

NATIONAL ASSEMBLY

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REPUBLIC OF BULGARIA  
NATIONAL ASSEMBLY #44

COMMISSION ON RELIGIONS AND HUMAN RIGHTS

## REPORT

Regarding: The general bill on the adopted at first voting on 11 Oct 2018 bill on amending and supplementing the Religious Law #854-01-34, submitted by MP\*-s Tsvetan Tsvetanov, Kornelia Ninova and Mustafa Karadayi on 04 May 2018, as well as a bill draft on amending and supplementing the Religious Law #854-01-35 submitted by MP Iskren Veselinov and a group of MP on 09 May 2018, issued on the grounds of Art 81, para. 2 of the Regulation on the organization and activity of the National Assembly.

~ Draft ~

### LAW

#### **On amending and supplementing the Religious Confessions Law<sup>†</sup>**

**(Promulgated: State Gazette<sup>‡</sup>, issue 120/2002, amended in # 33/2006, # 59 /2007, #74/2009, #68/2013, #61/2015 and #79/2015)**

1. The heading of Chapter 2 shall be amended as follows: Right of religious confessions. Rights and obligations of the religious confessions and religious communities.
2. Art. 5: Para. 4 shall be added:  
(4) The right of confession cannot be used for/with political purposes.

#### Option 1:

3. Art. 6 shall be amended and supplemented as follows:  
(1). In para. 1:  
(a) in it. 1 after the word “support”, “under the terms and conditions of this law” shall be added.  
(b) in it. 8, at the end, “under the terms and conditions of this law” shall be added.

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\* MP = member of the Parliament

† The same as the “Religious Law.” Obviously, the translator uses the terms interchangeably.

‡ SG = State Gazette

(c) it. 10 shall be amended as follows: “(10) to establish and keep relations/connections on religious and confession issues in the country and abroad with people and communities that do not exercise and do not distribute religious radicalism, and are not related or funded by political parties”.

(2). Para. 3 shall be coined: (3) The right of religious confession cannot be limited unless in cases pursuant to Art. 7 and 7a.

#### Option 2:

(3). The words “as well as to create and support appropriate according to the communities and institutions while observing the legal requirements” shall be deleted.

#### Option 1:

(4). Art 7, para. 2: a comma shall be placed after the word “institutions”, and the following text shall be added: “spiritual [religious] schools from the system of the preschool and school education and the religious universities”.

#### Option 2:

(4.) Art. 7. Shall be amended and supplemented as follows:

1. Para. 2: the following shall be added after the word “institutions”: “religious schools from the system of the preschool and school education and the religious universities, religious celebrations (holidays), rituals and gatherings of that confession”.

2. Para. 3 shall be amended as follows: (3) Doctrines, internal organization, sermons, symbols and rituals of the confessions may not contradict the Bulgarian legislation”.

3. Para. 5 shall be amended as follows:

(5). Religious communities and institutions may not include:

5.1. Underage children or minors in their activity, unless with the explicit written consent for specific activities by their parents, guardians or trustees;

5.2. People (individuals) in their managing bodies who participate in the management of a political party;

5.3. Foreigners – in their managing bodies, administrative and organizational activities.

4. Para. 6-8 shall be coined:

(6) People who participate in managing bodies of a political party may not participate in the managing bodies of religious communities and institutions.

(7) Bulgarian citizens who have graduated their religious education abroad may participate in a [church/religious] service and perform religious rituals after their grades of their studies have been recognized pursuant to the conditions and procedures of the Law of preschool and school education or the issued diploma – pursuant to the conditions and procedures of the Law of University Education.

(8) Foreigners may participate in a religious service or in carrying out religious rituals according to the practice of the religious community. Participation of foreigners in sermons, in activities related to fund (donation) raising or in other activities of the religious community or institution shall be carried out after the preliminary coordination with the Religious Denominations Dept. with the Ministry of Council.

5. Art 7a. shall be coined:

Art. 7a. (1). Religious communities and institutions are obliged:

(7.1.1.) to appoint for preaching priests Bulgarian citizens who have graduated their school and university secular and religious education in Bulgaria, with the exception of Art. 7, para. 7.

