



CIVIL  
LIBERTIES  
UNION FOR  
EUROPE



BULGARIAN  
HELSINKI  
COMMITTEE



ANTI  
CORRUPTION  
FUND



#rolreport2025

**LIBERTIES**

**RULE OF LAW REPORT**

**2025**



Co-funded by  
the European Union

**BULGARIA**



---

# FOREWORD

This country report is part of the Liberties Rule of Law Report 2025, which is the sixth annual report on the state of rule of law in the European Union (EU) published by the Civil Liberties Union for Europe (Liberties). Liberties is a non-governmental organisation (NGO) promoting the civil liberties of everyone in the EU, and it is built on a network of national civil liberties NGOs from across the EU. Currently, we have member organisations in Belgium, Bulgaria, the Czech Republic, Croatia, Estonia, France, Germany, Hungary, Ireland, Italy, Latvia, Lithuania, Malta, the Netherlands, Poland, Romania, Slovakia, Slovenia, Spain and Sweden, as well as a contributing partner organisation in Greece.

Liberties, together with its members and partner organisations, carries out advocacy, campaigning and public education activities to explain what the rule of law is, what the EU and national governments are doing to protect or harm it, and gathers public support to press leaders at EU and national level to fully respect, promote and protect our basic rights and values.

The 2025 report was drafted by Liberties and its member and partner organisations, and it covers the situation during 2024. It is a ‘shadow report’ to the European Commission’s annual rule of law audit. As such, its purpose is to provide the European Commission with reliable information and analysis from the ground to feed its own rule of law reports, and to provide an independent analysis of the state of the rule of law in the EU in its own right.

Liberties’ report represents the most in-depth reporting exercise carried out to date by an NGO network to map developments in a wide range of areas connected to the rule of law in the EU. The 2025 report includes 21 country reports that follow a common structure, mirroring and expanding on the priority areas and indicators identified by the European Commission for its annual rule of law monitoring cycle. Over forty member and local partner organisations contributed to the compilation of these country reports.

**[Download the full Liberties Rule of Law Report 2025 here.](#)**

---

# ***TABLE OF CONTENTS***

<b>FOREWORD</b> .....	<b>2</b>
<b>ABOUT THE AUTHORS</b> .....	<b>4</b>
<b>KEY CONCERNS</b> .....	<b>5</b>
<b>JUSTICE SYSTEM</b> .....	<b>7</b>
Judicial independence .....	7
Quality of justice .....	13
Fairness and efficiency of the justice system .....	13
<b>ANTI-CORRUPTION FRAMEWORK</b> .....	<b>15</b>
Levels of corruption .....	15
Framework to prevent corruption .....	17
Investigation and prosecution of corruption .....	20
<b>MEDIA ENVIRONMENT AND MEDIA FREEDOM</b> .....	<b>25</b>
Media and telecommunications authorities and bodies .....	25
Pluralism and concentration .....	26
Transparency of media ownership .....	27
Public service media .....	28
Online media .....	28
Public trust in media .....	29
Safety and protection of journalists and other media actors .....	30
<b>CHECKS AND BALANCES</b> .....	<b>32</b>
Process for preparing and enacting laws .....	32
Independent authorities .....	33
<b>CIVIC SPACE</b> .....	<b>34</b>
Freedom of association .....	35
<b>DISREGARD OF HUMAN RIGHTS OBLIGATIONS AND OTHER SYSTEMIC ISSUES AFFECTING THE RULE OF LAW ENVIRONMENT</b> .....	<b>37</b>
Systemic human rights violations .....	38
<b>CONTACTS</b> .....	<b>42</b>

# **BULGARIA**

## **ABOUT THE AUTHORS**

### Bulgarian Helsinki Committee



The Bulgarian Helsinki Committee (BHC) is an independent, non-governmental, not-for-profit civil society organisation for defending fundamental human rights in Bulgaria: political, civil, cultural, and social. It was established in 1992. Among other things, the organisation works in the field of rule of law and independence of the judiciary.

### Anti-Corruption Fund



The Anti-Corruption Fund is an independent, expert-led non-governmental organisation that investigates cases of alleged corruption, misuse of public funds, and conflicts of interest among public officials in Bulgaria. The organisation aims to assist public authorities and journalists in investigating and prosecuting corruption-related violations. Its goal is to help address systemic factors leading to high corruption levels and to raise public awareness about existing mechanisms to counteract corruption.

### Alexey Lazarov, independent expert

Alexey Lazarov is a Bulgarian media professional with over 25 years of experience in journalism, media management, and research. He led editorial teams at *Capital*, a leading business publication in Bulgaria. From 2018 to 2024, Alexei served as editor-in-chief of *Capital*. His career in media started as a reporter covering the media market.

## KEY CONCERNS

### *Judicial System*

Despite the myriads of amendments in the legislation, none of them brought neither truly independent mechanism for accountability of the Chief Prosecutor or their deputies, nor change in the composition of the Supreme Judicial Council.

Legislative amendments aiming at improving the functioning of the Inspectorate to the Supreme Judicial Council are still not adopted, the composition of the Council remains sub-optimal while none of the publicly discussed high-level corruption cases among politicians were brought to justice.

### *Anti-Corruption Framework*

In a captured state, the anti-corruption framework is not aimed at combating corruption, but rather serves as a tool against political and business opponents of the *de facto* owners of state institutions. After a period of relative calm, there has been a significant increase in these types of institutional attacks.

The recommended successful investigations, prosecutions, and final judgments in high-level corruption cases, as well as the effective performance of the Anti-Corruption Commission, are not possible in the current situation. This is because the anti-corruption institutions are used as instruments for exerting pressure and gaining political and economic benefits.

### *Media Environment and Media Freedom*

The ongoing political instability—lack of government or properly functioning parliament—has prevented any substantial regulatory changes, including in the media market. Combined with low market dynamics, this has resulted in stagnation in the media environment.

The Commission's sole recommendation from last year—to improve transparency in state advertising allocation, particularly regarding intermediary contracts—remains unimplemented due to political instability.

### *Checks and Balances*

Most of 2024 passed under the sign of general political instability in all three branches of government. With 20 bodies or agencies whose members currently serve past their term of office, another two vacated preliminary and two to be elected for the first time, the system of checks and balances is deeply compromised.

Throughout most of 2024, partisan bargaining obstructed the election of new members to various bodies and agencies, thereby hindering proper political pluralism. However, at the beginning of 2025, a government was formed comprising both established and emerging populist political parties, which raises expectations of partisanship in governance.

### *Civic Space*







The parliament quickly adopted a law against 'propaganda of non-traditional sexual

orientation’ or gender identity ‘different from the biological one’ which had an immediate chilling effect on access of NGOs to schools. Draft bills on registration of ‘foreign agents’ and on regulating lobbyism by NGOs were also progressed.




***Disregard of Human Rights Obligations and Other Systemic Issues Affecting the Rule of Law Environment***

Bulgaria failed to execute key judgments of the European Court of Human Rights (ECtHR), part of the problem being lack of robust legal framework binding various branches of government and independent bodies to the execution with specific negative consequences in case of non-execution.

**State of play** (versus 2024)

-  Justice system
-  Anti-corruption framework
-  Media Environment and Media Freedom
-  Checks and balances
-  Civic Space
-  Human Rights

Legend

- |   |   |   |
|---|---|---|
| <b>Regression</b>   | <b>No progress</b>  | <b>Progress</b>   |
|  |  |  |

## JUSTICE SYSTEM –

### Key recommendations

- *In a timely manner the parliament should hold a transparent procedure for new members of the Supreme Judicial Council developed through intense dialogue and cooperation with the civil society.*
- *The parliament should hold a procedure for the election of new inspectors in the Inspectorate of the Supreme Judicial Council.*
- *The parliament should amend the procedure for the election of the Chief Prosecutor by the Supreme Judicial Council. This procedure should allow for nominations from non-governmental institutions like the National Bar Association as well as self-nomination from magistrates and should be developed through intense dialogue and cooperation with national and supranational professional organisations and the high-ranking university faculties of law.*
- *The parliament should continue the work of the temporary parliamentary committee on influence peddling in the judiciary.*

### Judicial independence

In 2024, the first results of the legislative reform package aimed at implementing the ECtHR's judgment in *Kolevi v. Bulgaria* (1108/02), as well as numerous recommendations of the Venice Commission, the European Commission and other supranational institutions, were achieved. The reform, encompassing

amendments to the Criminal Procedure Code (CPC) and the Justice System Act (JSA) (passed in 2023), also included amendments to the Constitution of the Republic of Bulgaria (CRB), which affects changes in the judiciary among other developments.<sup>1</sup>

On 8 January 2024, the president challenged several of these constitutional amendments.

1 National Assembly of the Republic of Bulgaria, Law on amending and substituting the Constitution of the Republic of Bulgaria (Закон за изменение и допълнение на Конституцията на Република България), State Gazette, Issue 106 of 22 December 2023, <https://dv.parliament.bg/DVWeb/showMaterialDV.jsp?idMat=202060>.

He also challenged the constitutional amendments on procedural grounds.<sup>2</sup>

On 26 July 2024, the Bulgarian Constitutional Court annulled part of the constitutional amendments with Decision No. 13 of 26 July 2024.<sup>3</sup> With it, the court quashed the following key reforms:

- Splitting the Supreme Judicial Council (SJC) into two separate councils—the Supreme Judicial Council and Supreme Prosecutor’s Council (Articles 130–130a and other provisions of the Constitution)—according to which the former elects the presidents of the supreme courts, and the latter elects the Chief Prosecutor (CP);
- Removing CP’s powers of general oversight of the legality and methodological guidance of all prosecutors and investigating magistrates for an accurate and uniform application of the laws (Article 126(2) and (3) of the CRB).<sup>4</sup>

The court found that those constitutional provisions constitute fundamental amendments

to the constitution that exceed the mandate of the National Assembly and ought to be legislated by an extended assembly with constituent power (known as the Grand National Assembly; see Article 158(3) of the CRB).<sup>5</sup> As a consequence, the plenary of the Supreme Judicial Council remains the one electing the Chief Prosecutor and the presidents of the two supreme courts, with prosecutors having a say in electing heads of the courts. Furthermore, the composition of both the chambers and the plenary of the Supreme Judicial Council is unfavourable to judicial independence. In the judicial chambers, there is a 6:6 ratio of judges elected by their peers to judges elected by the parliament. Similarly, in the plenary, the ratio of magistrates elected by their peers to those appointed by the parliament is 10:13. This structure gives the parliament a decisive vote in determining who will lead the Prosecutor’s Office or either of the supreme courts.

A notable change left intact by the Constitutional Court is the amendment whereby the constitution no longer defines the investigators, who are currently investigative magistrates, as part of the judicial system (Article 128 of the

---

2 *Президентът атакува в КС промените в Конституцията, без съдебната реформа, но с възражения за процедурата*, Lex.bg, 8 January 2024, <https://news.lex.bg/?p=93079>.

3 Constitutional Court of the Republic of Bulgaria, *Decision No. 13 of 26 July 2024 in constitutional case No. 1/2024*, <https://www.constcourt.bg/bg/act-9861>.

4 See Venice Commission, *Opinion No. 968/2019 (CDL-AD(2019)031)*, §56, 9 December 2019, [https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD\(2019\)031-e](https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2019)031-e); Venice Commission, *Opinion No. 855/2016 (CDL-AD(2017)018)*, § 42–43, 9 October 2017, [https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD\(2017\)018-e](https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2017)018-e).

