

**ANNUAL REPORT ON THE HUMAN RIGHTS CONDITIONS OF
THE MACEDONIAN MINORITY IN BULGARIA**

2023

2023: 16 years from the date Republic of Bulgaria became EU member, 33 years since it became a democracy, 60 years from the implementing the policy of negating, discrimination and assimilation of its Macedonian minority.

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INTRODUCTION

Situation of the Macedonian minority in Bulgaria in 2023.

The situation of the Macedonian minority in Bulgaria in 2023 remains unchanged.

None of the rights stipulated in the Framework Convention on National Minority Rights have been granted to the Macedonian minority and the tendency in that regard continued to be negative.

In schools children do not learn anything about the Macedonian minority and nation; on the contrary, children are provided with information in which there is no place for the existence of the Macedonian nation and minority. The Macedonian literary language, literature and history continued not being taught.¹ On television and in the media several methods are employed to present the sole viewpoint, according to which there is no Macedonian nation, that everything Macedonian is Bulgarian and that every differing opinion is “anti-Bulgarian”. On educational TV programs or debates the Macedonian point of view is not represented. The very notion of Macedonian consciousness (“Macedonianism” as it is labelled in Bulgaria) is considered to be an artificial anti-Bulgarian ideology. The Macedonian point of view is not included in lectures and

¹ PACE: Post-monitoring dialogue with Bulgaria, Explanatory memorandum by Mr Frank Schwabe and Mr Zsolt Németh, co-rapporteurs, <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=27711&lang=en>, 160: “There is no Macedonian language or history in schools.”

discussions about history. Macedonian consciousness itself (“Macedonianism“ as it is labelled in Bulgaria) is looked upon as an artificial anti-Bulgarian ideology. Macedonian consciousness (and also the Macedonian nation as a whole) in Bulgaria is considered to be a product of a Communist experiment or the result of hostile foreign propaganda. A climate of intolerance reigns in society against Macedonians and they are the object of hate speech, which is often given wide exposure through the media without being sanctioned by the institutions of the state and without encountering any condemnation by the wider society.

By taking advantage of the artificially created atmosphere of intolerance, the Bulgarian state successfully keeps representatives of the minority isolated from political and social life in the country-both individually² and collectively by not registering Macedonian parties and organisations which defend the rights of the Macedonians.

The number of pending Macedonian cases in the EHRC increased from 11 in 2022 to 21 in 2023. Ten cases are from the Association of the Repressed Macedonians, nine from UMO Ilinden, one from the Civil Initiative for Recognition of the Macedonian National Minority and one from Dimitar Paraskov, former executive of UMO Ilinden. In all the cases regarding Freedom of Association the initial review of the complaints has expired. The complaints are basically about the refusal to obtain registration and several for the violation of the right to peaceful assembly.

The Bulgarian authorities consistently stress that the decisions of the ECtHR and the Committee of Ministers do not prescribe the automatic registration of Macedonian organisations and point out in a detailed way the measures they have taken to remove the errors before the registration of Macedonian organisations, but at the same time do not display any concern for the fact that their “measures” have zero effect and have achieved absolutely nothing (something emphasized at the last session of the Committee of Ministers as well - see below). At the same time. They consistently avoid taking measures, either on their own initiative or when they are called upon to do so, which would remove existing barriers. For example, by making a referral to the Constitutional Court for it to provide interpretive decisions of articles of the Constitution which are constantly abused by the courts as argumentation for the non-registration of Macedonian organisations; or for this same court to rescind or provide a new interpretation of its decision of 29 February 2000 which mentions inter alia that “there is no Macedonian ethnicity in the Republic of Bulgaria” and which is one of the basic arguments used in decisions to refuse the registration the courts. In addition, the authorities have not undertaken any action to withdraw the official views expressed by the Parliament and ministries that there is no Macedonian minority in Bulgaria; on the contrary, these same views are actively supported. In addition, the authorities display an extraordinary slowness and lack of desire to implement the measures recommended to them by the Committee of Ministers leaving them to a large degree to remain as merely a formal expression of wishing to do so.

During 2023 the Bulgarian state did not take any measures to improve the situation of the Macedonian minority. On the contrary, it made efforts to prevent the recognition of a Macedonian minority as well as each and every request in that regard.

Macedonians are not represented in state institutions, by elected representatives (due to the lack of a registered political party) or by organisations. Not one of the registered parties in Bulgaria defends the rights of the Macedonians in Bulgaria. Representatives from across society, with the exception of a small section

² There is not one politically or socially influential personality in the country who publicly states that he/she possesses a Macedonian consciousness, which shows that such persons are either unable to achieve such a status or that they are forced to cover up their self-determination as Macedonians because of a fear of negative consequences.

of civil society³ treat Macedonians, at best, as something non-existent and not a serious category of persons and, at worst, as a danger to national security and treason. There are no (and there have not been) any Macedonian representatives on the Commission on Minorities. When ethnic groups in Bulgaria are officially spoken and written about, Macedonians are not mentioned at all and Macedonian culture, language and history are not represented in any government publication or official web site. Macedonians are not included in any programs concerning ethnic communities and do not receive any type of assistance from the state for the preservation and development of their culture and identity⁴.

This year as well neither the Commission Against Discrimination, the Ombudsman's office, or any other organisation adopted an official stance regarding the situation of the Macedonians in Bulgaria, despite the fact that the number of judgements against Bulgaria at the European Court of Human Rights has risen to 14. In 34 years of democracy not one Bulgarian official institution has done so.

Despite the large number of recommendations by international bodies, Bulgarian authorities persistently continue to refuse to enter into a dialogue with the Macedonian minority.

The Republic of Bulgaria has made a concerted effort to make the raising of this issue within the European Union impossible.

