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Date: 15/12/2021

**DH-DD(2021)1353**

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Meeting: 1428<sup>th</sup> meeting (March 2022) (DH)

Communication from the applicant (14/12/2021) in the case of UMO ILINDEN AND OTHERS v. Bulgaria (No. 59491/00).

Information made available under Rule 9.1 of the Rules of the Committee of Ministers for the supervision of the execution of judgments and of the terms of friendly settlements.

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Réunion : 1428<sup>e</sup> réunion (mars 2022) (DH)

Communication du requérant (14/12/2021) relative à l'affaire UMO ILINDEN ET AUTRES c. Bulgarie (requête n° 59491/00) **[anglais uniquement]**

Informations mises à disposition en vertu de la Règle 9.1 des Règles du Comité des Ministres pour la surveillance de l'exécution des arrêts et des termes des règlements amiables.

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**De:** Stoyko Stoyko  
**Envoyé:** mardi 14 décembre 2021 10:14  
**À:** DGI-Execution  
**Objet:** Re: Execution of United Macedonian Organisation Ilinden and Others group v. Bulgaria  
**Pièces jointes:** Decision of Registration Agency -Unofficial EN.pdf

**14th December 2021**



**Department for the Execution of Judgements of the European Court of Human Rights**  
**Council of Europe**  
[DGI-execution@coe.int](mailto:DGI-execution@coe.int)

**Re: Execution of *United Macedonian Organisation Ilinden and Others group v. Bulgaria***  
**(Application No. 59491/00)**

Please be advised of yet another rejection of an application for registration of a Macedonian minority association in Bulgaria.

In decision no. 0211116143951 of 17.11.2021 the Registration Agency rejected an application by the United Macedonian Organisation "Ilinden". The Registration Agency once again based its decision on substantive grounds already criticized by the European Court of Human Rights in multiple judgements. This included an absurd claim by the Agency that that the promotion of a Macedonian minority in Bulgaria is "directed against the unity of the nation".

A copy of the decision is hereby attached for your examination (original in Bulgarian and unofficial translation in English).

An appeal has been lodged with the Blagoevgrad District Court.

We would like to take this opportunity once again to underline the point that there is an obvious unwillingness and indeed refusal on the part of Bulgarian authorities to comply with the requirements of the European Convention of Human Rights. We **strongly urge** the Committee of Ministers to take appropriate action to ensure the integrity of the Convention.

We remain at your disposal for any further information.

Regards,

Dr Stoyko Stoykov, on behalf of the United Macedonian Organisation "Ilinden".



Sofia 1111, Elisaveta Bagryan Street №20  
[www.registryagency.bg](http://www.registryagency.bg)

tel.: 9486 181, fax: 9486 194  
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DGI

14 DEC. 2021

SERVICE DE L'EXECUTION  
DES ARRETS DE LA CEDH

## О Т К А З

№ 20211116143951 / 17.11.2021

On the occasion of the application ent. №20211116143951 / 16.11.2021 by Rangel Milushev Barakov pursuant to Art. 24 of the Commercial Register Act and the register of non-profit organizations I refuse *entry of initial registration of:*

1. UIC / PIC:

2. Company / Name: **"UNITED MACEDONIAN ORGANIZATION-ILINDEN" Association**

3. Legal form: **Association**

5. Headquarters and address of management: **BULGARIA**  
**town of Sandanski 2700, Blagoevgrad District; Municipality**  
**of Sandanski**  
**St.St. Kozma and Damian, №33**

6b. Objectives: **1. Protection of the Macedonian national intangible cultural heritage, which is subjected to ethnocyde by the Bulgarian cultural institutions. 2. Creating Macedonian ensemble for popularization of the Macedonian singing art and preservation of the Macedonian fund of folk songs. 3. Supporting the creation and implementation of educational programs related to Macedonian culture and ethnicity. 4. Basically and secondary education in the Republic of Bulgaria to introduce the study of Macedonian language and history, in accordance with the Convention for Combating Discrimination in Education. 5. Bulgaria to ensure direct reception of radio and television broadcasts of Macedonian language from the Republic of Northern Macedonia. 6. Supporting social integration and the personal realization of the Macedonians in the Republic of Bulgaria. 7. The Macedonians in the Republic of Bulgaria have access to the press, radio and television to present their history and culture, and have the right to respond to propaganda manipulation of Macedonian history and culture.**

6c. Means of achieving the objectives: **1. "UNITED MACEDONIAN ORGANIZATION-ILINDEN" will use oral and written form to disseminate Macedonian history, traditions and cultural heritage, to acquaint the Bulgarian and world community. 2. Conducting peaceful processions to celebrate historical dates from Macedonian national history. 3. Will request the national rights of the Macedonians in the Republic of Bulgaria before the Bulgarian government, the Bulgarian Academy of Sciences, the Bulgarian Parliament and other state institutions. 4. I will put my own requests to the relevant international organizations, the UN, the OSCE, the Council of Europe, the European Court of Justice, UNESCO and other international organizations. 5. Will conduct symposia to discuss the reasons for the policy of forced assimilation, discrimination and xenophobia towards Macedonians in the Republic of Bulgaria.**

