

Minority Protection Policies and EU Competence in Bulgaria: A Comparative Analysis of Turks and Roma People

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Abstract⁶⁵⁷

This article assesses the impact of Europeanization on the minority protection policies in Bulgaria. The diffusion of European norms into European Union and the declaration of the Copenhagen Criteria in 1993 marked the respect for minority rights as a condition for EU membership, which is defined as part of the “*acquis communautaire*” of the European Union.⁶⁵⁸ In this paper, I ask “which domestic factors lead to the Europeanization of minority policies” to analyze the impact of Europeanization on the minority policies in Bulgaria. Utilizing the data from European Union official documents and reports from the year of official candidacy to accession, I explore the influence of the “significant institutions” and “mobilization of ethnic minorities” on the Europeanization process of minority protection rights in Bulgaria.

Keywords: ethnic minorities, Europeanization, Turks, Roma, Bulgaria

1. Introduction⁶⁵⁹

The European Union links the “membership conditionality” to minority protection, which refers to the policy changes and legislative reforms in the candidate states that are determined by the “Copenhagen criteria” in 1993.⁶⁶⁰ These criteria included the rule of law, stable democratic institutions, respect for human rights and respect for minorities. The candidate states of the EU are required to make policy changes in these areas before becoming official member. This policy transfer is called Europeanization and the key concept of this article.⁶⁶¹ In the literature, Europeanization is usually defined as the interactions and impact of the EU on domestic actors and structures.⁶⁶² According to Borzel and Risse, the EU has an impact on the cultural norms and national identities of both the candidate and member states.⁶⁶³ Therefore, Europeanization is not limited to changes in political and administrative structures and policy changes but European values are also to some degree internalized at the domestic level, shaping discourses and identities.⁶⁶⁴ This argument is based on the idea that further political integration is necessary for a closer union.

Accordingly, respect for human rights became part of the required changes for further integration. The transformation of the character of the European Union and the diffusion of European norms facilitated a significant improvement in the protection of the minority rights.⁶⁶⁵ This article aims to analyze the process of Europeanization on the minority policies in Bulgaria which is a new EU joiner after negotiations focused on the problems of minorities specifically about ethnic Russians. To understand this process, this article covers Bulgaria’s Europeanization process from Bulgaria’s official candidacy for European Union membership in 1998 until its accession in 2007 as this time frame is under the impact of EU conditionality. Specifically, the goal is to answer the following research question “under which domestic conditions are the minority protection measures adopted and maintained in the new EU Member States”? To answer the question, I look at the influence of the

⁶⁵⁷ This article is previously published as part of my doctoral dissertation.

⁶⁵⁸ *Acquis communautaire* is a French term meaning, the rights and obligations that EU member states share

⁶⁵⁹ I would like to thank Prof. Donley T. Studlar for his thoughtful comments on an earlier draft of this paper as well as the anonymous reviewers and editors of this journal for their insightful feedback.

⁶⁶⁰ The political criteria for EU membership, Copenhagen, 21-22 June 1993, available at:

http://www.europarl.europa.eu/summits/copenhagen/co_en.pdf (accessed January 10, 2014).

⁶⁶¹ Simon Bulmer and Stephen Padgett, “Policy Transfer in the European Union: An Institutional Perspective”. *B.J. Political Science Journal* 35 (2004):103–126; Simon Bulmer and Claudio Radaelli, “The Europeanisation of National Policy” in ed. Bulmer, Simon and Lequesne, C. (eds.) *The Member States of the European Union*. Oxford: Oxford University Press 2005); 338-360; Kevin Featherstone and Claudio Radaelli, eds. *The Politics of Europeanization*, (Oxford: Oxford University Press 2003); Tanja A. Borzel and Thomas Risse “Europeanization: The Domestic Impact of European Union Politics” in K. E. Jorgensen et al, eds. *Handbook of European Union Politics*. (London: Sage 2006):483-504.

⁶⁶² Lee McGowan, “Europeanization unleashed and rebounding: assessing the modernization of EU cartel policy”, *Journal of European Public Policy* 12:6 (December 2005), 996.

⁶⁶³ Borzel and Risse “Europeanization”, 483-504.

⁶⁶⁴ J.P. Olsen, “The Many Faces of Europeanization”, *Journal of Common Market Studies*, 40:5, (2002): 921-952.

⁶⁶⁵ Milada Anna Vachudova, *Europe Undivided: Democracy, Leverage, & Integration After Communism*, (Oxford and New York: Oxford University Press, 2005), 182.

“position of the governments”, the “veto players” and the “mobilization of ethnic minorities” as three major domestic conditions that would have impact on the Europeanization of minority protection policies in Bulgaria.

This study adopts a qualitative case study analysis of Bulgaria using a longitudinal perspective based upon the official documents of European Union and academic literature. The generalizability of case study results can be increased by the strategic selection of cases. Case selection therefore is an integral part of a good research strategy to achieve well-defined objectives of the study. Hence the case selection for this research follows two criteria; (1) a significant conflict between EU rules and the initial situation in the candidate state and (2) the size of minority groups. For a better analysis, I select Bulgaria with size of ethnic minorities greater than 25% within the whole state population due to two large ethnic groups; Turks and Roma.

Thus, as a contribution to the literature of Europeanization, this study reveals how effective the domestic factors are in determining a candidate state’s attitude towards the Europeanization process for minority protection. As a contribution to the literature on ethnic politics, it illustrates the situation of ethnic Turks and Roma in Bulgaria. Unlike the previous studies on the topic, this article specifically analyzes the impact of domestic factors on the process. As a broader contribution to the literature, the analysis of Bulgaria as a case is applicable to the other Central and Eastern European members of the EU, where there are significant number of ethnic minorities.

This article has six sections. After a brief introduction to the research, the second section is an introduction to the theoretical framework with a focus on Europeanization and the literature on Central and Eastern European states. Following this is a brief outline of the historical background of ethnic Turks and Roma in Bulgaria that provides the reasons for the current conflicts. The fourth part details what EU conditions and demands exist with regards to minority protection, in particular for Bulgaria. The fifth section is both an analysis of the Europeanization process in Bulgaria with a focus on compliance with minority protection policies of the EU and a discussion of the two variables “the position of governments”, “veto players” and “mobilization of ethnic minorities” as the domestic factors that have impact on the process. The conclusion then summarizes the findings and examines the relationship between the theory and the actual practices within the European Union in regards to minority protection as a policy area.

