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Post-monitoring dialogue with Bulgaria

Report¹

Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee)

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Contents

Page

A. Draft resolution	2
B. Explanatory memorandum by Mr Yves Cruchten and Ms Deborah Bergamini, co-rapporteurs	5
1. Introduction	5
2. Political context	7
3. Outstanding areas of concern identified in Resolution 2296 (2019)	9
3.1. Reform of the judiciary	9
3.2. Preventing and fighting corruption	15
3.3. The media	19
3.4. Human rights of minorities	21
3.5. Hate speech	23
3.6. Violence against women	24
4. Conclusions	26

1. Reference to committee: [Resolution 1115 \(1997\)](#).



A. Draft resolution²

1. Bulgaria joined the Council of Europe in 1992. Until 2000, it was subject to the full monitoring procedure. By means of [Resolution 1211 \(2000\)](#), the Parliamentary Assembly decided to close the full monitoring procedure and open a post-monitoring dialogue on a number of outstanding concerns arising from non-fulfilment of Bulgaria's commitments entered into upon accession and obligations incumbent upon every member State under Article 3 of the Statute of the Council of Europe ([ETS No. 1](#)) with regard to democracy, the rule of law and human rights. Since 2000, the progress in addressing these outstanding concerns has been systematically assessed by the Assembly.
2. The Assembly refers to its most recent resolution on post-monitoring dialogue with Bulgaria, namely [Resolution 2296 \(2019\)](#) in which it recognised the unquestionable progress achieved in terms of the crucial reforms and legislative framework put in place. However, it resolved not to close the post-monitoring dialogue until remaining issues in the areas of judiciary, fight against high-level corruption, media, human rights of minorities, combating hate speech and violence against women are addressed, with a view to ensuring sustainability and irreversibility of reforms.
3. Bulgaria should be commended for having overcome the political crisis and instability illustrated by seven consecutive early parliamentary elections held on 4 April 2021, 11 July 2021, 14 November 2021 (on the day of the presidential election), 2 October 2022, 2 April 2023, 9 June 2024 and 27 October 2024.
4. The Assembly welcomes the establishment of a coalition government in January 2025 and its demonstrated sustained political will and commitment to fully honour the commitments and obligations reflected in [Resolution 2296 \(2019\)](#) as confirmed by its continued co-operation with Council of Europe monitoring mechanisms including the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee) of the Assembly and the European Commission for Democracy Through Law (Venice Commission).
5. The Assembly recalls that, on 20 December 2023, the parliament adopted constitutional amendments, which addressed some long-standing concerns of the Venice Commission and the Assembly with regard to the system of governance of the judiciary and of the prosecution service.
6. The Assembly takes note of the ruling of the Constitutional Court of 26 July 2024 (No. 13), which declared unconstitutional most of these constitutional amendments and stated that their adoption required a Grand National Assembly and not an ordinary parliament. Consequently, the reform of the Supreme Judicial Council was not pursued, which is to be regretted.
7. The Assembly welcomes the reform of the Criminal Procedure Code of 26 May 2023, which established a mechanism for the accountability and criminal liability of the Prosecutor General and his/her deputies. Following this reform, prosecutors' decisions not to open investigations into certain categories of criminal offences (including corruption related offences) can be subject to judicial review by administrative courts. The Assembly notes with satisfaction that the Constitutional Court confirmed the constitutionality of these legislative amendments (ruling No. 14 of 26 July 2024). It also welcomes the fact that the same court confirmed the constitutionality of the constitutional amendments of 20 December 2023 limiting the excessive powers of the Prosecutor's Office (ruling No. 13 of 26 July 2024). All these developments are in line with Venice Commission's recommendations.
8. While the above legislative and constitutional changes constitute, overall, considerable progress in the accomplishment of Bulgaria's commitments and obligations, it should be regretted that not all issues with regard to the judicial system have yet been addressed. In particular, the five-year probationary period for judges has been retained. Moreover, the broad and vaguely defined role of the Inspectorate of the Judiciary and the lack of safeguards which would prevent interference with the substance of the courts' decision making, are a matter of concern.
9. The Assembly welcomes the measures undertaken by the Bulgarian authorities with a view to combating high-level corruption. It welcomes the adoption, on 6 October 2023, of the Anti-Corruption Act, which introduced a new structure and new powers for the Commission for Counteracting Corruption and the Commission for Illegal Assets Forfeiture, in particular the power to investigate corruption offences committed by persons holding public positions. The lack of this power was one of the main weaknesses of the former Anti-Corruption Commission.

