria, in its part referring to crimes motivated by prejudices, "speech of hatred" and discrimination.

There are good practices in relations between the Office of the Grand Mufti (Muslim community) and the government. 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.

Strategies to address intolerance and recommendations:

The first step in addressing Islamophobia, bias motivated crime and intolerance is to acknowledge the gravity of the problem. The harsh reality is that despite Bulgaria's image of itself as a fair and tolerant society, intolerant attitudes still infect public attitudes, law and policies.

The concept of human rights is based on a common recognition of the importance of fair treatment for all and the belief that people should be able to live free of violence, discrimination and abuse.

The fear of difference and its unknown potential has always had a corrosive effect on community relations in Bulgaria. Today, the threat of terrorism has been accompanied by a rising tide of suspicion and intolerance directed at Bulgaria's Muslim community. Indeed, in some pockets of public opinion there is a virulent strain of anti-Muslim prejudice fueled by the erroneous belief that all Muslims are, by their faith, terrorists or terrorist sympathizers, or "Fifth column" of another country. Such prejudices and stereotypes must be dispelled.

Overcoming mutual suspicions and stereotypes is key to increasing co-operation between law enforcement agencies and Muslim community, so as to help reduce their marginalization and to develop adequate strategies and policies to combat hate crimes motivated by intolerance against them.

Governments are primarily responsible for fighting hate crime through their criminal justice systems. As guardians of the rule of law and defenders of constitutional rights, prosecutors play an essential role in ensuring that fundamental rights are given meaning. The effective prosecution of hate crimes upholds and protects democratic values.

Intolerant and discriminatory attitudes are often deeply embedded and hard to shake. The political and community leaders have a vital role to play in speaking out against intolerance, discrimination 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 discrimination is never acceptable.

The Media also play a key role in creating prejudices and stereotypes in society. In many cases, they indirectly promote and incite intolerance and bias motivated acts. Consequently, the role of the media in helping to diffuse tensions should be encouraged.

Police officers are often the first specialists to arrive at the scene of a hate crime, and police agencies are in many cases the only government institutions capable of conducting an in-depth investigation of possible hate crimes.

Combating Islamophobia, anti-Muslim hate crime and discrimination in Bulgaria is a slow and difficult process. Addressing the rise in hate, bias and prejudice requires a clear understanding of where we have been and where we are today. We should carefully analyze data and statistic for past years, to place them in context, to discuss some of the possible reasons for the increase in bias incidents, and to strike a balance. Once we have acknowledged the problems, we start talking about how to fix them.

In the final analysis addressing discrimination is not just the responsibility of law makers, or indeed human rights organizations. Addressing intolerance and discrimination is everyone's responsibility. All of us must take responsibility for addressing them.

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

At a basic level we all need to have the courage to speak out against intolerance even when it's socially unpopular or politically unpalatable to do so. Because ultimately, it is only by addressing intolerance, discrimination and bias motivated acts than can we create a truly inclusive and respectful society.

Recommendations to the authorities:

1. Develop comprehensive education policies and awareness raising strategies to combat discrimination and promote tolerance and mutual understanding.

2. Governmental institutions to create and disseminate outreach materials so Law Enforcement agencies throughout the State can better engage with the citizens.
3. The authorities to organize an awareness-raising campaign promoting a positive image of and tolerance for ethnic and religious minorities including Muslims and Turks. Launch public awareness activities disassociating terrorism and violent extremism with Muslims and Islam.
4. Recruiting more law enforcement officials and experts with Muslim origin, who will dealing with hate crime and intolerance and facilitate the co-operation and communication between law enforcement and community;
5. The governments to make enough efforts to sensitize law enforcement officers about prejudices and stereotypes against Muslims, as well as awareness-raising activities on security problems of Muslim communities;
6. To resolve the case of Muslim communal properties without politicizing the issue.

Recommendations to ODIHR/OSCE:

- 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;
- 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;
- 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, justice and legislation etc.