2. Theoretical Framework

Europeanization has become one of the most widely used theoretical approaches for studying the EU and its influence on the current and future EU member states and has emerged as an “academically developing industry”.⁶⁶⁶ There is a burgeoning literature on conceptualizing the term and identifying how this process might shape a country’s internal politics. There is considerable debate about how to define “Europeanization”.⁶⁶⁷ The term is generally used with regard to “the domestic impact of the EU” thus constitutes a crucial concept for analyzing the Union’s transformative power through diffusion of ideas namely rules, values and norms.⁶⁶⁸

The literature in Europeanization studies has traditionally focused on bottom-up perspective analyzing the impact of its transformative power on the states that have already joined the EU.⁶⁶⁹ Cowles et al. have used Europeanization to describe the emergence and the development at the European level of distinct structures of governance, that is of political, legal, and social institutions associated with political problem-solving which formalizes interactions among the actors, and of policy networks specializing in the creation of authoritative rules.⁶⁷⁰ According to Borzel uploading is also a way to minimize the costs that the implementation of European norms and rules may impose on member states’ constituencies.⁶⁷¹ Therefore, member states have an incentive to upload their domestic policies to the European level in order to minimize the costs of EU adaptation.⁶⁷² The

⁶⁶⁶ Olsen, “The Many Faces of Europeanization”, 921

⁶⁶⁷ Bulmer and Padgett, “Policy Transfer in the European Union”, 103-126; Bulmer and Radaelli, “The Europeanisation of National Policy”, 338-360; Featherstone and Radaell, eds. *The Politics of Europeanization*, (2003), Borzel and Risse “Europeanization: The Domestic Impact of European Union Politics”, 483-504.

⁶⁶⁸ Ulrich Sedelmeier. “Europeanisation in new member and candidate states”. *Living Reviews in European Governance*, 6: 1. (2011), 4; Tanja Borzel and Thomas Risse “The Transformative Power of Europe: The European Union and the Diffusion of Ideas”, Working Paper No.1, KollegForschergruppe, Berlin, (May 2009), URL: http://userpage.fuberlin.de/kfgeu/kfgwp/wpseries/WorkingPaperKFG_1.pdf (accessed February 1, 2013).

⁶⁶⁹ M.G.Cowles, et al. *Transforming Europe*. (2001); Claudio Radaelli. “Whither Europeanization?: Concept stretching and substantive change”. *European Integration online Papers* 4:8(2000); Klaus. H.Goetz and Simon.Hix (eds.) *Europeanised Politics? European Integration and National Political Systems*, (London: Cass 2001).

⁶⁷⁰ Cowles, et al. *Transforming Europe*, 3.

⁶⁷¹ Tanja Borzel, “Pace-setting, foot-dragging and fence-setting: member states’ responses to Europeanization” *Journal of Common Market Studies* 40:2 (2002), 212.

⁶⁷² *Ibid*.

member states seek to shape European policy-making according to their interests. Borzel and Risse explain Europeanization as a process of construction, diffusion and institutionalization of rules, procedures and policy paradigms and shared beliefs and norms which are first defined and consolidated in the making of EU public policy and politics and then incorporated in the logic of domestic discourse, identities, political structures and public policies.⁶⁷³

Europeanization is not limited to changes in political and administrative structures and policy changes but European values are also to some degree internalized at the domestic level, shaping discourses and identities.⁶⁷⁴ Kurzer defined Europeanization as an institutional adjustment to wider European rules, structures, and styles and the diffusion of informal understandings and meanings of EU norms.⁶⁷⁵ This argument is based on the idea that further political integration is necessary for a closer union. Featherstone and Radaelli (2003) called this “domestic assimilation” and stressed the importance of the change in the logic of political behavior in the member states by arguing that Europeanization involves the domestic assimilation of EU policy and politics.⁶⁷⁶

Similarly, Bulmer and Radaelli argued that the concept of Europeanization is different from EU policy making and thus, the creation of a shared understanding of policy through learning on the part of the states is important for the success of Europeanization.⁶⁷⁷

Regarding the influence of Europeanization on the Central and Eastern states, Grabbe states that the EU’s long-term influence works primarily through persuasion and voluntary adaptation rather than exclusion and coercion, because after accession, the future of policies cannot be envisioned clearly.⁶⁷⁸ Grabbe refers to Europeanization as an ambiguous process despite the EU’s enormous potential to influence the public policy in candidate countries.⁶⁷⁹ Therefore, for the Central and Eastern European members Europeanization started as “a process of meeting of accession requirements and the adoption of EU norms, policies and institutional models” although it aimed to be a process of “moving beyond communist legacies and regaining a full role in the European political and economic space.”⁶⁸⁰ Focusing on the policy areas concerned with regulating the movement of persons in all Central and Eastern European countries between 1989 and 2004, Grabbe finds that requirements had not been entirely fulfilled in these states due to the inconsistency and lack of precision in the Union’s membership criteria.⁶⁸¹

The policy field of human rights and minority protection is another one of the areas that Europeanization process follows a slower pattern. While most of the Central and Eastern European states “consistently aimed towards European integration” to solidify their economic and political status as liberal democracies, they first had to reconcile Western European norms regarding the protection of minority rights with their own laws and standards.⁶⁸² Thus, the analysis of the “Europeanization” of Central and Eastern Europe generally focuses on the interplay of contemporary international and domestic conditions. Schimmelfennig and Sedelmeier provide an explanation for this process by suggesting that the adoption of democratic and human rights norms as well as EU legal norms depends on the size and credibility of tangible, material incentives provided by external actors as well as on the political costs that target governments suffer when adopting and implementing these rules domestically.⁶⁸³

Many of these countries that used to rest behind the Iron Curtain have problems with democratic ideals. As a result, adoption of the rules about the protection of minorities required by the EU’s Copenhagen Criteria and the Council of Europe’s Framework Convention for the Protection of National Minorities is not easy. In addition to these difficulties, Central and Eastern European states face the dilemmas existing within the Union itself about

⁶⁷³ Borzel and Risse, “Europeanization”, 483-504.

⁶⁷⁴ Olsen, “The Many Faces of Europeanization”, 940.

⁶⁷⁵ Kurzer, *Markets and Moral Regulation*, 4

⁶⁷⁶ Featherstone and Radaelli, eds. *The Politics of Europeanization*, 30

⁶⁷⁷ Bulmer and Radaelli, “The Europeanisation of National Policy”, 338-360

⁶⁷⁸ Heather Grabbe. *The EU’s Transformative Power—Europeanization through Conditionality in Central and Eastern Europe*. (Hampshire and New York: Palgrave Macmillan 2006), 5.

⁶⁷⁹ *Ibid.*

⁶⁸⁰ *Ibid.*

⁶⁸¹ *Ibid.*

⁶⁸² David J. Galbreath, “European Integration through Democratic Conditionality: Latvia in the Context of Minority Rights,” *Journal of Contemporary European Studies* 14:1(2006), 69.

⁶⁸³ Frank Schimmelfennig, and Ulrich Sedelmeier, (eds) *The Europeanization of Central and Eastern Europe*. (London: Cornell University Press 2005), 173.

minority protection policies. Rechel lists these dilemmas within the European Union’s minority rights policy itself as the lack of minority rights standards within the EU; superficial monitoring of candidate states; concern for regional stability rather than minority protections; and the double standard that require Central and Eastern European states to adopt minority rights policy while Western European states did not.⁶⁸⁴ Despite these problems within the Union, evidence of the impact of the EU conditionality on minority protection is present and presents the treatment of ethnic minorities in Eastern and Central Europe as one of the most vivid cases of successful EU conditionality.⁶⁸⁵

3. Background of Ethnic Turks and Roma in Bulgaria

Bulgaria is a parliamentary democracy with a legal system based on civil law. Due to suppression of ethnic minorities Bulgaria has long suffered from problems as a post-Soviet state. The process starting with Bulgaria’s candidacy to the European Union pointed to the need for revisions in the Bulgaria’s policies in minority protection and human rights. Regarding the situation of the ethnic minorities and the process of the Europeanization in the human rights and minority protection issues in Bulgaria, this chapter analyzes the situation of two largest ethnic minority groups in Bulgaria: Roma and Turks.