2. Draft resolution adopted by the committee on 9 September 2025.

10. The Assembly notes with satisfaction the adoption, on 27 January 2023, of the long-awaited Law on the Protection of Whistleblowers or Persons Publicly Disclosing Information about Violations, which provides for a comprehensive and streamlined legal framework for reporting and whistle-blower protection in compliance with democratic standards. The amendments to the Law on Public Procurement, aimed at ensuring more transparency, mark further progress. Moreover, the Assembly notes the ongoing work on new legislation in the areas of lobbying and foreign bribery.

11. The Assembly takes note of the Group of States against Corruption (GRECO) Second Compliance report on Bulgaria of January 2020, assessing the implementation of the recommendations of the Fourth Evaluation Round on the prevention of corruption in respect of members of parliament, judges and prosecutors, which concluded that out of 19 recommendations, Bulgaria has implemented 16, and that the three remaining recommendations have been partly implemented.

12. The Assembly refers to GRECO's Fifth Evaluation Round report on Bulgaria on preventing corruption and promoting integrity in central governments (top executive functions) and law enforcement authorities, in which it formulated 28 recommendations. In November 2024, GRECO concluded that only seven recommendations had been implemented satisfactorily (mainly those concerning the integrity of police), eleven had been partly implemented and ten had not been implemented. The Assembly urges the Bulgarian authorities to fully and rapidly implement GRECO's recommendations included in the fourth and fifth evaluation Rounds.

13. Despite some high-level corruption scandals in the country, a solid track-record of final convictions in high-level corruption cases continues to be lacking in Bulgaria to date. In 2023, Bulgarian political figures were sanctioned in third countries in cases related to high-level corruption after the judicial proceedings against them had been halted in Bulgaria. The Assembly expects that the effectiveness of the newly introduced anti-corruption measures will be demonstrated through a better track-record of final convictions in high-level corruption cases.

14. Over 90 leading judgments of the European Court of Human Rights concerning Bulgaria are pending implementation, with more than half of them pending for at least 10 years. The Assembly calls on the authorities to continue to co-operate with the Committee of Ministers of the Council of Europe with a view to making tangible progress in the execution of the judgments of the European Court of Human Rights, in particular as regards cases concerning the reform of the judiciary (*S.Z. v. Bulgaria*, *Kolevi v. Bulgaria* and *Miroslava Todorova v. Bulgaria*), forced evictions and demolition of houses of Roma (*Yordanova and Others v. Bulgaria*) and refusals to register associations of ethnic Macedonians (*UMO Ilinden and Others v. Bulgaria* and similar cases).

15. The Assembly notes with satisfaction that Bulgaria has considerably improved its framework as regards freedom of expression. A number of positive developments should be noted, including amendments to the Criminal Code providing for better protection of journalists in cases of alleged defamation with regard to public officials, adopted in July 2023. The alleviation of criminal liability has addressed a long-standing recommendation of the Council of Europe. A major improvement in the jurisprudence of national courts with regard to defamation charges against journalists in application of the case law of the European Court of Human Rights should be acknowledged.

16. Regrettably, persisting problems include high levels of media concentration, and a lack of transparency in media ownership, distribution and media providers and an important number of strategic lawsuits against public participation (SLAPPs) targeting journalists. The Assembly calls on the Bulgarian authorities to introduce legislative measures addressing these concerns.

17. The Assembly remains concerned about the fragile situation of the Roma population which is the largest minority group and constitutes almost 5% of the population in Bulgaria. While a number of programmes, strategies and action plans have been designed and implemented in recent years to improve the situation of Roma, no significant progress has been noted, and reports relating to the employment, housing, material situation, education and health of the Roma population continue to be alarming. The Assembly urges the Bulgarian authorities to pursue their efforts in order to achieve tangible progress in the integration and inclusion of the Roma population.

18. The Assembly notes with satisfaction that a number of measures have been taken to combat hate speech. The latest amendments to the Criminal Code adopted in July 2023 provide for a more extensive definition of hate speech and crime, and for more severe punishment for these offences. National campaigns and training have considerably contributed to increasing public and professional awareness.

19. The Assembly recognises the considerable progress achieved with regard to combating violence against women. It commends Bulgaria in particular for the adoption, in July 2023, of the amendments to the Criminal Code, which cover the protection of victims of domestic violence from an early stage, irrespective of the legal status of their relationship. Furthermore, the amendments to the Law on Protection from Domestic Violence adopted in August 2023 give additional rights to the victims. At the same time, the Assembly urges the Bulgarian authorities to increase budgetary resources for shelters for victims of domestic violence.

20. While the overall progress in the fulfilment of Bulgaria's commitments and obligations is not questioned, some remaining shortcomings still require remedy. The Assembly calls on the Bulgarian authorities to resume the reform of the organisation of the State (which was stopped following the ruling of the Constitutional Court of 26 July 2024 (No. 13)), through the adoption of ordinary legislation and/or new constitutional amendments by the Grand National Assembly. It also invites the authorities to address other outstanding issues in close co-operation with the Committee of Ministers, the Department for the Execution of Judgments of the European Court of Human Rights, the Venice Commission and other Council of Europe bodies.