(7.1.2.) To not assign (request) sermons in the temples and prayer houses in Bulgaria to (from) priests coming from a foreign country, with the exceptions of the cases under Art. 7, para. 8;

(7.1.3.) To request for an expert standpoint by the Religious Denominations Dept. with the Ministry of Council on the residence in Bulgaria of preachers, emissaries and other spiritual clerics;

(7.1.4.) To not distribute literature and to not preach ideas opposing the Bulgarian citizens on a religious ground (grounding);

(7.1.5.) To not print, distribute, import to Bulgaria or use in sermons or at gatherings of religious communities for training/education or in any other way literature, preaching religious radicalism;

(7.1.6.) To not establish or keep relations with people and communities in the country and abroad that exercise or spread religious radicalism or [otherwise] use religious for political purposes;

(7.1.7.) To terminate all powers of its members or employees who have been imposed punishments on violations of it. 4-6;

(7.1.8) To ensure observance of the law in compliance to their By-Laws when holding elections for their bodies.

7.2. The religious schools within the system of the preschool and school education and the religious universities have the obligations pursuant to para. 1, it. 4-6”.

6. Art. 8: The following amendments and supplements shall be made:

1. Art. 1.

(a) In the text, before it. 1, after the words “Art. 7.”, Art. 7a shall be added;

(b) It. 2 shall be amended as follows:

“2. Terminating the publishing activities for a defined period of time or terminating it without the right to have it resumed [at a later stage]”

(c) It. 3 – after the word “restriction”, or prohibition to be added.

(d) It. 4 – the word “revoke” shall be substituted with “termination”.

(e) It. 4a and 4b shall be coined:

4a: closure of the premises or places for [conducting] services or rituals of the respective confession;

4b: expulsion of foreign preachers, emissaries or other spiritual clerics who have violated this law.

2. Para. 2: sentence #1, after the word “stakeholders”, a comma, and the following text shall be added: of the Head of the Religious Denominations Dept. with the Council of Ministers”.

Option 1:

7. Art. 11, para. 2: at the end, the following text shall be added: “and for the sermons and in all other cases, it is mandatory Bulgarian language to be used”.

Option 2:

7. Para. 3 and 4 shall be coined in Art. 11:

“(3) Confessions have the right to provide to the law-making and other state bodies at all levels proposals, opinions, reports, studies on matters of importance of the religious community.

(4) Religious communities shall be granted and requested for their standpoint drafts of legal (law) and administrative deeds prior to their adoption, when issues are related to the confessions”.

8. Art. 12: the following amendments and supplements shall be made:

1. A new para. (2) shall be coined:

(2) It is not allowed public religious rituals to be carried out in a building or its premises if the building or its premises are not intended to be used for a religious activity.

2. A new para. (3) shall be coined:

(3) Religious communities and religious institutions shall present to the Religious Denominations Dept. with the Council of Ministers – by the end of Feb each year – a list of the rituals, prayer and religious service houses intended to be used to carrying out their public religious rituals.

3. The present para. 2 shall become para. 4, and a second sentence shall be coined in there: In these cases technical means or sound devices used for increasing the sound volume cannot be used – except for the cases when carrying out public events, celebrations and holidays.

9. The title of Chapter 3 shall be amended as follows: Registration. Registration deletion.

10. Art. 14a and 14b. shall be coined:

Art. 14a (1) Status of a judicial entity may be requested only by a religious community where at least 300 physical persons participate in and they confess the respective religion.

(2) Only full-age Bulgarian citizens may participate in the management of the religious community requesting a status of a judicial entity.

Art. 14b (1) Prior to submitting the application for registration, the religious community requesting to obtain status of a judicial entity shall submit a written request for issuing an expert standpoint by the Religious Denominations Dept. with the Council of Ministers.

(2) The following shall be attached to the request:

1. The By-laws of the confession;
2. A list of the names, personal ID Numbers, permanent address of residence, and handwritten signature of not less than 300 citizens supporting the registration, certified by the Head Department of Civil Registration and Administrative Service;
3. Declaration (Statement) by the members of the management stating they are full-age Bulgarian citizens and they do not participate in managing bodies of political parties – a draft form provided;
4. Description of the main religious contents of the doctrine, a copy of the literature to be used for the spiritual service and distribution of the doctrine, description of the rituals and of the content differences to the other confessions;
5. Description of the sources and method of funding – a draft form provided;

(3) The drafts under para. 2, it. 3 and 5 shall be approved by the Religious Denominations Dept. with the Council of Ministers.