According to the demographic sources the majority group constitutes about 84 percent of the total population in the country. The largest minorities are the Turks, who constitute about 9.4 percent of the total population. The Turkish population is concentrated in three of the nine administrative regions of Bulgaria. The second largest ethnic minority group is the Roma population who constitute about 4.6 percent of the population, according to official statistics.⁶⁸⁶ The Roma population lives in different parts of the country across Bulgaria. The Russian, Armenian, Macedonians, Greeks, Ukrainians, Jews, and Romanians constitute less than one percent of the total population in Bulgaria.⁶⁸⁷ (See Table 1.1)

Table 1.1. Total Population and the Percentage of Ethnic Minorities in Bulgaria⁶⁸⁸

	Population	Percentage of Ethnic Minorities in overall Population
BULGARIA	7.6 million	Turk 9.4 % Roma 4.6 % Others (Russian, Armenian, Macedonians, Greeks, Ukrainians, Jews, and Romanians) 2 %

4. The European Union’s Pre-Accession Conditionality and Demands

The European Commission’s Opinion on the EU Membership of Bulgaria reported the missing policies in the field of human rights and minority protection in the country regarding the *acquis communautaire* for EU membership. Bulgaria was criticized for not being a signatory of the Council of Europe’s Framework Convention on Minorities and the Recommendation 1201 of the Parliamentary Assembly of the Council of Europe, which provides for the collective rights of minorities although it was not legally binding.⁶⁸⁹

In terms of the minority protection policies, the European Commission pointed to the situation of two ethnic minority groups in Bulgaria: Turks and the Roma population. The situation of the Turkish minority, which had suffered considerable discrimination before 1989 under the Communist regime, improved after the collapse of the Zhivkov government. The Turkish minorities gained representation in the parliament in 1990s. As of 1997, 15 members of the Turkish minority were representing their community in Parliament.⁶⁹⁰ In terms of linguistic rights, the Turkish minority had the right to receive education in their own language. However,

⁶⁸⁴ Bernd Rechel, “What Has Limited the EU’s Impact on Minority Rights in Accession Countries?” *East European Politics & Societies* 22: 1 (2008), 171.

⁶⁸⁵ Vachudova, *Europe Undivided*, 145.

⁶⁸⁶ “Census 2011”, National Statistical Institute of Republic of Bulgaria, accessed February 12, 2013, http://www.nsi.bg/census2011/PDOCS2/Census2011final_en.pdf

⁶⁸⁷ *Ibid.*

⁶⁸⁸ Source: “Census 2011”, National Statistical Institute of Republic of Bulgaria, accessed February 12, 2013, http://www.nsi.bg/census2011/PDOCS2/Census2011final_en.pdf

⁶⁸⁹ “European Commission’s Opinion on the EU Membership of Bulgaria 1997”, accessed February 12, 2013,, http://ec.europa.eu/bulgaria/documents/abc/bu-op-1997_en.pdf

⁶⁹⁰ Herbert Kitschelt et al., *Post-Communist Party Systems: Competition, Representation and Inter-Party Cooperation*, (London: Cambridge UP, 1999), 125.

restriction of the ethnic languages to be used for official communications in areas specifically where minorities represent a significant percentage of the population was reported to be a problem in Bulgaria.⁶⁹¹ In addition to these problems, poverty and economic inequalities are documented to be the major problems facing the ethnic minorities in Bulgaria.

Although, Turks were seen to be more integrated, the Roma population was reported to suffer considerable discrimination in daily life, including violence either directly by the police or by individuals whom the police did not always prosecute.⁶⁹² Their social position was difficult, though here sociological factors played a part alongside the discrimination they suffered from the rest of the population.⁶⁹³ The European Commission Annual Progress Reports on Bulgaria consistently analyzed the minority protection policies and respect for human rights issues under two topics; social integration and economic situation.

4.1. Social Integration

According to the European Commission reports on the human rights issues in Bulgaria published between 1998 and 2007, the ethnic minorities in Bulgaria faced discrimination in all spheres of social life including political representation, education health and housing issues. The current Bulgarian Constitution forbids the establishment of parties on ethnic and religious basis. The article 11 of the Constitution states that “political parties may not be founded on ethnic, racial or religious basis”.⁶⁹⁴ Enforcement of this provision led to the disqualification of several minority parties from participation in the electoral process. Nevertheless, the Roma population had a few representatives in the Bulgarian Parliament under the main stream parties. However, as these representatives were elected as candidates of the mainstream parties, they failed to bring the problems about Roma population to the parliament because of the fear of losing their position. Although the non-governmental organizations have been the most active parties in the struggle for improvement of the Roma’s situation in Bulgaria, they did not succeed in bringing attention to the situation of Roma. Turks followed a different way in political participation. The Movement for Rights and Freedoms (MRF), although it is predominantly Turkish, has never admitted this openly in official documents or in its public activity.⁶⁹⁵

As the crimes conducted by the Roma were often presented in the media widely, the image of the Roma as the only criminals was deep-rooted in the Bulgarian society. Thus, the bad image of the Roma has been prominent despite the various attempts from the Bulgarian Roma organizations to end the ethnically related stereotyping.⁶⁹⁶ The negative portrayal of Roma by the society has largely contributed to the prejudiced attitude of both the society and the authorities towards the Roma.⁶⁹⁷ The high crime rate among the Roma population and the media-promoted image of Roma as criminals have increased the rate of the abuse of Roma by the police in Bulgaria, which was one of the factors attracted attention from the European Commission.⁶⁹⁸

According to the reports by the European Roma Rights Centre, Roma have been subject to severe beatings and the use of threats by the police and were detained on remand far more often than non-Roma citizens, being kept there for inordinately long periods.⁶⁹⁹ ERRC claim that Bulgarian courts followed a xenophobic attitude toward the minorities. Minor crimes carried out by the Roma are punished more severely than the more serious crimes carried out by non-Roma.⁷⁰⁰

Despite the discriminative attitudes toward Roma, the linguistic rights have not been seen as a big problem. According to Tomova (1995), in Bulgaria, 90 per cent of the Roma population speaks Romani, which is the highest percentage among the European countries, but only roughly 50 per cent of them speak Romani at home on a regular basis.⁷⁰¹ With the collapse of the Zhivkov government, Roma have been free to use Romani at

⁶⁹¹ “European Commission’s Opinion on the EU Membership of Bulgaria 1997”, accessed February 16, 2013, http://ec.europa.eu/bulgaria/documents/abc/bu-op-1997_en.pdf

⁶⁹² Ibid.

⁶⁹³ Ibid.