21. The Assembly recalls that all successive early parliamentary elections in 2021-2024 were observed by its *ad hoc* committees for the observation of elections. The legal framework was adequate for the conduct of democratic elections and fundamental freedoms were respected. Overall, the consecutive elections were considered to be competitive and well managed by the election administration.

22. The Assembly notes that, in September 2023, the European Commission terminated the Co-operation and Verification Mechanism in respect of Bulgaria, following the satisfactory fulfilment of all the benchmarks and recommendations under this mechanism in the field of the judiciary, fight against corruption and organised crime. It also welcomes the decisions of the relevant European Union institutions on Bulgaria's accession to the Eurozone as of 1 January 2026.

23. Against this background, the Assembly resolves to close the post-monitoring dialogue with Bulgaria and follow the developments in the country with regard to the rule of law, pluralist democracy and human rights in the framework of its periodic reviews.

B. Explanatory memorandum by Mr Yves Cruchten and Ms Deborah Bergamini, co-rapporteurs³

1. Introduction

1. Bulgaria joined the Council of Europe in 1992 and was under a full monitoring procedure until 2000. In 2000, by means of [Resolution 1211 \(2000\)](#), the Parliamentary Assembly decided to close the full monitoring procedure and engage in a post-monitoring dialogue “on the issues referred to in paragraph 4 [of [Resolution 1211 \(2000\)](#)] or any other issue arising from the obligations of Bulgaria as a member State of the Council of Europe”. Since then, three reports have been submitted to the Assembly by the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee) in 2010, 2013 and 2019.

2. In 2014, the Assembly’s monitoring procedure underwent some changes. In particular, the Assembly decided that from then on, a report on the post-monitoring dialogue should include a draft resolution which either states that the post-monitoring dialogue should be concluded or establishes concrete deadlines for the fulfilment of outstanding commitments. In the latter case, the failure to meet those deadlines, if so stated in the following report submitted to the Assembly, would imply the return to the full monitoring procedure (paragraph 13 of the terms of reference of the Monitoring Committee).

3. In other words, according to the Rules, since 2014, the Monitoring Committee may prepare at most two reports and the second one, in its draft resolution has to propose to the Assembly to either close the post-monitoring dialogue or return the country to the full monitoring procedure. The Monitoring Committee, as indicated in paragraph 1, already submitted one report since the entry into force of the new rules, in 2019. Following a debate, the Assembly adopted [Resolution 2296 \(2019\)](#) in which it enumerated six outstanding concerns with regard to the human rights and the functioning of democratic institutions in Bulgaria and resolved to assess the progress made in these areas in June 2020. The concerns included: high-level corruption, transparency of media ownership, human rights of minorities, hate speech and violence against women.

4. However, from July 2020 until recently, Bulgaria was confronted with a major political crisis which resulted in seven consecutive early parliamentary elections held on 4 April 2021, 11 July 2021, 14 November 2021 (on the day of the presidential election), 2 October 2022, 2 April 2023, 9 June 2024 and the last one on 27 October 2024. For the majority of this period, Bulgaria was governed by technical provisional governments. We will deal with the political context of the functioning of democratic institutions in chapter 2 below.

5. We were appointed rapporteurs respectively on 13 September 2023 (Ms Deborah Bergamini) and on 4 March 2025 (Mr Yves Cruchten, in replacement of Ms Thórhildur Sunna Ævarsdóttir, who left the Assembly in January 2025).

6. This report is an updated version of the one which was adopted by the Committee on 6 March 2024 (“2024 report”⁴) and which was tabled but then withdrawn from the agenda of the Assembly’s April 2024 part-session because of the early parliamentary elections of 9 June 2024. In the preparation of the present report, we were confronted with the difficult task of ascertaining whether developments in the six areas of concern since June 2019 justify a proposal to the Assembly to close the post-monitoring dialogue or to return Bulgaria to a full monitoring procedure.

7. In the framework of preparation of the 2024 report, a fact-finding visit to Sofia took place on 17-19 September 2023. The programme of the visit included meetings with the highest representatives of the legislative, executive, and judicial authorities of the country, including the Speaker of the Parliament, the Prime Minister and the Ministers of Justice and of the Interior, leaders of parliamentary political groups, the Prosecutor General and the President of the Supreme Court of Cassation.⁵ Since there was a need to update the 2024 report, on 2-3 July 2025, another fact-finding visit to Sofia took place. During this visit, we met with the Ministers of Foreign Affairs, of Justice and of Interior, the Speaker of the Parliament, representatives of parliamentary political groups, the acting Prosecutor General, the President of the Supreme Court and members of the Supreme Judicial Council. Both visits to Sofia created an excellent opportunity for political dialogue with representatives of the authorities. At the same time, they also provided for the co-rapporteurs an

3. The explanatory memorandum is drawn up under the responsibility of the co-rapporteurs.

4. [Doc. 15947](#), prepared by Ms Thórhildur Sunna Ævarsdóttir (Iceland, SOC) and Ms Deborah Bergamini (Italy, EPP/CD).

