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HUMAN RIGHTS

**The Human Rights of Muslims in Bulgaria in Law and Politics since
1878**

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1. Demographic data:

The Muslim community in Bulgaria is represented by three main ethnic groups: Turks, Bulgarian-speaking Muslims (Pomaks)¹ and Roma (Gypsy) Muslims. According to the last two population censuses from 1992 and 2001, the total number of Muslims (based on “religious belonging”) is 1,110,295 (out of 8,887,317 total population) in 1992, and 966,978 (out of 7,928,901) in 2001.² The biggest ethnic constituent, according to “ethnic belonging”, of the Muslim community in Bulgaria--the Turks--enumerated 800,052 persons in 1992, and 746,664 in 2001. 762,516 persons indicated Turkish as their “mother tongue” respectively in the 2001 census.³

However, due to the fact that a substantial part (if not the greater part) of the Muslim Roma identify themselves as Turks to avoid the social stigma associated with the term “Gypsies”, the total number of Turks in Bulgaria has to be reduced. In addition, a certain number of Pomak Muslims also identify themselves as Turks. Thus, the number of the Turkish minority should be further lowered if one completely ignores the generally shared claim that the actual number of Bulgarian Turks is far greater than what is officially indicated.⁴ Considering this, the exact number of Turks in Bulgaria can only be speculated upon.

No official census data on the number of the Pomak Muslims are presented in either the 1992 and the 2001 censuses. The reasons for this are complex, and the main claim goes that due to lack of a clear sense of self-identity, the Bulgarian-speaking Muslims are prone to point out either Turkish and/or Bulgarian ethnic belonging. Many of them register as Turks, Bulgarians, or simply Muslims, because there is no appropriate column for them in the census papers. Failing this, not only the number of the Turks or ethnic Bulgarians artificially increases, but, what is more, one is unable to trust that the principle of free self-determination of Bulgarian nationals is properly applied to in the country—all the more that the idea of annulling the 2001 census results on grounds of “wrong ethnicity indication” among Pomak Muslims, Roma, and other communities, was rather close to implementation at the relevant time.

In the initial publications of the 1992 census results based on a 2% sample, 65,546 persons were reported to have declared “Bulgarian Muslim” identity, which number represented the sum of Muslims who registered as non-Turks, non-Bulgarians, and non-Roma. This figure, however, does not reflect even the approximate number of Pomak Muslims in Bulgaria. Thus it should be accounted also that according to the 1992 census 70,252 persons declared “ethnic Bulgarian” identity, but Muslim religion; about 35,000 – Bulgarian-speaking Muslims from the Rhodopes registered as Turkish-speaking; and about 70,000 of them declared “ethnic Turkish” identity. In addition, there was a small

¹ Both names of reference are used in the present study without being intended to be derogatory for reasons exposed bellow.

² National Statistics Institute, at: <http://www.nsi.bg/Census/Census-i.htm>.

³ Ibid. Census results from 1992 and 2001.

⁴ On a number of occasions, Todor Zhivkov—Bulgaria’s head of state during Communism, and other senior “comrades” repeatedly emphasised that the Bulgarian Turks are well over a million, and that they increase with 15,000 per year. These statements were made on numerous meetings of Politburo, when future authorities’ plans related to the brutal “Revival Process” (1984-1985) and the “Big Excursion” (Spring-Summer 1989) had been adopted. This is reflected in details in the relevant section on Communism.

number of people considered by others as “Pomaks”, who in fact declared “ethnic Bulgarian” identity and “Orthodox Christianity” as their religion.⁵ In any event, the number of Bulgarian-speaking Muslims remains a matter of rough approximation at best. What happens during censuses is that their number is unevenly distributed among several groups, depending on the identity criterion: ethnicity, religion and/or mother tongue. As a result they are never indicated, and hence, never recognised thus far as a distinct minority group in spite of the fact that they perceive themselves and are seen by the others as a separate community.⁶

The exact number of Muslim Roma is also not known. According to the 1992 census the total number of Roma is 313,396 persons, and in 2001 they already enumerate 370,908--based on “ethnic belonging”, and 327,882--based on “mother tongue” indicators. According to the latest census Roma constitute about 4,6 % of Bulgaria’s total population, of which 180,326 persons (or 48.6%) registered as Orthodox Christians and 27.9% - as Muslims. The census data further point out that more than half of Protestant Christians in Bulgaria, whose total number equalizes to 24,651 people, are of Romani origin (i.e. more than 12,000 Roma Protestants). However, the opinion of different human rights organisations, and a number of authoritative international institutions such as the World Bank, is that the Roma in Bulgaria approximate 800,000.⁷ That might be true, especially against the background of the fact that the greater part of Muslim Roma identify themselves as Turks, and another significant part of the Christian Roma register as ethnic Bulgarians in order to avoid the mentioned social stigma associated with the Roma ethnic group. Thus, it is not yet definite whether Muslim or Christian Roma form a majority in Bulgaria.

Each of the three basic groups--Turks, Bulgarian-speaking (Pomak) Muslims and Roma (Gypsy) Muslims--that form the Muslim community in Bulgaria, is a distinct minority group. This fact necessitates brief introduction into their origins (or at least the existing theories of their origins, because in the case of the Pomak Muslims--whose identity is still subject to great controversy generated by the multitude of competing theories and hypotheses--theories are all that is disposed of with certainty) without prejudice to any of the existing theories or convictions.

2. Origins of the Bulgarian Muslims

2.1. Turks⁸:

⁵ Alternative report submitted pursuant to Art. 25 (1) of the Framework Convention for the Protection of National Minorities, prepared by the Bulgarian Helsinki Committee, September 1999 (p.5), available at <http://www.bghelsinki.org>.

⁶ Recall the fact that more than 65,000 Bulgarian-speaking Muslims wished to have been referred to as “Pomaks”, “Pomak Muslims” in the 1992 census.

⁷ Study of the Centre for Social Practices entitled “Their Voices”, prepared within the project: “The voices of the rejected – more opportunities for minority groups through the media”. The projects, funded by the European Commission, were completed in 2002. See p.14.

⁸ This part—unless otherwise indicated—is based of the study of Ibrahim Yalamov, *The History of the Turkish Community in Bulgaria* (in Bulgarian), Sofia: 2002, pp. 11-65.

The ethnic origin of the Bulgarian Turks had never been disputed since the Bulgarian independence in 1878. However, during the last decade of Communism, different scholars serving the needs of the Communist regime, started to promote the idea that there were no Turks in Bulgaria, but only Turkicised Bulgarians.⁹ Since the start of democratic process in Bulgaria after 1989 there have been no further disputes as to the Turkish descent of the Bulgarian Turks, although the word “Turkish” has proven to be rather complex in terms of variety of identities united under it, especially against the background of the currently acknowledged and dominating historiographic views.

The Turkish minority in Bulgaria originates from the Turkic tribes, which started to penetrate the Balkan Peninsula and Asia Minor as early as III-IV century. Before that they inhabited the territories formed by the Altay Mountains, Touva, and Western Mongolia, which were then a part of the multiethnic tribal union of the Huns. The Turkic migration to the Balkans is divided into three basic stages. The first invasion stage is locked up between its start in III-IV century, the foundation of the Bulgarian state in 681, and up until the time of the Bulgarian Kingdom’s adoption of Christianity as a state religion in 864, when the Turkic invasion was particularly intensive.

The second penetration stage covers the time of Byzantine rule in Bulgaria (1018-1185), during which period the Turkic Pechenegs, Uzes, and Cumans massively invaded and settled into the Bulgarian lands. The third, and most significant, stage of Turkic invasion into the Bulgarian state includes the whole 500-year Ottoman rule on the Balkans (XIV-XIX century), when the process of establishing a solid Turkish-Muslim presence on the Peninsula was started and affirmed.

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As a result of the disintegration of the Huns’ union in I century AD, different Turkic tribes such as the Avars, Hazars, Bulgars, Souvars, and others, started to consolidate their own Turkic identity, and united by the common language, they found a state in IV century known as the Great Turkic Haganate. The Haganate ceased to exist when in VIII century the greater part of its Central-Asian territories was occupied by the powerful Arabs, who imposed Islam as a religion together with imposing their government.

The Arab rule over the Turks, however, did not last, and in IX century the chieftain of the Oghuz Turks, Oghuz, set the foundations of a next independent Turkic state, which thrived for more than two centuries. By XI century the Oghuz state was already weak, and the clan of the Seldjuk Turks was gaining strength in its southern parts. Under the Seldjuk Turks’ leadership, a considerable part of the Turkic tribes moved to the south from Central Asia, and founded a state on what is today Iran, Mesopotamia, and the behind-Caucasus territories. After defeating the Byzantine troops on 19 August 1071, the Seldjucs invaded Asia Minor and penetrate the Balkans.

Simultaneously, other waves of Turkic tribes, among which the Bulgars (a unifying name for Ogurs, Utigurs, Kutigurs, Onogurs, Kotrags, and others), moved to the North – Northwest after the collapse, first, of the Hunic union, and, then, of the Great Turkic Haganate, and entered the Balkans through the Danube River. Their invasions to the Peninsula were particularly intensive during VII century. The dominant view in the contemporary Bulgarian historiography is that the proto-Bulgarians (a name into use after the WWII) belonged to the Altayan or the Huno-Turkic tribal groups.

⁹ The same claims have been always promulgated in respect to the Bulgarian-speaking Muslim or Pomak population.

In VI century, being in the apogee its political and military might, the Great Turkic Haganate conquers new and new territories, including the Azov and Caucasian steps, which are occupied by Bulgars (proto-Bulgarians) at the time. A century later, the state split into Western and Eastern Haganate, and the Bulgar tribes remained settled in the Western part. Gradually the Bulgars from the areas of the Azov and Caspian Sea, united around the Unogundurian chieftain Kubrat, successfully rebelled against the Haganate, and established an independent state called Great Bulgaria in 632 AD.

After the death of Kubrat, however, the newly founded and still unstable state collapsed and the Bulgar tribes started a new diaspora. Part of them settled permanently on the territories of the former Great Bulgaria; others, under the leadership of Kubrat's son Kotrag, headed northward and established themselves in the area of the Volga River. Available historical data points out that in X century the Kotragian Bulgars adopted Islam as their religion while preserving their Turkic language.

Another son of Kubrat, Asparuh, leading about 100,000 (according to others—about 800,000) people, settles in the Danube River's delta in VII century, where he has to constantly fight with Byzantium. As a result of more than two-century-long, persistent struggle with the declining Empire, Asparuhian Bulgaria transforms into a well-established medieval kingdom by IX century. The two main ethnic communities—proto-Bulgarians (the Turkic Bulgars) and Slavs—that shared the territories of the relatively young state, lived segregated and spoke their own languages. Although a minority, the proto-Bulgarians ruled the country.

However, with the adoption of Christianity as a state religion by king Boris I (852-889), the Slavic ethos, which represented the majority in the Kingdom, started to dominate as many of the Slavs already professed the Christian faith, and the rest that do not, vigorously accepted it. The proto-Bulgarians (many of whom were Muslims from the time before they settled on the Balkans) who were the ruling class within the Bulgarian kingdom by then had started to lose their positions, and as a result, their Turkic language, culture, and traditions gradually faded away.

Yet, not all of the Asparuhian Bulgarians were assimilated. One part of them, which secluded themselves after the introduction of Christianity, managed to preserve their Turkic identity¹⁰, and became natural allies to the (Muslim) Pechengs, Uzes, and Cumans (the afore-mentioned Kotragian Bulgars coming from the area of the Volga River), who invaded Bulgaria in the period 1018 - 1185. When the Ottoman Turks (another complex blend of Turkic tribes) coming from Anatolia entered the Balkan Peninsula between 1363 and 1393, they encountered a local Turkic community formed by the non-assimilated Asparuhian and the Volgian Bulgars, and mixed with them.

As the Muslim Ottomans penetrated the Balkans through the Dardanelle, defeating the armies of the Bulgarian King Ivan-Shishman, the local population professing Christianity, retreated to the mountainous regions, and yielded the fertile valleys to *en masse* coming Yoruks (a livestock-owning people), nomadic and semi-nomadic Oghuz Turks from Eastern Anatolia, as well as other militant tribes brought over from Anatolia

¹⁰ Some Bulgarian ethnologists consider that their descendants are the contemporary Bulgarian Turks inhabiting the Deliorman area, as well as the Gagauzian Christians from Eastern Bulgaria.

for the purposes of resettlement into the newly-conquered lands.¹¹ During the forthcoming years the Ottomans undertook a policy of active colonisation of the conquered territories, and, thus, the number of the Muslim population on the Balkans grew steadily.

Many other factors contributed to the fast and dramatic increase of the Muslim population in the new territories, among which the freshness, simplicity, and progressive character of the still young Islamic religion attracting many followers. The Ottoman sultan—as the *caliph of Islam*, initially spread the faith through both sword and persuasion. However, having proven more fruitful, the second means became preferable, on one hand, because it match the commandments of Islam, and on the other--because a bigger number of people converted for privileges, and better social status, rather than from intimidation to change their faith.

The preservation of property and social status, as well as the desire to acquire new privileges, became the driving motive of many members of the former ruling class of the conquered Bulgarian kingdom to convert to Islam. The historian Ibrahim Yalamov furnishes the example with the son of the last Bulgarian king, Ivan-Shishman—Alexander Shishman, who was promoted to a governor of the Ottoman province of Aidan under the name Syuleyman Pasha.¹²

Within the multiethnic Ottoman state, Muslims and non-Muslims did not have equal status. The so-called *millet* system allowed the non-Muslim subjects of the Empire to freely establish and manage their religious community affairs, but they were obligated to pay the *cizie* tax for being provided with military protection. The non-Muslim male representatives were exempted from serving in the army, but this way they are effectively prevented from pursuing a military career. Non-Muslims were also denied access to any significant administrative state post, and generally did not have good opportunities for political and social advancement.

Another factor contributing to the fast increase of the Muslim population within the Ottoman Empire was the emergence and unfolding of many heretic movements during XIV century, as a result of disagreement with the dogmas of the Orthodox Church. In the course of time these movements earned a good deal of followers among the Bulgarian population. The most significant among them were the Bogomils, who were particularly prone to convert to Islam. Thus, active heretic fractions and remnants of pagan populace in the XIV-century Bulgaria become “natural” sources of increase of the Muslim population as well within the enlarging Ottoman state.

To sum up, the invasion of Central Asian Turkic tribes in Bulgaria from the North-East started as early as III-IV century AD, and continued with a different degree of intensity up until the fall of the medieval Bulgarian kingdom under Ottoman rule. Since then in the course of 500 years there was a massive colonisation of the Bulgarian territories by Ottoman Turks and their accompanying tribes, and a fast increase of the Muslim population on the Balkans. Thus, parts of non-assimilated pre-Ottoman, Turkic

¹¹ Simsir, Bilal N., *The Turks of Bulgaria (1878-1985)*, K. Rustem & Brothers Pbl., London, 1988, p.1, (Note that Simsir is referring to the Bulgarian historians Christo Christov, Christo Manchev, and Strashimir Dimitrov as a source of quotation).

¹² Id. the same page.

communities and later coming Turks, amalgamate with the Ottomans (as well as with converted local population), and gave birth to the ruling Turkish ethos in the Empire. Gradually, cities and villages, assuming identity of Turkish settlements, emerged during the XIV and XV century, in which the majority of the population is Muslim.¹³

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After Bulgaria's liberation in 1878, there was an initial period during which the authorities launched a policy of ethnic cleansing. This resulted in mass either forced or voluntary departure of Turkish-Muslim population from Bulgaria to Turkey, which appeared the natural successor of the Ottoman Empire. The first official census conducted in 1881 in the Principality of Bulgaria revealed that the ethnic Turks—the dominant ethos until recently—constituted only 26,96% (or 2,007,919 persons) of the Principality's total population, and the Turkish population in Eastern Romelia enumerated 240,053 people, or 34,5 % of the entire population of the province.

The emigration waves of Turks from Bulgaria continued intensively in the following years as well under the pressure of hostile nationalism in the state. Thus, from 26% in 1881, the Turks dwindled to 19% in 1887, and to a mere 4% of the total population in 1900.¹⁴ According to foreign sources, the number of Turkish-Muslim emigrants that left Bulgaria only in the period 1878-1912 varies between 1-1,5 million people. This figure is incomparably lower according to Bulgarian sources – 350,000 persons. Thus, it is hard to argue on what the true number of Muslim emigrants at the time was. However, it remains a fact that for a comparatively short period of time in the newest Bulgarian history the Turkish-Muslim population in the country was dramatically reduced.

Further statistics show that 70,603 Turks/Muslims departed from Bulgaria between 1893 and 1902; 198,688 - in the period 1923–1939; and 21,353 – between 1940 and 1944.¹⁵ By 1934, the Turkish minority in Bulgaria constituted less than 10% of the country's total population, which percentage remains unchanged at present.¹⁶

During the Communist regime the Turks in Bulgaria experienced three other emigration waves over a period of time, namely: 1950-1951, 1969-1978, and in 1989 and onwards. Before the start of the first one, the then First Party Secretary and Prime Minister, Todor Zhivkov, handed a note to the Turkish government in which he demanded that Turkey accepts 250,000 Turks from Bulgaria within a three-month period. A total of 212,150 entry visas to Turkey were issued by the Turkish consulate in Bulgaria between 1 January, 1950 and 30 September, 1951, but only 154,393 of the Turkish-Muslim migrants are able to leave for Turkey.¹⁷ Simsir informs that every month approximately 5,000 Turkish-Muslim families (or 20,000 people) striped of property entered Turkey only during the months of December, January and February 1950-1951. Being financially unprepared to meet such an influx of poor Bulgarian migrants, Turkey closed its borders on 8 November 1951, and as a response, the Bulgarian government banned migration and in November 1951 started a campaign of passport confiscation.¹⁸

¹³ Ibid, p.1.

¹⁴ Ibid, p.4.

¹⁵ Bulgarian statistics cited by Simsir, pp.163-6.

¹⁶ Ulrich Buchsenschutz, *Малцинствена Политика в България (1944-1989) (Minority Politics in Bulgaria (1944-1989))*, IMIR Pbl., Sofia: 2000, pp. 109-10.

¹⁷ See id. Simsir, pp. 176-9.

¹⁸ Ibid, the same pages.

The second wave started in 1969 (and continued actively by 1978) as a result of the conscious fear of the Bulgarian Turks of forced assimilation, a process that was already launched against the Pomak Muslims in the early 1970s and brought to an end shortly afterwards (1970-1974). However, the 1969-1978 wave is known as the “emigration of close relatives”, because the suddenly interrupted inflow of Turks/Muslims in November 1951 left many families divided. Thus, about 70,000 of the persons who received migrant visa remained in Bulgaria without being able to leave. These and other people (with at least one family member in Turkey) started to collect and submit petitions in which they requested the Bulgarian authorities to allow them to migrate. Thus, by March 1964 the number of Bulgarian Turks and other Muslims who had signed the petitions reached 400,000 persons. Finally, due to this pressure the Bulgarian and Turkish authorities met in Ankara and signed a migration agreement on 22 March, 1968. According to this agreement only very close relatives were eligible for immigration: spouses, parents, grandparents, children/grandchildren and their spouses and children, as well as unmarried siblings (married siblings were excluded). The agreement included providing opportunities for potential migrants to take their possessions with them or sell them and keep the money. The Turkish authorities expected an inflow of about 25-30,000 Bulgarian Turks/Muslims, who – in accordance with the agreement – would bring their property with them. However, as Bulgaria started to break away from the 1968 agreement, it almost expelled its Turks with no property at all. More than 130,000 persons emigrated from Bulgaria in the course of 10 years (between 1969 and 1979).¹⁹

The third and most frustrating emigration wave for the Bulgarian Turks—the so-called “Big Excursion” (summer of 1989)—was a direct consequence of the so called “Revival Process” against them, when they were forcedly deprived of their names and identity (1984-1985). Declassified archive documents from that time reveal that the then Communist authorities planned to get rid of 200-300,000 Turks by expelling them from their home country. More than 350,000 Bulgarian Turks left the country in the summer of 1989, about 100,000 of which later returned.²⁰

The emigration of ethnic Turkish population (and not only ethnic Turkish) in and out of Bulgaria continues to this day, however, this movement is now economically motivated and in most cases temporary in nature.

2.2. *The Bulgarian-speaking Muslims (Pomaks)*

While no sharp controversy exists in Bulgaria as to the roots of the Turks or the Roma Muslims, there is such a phenomenon in respect to the Bulgarian-speaking Muslims (or Pomaks). The complexity of the problem related to their origins is generated primarily by the fact that three countries--Bulgaria, Turkey and Greece--have historically had their own theories on the matter, promoted in unison with their national interests. In Bulgaria the Pomak population is referred to as both “Bulgarian Mohammedans” and “Pomaks” (the second is used in pejorative terms). Bulgaria’s *body politic* prefers the name Bulgarian Mohammedans (or rarer Bulgarian Muslims), partly due to cherished

¹⁹ Ibid, pp.245-64.

²⁰ For more details see section *The situation of the Bulgarian Muslims during the last years of the Communist regime (1984-1989)* below.

nationalistic convictions. The name “Bulgarian Mohammedans” is meant to reflect the thesis that the Pomak Muslims used to be Bulgarians Christians subjected in the past to forced Islamisation.

The “forced Islamisation” thesis promotes the idea that the population of the Rhodopes—the primary area of settlement of the Pomak Muslims—was exposed to violent “Turkisation” undertaken in different periods during the 500-year “Ottoman yoke”. It is stated that “[i]n the earliest period of the Ottoman conquest, ... conversion took place through the institution of slavery and through the so-called “natural Islamisation.” The pointed forms of “natural Islamisation” were different. It is said that “the Ottomans kidnapped people from the indigenous population and turned them into slaves, [which] were either forced to convert, or were “attracted” to the new faith by their masters’ promoting them to the status of “free people”--[a practice called *atik*, or *muatik*]. Former slaves were given land and relative freedom ... [provided that] they converted to Islam.”²¹ Other forms of “forced Islamisation” were said to have been kidnapping women from the local population, who were later converted to Islam, as well as practising the so-called *devshirme*, i.e. recruiting Christian boys to the military Ottoman *janissary* troops.²²

There is also a “voluntary Islamisation” thesis, accepted by some Bulgarian historiographers, which, however, is far less promoted, although it is more firmly grounded both logically and scientifically. This thesis premises that factors like “poverty and ... [desire] for higher social status were the normal reasons for the adoption of Islam [as] Muslims had ... [many] financial advantages in comparison to the rest of the population. [For example they] did not pay the *cizie* tax, ... [which is said to have been as high as to provide for] a third to a half of the Ottoman state budget.”²³ Moreover, as mentioned above, Muslims in the Ottoman Empire were allowed to join the military which opened opportunities for high-ranked and financially profitable positions, while the non-Muslims were prevented from doing so.²⁴

Turkey’s version of the Pomak Muslims’ origin took quite another direction. Some Turkish scholars claimed that that population has nothing to do with the Bulgarians, but were descendants of the “Cumano-Cupchag Turks”, which started to invade and settle into the Balkans around 1065 AD, during the reign of the Byzantian emperor Kantakouzin.²⁵ The first settlers were said to have come from today’s Turkish area of Konya, led by Chaka Beg and Gazzi Omur Beg, and to have occupied the territories of the Rhodopes, Macedonia and Tessalia. During the following centuries compact masses of Yuruks (from Salhan and Manissa), as well as Avars, Huns, Pechenegs, and Cumano-Pecenegs—coming from different parts of Eastern Europe into the Balkans after the collapse of the “Turkic Cumano-Peceneg Union” in XI century—arrived in the area and after settling among the local population gave birth to the “Pomak Turks.”²⁶ Thus, when the Ottoman Turks invaded the Balkans in 1358, they encountered the Muslim-Turkic-Cumano-Peceneg population of the Rhodopes.²⁷

²¹ Centre for Documentation and Information on Minorities in Europe - Southeast Europe (CEDIME-SE), *Minorities in South-eastern Europe: Muslims of Bulgaria*, quoting the Bulgarian scholar Vera Mutafchieva.

²² Ibid.

²³ Id. CEDIME-SE referring to Eminov, and Mutafchieva.

²⁴ Ibid.

²⁵ *Rodoplarin Sesi* magazine, Cagaloglu-Istanbul, May 1973, p.1-2.

²⁶ Ibid.

²⁷ Ibid.

Greece, whose northern territories were inhabited by compact masses of Pomak Muslims, has its own explanation. It argues that the Bulgarian-speaking Muslims “were descendants of the Thracians and the Ancient Greeks.”²⁸ Thus, the claim goes that the native population was first Hellenised, then Latinised, Slavicised, Christianised and finally Islamised. However, part of it, which lived isolated in the mountainous area of the Rhodopes, remained almost untouched, and these people are “the purest” descendants of the Ancients.²⁹

Considering the above and other theories on the origin of the Pomak Muslims, it seems impossible to reach whatever consensus in the midst of such controversy. As a result, gross speculations infringing upon the image and the basic human rights of this community are spread and promoted at present. For example, the majority of ethnic Bulgarians who share the belief that the Pomak Muslims are Turkicised Bulgarians tends to look down on them conceiving them as “traitors of the faith”, “apostates”, and others. The result is ethnic tension, prejudice and discrimination against this population. The artificial maintenance of this situation is deeply at odds with international norms for minority rights protection and non-discrimination and thus all attempts to impose an ethnic identity on the community in question (on any community) are to be avoided as unauthorised. As the Bulgarian-speaking Muslims think of themselves first and foremost as *Muslims*, this will be the basic feature of reference in the course of this paper. The name “Pomak” in the report is used, above all, to emphasise the distinctness of the Bulgarian-speaking Muslims as a group, and is preferred, because it is the only name currently spread, which is capable of reflecting that distinctness.

2.3. Roma Muslims³⁰

Ethnologists consider that the first Roma migrations from India to Europe and the world started a thousand years ago (IX–X century). When they reached the eastern borders of the Byzantian Empire, after initial roaming through the territories of today’s Pakistan, Afghanistan, and Iran, the Gypsy diaspora splits into three main streams. The first stream headed North, settled in the behind-Caucasus lands (today’s Armenia and Georgia), and, in the course of time, made its way to Eastern and Central Europe and the Balkans. The second stream moved to the South-West to the lands of Syria and Palestine. Part of the Roma remained there, while another continued to ramble spreading into Egypt, the South African coast, and Europe.

The third Romani migration stream headed westwards—to Asia Minor and the Balkans, and through them—to Central and Western Europe. Having reached the Byzantian Empire’s territories in IX – X century part of the Roma settled there. Later, when the Balkans became part of the Ottoman Empire, the Romani population on the Peninsula increased as a result of their influx to the Empire due to fleeing from slavery (mainly from Moldova and Walachia) and persecution in different parts of Europe. More and more Roma settled permanently in the Ottoman Empire (primarily on the Balkans attracted by its fertile lands), where they met tolerance and more favourable treatment

²⁸ CEDIME-SE referring to GHM Report, www.greekhelsinki.gr.

²⁹ Ibid.

³⁰ This part—unless otherwise indicated—is based on the book of Elena Marushiakova and Vesselin Popov, *Циганите в България (Gypsies in Bulgaria)*, Sofia: 1993, pp.7-57.

than elsewhere in Europe. Thus, the Peninsula became a kind of “second fatherland for the Gypsies”.

Although the most intensive Roma migration to the Bulgarian lands is said to have occurred in XIII – XIV century, many Roma arrived with the Ottoman troops, where they were accompanying the army craftsmen or were serving in the complementary military units. Gradually with the strengthening of the Ottoman state, the administrative authorities pursued a policy of forcing Roma to permanently settle so that more efficient tax control could be exercised upon them.

According to the Ottoman tax register from 1522–1523, there were 10,294 Christian and 2,694 Muslim Romani households in the Empire (these numbers refer only to the settled tax-paying households), and an additional 2,694 Muslim households accompanying the army. Calculations made on the basis of this register showed the following allocation of the Romani households on the Balkans by countries: Turkey – 3,195; Greece – 2,512; Albania – 374; former Yugoslavia – 4,382; and Bulgaria – 5,701, which forms a total of 16,591 households. It is interesting to note that the number of Romani families in Bulgaria is incomparably greater than the one in the other Balkan countries in the early XVI century.

After Bulgaria’s independence (1878), more regular population censuses started to be conducted and thus the number of Roma in the country became more regularly recorded. The first censuses in the Principality of Bulgaria and Eastern Roumelia, undertaken in 1881 and 1885 respectively, revealed that there were 37,600 Roma in the Principality (which constituted 1,87% of its total population) and 26,724—in Roumelia (or 2,83% of the Province’s population). The next several censuses depicted the following results: 1905 census—99,004 Roma; 1910—122,296 Roma; 1921—98,451 Roma; and 1926—134,844 Roma. About 2/3 of all Roma at the time lived entirely in villages, and only 1/3--in segregated Romani neighbourhoods in smaller towns around Bulgaria. That situation remained unchanged by the time of the Communists’ coming into power and their initial years of ruling, when more Roma had the opportunity to settle in big cities.

As all other Muslims (except for the majority of Turks, which avoided that by the early 1980s) in Bulgaria, Roma Muslims also experienced several forced assimilation campaigns against them. Their names and religion were repeatedly changed in pre-Communist Bulgaria.

Chapter I

The Muslim community in the post-Ottoman period (1878-1944)

The legal and political framework of the attitude of the Bulgarian authorities towards the Muslim community on the whole and in the period from the 1878 Liberation to the Second World War can best be described with the word *inconsistency*. On one hand, the post-Ottoman time was a time when the Muslims in Bulgaria enjoyed the necessary rights and privileges of autonomous religious existence, but on the other hand, the moments of genuine human rights upheaval were often short-lived. Freedom was frequently replaced by periods of tightened state control and reduced to vanishing-point minority rights in accordance with the government-of-the-day's interests and moods. The Bulgarian historian, Georgeta Nazarska, reckons that this unstable attitude towards the Bulgarian Muslims was prompted by the fact that after the Liberation, the Bulgarians, more than ever before, "identif[ied] themselves as Christians and Orthodox Christians, [and took] a hostile position towards all that is non-Bulgarian, non-Christian, and non-Orthodox."³¹ Thus, the Muslim community, represented mainly by Turks, was exposed to treatment inconsistent and controversial in its nature, dependent on the state policies, which were often marked by nationalistic hostility.

The status of the Muslim community in Bulgaria after the 1878 independence from Ottoman rule was regulated by an array of unilateral and multilateral treaties, as well as a number of relevant domestic documents. The most significant among those instruments were the Treaty of Berlin (13 July 1878); Treaty of Neuilly (27 November 1919), Provisional Regulations for the Spiritual Administration of Christians, Muslims and Jews (9 July 1900); Provisional Regulations for the Spiritual Administration of Muslims (26 September 1885); and Agreement of Constantinople (6 April 1909); Statute on the Spiritual Administration of the Muslims in the Kingdom of Bulgaria (26 June 1919); Statute on the Restriction of *Shari'a*³² Courts' Jurisdiction (20 July 1938); etc. Due to the frequent confrontation between treaties--imposing on Bulgaria one kind of obligations related to minority rights protection, and the domestic legislation—which was often aimed at limiting the privileges of the Muslims, a precarious environment was created where the Muslim community either enjoyed considerable autonomy, or was tightly controlled and manipulated by the state.

1.1. Religious rights

With the Treaty of Berlin, concluded on 13 July, 1878 and marking the end of the Russian-Turkish War, the great powers set the beginning of the Bulgarian Principality under the condition that the latter would respect the rights of its minorities. Generally, the treaty was dealing with the boundaries' demarcation of the new vassal Principality (covering the territory of the former Ottoman province of Danube), and Eastern Roumelia, and with the formulation of basic principles of state structure. However, several provisions were directly binding the new state to protect the rights of the minorities that remained on the territory of Bulgaria after the collapse of the Ottoman

³¹ Nazarska, Georgeta, *The Bulgarian State and Its Minorities 1878 – 1885* (in Bulgarian), Sofia: 1999, p. 9.

³² Muslim religious courts.

Empire. The very first sentence of Art. 5 bounded the Principality not merely to respect and honour the principles enshrined in the Treaty, but to turn them into foundations of its public law. The Berlin Treaty became the first document framing the legal rights of Bulgaria's minorities, the most numerous among which were the Muslim minorities.

Art. 5 of the Treaty mandated that Bulgaria must guarantee to all its citizens, without any reference to religious belonging, the freedom to profess and practice their religion and to secure the equality of all citizens before the law by keeping their civil and political rights equally. Art. 5 further stipulated that Bulgaria must provide equal access to public services and education institutions for all, as well as to guarantee through its laws equal employment opportunities. Art. 12 of the Treaty granted to Muslims and members of other minority groups, who choose to live outside the Principality, the right to retain and dispose of their immovable property in Bulgaria. Art. 20 obliged the new state to "respect the rights and privileges of foreign [populations]"³³ within the Principality. Art. 62 guaranteed equality before the law and equal access to public office for all denominations in Eastern Roumelia. Art. 4 extended the scope of the minority protection provisions of the Treaty through making reference to ethnicity as well, not merely to religion. Thus, it stipulated that in regions with mixed population, i.e. where ethnic Bulgarians were mixed with ethnic Turks, Greeks, and Romanians, the Bulgarian authorities were to give due consideration to "the rights and interests" of those ethnic groups when creating its laws.

International legal instruments in the face of the Berlin- and the later Neuilly Treaty (1919) conjunct with a multitude of domestic documents helped to shape the organisation of the Muslim religious community in pre-WWII Bulgaria. The "supreme law of the nation"—the 1879 Constitution of the Principality of Bulgaria, had provisions on equality before the laws and minority protection. It was Art. 57 of the Constitution that secured equal protection of the law for everyone without actually being punitive, anti-discriminatory in nature. Articles 40 and 42 granted the right to freedom of religion to all Bulgarian and foreign nationals and the right to self-government for religious minorities respectively, the Muslim minority. However Art. 42 again placed the formally self-governing religious communities under the direct supervision of the government, while the Bulgarian Orthodox Church—lifted to the status of state religion (by virtue of Art. 37 of the Constitution), was exempt from such supervision.

During the temporary Russian reign (1878-9), following the end of the Russian-Turkish war, the muftis' status of servants with autonomous religious, administrative, and judicial³⁴ functions did not change dramatically. However, during the first two Bulgarian governments (July 1879 – March 1880), the muftis started to be appointed by the government, and consequently became dependent on the state. On 9 July 1880, Tsankov's government adopted the "Provisional Regulation for the Spiritual Administration of Christians, Muslims, and Jews"³⁵, and this document turned out to be

³³ "Foreign" in this case is used to indicate members of ethnic groups other than ethnic Bulgarians such as Turks, Romanians, Greeks, etc.

³⁴ The powers of judiciary were normally exercised by *kadis*--religious jurists in the Ottoman empire, but, in accordance with *Shari'a*, the Muslim spiritual leadership--the muftis in this case, were also competent to pronounce on cases of marriage, divorce and property disputes simultaneously with performing their other religious duties. In the period 1878–1944 the judicial function of muftis in Bulgaria was strengthened. In the course of the study it will be seen how and why this happened.

³⁵ *Official Gazette*, No. 56 of 9 July 1880.

the only available official state instrument concerning the regulation of Muslim community affairs in the following 5 years.³⁶

Generally, this document regulated the administration of the Muslim parishes, including remuneration of clerics, taxes, sources of incomes, and money distribution. Art. 25 of the Regulations established religious boards of 3 to 5 people, entrusted with managing the affairs of the Muslim pariah. The board members were elected by enfranchised Muslims. Further, Art. 32 changed the practice of state appointment of muftis and prescribed that there should be one mufti for each parochial district. The number of parochial districts corresponded to the number of judicial provinces in Bulgaria. Muftis were also elected by the Muslim community from among candidates with special religious education. Art. 33 defined the parochial districts. The Provisional Regulations abrogated the office of *kadis*³⁷ and transferred their powers to the muftis, who, as already stated, were to be freely elected by the Muslim community, and did not need—at least not formally—the approval of the state. Yet, Art. 39 of the Regulations mandated that all communications between the Muslim priesthood and the central religious administration were to be mediated by the muftis, who ought to report to the Ministry of Foreign Affairs and Public Worship.³⁸ Through the Regulations in question, the entire Muslim priesthood, and, hence, parishionerhood in Bulgaria, were put under the direct hold of the government, which in this way kept the door for political manipulations open.

The Regulations under consideration abolished the practice of state appointment of the muftis, due to which enfranchised Muslims could - for the first time since 1878 - freely elect the 10 muftis. Nonetheless, the Regulations' implementation did not go smoothly. In Sevlievo parochial district in 1884, for example, the mufti became not the candidate who won the elections, but another one who had the support of the local authorities.³⁹ During the same year the government undertook three dismissals.⁴⁰ The muftis of Sevlievo, Rousse and Sofia were removed from office due to activities confronting governmental interests. The office of the Sofia Mufti was entirely closed down, not because it contradicted some fundamental state interests, but because of shere nationalism eexpressed by the slogan “the less foreign element, the better”.⁴¹ The comprehensive state interference into Muslim community affairs was customary enough as to explain the Foreign Minister Tsanov's declaration that since the muftis, as civil servants, were paid by the state, “it [wa]s natural that the government would exercise *some* control.”⁴²

However, the control of the state authorities at the period was more than just “*some*”; it was tight. This situation was affirmed through the adoption of new “Provisional Regulations for the Spiritual Administration of Muslims” in 1895.⁴³ These Regulations were into effect in their entirety by 1909, and remained partially applicable as late as

³⁶ See Id. Nazarska, p.140.

³⁷ See above.

³⁸ This Ministry was set by the Turnovo Constitution, and was given the responsibility to deal with minorities. At that time minorities were being defined as such minorities on the basis of their religious- rather than ethnic belonging.

³⁹ See id. Nazarska, pp.17-8.

⁴⁰ Ibid.

⁴¹ Ibid.

⁴² Ibid.

⁴³ *Official Gazette*, No. 210 of 26 September 1895.

1919.⁴⁴ Art. 2 of the Regulations in question virtually reinstated the practice of state appointment of muftis. The law formally provided muftis' election by enfranchised Muslims, but this time their instalment to office was subject to confirmation by royal decree upon a motion of the Ministry of Foreign Affairs and Public Worship after the Ministry had checked the elected mufti (Art. 6). Art. 7 envisaged state appointment of deputy-muftis as well. In addition, all financial accounts of the Chief Mufti, the muftis and the deputy-muftis were to be submitted to the Foreign Ministry for revision (Art. 12 and 13). The Ministry in question also had the power to dismiss religious boards if the latter was dissatisfied by the boards' work (Art. 18). The appointment of boards' members was further subjected to conformation by ministerial decree (Art. 20). By virtue of *Notes* under Art. 4 and Art. 17 Roma Muslims were banished from both electing and being elected to religious office. Altogether, through the policy of state funding of religious houses' maintenance, and of paying muftis' salaries, the authorities felt entitled to expansively intervene into the religious affairs of Muslims.

The Agreement of Constantinople between Bulgaria and Turkey from 6 April, 1909 that followed the proclamation of Bulgaria's independence by king Ferdinand (22 September, 1908), included a special section on muftis' matters in Bulgaria. This document formally amended Art. 2 of the 1885 Regulations concerning the state appointment of the Chief Mufti, and mandated instead that the latter was to be elected by and from amongst the muftis in Bulgaria on a gathering convened for these purposes (Art. 1). This time the Foreign and Public Worship Ministry's role was simply to communicate the Chief Mufti's election to the *Sheih-ul-Islam* in Istanbul for approval, upon which the Chief Mufti's candidate assumed office (Art. 1). The Chief Mufti's mandate was extended to cover--within the prescriptions of *Shari'a*--supervising regional muftis' work, and all spiritual and charity organisations' activities (Art. 1). Art. 2 of the Agreement re-established the practice of electing regional muftis by the Muslim community and put the Chief Mufti in charge of checking whether the elected muftis had the qualifications required by *Shari'a*. He then communicated the results to the *Sheih-ul-Islam*, which on its part issued the necessary authorisation papers if the candidate was eligible. However, by virtue of Art. 3 the state preserved its powers to dismiss muftis "in accordance with the prescriptions of the Law on Civil Servants" as muftis continued to be civil servants.⁴⁵

The end of the disastrous for Bulgaria Balkan Wars (1912-1913) was put with the Treaty of Constantinople⁴⁶ from 16 September 1913. Bulgaria's defeat in the Second Balkan War, else known as the Interallied War, forced the then Radoslavov government to accept the terms of the Bucharest Peace Treaty (28 July 1913), followed by the Constantinople two months later. Through them Bulgaria not only lost territories, but had to terminate the violent conversion of Pomak Muslims⁴⁷ undertaken immediately after the beginning of the Balkan Wars. Moreover, the country had to accept and honour a number of obligations related to Muslim minority right protection. Art. 7 of the Constantinople

⁴⁴ See id. Kanev, p.320.

⁴⁵ According to Nazarska (see p.20), muftis' salaries were over 4 times lower as compared to those of Orthodox priests (Orthodox Christianity was the predominant religion in Bulgaria) as early as 1885.

⁴⁶ Both the Agreement of Constantinople of 6 April 1909, and the Treaty of Constantinople of 16 September 1913, were in Bulgarian (and Turkish as well).

⁴⁷ This was the first organized forced Christianisation of Muslims undertaken by the authorities since the Liberation. The event is discussed in details in the *Immigration and assimilation problems* subsection.

Peace Treaty established that all persons living on former Ottoman territories, which as a result of the wars were annexed to Bulgaria, became full-right Bulgaria's subjects. An option for those wishing to retain Ottoman citizenship was nevertheless left open. Art. 8 of the Treaty incorporated other important provisions. It guaranteed to all Muslims living in Bulgaria the right to equality before the law, freedom of conscience, and freedom to profess and practice their religion. Art. 8 further mandated that the right of Muslim parishes to own property and choice to preserve their own hierarchical structure had to be recognised and respected by Bulgaria. Articles 9 and 10 decreed that all rights and privileges--including property rights--acquired by persons and/or entities (among which Muslim(s)), established under valid Ottoman laws, were to be retained and respected likewise. A separate provision was binding upon the two contracting states--Bulgaria and Turkey--to guarantee that they would mutually respect each other's burial grounds within their territories. Art. 16 established the right to free movement of nationals of each country on the territory of the other.

There was a special appendix to the Treaty of Constantinople concerning the status of muftis in Bulgaria, which was rather weak in terms of minority protection. The "Agreement on Muftis" only affirmed the civil servants' status of muftis and the discriminatory practice of their liability to dismissal by the government in accordance to the Law of Civil Servants (Articles 3 and 4). Furthermore, Articles 1 and 2 of the Appendix only restated that muftis were subject to elections by enfranchised (male) Muslims, and muftis on their part were simultaneously competing and voting for a Chief Mufti from among themselves. The only important innovation of the Appendix in question was Art. 8 through which Muslim religious units were recognised as legal entities.

In spite of the frequently expressed indignation by the Muslim community from the broad legal and political interventions of the government into its religious and other affairs, the state control did not weaken or liberate to the least. On the contrary, it gradually tightened. Thus, on 26 June 1919 King Boris III issued a decree with which the relationship state – Muslim community moved on to a new, more inhibiting stage. The "Statute on Spiritual Organisation and Administration of Muslims in the Kingdom of Bulgaria"⁴⁸ granted extensive powers to the Ministry of Foreign Affairs and Public Worship to interfere into Muslim community religious matters. First of all, Art. 10 of it decreed that all Muslims, regardless of sect they belonged to (*Sunny* or *Shi'a*), were members of a single Muslim religious community. Art. 11 reorganised the structure of the religious districts by entrusting their management to boards consisting of 5 to 9 members, who were voted for once in 3 years. The Ministry of Foreign Affairs and Public Worship was empowered not only to fix the election date, but also to prescribe the conduct of elections (Art. 11). Election files containing description of the conduct of elections and marking the results had to be prepared and sent to the Foreign Ministry within a 3-day period after the end of the elections in order to be examined (Art. 22). The Ministry in question had the discretion to confirm or reject the appointment of the elected person(s) upon examination of the files (Art. 22). If an elected person was thus rejected, the Ministry set up a date for new elections (Art. 23). The powers of the Foreign and Public Worship Ministry extended to the possibility to dismiss any Muslim cleric upon a discretionary finding that the latter did not fulfil his duties (Articles 37, 38 and 39). Such

⁴⁸ *Official Gazette*, No.65 of 26 June 1919.

dismissals were normally undertaken upon a motion of a mufti or deputy mufti. If a cleric was thus dismissed, the same Ministry appointed the person who was next in the election list.

There was hardly an area in the social life of the Muslim community where the Foreign and Public Worship Ministry could not interfere in an obstructive way. By virtue of the “Statute on Spiritual Organisation and Administration of Muslims” in consideration, Ministry inspectors could revise the work of religious boards whenever they deemed fit (Art. 56). Additionally, the Ministry could interfere in the process of establishing criteria for the selection of religious clerics. This was possible by means of a provision decreeing that not only would there be a ministerial delegate into any examining commission, but the commission’s examination protocol would be forwarded to the Ministry in order to have it checked (Art. 65). Once the protocol was checked, the Ministry issued a special proficiency document indicating whether the examined persons were eligible for the post(s) they competed for (Art. 65). Furthermore, construction of a mosque or other religious edifice could not take place without the Ministry’s permission, which was obtained after a slow and complicated procedure after submitting an official request, which was subsequently channelled through the Chief Mufti’s Office to the Ministry itself (Art. 91).

Section V of the Statute in discussion extended the state’s discretion to the degree of making null and void legal principles of almost customary nature such as the free election of muftis and deputy muftis by enfranchised (male) Muslims. Instead, those were subject to appointment by the Ministry of Foreign Affairs and Public Worship upon the formal recommendation of the Chief Mufti (Art. 96). Furthermore, Art. 100 straightforwardly commanded that muftis and deputy muftis were barred from leaving the country (Bulgaria), and even taking a tour in their assigned regions without the clear authorisation of the Foreign and Public Worship Ministry. Muftis and other religious servants could not establish and maintain any relations with foreign religious or public entities or persons except through the Ministry in question (Art. 102).

Under the same law the Chief Mufti’s Office was directly subjugated to the Ministry of Foreign Affairs and Public Worship, which also supervised the election of the Chief Mufti (Articles 113 and 114). Further, although the Chief Mufti was elected by and from among the regional muftis, the Foreign Ministry could demand the list of candidates for the Chief Mufti, examine and approve it if no objection as to any of the candidates in the list had arisen (Art. 116). The candidate who won the elections was announced by the Ministry and his entrance upon Chief Mufti’s functions was confirmed by a royal decree (Art. 120). The Ministry was also empowered to dismiss the Chief Mufti if the latter did not “consciously fulfil his obligations”, and, by his actions, had violated the Statute into consideration, or any law and regulations effective in the country (Art. 123). The state additionally interfered in the appointment of judges for the religious courts (Art. 138), and exerted general supervision over the work of Muslim religious courts (Art. 167).

State authorities comprehensively interfered in the management of the property of the Muslim religious entities (*vakifs*) as well. Any final decision over the *vakuf*’s property belonged or had to be approved by the Ministry of Foreign Affairs and Public Worship (Art. 168). For example, religious boards could not “purchase, sell or mortgage property”, neither could they “construct, trade in, or exchange” property “without the authorisation of the Ministry (Art. 171). The *vakif* department attached to every religious

board was obliged to send its budget records to the Foreign Ministry for examination and approval (Art. 179).

The Ministry of Foreign Affairs and Public Worship practically entirely controlled the affairs of the Muslim religious community, including the work of the smallest religious unit provided that it was of any interest to the state. The Ministry could dismiss any religious cleric upon finding that the incriminations were “founded”, and could make an appointment in the vacated office (Art. 182). The state institution interfered even in the work of religious charity organisations through a provision prescribing that charity activities would be held only with the Ministry’s permission, and upon instructions issued by it. To sum up, by the adoption of the Statute into discussion, the state successfully “establish[ed] full control over the Muslim religious community, [and, thus,] was able to use it against Turkey and the Chemist movement emerging in Bulgaria under the influence of the revolution in Turkey.”⁴⁹ Muftis continued to be the main chess figures to play with, as their posts were central enough as to enable the state to hold control over the game.

As early as the first years of the independent Bulgarian government there was a wave of closing down mufti’s offices, to which even the domestic press did not remain uncritical while concluding that such broad “[state] interference was aimed at forcing Muslims to migrate in favour of [ethnic] Bulgarians.”⁵⁰ The Sublime Porte immediately protested against the “criminal approach” of the Bulgarian government in appointing or dismissing muftis without the approval of both the Muslim community and the *Sheih-ul-Islam* in Istanbul. Turkey claimed that “the Turkish population [in Bulgaria] [wa]s scared, and ... that is why it [was unable to] object to the closing of muftis’ offices”, which was a gross intimidation over the rights and privileges of Muslims in Bulgaria guaranteed to them by the Berlin Treaty.⁵¹ In spite of the internal and external commotion created by the problem the Bulgarian authorities went on purging ‘inconvenient’ muftis, and appointing persons enjoying their credentials. Thereby the muftis of Dobritch, Omurtag, Razgrad, Turnovo, Vratsa, Provadia, and Kyustendil were dismissed and replaced by favoured people.

Muftis – the spiritual leaders of the Muslim community – were turned into civil servants, which in the eyes of the authorities was the same as state servants who had to serve the state interests first and only then the interests of the Muslim community. In addition, Muslim clerics received 4 times lower salaries as compared to those of Orthodox priests.⁵² During the reign of the Karavelov cabinet, the salaries of the muftis of Sofia, Provadia, Rousse, Osman Pazar, and Dobritch were further reduced in order to increase the incomes of “the recently replaced and true to the government muftis” of Shumen, Silistra, and Turnovo.⁵³ The Muslim religious community endured a second blow from the Karavelov cabinet on its independence when in January 1885 the Prime Minister deprived muftis of their judicial competency over fiscal and property disputes on the grounds that “the muftis’ functions ha[d] to be harmonised with the [existing] Bulgarian laws.”⁵⁴

⁴⁹ See id. Kanev, pp.321-2.