5 Constitutional Court of the Republic of Bulgaria, *Decision No. 13 of 26 July 2024 in constitutional case No. 1/2024*, <https://www.constcourt.bg/bg/act-9861>.



CRB). While they remain magistrates under the Judicial System Act, this opens up the possibility of either transferring the National Investigation Service from the Prosecutor's Office to the Ministry of Interior or setting it up as an independent body outside of the three branches of government (legislative, executive, judicial) with a simple amendment to the Judicial System Act.

Three major scandals (among many) remain key issues casting shadows over the independence of the judiciary in Bulgaria. Firstly, the revelations about an organised crime group involved in influence peddling with the participation of acting magistrates, headed by the former investigative magistrate Petyo Petrov, nicknamed 'The Euro' and revolving around The Euro's restaurant, The Eight Dwarfs. Secondly, revelations about an organised crime group involved in influence peddling with the participation of acting magistrates, headed by the well-known criminal personality Martin Bojanov, nicknamed 'The Notary'. Finally, the revelation made public at the end of 2024 that the ex-wife and the son of the interim Chief Prosecutor, Borislav Sarafov received substantial monthly remuneration from several companies connected to persons from the

political party holding most seats in the past few parliaments—GERB (Citizens for European Development of Bulgaria), a European People's Party (EPP) member (for more on the latter matter, see the Anti-Corruption Framework section below).

In 2024 and the beginning of 2025, the Eight Dwarfs scandal developed in an unexpected direction.<sup>6</sup> After charges were brought against Petyo Petrov, 'The Euro', *in absentia*, no public information was announced on whether the interim Chief Prosecutor, Borislav Sarafov, is under investigation for his ties with Petrov. The two men are famous for being photographed in a very friendly conversation in front of Petrov's restaurant. In June 2024, the media revealed that the husband of Daniela Taleva, the special prosecutor in charge of this case, had been indicted in 2012 and later declared innocent of misappropriated toll taxes.<sup>7</sup> In October 2024, the Supreme Judicial Council nominated Sarafov as the sole candidate for the position of Chief Prosecutor<sup>8</sup> despite calls from civil society and at least one member of the SJC that the procedure should not be held given the council's expired term of office. Following this, 25 of 27 regional bar associations issued statements and protested against the

6 For details on this controversy, see *Liberties Rule of Law Report 2023*, February 2023, pp. 89–90, <https://www.liberties.eu/en/stories/rolreport2023-main/44656>.

7 *Оправдаха мъжа на спецпрокурор Даниела Талева, прибирал рушвети на ГКПП „Кулата“*, Mignews.info, 1 June 2024, <https://www.mignews.info/opravdaha-mazha-na-spetsprokuror-daniela-taleva-pribiral-rushveti-na-gkpp-kulata/>.

8 *Борислав Сарафов е единственият кандидат за главен прокурор*, News.Lex.bg, 10 October 2024, <https://news.lex.bg/?p=101538>.

procedure's lack of legitimacy.<sup>9</sup> Shortly afterwards, the SJC published a document issued by the special prosecutor Taleva, where it is revealed for the first time that none of the preliminary inquiries involving Sarafov contain data that he committed a crime.<sup>10</sup>

In early December 2024, the civil society organisation BOETS announced that they are in possession of documents revealing that the son and ex-wife of Sarafov received substantial monthly salaries from two companies connected with two persons of the political party GERB.<sup>11</sup> A few days later, special prosecutor Taleva gave an interview for the media where she specified that she worked on 30 casefiles for reports against Sarafov. Commenting on the revelations of BOETS, Taleva noted that receiving a salary is not a crime and should not be subject to investigations or checks.<sup>12</sup>

On 30 January 2025, BOETS, together with the investigative media Bird.bg and Bivol.bg, announced that they were in possession

of part of Petyo Petrov's personal archive, which had been provided to them by a former associate of the ex-investigative magistrate. Later, they stated that they had handed the documents over to MPs Boyko Rashkov and Ivaylo Mirchev, calling for the establishment of an interim parliamentary commission to investigate organised crime within the judiciary. The archive contains dozens of draft decrees issued by prosecutors, apparently sent to Petrov for coordination and approval, as well as documents from the National Agency for State Security (to which Petrov is not supposed to have access), letters to senior police officials, and other materials. Some documents related to the former Corporate Commercial Bank reveal that those containing the name of MP Delyan Peevski were separated with special notes instructing that they should not be processed or disclosed in the trial concerning the bank's bankruptcy.<sup>13</sup> Some notes also suggest Petyo Petrov was a middleman for several Bulgarian oligarchs. In his notes, the names of Hristo Kovachki, Kiril Domuschiev, Krasimir

9 25 адвокатски колегии в страната излизат на протест срещу избора на нов главен прокурор, *bTVnovinite*.bg, 25 October 2024, <https://bTVnovinite.bg/bulgaria/25-advokatski-kolegii-v-stranata-izlizat-na-protest-sresh-tu-izbora-na-nov-glaven-prokuror.html>.

10 "Не са установени данни". Специалният прокурор Талева даде зелена светлина за избора на Сарафов, *svobodnaevropa*.bg, 24 October 2024, <https://www.svobodnaevropa.bg/a/specialen-prokuror-taleva-stanovishte-sar-afov-konkurs/33171880.html>.

11 Сарафови са получили над ЕДИН МИЛИОН лева „заплати“ от две фирми за последните три години! (документи), *Boec*-bg.com, 5 December 2024, <https://www.boec-bg.com/archives/9002>.

12 Специалният прокурор Даниела Талева: Знам очакванията към мен – затова и лично, и с MBP проверихме около 30 сигнала за и.ф. главен прокурор, *24chasa*.bg, 13 December 2024, <https://www.24chasa.bg/mneniya/article/19514179>.

13 В един ден разделили делото "КТБ" – срещу Пеевски и Цв. Василев... И мигом приложихме CPC, *Clubz*.bg, 30 January 2025, <https://clubz.bg/158135>.

Dachev, and others appear next to substantial numbers like “100 000 000” without detailed explanations if these numbers refer to money or other figures.<sup>14</sup> These revelations cast serious doubt on the integrity of both the justice system and the national security services, raising concerns about their potential compromise.

While the Eight Dwarfs scandal was slowly unfolding, another influence-peddling scandal unexpectedly emerged. On 31 January 2024, a man was publicly shot in Sofia in front of his apartment building. It was later revealed that the victim was Martin Bojanov, nicknamed ‘The Notary’, a figure in the criminal underworld, known primarily from an investigation by the Anti-Corruption Fund (ACF) when he was caught offering to intervene in a criminal case in exchange for a substantial sum of money. Shortly after Bojanov’s assassination, a judge from the Pleven District Court, Vladislava Tsarigradska, disclosed that she and her family had been subjected to death threats, initially by Bojanov (who was a party in a case heard by Tsarigradska) and later by another person.

It was also revealed that, like Petyo Petrov and his restaurant The Eight Dwarfs, Bojanov was running a private club called SS, where many judges and prosecutors held membership cards. As a result, the parliament created a temporary committee to investigate the involvement of judges in Bojanov’s group. After sixteen meetings, the committee issued a report requesting that its mandate be extended until the end

of September 2024. The work was prolonged until the end of October 2024. To date, there is no further information on its work.

Unfortunately, these parliamentary activities and the judge’s disclosure have not yielded any tangible results. Neither the National Assembly nor any of the numerous anti-corruption institutions have achieved any progress in unravelling the criminal networks and their ties with public officials. The report of the temporary parliamentary committee is a soft measure that did not result in any legislative initiatives. Lack of clarity remains on the links (or rivalry) between the two influence-peddling groups—circulating Petyo Petrov and Martin Bojanov respectively.

Meanwhile, a homeless person with a mental disability, nicknamed ‘The Red Pirate’, was apprehended by the police as the person who organised a sophisticated network of mobile devices to send further threats to Judge Tsarigradska throughout February 2024, following the assassination of The Notary.

On 31 January 2025, the Inspectorate to the SJC announced that a judicial inspector conducted a check and found no connections between Bojanov and any magistrates. The inquiry included connections to the interim CP Borislav Sarafov.<sup>15</sup>

14 See a Facebook post by Bird.bg at <https://www.facebook.com/share/p/1KRwQ4vwGd/>.

15 *Съдебните инспектори са проверили, но не са открили магистрати с връзки с Нотариуса*, mediapool.bg, 31 January 2025, <https://www.mediapool.bg/sadebnite-inspektori-sa-proverili-no-ne-sa-otkrili-magistrati-s-vrazki-s-notarius-a-news367599.html>.

At the end of the year, dozens of MPs from different political parties referred requests for interpretation of the constitution to the Constitutional Court to clarify whether an SJC with an expired term of office can lawfully hold a procedure for electing a CP and whether with regular legislative procedures, the parliament can bar the council from advancing such a procedure. The Constitutional Court found the request inadmissible and stated that there is no constitutional mechanism in place to tackle the continuous inaction of the parliament to elect a new SJC. Whether procedures enacted by a council with a long-expired term of office can be halted via regular legislation can only be subject to a subsequent constitutionality assessment.<sup>16</sup>

In November 2024, the judicial chamber of the SJC decided that despite its expired term of office, Georgi Cholakov, the current president of the Supreme Administrative Court (SAC) will act as an interim president until a new president is elected.<sup>17</sup> Following this, the

SJC failed twice to elect a new president of the SAC by not selecting even a single nominee the second time.<sup>18</sup> This move was criticised by the Bulgarian Judges Association, the main civil society organisation of judges in Bulgaria.<sup>19</sup>

In late December 2024, the Ministry of Justice published a draft law amending and supplementing the JSA for public consultations.<sup>20</sup> Shortly before that, the judges' association announced that it was suing the Ministry of Justice for refusing to provide them with public information about how the composition of the working group that drafted the legislative proposal was chosen. The amendments have been in preparation for about two years, and a draft law was ready at the beginning of 2024. Pointing to professional organisations' objections to the draft law, the new interim Minister of Justice Maria Pavlova, a former investigator and deputy attorney general to interim Chief Prosecutor Sarafov, decided to abandon the drafted law and create a new working group, which, however, did not admit the Bulgarian

16 Constitutional Court of the Republic of Bulgaria, *Decision on admissibility No. 16 of 19 December 2024 in constitutional case No. 41/2024*, <https://www.constcourt.bg/bg/act-10024>.

17 *Съдийската колегия реши: Георги Чолаков ще ръководи ВАС като и.ф. председател след края на мандата си*, News.lex.bg, 12 November 2024, <https://news.lex.bg/?p=102611>.

18 *ВСС бетонира Чолаков начело на ВАС за неясно колко време*, segabg.com, 19 December 2024, <https://www.segabg.com/hot/category-bulgaria/vss-betonira-cholakov-nachelo-na-vas-za-neyasno-kolko-vreme>.

19 *Относно назначаването на досегашния председател на ВАС за временно изпълняващ*, Bulgarian Judges Association, 15 November 2024, <https://judgesbg.org/?p=3114>.

20 Ministerial Council, *Draft law on amending and supplementing the Judicial System Act* (Проект на Закон за изменение и допълнение на Закона за съдебната власт), strategy.bg, 19 December 2024, <https://strategy.bg/PublicConsultations/View.aspx?lang=bg-BG&Id=8785>.