⁶⁹⁴ “Constitution of the Republic of Bulgaria”, accessed February 16, 2013, http://www.vks.bg/english/vksen_p04_01.htm

⁶⁹⁵ Eminov, *Turkish and Other Muslim Minorities in Bulgaria*, 172.

⁶⁹⁶ Krassimir Kanev, “The double sin; The Framework Programme for the Integration of Roma in Bulgarian Society is not implemented”, *Obektiv* 4 (2000): 2.

⁶⁹⁷ Ibid, 2

⁶⁹⁸ “EU Regular Report on Bulgaria’s Progress Towards Accession 2002”, accessed February 18, 2013, http://ec.europa.eu/enlargement/archives/pdf/key_documents/2002/bu_en.pdf

⁶⁹⁹ “Profession: Prisoner, Roma in Detention in Bulgaria”, (Budapest: European Roma Rights Centre (ERRC), December 1997), 37

⁷⁰⁰ Ibid, 41.

⁷⁰¹ Ilona Tomova, *The Gypsies in the Transition Period*, (Sofia: International Centre for Minority Studies and Inter Cultural Relations, 1995), 26.

home and in minority communication. However, ECCR reports showed that an interesting regulation regarding language was the prohibition of the use of any language other than Bulgarian during visitation hours in prisons, and also allowing the use of a translator at the expense of the imprisoned.⁷⁰² According to Tomova (1995), because of their ease in accepting the surrounding language traditionally and the assimilation policies in the past, most Roma speak Bulgarian, Turkish or Vlach, because these mainstream languages are considered to be more “prestigious” and claimed to be the “mother tongue” by Roma in various surveys.⁷⁰³ Similarly, the ethnic Turkish minority had been free to express itself in its mother tongue in private and in public before Bulgaria’s EU candidacy. Furthermore, ethnic Turks were not allowed to display traditional local names, street names and other topographical indications in their mother tongue, in contradiction to the Council of Europe’s Framework Convention on the Protection of National Minorities.⁷⁰⁴

Getting education in their language was not possible for Roma before the collapse of the Communist regime in Bulgaria, despite the fact that Romani is defined as a “mother tongue” by the Constitution, and thus could be studied up to four hours per week as an elective course in schools.⁷⁰⁵ Before EU candidacy of Bulgaria, the governments agreed that the lack of qualified teachers to teach in the Roma language, and the lack of desire on behalf of the Roma to have their children study Romani, have prevented the spread of the initiative for ethnic education.⁷⁰⁶ Although the restrictions on the Turkish language were also lifted after the collapse of the Communist regime, the teaching of minority languages at school was not implemented evenly. Although, Turkish minority activists expressed their desire to improve mother tongue teaching by including it in the regular school curriculum and also by teaching some subjects in Turkish, the Minister of Education, Ilcho Dimitrov, clearly stated that Turkish schools would not be allowed to exist in Bulgaria and that Turks were free to go to Turkey if they wanted so.⁷⁰⁷

The issue of minority broadcast media is also related to the linguistic rights in Bulgaria. The post-1989 legislation allows for a relatively broad freedom of the press in Bulgaria. The Turkish-dominated Turkish Movement of Rights and Freedoms (MRF), founded in 1990, asked for broadcasting in ethnic languages. The Bulgarian National Radio started some programs in Turkish in 1993, but this practice was terminated in 1994. Programming in Romani has not been considered.⁷⁰⁸ The 1996 Law on Radio and Television put an end to any hopes for broadcasts in minority languages as it included a requirement that country wide broadcasts can only be transmitted in Bulgarian.

4.2. Economic Challenges for the Ethnic Minorities

The discrimination towards the Roma population in society, which is mostly shaped with the prejudice due to high crime rate among the Roma population depends on poverty and poor economic conditions especially.⁷⁰⁹ Job discrimination is part of the reason behind the Roma’s poverty, and is consistently referred in European Commission Annual Progress Reports on Bulgaria between 1998 and 2007. The Roma’s economic situation, which has never been good, deteriorated sharply after 1989 as a consequence of the general economic crisis in Bulgaria. The unemployment rate of Roma population increased to a level much higher than the country’s average.⁷¹⁰ Besides being less educated and less skilled, Roma suffered from the prejudices discussed in the Bulgarian society.

Similar to the Roma population, the economic strains were the major problems that the Turkish ethnic minorities were facing according to European Commission documents. Most of the ethnic Turks live in the countryside in Bulgaria and have less access to work opportunities, educational, cultural and health-care facilities. According to Minority Rights Group International report in 1991, towards the end of Communist regime the Turkish minorities in Bulgaria constituted from 15 to 20 per cent of the work force in the tobacco growing areas in the south and the wheat growing areas in the northeast.⁷¹¹ It was these branches of agriculture that suffered most from the massive immigration of Turks to Turkey in 1989. Also, there have been conflicts between Turkish tobacco producers and the state monopoly for tobacco (Bulgartabak) over the low price paid to

⁷⁰² “Profession: Prisoner, Roma in Detention in Bulgaria”, ERRC, 60.

⁷⁰³ Tomova, *The Gypsies in the Transition Period*, 26.

⁷⁰⁴ Eminov, *Turkish and Other Muslim Minorities in Bulgaria*, 157.

⁷⁰⁵ “Human Rights in Bulgaria in 1996,” *Obektiv*, Special Edition, (Sofia: Bulgarian Helsinki Committee, 1997), 10

⁷⁰⁶ *Ibid.*

⁷⁰⁷ Eminov, *Turkish and Other Muslim Minorities in Bulgaria*, 158.

⁷⁰⁸ Dina Yordanova, ‘Still Looking Forward: Restructuring of Bulgarian TV’, January 5, 1998, accessed February 18, 2013, http://www.utexas.edu...ts/eems/BFI_Text_.html

⁷⁰⁹ Tomova, *The Gypsies in the Transition Period*, 69.

⁷¹⁰ *Ibid.*, 72.

⁷¹¹ “World Directory of Minorities”, (London: Minority Rights Group International 1991), 126

the producers, which was intervened by the pro-Turkish party, the Movement for Rights and Freedoms (MRF) for higher prices.⁷¹² The law on privatization of farmland passed in 1992 also had negative effects on the Bulgarian Turks. As a result from this hard economic situation, a new wave of emigration started in the summer of 1992 that was perceived as a threat by the Movement for Rights and Freedoms (the party of the Bulgarian Turks) for losing a large part of its electorate through immigration.⁷¹³ According to Hoepken, economic emigrants reached 50,000 in 1991-1992.⁷¹⁴

5. Analysis: Bulgaria's Compliance with the 'Acquis Communautaire' on Minority Protection

This case study covers Bulgaria's Europeanization process since Bulgaria became an official candidate state for European Union membership in 1998 until its accession to the European Union in 2007. I look at the influence of the 'significant institutions' and 'mobilization of minorities' on the Europeanization of minority protection policies in Bulgaria.

