

Annual Report on the Human Rights Situation of the Macedonian Minority in Bulgaria and the Rights of Bulgarian Citizens with a Macedonian Consciousness

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Introduction

The fundamental problems affecting the Macedonian minority in Bulgaria remain unchanged this year as well; namely:

- *Denial of the existence of a Macedonian minority;*
- *The failure to grant to Macedonians those rights specified in the European Framework Convention for the Protection of National Minorities;*
- *The refusal of the authorities to enter into dialogue with representatives of the Macedonian minority;*
- *The refusal to register Macedonian organizations;*
- *Hate speech directed against Macedonians;*
- *Absence of Legal Protection;*

Denial of the Existence of a Macedonian Minority, Nation and Identity

During 2016 the practice of denial of the existence of a Macedonian minority and nation was once again present on the Bulgarian political stage. On 25 October 2016 the candidate for President of the Reformist Block, Traycho Traykov stated that “there are no Macedonians, and all of them are Bulgarians.”¹ Such a statement is all the more symptomatic in as much as it was made by a candidate for President from one of the political formations considered to be amongst the most democratically-minded. This statement together with the lack of any sort of reaction from anyone in Bulgarian political circles shows how deeply ingrained the denial of the existence of a Macedonian minority and nation is amongst the Bulgarian political elite.

This year as well there was no representative of the Macedonian minority on the National Council for Cooperation on Ethnic and Integration Issues.

Hate Speech

Macedonians in Bulgaria are regularly subjected to hate speech and such speech does not elicit a response from the institutions of the state; society in general does not at all consider this to be a problem and neither is anyone sanctioned for it. On the contrary, it is accepted as something normal and is even praised.

The denial of the existence of a Macedonian nation and minority in and of itself represents hate speech, as apart from the fact that it denies fundamental rights such as the right to self-determination, it at the same time „explains away“ the consciousness of the Macedonians as something resulting from moral and personal immaturity and degradation and is expressed through negative stereotypes such as „traitors to the nation“, „national apostates“, „sell-outs“, “enemies of Bulgaria”, “illiterates”, “monsters” and similar expressions. The use of expressions and concepts such as “Macedonianism” and “Macedonists” are of the same nature and contain within them the denial of the existence of Macedonians as a nation and minority. They are used despite the categorical opposition of Macedonians to being described in such terms which they consider to be offensive.² Those that use such expressions always

¹ Ina Drumeva, „Трайчо Трайков: Сам човек не може да направи нищо“(Traycho Traykov: A person on his own cannot do anything”), <http://www.bitelevision.com/trajcho-trajkov-sam-chovek-ne-mozhe-da-napravish-to>

² Mihail Gruev, *Насилие и идентичност: Пиринска Македония в етнонационалните политики на комунистическия режим в България*, в: *Насилие, политика и памет, Комунистическият режим в Пиринска Македония – рефлексии на съвременника и изследователя*, София 2011, с. 45 (Violence and Identity: Pirin Macedonia in the Ethnonational Policies of the Communist Regime in Bulgaria, in: *Violence, Politics and Memory, The Communist Regime in Pirin Macedonia-Reflections of the Contemporary and the Investigator*, Sofia 2011, p. 45)

imbue such terms with a negative content and interpret “Macedonianism” (that is, Macedonian self-identification) as an anti-Bulgarian phenomenon.³

There are too many instances of hate speech in the media and on the Internet for all of them to be followed up on and described. Here are but a few:

- On 27 March 2016 an article was published on Frog.news in which Macedonian organizations in Bulgaria were called separatist and illegal and their very existence qualified as an example of “monstrous contemporary manifestations of Macedonianism in our country”. Macedonian activists were called servants of Serbia and the following claims made about them: “It has been known for quite a while that posing as a “Macedonian” in Bulgaria has become a profession and a lucrative one at that”.⁴

- In April 2016 a Facebook group was created by the Bulgarian nationalist Luchezar Kozhuharski which misuses the name of the party which defends the Macedonians in Bulgaria, namely OMO “Ilinden” PIRIN, and is devoted to mocking the Macedonians in Bulgaria. Apart from texts which are offensive and degrading of human dignity, the same page publishes offensive caricatures.⁵

- On 26 July 2016 an article appeared in the regional newspaper “Top Press” in which the Party, OMO “Ilinden” PIRIN was called an “Organization of Crazy Mosomishtanians” (after the name of the village Mosomishte). The text was written on the occasion of the rally organized to remember those that died during the Ilinden Rebellion of 1903. The article concluded with the words: “Everyone who feels crazy is welcome to attend the event”.⁶

- On 24 September 2016 the candidate for President of the Reformist Block, Traycho Traykov, attacked the Macedonian nation, describing it as “the poisonous fruit of the anational, anti-national policy of the Communist Party” and expressed the open wish and intention that this same nation be destroyed: “Maybe at some point the Bulgarians from Macedonia will return to the bosom of the Bulgarian nation, however before that happens we must allow the fans of the Stalinist Comintern and their contemporary offshoots to remain a negligible minority.”⁷ By the latter he meant people with a Macedonian consciousness who

³ Compare this with the statement of President Plevneliev in the speech he made when leaving his post on 20 January 2017: “Macedonia must enter the European Union, but not Macedonianism.” <https://news.bg/politics/plevneliev-zashtitavah-mira-atakuvaha-me-hora-na-ds-oligarsi-ruski-trolove.html>