⁵⁰ See id. Nazarska, p.17.

⁵¹ Ibid, pp.17-8.

⁵² Ibid, p.20.

⁵³ Ibid.

⁵⁴ Ibid.

* * *

The Neuilly Treaty signed by Bulgaria on 27 November 1919 at the Versailles Peace Conference marked the sequential defeat of Bulgaria in the First World War, which left the country in a state of deep economic crisis. Agriculture was the most affected branch of economy and being an exclusively rural population the Muslims in Bulgaria turned out to have the lowest standard of living, in addition to being the most underprivileged subjects. The Neuilly Treaty, seen as unjust for the national interests, nevertheless “incorporated Bulgaria into the new system of international legal order established after World War I by the League of Nations,”⁵⁵ and obliged the state to respect the rights of its racial, linguistic and religious minorities.⁵⁶ Section IV of the Treaty, entitled “Protection of Minorities”, provided special guarantees for the protection of national minorities in both aspects: the protection of a national minority as a group, and the protection of individual members of such minorities.

By virtue of Art. 50 Bulgaria was bound to provide equal protection of the law for all citizens without distinction on the grounds of “birth, nationality, language, race, and religion.” In addition, the same article separately guaranteed the right to profess and practice religion. Art. 53 granted equality before the law for all regardless of “race; language, or religion”, and mandated that Bulgaria must not put any obstacles whatsoever before the free use of the mother tongue in public or private, in the media, and in the practice of religion. What is more, the same article imposed an obligation on the state to allow the use of the mother tongue in courts by individuals who did not speak the official language. Art. 54 granted the right to free founding and administering community-, religious-, and charity organisations with special guarantees for free use of language and religion within those organisations. Art. 55 obliged the state to facilitate the access to education in their mother tongue of children of Bulgarian nationals, who did not speak the official language, although this was not to prevent the government from introducing the study of Bulgarian language at school. The same provision also bounded the government to allocate “a fair share of the state, municipal, and other budgets” for minority educational, religious, and charity projects. Art. 57 bounded Bulgaria to accept that the principles promoted in Section IV of the Neuilly Treaty concerning “racial, religious and linguistic minorities, constitute[d] obligation of international interest”, [put] under the direct supervision of the League of Nations.” Finally, Art. 49 of the Treaty obliged Bulgaria to give full priority of the minority protection provisions and mandated that no regulations, statutes, or any piece of domestic legislation should countervail them.

However, the unlawful intrusion of the state into the Muslim community religious matters continued. This was done again in 1938 with the adoption of a statute restricting the jurisdiction of *Shari'a* courts,⁵⁷ which legally constituted a violation of the religious rights of the Muslim community, but in reality was approvingly accepted by some

⁵⁵ See *id.* Kanev, p.318.

⁵⁶ The League of Nations protection system was “characterised by a constant conflict between the claim for universality and the different standards for minority protection applied in the treaties [concluded with each newly established state].” (See Kanev, the previous footnote). This situation changed shortly after the Second World War when the world community ripened for the universalisation of fundamental human rights principles through the adoption of the Universal Declaration of Human Rights in 1949 and the European Convention on Human Rights a year later.

⁵⁷ *Official Gazette*, No. 156 of 20 July 1938.

Muslims. The reason for this was that by taking away muftis' capacity to adjudicate on cases of inheritance and child custody and transferring those powers to civil courts, Muslims found themselves placed on the same ground with the other Bulgarian subjects, neither higher, nor lower. However, welcomed or not, that law constituted an unauthorised intrusion of the state into the religious affairs of Muslims, and therefore posed a limitation on their religious rights. Art. 4 of the statute in discussion mandated that all cases pending before *Shari'a* courts were to be transferred to civil courts, and even decided cases awaiting implementation, were to be suspended and redirected to civil courts for retrial. The government motivated its decision to adopt the statute with the following: 1) "Mufti's (or *Shari'a*) courts, which apply *Shari'a*, no longer correspond to the legal conscience [in the country]"; and 2) The Mufti's (*Shari'a*) courts' judges "are not competent enough to satisfactorily relegate justice."⁵⁸

In short, all kinds of normative controversies and clerics' failures of the most trivial nature were used as an excuse for removal from office of "religious hardliners", and appointment of "faithful" servants. Thus, muftis were convenient political tools for easy manipulation of the entire Muslim community. For example, muftis could always be used to generate dichotomy within the Muslim religious community, which would weaken the positions of Muslims whenever that was of interest to the regime.

In the period between 1878 and 1944 Bulgaria concluded several friendship agreements with Turkey, all of which contained provisions on the status of Muslims in Bulgaria. One such bilateral instrument is the Agreement of Angora signed on 18 October 1925.⁵⁹ The very first sentence of the Protocol annexed to the agreement bound the two countries to respect the rights of minority groups of Bulgarian or Turkish ethnic origin residing on each other's territory. The agreement re-affirmed Bulgaria's obligation to honour all rights and privileges granted to the Muslim community by the 1919 Neuilly Treaty (Art. A). Further, the two countries obliged themselves to respect the right to retain and dispose of their property on the territory of the other country to all refugees/immigrants, who had fled from/left Bulgaria or Turkey as a result of the 1912-1913 Balkan Wars, and settled in the other country (Articles Б and В, in the Bulgarian version). Property that had been confiscated after flee/immigration, was to be restituted, or just compensation awarded to the persons concerned if full restitution was not possible (Art. B). Art. 2 of the Convention on Settlement, appended to the Agreement, touched upon another important issue related to Muslims in Bulgaria - namely the voluntary migration issue. This article guaranteed that neither country (Turkey or Bulgaria) would obstruct the voluntary migration of its nationals to the other country, and that migrants would be able to dispose of all their movable property, and sell the immovable one in the course of two years after their immigration.

1.2. Immigration and assimilation problems

The immigration/refugee problem has always been a basic factor determining the inconsistency in the authorities' treatment of Muslims and is very indicative of their status in Bulgaria at all times since its independence. The issue was particularly acute

⁵⁸ Official Note of the Ministry of Foreign Affairs and Public Worship from 2 November 1938 (in Bulgarian).

⁵⁹ *Official Gazette*, No. 110 of 17 August 1926.

straight after 1878 when “the revolutionary movement leaders [in Bulgaria] as if were fighting solely against the Ottoman regime, which they had condemned, [and] the majority was concerned with the idea of expelling the remaining Turks from the country.”⁶⁰ Nationalistic ideals, shaped in the late XIX century, was unanimously adopted by the Bulgarian revolutionary authorities “as self-evident - a nation-state, all Bulgarians gathered in a single state with no other nationalities in it if possible.”⁶¹

Thus, since the Liberation Bulgarian regimes have frequently raised the nationalistic slogan: “Bulgaria for the Bulgarians!” with different degrees of intensity depending on the government-of-the-day orientation and moods. As a result of the seven-month Russian-Turkish War and its aftermath the percentage of the Turkish population only in the former Danube province of the Ottoman empire – which numbered 1,130,000 (against 1,120,000 Bulgarians) in 1876 – dropped from 26% to 19% by 1887, and to only 4% by 1900.⁶² The Turks became less than 10% by 1934, which percentage is, more or less, preserved as of today.⁶³ According to Turkish sources, the number of Muslim refugees from Bulgaria varied between 1-1,5 million in the period 1878-1912, and according to Bulgarian sources for the same period, that number was only 350,000. Whatever the case, it is a fact that due to *en masse* migration in the first decades after Bulgaria’s independence, the Muslims – a community, “until recently dominant in political life” and prevailing in number – were drastically decreased and “forced into a rudimentary existence in an alien environment.”⁶⁴ Bulgarian statistics quoted by Simsir revealed that a total of 70,603 people emigrated from Bulgaria to Turkey between 1893 and 1902. That number was 198,688 between 1923-1939 and 21,353 between 1940-1944.⁶⁵

In the course of only two years (1928-1929), 24,064 people departed for Turkey, while in the next four years the emigration was considerably reduced due to establishing a democratic parliamentary regime of government in Bulgaria, under which Muslims felt no compulsion to emigrate. Only 1,684 people left in 1930; 2,141 in 1931; 1,452 in 1932; and 1,382 in 1933.⁶⁶ However, the *coup d’etat* of 19 May 1934 put an end to the parliamentary democracy in the country, suspended the 1879 Constitution and dissolved all political parties. With the dismissal of the then Georgiev cabinet, King Boris III launched a regime of virtual dictatorship, which deeply worsened the existence of Bulgarian Muslims. The politics of oppression against them went on deepening progressively until 1943, when the king died.

Immigration and forced assimilation of Muslims were the two major human rights issues marking the state policy towards Muslims in the pre-WWII period. The second was a concomitant of the first for attempted forced conversion and Bulgarianisation of Muslims were not rare undertakings in the pre-WWII Bulgaria. As early as 1881 Christianising of abandoned and orphaned – as a result of the Russian-Turkish War –

⁶⁰ Лори, Бернар, *The Doom of the Ottoman Heritage in Bulgaria*, Sofia 2002, p. 37.

⁶¹ Id., p. 37.

⁶² Id., p. 4.

⁶³ Buechenschutz, Ulrich. *Minority Politics in Bulgaria (1944-1989)*, IMIR, Sofia, 2000, pp.109-10. Note that Buechenschutz speaks only of the Turkish minority as such, excluding from this percentage the Pomak Muslims, whose number was added to that of the ethnic Bulgarians as was normally done.

⁶⁴ CEDIME-SE quoting a Bulgarian historian.

⁶⁵ See id. Simsir, pp. 163-6.

⁶⁶ Schechtman, Josef B., *Postwar Population Transfer in Europe (1945-195)*, Philadelphia, University of Pennsylvania Press, 1962, p.342.

Turkish children took place. The then Minister of the Exterior Valkovich even persuaded the government to allocate funds *not* for the improvement of the human rights conditions of the Muslim community, as Bulgaria's legal commitments demanded, but for christianising it by force.⁶⁷

In the period 1878 - 1944 there were two main conversion campaigns against the Pomak Muslims, which deserve special attention as they were “launched and carried out as an official state policy, backed up by a broad range of Bulgarian public institutions: from the King and the government, to the Bulgarian Orthodox Church”⁶⁸, and were brazenly claimed to be voluntary. The first name-change affair took place in the heat of the 1912-1913 Balkan Wars. The violent conversion was deliberately undertaken before the conclusion of any peace agreement for that was the “optimal time” for exercising unpunished brutality under the cover of war situation.⁶⁹

To all speculations on the “voluntary character” of the Pomak Muslims' conversion in 1912, a multitude of archive documents compiled in a book entitled *The Christianisation of Bulgarian Mohammedans 1912–1913 Documents (Покръстването на българските мохамедани 1912-1913 документи)*, reveal that brutal force and intimidation were the prime means of conversion. A ciphered telegram from the Drama (a town in today's Greece) regional governor sent to the then Prime Minister Ivan Geshov reveals that Hristo Chernopeev – an active member of the most extremist political formation in the Kingdom at the time – the Internal Macedonian Odrin Revolutionary Organisation (known in Bulgaria as ‘BMPO’), “was sent to Pomak villages located north and north-west of Drama with a group of 15 people to christianise the Pomaks.”⁷⁰ Further, for the “voluntary conversion” of the Muslims in Yakoruda, the government and the Orthodox Church had to resort to the favours of the notorious Plovdiv Volunteer Regiment, which was brought to “frighten them.”⁷¹

One Hristo Hristov from Ustovo village wrote to his brother: “...Yesterday evening they pulled down the minaret of the mosque in Vlahovo. They warned them to convert. Otherwise, they will be tortured.”⁷² The mosque was transformed into a church to “serve the needs” of the 92 Christianised Muslim families from the Vlahovo village. The Muslim population from Nastan, Breze, Beden and Dyovlen villages was intimidated into conversion through promises to have “their captivated sons, husbands, fathers, and grand-fathers”, who were facing death, released.⁷³ The Pomak Muslim war captives signed declarations to convert in order to be set free.⁷⁴ This way more 1000 war prisoners from Kuklen, Perushtitsa, Bratsigovo, Panagyurishte, and Golyamo Konare were intimidated into conversion in order to be released and go home.⁷⁵ Approximately the same number

⁶⁷ See id. Nazarska, p.24.

⁶⁸ See id. Kanev, p.326.

⁶⁹ This conclusion is authorised by a document included on page 13 of the compilation *The Christianisation of Bulgarian Mohammedans 1912 – 1913 Documents* (in Bulgarian), Velichko Georgiev and Stayko Trifonov (eds), Sofia: Prof. Marin Drinov Publishing House, 1995. The following part describing the 1912 – 1913 conversion of Pomak Muslims is based on the above book, which is comprised of authentic documents kept in the Archives of Republic of Bulgaria.

⁷⁰ Ibid, p.14.

⁷¹ Ibid, p.43.

⁷² Ibid, p.19.

⁷³ Ibid, p.34.

⁷⁴ Ibid, pp.76, 78 and 101.

⁷⁵ Ibid, p.110.

of Muslims from Plovdiv had to give up their religion to be able to see their families again.⁷⁶ What was more striking, however, was the fact that not only the living were Christianised, but also their dead parents by destroying old birth certificates and replacing those with new ones, which had to indicate that the living “ha[d] been born by Orthodox Christian parents” and not by Muslim ones.⁷⁷ The word “Muslim” in the birth certificates of people who had been long dead was erased and replaced by “Orthodox Christian.”⁷⁸

The driving motto of the ruling authorities of the freshly united Bulgarian state and the nationalistically tuned ethnic Bulgarian citizenry at that time is summarised in two sentences from a letter sent to Prime Minister Geshov by nationalists from Pazardjik: “We have not led a war of conquest, but a war for independence, a crusade war, a war of the Cross the creator of culture and civilisation. This is why one of our future ideals must be the imposition of Christianity on all our future subjects.”⁷⁹ Thus, the Muslim population, together with members of Protestant, Catholic and other religious orders in Bulgaria, were included in the rooster for conversion to the Orthodox Christianity for “only converted they would become civilised” and “fond of our [Bulgarian] land.”⁸⁰

Sadly, not only organs of the state, but also ordinary citizens of ethnic Bulgarian background – cherishing nationalistic ideals, participated in the unfortunate 1912-1913 conversion. Exposed to violent attacks from all sides, 8,000 Pomak Muslims inhabiting the Chepelare area gave up resisting and were converted within 10 days in January 1913.⁸¹ By December 1, 1912, 12 Pomak Muslim villages from south-western Bulgaria were entirely Christianised, among which Kornitsa village (with 250 families), Zarnevo village (50 families), Lajnitsa village (200 families), Breznitsa village (200 families), and the villages Teshovo, Tarlis, Obidim, and Dobrinitsa.⁸² The number of converted and ruined Muslim villages grew to 33 as of December 20 the same year, or a total of 21 Christianised villages for only 19 days.⁸³

Although broadly and persistently promoted, the “voluntary Christianisation” thesis did not convince many. However, what transformed the forced conversion into a mere act of brutal savagery was the fact that it was left dependent on undisciplined soldiers, growing fiercer in the situation of war. Thus, Pomak villages were pillaged and burnt and their population – after being subjected to all kinds of wilful abuses – left scattered, hungry, homeless and deprived of its faith. Such was the fate of the Muslims from the villages of Karshilya (with 130 houses), Smilyan (220 houses), Palas (350 houses), Syochuk (180 houses), Taran (110 houses), Topuklu (160 houses), and Alamidere (35 houses) – a total of 1,100 destroyed houses and the same number of scattered families in the short period between December 1912 and early January 1913.⁸⁴ These villages were burnt to the ground, because they were accused of “getting into contact with the Turkish army and helping it”⁸⁵, which was the natural course of things since the Rhodopes area

⁷⁶ Ibid, the same page.

⁷⁷ Ibid, p.94.

⁷⁸ Ibid, pp.94-5.

⁷⁹ Ibid, p.15.

⁸⁰ Ibid, the same page.

⁸¹ Ibid, p.32.

⁸² Ibid, p.16.

⁸³ Ibid, p.18.

⁸⁴ Ibid, p.26.

⁸⁵ Ibid, p.26.

was still an Ottoman territory, and the Pomak Muslims – loyal subjects to a state in which they had legal rights.

One Stefan Shishkov, a commander of Ustovo village (Smolyan region), described the reality of the Balkan War in Bulgaria as follows: “The country is in a state of total disorder. Banditry and plundering are reaching unparalleled dimensions.”⁸⁶ This particular moment, when the subjects of the state would be exposed to abuses much greater than in times of peace, was chosen by the state – with the knowledge and approval of the King and the Orthodox Church⁸⁷ - as the “the opportune moment”⁸⁸ for Christianising the Pomak Muslim population in the Rhodopes.

Immediately following the conversion, the government and the Orthodox Church started frantically to transform every available shack into a church or school, in which converted Muslims were exposed to the brainwashing effect of constant nationalistic and pro-Orthodox Christianity indoctrination. However, while the authorities were taking extra care to Bulgarianise the Pomak Muslims, they ignored their most essential needs – to feed, dress, and shelter the population. As a result of the plundering and burning their homes during the Christianisation ventures, the converts were left bare, starving and destitute. Twenty to thirty people shared a single house.⁸⁹ Here is how one Stoyu Shishkov describes the poverty of the Rhodopes’ Muslims: “...I am witnessing rare and glorious historical events⁹⁰, moreover, [I am] face to face with unheard of and unseen misery. Five to ten families – semi-naked, hungry, exhausted – are cramped in musty, half-ruined shacks, without even so much as a tin utensil for water and cooking.”⁹¹

Clearly in similar desperate conditions and in times of war – abandoned to the mercy of an unruly army, the Pomak Muslim population could not resist long in defending their fundamental right to freedom of conscience and religion. It is not hard to believe that in such conditions some Pomak Muslims chose to convert before the perspective of starving to death or dying imprisoned or beaten. However, neither could such conversion be called “voluntary”, nor could claims of the kind “they gladly converted” or “were happy to come back to their old faith”⁹² in the course of a few days be uncritically accepted by a reasoning mind. First, because no logical reason could be found to explain such a massive and rapid conversion⁹³ except fear caused by exceptional violence or the total indifference of utterly destitute population, which is even worse to assume. Second, there exists archive evidence, which confirms the forced nature of the 1912-1913 conversion.⁹⁴

In a written complaint to the Chair of Bulgaria’s National Assembly from February 4, 1913 the population from the villages Er Kyupria, Dryanovo and Bogutevo, wrote: “Mr. Chairman Danov, ... We are Bulgarian Muslims from ... Stanimaka region[.] [T]he terror, the abuses, and the sword upon us are in their peak – to make us Christians[.]

⁸⁶ Ibid, p.17.

⁸⁷ Ibid, p.19.

⁸⁸ Ibid, p.13.

⁸⁹ Ibid, p.59.

⁹⁰ This concerns the conversion “events.”

⁹¹ Ibid, p.65.

⁹² This is related to the theory of the Bulgarian roots of the Pomak Muslim population largely exploited to justify all attempts for forced assimilation of Muslims in Bulgaria.

⁹³ 150-200,000 Muslims were converted during the Balkan Wars (See id. Yalamov, p.106).

⁹⁴ In fact not a single assimilation campaign subsequently undertaken against the Muslim community in Bulgaria took place without force.

[T]his we believe our holy Constitution will not allow to be humiliated, beaten, and threatened to give up our religion... . We live in Old, free Bulgaria⁹⁵, where order, legality and justice reigns, but is it so these days[?] [I]f you, with angel's power, could only come and see [(hear)] the tears and sobs of us, the unprotected, you would realise that the conversions are not voluntary, but [achieved] through great violence[.] [I]t is a fact known by the entire world that if we did want, we would have become Christians 35 years ago when Russia came⁹⁶, not now when we should enjoy our freedom in Great Bulgaria. We trust you and your strong support for us and our suffering, [and need] to feel that we - we and the entire people - have not been betrayed by those whom we have elected ... [to govern us]."⁹⁷

In fact the most convincing proof for the forced character of the Balkan Wars' Christianisation of Pomak Muslims was the fact that they voted *en masse* for the Liberal Party on February 14, 1913, "whose election campaign and subsequent policy were based on restoration of the names and religion of the converts."⁹⁸ Thus, a swift end was put to the brutally illegal conversion venture of the Bulgarian state against part of its nationals, whose rights, in fact, it was bound to respect without discrimination on any grounds. Unfortunately, this unprecedented affair was not the last attempt of the state to deprive the Muslim community members of their fundamental human rights.

The second forced Christianisation of the Muslim population in the pre-WWII period occurred in 1942, and it was also violent and short-lived. The names of the converted Muslims were promptly restored by the new Communist regime, which came into power on September 9, 1944.⁹⁹

3.5. *Muslim minority education*

In the pre-WWII period, it was a persistent state policy to abuse the rights and freedoms of Muslims - the biggest religious minority community in Bulgaria, which also included the biggest ethnic minority, the Turks, which was often done for the purpose of forcing them to leave and free the field for the "Bulgarian element."¹⁰⁰ One of the methods to achieve this was denied access to public service¹⁰¹, or refusal for tax relief and agricultural loans, which were vitally necessary for the poverty-stricken members of the Muslim community to survive. At the same time these were afforded to ethnic Bulgarians. Thus, Bulgaria was in breach of the basic provision of the founding Berlin and Neuilly Treaties, which obliged it to assign primary importance to granting religious and cultural rights to its Muslims. The principles enshrined in these treaties were not only not to be violated, but also were to be transformed into foundations of the Bulgarian public law. Minority education rights were an essential part of these obliging principles.

⁹⁵ The Bulgarian Principality. Eastern Romelia, which was annexed to the Principality at the time in discussion was called "New Bulgaria."

⁹⁶ The word is of the Russian-Turkish war in 1878, when separate short-lived forced conversions of Muslims took place.

⁹⁷ Ibid, p.113.

⁹⁸ Ibid.

⁹⁹ Following a chronological order the 1942 forced conversion of Pomak Muslims is discussed in more detail in the subsection *The impact of Kemalism on the rights of the Muslims in Bulgaria*.

¹⁰⁰ See id. Nazarska, p.66.

¹⁰¹ Ibid, p.25.

The Russian-Turkish War left the education system in the newly established Bulgarian state totally disorganised. Education-related infrastructure was almost non-existent as school buildings were either demolished or used for other purposes. However, in the 1880s things started to improve with the renewal of old school buildings and the construction of new educational facilities. The first reconstructed school was the Shoumen *rujdiye* (secondary school) in 1883; two years later (1885) several new *rujdiyes* were opened in the towns of Varna, Shoumen, Rousse, and Svishtov. The education revival process was particularly successful in Eastern Roumelia, where 94% of the children aged 7 - 13 were enrolled in schools. More than 42% of the students were girls, many of whom attended mixed schools (with male and female students). By the start of the 1894/1895 academic year the number of schools in Bulgaria reached 1,290 of which 1,294 were primary schools attended by 72,582 children, and 16 - *rujdiye*, with 544 students. By the beginning of the 1900/1901 academic year, there were 20 *medreses* (schools of higher learning) visited by a total of 728 students.¹⁰²

By virtue of Art. 78 of the Turnovo Constitution, primary school (*siyan mektebi*) education was made compulsory for all.¹⁰³ The adoption of the National Education Act in 1885 brought up the existence of private minority schools, which varied by ethnicity: Jewish, Armenians, and Muslims. The Muslim schools were divided separately into Turkish, Bulgarian-speaking Muslim (or Pomak), Tatar and Gypsy.¹⁰⁴

The question of Muslim minority schools was touched upon by virtue of Art. 6 of the Turkish-Bulgarian Agreement of Constantinople from 6 April 1909 (see above) as well. The respective article entrusted the Chief Mufti and regional muftis with the responsibility to inspect Muslim schools and the work of school boards. Muftis, chaired by the Chief Mufti, were generously empowered to initiate the opening of new schools whenever they thought it necessary. Art. 6 bound Bulgaria to set aside “sufficient funds from the state budget” for the needs of Muslim schools.

Complied with the old Ottoman practice, the organisation of the administration, appointment of teachers, preparation of curricula, etc. in Muslim schools was left to the Muslim community alone. Trustee boards, which had to manage the schools, were elected by all enfranchised (male) Muslims. Because the school boards received state subsidies, the state inspected them, but did not interfere extensively into the overall process of minority education. Education was entirely given in the minority language, and it was only with the 1885 National Education Act that the study of Bulgarian language in minority schools was made compulsory. This law was amended in 1909 to include compulsory teaching of history and geography in Bulgarian within the minority schools. In 1924, however, the liberal Agrarian Government of Alexander Stamboliyski (1921-1924) cancelled all instructions in Bulgarian in minority schools through the adoption of new amendments of the 1885 National Education Act.¹⁰⁵

In the early 1920s Muslim minority education in Bulgaria was flourishing and the number of Muslim schools reached 1,713. A special Turkish pedagogical school was opened for training of Turkish minority teachers, followed by a higher Turkish minority school called “Nuvvab” in 1923, both in Shoumen. In 1928 another progressive move

¹⁰² See id. Yalamov, p.86.

¹⁰³ See id. Simsir, p.25.

¹⁰⁴ See id. Kanev, p.323.

¹⁰⁵ Simsir, Bilal, *Turkish Minority Education and Literature in Bulgaria*, Ankara, 1986, p.3-4.

was made in the sphere of Muslim Turkish minority education with the adoption of the new Turkish Latin alphabet, which greatly facilitated children's learning. The Muslim minority education was developing rapidly.¹⁰⁶

As private entities, Muslim schools were maintained by the Muslim community members, the greater part of which was very poor as all rich and educated Muslims had already left Bulgaria. As a result, the quality of education in the Muslim schools was incomparably lower than the one offered in public schools. This situation prompted the Muslims to demand state support for their schools, but simultaneously insisted on preserving their autonomy. In response to this call, the Agrarian government undertook legislative reforms of transforming the private schools into public. This was exclusively applicable to Turkish minority schools. The act of de-privatisation of Muslims schools by the Stamboliyski government was not perceived as an intrusion. On the contrary, by its deeds the government had proven "inclined to respect and promote [the minority] identity as [its] desire was to help improve the education levels in [minority schools] and to increase the financial support for them."¹⁰⁷

Regretfully, these positive developments suddenly came to an end with the 1934 *coup d'état* and the establishment of a fascist-type government in Bulgaria. Repression and discrimination against the Muslim community in Bulgaria started and the promised 3 million leva subsidy for its schools was never received. The Pomak Muslim pedagogical school in Raykovo for training of Muslim (religious) teachers, which had been re-opened in 1929, was closed down in several months. The few other Pomak Muslim schools in the country followed the fate of the Raykovo school even before the 1934 *coup d'état*.¹⁰⁸

As a result of the changed state policy after the *coup d'état* Muslim minority teachers were deprived of a number of rights, including the their right to receive pensions; the schools lost their autonomy and the Muslim community participation in the political and cultural life of the country was reduced to a minimum.¹⁰⁹

1.4. Muslim (Turkish) minority press¹¹⁰

Another significant factor indicative for the status of the Muslim community in Bulgaria in the pre-World War II period was Muslim minority press, which constituted an important aspect of Muslim civil, political and cultural rights. Muslim minority press, similar to everything regarding Bulgaria's minority politics at the relevant time, was marked by significant ups, and spectacular downs - a natural consequence of the changing regimes in the country.

¹⁰⁶ Ibid, p.5.

¹⁰⁷ See id. Kanev, p.324.

¹⁰⁸ Classified document with an unknown author reflecting the period 1932-1944 and entitled: "Collection of documents containing political acts, immigration moods and Turkish propaganda among the Muslim population in Bulgaria before September 9, 1944." The document has been kept in the police archives of the Ministry of Internal Affairs (p.21).

¹⁰⁹ Stoyanov, Valeri, *The Turkish Population in Bulgaria between the Poles of the Ethnic Politics* (in Bulgarian), Lik Publishing House, Sofia, 1998, p.270. The author notes that while there were 10 Turkish MPs in the Bulgarian National Assembly in 1923, in 1925 their number dropped to only 5 and in 1933 there were 4 Turkish MPs left (p.270).

¹¹⁰ Simsir, Bilal. *The Turkish Minority Press in Bulgaria (1865-1985)*, Ankara, 1986.

The first decades after Bulgaria's independence proved rather fruitful for minority press. At the time Bulgaria was careful to stick to its commitments under the Neuilly Treaty and placed no restrictions on the free use of minority language in the press or in publications of any kind (Art. 53). The first two newspapers in Turkish appeared in 1880, followed by two others, *Dikkat (Attention)* and *Caylak (Raven)*, which started to be published in Sofia in 1884. During the three decades of the Bulgarian Principality (1878-1908), the number of newspapers published in Turkish reached 40: eight were published in Rousse; twenty-two in Plovdiv; eleven in Sofia; and one in Sliven. This is a clear indicator of a prolific period for the Muslim Turkish minority press during the Principality.

Later, when Bulgaria became Kingdom (1908), the trend towards increase and improvement in the press continued. A number of minority printing houses were had already been founded in many Bulgarian towns like Sofia, Plovdiv, Varna, and Shoumen at the time of the monarchy. This fact contributed immensely to the prosperity of Muslim (basically Turkish) literature and culture in general. The total number of publications in Turkish in Bulgaria during the pre-World War II period was 111 newspapers and 13 magazines.¹¹¹

However, this situation changed dramatically with the overthrow of the liberal Agrarian government of Stamboliyski in June 1923 and degenerated completely with the fascist *coup d'état* in May 1934. With the establishment of a fascist-type of government, the minority press was suppressed as a result of the policy of strict censorship. Only in the course of one year (1934), 10 of the newspapers issued in Turkish - *Halk Sesi*, *Deliorman*, *Ozdiler*, *Istikbal*, *Karadeniz*, *Rehber*, *Turan*, *Ciftci Kurtulusu*, *Yarin*, and *Yenigun*, were closed down. During the following years, all other Muslim Turkish publications were shut out. By 1939 there was only one newspaper in Turkish left, namely, *Havadis (The News)*, which was also banished in February 1941. Thus, Muslim Turkish minority press, blamed in disseminating and promoting Kemalist ideas, was completely stifled by 1941.

1.5. The impact of Kemalism on the rights of the Muslims in Bulgaria

The rise of Kemalism in Turkey was another important factor, which additionally exacerbated the relations between the authorities and the Muslim community. The situation was particularly applicable to the Turkish minority. The Bulgarian and Turkish historiography have different interpretations of the impact of Kemalism on Bulgarian Turks at the relevant time. While the former perceived the impact of Kemalism as a kind of "Panturkism" aimed at transforming the Bulgarian Turks into Ankara's tools, the latter countered those allegations by stating that Kemalism only transmuted the Bulgarian Turks into an ethnically conscious Turkish minority. The Turkish minority itself was not unanimous in its reactions to Kemalist movement. That part of the Bulgarian Turks defined as progressivists were fervent supporters of the Kemalist ideas and reforms and were struggling to implement them on Bulgarian soil. However, the conservative body of Muslim clergy did not evince any interest in Kemalism. What is more, they were extremely hostile to it. Because the latter ideology was notably secular in character, it did not match the views held by part of the Bulgarian Muslims. Because the Bulgarian

¹¹¹ Ibid, p.6.

government was interested in mobilising the anti-Kemalist forces - which lessened Ankara's influence over the Bulgarian Muslims - it favoured everything directed against Kemalism and progressivism, including Muslim minority education. The most vigorous Turkish minority cultural and sports organisation, "Turan" - a pro-Kemalist entity, advancing progressive and liberal ideas - was dully dissolved and prohibited.

Kemalist activists among the Bulgarian Turks were rigorously persecuted by the state, because they were perceived as Turkey's agents implanted in Bulgaria to prepare the soil for the realisation of Turkey's "imperialistic intentions" to Bulgaria's territories. Local police organs from areas with compact Turkish population such as Shoumen, Varna and Rousse regions, were ordered "to watch out very carefully for the demeanour of all Kemalist agitators", and "to prepare ... a list with the names of all suspected in Kemalist propaganda Turks." "It is rare - the authorities' reasoning flowed - to meet a Turk - a Bulgarian national, born and raised in Bulgaria, ... who is not ready to do all kinds of favours to neighbouring Turkey [against the interests of Bulgaria]." Thus, due to dreads of a similar nature, all kinds of Muslim formations - cultural, social and/or political - were duly dissolved and prohibited as dangerous primary sources of pro-Turkish propaganda. Among the banned entities were "Sevkat and Hayrie", "Alparslan", "Turhan"¹¹², "Cemet Haiyrke"¹¹³, and many others. Respected Muslims - forming the kernel of the Turkish/Muslim intelligentsia - were terrorised and severely chastised as principal Kemalists during the 1930s.¹¹⁴

Logically, in conditions of oppression the desire for emigration among the Muslims population in Bulgaria grew deeper. Due to both political persecution and utter poverty, the Muslims were ready to depart illegally upon the risk of being killed while crossing the border. There was a ban on the legal emigration during the 1930s. A classified document from the time reports about numerous cases of (attempted) illegal departure of Muslims between 1932 and 1944. For example, on 5 May 1937 about 9 families with a total of 35 members, including women and children, were caught by the border gendarmery in the area of Alexandrovo village (Yambol region) while trying to pass the Bulgarian-Turkish border. Luckily, shortly before the refugees reached the borderline they were abandoned by their trafficker, and as a result surrendered voluntarily, due to which no casualties ensued.¹¹⁵ In February and October 1938, 4 families from Osikovo village (Devin region) and other 13 persons from Ustuna village (Plovdiv region) illegally emigrated to Turkey after they were refused permission to depart legally.¹¹⁶ A letter dated 11 September 1937 of the Stara Zagora regional governor reports that "there [wa]s a great commotion" among the Turks in the region, which constituted 90% of its total population. They massively applied for immigration papers. The issuance of such papers, however, was refused to all applicants "under various pretexts."¹¹⁷

The Turkish and Pomak Muslims were under the constant surveillance of the police organs. This was a particularly dangerous situation for people actively and patently expressing their immigration desires, because they were labelled "leaders" of the

¹¹² See id. "Classified document with an unknown author reflecting the period 1932-1944 and entitled: Collection of documents containing political acts ..." (p.63).

¹¹³ Ibid, p.64.

¹¹⁴ Ibid, pp.41-2.

¹¹⁵ Ibid, p.51,

¹¹⁶ Ibid, p.82.

¹¹⁷ Ibid, p.59.

immigration “movement”, and “agents of the Turkish propaganda and intelligence service.” Such was the case with the barber of Turkish origin from the town of Sliven, who was accused of “espionage”, and sentenced to death by hanging in 1941.¹¹⁸

However, the state policy of obstructing the immigration of Muslims, and particularly Turkish Muslims, went through a dramatic turn in the late 1930s and early 1940s. The reason were allegations that Turkey refused to stimulate *en mass* migration of Bulgarian Muslims, because it preferred to have a reliable tool inside Bulgaria with which it could retrieve the lost territories of Eastern Roumelia. In other words, the Bulgarian government’s paranoia of Turkey’s secret plans to transform Southern Bulgaria into a “Turkish” zone - i.e. a territory compactly inhabited by Muslims and loyal to Turkey - which could be later annexed to Turkey, made it seek ways to send away as many Muslims as possible. The driving motive - the less, the better - became dominant in the state policy towards the Muslim community and particularly towards the Turks. As a result a contingent of 110,000 Bulgarian Muslims was prepared for extradition in 1938.¹¹⁹ Immigration papers were willingly issued to all Muslims eager to depart, but at the same time the authorities were very cautious to avoid any international criticism, which was likely to ensue in case that the ‘legalised’ immigration of Muslims began to resemble mass expulsion.

Yet, the regime in Bulgaria surreptitiously continued to terrorise the Muslim population in order to intensify the “voluntary” departure of as many Muslims (particularly Turks) as possible. In support of this, the following order of the authorities dating from July 1942 is worth reflecting. With this order Muslim minority schools and schools with predominantly Muslim/Turkish student body were closed down (the minority students, however, were not forced or encouraged to attend Bulgarian public schools instead); mosques were shut down and medical centres in areas compactly inhabited by Muslims - liquidated by the then Directorate of People’s Health with the excuse that the latter were “nests and hotbeds of infectious diseases, which [we]re not kept hygienic”; public-spirited Muslim intellectuals were labelled “dangerous for the state security”, and their names were included in “the list” of the waiting exile or simple disappearance; and a plan for systematic extradition of “the Turkish element, directly conducted by the state” was put in place.¹²⁰ In addition, the Turkish Muslims were additionally deprived of the so-called “agriculture pension”, a certain sum of money payable to all agricultural workers.¹²¹

However, sensing the Bulgarian government’s intentions to get rid of the “problematic part of the Muslim community” - i.e. those who were aware of their rights and demanding them - the Turkish state refused to take responsibility for any huge influx of Bulgarian emigrants. As a result only 112,650 persons managed to emigrate within the period 1934-1944¹²², which is a rather unimpressive figure on the face of both the Bulgarian regime’s desire to send the “fanaticised” Turkish/Muslim “element” off, on one the hand, and, on the other hand, the Muslim cravings to depart.

¹¹⁸ Ibid, p.135.

¹¹⁹ Ibid, p.89.

¹²⁰ Ibid, p.144.

¹²¹ Ibid, p.148.

¹²² See, id. Simsir, *The Turks of Bulgaria (1878-1985)*, K. Rustem & Brothers Pbl., London, 1988, p.166.

The discrimination against Muslims in the 1930s and early 1940s was so deep as to affect even the foodstuff portions distributed to the Turkish and the Pomak Muslims during the war (World War II). These portions were considerably smaller as compared to the ones allocated to ethnic Bulgarians as if the former were not Bulgarian nationals also.¹²³ In an attempt to limit the departure of the Pomak Muslims - which in critical times turned into “our Turkicised brothers”, but normally were “traitors of the faith” - the government in Bulgaria cynically discussed the possibility to “fully equalise” their war foodstuff portions “to those of the Bulgarians.”¹²⁴ These ‘good intentions’, however, were often met with hostility by this part of the population since they were perceived - rightly or not - as an attempt by the authorities to Bulgarianise it. Unfortunately, the Pomak Muslims proved to be right in their fears as in the same 1942 they endured a second brutal conversion blow.

* * *

The 1942 conversion had its roots in the comprehensive official policy of discrimination against minorities with the establishment of a military regime in Bulgaria after the 1934 *coup d’etat*. The human rights of ethnic minorities were tightly limited by virtue of both laws and government politics. In the period 1934-1940 the national Assembly passed several discriminatory laws notable among which was the ill-famed anti-Semitic Law on the Protection of the Nation (24 December 1940), which deprived the Bulgarian Jews of many political, civil and cultural rights as a result of Bulgaria’s alliance with Hitler’s Germany during the Second World War. Other laws with deeply discriminatory nature were the Rules for Implementation of the Law on the Protection of the State; the Labour Ministry’s Ordinance for the Accommodation of Tobacco-Growers; and others.

Thus, in the reality of a generally pursued, violent anti-Semitism in World War II Bulgaria, the idea of sequential forced Christianisation of the “Turkicised” Pomak population ‘naturally’ ripened and remained only to be realised. Using again the cover of the war, the Bulgarian authorities, including the King and the Orthodox Church, waged a war against Islam, and the symbols related to it, in the Rhodopes. Aided by the notoriously nationalistic organisation “Rodina”, many of whose members were Pomak youths properly indoctrinated in the army¹²⁵, the fascist regime started with purging Muslim clerics, who disagreed with the racist nationalism raging in Bulgaria. A number of muftis and other Muslim priests were dismissed and replaced by “Rodina” activists, who were collaborators of the regime.¹²⁶

Simultaneously with the cleansing of Muslim clerics, mass profanation of Muslim religious buildings and traditions occurred. For example, “hanging of pig’s heads and tails on the doors of mosques, throwing pieces of bacon in wells, treading on and burning *fesses* and *chalmas*” (traditional Ottoman male hats), or forced removing of women’s

¹²³ See id. Classified document with an unknown author reflecting the period 1932-1944 and entitled Collection of documents containing political acts ... (p.158).

¹²⁴ Ibid, p.159.

¹²⁵ Bulgarian Pomak youths started to be admitted to the Bulgarian army only in 1935. Before that Pomak (including Turkish-) Muslims could serve only in the Labour troops. (See id. Yalamov, p.250).

¹²⁶ Ibid, p.251.

feredjes (black female cover-cloth) were among the numerous examples of the humiliating discrimination against the Muslim population.¹²⁷

The attempts to uproot the usage of the Arabic and the Turkish language in prayer houses and in the performance of different religious services turned into a comprehensive and persistent practice. With an order from 10 April 1942, the Smolyan regional mufti who - like all muftis - was a protégé of the authorities, prohibited the use of Arabic and Turkish by any Muslim priest in the performance of his religious functions, and ordered the sole use of Bulgarian. The Smolyan regional mufti at that time was the state-appointed “Rodina” member Mehmed Dervishev, who later accepted the Bulgarian name Svetoslav Duhovnikov.¹²⁸ The same mufti issued another order on 22 July 1942, which obliged the Muslim clergy under his command to take part in the forced conversion of the Rhodope Muslims.¹²⁹

The purge of *hodjas*’ (Muslim priests) was only the initial stage of the 1942 conversion campaign. Muslim customs and the traditional Ottoman male and female attire became objects of persecution and prohibition. The centuries-old tradition of circumcising male children was prohibited under threat of severe punishment. Muslims were not only banished from wearing the conventional Ottoman *shalvars* (broad male/female type of pants), *feredjes* (see above), or *fesses* (see above), but clothes of this sort - reminding of Islam - were torn apart while still on people’s backs. Moreover, Muslims were degradingly intimidated into eating pork.¹³⁰

There was even a ban on the use the term “Pomak” as a name of reference to the Rhodope Muslims aimed at blurring any demarcation line between this population’s origin and the promoted idea of their “Bulgarian roots.” Thus, the regime demonstrated its intentions to inculcate, once and for all, in the minds of the Pomak Muslims the “belief” that that they were/are “Turkicised ethnic Bulgarians”, and had no right to be anything else. That was apparently intended to prevent them from perceiving themselves as Turks. To achieve this, the authorities came out with another absurd order depriving the Pomak Muslims of the inalienable right to marry another Muslim of a different ethnicity. This unprecedented prohibition was unambiguously related to marriages between Pomak and Turkish Muslims.¹³¹

In order to achieve full separation, not only were marriages between Pomak and Turkish Muslims prohibited, but communication of any kind among them was not tolerated. For example, Pomak Muslim students were banned from attending Turkish minority religious schools, which they traditionally attended to be trained for *imams* (Muslim priests). As a result all Muslims schools in areas with compact Pomak population were transformed into public schools with Bulgarian Christian teaching staff.¹³²

The 1942 conversion campaign reached its peak with the coercive replacement of the Turkish-Arab names of the Pomak Muslims with Bulgarian-Christian ones. All three branches of government, including the supposedly all-representing, supreme legislative

¹²⁷ Ibid, pp.254-5.

¹²⁸ Ibid, p.251.

¹²⁹ Ibid, p.252.

¹³⁰ Ibid, p.252.

¹³¹ See id. Classified document with an unknown author reflecting the period 1932-1944 and entitled: Collection of documents containing political acts ... (p.161).

¹³² See id. Yalamov, p.253.

body of the nation - the General Assembly - took part in the name-changing campaign. In July 1942 it passed the Addendum to the Law on Persons by virtue of which “all Bulgarian subjects and persons with [ethnic] Bulgarian background, could replace their non-Bulgarian names with Bulgarian.”¹³³ The Addendum was wisely formulated in non-obliging terms in order to avoid responsibility for any violence during the conversion campaign. Moreover, the court procedure for acquiring a Bulgarian-Christian name was left free-of-charge in order to intensify the conversion process, but covertly.¹³⁴ In spite of these artful circumventions, however, the assimilative ambitions of the law deceived no one.

While the top structures of the state masterminded the 1942 Christianisation of Muslims, the lower law enforcement authorities became the tools for the implementation of these plans. They were ordered to participate in the violent conversion, and apparently they did not need further instructions what to do. Police and the military *imposed identity* on the Pomak Muslims at gunpoint. “With a pistol in the hand and a loaded machine-gun” the Assenovgrad police inspector changed the names of the Muslims from Bogutevo village. More than 80,000 Pomak Muslims were Christianised, mainly by brutal force, for the second time during the only 60-year existence of the Bulgarian state before the end of the Second World War.¹³⁵

Fortunately, the second forced conversion of the Pomak population turned to be short-lived as well. The upheaval of Communism on September 9, 1944, put an end to the violence against Muslims in Bulgaria and generated a prompt restoration of their names and religion. The new regime generally condemned the minority politics of the previous fascist regime and launched comprehensive democratic reforms related to minority protection. The Communist government declared itself a saviour of all minorities and a holder and a protector of equality and fraternity among the citizens of the new People’s Republic of Bulgaria. However, as it will be seen later, the condition of true democracy proved to be only a beguiling reign of demagogy, which continued some two decades after which the Muslim community again sank into a reality of human rights deprivation and attempted assimilation abuses.

¹³³ Ibid, p.252.

¹³⁴ Ibid, p.252.

¹³⁵ Ibid, p.254.

Chapter II

The Muslim community during the Communist era (1944-1989) and the first years of democracy in Bulgaria¹³⁶

The new Communist government of the Otechestven Front (Fatherland Front) adopted the policy of procuring the sympathy of minorities and most notably of the Muslim community, because it united the most numerous minority groups in Bulgaria - the Turkish and Pomak minority. The 1946 Dimitrov Constitution - which transformed the Kingdom of Bulgaria into the People's Republic of Bulgaria - had a range of provisions related to minority protection.¹³⁷ For example, Art. 71 guarded citizens' equality before the law, and protected the religious and ethnic minorities in Bulgaria from discrimination. Art. 78 granted to people the rights to freedom of conscience and protected their right to practice their religion. Yet, this same article prohibited in a discriminatory manner the establishment of political formations on the basis of religion. Art. 79 was very important in terms of protection of national minorities and was of particularly relevance to the Turks in Bulgaria as it recognised their rights to mother tongue education and to freely develop their culture as a national minority in the country.

The 1971 Zhivkov Constitution¹³⁸, however, was far weaker in terms of minority protection clauses, which is somehow explainable since it reflected the Communist change in position, i.e. in 1971 the new authorities felt powerful enough as to afford demonstrating their "might". Thus, the Zhivkov Constitution no longer spoke of national or ethnic minorities (a demonstration of the beginning of the policy towards creation of a "unitary nation"), but only of "nationals of non-Bulgarian origin." These "nationals of non-Bulgarian origin" had the right to study (not to be educated in) their mother tongue, and at the same time were obliged to study the Bulgarian language (Art. 45). By virtue of Art. 35 of the Constitution the tradition of incorporating anti-discrimination provisions in the supreme law of the nation was continued, but now the provision was far feebly worded. On the whole, the article did not allow (not prohibited-) discrimination on grounds of "ethnicity, origin, religion, gender, race, education, social and property status" and safeguarded the right of Bulgarian nationals to freedom of religion. Art. 53, however, at the same time re-affirmed the ban on spontaneous political formation on religious grounds. Nevertheless, the initial years of the Communist regime were fruitful in terms of both legal and political minority rights developments.

2.1. The politics towards Muslims in the period 1944-1956

The improvements in the sphere of minority rights in the period between 1944 and 1956 in the "People's Republic" were contingent primarily with the new regime's necessity for nationwide support in order to create a stable government. This is why the Otechestven Front (OF) government followed a general policy of human rights enhancement through new legislation and practices. In November 1944 it passed a statute

¹³⁶ This section of the report is based - unless otherwise indicated - on documents from the Bulgarian Communist Party (BCP) Archives kindly placed at the disposal of the Bulgarian Helsinki Committee (BHC) by Mr. Mihail Ivanov, Secretary of the National Council of Ethnic and Democratic Issues at the Council of Ministries in Bulgaria and member of the Bulgarian Helsinki Committee.

¹³⁷ *Official Gazette*, No. 284 of 6 December 1947.

¹³⁸ *Official Gazette*, No. 39 of 18 May 1971.

“abolishing all restrictions previously imposed on persons from non-Bulgarian background”, i.e. minorities. Art. 1 of the statute stipulated that “any law or regulation issued after January 23, 1941 limiting in any way the rights and freedoms of Bulgarian nationals of non-Bulgarian origin, [wa]s void.”¹³⁹

In the conditions of democracy the Muslims in Bulgaria started to organise and speak of their rights. On 27-28 December 1944 about 200 Turkish minority delegates met at a conference in Sofia and adopted a resolution framing a number of human rights demands of the Turkish minority. The resolution was promulgated in two consecutive issues of the *Otechestven Front* newspaper, on 28-29 December 1944.¹⁴⁰ The resolution was incorporated in a governmental program, the purpose of which was “to popularise among the Turkish minority the ideas of the new democratic regime”, which was “earnestly undertaking to secure and guarantee the rights and freedoms of all citizens without distinction on grounds of nationality and religion.”¹⁴¹ The new Communist government demonstrated endorsement of the Turkish minority delegates’ resolution as it wished to build an image of ‘a saviour’ of minorities, whose broad support it needed. The regime was aware that its policies had to coincide with its proclamations of concern about “getting out of the abyss of ignorance and poverty [of the Muslim population], where it had been thrown by previous fascist rulers.”¹⁴²

The rather bold Turkish minority demands in the resolution were systematised under three main headings: educational rights, rights related to *vakuf* property; and religious rights. Thus, by endorsing the resolution the government undertook reforms corresponding to the raised demands. It made primary education compulsory for both male and female Turkish children; ordered that education in primary schools be offered in Turkish, except for subjects envisaged by law to be taught only in Bulgarian (points 1 and 2 of the resolution). There were to be Turkish minority schools, whose graduates were to be admitted to public schools of secondary education without obstacles or any entrance examination (point 6). Moreover, education in Turkish minority schools was to be offered in the new Turkish Latin alphabet (point 8). Directors and senior teachers of Turkish minority schools were to be Turks, and their salaries - paid by the state - were to be equalised to those of Bulgarian teachers in public schools (points 3 and 4).