Judges Association even after their explicit request to do so.<sup>21</sup>

In January 2025, the parliament adopted amendments to the JSA, halting the procedure for electing a new Chief Prosecutor in which Borislav Sarafov was the sole candidate. The amended provisions allow for a proposal for the appointment of a new CP to be made to the president only by members of an SJC whose term of office has not yet expired. The same applies to opening a new procedure for a CP and the presidents of the two supreme courts.<sup>22</sup> While this legislation has questionable constitutionality, the SJC complied and ceased the procedure for electing a new CP, leaving Borislav Sarafov as interim CP and Georgi Cholakov as interim president of the SAC. Amendments in the JSA allow for a person to hold the position as a caretaker for no more than 6 months (Article 173 (15)).

## Quality of justice

In January 2025, the non-profit Institute for Market Economics published a report<sup>23</sup> on the influence of legal education on the formation of judicial elites in Bulgaria. It examines whether the presence of multiple law faculties

promotes competition and pluralism or leads to a concentration of power among graduates of a few prestigious universities. The study finds that a small number of universities dominate the judiciary, raising concerns about transparency and objectivity in appointments. The reputable Faculty of Law at Sofia University St. Kliment Ohridsky notably dominates, with its alumni representing the largest share among all examined groups of senior officials. However, in second and third place are the faculties of Burgas Free University and Southwestern University in Blagoevgrad—both not among the top institutions in accreditation and rating systems. Puzzlingly, the Academy of the Ministry of Interior, which has not offered legal education in the past three decades and whose initial students were educated when it was still preparing agents for the totalitarian communist secret service State Security Agency, is overrepresented among members of the SJC and the administrative heads of the prosecutors' offices.

## Fairness and efficiency of the justice system

Issues with the new, supposedly independent mechanism for investigating the Chief

21 *Съюзът на съдиите съди Министерството на правосъдието*, Capital.bg, 16 December 2024, [https://www.capital.bg/politika\\_i\\_ikonomika/pravo/2024/12/16/4719006\\_sujuzut\\_na\\_sudiite\\_sudi\\_ministerstvoto\\_na\\_pravosudieto/](https://www.capital.bg/politika_i_ikonomika/pravo/2024/12/16/4719006_sujuzut_na_sudiite_sudi_ministerstvoto_na_pravosudieto/).

22 National Assembly of the Republic of Bulgaria, Law on amending and substituting the Constitution of the Republic of Bulgaria (Закон за изменение и допълнение на Конституцията на Република България), State Gazette, Issue 106 of 22 December 2023, <https://dv.parliament.bg/DVWeb/showMaterialDV.jsp?idMat=202060>.

23 Institute for Market Economics, *Юридическото образование и съдебната власт: един от начините за създаване на съдебна номенклатура*, 6 January 2024.

Prosecutor and their deputies adopted as an attempt to execute ECtHR's judgment in the Kolevi case became evident in 2024. This mechanism is neither independent nor effective. Daniela Taleva, the special prosecutor in charge, a judge as the law requires, is appointed as a prosecutor *within* the Prosecutor's Office, contrary to what the ECtHR suggests.<sup>24</sup>

This prompted the Bulgarian Helsinki Committee to explore the technicalities around the special prosecutor's work. The organisation filed a freedom of information request to Daniela Taleva, asking:

- about the software used in the Prosecutor's Office as a case management system: who developed this software, who is the system administrator, and who employs the system administrator;
- information on the staff of the special prosecutor: number, procedure for selection and appointment, etc.;
- information about the inquiries where no crime was established but which reveal serious abuses of office;
- information on the budget allocated to the special prosecutor;

- information on how the special prosecutor can be officially contacted.<sup>25</sup>

Instead of receiving a response from the special prosecutor, an answer was given by the person appointed by the interim Chief Prosecutor, Sarafov—a subject of 30 inquiries led by Taleva—to handle requests for access to public information. Sarafov's office denied access to the above information and the court quashed this response. In a second response, it was revealed that the special prosecutor uses software for case management that is developed by the CP's administration and is administered by subordinates of the CP; that the special prosecutor's staff is appointed under the general rules without any special selection by the special prosecutor herself; that her staff are in fact subordinates to the CP; that inquiries against the CP where no crime is established but which may hold information about other offences are not further administered, i.e. referred to other institutions; that the special prosecutor does not have a separate allocated budget and depends on the decisions of the CP in that regard; that her address is located in the building where the office of the CP is located; and that her email address is hosted on the domain and servers of the Prosecutor's Office.<sup>26</sup>

Notably, in December 2023, Ms Taleva admitted in the media that her independence

24 ECtHR, Judgment of 5 November 2009, *Kolevi v. Bulgaria*, No. 1108/02, § 208.

25 *Проваленият механизъм: Главният прокурор контролира прокурора, който го разследва*, dnevnik.bg, 20 December 2024, [https://www.dnevnik.bg/analizi/2024/12/20/4720912\\_provaleniiat\\_mehanizum\\_glavnii-at\\_prokuror\\_kontrolira/](https://www.dnevnik.bg/analizi/2024/12/20/4720912_provaleniiat_mehanizum_glavnii-at_prokuror_kontrolira/).

26 Ibid.

depends on the CP, saying: “Everything that is within the capabilities of the Chief Prosecutor,

he has done, he has tried to create such conditions that I truly feel independent.”<sup>27</sup>

## ANTI-CORRUPTION FRAMEWORK

### Key recommendations

- *Faculties of law and the National Institute for Justice (the institution for training judges and prosecutors) should foster a fundamental change through the evolution of professional ethos and political culture in the way that public authority is exercised in Bulgaria.*
- *The government should initiate a comprehensive reform of the criminal justice system regarding in particular the structure of the Supreme Judicial Council and introduce better selection criteria for its members; reform of the Prosecutor’s Office, including its leadership, structure and forms of external control; and reform the rules of criminal procedure and substantive criminal law.*
- *Encourage comprehensive reform of the Anti-Corruption Commission, including its leadership, powers and forms of external control.*

### Levels of corruption

The most recent and disturbing information on corruption concerns the acting interim Chief Prosecutor, Borislav Sarafov, who is also the sole candidate for the next seven-year term of office as the head of the Prosecutor’s Office, the main anti-corruption institution in the country. A civic organisation, BOETS, revealed records

from the National Social Security Institute stating that members of his family received, for unknown reasons, payments for thousands of euros from one of the biggest private companies in the public transportation sector. One of the companies allegedly has connections to two major political parties—GERB and MRF (Movement for Rights and Freedoms, often abbreviated as DPS)<sup>28</sup>. This could be a

27 *Разследващата главния прокурор би дала публичност, ако ѝ бъде оказван натиск*, dariknews.bg, 7 December 2023, <https://dariknews.bg/novini/bylgariia/razsledvashtata-glavniia-prokuror-bi-dala-publichnost-ako-byde-okazvan-natisk-2368861>.

28 *Как властите игнорират данни за зависимост на Сарафов от фирма, свързвана с ГЕРБ и ДПС*, Radio Free Europe Bulgaria, 2024.

potential scheme of money laundering and/or corruption. The CP has not yet commented on the allegations. No known action has been taken by the authorities to investigate further on the matter.

Sarafov was also linked to the notorious criminal network for influencing the judiciary called the ‘Eight Dwarfs’<sup>29</sup> as photos emerged showing him having a friendly interaction with the alleged leader of the network.<sup>30</sup>

Three recent investigations carried out by the Anti-Corruption Fund (ACF) just in the past several months revealed information about high-level corruption in the public sector both at the national and local levels:

**The Wolf of Varbovka case:**<sup>31</sup> The village of Varbovka is the most polluted place in Bulgaria, with dangerous levels of cancerogenic substances accumulating in its air, waters, and soil. It is located in Northern Bulgaria near the town of Pavlikeni where a company belonging to Rumen Gaytanski, nicknamed ‘The Wolf’, a key player in Bulgaria’s waste management business, is trying to build Bulgaria’s largest

waste incinerator. This could mean burning the waste generated from all towns and villages in the country in the heart of one of the most fertile agricultural areas of the Danube Plain. Despite the risk of serious pollution, which inspired large-scale civic protests, it is hard to explain why the project has managed to attract support from local and national authorities. The case reached the Supreme Administrative Court, which already ruled in Rumen Gaytanski’s favour.

**The Lords of the Dust case:**<sup>32</sup> A long-running corruption scheme in Sofia Metropolitan Inspectorate has created a parallel system of dumping construction waste and construction spoils at more than 240 unregulated dumpsites in the territory of Sofia Municipality.

The state-owned gas transit company, Bulgartransgaz, gives up BGN 26 million in compensation for the failed expansion of Chiren Underground Gas Storage.<sup>33</sup> Without providing a justification, Bulgartransgaz EAD decided not to seek damages and contract-stipulated compensation of some BGN 26 million from the private consortium behind the failed

29 For further details on the ‘Eight Dwarfs’ criminal network, see *“The Eight Dwarfs” – The facts, a legal analysis, conclusions, and an appeal to the institutions*, ACF, 2020; *Yavor Zlatanov’s interview for ACF confirmed the “Eight Dwarfs” story*, ACF, 2021.

30 *“Частно външно наблюдение”. Борислав Сарафов обвини Гешев за Yavor Zlatanov’s interview for ACF confirmed the “Eight Dwarfs” story майни снимки с Петьо Евромто*, Radio Free Europe Bulgaria, 2023.

31 *The Wolf of Varbovka: How Rumen Gaitanski, with Support by the Authorities, is Getting Closer to Building Bulgaria’s Largest Waste Incinerator*, ACF, 14 May 2024.

32 *Lords of the Dust: Who are the Patrons of a Parallel Construction Waste Removal Scheme in Sofia*, ACF, 5 August 2024.

33 *State-owned gas transit company “Bulgartransgaz” Gives up BGN 26 Mln. in Compensation for the Failed Expansion of Chiren Underground Gas Storage*, ACF, 26 November 2024.



expansion of the Chiren Underground Gas Storage, a project of strategic significance for both Bulgaria and the European Union. This is the latest in a chain of scandals involving the ill-fated project, currently under investigation by the European Public Prosecutor's Office (EPPO). The proceedings were initiated following a tip-off alleging serious violations of public procurement legislation committed while Bulgartransgaz EAD, the state-owned company behind the expansion project, was headed by Vladimir Malinov, Minister of Energy in the current caretaker government. The reported violations could have caused financial damages worth almost BGN 400 million to the public (including European) budget.

### **Framework to prevent corruption**

Laws and measures that exist solely as box-ticking exercises on a progress report cannot effectively prevent corruption. As a general principle, assessment of the quality of laws and measures could be possible if there is a willingness to implement them in their true meaning. Creating professional and independent anti-corruption institutions that strive to apply the law equally (instead of acting arbitrarily using their authority with regard to some targets and looking the other way when dealing with others) is the first necessary step that could help efforts to counteract corruption. Without meaningful change in how anti-corruption institutions exercise their authority, all the specific legal requirements or technical recommendations, even if they are formally adopted, will remain as words on paper.

Unfortunately, the variety of anti-corruption institutions in Bulgaria like the Prosecutor's Office, Anti-Corruption Commission, Commission for Illegal Assets Forfeiture, National Revenue Agency, Public Financial Inspection Agency, National Audit Office, Commission on Protection of Competition, Public Procurement Agency, State Agency for National Security, Inspectorate to the Supreme Judicial Council and various other inspectorates to the Council of Ministers and respective ministries, etc. cannot be labelled as professional and independent.