Table 1. Major Political Parties and Their Ideologies in Bulgaria⁷¹⁵

Name	Abbreviation	Ideology
Bulgarian Communist Party	BCP	Communism
Bulgarian Socialist Party	BSP	Left-wing, Social Democrat
Citizens for European Development of Bulgaria	GERB	Center-right
National Union Attack	ATAKA	Far-right, nationalist party
Movement for Rights and Freedoms	MRF	Pro-Turkish Minority Party
Bulgarian Agrarian People's Union	BZNS	Left-wing, Center-right

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5.1. Significant Institutions

The Presidents

The Presidents are the chief of the state in Bulgaria, who is elected by popular vote for a five-year term and eligible for a second term. With the EU candidacy, Bulgaria has started to seek more friendly relations between the state and the ethnic minorities, specifically with Turks. In 1997 the newly elected president, Peter Stoyanov, delivered a speech to the Turkish National Assembly asking for forgiveness for what had been done to the Turkish minority in Bulgaria.⁷¹⁷ A question concerning the delimitation of part of the border between

⁷¹² Stefa Troebst, "Ethnopolitics in Bulgaria: The Turkish, Pomak, Macedonian and Gypsy Minorities," *Helsinki Monitor Quarterly on Security and Cooperation in Europe* 5:1 (1994): 32-42.

⁷¹³ Hoepken, "From Religious Identity to Ethnic Mobilization", 80.

⁷¹⁴ Ibid.

⁷¹⁵ Source: "Bulgaria: Major Political Parties", <http://www.balkananalysis.com/bulgaria/major-political-parties/>, accessed on July 3rd 2013.

⁷¹⁶ "EU Regular Report on Bulgaria's Progress Towards Accession 2005", accessed February 25, 2013, http://ec.europa.eu/enlargement/archives/pdf/key_documents/2005/bu_en.pdf

⁷¹⁷ Ömer Lütem, "The Past and Present State of the Turkish-Bulgarian Relations". *The Foreign Policy Quarterly* 23 (2001): 5, accessed February 12, 2013, http://www.foreignpolicy.org.tr/ing/articles/olutem_v23.htm

Bulgaria and Turkey and the territorial waters in the Black Sea was resolved after forty years of negotiations, through an agreement signed in December 1997.⁷¹⁸

Despite this attempt of better relations, political representation rights for the ethnic groups, which are banned by the Constitution, have been a continuing problem in Bulgaria. Ratification of the Framework Convention for the Protection of National Minorities signed by the Bulgarian President in 1997 and ratified by the Parliament in 1999, caused a major controversy in Bulgarian politics due to the use of the word ‘minorities’. According to the Bulgarian Socialist Party, the “Bulgarian realities, historical and contemporary, alike, provide unambiguous testimony to the fact that despite the differences in the ethnicity, culture, language and religion on the Bulgarian territory, no national minorities have been shaped out”.⁷¹⁹ The former authoritarian Soviet background of Bulgaria and accordingly the lack of civil society did not allow the ‘minorities’ to define themselves in Bulgaria and get the required respect and recognition either in the Constitution or in the society.⁷²⁰

Thus, the President’s positive attitude, supported with the legal framework could not succeed in drawing the lines for the term ‘minority’. This is mostly because of the ambiguity in the legal framework in the human rights and minority protection issues in Bulgaria. Although, the President signed the Framework Convention for the Protection of National Minorities and the Parliament ratified in 1999, the Constitutional restrictions on the rights of minorities contradicted with these new provisions.

The Constitutional Court

The Constitutional Court in Bulgaria consists of 12 members, who are selected by the President, thus have an ideological stand. Although the Constitution forbids the formation of political parties along religious, ethnic or racial lines, the mainly ethnic Turkish Movement for Rights and Freedoms (MRF) is represented in Parliament, and the other major parties generally accept its right to participate in the political process. By way of contrast, in February 2000, the Constitutional Court ruled that the United Macedonian Organization (OMO) political party is unconstitutional on the grounds that it promotes separatism.⁷²¹

Additionally, there have been several unsuccessful attempts on the part of the Socialist (former Communist) Party to challenge the Turkish Movement for Rights and Freedoms Party (MRF) before the court. Between 1990 to 1996, the Socialists once approached the Constitutional Court with questions about the MRF’s legitimacy and made petitions. However, the choice of proportional representation created a situation in which the MRF provided the swing vote in the first elections (1990 – 1994).⁷²² Hence, both major parties, the Bulgarian Socialist Party and the Union of Democratic Forces, followed policies designed to make them a plausible coalition partner of the MRF.⁷²³

The Constitutional Court also rejected the claim by MRF Party on the 1996 Law on Radio and Television. Although the law did not ban minority languages clearly, it required broadcasting in Bulgarian only.⁷²⁴ This showed how easily the Turkish television and radio channels in Bulgaria at the local and regional level would be banned. However, the Constitutional Court did not find this article challenging. The amendments of the law introduced in 1997 did not address the issue of minority media.⁷²⁵ However, the law was limited to the state radio and television, which indirectly opens the possibility for the creation of regional and local minority media. It was not until July of 1998 that the Bulgarian Parliament added a provision allowing for the broadcast of programs in foreign languages aired for Bulgarian citizens whose mother tongue is not Bulgarian.⁷²⁶ Although this has been a good opportunity for the Turkish minorities, the unfavorable economic situation of the Roma and the lack of support from a mother country, in contrast to the case of the Turkish minority, did not allow the creation of Roma broadcast channels. With the recommendations from the European Commission, in October 2000 Bulgarian national television launched Turkish-language newscasts.⁷²⁷

⁷¹⁸ Ibid,6.

⁷¹⁹ Bernd Rechel, ed., *Minority Rights in Central and Eastern Europe*, (NY: Routledge, 2010), 81.

⁷²⁰ Ibid.

⁷²¹ Lilia Petkova, “The Ethnic Turks in Bulgaria: Social Integration and Impact on Bulgarian– Turkish Relations, 1947-2000”, *The Global Review of Ethnopolitics* 1: 4 (2002): 51.

⁷²² Antonina Zhelyazkova, ‘The Social and Cultural Adaptation of Bulgarian Immigrants in Turkey’ in *Between Adaptation and Nostalgia: The Bulgarian Turks in Turkey*, Antonina Zhelyazkova, ed., (Sofia: International Center for Minority Studies and Intercultural Relations, 1998), 5.

⁷²³ Ibid.

⁷²⁴ “European Commission’s Opinion on the EU Membership of Bulgaria”, accessed February 25, 2013, http://ec.europa.eu/bulgaria/documents/abc/bu-op-1997_en.pdf

⁷²⁵ “EU Regular Report on Bulgaria’s Progress Towards Accession 1999”, accessed February 25, 2013, http://ec.europa.eu/enlargement/archives/pdf/key_documents/1999/bu_en.pdf

⁷²⁶ Ibid.

⁷²⁷ “EU Regular Report on Bulgaria’s Progress Towards Accession 2001”, accessed February 25, 2013, http://ec.europa.eu/enlargement/archives/pdf/key_documents/2001/bu_en.pdf

5.3. Mobilization of the Minorities

In the case of Bulgaria, the major difference between the two ethnic groups analyzed here, appears to be their ability to mobilize. The ethnic groups that succeeded in getting support from international community to advocate their interests in Bulgaria at both local and national level, mostly took the advantage of the negotiating period before Bulgaria's entry to the European Union.