The resolution further envisaged restitution of old school buildings and other Turkish minority property, as well as construction of new suitable and hygienic schools in villages with predominantly Turkish population (points 10 and 11). Two Turkish pedagogical schools subsidised by the state were to be opened in North and South Bulgaria for training Turkish primary school teachers (point 14). The Turkish religious school “Nuvvab” in Shoumen was to be re-opened as “a Turkish minority secondary school with a status equivalent to that of a Bulgarian public school.” The Department of Higher Education to the same school was to be transformed into autonomous Higher Pedagogical Institute (point 15).

The third set of reforms envisaged in the resolution related to the restoration of the *vakuf* property (point 4, Section II) and “enhancing the religious rights” of the Muslims

¹³⁹ *Official Gazette*, No. 263 of 27 November 1944.

¹⁴⁰ BCP Archives, holding 28, inventory 1, archive unit 113, pp. 6, 6r, *Otechestven Front* newspaper of 29 December 1944, BCP Archives, holding 214Б, inventory 1, archive unit 541, p.2.

¹⁴¹ Introductory words annexed to the text of the resolution.

¹⁴² *Ibid.*

(Section III). Thus, all articles from the 1895 Provisional Regulations (see in the previous section), which “limited the religious rights and freedoms of Muslims”, were to be either repealed or amended (point 1, Section II). One provision of the resolution related to the Roma Muslims. It granted them the right to vote while at the same time banned them from running as candidates for religious and other administrative posts within the Muslim minority institutions (point 6, Section II).

The Bulgarian-speaking Muslim population (or Pomaks) was active as well. At their conference in Sofia on 29 December 1945 another Muslim human rights resolution was endorsed by the authorities.¹⁴³ It raised the following demands: 1) The term “Bulgarian Mohammedans”¹⁴⁴ was to be replaced by “Pomak-Mohammedans”, through which this population wished to be recognised as a distinct ethnic minority; 2) The inheritance rights of relatives of Pomak Muslims who fled to Turkey were to be reinstated; 3) “The freedom and conditions to study basic religious books” was to be established, and the number of religious classes at school had to be “increased to the highest possible degree”; 4) The free election of Muslim clergy (*muftis*, *imams*, *hatibs* and *myuezins*) was to be guaranteed; 5) A sufficient number of religious schools were to be constructed for the needs of Muslims; 6) The allocation of state subsidies was to be equalised for all regions in Bulgaria; and 7) the barefoot Pomak Muslims were to be supported with proper clothing.

The opening of a new Pomak religious high school was confirmed with a statute from 25 January 1946, which set up the organisation and goals of the school.¹⁴⁵ It was opened to meet “the needs of the Bulgarian-Mohammedan population for Muslim clergy, religious teachers, and primary school teachers for the Pomak village schools” (Art. 2). The school was state-funded (Articles 4 and 10) and its director was of Pomak background (Art. 7). Art. 8 provided that the school management was subjugated to regulations issued by the Ministry of Foreign Affairs and Public Worship. The subjects studied at the school were: *Qur’an*, religion, history of Islam, Bulgarian language and literature, Bulgarian history, Bulgarian geography, civil studies, algebra, geometry, physics, chemistry, natural history, psychology, pedagogy, Russian language, singing, and sports.

* * *

During the initial 1944-1956 Communist regime period, a new legal basis for regulation of the Muslim religious affairs was enforced, which complied with the demands of the nascent regime’s ideology. The content of the enactment(s) on the religious rights and obligations of the second largest religious community perfectly reflected the emerging trend of the ongoing centralisation of the government in Bulgaria and the increased subordination on the different entities, including religious, to the executive branch, which was becoming the dominant branch of government.

2.1.1. Legal basis of the religious freedoms of Muslims

¹⁴³ BCP Archives, holding 1E, inventory 25, archive unit 67, pp. 1-6.

¹⁴⁴ This term was/is normally used to emphasise the authorities’ conviction that Pomaks are of Bulgarian origin.

¹⁴⁵ *Official Gazette* No. 31 of 9 February 1946.

The first major law marking the boundaries of the religious freedoms and defining State–Church relations in the “People’s Republic of Bulgaria” became the Law on Religious Denominations, promulgated in *Official Gazette*, No. 48 of 1 March 1949. Its basic purpose, however, was not to enhance and guarantee the freedoms of the religious denominations, but to pave the way for legalising the direct control of the regime over them. The Law did not even provide a definition for “denomination”, “church”, or “religion” on the basis of which the rights and privileges of the religious denominations could clearly be defined. Instead, it formulated a multitude of obstructive obligations, which tightly bound the religious denomination to the state, and thus limited their independence. All religious denominations were amenable to mandatory registration with the executive organs of the state, which meant that the religious denominations were granted legal personality only after (and if) their statutes were approved by the Council of Ministers of Bulgaria. In addition, the Council of Ministers or any authorised by it deputy-secretary could revoke the granted recognition. The Law on Religious Denominations barred denominations from having headquarters abroad, from sending missions, establishing orders, or developing charity activities on the territory of Bulgaria. Foreign priests were prevented from assuming posts within the institutions of “recognised” denominations in Bulgaria (Art. 10). The “recognised” religious denominations could open (religious) schools only after acquiring permission from the Council of Ministers (Art. 14). However, even if establishment of such schools was clearly authorised by the Council of Ministers, they still could not function unless their organisation and curricula were approved by the Council of Ministers (Art. 14).

This undemocratic law served as a basis for the adoption of the “Regulations on the Spiritual Administration of Muslims in the People’s Republic of Bulgaria”, which became a law on 22 May 1951. The Regulations deserve particular attention, as they are one of the few legislative acts regulating the religious rights of the Muslim community. The law was marked by some degree of liberalism, but, generally, it impeded the necessary religious independence of the Muslim community. However, what is curious and not so positive about that law is the fact that it applied only to Turkish and Roma Muslims.” This is unambiguously repeated many times in the text of the law and one would be justified in assuming that the rights and freedoms afforded through the Regulations to the Turkish and Roma Muslims had been denied to the Pomak Muslims in a discriminatory and assimilatory manner as there was no separate law regulating their religious affairs. This was a serious human rights omission as, on the one hand, the Bulgarian-speaking Muslims were denied the right to participate in Muslim religious affairs and, on the other, they were denied the right to recognition - at least - as a religious minority. Apart from this, however, the law was written in far more democratic terms than its pre-Communist-era counterparts.

Chapter I of the law, entitled “General Principles”, guaranteed the right to freedom of religion “as far as the practice of religious rites d[id] not violate the laws effective in the country and the prescriptions of the present Regulations” (Art. 1). The administration of Muslim religious institutions was to be represented by: Chief Mufti’s Office; regional mufti’s offices; and religious districts governed by the regional mufti’s offices. All finance and secretary records were to be kept in Bulgarian, but within the purely religious relations between clergy and believers, the use of language other than Bulgarian (Turkish or Arabic) was permitted (Art. 3).

Chapter II prescribed the structure and organisation of the Muslim religious districts (parishes), and the boards intended to manage the latter. One parish was to be established where at least 40 Muslim families resided (Art. 4). Every Muslim religious district was as a legal entity with rights to possess and dispose of property and to accept donations or bequeathed property and funds (Art. 5). The religious boards managing the parishes comprised of 5 members, who were elected by enfranchised parishioner (Art. 7). An enfranchised parishioner could be any Muslim over the age 18, without distinction of sex, education, profession, social or property status, except for such with an effective sentence or under guardianship (Art. 8).

In relation to Art. 8 and Art. 65 of the Regulations - enumerating the eligibility criteria for appointing Muslim priests (see below) - it must be noted that no explicit discriminatory criteria based on ethnicity are included in the lists of the two articles. This comment is made in relation to Roma Muslims, who under the pre-Communist legislation, had been initially deprived of the right to run for religious office and the right to vote for candidates, and only at a later stage were afforded the right to vote. Similar limitations absent in the 1951 Regulations authorise the conclusion that Roma Muslims were already granted (at least formally) the same rights as the Turkish Muslims by virtue of the Regulations. In fact, the only explicit provision concerning the status of Roma Muslims in the 1951 Regulations is Art. 140, which decrees that Roma Muslim parishes are placed “within the jurisdiction of the Turkish Muslim parishes.”

The Regulations entrusted the Chief Mufti with the responsibility to set up the date for election of board members by issuing an order. The Chief Mufti was additionally charged with organising the elections and announcing the election results (Art. 10). The elections were conducted on a general Muslim gathering convened for these purposes. The result of the elections would be considered valid regardless of the number of voters present, provided that the forthcoming election gathering was sufficiently publicised among Muslims (Art. 11). The candidates running for board members had to be nominated by a three-member commission, which was elected by enfranchise Muslims during the general gathering (Art. 13). Voting for each candidate was performed separately, and the candidates with the most votes were elected (Art. 14).

Board elections were held in accordance with a Protocol, which included the following information: the date and number of the Chief Mufti’s order for conducting the elections; the day and place of the elections; the name of the religious the district (parish); the names of the three-member commission; the hour of starting and finishing the elections; description of the general conduct of the elections; the names of the candidates and number of votes for and against them, as well as the number of abstentions; the names of the elected candidates; and registration of objections to the election results if any (Art. 15). The respective election Protocol then had to be sent to the corresponding regional people’s councils, which - if necessary - could re-send it to the Chief Mufti’s Office. There a commission of two high-ranked religious judges, together with the Chief Mufti’s Office legal advisor, would pronounce on the legality of the of the elections upon reading the document (Art. 17). If that commission invalidated the election results, the Chief Mufti had to set up a date for new elections (Art. 18). In 7-day period after the elections, the board members had to choose a chair, deputy-chair, and cashier-secretary from among themselves (Art. 20).

The rights and responsibilities of the religious boards were placed in a separate subsection of Chapter II of the law into consideration. Generally, the boards were entrusted with the management of the religious districts (parishes), and their property (Art. 22). The board had to meet in session once a month to vote on parish matters. A board's decision was considered valid if at least 3 of the five members were present and voted on the session (Art. 25). The chair, deputy-chair, and cashier-secretary bore the prime responsibility for the management of the religious district (Art. 27). The chair initiated and supervised the execution of all board decisions (Art. 28). The board was authorised to appoint and dismiss clerics working within their parish institution (Art. 30), and were responsible for the immediate implementation of orders and regulations sent by the Chief Mufti (Art. 31). Board members could not resign from their post on their own initiative, but had to be dismissed with an order by the Chief Mufti; the Chief Mufti then promoted to office the next person in the election list (Art. 37). A board member could be dismissed or withdrawn from office if he had presented "valid reasons for inability to accept the post; was unable to fulfil his obligations; or was fulfilling his obligations negligently" (Art. 38). If the board on its part "violate[d] the present Regulations or any of the laws into effect; or act[ed] to the parish's disadvantage; or d[id] not comply with the Chief Mufti's Office's orders; or turn[ed] out to be incapable of fulfilling its obligations, [wa]s amenable to dissolution upon a motion of the Chief Mufti" (Art. 39).

Chapter III of the Regulations regulated the criteria for appointment, dismissal, functions, and other matters concerning Muslim priesthood. Parishes' clerics were appointed/dismissed by an order from the corresponding regional muftis upon affirmation by the Chief Mufti (Art. 64). The requirements before Muslim priests' candidates were the following: to present a document certifying completed *medresse* (Muslim religious school of higher learning), or the *Nuvvab* school in Shoumen, or a document certifying examination taken before a special commission established by the Chief Mufti's Office; having Bulgarian nationality; not to have been sentenced or deprived of one's rights under Art. 30 of the Penal Law; to be of good morals; to enjoy the respect and trust of one's co-religionists; not to have suffered from mental illness or contagious disease; to be above the age of 18; to be honest and reliable; and, finally, not to have demonstrated fascist or reformist inclinations¹⁴⁶ (Art. 65). The candidates additionally took special examinations, the results from which were duly registered by an examination commission (Art. 67). The successful candidates were the ones that best met the above requirements and achieved the highest results (Art. 68). Muslim priests could engage in religious public services; perform marriage and burial ceremonies, and carry out all other religious rites allowed by *Shari'a*. They could not, however, perform services and rites, which did not comply with the laws effective in the country; refuse a service to a believer if the requested ceremony complied with the relevant prescriptions; or refuse service to "a Muslim of non-Turkish background"¹⁴⁷ in the same circumstances. Clerics, who failed to properly fulfil their obligations, or violated relevant laws, could be sanctioned as prescribed by Art. 115 of the Regulations (discussed below) (Art. 79).

¹⁴⁶ The last requirement is one of the few provisions in the Regulations impairing its general democratic spirit, and hints at the future oppressive course that the Communist minority-rights-oriented policies would take.

¹⁴⁷ See the first paragraph (towards the last sentences) introducing the discussed Regulations.

Chapter IV related to Muslim prayer houses (mosques). By virtue of this chapter Muslim religious districts (parishes) were permitted to own “more than one prayer house for the needs of their parishioners”, where “all Muslims, without distinction on grounds of nationality, could pray” (Art. 80). The construction of a new mosque, however, was not possible without the permission of the Chief Mufti’s Office, which issued it if the number of Muslim population where a mosque was requested to be built was sufficiently large; there were needs necessitating the construction of a new mosque; and the sources of means for building of the mosque were revealed (Art. 81). The worship in the prayer houses had to be public (Art. 83). Any performance of services of non-religious nature in those houses, was strictly prohibited (Art. 84).

Chapter V of the Regulations was framing the mufti’s offices jurisdiction--a question that was particularly indicative for the degree of freedom and independence of the Muslim religious community. The more dependent on the state muftis were, the more limited the rights and privileges enjoyed by Muslims were. According to the Regulations, muftis were to be elected by the chairmen of Muslim parishes in which the mufti resided for 5 years (Art.86). The elections were held in one day all over the country upon an order by the Chief Mufti, which was promulgated at least three months before the elections day (Art.88). The elections were carried out in the following way: Each of the voting parishes’ chairpersons put in a blank envelop the name of the candidate he gave his vote to. The blank envelop was put in another envelop, together with a letter of recommendation by the voter for the candidate, and then the package was sent to the Chief Mufti’s Office (Art.89). Ten days after the elections, a commission--comprising of members of the Supreme Spiritual Court, and the Chief Mufti’s Office jurisconsult--opened the letters and announced the election of the candidate who had received the biggest number of votes (Art.90). The election of a candidate for mufti was subject to approval by the Directorate on Religious Denominations to the Council of Ministers (Art.91). The basic functions of muftis were as follows: “to watch over the regular and proper functioning of the Muslim religious districts, including to supervise the district boards’ work, as well as the entire priesthood of his entrusted parish; to initiate and develop charity activities; to advise parishioners on “what is the orthodox execution of the Muslim religion”; to collaborate with state institutions promoting “the cultural, educational, and life-condition advancement” of Muslims residing in the respective parish” (Art.93).

Chapters VI, VII, and VIII were devoted to the Chief Mufti’s Office institution, the Muslim religious courts, and the *vakuf* property respectively. The Chief Mufti—the prime religious leader of all Muslims in Bulgarian, headquartered in Sofia—had to be a representative of the Turkish minority (Art.103). The Chief Mufti was elected for 6 years by the muftis. A candidate for the post could “any be a person responding to the requirements of the Law on Civil Servants; having the qualification required by the Ordinance for the Pay-roll Charts of Foreign and Non-Slavic Priesthood; and having served as a mufti or high-ranked religious judge for at least three years”(Art. 105). However, these heavy requirements meant that the Chief Mufti was practically appointed by the state. The election of a candidate for Chief Mufti was additionally amenable to conformation by the Directorate on Religious Denominations (Art. 106). The principal rights and responsibilities of the Chief Mufti were: to supervise the work of regional muftis, and the entire Muslim priesthood; to initiate and carry out charity activities, and

to work towards the religious and moral growth of Muslims; to supervise and advise on the orthodox execution of *Shari'a* and other religious prescriptions; to co-operate with state organs working for “the cultural and economic betterment of Muslims in the People’s Republic of Bulgaria”; to initiate the opening of religious schools for the training of Muslim clergy, and to watch over their functioning (Art. 107).

The Muslim religious community had two types of spiritual courts, which dealt exclusively and solely with strictly religious matters: mere spiritual courts - attached to each religious district (parish), and a Supreme Spiritual Court. The mere spiritual courts were single-judge courts, in which the respective regional mufti relegated justice (Art. 114). These courts could: 1) reprimand; 2) impose fines; or 3) dismiss clerics for bad conduct; bad work performance; rude treatment of and attitude to believers; disrespectful behaviour towards their superiors; abuse of power; “anti-democratic acts”; and general misdemeanours (Art. 115). The Supreme Religious Court attached to the Chief Mufti’s Office comprised of three judges, among which the Chief Mufti who chaired the court (Art. 116). The two other members of the Supreme Religious Court were appointed by the Chief Mufti (Art. 117). The Court could: 1) give a warning; 2) reprimand; 3) impose a fine for up to ¼ of the person’s monthly salary; authorise transfer of clergy; 4) dismiss muftis, and other Muslim clerics for misconduct (Art. 119). Also, the Supreme Religious Court was empowered to: 1) examine papers related to the appointment, dismissal and transfer of Muslim clerics; 2) make inquiries on cases; 3) re-examine papers permitting the sale or exchange of *vakuf* property (the property of religious institutions); 4) adjudicate on *vakuf* property disputes; 5) examine complaints against imposed fines; 6) examine complaints against muftis’ refusals to perform religious marriage; 7) and to authorise muftis to open/close prayer houses (mosques), and other religious establishments (Art. 120). The Court had the authority to revoke, confirm, or re-examine judgements of lower spiritual courts (Art. 125). The languages used in court were both Turkish and Bulgarian (Art. 121).

The Muslim parishes’ boards were entrusted with the management of *vakuf* property (Art. 129). However, they could not buy, sell, mortgage, or exchange *vakuf* property, neither could they conclude loans with it without the clear authorisation of the Chief Mufti’s Office (Art. 132). The Regulations in discussion obliged the Chief Mufti to make full account of all donated and/or bequeathed - to the prayer houses - property or money before the Directorate on Religious Denominations (Art. 134). The Chief Mufti’s Office’s “Priesthood and *Vakuf* Fund” and the “General Muslim Fond”, were in charge of preparing the annual budget of the religious institutions, which was then sent to the Chief Mufti for confirmation, and to the Directorate on Religious Denomination for final examination (Art. 135).

What is worth noting about the Regulations under consideration is the fact that only a few provisions allowed for direct state intervention into Muslim religious affairs. However, such provisions did exist and Articles 57, 71, 91, 134, 135 were among the more significant ones. Art. 57 reads as follows: “The organs of state control and these of the Chief Mufti’s Office make revisions of the financial accounts of the religious board at any time they find necessary.” A paper (one copy) for every check-up was prepared and sent to the Chief Mufti’s Office. Art. 71 is the most interesting article in terms of measuring the intensity of state intrusion into Muslim religious matters. It provided that the Chief Mufti’s Office was obliged to “keep special records on clergy actions,

[including records on] changes in clergy membership, and reasons for these changes.” These records had to be forwarded to the Directorate on Religious Denomination for examination.¹⁴⁸ (Articles 91, 134, and 135 are discussed above in the relevant parts of the study in chronological order).

* * *

At the time before the adoption of the 1951 Regulations on Spiritual Administration of Muslims in the People’s Republic of Bulgaria, the authorities were engaged in active demonstration of support for betterment and democratisation of minority rights. In a telegram from January 4, 1945 to Turkish minority delegates the regent Todor Pavlov wrote: “... The four parties forming the kernel of OF (Otechestven Front / Fatherland Front), and the new regime on the whole [(the Communist government)], have sufficiently proved so far that they look, and they are going to look at the Turkish minority members in Bulgaria as citizens sharing a status of absolute equality with all the rest in the new, free, and democratic Bulgaria ... They already have all religious, educational and cultural rights, ... and I am absolutely convinced that they will join - most sincerely and devotedly - their efforts in the struggle for destruction of the common Hiltero-fascist enemy.”¹⁴⁹

Yet, however enlightened the Communist minority projects were at the time, there were more than just good intentions under the surface, especially with regard to the Turkish Muslims in Bulgaria. The true concerns of the authorities became apparent from Georgi Dimitrov’s “Directives on National Minorities”, enclosed in Protocol No. 12 from the meeting of the Central Committee of the Bulgarian Communist Party (CC of BCP) on February 6, 1945.¹⁵⁰ There Dimitrov said:

“...Full rights should be given to national minorities, *but we have to be careful with the Turks*. They should have equal rights, namely, the same political and civil rights as the Bulgarians - the right to be educated in their mother tongue, the right to own schools and mosques. But, as Turks, they should not be allowed to unite in and form Turkish national organisations, because otherwise conditions favourable for Turkey’s intelligence service would be created. ... A Turkish national movement at home would be a wound in the body of the Bulgarian people. Turks must not be allowed to organise themselves in associations, to be elected to Parliament as a Turkish national group, but only in their capacity of Bulgarian nationals of Turkish origin. ... It should be said openly to the Turks: those wanting to live in Bulgaria with the Bulgarians, have equal obligations. Whoever does not like that, they are free to go to Turkey. The Bulgarian language must be made compulsory in Turkish schools. We [(Bulgarians)] do not accept Turkish nationalism.”

In spite of the above considerations, however, the initial democratic efforts of the Bulgarian OF government - whatever its motives - could not be denied. This fact is supported by the existence of a range of executive enactments, which greatly contributed to the Bulgarian Muslims’ human rights enhancement in the period 1944-1956 and after

¹⁴⁸ By this clause, the authorities were virtually ordering the Chief Mufti’s Office to spy on the clergy by preparing ‘dossiers’, which were later sent for examination.

¹⁴⁹ BCP Archives, holding 214Б, inventory 1, archive unit 541, p.3.

¹⁵⁰ BCP Archives, holding 1Б, inventory 6, archive unit 32, pp.1-5.

that. For example, Art. 355 of Decree No. 95 of the Ministry of National Education (26 April 1945) made an important amendment to the “Statute on People’s Education” (SPE).¹⁵¹ The new provision replaced the general word “Bulgarians” in the SPE by “Bulgarian nationals without any difference on grounds of religion and nationality.” This act was aimed at demonstrating both the democratic character of the new Communist government and the fascist nature of the regimes into power before September 9th, but was nevertheless good for minorities.

2.1.2. Development of Muslim minority education

An action plan prepared by the Mass Department of Central Committee of the Bulgarian Communist Party (CC of BCP) under the general title “Our Work among Minorities” (27 July 1945) summarised the goals of the government related to the advancement of the Turkish minority. The most important among them were: *nationalisation* of Turkish minority schools; issuance of new Turkish minority textbooks; revival of the Turkish minority press, starting with the newspaper *Isik*; allocation of air time for radio broadcasts in Turkish; and putting an end to “the anomalies in the work of the CC Mass Department with the Turkish minority cultural and education organisations.

With the passage of an addendum to the Law of People’s Education (LPE) on 27 September 1946¹⁵², next important move towards enhancing minority rights in terms of minority education in the “People’s Republic” was made. The title of Section IV in the LPE was amended from “Chapter IV-Pedagogical schools”, to “Chapter IV- Minority schools.” By doing so, the authorities not only officially acknowledged that there were minorities in Bulgaria, but also recognised the need of “minority schools at all levels” to meet minorities’ needs “to be taught in their mother tongue” (Art.154). The addendum envisaged comprehensive state subsidies for minority schools, which practically paved the way to their nationalisation (Art.154). Education for children of age from 7 to 15 was made compulsory and free of charge (Art.157). Minority school was planned to be opened in every settlement where children numbered 25--for first grade, 20--for second grade, and 15--for first grade (Art.158, in the Note).

There was a special section in this addendum (Section A, Articles 160-164) related to Turkish minority schools, their structure and organisation. Art.160 *a* and *b* guaranteed that all subjects in Turkish minority schools would be taught in Turkish, except for Bulgarian history, Bulgarian geography and natural sciences. The latter were to be offered in Bulgarian language for the same number of hours as in public schools. Education in Turkish minority schools had to “comply with all laws regulating public schools in Bulgaria ” (Art. 162). The same textbooks and curricula had to be used and applied to at both minority and public schools (Art. 163). The minority schools teachers became state-paid as the teachers in public schools, and therefore had the same obligation to pay pension taxes (Art. 164k).

On September 3, 1948, the Grand General Assembly passed the Law on National Education¹⁵³, Art. 4 of which made a new move towards minority rights betterment. It mandated that “for the need of the non-Bulgarian population in the People’s Republic of

¹⁵¹ *Official Gazette* No. 290 of 28 December 1944.

¹⁵² *Official Gazette* No. 234 of 12 October 1946.

¹⁵³ *Official Gazette* No. 218 of 17 September 1948.

Bulgaria to be educated in their mother tongue, minority schools w[ould] be opened.” Art. 9 of the law further stated that education in minority schools were to be conducted in the respective minority language.

The next law concerning Muslim minority education in the same progressive spirit was passed in August 1951. Enactment No. 937 of the Council of Ministry on the Improvement of Education in Turkish Schools envisaged the opening of two Turkish pedagogical schools in Kardjali and Razgrad, where 120 students be admitted after graduating VII grade of primary school (Art.1 a). In addition, the decree obliged the Ministry of National Education and the relevant regional people’s councils to secure free lodging and full state stipends for students from the pedagogical schools in Kardjali, Razgrad and Kolarovgrad (Shoumen) (Art. 2). 3,000 Bulgarian leva from the state budget were to be put aside for monthly stipends of 100 students from the Turkish secondary school in Shoumen, and 50 other students from different Turkish minority profiled schools with a minimum GPA of 4:00/6:00 (C or 2:00/4:00) (Art. 3). Education in Turkish minority primary schools was to be conducted entirely in Turkish language, but Bulgarian language was to be studied simultaneously (Art. 5). A “considerable part of the courses in high schools and schools of higher education [we]re to be taught in Turkish” as well (Art. 5). Art. 7 of the decree set up a special department to the Central Management Office of the Ministry of National Education, in charge of Turkish minority schools. By virtue of the same enactment, the Turkish pedagogical school in Stara Zagora was closed down, because of “lack of sufficient number of students” (Art. 10).¹⁵⁴

Another important privilege to the Turkish minority education was granted by a decree authorising the opening of sections for training of Turkish minority teachers to several departments of Sofia University in July 1952. Such had to be opened at the departments of philosophy; history; philology; physics; and mathematics for the preparation of Turkish minority teachers in history, Turkish language and literature, physics and mathematics.¹⁵⁵ By virtue of Ordinance No. 236 of the Council of Ministers from 1 August 1967, a whole new department for acquiring external degree in “Turkish Philology” was established in Sofia University for the academic 1967/1968.

While university departments were being opened for the Turkish minority, confiscation of textbooks in Turkish was going on in the country.¹⁵⁶ With a decision of the Politburo of CC of BCP from August 1960, it was ordered that the education for V-VII and VIII grades of the Turkish minority primary schools is conducted Bulgarian for the academic 1959 –1960. As a result, all “unusable textbooks in Turkish [were] confiscated.”¹⁵⁷ New appropriation of textbook in Turkish was authorised through Order No. 874 of the Council of Ministry from 30 May 1960, and textbooks evaluated to more than 470, 000 leva were taken away.¹⁵⁸

Still, the Communist authorities undertook actions, which while aiming to improve the situation of Muslims in Bulgaria simultaneously harboured assimilationist attempts. In 1947 the government began a policy of accepting Turkish minority members to higher education institutions without an entrance examination. Such an approach did not exist

¹⁵⁴ BCP Archives, holding 136, inventory 7, archive unit 469, pp. 1-2.

¹⁵⁵ BCP Archives, holding 136, inventory 11, archive unit 565, p. 5.

¹⁵⁶ BCP Archives, holding 136, inventory 31, archive unit 842, pp. 8-x.

¹⁵⁷ Report of the Minister of Education and Culture to the Chairman of the Council of Minister from 11 May 1960.

¹⁵⁸ BCP Archives, holding 136, inventory 31, archive unit 842, pp. 1, 1r.

towards ethnic Bulgarians. The authorities deemed that the Turks should be emotionally separated from Turkey, and made loyal to Bulgaria. That is why they attempted voluntary assimilation first.

The same methods were applied in regard to the Pomak population. For example, in Decision No. 4 of the CC of BCP - "on supporting the population of the Rhodopes and improving the work with local Party organisations" - the authorities afforded stipends to "Rhodope youths" for the academic year 1948/1949, who were admitted to high schools and universities, and sent back home after graduation to spread Communist propaganda among their people (point 5 of the document).¹⁵⁹

With a directive from 30 April 1955, the Politburo of CC of BCP decided to "increase the percentage of students-Bulgarian Mohammedans for the academic year 1955/1956, who [we]re to be admitted to universities without an entrance examination." Pomak youths from Blagoevgrad, Ardino, Devin, Zlatograd, Ivaylovgrad, Kurdjali, Madan, Momchilgrad, Smolyan, and Kroumovgrad regions were accepted to institutions of higher education for the purposes of "improving the social composition of students in universities, and of securing the preparation of specialists with university degree for the needs of some border areas in the country." These students were intended to be properly brainwashed and indoctrinated to serve the need of keeping subordinate and loyal the population in perilous border areas of Rhodopes.¹⁶⁰ Special quotas for both Bulgarian-speaking Muslims and Turks to compete among themselves, were allocated for the academic 1960-1961 among different universities in the field of Geology, Geography, Mathematics, Physics, Chemistry, Turkish Philology, Pedagogy, Medical Science, Arts, etc.¹⁶¹

The new regime did attempt to enhance the rights and privileges of Muslim minorities in Bulgaria, but it was always doing that while keeping an account of Muslims' affinity to Turkey in the back of its mind. As a result, the authorities attitude towards the Muslim community was marked by suspicion and distrust, which gradually transformed the regime's policy of liberation into a policy of attempted assimilation. Because of this alarmingly inconsistent attitude, immigration moods amidst the Turkish and Pomak Muslims arose. Many began to leave Bulgaria, and the authorities pointed at Muslim minority teachers and schools as the primary culprits and sources of immigration disposition. Muslim minority schools were labelled centres and disseminators of Turkish nationalistic propaganda, causing the emigration of Muslims. The first 'victim' of these accusations became the pedagogical "Nuvvab" school in Shoumen, which was decided to be "either closed down or thoroughly reformed."¹⁶² Many minority schools at that period suffered.

2.1.3. Immigration inclinations among Muslims and consequences of that

¹⁵⁹ BCP Archives, holding 1B, inventory 8, archive unit 169, pp. 1-2.

¹⁶⁰ BCP Archives, holding 1B, inventory 6, archive unit 2536, pp. 1-2.

¹⁶¹ Decree for the Admission of Students in Schools of Higher Education for the Academic 1960 - 1961 (Communications of the Presidium of the General Assembly, Year XI, Issue No. 27, of April I, 1960).

¹⁶² Taken from a report of the Central Office of the Bulgarian Ministry of Defence entitled "The Turkish minority and the emigration problem" from 30 June 1947 (BCP Archives, holding 214, inventory 1, archive unit 716, pp. I-III, 1-73).

As a result of the progressively increasing numbers of applications for emigration papers submitted by Turkish and Pomak Muslims, the Secretariat of CC of BCP prioritised the issue, and sought a solution to the problem. On 21 April 1949, the Secretariat's plan-decision was ready. It stipulated that "Turks, Bulgarian nationals, who wish to emigrate to Turkey, are free to do so", however, "Bulgarian Mohammedans" are barred from doing so¹⁶³ (point 1).¹⁶⁴ Point 2 of the document went even further by ordering that the Pomak population from the Turkish-Bulgarian border area - together with "the reactionary elements among the ethnic Bulgarians" - be forcibly evicted and resettled in other part of Bulgaria. Point 3 ordered the resettlement of "all reactionary elements, regardless of ethnic origin."

21,353 Muslims emigrated from Bulgaria to Turkey in the period 1940-1949, the biggest number of which left Bulgaria during the last three years of this period. The annual number of emigrants between 1944 and 1949 is as follows: 1944 - 489 persons; 1945 - 631 persons; 1946 - 706 persons; 1947- 1,763; 1848 - 1,514; 1949 - 1,670.¹⁶⁵ The process of free departure of Muslims was suddenly brought to a halt in July 1949 with a decision of the Secretariat of CC of BCP. It was decreed that "all kinds of stop measures must be taken at the moment in regions inhabited by Turks for the normal harvest of tobacco, wheat, and other agricultural crops has to be guaranteed."¹⁶⁶ This absolute banishment on legal emigration of Turks was ended in August the same year (1949, the crops were already harvested) with a new decision of Politburo.¹⁶⁷ This time the authorities not only gave permission for departure (point 1), but made treats that if Turkey refused to accept the potential immigrants from the border area, they would be evicted and resettled in the northern regions of Bulgaria (point 2, first para.).

On 10 August 1950, the Bulgarian government gave a note to Turkey demanding rather harshly that 250,000 Bulgarian nationals of Turkish origin be admitted to Turkey in the course of *three months*.¹⁶⁸ In this document, the Bulgarian authorities accused Turkey of "using unfounded rumours to create anti-Bulgarian sentiments in public opinion, especially among the Turks", but at the same time it (Turkey) "put numerous obstacles before those wanting to immigrate." By the note in question, Bulgaria was virtually expelling 250,000 Turks from their homes, but simultaneously was attacking the Turkish authorities in reluctance to accept the "voluntary migrants."

As a matter of truth, Bulgaria's accusations were not completely unfounded. According to the note in discussion, from the 54,000 Bulgarian nationals with issued emigration papers, only 15,835¹⁶⁹ had received Turkish entrance visas by August 10 of the same year. The requirements for emigration put forward by Turkey were rather tough. They demanded formal declarations indicating the political convictions of the potential immigrant; documents proving the existence of relatives in Turkey, who could secure the

¹⁶³ The banishment for the Pomak population put in brackets in the original text.

¹⁶⁴ The decision put under Protocol "B" No. 23 of the Secretariat of CC of BCP (BCP Archives, holding 1B, inventory 64, archive unit 40, p. 1).

¹⁶⁵ See id. Simsir (*The Turks of Bulgaria (1878-1985)*), p.5.

¹⁶⁶ BCP Archives, holding 1B, inventory 8, archive unit 474, p. 1.

¹⁶⁷ Decision put under Protocol "A" No. 80 of the Politburo of CC of BCP (BCP Archives, holding 1B, inventory 6, archive unit 653, pp. 1-7).

¹⁶⁸ *Rabotnichesko Delo* newspaper of 11 August 1950.

¹⁶⁹ Against that number Simsir writes: "[Wrong: Turkish visas had been issued to 26,788 by the end of July 1950]", while citing the text of the note in his book, *The Turks of Bulgaria (1878-1985)*, pp.173-4.

subsistence of the migrants; declarations of consent from those relatives to support the migrants; or a warrant document indicating that the person wishing to immigrate had sufficient funds to secure his livelihood for at least one year. Thus, while Turkey and Bulgaria were demonstrating mutual hostility and distrust, the Muslim population in Bulgaria suffered. On the one hand, they were either put under pressure to leave their homes in Bulgaria or were completely barred from doing so at one or another time by the Bulgarian authorities. On the other hand, Turkey was more than 'weary' to accept migrants whenever their number was greater than expected.

The outcome of these events was Turkey's closing of the border for Bulgarian migrants, because its proposal to accept only 25,000 to 30,000 persons per year was straightforwardly rejected by Bulgaria. That precedent generated a new wave of anti-Turkish propaganda in Bulgaria. Protest notes of the Council of Ministers to the Turkish consulate in Sofia followed. Through a decree from 18 October 1950, the Ministry of Internal Affairs stopped the issuance of migration visas to Bulgarian Turks and decided to "remove the emigration issue from the government's agenda" after the lapse of the three-month deadline. The whole responsibility for the failed "voluntary migration" was attributed to Turkey.¹⁷⁰ The two governments did not stop accusing each other of chauvinistic propaganda and attempts to intrude into the internal affairs of one another, while the truth was that Bulgaria was expelling its nationals, whom it was bound to protect, and Turkey was refusing to take responsibility at a time when it had to.

The situation of Roma Muslims, who emigrated or were about to depart for Turkey, was particularly hard. Both Turkish and Bulgarian authorities showed gross discrimination on grounds of ethnicity in their actions related to Roma. Turkey demanded from Bulgaria to accept all Roma migrants or holders of migrant visa back if it wanted to re-open the border for the Turks. Bulgaria, however, instantly refused to satisfy those demands through a decision of the Secretariat of CC of BCP put under Protocol "A" No. 1085 from 27 October 1950.¹⁷¹

The Bulgarian authorities were more than often reluctant to allow *en mass* immigration, especially when it concerned the Pomak population, whom they have always perceived as Turkicised Bulgarians. To frustrate their emigration, the authorities frequently undertook drastic steps to prevent deepening of the affiliation between Pomaks and Turks. In October 1948, the Party planned the resettlement of 415 Pomak families forming a total of 2,319 members (an entire big village). They were evicted from their homes in the Bulgarian-Greek border area of the Rhodopes and moved to Northern Bulgaria.¹⁷² The report (see the footnote) informs: "The action was very well organised, and implemented almost without incidents", except two: "one [(person)], trying to escape, was wounded before being apprehended, [and the other], was killed while attempting to hide and cross the border." "The evicted - the report went on - are accommodated in houses without doors and windows, and with leaking roofs." The same document further envisaged the forced eviction of a new 270 families, or another 1,386

¹⁷⁰ Decree on the Council of Ministers No. II-677 of 18 October 1950 (BCP Archives, holding 1B, inventory 8, archive unit 1911, pp. 1-2).

¹⁷¹ BCP Archives, holding 1B, inventory 8, archive unit 1916, p. 1.

¹⁷² Taken from a report of General-Major Yonko Panov, Deputy-Minister of Internal Affairs, to Anton Yugov, Minister of Internal Affairs and Chairperson of the Central Committee on Resettlement, concerning the "resettlement of Muslim population, living at the Southern border of Bulgaria." (BCP Archives, holding 1B, inventory 8, archive unit 186, pp. 1-3).

people. The resettlement plan allocation was as follows: 87 families (480 members) to be moved from Nevrokop region; 2 (5) from Devin region; 26 (126) from Smolyan region; 54 (355) from Momchilgrad region; 53 (290) from Kroumovgrad region; and 48 (132) from Zlatograd region. The next resettlement action was postponed for the spring of the next 1949.¹⁷³

The forced eviction of Pomak population continued in the following years as well. In 1951 many families from Nevrokop (Gotse Delchev) region were resettled in areas traditionally inhabited by Turks, and were accommodated in their deserted houses. People opposed to the authorities' resettlement affairs, and requested permission to immigrate insisted. Some of them received immigration documents, but *by mistake*, which generated the sharp reaction of the "Party comrades" of the BCP Regional Committee in Blagoevgrad. In a letter to the Secretariat of CC of BCP, the latter protested against the issuance of migration documents of resettled Muslims from the Nevrokop region, claiming that this "create[d] bad disturbance among the other Bulgarian Mohammedans¹⁷⁴ in the region." What is more, "the comrades" added, people of "pure Bulgarian blood" could not be allowed to depart.¹⁷⁵

The "pure-Bulgarian-blood" official theory of the Pomak population's origin exposed it to all kinds of licentious acts on the part of the authorities. These people not only were deprived of the right to choose to migrate, but were also deprived of the right to self-identification. With a document from 206 April 1951, the Communist authorities in Bulgaria invalidated the data from the 1946 census in Zlatograd region, with predominantly Pomak population. The explanation for this act was: "Because in some villages of the region many Bulgarian Mohammedans indicated "Turkish" as their nationality." Zlatograd regional people's committee was charged with the rectification of the census register, and was ordered to "invalidate all documents issued on the basis of the false registers, including identity cards."¹⁷⁶ In the section "nationality" of the new passports issued to the Zlatograd Pomak population was written "Bulgarian." This act caused disturbance among the Pomak Muslims from the Teteven region. They sent protest letters to all, the Secretary and Chairperson of the General Assembly Presidium, to the Council of Ministers Chairperson, Valko Chervenkov, and to members of the CC of BCP, insisting on their right to self-identity. Their protests, requests, and complaints were totally ignored. In the section "nationality" of their identity papers was written "Bulgarian" with or without their consent.

In a note of the Minister of Internal Affairs from 4 July 1953, General-Lieutenant Georgi Tsankov spoke of brutal violence against the Pomak population during the acts of forced "passportisation." Through that, the Minister informed the senior authorities of "a

¹⁷³ Protocol No. 25 containing the decisions of the Secretariat of the Central Committee of the Bulgarian Communist Party (BCP), from 19 October 1948 (BCP Archives, holding 1B, inventory 8, archive unit 186, pp. 1-3).

¹⁷⁴ The Bulgarian-speaking Muslims or Pomaks as referred to by the authorities.

¹⁷⁵ Letter of the Regional Committee of BCP, Blagoevgrad, to the Secretary of CC of BCP concerning the question: "Is it legitimate to be issued migration documents to resettled Bulgarian-Speaking Muslims" dated 20 February 1951 (BCP Archives, holding 1B, inventory 27, archive unit 2, p. 1).

¹⁷⁶ Note of the director of the International Relations Department of CC of BCP to Katya Avramova on the suggestion of the regional committee of BCP, Zlatograd, to correct the nationality of the Bulgarian Mohammedans in the census registers, dated 26 April 1951 (BCP Archives, holding 1B, inventory 26, archive unit 2, p. 5).

strong resistance” of the Pomak population from Gotse Delchev and Peshtera regions to “the passportisation process.” Georgi Tsankov warned the authorities that local Communist leaders from the regions in question engaged in licentious and abusive acts against the Muslim population, which resulted “in repugnance against the Party and the people’s regime [among this population].” Those local leaders, the note went on, obstructed the people’s work “in the fields and forests”; imposed extensive fines for lack of identity papers (point 1, between 2 and 10 leva); prevented people from purchasing basic foodstuffs from co-operative shops and from supplying themselves with water from village faucets; performed unauthorised checks in people’s houses with warning - against signature - that they would apply for and receive new identity documents within two days.¹⁷⁷ Politburo reacted to the note by dismissing those involved in the violence in an attempt to rehabilitate the Party image before the Pomak population in Bulgaria.

However, image consideration did not stop the Party from other arbitrary and insolent acts against that population. For example, on 28 July 1950, the Council of Ministers came out with a decree authorising (again) the forced resettlement of 1,550 families from the western and southern border areas of Bulgaria to inner parts of the country. Each of these families had a member, who had fled to Turkey, Greece or Yugoslavia in previous years (point 1). Some of those families were ethnic Bulgarian families.¹⁷⁸

The forced resettlement issue was not the only stain on the cloth of the initial Communist policy of minority rights improvement. Muslim youths in Bulgaria were denied access to service in the army. They were massively sent to the labour forces to do their military service. There were protests by Bulgarian-speaking Muslims against this discriminatory policy. The problem even reached the highest military circles, but the denial of access was only confirmed. It was stated that “the Bulgarian Muslims from the border areas - because of their religious belonging - are very prone to influence by Turkish or Greek propaganda. [In addition] they are almost illiterate, and do not constitute a qualitative element for filling up the professional army.”¹⁷⁹ Later, this was somewhat changed so as to allow the admission of Pomak youths to the professional army, but only after “a necessary check-up is performed.”¹⁸⁰ As early as June 1952, Politburo of CC of BCP officially approved “the military service in the Bulgarian People’s Army of Bulgarian nationals from minorities.” Thus, the existence of several minorities in Bulgaria was officially registered. There were “Turks, Bulgarian Mohammedans, Turkish Gypsies, Greeks, and Jews.” However, the admission to the professional army of Turks, Bulgarian-speaking Muslims, and Roma Muslims was again conditional. Only those of the latter were to be admitted, which “politically and physically responded” to certain (undefined) criteria, meeting which automatically placed their names in the rosters for approval by the CC of BCP.¹⁸¹

¹⁷⁷ BCP Archives, holding 1Б, inventory 6, archive unit 1833, pp. 2-4.

¹⁷⁸ Decree No. П-2192/Ст. 44 of the Council of Ministers of Bulgaria from 28 July 1950 (BCP Archives, holding 136, inventory 5, archive unit 2129, pp. 1-3).

¹⁷⁹ Stipulation of General-Lieutenant Georgi Damyanov concerning the “admission in the army of Bulgarian Muslim youths” dated 8 March – 5 April, 1949 (BCP Archives, holding 1Б, inventory 8, archive unit 412, p. 79).

¹⁸⁰ Protocol “А” No. 117 of the Secretariat of the Central Committee of the Bulgarian Communist Party (BCP Archives, holding 1Б, inventory 8, archive unit 412, pp. 1-6).

¹⁸¹ The proposal for admission to the army of minority members was made under Note of the Ministry of Defence, General-Major Petar Panchevski, to the CC of BCP dated 19 May 1952 (BCP Archives, holding

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In November 1956, Politburo of CC of BCP came out with another decision formally aimed at “improving the political and cultural status” of the Pomak and Turkish Muslims, and, informally aimed at assimilation of these minorities.¹⁸² All Party entities were ordered to join their efforts in “a permanent and persevering activity towards strengthening the Bulgarian national conscience [of the Pomak Muslims], and towards inflaming their love for their country - the People’s Republic of Bulgaria.” What is curious here is the fact that for the first time the Communist authorities engaged in inventing history. The History Institute at the Bulgarian Academy of Sciences was commanded to prepare “a brief history book on the origins of those Bulgarians¹⁸³, professing Islam.” To it, “historical documents, which were to be used as a basis for enfolding historical propaganda among that population”, had to be affixed (point 7).

The Turks were referred only cursorily in this assimilatory document in question, although through its title, it was clearly addressed to both Turkish and Pomak Muslims. Obviously, at that early stage of government, the Communist leaders were not confident enough in their position of a ruling power, to launch an open assimilation against the Turks as they already did against the Pomak Muslims.

2.2. The treatment of Muslims between 1956 and 1984

The turn for the worse in the authorities’ policy towards Muslims, emanated from the 1956 April plenum of the BCP Central Committee, when attempted abuse of the ethnic and religious identity of minorities was calculated to become consistent state policy. The first step in that direction was made shortly after the April plenum with the endorsement of the so-called “Theses on Work among the Turkish Population” during a new CC of BCP plenum in October 1958. Through these “theses”, the authorities no longer spoke of minority identity protection and freedoms, but instead they condemned “the manifestation of nationalism and religious fanaticism” among the Turkish population in Bulgaria, and any attempt of expressing Turkish self-identity was perceived a show of harmful nationalism, which was to be suppressed and uprooted. The April plenum prepared the soil for the assimilation campaigns from 1972-1974 and 1984-1985, when the final and most barbarian steps towards destroying the Pomak and Turkish minority identity respectively was undertaken. During the same session, at which the “theses” were discussed, Politburo adopted another resolution envisaging the gradual merger of Bulgarian and Turkish schools.¹⁸⁴ In other words, elimination of the Turkish minority schools was envisaged through the respective resolution, “la[ying] the groundwork of their eventual Bulgarianisation, a process that was completed by the 1984-1985 campaign.”¹⁸⁵

1B, inventory 6, archive unit 1590, pp. 110), and the same was approved with Protocol No. 77 from 5 July 1952 (BCP Archives, holding 1B, inventory 6, archive unit 1519, pp. 1-6).

¹⁸² Decision put under Protocol “A” No. 303 of 17 November 1956 (BCP Archives, holding 1B, inventory 6, archive unit 3062, pp. 1-17).

¹⁸³ Meaning “ethnic Bulgarians.”

¹⁸⁴ BCP Archives, holding 1B, inventory 6, archive unit 3645, pp. 50-57.

¹⁸⁵ See id. Kanev, p.330.

2.2.1. Limiting the religious freedoms and launching a policy of forced assimilation of Muslims

As concerns religion and religious practices, the general Communist approach was oppressive towards all religious denominations and groups, including Eastern Orthodoxy, as any exercise of religion was considered backward and obstructive to the progress of Communism. Yet, the initial years of Communist government showed at least a modicum of toleration towards religion and religious practices. A report of the Chairman of the Committee of Religious Denominations sent to the Internal Ministry, spoke of reorganisation of the Muslim religious community, which occurred between January 1, 1959 – December 31, 1961.¹⁸⁶ Muslim religious institutions were reorganised into 504 religious units with a total of 530 clerics and other staff, all public servants. Those of the units, in which the cleric and staff were not state appointed, had to be closed down, and their parishioners redirected to neighbouring units (a mosque or religious district could be such an unit). Restructuring of the Chief Mufti's and Smolyan Mufti's Offices also took place. Many clerics from those offices were removed, and "reliable staff" - selected in accordance with the Law of Religious Denominations and the Statute on the Spiritual Administration of Muslims - was appointed (point 1).¹⁸⁷ Candidates for religious posts in Kardjali, Smolyan, and Provdiv districts had to be "investigated for suitability within 10 days" before appointment (point 3). The candidates for staff membership in the Supreme Spiritual Judicial Council and the Chief Muftis' Office's *medresse* (religious school of higher education) were to be investigated likewise (point 4).

The reorganisation plan of Communist authorities further envisaged reduction in number of mufti's offices for both Pomak and Turkish Muslims. The mufti's offices in the Rhodope area, where the Pomak population is concentrated, were reduced from 4 to 1 (point 4). The number of Turkish minority mufti's offices dropped from 18 to 8.¹⁸⁸ That reduction campaign was brought to an end within only three months - January, February, and March 1959.¹⁸⁹ The number of *hodjas* (Muslim priests) was decreased with approximately 50% as well, and the then total of 800 Turkish minority religious districts dropped to 200, all Roma religious districts included in that number.

The state intrusion into Muslim religious matter was thorough - from the highest to the lowest level of the religious institutions. The appointment or dismissal of the Chief Mufti was among the ways to intrude and control the religious affairs of Muslim community from the top. On 6 August 1964, the authorities removed from office the then Chief Mufti, Akif Osmanov, in order to "eliminate his antagonist activities among the Turkish

¹⁸⁶ Report of Alexander Sadakov concerning the reorganisation of Muslim religious community, dated 1 January 1959 – 31 December 1961 (BCP Archives, External, inventory. 9, archive unit 1180, pp. 4-7).