(4) The expert standpoint shall be issued within 3 months after submitting the request and the attachments thereof.

(5) In case the Committee does not reply within the deadline set under para. 4, it shall be considered as a silent refusal (rejection), and it is subject to objection pursuant to the procedures set in the Administrative Procedural Code”.

**11.** Art. 15, para. 2: The words “It is not acceptable to exist” shall be replaced by: “A registration of ... is not allowed”; after the word “name”, the conjunction “and” shall be deleted, and a comma shall be placed, at the end adding the text “or religious contents”.

**12.** Art 16 shall be amended as follows:

Art. 16 (1). The following shall be attached to the application for registration:

1. Expert standpoint under Art. 14b;
2. By-Laws of the confession;
3. Other documents under Art. 14b, para. 2, it. 2-5.

(2). When a religious community requesting to obtain the status of a judicial entity does not submit the documents under para. 1, the Court shall resolve a refusal in registering the confession”.

**13.** Art. 17, it. 7 shall be amended as follows:

(7). Methods of funding and expenditure of means, management and administration of property”.

**14.** Art. 19a shall be coined:

Art. 19a. Within a 7-day period from the registration, the religious community shall notify the Religious Denominations Dept. with the Council of Ministers and shall present the Court resolution on the registration”.

**15.** Art. 20: The following shall be added at the end: “After the registration with Sofia City Court”.

**16.** Chapter 3, Registration, Art. 20a shall be coined:

Art. 20a (1) Sofia City Court shall terminate a registration of a religious community:

1. When it has been registered without having one (any) of the documents under Art. 16, para. 1 presented;
2. If requested so by the religious community;
3. In case of violation of Art. 7 and 7a;
4. When the registered religious community – in its activity – systematically violates the other requirements of this law;
5. When its activity violates the Constitution of Bulgaria.

(2) The resolution under para. 1, it. 2 shall be placed upon request by the management of the religious community.

(3) The resolution under para. 1, it. 1 and 3-5 shall be placed upon request by the Religious Denominations Dept. with the Council of Ministers or the Prosecutor.

(4) The resolution on terminating the registration pursuant to para. 1, it. 1 and 3-5 is subject to objection under the general procedure thereof.

17. Art. 20a in Chapter 4, Property and Finance, shall be coined:

Art. 20a (1) When 6 months after the end of the mandate of the managing bodies of the confession no actions have been taken for the election of new managing bodies/members, not less than 1/3 of the registered local subsidiaries of the respective confession make adopt a resolution on calling a selection of new managing bodies/members, and they inform the Religious Denominations Dept. with the Council of Ministers.

(2) In cases under para. 1, the election of new managing bodies shall be held within a period not earlier than 1 month from the resolution of the local religious communities and not later than 6 months”.

18. Art. 21: The following para. 4-20 shall be coined:

(4) State subsidy shall be granted to confessions where not less than 1% of the population of the nation belongs to – on the grounds of their identity from the last census.

(5) The total amount provided to the confessions to be subsidized under para. 4 shall be defined on an annual basis in the State Budget Law of Bulgaria, depending on the number of the people who have identified themselves as part of the respective confession at the last census in the country; the subsidy for one self-identified person shall amount as defined annually by the law on the Stat Budget of Bulgaria, but not more than BGN 15 mln (ca. EUR 7.7 mln) per confession.

(6) By the end of January of the current year, the head management of the respective confession shall allocate the due subsidy to current and capital costs, it shall issue a grounded proposal on the allocation of the capital costs per branches (sites) and shall notify the Religious Denominations Dept. with the Council of Ministers about that.

(7) The due state subsidy on current expenses is granted to the head management of the respective confession and shall be used (spent) purposefully on covering the expenses the confession has on remunerations of the staff (priests and ministers of the religious institutions), on carrying out their educational activities not covered within the scope of funding pursuant to Art. 33, para. 3, as well as on maintenance of cemeteries.