More important events during the year

On 4th February 2023 the Macedonian Cultural Club *Nikola Vaptsarov* in Blagoevgrad was attacked by city's employees. There were no punishments.

On 16 June Ingrid Belander Todino, the executive of the Director of The Rule of Law and Fundamental Rights and Democracy in the European Commission sent a letter with official apologies for renaming the Macedonian minority in Bulgaria as "Northmacedonian minority" on 21 July 2021 (Ares S(2021)6405470). The letter is a response to the UMO Ilinden –PIRIN's reaction through EFA and a signal to the European Ombudsman. In the letter the correct term "Macedonian minority in Bulgaria" was used twice.

On 23 September the Committee of Ministers made a new decision in the framework of process of increased monitoring of Bulgaria because of not implanting the ECHR verdicts and the refusals to register Macedonian organizations in Bulgaria. It "again expresses regret" that despite the adoption of Interim Resolution CM/ResDH(2020)197 and the subsequent verdicts, for more than 17 years since the first definite resolution of this group the associations which goal is "to achieve recognition of the Macedonian minority" continue to receive routine denials of registration mainly because of the wider problem of disapproval of their goals and continue to confront new reasons for denial after repeated practices of the authorities to bring new reasons for denial after multiple examination of the registration documents. It appeals to the authorities to clarify to the judicial magistrates that ECHR verdicts "imply that it is not possible to deny registration on reasons rejected by the ECHR, including those associated with the organization's goals and that registration of associations with similar goals is obligatory if they fulfill the proportional, obvious and formal requests;" and also "...to cease the negative practice of including new reasons for denial despite multiple verification of identical parts of the documents." Finally "considering the continuing absence of visible progress of the individual and general measures necessary for implementation of the court verdicts it calls on the President

³ Here we should mention the Bulgarian Helsinki Committee and the people grouped around the "Marginalia" editorial office.

⁴ PACE: Post-monitoring dialogue, 160

of the Committee of Ministers to send a letter to his Bulgarian counterpart stressing the necessity of finding quick resolutions and total and effective respect the obligations specified by the Court.”⁵

On 23 September the Committee of Ministers made a new decision in the framework of process of increased monitoring of Bulgaria because of not implanting the ECHR verdicts and the refusals to register Macedonian organizations in Bulgaria, in which it: deplored again ... that, despite the adoption of Interim Resolution [CM/ResDH\(2020\)197](#) and subsequent decisions, more than 17 years after the first final judgment in this group, associations aiming to “achieve the recognition of the Macedonian minority” continue to be routinely refused registration mainly due to a wider problem of disapproval of their goals and are confronted with a persistent practice of the authorities raising new grounds for refusal in the course of repeated examinations of the registration documents.“ It appeals to the authorities to clarify to the judicial magistrates that ECHR verdicts „mean it is not possible to refuse registration on the grounds rejected by the European Court, including those related to the goals of the associations; and that the registration of associations with similar goals is due, if they satisfy proportionate, foreseeable and consistently applied formal requirements;“ също така: „... to overcome the negative practice of raising new grounds for refusal, despite several examinations of identical (parts of) documents.“ Lastly „in view of the prolonged absence of tangible progress in the individual and general measures required for the execution of these judgments, invited the Chair of the Committee of Ministers to send a letter to his Bulgarian counterpart, underlining the need to find swift solutions to abide fully and effectively by the obligations deriving from the Court’s judgments in these cases“.⁶

A delegation of the Advisory Committee on the Framework Convention for the Protection of National Minorities visited Bulgaria in the period 13-17 November 2023. It aimed to evaluate progress made in the protection of national minorities in the past 5 years. The delegation, headed by its president Prof. Petra Roter, held a fruitful meeting in Blagoevgrad with representatives of different ethnic Macedonian organizations and discussed lengthly the negative effects from the denial of existence of Macedonian minority in practice, most vividly noticed in respect to the outright exclusion of ethnic Macedonians and their organizations from the scope of application and implementation of the Framework Convention by the Bulgarian authorities. Following the visit, the Advisory Committee drafted its fifth opinion on the implementation of the Framework Convention in Bulgaria containing specific findings and recommendations for follow-up. The fifth opinion is expected to be publicly released in the late 2024.

On 8 December 2023 the annual report of the UN Committee for Racial Discrimination was published, in which “... the Committee is concerned about reports that members of Macedonian minority groups are banned from the free exercise of the right to freedom of assembly and freedom of ber. The Committee regrets the persisting obstacles and burdensome requirements for the registration of civil society organizations and the reported refusal of registrations of Macedonian associations by the Registration Agency and by courts, based on their Macedonian self- identification (arts. 2, 5 and 7). The Committee recommends that the State party consider all possible means for guaranteeing the effective enjoyment by persons belonging to ethnic minorities including Macedonian and Pomak minority groups of their human rights including through the implementation of the relevant judgments of the European Court of Human Rights relevant to the right to freedom of expression and freedom of association. The Committee also

⁵ Decision of the Committee of Ministers from 23 September 2023, 1475th meeting, 19-21 September 2023 (DH), H46-11 United Macedonian Organisation Ilinden and Others group v. Bulgaria (Application No. 59491/00), Supervision of the execution of the European Court’s judgments, Reference document CM/Notes/1475/H46-11.