¹⁸⁷ Report Alexander Sadakov (to the Chairman of the Committee of Religious Denominations to the Ministry of Exteriors) concerning the selection of clerics of the Chief and Smolyan Mufti's Offices (BCP Archive, External, inventory 9, archive unit 1177, p. 1)

¹⁸⁸ Report Alexander Sadakov (to the Chairman of the Committee of Religious Denominations to the Ministry of Exteriors) concerning the selection of clerics of the Chief Mufti's Office of the Turks, and Smolyan Mufti's Office of the Bulgarian Mohammedans (BCP Archives, External, inventory 9, archive unit 1202, pp. 8-11)

¹⁸⁹ Ibid.

minority.”¹⁹⁰ The appointment of a new Chief Mufti, was another matter of serious concern for the regime, as the latter had to possess certain ‘qualities’ transforming that person into a tool suitable for manipulation and assimilatory use. After proper investigation of the seven regional muftis, from among which the Chief Mufti had to be chosen, the conclusion was that “five of them could be, more or less, considered politically appropriate for the post.”¹⁹¹ Finally, after careful pros and cons consideration, preference was given to the Kolarovgrad (Shoumen) Regional Mufti, Hasan Ademov Mustafov, who, on the first place, had “*correct political orientation*, and [then,] as a mufti to one of the biggest religious districts, ha[d] experience.”¹⁹² Before the candidate was officially promoted to Chief Mufti, however, he was duly investigated by the Ministry of Internal Affairs, which gave ‘positive’ characteristics for the candidate. Thus, the Shoumen mufti’s appointment for Chief Mufti was confirmed.¹⁹³

On July 11, 1959, the CC of the BCP adopted a policy of removal of *feredjes* (Muslim female cover-cloth), and issued official instructions for that in response to an inquiry by Salih Osmanov whether a CC decision for compulsory removal of the *feredjes* existed.¹⁹⁴ The respective instructions commanded that all working (in the public sector)¹⁹⁵ women were to take off the *feredje*, because it was “a medieval religious element, which enslave[d] women”, and, therefore, “[wa]s incompatible with the conditions of Socialism.” A classified note of the Person in Chief of the Department for Work among National Minorities (DWNM), Ivan Gospodinov, reflected the authorities’ policy towards Muslim religious community.¹⁹⁶ The note pointed out that “the number of *hodjas* (see above) is excessively increased, and currently their number exceeds 2,400.” As a result, the DWNM to CC of BCP, was ordered to find a way to reduce their number to a minimum. As a result, a prosecution of *hodjas* who “[were] transgressing the Fatherland Front’s (Otechestven Front’s) laws”, was launched, and the powers of those *hodjas* who remained on their posts, were severely limited. The number of *hodjas* was reduced to 580 from a total 2, 400 – 500 in the regions with predominant Turkish population, and 80 in regions inhabited by Bulgarian-speaking Muslims. A sum of 2,296,000 Bulgarian leva from the state budget, was set aside for covering the monthly salaries (ranging from 300 to 450 leva) of the 580 *hodjas*.

Yet, some good things were done among the general oppression acts. With a decree of the Council of Ministers from June 1960, the state subsidies for the Chief and Smolyan Mufti’s Offices were increased, which meant higher salaries for the Muslim priesthood

¹⁹⁰ Note of the Person in Chief of the Department “Foreign Policy and International Relations”, D. Dichev, to Politburo of CC of BCP dated 16 July 1964 (BCP Archives, holding 1, inventory 6, archive unit 5632).

¹⁹¹ BCP Archives, holding 1, inventory 6, archive unit 5632.

¹⁹² Ibid.

¹⁹³ Ibid.

¹⁹⁴ Instruction of the Person in Chief of the Department for Work among National Minorities of CC of BCP to the Regional Committee of BCP, Smolyan, on the policy of compulsory removal of *feredjes* (BCP Archives, holding 16, inventory 5, archive unit 338, pp. 1-17).

¹⁹⁵ Note that by 1959 almost everything, including the land, was nationalised and state-owned.

¹⁹⁶ Note of the Person in Chief of the Department for Work among National Minorities of CC of BCP, Ivan Gospodinov, to Politburo of CC of BCP on reorganising and redefining of the function of Muslim clerics in the regions inhabited by Muslim population (BCP Archives, holding 16, inventory 6, archive unit 4131, pp. 9-12).

there (point 1).¹⁹⁷ The additional subsidies for the two mufti's offices sized 1,300,000 Bulgarian leva for 1960 (point 2). On the other hand, however, the same decree in question imposed a ban on clergy's relief fundraising, which was vitally necessary for developing charity activities – a function typical for religious institutions (point 3). What was important for the regime, was not to better the conditions of the Muslim religious community, but to implant inside 'faithful people', and increase its means of manipulation of the community.

All assimilatory, anti-religious and abusive acts of the authorities in regard to Muslims in Bulgaria, and particularly to the Pomak Muslims, are reflected in the activities of an organisation called "Rodina" ("Fatherland"), which became notorious for its attempts to impose Bulgarian self-identity on the Pomak population at all costs. That entity was formed at the time of Communist takeover in Bulgaria in 1944, and actively participated in the 1942 name-change campaign against the Bulgarian-speaking Muslims. To win the support of the Pomak population, the Communist authorities initially condemned the activities of the organisation by calling them "fascist", and restored the Muslim names of Pomaks. Although officially banned, Rodina continued to 'breathe' with the spirit of its old "fascist" concepts and ideas *with* the authorities' knowledge and support. Some of the most devoted members of the Bulgarian Communist Party were former Rodina activists.

On January 9, 1963, ex-members of the organisation, and current Communists, produced an open report, where they gave full accounts for Rodina activities between 1937 and 1944, in which they personally had participated. That report was sent to Politburo of CC of BCP.¹⁹⁸ The report's authors praised that Rodina's main purpose of existence had been "to uproot all that was non-Bulgarian in the Bulgarian Mohammedans" (p. 2, i.e. to remove the *fesses* (typical Muslim male hat) and *feredjes* (Muslim female cover-cloth); and "to change the names of 80,000 Bulgarian Mohammedans" (p. 2). Former Rodina activists reproved their "comrades" for banning the organisation, and assured them that by doing so, they had supported Turkophils and fanatics, and thus were unconsciously destroying the Bulgarian identity of the Pomak Muslims. It is curious to note that no official feedback from the "addressed comrades" was given, which leads to the following conclusions: the Communist government did not protest or condemn the respective report, because it apparently agreed with it. However, they did not feel comfortable to show open support for something they had recently condemned. In addition, the authorities could always covertly "give an arm" to the former Rodina activists without discrediting themselves through demonstrating official support for their ideas. In any event, the Communist authorities proved in practice that they not only approved of organisations like Rodina, but also went much further in actions than Rodina by the 1972-1974 and 1984-1985 "revival process" of the Pomak and Turkish Muslims.

Active former members of the banned association Rodina were among the most devoted Party members, who freely praised and promoted the organisation's methods of work. Even the earliest Communist attempts for assimilation of the Pomak population,

¹⁹⁷ Decree No. 920 of the Council of Ministers of 8 June 1960 on the increase of state subsidies for the support of Muslim clergy (BCP Archives, holding 136, inventory 31, archive unit 887, pp. 1-1r).

¹⁹⁸ Report "on the national conscience of Bulgarian Mohammedans and organisation "Rodina", by Angel Raykov from town of Smolyan, "an active fighter against fascism and capitalism [and a former member of "Rodina"]", sent to Politburo of CC of BCP, 9 January 1963 (BCP Archives, holding 1, inventory 10, archive unit 478).

did not defer substantially from the Rodina activities during the fascist reign in Bulgaria. It is quite apparent that it was for the purposes of effective assimilation only, that the active involvement of Pomak Muslims (and Muslims in general) in the political life of the country was sought for by the regime. A widespread method for securing such was the training of Party minority members in special three-month courses. With a decision from 30 December 1961, the Secretariat of CC of BCP increased the courses' quota from 50 to 80 for persons from Muslim background in Blagoevgrad and Pazardjik. The courses' budget was likewise increased with 256,838 leva to cover the sustenance of the additional 30 people enrolled for training in the courses.¹⁹⁹

In fact, the pursuance of Rodina-like policies against Muslims in Bulgaria started in the late 1950s and early 1960s under the splendid slogan "Cultural Revolution", which pathetically called for rejection of all religious backwardness and fanaticism, seen to be present in any aspect of Muslim life - from the apparel and religious practices, to Muslim names and identity. For the success of "the cultural revolution", frequent meetings with "regional intelligentsia" were held, at which minority youths were successfully indoctrinated, and made to carry out the Bulgarianisation of their own people.²⁰⁰ At one such meeting Party activists from Roudozem municipality boasted that 700 out of the 1,100 women living within the municipality had stopped wearing traditional Muslim garments, and 170 persons had "restored their Slavic [Bulgarian] names" (p. 2). Activists' report from village of Ladja, Smolyan Region (with predominantly Pomak population) accounted for a total of 4,070 Pomak Muslim population in the area, of which the percentage of men and women who "completely rejected" the Muslim clothing was 99% (men) and 75-80% (women) respectively (p. 7). The same report added that "only" 2% of the women were still covering themselves with *feredjes*, and the remaining 98% had "rejected it" (p. 7). It was also pointed out that 170 persons from the region in question had already "recovered their Bulgarian names" (p. 7). Similar data from Smolyan region, informed about the number of Pomak Muslims who "had removed" the Muslim garment (for women, only bellow the age of 40) or "had Bulgarianised" their names. The results below reveal the following picture as of 15 November 1962:²⁰¹

Smolyan: 3,978 male, and 3,832 female Bulgarian-speaking Muslims, 3,760 - without Muslim garments already, and 122 with changed names;

Roudozem: (no total number of male Muslims indicated), 1,400 women, 700 - with removed Muslim clothing, and 170 with changed names;

Devin: 2,875 male, 3,085 female, 1,366 - with removed Muslim clothing, and a total of 829 Muslims with changed names;

Laki: (no total number of male Muslims indicated), 1,700 women, 1,660 - with removed clothing, and 639 with changed names;

Mugla: (no total number of male Muslims indicated), 400 women, 200 - with removed Muslim clothing, and 75 with changed names;

¹⁹⁹ Decision No.475 of the Secretariat of CC of BCP of 30 December 1961 (BCP Archives, holding 1, inventory 8, archive unit 5751).

²⁰⁰ Document No.И – 505 of 6 November 1962 (BCP Archives, holding 16, inventory 38, archive unit 20).

²⁰¹ Only the data for settlements indicating higher percentage of "changed names" and "removed Muslim garments", and having at most one indicator absent (not all figures for the all four factors--# of male/female, # of persons with removed Muslim clothing, and # of persons with changed names, are given in the table) are presented.

Nedelino: (no total number of male Muslims indicated), 2,535 women, 890 - with removed Muslim garments, 806 with changed names;

Smilyan: (no total number of male Muslims indicated), 540 - with removed Muslim garments, and 174 with changed names; etc.

The politics of the regime towards Muslims in Bulgaria at the beginning of the 1960s was two-sided. On one hand, the Communist leaders spoke of “integration” of national minorities, where there would be “full respect for their national characteristics and rights”²⁰², and on the other hand, that “integration” was no more than an attempted forced assimilation. Only within a short period of time many women abandoned the traditional Muslim dressing; Muslims, on the whole, were successfully “convinced” to change their names and identity; Muslim minority schools were being removed through nationalisation and merger with public schools; the study of Turkish language at school progressively decreased to vanish completely in one-two decades, etc. On a meeting with Turkish minority representatives in the village of Vladimirovtsi, Razgrad region, Todor Zhivkov perfectly expressed the double-faced approach of the authorities to Muslims while exclaiming.²⁰³ “Here we see now Turks and Bulgarians gathered together, but we see no *feredjes*. There are no *feredjes* any more”. “Under Party and people’s regime’ care - he went on - the Turkish population at home studies its language, develops its national songs and dances *on a new socialist basis, and with a new socialist content*”. In short, Muslims in Bulgaria, and particularly Turkish Muslims, formally enjoyed all rights and privileges, but in fact they were permanently supervised in order to have their “rights” curtailed whenever a person had gone beyond the permitted limits in speech and actions. Muslims were free under censorship.

To justify the started clandestine assimilation of Muslims in the 1960s, the regime began to create anxieties for itself. The authorities dug out statistics proving undergone conversion of Tatars by Turks. The statistics showed that Tatars, which enumerated more than 18,000 in 1910, were hardly 6,000 in 1956 instead of being twice as 18,000 as would be logically expected due to the high natural growth of that ethnic group. The regime was getting anxious by “signals from many parts of the country about undertaken process of [Turkish] assimilation [not only of Tatars, but also] of Bulgarian Mohammedans, and Gypsies.”²⁰⁴ It was emphasised that the “assimilation process is particularly strong among the Gypsy population in the cities of Pazardjik, Plovdiv, Stara Zagora, Kardjali, Popovo, Russe, and Silistra, ... [where] more than 130,000 Gypsies had registered as Turks.” Particularly painful for the authorities appears to be the issue of Pomak population identity. The authorities noted that “many Bulgarian-Mohammedan families ha[d] settled in regions with Turkish population, where they [were] register[ing] themselves as Turks, and thus, they [we]re [being] lost as members of the Bulgarian nation”.

The Communist government named the above “deformations”, calling for rectification. Five correction measures (“steps”) were offered in a document of the CC of BCP “Propaganda and Promotion” Department (see the above footnote). Step 1 charged

²⁰² From a speech of Todor Zhivkov, a Prime Minister and a Chairman of the CC of BCP, given on 28 May 1962, on a meeting with Turkish minority representatives in the village of Vladimirovtsi, Razgrad region (*Rabotnichesko Delo* newspaper No. 153 of 2 June 1962).

²⁰³ See the previous footnote.

²⁰⁴ Report of the Deputy Person in Chief “Propaganda and Promotion” Department to CC of BCP, R. Petrov, sent to the Secretariat of CC of BCP, 7 July 1961 (BCP Archives, holding 1, inventory 40, archive unit 477).

the Bulgarian Academy of Science with the “organising complex expeditions of historians, ethnographers, archaeologists, and philologists, which [would] research ... the origin of the population from regions, where signals for ongoing assimilation [we]re coming from”. Step 2 ordered to “the Ministry of Internal Affairs and the regional people’s councils” watch over “the *correct* nationality registration of citizens.” In short, Tatar, Roma, or Pomak Muslims, who registered themselves as Turks, had to be prevented from doing so. Step 3 assigned a watchdog function of the Ministry of Education and Culture in not permitting “to students of Bulgarian [Pomak], Tatar, and Gypsy background” to study Turkish. The Ministry of Defence had to prevent any close communication between Turks, Bulgarian-speaking Muslims, and Roma in the army (step 4). The regional Party committees were commanded to take immediate care to disseminate and implementation the central authorities’ instructions (step 5). The five measures in question acquired a legal force on a meeting of Politburo members in April 1962 under the title: “Affirmation of measures for preventing Tatars, Gypsies, and Bulgarians, professing Islam, from identifying themselves as Turks.”²⁰⁵

In the early 1960s, many parents of newborn children were sending letters to the Central Party Committee complaining of refusals of local authorities to register newborns with Muslim names, or to register such children with Bulgarian names without the consent of the parents. For example, a group complaint from Alish Yuseinov Bantsov, Kezim Yuseinov Drikov, Ahmed Mustafov Tronov, and Shefket Abdulla Serbezov from the village of Rakitovo, Pazardjik Region was sent on 31 May 1962. These people were parents of children, who were either refused to be registered with the Muslim names chosen by their parents or were directly registered with Bulgarian names without the consent of the parents.²⁰⁶ Fortunately, in the early 1960s the top authorities felt unprepared to launch a comprehensive open assimilation against the Pomak population, and were compelled to order “the immediate cessation of similar acts in administering the work among Bulgarian-speaking Muslims”.

Covert assimilation, however, was already officially on the agenda of the Communist government. It was attempted not only by imposing names on newborn infants, but adult Muslim representatives also were often pressured into changing their names. That is evident from numerous letters of complaints, documented and kept in the archives, against such acts of local party entities, addressed to the highest Communist circles (to the CC of BCP) in sincere quest of relief. For example, a request-complaint from Asan Ismailov Saalimov from the village of Samuil, Silistra region, informed that the local authorities attempted to change the names of 12 Muslim families of Gypsy background without their consent”.²⁰⁷ Saalimov was requesting the Central Party Committee’ support in their endeavours to preserve their Muslim names. In response the authorities did undertake measures to punish the wilful acts of some local authorities.²⁰⁸

Similar was the request by Ismail Yuseinov Irikov and Asan Mustafov Eskidjiev from the village of Stefan Karadja, Silistra region, who complained of being deprived of the following rights: to buy bread from the public bakery of the village; to enter and purchase other foodstuffs from the local shop; or to go to work - unless they changed their Muslim

²⁰⁵ BCP Archives, holding 1, inventory 6, archive unit 4749.

²⁰⁶ BCP Archives, holding 1, inventory 28, archive unit 29.

²⁰⁷ Document No.A-9105 of 7 February 1961 (BCP Archives, holding 1, inventory 28, archive unit 23).

²⁰⁸ Ibid.

names with Bulgarian.²⁰⁹ At school, their children were also blackmailed into changing their names. The two complainants in question spoke of violation of the right to freedom of conscience and religion guaranteed by Art. 78 of the Dimitrov Constitution, and the right to work as provided for by Art. 73 of the same Constitution. The response of the top authorities this time, however, was: “No pressure to change their names has been exerted” on Ismail Irikov and Asan Eskidjiev. The latter - concluded the authorities - had done that willingly, and consequently they had no grounds to complain. The complaint of Yashar Ruskov Yuseinov whose name was forcibly changed received a similar response: “No violence had been exerted on the complainant in respect to the change of his name”.²¹⁰ Documented complaints/requests against name-change intimidation had been sent by Redjep Kadirov Zahiriev from Tarnovtsi village, Silistra region; Ahmed Hasanov Hyuseinov from Varna; Ahmed Alishev Nedjibov from Tarnovtsi as well; a group complaint by all Muslims, OF members the town of Nesebar; and Melezin Osmanov Muturdjiev from Zidarovo village, Bourgass region.

Abusive acts of local authorities against Muslims from Smolyan region were accounted for in a document from October 1963.²¹¹ Male persons, children and women dressed in Muslim clothes were prohibited from buying foodstuffs from local shops. This way, women were compelled to take off their traditional garments in order to be able to supply their families with basic food, which could be purchased only in the shops. Other forms of registered abuse included: persons, who had refused to co-operate with the authorities in the cloth-change campaign, were fired from work; women were permanently summoned before the municipal authorities to be indoctrinated, and those of them refusing to appear, were fined; there were cases of physical abuse expressed in forced undressing or tearing apart of Muslim clothes; whole Muslim villages were blocked off, and no person was allowed to go to work (in the fields) if they were wearing Muslim garments; *shalvars* (broad Muslim kind of pants) were cut off, and *feredjes* were taken off coercedly from women wearing them; persons were offered jobs, access to universities, or acceptance of their children to prestigious schools if they changed their names; many Bulgarian-speaking Muslims, Tatars, and Roma, were physically pressured to change name and identity.

Attempted forced assimilation of the Pomak population from Blagoevgrad region took place in 1964 as well. To make the Muslim population in that region “sever their ties with the religious fanaticism, and with their inclinations to Turkicise themselves”, local Party leaders decided to act on their own discretion without having clear authorisation by the central authorities.²¹² As a result, several Pomak villages from the Blagoevgrad region - notably Ribново, Kornitsa, and Breznitsa - were blocked by armed forces, so that people could not leave the villages unless they accepted Bulgarian names and abandoned their Muslim clothes. A commission of local Party functioneers, entrusted with the task to “negotiate” with the population of Ribново village, was forced to give up its intentions, because of the unexpectedly strong resistance they met. “The entire village populace -

²⁰⁹ Document No.9125 of 8 February 1961 (BCP Archives, holding 1, inventory 28, archive unit 23).

²¹⁰ Document No. 296 of 20 April 1961 (BCP Archives, holding 1, inventory 28, archive unit 23).

²¹¹ “Information on licentious abuse permitted in the work with the Bulgarian Mohammedans after 1956 from Smolyan Region.” (BCP Archives, holding 1, inventory 39, archive unit 40).

²¹² Report of the Person in Chief of the Administrative Organs Department of CC of BCP, Ivan Bachvarov, from April 9, 1964, on the “abuses permitted in the work with the Bulgarian Mohammedans from Blagoevgrad Region” (BCP Archives, holding 1, inventory 6, archive unit 5454).

women, children, men - as beasts, attacked the commission members with stones, wooden batons, axes and cries.”²¹³ Once informed about the events, the central authorities, fearing discrediting, stopped the violence.

Despite the risk to compromise themselves, the authorities never entirely stopped their attempts to assimilate Muslim minorities. In another document, Politburo expressed its anxiety that “during the 1946 census serious mistakes in respect to the nationality of some Bulgarian citizens had been done.”²¹⁴ It was accounted that in Blagoevgrad region, with a total population of 301,401 persons, “only 74,638 people had been registered as Bulgarian; 178,862 - as Macedonians, 38,017 - as Bulgarian Muslims, and 3,353 - as Turks.” In Smolyan Region, with 150,279 persons, 77,496 were registered as Bulgarian Muslims; 7,132 - as Turks, and “only 71,302 - as ethnic Bulgarians.” This situation was particularly bothering for the authorities, who undertook to “correct these mistakes” during the new population census, envisaged for December 1965. The “passportisation process” took place in January the 1965. By virtue of the new census and change of identity papers, the authorities planned to “correct” the nationality of Bulgarian citizens, who had registered themselves as Turks, Macedonians, or others. In May 1964, the Council of Ministers was ready with new “Regulations on the Change of Identity Papers.”²¹⁵

The authorities often doubted the political propriety of the assimilation abuses against the Muslim community, and even called these “mistakes.” The chief Party leader Todor Zhivkov himself admitted that the central Communist authorities bore responsibility for the violent acts. In a speech from 25 April 1964 Zhivkov said: “The truth is that the abuses admitted in our national policy in respect of the Bulgarian Mohammedans, the Turkish and the Gypsy population, started *here*, in the Central Party Committee. Namely here, and not anywhere else, was given “the password”, so to say, for distorting the Party line on the national question. ... Foreign to us are the methods of exerting a rough pressure for removing *shalvars*, *feredjes*, and especially the change of names of Bulgarian Mohammedans and Gypsies.”²¹⁶ However, even such pathetic guilt-cognition of the Communist leaders, did not rescue the Muslims in Bulgaria from the brutality of the “revival process”, completed with the conversion of the Turkish minority in 1984-1985.

2.2.2. *Renewed immigration waves*

In the reality of intensified assimilation pressure, the emigration cravings among the Muslim community members increased proportionally. Logically, the situation once again affected Bulgarian-Turkish relations. Because, on the one hand, Turkey accused Bulgaria of gross violation of the rights of its Muslims, while, on the other hand, the Bulgarian authorities charged the Turkish government with ill-intended propaganda. On 28 September 1961, Turkey handed a note to Bulgaria, with which it insisted that the former should keep its obligation under the Convention and the Protocol attached to the

²¹³ Ibid.

²¹⁴ Document of the Person in Chief of the “Administrative Organs” Department of CC of BCP, Ivan Bachvarov, dated 16 March 1964 (BCP Archives, holding 1, inventory 6, archive unit 5426).

²¹⁵ Ordinance No.162 of the Council of Ministers dated 8 May 1964 signed by the Chairman, Deputy Chairman, Secretary and members of the Council of Ministers.

²¹⁶ BCP Archives, holding 1, inventory 6, archive unit 5454.

1925 Treaty of Friendship²¹⁷ signed between the two countries, and more specifically, that Bulgaria should fulfil three essential conditions enshrined in the Treaty: to guarantee the right to free voluntary migration of the Muslim population from Bulgaria; to offer a durable solution of the property issue for the migrants; and to acknowledge the minority status of the Turkish population in Bulgarian. As a result of Bulgaria's refusal to satisfy those conditions, the Turkish government announced that it "terminate[d] the cultural and sports relations with Bulgaria."²¹⁸

As of 1964 the relations between the two countries were good enough as to favour the start of negotiations for migration of Bulgarian Muslims. The positive outcome of these negotiations would have been opportune to the Bulgaria authorities for they feared that the Turkish population (and Muslims on the whole) would increase immensely within a short time due to its high natural growth, and would "swallow" the ethnic Bulgarian populace. It was stated that "the religious fanaticism and nationalistic feelings of the Turkish population in [Bulgaria] have always aided broad anti-Bulgarian propaganda, facilitated ethnic conflicts and attempted intrusion in our state affairs; so, with one *compact* Turkish population in our country, such attempts will deepen, and Turkey's aspirations will increase."²¹⁹ What Bulgaria desired at that particular moment was to get rid of the Turks wishing to migrate as soon as possible, and that is why it proposed that the migration process lasted "between 6 months and one year", starting in "the second half of 1965, or the beginning of 1966."²²⁰ To aid the positive outcome of the negotiation, Bulgaria further proposed that the potential immigrants would be allowed to take their movable property, except livestock, and would be able to sell their immovable property, and receive "an acceptable total amount" on a later date.²²¹ As to Turkey's demand for affording minority status to the Turkish population, the Bulgarian authorities declined to put that question on the agenda at all.

Bulgaria's dual approach towards its Muslims at the relevant period flowed in strikingly inconsistent and unstable policies in respect of their minority rights. In February 1964, a jubilee issue of *Yeni Hayat* magazine - an organ of CC of BCP in Turkish, was published to mark the 10th anniversary of the magazine. In that issue, a salutation speech of Todor Zhivkov was published, in which he announced the following in response to statements made in the Turkish press: "The Bulgarian Communist Party and the people's government ... confirm, once again, that no plans to expel the Turks from Bulgaria to Turkey exist, and never has a decision related to this been taken."²²² This declaration was duly reflected by two important Turkish newspapers, *Cumhuriyet (Independence)* and *Adalet (Justice)*, and brought to light anew, only several months later, when the Bulgarian government started migration negotiation with Turkey in order to get rid of the problematic Turkish minority, or at least of those of its representatives which were possessed by "religious fanaticism and [Turkish] nationalistic feelings."²²³

²¹⁷ See the first section of the report.

²¹⁸ Classified document from 15 October 1964, prepared for Politburo of CC of BCP (BCP Archives, holding 1, inventory 6, archive unit 5657).

²¹⁹ Ibid.

²²⁰ Ibid.

²²¹ Ibid.

²²² Information on the impact of the salutation speech of Todor Zhivkov to the editors of *Yeni Hayat* magazine in Turkey (BCP Archives, holding 1, inventory 40, archive unit 13).

²²³ Ibid.

The total number of Bulgarian Turks, who applied for emigration to Turkey as of 19 March 1964, was 383,358.²²⁴

The emigration negotiations between Bulgaria and Turkey in the mid 1960s resulted in signing an agreement in October 1967, followed by another one in October 1969, with which the migration of “certain categories” of Turks - Bulgarian nationals, was settled. According to the conditions of the 1969 Agreement,²²⁵ the immigration of only those of the Turkish minority members, which were spouses, mothers, fathers, grandparents, great-grandparents, minors, unmarried brothers and sisters, or children and grandchildren with their families to persons who had migrated in 1952 was permitted (Art. 1). Art. 2 set a 6-month deadline after the entry into force of the Agreement in question for submission of emigration applications. The Turkish authorities obliged themselves to issue entrance visas for those wishing to migrate within a 45-day period following the date of submitting the emigration application (Art. 2). The agreed period for departure was 8 months starting from April 1, and finishing on November 30, 1970 (Art. 3). The immigrants’ contingent was not to exceed 300 persons per week (Art. 3). Those departing were allowed to take “their personal and household belongings, except those prohibited for export by law” (Art. 6). They could take instruments necessary to exercise their profession, including agricultural machinery, without export taxes (Art. 7). The immigrants were allowed to liquidate (sell) their livestock and immovable property before departure “in accordance with the laws effective in Bulgaria” (Art. 11). In the period between 1969 and 1978, approximately 130,000 persons emigrated from Bulgaria to Turkey under the protection of the 1969 Agreement.²²⁶

The desire for migration among the Pomak population was also very intensive during this period. This fact necessitated consolidation and activation of the regime’s efforts in order not to allow immigration among this minority group. Protocol No. 461 framing the topics discussed on a session of the CC of BCP Secretariat on 24 December 1966,²²⁷ stated: “In relation to the emigration attitudes among the Bulgarian Mohammedans resulting from the ongoing Bulgarian-Turkish emigration negotiations, the following is necessary”:

- 1) “The CC of BCP “Propaganda and Promotion” Department should take urgent measures in order to explain to the Bulgarian Mohammedans that the issue allowing their migration to Turkey had never been on the agenda. ... [In addition,] concrete measures should be taken ... to denounce the [Turkish] propaganda concerning the origins of the Bulgarian Mohammedans.”²²⁸
- 2) “The Council of Ministers should issue instructions to the executive committees of the local peoples’ councils not to register Bulgarian Mohammedans in mixed regions as Turks.”
- 3) “The Council of Ministers’ Tourism Committee and corresponding organs, should take actions for limiting the access of Turkish tourists in areas

²²⁴ See id. Simsir (*The Turks of Bulgaria (1878-1985)*), p. 211.

²²⁵ *Official Gazette* No.82 of 21 October 1969.

²²⁶ See id. Kanev, p. 328.

²²⁷ BCP Archives, holding 1, inventory 8, archive unit 7462, p.1.

²²⁸ This is meant to be understood as follows (actually the Bulgarian authorities not once have emphasised that, which is evident from examples given in the present report): Bulgarian Mohammedans are of Bulgarian origin, i.e. Turkicised Bulgarians, and claims - their own or Turkey’s - that they are Turks, and wish to identify themselves as Turks, must not be neither accepted, nor tolerated.

inhabited by Bulgarian Mohammedans [in order to prevent any pro-Turkish propaganda among the latter].”²²⁹

What is interesting in this document is the handwritten text placed in the margins, which reads: “In no case attacks [against the Pomak population] should be allowed. This would only generate a sharp reaction,²³⁰ and would strengthen the movement [i.e. Muslims’ resistance]. Action should be cautious. In any event, they ([the Pomak Muslims]) will not be permitted to depart.”²³¹

To subdue the emigration moods among Muslims, the Bulgarian authorities undertook some positive steps to intercept them. Plans for improving the economic conditions in areas inhabited by Turks and Bulgarian-speaking Muslims were approved. On a session on Politburo of CC of BCP from 11 November 1969, a plan-project was adopted, envisaging an overall improvement of the social, economic and cultural life in Smolyan Region, a territory with predominantly Pomak population.²³² Generally, the construction of chemical and electronic plants, as well as the education of corresponding high-qualified cadres, which would work in these plants in and from the area, were planned within the next 5 years.²³³

As for the regions settled with Turks, with a new Politburo decision from 16 June 1970, the authorities approved another project for the cultural, economic and social advancement of the Turkish minority from the regions of Kardjali, Silistra, Razgrad, Shoumen, and Targovishte.²³⁴ The project envisaged the building of both industry and education entities. One of the goals was to open new 38,750 work places for the Bulgarian Turks through the construction of mills, factories and other industrial structures. The planed allocation was as follows: Kardjali region - 8,500 places; Silistra region - 7,800; Razgrad region - 7,500; Shoumen region - 9,350; Targovishte region - 5,600 places.²³⁵ Another goal was related to raising the education level of the Bulgarian Turks, which required building of new suitable schools and related institutions. The hidden motive was deepening the emotional ties between the Turks and the country they were born in, which would lessen their attachment to Turkey. Thus, the construction of 52 new education-related buildings in Bourgas region only was projected between 1971-1975, with a total budget of 900,000²³⁶ leva. For Varna region, that number was 64, with a budget of 2,550,000 leva; Kardjali region - 692 buildings, and 11,805,000 leva budget; Razgrad region - 643 buildings, and 11,435,000 leva budget; Russe region - 105 buildings, and 1,474,000 leva budget; Silistra region - 143 buildings, and 3,860,000 leva budget; Sliven region - 46 buildings, and 1,200,000 leva budget; Stara Zagora region - 327 buildings, and 1,905,000 leva budget; Tolbuhin region - 176 buildings, and 3,124,000 leva budget; Targovishte region - 248 buildings, and 11,705,000 leva budget;

²²⁹ Ibid, p.8.

²³⁰ The feared “sharp reaction” was expected to come not so much from Turkey, but from the Pomak population resistance, which is actually being confirmed by the words that follow in the citation. Recall the case with Ribnovo village described in the same section.

²³¹ Ibid, p.8.

²³² BCP Archives, holding 1, inventory 35, archive unit 976, p.1.

²³³ Ibid, pp.13-14.

²³⁴ Protocol “A” No.394 (BCP Archives, holding 1, inventory 35, archive unit 1501, pp.173-189).

²³⁵ Ibid, p.175.

²³⁶ This sum is the sum total of schools and dormitories to be built, which is given separately in the table attached to the document here referred to.

Haskovo region - 239 buildings, and 5,710,000 leva budget; and Shoumen region - 225 buildings, and 2,140,000 leva budget.²³⁷

In addition, the project in question envisaged the opening of community centres (or the so-called “chitalishta”) in the regions inhabited by Turks, accommodating libraries, cinemas, radio stations, and other facilities. Further, communication, electrification, and water supply installations were to be built and put to in the course of five years (1971-1975). True to the adopted plans, the authorities enfolded a process of improvement and modernisation of the material conditions of living in the regions populated by Muslims in the following years, but the tendencies towards attempted forced assimilation of Muslim minorities were never stopped. With Decision No. 507 of Politburo of CC of BCP from 15 December 1976, “the Bulgarian nationals of Turkish origin, who had travelled to Turkey and did not return”, were deprived of Bulgarian citizenship.²³⁸

2.2.3. New forced assimilation of Pomak Muslims

The most comprehensive forced assimilation campaign ever launched against the Pomak population from the Rhodopes at the time of Communism occurred in 1972-1974.²³⁹ In fact, this assimilation campaign turned out to be the first and the only one as after its official conclusion not a single Pomak Muslim with non-Bulgarian name was left in the country. It was two years earlier when the authorities talked of issuing instructions to media to “avoid mentioning the religious belonging of the Turkified Bulgarian population [(the Bulgarian-speaking Muslims)] when treating problems related to them.”²⁴⁰ Instead they were simply to be referred to as “the population from the Rhodopes”, “the youth from the Rhodopes”, or others, depending on the case.²⁴¹ Thus, the only external sign - for the authorities - that differentiated the Pomak population from the ethnic Bulgarians - the Islamic religion, would be removed, and their assimilation - successfully completed.

The brutal extent, to which the assimilation of the Pomak population from the Rhodopes was carried out, was well reflected in an expose of the first secretary of the Party’s regional committee, Velichko Karadjov, which summarised the Party’s assimilation “achievements.”²⁴² First and foremost, the Pomak Muslims were deprived of their Muslim names, and completely forbidden to use them even in the privacy of their homes. The assimilation, as planned, started with “separate individuals, through the hundreds, to the thousands, without leaving a single person with a non-Bulgarian name, non-Bulgarian passport, and non-Bulgarian nationality indication.”²⁴³ “That person” -

²³⁷ Ibid, p.181.

²³⁸ No archive indication on the one-page document.

²³⁹ This was the last significant forced-assimilation campaign against the Bulgarian-speaking Muslims, the majority of which had received new passports with Bulgarian names by the end of 1974. After that, only small number of representatives of that minority group were left with Turkish-Arabic names, solely due to the fact that they had previously resettled among Turks, and were registered as Turks. However, by 1978 those last ‘remnants’ of Pomak-Muslim identity were also assimilated.

²⁴⁰ A letter of the Person in Chief of the “Propaganda and Promotion” Department of the CC of BCP, K. Kanchev, from 2 March 1970 (BCP Archives, holding 1, inventory 40, archive unit 290, p.1).

²⁴¹ Ibid.

²⁴² Decisions from the meeting of the Secretariat of CC of BCP in July 1970 (BCP Archive, holding 16, inventory 38, archive unit 23).

²⁴³ Ibid, p.31.

Karadjov exclaims in a pompously threatening tone, “who affords himself to use an old name [(a Muslim name) for himself and while addressing others], is provoking the Party, ... and must be held responsible for it²⁴⁴. ... How can we bear seeing that the Party’s decisions are being breached, and the Party’s principles are being trodden down!²⁴⁵ ... This phenomenon must not be tolerated. It must be controlled, and measures must be taken to uproot it completely.”²⁴⁶

Only within the first half of 1972, new identity papers, “recovering” the Bulgarian name and nationality of the Pomak Muslims, were issued to 56.82% of the people in Devin; to 62.16% in Zlatograd; 85.66% in Laki; 52.91% in Madan; 41.51% in Roudozem; 78.01% in Smolyan; 93.06% in Chepelare; 67.59% in Arda; 67.59% in Baroutin; 73.55% in Breze; 42.56% in Boukovo; 34.93% in Barbina; 68.64% in Davidkovo; 35.95% in Dospat; 38.26% in Elhovets; 40.14% in Zagrajden; 55.38% in Zmeitsa; 90.18% in Zabardo; 66.04% in Ladja; 75.15% in Lyaskovo; 56.62% in Mihalkovo; 60.31% in Mougla; 43.21% in Mogilitsa; 55.16% in Nedelino; 66.89% in Petkovo; 57.22% in Slaveyno; 27.50% in Sredets; 89.59% in Smilyan; 53.85% in Startsevo; 53.51% in Selcha; 75.53% in Trigrad; 34.54% in Taran; 39.72% in Chepintsi; and 59% in Yagodina.²⁴⁷

The assimilation of the Bulgarian-speaking Muslims was profound and thorough. It included not only change of names, but also removal of any piece of garment considered Muslim, because it was “non-Bulgarian and anti-Bulgarian” at the same time.²⁴⁸ The Muslim tradition of circumcising male children was entered in the list of restrictions and branded “anti-Bulgarian” as well. “By the circumcision,” the document said, “an anti-Bulgarian mark is forever left with the person, which will always remind him that he is not a Bulgarian [(clearly “a Bulgarian” here is used as an equivalent to “a Christian”)], and he is different from the other Bulgarians.” As a result of the above consideration put into action, the percentage of circumcised male children born in 1974 dropped from 100% to only 15% (or only 1,165 circumcised children out of 7,826).²⁴⁹ This dramatic drop, however, was in no case due to a “sudden realisation” by the Pomak population of their Bulgarian origins, and eagerness to embrace all that is “native, Bulgarian” as soon as possible - the naïve thesis promoted by the authorities. It was oppressive manipulation and violence that did the job. Muslims were humiliated; courted; threatened and promised privileges; fired from work, or promoted; thrown out of school, or offered admission to such; jailed and beaten in order to give up their identity and accept a new one. Many sources speak of death cases of Pomak Muslims, whose exact numbers would always be a matter of speculations that is why no corresponding figures are given in the report.²⁵⁰

²⁴⁴ Ibid, p.32.

²⁴⁵ Ibid, p.32.

²⁴⁶ Ibid, p.33.

²⁴⁷ Statistics as of 15 August 1972 exposed by the Communist authorities (BCP Archives, holding 1B, inventory 38, archive unit 16).

²⁴⁸ Ibid, p.35.

²⁴⁹ Ibid, p.40.

²⁵⁰ It should be also noted that single cases of ‘voluntary’ assimilation did exist among both Pomak and Turkish population later. Some Muslims, attracted by opportunities for earning privileges or promotion, applied for change of their names. However, what is even more interesting is that in the archives of the Bulgarian Communist Party, all name-change requests, however few, are dully documented, registered and preserved. On the other hand, the reality of resistance and protests, were either nor kept, or reflected in

The next targets of the Communist authorities' assimilation campaign were Muslim rites such as marriages, burials, or giving a name to a newborn. There was an absolute prohibition to practice those rites in accordance to the prescriptions of Islam - a right that was guaranteed under the 1951 Regulations for the Administration of Muslim Religious Affairs in the People's Republic of Bulgaria.²⁵¹ In addition, the authorities closely followed Turkish nationals who visited relatives in Bulgaria to fear of anti-Bulgarian/pro-Turkish propaganda.

Thus, by the end of 1974, the Muslim Pomak population had changed identity, at least outwardly. However, at home they continued to use their Muslim names, and bear Muslim conscience, although the totality of their legal rights - the right to identity, and the freedom of thought, conscience and religion among which - were completely taken away. What is more, they lived in a state of permanent surveillance, which made them distressed, suspicious and cautious in words and behaviour. Acts like sending check-up leaflets to local authorities, managing predominantly Muslim areas, which demanded answers to questions of the kind: "Is the population in the villages: (Dve Topoli, Malko Krushevo and Krushev Dol), Turkish or Bulgarian?", or "Are there villages in your region, whose population is of Turkish origin?" was established practice.²⁵² Depending on the answers, corresponding assimilation actions ensued.

Once done with the assimilation of the Pomak population, the regime started to prepare the soil for processing of the hardest element in the forced assimilation affair - the Turkish minority. The first step was to deny the right of the Turks in Bulgaria to use their mother tongue. It was stated that "the contamination of the Bulgarian language by Turkish words must not be allowed to go on."²⁵³ Furthermore, for the first time it was made clear that the Turks in Bulgaria were no longer ethnic Turks, but Turkicised Bulgarians. Karadjov noted (see above): "The Turkish language continues to be used by *Bulgarians* in some part of the country, and in other parts it is spoken massively."²⁵⁴ The position was that "such a perversion of the *mother* Bulgarian tongue [of the Turks] must not be permitted."²⁵⁵ The banishment on the use of Turkish language concerned not only speaking it, but also inserting Turkish words while speaking in Bulgarian. What is more, those who neither spoke the language, nor used Turkish words, but simply listened to it (including Turkish music) without "reacting"²⁵⁶, were to be duly reprehended for inaction.

2.2.4. *Preparing the soil for the assimilation of the Turks and the Roma Muslims*

The preparation process for the forced assimilation of the Turkish minority began long before the 1970s through imposing various restraints, gradually limiting its freedoms. For

classified documents, intended to be kept far from the public eye (See BCP Archives holding 39, inventory 10, archive unit 17).

²⁵¹ Ibid, p.51.

²⁵² An asking to the Secretary of the Regional People's Council, Smolyan, from 13 September 1979 (BCP Archives, holding 1B, inventory 38, archive unit 15).

²⁵³ Ibid, p.44.

²⁵⁴ Ibid, p.45.

²⁵⁵ Ibid, p.45.

²⁵⁶ Such a person perhaps was expected to at least "react" by open criticism, corresponding actions, or communication of these to the authorities.

example, in December 1969, the authorities decided to stop the issuance of the supplement in Turkish language to *Trudovo Delo* newspaper. The explanation for this action was that the issuance of supplement in Turkish not only “d[id] not contribute to the integration of Turkish and Bulgarian youths serving together in the military labour forces, [but moreover,] kindle[d] nationalistic feelings [in soldiers of Turkish minority background].”²⁵⁷

On October 11, 1974, the Communist authorities came out with an ordinance imposing the study of Bulgarian language by “Bulgarian nationals of Turkish background.”²⁵⁸ This ordinance marked a new tendency in the state minority-oriented policy, namely, towards limiting the use of the term “minority” and all freedoms implied by it. Instead it was merely talked of “Bulgarian nationals of non-Bulgarian origin.”²⁵⁹ With the respective ordinance, the central authorities ordered to all its regional executive committees, to organise three-year Bulgarian language courses for persons of Turkish origin, who did not speak the language. Women between 16 and 45, and men between 16 and 50 years of age had to be enrolled in these courses on “a voluntary basis without being disturbed at their work.” The duration of the Bulgarian language courses for young males of Turkish background, doing their military service at the labour forces, was two years. The work on the organisation of the Bulgarian-language-study campaign was stimulated by generous wages. The ordinance in question envisaged 50 leva remuneration for everyone engaged in any way in the organisation of the courses, and 2 leva hourly honorarium for the persons employed to teach. Thus, through the act of mass-organisation of Bulgarian language courses for ethnic Turks, the authorities wished to guarantee the success of the next planned forced assimilation, despite the fact that the courses were declared voluntary.

In addition to the introduction of Bulgarian language courses, “schools” for training of Otechestven Front activists of Turkish and Roma origin, were functioning. With a Council of Ministers’ Decree No. 95 from 26 July 1975, it was ordered that “new [additional] schools” for training of Otechestven Front’ women-activists of Turkish background be opened in Plovdiv, Bourgass, Rousse, and Tolbuhin (Dobritch), with a capacity of 100 places each (Art. 1). Similar institutions were to be opened in Pleven and Sliven for Romani women, with a capacity of 60 places each (Art. 1). The potential of the already existing such “schools” in Shoumen, Razgrad and Kardjali were to be enhanced with 40 to 100 new places (Art. 1). The new “schools” were planned to start working by the beginning of 1976, and the duration of one course of training had to be 105 days (Art. 2).

A fourth type of assimilation measures was undertaken by the regime during the 1970s against the entire Muslim community in Bulgaria, and particularly against the Turkish minority. The Council of Ministers came out with the subsequent decision ordering “conclusion of the process of old identity papers change.”²⁶⁰ Thereby, the authorities

²⁵⁷ A letter of the Person in Chief of the “Propaganda and Promotion” Department of the CC of BCP, K. Kanchev, from 29 December 1969 (BCP Archives, holding 1, inventory 40, archive unit 335).

²⁵⁸ Ordinance No.216 of 11 October 1974 of the Council of Ministers.

²⁵⁹ That change of policy was best reflected in the 1971 Zhivkov Constitution (See the second paragraph of the section on the Communist period, section II).

²⁶⁰ Ordinance No.337 of 27 August 1975 of the Council of Ministers.

invalidated identity papers, because of “wrong nationality” indicated therein.²⁶¹ Point 2 of Ordinance No. 337 (see the footnote) in question established that “in the [new] identity papers of the nationals of People’s Republic of Bulgaria data on nationality will *not* be included.” With this act, any formal recognition of an ethnic group as a minority in Bulgaria ceased to exist.

In the late 1960s and early 1970s, the Turkish minority press was also subjected to manipulations and restraints of assimilative character. Yet, as with everything else, the initial years of Communism were a period a revival and thriving of the minority press, although every single issue or edition was written on the specific Communist style, drained with indoctrinating ideology. It was in February 1945 that the first newspaper in the Turkish language *Vatan* (Fatherland) started to be published in Sofia. Three months later it was followed by another newspaper, *Isik* (Light). Both publications were organs of the Turkish Minority Commission of Otechesven Front, i.e. managed by the regime. The newspaper *Septemvriiche* was the press organ of the Children’s Organisation in Bulgaria issued in Turkish. With *Halk Gencligi* and *Yeni Isik*, which appeared in 1947, the total number of Bulgarian newspapers published in Turkish increased to five. *Halk Gencligi* and *Yeni Isik* were organs of the Central Committee of the Bulgarian Comsomol Organisation (DKMC)²⁶² and the Central Committee of the Bulgarian Communist Party respectively. In addition, two magazines - in Turkish, *Yeni Hayat* (New Life), published in Turkish, and a monthly *Rodopi* (Rhodopes) magazine for Bulgarian-speaking Muslims - were added to the list of Muslim minority press in Bulgaria in 1953 and the beginning of 1966 respectively.²⁶³

However, with five newspapers and one magazine, the list of publications in Turkish was exhausted for the entire 45 years of Communist government. Those were published without hindrance for about two decades, after which the authorities became tired of being liberal. Since July 1, 1970, it was ordered that *Yeni Isik* (*New Light*) magazine, which by that moment was published entirely in Turkish, be issued in both Bulgarian and Turkish.²⁶⁴ In Notes of the Person in Chief of “Propaganda and Promotion” Department, Stoyan Mihaylov, sent to the Secretariat of CC of BCP, he commented “the unhealthy atmosphere” in the editors’ office of the magazine, and recommended “a cure” for that problem.²⁶⁵ Mihaylov blamed the magazine’s editors, which were of Turkish origin, that they “d[id] not fight against the ideological diversity ... and the reactionary ... Turkish propaganda” which was spreading among the Turkish minority, and “d[id] not work seriously with the young Turkish intelligentsia to instil an anti-Turkey conscience in them.” In addition, Mihaylov made “characteristics” of the three chief editors describing them as people “prone to crimes”, “politically unstable”, “hidden [Turkish] nationalists”, “rude”, “careerists”, “plagiarists”, etc.²⁶⁶ He recommended that the editors in question be

²⁶¹ Recall the fact that Bulgarian-speaking Muslims, Roma, and Tatars, which had registered themselves as Turks in the 1956 census, had to have their nationality ‘corrected’.

²⁶² A youth organization.

²⁶³ See id. Simsir, (*The Turkish Minority Press in Bulgaria (1865-1985)*), p.37 and BCP Archives, holding 1, inventory 6, archive unit 7047.

²⁶⁴ Protocol No.42 from the meeting of the Secretariat of CC of BCP from 14 January 1975 (BCP Archives, holding 1, inventory 36, archive unit 4232, p. 92).

²⁶⁵ Document 19B of 18 May 1974 (BCP Archives, holding 1, inventory 36, archive unit 4232, p. 106).

²⁶⁶ Ibid, p.108.

immediately fired from work, and new administration be promoted, such that would “work towards raising the Party prestige.”

One by one, the publications in Turkish started to be either thoroughly restructured to the extent of loosing their capacity of being genuine minority press organs, or were completely closed down. Thus, by 1980 there was left only one magazine - *Yeni Hayat*, and one newspaper - *Yeni Isik*, published in Turkish. *Yeni Hayat* was closed shortly after, in 1981, and *Yeni Isik* survived four more years. The last issue of the newspaper appeared on 29 January 1985.