**6. Promoting and ensuring the free exchange of information and ideas with organizations with related activity. 7 All funds that UNITED MACEDONIAN ORGANIZATION-ILINDEN will use to achieve its goals, will be non-violent and in accordance with current legislation in the Republic of Bulgaria and international law.**

10a. Representing: **Dimitar Zaprev Paraskov, PIN 5402220266, Country: BULGARIA, Function: Chairman**

12r. Organs: **board of directors**  
**General Assembly**

12d. Authorities: **Expiration date: November 6, 2026Name of the governing body: Management Board**

**Kalincho Georgiev Todorov, PIN 4904160120, Country: BULGARIA**

**Damyan Iskrenov Iskrenov, PIN 6101180107, Country: BULGARIA**

**Kiril Kostadinov Ivanov, PIN 4205044963, country: BULGARIA**

**Dimitar Zaprev Paraskov, PIN 5402220266, Country: BULGARIA**

**Kiril Tomov Kulaliev, PIN Country / Region: BULGARIA**

**Kiril Serafimov Tilev, PIN 5103190020, Country: BULGARIA**

17r. Designed to carry out activities for private benefit:**Yes**

in the commercial register and the register of non-profit organizations on the account of "UNITED MACEDONIAN ORGANIZATION-ILINDEN" Association Association

**Reasons:**

With the application a request for registration for initial registration of the association "UNITED MACEDONIAN ORGANIZATION-ILINDEN" has been received.

During the inspection carried out on the grounds of Art. 21 of the Commercial Register Act and the register of non-profit legal entities and Art. 91 of the Ordinance № 1 from 14.02.2007 for guidance,storage and access to the Commercial Register and to the Register of Non-Profit Legal Entities (TRNLNC) the following factual situation has been established:

The application shall conform to the model in Annex № A15 of the Ordinance №1 for keeping, storing andaccess to the commercial register and the register of non-profit legal entities.

Attached to the application are documents related to the requested entry for initial registration of the association.

According to Art. 21, item 5 of the LRTRENC in the register proceedings must be checked and whether the circumstances declared for entry are established by the attached documents, as well as their compliance with the law.

From the presented statutes and minutes with taken decisions it is not clear and unambiguous what are the goals of the association and the means to achieve them - circumstances subject to entry according to Art. 18, para. 1, item 1 of the Law on Non-Profit Legal Entities. "Association objectives" means needs or the interests it will satisfy.

Goals are what answer the question of what is pursued with the creation of the association, why it arises. The objectives must be specified in the Articles of Association and the decision to establish a non-profit legal entity. In this case in the minutes of the constituent assembly and the statute under points 4, 5 and 7, instead of the stated goals, obligations are imposed on the state, namely: "In primary and secondary education in the Republic of Bulgaria to introduce the study of Macedonian language and history, in accordance with the Convention against Discrimination in Education. Bulgaria to ensure direct reception of radio and television broadcasts in Macedonian from the Republic of Northern Macedonia, Macedonians in the Republic of Bulgaria to have access to the press, radio and television.

The goals of the association declared for registration determine and impose obligations on the state, which is inadmissible and should not be registered.

The manner in which they are formulated, the meaning in which they are used and the content embedded in the objectives (Art. 5 of the Articles of Association) reveals their non-compliance with the requirements set by the legislator for the activity of an association in private benefit in the sense of art. 2, para. 1 of the Law on Non-Profit Legal Entities, as it is adopted in Art. 1, para. 1 of the Articles of Association.

The goals of the association do not correspond to the activity of the same in private benefit, in the sense of art. 2, para 1 of the Law on Non-Profit Legal Entities. The formulation of the objectives implies that they be implemented in public benefit, as the association is established for private benefit. According to Decision 63 / 10.02.2021 of the Sofia Court of Appeal, ruled in c.gr. case № 181/2020, the designation of an association for carrying out activities for private benefit, but with objectives for activities for public benefit is a circumvention of the law in order to avoid compliance with the additional restrictions and requirements with legal entities operating for private benefit.

The provision of Art. 7, para 2 of the Statute, according to which a member of the organization can be any natural person - Macedonian and Macedonian. The association is oriented to a certain group of people whose members are citizens of the state and have distinctive religious, linguistic, cultural or other characteristics that distinguish them from the majority of the population. Therefore, the promotion of such a minority through a non-profit organization designed to meet their specific needs is not, in essence, intended to protect their rights, in so far as they are not different from those of other citizens, ..... is directed against the unity of the nation.

The indicated irregularities cannot be eliminated by the order of art. 22, para. 5 of the ZTRRYULNC, insofar as they do not fall under the hypotheses under which it is permissible to eliminate irregularities by giving instructions, as it concerns the declaration of circumstances subject to entry, which do not comply with regulatory provisions.

Therefore and on the grounds of Art. 24 in conjunction with Art. initial registration on application reg. № 20211116143951 dated 16.11.2021

The refusal can be appealed in 7 (seven) days from its service before the District Court - Blagoevgrad through the Registry Agency.

DH-DD(2021)1353: Rule 9.1 Communication from the applicant in UMO ILINDEN AND OTHERS v. Bulgaria.  
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/Name and surname

Signature and stamp/