For the ethnic Turks, the Movement for Rights and Freedoms has been the main advocate. One of the main lines of activities of the Movement for Rights and Freedoms in Parliament was to introduce the Turkish language as a compulsory subject in some municipal schools. This idea began to be a movement supported by Turks after the collapse of the Communist regime. As of 1991, the Movement for Rights and Freedoms supported a boycott of the schools, which was aimed at the institution of the study of Turkish as a mother tongue against the prevention of teaching minority languages in Turkish districts of Kurdzhali and Razgrad.⁷²⁸ This movement can be considered as the roots of the fact that Turkish became an unrestricted language either in education or in broadcasting with the EU candidacy of Bulgaria. With the efforts of MRF, education in Turkish language in the municipal schools has always been in the political agenda.

Especially during the Communist regime in Bulgaria, Turkish activists were imprisoned frequently. In the 1970s, there were reports of imprisonment of Turkish teachers and prominent Turkish intellectuals for protesting against the closure of the Turkish language schools. In 1976, there were reports of joint demonstrations of Turks and Bulgarian Muslims in the Plovdiv area for the discrimination against the Muslims in employment and at the closing of mosques.⁷²⁹ The legal ground for these arrests were Articles 108 and 109 of the Bulgarian Criminal Code, dealing respectively with "anti-state agitation and propaganda" and "forming or leading an organization aimed at committing crimes against the People's Republic of Bulgaria."⁷³⁰

The MRF is essentially a party of the Bulgarian Turks, though it has never admitted it openly in official documents or in its public activity. Almost 90 per cent of its membership and more than 90 per cent of its voters are ethnic Turks. There are other Turkish parties, which are not so successful and have ideological and political arguments with the MRF.⁷³¹ The traditional moderate attitude of the MRF between the BSP (Bulgarian Socialist Party) and the UDF (Union of Democratic Forces), which was founded in 1989 as a union of several political organizations in opposition to the communist government of Zhivkov has made the movement successful.⁷³² Also, the MRF got involved in the adoption of some draft legislation that affected the socioeconomic interests of that community.⁷³³ The success of the MRF depended on its relations with the major political parties. For instance, in 1991-2, the MRF supported the UDF (Union of Democratic Forces) minority government and later on it had contributed to the downfall of this same government.⁷³⁴ After that, together with the BSP (Bulgarian Socialist Party), it supported a non-partisan expert government where the MRF got one ministerial seat.⁷³⁵ All this shows that the MRF became a platform which provided ground for political mobilization of ethnic Turks. However, the MRF have never demanded for territorial autonomy and stressed its wish for cultural rights to be able to last longer in the restrictive political environment of Bulgaria.⁷³⁶

The analysis of the Roma community compared to that of Turks in Bulgaria shows that the situation of the Roma community was even worse, since they do not have strong political representation.⁷³⁷ Thus, the Roma population in Bulgaria has been subject to discrimination in all spheres of social life. This situation is a result of both the government policies and of the general negative attitudes towards the Roma in the Bulgarian society. Furthermore, all types of discrimination have been consolidated with lack of mobilization among ethnic Roma in Bulgaria. This lack of mobilization among Roma has been an obstacle for implementation of policies. Thus, for example, implementation of the Framework Program for the Integration of Roma in Bulgarian Society were

⁷²⁸ "Chronology for Turks in Bulgaria 2004", Minorities at Risk Project, accessed February 26, 2013, <http://www.refworld.org/docid/469f38702.html>

⁷²⁹ "Bulgaria: Imprisonment of Ethnic Turks/ Human rights abuses during the forced assimilation of the ethnic Turkish minority", (London: Amnesty International, 1986), 6.

⁷³⁰ "Bulgarian Criminal Code", accessed February 26, 2013, http://www.vks.bg/english/vksen_p04_04.htm

⁷³¹ Gerd Nonneman et al., *Muslim Communities in the New Europe*, (UK: Garnett Publishing, 1997), 124.

⁷³² Herman Schwartz, *The Struggle for Constitutional Justice in Post-Communist Europe*, (Chicago: The University of Chicago Press, 2000), 167

⁷³³ Petar Emil Mitev, *Relations of Compatibility and Incompatibility between Christians and Muslims in Bulgaria*, (Sofia: International Centre for Minority Studies and Intercultural Relations Foundation, 1994), 203.

⁷³⁴ Nonneman et al, *Muslim Communities in the New Europe*, 125.

⁷³⁵ Schwartz, *The Struggle for Constitutional Justice in Post-Communist Europe*, 168.

⁷³⁶ *Ibid*, 172.

⁷³⁷ Leigh Hall, "Post-Communist Developments in the Media in Bulgaria", January 7, 1998, accessed February 27, 2013, <http://www.utexas.edu/ftp/pub/eems/bulgaria.html>

ignored until 2002, which was adopted with a decision of the Bulgarian Council of Ministers in April 1999 after the agreement between representatives of the more than 70 Roma associations and the Bulgarian government.⁷³⁸

This Framework requires fighting ethnic discrimination in education, health care, regional and urban planning, and sports through the introduction of effective anti-discriminatory clauses.⁷³⁹ It also required formation of a commission to investigate complaints against illegal discriminatory actions by police officers, desegregation of Roma schools and the study of the mother tongue as well training Romani language and fighting racism at school.⁷⁴⁰ Obviously the governments have been unwilling, however, Roma failed to mobilize for becoming citizens with equal rights in Bulgaria.

Although they failed to actively engage in lobbying for the rights of Roma, various NGOs for the protection of Roma rights have been established. The Roma Democratic Union/United Roma Organization was the first Roma organization established after 1989.⁷⁴¹ It was founded in 1990 and had some 50,000 members by 1991. It has declared itself as a non-party union of all Roma in Bulgaria, interested in the housing and education problems, as well as the political and social representation of Roma.⁷⁴² Although it could not register as an ethnic political party according to the Bulgarian Constitution, it was allowed to function as a social and cultural organization.⁷⁴³

Another non-governmental organization, the Human Rights Project founded in 1992, is known as the most active group working for the protection of Roma rights in Bulgaria. It was the first organization of its kind in Bulgaria that aims to monitor respect for the human rights of the Roma, their violation, and to provide legal help.⁷⁴⁴ One of the few cases, in which Roma organizations have been active is the Assenov vs. Bulgaria case, in which a Roma sued a state because of police maltreatment, in which the European Court of Human Rights decided in favor of Assenov by stating that his rights were violated.⁷⁴⁵

6. Post-Accession Developments in Bulgaria about Minority Protection

As discussed above, the experiences of Turks and Roma population had been different in the candidacy period of Bulgaria. While the Turks succeeded in getting recognition, representation and more rights, the Roma population of Bulgaria consolidated their disadvantaged position in terms of economic prosperity, political rights and social integration. Thus, similar to the findings of the Latvian case, the analysis of pre-accession period of Bulgaria showed that Bulgaria acceded to the European Union in 2007 without fully adapting the “*acquis communautaire*”, specifically on human rights and minority protection issues.