⁶ Decision of the Committee of ministers, 23 september 2023, 1475th meeting, 19-21 September 2023 (DH), H46-11 United Macedonian Organisation Ilinden and Others group v. Bulgaria (Application No. 59491/00), Supervision of the execution of the European Court’s judgments, Reference document CM/Notes/1475/H46-11.

recommends that the State party eliminate all barriers to the registration of minority associations and take measures to encourage their activities and collaborate with them.”⁷

US Department of State released its annual report on the human rights practices in Bulgaria in the 2023. With respect to the attitude of Bulgarian authorities towards ethnic Macedonians and their endless legal endeavors to register cultural associations as well various different NGOs, the US Department of State noted as follows: *Freedom of Association. The law provided for the right to freedom of association and the government generally respected it. Authorities continued to deny registration of ethnic-Macedonian activist groups such as the United Macedonian Organization-Ilinden, Society of Oppressed Macedonians in Bulgaria-Victims of Communist Terror, Association for Protection of Basic Individual Human Rights 2023, and Macedonian Culture Club “Nikola Vaptsarov” despite numerous prior decisions by the European Court of Human Rights that the denials violated the groups’ freedom of association. In February the Plovdiv District Court confirmed the Registration Agency’s decision denying registration of the United Macedonian Organization Ilinden-Plovdiv on the grounds that the group’s goals, including official recognition of a Macedonian ethnic minority, were aimed at dividing the nation and would create conditions for an ethnic conflict. In May the Plovdiv Appellate Court confirmed the lower court’s decision.*⁸

NEGATION OF THE MACEDONIAN MINORITY, NATION AND IDENTITY

From 1963 onwards the denial of the existence of the Macedonian minority has been an official state policy and doctrine. On 29.02. 2000 the Constitutional Court promoted such a policy in its own Judgement No 1 which banned OMO “Ilinden”-PIRIN and since then that has been one of the main grounds and arguments used to violate the right of association of the Macedonians which moreover this year developed into an official judicial practice and norm (see below). In 2019 and 2020 that was converted into an official condition to be satisfied for the integration into European structures of the Republic of Macedonia and one of the reasons for the blocking of negotiations regarding Macedonia's membership of the EU. On 21 May and 16 June 2021, the caretaker government in Bulgaria affirmed the position that one of the conditions for the integration into European structures of the Republic of Macedonia was that Macedonia renounce the Macedonian minority in Bulgaria.⁹

The denial not only of the Macedonian minority, but in principle the denial of the existence of minorities in the country has been considered to be an argument for the non-registration of minority organisations, which are considered to be directed against the territorial integrity of the country (see the chapter Violation of the Right of Assembly).

The concept “Macedonian minority” is often placed in inverted commas in published documents and is regularly accompanied by the phrase “so-called” in official documents as well as in the media and internet forums. Every similar request is being considered as an enemy action, and even the hypothetical possibility for someone to raise the issue is viewed with alarm.

⁷ Committee on the Elimination of Racial Discrimination, Concluding observations on the combined twenty-third to twenty-fifth reports of Bulgaria*, 8 December 2023, & 22, 23, p. 6, Macedonian and Pomak minority groups.

⁸ US Department of State, *2023 Country Reports on Human Rights Practices: Bulgaria*, April 22, 2024. See:

<https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/bulgaria/>

⁹<https://www.svobodnaevropa.bg/a/31266495.html> - <https://www.svobodnaevropa.bg/a/31310559.html>, <https://www.svobodnaevropa.bg/a/31312202.html>, <https://www.svobodnaevropa.bg/a/31266495.html> (cited on 16/9/2021).

HATE SPEECH

The denial of the Macedonian minority is the basis for the hate speech to which the Macedonian minority is subjected. Without such denial all other accusations levelled against it would not be possible. Accusations levelled against Macedonians, namely that they are *anti-Bulgarian elements, traitors, apostates, foreign agents, enemies of the nation, a threat to its unity and the sovereignty and territorial integrity of the country*, are based explicitly on the notion that such a minority does not exist and claims to the contrary are able to be interpreted only as a hostile act and betrayal of the state and nation by persons who have renounced their own people.

The treating of Macedonians as separatists and enemies of the state undoubtedly sows hatred towards them amongst the majority of citizens.

One of the means employed for imposing stereotypes about the Macedonians is the use of terms designed to denigrate the Macedonian nation, minority, identity and right to self-determination. In order to achieve this goal, instead of correct terms being used, those such as “Macedonianism”, “Macedonists” and other similar ones are employed, suggesting that in this case one is not dealing with matters of ethnic affinity, self-determination and identity, but rather an artificial ideology and those who adopt it. However, often that is not found to be sufficient such that these concepts have to be imbued with a greater number of even more degrading connotations.

During 2023 can be noted certain decrease in the media rhetoric against the Macedonian minority in Bulgaria without it being caused of a policy change. The most probable cause being the concern that public attacks on the Macedonian minority cause reactions in Macedonia the result being decrease of chances Bulgarian demands towards Macedonia are met. There is no change in treatment of the Macedonians – they are characterized as Umos and macedonists, ideas that carry negative connotation in Bulgaria. As analyzed in the national daily *Trud* by Rosen Tahov from the Bulgarian Academy of Sciences: “I want to clarify the meanings in our society. Macedonians are ethnic Bulgarians..., the Macedonist is a traitor, renegade of the worst kind ... a wicked person, an antibulgarian creature of national traitors.”¹⁰ Attorney Nikolai Iliev Lalev in his attempt to join the judicial process for the attempt to register the Macedonian Cultural Club as an interested party will declare to the court that “to claim that there is a Macedonian minority in our country will mean the start of implementing the Doctrine of Macedonism... with violations of the peace and humanity and a genocide of the Bulgarians.”¹¹

Every judicial lack of success of the Macedonians is triumphantly communicated as a Bulgarian success in Bulgaria.¹² Every news item regarding possible raising of the minority issue is met with alarm as danger for

¹⁰ Rosen Tahov, The difference between Macedonian and Macedonist 07.02.2023, <https://trud.bg/%D1%80%D0%B0%D0%B7%D0%BB%D0%B8%D0%BA%D0%B0%D1%82%D0%B0-%D0%BC%D0%B5%D0%B6%D0%B4%D1%83-%D0%BC%D0%B0%D0%BA%D0%B5%D0%B4%D0%BE%D0%BD%D0%B5%D1%86-%D0%B8-%D0%BC%D0%B0%D0%BA%D0%B5%D0%B4%D0%BE%D0%BD%D0%B8%D1%81%D1%82/>

¹¹ Private complaint by Nikolai Lalev vs. decision № 171 of 05.04.2023, case № 41/2023 of the Blagoevgrad County Court. 15.