⁴Frog:Македонски байряк веят в Община Сандански, (They are flying a Macedonian flag in Sandanski) 14 Mar2016, http://www.sandanski1.com/sandanski1.php?subaction=showfull&id=1457967517&archive=&start_from=&ucat=34, <https://www.facebook.com/groups/121359167885317/>, <https://www.facebook.com/profile.php?id=1186820201&fref=photo>

⁵<https://www.facebook.com/groups/121359167885317/>, <https://www.facebook.com/profile.php?id=1186820201&fref=photo>

⁶ Svetoslav Borisov, „ОМО ИЛИНДЕН“ – Организацията на откачените мосомишчии организира събор в параклиса „Св. Георги“ в с. Мосомище.“, Топ Преса, 26 юли 2016 г. ОМО “Ilinden”-Organization of Crazy Mosomishtalians to hold a rally in the “ Saint George” chapel in the village of Mosomishte), Top Press, 26 July 2016. <http://toppresa.com/87332/omo-ilinden-organizatsiyata-na-otkachenite-mosomishtalii-organizira-sabor-na-paraklisa-sv-georgi-v-s-mosomishte>

⁷Трайчо Трайков за Неделковски: Появи се поредният македонски гамен“ (Traycho Traykov speaking of Nedelkovski :The next Macedonian hooligan has appeared”), <https://fakti.bg/bulgaria/203444-traicho-traikov-za-nedelkovski-poyavi-se-poredniat-makedonski-gamen>

self-identify as Macedonians.⁸ This same person was referring to the widely disseminated Bulgarian nationalist stereotype regarding the Macedonian nation, namely a non-existent nation (“there are no Macedonians and all of them are Bulgarians”), but one at the same time “invented” by Stalin and the Comintern. In the same vein, the Macedonian minority in Bulgaria was said to be created as a result of violence and coercion: “from 1944 to 1948 hundreds of thousands of Bulgarians from the Pirin region were “Macedonianised” against their will, people were tortured and killed by the Soviet janissaries”.⁹ Through the employment of such arguments, based as they are on proven lies and stereotypes, Macedonians are portrayed as traitors to the nation and freaks.

- On 29 September 2016 the director Maya Vaptsarova stated the following during a program on the Bulgaria on Air TV station: “The most frightening thing is the large increase of Macedonists in Bulgaria”, they “want to conquer us spiritually” and that “in Macedonia a Macedonian nation was created on an anti-Bulgarian basis”.¹⁰

- Episodes 7 and 8 of the program entitled “The Inconvenient Ones” (“Neudobnite”) broadcast on 1 and 7 November 2016 featured a particularly detailed example of hate speech. Apart from the fact that it was broadcast on television and is available on the TV station’s web site, the program was transcribed as text and published in the regional newspaper “Top Press”.¹¹ During those two episodes a stream of insults and slanders which can be grouped together in several sections was hurled down upon leaders and members of the Macedonian party.

Humiliation of Members of Macedonian Organizations

⁸ It deserves to be mentioned that Traykov is not at all alone in expressing such ideas regarding the destruction of the Macedonian nation. On 20 January 2017 on the occasion of his leaving the position of President, Rosen Plevneliev stated the following: “Yes ,Macedonia must enter the European Union-that is a Bulgarian objective-however not the ideology of Macedonianism”, <https://news.bg/politics/plevneliev-zashtitavah-mira-atakuvaha-me-hora-na-ds-oligarsi-ruski-trolove.html> <http://www.bitelevision.com/trajcho-trajkov-sam-chovek-ne-mozhe-da-napravi-nishto/>

⁹ <http://www.bitelevision.com/trajcho-trajkov-sam-chovek-ne-mozhe-da-napravi-nishto/>

¹⁰ <http://www.bgonair.bg/sutreshen-blok/2016-09-29/plemennitsa-na-vaptsarov-nay-strashno-e-razvazhdaneto-na-makedonisti-v-balgariya>, <http://www.bgonair.bg/sutreshen-blok/2016-09-29/plemennitsa-na-vaptsarov-nay-strashno-e-razvazhdaneto-na-makedonisti-v-balgariya>, http://www.blitz.bg/obshtestvo/plemennitsata-na-vaptsarov-nay-strashniyat-problem-e-razvazhdaneto-na-makedonisti-v-blgariya_news449084.html

¹¹ All of the following quotes are those of Svetoslav Borisov, Неудобните (The Inconvenient Ones), Episode 7 : PR и за политическия Франкешайн – ОМО Илинден“ (PR on the political Frankenstein-ОМО Ilinden,) Top Press, 1 November 2017, p.32 и „Неудобните“-истината за „ОМО-Илинден“ в Пиринския край,(The Inconvenient Ones- the truth about “ОМО-Ilinden” in the Pirin Region), 7 November 2016, <http://toppresa.com/97493/%d0%bd%d0%b5%d1%83%d0%b4%d0%be%d0%b1%d0%bd%d0%b8%d1%82%d0%b5-%d0%b8%d1%81%d1%82%d0%b8%d0%bd%d0%b0%d1%82%d0%b0-%d0%b7%d0%b0-%d0%be%d0%bc%d0%be-%d0%b8>,<http://toppresa.com/96611/neudobnite-skochiha-na-omo-ilinden>.Five

journalists and political activists participated in the program; Marieta Dimitrova, editor-in-chief of Blagoevgrad News, Vesselin Stamenov, media manager, Metodi Bayraktarski, deputy chairman of the editorial council of Top Press, Dimitur Serafimov, journalist at Top Press and Kristina (Krissi) Popova, leader of the nationalist party VMRO BND in Goce Delchev which has representation in parliament and the government, who according to what was stated during the program is :“A person who has fought hard against them” (that is, the Macedonians). The program was a joint production of Top Press and the web site of Blagoevgrad News.