In the late 1970s and early 1980s, when the assimilation of Bulgarian-speaking Muslims and Roma Muslims was completed, the Turkish minority was seized by fear that they would be the next target of assimilation. That fear arose disturbance among them and new wave of emigration was about to break up. Sensing the emergency of the situation, the authorities convened a meeting to discuss the issue and eventually come out with a plan for action. The main dilemma for the authorities was whether to launch an open and final assimilation campaign against that minority, or to expel them out of the country. Both proposals were rejected as politically unwise at that moment as the regime was aware of the dangers of sharp international reaction, which would have ensued, including condemnation by fellow-comrades from the other Communist countries, and particularly the Soviet Union.²⁶⁷ On the other hand, a mass expulsion of Turks would create enormous economic problems, since this minority constituted more than 10% of the entire population of the country. Such being the case, the authorities tightened the control over the Turkish population, but abstained from drastic measures for the time being. However, through the plan of action they had prepared, everything - except the replacement of the Turkish-Arabic names of the Turkish Muslims with Bulgarian - was already done by the beginning of 1980s.

On the surface, the regime’s plan-program in question looked rather liberal and progressive in its general wording dress. However, this general language was deliberate as it could afford deviations having nothing to do with liberal progress. Together with the planned positive steps related to a range of improvement in the field of economic, social, cultural,²⁶⁸ and demographic life of the Turks - aimed at assuaging the Turkish minority fear of assimilation - the authorities imposed harsh restraints on their civil, political and cultural rights. For example, the indication “nationality”, still preserved in the passports of the Bulgarian Turks, had to be removed; the use of definitions like “Turkish population” and “Bulgarian nationals of Turkish origin”, were to be reduced to minimum; records for persons “fanaticised on basis of religion and [Turkish] nationalism” had to be duly kept and accounted for²⁶⁹; the number of Turkish nationals visiting Bulgaria, had to be limited; the Turkish visitors’ access to regions compactly populated by Turks, had to be strictly controlled; both the number of Turkish visitors - former Bulgarian nationals, and the duration of their sojourn with relatives in Bulgaria, had to be diminished; any

²⁶⁷ Report of the “Propaganda and Promotion” Department of CC of BCP to Politburo of CC of BCP from 4 October 1980, pp. 19-23.

²⁶⁸ The improvements of cultural character were limited to the sphere Communist indoctrination. The Turkish culture as such, was excluded as something that maintained and kindled the Turkish minority affinity to Turkey as a sole successor of the Ottoman Empire.

²⁶⁹ Ibid, p.32.

opportunity for import of propaganda materials²⁷⁰ from Turkey, had to be eliminated; and a permanent and systematic anti-Turkish propaganda had to be conducted among the Turks in Bulgaria.

In 1981, the regime adopted a plan for “passportisation” of the Roma Muslims. It was decided that within a 5-year period (1981-1985) all Roma bearing Turkish-Arabic names, would receive new identity papers, whereby they had to be registered with Bulgarian names in order to “develop Bulgarian national conscience”, and their “full and irreversible integration²⁷¹ into the Bulgarian nation”, be brought to an end.²⁷² Approximately 250,000 Muslim Roma were furnished with new passports long before the lapse of five years.²⁷³ The central authorities ordered to all regional Party committees - entrusted with the assimilation of Roma - to “act immediately and with no deviations or failings in their work” for the “international situation” was “unfavourable” for similar undertakings, so any excessive act or failure would attract attention and criticism.²⁷⁴

In the early 1980s Bulgaria was already a state-party to a number of international instruments, having provisions on protection of ethnic, linguistic, and religious minorities, as well as anti-discrimination provisions and provisions on protection of minority identity.²⁷⁵ Such instruments were the UN International Covenant on Civil and Political Rights (ICCPR); the Convention against Discrimination in Education (UNESCO); and the Convention on the Prevention and Punishment of the Crime of Genocide (CPPCG).²⁷⁶ In addition, Bulgaria was a member-state to the OSCE²⁷⁷ Conference documents, which, although not having the legal force of international human rights treaties, in fact imposed political obligations on the state-parties to guarantee and respect minority rights and freedoms.²⁷⁸ Yet, Bulgaria had already subjected to forced assimilation the Pomak religious minority, and was preparing to undertake the same in respect of the Roma and the Turkish minorities.

2.3. The situation of the Bulgarian Muslims during the last years of the Communist regime (1984-1989)

On 11 February 1982 the regime came up with another plan-document entitled “The spiritual values as a factor for further strengthening of [Bulgaria’s] ethnic unity”, which was “part of a whole complex program”, aimed at achieving both a social and ethnic

²⁷⁰ Such “propaganda materials” could also include religious books, any writing risking - even remotely - to be interpreted as anti-Bulgarian or anti-socialist, and even literary books from Turkish authors, capable of generating a kind of “national pride” within the Turkish minority representatives in Bulgaria.

²⁷¹ “Integration” on the language of the then Communist authorities, was a synonym of “assimilation.”

²⁷² Protocol from the meeting of the First Secretaries of the BCP Regional Committees, held on 7 July 1981, p. 19 (No archive registration of this document indicated.).

²⁷³ Report of Georgi Atanasov, reflecting the meeting of the first secretaries of the regional committees of the Bulgarian Communist Party on 18 of January 1985 (p. 1) (No archive indication of this document)

²⁷⁴ Ibid, Protocol from the meeting of the First Secretaries of the BCP Regional Committees, held on 7 July 1981, p. 33 (No archive indication of this document).

²⁷⁵ See id. Kanev, p. 327.

²⁷⁶ Ibid.

²⁷⁷ The Organisation for Security and Co-operation in Europe.

²⁷⁸ Ibid, p. 328.

homogeneity within the Bulgarian society and nation.²⁷⁹ The founding idea of that document was: Bulgaria, a unitary nation, where no minorities, but merely ethnic groups, existed. Furthermore, these ethnic groups' self-consciousness, culture and life style were to conform in such a way as to make possible the establishment of "the unitary socialist nation."²⁸⁰ In short, a full and comprehensive assimilation of all ethnic, religious, linguistic and national minorities had to be achieved. For these purposes, it was imperative for the regime to introduce the use of Bulgarian language in all public places, and in all forms of communication, including the communication among family members. Consequently, the use of Turkish, or other minority language(s), was criminalised and made a punishable act.²⁸¹ Thus, the start of the long-postponed forced assimilation of the Turkish minority was set up for an undefined moment in the nearest future.

2.3.1. The "revival process" in its apogee

By June 1984, Politburo of CC of BCP adopted and ordered the immediate implementation of another decision, which further limited the religious, cultural, and political rights of the Turkish minority. Under the motto of creating "a unitary nation", where all - without differentiation on the grounds of ethnicity - would enjoy equal rights and privileges, the regime began its operations for destroying the Turkish minority ethnic identity. By an addendum to the decision in question, the central authorities set up a whole system for stimulating mixed marriages through financial and social backing up of such families (point 1).²⁸² Mixed families were to be privileged in the supply of housing, building plots and materials, and interest-free loans. In addition, they were afforded a one-time aid of 5,000 Bulgarian leva (then about 5,000 \$) - quite a substantial sum at the time. However, families, including children, where one of the partners was a minority representative, were registered with Bulgarian names.

Point 3 of the addendum in consideration decreed that Turkish minority teachers had to go through special training in anti-diversion, anti-Turkey, and anti-Islamic propaganda, following which they would be sent to teach in schools with predominantly ethnic Bulgarian students. On the other hand, ethnic Bulgarian teachers had to work in schools in which Turkish minority children prevailed, and there they were expected to inculcate similar anti-Turkish and anti-Islamic ideas into the minds of the Turkish minority students.²⁸³

The same addendum obliged the Muslim clergy to collaborate with the authorities in their acts of assimilating the Turkish minority (point 4).²⁸⁴ For these purposes, the entire priesthood was to undergo an indoctrinating training process, which had to guarantee the clergy's loyalty to the Party, and devotion to its ideals. Only candidates, who had proven "loyal to, patriotic, and fond of Bulgaria; kn[ew] well Bulgarian, and ha[d] done their

²⁷⁹ A report of Georgi Djagarov, deputy-chairman of the State Council and a Chairman of the Council of Development and Spiritual Values of Society, addressed to Todor Zhivkov (p. 3) (No archive indication of this document).

²⁸⁰ Introduction, p.1.

²⁸¹ p. 10 of the same document.

²⁸² Addendum to Decision No. 1019a of Politburo of CC of BCP from 19 June 1984 (pp. 32-3) (No archive indication of this document).

²⁸³ Ibid, pp. 34-5.

²⁸⁴ Ibid, pp. 35-7.

military service in the Bulgarian People's Army", were to be appointed for Muslim clerics. Those of the Muslim priests who "acted against the law", or "were engaged in religious activities outside the prayer houses", were to be dismissed and duly punished. Both the construction of new mosques, and the use of mosques for religious purposes by "Bulgarian Gypsies with Turkish self-conscience"--in villages "where Bulgarian Turks had emigrated from"--were prohibited in strict terms. All Islamic symbols on mosques, which "remind[ed] of Turkey", had to be "put off and replaced by symbols of the People's Republic of Bulgaria." Through the order that "only [ethnic] Bulgarians were to be appointed for secretary-cashiers to each mufti's office", the regime successfully implanted its informers within basic Muslim religious units. The relations of Muslim religious units from Bulgaria with international Islamic institution were also put under state control by becoming a subject to supervision, and thus, limited to minimum. Finally, there was a strict prohibition on any attempt to form an association, and whatever entity, on an *ethnic* basis, upon a warning of "severe administrative and judicial measures against the organisers of such."

In addition to the religious rights restrictions, there were restrictions on the use of mother tongue as well. The central Party authorities charged all state entities and their staff with supervising and guaranteeing the sole use of Bulgarian language by all Bulgarian nationals, at all levels of public and private life (point 6).²⁸⁵ Turkish minority theatres, folklore formations and other cultural entities from Razgrad, Shoumen and Kardjali, which performed on Turkish language, were directly closed down (point 10). The issuance of pages in Turkish of *Yeni Isik* newspaper was discontinued.²⁸⁶ The penalties imposed to the use of Turkish varied from 5-leva fines (the lowest one) to imprisonment in Belene - a prison on the Danube island of Belene, which became notorious with its inhumanity of prisoners' treatment in the 1950s. The Turkish minority teacher, Halil Gyulistan, was sent to Stara Zagora prison for 5 years for persistent use of Turkish.²⁸⁷ When the police was taking him, it was done publicly, before all his co-villagers from Koshukavak, with the words: "It will be like this." Another teacher, Adem Hyuseinoglou, who ignored the ban on speaking Turkish, was sentenced to two-year exile.²⁸⁸ When he returned to his village after having served his sentence, he was completely forbidden to leave the village, and had to sign up three times a day in the village council.

The Ministries of Internal Affairs and Communications was responsible for jamming of all radio and TV broadcasting coming from Turkey, or other external sources, which reflected the human rights situation in Bulgaria (point 9).²⁸⁹ It was ordered that all paper forms or blanks used by state entities, in which a column on nationality was included, had to be invalidated, and withdrawn from use (point 11).²⁹⁰ Furthermore, all geographical and historical sites bearing Turkish-language names were instantly renamed (point 12).²⁹¹

²⁸⁵ Ibid, p. 39.

²⁸⁶ Ibid, p. 41.

²⁸⁷ A classified bulletin of the Bulgarian Telegraph Agency, appendix C-2 from 11 July 1989 (afternoon), p.3.

²⁸⁸ Ibid, the same page.

²⁸⁹ Ibid, Addendum to Decision No. 1019a of Politburo of CC of BCP from 19 June 1984 (p.41) (No archive indication of this document).

²⁹⁰ Ibid, p. 41.

²⁹¹ Ibid, p. 42.

By the beginning of 1985 the majority of the Turkish minority members had been renamed. To justify their actions, the authorities launched allegations that the Bulgarian Turks - in spite of their distinct language and traditions - were descendants of Islamised Bulgarians as well.²⁹² It is a rather surprising turn of things, because only several years earlier the authorities deemed it a dangerous and preposterous venture to even start promoting similar ideas, let alone to undertake forced assimilation actions against the Turkish minority. The first Party secretary and secretary general of the People's Republic of Bulgaria, Todor Zhivkov himself, said right before the start of the "regeneration process": "There is no doubt that it will be a gross political mistake now to start proving to the Bulgarian Turks that they are actually Bulgarians, Turkicised during the 500-year yoke. ... [This] would only create problems, and wake up nationalism and religious fanaticism among some strata of the Bulgarian Turks."²⁹³ Yet, the regime not only had the guts to launch a violent assimilation, but in the heat of the "regeneration process" (the end of 1984 – the beginning of 1985), it suddenly discovered "a documentary proof" that "the so-called Bulgarian Turks [we]re Islamised Bulgarians in actuality, which in different periods, and to different extent, had been Turkicised, ... mainly under the influence of religious activists, and mixed marriages."²⁹⁴ Thus, as a result of "their realisation" that "they [we]re of Bulgarian origin", the Turkish minority members "reconsider[ed] their past", and "revive[d] their Bulgarian names."²⁹⁵

Of course, such an explanation sounded ridiculously superficial and unconvincing even to those who promoted it, but a justification - however cursory - had to be offered for the brutal and unprecedented forced assimilation of a clearly national minority with its distinct religious, linguistic, and cultural particularities, in full breach of all relevant international legal norms binding Bulgaria. In an attempt to defend itself before the international community, the Bulgarian government used curious arguments. For example, at the 38th Session of the Sub-commission on the Prevention of Discrimination and Protection of Minorities in Geneva on 26 August 1985, the Deputy Permanent Representative of Bulgaria to the UN - Valentin Bozhilov, cited Midhat Pasha - the Grand Vizier of the Ottoman Empire, who wrote in a French journal in 1878: "Firstly, it must be borne in mind that among the Bulgarians who arouse so much interest there are more than one million Muslims. These Muslims did not come from Asia to establish themselves in Bulgaria, as it is widely believed. They are themselves descendants of those Bulgarians converted to Islam at the time of the conquest and during the following years. They are children of one common country, from one common race, and share a common origin."²⁹⁶

In response to Turkey's accusations that the use of Turkish language was prohibited in Bulgaria, the Bulgarian authorities came up with even more peculiar argumentation:

No one has ever prohibited the use of foreign language in Bulgaria.

The question with the print media and radio broadcasts in Turkish is

²⁹² Report of Georgi Atanasov, reflecting the meeting of the first secretaries of the regional committees of the Bulgarian Communist Party on 18 of January 1985, p. 2. (No archive indication of this document).

²⁹³ Ibid, Addendum to Decision No. 1019a of Politburo of CC of BCP from 19 June 1984. From Speech of Todor Zhivkov attached to the Addendum, p. 48, point 9 from it.

²⁹⁴ Ibid, p. 2.

²⁹⁵ Ibid, Report of Georgi Atanasov, p. 3.

²⁹⁶ Untitled document dating from March 1987 (p.4) (No archive indication of this document). The citation is also used in the 1986 report of Amnesty International for Bulgaria.

another matter. Yes, we did have publications in Turkish, and schools, where Turkish language was taught in the past. But they were closed down, because, [first], with the migration of tens of thousands Bulgarian citizens [(of Turkish origin)], the interest towards the Turkish literary language weakened gradually. Schools and publication decreased [(i.e. vanished completely)] likewise. [Second], the bilingualism, which was spread in some Ottoman dominions at the time among the Bulgarian Muslims, developed towards affirmation of the Bulgarian [(not the Turkish)] language as a predominant language. Third, the language used by the Bulgarian Muslims [(i.e. the Bulgarian Turks)], was not Turkish, but “Romelian” /Chatak/. ... And Chataks are not Turks. ... I.e. to say “Chatak”, is to say “Balkaner”, who *pronounces* the Turkish *incorrectly*, because he is not Turk.”²⁹⁷

Having offered the above explanation, the Bulgarian historiographers, however, failed to clarify how the Turkish language “[had] weakened” to a vanishing point since there had always been between 800,000 – 900,000 Turks in Bulgaria to speak Turkish.²⁹⁸ Next, it was not elucidated what specific mechanisms or factors led to establishing the Bulgarian language as “dominant” among the Turkish population, whose mother tongue was Turkish. Third, even if one accepts that there was such a group as “Romelian” or “Chatak”, and that the contemporary Bulgarian Turks were their descendants, it is hard to believe that not a single genuine Ottoman Turk remained in Bulgaria after the 1878 Russian-Turkish War, and - abandoning home and property - all of them, without exception, migrated to Turkey. Apparently, unfounded argumentation such as the above was only undermining the Bulgarian authorities’ positions on the “revival process” at the time, and as strengthening the international community’s criticism and distrust towards Bulgaria.

More than 315,000 Turks were renamed as of 14 January 1985. Of them, 214,000 resided in Kardjali region; 41,000 in Haskovo region; 22,000 in Plovdiv region; 5,000 in Pazardjik region; 35,000 in Silistra region; 11,000 in Stara Zagora region; 9,000 in Bourgas region; and 3,000 in Blagoevgrad region. In all regions, except Bourgas and Silistra, the forced change of names was brought to an end as of January 1985. Only within months, primarily between December 1984 and January 1985²⁹⁹, *all* Turks in Bulgarian, who enumerated between 700,000 - 800,000³⁰⁰ and 1,000,000,³⁰¹ already bore Bulgarian names. The forced assimilation affair was presented as a “genuine people’s movement, spontaneous and all-embracing,” in which “all our co-citizens with Turkish-Arab names voluntarily accepted Bulgarian names,” because they “figured out the

²⁹⁷ Ibid, 8.

²⁹⁸ According to official statistics the Turkish minority has ever constituted between 9,5 % – 10 % of the total population of Bulgaria, and due to the high natural growth this figure remained stable regardless of the number of migrants during the several migration waves to Turkey.

²⁹⁹ A report from the Third Session of CC of BCP conducted on 13 February 1985 (No archive indication of this document).

³⁰⁰ The officially recorded number of Turks in Bulgaria never exceeded 800,000 – 850,000. According to the 1975 census they were only 731,856 persons (Information 48b of the 4 October 1980 BCP Archives on “the number of the Turks in Bulgaria according to census data in the People’s Republic of Bulgaria”, p. 72).

³⁰¹ Unofficial number taken from a report of Todor Zhivkov from a meeting of Politburo of CC of BCP on 8 May 1984, (p. 4) (No archive indication of this document).

historical truth of their Bulgarian roots”, and because of their “great trust in the Bulgarian Communist Party.”³⁰²

However, Turkey’s and western media straightforwardly called the “revival process” a “genocide”, “state crime”, “forced assimilation”, “destruction of ethnic and religious identity”, etc. Here is how the Turkish newspaper, *Türk Culturu*, summarised the dimensions of the “regeneration process” affair in Bulgaria³⁰³:

A real genocide is being committed in neighbouring Bulgaria. The Turkish-Muslim minority in Bulgaria is being destroyed. ... Each Turkish village and town was surrounded by the Bulgarian armed forces. [T]he Muslim Turks have been forced at gunpoint to take Slavic-Bulgarian names. Turks’ names that go back three generations, have been changed Not only were the personal names of all Turks changed, but the names of their parents and grand-parents were erased from the birth registers; Slavic-Bulgarian names were written in place of these names, and the Turks were given new birth certificates with Slavic-Bulgarian names. The names of ... [those] Turks who had immigrated to Turkey, or had died several years ago, were also changed. ... ”³⁰⁴

Frequent clashes between the police and protesting Turks resulted in numerous deaths of Turkish Muslims. The exact number of the victims of the “revival process” could be only a matter of speculations as different sources present different figures on the issue, varying greatly among themselves. However, data on death cases in separate violent encounters do exist. For example, it is said that about 40 people had been killed in Mihaylovgrad, where tanks were used against the Turkish population during the name-change affair in December 1984.³⁰⁵ As a result of the use of tear-gas, dogs, and firearm for breaking up a demonstration, 6 persons were killed and 40 more wounded in the Turkish village of Gorski Izvor on 23 December 1984.³⁰⁶ In clashes in south-eastern Bulgaria, where “red barrettes” - specialised military unit - were thrown against the demonstrators, approximately 60 Turkish minority members found their death.³⁰⁷ The 48-year-old witness Abdula Hyuseinoglou recalls the day of 26 December 1984, when approximately 2,000 ethnic Turks from Benkovski went out for a peaceful demonstration, and were attacked by armoured militia. Ensued shooting without warning during which “9 persons were wounded and 2 killed”. One of the killed was the 18-month-old Hyuseinogou’s granddaughter while on her mother’s back.³⁰⁸ Many other Turks lost their lives in similar violent attacks by the armed militia in different parts of Bulgaria while trying to defend their right to self-identity.

³⁰² Ibid, the report from the Third Session of CC of BCP conducted on 13 February 1985, pp. 138-9.

³⁰³ See id. Simsir (*The Turks of Bulgaria (1878-1985)*). The newspaper is cited on page 265 of the book.

³⁰⁴ Note that passages from the quotation, which could be found partial, were omitted in order to avoid accusation of one-sidedness. What is used from the quote is a mere description of the real situation at the time.

³⁰⁵ Ibid, Stoyanov, Valery, p.164.

³⁰⁶ Ibid, the same page.

³⁰⁷ Ibid, p.165.

³⁰⁸ A classified bulletin of the Bulgarian Telegraph Agency, appendix C-2 from 12 July 1989 (afternoon), pp.15-6.

To Turkey's notes of protest against the forced assimilation of Turks, the Bulgarian authorities answered that there was no such phenomenon going on simply because there was no Turkish minority in Bulgaria at all. On top of that, the regime continued to deny the violence against the ethnic Turks, and assured the Turkish government that "any information on complaints related to the change of names of Bulgarian nationals, was in all probability based on false or incomplete knowledge."³⁰⁹ To divert and frustrate Turkey's protests, which were attracting the international attention, the regime made an artful manoeuvre by handling a sharp counter note to the Turkish consul in Bulgaria, whereby they reminded Turkey of the "the massacre of one million Armenians in 1915", and pointed out "the Kurdish problem."³¹⁰ To prepare to meet the growing international indignation from the brutal assimilation acts against the Turks, and at the same time to go on with the Bulgarianisation of Turks, the central authorities convened a "national conference" to give instructions for "intensifying the vigilance", and "strengthening the efforts of affirming the socialist legality [of the "revival process"]."³¹¹

As a result of the international concern and efforts to settle the human rights problems in Bulgaria, negotiations between Turkey and Bulgaria were initiated in 1986. On 16th and 17th January 1987, the second round from the negotiations between the foreign ministers of the two countries took place in Geneva. The Turkish government basically demanded "a recognition of the Turkish Muslim minority in Bulgaria", and signing up of a migration agreement for the free departure of Turks and Muslims wishing to emigrate.³¹² In addition, Turkey insisted on Bulgaria's fulfilment of its demands from the first round of the Geneva negotiations, namely: to allow the unification of children with their parents in Turkey; not to obstacle the free correspondence, telephone communications, and visits between and of relatives from the two countries; to provide for the free restoration of Turkish-Arab names for persons wishing to do so; to permit the use and learning of Turkish language; to guarantee the right to profess and practice religion; to stop jamming up of Turkey's radio broadcasts for Bulgaria; to secure free access of Turkey's and international monitoring organs to areas populated by Muslims; and finally, to amnesty "revival process" prisoners.³¹³ Regretfully, the Geneva bilateral negotiations gave no positive results as Bulgaria refused to satisfy any of the Turkish government's demands. Turkey's response was a termination of all economic and trade relations with Bulgaria, and annulment of the bilateral trade agreement from 1974.

Despite the international criticism and severed economic relations with Turkey, the Communist authorities stubbornly followed their way of intensifying the Turkish minority assimilation. A whole operating mechanism was established for these purposes. This mechanism constituted of a "Special Group" attached to Politburo, which was the mechanism's top structure, entrusted with the "overall management of the revival

³⁰⁹ Ibid, the report from the Third Session of CC of BCP conducted on 13 February 1985, p.144.

³¹⁰ Speech of Todor Zhivkov from a session of the Secretary of CC of BCP and the deputy-secretaries of the Council of Ministries held on 30 March 1985, p. 3 (No archive indication of this document).

³¹¹ Document with a title (hand-written in the margins of the first page of the document) "About intensifying the vigilance and strengthening the struggle for observance of the socialist legal order", dating from 16 May 1985 (No archive indication of this document).

³¹² Protocol No.130 from the meeting of Politburo of CC of BCP, which took place on 6, 10, and 17 February 1987 (p.6) (No archive indication of this document).

³¹³ Ibid, pp.6-7.

process;”³¹⁴ a second structure called “Working Group” - the basic operating unit, which sat in session once a week (or “on special emergency occasions), where it was “analysing the revival process conditions”, discussing the “omissions”, and offering “corrective measures.”³¹⁵ The “Working Group’s” findings’ and rectifying proposals were duly implemented. The third formation complementing the mechanism “on the intensification of the revival process” was a group attached to the Politburo’ “Ideological Politics” Department, whose task was to disseminate propaganda.³¹⁶

All assimilation initiatives furthering the “revival process” belonged to the block of three summarily known as “Group on the Revival Process.” For example, it could oblige all levels of local governments to act in such a way as to force Muslims to use their Bulgarian names both on their works place, and at home by all means available.³¹⁷ The Group in question issued comprehensive instructions mandating that: all occasions be used at work to address renamed Muslims on their Bulgarian names; everywhere in the Turkish-Muslim homes plates with the Bulgarian names of every member of the family be put; the process of issuing identity papers to Muslims with Bulgarian names be intensified and completed as soon as possible; children of Muslim families sent to kindergartens where they be addressed in the “new names”, and be talked to in Bulgarian language.³¹⁸ Further, the “Group on the Revival Process” undertook to create “public intolerance towards using Turkish language”, that is why, it issued and disseminated orders instructing “the use of Bulgarian language only” both at work and at home. The same orders urged “every Bulgarian citizen to readily oppose the use of Turkish language by people who speak Bulgarian.”³¹⁹ Due to the fervent assimilation efforts of the “Revival Group” the right of Muslims to practice religious rites or wear cloths “with Muslim elements”, was thoroughly taken away. Those of the Muslims, who ventured to circumcise their male newborns or to wear Muslim garments, were jailed, beaten, and humiliated by having their clothes torn into pieces.

On one of the sessions of the “Revival Group” in March 1988, Chudomir Alexandrov - a member of the Group, made a statement that best reveals the anomalous completeness of the Muslim community assimilation, which the authorities hoped to achieve in “15-20 more years.”³²⁰ Two times in his speech Alexandrov emphasized that the Muslim youth had to be brought up as “*janissars*”³²¹ of new, Bulgarian type” while enrolled in kindergartens, schools and universities, and army institutions.³²²

³¹⁴ A draft document entitled “Analysis of the revival process’ situation, and further tasks for its development”, consisting of 25 pages, and 6 more pages added as attachment. No specific date is indicated on the document, but it is approximately drafted at the end of 1988 or the beginning of 1989 (p.2) (No archive indication of this document).

³¹⁵ Ibid, p.2.

³¹⁶ Ibid, p.2.

³¹⁷ Report No. 67 on the Situation of the “revival process”, and Some Problems and Tasks for Its Strengthening, 4 March 1987 (131 / 1987) (No archive indication of this document).

³¹⁸ Ibid, p.47-9.

³¹⁹ Ibid, p.50.

³²⁰ Document from session of the group on the revival process from 25 March 1988, p.4 (No archive indication of this document).

³²¹ During the Ottoman Empire there was a practice to recruit Christian boys to the military Ottoman forces called *janissary*. Janissars constituted a part of the elite Ottoman army forces, and were so thoroughly brainwashed as to perceive themselves solely as Ottoman soldiers and officers, faithful to the Empire.

³²² Ibid, p.5 and p.12.

2.3.2. *The international reaction to the “revival process”*

The brutal assimilation campaign of the Bulgarian government was condemned by many international organisations among which the UN, the UN Human Rights Committee (HRC), the Vienna meeting of the CSCE, and the Organisation of the Islamic Conference (OIC). The 17th conference of the OIC, which took place in Aman between 21 and 25 March 1988, adopted a resolution with which the OIC members diplomatically expressed their “deep regrets in relation to the continuing repression against the Muslim community in Bulgaria.” The OIC member-states prolonged the mandate of the Contact Group, especially created to monitor and report on the Muslim human rights violations in Bulgaria. The OIC did not omit to remind the Bulgarian authorities that they had legal, political and moral obligations to fulfil in regard to minority rights protection, stemming out of a range of bilateral and multilateral instruments signed by Bulgaria. The OIC announced that it would go on with treating the question on the human rights abuses of Muslims in Bulgaria while “a satisfactory solution [wa]s found.”³²³

During the Vienna meeting of the member-states of the Organisation for Security and Cooperation in Europe (OSCE) in January 1989, the “revival process” in Bulgaria was severely criticised, particularly by the USA, the UK, Netherlands, and Turkey. While insisting that Bulgaria is a truly democratic and constitutional state, which guarantees equality of rights and treatment to all citizens without any distinction, the Bulgarian authorities refused to bind themselves with the fulfilment of basic human rights principles adopted at the meeting. First, the Bulgarian delegation at the meeting objected to the principle of respecting the right to freedom of religion, and more concretely, refused to accept the clauses on the free teaching of religion at school, and on abstaining from discrimination against “religious groups.”³²⁴ A second problematic principle for the Bulgarian delegates in Vienna was the recognition of national minorities, and the protection of their basic rights. Bulgaria repeated that “there are no national minorities in Bulgaria”, and because of that the provisions on minority protection should be made conditional by inserting the clause: “when national minorities exist within the territory of the country” in the OSCE Concluding Document.³²⁵ The Bulgarian proposal did not receive the necessary support to be included in the Concluding Document, and as a result the Bulgarian delegates made a reservation declaration, which stated: “It has been declaring many times on different occasions that there is not, and there has never been, a Turkish minority in Bulgaria.”³²⁶ To the United States’ proposal that all (then) 35 OSCE member-states agreed to secure access to its territory to a commission which would monitor the implementation of the Vienna commitments, the Bulgarian answer was a straightforward rejection.³²⁷

³²³ Information of the Foreign Minister and a member of Politburo of CC of BCP, Petar Mladenov, on the 17 conference of the foreign ministers of the member-states of OIC, 14 April 1988, (pp.5-6) (No archive indication of this document).

³²⁴ Shorthand record of the CC of BCP conference from 24 February 1989, devoted to analyzing the results from the Vienna meeting of the member-states of the Conference on Security and Co-operation in Europe (CSCE) held the same year (pp.32-3) (No archive indication of this document).

³²⁵ Ibid, p.33.

³²⁶ Ibid, p.34.

³²⁷ Ibid, p.41.

The Bulgarian delegates in Vienna were also troubled by some of the requirements in the Concluding Document's section related to transnational human contacts. Turkey raised the problem of "separated families" of Bulgarian Turks, and blamed Bulgaria in refusal to co-operate for its solution. Bulgaria retorted that the issue of "separated families" had been already settled in 1978, when the consecutive wave of Muslim emigration from Bulgaria took place. The requirements on "separated families" issue of the Concluding Document, was binding Bulgaria to satisfy: "all requests for contacts [abroad], ... within 6 months after the conclusion of the Vienna meeting"; all requests for contacts "based on family relations" within one month; all requests related to "unification of separated families" within 3 months following the end of the Vienna meeting.³²⁸

Through the CSCE Concluding Document from Vienna-1989, Bulgaria was politically obliged to fulfil the above commitments regardless of whether it agreed with them or not. That necessitated amendment or repeal of corresponding laws such as the Law on International Passport, the Law on Citizenship, and the Bulgarian Penal Code.³²⁹ The most important developments in that respect were the decriminalisation of acts of non-return of Bulgarian nationals from a foreign country, and imposing only administrative sanctions (fines) for Bulgarian nationals returning to Bulgaria after the lapse of five years (the time of validity of the international passports)³³⁰; as well as permitting to Bulgarian nationals to hold a double citizenship, which allowed for acquiring of another country's citizenship by Bulgarian nationals without requiring them to give up their Bulgarian citizenship beforehand, and visa versa.³³¹ In addition, the procedure on and the conditions for issuance/deprivation of international passports of Bulgarian nationals were liberated, and a new law on amnestying political prisoners was adopted.

As a result of fulfilling another Helsinki commitment, the Bulgarian authorities terminated the policy of jamming up western and Turkish media broadcasts, which resulted in an avalanche of anti-Communist and anti-"revival process" assertions heard by the Muslims in Bulgaria. This situation seriously obstructed the regime's efforts to maintain and intensify the Bulgarianisation of the Turkish-Muslim community in the country, whose assimilation had still to be worked on very hard. The regime made a final desperate attempt to keep the "revival process" going by entrusting the Bulgarian Academy of Science with the task to prepare "a study", which would bring "historical evidence" as to the "religious and ethnic assimilation of the Bulgarian Muslims between XIV and XIX century" by the Ottomans.³³² However, the time of "Socialist perestroika" had come together with the new Soviet Party leader, Mihail Gorbachev, and the Communist party position in Bulgaria started to shake distressingly. The BCP began to realise that its assimilation plans and "unitary nation" ideals would never be realised.

During the meeting of foreign ministers of the Balkan countries held between 24 and 26 February 1988 in Belgrade, the foreign ministers of Bulgaria and Turkey, signed an

³²⁸ Ibid, p.43.

³²⁹ Ibid, pp.53-4.

³³⁰ The amended article of the Criminal Law was envisaging imprisonment for up to 5 years for non-return in addition to administrative sanctions.

³³¹ Report Note of the Ministers Petar Mladenov (Foreign Minister), Georgi Tanev (Minister of Internal Affairs), and Svetla Daskalova (Minister of Justice), concerning the amendment of the Criminal Law, the Law on Citizenship, the Law on International Passports, and adoption of the Amnesty Law (p.15 and p.19) (No archive indication of this document).

³³² Ibid, p.63.

agreement, which settled some human rights issues related to the Muslim community in Bulgaria, among which “free mutual visits of members of separated families.”³³³ This agreement put the beginning of new emigration hopes for the Turkish-Muslim minority in Bulgaria, who still suffered assimilation attacks. However, the Bulgarian authorities started to fear that if the borders for emigration were reopened, “60% [of the Muslims in Bulgaria] would depart.”³³⁴ Those fears soon began to materialise by a wave of mass submission of immigration applications in 1988. For instance, 98 emigration applications by Muslim families, uniting more than 350 Bulgarian nationals were submitted between 22 November 1988 and 6 April 1989, which was a disturbing reality as no emigration agreement between Bulgaria and Turkey was yet signed.³³⁵ People submitting applications, were requesting the authorities to be “released or deprived of Bulgarian citizenship”³³⁶ in order “to get exit visas and international passports to depart.”³³⁷ Muslims motivated their decision to leave by “the assimilation policy [of the government], the humiliation and repression [they were exposed to in Bulgaria].”³³⁸ At the same time, the authorities were anxiously predicting that the “total numbers of emigration requests [would] grow in geometric progression to gradually cover all areas inhabited by Bulgarian citizens with recovered names.” The regime’s anxiety was rooted not so much to population loss concerns, but to fear that “the nascent [emigration] “movement” could find a tribune in the western media, and as a result, a political pressure would be exerted on Bulgaria.”³³⁹

Apparently, the Turkish-Muslim minority, once more, began to get problematic for the Communist authorities at that moment, all the more that Turkey - instigated by the United States and other western countries - politically pressured the regime in Bulgaria to terminate the forced assimilation of Muslims. “I think - Pencho Koubadinski said³⁴⁰ - that if we are pregnant with a problem, there is no other way to get rid of it, except to bear it. How to bear it? Let’s expatriate them [(the Turks)]. [Because] it is none of our interest to keep in a population [that is used] as a pretext [by Turkey] to seize our territories.”³⁴¹ Thus, the beginning of what the American journalist, John Fant from *Daily Star Journal* called “the biggest forced migration in Europe since the WWII” (known as the “big excursion”), was virtually set up.³⁴²

³³³ Shorthand record of a conference of Politburo of CC of BCP on 1 March 1988, p.9 (citation on p.19) (No archive indication of this document).

³³⁴ Ibid, Session of the group on the revival process from 25 March 1988, p.19.

³³⁵ Information No.1 on “analysis of the applications by Bulgarian nationals with recovered names”, signed by the Person in Chief of the “Bulgarian Citizenship” Department, Y. Panchev, from 12 April 1989, p.3. (Categorised: classified) (No archive indication of this document).

³³⁶ Note that the amendments allowing for holding double citizenship by Bulgarian nationals were not into force yet.

³³⁷ Ibid, p.3.

³³⁸ Ibid, p.5.

³³⁹ Ibid, p.6.

³⁴⁰ From Koubadinski’s speech (a member of Politburo of CC of BCP and of the “Group on the Revival Process”) pronounced at the 25 March 1988 session of the “Group on the Revival Process” (No archive indication of this document).

³⁴¹ Ibid, p.19.

³⁴² A classified bulletin of the Bulgarian Telegraph Agency, appendix C-2 A from 12 July 1989 (afternoon), p.1.

2.3.3. The “big excursion” phenomenon

In his speech on a session of Politburo of CC of BCP from June 7, 1989, Todor Zhivkov announced: “ It is absolutely necessary for the People’s Republic of Bulgaria to expatriate 200,000, and if possible even 300,000 persons from that [(Turkish)] population. ... If we do not get rid of 200-300 thousands people from that population, in 15 years Bulgaria would not exist.³⁴³ [Because that population increases] with about 15,000 persons per year. Can you imagine what will happen in 20 years?”³⁴⁴ As a result, the Ministry of Internal Affairs was duly ordered to organise “quickly” the expulsion of all “extremists and fanatics” among the Turkish Muslims, and to “stimulate” the emigration of the rest, who wanted to leave.³⁴⁵ It was decided on the same session that the potential immigrants would not be allowed to take more than 500 leva with them, sell their property or damage it, failing which they were to be refused international passports and prosecuted.³⁴⁶

Participants in the same June session of Politburo informed that the number of Muslims who had submitted application to emigrate was 15,000 as of June 7, 1989, and pointed out that their number would grow with thousands each day. Thus, due to both the tremendous increase of requests for emigration, and the regime’s desire “to be delivered of” the problematic Turkish minority child as soon as possible, Todor Zhivkov gave his notorious speech from May 29, 1989 for the Bulgarian mass media, which unleashed the unprecedented “big excursion” phenomenon. Then, the first Party secretary, and President of People’s Republic of Bulgaria called upon the Turkish government to open its borders for “all Bulgarian Muslims, who wish to go to Turkey temporarily, or to stay and leave there.”³⁴⁷ However, the clause “all Bulgarian Muslims” was not meant to include the Pomak Muslim population in “the permitted to leave” category of Muslims. There was a covert order that “the emigration of Bulgarian Mohammedans – Pomaks, was not to be allowed, [and] decisive measures were to be taken to halt any Turkish attempt to exert influence on them.”³⁴⁸

According to data of the Ministry of Internal Affairs, the total number of application for emigration from Turkish-Muslim persons as of July 6, 1989, was 370,291 allocated as follows: 89,321 application from Varna region; 124,543 - from Razgrad region; 42,438 - from Bourgass region; 97,194 - from Haskovo region; 539 - from Sofia city and region.³⁴⁹ International passports were already handed to 125,441 applicants as of the same date -namely, to 60,352 people residing in Varna region; to 42,710 from Razgrad region; 6,900 from Bourgass region; 11,768 from Haskovo region; and to 460 persons

³⁴³ Shorthand record of a meeting of CC of BCP Politburo with the first secretaries of the regional BCP committees; the chairperson of the permanent membership of the Bulgarian Agrarian Party (БЗНС), the secretary of the Bulgarian Youth Organisation (ДКМС), and the Minister of Internal Affairs, on 7 June 1989 (p.44) (No archive indication of this document).

³⁴⁴ Replicas exchanged between Georgi Tanev and Todor Zhivkov on a conference of Politburo of CC of BCP on June 6, 1989 (p.16-7) (No archive indication of this document).

³⁴⁵ Ibid, p.4.

³⁴⁶ Ibid, p.48.

³⁴⁷ *Rabotnichesko Delo* newspaper, issue of 29 May 1989.

³⁴⁸ Decision of Politburo of CC of BCP from June 1989 on “some urgent actions related to the situation in the country” (p.51) (Categorised: classified) (No archive indication of this document).

³⁴⁹ Four-page document No.I 3839 of the Ministry of Internal Affairs, dating from 7 July 1989, and signed by Internal Minister, Georgi Tanev (2nd page) (No archive indication of this document).

from Sofia city and region.³⁵⁰ Of the 125,441 Turkish-Muslim international passport holders, 111,336 had already left Bulgaria by July 7, (1989), which included: 36,314 emigrants from Varna region; 32,197 - from Razgrad region; 11,681 - from Bourgass region; 26,662 - from Haskovo region; and 99 - from Sofia city and region.³⁵¹

In the period May-August 1989, 369,839 Turkish-Muslim³⁵² immigrants left for Turkey.³⁵³ Between 3,500 to 4,000 Bulgarian Muslims daily were crossing the Bulgarian-Turkish border, and temporarily accommodated in special tent camps on the Turkish border area if they did not have relatives to meet them. Some 320,000 people had already departed as of August 22. However, with the fall of the Communist regime on 10 November, and the start of democratic changes in Bulgaria, 154,937 of those who left for Turkey (or 42% of the total number, 369,839), returned to Bulgaria. The rest 214,902 Bulgarian Turks stayed abroad permanently. Thus, the Turkish minority in Bulgaria was reduced to 75% of its number, or to 632,682 people altogether. The unparalleled “big excursion” of Muslims reflected badly on the Bulgarian economy as half of the agricultural work force of Bulgaria was lost by the end of 1989.³⁵⁴

The “big excursion” phenomenon - a direct concomitant of the “revival process” - further impaired the international image of Bulgaria, which once more became a subject to sharp criticism and condemnation. On July 18, 1989 the Senate of the 101st Congress of the USA voted unanimously on the Byrd-DeConcini resolution No.279, which expressed “Congress’s condemnation of Bulgaria’s brutal treatment of its Turkish minority.” By virtue of that resolution, the US Congress allocated about \$10 million as assistance to the Turkish government to cope with the huge influx of refugees (Senate Record Vote, 1989). Furthermore, the then US President George Bush recalled their ambassador from Bulgaria as protest against the human rights abuses of the Muslim-Turkish population in the country.³⁵⁵ In a resolution of protest, American congressmen accused the Bulgarian authorities of sending armed forces and militia against peaceful demonstrations of Muslims, and of “killing or wounding hundreds of demonstrators during these attacks.”³⁵⁶ In the letter-response of Andrei Loukanov (the then Minister of the Economic Relations with Foreign Countries)³⁵⁷, it was not denied that there had been “clashes with law-enforcement units”, and was added that in one such “clash” the number

³⁵⁰ Ibid, 3rd page.

³⁵¹ Ibid, 4th page.

³⁵² That figure presumably includes Bulgarian-speaking Muslims (Pomaks) who managed to emigrate as well, in spite of the prohibition on their departure.

³⁵³ Stoyanov, Valeri. *Турското Население в България между Полусите на Етническата Политика* (*The Turkish Minority in Bulgaria between the Poles of the Ethnic Politics*), Sofia: Lik, 1998. The paragraph is based on pp.213-14.

³⁵⁴ The departure or return of Bulgarian Muslims and Turks to and from Turkey continued in the following several years as well, but this time due to economic reasons.

³⁵⁵ Document entitled “Position on Politburo of CC of BCP on Some Current Problems on the Revival Process” dating from 30 September 1989 (p.7) (No archive indication of this document).

³⁵⁶ Document No.01-04-27 of the Ministry of Economic Relations with Foreign Countries sent to Person in Chief of the “Patriotic Upbringing” Department of CC of BCP, contending Andrei Lukanov’s letter-response to the resolution adopted by the US Congress, 28 July 1989 (p.2) (No archive indication of this document).

³⁵⁷ See the previous footnote.

of killed “from both sides” were 7, and the number of wounded - 27, which was intended to demonstrate that the “accusations of Congress” were greatly exaggerated.³⁵⁸

Israel’s reaction to the “big excursion” affair of the Bulgarian authorities was no different from the US Congress’ position. In the message of the Israeli Parliament Chairperson, Dov Shilanski, to its Turkish counterpart, the *Meclis*, it was said: “We, the Israeli, are very troubled by the situation of the Turkish minority in Bulgaria, and by the suffering it is exposed to. This is natural not only because we are a part of the international community, but also because there is no other nation in the world, which could better fathom the dimensions of the experienced pain and humiliation. We hope that this absurd suffering would be relieved to the extent necessary once the problem is brought to the attention of the international community, and negotiations between the two countries [(Bulgarian and Turkey)] start at the same time.”³⁵⁹ The position of the Israel’s Prime Minister, Shamir, was far sharper by comparing the repression against the Turkish minority in Bulgaria with “the terror at the time of Hitler.”³⁶⁰

Serious concerns about “the intimidation of the human rights of the Turkish minority in Bulgaria” were expressed by a number of international humanitarian and human rights organisation, among which the Red Cross, the Red Crescent and Amnesty International. Notes of protest against the human rights abuses of Muslims in Bulgaria were handled by France, almost all Islamic countries, including Socialist countries as Romania and the then Democratic Republic of Germany - 55 countries altogether reacted negatively as of July 12, 1989 according to an information of Turkey’s newspaper *Milyet* cited by the Bulgarian Telegraph Agency.³⁶¹

On October 30, 1989, Bulgaria and Turkey sat once more on the negotiation table in Kuwait in an attempt to reach some sort of consensus on the Muslim-Turkish minority problem in Bulgaria as it was of interest to both countries. On one hand, Bulgaria’s reputation at that point had been crippled too badly already, and the authorities were looking for a way to rectify this. That is why Turkey’s invitation to negotiate was welcomed by Bulgaria at that particular moment, not because it was ready to retreat from its assimilation endeavours, but to show off good will for constructive negotiations. On the other hand, Turkey was interested to stop the mass migration of Bulgarian Muslims, which it already had difficulties in accommodating, but whom it felt morally responsible for. Negotiations for restoration of their human rights were the way out. Turkey’s Foreign Minister, Mesut Yilmaz, proposed that Bulgaria afforded religious freedoms to its nationals professing Islam; secured the right of ethnic Turks to use their mother tongue; and provided for the opportunity for recovery of the Turkish-Arab names by Muslims who wish to do so.³⁶² The Kuwait negotiations were not constructive at all as the Bulgarian authorities adopted a general position of “protracting and fusing” the settlement of the Bulgarian Muslims’ issue. On the two fundamental questions of signing up “a comprehensive [bilateral] emigration agreement”, and of recognising the existence

³⁵⁸ Ibid, p.2.

³⁵⁹ Ibid, a classified bulletin of the Bulgarian Telegraph Agency, appendix C-2 A from 12 July 1989 (afternoon), p.2.

³⁶⁰ Ibid, p.3.

³⁶¹ A classified bulletin of the Bulgarian Telegraph Agency, appendix C-2 from 12 July 1989 (afternoon), p.1.

³⁶² *Isik* (Svetlina) newspaper, Year XLVI, No.45, 11 May 1991.

of Turkish minority in Bulgaria - which actually necessitated the negotiation - Bulgaria's authorities were outright: these "c[ould] not be discussed with Turkey."³⁶³

* * *

By the beginning of November 1989, the political situation in totalitarian Bulgaria threatened to slip out of control. This reality prompted the November 10th Party plenum, which released Todor Zhivkov from the position of General Secretary of the Central Committee of the BCP. Several days later he ceased to be a President of the State Council as well. The then Minister of Foreign Affairs, Petar Mladenov, replaced Zhivkov as a party leader and President of the State Council. He remained on that post for about two months as at the beginning of 1990 the State Council was closed down and Petar Mladenov became Bulgaria's first President. Andrei Loukanov assumed the post of Prime Minister in January 1990. Both Petar Mladenov and Andrei Loukanov were active BCP members.³⁶⁴

³⁶³ Ibid.

³⁶⁴ Both of them forced to resign in 1990.

Chapter III

Protection of the basic rights and freedoms of Muslims in Bulgaria today

The period of post-totalitarian democracy in Bulgaria has been marked, on the one hand, by positive human rights activism in both law and politics, but, on the other hand, this has been a time of controversial political dynamism, characterised by unhealthily frequent change of governments and lack of stable economic progress. That situation has had a different reflection on the human rights of Muslims in Bulgaria throughout the last 13 years.

3.1. Right to identity

The right to freedom of identity and non-assimilation is a fundamental right, which is very indicative for the general minority rights protection in a country. Bulgaria's basic law - the Constitution, incorporates the relevant provisions of the Framework Convention for the Protection of National Minorities (notably Art. 5 of the Convention), which guarantee the right to self-determination and prohibit assimilation of minorities. Bulgaria's Constitution guarantees equality in dignity and rights for all Bulgarian nationals, as well as equality before the law for all, regardless of "race, nationality, ethnic self-identity, sex, origin, religion, education, opinion, political affiliation, personal or social status, or property status" (Art. 6). Further, Art. 29(1) of the basic law prohibits in strict terms any "forcible assimilation" of Bulgarian minority representatives, simultaneously banning "torture or cruel, inhuman, or degrading treatment" of citizens. Thus, by being protected from assimilation, Muslims in Bulgaria are presumably provided with the right to free self-identification by the Supreme Law of the nation.

Yet, the same basic law - as well as all other legislative acts enshrining relevant provisions³⁶⁵ - speak(s) not of nationals of ethnic Turkish origin, for example, but only of nationals "whose mother tongue is not Bulgarian" (for instance, refer to Art. 36(2) of the Constitution). Quite obviously, Bulgaria's authorities have problems with assigning a status of *national* minority to different ethnic communities – among which the Turkish one - in the country as of today. However, let us now chronologically delineate the legal and political framework of the Muslims' right to identity - serving as a base to all other rights - in Bulgaria's post-Communist process of democratisation.