⁷³⁸ Rumyan Russinov, “The Bulgarian Framework Programme for Equal Integration of Roma: participation in the policy-making process”, European Roma Rights Center, August 15, 2001, accessed February 27, 2013, <http://www.errc.org/article/the-bulgarian-framework-programme-for-equal-integration-of-roma-participation-in-the-policy-making-process/1729>

⁷³⁹ Rechel, *Minority Rights in Central and Eastern Europe*, 88.

⁷⁴⁰ Russinov, “The Bulgarian Framework Programme for Equal Integration of Roma”.

<http://www.errc.org/article/the-bulgarian-framework-programme-for-equal-integration-of-roma-participation-in-the-policy-making-process/1729>

⁷⁴¹ Janusz Bugajski, *Political Parties of Eastern Europe: A Guide to Politics in Post-Communist Era* New York: M.E. Sharpe Inc. 2002), 870.

⁷⁴² Bugajski, *Political Parties of Eastern Europe: A Guide to Politics in Post-Communist Era*, 870.

⁷⁴³ Janusz Bugajski, *Ethnic Politics in Eastern Europe*, (New York: M.E. Sharpe Inc. 1995), 257.

⁷⁴⁴ Zoltan Barany, *The East European Gypsies: Regime Change, Marginality, and Ethnopolitics*, New York: Cambridge University Press, 2002, 168.

⁷⁴⁵ “Assenov vs. Bulgaria”, European Roma Rights Center, October 28, 1998, accessed February 28, 2013,

<http://www.errc.org/cikk.php?cikk=3856>

The analysis of the post-accession period between 2007-2012 shows that Roma in Bulgaria continued facing discrimination in all spheres of social life including high unemployment rate, bad economic conditions, and the lack of proper education. European Network against Racism (ENAR), which is a network of European NGOs that combats racism and promotes anti-racist policy development in the European Union describes Roma as the group most discriminated against in Bulgaria.⁷⁴⁶ ENAR also notes that the Roma's "access to basic human rights, social inclusion, and personal development, is hindered by long-lasting poverty, and a hostile public climate".⁷⁴⁷

The reports of several human rights agencies such as Amnesty International and Bulgarian Helsinki Committee state that the most stringent problem of the state and Roma relation is the ill treatment and excessive use of force by the police against the Roma. Thus, the high crime rate among the Roma population has been the biggest factor determining their relations with the state and the rest of society. A violent anti-Roma launched in September 2012, which was related to the Roma stereotype perception of the Bulgarian society after an incident in Katunitza, in which a Bulgarian teenager was killed by a Roma driver.⁷⁴⁸ The far right-wing party Ataka held demonstrations and demanded tough action from the government, even calling for the death penalty to be reinstated in Bulgaria.⁷⁴⁹ Although incitement to racial hatred and discriminatory public communication are prohibited under Bulgarian law, lack of enforcement for these provisions are widespread in Bulgaria, which can be counted as one of the most important reasons for Bulgaria's non-compliance with the EU "acquis" in human rights issues, even five years after the accession.

The positions of the governments are also very important in these types of racist movements, which may increase or ease the tensions. Thus, in this specific case of anti-Roma movement in Bulgaria, the tensions increased with the ignorant attitudes of the government led by Prime Minister Boyko Borisov. Although the situation of Turks has been considered to be better than Roma based on the various reports of human rights groups, any anti-Roma movement in Bulgaria cause panic among other minorities especially the Turks as the largest ethnic group. Thus, after the anti-Roma rallies in 2012, the far-right Ataka Party provoked clashes with Muslims, who gathered for Friday prayer at a mosque in Sofia, protesting against the use of loudspeakers to issue the call to prayer.⁷⁵⁰ However, shortly after, the ruling center-right political party Citizens for European Development of Bulgaria (GERB) proposed a declaration adopted by the parliament which condemned the attack on the mosque.⁷⁵¹

Despite these negative developments, the National Roma Integration Strategy of the Republic of Bulgaria 2012-2020 was adopted by the National Assembly in March 2012.⁷⁵² The Strategy states that it follows the EU framework for National Roma Integration, and it is reportedly in keeping with the National Action Plan for the Decade of Roma Inclusion 2005-2015.⁷⁵³ Thus, Bulgaria is a participant in the Decade of Roma Inclusion 2005-2015, which is an international initiative of 12 European countries to improve the socio-

⁷⁴⁶ Elena Dyankova and Valeria Ilareva. *Racism and Related Discriminatory Practices in Bulgaria*. ENAR Report (March 2012), 12.

⁷⁴⁷ Dyankova and Ilareva. *Racism and Related Discriminatory Practices in Bulgaria*, 12.

⁷⁴⁸ Amnesty International, *Amnesty International Annual Report 2013-Bulgaria*, (May 2013) , accessed March 1, 2013, <http://www.amnesty.org/en/region/bulgaria>

⁷⁴⁹ Ibid.

⁷⁵⁰ Amnesty International, *Amnesty International Annual Report 2013-Bulgaria*, (May 2013) , accessed March 1, 2013, <http://www.amnesty.org/en/region/bulgaria>

⁷⁵¹ Ibid.

⁷⁵² "National Social Report", European Commission, Jan 29, 2013, accessed March 1, 2013, ec.europa.eu/social/BlobServlet?docId=7836&langId=en

⁷⁵³ Ibid.

economic conditions of Roma in partnership with NGOs and intergovernmental agencies including, the World Bank, the UNDP and the Council of Europe.⁷⁵⁴

As discussed in the findings of pre-accession period, the ‘mobilization of ethnic minorities’ appeared to be a significant variable to explain the impact of domestic factors in Europeanization process. The political representation, which is directly related to the mobilization of ethnic minorities explains the current situation of Roma in Bulgaria. According to the results of the most recent parliamentary elections in 2009, there were 29 members of minority groups, who were 26 ethnic Turks, and one Roma representative in the National Assembly. There was one ethnic Turkish minister in the cabinet.⁷⁵⁵ Thus, while the ethnic Turkish minority was well represented, Roma were underrepresented, particularly in appointed leadership positions.

Although, both the ethnic Turks and Roma held elected positions at the local level, anti-Roma incidents shadowed their success. For instance, in June 2012, a bomb placed in a bag exploded in Sandanski in front of a cafe owned by the local leader of pro-Roma political party called Evroroma.⁷⁵⁶ Thus, in the post-accession period of Bulgaria, despite the lack of mobilization among Roma due to fear, economic instability and lack of support, we see a rise in far-right extremism in Bulgaria that promoted anti-Roma sentiment.⁷⁵⁷ For example, the Bulgarian National Guard, which was established in 2007, states its mission as protecting Bulgarians against Roma ‘terror’.⁷⁵⁸ According to the UNHCR report, the Guard participates in a weekly television show and publishes a monthly newspaper, without being punished for their anti-Roma rhetoric and calling Roma people as ‘gypsy parasites’.⁷⁵⁹ The other anti-Roma political party Ataka is described as ‘ultra-nationalistic’, ‘far-right nationalist’ or ‘xenophobic’.⁷⁶⁰ Although, the party promotes anti-Roma sentiments, it finished fourth in both the 2005 and 2009 elections, securing 21 seats in both years and even won 2 seats in the 2009 election for the European Parliament.⁷⁶¹

The analysis of minority protection issues in the post-accession period of Bulgaria shows that the ethnic groups, namely Turks, which succeeded in taking advantage of Europeanization in the pre-accession period continued to mobilize and get political representation. As mentioned above, the Turks ended up with 29 representatives in the National Assembly and one minister in the cabinet in 2009 elections in Bulgaria. On the other hand, the Roma population has one representative in the National Assembly today in Bulgaria. The anti-Roma attitudes supported with the right-wing parties worsened with ignorant center-right governments after 2007. Despite the several provisions ratified by the governments between 2007 and 2012 such as the National Roma Integration Strategy of the Republic of Bulgaria 2012-2020, lack of enforcement for these provisions constructs situation of Roma as of 2012.