Dimitar Serafimov: “They are drunken separatists. The larger part of them are complete alcoholics”. “How can he or I be a Macedonian when we live in Bulgaria?” “Macedonia is disputed... they are a collection of alcoholics, abnormal people”, “they simply seek to provoke”. “They don’t take the trouble to carry around the Bulgarian flag... That flag of theirs and their name is not something they have a patent over. They use it illegally.”

Vesselin Stamenov: OMO Ilinden is “a topic for discussion which swings between two extremities - from extreme irony and ridicule to serious analyses”. OMO means “Organization of Crazy Mosomishtalians” (after the village Mosomishte in the Goce Delchev region), “there are people from OMO who are extremely revolutionary”, “degenerate souls” who attribute to themselves a kind of superfluous importance”. “It is clear that certain types of conflicted persons feel important when they self-identify as Macedonians”, “this collection of people grouped together in OMO... all they do is threaten.” “These insignificant members of OMO are villagers who drink to excess each night in bars”. “I don’t believe that this teacher or these tough guys from Koprivlen are such intelligent and resourceful people”.

“They are a type of sect, a Macedonian sect. What you do is you find supporters, buy them rakia, give it to them to drink and they begin spreading propaganda. Apart from that what we have here some regretful intellectuals who have the opportunity to write about the Macedonian Question, they carry out pure propaganda and imbue people with untruths. That is a form of business through and through. Here we are not talking about any type of causes being pursued.”

Marieta Dimitrova. “This is a public sect, which seeks to gain some advantage at the expense of ordinary people.”

Representation of the Macedonian movement as Anti-Bulgarian.

Vesselin Stamenov: “They do not have a country... they carry out anti-Bulgarian activities. That is a crime“. “It is offensive that they impose anti-Bulgarian policies. They distort Bulgarian history and humiliate Bulgarian heroes while at the same time claiming them as theirs”. “It is absurd that we are cultivating separatists who.... preach in this day and age anti-Bulgarian policies and propaganda... That for me is offensive”. “It is not fair that such anti-Bulgarian organizations exist”

Kristina Popova: “This organization is absolutely anti-Bulgarian.”

Accusations of Abuses of the Court System and Financial Abuses

Marieta Dimitrova: “The fundamental goal of these people is to gain some sort of advantage. The documents submitted in the Bulgarian courts for the registration of this party are written in such a way as to deliberately bring about a rejection of the application so that they can subsequently go to court in Strasbourg to condemn the country and collect some money”. “Each and every member who is party to the case received 18,000 euros.” “For them Bulgaria does not exist”. In Episode number 8 after publicly mentioning the names of the leaders of OMO “Ilinden“- PIRIN, she made the following slanderous accusation; “Each one of those five persons received 33,000 euros. Apart from that they received 6000 euros as damages. Each one of them individually. That was for two cases. That is frightening - no measures are taken against OMO Ilinden, while at the same time they are paid out certain sums of money”.

“These people openly want their applications to be rejected by the court as such rejections brings them certain advantages.”

Kristina Popova- “For them it is advantageous to not obtain registration. It is all a question of money.”. “Everything revolves around money”

Vesselin Stamenov: ”It turns out that this is a business”. “They have organized their own lobby with this money...These people get money from us as taxpayers and sue the country. They then organize their own lobby and pay for it. They do not have supporters in high places, but rather patients whom they pay for their services”. “Once it is registered as an NGO, it can deceitfully draw on funds available from European Project bodies and apply for them as well”.¹². No one holds those five persons who distribute money to account.” “It is of interest to me whether these alcoholics in the bars know that someone is getting huge sums of money as a result of their work and naivety...” “I want to address the inhabitants of Mosmishte,,Lyaski, Koprivlen. Do you people know where that money is?” Someone, somewhere has taken that money...”. “I appeal to the people in OMO to carry out an audit and see where these 300, 000 leva in euros have gone. To see whether Singartiski has fixed up his house or whether that guy from Petrich has opened some sort of business.”

These claims represent a newer phase of the old myth; namely, that the Macedonians are being paid by foreign states. The new explanation is that they are not fighting for their rights and not expressing their own ideas, but are involved in corrupt schemes and deals. In addition, one can note an obvious inclination to denigrate the members of these organizations and to sow distrust in their minds vis-a-vis those leaders of the same organizations. The sums of money obtained as a result of judgements in Strasbourg have been exaggerated 22 fold - OMO ”Ilinden”-PIRIN has received 13,000 euros in the 19 years of its existence as a result of judgements brought down by the European Court of Human Rights (ECHR).

Calls for Harassment and Imposition of Penalties by the State

Marieta Dimitrova: “These people from OMO-Ilinden feel that they cannot be punished due to the fact that the state has not shown strong opposition to them. No matter how many times they have been denied registration, for several years now these people have continued to receive money and to sue the state. They have made use of the Committee of Ministers of the European Union which is a fundamental and key institution. They have a lobby group in Europe. They have pressured Bulgaria to grant official registration to OMO-“Ilinden”.

Vesselin Stamenov (Comparing the eventual registration of a Macedonian party to official recognition of Islamic State or drug dealers): “Well let’s then officially register ISIS in Bulgaria. So that they can form a party. Based on such logic dealers of narcotics can demand to form a party. Is that not illegal? These people should be locked up straight away. They are open criminals. Change is needed. The relevant laws need to be applied”.

¹² Not one Macedonian organization has been registered, therefore the accusation does not have any basis whatsoever, but rather highlights the imposition of the following paradigm; namely that the Macedonians are exceptionally depraved and corrupt persons, who would undoubtedly commit a crime if they were given the opportunity to do so.