¹² „The Macedonist organization UMO Ilinden received a new denial to be registered as association. ...Umovians“ (Denied again the registration of UMO Ilinden, they want Macedonian language to be taught in Bulgaria, [1CHAS.BG, 26 JULY 2023, Пак отказаха регистрацията на ОМО „Илинден“, искат да се учи македонски език у нас – 1chas.bg; 24 часа ОМО "Илинден" иска регистрацията, да се учи македонски в училище, да се отменят решенията на КС, парламента и правителството \(24chasa.bg\); Македонистката организация ОМО Илинден получи нов](https://1chas.bg/26-JULY-2023-%D0%BC%D0%B0%D0%BA%D0%B5%D0%B4%D0%BE%D0%BD%D0%B8%D1%81%D1%82/)

the nation.¹³ On the other hand against the decisions of the authorities for the Macedonians to lay flowers on monuments is met with anger including that the actions are done by “macedonists, undisturbed by the police.”¹⁴

The possibility Macedonia will raise the issue of the Macedonian minority the popular TV personality Goran Blagoev was strongly alarmed to the degree of even criticizing the demand to include the Bulgarians in the Macedonian Constitution as something that will raise the issue of the Macedonians in Bulgaria.¹⁵ Another example is the case of Andrei Zografski, a Macedonian from the Republic of Macedonia with Bulgarian citizenship who placed his candidacy for the local elections in Sofia in 2023 and was attacked in the media because his mother had a Macedonian self-identity. The party he represented was also attacked by public demands to respond to the question whether he supports his mother’s words that there is a Macedonian minority in Bulgaria and whether the candidate of PP-DB-Save Sofia Vasil Terziev shares that opinion ... and whether he considers that there is a Macedonian minority in Bulgaria¹⁶

The attacks on the Macedonian Club *Nikola Vaptsarov* in Blagoevgrad were not condemned by politicians or the media, on the contrary the actions were hailed on the Internet and even worsened and threats were issued for more violent actions without the offensive comments removed. In the media also appeared comments that the attacks were committed by the Club members or they hired people to do the same with the purpose to remove the focus on events in Macedonia and that the whole affair was sponsored by Serbia.¹⁷ Hate speech is very common and unhindered in the social media. As an example the YouTube channel UNSINKABLE JANSEN VAN DER STRUDEL 2, during 2023 published 17 mocking videos against the Macedonian activists in Bulgaria under the title “Poison from Skopje” expressing wonder why the state allows their activity and why are they not in prison.¹⁸ The comments under the videos are full of threats and calls for violence.

The violations of the rights of Macedonians in Bulgaria find public support. For example Dr. Borislav Cekov from the *Center for New Europe* will attack the Macedonian activists as separatists and will declare that “our state quite justly refuses to implement the Strasbourg recommendations and to give them registration as a party or association” and calls other ECHR decisions to be ignored in the same manner.¹⁹

[отказ да бъде регистрирана \(novini247.com\)](https://www.novini247.com); КЗД и съдът пратиha в архив жалба на 7 македонистки организации, че в България са подложени на „безогледен тормоз“, Дата: 28.03.2023 / 11:56, Iliana Popova; Toni Maskrcka, Association wants to fight for the rights of “repressed Macedonians” 06.02.2023 09:48, <https://www.24chasa.bg/bulgaria/article/13693026>

¹³ Skopje Speaking! The Prime Minister Kovacevski wants us to recognize Macedonian minority, 24 Март, 2023, [Говори Скопие! Премиерът Ковачевски иска да признаем македонско малцинство ▷ Новини от Fakti.bg - Свят | ФАКТИ.БГ](https://www.fakti.bg)

¹⁴ [Нашите власти разрешиха на македонисти да почетат Гоце в Благоевград \(24chasa.bg\)](https://www.24chasa.bg) 5 February 2023.

¹⁵ Goran Blagoev: When RNM includes Bulgarians in the Constitution, they’ll request a Macedonian minority over here, Published at 18:12 on 13.04.2023 г. [Горан Благоев: Като РСМ впише българите в конституцията, ще поискат македонско малцинство у нас - bTV Новините \(btvnovinite.bg\)](https://www.btvnovinite.com)

¹⁶ Kontrera, IMRO: How the person Zografski from the PP-DB list for Sofia is Bulgarian and his mother is “pure Macedonian,” 04 Oct. 2023, 1: BLITZ [Контрера, ВМРО: Как лицето Зографски от листата на ПП-ДБ за София е българин, а майка му е „чистокръвна македонка“ \(blitz.bg\)](https://www.blitz.bg)

¹⁷ Simona Georgieva, only in Lupa.bg: Activists of UMO Ilinden destroyed Macedonian club in Blagoevgrad? Serbia sponsored the vandal act, Krimi, 15:30 - 07 Февруари 2023, https://lupa.bg/news/samo-v-lupabg-aktivisti-na-bdquo-o-ilinden-rdquo-sa-potroshili-makedonskiya-klub-v-blagoevgrad_219645news.html

¹⁸ <https://www.youtube.com/watch?v=Fqol6350FpY&list=PL5XE0uaJYJsuEOIKEcfd5kja96dMuMTB>

¹⁹ Dr. Borislav Tsekov, the Strasbourg judicial activism did not change our Constitution, Trud (trud.bg), 6 September 2023hj