(8) Spending the funds under para. 7 shall be controlled by the Religious Denominations Dept. with the Council of Ministers – therefore the head management bodies of the respective confession shall present to the Committee the necessary information and documents within the set deadline and in the manner defined by it (the Committee).

(9) The annual subsidy on current expenses under Art. 7 shall be paid by the Religious Denominations Dept. with the Council of Ministers in 4 installments – by the 30 Apr, 30 Jun, 30 Sep respectively – 20% per installment, and by 20 Dec – amounting 40% of its total amount.

(10) Capital costs include costs on construction and repair of temples (prayer houses), monasteries and their adjacent buildings, buildings of religious universities and religious schools, as well as the construction and repair works of cemeteries. The subsidy funds on capita costs shall be kept and spent using an account on external funds of the Council of Ministers.

(11) On the grounds of a grounded proposal under Art. 6, the Council of Ministers allocated the execution of activities funded with the subsidy on capital costs to the respective confession – pursuant to the procedure of the Public Procurement Law.

(12) The funds in the account of external fund with the Council of Ministers under Art. 9 shall be spent for the same purpose and the respective confession in the next years. If there

is a remaining amount, the Religious Denominations Dept. with the Council of Ministers shall inform the respective confession and shall require a grounded proposal on its allocation (distribution) to sites/branches to be provided.

(13) Additional funds on capital costs may be approved on sites of the confessions under para. 4, outside the defined amount of the state subsidy, and they shall be spent under the procedure of para. 10.

(14) Registered confessions shall issue a financial report on the previous calendar year under the procedure of Art. 35, para. 2 of the Law of Accountancy and Bookkeeping. The Council of Ministers shall send to the respective confessions on the presented to them state subsidy on the capital costs, the amount of the expenses incurred and the amount not spent – for the purposes of issuing the report.

(15) The financial reports under para. 14 of the confessions receiving state subsidies – prior to presenting them to the Court of Auditors are subject to independent financial audit and verification by an independent financial auditor. The expenses for the audit and the verification of the financial reports shall be covered by the confession itself.

(16) Up to 31 March every year, the confessions receiving state subsidy shall present (submit) their financial report to the Court of Auditors.

(17) Within 6-month period after the end of the deadline on receiving the annual financial reports, the Court of Audits shall carry out an audit of the compliance to the requirements of this law as well as the Law of Accountancy – on the profit and loss on the received state subsidy.

(18) After the end of the deadline under Art. 17, members of the National Revenue Agency\* carry out activities on competence under the procedure of Chapter 15 of the Tax Insurance Procedural Code† in regards to the confessions that receive state subsidy and that have not submitted in due time their reports to the Court of Audits.

(19) The National Revenue Agency shall carry out the activities under para. 18 in the deadlines set out I Art. 114, para. 1 and 2 of the TIPC.

(20) After the end of the deadlines under Art. 19, the CEO of the National Revenue Agency shall send to the Court of Audits the whole information on the actions undertaken by the former, including on the issued audit acts.

**19. Art. 22:** The following amendments and supplements shall be made:

1. The present text shall become para. 1:

2. Para. 2 shall be coined:

(2) Religious communities and institutions and the established by them – pursuant to this law – non-profit judicial entities shall declare (submit, report) to the Court of Audits their bank accounts in Bulgaria or abroad within 14 days of opening these bank accounts.

**20. Art. 24:** The following amendments and supplements shall be made:

1. The present text shall become para. 1, and the words “at their own expense” shall be deleted.

2. Para. 2 and 3 shall be coined:

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\* NRA = National Revenue Agency

† TIPC = Tax Insurance Procedural Code



(2) Cemeteries shall be defined for permanent use. Their destruction or closing is forbidden. Funerals at the cemeteries shall be carried out in accordance to the religious rituals/norms of the respective confession.

(3) The state and municipalities may support the construction of cemeteries of the respective religious communities – by granting land plots (owned by the state or a municipality – free of charge, to be used for this very purpose.

21. Art. 25, para.3: after the words “the Ministry of Finance”, the “or the Court of Audits” to be added; after the “prosecutor’s office”, the conjunction “and” shall be deleted, and a comma shall be placed; after the words “financial audit”, the “and the NRI” shall be added.