This program was not subjected to any sort of sanction.

- Together with the abovementioned television broadcast, the newspaper “ Gradut” (The City), which is linked with Top Press, published in three consecutive editions which appeared immediately after the abovementioned episodes (that is on 12, 18 and 25 November 2016) the reasoning of the Constitutional Court for the prohibition of OMO “Ilinden”-PIRIN in 2000. In 2006 the European Court of Human Rights convicted Bulgaria due to this prohibition. By way of illustration an offensive caricature which depicted the members of the party as backsides without heads and mocked the name of the party by writing it out as HOMO “Ilinden “-PIRIN was also published.¹³

- On 5 December 2016 a film with anti-Macedonian content whose title was “The Birth of Macedonianism” was shown on Bulgarian National Television. Professors from several Bulgarian universities participated in the film. The film was full of negative stereotypes and observations which denigrated the Macedonian nation and identity which were portrayed as being something unnatural and completely anti-Bulgarian.¹⁴ There was no reaction to these non-scholarly speculations and open examples of hate speech because similar propositions have been granted official status and are accepted as “academic truths” in Bulgaria.

The intensified media campaign during November and the beginning of December 2016 was carried out on the eve of the December session of the Council of Ministers which had to decide whether to cease its monitoring of Bulgaria which had been introduced because of the systematic refusal of the state to register Macedonian organizations. That is a well- known practice in Bulgaria which has been inherited from the Communist past, a tradition of enraging the population against something and through this applying pressure on certain sections within the government so that concessions are not made to the Macedonians and other discriminated communities.

Violation of the Right of Association

a. Non-Registration of Macedonian Organizations

In 2016 two Macedonian organizations, the “Macedonian Club for Ethnic Tolerance and Preservation of Macedonian Folklore, Traditions and Customs” and “Makedon Suringrad”, were still awaiting a decision from the Appellate Court in relation to the refusal of the Blagoevgrad Regional Court grant them registration. Namely, on 15.11.2015 the Blagoevgrad court issued identical rejections of the applications for registration to these two Macedonian organizations, which pursue different interests, and in so doing put forward only one argument: “The Court took into account the fact that the stated goals are contrary to national, historical and state interests and finds that registration must therefore be refused.”¹⁵ In doing so it did not explain why such goals were contrary to those values and in what way they broke the law and which law was broken. Not only was justice denied to them, but at the same time Macedonian consciousness, freedom of expression and opinion, academic

¹³ Svetoslav Borisov „Защо „ОМО-Илинден“ не трябва да съществува?!“ (Why OMO-Ilinden should not exist?), in. „Градът“ (Gradut), 12/11, 18/11 and 25/11/2016.

¹⁴ <http://imedia.bnt.bg/predavanyia/istoriya-bg/zarazhdane-na-makedonizma-05-12-2016>

¹⁵ Decision No 2687 of 15/11/2015 of the Blagoevgrad Regional Court, presided over by Atanas Petkov and decision No 2687 of 15/11/2015 by the same court and presiding judge.

research, and the practice of one's culture by the Macedonians in Bulgaria were proclaimed to be contrary to the "national, historical and state interests" of Bulgaria. The delay experienced at the Appellate Court is in keeping completely with the delay of more than one year in the regional court and is an example of the usual approach adopted towards Macedonian organizations.- instead of receiving a response within a period of one month as prescribed by law, they wait at least one year or more for each decision to be taken.

b. Changes in the Law on Registration of Non-Government Organizations.

Due to the pressure applied by the Council of Ministers, which placed Bulgaria under a regime of increased monitoring because of its refusal to register Macedonian organizations, the government of Bulgaria changed the law for the registration of non-government organizations. The logic pursued by the state in making this change was that registration would now not be carried out by the courts, but by the Central Registry Office which deals with the registration of firms; the argument being that by doing so, the "main" problem would be eradicated - namely that the courts had become accustomed to refusing the applications for registration of Macedonian organizations. Such reasoning was viewed as being extremely burdensome by Macedonian organizations as their problems were not with the law itself, but with its violation by the courts and the ambiguous, tendentious way in which the laws are interpreted. The root of the problem lies in society's intolerance of the Macedonians and in the systematic and ideologically based discrimination against them. The changes which were accepted, even though they will come into force on 01.01. 2018, partly make the process of registration easier, but do not provide any guarantee that the problem will be solved. Nothing guarantees that the people at the Central Registry Office will free themselves of their biases and that they will also not refuse registration, meaning that the case will have to again be taken on appeal to the courts. That is, Macedonian organizations will find themselves in exactly the same situation which will lead to the same predetermined result. Given existing societal intolerance of the Macedonian minority, that is the most likely scenario. For that reason, the changes in the law do not in reality solve anything.

In addition, the law in fact increases the possibility for revoking registration. Article 13.2 of the new law provides the opportunity for "any interested party or the state prosecutor" to initiate a process for revoking the registration of organizations, which given the current intolerance against the Macedonian minority means that any nationalist would be able to signal an intention to ban a Macedonian organization even in extremely unlikely situation that such organization would be registered at all. The only "defense" available to organizations whose registration has been revoked is Article 13.3 which states: "The court grants a period of 6 months for the removal of the grounds for cessation of registration and its consequences", which in the case of Macedonian organizations would mean (based on 60% of judicial decisions in the past) that these organizations would have to renounce claims that a Macedonian minority exists or that it is discriminated against, as well as to renounce all activities designed to defend it. Because such claims are interpreted as anti-national and anti-constitutional.