The way the former President of Bulgaria Rosen Plevnaliev spoke about the Macedonians in Bulgaria says it all in that direction because besides offensive and slanderous the same sows stereotypes about the Macedonians as enemies and agents of foreign intelligence services. On 6th February on the TV program “*This Morning*” on national *BTV* he will declare “there is no place for Macedonism in Europe ... that is a fascist ideology... entirely anti-Bulgarian ideology...the battle to repudiate the fascist, communist ... past of Macedonia is difficult ... and Macedonian elites still suffer from that...when will come a new generation that will erase the fascist past? ...the Republic of North Macedonia tortures us in the Council of Europe about Ilinden with few people financed by Serbian-Macedonist secret services and to use the European rules in a way that created and continue to create problems for Bulgaria.”²⁰

VIOLATIONS OF THE RIGHT TO ASSEMBLY

During 2022 Bulgarian courts continued denying registration to Macedonian organisations using the same reasons and methods which have been condemned multiple times by the ECtHR, for example:

1. The claim that there is no Macedonian minority in Bulgaria.
2. Using the preceding claim as a basis, the courts interpreted efforts in defence of a Macedonian self-consciousness and traditions as an intention to impose a foreign ethnic consciousness on the Bulgarian population.
3. By treating any mention of a Macedonian minority, ethnicity, or self-consciousness anti-constitutional, and directed against the unity of the nation and the territorial integrity of the country.
4. On the basis of point No 2 efforts in defence of Macedonian self-consciousness and traditions are interpreted as having the goal of creating division and confrontation on an ethnic basis.
5. The goals of the organisations which work to defend the Macedonian minority are interpreted as an effort to create privileges on an ethnic basis.
6. Manipulations with unclear definitions of the concept “political goals”, goals which are intrinsic to organisations with a social benefit and goals intrinsic to private organisations. No matter how the goals of the Macedonian organisations are formulated, according to Bulgarian institutions they are always deemed to apply to organisations of a different category to that category in which registration is sought; it does not help, even when a particular organisation changes the categories in which it attempts to register, preserving the same goals. Those institutions now do not even make recommendations as in the past the procedure for registration to be stopped and instead a new one to be started but now the application is simply rejected. Despite the recommendations of the Committee of Ministers the state has not done anything in that regard, neither in respect of defining the differences in these goals, nor to stop the speculation with and abuses of the ambiguities by state institutions.
7. Speculation as to alleged irregularities in the documentation, and the attempt to find such irregularities leads to extremes and outright speculation. Contrary to the law and the insistence of the Committee of Ministers - there are no instructions given for the correction of alleged irregularities, while they are at the same time said to be unable to be corrected and an outright refusal is issued. Such a tendency for their refusals was particularly apparent this year; state institutions make a special effort to invent formal reasons

²⁰ Росен Плевнелиев: Проруски български формации са изключителни активни | „Тази сутрин“ – БТВ, bTV Media Group, <https://youtube.com/watch?v=HFGs7ZLa1f0&feature=share>.

and at each level an effort is made to add even more, giving them prominence, despite the fact that their consideration of ethnic motives takes precedence in terms of volume and weight of evidence. The invention of formal reasons and demands which are not applied in the cases of other organisations, have as a goal to be used before the Strasbourg institutions for covering the actual ethnic motivation for the discriminatory decisions taken.

8. The Agency for Registration continued the practice which it had begun last year (2021); namely to deal with every new application for registration by a given organisation through the prism of previous refusals and since the goals of the organisation to fight in some way in defence or in favour of persons with a Macedonian self-consciousness had not changed, to treat that as an uncorrected error or irregularity and therefore on that basis to issue a refusal. In that way the violation of the law by the courts and state institutions is converted into a law in and of itself, while the goals for the defence of the Macedonian minority are treated as an error which must be removed from the application.

9. The courts do not always base their decisions on the statute and documents presented but rather strive to “uncover the true will of the founders” which it interprets arbitrarily and tendentiously with a view to refusing registration.

10. The courts continued with the practice instituted last year (2021) whereby they oblige Macedonian organisations which have lodged an appeal against the Agency's decisions to pay its court costs.

11. New moment in the Bulgarian judiciary can be seen in the denial to register the Association of Repressed Macedonians in Bulgaria with the argument that the problems of the repressed are handled by the state and that there is a law and it is not a matter to be examined by the association. This absurd argument is used only for the Macedonians while there are numerous associations of repressed people for different reasons, obviously not a problem for the court. The Macedonians have no right to care about their rights – that only the state can do it, the same state that does not recognize them.

The only constant in the practice of the Bulgarian courts in relation to Macedonian organizations is the refusal to register them.

Contrary to the decisions of the ECtHR and the Committee of Ministers, the Bulgarian judicial system has created its own ideological interpretation of the law and built a system and framework that makes it impossible to register an organization that sets among its goals any type of protection of the rights of Bulgarian citizens with a Macedonian self-consciousness and the interests of the Macedonian minority or concern for Macedonian identity and culture.

This year 6 Macedonian organizations tried in vain to register and received at least 26 denials. Two of those with positive ECHR verdicts received the same denial – Association of Repressed Macedonians in Bulgaria victims of the Communist Terror with 5 rejections and UMO Ilinden with 3. The other 4 are: Society for protection of basic individual rights with cancelled registration (4), Macedonian Cultural Club *Nikola Vaptsarov* (3), United Macedonian Organization Ilinden – Plovdiv (8) and United Macedonian Organization – Blagoevgrad (3).