The most important human rights development that set the beginning of freedom to self-determination of Muslims in post-totalitarian Bulgaria has been the restoration of their Arab-Turkish names by a decision from December 1989 of the still ruling Communist party. However, persons wishing to retrieve their names had to go through a clumsy judicial procedure introduced by virtue of Names of Bulgarian Nationals Act (5 March 1990), and only with an amendment of that law in November 1990 a less cumbersome administrative procedure was put in place. 598,123 Muslims applied for recovering of their Arab-Turkish names as of 28 February 1991, the greatest part of whom - namely 376,759 - had to endure the more obstructive judicial procedure in order

³⁶⁵ Such as the National Education Act (Art. 8(2)); the Law on Radio and Television (Art. 49(1)); the Law on Educational Degree, Educational Minimum, and Educational Plan (Art. 15(3)); and others.

to reinstate their Turkish-Muslim identity, and only as many as 221,364 persons managed to make use of the facilitated administrative procedure to do the same.³⁶⁶

Two other related issues started to be solved in the initial years of democracy as well: namely, the problem with the rehabilitation of imprisoned as a result of the “revival process”, and the reinstatement of confiscated property to returning Bulgarian immigrants from Turkey. All persons deprived of their freedom as a result of the forced name change (as well as political prisoners) were conclusively amnestied with the adoption of the Political and Civil Rehabilitation of Repressed Persons Act in June 5, 1991. The problem with sold under administrative pressure and/or confiscated property of Muslims (primarily Turks), who had come back to Bulgaria, and demanded restoration of their immovable property, was finally resolved in their favour with a law adopted in July 31, 1992. Those of the owners, whose property was damaged or completely destroyed, were compensated by other dwellings or cash.

Regretfully, however, the side of relatively fast democratisation in Bulgaria expressed in re-installment of the civil, political, and cultural rights of the Muslims by virtue of the new Constitution (1991) and relevant enactments, was met by a wave of protests by both the Bulgarian Communist Party and the common ethnic Bulgarian citizenry.³⁶⁷ The latter resisted, because they “had been indoctrinated by anti-Turkish and anti-minority propaganda for years [of totalitarianism]”, and the former because they (“the party apparatus”) were witnessing the death of their most cherished offspring - the “revival process”, for which they had devotedly cared over the years, and naturally - as loving parents - wanted to defend it.³⁶⁸

“Mobilising the electorate around nationalistic slogans, the renewed and renamed Bulgarian Socialist Party (BSP)” won the parliamentary elections for a Grand National Assembly in June 1990. The Union of Democratic Forces (UDF) - established on November 18, 1989 by the unification of sixteen opposition organisations - became the second strongest political force in Bulgaria by disposing of the second largest percentage of votes. Thus, after two consecutive BSP governments, for the first time a coalition government between the BSP and UDF was formed and headed by the lawyer Dimitar Popov as Prime Minister. However, due to lack of any political consensus between the two major parties, Popov’s government resigned in less than a year, and was replaced by an UDF cabinet, which defeated the BSP in the next October 1991 parliamentary elections.

The ethnic Turkish- and Muslim-dominated political party MRF³⁶⁹, set up in January 1990, was registered for both 1990 and 1991 elections in spite of the Political Parties Act’s and the Constitution’s ban on formation of political parties along ethnic, racial, and/or religious lines, and in spite of the initial refusal of registration and challenged constitutionality of the MRF. Challenging a clause in the electoral law, which prevented any formation, not registered as political party, from running an independent list of candidates in parliamentary or local elections, the MRF’s leader Ahmed Dogan sought registration for the predominantly ethnic-Turkish and Muslim organisation. Registration

³⁶⁶ Report of Republic of Bulgaria on Art.25.1of the Framework Convention on the Protection of National Minorities (approved by a decision No.91 of the Council of Ministers of 14 January 2003), p.74.

³⁶⁷ Ibid, p.334.

³⁶⁸ Ibid.

³⁶⁹ The majority of MRF’s members are representatives of the Turkish-, Pomak Muslim-, and Roma minorities, but the party is opened to membership for all, including ethnic Bulgarians.

was denied, first, by the Sofia City Court, and, then, by the Supreme Court, which upheld the decision of the lower court in August 1990. However, the Central Electoral Commission ruled that “the registration of the MRF for the parliamentary elections in 1990 was a permanent registration”, which in fact allowed for the MRF participation in the respective elections.³⁷⁰

The second challenge of the MRF constitutionality before the Constitutional Court under Art.11(4)³⁷¹ of the Constitution was related to the MRF’s participation in the October 1991 parliamentary elections. Ninety-three MPs from the Great National Assembly, joined by 54 MPs from the 36th National Assembly (primarily from the ranks of BSP) submitted a petition to the Court demanding the MRF’ outlawing and invalidating the election of all MPs from the 36 National Assembly, who had been sent to Parliament with the ticket of the Movement for Rights and Freedoms. On 21 April 1992 the Constitutional Court rejected the petition reasoning that the essence of a political formation, falling under the restriction of Art. 11(4) was determined not only by its membership, but also by its voters, and since the MRF was opened to membership for all, not only to Turks and Muslims, the MRF would not be held unconstitutional. However, in spite of thus preserved MRF capacity of a political party able to run in elections, the reasoning of the Constitutional Court could not be soberly defined as minority rights conscious. The Court’s ruling (Decision No.4, dated 21 April 1992) was such as to leave open the door for arbitrariness in future lower courts’ decisions related to political parties’ registration. In fact, the Court’s holding capacitated state organs to discriminatorily limit the right to free association and citizens’ right to choose beyond the framework of the constitutionally guaranteed ballot rights. Thus, the way to arbitrary closing of the MRF, as well as any other ethnically, religiously, or racially-dominated political formation remained unhindered.

The elections held on 13 October 1991 were won by the UDF, which received 45.83% of the seats (110 seats) in Parliament. By occupying other 10% (24 seats) of the seats, the MRF turned out to be the third most influential political party in Bulgaria. The then new UDF government heavily relied on the support of the MRF to have a majority vote in Parliament while facing the BSP opposition. The BSP disposed of 44.17% (106) of the parliamentary seats.³⁷²

It is should be noted here that under the UDF government headed by Philip Dimitrov a number of key international human rights instruments were signed and ratified, among which the Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR) authorising the filing of complaints by individuals (December 10, 1991); the 1951 Geneva Convention on Refugees and its Protocol (May 5, 1992); the European Convention on Human Rights (ECHR) and its Optional Protocol No.1 (July 31, 1992). In addition, the UDF’s Bulgaria made declarations on Art. 25 and Art. 46 of the ECHR, recognising the competence of the European Commission on Human Rights to consider individual complaints, and accepting the compulsory jurisdiction of the European Court for Human Rights. Thus, the state submitted itself to liability of being sued before the mentioned international fora for breach of any of the rights guaranteed to the Bulgarian

³⁷⁰ U.S. Department of State, Country Reports on Human Rights Practices: Bulgaria for 1992, p.1067.

³⁷¹ Banning the formation of political on the basis of religion, ethnicity, and/or race.

³⁷² 1991 Parliamentary elections at: http://www2.essex.ac.uk/elect/electer/bg_er_nl.htm#bg91

citizens under the ICCPR and the ECHR. On May 7, 1992 Bulgaria became a member of the Council of Europe.

In about a year of government the trust between the reigning UDF and the minority-dominated MRF began to erode, primarily due to the UDF's unfulfilled promises to pursue policies of bettering the economic situation of minorities. This resulted in withdrawal of the MRF parliamentary support for the UDF and fall of the UDF government. In October 1992 a new government, headed by Prof. Lyuben Berov, economic advisor to the then President Zhelev, was appointed. Berov's cabinet had the support of all - the MRF, BSP, and part of UDF-elected MPs, who had split from their parliamentary group, as well as the UDF's President, except for the remaining UDF membership.

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While ethnic tension brought about with the restoration of Turkish minority rights and freedoms gradually subdued, a serious interference with the Pomak Muslims' right to freedom of self-determination emerged. Allegations about the "Turkisation of Pomaks" were launched, and the issue became particularly conspicuous against the background of the 1992 population census. Preliminary census statistics showed that there were about 822,000 Turks, 288,000 Roma, and 65,000 Pomak Muslims in Bulgaria, whose population approximated 8.5 million in total. The estimate that about 35,000 Pomak Muslims registered as "Turks" kindled - once more - the flame of nationalism in spite of the legal assurance that everyone enjoys the right to free self-identification. The Movement for Rights and Freedoms was accused of conducting a "Turkisation" campaign among the Muslim population from the municipalities of Satovcha, Yakoruda, Gurmen, and Gotse Delchev by allegedly provoking and coercing people to recover their Muslim names.³⁷³

On September 17, 1993, the Parliament passed a resolution with a majority vote of all BSP and UDF MPs invalidating the December 1992 census results concerning the West Rhodopes area.³⁷⁴ This act of Parliament brought up implications for existing serious human rights problems in supposedly democratic Bulgaria. First and foremost, it was the supreme legislative organ of the nation itself that denied one fundamental principle of democracy already endowed with legal force by it (Parliament): namely, citizens' right to free self-determination. Apparently, the majority of Bulgarian political elite was much too far from being (and feeling-) politically responsible for its actions before the entire ethnically- and religiously-diverse nation, and still desperately cling to old totalitarian and nationalistic practices of imposing ethnic identity.

During the two-year reign of the Berov's government (1992-1994), vague attempts to penalise the culprits for the ill-famed "revival process" were made, but all remained into a rudimentary form. The initiated court proceedings were concluded with a verdict based on Art. 387 of the Penal Code, charging the police of surpassing its powers on several occasions in the course of the violent name change campaign. Two Party leaders, Todor Zhivkov and Georgi Atanasov, were charged of aiding and abetting the police in abusive

³⁷³ *Human Rights in Bulgaria in 1993*, BHC Annual Report, p.2 (at: <http://www.bghelsinki.org/frames-reports.htm>).

³⁷⁴ *Ibid*, the same page.

acts, and with this, the “revival process”-prosecution enterprise was practically put aside and forgotten for the time being.³⁷⁵

3.2. Freedom of religion

The right to freedom of thought, conscience and religion is inevitably entangled with the right to self-determination in the course of analysing the human rights of Muslims in Bulgaria in law and politics. The right to freedom of religious identity of the Muslim community in Bulgaria is as equally important as the right to freedom of ethnic identity. This particularly relates the Pomak population, which up to date continues to be denied the right to free self-determination, or self-determination other than that of “Turkicised Bulgarians”. Thus, the discussion of religious freedoms naturally highlights one particular aspect of the Muslims’ freedom of identity, namely - the freedom of religious identity. Therefore, I start the freedom-of-religion analysis with the presumption that while following the legal and political developments of the Muslims’ right to religion, I will simultaneously continue to trace the right to identity of the Muslims in Bulgaria.

3.2.1. Political climate after the 1989 changes

As early as 1991 Bulgaria’s new Constitution established the status of separation of religious denominations from the state, and guaranteed denominations’ right to be free from state intrusion into their purely religious affairs as the relevant international standards require it. However, it is an established fact that the authorities - even supposedly knowing the scope of their jurisdiction in respect to freedom of religion - have felt entitled not only to interfere with the religious rights of the “traditionally recognised” faiths (such as the Orthodox Christianity and Islam) in Bulgaria, but also to prosecute and harass all unpopular denominations (such as Jehovah’s Witnesses, Hare Krishna Society, different Evangelical (Protestant) religious streams, etc.) ever since the fall of Communism. The second biggest denomination in Bulgaria - that of the Muslims - has been no exception of the interference and prosecution rule of the state.

In the years after the 1989 changes state authorities have continued to interfere with the internal structure and organisation of the denominations in spite of the constitutional proclamation that “the religious institutions shall be separate from the state” (Art. 13(2)) and that they “shall not be used to political ends” (Art. 13(4)). (These provisions were reinforced through Art. 4 of the new Law on Religious Denominations into force from December 2002 - discussed below - declaring that the denominations are free from state interference.)

By a letter of February 10, 1992, the UDF-oriented Director of Religious Affairs invalidated the election of the Chief Mufti, Nedim Gendjev, and removed him from office as “an old totalitarian cadre”, who assumed post due to improprieties in the election assembly, and who had not even had the required term of office as a regional mufti at the time of his election. By a second letter of February 21, 1992, all seven regional muftis were removed from office likewise, because of alleged breach of the provisions of the Statute and the 1949 Denomination Act (in force at the time) in the

³⁷⁵ Ibid, p.6.

process of their elections. A three-member “transient council” was appointed to act until a date for new elections for Chief Mufti and regional muftis would be set up.³⁷⁶

With the help of the police, a pro-government group of private individuals occupied the Chief Mufti’s Office building and expelled Nedim Gendjev and his staff, substituting them with the newly appointed leadership. The Movement for Rights and Freedoms demonstrated support for the acts of the Directorate of Religious Affairs, perceiving those as rightful purge of totalitarian elements, which previously worked for limiting the rights of the Muslim community.³⁷⁷

The dismissed Chief Mufti and his staff filed a complaint with the Supreme Court against their forced removal. However, the Court disallowed the claim and stipulated that the Directorate of Religious Affairs had acted “in accordance to its competence under the law.” As a reaction to the above, President Zhelyo Zhelev petitioned the Constitutional Court requesting it to make a binding interpretation of the constitutional provisions on freedom of religion, as well as to hold the 1949 Denominations Act unconstitutional. In response, by a decision from June 11, 1992, the Court declared the state intrusion “in the inner organisational life of religious communities and institutions” unauthorised, and repealed several provisions from the 1949 Denominations Act.³⁷⁸ Yet, that Constitutional Court’s ruling - in addition to being ‘unconfident’ - remained with no practical effect at all. What the Court had, but failed to do was to pronounce on the discriminatory practice of registration of religious denominations with the Executives, which exposed the latter to arbitrary decisions and manipulation by the state.³⁷⁹

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The Berov cabinet, which was established by virtue of a presidential appointment after the withdrawal of the UDF, resigned in September 1994. Following two unsuccessful attempts to form a cabinet within the then-operating Parliament, President Zhelev appointed a Caretaker government headed by Reneta Indjova - the first Bulgarian female Prime-Minister. The new parliamentary elections held on December 18, 1994, were won by the Bulgarian Socialist Party with an absolute majority. The new BSP government was led by Zhan Videnov.

The government of the Videnov cabinet did not prove successful in both social-economic- and civil-political aspects. Although the general constitutional and political framework of democratic development in Bulgaria remained unchanged, the overall human rights situation in the country deteriorated. A policy of almost mass replacement of municipal administrations with loyal to the new government persons was launched, and those appointed most often turned to be active members of the former Communist party. More than 500 officials from the state administrative and economic sectors were dismissed and replaced by BSP adherents.³⁸⁰

The Videnov government’s policy of reinstating former Communist cadres changed the political climate. Old totalitarian ideals and formulations started to transpire in the public discourse, generating a turn-back to anti-democratic perceptions and ideas. This situation naturally began to stifle the still infant minority rights discourse in Bulgaria.

³⁷⁶ See *id.* *Human Rights in Bulgaria after the October 1991 Elections*, BHC Annual Report, p.5.

³⁷⁷ *Ibid.*, the same page.

³⁷⁸ *Ibid.*

³⁷⁹ See *id.* *Human Rights in Bulgaria in 1993*, BHC Annual Report, p.4.

³⁸⁰ *Human Rights in Bulgaria in 1995*, BHC Annual Report, p.1 (at: <http://www.bghelsinki.org/frames-reports.htm>).

Of course, one of the targets of the government's dismissal/appointment politics was Muslim religious institution. One of the first things to do after coming into power of the Videnov cabinet was to dismiss from office the lawfully elected in 1992 regional muftis and substitute them with its trusted persons. At a conference held on November 3, 1994, a new Supreme Religious Council of the Muslim community was elected, headed by Nedim Gendjev. As noted above, that person had been dismissed from the Chief Mufti's post by the previous UDF government on grounds of being a former Communist Party member, who, moreover, had co-operated with the authorities during the "revival process" campaign in 1984-1985. The Directorate of Religious Denominations - now BSP-dominated - recognised the legitimacy of the new Muslim denomination leadership, which - once more - assumed office not as a result of genuine and free ballot by enfranchised Muslims, but as a result of the subsequent change of government's colour.³⁸¹

The lawfulness of the Executives' acts was justly challenged before the Supreme Court, again. However, with Decision No. 566 of February 22, 1995, the Court - 'faithful' to the tradition of reflecting the government-of-the-day's will - rejected the appeal of the former Chief Mufti, Fikri Sali, and conclusively affirmed the appointment of Basri Hadjisherif as Chief Mufti.³⁸²

Thus, the tendency towards degenerating of minority human rights situation in Bulgarian in 1996 continued. The state interference in the religious affairs of the two biggest denominations in the country - the Orthodox and Muslim ones - went on, simultaneously with posing obstacles before the practice and teaching of Islam. In January the Haskovo District Governor partially banned the construction of a new mosque in the district village of Zhulti Bryag. In another village near Rousse, a private religious Muslim high school was closed down in complete disregard of the minority rights and freedoms provided for by the Constitution and the relevant international human rights instruments, which Bulgaria had ratified.³⁸³

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By the end of the second year of government of Videnov's cabinet, Bulgaria was brought to desperate economic conditions expressed in deep inflation, high unemployment rate, financial and bank crisis, and sharply reduced household incomes. Unable to cope with the situation, in December 1996, Zhan Videnov declared his intention to resign. The resignation was accepted by the National Assembly, and BSP nominated Nikolai Dobrev, Minister of Interiors in the Videnov cabinet, assumed the post of a Prime Minister.

The severe economic and financial crisis led to mass street protests against the governing BSP. On 11 February 1997 Parliament was dissolved, and the next day President Stoyanov³⁸⁴ appointed a second - in the short post-totalitarian history of Bulgaria - Caretaker government led by the Sofia Mayor, Stephan Sofianski. The President scheduled new parliamentary elections for April 19, which were recognised as

³⁸¹ Ibid, p.4.

³⁸² Ibid.

³⁸³ *Human Rights in Bulgaria in 1996*, BHC Annual Report, p.4 (at: <http://www.bghelsinki.org/frames-reports.htm>).

³⁸⁴ The October 1996 Presidential elections were won by a new UDF candidate, the lawyer Petar Stoyanov.

free and fair by both Bulgarian and international observers, including from the OSCE mission.³⁸⁵ The opposition UDF, which established the Allied Democratic Forces (ADF) coalition, won the elections with an absolute majority. The leader of the UDF, Ivan Kostov, headed the new government.

The ADF government's policy gave a push to a range of democracy-advancing developments. Generally, a climate favouring active human rights organisation work, and enabling a constructive state - citizenry dialogue mediated by media, was established in Bulgaria. A number of legislative changes were made, which brought Bulgaria's laws into conformity with the international human rights standards. On October 9, 1997, President Stoyanov signed in Strasbourg the Council of Europe's Framework Convention for the Protection of National Minorities. This step, however, was not accompanied by a speedy and unconditional ratification, which to a great extent belittled the importance of the act, and reduced its positive effect on the protection against discrimination and the guarantees of the ethnic and cultural identity of minority groups in Bulgaria.³⁸⁶

Yet, in spite of the improving human rights records in 1997, the general legislative framework guaranteeing the right to freedom of thought, conscience and religion or belief was not changed in the country. Both the outdated Religious Denominations Act and the discriminatory Article 133A of the Persons and Family Act, adopted in 1994, continued to be effective. A significant achievement in relation to Muslim religious affairs during the 1997 was the successful holding of a unifying conference on October 14, on which a new Muslim leadership was democratically elected, and headed by the new Chief Mufti, Mustafa Hadji. Thus, the schism in the second largest religious community in Bulgaria - the Muslim one, was finally overcome after the government's recognition of the newly-elected leadership, and after years of state's intervention into that religious community's affairs.³⁸⁷

The setting up of a National Council on Ethnic and Demographic Questions at the Council of Ministers in 1997 contributed somewhat to the enhancement of minority rights, including religious freedom. The Council has a status of a consultative body, which is expected to propose and develop strategies of demographic policy and measures for the preservation of tolerance and good relations between ethnic and religious groups in the country, as well as for guaranteeing the rights of such groups. However, the lumping together of issues of ethnic and religious minorities with demographic issues and issues related to Bulgarians abroad, made the Council's work ineffective and broadly criticised among some public circles.³⁸⁸

In May 1999 - almost two years after its signing up - the ADF's government finally ratified the Framework Convention for the Protection of National Minorities, together with Protocol No. 2 of the International Covenant on Civil and Political Rights (ICCPR, in August, 1999), and Protocol No. 6 of the European Convention on Human Rights (ECHR, in October, 1999). However, no prompt changes as to the implementation of the cultural, linguistic, and religious rights of minorities in Bulgaria were undertaken. The

³⁸⁵ *Human Rights in Bulgaria in 1997*, BHC Annual Report, p.9 (at: <http://www.bghelsinki.org/frames-reports.htm>).

³⁸⁶ *Ibid*, p.1.

³⁸⁷ *Ibid*, p.5.

³⁸⁸ *Ibid*, p.8.

legislative reforms aimed at bringing Bulgaria's laws in conformity with the international standards was clumsy and inefficient.³⁸⁹

3.2.2. Shows of discrimination on religious grounds

It would not be exaggerated at all to claim that Islam as a faith is discriminated against vis-à-vis Orthodox Christianity, just as other smaller denominations are, while branded as sects. However, while various other faiths have only limited number of followers, Islam is professed by the biggest minority in Bulgaria – the Turks, including the Pomak Muslims and a considerable part of Roma – which forms one significant part of the country's population. In fact, what was said under the entire section *Religious Freedom* is enough in itself to support any claim of discrimination, yet, discrimination occurs in many specific ways, some of which are succinctly exposed below.

The discriminatory treatment of Islam as a faith, of its institutions and the people professing it, has become evident from a numbers of factors, in addition to the overtly-severe prosecution of Islamic preachers qualified as a threat to national security the moment they happen to come to Bulgaria and start teaching *Qur'an* somewhere in the Rhodopes. Thus, for example, upon insistence of Muslims to introduce the study of Islam at schools, in December 2000 the Ministry of Education finally came up with instructions of experimental study of Islam in optional religious classes. However, two problems popped out of these instructions: first, that the teaching of Islam was to be conducted in Bulgarian language, and second, it was the Chief Mufti's Office, which was to finance the optional classes for Islam. The in-class instructions in Orthodox religion, however, was funded by the state. In response to arguments against these discriminatory provisions raised in Parliament, the Minister of Education unconvincingly referred to Art. 8(1) of the National Education Act, which stipulated that the official language in educational institutions is Bulgarian. However, as BHC effectively concluded, "there are dozens of schools [in Bulgarian], in which both different subjects and ... the syllabus on the whole, are thought in a foreign language—English, French, German, Spanish, etc.", which does not appear to be a problem at all. Thus, the Minister failed to provide an explanation to the simple questions why the study of Islam in Arabic and/or Turkish languages that have acquired the status of being traditional in the instructions of Islam, is problematic, and why the state funded the teaching of Orthodox religion at school, and refused to do so in respect to Islamic religion.³⁹⁰

From the state's report under Art. 25 of the Framework Convention on the Protection of National Minorities of February 14, 2003, transpires another problem related to Islam. It is seen that of the 1,000,000 leva (about 500,000 Euro) state subsidies for supporting religious denominations in 2001, 880,000 leva were allocated to the Orthodox Church; 20,000 to the Armenian Apostolic Orthodox Church; 20,000 - to the Judaic Spiritual Council; and 100,000 to the Muslim religious denomination. The funds' allocation in 2002 is as follows: total budget - 1,030,000 Bulgarian leva (about 560,000 Euro) - 900,000 for the Bulgarian Orthodox Church; 25,000 - for the Armenian Apostolic

³⁸⁹ *Human Rights in Bulgaria in 1999*, BHC Annual Report, pp.1 and 8 (at: <http://www.bghelsinki.org/frames-reports.htm>).

³⁹⁰ *Ibid*, p. 9. Note that at present the funding of the classes in "Religion Islam", one hour per week on "a freely selectable" basis is provided for by municipal budgets. See the section: *Study of "Religion Islam"*.

Orthodox Church (with 6,500 registered Armeno-Gregorians); 20,000 - for the Judaic Spiritual Council (with 653 persons registered as professing Judaism); and 80,000 - for the Muslim denomination (with 966 978 registered Muslims in accordance with the 2001 census). What is conspicuous is the fact that not only are the state subsidies disproportionately distributed among four religious denominations, but also, with a bigger total budget for 2002, the Muslim denomination was the only one with reduced share, it received 20,000 leva less in 2002 than in the previous year. Considering the fact that the number of Muslims in Bulgaria is claimed to be higher than officially indicated, the sum of 80,000 or even 100,000 leva hardly implies an equitable treatment to the second largest religious denomination in the country.³⁹¹

3.2.3. Arbitrary expulsions of Muslim preachers

The process of obstructing the religious rights and freedoms of Muslims in Bulgaria has been expressed in many ways, including through repeated and arbitrary expulsions of Muslim preachers from the country as of today. On 5 July 1999, the 32-year-old Daruish Al-Nashif - a stateless person - was expelled for “having endangered the security or the interests of the Bulgarian state with his actions.” The said actions expressed in his organising the teaching of Islam to underage children in the town of Smolyan; taking part in the ““illegal”” Islamic seminar in Narechenski Bani (August, 1997), which was “brutally dispersed by the police; and his trying to organise an Islamic teaching centre in Smolyan in 1995.³⁹²

Daruish Al-Nashif - father of two children, born in Bulgaria and Bulgarian citizens - was expelled from Bulgaria on the grounds of Art. 40(1) in conjunction with Art. 10 (11.1) of the new act for residence of aliens in Republic of Bulgaria. The respective provisions precluded judicial review of expulsion orders motivated by national security considerations. The fact that Mr. Al-Nashif’s expulsion was protested against by the Chief Mufti, not only did not bring any positive results, but was completely ignored by the authorities. Moreover, it was stated that Daruish Al-Nashif had carried out his activities with the expressed approval and authorisation of and by the Smolyan Regional Mufti’s Office, which found that Mr. Al-Nashif “conducted its activities in complete conformity with the requirements of the Statutes of Muslims in Bulgaria, which are registered by the Bulgarian state.”³⁹³ To that, of course, no one paid attention.

The case of Mr. Al-Nashif was submitted to the European Court of Human Rights, which announced its decision on June 20, 2002. The Court found Bulgaria in violation of Art. 13 of the European Convention for not providing for judicial control over expulsion of aliens under the Foreigners Act. In addition, the Court found that Mr. Al-Nashif’s expulsion from Bulgaria was based on a legal regime that did not contain guarantees against arbitrariness, and therefore, that legal regime was found to be “illegal”.³⁹⁴ About a year after the European Court’s ruling in *Al-Nashif v. Bulgaria*, Bulgaria’s government has not yet brought up the Foreigners Act in conformity with the respective decision.³⁹⁵

³⁹¹ See id. Report of Republic of Bulgaria on Art.25.1of the Framework Convention on the Protection of National Minorities of 14 January 2003, p.63, at: http://www.bghelsinki.org/frames-press_bg.html.

³⁹² Ibid, p.3.

³⁹³ Ibid.

³⁹⁴ See id. *Human Rights in Bulgaria in 2002*, BHC Annual Report, p.8.

³⁹⁵ Ibid, p.16.

Another foreigner - a Muslim preacher - Abdullah Mohammed, was expelled from Bulgaria under the formal pretext of endangering national security as well. In fact, Mr. Mohammed's expulsion was intended to restrict the teaching - even a completely conventional and peaceful one - of Islam in Bulgaria. His foundation called Taiba Foundation, had been in the focus of the police and media attention for nearly two years, and finally was conveniently dissolved on allegations of serving as a cover of "Islamic fundamentalism". The libel "Islamic fundamentalism" has been attached to a wide range of Muslim beliefs and practices - "an inseparable part of the standard profession of Islam, and ha[ving] nothing in common with any fundamentalism" - and broadly disseminated by media, which has resulted in strong anti-Muslim prejudices in Bulgaria.

In January 2000, a group of six Islamic preachers - Ahmadis, qualified as "sectarians" were caught in the region of Shoumen and expelled from Bulgaria on the grounds that they preached without permission by either Turkish or Bulgarian Directorates of Religious Affairs. The Bulgarian authorities claimed that the absence of such permit violated Articles 22 and 23 of the 1949 Denominations Act, which paradoxically turned to have been already repealed by Decision No. 5 of the Constitutional Court from June 5, 1992. Therefore, the authorities' act of expulsing the six Muslim preachers on the basis of provisions already deprived of legal force, constituted a gross abuse of power and a show of criminal negligence.³⁹⁶

Later, in May and June 2000, a new group of three Muslims were forced out of the country. One of them was Ahmad Mussa, a Palestinian living in Bulgaria for over 15 years, married to a Bulgarian, and a father of three children born in Bulgarian and Bulgarian citizens. The grounds on which Mussa and the other two other men were expelled, were again "national security", and - to remind - expulsion orders based on national security considerations cannot be appealed. As the Bulgarian Helsinki Committee effectively notes, the end effect of all this is that "nobody underst[ands] exactly on what facts the authorities [are] basing themselves" when issuing expulsion orders.³⁹⁷

Mussa's case is currently pending decision before the European Court of Human Rights in Strasbourg.

3.2.4. Legal developments on freedom of religion

The right of Bulgarian citizens to freedom of thought, conscience and religion is guaranteed by the Constitution under Art. 13(1) and Art. 37(1). However, the intimidating 1949 Denominations Act, which had never been changed substantially except for some repealed provisions by two Constitutional Court's decisions in 1992 and 1998, had governed the religious affairs in Bulgaria up until December 29, 2002, when the new Law on Religious Denominations entered into force. The 1949 Denominations Act provided for broad possibilities for governmental interference with the religious rights of Muslims, particularly through the legal obligation for mandatory registration of religious denominations with the Directorate of Religious Affairs, which is part of the executive branch of government. Under the Act in question, the Directorate had the power to refuse registration without right to judicial review; to dismiss religious officials;

³⁹⁶ Ibid, p.4.

³⁹⁷ See id. *Human Rights in Bulgaria in 2000*, BHC Annual Report, p.8.

to ban the distribution of religious literature; and to bar communications with religious groups abroad.³⁹⁸

With the new Law on Religious Denominations³⁹⁹ many of these defects were overcome, however, new ones were brought to life. This law was subject to severe criticism by both the political opposition and public interest groups even before being adopted. Because of this criticism, the Law was hastily passed on voting by MPs only from the National Movement for Simeon II (NMSS) and the Bulgarian Socialist Party (BSP), and, thus, any chance for the opposition and the civil society to organise public debates on the Law's restrictive clauses, was prevented. Thus, in spite of Art. 4's assurance that faiths are equal in status, separated from the state, and fully free of state interference in their inner organisation, the Orthodox Christianity was established as "the traditional religion" in Bulgaria (Preamble and Art. 10(1)), and was granted a status of legal entity with the force of law (Art. 10(2)). By virtue of Articles 14 and 15 of the new Law, all other religious denominations are treated discriminatorily *vis-à-vis* the Bulgarian Orthodox Church through being obligated to undertake a judicial procedure in order to acquire legal status. Moreover, they must register with the Sofia Municipal Court, which is empowered by law to grant legal status, including upon "an expert opinion", which the Court may – if it finds it necessary - request from the Council of Minister's Directorate of Religious Affairs (Art. 16). This clause severely breaches the discrimination prohibition in both the Bulgarian Constitution and international law. Because the Court, which is in a position to grant and revoke a registration of any other religious denomination, cannot revoke the registration of the Orthodox religious community that is registered by the authority of law itself.

Furthermore, in spite of the Law's declaration that any "state intervention in the religious communities' and institutions' inner organisation is unfeasible" (Art. 4(2)), the state preserves its powers to interfere precisely in religious denominations' internal organisation by virtue of Art. 15(2), which proclaims "inadmissible" the existence of "more than one" religious denomination with the same "name and quarters." With this provision, the state authorities can always intervene in a religious community's affairs to prevent any schism in the given denomination as was the case with the two biggest religious communities in the country—the Orthodox and Muslim ones. The respective provision was included in the new Religious Denominations Law in spite of its total contravention to the established standard in the case *Hasan and Chaush v. Bulgaria* (26 October 2000)⁴⁰⁰ by the European Court. Under Art. 9 of the European Convention on Human Rights, the Court held that the state had interfered in the internal organisation of the Muslim religious denomination by favouring one leader of the divided religious community, and forcing the community to come together under a unified leadership.

Hasan and Chaush v. Bulgaria case concerns a refusal of the BSP government in February 1995 to register the leadership of Muslim believers led by Mr. Fikri Hasan as Chief Mufti. As said, the Court found Bulgaria in violation of Art. 9 of the Convention for the state authorities' failure to remain neutral in the exercise of their powers while

³⁹⁸ *Human Rights in Bulgaria after the October 1991 Elections*, BHC Annual Report, p.5 (at: <http://www.bghelsinki.org/frames-reports.htm>).

³⁹⁹ *Official Gazette* No. 120 of 29 December 2002.

⁴⁰⁰ See at:

<http://hudoc.echr.coe.int/hudoc/ViewRoot.asp?Item=5&Action=Html&X=410113916&Notice=0&Noticemode=&RelatedMode=0>

dealing with the registration of the Muslim religious denomination. As already noted, this was treated by the Court as unauthorised interference in the Muslim community religious affairs. The Court additionally ruled that the legally established procedure for the registration of denominations and their leadership did not include guarantees against arbitrary interference by public authorities, and had not met the required standards for clarity and foreseeability.⁴⁰¹

A breach of the Convention's Art. 13 (right to an effective remedy) was also found on grounds of the Bulgarian Supreme Court refusal to examine the substance of Mr. Hasan's against the state's decision, but instead only assessed whether and to what extent the decision for registration had been taken by the competent authority, within the scope of its powers.⁴⁰²

Yet, in spite of that European Court's ruling only two years before the adoption of the Law, the Executives preserved their powers to interference into religious communities' affairs by virtue of the new Law. For example, the Council of Ministers' Directorate of Religious Affairs has broad powers under the Law. First of all, the Directorate has the function of overseeing the limitations imposed by the Law in question. Second, it is empowered to request courts to initiate proceedings against a religious denomination for the purposes of depriving it of legal personality. Third, the Directorate may also "advise" the Sofia Municipal Court to register or not to register a particular religious community. Forth, the Directorate can exercise "policing functions" through its authority to: allow or prohibit foreign religious activists from entering Bulgaria; to check citizens' or entities' signals of their rights being violated by the acts of third persons or entities in exercise of their religious right. Thus, "the result is that the role of the Directorate seems to have taken the form of a type of a religious police force, ever vigilant to the activities of potentially dangerous people".⁴⁰³ The Law creates conditions for official exercise of impunitive witch hunting of undesired faiths, legal exercise of discrimination against religious denominations *vis-à-vis* Orthodoxy, and possibility of state control over communities' religious affairs. In fact the new Law leaves unresolved some of the basic defects of the earlier law, namely, the opportunity for broad interference of the executive branch into the affairs of the religious denominations and conditions for discrimination against smaller and unpopular denominations.

3.2.4. *Vakuf* property issues

After the 1989 democratic changes and particularly after the October 1991 elections in Bulgaria, many religions started gradually to recover real property taken away from them by the previous regime. However, in spite of the early start of *vakuf* property restitution process, still a number of bureaucratic obstacles prevent Muslim religious institutions from regaining ownership over significant share of their property or receive an equitable compensation for non-restituted property as of the moment. This effectively deprives them of adequate incomes and considering the fact that the state subsidies are close to symbolic, Muslim religious institutions experience serious problems in respect of self-

⁴⁰¹ See *id.* *Human Rights in Bulgaria in 2000*, BHC Annual Report, p.6.

⁴⁰² *Ibid.*

⁴⁰³ *Human Rights in Bulgaria in 2002*, BHC Annual Report, p.11 (at: <http://www.bghelsinki.org/frames-reports.htm>).

sustainability, including inability to preserve cultural masterpieces such as “Tombul” mosque in Shoumen, put under the special protection of UNESCO.

According to the Shoumen Regional Mufti, Osman Hassanov Ismailov,⁴⁰⁴ about 120,000 Muslims live on the territories under the Mufti’s Office’s jurisdiction, which includes Shoumen, Turgovishte, and Silistra districts, as well as part of Razgrad and Varna districts. There are 277 mosques, 27 meschits (small chapels where Muslims do the traditional Friday prayer), 227 spiritual boards, and 247 *imams* (Muslim priests), an essential share of which distributed among the 503 villages, where Muslims lives. The number 227 mosques includes the 7-8 new mosques build on the territory of the Regional Mufti’s Office since 1989, which comes to support the claims that there are no obstacles for constructing mosques put before the Muslim community on the part of state authorities.

However, problems with non-restituted *vakuf*’s property continue to exist. The people from Shoumen Regional Mufti’s Office’s shared that they have had difficulties in retrieving both land and edifices *vakuf*’s property. Most of the property the Regional Mufti’s Office is struggling for in court is land property, which had belonged to former Muslim private schools, previously attached religious institutions. This property has been transformed into municipal property and Muslim religious institutions are forced to lead “heavy material disputes” in courts with meagre financial means.

People from the Regional Mufti’s Office complained of intentional discrimination demonstrated by some courts while resolving disputes involving Muslim property restitution. In support of that claim they pointed out the fact that from the over 10 times when the Preslav first instance court has pronounced on *vakuf*’s property disputes, only a single time has the Court decided in favour of the Mufti’s Office as appellant. While in the Novi Pazar municipality all filed lawsuits have been won by the Mufti’s Office. Making this juxtaposition, people are convinced that they are subjected to discrimination on part of courts (or (a) separate judge(s) constituting a court), which is a serious problem considering the importance of courts as the highest law-enforcement institutions.

According to the majority of interviewed persons, representatives of Muslim religious institutions, the most difficult victory to achieve in court are disputes concerning property in the form of premises (including land attached to a premise), especially when such property is located within the territory of a settlement (mainly in cities). Such is the situation with the former Regional Mufti’s Office building in the centre of Shoumen, which case is returned to lower courts for re-trial 6 times within the last 13 years. On its part, the Kurdjali Regional Mufti’s Office is in legal proceedings for many years to reinstate its ownership over the former medrese building in the heart of Kurdjali, (a museum at present), together with 18 decares⁴⁰⁵ of land belonging to the former spiritual school dating back from 1921. No positive results on both cases as of today.⁴⁰⁶

On 26 of October 2000, by a decision of the municipal authorities in Novi Pazar, a functioning mosque together with 3 decares yard area⁴⁰⁷, in the village of Pamuktchi, is announced a municipal property for the purposes of greening. According to the Shoumen

⁴⁰⁴ An interview taken on 14 May 2003, in Shoumen. Interviews with other persons working in the Shoumen Regional Mufti’s Office were conducted the same day as well.

⁴⁰⁵ Area equal to 1.8 hectares.

⁴⁰⁶ Interviews taken with clerics from the Kurdjali Regional Mufti’s Office on 26 June 2003, in Kurdjali.

⁴⁰⁷ Area equal to 0.3 hectares.

Regional Mufti's Office, such decision is "ridiculous" as a functioning mosque, with its own *imam* and spiritual board, belongs to the Muslim community, and cannot be appropriated though a mere decision of the municipal authorities. To the protest raised by the Muftis' Office, the municipal authorities answered that since none had claimed ownership over that property, they were authorised to announce it state property. The Shoumen Regional Mufti's Office's commented that such a ground as the above for taking hold of a property is not serious is a case of a *functioning* mosque. The Novi Pazar Municipality had promised to negotiate and reach an acceptable agreement with the Shoumen Regional Mufti's Office on the issue of legitimate ownership over the mosque, but no such compromise was achieved as of the time of writing.

The almost 500-years old "Ibrahim Pasha" mosque in Razgrad, which is under the protection of the state as "a cultural monument", is in desperate conditions as well. While "Tombul" mosque is primarily innerly defaced, because of the numerous attempts to mask the ruining interior of the mosque, "Ibrahim Pasha" mosque has dangerous clefts opened in its external walls, which threaten to cause the thorough demolition of the protected "cultural heritage". There is no state funding for reconstructed and propping up of the mosque, however, the excavations inside the mosque in search of an older building beneath it, continue to contribute to ruining it.⁴⁰⁸

The repeated requests of the Muslim community, presented by the Razgrad Regional Mufti's Office, to have the mosque opened for the Friday Muslim prayer only, have remained unheard the last 5-6 years.⁴⁰⁹

According to the claims of the Razgrad religious institutions, about the 1,500 decares⁴¹⁰ of land, formerly belonging to "Ibrahim Pasha" mosque is not restituted as of today, because that land is part of a reserve. No compensation whatsoever is awarded or offered to the respective spiritual authorities by the state for the loss of that property.

The religious board in the village of Samuil (a municipal centre, Razgrad District) has been leading years-long judicial struggle for 50 decares⁴¹¹ not restituted *vakuf* property. Currently the case is pending decision before the Razgrad District Court.⁴¹²

By the numerous administrative obstacles – deliberate or not – over regaining *vakuf* property, the Muslim religious institutions effectively denied opportunity to sustain themselves as they are deprived of incomes from rents. Being scarce, the state financial support for Muslim religious institutions is with almost no effect whatsoever. Most often the case is that state funding is barely enough to meet the needs of the Chief Mufti's Office in Sofia, which results in leaving the regional mufti's offices to rely on their own meagre incomes from rent and donations.

The larger the *vakuf*'s property is, the bigger the incomes of the religious institutions are, and the more capable of self-sustaining they are. By lacking means, the religious institutions are deprived of exercising basic activities such as providing scholarships for promising young people interested in pursuing religious education. The problem is multifold. On one hand, religious institutions have no means to fund the education of

⁴⁰⁸ Interviews with religious clerics conducted on 15 May 2003, in Razgrad.

⁴⁰⁹ Ibid.

⁴¹⁰ Area equal to 150 hectares.

⁴¹¹ Area equal to 5 hectares.

⁴¹² Interviews with the local religious board' people taken on 16 May 2003, in Samuil.

young cadres for their own needs.⁴¹³ On the other, they have no means to offer employment to graduates, of the Islamic Institute of Higher Learning in Sofia, or graduates of foreign religious schools, for example. Thus, once the students graduate, they face unemployment, as there are no means to hire new personnel in spite of the frequent necessity of imams or other staff.

A third side of the problem is even more delicate. The financial poverty of Muslim religious institutions makes it impossible to maintain or renovate religious buildings, many of which are protected as “cultural heritage” or “masterpieces of art”, but are in desperate conditions, such as “Tombul” and “Ibrahim Pasha” mosques, both from early XVII century. As the claims go, the problem is not locked only within the boundaries of the religious institutions’ poverty or state’s limited funding. Alleged bureaucratic obstacles prevent the process of receiving foreign donations, which could be used for the above purposes.

The situation in Kaolinovo (Shoumen District), Gara Hitrino (Shoumen District), and Samuil (Razgrad District) Municipalities, where the majority of population is Muslim, reaffirmed the conclusions in respect to *vakuf* property issues. Muslim religious authorities there face no obstacles in constructing mosques, but they are with the same limited financial capacities as everywhere else. According to an expert on religion in Kaolinovo Municipality, there are 23 mosques in a total of 18 villages in the municipality, one of which recently build (in the village of Tukatch), and all of them have *imams*. The expert added that two other mosques were planned to be constructed in the nearest future (in the villages Sredkovets and Doyrantsi) with the help of donations made by Turkey.⁴¹⁴

The expert summarised the situation in the following way: “We face no obstacles to build mosques, but we receive no assistance of any kind as well. The state is not interested to help. We don’t have enough funding to maintain the mosques. The expenses many times exceed the incomes.”⁴¹⁵

The Muslim religious authorities in Kaolinovo have filed 4 lawsuits for restitution of land property and their expectations are for positive court decisions.

In Hitrino Municipality, there are mosques in the 20 bigger settlement each governed by own board and *imam*. The local religious leaders complain of no non-restituted *vakuf* property, be it land or premises. The lack of financial resources to develop activity is the most fundamental problem in Hitrino as well.⁴¹⁶

Only with the financial support of foreign donors (Turkish and Arabic) was the Kurdjali Regional Mufti’s Office able to renovate the old mosque in Kurdjali, and build several small edifices in the mosque’s yard with the purpose of providing them for rent. Being in close neighbourhood with the city open market, the mosque’s pavilions could be reasonably expected to provide good incomes, necessary to enable the Mufti’s Office to support students pursuing religious education. The buildings are yet to be finished.

⁴¹³ According to the statements of the Shoumen Regional Mufti’s Office there are enough *imams*, but barely 30% of them are properly educated.

⁴¹⁴ The interview was conducted on 14 May, 2003 in Kaolinovo.

⁴¹⁵ The interview is taken as part of the BHC fact-finding interviews made during visits in regions with compact Muslim/Turkish population in the period May – June 2003.

⁴¹⁶ An interview conducted on 15 May 2003 in Gara Hitrino.

According to official information, more than 50% of the Chief Mufti's Office's property owned at the time before its nationalisation during the initial years of Communism, has not been restituted or compensated for as of today. The lengthy, costly, and numerous administrative proceedings for restitution of *vakuf* property have been fruitless as well. This way, the Muslim community, represented by its religious institutions, remains poor through being deprived of adequate incomes because of lack of adequate property and by being left with almost no state support. Thus, the Muslim spiritual institutions are forced to rely exclusively on foreign donations in order to be able to carry out their religious activities, the most fundamental among which is to properly serve the religious needs of Muslims in Bulgaria.

3.3. Right to free administrative use of one's minority language

The Videnov cabinet's reluctance to further minority rights, was reaffirmed by the act of refusal to sign the Framework Convention for the Protection of National Minorities - albeit unofficially - on grounds of their finding it unfeasible to provide for the use of minority language (notably Turkish) in contacts with the state administration, and/or to admit names of streets, places and other spots - at least in areas with compact minority population - in a language other than Bulgarian.⁴¹⁷ During its two-year government (1994-1996), the Videnov cabinet did not sign or ratify any international human rights instrument.

Similarly, the Judiciary - instead of enforcing the rights guaranteed by law to minorities - restricted these by its verdicts. Thus, the constitutionally guaranteed right to use one's minority language not only was not enforced by courts, but, on the contrary, was denied in many of its aspects. Thus, in the summer of 1993, the MRF-dominated Momchilgrad Municipal Council, acting completely within its jurisdiction under the law, undertook to give other, Turkish language- and culture-related names to several streets in the town. The counter-reaction of the Haskovo District Governor was immediate in challenging the Council's decision in court, apparently certain in his victory. In September 1993, the Kurdjali District Court invalidatea the Municipal Council's decision relying on a 1975 Decree No.1315, which required that names "reflect the richness and beauty of the Bulgarian language."⁴¹⁸ The same was done a year later (in July 1994) by the Haskovo District Court, which invalidated the decision of the Kirkovo Municipal Council. The Council had given Turkish names to 16 quarters in the Fotinovo region earlier in the year.⁴¹⁹

In May 2000, the Pleven municipal authorities exerted pressure upon the organisers of the Day of the Child's celebrations to cancel the cultural program they had intended to present in Turkish. The mosque and the mufti's building in the same town - Pleven, were repeatedly defaced with graffiti of the type "Turks, Go Home" and "Bulgaria Above All." The same year some 50 Muslim graves, containing inscriptions in Turkish or Arab, were desecrated in Pleven.⁴²⁰

⁴¹⁷ See id. *Human Rights in Bulgaria in 1995*, BHC Annual Report, p.7.

⁴¹⁸ See id. *Human Rights in Bulgaria in 1993*, BHC Annual Report, p.2.

⁴¹⁹ See id. *Human Rights in Bulgaria in 1994*, BHC Annual Report, p.2.

⁴²⁰ See id. *Human Rights in Bulgaria in 2000*, BHC Annual Report, p.14.

What was striking to realise during our visits as BHC representatives in areas with compact Turkish population in May - July 2003, was the fact that even in settlements with almost 100% ethnic Turkish population (the village of Samuil, Razgrad District, for example) not a single street, or whatever other spot within the settlement's borders bears Turkish-related name, let alone have a name-plate, direction plate, or any other inscription in Turkish (not to mention Romanes) put on a place to be viewed by all. Only sites, located outside settled places and historically known with Turkish-related names, were registered with the same names in the process of land-denationalisation that started after the 1989 in Bulgaria.

As far as the use of mother tongue in contacts with public administration for minority members is concerned, we were repeatedly reassured by both regional courts and police centres that an interpreter is always provided upon a request by a person/persons involved as the relevant Bulgarian laws require it. We have no serious grounds to dispute that claim.

However, as far as it relates to communication between minority members and local municipal/district authorities, things are slightly different there, and we do have some grounds for criticism. In municipal/district (including police-) administrations in settlements with predominantly minority (Turkish) population, there are normally representatives of the minority community working in the said administrations. In this situation, such person unofficially acts as "interpreter" in case of necessity to ease the communication between minority members who do not speak the official language and the administration. What is bothering here is not the fact that the above is an established practice, but the fact that people are not the least aware of their rights, and, moreover, no adequate initiatives of informing them appear to exist. Thus, legal provisions protecting minority rights, remain unknown and uncomprehended, and hence - unimplemented.