A significant reform of the anti-corruption framework was introduced in 2023 as the Commission for Counteracting Corruption and the Forfeiture of Illegally Acquired Property (CAFIAP) was divided into the Anti-Corruption Commission/Commission for the Counteracting of Corruption (ACC) and the Commission for Illegal Assets Forfeiture. This round of reforms of Bulgaria's anti-corruption legislation took place less than six years after the reforms in early 2018 when CAFIAP was created. Back then, the mega-structure CAFIAP took over the competencies of five different public anti-corruption bodies. Through the new measures, the exact opposite approach was adopted as this time around the CAFIAP was divided. This restructuring was carried out without any analysis of the reasons behind the lack of positive results in CAFIAP's activities. Thus, the new set of reforms seems like the latest round of a vicious cycle: radical revamp of the anti-corruption legislative framework; formalistic proclamations of the reform's success; lack of positive results; absence of analysis of errors and deficiencies which led to the lack of

positive results; calls for new sweeping changes (and back to the beginning).<sup>34</sup>

According to Article 44 of the new Preventing and Fighting Corruption Act (adopted in 2023), the ACC implements the state policy on corruption prevention, which is the current main state actor in preventing corruption.

In 2024, the new leadership of the ACC should have been appointed by the Parliament in a transparent procedure involving an impartial nomination committee. This process was blocked due to political instability, leading to two early parliamentary elections in 2024 alone (seven since 2021). Thus, the former deputy head and interim head of CAFIAP since the beginning of 2022 Anton Slavchev (a person of questionable reputation)<sup>35</sup> is still in charge of both commissions after their separation.

### ***Integrity framework including incompatibility rules (e.g.: revolving doors)***

Incompatibility rules were allegedly used arbitrarily in a very high-profile case in 2024

regarding the removal of a vice-chairman of the Bulgarian National Bank—Andrey Gyurov. Gyurov was a prominent figure of the party PP (We Continue the Change), nominated for the position by the de facto coalition between PP-DB (We Continue the Change-Democratic Bulgaria) and GERB (Citizens for European Development of Bulgaria), supported by DPS (Movement for Rights and Freedoms), which was in power from June 2023 to March 2024. Soon after the government collapsed due to political tension between the former partners, a number of high-ranked officials nominated for different positions from PP-DB or linked with PP-DB were dismissed.<sup>36</sup>

In July 2024, Gyurov was removed from the National Bank due to incompatibility, which was a very questionable matter after a decision by the ACC.<sup>37</sup> In December, Sofia City Administrative Court found no evidence of incompatibility and overturned ACC's decision.<sup>38</sup> The court ruling is not final.

34 For further details on the reform of the anti-corruption framework, see *“ACF Analyzes New Act on Preventing and Fighting Corruption: Creation of New Investigative Bodies Cannot Compensate Lack of Vision for Comprehensive Criminal Justice Reform”*, ACF, 23 October 2023; *„Новият закон за противодействие на корупцията: каква промяна да очакваме в дейностите по разкриване и разследване на корупционни престъпления“*, ACF, 2023.

35 Slavchev's name emerged in journalistic investigations back in 2019 concerning controversial real estate deals - *Терасата на Антон Славчев – ужилване с 300 000 лв. на Столична община?*, bivol.bg, 2019.

36 *ПП-ДБ вече няма представители в ръководството на МВР. Прокурорка е назначена в правосъдието*, Radio Free Europe Bulgaria, 2024.

37 *БНБ установи основания за освобождаването на Андрей Гюров като подуправител*, lex.bg, 2024.

38 *Съдът не откри несъвместимост при Андрей Гюров за поста му в БНБ*, 24 hours, 2024.

---

**General transparency of public decision-making (including public access to information such as lobbying, asset disclosure rules and transparency of political party financing)**

No legislative measures aiming to regulate lobbying under the Recovery and Resilience Plan (RRP) framework have been adopted yet. Concerns remain that the future regulations on lobbying, if introduced, could potentially be used against civil society organisations.

The Judicial System Act provides the rules on asset disclosure for judges, prosecutors and investigators, and the Act on Preventing and Fighting Corruption—for other high-ranked public officials. The declarations are published regularly by the Inspectorate to the Supreme Judicial Council and the ACC. The main problem with the regulations on asset disclosure is that the respective laws provide possible inquiries into the assets of public officials only if there is a discrepancy between the declared assets and the actual assets, but not if there is a discrepancy between the actual assets and the person's income from the position held. For instance, if a judge declares that he bought real estate for BGN 2 million with his salary and he indeed owns this real estate, no inquiry should be made by the Inspectorate to the Supreme Judicial Council on how he could afford such an asset with his salary. This leads to a very formal approach to the verification of the declarations.

**Rules on preventing conflicts of interest in the public sector**

Even though a new Act on Preventing and Fighting Corruption that enacted an institutional reform of CAFIAP was passed in 2023, improvements in the established shortcomings of the commission's practices over the past several years were not observed.<sup>39</sup>

The reform has not been carried out in its entirety and to a level of completion that would guarantee the expected results, including the fact that the section on conflicts of interest is identical to the already existing texts, which contain more than a few deficiencies.

The negligibly small number of cases where misconduct was prosecuted was additionally exacerbated by the fact that there is no judicial control over the decisions in which the ACC does not find wrongdoing after considering the merits. In such cases, the administrative act is favourable to the investigated individual, and it is not followed by an appeal from the defendant's side or the prosecution which is empowered to protest the non-ascertainment of a conflict, thus making the commission's decision final. This is precisely the type of situation that requires an effective system of checks and balances, as the present form represents the public interest poorly.

The ACC continues to apply a formalist approach to conflict of interest cases. The

---

39 ACF's annual monitoring report on high-level corruption has a detailed section on the conflicts of interest, see *Anti-Corruption Institutions 2023: a Freezing Point*, ACF, 2024.

proceedings do not reveal whether there was a threat to the public interest or if there were doubts surrounding the impartial and objective execution of official duties, which could clarify the connections and dependencies hidden behind the facts that placed certain individuals in a privileged position and potential private interests. All this appears to represent an absence of determination to identify corruption and sanction the perpetrators objectively.

### **Measures in place to ensure whistleblower protection and encourage reporting of corruption**

In November 2024, the Ministry of Justice published for public consultation a draft law for amendments in the Whistleblower Protection Act to respond to the criticism of the European Commission regarding the non-compliance of the existing regulations with the requirements of the EU Whistleblowers Directive, as well as the need to fulfil the commitments undertaken by Bulgaria under the RRP. The Ministry claims that the proposed amendments have been approved by the European Commission. Concerns remain on the designation of the Commission for Data Protection as the competent authority, noting that it lacks the capacity and expertise on the relevant legislation to serve as an efficient whistleblower authority, particularly in corruption cases.

### **Investigation and prosecution of corruption**

According to the traditional interpretation of the provisions of the Bulgarian Constitution, the Prosecutor's Office has a complete monopoly over the prosecution function with very limited possibilities for external control over its key decisions (in particular, the decision not to prosecute) and oversees the criminal investigation.<sup>40</sup> After the reform of the anti-corruption framework in 2023, investigations for corruption and related crimes have been carried out since March 2024 by investigators at the ACC. The ACC is also responsible for the detection (gathering, through self-initiated preliminary inquiries and tipoffs, the initial information and verification that a crime has been committed) of corruption and related crimes. Detecting these crimes was also a task for the former CAFIAP since its formation in 2018.

CAFIAP/ACC has a longstanding tradition of complete opacity of its activities to detect corruption. No one outside of CAFIAP/ACC, nor, perhaps, even within it, can tell how many corruption-related crimes have been detected in the course of its work since 2018. It is not known in how many cases CAFIAP/ACC field operatives have been able to uncover or verify information that has led to charges of public officials for corruption-related crimes. Field operatives responsible for detecting corruption exercise serious powers, including, for example, the use of secret means for gathering

40 For further details, see *“Exercising control over the prosecution function – the necessary criminal justice reform”*, ACF, 2020; *„Какво трябва да се промени в наказателното правосъдие“*, ACF, 2023.



information like wiretapping, with very limited possibilities for external control of what happens with the collected data during their inquiries.<sup>41</sup>

The criminal proceedings targeting corruption, particularly against high-level public officials, have continuously failed to deliver, and little is done to address the low effectiveness of the Prosecutor's Office. This has been a long-standing issue, highlighted numerous times by reports of various international bodies, including the European Commission's Rule of Law Report, and Bulgarian civil society organisations. Since 2020, ACF has monitored the development and outcome of the most important criminal cases of high-level corruption in Bulgaria.<sup>42</sup> These reports show there are no positive results whatsoever in the investigation and prosecution of high-level corruption. The results have not improved in 2024 and cannot improve in the foreseeable future because even if the anti-corruption institutions are about to drastically change their approach immediately (which is very unlikely), the first results of this

new approach would appear years later. This is due to the very nature of criminal proceedings for complex corruption and related crimes, which require time to develop and achieve an outcome.

However, reaching these results is not the aim of anti-corruption institutions currently. High-profile criminal investigations are simply used as a smokescreen for politically motivated attacks against political opponents of the *de facto* owners of institutions. The criminal investigation and/or information obtained during the investigation is used selectively and temporarily for political pressure and/or public shaming against the opponent who is labelled as corrupt because they are being investigated for corruption by the authorities. When these political goals are achieved, no one cares about the criminal investigation itself. This is evident from a serious number of investigations against high-profile public figures over the years and several that were started by the Prosecutor's Office in 2024 (more on the matter in the following sections).

---

41 For further details, see *“ACF Analyzes New Act on Preventing and Fighting Corruption: Creation of New Investigative Bodies Cannot Compensate Lack of Vision for Comprehensive Criminal Justice Reform”*, ACF, 2023; „Новият закон за противодействие на корупцията: каква промяна да очакваме в дейностите по разкриване и разследване на корупционни престъпления“, ACF, 2023.

42 A. Yankulov, A. Slavov, *Anti-Corruption Institutions: Activity without Visible Results*, ACF, 2020: [https://acf.bg/wp-content/uploads/2020/06/ACF\\_ENG\\_2020-1.pdf](https://acf.bg/wp-content/uploads/2020/06/ACF_ENG_2020-1.pdf); A. Yankulov, N. Kiselova, *Anti-Corruption Institutions: Escalating Problems*, Sofia: ACF, 2021: [https://acf.bg/wp-content/uploads/2021/07/ACF\\_ENG\\_Online\\_Jul15-1.pdf](https://acf.bg/wp-content/uploads/2021/07/ACF_ENG_Online_Jul15-1.pdf); A. Yankulov, A. Kashumov, *Anti-Corruption Institutions: a Zero Year*, ACF, 2022: [https://acf.bg/wp-content/uploads/2022/07/ACF\\_Report\\_ENG\\_2022\\_interactive2.pdf](https://acf.bg/wp-content/uploads/2022/07/ACF_Report_ENG_2022_interactive2.pdf); A. Yankulov, D. Peneva, *Anti-Corruption Institutions: Eyes Wide-shut*. ACF, 2023: [https://acf.bg/wp-content/uploads/2023/06/ACF\\_Report2023\\_EN\\_web.pdf](https://acf.bg/wp-content/uploads/2023/06/ACF_Report2023_EN_web.pdf); A. Yankulov, D. Peneva, *Anti-Corruption Institutions: A Freezing Point*. ACF, 2024: [https://acf.bg/wp-content/uploads/2024/06/ACF\\_Report2024\\_EN\\_web.pdf](https://acf.bg/wp-content/uploads/2024/06/ACF_Report2024_EN_web.pdf).