These changes, which do not guarantee and have not changed anything, were submitted to the Council of Ministers as grounds for the cessation of the stricter monitoring which had been

introduced. This represents a tried and true tactic that the Bulgarian authorities use against Macedonian organizations - taking action which does not guarantee and change absolutely anything, but rather creates an illusion of good will and serves as an argument for seeking that the corresponding European or international institutions wind up a particular matter and cease their monitoring of it so that it may be accepted that the problem in question is solved or that a judgement of the ECHR has been complied with. The goal is to get rid of external pressure without anything substantial being changed. Apart from our experiences and the content of the law, a further reason for being convinced of the above is the fact that the law will enter into force only during 2018, while the discontinuance of the monitoring period was requested as early as December 2016. In addition, the Bulgarian authorities do not want to see any Macedonian organization registered.

One cannot accept that discrimination has come to an end on the basis of a mere pretense of good will and when Macedonian organizations have not been registered. Under such conditions no Macedonian organization will ever gain registration.

Harassment of Activists of Macedonian Organizations

During 2016 the practice of harassment of Macedonian activists or of their families was reintroduced through a combination of threats in the media, scandals and judicial investigations. A feature of such cases is that the investigations are announced in public, whereas their discontinuance and the establishment of the fact that no crime has been committed or that there is no proof of crime, are never made public. As such the impression is created in society that Macedonian activists are criminals and constantly subjected to investigations. Two examples this year deserve particular attention.

- On 7 January 2016 material was published in the regional newspaper “Gradut” (The City) in which it was alleged that during the “Kukeri” festival on 3 January 2016 in the village of Koprivlen, the local teacher Ivan Bezev desecrated the Bulgarian flag. His actions were described as “truly shameful”, “a real circus”. It was claimed that he had “thrown away” the Bulgarian flag uttering that he considers Macedonia to be more important than anything else. He was described as being a representative of an illegal Macedonian organization.¹⁶ Ivan Bezev is in fact a municipal councilor for the Union of Democratic Forces in the municipality of Hadzhidimovo, but is Macedonian and his father is a co-president of OMO “Ilinden”-PIRIN. When it reported, the alleged information provided by anonymous inhabitants of Koprivlen, the article also in effect proposed that a petition be organized calling for the removal of Ivan Bezev from his position as teacher, on the grounds that a person such as him was not able to teach children about “the Bulgarian way of life” and that “a person who has tattooed his body with the flags of Macedonia cannot be a teacher in a Bulgarian school.”

On 13 January 2016 “Struma”, another regional newspaper with a much larger distribution and circulation, joined the campaign. The newspaper referred to anonymous “readers” in

¹⁶ A teacher in a Bulgarian school who is a representative of the Illegal OMO “Ilinden” threw away the Bulgarian flag, Gradut, , 07.01. 2016 r , p.1.

publicizing that “a Bulgarian teacher had desecrated the Bulgarian flag”, with the difference that it at least carried statements from the persons about whom it had written.¹⁷

- On 14 January 2016 Kristina Ognyanova Popova, municipal coordinator of the nationalist party VMRO BND which has parliamentary representation and forms part of the government, informed the Chief Prosecutor of Bulgaria, the Ministry of Education, the Regional Prosecutor’s Office and the principal of the school that Ivan Bezev works in, that he had, according to the accusation, thrown away the Bulgarian flag with “particular pleasure and vengefulness” during the traditional celebration in the village of Koprivlen on 1st January. Indeed, there was a request made that Ivan Bezev be sacked from his job due to being unsuitable as a teacher and that he be punished in accordance with Article 108(2) of the Penal Code which prescribes 2 years jail and a fine of 3000 leva (1500 eur) for such an offence. The fact that he was a teacher was pointed to as being an aggravating circumstance which increased his culpability. According to her, his actions may have led to separatist activities and threats to the national security of the country. In this letter OMO “Ilinden” was accused of “preaching an anti-Bulgarian ideology”.

The security services (DANS) began their interrogations, not only of the accused, but of around 30 persons in the village, the majority of whom were not in any way witnesses to the incident. The principal of the school in which Ivan Bezev worked was interrogated, as well as his fellow teachers. During his interrogation at DANS Ivan Bezev was not questioned so much about the flag as about his father Angel Bezev (a member of the Presidency of OMO “Ilinden-PIRIN”), about his national self-determination, his role in the party and his role in the construction of a chapel by the party in the village of Mosomishte during which a Macedonian national symbol was displayed¹⁸.

It was later established that a flag had not been thrown away, but rather that the flag had been leant against a fence and that there was in fact no information pointing to the laying of charges. However, no institution found it necessary to inform Ivan Bezev that this was the case. Information about the discontinuance of the case against Ivan Bezev was made known on television completely by chance: that is during the abovementioned program “The Inconvenient Ones” of 7 November 2016 which Kristina Popova, the person who alerted the authorities about Bezev, appeared in.¹⁹ Kristina Popova at that time stated that she felt frustrated due to the fact that her attempt, as the coordinator of VMRO BND in Goce Delchev, to have charges laid against members of OMO “Ilinden” under the Penal Code for crimes against the Republic (for “desecration of the Bulgarian flag... in fact a whole Bulgarian celebration was desecrated”) through the submission of a formal notice, had proved unsuccessful. The Special Prosecutor’s Office had refused to open a case against

¹⁷ “Inhabitants of Koprivlen: A teacher, son of a municipal councillor, desecrates the Bulgarian flag on New Year’s Day”, Struma, pp. 1, 3.

¹⁸ For two years DANS has tried to find a reason for revoking Angel Bezev’s appointment as a municipal councillor in Hadzhdimovo.