Association of Repressed Macedonians in Bulgaria Victims of the Communist Terror

- Decision № 10 Blagoevgrad County Court of 31.01.2023, Judge Katia Belyova

- Decision 256 of the Sofia Appellate Court of 20.04.2023, Judges Ivan Ivanov, Nikolay Metanov, Valentin Boykinov
- Denial AP № 20230724135207 of 26.07.2023
- Denial № 120 of Blagoevgrad County Court of 23.08.2023, Judge Gylfie Yahova
- Decision № 622 of the Sofia Appellate Court, Judges: Velichka Borilova, Zornitsa Gladilova, Maria Raykinska.

UMO “Ilinden”

- Rejection of the Registry Agency № 20230202111801 of 06.02.2023
- Decision № 96 of the Blagoevgrad County Court of 24.07.2023 – Judge Nikolay Grncharov.
- Decision № 596 of the Sofia Appellate Court, 05.09.2023, Judges Velichka Borilova, Zornitsa Gladilova, Maria Raykinska.

Society for protection of basic individual rights

- Rejection of AP № 20230726120053 of 28.07.2023
- Rejection №20230807153957 of AP of 09.08.2023
- Decision № 134 of Blagoevgrad County Court of 19.10.2023, Judge Nikolai Grncharov.
- Decision № 164 of Blagoevgrad County Court 18.12.2023.- Judge Aneta Ilinska

Macedonian Cultural Club Nikola Vaptsarov

- Rejection AP № 20230207144512 of 09.02.2023
- Decision № 35, of Blagoevgrad County Court of, 05.04.2023, Judge Miglena Iovkova.
- Decision № 539 of the Sofia Appellate Court of 02.08.2023, Judges Ivan Ivanov, N. Metanov, Valentin Boikanov

United Macedonian Organization Ilinden – Plovdiv

- Rejection AP №20230209120127 of 10.02.2023
- Decision № 80 of Plovdiv County Court of 24.02.2023, Judge Simeon G. Zahariev.
- Decision № 162 of Plovdiv Appellate Court of 03.05.2023, Judges Nadezhda Iv. Zhelyaskova Kalitchkova, Slaveyka At. Kostadinova, Krasimira V. Dantcheva.
- Rejection № 0230531111359 of the Registry Agency of 02.06.2023.
- Decision № 335 of Plovdiv County Court, 09.08.2023, Judge Greta Il. Tchakalova.
- Decision № 330 of Plovdiv Appellate Court of 28.09.2023, Judges Nestor Sp. Spasov, Emiliya At. Bruseva, Radka D. Tcholakova.

- Rejection № 20231031105859 of Plovdiv Registry Agency, of 01.11.2023
- Decision № 466, Plovdiv County Court, 29.11.2023, Judge Miglena Il. Ploshtakova.

United Macedonian Organization – Blagoevgrad

- Rejection of AP
- Decision № 22 of Blagoevgrad County Court of 15.03.2023 г. – Aneta Ilinska
- Decision of SAS.

VIOLATED RIGHT OF PEACEFUL ASSEMBLY

Furthermore, one worrisome tendency related with the very first aspect of the right(s) covered with Article 11 of ECHR, i.e. *right to freedom of assembly*, occurred in past three years. Namely, starting from 2021, the mayor of the city of Petrich on exactly three occasions imposed *de facto* bans for organizing peaceful assemblies by ethnic Macedonians which were planned to take place on the date and place of particular importance for their historical memory and ethno-cultural identity.

For instance, on 17 July 2023 *UMO "Ilinden"* officially notified the municipality of Petrich about its plans for its traditional celebration in the area of Samuil's Fortress on the occasion of the 120th anniversary of the Ilinden uprising, which they intended to be held at 29 July 2023. However, two days before the scheduled celebration, the mayor of the city - acting in a very reminiscent manner to that of previous two years - refused its permission under the pretext that a series of events were planned by the municipality on that day and throughout the day, which allegedly would make it impossible for *UMO "Ilinden"* to hold their event, as it would create safety and traffic problems. The mayor suggested that they choose another place and day, which due to the nature of the event was impossible to do.²¹

The municipality's assertion that this very day was completely taken up with other municipal events was either an obvious falsehood, or they were deliberately scheduled to prevent the traditional event of the Macedonians from taking place. That the municipality purposefully tried to disrupt the Macedonian celebration became evident when representatives of *UMO "Ilinden"* went to the site at least to lay flowers, however it turned out that there was no one else there and even the museum was closed. Similar things also occurred in both 2021 and 2022, when the Petrich municipality consecutively refused permission to hold these events under the false pretext that celebration would be held at the same site for a whole week, which again turned out to be false.

It should be stressed that the initial decision was later challenged before the administrative courts, but higher court uphold the mayor's decisions, more or less, by interpreting the provisions stipulated in the *Act on Gatherings, Meetings and Manifestations*. Even though the mayor of Petrich suggested the applicants to change time and place of planned gatherings, at the end the events did not took place. Hence, the initial decisions amounted to *de facto* bans for holding peaceful assembly - which is a violation of Article 11 of ECHR.

²¹ See: *Reply from the Mayor of Petrich, Dimitar Brachkov, addressed to Kiril Serafimov Tilev, dated from July 27 2023, № 92-00-1954-001/270723.*

Attacks against Macedonian Cultural Club “Nikola Vaptsarov” in Blagoevgrad

On 4 February – four persons, employees of the city of Blagoevgrad attacked the Macedonian Cultural Club “Nikola Vaptsarov” by throwing stones that broke the front window. When apprehended they stated that they did the act in protest of the behavior towards Bulgarians by the Macedonian authorities. The city Mayor refused to fire or punish them. The media condemned Macedonia and the act was approved in the Internet space. No real sanctions were implemented against the culprits.²² This is one of the many attacks against Macedonian clubs in the last 20 years none of which was sanctioned. The registration of the club was cancelled few days before it opened. The attempt to register and all attempts to register in 2023 was denied by all institutions.

