

## HUMAN RIGHTS IN BULGARIA IN 1995

### Introduction

Throughout 1995 Bulgaria was ruled by Mr. Zhan Videnov's government of the Bulgarian Socialist Party (successor of the Communist party which ruled the country until 1989), formed after the party won an absolute majority in the early parliamentary elections on 18 December 1994. The general constitutional and political framework of the development of the democratic process remained unchanged. Bulgaria continued to develop as a democratic state. In late March 1995 the only discriminatory law on "decommunization" was repealed. That law, which introduced certain additional requirements to the members of the governing administrative bodies of the academic and research organizations and the Higher Certifying Board, known as the "Panev Law" (after the name of the Union of Democratic Forces MP who proposed it) was adopted and enforced to expel certain individuals from the managing bodies of academic and research institutions, on the grounds of broadly defined criteria of links with the former totalitarian regime.

The general human rights situation, however, deteriorated. From the very beginning of the functioning of the new government, in spite of the declarations about renovation of the cadres within the Socialist Party, many prominent figures from the former totalitarian regime were appointed to responsible posts. According to information in the media, more than 500 high-ranking officials in the administrative and economic sphere were dismissed before the municipal elections at the end of September, to be replaced by persons loyal to the new government. A new wave of personnel changes followed the local elections in which the Bulgarian Socialist Party (BSP) won in many new municipalities. Academician Ilcho Dimitrov, who was a minister also at the time of the campaign organized by the totalitarian regime for the coercive changing of the names of the ethnic Turks in Bulgaria in the late 1980s, became the new Minister of Education, Science and the Technologies. While he was being elected to that post, his nomination was sharply opposed by the Movement for Rights and Freedoms (MRF) - the political organization of the majority of the ethnic Turks in Bulgaria, of a part of the Bulgarian Mohammedans and of a part of the Muslim Roma in the country. The general ideological and political climate for discussing any problems related to human rights was deteriorated after ideas and formulations from the past transpired in the public discourse, and after a greater political space for expression was given to public circles actively advocating antidemocratic ideas. On October 13, the Prime Minister of Bulgaria qualified the developments since the beginning of 1990 as a "process of destruction of the state principles."

An issue that is usually extraneous to human rights problems became more visible in 1995: the inability of the authorities to guarantee the safety and security of the predominant majority of the Bulgarian citizens. Not only certain risk groups - for which there was a possibility of human rights violations - are threatened, but the security of the predominant part of the population is jeopardized. In a working democracy this problem is naturally solved, as a rule, through the electoral process. However, the immaturity of the democratic mechanisms of control over political power does not allow for the time being the natural solving of the problem. The quantitative increase of the instances of lawlessness, the inefficiency of the state law-enforcement bodies and the widespread corruption result in grave violations of the human rights of the citizens.

### 1. Ratification of International Human Rights Instruments and Legislative Changes Affecting Human Rights

No international human rights instruments were ratified in 1995. Bulgaria remained one of only five member-countries of the Council of Europe which have not yet signed the *Framework Convention for the Protection of National Minorities*. The *Convention* - itself a weak instrument from the viewpoint of international law with respect to both the standards and the mechanisms of their enforcement - was commented as being directed against the interests of Bulgaria by influential public circles and by responsible civil servants. In May amendments were made to the *Penal Code* and *Code of Criminal Procedure*: several new provisions were introduced, some of the existing provisions were amended, the "life imprisonment" sentence was introduced (however, without abolishing the capital punishment), and taking into custody was mandated for individuals accused of grave premeditated crimes, against whom there are pending legal proceedings on charges of another crime, as well as in the cases of criminal recidivism.

## **2. Independence of the Judiciary and Fair Trial**

The judiciary in the country preserved its independent status, enshrined in the *Constitution* of the Republic of Bulgaria, in spite of the serious criticism against it - coming both from the executive power and from broad public circles, resulting mainly from its inability to respond quickly to the rising crime rate in the country. The delays of justice in criminal cases and the poor coordination between the standards of the police, investigation and prosecution, was the reason for the considerable prolongation of the preliminary detention on many charges, beyond the maximum 9-month period, in some cases more than two years. One of the most serious obstacles before a fair trial continues to be the lack of a guarantee in the law concerning the presence of a lawyer at the stage of the preliminary investigation for all individuals taken into custody. Article 70 of the *Code of Criminal Procedure* stipulates several categories of detainees for whom a lawyer is made available even if they cannot afford to retain one. However, individuals taken into custody are not included in that category, and the reform of the criminal legislation of May 1995 failed to include amendments to these provisions. And there are no socially organized forms of legal defence in such cases. This means that a part of the detainees, more specifically those who are not aware of their rights to have a lawyer or cannot afford to pay for one, actually participate in the preliminary investigation without legal defence. Many cases of brutality, beatings and ill-treatment were reported among these people during their detention, especially if they came from certain minority groups. This illegal violence was used predominantly for obtaining evidence (cf. Torture and ill-treatment of detainees, excessive use of force by law-enforcement officials). The other serious problem related to the fair trial throughout the year continued to be the procedure of sending juvenile delinquents to labour-educational schools, where the juveniles and minors are essentially kept under prison conditions. The *Law on the Prevention of Antisocial Acts by Juveniles and Minors*, an obsolete act which did not undergo any reform after the onset of the democratic process, provides for non-judiciary institutions to hear the cases of juvenile delinquents, does not allow legal defence during the hearing of the case, or appeal of the ruling. In 1995, the Bulgarian Helsinki Committee launched a project to study the procedure of sending minors to labour-educational schools, which will extend to 1996 as well.

The *Law of the Administrative Procedure* contains a general provision under which all administrative acts are subject to judicial review with respect to their conformity to the law, with the exception of acts related to the country's defence and national security, acts connected with foreign currency control and customs duties, as well as those for which another appeal procedure has been provided for by law. During the year the courts performed numerous reviews of administrative acts following complaints by the parties concerned, and in many cases they ruled on the revoking of these acts. The Constitutional Court - the body authorized by the *Constitution* to supervise the conformity to the Constitution of the laws passed by Parliament - heard several cases and announced decisions with which it declared

several laws to be contrary to the Constitution, including a number of new amendments to the *Land Reform Act*, as well as many of the texts of the *Principal Provisions of the Temporary Statute of Bulgarian National Television, Bulgarian National Radio and the Bulgarian News Agency* (cf. Freedom of expression, freedom of the media and hate speech). Nevertheless, there are serious reasons to assume that there are procedures that do not correspond to the norms of the *European Convention on Human Rights* in the system of judiciary control over the administration. This is valid more specifically of the lack of judiciary control over the decisions of the local governments to grant social aid - a procedure fixed by a special (and rather detailed) act of the Council of Ministers, which however provides for administrative procedure of appeal only. Moreover, the dismissals of a rather broad category of civil servants, which was additionally expanded with the amendments to the *Labour Code* of last December, as well as employees in certain state institutions (e.g. the railway system), are similarly not subject to judiciary review.

During the year, several courts and other judiciary bodies essentially shared through their rulings some widespread prejudices, or supported restrictive acts of the administration against certain minority groups. In late October, Georgi Solounski, leader of one of the Macedonian organizations in Bulgaria, was sentenced to two years and eight months imprisonment for "arrogant hooliganism" after a closed-door trial and after the demonstrative refusal of the magistrates to allow independent observers during the trial. The Sofia District Court recognized upon appeal that some elements of the procedure of the first-instance court had been unfair. On appeal the case was open and was observed jointly by the Bulgarian Helsinki Committee and the Macedonian Helsinki Committee. On several occasions the prosecution refused to bring charges against police officers who took part in the ill-treatment of Roma (cf. also Freedom of association and of peaceful assembly; Torture and ill-treatment of detainees, abuse of force by law-enforcement officials).

### **3. Freedom of Expression, Freedom of the Media and Hate Speech**

Freedom of expression, including in the media, has been guaranteed in Articles 39, 40 and 41 of the Bulgarian *Constitution*. However, the restrictions provided in it and in some other laws are more stringent compared to the standards of the *European Convention on Human Rights*. The restrictive provisions of Articles 39 and 40 allow to limit the right to express an opinion, including the right to stop or confiscate some publication or some other information carrier, when it infringes upon the "good manners" or contains appeals for a violent change of the constitutionally established order, instigation to crime or violence against the individual. On the other hand, the respective restrictive provision of Art. 10, item 2 of the *European Convention on Human Rights* goes beyond the simple expression of "content" launching some appeal and allows a certain degree of curbing the freedom of expression "for the prevention of disorder or crime," i.e. when the appeal had generated some action. A similar provision can be found in Article 20 of the *International Covenant on Civil and Political Rights* which provides for the prohibition of speech which incites to national, racial or religious hatred only when it "constitutes incitement to discrimination, hostility or violence." Confiscation of a printed edition on the basis of its content only, ruling out the hypotheses under Article 10, item 2 of the *European Convention on Human Rights* which allow that, was ordered by the Prosecutor's Office in Blagoevgrad against the *Narodna Volia* newspaper, a publication of anarchists supporting the Macedonian cause, published in Bulgarian and Macedonian languages. However, the rest of the cases involving the freedom of expression in Bulgaria developed in 1995 irrespective of the discrepancies between the national legislation and international law.

Article 41, par. 2 of the *Constitution* guarantees the right of the Bulgarian citizens to receive information from state bodies on matters which are of legitimate interest to them. However, there is no law in Bulgaria that compels the institutions to provide information to individuals

or organizations on demand. In the beginning of February the government restricted additionally the possible access of journalists to the ministers and refused to give information on the materials submitted to the meetings of the Council of Ministers. All this created serious difficulties before journalists in their attempts to discuss publicly any issues connected with the state or local administration, as well as with courtroom procedures. A part of the criminal charges against journalists in 1995, on the other hand, were based on accusations of gaps in the gathering and verification of facts.