### **Criminalisation of corruption and related offences**

Article 3, paragraph 1 of the Preventing and Fighting Corruption Act defines corruption as committing the crimes listed under the Criminal Code from those specified in Article 6, paragraph 1 by persons in high public positions, as well as any other crimes committed in connection with any of the list under Article 3, paragraph 1. Chapter Nine of the Act regulates the counteraction against corruption through the detection and investigation of the corruption crimes in question. The list under the Preventing and Fighting Corruption Act is relatively limited; the absence of such crimes as the main bankruptcy-related crimes, as well as fraud, money laundering, important credit-related crimes, tax crimes, document crimes, computer crimes etc. is striking.<sup>43</sup>

The establishment of the European Public Prosecutor's Office and its launch in Bulgaria again brought into focus the lack of adequacy of Bulgarian substantive criminal law protection of EU funds, which should be seriously rethought because of its practical relevance. Similarly, the more general problem of criminal liability for procurement violations should be addressed because these are prosecuted under articles

of the Criminal Code with questionable relevance given the nature of the violations. Also, the introduction of criminal liability for legal entities should be considered.<sup>44</sup>

### **Effectiveness of investigation and application of sanctions for corruption offences (including for legal persons and high level and complex corruption cases) and their transparency, including as regards to the implementation of EU funds. Please provide data where available.**

ACF monitors the development and outcome of the most important criminal cases of high-level corruption in Bulgaria. The last published report from 2024<sup>45</sup> covers a total of 57 criminal cases on the national level and 25 cases on the local level since 2014. Out of the 57 cases on the national level, there were four final convictions with just one executed prison sentence, two suspended prison sentences and one fine. There were 15 final acquittals, 13 of which are because the courts decided that the charges were initially unfounded (no crime has been committed at all) and not due to the lack of evidence, or because the judges evaluated the evidence differently than the prosecutor. 17 cases were terminated at the pre-trial phase by prosecutors. The remaining 21 proceedings are

43 For further details, see *“ACF Analyzes New Act on Preventing and Fighting Corruption: Creation of New Investigative Bodies Cannot Compensate Lack of Vision for Comprehensive Criminal Justice Reform”*, ACF, 2023; *„Новият закон за противодействие на корупцията: каква промяна да очакваме в дейността по разкриване и разследване на корупционни престъпления“*, ACF, 23 October 2023.

44 For further details, see *„Какво трябва да се промени в наказателното правосъдие“ Chapter 6*, ACF, 2023

45 A. Yamkulov, D. Peneva, *Anti-Corruption Institutions: A Freezing Point*, ACF, 2024, [https://acf.bg/wp-content/uploads/2024/06/ACF\\_Report2024\\_EN\\_web.pdf](https://acf.bg/wp-content/uploads/2024/06/ACF_Report2024_EN_web.pdf).

pending or their outcome is unknown. On the local level, the situation is similar.

These figures diverge significantly from the data provided by the Prosecutor's Office about the ratio of convictions to acquittals (226 convictions to 40 acquittals) concerning all suspected corruption crimes in 2023,<sup>46</sup> regardless of the position held by the public official or even when no public officials are involved. The total number of criminal proceedings targeting suspected corruption crimes in 2023 is 2,857.

These figures demonstrate that the real picture of high-level corruption in the country is actually hidden. It is obvious that the criminal proceedings initiated by the Prosecutor's Office on grounds of suspected corruption crimes do not reflect the actual level of corrupt behaviour among high-ranking public officials because, based on these proceedings, it turns out that practically no corruption crimes were committed by high-level officials.

Transparency regarding the status of criminal proceedings on corruption cases of high public interest is virtually non-existent. The Prosecutor's Office should drastically increase the transparency of its actions in cases of high public interest while taking heed of the presumption of innocence and the confidentiality of pre-trial criminal proceedings. Once it has

been established that releasing information to the public would not impede the investigation of the case or disproportionately affect the rights of the investigated individuals, the Prosecutor's Office should publish regular updates regarding the course of the proceedings. This approach should apply to all cases and not be adopted selectively.

***Potential obstacles to investigation and prosecution of high-level and complex corruption cases (e.g. political immunity regulation)***

The main obstacle to proper investigation and prosecution of high-level corruption and related crimes continues to be the arbitrary and politically motivated action of anti-corruption institutions. The year 2024 was a good example of those improper activities—the most high-profile criminal investigations for corruption or related crimes which began in 2024 were targeted against political and other public figures, all of whom happen to be political opponents of the government or connected to political opponents of Delyan Peevski—political leader of the MRF (opposition) party. Peevski was sanctioned for corruption by the United States in 2021 under the Global Magnitsky Act<sup>47</sup> and by the United Kingdom in 2023 under the Global Anti-Corruption Regime<sup>48</sup> but was never investigated

46 See *Доклад за прилагането на закона и за дейността на прокуратурата и разследващите органи през 2023 г.*, Public Prosecutor's Office of the Republic of Bulgaria, 2024.

47 *Treasury Sanctions Influential Bulgarian Individuals and Their Expansive Networks for Engaging in Corruption*, US Department of the Treasury, 2021.

48 *UK sanctions high profile Bulgarian figures involved in corruption*, gov.uk, 2023.

for corruption by the Bulgarian authorities in an official criminal proceeding.

In April 2024, a criminal investigation started against the director of the National Customs Agency for alleged participation in various criminal activities related to smuggling.<sup>49</sup> The investigation started soon after the government of the de facto coalition PP-DB (We Continue the Change-Democratic Bulgaria)—GERB, supported by DPS, collapsed due to political tension between the former partners. This investigation was used as ammunition for political and media attacks against two prominent members of the political party PP (We Continue the Change) – former minister of finance Asen Vassilev (who appointed the investigated director of the Customs Agency) and former interior minister Boyko Rashkov (who was exposed in the media from leaked investigation material as being linked to the alleged smugglers). Neither of them has been charged by now.

In October 2024, a criminal investigation for alleged influence peddling was launched against MP Dzheyhan Ibryamov from a rival faction to Delyan Peevski's faction within the party DPS.<sup>50</sup> Ibryamov was investigated for over a week and arrested in a controversial manner despite having immunity as MP against criminal investigation, prosecution and detention. Ibryamov remained in custody until

the October parliamentary elections and was released to take an oath/pick up his mandate as an MP in the new parliament. The Prosecutor's Office no longer seeks his detention, and his renewed immunity has not been lifted yet. This investigation against Ibryamov is part of a series of other investigations against less prominent figures from the same faction in DPS – mainly local mayors. All these investigations began simultaneously with the tension between the factions in DPS.<sup>51</sup>

In December 2024, the Prosecutor General requested the Parliament to lift the immunity against the prosecution of MP Kiril Petkov from PP. Petkov has been charged with alleged abuse of power as prime minister in 2022 by ordering the arrest of the leader of GERB Boyko Borissov. The investigation was conducted for nearly three years without leading to sufficient evidence for charging Petkov, but this changed when, concurrent with the high political tension between PP and Peevski's faction of DPS in the current parliament, sufficient evidence was found.<sup>52</sup>

The history of the huge percentage of investigations over the years that began with clear relevance to an event in politics shows that they usually collapse sooner or later.

49 Euractive, 'Bulgarian customs chief under investigation for money laundering', 2024.

50 'Court Leaves MP Dzheyhan Ibryamov in Custody', BTA, 2024.

51 *Прокуратурата остави в ареста близък до Доган кмет и сина му*, boulevardbulgaria.bg, 2024.

52 *Сарафов иска имунитета на Кирил Петков за ареста на Борисов*, DW, 2024.

## MEDIA ENVIRONMENT AND MEDIA FREEDOM –

### Key recommendations

- *The Commission for Protection of Competition (CPC) should strictly enforce antitrust legislation in the TV market and address media market over-concentration*
- *Parliament should reform the Radio and Television Act to guarantee the independence of Bulgaria's public service media. Depoliticised funding, governance reforms, and a unified structure would reduce inefficiencies, foster innovation, and better serve the public interest in a competitive digital environment.*
- *Parliament must restructure public media to consolidate resources, eliminate redundancies, and unify content strategy. Reforms should prioritise political independence, sustainable funding, and digital transformation to promote media pluralism and strengthen its democratic role.*

### Media and telecommunications authorities and bodies

Media and telecommunications authorities in Bulgaria struggle to protect media pluralism due to structural weaknesses and persistent political interference. The Council for Electronic Media (CEM) exemplifies this institutional fragility. For over two years, it has failed to appoint a Director-General for the Bulgarian National Television (BNT), exposing its inability to ensure leadership stability. This failure stems from an outdated regulatory framework—the 25-year-old Radio and Television Act—which limits CEM's capacity to safeguard the independence of public media.

Political influence further undermines the regulatory system.<sup>53</sup> CEM members are directly appointed by Parliament and the President, compromising the council's independence. Simultaneously, funding for Bulgaria's three public media entities—BNT, Bulgarian National Radio (BNR), and the Bulgarian News Agency (BTA)—depends entirely on the ruling parliamentary majority and the government. This financial dependence creates clear risks of political control, reducing public broadcasters' ability to operate independently and serve the public interest.

The current framework also fails to address modern challenges, such as changing media consumption habits, efficient resource

53 Reporters Without Borders, *Press Freedom Index: Bulgaria*, <https://rsf.org/en/country/bulgaria>.



allocation, and coordination between the three separate public media institutions. These inefficiencies result in overlapping functions, wasted resources, and a fragmented strategy that weakens the role of public media.

Despite the adoption of the European Media Freedom Act, ongoing political instability has halted the reforms needed to transpose its provisions in Bulgaria. Legislative updates are urgently needed to strengthen CEM's independence, modernise the regulatory framework, and improve the enforcement capabilities of oversight bodies. Parliament must act to reform funding mechanisms, reduce political influence, and ensure public broadcasters operate as a unified, independent force capable of countering private media concentration and serving the public good.

### **Pluralism and concentration**

Media pluralism in Bulgaria faces serious challenges driven by extreme market concentration and ineffective regulatory oversight. Two dominant media groups—bTV Media Group and Nova Broadcasting Group—control nearly 90% of the market regarding audience reach and advertising revenue. This dominance is further entrenched by cross-ownership with major telecom companies, creating risks for editorial independence and fair competition.

The Commission for Protection of Competition (CPC) has proven largely ineffective in addressing market concentration. Its failure stems from expired mandates of key members, political influence, and insufficient enforcement of existing antitrust laws. Despite its analysis identifying the risks of disproportionate market power, no meaningful measures have been taken.

Nova Broadcasting Group, which—according to GARB research agency—holds between 45% of the TV advertising market,<sup>54</sup> operates seven major TV channels, multiple radio stations, and leading news websites. It is being acquired by United Group, the owner of Bulgaria's largest telecom operator, Vivacom/BTC. Meanwhile, bTV Media Group, controlling 49% of the TV advertising market, is owned by PPF Group, which also controls a telecom company, Telenor Bulgaria.

This cross-ownership raises significant risks. Firstly, Telecom companies control both content creation and distribution networks. Secondly, their heavily regulated status makes them vulnerable to state pressure. Thirdly, their role as major advertisers distorts competition by channelling advertising budgets to their own media outlets. Finally, Vivacom/BTC, for instance, holds a 24.1% share in pay TV distribution, further consolidating their influence.<sup>55</sup>

54 *Разпределение на телевизионния пазар в България*, Capital.bg, 19 December 2024, [https://www.capital.bg/biznes/media\\_i\\_reklama/2024/12/19/4688812\\_razpredelenie\\_na\\_televizionniia\\_pazar\\_v\\_bulgariia/](https://www.capital.bg/biznes/media_i_reklama/2024/12/19/4688812_razpredelenie_na_televizionniia_pazar_v_bulgariia/).