¹⁹ Cited by Svetoslav Borisov, „Неудобните“ – истината за „ОМО – Илинден“ в Пиринския край (“The Inconvenient Ones”- the truth about OMO-Ilinden in the Pirin Region) 7 November 2016., <http://toppresa.com/97493/%d0%bd%d0%b5%d1%83%d0%b4%d0%be%d0%b1%d0%bd%d0%b8%d1%82%d0%b5-%d0%b8%d1%81%d1%82%d0%b8%d0%bd%d0%b0%d1%82%d0%b0-%d0%b7%d0%b0-%d0%be%d0%bc%d0%be-%d0%b8>

Bezev, a fact which angered Popova a great deal. However, instead of apologizing for the harassment of those persons and for wasting the time of the state institutions involved, during the program she continued to blame the victims: “The whole village of Koprivlen lives in constant fear of them, as they set up elections. I’ve had enough of this. This decision is absurd”. She made use of her appearance in the program to make an appeal for the continuation of the harassment of members of the party. ”I would advise people to continue bombarding the Bulgarian Prosecutor’s Office and the courts with similar complaints. Each irregularity should result in a complaint to the authorities.... We must come out of our shells”.

The same line of reasoning was supported by one of the presenters on the program, Marieta Dimitrova: “I don’t know how we should counter the actions of these people”. “We are ready to help and to maintain the anonymity of certain persons”. Vesselin Stamenov put out a call for the same action to happen: “The only thing that remains is for us to agitate that our readers, those that are not scared, people like Kristina Popova, that such people are given a chance to express themselves, to motivate them, to open a door for them, that the matter of OMO Ilinden is not closed..... They are always welcome in our circles. This is a long struggle. We are not frightened”.... “I want to address the patriots - before your very eyes someone is desecrating Bulgaria and is carrying out a crime against the homeland, which you are all working on behalf of. There is no reaction at all. If three parties unite against that cause and lodge a joint complaint, I am sure that in one month’s time OMO Ilinden will be shoved back up a dog’s backside. This scum must be swept away.” “Not one of them has been convicted, not one. In my opinion there have to be more serious penalties. There have to be drastic measures taken against this riff-raff.”

- The second case was linked with the flying of the Macedonian flag (the ethnic one, not the national one) which Slavcho Pavlov, a Macedonian from the village of Dolno Spanchovo in the Sandanski region and a member of OMO “Ilinden”, unfurled on his terrace. Such an act does not break any law in the country and foreign flags (and moreover official state flags - in particular Russian and Greek ones) are flown in many parts of the region,²⁰ without anyone being upset by them. However, on 4 March 2016 the Association for the Investigation and Development of Civil Society lodged a complaint against Pavlov at the office of the municipal mayor, Kiril Kotev, who in turn handed the case over to the police. On 14 March a hysterical media campaign was launched in order to apply pressure on the authorities.²¹ The fact that the village’s mayoral offices were located in the same building in which Pavlov lives, but on another floor, was used in order to present a distorted view of the case as one involving the flying of a flag of a “foreign state” over a Bulgarian administrative building. The case was even covered by the national media.²² On 15 March the nationalist VMRO BND got involved through its parliamentary deputy, Atanas Stoyanov, via threats

²⁰ Valentin Gerchev, Гръцко знаме се вее в центъра на Петрич, окачено в деня на „гръцкия инцидент“ A Greek flag is flying in the centre of Petrich, it was put up on the day of the “Greek incident”), Top Press, No. 40 (246), 28 October– 3 November 2016, p.36.

²¹http://www.sandanski1.com/sandanski1.php?subaction=showfull&id=1457967517&archive=&start_from=&u_cat=34

²² http://www.standartnews.com/regionalni/makedonist_razvya_znameto_na_vergina_ot_kmetstvo-325797.html, 27.032016

disseminated through the media; namely that if the authorities did not take down the flag, his party would do it in its own VMRO way.²³ Another leader from the same party in Goce Delchev stated that he was "getting the detachment together" and setting off to take down the flag. The campaign in the media lasted a whole week during which the Pavlov family was subjected to great stress. Pavlov was visited by the police who asked him to take down the flag. He told them that if he has committed a crime they should handcuff and arrest him, however if not to leave him alone. They replied that they were acting under the orders of the Regional Director of Police. Apart from the police Pavlov was also visited by the deputy mayor Maria Gemisheva and experts from the municipality's administrative section.²⁴ They all applied pressure on him to take down the flag and apart from visits and conversations with him, the police also called him by phone. In spite of the fact no crime was committed or law violated, as was admitted to by municipal employees, finally through systemic pressure they succeeded in forcing Pavlov to take down the flag. According to what was published in the media, the flag was taken down by the police which confiscated it, and Pavlov was served with an official warning.²⁵

The sole reason for such harassment was that the flag was a Macedonian one (albeit not the state flag) and that Pavlov was a member of a Macedonian organization, a fact which was especially highlighted in media publications.

In both cases a well-known scheme for harassment of Macedonian activists from the past was activated which combined publication of articles in the media and complaints lodged by groups close to the security services such as VMRO BND.²⁶ In such cases the media use distorted reports allegedly obtained from persons who wish to remain anonymous. These anonymous sources serve as a regular channel for the dissemination of slanders and compromising material against the Macedonians. Despite the fact that the media freely disseminates anonymous and slanderous information, the security forces and Prosecutor's Office regularly take them into account, despite their completely inconsequential nature. The anonymity of the sources prevents Macedonians from defending themselves and refuting the slanders, while the absence of a judicial process also makes it impossible for them to prove

²³ Atanas Stoyanov: ВМРО ще смъкне „онова“ знаме в Спанчово, ако властите се бавят да го сторят (VMRO will take down "that" flag in Spanchovo, if the authorities are slow in doing it) 15 March, <http://viaranews.com/2016/03/15>. VMRO is the name of the revolutionary organisation which was transformed into a terrorist organisation during the 20th century and which tortured and killed its opponents with particular ferocity.

