

Bulgarian Authorities Must Adopt Stricter Legislation Governing LGBT-Targeted Hate Crimes
By Amnesty International
28 June 2012

(Washington, D.C.) -- Amnesty International calls on Bulgarian authorities to reform the country's existing laws and legal practices governing the prosecution of LGBT-targeted hate crimes. In a briefing published today, *Changing laws, Changing minds: Challenging homophobic and transphobic hate crimes in Bulgaria*, the human rights organization examines the failure of police and prosecutors to effectively investigate hate crimes stemming from widespread discrimination against LGBT individuals.

"Dozens of LGBT people have been beaten, raped, and in one case, murdered because of their real or perceived sexual orientation or gender identity," said Emily Gray, Amnesty International's expert on sexual orientation and gender identity. "Bulgarian authorities are not only failing in their duty to unmask the homophobic motives on which these crimes are perpetrated, but they are failing to properly investigate and bring the perpetrators to justice."

Existing hate crime legislation in Bulgaria noticeably does not address violence on the basis of sexual orientation or gender identity, and as a result, authorities rarely seek or uncover the true motive behind such crimes.

On September 30, 2008, two young men beat 25-year-old medical student Mihail Stoyanov to death in one of Sofia's parks. Both men were placed under house arrest in 2010 for "homicide with hooligan motive," a charge that does not accurately capture the reason behind the attack: Stoyanov's perceived sexual orientation.

When five participants in last year's Pride March in Sofia were punched and kicked to the ground by a group of young men, the police first asked the participants if they had provoked the attack. Now a year later, officials still have yet to identify the perpetrators and have stated that the case is not a priority.

The two perpetrators were recently released from house arrest when the prosecution failed to issue an indictment within the designated two year period.

Transgender individuals face even greater discrimination and are attacked more frequently than lesbian, gay and bisexual people. In some instances, police have reportedly refused to investigate violence against transgender people. Discriminatory attitudes frequently prevent them from finding a job, and many turn to sex work in order to survive.

"Urgent measures are needed to counter prejudiced attitudes and pervasive homophobia and transphobia," Gray added. "Implementing legislation that defines such attacks targeting LGBT individuals as hate crimes is an important first step."

Bulgarian authorities have made some initial progress towards equality for LGBT people through the decriminalization of same-sex conduct in 2002 and the ban of discrimination based on sexual orientation in 2004, but more needs to be done.

"What is really needed is for children in schools to be taught about difference and that difference is okay – that is does not matter whether someone is gay or not gay," said Hristina Stoyanova, the mother of murdered student Mihail Stoyanov.

The latest draft of a new Criminal Code presented for consultation in April 2012 covers hate crimes based on sexual orientation for the first time. Bulgarian authorities should take this opportunity to clearly state that attacks against LGBT individuals will not be tolerated and that perpetrators of such crimes will face thorough investigation and prosecution.