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Contact: Clare Ovey
Tel: 03 88 41 36 45

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DH-DD(2015)425

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Meeting: 1230 meeting (9-11 June 2015) (DH)

Item reference: Action report (14/04/2015)

Communication from Bulgaria concerning the cases of UMO Ilinden and Ivanov (II) and Singartiyskiy and Others against Bulgaria (Applications No. 37586/04, 48284/07)

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Réunion : 1230 réunion (9-11 juin 2015) (DH)

Référence du point : Bilan d'action

Communication de la Bulgarie concernant les affaires UMO Ilinden et Ivanov (II) et Singartiyskiy et autres contre Bulgarie (Requêtes n° 37586/04, 48284/07) (**anglais uniquement**)

DG 1

14 AVR. 2015

SERVICE DE L'EXECUTION
DES ARRETS DE LA CEDH

ACTION REPORT

Case *UMO ILINDEN and IVANOV v. Bulgaria (II)*

Application No 37586/04

Judgment of 18/10/2011

Final on 18/01/2012

Case *SINGARTIYSKI and Others v. Bulgaria*

Application No 48284/07

Judgment of 18/10/2011

Final on 18/01/2012

1. Convention violation found

Infringement of the freedom of assembly of organisations which aim to achieve "the recognition of the Macedonian minority in Bulgaria", in particular, prohibition of their meetings between 2004 and 2009, based on grounds which the European Court has already criticized in three earlier judgments on the same matter, namely the protection of national sovereignty, territorial integrity and public order, the organisations' irregular status or their controversial views on sensitive issues (violation of Article 11).

2. Individual measures

a) The amounts of the compensation awarded have been transferred to the applicants' accounts within the relevant time-limit.

b) The Bulgarian authorities have taken a positive trend concerning the respect for the applicants' freedom of assembly, as evident from the fact that in the last three years the applicants did not lodge any complaints in this respect. Therefore, it can be concluded that the applicants are no longer subject to the abovementioned restrictions.

In particular, according to the most recent information provided by the Blagoevgrad municipality, the following events of UMO "ILINDEN" and UMO "ILINDEN" – PIRIN took place without any restrictions on the part of the mayor of Blagoevgrad municipality:

- An event was held on 04.05.2012 at 5 p.m. (laying flowers at the monument of the revolutionary Gotse Delchev at Macedonia Square, Blagoevgrad).
- An event was held on 16.09.2012 at 11 a.m. (laying flowers at the monument of the revolutionary Gotse Delchev at Macedonia Square, Blagoevgrad).
- An event was held on 04.02.2013 at 5 p.m. (laying flowers at the monument of the revolutionary Gotse Delchev at Macedonia Square, Blagoevgrad, commemorating the anniversary of his birth).
- An event was held on 04.05.2013 at 10.30 a.m. (laying flowers at the monument of revolutionary Gotse Delchev at Macedonia Square, Blagoevgrad, commemorating the 110th anniversary of the death of Yane Sandanski).

- An event was held on 08.09.2013 at 11 a.m. (laying flowers at the monument of the revolutionary Gotse Delchev at Macedonia Square, Blagoevgrad, in honor of the fallen members of the Mihaylovski squad on occasion of the 100th anniversary of the partition of Macedonia).
- An event was held on 12.09.2013 at 10.30 a.m. (laying flowers at the monument of the revolutionary Gotse Delchev at Macedonia Square, Blagoevgrad, in memory of the victims of the Macedonian nation).
- An event was held on 04.02.2014 at 5 p.m. (laying flowers at the monument of the revolutionary Gotse Delchev at Macedonia Square, Blagoevgrad, commemorating the anniversary of his birth).
- An event was held on 04.05.2014 at 2 p.m. (laying flowers at the monument of the revolutionary Gotse Delchev at Macedonia Square, Blagoevgrad).
- An event was held on 14.09.2014 at 11 a.m. (laying flowers at the monument of the revolutionary Gotse Delchev at Macedonia Square, Blagoevgrad, in honor of the fallen members of the Mihaylovski squad on 12.09.1924 in Gorna Dzhumaya).
- An event was held on 04.02.2015 at 5 p.m. (laying flowers at the monument of the revolutionary Gotse Delchev at Macedonia Square, Blagoevgrad, commemorating the 143th anniversary of his birth).

According to the most recent information provided by the Petrich Municipality about the events held by the supporters of UMO "ILINDEN" and UMO "ILINDEN" – PIRIN, the following events took place without any restrictions on the part of the mayor of Petrich municipality:

- An event was held in the park-museum "Samuilova krepost" on 29.07.2012, from 10 a.m. to 2 p.m. (celebrating the 109th anniversary of the Ilinden Uprising).
- An event was held in the park-museum "Samuilova krepost" on 28.07.2013, from 10 a.m. to 3 p.m. (celebrating the 110th anniversary of the Ilinden Uprising).
- An event was held in the park-museum "Samuilova krepost" on 27.07.2014, from 10 a.m. to 3 p.m. (celebrating the 100th anniversary of the Battle of Belasitsa and 111th anniversary of the Ilinden Uprising).

According to the most recent information provided by the Sandanski Municipality about the events held by the supporters of UMO "ILINDEN" and UMO "ILINDEN" – PIRIN, the following events took place without any restrictions on the part of the mayor of Sandanski municipality:

- An event at the grave of Yane Sandanski at the Rozhen Monastery was held on 22.04.2012, from 12 a.m. to 3 p.m.
- An event at the monument of Yane Sandanski in Melnik, commemorating the 98th anniversary of his death was held on 21.04.2013, from 10.30 a.m. to 5 p.m.
- An event at the grave of Yane Sandanski at the Rozhen Monastery, commemorating the 99th anniversary of his death was held on 22.04.2014, from 10 a.m. to 12 p.m.
- An event at the monument of Yane Sandanski in Melnik, commemorating the 99th anniversary of his death was held on 27.04.2014, from 11 a.m. to 5 p.m.

Having in mind all of the above, the Government is of the view that no further individual measures are necessary.

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3. General measures

a) legislative measures and current case-law

The supervision of the execution of earlier judgments against Bulgaria concerning the freedom of assembly of these organisations has been closed by a Final Resolution of the Committee of Ministers CM/ResDH (2011)46 of 08/06/2011, in particular because the Bulgarian authorities took sufficient legislative, awareness-raising and other measures to prevent future similar violations.

b) publication and dissemination of the judgments

The translation in Bulgarian of the judgments of UMO Ilinden and Ivanov (II) and Singariyski and Others is available on the Ministry of Justice website at <http://www.justice.government.bg/>. The judgments have been transmitted to the relevant national authorities.

In conclusion, the Government considers that no further general measures are necessary for the execution of the abovementioned judgments.

4. Conclusions

The Government of the Republic of Bulgaria is of the view that the measures described above have addressed the specific reasons for the violations found in these judgments. In view of the above, the Government considers that the supervision of the execution of the present judgments could be closed.