

## **Bulgaria**

Even though Bulgarian law has no legal definition of the term “hate speech”, several key legal documents mention “a speech which incites discrimination, violence or Hatred”, notably the Constitution.

**First of all, we can refer to the [National Constitution](#)**, where art. 39(1) guarantees that “everyone shall be entitled to express an opinion or to publicise it through words, written or oral, sound or image, or in any other way”. However, art. 39(2) also guarantees that “this right shall not be used to the detriment of the rights and reputation of others, or for the incitement of a forcible change of the constitutionally established order, the perpetration of a crime, or the incitement of enmity or violence against anyone”.

**Another important legal document countering hate speech is the [Penal Code](#)**. As of August 2023, its art. 162(1) offers the following protection: “Whoever, through speech, print or other means of mass information, through electronic information systems or in any other way, preaches or incites discrimination, violence or hatred based on race, color, origin, nationality or ethnic affiliation or sexual orientation, shall be punished with imprisonment of one to four years and with a fine of five thousand to ten thousand BGN, as well as with public reprimand.”

**There is the [Law on Protection from Discrimination](#)** whose art. 1 regulates the protection against all forms of discrimination and promotes its prevention. Its art. 4 also prohibits any direct or indirect discrimination based on sex, race, nationality, ethnicity, human genome, nationality, origin, religion or belief, education, opinion, political affiliation, personal or social status, disability, age, sexual orientation, marital status, property status or any other features established by law or international treaty to which Bulgaria is a party. However, it does not specifically mention hate speech and practice shows that using it can be challenging to protect victims of hate speech.

**The [Law on Radio and Television](#)**’s art. 8(1)1 stipulates that media services must not incite violence or hatred. Its art. 10(5) and (6) also does not allow programmes that incite intolerance among citizens or programmes which [...] incite hatred based on race, gender, religion, or nationality. In addition, its art. 17(2) outlines the obligation of the providers of media services not to allow the creation or distribution of any programmes suggesting national, political, ethnic, religious and racial intolerance, glorifying or excusing cruelty or violence.

There are also several key national policies related to hate speech and media.

**The [Ethical Code of the Bulgarian Media](#)** was established in 2004 as a voluntary self-regulation act which aims at guaranteeing media freedom. It has a specific article 2.5.1 which prohibits “publishing inciting or encouraging hatred, violence or any form of discrimination”. As this document is only a code of conduct, unethical, radical and, in general, problematic media have not adopted it.

The National Council on Self-Regulation has adopted a **[National Ethical Standards for Advertising and Commercial Communication in Bulgaria](#)** which has a chapter on Social Responsibility. One of the articles states that “Marketing communication should not incite or condone, or tolerate any form of offence, discrimination, including that based upon race, national origin, religion, social status or political affiliation, gender, age, disability or sexual orientation, without the above list being exhaustive”.

*Source: Ivanova, B., Koleva, C. Hate Speech and Euroscepticism in Bulgaria. 2022. Multi Kulti Collective. Available at: <https://multikulti.bg/en/publications/hate-speech-and-euroscepticism-bulgaria>*

*Updated in March 2024*