22. Art 26: The following amendments and supplements shall be made:

1. The current text shall become para. 1.

2. Para. 2 shall be coined:

(2) A confession that has been granted the status of a judicial entity\* does not have the right:

1. To establish and participate in foreign commercial companies, unions that participate in such commercial companies nor in cooperations (partnerships) with foreign entities;

2. To participate in associations or to carry out mutual (joint) activity in any form with foreign state companies and foreign commercial agencies, including their subsidiaries, branches or representative offices.”

23. Art. 27, para. 1 shall be amended as follows:

(1) Confessions may establish non-profit judicial entities in order to support and make popular their activities, by bearing solidary responsibility with them (the entities) on violations of this law.

#### Option 1:

24. Art 28 shall be amended and supplemented as follows:

1. The present text shall become para. 1 and shall be amended as follows:

(1) Confessions may receive donation for purposeful social support and funds for the repair and construction of temples, prayer houses, monasteries and other real estate properties.

2. Para. 2, 3 and 4 shall be coined:

(2) Funds cannot be donated from foreign countries and people for the remuneration of employees (staff) – priests and ministers of religious institutions.

(3) Donations under para. 1 from foreign countries and foreign physical or judicial entities shall be made after a preliminary permission by the Religious Denominations Committee with the Council of Ministers.

(4) By the end of the month followed every quarter, confessions shall submit information to the Religious Denominations Committee with the Council of Ministers on every offering under para. 1 by a local physical and judicial entity amounting more than BGN ... pursuant to the terms and procedures defined by the Committee.

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\* Corporate status, or a status of a juridical person, as opposed to a physical person.



Option 2:

**24.** Art. 28 shall be amended as follows:

1. The present text shall become para. 1.
2. Para. 2-8 shall be coined:
  - (2) The state subsidy for the registered confessions not less than 1% of the population of the country – on the grounds of the results of the latest census, presented by the National Statistics Institute\* – belong to, shall be distributed on the grounds of preliminary presented draft of a budget for each confession. In case there is a shortage of funds for all requested/declared expenses, the distribution shall be proportional to the number of the people who have declare their identity to the respective confession with the latest census.
  - (3) The state subsidy shall be paid to the head management of the respective confession in 4 equation installments paid by the 15 Jan, 15 Apr, 15 Aug and 15 Oct respectively for the respective year, to a bank account provided by the confession.
  - (4) The subsidy shall be spent purposefully on the costs of the confession for remuneration of the employees/staff, as well as for carrying out their medical, educational and social activities in the meaning of chapter 5 of this law. Up to 10% of the subsidy for the respective confession may be spent on the construction and repair of temples (prayer houses) and their adjacent buildings, as well as for the construction and maintenance of cemeteries.
  - (5) The so received by the religious institution state or municipal subsidy cannot be granted for paying receivables to third parties, including guarantee of receivables to non-profit judicial entities under Art. 27, para. 1
  - (6) Religious schools within the system of the preschool and school education as well as the religious universities are funded by the registered confession under whose request they have been established (opened). Funding shall be granted for the support of the activities in educating pupils/students, scholarships thereof, accommodation of students in boarding houses and for the maintenance of the facilities.
  - (7) The religious schools within the system of the preschool and school education may be also funded by the state budget – under the budget of the Ministry of Education and Science, and the amount of the funds shall be defined in the regulation on implementation of the state budget.
  - (8) Using its budget, the Ministry of Education and Science may fund also established by it educational programs the confessions shall carry out outside school environment. This funding shall be distributed proportionally among the confessions – pursuant to the number of the people who have identified themselves to be part of the respective confession during the last census conducted by the NSI.

**25.** Art. 28a and 28b shall be coined:

- Art. 28a (1). Confessions shall issue a financial report for the previous calendar year – on the expenditure of the state subsidy – pursuant to the requirements of Chapter 3, part 3 of the Law of Accountancy.
- (2) The financial reports under para. 1 are subject to independent financial audit and verification by an independent financial auditor prior to submitting them to the Court of Audits. Costs for carrying out the audit and the verification of the financial reports shall be covered by the respective confession.

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\* NSI = National Statistics Institute.

(3) By 31 March each year, the confessions shall submit their financial report to the Court of Audits in a hard and soft copy.