55 Commission for the Protection of Competition of the Republic of Bulgaria, Decision No. AKT-37, 14 January 2021, <https://reg.cpc.bg/Decision.aspx?DecID=300059170>.

### **Rules governing ownership in different segments of the media market, and their application (print, television, radio, online media)**

Bulgaria's outdated regulatory framework, including ineffective antitrust legislation, remains ill-suited to address modern media realities. The CPC lacks the independence and capacity to enforce existing laws and tackle the consolidation of media ownership. Political influence over regulatory bodies and failure to appoint new CPC members further undermine its role.

Over the past year, no significant progress has been made to improve ownership transparency or strengthen media market pluralism. Instead, continued consolidation raises concerns about editorial independence, media diversity, and the concentration of power in the hands of a few dominant players.

### **Transparency of media ownership**

Bulgaria has a relatively robust framework for media ownership transparency (except online media; see below), with mandatory disclosure requirements through the Commercial

Register and additional public registries maintained by the Council for Electronic Media (CEM). Information on ultimate beneficial ownership is generally accessible and verifiable. Despite this formal transparency, the system fails to address deeper concerns about political influence over editorial content.

State advertising, primarily limited to EU-funded communication campaigns, accounts for less than 5% of the overall advertising market.<sup>56</sup> While these budgets are distributed through formal public procurement procedures and include transparency requirements, their selective allocation remains a potential tool for influence.

The main challenges go beyond formal structures. Ownership transparency does not prevent informal political pressure on editorial decisions,<sup>57</sup> often leading to self-censorship. Indirect political control persists through business interests aligned with political actors, which the current regulatory framework does not address effectively. Even without direct state intervention, these dynamics erode media independence.

56 According to the latest available data from 2017–2021, a total of €5 million was distributed towards media from EU Funds. Just for a reference, the estimated volume of the Bulgarian advertising market in 2020, according to the Bulgarian Association of Communications Agencies, is approximately 230 mln. See Bulgarian Association of Communications Agencies, *Медийният пазар се възстановява след пандемията. Телевизията и дигиталните медии са най-предпочитаните от рекламодателите медийни канали*, 2023, [https://www.baca.bg/wp-content/uploads/2023/01/2022\\_Media-Market\\_bg\\_update.pdf](https://www.baca.bg/wp-content/uploads/2023/01/2022_Media-Market_bg_update.pdf).

57 Amnesty International, *The State of the World's Human Rights: April 2024*, 23 April 2024, <https://www.amnesty.org/en/documents/pol10/7200/2024/en/>.

The European Media Freedom Act has yet to make an impact in Bulgaria, as political instability continues to delay necessary legislative reforms. Addressing these issues requires focusing not only on ownership transparency but also on strengthening safeguards for editorial independence. Reforms must target indirect forms of political influence, ensuring a regulatory environment that protects media from undue pressure and allows for genuine independence.

### **Public service media**

The Bulgarian public service media system suffers from deep structural weaknesses that undermine its independence and ability to fulfil its public mission. As a result of issues with appointing a Director-General of Bulgarian National Television, content quality remains inconsistent. While public media entities meet some public service obligations, significant gaps exist, including a lack of in-depth investigative journalism, strong editorial positions, and quality public affairs programming. Among the three public media outlets, Bulgarian National Radio (BNR) maintains higher editorial standards and more diverse programming compared to BNT.

The structural setup of three separate entities—BNT, BNR, and the Bulgarian Telegraph Agency (BTA)—leads to overlapping functions, inefficient resource use, and duplicated administrative costs. This fragmented system lacks a unified content strategy and struggles to compete in the digital media landscape.

Financial dependency on direct state budget allocations exacerbates these problems. Political decisions influence funding levels, which remain insufficient for public media to produce quality content, attract talent, or invest in digital transformation. The absence of long-term financial planning further limits their ability to adapt and innovate.

Reforming the public media system requires urgent legislative action to modernise governance, establish sustainable and independent funding, and restructure operations for greater efficiency. Safeguards against political interference must be strengthened, while better coordination between public media entities is needed to optimise resources. Most critically, reforms should create conditions for the development of high-quality investigative and analytical journalism, ensuring that public service media fulfil their role as a cornerstone of a democratic society.

### **Online media**

Bulgaria lacks a robust regulatory framework for its online media ecosystem, leading to significant gaps in oversight, accountability, and sustainability. Current general media laws fail to address the unique challenges of digital platforms, leaving critical areas unregulated.

Online content regulation remains insufficient. There are no specific rules governing online media content, liability for digital platforms, or content aggregators. Mechanisms for moderating and removing harmful content are weak, and self-regulation efforts have failed due to

the lack of industry-wide participation and accountability.

This leaves Bulgaria highly vulnerable to malicious information attacks from foreign states aiming to sow societal division or influence election outcomes.

Institutional oversight is fragmented, with unclear competencies split across multiple authorities. Bulgaria has yet to appoint a designated Digital Services Coordinator, as required by the European Digital Services Act (DSA). Existing supervisory bodies lack the technical expertise, resources, and enforcement powers to effectively oversee digital services.

In terms of financing and sustainability, Bulgaria's local online media struggle to compete against global platforms like Google and Facebook, which capture approximately 70% of the country's digital advertising revenue. Local media receive only 30%, leaving them increasingly dependent on global platforms for both distribution and monetisation. Copyright protections in the digital environment are weak, and alternative revenue models for sustaining quality online journalism remain underdeveloped.

Additional structural challenges exacerbate these issues. The lack of transparency in content recommendation algorithms makes it harder to identify and address systemic biases. Mechanisms to combat disinformation are

ineffective while fact-checking and content verification tools are limited. Anonymous channels and unregulated content aggregators further amplify the spread of unchecked and unreliable information.

The implementation of the Digital Services Act (DSA) and Digital Markets Act (DMA) in Bulgaria remains in its early stages, with no significant impact on the national regulatory framework so far.

### **Public trust in media**

According to the 2023 Reuters Institute Digital News Report,<sup>58</sup> trust in Bulgarian media remains critically low and has deteriorated further in recent years. Only 28% of Bulgarians trust journalists, a significant drop from 35% in 2022. This places Bulgaria 41st out of 46 countries surveyed for media trust. With 64% of the population expressing deep scepticism toward journalists, Bulgaria now shares the highest media distrust rating in Eastern Europe with Slovakia.

Media consumption patterns reflect a shift toward digital platforms. 76% of Bulgarians get their news online, including from social media, while 63% rely on television and only 12% use print media. Public broadcasters, BNT and BNR, retain relatively higher trust levels at 59% compared to private outlets.

---

58 Reuters Institute & University of Oxford, *Digital News Report for 2024: Bulgaria*, 2024, <https://reutersinstitute.politics.ox.ac.uk/digital-news-report/2024/bulgaria>.

Social media plays a dominant role in news distribution, with 64% of the population using Facebook as their primary news source, despite its gradual decline. Platforms like TikTok are rapidly gaining ground, with 12% of Bulgarians turning to it for news. The growing preference for video content has accelerated a shift toward visually driven platforms, and 61% now rely exclusively on social media for news consumption.

The implementation of the European Media Freedom Act has yet to influence these trends. Rebuilding trust in Bulgarian media requires comprehensive reforms that address editorial independence, strengthen public service journalism, and improve media literacy to counter the growing influence of unverified content on digital platforms.

### **Safety and protection of journalists and other media actors**

Bulgaria lacks sufficient protections for journalists' safety and independence, leaving media professionals vulnerable to physical threats, legal harassment, and restricted access to information. These challenges highlight the urgent need for reforms to create a safer and more independent media environment.

Physical and legal protection remains inadequate. There is no centralised system for reporting violence against journalists, and institutional responses to attacks are insufficient. Police, prosecutors, and courts lack the independence to investigate these cases effectively, and sanctions for violence targeting journalists are weak. The absence of rapid alert mechanisms for reporting threats exacerbates the problem.

The legal framework further undermines journalists' independence. In their reports, both the Association of European Journalists – Bulgaria (AEJ-Bulgaria)<sup>59</sup> and Reporters Without Borders<sup>60</sup> point out that Strategic Lawsuits Against Public Participation (SLAPPs) are increasingly used to silence critical reporting, with higher fines for defamation involving public officials compared to standard cases. Victims of SLAPPs receive limited procedural safeguards, and there is little transparency in law enforcement actions targeting journalists. Most notorious among these is the lawsuit of former Minister of Interior (now MP) Kalin Stoyanov against the independent online media BIRD, specialising in anticorruption and independence of judiciary, for publications revealing his connections with the influence-peddling group of The Notary (see Judicial independence above);<sup>61</sup> the lawsuit of the Lev Ins insurance company against the

59 AEJ – Bulgaria, *Журналистика под стрес. 2024 г. – годишно изследване на свободата на словото в България, 2024*, <https://aej-bulgaria.org/wp-content/uploads/2024/11/Jurnalistika-pod-stres-2024.pdf>.

60 Reporters Without Borders, *Press Freedom Index: Bulgaria*, <https://rsf.org/en/country/bulgaria>.

61 *Калин Стоянов съди журналисти за 65 хиляди лева. Защо?*, *Deutsche Welle Bulgaria*, 17 April 2024, <https://www.dw.com/bg/kalin-stoanov-sdi-zurnalisti-za-65-hiladi-leva-zaso/a-68843758>.



online media Mediapool for about €500,000;<sup>62</sup> the lawsuit of the Kozloduy Nuclear Power Plant against the whistleblower nurse Natalia Stancheva for misconduct in the medical facility of the power plant<sup>63</sup>. Bulgaria also lacks legislative measures to protect media professionals from judicial harassment.<sup>64</sup>

Access to information remains restricted under the Freedom of Information Act with overly broad grounds for refusal of requests and a lack of effective implementation legal framework even when access to information is mandated by the court. Official registers and property declarations are not easily accessible, limiting journalists' ability to conduct effective investigations.

Safety concerns are compounded by political attacks, which expose journalists to both online and offline threats. The lack of public condemnation of such attacks and insufficient protection of journalistic sources worsens their vulnerability. Specific safeguards against surveillance and spyware remain absent, leaving journalists unprotected from invasive monitoring.

Despite the European Media Freedom Act's potential, its implementation has yet to bring meaningful change due to a lack of political will. To address these issues, Bulgaria must urgently adopt reforms, including the creation of a rapid alert system for reporting threats, defamation law reform, strengthened protections against SLAPPs, and improved access to public information. Ensuring equal treatment of all media by public institutions and safeguarding journalistic sources are critical steps toward enabling journalists to work safely and independently.

***Do you consider the progress of the implementation of the Anti-SLAPP Directive in your country adequate? Have there been any positive developments you could attribute to the Anti-SLAPP Directive?***

The progress of implementing the Anti-SLAPP Directive in Bulgaria remains inadequate. While the last elected government committed to addressing the issue, its collapse in 2024 and the ensuing political instability stalled tangible progress. Nevertheless, some efforts are underway. A working group led by the Deputy Minister of Justice has been

62 "Лев инс" продължава делото срещу Mediapool за 1 млн. лв. на втора инстанция, Mediapool.bg, 10 October 2024, <https://www.mediapool.bg/lev-ins-prodalzhava-deloto-sreshtu-mediapool-za-1-mln-lv-na-vtora-instantsiya-news363867.html>.