DISCRIMINATION AGAINST MACEDONIAN ORGANIZATIONS AND ACTIVISTS

During 2023 there is continuation of the Kanzurov case. On May 15, 2022, the infamous Bulgarian nationalist from Skopje Viktor Kanzurov and his wife Stanisava Kanzurova, in their *Facebook* profiles, published photos of how they had trampled ribbons and thrown in the trash can "where they belong" the wreaths of the Macedonian organizations laid at the monument of Yane Sandanski in the town of Melnik during the all-Macedonian meeting. Photos taken show how the wreaths were being thrown away and also how the ribbon bearing the name of the Association of Repressed Macedonians in Bulgaria, whose members have spent years in Bulgarian prisons because of their Macedonian identity, was demonstratively stepped on. In the comments following under the published material, numerous Bulgarian nationalists applauded his actions and flooded the Macedonians of Bulgaria with hate speech, threats, and insults. Two of the affected organizations - OMO "Ilinden" and the Society of the Repressed submitted reports to the prosecutor's office in the town of Sandanski and the Commission for Protection from Discrimination with a request for an investigation and the taking of appropriate measures. The prosecutor's office interrogated the complainants.²³

With the decision for ending the punitive measure of 13.01.2023, entry № 4691/2022, of 09.03.2023, prosecutor Maria Stephanova, Blagoevgrad Regional Prosecutor Office from the city of Sandanski the case was ended. According to the prosecutor there is no infraction because the Bulgarian society was not scandalized “as a whole” (i.e. the majority of the public was not scandalized about the attempts against the minority). Also because through their action the Kanzurovs “expressed their public point of view,” and during their interrogation they made “a clear demonstration of their will to express and show that they feel responsible for the territorial integrity of the Republic of Bulgaria.” The last prosecutor statement was based on the Kanzurov’s statements “according their understanding placing of wreaths by UMO Ilinden and the

²² [4-ма счупили витрината на македонския клуб в Благоевград | Днес.dir.bg](#); [Антон Чавдаров, Говорят общинските служители, счупили прозорците на Македонския клуб в Благоевград, Говорят общинските служители, счупили прозорците на Македонския клуб в Благоевград - Общество - България - Здравей, България - Nova.bg](#).

²³

[https://m.facebook.com/story.php?story_fbid=5592956254065851&id=100000545956415&__cft__\[0\]=AZWUYW MZyzTh-h0v4Yj-GCW91dZnHxmQMxS5FAt3t3PvRtbDLlcV-5flKXMb9WhC-iUJKBuATHB458hAi3tpATwIkFuV2iMToyygfWj8LZWBPDBJoulnuHt7Id6GhYuTuFtk00FAzP1cSjEFvXfw0xkf51smDLTLa8--3qLnLp0nSQ&__tn__=-UK-R](https://m.facebook.com/story.php?story_fbid=5592956254065851&id=100000545956415&__cft__[0]=AZWUYW MZyzTh-h0v4Yj-GCW91dZnHxmQMxS5FAt3t3PvRtbDLlcV-5flKXMb9WhC-iUJKBuATHB458hAi3tpATwIkFuV2iMToyygfWj8LZWBPDBJoulnuHt7Id6GhYuTuFtk00FAzP1cSjEFvXfw0xkf51smDLTLa8--3qLnLp0nSQ&__tn__=-UK-R) ; Application to the Regional Prosecutor's Office , Sandanski 19.05.2022 by Kiril Serafimov Tilev.

Association of Repressed Macedonians in Republic of Macedonia, victims of Communist terror was an act of separatism“ so they threw them in a garbage container. In their statements they claim that relations with association “*UMO Ilinden*” have worsened ... that they were collecting enormous finances for the goal of seceding of Pirin Macedonia from Republic of Bulgaria for which Bulgarian state intelligence (DANS) was informed.” Because of that the prosecutor found the similar slanderous actions are sufficient it reaches a conclusion that "Their actions are worth to be examined as an expression of citizen’s opinion with political character ...which allows their action to be examined as freely expressed political opinion.” Clear sign of the prosecutor’s mockery with justice is the statement that “despite the used attempts” it couldn’t establish whose are the feet that trampled the wreath despite the fact that there are only two culprits, it is a female foot and the only female is Kanzurova who published the photos on her profile.

The victims filed a complaint to the Discrimination Protection Committee which according to its established practice after requesting that the complaint be reformulated rejected it on 5th September on a closed session with decision № 325, reason being lack of discrimination or violation. There was a new complaint against the decision on 21.09.2023 to the Blagoevgrad Administration Court. With Decision № 1825 of 24.10.2023 by Judge Ouzunov the complaint of Tilev and Gerasimov was rejected in view of the decision by the Discrimination Protection Committee.

This is another example of the Bulgarian authorities practice to protect and reward in various ways people which discriminate or humiliate the Macedonians in Bulgaria and to deny them any protection.

Prohibition of waving Macedonian ethnic flags

On 4th February members of UMO Ilinden – PIRIN, the Association of Repressed Macedonians in Bulgaria and the Macedonian Cultural Club “Nikola Vaptsarov” laid flowers on the Gotse Delchev monument in Blagoevgrad, but the police did not permit them to wave their organization’s flags or Macedonian ethnic flags (not state flags). In a report about the event in the national daily 24 CHASA a displeasure is expressed because the police did not stop the laying of flowers (undisturbed by the police).²⁴

LACK OF PROTECTION AND COOPERATION BY THE INSTITUTIONS

During this year several Macedonian organizations (Macedonian Organization-Ilinden, Society of Oppressed Macedonians in Bulgaria-Victims of Communist Terror and Macedonian Culture Club “Nikola Vaptsarov”) attempted to action the rights mechanisms in the state but in vain. All complaints sent to the Ombudsman, Discrimination Protection Committee, Ministry of Internal Affairs ended either with transfers of the cases to other instances or outright rejection.

