



Annual Review

of the Human Rights Situation of Lesbian, Gay, Bisexual, Trans, and Intersex People in Bulgaria covering the period of January to December 2018

Bulgaria

Bias-motivated speech

In lack of criminal sanctions in place, civil society continued to use the Protection against Discrimination Act (PDA) to tackle hate speech, as it provides protection against harassment. Several cases were filed this year and perpetrators were fined.

Social acceptance has been severely impacted by the “anti-gender” movement steering up a heated debate around Bulgaria’s possible ratification of the Istanbul Convention this summer (see Equality and Non-discrimination). During the debate, the term “gender” became the new slur, replacing “faggot”.

Bias-motivated violence

Despite continued civil society lobbying, hate crimes on grounds of SOGIESC are still not recognised in criminal law and can only be prosecuted as general (unbiased) crimes.

Bodily integrity

Bilitis continued advocacy for banning medically unnecessary and non-consensual surgeries on intersex children, and for health specialists advising parents accordingly as well as for adequate health services for trans people. Initial collaboration started throughout 2017 with health specialists from St. Marina university hospital in Varna, Bulgaria.

Data collection

NGOs [GLAS Foundation](#) and [Deystvie LGBT Youth Organization](#) published [Running through Hurdles](#), a report on anti-LGBT hate crimes committed in 2017. Data collected by Bilitis on anti-LGBT hate crimes was also included.

Education

The “anti-gender” movement (see Equality and Non-discrimination) seriously impacted the work on inclusive education. A university in Burgas deleted a gender related course from its curriculum. LGBTI organisations were no longer able to work in schools, or partner with school authorities to promote LGBTI inclusion. The Minister of Education was called upon to extract gender-related content from school curriculum, and media reported on 300 teachers volunteering to do that.

Equality and non-discrimination

Although some MPs and leaders of mainstream political parties met with activists on different occasions, and expressed some openness to discuss the rights of LGBTI people, no meaningful steps were taken towards LGBTI equality in the political agenda of the current government.

In late 2017, the government indicated its intention to ratify the Istanbul Convention, which was met by severe criticism by nationalist parties in the ruling coalition, among others. Opposition to the convention claimed it would mean Bulgaria having to introduce a “third sex” and the possibility of marriage equality, among many other inaccurate claims.

“...enough of this Convention! We will withdraw it from parliament and leave to the Constitutional Court to decide. We will ratify it when there is total agreement within society”

Prime Minister Boyko Borissov (GERB; conservative), TV interview on 14 February

On 27 June, the Constitutional Court [ruled](#) on the case, finding the Istanbul Convention incompatible with the Bulgarian constitution. The Court found that the Istanbul Convention was indeed based on ‘gender ideology’ and that through replacing the concept of ‘sex’ with the concept of ‘gender’, this ‘ideology’ teaches that sex is relative and thus the differences between sexes are being compromised.

Key opponents of the Convention have already warned of the ratification of the Convention by the EU. [According](#) to Constitutional Court judge Atanas Semov, Bulgaria could halt any effect of such ratification by relying on Article 4 (2) TEU and the concept of ‘constitutional identity.’

Family

On 29 June, the Sofia City Administrative Court issued a positive decision regarding residence rights of a French-Australian lesbian couple in Bulgaria, who married abroad. This was the first positive case of litigation in relation to the Coman judgment (see more under the **European Union** chapter).

Unfortunately, the migration department later blocked the decision. The case is pending at the Supreme Administrative Court. As part of the [Love Moves](#) project, a petition with 5000 signatures was sent to the authorities, asking for the recognition of same-sex families residing in Bulgaria, whose family status is recognised by another EU country.

Freedom of assembly

Sofia Pride on 9 June was attended by over 3500 people and received unprecedented support from companies. For the first time, a large Bulgarian company raised the rainbow flag on its building. [Sofia Pride Film Fest](#) and [Sofia Pride Arts](#) grew their audiences. A new initiative preceding Pride week was [Sofia Pride Sports](#).

Freedom of association

The first LGBTI community centre, [the Rainbow Hub](#), opened in April in Sofia. Managed by Bilitis, GLAS and Deystvie, it offers a safe space for peer support and other groups. The effect on community mobilisation was immediately felt with an increasing number of volunteers for Sofia Pride and other community events.

Freedom of expression

A billboard campaign featuring same-sex couples standing in front of emblematic public buildings in Bulgaria stirred a lot of controversy and hateful remarks in December. Some posters were [vandalised](#). No billboards were damaged in Sofia and Plovdiv, the two largest cities.

Health

Thanks to the lobbying work of Deystvie, GLAS and Bilitis, people living with HIV can now access 3-month prescriptions for anti-viral drugs.

Legal gender recognition

In its decision on the Istanbul Convention, the Constitutional Court condemned attempts to introduce any administrative or legal procedure granting access to LGR. Soon after the decision, a trans woman's LGR claim was rejected by the court.

Participation in public, cultural and political life

A new [video](#) of singer Azis featured a gay couple as a symbol of freedom, and a statement by famous Bulgarian actress Tsvetana Maneva on the need to accept "others".

Police and law enforcement

As part of the EU co-funded project [Come Forward](#), Bilitis provided training to police officers in Sofia and Burgas on how to deal with anti-LGBT hate crimes.

Yet collaboration with law enforcement institutions on prevention, recording, classifying and investigating hate crimes remains difficult.

Public opinion

An [opinion poll](#) on "gay marriage" by Gallup showed that 78% of Bulgarians do not support marriage equality.

FOR MORE INFORMATION VISIT [RAINBOW-EUROPE.ORG](https://rainbow-europe.org)