There is still no special law on the statute of the media in Bulgaria. Printed editions function as business associations, while the state-controlled electronic media essentially resemble state companies, but they are not tax-liable and their general managers are elected by Parliament with a simple majority. The private electronic media are licensed by a special board appointed by the government and they function as tax-liable business societies. These provisions regulate the relations between the boards of the media in their capacity of employers and the journalists as employees, but they are extremely inadequate in terms of the presentation of the public interest.

The main statute of the domestic legislation, proposed in 1990 to serve as a Law on the National Radio, TV and the Bulgarian News Agency, was the *Principal Provisions of the Temporary Statute of Bulgarian National Television, Bulgarian National Radio and the Bulgarian News Agency* which were adopted at that time as a decision of the Parliament, with several subsequent amendments in 1991, 1993 and 1995. In 1995 this statute was brought twice before the Constitutional Court for a verification of its conformity to the Constitution. The Constitutional Court revoked a number of its provisions as being contrary to the freedom of expression guaranteed by the Constitution. It substantially curbed the powers of the parliamentary committee on the media to intervene in the management of the electronic media, but - on the other hand - this increased the powers of their general managers. The right of the Bulgarian National Assembly to elect by a simple majority the directors of Bulgarian National Television, Bulgarian National Radio and the Bulgarian News Agency, guaranteed by the *Principal Provisions of the Temporary Statute*, however, remained non-infringed even after the two rulings of the Constitutional Court. The internal regulations concerning the programme activities of the Bulgarian Radio and TV do not fix clear procedures and hence offer broad prospects for administrative abuse.

The problem related to the control on the content of the information in the media was exacerbated soon after the new government was formed. In February 1995 the President of the Republic of Bulgaria declared before intellectuals that "recently there is censorship in Bulgarian TV, imposed in a very brutal way." The problem was discussed at several meetings of the Parliamentary Committee on the Radio, TV and the Bulgarian News Agency, but the transcripts of these discussions were not made public. In June the parliamentary majority elected new general directors of the radio, TV and news agency. The Director of the Publishing House of the Bulgarian Socialist Party was appointed to become TV boss. Individuals with clearly manifested preferences for the ruling party were also appointed directors general of the National Radio and the Bulgarian News Agency.

The control on the content of information has always been the most severe in the state electronic media - TV and radio - which are also the most influential in the country owing to their accessibility. In 1995 the Bulgarian Helsinki Committee conducted a special study on the problem in the Radio and TV, which comprised a questionnaire distributed to a large number of journalists. The prevalent majority among them noted an intensification of the control in 1995, especially after the new media bosses were appointed (for more details see the Annex to this report). In late November, 34 journalists and broadcasters from the most popular radio channel signed a protest declaration against the "permanent direct administrative interference in the preparation and broadcasting of the programmes" and

against the control exercised by the administration "before the broadcasting of recorded materials" and against the "intolerable manipulation of the content," as well as against the censorship imposed through subsequent "financial sanctions against journalists and broadcasters, unconvincingly presented as violations of the technological discipline." The declaration also pointed out the consequences of that control: lack of balance in the presentation of the political parties, information blackout on some events, highlighting events of minor importance at the expense of major events, etc. Another twenty radio journalists and broadcasters subsequently signed the declaration. The Director General of the Bulgarian National Radio rejected the accusations as being unfounded and immediately fired the Deputy-Director General of the Bulgarian Radio for having organized the protest of the journalists, and on December 18 - another seven of those who had signed the declaration for "destabilizing the political situation in the country." The dismissals provoked a wave of civil and political protests against the curbing of the freedom of speech.

Several criminal proceedings against journalists for defamation of public officials were instituted or carried over from the previous year. In Bulgaria these cases are brought to court by the prosecution only and the *Penal Code* provides for prison sentences of up to three years. Three of the cases were for libel against representatives of the prosecution itself. One of them ended last October with a sentence against the journalist Gergina Bankova, who was forced to pay a fine for slander against a public prosecutor from the Chief Prosecution, although that prosecutor had the opportunity of presenting his point of view in many mass media, including in the newspaper which published the article allegedly insulting to him. In that case and in one other instance known to the Bulgarian Helsinki Committee, the Prosecution started criminal proceedings without a complaint by the official in question - a practice which opens widely the gates of the punitive repression against journalists.

Throughout the year, the press and the other media were full of "hate speech" directed by all kinds of groups, but particularly against some ethnic and religious minorities, neighbouring countries and peoples. Among the ethnic minorities, the most frequent object of "hate speech" were the Roma, though the ethnic Turks and some other smaller groups were also placed in that category in some editions. The media routinely mention the ethnic belonging of the perpetrator of the crime, if he belongs to the Roma community, even when his ethnic identification is totally irrelevant to the criminal act itself. The Evangelist groups are the most frequent object of verbal attacks among the religious minorities, the pretext for them being sometimes statements by high-ranking public officials.

#### **4. Freedom of Association and of Peaceful Assembly**

The freedom of association and of peaceful assembly was generally guaranteed during the year for the prevalent majority of Bulgarian citizens, although the legislation and the court practice on the registration of citizens' associations creates prerequisites for numerous complications of a purely bureaucratic nature. However, it continues to be a problem for some minority groups. The *Constitution* and the *Law on Political Parties* do not allow the formation of political parties on an ethnic and religious basis. During 1995 there is no evidence of any group having been refused registration as a political party. During the year there were cases of dissolving peaceful indoors meetings of religious communities, as well as refusals on the part of the municipal authorities to make public conference halls available even to regularly registered religious communities (see also *Freedom of thought, conscience, religion or belief*). In April activists of the United Macedonian Organization "Ilinden," a radical Macedonian group, were given the opportunity for the first time after 1991 to place flowers on the grave of Yane Sandanski - something that had been regularly prohibited in the past several years, and attempts to this effect were quite often accompanied by cruel beatings

of peacefully gathered and unarmed people by police and special forces.<sup>1</sup> In late July, however, the Mayor of Petrich prohibited another traditional gathering organized by the Ilinden Macedonian Organization: the celebration of the anniversary of the Ilinden Uprising in the Samouilova Krepost [Samouil's Fortress] locality. On July 28, the District Court in Petrich confirmed the ban on the rally in the Samouilova Krepost locality on grounds that no celebrations of events that are unrelated to Bulgarian history may be organized on the territory of Bulgaria. Several days earlier, on July 26, four activists of the Ilinden Organization were arrested in Blagoevrad while they were distributing leaflets about the celebration. They were released several hours later, but the leaflets were confiscated. On July 30 the police blocked the roads and paths leading to the Samouilova Krepost in order to prevent the celebration.

## **5. Freedom of Thought, Conscience, Religion or Belief**

The freedom of thought, conscience, religion or belief continued to be a serious concern in Bulgaria in 1995 as well. The Citizens for Religious Tolerance Project - an independent human rights group for monitoring and legal assistance in cases of human rights violations connected with religious beliefs - identified four groups of violations: unjustified interference of the executive power in the internal life of religious communities; employment discrimination on religious grounds; intensification of the criminal persecution of conscientious objectors; withdrawal of parents' rights on religious grounds.

The legal regime concerning the religious and religious-educational activities in Bulgaria was not additionally amended in the past 1995. The *Law on the Amendments to the Persons and Family Act*, adopted in 1994, continued to be in force in 1995 as well.<sup>2</sup> During the year, another six organizations were deprived of the right to be juridic persons by virtue of this law. Not one single request for the registration of a religious denomination was satisfied. According to data from the beginning of 1994, the Directorate for Religious Affairs - the governmental institution exercising administrative control over the religious denominations - 24 applications were deposited before that time. All attempts to obtain additional information through official channels during the year failed.

The main result of the legislative action in 1994 consists in the fact that those of the minority religious groups which continued to exist after the refusal of the Council of Ministers to recognize them as juridic persons were forced to function by hiding their activities from the authorities. Such is, for example, the case with the famous Word of Life group, whose meeting places were periodically "discovered" by the police. These "discoveries" were accompanied by a loud propaganda noise in the media. On February 23, 1995, the police stormed into one of the conference halls of the Etar Hotel in Veliko Turnovo, as well as into a private residence in the same town, from where it seized more than 50 titles of legally published religious literature, audio- and video-cassettes with recordings of religious music or sermons. A press conference was organized on the next day with broad media coverage. At that press conference the police boasted with the campaign and demonstrated to the attending journalists an exhibition of the literature seized. No charges under the existing legislation were brought against the members of the Word of Life group in Veliko Turnovo after their homes were searched and literature was seized. On July 20, the police made a search of the home of Elena Nedyalkova from the Word of Life group in Sofia, seized a large quantity of legally published literature and forced that lady to sign a protocol with which she committed herself never to gather in the future any members of the group in her home. A similar raid was also undertaken in the home of Petya Porashka from Word of Life in Sofia on September 27.

<sup>1</sup> Cf. Human Rights in Bulgaria in 1994. Report of the Bulgarian Helsinki Committee. Sofia, March 1995.

<sup>2</sup> Cf. The State of the Religious Freedom in Bulgaria. Report of the Bulgarian Helsinki Committee and the Citizens for Religious Tolerance Project. Sofia, October 1994.