63 Дело шамар приключи с 15 000 лв. дълг за медсестрата, съдена от АЕЦ "Козлодуй", Mediapool.bg, 6 December, 2024, <https://www.mediapool.bg/delo-shamar-priklyuchi-s-15-000-lv-dalg-za-medsestrata-sadena-ot-aets-kozlodui-news365862.html>.

64 Държавата не бива да сключва рекламни договори с медии, които не са осветили собственика си, Capital.bg, 09 March 2024, [https://www.capital.bg/politika\\_i\\_ikonomika/pravo/2024/05/09/4621345\\_durjavata\\_ne\\_biva\\_da\\_skljuchva\\_reklamni\\_dogovori\\_s/](https://www.capital.bg/politika_i_ikonomika/pravo/2024/05/09/4621345_durjavata_ne_biva_da_skljuchva_reklamni_dogovori_s/).

established to align Bulgarian legislation with the directive. The group includes representatives from the judiciary, academia, civil society, and the Ministry of Justice. Their initial focus is on amendments to the Civil Procedure Code (CPC), but discussions suggest changes may extend to the Judicial System Act and other relevant laws.

Despite these efforts, no concrete results have been achieved, and SLAPPs remain a serious threat. Procedural safeguards, transparency, and judicial protections are still insufficient,

while journalists and public watchdogs continue to face legal harassment. Support for SLAPP defendants primarily comes from civil society, media organisations, and legal experts rather than institutional mechanisms.

Although some steps are being taken, the lack of political will and ongoing instability prevent meaningful progress. The working group's efforts offer a foundation for future reforms, but until legislative changes are enacted and implemented, journalists and public participants remain vulnerable to judicial abuse.

## CHECKS AND BALANCES

### **Key recommendations**

- *The parliament should promptly initiate transparent parliamentary procedures for electing a new Ombudsperson.*
- *The parliament should introduce internal rules on compliance with provisions on public consultations of the Normative Instruments Act and mandate interim reports on impact assessment of amendments in legislation introduced between its readings.*

### **Process for preparing and enacting laws**

#### **Framework, policy and use of impact assessments, stakeholders'/public consultations (particularly consultation of the judiciary on judicial reforms), and transparency and quality of the legislative process**

Bulgarian legislation allows for two regimes for enacting legislation: one through the Council

of Ministries (when a bill is drafted and consulted preliminary by a working group often including various stakeholders) and another through the National Assembly (Parliament) itself. In both cases impact assessments and public consultations are mandatory under the Normative Instruments Act (Закон за нормативните актове).

For the consultations, the law sets a period of a minimum of 30 days in general cases and 14

days in exceptional cases but does not attach any negative consequences to potential violations of this provision. The law also mandates that the relevant institution publishes not only the position statements on the drafts but also the reasoning for rejecting proposed amendments to them (see Article 26 (5)). This is observed by the Ministerial Council but not by the Parliament.

The Parliament also does not strictly observe the requirement for impact assessments. While such an assessment is to be undertaken for every tabled bill (Normative Instruments Act, Article 20 (3)), and without it, such a bill should not be advanced (Normative Instruments Act, Article 28 (4)), this is not observed for amendments proposed between the readings. Furthermore, in cases where such an assessment is undertaken, it is usually formalistic and declarative. The law mandates that the Parliament and the Ministerial Council adopt separate methodologies for impact assessments, which opens the possibility of following requirements with different standards.

### ***Rules and use of fast-track procedures and emergency procedures (for example, the percentage of decisions adopted through emergency/urgent procedure compared to the total number of adopted decisions)***

#### ***Regime for constitutional review of laws***

Bulgaria does provide the possibility for persons to apply directly to the constitutional court. The law allows this only to an exhaustive list of bodies: one-fifth of the MPs, the president, the Ministerial Council, the Supreme Court of Cassation, the Supreme Administrative Court, the chief prosecutor and, in some limited cases, the municipal councils, the ombudsperson, and the Supreme Bar Association. With the constitutional amendments of 2023 and 2024, the legislator allowed any court to refer a case to the Constitutional Court for a declaration of inconsistency between a law applicable to the particular case and the constitution (Constitution of the Republic of Bulgaria, Article 150 (2)). This sets a high limitation to challenging the legality of a law in a situation where there is no Ombudsperson.

### ***Independent authorities***

During a plenary session of the parliament on 10 December 2024, the President of the Parliament read a list of institutions—various bodies and agencies—whose members should be elected or re-elected. Those are 20 bodies whose members serve past their term of office (some of them for years), two members of bodies who vacated their positions preliminary, and two bodies that were just constituted and

in need of initial appointment of members.<sup>65</sup> Among those are the Ombudsperson, the national equality body, the SJC, the Inspectorate to the SJC, the Commission for Illegal Assets Forfeiture, the National Bureau of Means of Special Intelligence Control, the data protection commission (an independent public authority responsible for monitoring the application of the GDPR), and others. This picture reveals the vast ‘clogging’ of the governance due to the political instability of the past five years. It also raises concern, given the populist parties in the current parliament.

In April, Diana Kovatcheva, the Ombudswoman, was elected as a judge at the European Court of Human Rights. This brought attention to the Deputy Ombudsperson, who promptly resigned in light of the 2023 constitutional amendments, which provide that the Ombudsperson is among those from whom the President may select a caretaker Prime Minister in the event of a failure by political parties to form a government. As of now, the position of Ombudsperson remains vacant. Notably, the Ombudsperson is one of the few individuals authorised by the constitution to refer cases of human rights violations to the Constitutional Court.

## CIVIC SPACE

### Key recommendations

- *The parliament should vote against the Foreign Agents Registration Act and all Publicity of Lobbying Act drafts should be reviewed to balance transparency goals with safeguards against burdensome requirements that could stifle advocacy or disproportionately impact CSOs.*
- *The Ministry of Justice should instruct the Registry Agency on the execution of ECtHR’s judgments in relation to registering associations.*
- *The Ministry of Education should establish clear mechanisms to counteract smear campaigns against LGBTQIA+ organisations and other vulnerable groups, including enforcing anti-discrimination laws and promoting public awareness of the positive role of CSOs in education and societal development.*

65 National Assembly of the Republic of Bulgaria, Minutes from the plenary, 10 December 2024, <https://www.parliament.bg/bg/plenaryst/ns/55/ID/10951>.

## Freedom of association

No advancements in respect to the freedom of association were achieved in Bulgaria in 2024. While the general situation remains good, some specific issues highlight possible worsening on the horizon.

In August 2024, a bill amending the Pre-School and School Education Act was adopted that forbids any “propaganda, promotion, or incitement in any way, directly or indirectly, of ideas and views related to non-traditional sexual orientation and/or determination of [gender]<sup>66</sup> identities other than the biological.”<sup>67</sup> The adoption occurred amid widespread defamation of civil society organisations in the LGBTQIA+ community, with two of them—Bilitis Foundation and Single Step—singled out in smear campaigns with allegations that they provide unauthorised sexual education to minors or ‘teaching’ them about ‘relativity of biological sex’ through ‘gender ideology’. This resulted in many schools denying access to LGBTQIA+ organisations or civil society organisations in general.

In 2024, a draft of the Foreign Agents Registration Act (FARA) made its way to the plenary of the parliament. After an unsuccessful vote, the bill was tabled again in the 51<sup>st</sup> Parliament and will be advanced through the legislative process again. Sponsors of the bill from the populist party Revival claimed the amendments are needed to prepare for the potential adoption of the Proposal for a Directive on Transparency of Interest Representation on behalf of Third Countries by the European Commission and the European Parliament.

In addition to FARA, another concerning piece of legislation is making advancements that potentially foster similar measures against civil society organisations: a draft of a Publicity of Lobbying Act.<sup>68</sup> The law defines lobbying as any advocacy before state or municipal institutions that was paid by and is undertaken on behalf of a third party. The bill explicitly exempts from regulation the activities of labour unions and business associations but only for specific topics; activities carried out under EU funding; the activities of political parties; activities of international organisations, the EU, foreign governments and foreign

66 The word ‘sex’ is used here. Unlike in English and some other languages, the direct translation of the word ‘gender’ in Bulgarian does not carry connotations related to inequalities between women and men, or issues of femininity and masculinity. The Bulgarian word, ‘под’, primarily relates to ancestry or family, and also to grammatical categories. For this reason, paradoxically, the word is often translated with the Bulgarian equivalent of ‘sex’, effectively erasing the sex/gender distinction known to English speakers.

67 National Assembly of the Republic of Bulgaria, Law on amending and substituting the Pre-School and School Education Act (Закон за изменение и допълнение на Закона за предучилищно и училищно образование), State Gazette, Issue 69 of 16 August 2024, <https://dv.parliament.bg/DVWeb/showMaterialDV.jsp?idMat=224947>.

68 National Assembly of the Republic of Bulgaria, Bill on Publicity of Lobbyism (Законопроект за публичност на лобизма), 2015, <https://www.parliament.bg/bg/bills/ID/15283>.



political parties; journalist activities; proposals for improving laws but only if invited by the body leading the legislative procedure; public speech; and filing Freedom of Information requests. Activities branded as lobbying are forbidden to be carried out before, among others, the Constitutional Court and institutions of the judiciary (for example filing an *amicus curiae* statement without being invited by the institution). Any lobbying activity against the territorial integrity of the republic is forbidden (a concept known to be interpreted by Bulgarian authorities very extensively, especially in relation to the activities of organisations of self-identified ethnic Macedonians in Bulgaria). Similarly to the Foreign Agents Registration Act, this bill mandates lobbyists to self-identify in all correspondence with the authorities and register in a public registry. Sanctions for undertaking unauthorised lobbying activities are defined between €10,000 and €100,000 for the first-time violation and between €25,000 and €150,000 in case of subsequent violations.

The specific issues of the civil society organisations of people who self-identify as Macedonians remain. Despite repeated attempts by several organisations to register under the Non-Profit Legal Entities Act (NPLEA), none of them received registration by the end of 2024. The Registry Agency and the courts issued refusals on arbitrary grounds, in a gross distortion of the requirements of the law, with reasoning specifically used to reject

applications only from Macedonian associations. Many of the reasons were related to alleged formal non-compliance of the statutes with the requirements of the law, although there were also those based on non-acceptance of the objectives of the association.

Soon after the inauguration of Donald Trump as the 47<sup>th</sup> President of the United States, on 30 January 2025, Delyan Peevski, notorious Bulgarian MP, businessman, media mogul and a person sanctioned by USA and UK under the Magnitsky Act and similar legislation, announced he is proposing an *ad hoc* parliamentary commission for investigating the activities of George and Alexander Soros and their foundations in Bulgaria.<sup>69</sup> Peevski, who has been under the spotlight of many journalistic investigations by civil society organisations for high-level corruption, claimed that organisations funded by Open Society Foundations pose a threat to the rule of law in Bulgaria, capture media, compromise the fundamental principles of democracy, and thereby create conditions for dictatorship—a list of accusations against Peevski himself through the years. Later that day a draft decision for establishing the commission was tabled by the

---

69 Live video of his speech is recorded by Actualno.com, 2025, [https://www.facebook.com/watch/live/?ref=watch\\_permalink&v=1140666413688455](https://www.facebook.com/watch/live/?ref=watch_permalink&v=1140666413688455).

MP's of Peevski's party.<sup>70</sup> The BHC issued a public statement against establishing the commission, reminding who Peevski is and noting it is a threat to freedom of association

and the country's democratic framework.<sup>71</sup> The proposal was not put to vote by the time this report was finalised.