(4) In 6-months' time after the end of the deadline for receiving the annual financial reports, the Court of Audits shall check on the compliance with the requirements of this law and the Law of Accountancy on the profit and loss of the received state subsidy.

(5) After the end of the deadline under para. 3, members of the NRA\* carry out actions on competency under the procedure of chapter 15 of the TIPC† in regards to the confessions that receive state subsidy and that have not submitted in due time their reports to the Court of Audits.

(6) The NRA shall carry out actions under para. 5 within the deadlines of Art. 114, para. 1 and 2 of the TIPC.

(7) After the end of the deadlines under para. 6, the CEO‡ of the NRA shall send information to the Court of Audits on the undertaken by the former actions, including on the issued audit acts.

Art. 28b (1). A confession may fund its activity by itself only by sources of income [located] in Bulgaria.

(2) The activities of the religious schools within the system of preschool and school education and the religious universities may be funded only by funds administered by Bulgarian state and municipal institutions or using funds from European funds and programs.

(3) Confessions, religious schools within the system of preschool and school education and the religious universities inform the Religious Denominations Committee with the Council of Ministers as well as the Court of Audits on each donation or inheritance of property by Bulgarian judicial entities or having their source of funding outside the country.

(4) Donation of financial funds from foreign countries or foreigners on the remuneration of staff/employees (priests and ministers of religious institutions) is not allowed.

(5) The Court of Audits shall control (monitor) the implementation of the donor (sponsor) or the legator's will.

#### Option 1:

26. Art. 29: The following amendments and supplements shall be made:

1. The current text shall become para. 1, and shall be amended as follows:

(1). Legal relations between priests and employees of the religious institutions shall be settled pursuant to the By-Laws of the religious institution. The maximum amount of the main monthly salaries to be paid by the state subsidy to the employees – with the exception of the salaries of the people in the managing bodies of the confessions – cannot exceed:

1. The average monthly salary for a teacher (educator) specialist – for the priests;

2. The average monthly salary for the hired employees under Labor Contracts or an official/business relation in the public sector – pursuant to data by the NSI – for the employees in the religious institutions.

2. Art. 2, 3 and 4 shall be coined:

(2) Priests and ministers of confessions may be only Bulgarian citizens. Foreign citizens may be priests only after obtaining in advance a permission by the Religious

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\* National Revenue Agency, this is the tax agency.

† Abbreviation for the Bulgarian Tax Code.

‡ The translator has meant the government official heading the state tax agency.

Denominations Committee with the Council of Ministers. Ministers who are foreigners may participate in religious services only co-jointly with local representatives of the respective confession when they are located in Bulgaria after being invited by the confession and the Religious Denominations Committee with the Council of Ministers has been informed about it in advance.

(3) The head management bodies of the confessions keep registers of the priests and ministers – for the needs of reporting – pursuant to Art. 21, para. 14, by providing access to these registers to the Religious Denominations Committee with the Council of Ministers.

(4) Each priest shall be provided with a certificate issued by the head management or the local subsidiary (branch) of the respective confessions – it shall be used as a legitimate document proving they are representatives of that confession.

#### Option 2:

26. Art. 29 shall be amended as follows:

1. The current text shall become para. 1
2. Para. 2-5 shall be coined:

(2) Priests and ministers of confessions may be only Bulgarian citizens.

(3) The maximum amount of the main monthly salaries to be paid by the state subsidy to the priests and the employees of the religious institutions – with the exception of the salaries of the people in the managing bodies of the confessions – cannot exceed:

1. The average monthly salary for a teacher (educator) specialist – for the priests;
2. The average monthly salary for the hired employees under Labor Contracts or an official/business relation in the public sector – pursuant to data by the NSI – for the employees in the religious institutions

(4) The head management bodies of the confessions keep registers of the priests and ministers – for the needs of reporting – and provide access to these registers to the Religious Denominations Committee with the Council of Ministers.

(5) Each priest shall be provided with a certificate issued by the head management or the local subsidiary (branch) of the respective confessions – it shall be used as a legitimate document proving they are representatives of that confession.

