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Sofia, Bulgaria

To:

The European Commission

CC To:

The European Parliament

The Parliamentary Groups of the National Assembly of the Republic of Bulgaria

The Council of Ministers of the Republic of Bulgaria

The Ministry of Foreign Affairs of the Republic of Bulgaria

The Ministry of Justice of the Republic of Bulgaria

Dear European Commission,

The March for Family National Association is deeply concerned about your new initiative which aims to expand the list of the European Union crimes to include “hate speech” and “hate crime”. The listed new legal terms cannot be strictly defined for all countries and can have a very broad interpretation in the judicial systems which will inevitably lead to inappropriate actions and violations of basic human rights.

The freedom of speech is a fundamental and inalienable human right protected by a number of international agreements and conventions and included in the United Nation’s Universal Declaration of Human Rights, Article 19, which states:

“Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”

The right to freedom of speech is derived from the ability of the human individuals to communicate their own ideas and to express full or partial agreement or disagreement with other humans. It is also strictly related to the freedom of thought, conscience and religion which are included in the same document as Article 18:

“Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.”

In accordance with the articles quoted above, the European Convention on Human Rights contains Articles 9 and 10 which are clearly and undoubtedly left to be implemented by the parties and their legislative authorities and judiciary, which in no means includes the forced limitation of those rights in the member states, initiated by the European Union at a later stage.

Our firm conviction is that the human preferences like love or hate, acceptance or rejection, liking or disliking, and others are not a reason the free speech or free thought to be limited in any way. Our understanding is that each law must be founded on objective truths and scientific facts, and not on feelings and emotions like love and hate, joy and sorrow, etc.

The current criminal law in the EU already contains descriptions of the actual crimes based on any violation of the human rights which are resulting in a real harm. Is there a

difference if a crime has been motivated by “love” or “hate” when the harm is the same? Do judges need to distinguish the hidden motives behind every crime in the court and to issue a different sentence for “love crime” or “hate crime”, or other emotional state crime? The current proposition for inclusion of “hate crimes” in the European Union’s law is nothing more than legislation of uncertainty which will have unpredictable (or actually very predictable but negative) consequences, based on the knowledge we have from past historical experience.

In our country, Bulgaria, we have already lived under the totalitarian regime of the socialism for more than four decades. During this period, the free expression of personal views or ideas, which were not conforming to the government’s political agenda, was severely punished. In some cases, intellectuals, journalists, religious leaders, and others were publicly denounced, sentenced to prison, and then brutally murdered for their different worldview and willingness to live in freedom and democracy. And all of this terror started with the idea of the government for the better personal development and the common good, but then it was applied as fascism, forbidding the public and personal common sense and limiting the freedoms of thought and speech on all levels in the country.

The March for Family National Association as a whole and its members as separate entities are against the proposed changes in the European Union law and the inclusion of the “hate speech” and “hate crime” as terms defined for the whole territory. There are based on assumptions and wide interpretations. The risk for the natural and inalienable human rights to be limited or fully revoked by a European Union’s government is real and threatening. The results of such changes will definitely limit the rights to free speech and free expression, free thought, conscience and religion, and will lead to additional social conflicts.

Sincerely,

Ivaylo Tinchev

Chairman of the Managing Council

March for Family National Association

Bulgaria