In a similar case in November in Kyustendil Valeri Velinov, from Jehovah's Witnesses, was held in custody for several hours by the police, during which time brochures and leaflets of the group were confiscated. The reason for confiscation, however, was not stated in the confiscation document. On all these occasions one of the aims of the police was obviously to intimidate the members of that religious community and to discourage them in their attempts to gather.

Soon after winning the elections and after the formation of the new government, through different acts the executive power started replacing leading figures of the second largest religious denomination in Sofia - that of the Muslims. By citing the circumstance that the Rules and Regulations for Election of District Muftis, required by the Statutes of the Muslim religious denomination, was not yet ready when the Muftis were elected in 1992, on the one hand, and on the other - the fact that the Muslim religious community is split into two conflicting groups (similar to the schism in the Bulgarian Orthodox Church), the Directorate for Religious Affairs started endorsing as legitimate local and central leading bodies of that religious denominations, composed of individuals trusted by the authorities. The replacement of the District Muftis started as early as in January, following orders to the mayors to delete the registration of some District Muftis. (It is noteworthy that the Director of the Directorate for Religious Affairs had already noticed the absence of the cited Rules and Regulations in July 1993, but he considered that this gave him sufficient grounds to declare some of the District Muftis as "illegitimate" as late as in January 1995.) A Supreme Religious Council of the Muslim Denomination, elected at a conference which took place on 3 November 1994, was endorsed as the central leading body of the Muslim denomination. That Council is chaired by Nedim Gendjev who was Chief Mufti in the totalitarian past during the process of the coercive changing of the names of about one million Bulgarian Muslims, hypocritically referred to as a "revival process." In this way, the executive power again openly took sides in the conflict between the two wings of the Muslim denomination, as in 1992, instead of making efforts to reconcile the conflicting spiritual leaders, by recognizing as legitimate only that leadership which corresponded to its political interests. A large protest demonstration of Muslims was organized in Sofia last September against that decision. The government's act was appealed before the Supreme Court. With Ruling No 566 of 27 July 1995, the Supreme Court rejected the complaint of the former Chief Mufti, Mr Fikri Sali, against the Order issued by the Council of Ministers on 22 February 1995, with which the legitimacy of the Supreme Religious Council chaired by Nedim Gendjev and Basri Hadjisherif as Chief Mufti was recognized. Following its earlier practice, established in the course of sharp political debates connected with the splitting of the principal denominational communities in Bulgaria, the Supreme Court decided to review only whether the order had been issued by the competent body within the scope of its competence, and refused a review of its content. The Court assumed that the executive power has "the right to its own free discretion" in the registration of religious denominations. In this way, the Supreme Court confirmed the right of the executive power to demonstrate subjective bias and even arbitrariness in the registration or endorsement of the leading bodies of the religious denominations.

A number of cases of labour discrimination on religious grounds were also registered in 1995. Two of them are particularly eloquent. On 23 October 1995 Ms Anelia Georgieva, Principal of the Vocational School on Shipbuilding and Navigation in Russe, was dismissed on disciplinary grounds. The main argument in the dismissal order signed by the Minister of Education, Science and the Technologies, Academician Ilcho Dimitrov, was that Ms Georgieva had admitted and tolerated the activities of representatives of one religious community (Word of Life) on the territory of the educational institution in her charge. Ms Georgieva was accused of not having taken an interest in the religious beliefs of her staff, of not having dismissed those of them who had unsuitable religious beliefs, and on the allegation that some of her staff read the Bible during working hours, for which the Principal of the School Ms Georgieva had not fired them. A special problem in that case is posed by the

officially admitted fact that the evidence incriminating Ms Georgieva was obtained as a result of an investigation conducted by the Russe branch of the National Security Service, the successor of the former State Security. This shows disregard for the interpretation of the UN Human Rights Committee of 20 July 1993 on Article 18 of the *International Covenant on Civil and Political Rights*, according to which the national security of a country is not and cannot serve as grounds for restricting the right to freedom of thought, conscience and religion.

In another similar case, the Director of the Sofia City Police Directorate signed a document entitled "Information about the activities of the Word of Joy on the territory of the village of Bozhourishte near Sofia." The document states that Ms Zdravka Milenkova, former librarian in the Pilot Hristo Toprakchiev Secondary School, is an activist of that religious community which is a subdivision of the Bulgarian Church of God, officially registered under the *Denominations Act*. After stating facts, the truth of part of which Ms Milenkova refused, the cited document ended with the conclusion that it is "not expedient" for Ms Milenkova to remain in her post (school librarian). It should also be added that she was fired as early as May 1995. Here the police directly gave information on Ms Milenkova's religious views and made conclusions about her inappropriateness - precisely on account of these views - for the post of school librarian.

There is still no law on alternative military service in Bulgaria, irrespective of the requirements of Article 59 of the *Constitution*, as well as under Paragraph 3, item 3 of the Final Provisions to it. Young people who refuse to carry firearms on religious grounds are criminally liable under Article 361 of the *Penal Code*. Two such cases were registered in 1995. Compared with the practice in the past, they are an indication of the aggravation of the judicial practice in such types of cases. On March 23, 1995, the District Court in Shumen passed an effective sentence of 18 months imprisonment for 20-year-old Ivaylo Stefanov who refused to accept the call-up for regular military conscription. Mr. Stefanov is a Jehovah's Witness; the community's doctrine does not permit military service. In May the District Court changed the effective sentence to suspended.

On June 20, the District Court in Plovdiv gave 12 months suspended sentence to Krassimir Nikolov Savov for deviating from military service. Due to the fact that the young man was firmly convinced that his cause is just, he refrained from retaining a lawyer and defended himself, missing the deadlines provided in the court procedures for appeal before a higher instance, so the sentence became effective on July 14. This means that if Krassimir Savov refused to appear for regular military service, he was to be tried again and the effective enforcement of the cited suspended sentence would be added to the second sentence which he receives. In yet another case in October, Emil Mladenov from Dupnitsa refrained from accepting his call-up because of his pacifist convictions. The judicial authorities contacted him promptly and wanted to start legal proceedings against him. On this occasion, the reason for refusal to serve in the army was not on the ground of religious beliefs (although it was this motive that was put forward in the press), but a purely secular system of convictions, where opposition to violence involves an unconditional refusal to carry arms.

Two cases of severe violations of the parental rights of mothers of small children were resolved during the past year, motivated exclusively by the consideration that the mothers are members of religious communities that had been refused re-registration under Article 133A of the *Persons and Family Act*. On February 7, 1995, the Supreme Court rejected the appeal of M.E. from Sofia for revocation of a ruling of the Sofia City Court to transfer the parental rights over her 4-year-old son to her former husband solely on the grounds that the mother "had fallen under the influence of the sect with an irregular registration - Warriors of Christ" ... and that "her behaviour threatened the interests of the child who is only four years old." The court ruling does not cite any other considerations about the mother's qualities as a

parent, which would make her inappropriate for raising her child with a view to the boy's interests.

On May 10, 1995, again the Supreme Court in an appeal case returned a case to be reconsidered by the Sofia City Court. In that divorce case a father appealed an earlier ruling of that court, giving the child to the mother. Thus the Supreme Court actually agreed with the grounds cited in the appeal filed by the former husband, consisting only in the claim that the mother cannot function as a parent only because there is evidence of her belonging to a non-traditional religious community. The Sofia City Court is to consider that case shortly. On December 1, 1995 the Plovdiv Regional Court upheld the decision of the County Court in Parvomai from April 1995, under which V.D.'s custody over her eight-year-old child was taken away because she was a member of Jehovah's Witnesses and she had handed in an application to the management of the Bachkovski Monastery that she did not wish to profess the Orthodox faith.

Since there are no other motives for deprivation of the mother of her parental rights, the cited rulings of the Supreme Court are an indication of a violation of a number of provisions in international law. Court practice in Bulgaria is to give the parental rights over young children to the mother after a divorce in the vast majority of cases. When depriving mothers of their parental rights, courts usually cite as motives the systematic lack of care for the child by the mother, alcoholism, abandoning of the child, etc. The deprivation of a mother of her parental rights solely on the grounds of her membership in a religious community which does not enjoy the benevolence of the official authorities is a dangerous precedent with far-reaching consequences for the freedom of conscience and convictions.

## **6. Torture and Ill-Treatment of Detainees, Excessive Use of Force by Law-Enforcement Officials**

Bulgarian legislation offers poor protection against the illegal violence against individuals taken into custody. Article 30, para. 4 of the *Constitution* guarantees the right of a lawyer from the moment when a person is taken into custody, but the *Code of Criminal Procedure* gives no guarantees for the presence of a lawyer for all categories of detainees (cf. Independence of the Judiciary and fair trial). Similarly, there is practically no possibility of a medical expertise by a physician of the detainee's choice. Many cases of ill-treatment of detainees and excessive use of force by the law enforcement authorities have been documented in 1995. A part of them received or are about to receive the necessary sanctions within the framework of the disciplinary procedures in the police or in the criminal justice system. Most of these cases, however, remained unpunished. The victims of such abuse of force and their relatives face extreme difficulties when they try to seek justice, due to the fact that under the *Penal Code* criminal charges for crimes committed by persons in their "official capacity" can be raised only through the Prosecutor's Office. There is no option for private legal suits or for judicial review of the refusals of the prosecution to bring charges. On the other hand, the civil courts are forced to stop the legal proceedings and to signal the prosecution if they find evidence that a crime has been committed. The civil suit may be resumed only after the criminal proceedings have been completed.

The victims of the prevalent majority of cases of ill-treatment of detainees and of abuse of power by the law enforcement officials during the past years were among the representatives of the Roma minority. Human Rights Project, an organization defending the rights of the Roma community in Bulgaria, found dozens of instances of violence by representatives of the police, as well as by private individuals and groups. No charges were brought in a large part of these cases, although the perpetrators were known, and in the cases when charges were brought, they were dropped without being forwarded to the courts.