27. Art. 30: The text shall be amended as follows:

1. Para. 1: the words: “medical, social and educational institutions” shall be substituted with “medical institutions as well as social and educational institutions”.
2. Para 2: the words: “medical, social and educational institutions” shall be substituted with “medical institutions as well as social and educational institutions”.

28. Art. 31: The words: “medical, social and educational institutions” shall be substituted with “medical institutions as well as social and educational institutions”.

#### Option 1:

29. Art. 33: para. 7 shall be abolished.

#### Option 2:

29. Art. 33 shall be amended as follows:

Art. 33 (1) If requested by the head managing bodies of the confessions, 1% of the population of the country belongs to – according to the latest census – religious school may be established – under the terms and procedures of the Law of preschool and school education and in compliance of the regulations of this law.

(2) Admission of student at these religious schools shall be made with a written application by the parents or the guardians – except for the cases when the student is older than 18 years of age.

(3) Religious schools under para. 1 shall provide education on acquiring high school degree; the support [allowance] of the activities on the raising and educating the students confessions shall be funded pursuant to Art. 282, para. 1, it. 1-6 of the Law of Preschool and School Education. The fund shall be granted to the religious schools by the Religious Denominations Committee with the Council of Ministers.

(4) The registered confessions may open universities under the terms and procedures of the Law of University Education.

(5) Confessions, at least 1% of the population of the country belongs to – on the grounds of the latest census, may open one or more religious universities after obtaining a permission by the Council of Ministers, and shall be funded by the respective confessions and may issue diplomas on graduation of an educational qualification degree in the field of the respective confession.

(6) The Religious Denominations Committee with the Council of Ministers carries out control of the curriculum (the educational content) and verifies the diplomas issued by the religious universities.

**30.** Art. 35: The following supplements shall be made:

1. Para. 1: at the end, the following shall be added: “and carries out control on the implementation of the regulations of this law”;
2. Para. 8: after the words “Art. 7”, “and Art. 7a” shall be added;
3. Para. 10 and 11 shall be coined:
  - (10) Controls the activities of the confessions in Bulgaria and their judicial entities;
  - (11) Cooperates for avoiding the distribution of religious radicalism and politization of confessions in Bulgaria.

Option 1:

**31.** Art. 36, para. 1: the words “without representative power” shall be replaced with “without proper authorization”.

Option 2:

**31.** Art. 36 shall have the following amendments and supplements:

1. Para. 1: “from BGN 100 to 300” shall be replaced with “from BGN 500 to 1,000”
2. Para. 2: “from BGN 500 to 1,000” shall be replaced with “from BGN 1,000 to 2,000”
3. Para. 3-6 shall be coined:
  - (3) The one who accepts funding for a confession from a source outside Bulgaria in violation of this law, shall be punished with a penalty from BGN 5,000 to 10,000 – for a physical entity or property sanction shall be imposed, amounting from BGN 10,000 to 20,000 – for a judicial entity.

(4) The one who accepts funding for a confession in violation of this law shall be punished with a penalty from BGN 5,000 to 10,000 – for a physical entity or property sanction shall be imposed, amounting from BGN 10,000 to 20,000 – for a judicial entity.

(5) When actions under para. 3 and 4 have been repeated, the penalty shall be from BGN 10,000 to 20,000, and the property sanction shall amount from BGN 20,000 to 40,000.

(6) In cases under para. 3-5 – the subject of penalty shall be taken away in favour of the state.

**32. Art. 1 of the Additional provisions: it. 4 and 5 shall be coined:**

(4) **Religious radicalism** are actions, sermons, texts, statements or addressed of a confession dangerous for the national security, and:

(a) They denounce the secular nature of the state, they dispute or replace the supremacy of the law with another law or quote such one;

(b) They contradict the general declaration of Human rights and the related to it international acts of the UN, and the chart of the basic rights of the EU;

(c) They oppose people on religious and confession ground;

(d) They preach, propagandize or justify religious terrorism, or religious (holy) war;

(e) They use symbols or signs in any way to cooperate to terrorist organizations;

(f) They use religious confessions for political purposes.

(5) **Politization of a confession** is dangerous for the national security, violation of the principle of a separate existence of the political power and religion and using a confession, its bodies and temples, traditions and rituals for political purposes by a religious institution or a political organization.

