

The Supreme Administrative Court refused to recognize that same-sex couples are entitled to their marriages concluded abroad

In a final judgment, the Supreme Administrative Court refused to recognize the marriage of Lilly Babulkova and Darina Koilova concluded in the United Kingdom. The couple has been together for 10 years and has been trying to register their marriage in Bulgaria as well, which is the obligation of every Bulgarian citizen who has married their partner abroad, but they were denied that.

"This is a violation of fundamental human rights, with the court ruling refusing to guarantee them to same-sex couples," Att. Denitsa Lyubenova said.

"The SAC's decision contradicts the standards adopted by the European Court of Human Rights, since there can be no legal vacuum regarding the public relations that exist, but the legal system refuses to regulate them. The right to family life for all people should be guaranteed by the country's domestic laws," Att. Adela Kachaunova said.

"The law's job is to regulate realities in a society. Our family is such a reality, and I regret that the Supreme Court in our country did not have the courage to admit this fact. Not recognizing our marriage does not have the power to break the bond between us. But it has the power to make our lives much more difficult. It is a pity when your own country creates difficulties and makes you feel small and insignificant, and I am sure that in this respect, many people know how we feel. Now, however, holidays are coming and we just want to wish everyone to enjoy them with their loved ones, with warmth and affection, as we will do," Lilly and Dari said.

Back in 2017, Lilly and Dari filed a lawsuit in the Sofia City Administrative Court against the refusal of Lyulin District to register their marriage. The judgment was appealed by Deystvie's team, with the support of Att. Denitsa Lubenova, Att. Hristo Hristev, Att. Hristo Koparanov and Att. Adela Kachaunova.

In addition to the fact that the judgment itself is shocking for a European country in the 21st century, the Supreme Administrative Court once again acted contrary to professional practice - it sent a press release without giving the reasons for their judgment. Youth LGBT Organization Deystvie that brought the case learned about the judgment today, from the media.

According to Att. Hristo Koparanov, "in its judgment, the SAC has tried to refer to certain judgments of the ECtHR and the Court of Justice of the EU, but it seems that the selection of these decisions is biased. For example, the SAC states that the ECtHR requires a balance to be struck between the interests of the individual and the public interest, but they overlook later judgments that the same sex cannot be used as an argument of public interest."

"We are citizens of Bulgaria. We are people. Why are our rights not recognized? Bulgaria has allowed the creation of a gray area where the rights of LGBTI people are not regulated but are violated. This is the final judgment in the case of Lilly and Dari but it is not the end of our battle for equal rights. The fight goes on! We invite all who believe in the equality of all citizens before the law to support the protest for equal rights of same-sex partners and their families, which will be held on Friday, 13 December, at 19:00 in front of the National Assembly," Veneta Limberova, Chairperson of LGBT Youth Organization Deystvie, said.

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Lilly Babulkova and Darina Koilova; Author: Iva Ivanova