On February 11, 1995, 38-year-old Iliya Dimitrov Gerginov was found dead, handcuffed, near an abandoned inn in the village of Gradets near Sliven. According to the evidence given by the witness J.D.G., on February 10 the local policeman from Gradets severely beat up Iliya Gerginov with a thick piece of wood in the centre of the village. On the next day, February 11, Iliya Gerginov was found dead and handcuffed. The death certificate cites freezing as the cause of death. The forensic expertise states skull fracture of Iliya Gerginov. His relatives confirmed that they had found serious evidence of violence on his body: broken right leg, a wound on the right of the head above the temple, crushed genitals and numerous bruises all over the body. The investigation on the case was terminated by the Sliven Military Prosecution without bringing criminal charges against the perpetrator.

On March 20, 1995, Angel Angelov was killed by policemen in the Roma neighbourhood of the town of Nova Zagora. According to the testimony of eyewitnesses, about 2 p.m. three policemen from the District Police Station in Nova Zagora went to the Roma area in the town in order to arrest an individual condemned for repeated robberies. In front of the house of the man they had come to arrest they quarreled with three Roma after trying to take into custody the wrong person. The quarrel continued with shooting with firearms by the policemen against Angel Angelov and his brother Atanas Angelov. Angel was killed on the spot, while his brother Atanas Angelov was taken to the Nova Zagora hospital with an abdominal wound. Approximately half an hour after the incident, about twenty armed policemen stormed into the Roma neighbourhood in 5-6 police cars and started breaking doors and windows of random houses and beating up Roma whom they met accidentally in the streets. According to the testimony of the eyewitnesses and victims of the beating, the policemen made rounds of several villages to collect picks and hoes in order to pretend that they had been attacked by the Roma and in this way to justify the murder committed by their colleague. An investigation started on that case as well, but it was also terminated by the Sliven Military Prosecution without bringing criminal charges against the policeman.

On April 28, 1995, two policemen from the District Police Station in the town of Vidin severely beat up two students from the Secondary Polytechnic School in the small town of Dunavtsi: 16-year-old Assen Georgiev and 17-year-old Lyubomir Ivanov, both of Roma origin. The two boys were arrested in school after a complaint was received from other students. Then they were taken out of the town, where they were severely beaten up and humiliated with racist insults. The beating continued later in a garage. Charges have been brought in connection with the incident, but the case has not yet reached the court.

On several occasions Bulgarians, too, became victims of violence as a result of excessive use of force by the law-enforcement officials in the country. In the most notorious of these incidents, police and special forces beat up protesting local citizens in connection with the deflection of the Djerman-Skakavitsa aqueduct - a project for changing the course of two rivers in order to supply the city of Sofia with water. A little later, peaceful citizens in the nearby town of Sapareva Banya were also beaten up. Among the victims of the police brutality there were women and old people as well.

Ill-treatment of individuals taken into custody in the police stations continued to be a problem throughout the year. For the first time after the end of 1989, the Minister of the Interior and several other high-ranking officials in that Ministry admitted the existence of such a problem in Bulgaria after the murder of the detainee Hristo Hristov in a police station in Sofia. Hristov died after he was cruelly beaten up by several police officers against whom charges were brought, but the case has not been heard in court yet. That was the only incident that received broad coverage in the media, but it was not isolated by far. In late April, the detainee Kostadin Timchev was killed by policemen in the District Police Station in Dimitrovgrad. Charges have been brought against the perpetrators of that crime, but the case has not reached the courts yet. There are serious grounds to assume that violence and ill-treatment during

arrest were very widespread, especially with regard to some categories of detainees, predominantly of Roma origin. The case of Slavcho Tsonchev who died in a police station in Pleven in September 1994 has not been resolved yet.<sup>3</sup>

At the end of November, Amnesty International sent a letter to the Minister of the Interior of Bulgaria, expressing its concern about the growing number of incidents involving policemen who abuse firearms against individuals suspected of having committed minor crimes or offences. Amnesty International cited five instances when firearms were used on similar occasions in Bulgaria during the year, which run counter to Principles 4 and 9 of the *United Nations Basic Principles on the Use of Force and Firearms by Law-Enforcement Officials*.<sup>4</sup>

## 7. Conditions in Places of Detention

The system of places of detention in Bulgaria is very centralized. It is subordinate to the Chief Directorate of Detention Centres, which is a special unit within the Ministry of Justice. Most of the prisons are big, which in itself creates prerequisites for outrages, violence and poor relations with the prison administration. The authorities devoted very little attention and funds in recent years for reforms of the prisons. It is necessary to increase the number of prisons with a parallel decrease of their capacity, as well as to gradually close down some of the existing detention centres.

On February 4, 1995, there were a total of 8,407 individuals deprived of freedom, distributed in thirteen prisons, one of which is specially reserved for juvenile delinquents and one for women. Of the total number 2,487 are detained with charges brought against them or with pending trials, and another 5,920 are serving sentences. The ratio of individuals in various forms of detention centres per 100,000 population is 1:100, i.e. generally close to the average European ratio. However, the widespread public opinion is that the number of prison inmates is too small against the background of the soaring crime in the country. On the other hand, the administration of the prisons is concerned that if the criminal justice system starts working more efficiently and intensively, this would result in serious deterioration of the work of the detention centres, due to overcrowding and general worsening of the living conditions for the detainees.

In the beginning of the year, the Bulgarian Helsinki Committee with the kind cooperation of the Chief Directorate of Detention Centres, conducted a study of the conditions in the detention centres, which included visits to the prisons, to several arrests of district investigation stations and to several psychiatric hospitals in Bulgaria. A special report in which the results of the observation were summarized was published in March.<sup>5</sup> From March 26 to April 7, 1995, Bulgaria was visited by a mission of the European Committee for the Prevention of Torture - a special body established under the Council of Europe's *Convention for the Prevention of Torture*, which Bulgaria ratified in 1994. The report on the visit, together with the answer of the government of Bulgaria, are forthcoming.

The visits to the prisons made by the study groups of the Bulgarian Helsinki Committee revealed problems most of which result from the disregard for the existing norms and regulations, coupled with inefficient supervision by the Judiciary over the detention centres. A part of the problems result from inadequate legislation.

Tension and justified doubts about violence and other abuses on the part of the administration

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<sup>3</sup> Cf. Human Rights in Bulgaria in 1994. Report of the Bulgarian Helsinki Committee. Sofia, March 1995.

<sup>4</sup> Bulgaria: Amnesty International Condemns Excessive Use of Force by Police Officers. 29 November 1995.

<sup>5</sup> Cf. Observations on the Situation in Detention Centres and in Some Psychiatric Clinics in Bulgaria. Report of the Bulgarian Helsinki Committee. Sofia, March 1995.

were found in several places of detention, including in the women's prison in Sliven. Instances of two punishments being imposed for one crime were discovered, unfortunately this proved to be a practice allowed by the *Law on the Imposition of Punishments*. The offender is not always heard before the punishment is imposed. Some of the punishment cells in which the prisoners are isolated are in such a poor condition that even the time spent in them, especially in cold weather, can be qualified as a form of torture. In some of the prisons the hygiene is at a very low level, lice and other parasites sometimes found.

The system of the medical service in the detention centres is regulated under *Ordinance No 2* of 1982 of the Ministry of the Interior - the institution exercising the control over the prisons during the totalitarian regime - and of the Ministry of Health, which has not been updated since. Both the *Law on the Imposition of Punishments* and the cited Ordinance provide for an opportunity to transfer individuals taken into custody to other hospitals, but only for treatment, moreover that option being open only to people whose treatment is impossible in the local medical service of the detention centre. According to Article 12, par. 1, item 7 of the Ordinance, the certifying takes place in the medical services within the detention centres. The organization of the medical service is poor and highly insufficient, more specifically from the point of view of the guarantees for prevention of torture and degrading treatment.

Not in all prisons there is separation of recidivists from non-recidivists in accordance with the requirements of the law. In some places, the psychological climate in combination with the poor living conditions, the large number of prison inmates and the poor control on the part of the administration create prerequisites for physical harassment and violence, sometimes with a tragic outcome.

The system in which complaints are reviewed is another serious problem in the prisons. Many instances of disregard for the requirements of the law for the registration and consideration of the complaints were discovered. In some cases there was deep despair and total lack of faith in the sense of filing complaints and in their possible effect.

Another serious problem is connected with the practicing of religious rites in the various detention centres. There is a total lack of a system for serving the religious needs of the prison inmates, although no obstacles for visits of clergymen or for other forms of religious services in the detention centres by representatives of the Bulgarian Orthodox Church were discovered. In certain cases, however, the prison administration resorted to an unacceptable request for authorization by the leading bodies of the Bulgarian Orthodox Church when it received proposals for visits by representatives of minority religious communities.

## **8. Death Penalty, Extrajudicial Executions and "Disappearances"**

During the year there were several well publicized cases of clashes and settlements of accounts between Mafia-like groups, accompanied by several arrogant murders among these circles. However, there are no data in Bulgaria about the existence of executions or "disappearances" outside the courts, organized or tacitly supported by the government. However, the issue of the capital punishment had a new development.

The *Penal Code* provides the death penalty for several types of grave crimes, but no executions have been practiced since 1990, due to the moratorium on the capital punishment imposed by Parliament. Nevertheless, in 1995 the courts continued to impose death sentences just like in the years after the moratorium was imposed. In 1995, the Supreme Court confirmed the death penalties in two cases, one of which was tried by the court of first instance in 1994, and the other one in 1995. Three such cases (the two cited above and another one of 1994) have been appealed and a revision is forthcoming.

