

# Bulgaria

## Issues

- The end of conscription in Bulgaria also meant the end of conscientious objection. Bulgaria does not recognise the right to conscientious objection for professional soldiers.



## Military recruitment

### Conscription

Conscription was abolished on 1 January 2008 through amendments to the Defence and Armed Forces Act<sup>1</sup>. In addition, Article 59 paragraph 2 of the Bulgarian constitution has been changed<sup>2</sup>. It now reads: “*The training of the citizens to defend the country shall be established by law.*”<sup>3</sup>

Consequently, the last batch of 2413 conscripts completed their military service on 25 November 2007<sup>4</sup>.

### Professional soldiers

The maximum age for applying to join the Bulgarian Armed Forces is 32 years, and the maximum age for discharge is 49 years<sup>5</sup>.

In July 2006, Bulgaria opened a first recruitment centre for recruiting soldiers for the country's professional army. This centre was to be followed by 47 similar centres in other Bulgarian cities<sup>6</sup>.

It is unlikely that Bulgaria presently needs to recruit large amounts of new soldiers. Bulgaria's Defence Minister Veselin Bliznakov announced on 6 March 2008 that 8,000 soldiers would be laid off, to reduce the Armed Forces<sup>7</sup>. However, a report from April 2007 suggests that the Army faces problems filling the few open positions it has<sup>8</sup>.

## Conscientious objection

### Conscientious objection for conscripts

With the end of conscription, the regulations for conscientious objection are also no longer in force.

### Conscientious objection for professional soldiers

Bulgaria does not recognise the right to conscientious objection for professional soldiers. In fact, the Defence and Armed Forces Act is being amended again to make participation in international operations mandatory for all serving soldiers from day 1 of their service<sup>9</sup>.

1 Bulgarian News Network: Final Defence and Armed Forces Act amendments, 16 February 2007, <http://www.bgnewsnet.com/story.php?lang=en&sid=22537>, accessed 8 April 2008

2 The Sofia Echo, 5 February 2007, [http://www.sofiaecho.com/article/bulgaria-s-constitution-amended/id\\_20308/catid\\_5](http://www.sofiaecho.com/article/bulgaria-s-constitution-amended/id_20308/catid_5), accessed 8 April 2008

3 <http://www.online.bg/law/const/const0.htm>, accessed 8 April 2008

4 The Sofia Echo, 30 November 2007, [http://www.sofiaecho.com/article/bulgarias-last-conscripts/id\\_26420/catid\\_5](http://www.sofiaecho.com/article/bulgarias-last-conscripts/id_26420/catid_5), accessed 8 April 2008

5 Bulgarian News Network: Final Defence and Armed Forces Act amendments, 16 February 2007, <http://www.bgnewsnet.com/story.php?lang=en&sid=22537>, accessed 8 April 2008

6 Bulgaria Opens Military Recruitment Centre, Novinite.com, 11 July 2006, [http://www.novinite.com/view\\_news.php?id=66296](http://www.novinite.com/view_news.php?id=66296), accessed 8 April 2008

7 Bulgaria Army to Be Reduced By 8,000 Soldiers, Novinite.com, 6 March 2008, [http://www.novinite.com/view\\_news.php?id=91024](http://www.novinite.com/view_news.php?id=91024), accessed 8 April 2008

8 1,600 Spaces Still Open for Professionals in Bulgaria's Army, 12 April 2007, [http://www.novinite.com/view\\_news.php?id=79198](http://www.novinite.com/view_news.php?id=79198), accessed 8 April 2008

9 The National Assembly Approves on First Reading Amendments in The Defence and Armed Forces Act, 7 March 2008,

The regulations for leaving the Armed Forces prematurely are presently not known.

### **Draft evasion and desertion**

Article 102 of the Bulgarian Criminal Code punishes “*a person who, for the purpose of decreasing the defence capacity of the Republic, provokes rebellion or insubordination in the Bulgarian army, or desertion therefrom, or for the same purpose disorganises its preparedness or supplies ... by deprivation of liberty for five to fifteen years.*”

Chapter 12, section II (Articles 361-368) of the Criminal Code 2005 deals with “*Crimes Against Doing Military Service*”. Section IIa deals with “*Crimes Against Doing Alternative Service*”. It is unclear whether those sections have been repealed since conscription has been abolished.

Chapter 13 of the Criminal Code deals with “*Military Crimes*”. According to Article 372, disobeying an order can be punished with up to two years imprisonment. According to Article 374, even “*a person who openly expresses dissatisfaction with an order or command of his superior shall be punished by deprivation of liberty for up to one year.*”

According to Article 380 being absent without leave from 24 to 72 hours can be punished with up to two years' imprisonment. If one is absent for more than 72 hours, then – according to Article 381 – the punishment increases to up to five years' imprisonment.

Desertion is punishable according to article 382 by imprisonment from one up to eight years<sup>10</sup>.

No information on practice is available.

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<http://www.parliament.bg/?page=news&lng=en&SType=show&id=1423>, accessed on 8 April 2008

<sup>10</sup> Bulgarian Criminal Code 2005, <http://www.legislationline.org/legislations.php?jid=10&ltid=15>, accessed 8 April 2008