²⁴ Lidiya Mancheva, Симпатизант на ОМО „Илинден“ развя македонското знаме на сградата на кметството в Горно Спанчово, отказва да го свали“ (A sympathiser of OMO "Ilinden" unfurled the Macedonian flag on the building housing the mayor's offices in Gorno Spanchovo and refuses to take it down), see "Struma", 16 March 2016, p. 5.

²⁵ http://www.standartnews.com/regionalni/makedonist_razvya_znameto_na_vergina_ot_kmetstvo-325797.html, http://www.sandanski1.com/sandanski1.php?subaction=showfull&id=1457967517&archive=&start_from=&ucat=34, http://www.blagoevgrad.utre.bg/2016/03/14/362781-makedonist_razvya_znameto_na_vergina_ot_kmetstvo, ползвани на 27.03. 2016

²⁶ Such was the case in 2006 when OMO "Ilinden"-PIRIN attempted to obtain registration. Anonymous information was published in the media and used as grounds for the Prosecutor's Office to take the initiative and begin an investigation and start calling in and threatening thousands of members of OMO "Ilinden"-PIRIN. The process of calling people in for interrogation went on for three years without any outcome or closing of the case being notified. While such investigations and accusations are reported on in the media, the fact that they have been discontinued never is.

their innocence. Negative stereotypes and impressions are thus created and psychological pressure and harassment of Macedonian activists is carried out.

Absence of Legal Protection

After the submission in October 2015 at the Commission for Defence Against Discrimination of a great number of documents relating to the carrying out of systemic discrimination against persons in Bulgaria with a Macedonian consciousness, on 20 November 2015 several Macedonian organizations²⁷ submitted an official complaint to the Commission (see last year's report) as this same body had not examined these documents and their content.

On 4 January 2016 the Commission advised that the complaint did not satisfy all the necessary conditions and that if it was not corrected within a two week period the proceedings would be discontinued. Therefore, instead of taking up the matter on the basis on the great volume of documents submitted the Commission tried to avoid initiating proceedings. The complaint was submitted again after all the necessary and requested corrections were made. It was pointed out that in the last 26 years in Bulgaria not one Macedonian organization had been granted registration, that the applications for registration are routinely rejected on the basis of discriminatory reasoning, such as the non-existence of a Macedonian minority, that manifestations of Macedonian consciousness are equated with separatism and represent a threat to national security and the territorial integrity of the nation. Furthermore it was indicated that Bulgaria had been convicted eight times at the ECHR due to discrimination against the Macedonians. It was requested that the Commission examine the matter of systemic discrimination against people with a Macedonian consciousness, as well as mentioning this problem in its yearly reports and recommending to the government that measures be taken for the cessation of such discrimination. (To date the Commission has never done that).

On 29 January 2016 the Commission requested proof that those who lodged the complaint had the right to represent the cases which had been submitted.²⁸ Despite the fact that that was outside the scope of the application (namely, to examine instances of systemic discrimination) this was complied with. However, instead of beginning its own investigation, the Commission sent out a third request in which it insisted that the problem be reduced to cases of individual rather than systemic discrimination. Subsequently, it refused to recognize the presidents of the organizations which had been discriminated against as social representatives as their organizations had not been registered (which is part of that very same discrimination). It also refused to comment on the applications for ascertaining of the existence of systemic discrimination and for the inclusion of this matter in its yearly reports and recommendations to the government.²⁹ In March 2016 after receiving the threat that the Commission would cease its examination of the cases if they were not presented individually, those who lodged the complaint agreed to do so. Nevertheless, correspondence from the Commission ceased and no answer has been received from it as to whether any action has

²⁷ OMO "Ilinden"-PIRIN, the Macedonian Discussion Club and the Association of Repressed Macedonians in Bulgaria.

²⁸ Notification No 14-30-11 of 29/1/2016 of the Commission for Defence against Discrimination

²⁹ Notification No 14-30-37 of 11/3/2016 of Commission for Defence against Discrimination

been taken and whether there has in fact been an outcome. On the basis of all the correspondence entered into it is quite obvious that the Commission is seeking a way to close its consideration of these cases without taking any action at all. (At the time that this report was concluded, the Commission had still not published its yearly report for 2016).

The Commission also has not responded to the requests made by OMO “Ilinden” –PIRIN for a meeting with the President of the Commission which were submitted in November 2015 and October 2016.

On 30 May 2016 by virtue of Decision No 6397, the Supreme Appeals Court of Bulgaria (SAC) finally brought to a close the case relating to the appeal of Darinka Tapanska against the refusal of Radio Blagoevgrad to air an advertisement of OMO “Ilinden” regarding a fair organized by that association. Tapanska’s appeal at the SAC was against Decision No 325 of 11 September 2014 brought down by the Commission for Defence Against Discrimination which ruled that Tapanska was not subjected to discrimination on the basis of her ethnicity or convictions. The Commission did not even invite Tapanska to the hearing and did not provide her with an opportunity to defend her position.³⁰ In the correspondence on the case before the SAC the Commission also did not consider it necessary to express its own point of view on the matter. Despite the great number of procedural violations which occurred in that case, the SAC refused to make any comment on them, as well as to return the case for hearing by another court and finally brought it to an end.