During the year there were several attempts to lift the moratorium over the executions and to re-introduce the executions, both for those who were sentenced to-date and in the coming year. In the beginning of the year, one Member of Parliament from the Bulgarian Business Block officially proposed that Parliament should vote again on the lifting of the moratorium. This proposal was rejected at a meeting of the parliamentary Human Rights Committee on April 20. In late June, however, the legal committee decided to put this draft-proposal to the vote in the plenary session. The matter was not put to the vote, but in case that happens, the widespread belief is that the majority of the Members of Parliament would vote in favour of the re-introduction of the executions. The debate on the lifting of the moratorium on executions was renewed in October, on the eve of the elections for local governments, when one of the political parties - the Bulgarian Business Block - included as an element of their electoral campaign the idea of a petition to Parliament for lifting the moratorium on the executions. This petition has not yet been introduced in Parliament, but if it is introduced, Parliament would probably have to debate the issue and put it to the vote.

The introduction of "life imprisonment" as an alternative to the death penalty in May 1995 was one of the elements of the reform in the penal legislation. The initial idea was for this punishment to replace the death penalty so that the latter can be eliminated from the Penal Code, but in the final version both punishments remained. One of the hidden ideas of the authors of the draft-legislation was that the courts would possibly prefer to impose life imprisonment instead of the death sentence, when life imprisonment existed as an alternative. However, this idea is with a very dubious relevance, insofar as the Supreme Court confirmed two death penalties after the amendments to the *Penal Code* were adopted.

## **9. Protection of Minorities, Citizenship Issues, Aggressive Nationalism and Xenophobia**

The generally low level of the standards for the protection of the cultural identity of the different ethnic minorities in the country was preserved during the year, with a regression in some points. Bulgaria's refusal to sign the *Framework Convention for the Protection of the National Minorities* of the Council of Europe was justified, albeit unofficially, with the impermissibility of the use of a minority language during contacts with the administrative authorities (a possibility provided under Art. 10, Pt. 2 of the *Convention*), as well as the inadmissibility of the option to name traditional areas, streets and other landmarks in the language of the minority in the regions with a substantial population of that minority (guaranteed under Art. 11, Pt. 3 of the *Convention*). In July, the District Governor of Haskovo continued the practice of his predecessor forbidding a decision to rename streets with Turkish names to enter into force. Such a decision was reached by the Municipal Council in the Mineralni Bani village, by virtue of which three streets in the Karamantsi village were renamed using Turkish names: "Stara Planina" became "Djamiyska" and "Gabaach," "Svetlina" was changed to "Assar" and "Iskar" to "Olu Dere." In the motives given by the District Governor it is pointed out that the names do not correspond to the official Bulgarian language.

In March a group of Bulgarian citizens - ethnic Turks - who emigrated from Bulgaria in 1989 during the massive emigration campaign provoked by the totalitarian regime, but who had preserved their Bulgarian citizenship, complained that the educational authorities treated them like foreigners. Those of them who were admitted to Bulgarian higher educational institutions were asked to pay the full tuition fee for foreigners. On the other hand, the Ministry of the Interior refuses to issue them identity papers valid inside the country - a circumstance which prevents them from exercising a number of civil rights, including the right to participate in elections.

In June the government issued a decree with which it closed down the Interdepartmental Council on Ethnic Affairs - the only state body that used to deal with issues related to the

ethnic minorities in Bulgaria. It was replaced by the National Council on Social and Demographic Issues - a consultative body in which the organizations of the ethnic minorities are supposed to participate together with many other organizations: women's, pensioners', unions of invalids and handicapped individuals, etc. According to the Rules and Regulations for the structure and functioning of this Council, membership in it is open only to organizations having structures in more than 1/3 of the municipalities in the country. This curbs the possibility for participation of many groups, including those that are represented among the largest ethnic minorities.

Several extraparliamentary political parties exist and act freely in the country, openly and actively advocating aggressive nationalism, and for whose propaganda there are serious grounds to assume that it incites to discrimination and violence. Aggressive nationalist wings or formations exist among several parties represented in Bulgarian Parliament as well. Last November the Member of Parliament Gincho Pavlov, one of the leaders of the National Committee for the Protection of the National Interests - a coalition partner of the Bulgarian Socialist Party - referred to the Movement for Rights and Freedoms as "an organization detrimental to Bulgaria" and started collecting signatures among the remaining Members of Parliament for a new petition to the Constitutional Court, demanding it to be banned.

Neo-Nazi groups of the "skinheads" type also became more active in the past year, their victims becoming mainly Roma and some categories of foreign nationals, although there were two instances with Bulgarians as well, registered by the Bulgarian Helsinki Committee. Human Rights Project registered nine grave cases of ethnically motivated violence by private individuals over members of the Roma community, a part of which were not given due attention by the law-enforcement officials. There were dozens of other assaults with minor injuries.

On December 16, 1995, 20-year-old Emil Trifonov, regular military recruit in the village of Vetren near Pazardjik, was killed in the town of Belovo by a group of "skinheads." He was assaulted near the railway station together with his friend Vladimir Vassilichki, also 20 and serving in the army like him, who managed to escape from the attackers. According to the evidence of the survivor, the only reason for the attack was the Roma origin of the two boys. They were recognized as belonging to the Roma community after the attackers heard them speak to one another in the Roma language. Investigation is in progress on the case.

On July 17, another member of the Roma community, 74-year-old bear-trainer Mityo Mirchev was killed in Stara Zagora after a blatantly racist attack of an organized group of young people against an improvised camp of five Roma near the railway station. The other members of the Roma community received different injuries as a result of the beating.

On November 30, 1995, around 7.30 p.m., near the railway station in the town of Pleven, a group of about twenty "skinheads" armed with clubs, chains and metal rods, severely beat up without any reason Russan Moutev, 37 and Blazho Patsov, 30, both of Roma origin, who were coming home from work. The two Roma men received serious injuries as a result of the beating: Blazho Patsov was with a cracked skull and Russan Moutev was with a cut off finger. The 5-6 Roma who happened to be close to where the incident took place tried to help the victims, which resulted in a fight between the two groups. Two of the Roma men were badly injured: Sasho Berkov, 30, had severe injuries on the head and back, caused by blows with a club; Sasho Roumenov Mishev, 27, received a fracture of the left arm and a cranial fracture. After the incident, around 8.30 p.m., the two victims were taken by taxi by two other Roma men to the hospital in Pleven, where for nearly an hour no one from the medical staff paid any attention to them. The two Roma men who accompanied the victims started protesting against the apathy of the medical staff, who in turn telephoned for the police. The police officers arrived in the hospital, handcuffed the men who accompanied the victims -

Simeon Berkov, 20, and the other Roma man - and started beating them up with batons. Later the two Roma men were put into the boot of the police car and were taken to the District Police Station in Pleven, where they were questioned and released.

On September 29, the famous actor Assen Kissimov also became victim of racially motivated violence. The actor was mistaken for a Turk by a group of "skinheads" who beat him up severely in a tram in Sofia, as a result of which he spent several weeks in hospital, where he was treated for grave cranial injuries. The perpetrators were identified and charges were brought against them, but the case has not yet been brought to court.

Coloured foreigners are another target of ethnically motivated violence by racist groups. During the year there were many such instances, most of which resulted in injuries, but without grave traumatic damage. Two of them deserve to be mentioned specifically, due to the peculiar attitude of the law-enforcement officials. According to information furnished by the Martin Luther King Project - an organization for protection of the human rights of foreign nationals and coloured individuals residing in Bulgaria - one Nigerian tourist was cruelly beaten on the head with bottles by several "skinheads" at the Central Railway Station of Sofia on December 31, 1994, after which the man was left lying unconscious for some time. He managed to get to a police station in a taxi, but was expelled from there by the police officers on duty, who did not even hear his story. In another instance reported by the same organization, a Nigerian student was detained at the railway station in Stara Zagora by five police officers who asked him to give them one hundred dollars as a "fine" for illicit drug trafficking. The student refused because he claimed the charges to be unfounded. Then the policemen started beating him and continued to beat him in the police station at the railway station, where they took him. After he was released, the student had to be admitted for a short time in a hospital for treatment of his injuries. In both cases - as, incidentally, in the vast majority of incidents involving foreigners - no complaints have been filed to the law-enforcement authorities.

#### **10. Political Asylum, Aliens' Rights, Family Reunification, Returnees**

The Bulgarian Helsinki Committee is one of the few organizations in the country which is involved in assisting refugees and asylum seekers. Through its project for legal assistance and integration of refugees and candidates for asylum, the Committee is systematically monitoring the human rights situation for these groups.

In the past 1995, the problems of the refugees, migrants and candidates for asylum in Bulgaria became even further aggravated compared to 1994. The institutions which should guarantee the human rights of asylum-seekers and of refugees are likewise no exception against the general background of the crisis in the law and order in the country. The principal institution among them is the National Bureau for Territorial Asylum and Refugees, which is the only governmental body in the country authorized to consider individual requests for asylum - a procedure which is not yet guaranteed by law, but by a legal instrument of a lower order. In spite of the good will for cooperation, during the past year the Bulgarian Helsinki Committee experienced numerous difficulties in its contacts, mutual understanding and interaction with that organization.

