



Resolution 1211 (2000)¹

Honouring of obligations and commitments by Bulgaria

Parliamentary Assembly

1. Referring to the two reports by the Monitoring Committee on Bulgaria's honouring of obligations and commitments², the Assembly is convinced that Bulgaria is committed to democratic reform and welcomes a number of major steps forward on the road to democracy, which include:

- 1.1. the abolition of the death penalty and the ratification of Protocol No. 6 to the European Convention on Human Rights;
- 1.2. the adoption of a law on alternative service;
- 1.3. the functioning of three court levels as provided for in the constitution;
- 1.4. the role played by President Stoyanov in the adoption of legislation in line with Council of Europe standards, including in the spheres of the media and the judicial system;
- 1.5. the adoption of amendments to current legislation on provisional detention and the transfer of the responsibility for provisional detention centres to the Ministry of Justice and Legal Euro-Integration;
- 1.6. the government initiative to no longer apply the prison sentences provided for in the Criminal Code for Libel and Defamation;
- 1.7. the ratification of the Framework Convention for the Protection of National minorities;
- 1.8. the holding of municipal elections in October 1999, which were considered "well organised and satisfactory" by the Congress of Local and Regional Authorities of Europe (CLRAE);
- 1.9. the registration of Jehovah's Witnesses;
- 1.10. progress in the area of freedom of conscience and religion, despite widening rifts within the Orthodox Church and the Muslim religious community;
- 1.11. efforts on the part of the government to combat crime and corruption and to improve prison conditions;
- 1.12. the removal of compulsory licensing for Internet providers, and the removal of forty-six other permits and licensing regulations out of a total of 268;
- 1.13. the agreements on languages concluded with "the former Yugoslav Republic of Macedonia" on 22 February 1999;
- 1.14. confirmation of the country's interest in membership of the European Union and of Nato, and its contribution to a peaceful settlement of the Kosovo conflict.

2. The Assembly also appreciates Bulgaria's stabilising role in the Balkans.

1. Assembly debate on 26 January 2000 (5th Sitting) (see [Doc. 8616](#), report of the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe, rapporteurs: MM. Atkinson and Gjellerod). Text adopted by the Assembly on 26 January 2000 (5th Sitting).

2. See [Doc. 8180](#) of 2 September 1998 and [Doc. 8616](#) of 17 January 2000.



3. However, the Assembly also notes a number of outstanding concerns and worrying trends:
 - 3.1. the influence of the governing party over the public media with the change in membership of the National Radio and Television Council and the current procedure of licensing by a government appointed body;
 - 3.2. the insufficient implementation of minorities' constitutional rights as regards education and information in their mother tongue through electronic media;
 - 3.3. the generalisation of corruption resulting in particular from illegal practices in privatisation, excessive licensing and various immunities enjoyed by judges, prosecutors and investigators;
 - 3.4. the control exercised by the executive on the twenty-eight districts recently established;
 - 3.5. the continued policy of dismissals of civil servants and corporate chief executives and the excessive time taken for their appeals to be heard;
 - 3.6. the delays in modernising labour legislation and improving pensioners' living standards;
 - 3.7. continuing cases of police brutality, particularly towards Roma;
 - 3.8. the increasing divide within society, mirroring the lack of dialogue between the governing majority and the opposition, and the rifts within the Bulgarian Orthodox Church and the Muslim religious community.
4. The Assembly, therefore, launches an appeal to the Bulgarian authorities to take the following steps in the near future, the implementation of which it will closely follow:
 - 4.1. the Bulgarian National Assembly should take into account the present report and hold a debate on its conclusions;
 - 4.2. it should take greater account of European standards and the opinions of Council of Europe experts on the draft laws it examines;
 - 4.3. the independence of the judiciary and of the media with regard to the executive authorities should be guaranteed and a greater diversity of opinion on national television should be ensured;
 - 4.4. the rights of the persons belonging to minorities, especially as regards education and broadcasting in their mother tongue, should be improved and respected; minorities should be better represented in the police and the public services;
 - 4.5. the institution of an ombudsman for human rights should be created;
 - 4.6. efforts to combat corruption and police brutality should be stepped up with assistance from the Council of Europe; the constitution should be amended to bring the immunity of members of parliament, magistrates and senior officials in line with European standards;
 - 4.7. the twenty-eight newly established districts should be given directly elected councils in accordance with the European Charter of Local Self-government;
 - 4.8. freedom of thought, conscience and religion should be maintained, in accordance with Article 9 of the European Convention on Human Rights, and the process of returning property to churches and the Muslim community should be continued;
 - 4.9. sanctions against journalists should be brought out of the sphere of criminal law and awards for damages limited to reasonable amounts, taking into account that journalists should abide by the principle of respect for privacy, in conformity with Article 8 of the European Convention on Human Rights.
5. In the light of the above considerations, the Assembly considers the current monitoring procedure as closed. It will pursue its dialogue with the Bulgarian authorities on the issues referred to in paragraph 4, or any other issues arising from the obligations of Bulgaria as a member state of the Council of Europe, with a view to reopening procedure in accordance with [Resolution 1115 \(1997\)](#), if further clarification or enhanced co-operation should seem desirable.