The issue is particularly acute when it comes to the relationship police - minority members, because the old, totalitarian image of the policeman as an officer to be feared from/avoided rather than to be trusted still persists among minority members. What is more, considering the fact that still very few Muslim minority representatives are being employed in law-enforcement institutions, the above image not only continues to exist, but it strengthens. Thus situation demands that initiatives be brought to life on changing the perception of the law-enforcement agent (notable the policeman), and what is more important - on effectively informing people of their rights. However, such activities are either non-existent or rudimentary in character wherever undertaken at all.⁴²¹

3.4. Education and mother tongue

Since the start of democratic changes in Bulgaria there have always been certain problems related to the study and use of a mother tongue, in spite of that right being constitutionally guaranteed to minority groups by virtue of Art. 36(2). Opportunely, however, the problems with the study of Turkish language as a mother tongue in the

⁴²¹ In our visits to the Shoumen and Razgrad Regional Directorates of Internal Affairs (P/DBP) we were told that such initiatives do exist, however, in Shoumen that claim was supported by no evidence whatsoever. In Razgrad things were better, and we were provided with different materials in this respect, especially in the sphere children – police. Razgrad Regional Police has demonstrated willingness to co-operate with the NGO sector in working towards bettering of the relation police – citizens, including the relation police – minority citizens.

initial years of democracy did not stem so much from state reluctance to provide such training, but from the practical lack of qualified cadres. Thus, in May 1993, Kyasim Memish - an expert in the Ministry of Education, Science and Culture - reported that about 17,000 out of 92,166 students in total, who had submitted applications to study Turkish as a mother tongue for the 1992/1993 school year, could not be enrolled in Turkish language classes. That was so, because of lack of enough and qualified teachers, on the one hand, and on the other - because of lack of enough children to meet the required number to form a class.⁴²²

To the expressed wish by Turkish minority members in 1996 to have the teaching of Turkish at school improved and included in the regular school curricula,⁴²³ as well as to have some of the school courses offered in Turkish, the Education Minister responded with threats. The old “revival process” activist, Ilcho Dimitrov, openly declared: “Turkish schools will not be allowed to exist in Bulgaria, this should be clear to them ([the Turks]). If they want Turkish schools, they are free to go to Turkey.”⁴²⁴

In 1997 the serious problems in respect to minorities’ study and use of mother tongue continued to exist and even deepened. For example, the request of Turkish community leaders to incorporate the study of Turkish language in the regular school curricula, as well as to permit the instruction of some school subjects in Turkish for the upcoming 1997/1998 school year, was thoroughly ignored.⁴²⁵

*3.4.1. The study of Turkish language as a mother tongue*⁴²⁶

3.4.1.1. Legal basis and organisation:

The study of Turkish language as mother tongue in Bulgaria is provided for by law. After the fall of the Communist regime in November 1989, a new Constitution was adopted in 1991 to correspond to the reality of emerging democracy in the country. Paragraph 2 of Art. 36 of the Constitution stipulates: “Citizens whose mother tongue is not Bulgarian shall have the right to study and use their own language alongside the compulsory study of the Bulgarian language.” By virtue of this provision, the use of mother tongue by minority groups is protected by the Supreme Law of the Nation - the Constitution.

The National Education Act of 1991 - amended in 1996, and amended and supplemented in 1998 - guaranteed to “students, whose mother tongue is not Bulgarian”, the right to study their mother language from grades 1st to 8th of primary and

⁴²² See *id. Human Rights in Bulgaria in 1993*, BHC Annual Report, p.2.

⁴²³ At that time, and until recently, Turkish language was studied only as an extra-curricular subject, and was taught by low-qualified teachers.

⁴²⁴ See *id. Human Rights in Bulgaria in 1996*, BHC Annual Report, p.7.

⁴²⁵ *Ibid*, pp.5 and 8.

⁴²⁶ This subsection is based - unless otherwise indicated - on a report of former Expert on Turkish language at the Ministry of Education and Science (MES), Mrs. Suzan Chakur, of October 2001, concerning the study of Turkish language at schools. The information in the report is updated.

secondary school, “under the protection and supervision of the state” (Art. 8.2).

Decree No. 232 of the Council of Ministers (CM) of December 1991 introduced the study of Turkish at a level of “municipal schools”. Thus, Turkish minority students could study their mother tongue up to four hours per week, but only on a “freely selectable” basis meaning that Turkish language classes would not be considered a part of the ordinary school curriculum and would not influence the students’ records.⁴²⁷ On the basis of this decree the Ministry engaged its responsibility to issue instruction, on which the teaching of mother tongue would be based.

Decree No.183 of the Council of Ministers of September 5, 1994 cancelled the application of the previous decree, but preserved the study of Turkish language up to 4 hours per week on a “freely selectable” basis.⁴²⁸ The document established that a student wishing to study a mother tongue has to submit a written request to the school’s principal, signed by the student or a parent/guardian if the student is under-age (Art. 2(2)). The decree stipulated that the funding of mother tongue classes was to be secured by the municipal budget (Art. 5). Art. 3 of the decree ordered the organisation of pre-school Bulgarian language courses for minority children who did not speak the official language.

By virtue of Instruction No. 4 of the Ministry of Education and Science (MES) of October 27, 1994 the study of Turkish as a mother tongue for grades 1st to 8th became based on model curricula, approved by the Ministry in question.

With the adoption of the Law on Educational Degree, Educational Minimum, and Educational Plan in July 1999,⁴²⁹ as amended in 2002,⁴³⁰ the instruction of mother tongue and Religion in municipal schools, was made “obligatory selectable”, i.e. part of the ordinary school curriculum, and included in the students’ records (Art. 15 §3). This positive legal development was a direct result from Bulgaria’s ratification of the Framework Convention for the Protection of National Minorities in February 1998, which bound Bulgaria to respect a number of minority rights, the right to study and use one’s mother tongue among which. This provision was enforced in practice in 2002/2003 school year, when the instruction of Turkish as a mother tongue in municipal schools were made “obligatory selectable”, but not the study of Religion as Art. 15(3) stipulated.⁴³¹

With the law in discussion, the right to use and develop ones’ mother tongue - as part of the minorities’ right to maintain one’s own culture (additionally protected by Art. 27

⁴²⁷ See id. Kanev, p.338.

⁴²⁸ *Official Gazette* No.73 of 9 September 1994.

⁴²⁹ *Official Gazette* No.67 of 27 July 1999.

⁴³⁰ *Official Gazette* No.95 of 2002.

⁴³¹ See section: *Study of “Religion Islam”* below.

of the International Covenant on Civil and Political Rights (ICCPR), which Bulgaria ratified on December 10, 1991) entered into a new, more advanced stage of minority rights protection - at least formally. The law established a more centralised system of state funding of Turkish language classes (the previous funding being channelled through the municipal governments created conditions for abuse of power on local level), whereby the state became directly responsible for appointing more qualified teaching staff, as well as exerted direct supervision over the proper use of funds. For the first time through this law, the study of mother tongue was extended to cover high school education level as well, not only on primary and secondary school level (i.e. from 1st to 8th grade). The law envisaged gradual introduction of Turkish language study for students on high school level for the academic 2002-2003.

The study of Turkish language as a mother tongue on “obligatory elective” basis in both primary/secondary and high school is regulated by Ordinance No. 6 of May 28, 2001 of the MES.⁴³² The study of Turkish language on a “obligatory elective” basis since the 2002/2003 school year, is organised as follows: 1st grade - 3 classes per week; 2nd, 3rd, and 4th grades - 2 classes per week; 5th to 8th grades - 3 classes per week. Whether the number of mother tongue classes is adequate or not, is disputable. On the basis of this, the fact that the “obligatory selectable” time per week in the school curricula must be shared by mother tongue, foreign languages and choreography (Art. 6(2)), further degenerates the status of mother tongue classes. Thus, the above number of mother tongue classes per week remains unstable, and could be reduced to a vanishing point if a minority child wants to study a foreign language and/or choreography in addition to his/her mother tongue. A minority student wishing to study English, French, Spanish or German, for example, or wishing to take choreography classes, can do this at the expense of his/her mother tongue classes, which will decrease proportionately to the number of foreign language and/or choreography classes added. Thus, for example, a child that wants to study English language twice a week (for the sake of adequacy), will have only one mother tongue class weekly in 1st grade; none - in 2nd to 4th grades; and one - in 5th to 8th grades. In this situation, the minority student faces the ridiculous dilemma of whether to study his/her mother tongue, or English - both necessary, important and equally desired. The thus established normative status of Turkish as-a-mother-tongue instructions by virtue of Art. 6(2) of Ordinance No. 6 turns to be discriminatory in effect.

The status of mother tongue classes as an “obligatory selectable” subject on high school level is even lower as compared to that on primary and secondary school level. The allocated weekly time for “obligatory selectable” classes is shared between mother tongue and 8 other “educational areas”⁴³³ (Art. 12 of Ordinance No. 6). The “obligatory selectable” weekly time on high school level is distributed as follows: 5 classes - 9th grade; 12 classes - 10th grade; 22 classes - 11th grade; and 26 classes - 12th grade (table supplement). Thus, in the best case, i.e. with the highest number of mother tongue classes per week - 26, in 12th grade, mother tongue classes will be no more than 2 per week, provided that a student takes at most 2 classes from each of the other 8 “educational

⁴³² *Official Gazette* No.57 of 15 June 2001.

⁴³³ As defined by Art.10 of the Law on Educational Degree, Educational Minimum, and Educational Plan of July 1999 (in the main text) these “educational areas” are: Bulgarian language and literature; foreign languages; mathematics, computer science, and information technologies; social sciences, civic education, and religion (amendment added in 2002); natural sciences and ecology; arts; lifestyle and technologies; and sports.

areas” per week. However, if the student intends to apply to university, and because of that wishes to have more classes in the subject of interest (i.e. history, foreign language, mathematics, Bulgarian language and literature, etc.) that would be at the expense of the mother tongue classes, or a course from any other “educational area”. Still, it must be noted that two mother tongue classes per week are possible under the optimal time of 26 hours in 12th grade.

However, what happens when the total number of “obligatory electable” classes per week is 22, 12 and/or 5 per week? The lower the time allocation is the minimal the number of mother tongue classes per week for minority students are. The chances for studying Turkish or Romanes as a mother tongue in 9th grade of high school is almost non-existent, unless the student is resolved to ignore all other areas of interest in order to have an adequate number of mother tongue classes in any of the grades on high school level. This seems infeasible against the background of the claim that there is a wide-spread propaganda among minority students and parents not to study their mother tongue as it would undermine students’ abilities to learn the official language, and hence would obstacle their successful integration into society.⁴³⁴ Thus, both parents and children are influenced, and students end up enrolling in some other courses in spite of feeling the need/wish to study the mother tongue, which is quite obviously an effective natural catalyst in the process of children’s⁴³⁵ successful absorbing of the official language and all other subjects, which are taught in Bulgarian.

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According to official statistics of the Ministry of Education, Turkish as a mother tongue has been studied in 20 districts the 2000/2001-school year and onward, primarily in the districts of south-eastern and north-eastern Bulgaria, where the Turkish minority is concentrated. In 2000/2001 the instruction in Turkish had been organised in 520 municipal schools in the country, with 34,860 minority students enrolled in them. The total number of Turkish language teachers had been 703, more than 95% of which were qualified to teach Turkish, i.e. were holders of a Bachelor’s or a Master’s Degree in Turkish philology, (or Turkish/Bulgarian, Russian/Turkish philology, see below), and were competent to teach in high schools.

By the 2002/2003 academic year, Turkish is still taught in 20 districts, but the number of schools, whose curricula include study of Turkish has dropped to 420, with a total of 31,349 students enrolled, and 1,761 out of them are 1st-grade children, which study Turkish on an “obligatory selectable” basis. Correspondingly, the total number of Turkish language teachers decreased from 703 to 588, of whom 162-not qualified to teach.

One of our issues of interest - as representatives of BHC - related to the study of mother tongue while on fact-finding visits in areas compactly inhabited by Turks/Muslims, was whether the needs of qualified teachers are satisfied. The unanimous conclusion of all: regional experts, teachers, parents, etc., was that there is no

⁴³⁴ This claim was generally made equally by Turkish language teachers, parents, children, experts, and other ordinary people before us, as representatives of the Bulgarian Helsinki Committee, while we were paying visits to regions with compact Turkish population in May-June 2003.

⁴³⁵ Particularly of primary school children living in villages who very often cannot speak proper Bulgarian at the time they start to go to school, simply because they have spoken only Turkish at home. As one of the teachers at the Kaolinovo’s open lesson said (see bellow), Turkish language classes appear as an excellent mediator between minority children and the school, in which they use Bulgarian - a language which they often do not know well in pre-school age.

shortage of qualified teaching staff, and what is more, many holders of Bachelor's and/or Master's degree in Turkish philology are unemployed or work outside the field. The fact that there is no lack of qualified teachers is due to the adequate amount of educational establishments, which train Turkish language teachers. One of these is the Department of Turkology at the Sofia University - duly reopened after the 1989 democratic changes, followed by relevant departments in two new universities, established in 1992. These were the departments of Turkish philology and Russian/Turkish philology in the Shoumen university, and the departments of Turkish philology and Turkish/Bulgarian philology in the Kurdjali pedagogical college - both universities located in areas with compact Turkish population. The graduates from these schools receive Bachelor's and/or Master's Degree, and are competent to teach Turkish language on both primary/secondary and high school level.

Another basic problem - after the established legal inadequacy of mother tongue instructions - detected during our visits, was the utter shortage of textbooks, not to mention textbooks with outdated content. It was the introduction of Turkish language study in schools in 1992 that generated the need of textbooks and other school materials for the wishing to study Turkish as a mother tongue students. For these purposes a primary (ABC book) for grades 1st to 4th and a chrestomathy for grades 4th to 8th were hastily prepared in 1991 to put the start of Turkish language training with. During the next two years - 1992 and 1993, some new supplementary materials were prepared and issued with the financial assistance of the Turkish embassy in Bulgaria, namely a grammar book and a reader for grades 1st to 8th of primary and secondary school. Since then neither new textbooks have been prepared and issued as has been repeatedly promised by the MES, nor have been the initial textbooks - although with already inadequate content - re-published in spite of the numerous complaints by Turkish language teachers and experts on mother tongue for the scarcity of textbooks, and the poor condition of the remaining in use.⁴³⁶

Since 1992, only a unilingual dictionary – for primary and secondary school level and a set of methodology manual, applied grammar book, and a book of grammar exercises (issued in 2000) – for primary school level in Turkish language have been issued. In addition to that a limited number of educational materials donated by the Turkish embassy were approved for supplementary use by Turkish language teachers. However, on the open lesson in Kaolinovo (see the footnote above), it became apparent that these materials are hardly of any significant use, and that none but a new textbook, with an updated content and sufficient in number is what is essential to be done in order to bring to satisfactory level the study of mother tongue in schools.⁴³⁷

⁴³⁶ On an open lesson on May 14, 2003, in the municipal village of Kaolinovo (North-East Bulgaria) for Turkish language teachers from the region - visited by the BHC representatives Maria Badjakova and Fatme Myuhtar - the teaches shared that the only textbook of Turkish language, which they dispose of for use is a one issued in 1992. The respective edition was meant for maximum three-year use, but it continues to be used for over 10 years now. According to all the present on the lesson teachers, there are hardly three textbooks on average per class, and even these are in destitute conditions—without covers, missing pages, pages torn on many places, outdated content, etc. One of the teachers (of ethnic Bulgarian background, and a school principal) stated: “There is no point to teach Turkish to a child that has no textbook”, and concluded that similar situation is as desperate as working “on the verge of an abyss”.

⁴³⁷ Ibid.

With the introduction of Turkish language as one of the “obligatory elective” courses (i.e. a course that is part of the regular school curriculum, and counts towards students’ GPA) in primary and secondary school for the 2002/2003 school year, the Ministry of Education had planned to form a working group of experts, whose task would be to prepare textbook(s) “with a new content”. Yet, no such new textbook(s) and related materials are available as of today.⁴³⁸

Thus, due to the lack of sufficient and proper Turkish language literature, Turkish language teachers are forced to improvise by using cultural press organs in Turkish such as the *Balon* magazine and/or the *Filiz* newspaper, as well as other supplementary materials in order to achieve somewhat satisfactory level of mother tongue instructions when textbooks are missing. NGOs such as the Open Society, the International Centre for Minority Studies and Intercultural Relations, and the Resource Centre Foundation facilitate - to the extent they are able to - the process of mother-tongue study by funding the issuance of educational materials, and/or by supporting initiatives of students and teachers, but this is again not enough to cover the needs of literature.⁴³⁹

In summary, there is a lack of comprehensive governmental support for organising an effective study of mother tongue by minority children at school, which renders all normative guarantees - which are in all events inadequate - for the study and use of mother tongue meaningless. In addition, the combination of mother tongue with other basic courses⁴⁴⁰ as possible options among which a student can choose to fill up the number of classes assigned to the section: “obligatory selectable”, undermines the position of the mother tongue classes as their number per week is contingent upon the number of other classes taken. Thus, minority students on all education levels are effectively barred from the opportunity to enrol in necessary/desired courses, and still have sufficient number of classes per week in their mother tongue.

3.4.1.2. *Turkish as a foreign language:*

On high school level Turkish language is assigned a status of a “foreign language” for minority students, and what is more, a status of “second”, and not “first” foreign language in the curricula of a certain high schools in Bulgaria. Turkish cannot be studied as a first language, because it does not figure as one in the MES’ classification of school courses.

Turkish language instructions - including on primary and secondary school level (grades 1st to 8th) - is based on curricula prepared by the Turkish language teachers themselves, which curricula are subject to approval by the MES. Such being the case, a unified program on the study of Turkish language as both “mother tongue” and “foreign language” is missing, which was described as a serious disadvantage by the Turkish language teachers present on the open lesson in Kaolinovo (see above). Moreover, their unanimous opinion was that it is a responsibility of the Ministry of Education and

⁴³⁸ Ibid, p.3.

⁴³⁹ Ibid, p.4.

⁴⁴⁰ Recall Ordinance No.6’s provisions uniting mother tongue, foreign languages, and choreography as possible options assigned to the “obligatory selectable” weekly time in the school curricula in primary and secondary school, and mother tongue and 8 other “education areas” - in high school, again, on an “obligatory elective” basis.

Science to convene experts and prepare such unified program, which is essential for the effectiveness of the process of Turkish language teaching and learning.

The schools, whose curricula include the study of Turkish as a second foreign language are three types, namely: Muslim religious high schools; private language high schools; and other high schools, where Turkish is studied on a “freely elective” basis. Schools of the first type are located in Shoumen, Rousse, and Momchilgrad, areas with high concentration of Turkish minority population. Students enrolled in religious schools study Turkish as a foreign language 2 to 3 hours per week in addition to Arabic and a first western foreign language.

Two schools of the second type exist in Sofia. One of them is the so-called Balkan school of the Balkan College Foundation, in which Turkish is studied 4 hours weekly as a second foreign language. In the other private language school, “Drujba”, of the Bulgarian-Turkish Democratic Foundation, Turkish language is also studied 4 hours per week as a first and a second Balkan language.

Schools of the third type are rare, in spite of the relatively big number of high schools in areas with compact Turkish population, where the study of Turkish, including on a “freely selectable basis”, can be logically expected to be wide-spread.

As already pointed out, one of the most frequent reason accounted for by Turkish minority members and language experts for the decreasing number of Turkish language classes - especially in the initial (primary school) and latest (high school- and upper high school classes) stage of school level - is the broad propaganda among minority students and parents to limit to minimum the number of mother tongue classes, because it would drag back students’ development, and their ability to use the official language. The reality shows that in most cases that propaganda works.

3.4.2. Study of “Religion Islam”

Art. 15(3) of the Law on Educational Degree, Educational Minimum, and Educational Plan of July 1999, as amended in 2002, stipulates that the mother tongue and religion classes are included in the section “obligatory selectable” courses on both primary/secondary and high school level. However, while the Turkish as a mother tongue instruction were introduced on an “obligatory elective” basis at schools, the study of Religion remained on a “freely elective” level, and what is more, religious classes were practically realised only in limited number of schools during the 2002-2003 academic year.⁴⁴¹ Ordinance No. 6 of May 28, 2001 of the Ministry of Education and Science (MES) confirms the status of Religion/“Religion Islam” as “a freely elective” subject by virtue of Art. 20. The instructions in the Christian religion - under the name “Religion”, and in Islam - under-“Religion Islam”, is governed by Supplement No. 4 of the *Organisation and Management of the Activities in Schools of General Education, Professional and Special Schools during 2002-2003 Academic Year* of the Ministry of Education and Science.

Supplement No. 4 contains Instruction regulating the teaching of “Religion”/“Religion Islam” on a “freely elective” basis (i.e. classes, which are outside the frame of the regular

⁴⁴¹ During our visits, as BHC representatives, in areas compactly inhabited by ethnic Turks, we established that the study of “Religion-Islam” (see the main text bellow) in schools with predominantly minority studentship, was more a matter of exception than of a rule.

school curriculum, and are not counted towards the students' GPA) "in the municipal schools of Republic of Bulgaria". The Instruction establishes that Christian religion is studied from 1st to 8th grades of primary and secondary school, and Islam is studied from 2nd to 7th grades of primary and secondary school, each one class per week.

The Instruction in question makes the study of "Religion"/"Religion Islam" contingent upon students' wish, expressed in a written request by the student, signed by his/her parent or guardian, and submitted to the school's principal. The teaching of "Religion Islam" in Bulgarian language for Muslim students is made compulsory.

The Ministry of Education's *Organisation and Management of the Activities in Schools of General Education, Professional and Special Schools during 2002-2003 Academic Year* (p. 15, point 13), further envisages the "experimental study of "Religion"" in 128 schools throughout the country - one class per week - on an "obligatory elective" basis from 1st to 4th grade. It is, however, far from clear whether the provision includes only the study of Christian religion - referred to as "Religion", or includes Islam as well - referred to as "Religion Islam" since the provision only mentions the term "Religion".

Only from the data presented in the state's report under Art. 25 of the Framework Convention for the Protection of National Minorities of February 14, 2003 (see above), it becomes clear that the study of Islam as part of the regular school curricula ("obligatory elective"), was organised in 7 schools throughout the country with a total of 702 students enrolled, for the 2001/2002 academic year. Instructions in Orthodox Christianity for the same school year, on the other hand, were performed in 128 schools, with a total of 10,154 students in classes. As an optional subject ("freely elective") the study of Islam is reported to have been organised in only 2 schools with 554 students enrolled, against the figure of 213 schools with 8,674 students studying Orthodox Christianity for the same academic year. Now juxtaposing the figure of about more than one million Muslims in Bulgaria, whose population is less than 8 million in total, the sum of 9 schools with 1,256 students enrolled in studying Islam as a religion is far from a satisfactory situation altogether.⁴⁴²

Issues related to textbooks and supplementary materials in "Religion Islam" is another side of the problem of inadequate study of Islam at schools. From the visits we made to regions with compact Turkish minority population, it transpired that the number of schools, which include instructions in "Religion Islam" is not only limited, but what is more important, the literature provided for solely by the Chief Mufti's Office appeared to be both narrow in terms of subject matter (i.e. only history of Islamic religion), and small as a volume (i.e. a relatively thin textbook, printed in large shrift, half of which is in Bulgarian, and the other half with the same content - in Turkish. As a supplement to the textbook there are several very thin and large-shrift booklets, whose total content students could exhaust in the course of several classes only.)

3.5. Media

3.5.1. Legal framework:

⁴⁴² See id. Report of Republic of Bulgaria on Art.25.1 of the Framework Convention on the Protection of National Minorities of 14 January 2003, pp.63-4.

The states parties to the Framework Convention for the Protection of National Minorities have obligations reflecting three basic aspects of the *media-minorities* relations. The first obligation is promotion of the “spirit of tolerance and dialogue among different cultures” through media in the countries (Art. 6(1) and Art. 9(4)); the second related to guaranteeing non-discriminatory access to media for minorities/minority members (Art. 9(1)); and the third - non-obstruction of minorities/minority members to establish their own media (Art. 9(3)).

Art. 39(1) of Bulgaria’s Constitution entitles everyone with the right “to express an opinion or to publicise it through words, written or oral, sound, or image, or in any other way.” Further, Articles 40(1) and 41(1) guarantee the freedom from censorship of “press and the other mass information media”, and the right “to seek, obtain, and disseminate information” respectively. However, these rights cannot be exercised to the detriment of the rights and reputation of others, or to the detriment of national security, public order, public health, and morality (Art. 41(2)). Moreover, “an injunction on or a confiscation of printed matter or another information medium” are allowed “in the case of an encroachment on public decency or incitement of a forcible change of the constitutionally established order, the perpetration of a crime, or the incitement of violence against anyone” (Art. 40(2)). As is required by a democracy-promoting Constitution, the Bulgarian one incorporates the necessary safeguard against arbitrary injunction and/or confiscation of media property. This is Art. 40(2), which stipulates that an injunction is imposed “only through an act of judicial authorities”, which injunction loses its force if not followed by a confiscation within 24 hours.

According to the interpretation given by the Constitutional Court of Art. 39(1) of the Constitution with decision No. 2 of November 14, 1996, “there are no constitutional limitations” of the right “to express an opinion or to publicise it through words, written or oral, sound, or image, or in any other way” in one’s mother tongue.⁴⁴³ Yet, it is a serious shortcoming that the Court’s interpretation is phrased: “there are no constitutional limitations...” and not, for example: “it is constitutionally guaranteed that ...” The first wording is more restrictive than the second one. In fact, although there are a separate provision - Art. 36(2), guaranteeing the principal use of one’s mother tongue, in practice there are a number of obstacles before the implementation of that key minority-right clause.

3.5.2. *Media coverage of Muslim minority-related issues:*

According to a research conducted by the Bulgarian Helsinki Committee (BHC) in 2002, only 0.95% (*Monitor* newspaper) to 1.62% (*Trud* and *24 Chasa* newspapers) of the space of central (national) press is devoted to minority-related issues, which constitute a very “destitute” quantity indeed.⁴⁴⁴ The summary conclusion of the inquiry as to the press coverage of the two biggest (Muslim) minorities - the Turks and the Roma - proves to be the following: the newspapers’ attention in respect to the first, is concentrated on political events (i.e. the Turkish minority participation in the political process in Bulgaria through

⁴⁴³ See *id.* Report of Republic of Bulgaria on Art.25.1 of the Framework Convention on the Protection of National Minorities of 14 January 2003, p.66.

⁴⁴⁴ *Етническите Малцинства в Печата* (Ethnic Minorities in the Press), Bulgarian Helsinki Committee ed., Sofia: 2002, p.8-9.

the MRF, which is a serious political force in the country), and in respect to the later - on their criminal records and social destitution.⁴⁴⁵ Both matters of press' concentration receive mostly (not to say only) negative, bias-burdened reflection. Another deformation noticed by BHC in the press coverage of minority issues, is the fact that the press - within the limited space devoted to this - focuses exclusively on the two dominant minorities - Turks and Roma, as well as on some other, smaller minorities such as Jews, Armenians, and Macedonians, almost totally excluding others, such as the Pomak Muslims.⁴⁴⁶ As a matter of fact, the Pomak Muslim community is effectively called "the invisible community"⁴⁴⁷, which is a truthful reflection of their media status, and their place in the public discourse. The Pomak Muslims' existence is touchily reminded about only when/if someone ventures to challenge their "established" ethnic-Bulgarian origins, calling them Turks or else.⁴⁴⁸ Last, but not least "defect" observed by the BHC in both central and regional press' minority coverage, is that this coverage is not only highly politicised and with tendency of sensationalism (example: Gypsy crimes), but also lacking any deep reflection and analysis on the minority life and problems.⁴⁴⁹

In spite of the fact that several provisions of the Law on Radio and Television provide for the right of ethnic communities to disseminate information on their mother tongue (such as Articles 6(3); 12(2); 49(1), etc.), this process is in fact very limited. For example, Channel I of the Bulgarian National Television broadcasts a news emission in Turkish language only 10 minutes per day since the year of 2000, and there is no such programme in Romanes. In addition, the private *Darik Radio* has its own program in Turkish, which is however, disseminated only in the Kurdjali District, with has the highest concentration of Turkish minority population. A private cable TV - *7 Dni* (Seven Days), makes a weekly broadcast in Turkish called "Belyat Gulub" ("The White Pigeon"). Two other licensed local - Vidin and Razgrad-based - private cable TVs broadcast in Romanes and Turkish respectively. With this the list of mass media disseminating information in Turkish and Romanes - two languages spoken by Muslims in Bulgaria, is virtually exhausted under the state report on Art. 25 of the Framework Convention of 2003 (see the footnote).⁴⁵⁰

The number of mass media, which conduct programs in Bulgarian language about Muslim minorities, is not big either. Bulgaria's report on the Framework Convention, which reflects the government's natural attempt to present as longer list as possible, enumerates only the following (because of lack of more): the Bulgarian National Radio emits informational-musical programs for regions with compact Turkish population three times a day with 30 minutes duration, or a total of 90 minutes daily; the cable TV *7 Dni* has two 30-minutes broadcasts per month for Roma; and last of the regular radio and TV broadcasting in/about Muslim minorities('s) (languages), concerns messages addressed to

⁴⁴⁵ Ibid, p.9.

⁴⁴⁶ Ibid, p.10.

⁴⁴⁷ *Техните Гласове* (Their Voices), Center for Social Practices ed., Sofia: 2002, p.25.

⁴⁴⁸ Recall the case with the Deputy Regional Governor of Pazardjik, Molla Ahmed, who spoke on a meeting in village of Kornitsa on 29 March 2003, calling upon the Pomak Muslim population to insist on studying the Turkish as their official language. That transformed into a great political scandal, which brought into light old nationalistic fears of Turkey's anti-Bulgarian propaganda and "planned" cessation of the Western Rhodopes from Bulgaria.

⁴⁴⁹ Ibid, p.12.

⁴⁵⁰ Ibid, pp.67-8.

believers in relation to religious holidays such as Bayram and/or Ramazan (2-3 times a year). In addition to these limited regular emissions, there are occasional TV or radio broadcasts discussing different Muslim minority-related problems. These, however, could hardly be called sufficient in number and/or adequate in content, especially against the background of the fact that more than 180 private radio stations and about 80 cable and air TVs are operating on the territory of Bulgaria, and neither of them has contributed substantially to improving the relations *media – (Muslim) minorities*.⁴⁵¹

As far as printing media are concerned, the situation in terms of number and adequacy of reflection is slightly better there as the greater part of these editions (not to say all of them) are prepared and published by Muslim minorities themselves. Thus, the state Framework Convention's report lists the following printed media: 1) Turkish: *Filiz* (children's weekly newspaper in Turkish); *Balon* (children's monthly magazine in Turkish); *Gonul* (a monthly magazine on education and culture, in Turkish); *Kaynak* (monthly magazine on culture, in Turkish); *Deliorman* (a quarterly magazine in Turkish); and *Sabah* (a weekly newspaper in Turkish), 2) Romani: *Drom Dromendar* (an independent monthly newspaper in Bulgarian and partly in Romanes); *Zhitan* (an independent monthly magazine in Bulgarian); *Andral – Otvutre* (From Within) (a monthly magazine in Bulgarian and Romanes); *Gypsy Rai* (a magazine in Bulgarian); and *Akana* (a newspaper in Bulgarian), 3) General (principally treating minority matters): *Etnodialog* (Ethnodialogue) (a quarterly magazine for Armenians, Jews, Turks, Roma, Russians, etc.); and *Klub Zaedno* (Club Together) (a bimonthly intercultural magazine for teenagers), 4) Others: *Myusyulmani* (Muslims) (a bimonthly Chief Mufti's Office's edition in Turkish).⁴⁵² There is no edition currently published from/for Pomak Muslims and/or treating their problems as a specific minority. The *Rights and Freedoms* newspaper - a press organ of the Movement for Rights and Freedoms - that started to be published as early as 1990, ceased to exist in December 1998 – in its Turkish language version, and in 2001 appeared the last issue in Bulgarian (there was one big interruption from 1994 to 1995 as well).⁴⁵³ The official reasons for this was lack of financial resources.

According to a survey conducted by the Bulgarian Helsinki Committee on the ethnic press in Bulgaria in 2000, the best integrated into the Bulgarian society are the smallest minority groups such as Armenians and Jews. Conversely, the biggest minorities such as the Turks, Pomak Muslims, and Roma are the least integrated, which is due to a number of factors, among which the above mentioned insufficiency of number and inadequacy of coverage of Muslim related matters in media. That reveals the following paradox: there is one Jewish newspaper for two Jews per month, while there is one Romani newspaper for ten Roma per year.⁴⁵⁴ The situation with the Turkish minority is nearly the same as with Roma and that with the Pomak Muslims is incomparably worse.

The same survey shows that Muslim minorities' press organs are sponsored by both Bulgarian legal entities - primarily NGOs, and foreign persons/entities. More than a half of the financial resources of Turkish minority press comes from foreign sponsors (mostly

⁴⁵¹ Ibid.

⁴⁵² Ibid, pp.68-9.

⁴⁵³ Етническа преса в България, (*Ethnic Press In Bulgaria*), Bulgarian Helsinki Committee ed., Sofia: 2000, pp.43-4.

⁴⁵⁴ Ibid, pp.8-9.

Turkey's), and almost 100% of the financial support of Romani printing media stems from Bulgarian legal entities (NGOs).⁴⁵⁵ State subsidies for Muslim minority press organs are either insignificant or completely lacking. The technical equipment of the Muslim printing media is almost non-existent. For example, the Turkish minority *Kaynak* magazine with a circulation of 2,000, and *Rights and Freedoms* newspaper, with a circulation 7,000 dispose(d)⁴⁵⁶ of only one typing machine and one computer, respectively. This becomes particularly conspicuous on the front of the Jewish newspaper *Evreyski Vesti* (Jewish News) (with a circulation of 1,500), and the Armenian newspaper *Erevan* (circulation 1,100), which dispose of 1 computer/5 typing machines, and 2 computers/2 Xerox machines/2 typing machines, respectively.⁴⁵⁷ In addition, both surveyed Turkish press organs *Kaynak* magazine and *Rights and Freedoms* newspaper are written and issued by persons working on voluntary basis, i.e. without being paid at all (a total of 40 people for the magazine and one person for the newspaper), while there are 3 paid editors and 4 paid authors working for the *Evreyski Vesti* newspaper (no unpaid staff at all), for example.⁴⁵⁸

A representative excerpt of 10 persons from each of the Turkish, Roma and Macedonian minorities were surveyed as well on a number of questions related to minority discrimination in the press. In spite of the fact that such a limited number of people cannot provide a sufficiently objective reflection of the opinions of minority readers, it still accounts for observing the arguably predominant trend in the opinion of minority representatives. Thus, to the direction to point out media, which most impartially and amicably cover minority issues, 50% of the Macedonians straightforwardly responded – none,⁴⁵⁹ and the greatest percentage (30% from each group) among the Turks and Roma respectively pointed at their own editions - the *Rights and Freedoms* and *Drom Dromendar* newspapers, to be most trustworthy. Similarly, the National TV Channel I was described as the least objective (Turks - 10%, Roma - 10%, and Macedonians - 10%).⁴⁶⁰

3.5.2.1. *The image of Muslims in the press:*

The introductory text of the book *Their Voices* of the Sofia-based Centre for Social Practices devoted to minorities' presence in media reads: "If you are not able to represent yourself, alone, in the public space, always could appear someone to do this. And you are hardly ever pleased by the image you get this way."⁴⁶¹ It is clear without further comments, that the said concerns minorities and their reflection by media, i.e. according to the text, the matter concerns not so much the limited minorities' presence in media, neither the fact that mostly negative characteristics are ascribed to them in the media coverage, but the fact that media coverage of minorities - as far as it exists - is not in minorities' own hands. There is always someone else, keen on speaking for them, which voice - however good-intended - is never *authentic*, never the voice of minorities

⁴⁵⁵ Ibid, p.49.

⁴⁵⁶ Recall that the *Rights and Freedoms* newspaper no longer exists.

⁴⁵⁷ Ibid, pp.36-7 and 53.

⁴⁵⁸ Ibid, pp.53-4.

⁴⁵⁹ Ibid, p.65.

⁴⁶⁰ pp.100, 81 and 67.

⁴⁶¹ See id. *Техните гласове (Their Voices)*, Centre for Social Practices ed., p.5.

themselves. Thus, the notorious model of Bulgaria's ethnic toleration remains a mere anxious resignation with the ethnic diversity in the country, and not at all a state of joy for or pride of the ethnic richness of the nation, which is the only way to establishing truly just relations in society.⁴⁶²

The point is that *the majority-minorities* relation in a country cannot be simply based on tolerance, but placed on a much higher level of substantive equality, which presupposes affirmation of such minorities' image - including and particularly through media - that minorities want to promote about themselves, and not what the majority or others disseminate. What happens when it is vice versa?

The fact is that the image of the biggest Bulgarian minorities build by majority-dominated media is burdened by a degree of negativism. Thus, the prevalent emotions in the attitude towards Turks are fear from and suspicion to their (political) intentions, in spite of the simultaneously "strong respect for their diligence, unity and determination."⁴⁶³ Theories about Turkey's ambitions for Bulgarian territories are still broadly shared among ethnic Bulgarians, and accordingly covered by media. Thus, not only negativism towards the Turkish minority increases, but also the possibility for building substantive equality among Bulgarian citizens reduces, as the nationalism grows high. As the author of the introductory text of the above mentioned study, Evgenij Daynov, points out, "there is hardly a day, in which some Bulgarian newspaper does not refer to the five-hundred year Turkish yoke, the Turkish bestiality or their barbarian [Islamic] customs."⁴⁶⁴ "The officials - Daynov goes on - from the Ministry of Education have never been bothered by the question how myths like these are projected on children's mentality of Turkish and Bulgarian-Muslim background, who are obliged to use text books [with such content]."⁴⁶⁵ Yet, whatever the prejudices against the Turkish minority representatives in Bulgaria, Turks appear to consider themselves well-integrated (or at least, better integrated than the Pomak Muslims and Roma) into Bulgarian society. The basic reason for this is their clear sense of ethnic belonging and pride based on the Ottoman-Turkish past, which subconsciously generates respect for the Turks within the majority regardless of all existing stereotypes. That is essentially missing in respect to both Pomak and Roma Muslims, although prejudice's groundbase against both communities rests on totally opposite poles.

The Bulgarian Roma turn to be the most rejected community in the country. The "traditional" epithets used by both media and majority population in Bulgaria alike as a name of reference to Roma remain "dirty, ignorant, bad-mannered, impudent, thievish, lazy, liars", etc. As if the only positive characteristic ascribed to Roma not only on the part of ethnic Bulgarians, but all the rest, is that Roma are musical, gay and carefree people.⁴⁶⁶ Thus, by being rejected by both majority and other minorities, Roma sink to occupy the lowest and most marginal strata of society. As such, however, they paradoxically turn to be the most tolerant, amicable, and receptive ethnic community in Bulgaria. However, the fact that Roma have started to accept the persistent breach of their basic human rights as "in the nature of things", creates anxiety from a human rights point

⁴⁶² Ibid, pp.5-10.

⁴⁶³ Ibid, p.19.

⁴⁶⁴ Ibid, p.6.

⁴⁶⁵ Ibid.

⁴⁶⁶ Ibid, p.22.

of view, because this excludes any talks of first- and second-class citizens in a democratic society. Yet, this is precisely what happens when part of the citizenry in a country is utterly marginalised, and the state does not do much to change this situation.

The Pomak Muslims - “the invisible community” - are a third group of Muslims in Bulgaria, whose media coverage is far from flattering, and what is more - media are very often (voluntarily) used as a tribune from which this community’s members are “informed” who they are, and/or who they must be without ever being asked who they think to be. The lack of a stable and shared sense of self-identity among this population is broadly exploited as a means to effectively impose an identity upon it, which is none, but flagrant intrusion into the Pomak Muslims’ free exercise of their basic human rights. Thus, they “must” be either Turks or ethnic Bulgarians, “Turkicised” during the years of “the Ottoman yoke.” Many of the Pomak Muslims, in fact, are more comfortable to identify themselves as Turks, because, first, they feel culturally-related to the Turks, and second - because they do not feel compelled to accept “the fact” that they are Turks. At the same time, the trend in the Bulgarian public discourse maintained by media as of today dominates the view that the Pomak Muslims are “Turkicised Bulgarians”, and what is more, it is considered “an established fact”, which these people have no choice, but accept. However, this “fact” has one very frustrating consequence - those “Turkicised Bulgarians” become “apostates” and “traitors of the faith”, which have waved their right to respect.⁴⁶⁷ Thus, most of the Pomak Muslims reject the theory of being Bulgarians, and instead identify themselves as either Turks, or “others” - again, particularly due to the unfavourable public discourse conducted by the media about them. Yet, there is a particular part of Pomak Muslims that identify themselves as ethnic Bulgarians, but that does not mean that this way they are provided with any stable protection, or feel sheltered from negative attitudes. In fact, what we, as BHC representatives, established during our visits in regions with mixed population may sound paradoxical, but is a fact: (1) On the one hand, Pomaks that are settled among Turks tend to claim an ethnic Bulgarian identity, because of the simple reason that they are perceived as “different” by the Turks regardless of the fact that the Pomak Muslims speak Turkish in mixed regions⁴⁶⁸; (2) On the other hand, the Pomaks from the Western Rhodopes, where they are a majority and only small Turkish or ethnic Bulgarian communities are scattered among them, they have strong Muslim identity and tend to affiliate with Turks more often that with ethnic Bulgarians (mixed marriages between Turks and Pomaks are common in that region). One probable explanation for this might be that by living compactly Pomaks do not feel as vulnerable as in regions where they constitute a minority.

⁴⁶⁷ Ibid, p.26.

⁴⁶⁸ Such is the case with the Pomak village of Pripek in Djebel municipality, where about 98% of the population is of ethnic Turkish origin. We were told that this is the only Pomak village in the region with about 1,000 inhabitants, who marry only between themselves and tend to perceive themselves as ethnic Bulgarians rather than Turks in spite of the fact that they speak Turkish well. Still what happens in reality is that these people do not mix with the relatively small ethnic Bulgarian community in the municipality either. Thus, Pomaks isolate themselves from both Turks and ethnic Bulgarians there, merely because they are perceived as “different” by both Turks and Bulgarians.

3.6. Access to justice⁴⁶⁹

3.6.1. Access to criminal justice and related issues:

No comprehensive statistics based on ethnic and/or religious grounds about the number of persons involved in any stage of criminal and civil proceedings or sentenced persons is available as to enable an outright conclusion of discrimination and unfavourable treatment of Muslims (represented by Turks, Pomaks and Roma Muslims) in the justice system. However, it does not require a *prima facie* evidence or an expressed statistics as to justifiably claim that the representatives of some minorities - including Muslims, and primarily Roma - are over-represented in all types of penitentiary facilities starting from children's education institutions, through pre-trial detention facilities, to prisons. Suffering from the clumsy, corrupted, and ill-structured Bulgarian judicial system are all involved, but minority members are more than others, because stereotypes and racial profiling contribute significantly to the inadequacy of the access-to-justice process. Thus, an overview of the most essential problems in the Bulgarian justice system - primarily the criminal justice system - is needed in order to highlight the general, unsatisfactory access-to-justice process in Bulgaria. In addition, a brief description of the conditions, inmates' treatment, and related data in and from places of detention, along with surveys' data - the way BHC has seen this - will be provided to complete the picture.

3.6.1.1. Legal changes

The Bulgarian justice system, in general, is in poor condition both organisationally and financially. Yet, some latest legal developments enable the judiciary to maintain its independence on the executive and legislative branches, which was a very serious problem in the near past. Paradoxically, however, there are still categories of administrative acts, which up to date are not amenable to judicial control. Such are, for example, acts of layoffs of some categories of employees, acts that pertain to state defence and security matters, currency control, duties and customs. The judicial control over administrative matters continued to function routinely, although it is not exercised effectively (if exercised at all-) in all cases of violation of citizens' rights.⁴⁷⁰

The most serious problems in the judicial system up to date remain corruption, excessively prolonged proceedings, and poor coordination between the police, the investigating authorities and the prosecution, which results in gross violations of defendants' human rights in criminal proceedings. The transfer of cases from the investigation to the police after sequential reforms of the Code of Criminal Procedure (CCP) in July 1999, decreased the length of criminal proceedings, but no reliable information is available as of today as to whether this has simultaneously been accompanied by a satisfactory quality of evidence in criminal cases.⁴⁷¹

⁴⁶⁹ For administrative and civil justice issues connected to vakuf property and expulsion of foreign Muslim preachers from Bulgaria respectively, see subsections *Expulsion of Muslim Preachers* and *Vakuf Property Issues* under *Freedom of Religion* section in Chapter III.

⁴⁷⁰ See id. *Human Rights in Bulgaria in 1997*, BHC Annual Report, p.4.

⁴⁷¹ See id. *Human Rights in Bulgaria in 2000*, BHC Annual Report, p.5.

A decisive step towards solving the problem of prolonged detention of not yet convicted persons was made in July 1997 through amendments of the CCP. Thus, Art. 153(3) of the Code, which practically obliged the preliminary investigating authorities to detain accused persons facing ongoing legal proceedings on basis of some other charges or on recidivism basis, was repealed. Instead, time limits were set for detention on remand for up to 1 year in the general case, and up to 2 years - in exceptional cases (i.e. for a person sentenced to more than 15 years imprisonment or life imprisonment). The amendments gave chance to repeated appeal of detention, and hundreds of accused persons made use of the new provision. As a result, in October the same year (1997) Parliament introduced new changes to the Code of Criminal Procedure stipulating that the new terms did not apply to already detained persons, which stipulation rendered the positive CCP' reform discriminatory in effect. Still innovations such as the reduced prosecutor's role in the process of preliminary criminal investigation did remain positive in effect. However, the prosecutor's office continued to head and supervise the investigation proceedings, and hence, the problem with duality of function of the prosecutor stayed unsettled.⁴⁷²

Regretfully, the respective reforms did not affect one very important issue - introduction of a mandatory legal counsel for indigent defendants. Art. 70 of CCP continued to provide for free legal assistance only to some categories of accused persons, among which were not detainees.⁴⁷³ In April 1998, however, the Constitutional Court rejected the possibility of criminal trials to proceed in the absence of legal counsel for defendant. The Court ruled that a lawyer should be appointed *ex officio* if the defendant is unable to hire one.⁴⁷⁴

By virtue of amending the Judiciary Act in November 1998 the jurisdiction of the Prosecutor's Office was further reduced. Thus, the prosecution was deprived of the power to terminate criminal proceedings on its discretion. Criminal proceedings could be terminated already only by a court's decision.⁴⁷⁵

In July 1999, subsequent amendments to the Code of Criminal Procedure finally brought a number of aspects of the criminal justice system in Bulgaria in line with the requirements of the European Convention on Human Rights. The reforms included reduction of the period of detention on remand; termination of preliminary proceedings only by a court order (and not by a mere order of the prosecution - see the proceeding paragraph); introduction of pre-trial police investigation for a number of minor offences; and most importantly, introduction of mandatory legal defence for indigent defendants in all cases where "the interest of justice so require". The latter innovation somewhat improved the situation of indigent charged and indicted persons through significantly reducing the percentage of those who were/are involved in criminal proceedings without legal counsel (According to BHC those having no legal counsel in 1999 constituted more than 50% of the total number of accused and convicted persons).⁴⁷⁶

Unfortunately, however, in 2000 BHC still reported that the majority of signals about assault and beatings during detention had come from people who had no access to legal

⁴⁷² See *id.* *Human Rights in Bulgaria in 1997*, BHC Annual Report, p.4.

⁴⁷³ *Ibid.*, the same page.

⁴⁷⁴ *Human Rights in Bulgaria in 1999*, BHC Annual Report, p.3 (at: <http://www.bghelsinki.org/frames-reports.htm>).

⁴⁷⁵ *Ibid.*, the same page.

⁴⁷⁶ *Ibid.*

counsel during pre-trial detention, especially when they belonged to a particular ethnic group.⁴⁷⁷

The important amendments made to the Sentence Enforcement Act in 2002 finally brought the Bulgarian system somewhat into line with the European standards for treatment of detainees, and helped solve some practical problems as well. The reforms contributed to alleviating the over-crowdedness in prison blocks; provided for opportunities for early rehabilitation, and for early release after serving a specified period of one's sentence; gave opportunity to long-sentence-prisoners' to demand transferred to labour correctional facilities; and provided for judicial appeal in cases of punishment in isolation cells and/or long-term isolation.⁴⁷⁸ Still the number of mistreated in detention centres, as well as the number of those having no access to legal defence in criminal proceedings, particularly among minority representatives, remains considerably high as of today.

A study of the Bulgarian Helsinki Committee published in 2003 on access to justice concludes that "being an ethnic Bulgarian is a factor, which increases the possibility of the defendant's being represented by a lawyer during first instance court's proceedings."⁴⁷⁹ The study further establishes that there is strong correlation between ethnic belonging (Roma and Turks/Muslims) on one hand, and unemployment, serious crime indictment, effective imprisonment, and pre-trial detention - on the other hand. In other words, ethnic minority members are over-represented among (1) the charged with serious crime commission, (2) the sentenced to effective imprisonment, (3) and the kept in pre-trial detention. Moreover, the unemployment condition in pre-crime commission, which has dominated among the ethnic minority defendants, reduces the possibility of their being represented by a legal counsel during criminal proceedings, especially at pre-trial and first-instance-court stages.⁴⁸⁰

The same study reveals that the percentage of Turks (Muslims) and Roma among those awaiting trial and already sentenced persons are as follows: charged - Turks (Muslims) – 10.9%, and Roma - 16.5%; convicted - Turks – 17.2%, and Roma – 24.8%. This situation demonstrates a disproportionate share of ethnic minority representatives in criminal proceedings in comparison with their share from the total number of Bulgarian population.⁴⁸¹

3.6.1.2. Excessive use of force and misuse of firearms by police and access to justice

Many deaths, particularly of minority members, have occurred throughout the years of transition in Bulgaria as a result of excessive use of force and misuse of firearms by police both outside and inside places of detention. BHC reported at least 10 death cases resulting from police' shooting in 1998, and more than half of the victims were minority representatives, (primarily Roma, or suspected to be such). Some of those cases were

⁴⁷⁷ See *id.* *Human Rights in Bulgaria in 2000*, BHC Annual Report, p.5.

⁴⁷⁸ See *id.* *Human Rights in Bulgaria in 2002*, BHC Annual Report, pp.18-9.

⁴⁷⁹ *Достъпът до правосъдие: международни стандарти и положението в България (Access to Justice: International Standards and the Situation in Bulgaria)*, BHC Report, Sofia: 2003, p.88.

⁴⁸⁰ *Ibid.*, pp.59-99.