The project of the Bulgarian Helsinki Committee for Legal and Social Defence of Refugees and Asylum Seekers has received a number of complaints from people who have been refused registration of their applications and, hence, the procedure for granting refugee status cannot begin. From the beginning of the procedure in Bulgaria in November 1994 until the end of 1995 an estimated 40 people have been granted refugee status, but to this moment not a single person has received the necessary documents which would enable them to enjoy the full rights of this status (e.g. registering in the Labour agencies, etc.).

In September, the UNHCR representative in Sofia distributed a document containing evidence that Bulgaria is not a "safe third country" for individuals seeking political asylum and for refugees. *Ordinance No 208* of 4 October 1994, the only normative act regulating the status of the refugees, does not contain sufficient legal guarantees for non-return. Behind this statement there are many instances of refugees and asylum seekers being detained at Sofia Airport for several weeks. Since *Ordinance No 208* lacks indications and norms concerning refugees and asylum-seekers at border crossing points and the lack of knowledge about refugee law, the border authorities continue to enforce the obsolete *Law on the Temporary Residence of Foreigners* when asylum seekers are violating the border-crossing regulations, either because they do not have valid documents and valid visas, or because they travel on false passports. In these instances such individuals are detained and deported after a hasty refusal for their asylum request to be considered has been received. There are also documented cases when even individuals having valid visas have been refused access to the procedure for obtaining a refugee status on grounds that they are unable to declare sufficient financial support for the period which they intend to spend in the country. A cause for particular concern can be seen in cases of detention of individuals seeking asylum, some of whom have been kept often for several weeks in the transit zone of the airports, where conditions are very bad. Neither the UNHCR representatives, nor the nongovernmental organizations dealing with the problems of refugees, have regular and guaranteed access to the detainees in the transit zone. Very often information about the detentions and deportations came from abroad, after the expulsion. One of the high priorities of the Bulgarian Helsinki Committee in 1996 will continue to be the fight for the possibility of having an independent and permanent monitoring of the situation in the transit hall of Sofia airport.

In Bulgaria there are still no centres for receiving refugees. One of the main reasons for this is the resistance of public opinion, which is periodically instigated by superficial and sensationalist publications. The experience of the Bulgarian Helsinki Committee has shown that the positive information potential of the mass media is insufficiently used in this respect.

For the time being, while *Ordinance No 208* guarantees shelter and food for the refugees, in practice they are not made available to all refugees, especially food and medical aid. There is no doubt that the deep social and economic crisis in the country is the main reason for that situation, but this is a poor excuse. With a good organization and with a proper normative and institutional system, even individuals awaiting the decision on receiving refugee status could contribute considerably to making their situation better if they were granted even temporary and limited work permits.

The situation is further complicated by the fact that Bulgaria, similar to many other Central and Eastern European countries, is used by the refugees as a stopover and not as a country in which they can find protection and settle. Bulgaria is at the crossroads of the routes of human traffic and in the past year the authorities failed to cope with the complex of problems generated by that traffic. The illegal human traffic through the country's territory was precisely one of the reasons why the country was left in the negative list of the European Union. Many of the illegal residents were caught in something like a trap: they are not wanted in their own countries and in Western Europe, hence they would have to spend a long time more in Bulgaria. A part of them become the target of violence and abuse of a different nature (cf. also Protection of the minorities, citizenship issues, aggressive nationalism and xenophobia). On the other hand, there is an indirect violation of the rights of those foreigners who are much fewer in number than the economic immigrants and who are seeking asylum in Bulgaria. Urgent legislative measures are needed in order to solve both the problem of the illegal immigrants and those of the asylum-seekers, and this should be done optimally from a humanitarian point of view. However, the analysis of the complex reasons for this should not serve as a justification of the disregard for the requirements to guarantee a correct procedure

on the registering and accordingly on the acceptance or rejection of the applications for refugee status. Unfortunately, this is the attitude of many of the employees in the National Bureau for Territorial Asylum and Refugees.

### **11. Freedom of Movement**

There are no restrictions on the free movement of Bulgarian citizens within the country. However, their chances of travelling to many countries, mostly in Europe, continue to be seriously restricted by the severe visa regime. Last September Bulgaria was again left in the "negative list" of the European Union as a country with which all EU member-countries should continue to maintain their visa regime. This provoked sharp criticism against the policy of the EU among very broad public circles.

### **12. Free and Fair Elections**

Regular elections for local governments were held on October 29. In most of the municipalities they were won by the Bulgarian Socialist Party. On the whole, the elections were recognized as having been free and fair by both domestic and international observers. A problem occurred in one of the municipalities - in the town of Kurdjali - where the candidate of the Movement for Rights and Freedoms, Mr Rassim Moussa, was recognized by the Municipal Electoral Commission as being elected mayor. However, the municipal organization of the Bulgarian Socialist Party, together with several smaller nationalist groups, disputed the elections before the court. A little later, the elections for a Municipal Council - also won by the MRF - were also challenged. This gave grounds to the District Governor to refuse to introduce Mr Moussa to his office and not to convene the first meeting of the Municipal Council before the court ruling. Although court disputes connected with the elections flared up in several other municipalities as well, Kurdjali was the only place in which the new municipal leadership was not instated in office.

## Annex

### The Problem of the Control over the Content of the Information in the Media and Hate Speech in Bulgaria

#### I. Control Over the Content of Information

In November and December, the Bulgarian Helsinki Committee conducted a study on the control over the content of the information in the media by means of interviews among journalists from several central media. Forty-eight interviews aimed at obtaining information on the restrictions and control imposed over the work of journalists were made with 24 journalists and broadcasters from the *Horizont* Programme and 12 from the *Hristo Botev* Programme of the Bulgarian National Radio, 9 from Bulgarian National Television and several journalists in charge of media pages in major daily newspapers.

Thirty-seven of all the respondents qualify themselves as having been censored: 22 from *Horizont*, 8 from *Hristo Botev* and 9 from the Bulgarian National TV. The prevalence of journalists who believe that they are subjected to intervention concerning the content of their production was sought with a view to the aims of the interview: to reveal the mechanisms of control and of the internal written and unwritten rules on which it is based. According to their professional commitments, the respondents are divided as follows: 8 reporters, 15 moderators, 2 editors, 6 commentators; 8 people combining the functions of editor, reporter and moderator, and 7 - editor and moderator.

It is possible to start with a finding which united quite definitely all categories of journalists interviewed. When asked who informed them about *their responsibilities and their rights*, and in what form, half of them replied that no one had done this in any form and not a single one among them gave a concrete positive answer. A considerable number of respondents avoided the question and about as many referred to various unwritten rules. Of course, journalists have their own views on their rights and responsibilities, and they presented them in their responses: most frequently they talk about objectiveness of the information, balanced positions and separation of the information from the commentary.

A group of respondents spoke about deformation of the professional function of the moderator, who is transformed into "a dispatcher of the reporters" or "a mouthpiece for delivering official information from official institutions," i.e. about a discrepancy between the requirements to a concrete journalistic role and the established notions about it. The requirements in question have not been manifested in some more or less clear concept or document. The reporter's role remains relatively clear, but this is not the case with the commentator and editor. The statement of a journalist who assessed himself as being completely free is emblematic for a small part of the responses; he said: "I am convinced that there are rules, but I have not seen them."

The interviews with the journalists show that *the actions of control over the content* are perceived in a very broad spectrum. Control is most often associated with *restrictions in terms of topics, targets and participants in the discussions*, i.e. with the phase of planning the journalistic materials.

Themes and materials are eliminated with arguments of the sort: "There is no such theme." "This is for some other time" (e.g. the inauguration of the new Mayor of Sofia Stefan Sofianski was ping-ponged from one bloc to another), "This is not interesting," "The topic has been exhausted" or "There is no topical pretext." In fact, the control over the topics is achieved above all through elimination of topics and to a lesser extent through their imposition (TV broadcasters and journalists refer to imposition of topics and materials, while

their radio colleagues mention isolated cases of recordings "imposed from above" - that of Klara Marinova, the Chairperson of the parliamentary media committee). There are cases, however, when the pattern of the media coverage is "imposed from above," citing as a case in point the interministerial conference on the environment, which was covered according to views imposed from above.

According to some journalists, the restrictions on some topics are imposed by cutting short the time allocated for a topic or by identifying the accents in it in advance (e.g. "The inflation has nothing to do with the government," i.e. no such link should transpire in the broadcast). There are cases when a topic "passes" at one level of the hierarchy and is stopped at another. Topics are also dropped on account of the speakers presenting them, and vice versa (e.g. one of the President's advisers will not speak about the Euro-integration). Experts are avoided in interviews (especially if they have been involved in some scandal, e.g. Velizar Enchev). On several occasions and in different contexts people who have been interviewed mention that the presidential institution was eliminated from the broadcasting plans with the explanation: "This is programme coordination"; journalists do not find this explanation totally impossible, but they are not convinced that this is the actual reason. Almost all reporters have noted the fact that it is expected from them to know in advance what the person whom they are interviewing would say, or that they are being reproached later for what their interviewee has said (the reported is even expected to produce "journalism black on white"). A very eloquent illustration of the spirit of the facts mentioned so far can be seen in statements like: "This triggers your instinct to choose an 'orthodox' person to be interviewed so that the topic could pass" or "Quiet, peaceful and impersonal things are stimulated."

Interviews also provide information on the existence of *direct influence* on the content of the information flow. On several occasions TV journalists mentioned telephone calls, texts being dictated to them by MPs and orders for coverage of particular stories. In the National Radio the direct control is most frequently associated with instances of interference in the news coverage. The respondents see these interventions in the substitution of important news items by less important ones, in omission of major events ("The Director comes and crosses it), unjustified repetition of news items ("Politicians ordered it by telephone") and delivery of "incomplete" news ("The news bulletin was edited"; "No significant news items come to us even from the Bulgarian News Agency). All these influences are exercised during the preparation of the output of the journalists. Radio journalists seldom mention tampering with soundtracks, but they speak about "taking a material out of context" when it is incorporated in the emission and about systematic preliminary hearing of the material prepared with the aim of control.