7. Conclusion: Europeanization of Minority Protection Policies in Bulgaria and the Integration of the Turks and Roma

The accession negotiations of the EU with Bulgaria were successfully concluded in December 2004 and the Accession Treaty was signed in April 2005. Thus, Bulgaria became a member of European Union on January 1st 2007. The last reports that declared the successful accession of Bulgaria in European Union still addressed the

⁷⁵⁴ *Ibid.*

⁷⁵⁵ “Bulgaria opposition wins election”, *BBC News*, July 6, 2009, accessed March 1, 2013,

news.bbc.co.uk/2/hi/8134851.stm

⁷⁵⁶ “Rights Wing Terrorism, 2013”, European Police Office, accessed March 2, 2013,

https://www.europol.europa.eu/sites/default/files/publications/europol_te-sat2013_lr_0.pdf

⁷⁵⁷ Dyankova and Ilareva. *Racism and Related Discriminatory Practices in Bulgaria*, 35.

⁷⁵⁸ “Bulgaria: Situation of Roma, including access to employment, housing, health care, and education; state

efforts to improve the conditions of Roma”, UNHCR, October 19, 2012, accessed March 2, 2013,

www.unhcr.org/refworld/country,,,BGR,,50a9ed2f2,0.html

⁷⁵⁹ *Ibid.*

⁷⁶⁰ “Human Rights in Bulgaria in 2011”, Bulgarian Helsinki Committee, (Sofia: Bulgarian Helsinki Committee, 2012), 47.

⁷⁶¹ *Ibid.*

problems needing to be solved about ethnic minorities.⁷⁶² Although the candidacy process of Bulgaria supported ethnic Turks to become integrated in the society, improvements for Roma population were still needed according to the European Commission.

The analysis of the domestic factors show that the governments served during the time frame of analysis have not been interested in minority protection policies although the EU membership has been on the agenda of all of them. According to the European Commission Monitoring Report of 2006, some progress was made in the area of the protection and integration of the Roma minority.⁷⁶³ However, substantial efforts were still needed to promote the social inclusion and integration of Roma into Bulgarian society. Living conditions need to be improved. Further efforts were needed to combat all forms of intolerance, particularly by fully applying existing legislation on broadcasting and other activities aiming to combat any form of racism, discrimination, or xenophobia. Also, the health status of the population and the lack of access to health care, especially at the regional level and among poorer socioeconomic groups and minorities, were criticized by the European Commission.⁷⁶⁴ Concerning anti-discrimination, there were several attempts in pre-accession period such as the Commission for Protection against Discrimination was established in 2005 in Bulgaria, Framework Program for Equal Integration of Roma in Bulgarian Society or the independent Commission for Protection against Discrimination.⁷⁶⁵ Furthermore, a strategy focusing on the education of school children of minorities including amendments to the National Education Law, came into force, starting from the school year 2003/2004 and the Ministry of Education and Science issued instructions for desegregation of Roma in schools both in 2002 and 2003.⁷⁶⁶ Similarly, there have been other efforts from the center-right governments in the post-accession period, such as National Roma Integration Strategy of the Republic of Bulgaria 2012-2020. However, the analysis of both pre-accession and post-accession periods of Bulgaria lack reveals that lack of enforcement for the provisions related to minority protection issues mostly have been affecting Roma population in Bulgaria. In other words, ignorant position of the governments served between 1997-2007 and 2007-2012 hindered Europeanization of minority protection policies in Bulgaria.

The Constitutional Court as the effective institution has been acting against the European Union's requirements for minority protection with its decisions. The ban on the United Macedonian Organization (OMO) political party as unconstitutional on the grounds that it promotes separatism and the rejection of the claim by the MRF Party concerning the 1996 Law on Radio and Television, which banned broadcasting in minority languages as it included a requirement that broadcasts can only be transmitted in Bulgarian are two major decision by the Constitutional Court of Bulgaria that slowed down the Europeanization of minority protection policies in Bulgaria.

On the whole, my analysis on Europeanization of minority protection policies in Bulgaria during the time frame between 1997-2007 continue to address the situation of the ethnic minorities, in particular, Roma population, as they are affected not only by actors of the governments and the significant institutions but also from their inability to mobilize in contrast to the ethnic Turks. Taking advantage of the integration of Bulgaria to the Europe and European Union, the Turkish minorities succeeded to be integrated into political life through elected representation at national and local levels in Bulgaria. However, as stated in all European Commission progress reports between 1997-2007, it is not possible to talk about a perfect compliance for Bulgaria to the human rights and minority protection *acquis* of the European Union although it ended up with accession similar to the case study of Latvia. This analysis is consistent with the developments during post-accession period of Bulgaria. As discussed before, the Turkish population continued gaining more seats in the Parliament, as well as recognition and rights due to successful mobilization, while the Roma community remained in their disadvantaged situation. As a matter of fact, the analysis of Bulgaria also supports my theory of the impact of domestic factors on Europeanization process, as it shows the significance of the domestic factors on the Europeanization process in minority protection despite the EU conditionality for membership, which is a fact that can be generalized to minority protection issues in other EU candidate states.

⁷⁶² "EU Regular Report on Bulgaria's Progress Towards Accession 2003", accessed March 2, 2013, http://ec.europa.eu/enlargement/archives/pdf/key_documents/2003/bu_en.pdf

⁷⁶³ "EU Regular Report on Bulgaria's Progress Towards Accession 2006", accessed March 2, 2013, http://ec.europa.eu/enlargement/archives/pdf/key_documents/2006/bu_en.pdf

⁷⁶⁴ "EU Regular Report on Bulgaria's Progress Towards Accession 2007", accessed March 2, 2013, http://ec.europa.eu/enlargement/archives/pdf/key_documents/2007/bu_en.pdf

⁷⁶⁵ "EU Regular Report on Bulgaria's Progress Towards Accession 2006", accessed March 2, 2013, http://ec.europa.eu/enlargement/archives/pdf/key_documents/2006/bu_en.pdf

⁷⁶⁶ "EU Regular Report on Bulgaria's Progress Towards Accession 2006", accessed March 2, 2013, http://ec.europa.eu/enlargement/archives/pdf/key_documents/2006/bu_en.pdf

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