⁴⁸¹ *Ibid.*

investigated and the perpetrators sentenced in the course of year in question, but some were quickly and conveniently terminated by the end of end of 1998.⁴⁸²

BHC showed perspicacity by juxtaposing the media coverage of two identical death cases in 1998 - one of the Rom, Yordan Yankov, and the other one of the ethnic Bulgarian, Staniela Bugova - and observed that the two were reflected in discriminatory manner by media. While the former's coverage had been "scarce", the latter's one was "covered through all judicial proceedings" as a show of public's indignation from Staniela's killing by police due to negligence.⁴⁸³ Through the prism of that reflection it seems as if one person's life is less worthy than another person's life, which grossly violates the ethics of the *jus cogens* stipulation that "any doctrine of superiority based on racial differentiation is scientifically false, morally condemnable, socially unjust and dangerous, and that there is no justification for racial discrimination, in theory or in practice."⁴⁸⁴

- Ayredin Moustafov - a Muslim, was shot by police in a chase on 2 December 1998, and died five days later in a hospital. Two years after his death - on 14 December 2000 - the police officer that killed Ayredin was sentenced to four and a half-year imprisonment, which constituted a flagrantly inadequate punishment for a murder. In the case of the Rom Traycho Vassev, killed by border guards in February 1999, charges were brought against the perpetrator, who was submitted to court, but found innocent and duly acquitted.
- In March 1999, the Military Prosecutor in Pleven closed the investigation initiated as a result of the police raid of the village of Mechka Romani neighbourhood in July 1998. During the raid launched under the formal pretext of a search for stolen property and animals, at least 30 persons - including women, children, and disabled persons - were beaten and suffered various injuries.⁴⁸⁵
- In the other two cases of mass beatings in Romani neighbourhoods - in Krivodol, March 1998, and in Septemvri, April 1998 - preliminary investigations were not even instituted. The Prosecutor's Office, which was repeatedly approached, justified its inaction by saying that the victims had lodged no complaints. It should be noted, however, that even so, the Code of Criminal Procedure does not necessarily require a complaint from a victim in order to initiate an investigation.⁴⁸⁶
- More than 9 were the killings by law-enforcement officials registered by BHC in 2001, many of whom were ethnic Turks and Roma. BHC reported and has monitored the case of 46-year-old Mehmed Myumyun, who was allegedly confused with a wanted criminal, and died as a result of severe beating by police on January 10, 2001. Charges were brought up against two police officers participating in the killing, but the Sofia City Court cleared up both on 5 March

⁴⁸² *Human Rights in Bulgaria in 1998*, BHC Annual Report, pp.1-2 (at: <http://www.bghelsinki.org/frames-reports.htm>).

⁴⁸³ *Ibid*, the same pages.

⁴⁸⁴ International Convention on the Elimination of All Forms of Racial Discrimination (CERD) of December 21, 1965, Preamble (at: http://www.unhchr.ch/html/menu3/b/d_icerd.htm).

⁴⁸⁵ See *id. Human Rights in Bulgaria in 1998*, BHC Annual Report, p.2.

⁴⁸⁶ *Ibid*, the same page.

2001. The decision was appealed, but the proceedings were still ongoing as the time of writing this report.⁴⁸⁷

- On 2 July 2001, a Varna military police officer shot and killed 21-year-old Sevgin Assanov, who had run away from his army barracks. The investigation was not completed by the end of 2001, and the case was entirely closed in 2002.⁴⁸⁸

- On 18 February 2001, Seval Sebahtin from the town of Kurdjali died in police custody after being caught by Border Police officer together with about 20 illegal immigrants. An investigation into the case revealed that the border guards used force and various instruments not only at the time of Sebahtin's arrest, but also used clubs, handcuffs, fists, legs, and the butts of their rifles to beat him up in detention. In February 2002, the Plovdiv Military Prosecutor's Office initiated investigation proceedings on the case, and brought charges against 7 officers. The judicial proceedings were ongoing as of the time of writing.⁴⁸⁹

- On 30 of June 2001, two Roma men - 31-year-old Selyahtin Hassanov and 32-year-old Radostin Hristov - were shot and killed near Yambol by two guards in an attempted robbery in a co-operative agricultural farm.⁴⁹⁰ Judicial proceedings were initiated on the case, and currently the case is returned to the lower court for review.

- BHC informs of nine cases of suicide committed while in detention. For two of the cases - one of which concerns a person of Turkish ethnic background - BHC states that "there is reason to believe that the detention facility personnel responsible for them [(the two suicides)] did not do all they could to prevent the deaths, or that they even helped cause the suicides in some way with their actions." In March 2002, 29-year-old Mesut Karadavud was found hanged in the infirmary of the Sofia prison. About two months earlier his relatives had requested Karadavud's release because of his being diagnosed with "state of non-adaptiveness" for which Karadavud needed "increased psychological support" to avoid deterioration of his depression. As BHC records, Karadavud's relatives believed that "someone paid other prisoners to kill him." Investigating judges, however, concluded that the prison staff had complied with their obligations, and therefore, they were not responsible for aiding and abetting Mr. Karadavud's committing a suicide. The proceedings on the case were ongoing as of the time of writing.⁴⁹¹

⁴⁸⁷ Ibid.

⁴⁸⁸ Ibid.

⁴⁸⁹ See id. *Human Rights in Bulgaria in 2002*, BHC Annual Report, pp.2-3.

⁴⁹⁰ *Human Rights in Bulgaria in 2001*, BHC Annual Report, p.2 (at: <http://www.bghelsinki.org/frames-reports.htm>).

⁴⁹¹ See id. *Human Rights in Bulgaria in 2002*, BHC Annual Report, p.3.

A BHC check in military courts and prosecutor's offices related to use-of-force and misuse-of-firearms cases between 1997 and 1999, had revealed that indictments had been prepared, proceedings instituted, and/or sentences passed to only 23% of the total of 152 examined cases. The remaining cases were either at different stages of investigation (which in certain cases had been drugging on for over 2 years), or the preliminary proceedings had not been instituted at all, or the instituted proceedings had been terminated, or the accused had been acquitted by a court's decision. BHC characterised some of the sentences passed by courts on abuse of force and misuse of firearms by police as "amazingly lenient".⁴⁹²

Of the total of 24 complaints against police brutality submitted by Roma with the Military Prosecutor's Office with the help of the Human Rights Project in 1999, only five preliminary proceedings had been initiated. Three of them were later dismissed without any charges being brought against the perpetrators at all.⁴⁹³

3.6.1.3. BHC surveys on mistreatment of defendants and monitoring initiatives in places of detention

In January and February 1999, the Bulgarian Helsinki Committee distributed a standard questionnaire among 309 detainees and prisoners from all prisons throughout the country, asking, among other things, about physical abuse of detainees by police during arrest, inside detention facilities, and during preliminary investigation. 51% of the respondents reported that physical force had been applied against them during arrest, 53% responded that they had suffered physical violence inside detention centres, and 37% - that physical force had been used against them during the preliminary investigation proceedings. The BHC survey established that the proportion of the interviewed Bulgarian Turks and Roma among respondents reporting the use of physical force was much higher than that of ethnic Bulgarians.⁴⁹⁴

The same survey was repeated in the period December 2000 – January 2001, among the same number of persons, who had become defendants after 1 January 2000 - the date of entry into force of the amendments to the Code of Criminal Procedure, which increased the power of the police to investigate crimes. This time 2% less (49% compared to 51% in 1999) defendants reported that physical force had been used against them at the time of arrest, and 9% less (44% against 53% in 1999) respondents complained of having suffered physical abuse during detention as compared to 1999. However, the use of violence against minority members, particularly Roma, had not changed the least, moreover, it had increased. Thus, 56% of Roma continued to report violence used against them during arrest (compared to only 46% in 1999), and 48% confessed they had been tortured while in detention (against 42% in 1999).⁴⁹⁵

The same survey examined the issue of detainees' access to lawyer during criminal proceedings from the moment of arrest as well, as the January 2000 amendments to the CCP provided for. The results showed that the legal changes contributed little—if at all—to the access of indigent defendants to free legal counsel. 55% of the respondents

⁴⁹² See id. *Human Rights in Bulgaria in 1999*, BHC Annual Report, p.2.

⁴⁹³ Ibid, the same page.

⁴⁹⁴ Ibid.

⁴⁹⁵ See id. *Human Rights in Bulgaria in 2001*, BHC Annual Report, p.4.

reported lack of access to lawyer during preliminary investigation in 2001, and their percentage was 54% in 1999. However, the share of those, who were not represented by a lawyer during trial was smaller (37%) in 2001 as compared to their percentage (44%) in 1999. Still minority representatives were again discriminated against in their access to justice. 61% of Romani respondents in 2001 stated that they had no lawyer in pre-trial proceedings, which was 8% higher than in 1999 (53%).⁴⁹⁶

A third consecutive year, namely, in the period August–September 2002, the Bulgarian Helsinki Committee launched its next survey on investigating physical abuse of detained and imprisoned, but this time among inmates of only 4 Bulgarian prisons.⁴⁹⁷ 43% of the respondents reported that they had been tortured or abused in detention units, which is 1% lower than in 2002. However, while the general level of detainees' mistreatment had decreased with the insignificant 1% in 2002, the number of members of minority groups complaining of violence in places of detention increased disproportionately - the number of Turkish, and particularly Romani suspects reporting abuse in detention centres, had grown times higher as compared to the number of ethnic Bulgarians in 2002 (for example, 77% of the Roma and only 27% of the ethnic Bulgarians complained of having been mistreated while in detention).⁴⁹⁸

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In 1997, the Bulgarian Helsinki Committee managed to visit all prisons in Bulgaria. BHC monitors established the poor material- and destitute hygienic conditions in prisons, due to which epidemics had gained threatening dimensions in prison facilities. Thus, tuberculosis had been the main cause of increased death rate in prisons. The Committee reported on 59 deaths among inmates in 1997 alone, which constituted 23 more death cases than in the previous 1996.⁴⁹⁹ "Ill-treatment is systematic in Bulgarian prisons, in some of them, for example in Bourgas and Lovech prisons, it is used as means to maintain prison order."- commented BHC in its 1997 annual human rights report.⁵⁰⁰

During its visits the next 1998 year, BCH depicted the following general picture of the predominant part of Bulgarian prisons: over-crowdedness (three to five times higher than the admissible figure); scanty food portions for inmates; shortage of mattresses, blankets and sheets; lice; insufficient living space; inadequate airing, lack of separation of convicted from remanded persons; mass violation of prison rules on the part of staff in respect to the prisoners; non-observing of the schedule of locking the corridors; unjustified stopping of correspondence; continued detention in prison after serving one's sentence; denied access to psychologist; confiscation of personal belongings; etc.⁵⁰¹

In 1999, the BHC was not only able to pay its yearly visits to prison units, but also got access to detention facilities for the first time. BHC reported for 10,147 detainees in Bulgarian prisons, among which - 8,034 convicted; 635 accused; and 1,478 indicted as of January 2000. About 1,000 detainees were kept in detention facilities, and more than 7,00

⁴⁹⁶ Ibid, pp.5-6.

⁴⁹⁷ With the entrance into force of the new Sentence Enforcement Act in 2002, it became impossible for BHC researchers to meet with suspects and accused persons, as well as to take interviews from them.

⁴⁹⁸ See id. *Human Rights in Bulgaria in 2002*, BHC Annual Report, p.4.

⁴⁹⁹ See id. *Human Rights in Bulgaria in 1997*, BHC Annual Report, p.7.

⁵⁰⁰ Ibid, the same page.

⁵⁰¹ See id. *Human Rights in Bulgaria in 1998*, BHC Annual Report, p.6.

juvenile delinquent - accommodated in “mandatory education facilities”, also called Correctional Boarding Schools as of the same date.⁵⁰²

The total number of detainees as of January 2001 was somewhat lower - namely, 8,971 persons accommodated in the 13 prisons and the 23 labour correctional hostels in Bulgaria. The number of accused among them was 347; indicted - 1,100 people; and those kept in pre-trial detention - 1,000 respectively.⁵⁰³

As of December 31, 2002 a total of 9,422 people were detained in Bulgarian prisons and labour correction facilities. Of these, 406 were charged and waiting trial, while 1,623 were already convicted - 482 inmates were serving their sentences in “open” type of prison facilities, and 672 - in facilities of transitional type.⁵⁰⁴

Yet, many of the prisons have remained overcrowded, and in destitute hygienic conditions - shared bathrooms; a single toilet used by 30-40 people; old prisons’ infrastructure desperately needing repair; low average daily food rations - 1,66 leva (0,88 Euro), and in some prisons - only slightly above 1 lev on average. In addition, the changes in the Sentence Enforcement Act have revoked the right to free health care, including to free medicine on an outpatient basis due to insufficient budget. Corruption in prisons and other detention facilities continues to be a problem as of today.⁵⁰⁵

The latest BHC visits in detention facilities in Slivnitsa, Svilengrad, Petrich, and others, show that they are still overcrowded, and the inmates have no direct access to sunlight and adequate ventilation. Moreover, bottles and buckets are still used for detainees’ physiological needs, and bunk beds are used instead of proper beds. The detainees occupying top floors in detention units (such as those in Plovdiv) have complained that on hot summer days the temperature inside exceeds 40 degrees Celsius, with minimal possibilities of ventilation. Thus, such conditions, which are damaging the inmates’ health, could justly be described as inhuman and degrading.⁵⁰⁶

The latest BHC visits further reveal that - in spite of all legal reforms - the number of charged persons, detained for long periods of time continues to be a serious problem in Bulgaria. As of mid 2002, more than 100 people had been kept for more than 6 months in detention facilities without being yet convicted. As BHC informs, cases in which “the time between bringing charges against the individual and the beginning of enforcement of the final sentence takes several years, are not rarity”. For example, in the Plovdiv and Varna prisons the number of imprisoned for over 2 years without final conviction was 17 and 13 respectively for the year of 2002.⁵⁰⁷

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A significant point at which the treatment of Muslim inmates has proven to be discriminatory in comparison with the treatment assigned to detainees of Orthodox faith has become the practice of appointing prison clergy introduced in 2000. Prisoners and detainees professing Orthodox Christianity have been able to attend services regularly if they so wish. Yet, Muslim religious services have been only realised solely in the Sofia prison upon permission by the prison authorities given only at the end of 2000.⁵⁰⁸

⁵⁰² See id. *Human Rights in Bulgaria in 1999*, BHC Annual Report, p.7.

⁵⁰³ See id. *Human Rights in Bulgaria in 2000*, BHC Annual Report, p.14.

⁵⁰⁴ See id. *Human Rights in Bulgaria in 2002*, BHC Annual Report, p.18.

⁵⁰⁵ Ibid.

⁵⁰⁶ Ibid, p.20.

⁵⁰⁷ Ibid, p.19.

⁵⁰⁸ See id. *Human Rights in Bulgaria in 2000* , BHC Annual Report, p.16.

BHC reports on two incidents with Muslims in one of the most problematic prisons in Bulgaria, the Lovech prison. Mustafa Ramiev Mustafov from the village of Mostich, who suffered from diabetes and tuberculosis of both lungs, died in prison in February 2000 due to the criminal irresponsibility demonstrated by the prison governor. On February 11, the prison medical commission established the prisoner's poor state of health, and recommended "urgent transfer" to outside treatment facility. However, the prison governor refused to give his consent for that, as a result of which Mustafa Mustafov died seven days later in hospital, belatedly brought to one after all.⁵⁰⁹

About two months later, in May 2000, an inmate of ethnic Turkish origin from the same prison lodged a complaint on grounds of being a victim of ethnic discrimination with the prison governor and the Ministry of Justice and Legal Euro-Integration. However, instead of responding to the complaint positively, the result was a penalty through deprivation of Mr. Mustafov's right to receive visits for a period of two months, and confinement to penal cell without right to work for a period of 10 days. The prisoner went on hunger strike in protest against the ill treatment, and only as a result of his complaint to the Bulgaria Helsinki Committee, his punishment was cancelled. The prison governor, responsible for the measures, was only reprimanded with warning "to be more careful in imposing disciplinary punishment [in the future]", and that was the end of the story.⁵¹⁰

3.7. Participation in public life

The participation of Muslim community - notably the Turks - in the public and political life of Bulgaria has become possible through the Movement for Rights and Freedoms (MRF), which, although with growing ethnic Bulgarian membership, remains ethnically-dominated. With the 24 parliamentary seats won in the 1991 election, the MRF managed to secure its, more or less, active participation in the country's political life, as a result of which Bulgaria's human rights records markedly improved, especially as regards the rights of the biggest ethnic and religious minority in Bulgaria - the Turks. A significant number of the MRF members were elected in the local administrative bodies as well - more than 1,000 municipal counsellors, 27 municipal mayors, and 650 town and village mayors. Kurdjali, the main city in the District most densely populated by ethnic Turks, elected a Turkish minority mayor in 1991/92.⁵¹¹ This was a great success for MRF considering the fact that the party's participation in the October 1991 Parliamentary elections was far from warranted after its twice challenged by MPs constitutionality before and after the respective elections.⁵¹²

In about a year into power, however, the MRF withdrew its parliamentary support for the UDF government due to unfulfilled promises of both economic and human rights nature towards the Turkish-Muslim community, which remains the primary MRF's electorate. In October 1992, the MRF supported the new government headed by Lyuben Berov, economic advisor of President Zhelev. The Berov cabinet reigned by the end

⁵⁰⁹ Ibid, the same page.

⁵¹⁰ Ibid, p.15.

⁵¹¹ See id. *Human Rights in Bulgaria after the October 1991 Elections*, BHC Annual Report, p.1.

⁵¹² See under section *Right to Identity* (Chapter III) for Decision No.4, dated August 21, 1992, of the Constitutional Court.

1994, when the new parliamentary elections held on December 18, 1994 were won by the Bulgarian Socialist Party (BSP) with an absolute majority. The BSP leader Zhan Videnov formed a new government in his capacity of Prime Minister.

The rule of Videnov cabinet turned to be unfavourable in respect to (Muslim) minority rights protection. For a start the new government (as all other governments before and after it in fact) launched a policy of next to a mass replacement of municipal administration staff, and most often the appointed were active members of the former Communist party. Many officials from the state administrative and economic institutions were also dismissed and replaced by BSP adherents. One of the most devoted ex-Communists, directly responsible for the malevolent “revival process” - Academician Ilcho Dimitrov - was reinstated as a high-ranked governmental official. He was appointed a Minister of Education, Science and Technology. This appointment was sharply opposed by the Movement for Rights and Freedoms, which at that time was out of participation in the government.⁵¹³

It was during the BSP’s government when aggressive political nationalism was raging. In November 1995, the Member of Parliament, Gincho Pavlov - one of the leaders of the existing National Committee for the Protection of the National Interests, which Committee was a coalition partner of BSP - defined the Turkish/Muslim-based MRF as “an organisation, detrimental to Bulgaria.” Pavlov initiated a campaign for collecting signatures among the MPs, which would be filed as a petition with the Constitutional Court requesting a ban on the Movement for Rights and Freedoms.⁵¹⁴ That was the second, luckily unsuccessful, attempt to stifle the growing minority participation in the public life of the country.

The all-unsuccessful Videnov cabinet policy brought Bulgaria to desperate economic conditions as well, as a result which the government was forced to resign in December 1996. The next Parliamentary elections, scheduled for April 19, 1997, were convincingly won by the Allied Democratic Forces (ADF) coalition, and the leader of the UDF, Ivan Kostov, assumed the post of Prime Minister.

Six out of the 34 political parties and coalitions that fielded candidates in the last election were represented in Parliament. The ADF recaptured Parliament with 123 seats out of 240. Its electoral coalition partner, the People's Union carried 14 seats. The Movement for Rights and Freedoms (MRF), which formed the Alliance for National Salvation with several smaller parties, won 19 seats.⁵¹⁵ During the rule of the Kostov government (April 1997 and June 2001) the relationship between the governing majority and the minority-dominated MRF was rather tense.⁵¹⁶

When the National Movement for Simeon the Second (NMSII) - a political party led by the former Bulgarian monarch, Simeon Sax-Coburg-Gotha, won the June 2001 Parliamentary elections, it sought the support of MRF to form a government. Thus, through the Movement for Rights and Freedoms (MRF), the Bulgarian Turks, along with

⁵¹³ See *id.* *Human Rights in Bulgaria in 1995*, BHC Annual Report, p.1.

⁵¹⁴ *Ibid.*, the same page.

⁵¹⁵ The Bulgarian Socialist Party (BSP) held 58 parliamentary seats; the Euroleft (comprised largely of defectors from the BSP with a social-democratic orientation)--14 seats; and the populist Bulgarian Business Bloc (BBB)—held 12 parliamentary seats.

⁵¹⁶ US Department of State, *Background Notes: Bulgaria, October 1998* (at: <http://www.hri.org/docs/USSD-Background/Bulgaria.98-10.html>).

other Muslims (Pomak and Roma) were able to partake more actively in the Bulgarian political life once more.

3.7.1. Muslim participation in local government

As constituting the biggest percentage of the MRF's electorate, the Turkish minority takes an active part in both state central and regional government through its representatives elected with the mandate of MRF. However, during our visits as BHC monitors in Shumen, Razgrad and Kurdjali districts (in the last two of which the majority of population is Turkish-Muslim) it was curious to establish that there is a great disproportionality between the share of Muslim-Turkish participation in local government and their share in the total population of these districts. Of course, no rule on proportionality exists that requires to be applied (at least not a formal one), but in regions where more than 50% (or close to 50%) of the population is a minority population, it should be expected that the percentage of minority's participation in public life of the respective region has to be, at least, close to proportional, which is not the case in any of the three districts in Bulgaria most densely populated by Turkish-Muslim population, (Shoumen, Razgrad, and Kurdjali districts). In short, the Turkish-Muslim population is underrepresented in both local state administrative institutions and law-enforcement agencies, as it shall be seen below.

Thus, the 40%-minority population in Shoumen District⁵¹⁷ is represented by only 4 persons working in the Shoumen district administration, namely 3 persons of ethnic Turkish background (a Deputy District Governor and two experts: Expert on Ethnic and Demographic Problems and Expert on Compensatory Records and Restituted Property) and one Rom (Expert on Romani issues). This constitutes only 12.5% of the total district administrative staff – 32 persons, which is far below the figure of 40% minority population and 35% Turkish-Muslim population living on the territory of Shoumen District.

Of the 10 municipal centres in Shoumen District, half are headed by mayors of ethnic Turkish origin, namely Venets, Varbitsa, Nikola Kozlevo, Kaolinovo and Gara Hitrino, due to the fact that they are elected as MRF's candidates. While of the 24 mayor's offices in Shoumen Municipality, only 4 mayors are ethnic Turks (plus, 2 deputy mayors), appointed by a decision of the Municipal Council in Shoumen. Of the 100 persons working in the Shoumen municipal administration, only one is ethnic Turk, (a member of MRF, who is Director of Administrative Department), in spite of the fact that about 13% (or 13,000 people) of the Municipality's total population – 104,000 people – are ethnic Turks.

One of the municipalities in Shoumen District with most prevalent ethnic Turkish population is Gara Hitrino. The Municipality consists of 21 settlements, where more than 85% of the population is ethnic Turkish, 3% ethnic Bulgarians, and 12% others, including Roma. The 21 settlements are managed by 4 mayor's offices, all of whom are ethnic Turks.

⁵¹⁷ 204,378 total population in Shoumen Region: 123,084 of them – ethnic Bulgarians (or 60%); 59,551 – ethnic Turks (or 29%); 16,457 – Roma (8%); and a total of 72,544 – Muslims (35%). Note that the calculations are made on the basis of the last 2001 census' data (at: <http://www.nsi.bg/Census/Census-i.htm>).

Of the 23-member municipal personnel in Gara Hitrino, 15 are ethnic Turks and 8 are ethnic Bulgarians. Together with the staff of the 4 mayor's offices, the total number of personnel grows to 73, of which 50 are ethnic Turks and 23 – ethnic Bulgarians. Thus, the juxtaposition of the ratio of 68% ethnic Turkish- and 31% ethnic Bulgarian staff-representation and the ratio of 85% ethnic Turkish- and 3% ethnic Bulgarian population in the Municipality constructs a reality of very disproportional minority participation in the government of a municipality where nearly 100% of the population is a minority one. Constituting only 3% of the total Municipality's population, ethnic Bulgarians occupy 31% of the local state administrative posts, completely excluding of participation other smaller minorities such as Roma, or others, which form the remaining 12%.

The above tendency of disproportional representation of Turkish Muslims in local state administrative government is even more conspicuous in Razgrad and Kurdjali districts, because the majority of population in them is Turkish-Muslim. 47% of Razgrad District's population is Turkish and 44% - is ethnic Bulgarian. However, the total number of Muslim population (according to the 2001 census) living on the territory of the District is higher – 54%, due to Roma and other Muslims settled in there.⁵¹⁸

Of the total of 37 persons working in the district administration of Razgrad, only 9 are ethnic Turks – District Governor, Chief Secretary, Director “State Property and Territory Regulation” Department, Technical Assistant, and 5 Experts. Although an important position, it should be accounted that the position of a district governor is a political post, won with the mandate of the Movement for Rights and Freedoms, i.e. due solely to the fact that the majority of the voting population in Razgrad District is ethnic Turkish, therefore MRF's electorate. Thus, the post of District Governor taken by an ethnic Turk, however important, is not enough to serve as an indicator for adequate participation.

The situation with ethnic Turks (including with Pomaks and Roma) working in the municipal administration of Razgrad is especially indicative for the actual extent of Muslims' involvement in local state government. Only 9 persons of the 98 officials forming the municipal personnel are ethnic Turks (or ethnic minority representatives at all) – Deputy Mayor, Secretary, Director of “Social and Spiritual Activities” Department, Director of “Ecology” Department, Director of Home for Elderly People, 3 Chief Experts, and an Expert.

Of the 20 mayor's offices in Razgrad District, 5 mayors are of ethnic Turkish origin (the mayors of Dyankovo, Lipnik, Mortogonovo, Yasenovets, and Srajitsa – villages, where the ethnic Turkish population is an overwhelming majority); 2 Deputy Mayors (Radingrad and Nedoklan – again with predominant ethnic Turkish population); and 4 Secretaries (Kitsenitsa, Lipnik, Mortogonovo, and Nedoklan). The Razgrad Municipal Council that appoints the above officials, consists of 33-member staff, 9 of whom are ethnic Turks – 7 elected with the mandate of MRF and 3 – with the mandate of other political parties.

The above enables the construction of the following ratios: 47% and 54% of the total population in Razgrad District is ethnic Turkish and/or Turkish-Muslim respectively, however, only 9% of the municipal administrative staff and roughly 25% of the 20 mayor's institutions' personnel in the District are ethnic Turks (or Turks-Muslims). Thus,

⁵¹⁸ According to the 2001 census, the total population in Razgrad Region is 152,417, of which 67,069 ethnic Bulgarians (or 44%); 71,963 – ethnic Turks (or 47%); 8,733 – Roma (or 7%); and a total of 81,835 – Muslims (or 54%).

in a district with a majority of Turkish-Muslim population, only about 25% of the local state administrative staff is ethnic-minority represented (excluding law enforcement authorities), which hardly constitutes a real opportunity for minorities (Muslim minorities) to adequately participate in local state government, even in areas where they form an actual majority.

In Samuil Municipality, Razgrad District, however – where 80% of the population is ethnic Turkish, 12% ethnic Bulgarians, 8% others – 70% of the municipal administration, enumerating 44 persons, are ethnic Turkish, including the Municipality mayor. In fact, the predominant status of the Turks in this case is due not to the minority status of the ethnic Bulgarians in the Municipality, but to the fact that those still living there are of old age (above 60).

The third and most densely populated with ethnic Turks district in Bulgaria, visited by BHC, is Kurdjali District with 61% ethnic Turkish, 34% ethnic Bulgarian, and 0.8% Romani population.⁵¹⁹ However, the total number of Muslim population in the district, represented Turks, Pomaks and Roma, is a little more than 69%, or 69.63%.⁵²⁰ Still, in spite of exclusively high percentage of Turkish-Muslim population in the District, only 9 persons of ethnic minority background (Turkish) work in the district administration of Kurdjali, which enumerates 39 persons, namely Deputy District Governor, Director of Directorate, and 7 Experts.

We, (as BHC monitors), were told that the ratio between ethnic Turks and ethnic Bulgarians within the 190-member staff of Kudrjali Municipality is 50/50%, without in fact being provided with concrete figures in response to our explicit inquiry. Both Municipal Mayor and Deputy Mayor are ethnic Bulgarians, and only the third in rank person in the municipal administration is ethnic Turk, who is entrusted with the post Director of Administrative Department. Thus, in the District with highest concentration of Turkish-Muslim population in Bulgaria – almost 70% - not only is the Turkish-Muslim participation percentage very low,⁵²¹ but also Kurdjali District is the only one of the three districts visited by BHC (along with Shoumen and Razgrad) with no case of an ethnic Turk being elected/appointed to the office of District Governor and Municipal or Deputy Municipal Mayor.

In two of Kurdjali district's municipalities, namely, Djebel⁵²² and Momchilgrad, where the population is more than 80% and 98% respectively, there is some degree of proportionality between the percentage of Turkish-Muslim population living there and the percentage of their representation in the municipal government. Thus, about 86% of the Djebel municipality staff is ethnic Turkish, 8% - ethnic Bulgarian, and 4.9% - Pomak Muslim.⁵²³ More than 50% is the ethnic Turkish representation in the administration of

⁵¹⁹ The 2001 census data account for 164,019 total population in Kurdjali Region: 55,939 of them ethnic Bulgarians (34%); 101,116 – ethnic Turks (61%); 1,264 – Roma (0.8%); and 114,217 – Muslims (69%)

⁵²⁰ The 5 percent difference between 69% Muslims and 34% ethnic Bulgarians explains with the fact that the Pomak Muslims in Kurdjali Region are registered as ethnic Bulgarians professing Islam.

⁵²¹ This percentage is 23 calculated on the basis of the Regional administration data. As BHC was not provided with other concrete statistics, further, specific calculations for Municipal personnel, or mayor's offices' staff in Kurdjali Region cannot be made.

⁵²² Djebel Municipality has a population of about 10,000 people, of which only 200 ethnic Bulgarians, living mainly in the town of Djebel (this is 2% of the of the total Municipality's population).

⁵²³ About 1,500 Pomak Muslims live in the Municipality of Djebel, and about 1,000 of them in the village of Pripek.

Momchilgrad Municipality. The posts of Municipal Mayor and Chairperson of Municipal Council – the two most important posts – are entrusted to ethnic Turks as well.

3.7.2. *Involvement in the work of law enforcement authorities*

If the Turkish-Muslim community's participation in local state administrative government is *inadequate*, then their participation in Bulgaria's public life through law enforcement institutions, notably through police and courts, is almost *non-existent*. The Turkish-Muslim representation in the law-enforcement institution in the three districts visited by BHC – Shoumen, Razgrad, and Kurdjali – is insignificant as concerns both the number of Muslims involved in those institutions and the rank they have there.

During the interviews conducted with top officials from the District Directorates of Internal Affairs (RDIA, or in Bulgaria known as РДБА) in Shoumen and Razgrad, they refused to provide information as to the exact number of RDIA personnel, or the number of ethnic minority members working there. To justify their refusal the RDIA officials forwarded “classified information” motives and statements of the kind, “We are not authorised to define the ethnic origin of people as that would be a show of discrimination”. Only by RDIA-Kurdjali we were provided with the above information, which is highly appreciative and speaks positively of the work that that institution does in order to improve the law enforcement authorities – minorities relation. Such being the case, the percentage calculations concerning Shoumen and Razgrad district would be approximate figures as they are based on approximate data, while the percentage calculations related to Kurdjali District should be considered as reflecting a factual situation.

Officials from the Shoumen District Directorate of Internal Affairs (RDIA) informed as that about 800 persons work in the institution, more than half of which operate in the RDIA police department. Of this total number, 33 are ethnic Turks – 31 sergeants and 2 higher-ranked officers (positions not specified); 4 are Pomak Muslims – 3 sergeants and 1 higher-ranked officer (position not specified); and 4 are Roma – all sergeants. This constitutes a total of 41 ethnic minority members working in RDIA-Shoumen, which barely forms 5% of the total personnel of the respective law-enforcement institution. Thus, the approximate 5% minority representation in RDIA-Shoumen (including police) should be compared to the 40% minority (and 35% ethnic Turkish) population in the District to factually confirm the thesis of the negligible Turkish-Muslim (minority) participation in the law-enforcement organs' work, notably police, in Bulgaria.

Of the 5 police officers appointed to serve the needs of Gara Hitrino Municipality (Shoumen District) – where 85% of the population is ethnic Turkish and barely 3%-ethnic Bulgarian – only one is ethnic Turk (the sole representative of minority groups at all), and he is sergeant in rank.

The other important law enforcement institution in Bulgaria, where the Turkish-Muslim participation is close to zero, is the court of law. Of about the 40 persons working in the Shoumen District Court, there is only one investigator of ethnic Turkish origin and two lawyers – ethnic Turks, working with (*with*, not *in*) the Court, which constitutes a mere 2.5% (without the two lawyers) of the total Court's personnel.

According to unofficial information acquired by us, as BHC monitors, there are between 40 to 50 police officers in Razgrad,⁵²⁴ four of which are minority members (ethnic Turks) – 3 sergeants and one higher-ranked officer (position not specified). Based solely on these highly irrepresentative data (because we received no access to more specific information), it was estimated that about 8 – 10 % of the active police personnel in Razgrad is minority-based. This percentage, however, could not be extended to reflect the situation in Razgrad District on the whole. Not knowing the total number of the RDIA police personnel (which should equalise to at least several hundreds and not simply 40-50 persons), it is not possible to come up with a truly representative percentage of Muslims' (and minorities' at all) involvement in the Razgrad police. In the best case the percentage estimated on a regional scale would be equal to 8-10%, however, the real figure should be expected to lie well below 8-10%. This thesis is indirectly implicated even by the fact that only a single ethnic minority member is a part of the regular staff of the Razgrad District Court – a recently appointed Prosecutor (an ethnic Turk), as well as one lawyer (also Turk), working with the Court.

In conclusion, the above calculations and assumptions refer to a district, where 54% of the population is Muslim, and even assuming that the 8 –10% participation for genuine, it is far from high enough to constitute an adequate minority participation in the work of the Bulgarian law enforcement authorities.

The reality of crude underrepresentation of the Muslim community (as well as of other minority groups) in the vitally important law enforcement institutions of the state is further emphasised by the situation in Samuil Municipality, where more than 80% of the population is ethnic Turkish. Only 3 of the 20 police officers acting on the territory of the Municipality are ethnic Turks (or minority representatives at all), which forms the strikingly discrepant ratio of only 15% participation/representation of a community that constitutes more than 80% of the total population in a municipality.

Opportunely, the thus far delineated tendency of Muslim minorities' underrepresentation in law enforcement organs shifts to a more positive direction as regards the situation in RDIA-Kurdjali. RDIA-Kurdjali was the only institution of the three visited that provided us with clear and concrete information about their personnel without bringing forward “classified information” arguments in order to avoid biding statements. One of the obvious reasons for their openness was the fact that RDIA-Kurdjali does have what to show in terms of constructive working with minorities, notably with ethnic Turks in the District. RDIA-Kurdjali appeared to be the only institution of this kind, where an ethnic Turk is appointed Head of District Police Department – Major Raif Mustafa. As of June 26, 2003, (the time of our visit in the

⁵²⁴ Note that this information concerns neither the RDIA-Razgrad total staff, nor the staff of the RDIA police department, which together should enumerate at least several hundreds. The given figures obviously concern only the approximate number of policemen active on the territory of the town of Razgrad. Note also that top officials from RDIA-Razgrad, interviewed by us, refused to provide any information about the number of RDIA's total personnel or the number of minority members from the personnel, announcing the first as “classified information”, which as such could not be revealed, and justifying the second with the explanation that they are not authorised to estimate how much of their personnel is minority-represented, because this would constitute discrimination against those minority members. It was also said that there was lack of minority candidates for work in police institution, i.e. only 10 of the 57 candidates for higher-ranked police officers at the beginning of 2003 had been Muslims (primarily Turks) and of the three appointed, one was ethnic Turk.

District) RDIA-Kurdjali disposed of 63 ethnic minority officers, 4 of whom were Roma (1 higher-rank officer and 3 sergeants) and 59 – Muslims (Turks and Pomaks, 13 higher-rank officers and 49 sergeants). For the first time, there are officers of ethnic minority background working in the Economic Police Department (one ethnic Turk), in the Traffic Police Department (one ethnic Turk), and in the Criminal Police Department (one Rom, a higher-rank officer). Thus the ratio formed between the Muslim community's participation in law-enforcement institutions and its share from the total population in the District is the most adequate one calculated in regard to the Shoumen, Razgrad, and Kurdjali districts (and most probably in regard to the country as a whole) in terms of both number of minority-based RDIA personnel and importance of positions the Turkish-Muslim representatives are occupying. The figure of Turkish-Muslim participation in RDIA-Kurdjali is set at 13% (for all: Turks, Pomaks, and Roma) against 61% ethnic Turks and 69% Muslims (Turks, Pomaks, and Roma) living in the District, and 22% of the RDIA minority personnel are higher-rank officers. Although this percentage cannot claim proportionality as well, it is at least the highest for the three districts measured (for Shoumen, Razgrad, and Kurdjali), and perhaps the highest country-wide. In addition, the share of higher-ranked officers among minority RDIA-Kurdjali's officials is sufficiently proportional as to contribute to accounting a more adequate Turkish-Muslim law-enforcement participation in Kurdjali Districts.

In the police department, serving the needs of Momchilgrad and Djebel municipalities (Kurdjali District), work 60 persons, 10 of which are ethnic Turks (1 higher-rank officer and 9 sergeants). Again, considering the fact that about 80% and 98% respectively of the population in Momchilgrad and Djebel municipalities is ethnic Turkish, the figure of 16.6% ethnic minority representation in the regional police is not high enough, but it is significantly higher than the percentage estimated for both Shoumen and Razgrad districts.

3.8. Access to effective medical care

The quality of medical care in areas settled by Muslim minorities cannot be defined by a single word, because, first, stable criteria for what constitutes an effective access to medical service are lacking, and, second, the criteria of Muslim population of what constitutes good medical care are below any criticism. This is owed to the fact that the overwhelming majority of Muslims live in villages, often below the social minimum of poverty. Thus, the conclusions based on collected evidence while on visits in Shoumen, Razgrad, and Kurdjali districts might not seem desperate, but they certainly reveal an access-to-medical-care situation that is very poor.

According to information provided by the Kaolinovo municipal authorities, about 90 % of the Municipality's population is health-insured, and therefore eligible to receive medical care. The remaining 10% are unable to make their monthly health-insurance payments, because of poverty and are thus left without medical service. Those 10% of people are not registered with the local Labour Bureau as unemployed as well (for detailed reasons refer to section *Access to employment* below).

Constituting more than 90% of the population, the ethnic Turks are distributed among the smaller and more isolated villages from the total of 7 settlements in Kaolinovo

Municipality⁵²⁵ (Shoumen District), which is served by 7 General Practitioners (GPs) – one for each village. Three of the GPs, working in the smaller villages of Kliment, Branichevo and Todor Ikonomovo, are not local; one of them travels to the village on a daily basis, and the other two remain on their work places throughout the work week. Having a medical doctor present most of the time during the week, people in the Municipality not only do not complain, but often claim that they are completely satisfied by the medical attention they receive. However, it is vital to remark here that people's expectations and demands from their GPs are often reduced to friendly attitude and civil treatment, which is far from sufficient to qualify for effective medical care.

In addition, there is no hospital in Kaolinovo Municipality, but solely an emergency medical service centre. In the course of years, only two complaints have been filed by people against the emergency centre's work, once for delayed appearing, and a second time – for rude treatment of clients. The municipal authorities pointed out that according actions to punish the responsible had been taken, but added that in spite of the so-demonstrated support on their part for ordinary people, the latter are not used to complaining and choose to remain passive when their rights are abused.

The situation with regard to access to medical care in Gara Hitrino Municipality (Shoumen District), where 85% of the total population is ethnic Turkish, is identically bad. The percentage ratio of health-insured versus non-health-insured there is 83% to 17%, meaning about 6,000 health-insured out of 7,200 eligible in total. The municipal population is served by 5 GPs, which are deemed sufficient in number in order to ensure an adequate medical service to people. However, this claim again should be considered through the prism of the very low criteria in accordance to which people measure on what constitutes *effective* medical care for them. The situation additionally worsens upon considering the fact that all 5 GPs are not local and have to travel daily to their work places, which means that the GPs are not at immediate disposal to their patients. This further puts under question the quality of medical service in Hitrino Municipality.

Moreover, Hitrino Municipality does not even have its own emergency medical service centre and emergency cases are taken instead by two neighbouring municipalities, namely Venets and Shoumen. The Hitrino municipal authorities reported that since 1999 they have repeatedly notified the Bulgarian Ministry of Health for the need to open an emergency centre on the territory of the Municipality, but the Ministry has not reacted to those requests as of the time of writing.

According to some representatives of the Razgrad District's village population that were interviewed, there is a sufficient number of GPs in the District, and thus only a small percentage of the population remains unregistered with GP (less than 10%). However, one problem for people was the fact that GPs are normally not local. To the question concerning the effectiveness of medical emergency units in the District, people responded that if one owned a car, one would be able to reach the municipal centre and receive medical help, if not – that is essentially person's (family's) own problem. In Razgrad District the Turkish-Muslim village population is generally unhappy with the quality of medical care it receives, but here again people avoid to complain officially.

The medical-service reality in Kurdjali District does not seem very positive either. Still one municipality, such as Momchilgrad, is served better than another municipality

⁵²⁵ The seven villages, including the municipal centre are as follows: Kaolinovo, Branichevo, Todor Ikonomovo, Sredkovets, Kliment, Sinevir, and Pristoe.

such as Djebel, and the reason for that appears to be more than trivial. Momchilgrad is simply a bigger town than Djebel. Unfortunately, however, that positive advantage is limited within the borders of the town of Momchilgrad only and the situation in the municipal villages – let alone in the smaller settlements – remains more than unsatisfactory. Thus, Momchilgrad Municipality is served by a total 11 GPs – 4 GPs for the town’s population and 7 GPs – for the remaining 46 municipal settlements. We were told that the number of GPs is sufficient to cover the needs of the municipal population.

The town of Momchilgrad disposes of own hospital and emergency medical service centre, as well as one apothecary, working with the National Health Insurance Fund, and reimbursing clients for purchased medicines. Ordinary people believe that they receive reasonably good medical care, and therefore they deem that they have no grounds to complain. Yet, it should be accounted for the fact that there are 30 villages and 16 smaller settlements in the Municipality (a total of 46 settlements) served by only 7 GPs, which is hardly a premise to conclude that people there do have an access to effective (at least timely) medical care. All the less could that conclusion be referred to the Turkish-Muslim population, which forms 85% of the total municipality populace, and the bigger part of which lives scattered in those villages and smaller settlements.

The situation with regard to access to effective medical care in Djebel Municipality is incomparably worse than the one in Momchilgrad, as there is no municipal polyclinic or hospital in Djebel, as well as no apothecary reimbursing clients. Only an emergency medical care centre operates on the territory of the Municipality.

The more than 10,000 population of the Municipality is served by 5 GPs, with a number of clients varying from roughly 300 to 3,000 per GP. One positive thing is the fact that all 5 GPs are local, which means that they are available most of the time. There are no specialised medical cabinets in the municipality as well.

According to local people, the percentage of those without health insurance in Djebel Municipality is high because for many reasons, among which: lack of information; financial inability to cover the monthly taxes (such people are not even registered with the Labour Bureau, because of being too poor to afford to travel every month to the municipal centre in order to sign up in the Bureau’s register); and because of frequent continuous absence from the country (i.e. at least one member per family among 80% of the families in the region is forced to seek employment abroad – Turkey and Western Europe – which is often the only way to secure some adequate family incomes, because of the high unemployment rate in the Municipality).

3.9. Access to employment⁵²⁶

According to data of the National Employment Agency (quoted by the Government in its Report under Art. 25 of the Framework Convention) the unemployment rate in regions settled by Turkish-Muslim population is twice as high as compared to the country’s average. Moreover, the World Bank has estimated that 25% of the “poor” in Bulgaria belong to ethnic minorities, notably Roma Turks and Pomak Muslims. The unemployment rate among Roma is as high as 70% and the basic reason for their unequal status in the labour market appears to be the low level of education and qualification

⁵²⁶ More on *Access to Employment* find under *Participation in Public Life* section.

skills among them.⁵²⁷ Because of this, the Roma are over-represented among those living on social benefits countrywide.

The situation with the Turks and Pomaks is no better. The heavy unemployment among and low incomes of the Turkish-Muslim population owes to the fact that the overwhelming majority of it lives in villages scattered around mountainous and semi-mountainous regions in Bulgaria. There not only the soil is barren, but the very attempt to earn a living through agriculture, cattle breeding and the like, as Muslims do, dooms them to poverty, because these activities are highly “discouraged” in Bulgaria currently. In addition, tobacco production, which has been the main and only source of incomes for the greater part of the Turkish-Muslim population, drastically decreased after 1991, because of lost markets, and that resulted in immense financial inability among Muslims.

In spite of the fact that there is no officially available statistics about the number of persons registered as “socially weak” on the basis of *ethnicity*, we were informed that Roma represent the greatest percentage of persons on social benefits in Shoumen and Razgrad districts, followed by ethnic Bulgarians and Turks respectively. As far as that information reflects the reality, the reasons why ethnic Turks (the same applies to Pomak Muslims as well) constitute the smallest number of persons on social benefits should be twofold. On one hand, being settled in villages, Turkish-Muslim population deals with agriculture - including limited livestock breeding – which way they earn just as much as to cover their basic needs. On the other hand, living in remote villages, many of the Turks-Muslims are sufficiently poor as to have no means to pay for transportation to municipal centres (or other bigger settlements), where they have to put the obligatory signature in the Social Care Service registers every month in order to acquire their welfare funds. In addition, often people see no point in registering as unemployed when there are less than meagre chances for them to be provided with an adequate job, and all that coupled with a the 6-month waiting period before they qualify for social benefits. Thus, many representatives of the Turkish-Muslim community prefer to rely on the scarce agricultural resources they dispose of to survive rather than to additionally burden their financial conditions with having to travel to municipal centres for monthly signing up.

During our visits in the three districts – Shoumen, Razgrad and Kurdjali – we established that the access to employment for ethnic Turks proved to be more limited as compared to that of ethnic Bulgarians, not only because of the above reasons, but because of other factors as well, specifically concerning persons with college or university education.

Such a factor is the existence of the Shoumen University and the Kurdjali Pedagogical College, both of which are located in areas with compact Turkish population. The closeness of the two educational institutions makes them very suitable for education pursuit by ethnic Turks, who can conveniently stay in their native places while enrolled at university. On the other hand, both establishments have departments of Turkish philology, and Turkish/Russian or Turkish/Bulgarian philology, a major both preferred and accessible to young ethnic Turks. Since both the Shoumen University and the Kurdjali Pedagogical College offer primarily pedagogical programs, the vast majority of university/college-degree holders among ethnic Turks are with pedagogic education.

⁵²⁷ World Bank, Poverty Assessment Update, Report, 2002, at: www.worldbank.bg/press/2002-04-eccbg.phtml.

Thus, considering the situation of general profusion of pedagogic cadres in the three districts – Shoumen, Razgrad, and Kurdjali, on the whole, and among the Turkish minority members themselves – as well as accounting of the limited number of work places, many ethnic Turks with Bachelor's and/or Master's degrees in pedagogy/philology remain unemployed.

The officially registered unemployment rate in Gara Hitrino Municipality (Shoumen District) for 2002 is 42%, but the municipal authorities consider that this figure should be set at much higher percentage, because many people living in the municipal villages have no money to travel to Hitrino for signature at the local Labour Bureau. Ordinary people added that they have no hope to get employment even after they have followed the entire cumbersome procedure, and that is why they deem unnecessary to register with the Bureau since, with or without registration, poverty does not leave. People sadly recalled that from the abundance of factories and plants that had existed in the past and that had provided employment for the almost entire municipality's population – now there are only one carpentry factory and one broom-makery left, securing employment for a total of 40 workers only.

Another municipality, with almost 100% Turkish-Muslim population, where the percentage of unemployment proved to be very high, is Djebel (Kurdjali District). Until recently Djebel Municipality relied exclusively on tobacco growing and tobacco processing to provide employment for its population. However, the situation changed dramatically and currently at least one family member among 80% of the families in the region is working or seeking employment in bigger cities around Bulgaria or abroad (as builders, or doing other unskilled work) in order to sustain their families. Most often the money coming from abroad is the single source of incomes, which the family has to live with. A significant number of people in the Municipality still rely on tobacco growing alone, the incomes of which are barely enough to cover families' basic needs.

There is one private textile factory functioning on the territory of Djebel Municipality, along with 2-3 smaller firms offering limited employment opportunities – namely, one related to production of milk food, one to manufacture of hydraulic cylinders and parts, and one to processing of oriental tobacco for export. The workers' monthly payment reaches an average of 150 leva (a little more than 75 Euro).

Slight contribution to alleviating the unemployment rate in regions settled by ethnic Turks have Turkish businessmen, which open small textile factories in those regions and hire local Turks. Such is the case with the textile factory in Djebel, which provides tailor's work to 70 women (mentioned in the preceding paragraph).

Apart from all those partial, very limited in scope and private in nature economic enterprises, there is no direct or substantial state support aimed at improving the conditions of life in the regions settled by ethnic Turkish or Pomak Muslims. Such support could be provided both legislatively and financially through encouraging the development of agriculture through proper laws and investments, which, however, has never been done in an organised and comprehensive fashion by the state if done at all. This state's rigidity results in both failure to make viable one very important branch of the national economy – agriculture – and factual demonstration of indifference towards the welfare of one significant part of the citizenry, which forms the driving wheel of the national agriculture, the Muslim (rural) population.