As regards the reporters and the moderators, their work "on the air" is controlled mostly through its assessment, which may even take the form of a sanction. They mention unjustified changing of the domain in which they are asked to work, banning them occasionally from covering certain events, withdrawal of broadcasts and programmes, cutting their fees and tendency of the media bosses "to identify them with the political force whose events they are covering."

At the daily editorial meetings journalists also receive verbal evaluation of their work. Most of them, however, believe that there is a widespread but obscure "financial sanction." It is not always clear who is imposing the punishment of the cut in the fees and why, because many signatures are needed up the multi-tier "pyramid of fees". The journalists interviewed accept with equal displeasure both the unexplained policy of the fees and the absence of an incentive in the form of a fee for their work ("levelling" was repeatedly mentioned).

Quite a few journalists, however, noted that texts and interviews stating the viewpoint of the journalist are not looked upon favourably and this cannot be explained in any other way

except with the subjective opinion of the media bosses. Unwritten rules are the motive force (e.g. "loyalty to those in power"). Written rules do exist sometimes and it is quite interesting to have a look at them. Quotations from the "rules" presented in the interview follow below, and in the words of the radio broadcasters (*Hristo Botev* Programme) they remain "written but not signed":

"... The most important thing is extracted from the event or press-conference and the material starts with it. Details are immaterial.

... It is unacceptable to propose topics relevant to a limited number of people ...

... The press review dwells on the most important topics in the newspapers, which are usually printed prominently in the respective pages. The conditional mood is not used and the publications are not commented."

It is interesting to see how the journalists assess *the degree of their freedom* (compared to earlier periods and situations over the past five years). Several typical answers transpire, arranged here according to their frequency of occurrence:

1. After 1992;
2. Since the beginning of 1994
3. Since the middle of 1995
4. Since the beginning of 1995.

Direct links with concrete events and political changes are possible: the middle of 1995 is associated with the appointing of the new bosses of the Bulgarian National Radio and the Bulgarian National Television; the beginning of 1995 - with the changed parliamentary majority after the elections and with the new socialist government; the period after 1992 is the period after Philip Dimitrov's government ... Although these changes are fixed in the memory and are hence easily "picked" in responding to questions of that type, the periodizations presented above reveal a clear tendency: journalists feel less and less free. Their responses prove that the professionals in the Bulgarian Radio and TV view themselves as victims of political pressure. Very eloquent in this respect is the statement: "The Programme has many masters, but until 18 months ago there were still people who liked *Horizont* with the function of a Parliament."

For the sake of accuracy it should be added that several journalists did not consider that their freedom has been restricted at all. However, most of the respondents also speak about reduced creative freedom, although they do not feel the censorship in principle.

Both "censored" and "uncensored" journalists share the same views also in their assessment of the programme structure and image of the broadcasts they make. The vast majority of the journalists interviewed do not like their own broadcasts or believe that they are getting worse and worse. The formulae used here are: "a half-witted block elicited not by a concrete need, but by a mathematical formula", "it is getting impersonal", "the changes potentiate the indifference of society." It is obvious that the programmes and the general pattern are imposed "from above" (since their own authors reject them) and events in the past months have confirmed this again.

Incidentally, many of the journalists interviewed are convinced that the schedules are often tailored so as to eliminate unwanted journalists. The most blatant example in this respect was from last spring when under the pretext of introducing pairs of moderators (a male and a female voice), the bosses of the *Horizont* programme got rid of many qualified female journalists from the morning bloc. The "new programme views" threaten other programme blocs as well. The changes in the schedule are used in order to "tolerate the obedient and the accommodating journalists," "both burning issues and journalists with a position of their own are pushed to a 'dead' time in the schedule." Many of the interviewed journalists associate this with the lack of competent (on account of the respect for them) sources of assessments of the

quality of work. Obviously, mainly internal analytical units are the sources of such an *evaluation* in the two national electronic media. On the whole, journalists do not consider their evaluations as authoritative. A part of the respondents believe that the Programme-Coordination Centres pursue the line of the management, while another part (less numerous) - that the reviews of the Programme-Coordination Centre of the Bulgarian National Radio do not have censorship functions, but are very often incompetent.

Some of the responses lead to the statement that the work of the journalists is most frequently underestimated. "The assessments of the bosses are a parlour luxury" or "there are rumours about how we are assessed, because the direct boss does not always remember to tell us what the evaluations are", "Hacho Boyadjiev evaluated only in the form of oral communication." Another group of interviewed journalists reported that they received assessments from their superiors during the daily briefings. Apparently, the practice is very different in the different editorial units. The indisputable conclusion is, however, that the journalists do not receive generalized assessments: not only by their direct superiors, who actually have reserved for themselves the function of appraisers, but also by research teams, the audience, agencies, experts, etc. The administrative leadership of the Bulgarian National Radio receives such information, but its staff "learn about the rating of the Radio and of their own show from the newspapers."

Who can the journalists from the Bulgarian National Radio and Bulgarian National TV *complain* to and how in case of interference in the content of their output? It turned out that half of the journalists interviewed have made such attempts. This took two forms: oral complaints predominated, but many objected in writing as well (by filing concrete reports). Those who did not complain did not lack the pretexts for complaints, but they tended to think that such an act was futile. There are several reasons for this and here they have been ordered according to their frequency of occurrence:

1. The complaint should traditionally be addressed to those "who are exercising pressure" or who have made the decision, i.e. "there is no arbitration unit". In this way the complaint is rendered meaningless;
2. Moreover, the hierarchy should be observed when a complaint is launched, because "they are touchy if some unit has been overlooked ..."
3. There are many hierarchic levels, "the administration is clumsy and has six levels", "there is a gap between the top bosses and us."
4. The relations between the leading units are not consistent (the direct boss says: "Be patient a little longer.")
5. Such acts are usually inefficient ("no one pays attention to individual spontaneous protest") and do not lead to anything ("When I wrote a report with a copy to the DG, there was no answer").

Objections are sometimes accepted and "the topic passes." The respondents have cited two such concrete instances, against the many cases creating the impression that there has been no response to the objections.

Are there *tabooed grounds* (concrete topics, interviewees and interpretations) in the work of the radio and TV journalists? The list of the taboos took shape quite clearly:

1. Information about the presidential institution (by rejecting guest speakers and by rearranging the news items);
2. Journalistic materials about the opposition, if there is no counterbalancing material about the ruling party (e.g. coverage of the opposition candidates for mayors with a soundtrack, because for those from the ruling BSP there is no good soundtrack);
3. "Sensitive issues" - the grain crisis, the film about the Bulgarian Mohammedans "Burn, Burn, Little Flame", the mothers of the soldiers who were burned to death in an accident, etc.;

4. The work of the Council of Ministers is always covered without a commentary or alternative opinion;
5. The coverage of the activities of the trade unions;
6. Ethnic tensions in different regions;
7. The NATO theme in a multilateral interpretation;
8. The dismissals of colleagues-journalists from other media;
9. Certain materials on social issues;
10. The critical materials "which generate trouble for the bosses."

The restrictions imposed on possible invited speakers, however, did not form a categorical list (only Ivan Krastev was mentioned). At the same time, the respondents mentioned several times that they had sensed the suggestion that "experts are dangerous." Incidentally, it is pertinent to recall that a list of banned persons to be interviewed had not reached the rank-and-file journalists in writing even in the old totalitarian days.

The present generalization will end with a collective definition of censorship, composed on the basis of the responses of all journalists interviewed and bearing the traces of accumulations of opinions. Hence censorship is predominantly fear, self-restraint of the expression, but also supervision of topics and participants in the discussion, dictatorship related to the information content, taboos which cannot be of a mandatory nature, administrative control which was transformed into a creative obstacle before the information provided to the public - in other words, the inability to be what you actually are. For the radio and TV journalists censorship is above all an infringement upon the personality, a pressure coming from within.

## **II. Hate Speech**

Since August, the International Helsinki Federation on Human Rights launched a project for monitoring the Bulgarian press and the electronic media with a view to analysing the current state of freedom of speech in Bulgaria and of tracing the forms and the frequency of utilization of "hate speech". This project is being implemented simultaneously in several neighbouring countries to Bulgaria: Romania, Greece, Macedonia and Albania.

In the past six months the Project monitored the biggest national daily and weekly papers, as well as some permanent political and journalistic broadcasts on Bulgarian National Radio and Bulgarian National Television.

On the basis of the analysis of the materials collected during that 5-month period, the main results of the work on the Project may be summarized as follows: about 2/3 of the publications collected so far exploit and multiply the negative attitudes and bias in the everyday consciousness towards ethnic and religious minorities, generating in this way ethnic hatred and religious intolerance to the adherents to non-Orthodox religious denominations. The means to attain this end are many and varied: from the publishing of blatant lies to the use of vulgar and humiliating language, which provokes intolerance to certain ethnic groups.

Hate speech is used most frequently about members of the Roma community, the ethnic Turks and the nontraditional religions, i.e. the so-called "sects."

