

JUDICIAL VERDICTS BY BULGARIAN COURTS REGARDING THE MACEDONIAN MINORITY

Verdict № 1 from 29th February 2000 about the Constitutional Case #3 of 1999, reporting Judge Canko Hadzistoychev (Published in State newspaper № 18, 07.03.2000 г.)

„In the Republic of Bulgaria there is no separate Macedonian ethnos.“

Decision by the Sofia City Court in October 2007.

“There is no formed Macedonian ethnos in Bulgaria”

Verdict № 407 of 07.05.2009 by SAS, President Ivan Ivanov, regarding the registration of the Macedonian Cultural and Educational Association “Nikola Vapcarov.”

„ In the Republic of Bulgaria there is no formed Macedonian ethnos and part of the indicated in the Association statut claim that such ethnos exists, as a minority, without rights and are calling for its endurance and protection of the Macedonian cause, because of which they represent actions against against the unity of the Bulgarian nation and its territorial integrity including as a basic consitiutional principle in the sense of article 44, 2 of the Consitiution.“

Blagoevgrad County Court, case № 12/2010, rejects the registration demand of the Association of Repressed Macedonians.

„The registration is inadmissible in the sense of article 602 ал. 2 of the Civic Procedural Codex as well as because the acitivity of the registrant structure will affect the unity of the Bulgarian nation. These conclusions are imposed from article 2, ал.2 of the Constitution where the means to achieve its goals are entrenched. The way they are formulated, the sense in which they are used and the invested content reveals their political character imposing the ignoring of the Bulgarian character of certain geographic regions. So in art. 2 ал. 2, т.2 activities are foreseen, connected to the Macedonian past and heritage, organizing lectures, speeches and reports for past and present problems of the Macedonian people (т.4), they proclaim collection, publishing and conservation of memoirs and other materials related to the “repressed Macedonia in Bulgaria” and also providing juridical and other assistance of activities of the “repressed Macedonians.“ (see p. 13 и 14). ... All these lead to the conclusion that it is a claim for registration of an association which goals and name are against the law. It cannot admitted that it is the case of a structure with goals to protect of the historical traditions and cultural weatl of a certain society. ... The realisation of the essential goals undoubtedly will negatively reflect on the unity of the Bulgarian nation and its sovereignty.

Verdict № 715 of 11.04. 2013, SAS, President Svetlana Bozhkova, against Association Macedonian Club for Ethnic Tolerance.

„The Constitutional norm of art. 44, par. 2, prohibits organizations which activities are directed against the sovereignty, the territorial integrity of the country and the unity of the nation, towards encouraging racial, national, ethnic and religious hatred, towards the violation of the rights and freedoms of the citizens. As such follows to be qualified also the organization for the protection of the interests of an ethnic minority which is not historically structured and isolated on the territory of the Republic of Bulgaria... In this case, from art. 2 par. 1 of the presented statute of the organization it is obvious that its basic goals are protection of the human and minority rights of the Macedonians and other minorities in Bulgaria (art. 2, par. 1, 4) and among the concrete activities to achieve these goals is indicated activity for the protection of the rights of the Macedonians (par. 2, point 3); organization of lectures, speeches and reports about the past of the Macedonians, about the revolutionary struggles of the Macedonians (p. 3), organization of Macedonian national gatherings, celebration of historical dates and events (p.6), collection, publication and conservation of memoirs, documents and other materials, connected to the destiny of the repressed Macedonians in Bulgaria (p.13), providing juridical and other assistance to repressed Macedonians and their heirs in Bulgaria (p.14), organization of rallies and demonstrations for the uphold and protection of the rights of its members and the rights of the Macedonian minority in Bulgaria (p.10), presenting the problems of the repressed Macedonians of the Macedonian ethnic minority in front of the relevant international organizations and activities for their resolution.

The systematic interpretation of such formulated goals in the statute and the means for their achievement indicates that it contains claims for the existence of a Macedonian ethnic minority which rights are violated and are subject to protection by the association. There is no Macedonian ethnic minority in the Republic of Bulgaria, in the sense of the definition, contained in Recommendation 1134 of 1990 of the Parliamentary Assembly of the Council of Europe, established and affirmed on the territory of the state as a group which members are citizens of the state and possess special religious, linguistic, cultural and other characteristic which will differentiate them from the majority of the population. That's why the designation of such minority through non for profit organization-association, made to function to satisfy their specific needs, in reality it doesn't protect their rights, if they are no different from those of the other citizens but cultivates a different ethnic identity among a certain part of the Bulgarian citizens, identity which was not formed in a natural historical way and therefore is aimed against the unity of the nation, which is not allowed according to art. 44, par. 2 of the Constitution.