## **DISREGARD OF HUMAN RIGHTS OBLIGATIONS AND OTHER SYSTEMIC ISSUES AFFECTING THE RULE OF LAW ENVIRONMENT**

### **Key recommendations**

- *The government should take steps to introduce more robust legal measures for the execution of ECtHR judgments that bind all institutions and private actors.*
- *The government should take measures to repeal discriminatory amendments in the Pre-School and School Education Act ensuring access by civil society to schools.*
- *The parliament should not adopt amendments to the Religious Denominations Act 2002.*

70 National Assembly of the Republic of Bulgaria, Draft decision on the establishment of an Interim Commission to establish facts and circumstances regarding the activities of George Soros and Alexander Soros and their foundations on the territory of the Republic of Bulgaria, financing Bulgarian natural and legal persons and NGOs, as well as to establish their affiliation with political parties, magistrates, educational institutions, media, business structures and state authorities (*Проект на решение за създаване на Временна комисия за установяване на факти и обстоятелства относно дейността на Джордж Сорос и Александър Сорос и техните фондации на територията на Република България, финансиращи български физически и юридически лица и неправителствени организации, както и установяване на свързаността им с политически партии, магистрати, образователни институции, медии, бизнес структури и органи на държавна власт*), 2025, [https://www.parliament.bg/bg/ns\\_acts/ID/166022](https://www.parliament.bg/bg/ns_acts/ID/166022).

71 Bulgarian Helsinki Committee, *Civil Society Under Threat: Resisting Peevski's Attempt to Undermine Democracy*, 30 January 2025, <https://bghelsinki.org/en/news/civil-society-under-threat-resisting-peevski-s-attempt-to-undermine-democracy>.

## Systemic human rights violations

### Execution of ECtHR judgments and recommendations of international organisations

Bulgaria is in the top 10 Council of Europe member states with judgments of the ECtHR pending execution (with total of 872 pending cases under supervision). Currently, 94 leading cases remain pending.

Bulgaria does not have a robust mechanism for implementing ECtHR judgments. In April 2024, the Ministry of Justice organised a round table to present a draft decree of the Council of Ministers introducing a national coordination mechanism for the execution of judgments of the European Court of Human Rights. While the introduction of such a mechanism is much needed, the proposed normative instrument—a decree of the Council of Ministers—does not provide a sufficient mechanism as it is standalone secondary legislation. This is evident from the draft's wording, explicitly stating that any institutions outside the executive branch participate on a voluntary basis. Thus, no institutions outside the executive branch, which might be competent to take measures for the execution of the judgments, are legally bound to act upon the violation. This includes, among others, municipalities, parliament, courts, the Constitutional Court, the Commission for Personal Data Protection, and the quasi-judicial equality body. The draft

decree was not advanced to adoption by the time this report was finalised.

In March 2024 the Bulgarian Council of Ministers adopted a decree introducing a National coordination mechanism on human rights.<sup>72</sup> This mechanism will coordinate the position and adherence of national institutions (more specifically, those of the executive branch) on international human rights standards and recommendations from international bodies like the UN, the OSCE, the Council of Europe (but not the ECtHR judgments) and the European Union. Civil society organisations could participate only in meetings of the mechanism and only if invited *ad hoc* for a specific agenda.

### Conditions in state psychiatric hospitals

In 2024, the BHC visited all state psychiatric hospitals. During its monitoring, the organisation found various violations of patients' rights. In some hospitals, patients were accommodated in overcrowded rooms with less than four square metres of space per person, where they spent all their time while in the hospital. In several acute wards, patients were not allowed to go outside for exercise at all.

The hygiene in many wards was very poor. In some wards, it was cold, prompting patients to gather in the warmer rooms and sleep two to a bed. In several hospitals, the monitoring team heard credible allegations of ill-treatment of

72 Council of Ministers of the Republic of Bulgaria, Decree no. 59 (Постановление № 59 от 21 март 2024 г. за създаване на Национален координационен механизъм по правата на човека), 21 March .2024, <https://dv.parliament.bg/DVWeb/showMaterialDV.jsp;jsessionid=06D34069FC4F17949566106C8544558A?idMat=210444>.

patients by orderlies. In one hospital, the team witnessed such an assault.

Inter-patient violence, including sexual violence, was also prevalent in some hospitals. Treatment usually involved pharmacotherapy, with very little, and in some cases no, psycho-social rehabilitation.

Seclusion and restraint of patients were practised in some hospitals in very small rooms. The procedure lacked safeguards against abuse, and there were credible allegations that the actual use of seclusion and restraint was much more frequent than officially documented. Most state psychiatric hospitals in Bulgaria are located in remote towns and villages, with difficult access and limited services. This also poses difficulties for visitors. In most hospitals, there were patients who did not need any active treatment but lived in the hospital, in some cases for many years, simply because they had no home or place to go.

### ***First litigation on transphobic hate speech against a member of the parliament***

In September 2024, the Commission for Protection from Discrimination (CPD) delivered a decision<sup>73</sup> on a case brought by a non-binary trans person and an intersex person against a member of parliament from the ultra-nationalist and populist political party Revival ('Vazrajdane'). The

case concerns a Facebook post from an account with the name and pictures of the MP, including pictures from his private life and posts calling for votes. The impugned post concerned the 2023 decision of the Supreme Court of Cassation to stop allowing changes to personal data records about the 'sex' of trans citizens in the civil registration and identity management registries.<sup>74</sup> The post refers to the decision and states that it is "a key victory of common sense over the neo-Trotskyist attempts of the Soros-aided grant-mongers working to destroy the Bulgarian family, the Holy Bulgarian Orthodox Church, the Bulgarian school, and our nation itself." It furthermore notes that once Revival wins the election and forms a government, "the long road backwards will begin, which will be harder than the road of Napoleon's army fleeing Moscow."

Before the equality body, the complainants alleged that the conduct constituted harassment. The MP denied being the author of the post or connected in any way to the account, despite the post being deleted shortly after the case was communicated to him as a responding party. The CPD found that pictures from the MP's private life on the Facebook account were not enough to prove he was the author of the post and that the burden of proof could not be reversed. It dismissed the complaint, which was upheld by the administrative court.<sup>75</sup> In January 2025, the complainants appealed on points of law, and the case is pending.

73 Commission for Protection from Discrimination, *Decision No. 257 of 18 September 2024 in case No. 292/2023*.

74 For details about the Supreme Court of Cassation's decision see *Liberties Rule of Law Report for 2023*, p. 101, <https://www.liberties.eu/en/stories/rolreport2023-main/44656>.

75 Sofia City Administrative Court, Judgment No. 26850 of 12 December 2024 in case No. 10522/2024.

However, this case reveals serious underlying issues when dealing with hate speech pertaining to discriminatory harassment when evidence is electronic and subject to cross-border evidence gathering outside the territory of the EU. Unlike GDPR or the consumer protection field, the anti-discrimination directives do not provide for international cooperation or a mutual assistance mechanism for gathering evidence by administrative bodies.

### **Denial of registration of non-governmental organisations of ethnic Macedonians**

The Bulgarian government has not taken sufficient steps to comply with the ECtHR's judgments requiring Bulgaria to register associations of Bulgarian citizens who self-identify as ethnically Macedonian. In February 2024, a new set of 20 applications to the Court concerning freedom of association of Macedonians were communicated to the Bulgarian government. Throughout the year another set of such associations were denied registration on the domestic level on seemingly arbitrary grounds. The current trend in those rejections by the Bulgarian court is the use of the doctrine of 'full review' (ПЪЛЕН ВЪЗЗИВ) upon appeal before the second instance court. The courts can and do review the reasoning of the Registry Agency or the lower court and often find the grounds for the refusal unsubstantiated. However, the full review doctrine allows them to look at the case as a whole and justify refusals with different reasons not presented by the Registration Agency or lower courts. This is especially problematic when such reasons appear

in the decisions of a court of last instance, since no other judicial control is available over them. Another new trend is the requirement to indicate in the name of the association itself that it is registered in the public interest—something that is neither required under the law, nor it is required from other associations (the BHC being such an example). For these reasons, in a statement to the Committee of Ministers of the Council of Europe, the BHC has proposed initiating infringement proceedings against Bulgaria.

### **Denial of registration of Bulgarian Orthodox churches different from the Bulgarian Orthodox Church – Bulgarian Patriarchy**

To execute the 2013 ECtHR judgment in the case *Bulgarian Orthodox Old Calendar Church and Others v. Bulgaria* (No. 56751/13), in 2024 the Bulgarian court granted registration of the Bulgarian Orthodox Old Calendar Church—an Orthodox denomination differing from the mainstream Bulgarian Orthodox Church on purely doctrinal grounds. This news was widely publicised and led to a wave of media articles calling the ECtHR 'the court of Soros' and accusing the former Bulgarian judge in that court, Yonko Grozev, of exerting undue influence to allow for the registration.

In December 2024 and January 2025, three bills for amendments to the Religious Denominations Act 2002 were tabled in parliament. They were later merged.<sup>76</sup> The proposed bill prohibits any legal entity other than the Bulgarian Orthodox Church – Bulgarian Patriarchy from using not

---

76 National Assembly of the Republic of Bulgaria, Combined draft law on amending and substituting Religious Denominations Act (Общ законопроект за изменение и допълнение на закона за вероизповеданията), 224 January 2025, <https://www.parliament.bg/bg/bills/ID/165951>.



---

only the word ‘Orthodox’ but also any “similar” word in its name, as well as the simultaneous use of the words ‘Bulgarian’, ‘Orthodox’ and ‘church’ in the name of any religious community other than the Bulgarian Orthodox Church – Bulgarian Patriarchy. It is proclaimed that freedom of religion may not be directed against “the structure and organisation of traditional religion under Article 13 (3) of the Constitution”; that the only Orthodox Church is the Bulgarian Orthodox Church – Bulgarian Patriarchy, which is the sole expression of Eastern Orthodoxy; and that already registered religious denominations which contradict the above should be deregistered, and the pending registration proceedings terminated. The law passed on first reading but did not reach a plenary vote on second reading by the time this report was finalised.

---

## CONTACTS

### ***Bulgarian Helsinki Committee***

The Bulgarian Helsinki Committee (BHC) is an independent non-governmental organisation for the protection of human rights, established in Sofia, Bulgaria in 1992. The objectives of the BHC are to promote respect for the human rights of every individual; to stimulate legislative reform to bring Bulgarian legislation in line with international human rights standards; to trigger public debate on human rights issues; to carry out advocacy for the protection of human rights; and to popularise and make widely available human rights instruments.

Ulitsa “Varbitsa” 7  
1504 Sofia  
Bulgaria  
[bhc@bghelsinki.org](mailto:bhc@bghelsinki.org)  
[www.bghelsinki.org](http://www.bghelsinki.org)

### ***The Civil Liberties Union for Europe***

The Civil Liberties Union for Europe (Liberties) is a non-governmental organisation promoting the civil liberties of everyone in the European Union. We are headquartered in Berlin and have a presence in Brussels. Liberties is built on a network of 21 national civil liberties NGOs from across the EU.

c/o Publix, Hermannstraße 90  
12051 Berlin  
Germany  
[info@liberties.eu](mailto:info@liberties.eu)  
[www.liberties.eu](http://www.liberties.eu)

**Photo by** Luke Braswell on Unsplash



**Co-funded by  
the European Union**

Co-funded by the European Union. Views and opinions expressed are however those of the author(s) only and do not necessarily reflect those of the European Union or the granting authority - the European Education and Culture Executive Agency (EACEA). Neither the European Union nor the granting authority can be held responsible for them.