### **The Roma Community**

A customary practice for many Bulgarian journalists is to multiply only the stable and entirely negative collective image of the Roma people as "lazy and irresponsible, inclined to crime, unreliable and untrustworthy, who all look alike and should live isolated from us." This is in confirmation of the "preconceived ideas" of the general public about this totally

depersonalized part of society, while at the same time "freely" attributing to it other collective "guilts" as well. This media policy generated the phenomenon of the alleged "Gypsy crime rate", which acquired broad popularity among the general public. A lasting tendency in almost all major newspapers is to exploit this concept by describing the representatives of the Roma ethnic community as people for whom crime is the main means of making a living. An example in this respect is the article entitled **The Railway Robberies - a New Source of Income for the Gypsy Gangs**, published in the *24 Hours* daily on 30 August 1995, which states: "Forced stopping of trains and their plundering turned into a traditional occupation for whole large groups of dark-skinned individuals." The article does not mention one single case in which the participation of Roma people in such acts has been proved, and likewise it fails to cite any official source. In spite of the unreliability and inaccuracy of the information published, the only "fact" repeated many times is that "every day gangs of about 20-30 Gypsies empty trains carrying electronic equipment, cigarettes and other valuable goods."

The ethnic belonging of the perpetrators of the crime is pointed out repeatedly when they belong to the Roma community, but is always concealed when the Roma people are the victims (especially of police brutality). The title in the Bulgarian press send to the readers the flagrant suggestion that "the Gypsies are one of the biggest disasters of Bulgarian society". Titles like **With a Gene for Crime, Gypsy Banditism Becomes a Pest, Gypsies Plundered Bulgaria, Hungry Gypsies Eat Up a Zoo, Gypsies Rape Orphans, Gypsies Will Drown Pernik in Blood to Revenge the Gang of Rayko Krusta**, are just a few of the many which illustrate the lasting tendency of demonization of that ethnic group.

Information about crime committed by Roma people appears almost every day on the pages of the newspapers. In addition to the unnecessary specifying of the ethnic origin of the perpetrators of the crime, detailed descriptions of the ways in which the crimes have been committed are given. It is a widespread practice to end these publications with generalizing insulting definitions referred to the entire ethnic group. **The Gypsy Paradise - a Hell for Bulgaria** and **Another Mutilated Soul - How Much Longer?** are subtitles in an article in the *Anteni* weekly newspaper of 15 October 1995, which makes use of a concrete criminal act in order to remind society of the "tortured Bulgarians living in the Gypsy ghetto" and that "in the Gypsy Paradise Bulgarians do not dare to remain outdoors at all after dark." The publication is openly provocative and breeds undisguised ethnic hatred through an opposition constantly emphasized by the author: "Gypsies forgetting who they are" vs. "helpless Bulgarians." The same opposition also lies at the basis of the article published over a whole page in the *24 Hours* daily of 25 October 1995, entitled **Perverted Gypsy Takes Shots of Himself in Pornographic Scenes with Schoolgirls**, which - "among other things" - reads: "It is surprising that all [victims] in the pornographic photographs are Bulgarian girls, not Gypsies." If we have to summarize the suggestion of most publications which we have collected during that month as well, it would be as follows: the "Gypsy" is always a potential criminal (moreover, particularly cruel), while the "Bulgarian" is a potential innocent victim. "The inclination to commit crimes" is the most frequently exploited prejudice against the Roma community in Bulgaria. Their "cruelty", "vindictiveness" and "irresponsibility" are always concomitant to all their criminal acts. **Gypsies Abandon Their Cured Children** is a publication telling about the "callousness" of the Gypsies to their young children who had been cured by kind people free of charge. In that case, too, the journalist has given a negative identification of an ethnic group, commenting a particular case. Although such articles describe concrete acts of certain individuals, they associate the cruelty and sadistic nature of the criminals directly with their ethnic origin. An article appearing in the *168 Hours* weekly of 27 August, 1995 on the occasion of a murder committed by several Roma juvenile delinquents in the village of Batoultsi and entitled **Gypsy Children Hacked Two Old People to Death for a Piece of Cheese**, after a detailed a chilling description of the details connected with the place where the crime was committed (accompanied by photographs of the two mutilated bodies), cites an anonymous police officer working on the case, who made the

following inference about the "nature" of the criminals: "Usually such unmotivated and sadistic crimes are committed precisely by Gypsy juvenile delinquents."

### **Ethnic Turks, Bulgarian Mohammedans**

The heightened "interest" of the mass media in these ethnic groups in October and November 1995 can be explained with the elections for local governments, involving the participation of the Movement for Rights and Freedoms whose electorate is predominantly from these minorities.

In this connection, the media circulated several "sensations" related to violations of the human rights of Bulgarians living in these mixed population areas. **A New Revival Process in the District of Kurdjali** is a title spread over practically the entire front page of a tabloid newspaper with a high circulation - *Noshten Trud* [Night labour] of 23-24 October, 1995. The article informs about "municipal officials from the MRF who force young Bulgarian Mohammedan children to walk for miles on foot, because they refuse to be registered as Turks." This publication is demonstratively manipulative also because it uses the campaign of the forceful changing of the names of the ethnic Turks in Bulgaria in 1985, which brought unfortunate international notoriety to the country, by presenting the Bulgarians from these regions as the victims of the same violence today. In another publication, the fear of a potential ethnic crisis, which they directly associate above all with representatives of the Turkish minority in Bulgaria, is most frequently exploited in the Bulgarian media quite openly: **Dogan's People - We Are All Turks** (*24 Hours* from 19 October, 1995). Ahmed Dogan's political party is presented before the mass reading public as a direct conductor of the interests of a foreign country in Bulgaria and as a real threat to the country's national security.

The *168 Hours* weekly regularly publishes series of articles reporting about teachers of the Koran, illegally residing in the country with the help and support of the MRF, attempting to alter the ethnic self-identification of the Bulgarian Muslims from the regions bordering on Turkey.

Another source of concern is the fact that the mass media circulate more and more openly appeals to the Chief Prosecutor Ivan Tatarchev for the official banning of the Movement for Rights and Freedoms as an ethnically based party which pursues and "anti-Bulgarian policy" and provokes "ethnic unrest": **Dogan Threatens with Ethnic Crisis, Tatarchev Keeps Quiet** (*Novinar* daily). This tendency appears to be present on the pages of all printed editions and seems to be accepted by their editorial boards, because the quotations have been taken from articles of the Editorial Board.

### **Religious Minorities**

Bulgarian media describe the nontraditional religious denominations as a "threat to the future generations of young Bulgarians" and a serious danger for Bulgarian national culture and traditional values. In an article in the *Continent* daily of 18 August, 1995, entitled **Rights and Rights**, the author appeals to the state institutions to ban all "sectarian organizations", because he believes them to be simply "thieves of souls". The author supports his appeal with the statement that "it is not worth risking the rights and the security of the whole nation for the rights of several religious young people (freedom of religious denominations)."

The most fierce criticisms levelled in the last several months against religious minorities were against the followers of the Word of Life, Jehovah's Witnesses, the Unification Church and the Society of Krishna Consciousness. The general picture of an artificially created mass psychosis with respect to the nontraditional religious denominations was completed by several extensive publications in the press on religious cults which are widespread in other

countries, but are not represented in Bulgaria. **The Psychoconcern SCIENTOLOGY - the Kingdom of Evil** (*Standard* daily of 15 October, 1995) tells about the mining of the souls by speculations with God's name" and defines this as a "human rights violation." According to the author of the publication, the threat which such "sects" pose for the countries of Eastern Europe is particularly great on account of their economic power. "The sect already has structures in Bulgaria" is the author's precautionary but unproved message, with which the article ends. An article published on the front page of the *24 Hours* daily on 20 October, 1995 claims the existence of groups of followers of the Japanese religious organization Aoum in Bulgaria. **Bulgarians from the Dangerous Japanese Sect Threaten with Leaflets** is the subtitle of the publication, from which it becomes clear that the assumptions about the existence of such religious groups does not rest on any reliable facts or sources. The Society of Krishna Consciousness was the target of a series of publications in connection with the suicide in October 1995 of a young man doing his regular military service. The mass media circulated the accusations of the boy's mother, who had doubts that her son had been pushed "to offer his life as a sacrifice" by followers of the "Krishna sect that has struck roots in Gabrovo - the boy's home town" (*Kontinent* daily of 10 October, 1995).

### **Foreigners**

Similar is the attitude to foreigners (predominantly from Third World countries) residing in Bulgaria. A major reason for this attitude on the part of some journalists to these groups of people can be cited to be the insufficient knowledge about the culture, way of life and specific problems of these communities. The lack of sufficient information in this respect allows the circulation of unreliable and exaggerated informations, the distortion of facts and the manipulation of public opinion as a whole. An example in this respect can be seen in the article of the *Trud* [Labour] newspaper of 28 September 1995 entitled: **A Refugee Camp Threatens to Turn Velingrad into Bosnia.**

The ethnic and religious minorities in Bulgaria, as well as the foreigners, do not have direct access to the national media - radio and TV - or to the pages of the major daily papers. Their specific social problems very rarely attract public attention and they are practically isolated from the general processes of a democratic transformation of the entire society. In practice, these groups proved to be deprived of the possibility to participate on an equitable basis in the social dialogue. The total lack of "adequate coverage" of these communities in the media space gradually created conditions for a multiplication of the prejudices against them, transforming them into the ideal journalistic "target" and into a constant object of "hate speech". Drawing attention to this alarming tendency in the Bulgarian media, the Dean of the Department of Journalism at the St. Kliment Ohridski University of Sofia defined it as a "communication segregation" which transforms the small ethnic groups into "new internal emigrants."

### Acknowledgments

Ms. Kamelia Angelova, Mr. Emil Cohen, Ms. Tanya Marincheshka, Ms. Snezhana Popova, Mr. Rumyan Russinov took part in the preparation of this report. The final editing was done by Mr. Krassimir Kanev.