The lack of action by the Prosecutor’s Office

The same lack of rights protection and non-function of the rights protection mechanisms could be noted in the cases of Kanzurov, the Club “*Nikola Vaptsarov*” and the Club “*Ancient Macedonians*.” Even if the prosecutor accepted the complaints and made initial examinations, in 2 cases it outright refused to make

²⁴ [Нашите власти разрешиха на македонисти да почитат Гоце в Благоевград \(24chasa.bg\)](https://24chasa.bg).

cases (“*Ancient Macedonians*” and “*Nikola Vaptsarov*”), and in the other it did not undertake any further actions.

REFUSAL OF THE AUTHORITIES TO ENGAGE IN DIALOGUE

Dialogue between the representatives of the Macedonian minority and the authorities is regularly recommended in the monitoring reports on Bulgaria. This year again the authorities did not make any attempt to implement the recommendations in the reports of the Parliamentary Assembly of the Council of Europe, the Commissioner for Human Rights, the European Commission for the Fight Against Racism and Intolerance and the Consultative Committee for the Application of the Framework Convention on National Minorities for the start of a dialogue with the Macedonian minority. On the contrary, not one reply was received to the many written requests from Macedonian organizations for meetings and talks with Bulgarian institutions such as those of the President, Premier, Parliament, Minister of Education, the Commission for Minority Issues.

CONCLUSIONS AND RECOMMENDATIONS

The violation of the right to association as well as the hate speech and discrimination that Macedonians are subjected to are based on the dominant ideology from the time of the communist regime, according to which a key role is played by the denial of the Macedonian minority and the treatment of the mere idea that such a minority exists as hostile to Bulgaria.

Given the existing situation in the country, it does not appear probable that the situation of the Macedonians in Bulgaria can be improved without serious external intervention, especially on the part of European institutions. This problem is very old and serious and requires emergency measures.²⁵ The denial of and discrimination against the Macedonian minority represents the last vestige of totalitarian policy in the European Union.

In order for the current problems of the Macedonian minority in Bulgaria to be solved the following changes should occur in Bulgaria:

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, as well as the parliamentary declaration of 9 November 2019, 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 and that its rights will be defended.

2. The state should officially recognise the existence of national minorities in the country and the concept “national minorities” should be included in the Constitution. The state should take the necessary legal measures so that the principle of the unity of the nation cannot be interpreted to deny the very existence of national minorities and their rights. If possible, national minorities should be listed by name in order to avoid any possibility of misinterpretation of the Constitution and denial of minorities.

²⁵ For the same recommendation see: <https://www.civicsolidarity.org/article/1639/respect-and-recognition-acedonian-minority-bulgaria-strong-condemnation-announcements>, accessed on 16 March 2020

3. Measures should be taken so that the constitutional prohibition on forming organizations on an ethnic basis is not interpreted and used to oppose the right of minorities to form their own organizations.
4. 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 justifies denial of registration.
5. Bulgaria should implement the judgements of the ECtHR and Macedonian organisations should be registered. The obstacles preventing registration of Macedonian organisations should be removed- the implementation of the decisions of the ECtHR are of fundamental significance in order to ensure the supremacy of the law.²⁶ The existing blockade on the registration of Macedonian organization should be lifted.
6. An active dialogue must be initiated between the state and the representatives of the Macedonian minority in order to solve current problems and there should be a Macedonian representative on the Commission on Minorities.²⁷ This dialogue should begin immediately, without waiting for the recognition of the Macedonian minority as „recognition by the state as a minority is not a prerequisite to qualify for the protection of the Framework Convention“ and should focus on the application of the Framework Convention to the Macedonians in accordance with specific articles of the Convention.²⁸
7. The Census documents in the future should contain a separate column for “Macedonian” and during the conduct of the Census it is to be publicly and officially announced that everyone who self-identifies as a Macedonian can freely do so.²⁹ The same advice should be contained in the directions given to the Census takers.
8. Measures should be taken for the promotion of tolerance vis-à-vis the Macedonian minority and for its protection against hate speech and institutional discrimination.
9. The study of the Macedonian literary language, culture and history should be included in curricula for children belonging to the Macedonian minority. At the same time basic school curricula should be modified so as not to exclude references to the Macedonian nation and its history, culture and language (something which is not new, and which was done in the past in Bulgaria, but which has now been abandoned).

Committee for the Defence of Human Rights “Tolerantnost”

with the Support of: OMO “Ilinden”-PIRIN, OMO “Ilinden”, The Association of Repressed Macedonians, Victims of Communist Terror, The Association for the Defence of Fundamental Civil Rights, The Civil Initiative for the Recognition of the Macedonian National Minority in Bulgaria and Defence of the Rights of Bulgarian Citizens with a Macedonian Consciousness, Macedonian Club for Ethnic Tolerance in the Republic of Bulgaria, Macedonian Human Right Movement International

²⁶ Report of the Commissioner for Human Rights of the Council of Europe following her visit to Bulgaria on 25-29 November 2019, 31/03/2020, & 6, <https://ec.europa.eu/migrant-integration/librarydoc/report-of-the-commissioner-for-human-rights-of-the-council-of-europe-following-her-visit-to-bulgaria-on-25-29-november-2019>, & 49

²⁷ Commissioner, & 49

²⁸ Advisory Committee on the Framework Convention for the protection of National minorities, Fourth Opinion on Bulgaria-adopted on 26 May 2020, ACFC/OP/IV(2020)001Final, <https://rm.coe.int/4th-op-bulgaria-en/16809eb483>, & 25 - 27.

²⁹ Cf. Advisory, & 31 – 36.