These decisions line up one after the other in a whole chain of refusals by Bulgarian institutions such as the police, the Prosecutor’s Office, the Commission for the Defence Against Discrimination, the Ombudsman and the courts to defend Macedonians against discrimination. These institutions never consider a matter on their own initiative, nor do they readily accept that such matters be brought to their attention. Even when they do so, it is only in order to decide that no rights of the Macedonians have been violated. For that reason, to date in Bulgaria not one Macedonian or Macedonian organization has succeeded in defending itself against discrimination via Bulgarian institutions.

Accordingly, despite a series of judgements against Bulgaria in the ECHR and the violations which have been noted in a great number of reports by international human rights organizations and institutions, during the last 26 years in Bulgaria not one institution has even mentioned or taken any action against discrimination of Bulgarian citizens with a Macedonian ethnic consciousness.

Refusal of the Authorities to Engage in Dialogue.

Reports of international organizations and institutions regularly recommend that a dialogue begin between the Bulgarian authorities and organizations representing the Macedonian minority.³¹ However, the authorities as a matter of principle stubbornly refuse to begin such a dialogue. They also refuse to pay any attention to the efforts of various Macedonian associations to initiate such a dialogue. The only exception to that in the last 50 years was the

³⁰ See our reports for 2014 and 2015.

³¹ Compare this with the reports of the Advisory Committee on the Framework Convention for the Protection of National Minorities, independent observers of the UN, Commissariat of Human Rights in Bulgaria during the last fifteen years.

meeting held in 2015 with the Deputy Minister for Justice and the regional representative of the Commission Against Discrimination. This unfortunately proved, as we had assumed, to be the exception to the rule. This year not one such meeting was held. During 2016, requests for meetings with a large number of Bulgarian institutions such as the President, Premier, several ministries, the Commission against Discrimination were submitted, however not one reply was received to any of the requests. The National Council for Cooperation on Ethnic and Integration Matters within the Ministerial Council was officially invited to be a guest at the biggest public event of the Macedonian minority in Bulgaria which was held at the end of April in Melnik, however no reply whatsoever was received.

Conclusion and Recommendations

The Macedonians in Bulgaria continue to be denied and stigmatized. They are isolated and not represented in the political and social life of the country, given that not one of their organizations has been registered and no political party includes in its platform the problems and interests of Bulgarian citizens with a Macedonian consciousness.

The scale of discrimination is far too great to be able to be followed up on. An obstacle to investigating this further is the fear existing amongst a large part of Macedonians which prevents them from expressing their consciousness and defending their rights. The fact that we cannot, for at least the past 20 years (or more accurately for the past 53 years), point to one example of a person who professed a Macedonian identity being appointed to a relatively high state position clearly shows that discrimination on the basis of one's ethnic self-determination exists. It also shows that such people cannot make their way up through the hierarchy or that the existing atmosphere of fear and pressure against those with a Macedonian identity forces such persons to hide their identity. Such fear has a firm basis: namely the sacking of state employees because of supposed links with OMO "Ilinden" - PIRIN³², sacking of state employees merely because they put "Macedonian" in the 2009 Census trial³³, the atmosphere of impunity in which hate speech against Macedonians is approved of, instead of being sanctioned, and the fear instilled in the population during Communist rule when thousands of Macedonians passed through camps and prisons or were subjected to intense harassment by the totalitarian state.³⁴ Many Macedonians have shared with our representatives their fear and apprehension of losing their job, however that same fear makes it impossible to describe and document such cases.

In the currently existing situation, it does not appear that there is any probability that the situation of Macedonians in Bulgaria can be improved without strong external pressure. In order for the existing problems of the Macedonian minority in Bulgaria to be solved at the very least the following changes have to be made:

³² Such as the case of the tax office employee Vaska Nikolova who in 2006 was sacked and who in 2016 won the case brought against the state in the ECHR in connection with her sacking (Dzhabarov and Others v Bulgaria (applications Nos6095/11, 74091/11 and 75583/1, Strasbourg, 31/3/2016).

³³ Report on the census in Bulgaria in 2011, <http://www.omoilindenpirin.org/documents/report.pdf>

³⁴ Stoyko Stoykov, Табу – време на страх и страдание, преследването на македонците в България по времето на комунизма (1944 – 1989) Taboo - A Time of Fear and Suffering, the Persecution of the Macedonians in Bulgaria during Communist Rule (1944-1989), Blagoevgrad, 2014.

1. The decision of the Constitutional Court of 29 February 2000 and the Declaration of the Bulgarian Parliament of 6 March 1990, which officially postulate that in Bulgaria there is no concrete Macedonian ethnic group, must be rescinded. These decisions serve as an ideological and legal basis for discrimination. The government should officially declare that the Macedonian minority will no longer be denied or discriminated against.
2. The state should officially recognize the existence of minorities in the country and the concept of minorities should be included in the constitution. The state should take the necessary action so that the principle of the unity of the nation cannot be interpreted to mean that ethnic and national minorities do not exist.
3. Measures should be taken so that the prohibition on forming organizations on an ethnic basis is not interpreted as being contrary to the right of minorities to form their own organizations.
4. Measures should be taken to promote tolerance towards the Macedonian minority and to protect it from hate speech and institutional discrimination.
5. The law on the registration of non-government organizations should be changed and articles included in it which would make it impossible to interpret the self-determination of minority groups as an anti-constitutional, anti-state act which threatens territorial integrity and as a basis for denial of registration.

(Translated from Bulgarian to English by Dr. Chris Popov).