## TRANSITIONAL AND FINAL PROVISIONS

**33.** (1) A person there is an incompatibility with under Art. 7, para. 6 is obliged within up to 3 months of this law entering into force shall undertake the necessary actions to remove the incompatibility.

(2) Control on the implementation of the obligation under para. 1 shall be carried out by the Religious Denominations Committee with the Council of Ministers.

**34.** Religious communities and religious institutions present the list under Art. 12, para. 3 within 3 months of this law entering into force.

**35.** The Head of the Religious Denominations Committee with the Council of Ministers approves the drafts under Art. 14b, para. 3 within 2 months of this law entering into force.

**36.** (1) Schools under Art. 33, para. 1 and 6 shall conform their curriculums and plans in accordance to this law within 1 year of this law entering into force.

(2) Religious universities under Art. 33, para. 7 that up to 3 years after this law enters into force have not participated or have not shown their desire to participate in the accreditation

procedure under the steps of the Law of University Education shall be closed by the Council of Ministers – under the proposal of the Head of the Religious Denominations Committee with the Council of Ministers.

- 37.** State subsidy for 2018 for each confession shall be defined pursuant to Art. 21, para. 5, amounting BGN 10 per self-identified person. The subsidy shall be granted proportionally for the period from the 1<sup>st</sup> day of the month following this law entering into force – until the end of 2018. Confessions – in a deadline defined by the Religious Denominations Committee with the Council of Ministers – shall inform the distribution of the subsidy, pursuant to Art. 21, para. 6. The subsidy for the current expenses for 2018 shall be paid not later than 20 Dec 2018.

**Option 1:**

- 38.** The Law of preschool and school education (promulgated in SG, issue ...) shall be amended and supplemented as follows:
1. Art. 41, para. 2, sentence 1: after the word “institutions” this text shall be added: “of/to confessions not less than 1% of the population of the country – based on the results of the latest census – belong to”.
  2. Art. 52, para. 4, the words “from/by the respective confession” shall be deleted.
  3. Art. 324, para. 1, at the end of the word “the country” the following text shall be added: “of confessions not less than 1% of the population of the country – based on the results of the latest census – belong to”.

**Options 2:**

- 38.** Art. 52, para. 4 of the Law of preschool and school education (SG, issue ...) shall be amended as follows:
- (4) Religious schools shall be funded under the terms and procedures of the Law of Denominations.
- 39.** Art. 59 of the Law of Professional education and training (SG, issue ...) shall have a new para. 11
- (11) Religious schools under Art. 9, para.1, it. 3 shall be funded under the terms and the procedures of the Law of Denominations.
- 40.** Art 16., para. 1 of the Law of state media, print and national flag of Bulgaria (SG, issue ...) shall have a new it. 4:
- (4) The buildings of the confessions or in front of them”.
- 41.** The Law on the political parties (SG, issue ...) shall have the following supplements:
1. Art. 5, para. 3 shall be coined:
    - (3) Political parties – directly in their activities or using other organizations – cannot:
      1. Represent a religious institution
      2. Protect or propagandize group or minority rights in a way to isolate them or oppose them again the nation;
      3. Interfere in the activities of the confessions or the use their events, rituals and symbols for their activity and goals;

4. Influence on the change of the ethnic and religious self-identification of the Bulgarian citizens”.
  2. Art. 40:
    - (a) Para. 1: it. 6 shall be coined:
      6. The party has made a violation of the regulations of Art. 15”
    - (b) Para. 3 shall be coined:
      - (3) The Prosecutor is obliged to submit a claim and within 7-day deadline of receiving a note by a state body on a violation of Art. 5.
- 42.** The following amendments and supplements shall be made in the Law of Education (promulgated, SG – 1995-2018):
1. Art. 91c shall be coined:

Art. 91c. State universities providing education in Religion and Theology professional field shall receive an additional funding pursuant to the terms and procedures defined in the Act under Art. 91, para. 2, it. 1.
  2. Art. 3 of the additional regulations: para. 3 shall be coined:
    3. Universities under para. 1 shall be funded pursuant to the terms and procedures of the Law of Denominations.

Mr. Krasimir Velchev,  
Chair of the Religious Denominations Committee and Human Rights