5. In addition, on 23 November 2023, an online meeting took place with the Deputy Prime Minister and Minister for Foreign Affairs who was away from Sofia during the September 2023 visit.

opportunity to exchange with representatives of civil society whose expertise and first-hand experience greatly contributed to their understanding of the situation on the ground. On 23 July 2025, Bulgarian delegation to the Assembly sent their comments to the preliminary draft report (of June 2025).

8. The current report is also based on the legal opinions provided by the European Commission for Democracy through Law (Venice Commission) on the draft amendments to the constitution,⁶ on the draft amendments to the criminal procedure code and the Judicial System Act,⁷ on the draft amendments to the Judicial System Act concerning the Inspectorate to the Supreme Judicial Council,⁸ and on an Urgent Interim Opinion on the draft new Constitution.⁹

9. We also took into account the findings and conclusions of the relevant institutions and monitoring mechanisms attached to the conventions of the Council of Europe to which Bulgaria is a Party. In particular we based ourselves on the report on Bulgaria prepared by the Commissioner for Human Rights,¹⁰ the Evaluation and Compliance reports of the Fourth and Fifth Evaluation Rounds prepared by the Group of States against Corruption (GRECO),¹¹ the Fifth Round Evaluation Report by the Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL)¹² the evaluation report of the Third Evaluation Round by the Group of Experts on action against trafficking in Human Beings (GRETA),¹³ the Fourth and the Fifth Opinions on Bulgaria adopted by the Advisory Committee on the Framework Convention for the Protection of National Minorities (ETS No. 157),¹⁴ and the Government's comments,¹⁵ the Resolution of the Committee of Ministers on the implementation of the Framework Convention for the Protection of National Minorities by Bulgaria¹⁶ as well as the Fifth Report submitted by Bulgaria.¹⁷ We also acquainted ourselves with the European Commission against Racism and Intolerance (ECRI) report on Bulgaria in the framework of the sixth monitoring cycle and the Government's comments¹⁸ as well as with the report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)¹⁹ and the Government's comments.²⁰

10. The Assembly observed the presidential and parliamentary elections mentioned in paragraph 4 and debated the respective reports²¹ prepared by the *ad hoc* committees. In the present report, we have also used the findings of these observation missions.

11. The relevant judgments of the European Court of Human Rights ("the Court") constituted another valuable source of information on the state of democracy, rule of law and human rights in the country. We also relied on the Committee of Ministers' documents on the supervision of the execution of judgments of the Court.²²

12. In 2007, Bulgaria became a member of the European Union. Upon Bulgaria's accession, the European Commission established a mechanism called the Co-operation and Verification Mechanism (CVM) with a view to addressing outstanding concerns, notably in the areas of judiciary, corruption, and organised crime. To date, 13 yearly reports have been published, the last one in October 2019.²³ We have used the findings of

6. [CDL-AD\(2023\)039](#).

7. [CDL-AD\(2022\)032](#).

8. [CDL-AD\(2022\)022](#).

9. [CDL-AD\(2020\)035](#).

10. [CommDH\(2020\)8](#).

11. 4th Round Second Compliance Report [GrecoRC4\(2019\)24](#) published on 17 January 2020, 5th Round Evaluation Report [GRECO/Eval5Rep\(2022\)9](#) published on 19 January 2023, and [GrecoRC5\(2024\)14](#) published on 6 February 2025.

12. Fifth round evaluation: [MONEYVAL\(2022\)1](#) adopted in May 2022, [MONEYVAL\(2024\)1](#) adopted in May 2024, and [MONEYVAL\(2025\)1](#), adopted in May 2025.

13. [GRETA\(2021\)04](#) published on 29 April 2021.

14. [ACFC/OP/IV\(2020\)001](#) Final adopted on 26 May 2020, and [ACFC/OP/V\(2024\)2](#) adopted on 29 May 2024, and the Government's comments received on 4 October 2024, [GVT/COM/V\(2024\)003](#).

15. [GVT/Com/IV\(2020\)002](#) received on 7 October 2020.

16. [CM/ResCMN \(2021\)1](#) adopted on 13 January 2021.

17. [ACFC/SR/V\(2021\)008](#).

18. ECRI report on Bulgaria published on 4 October 2022 and [ECRI Conclusions](#) on the implementation of the recommendations in respect of Bulgaria subject to interim follow-up, adopted on 21 November 2024, [CRI\(2025\)01](#).

19. [CPT/Inf\(2022\) 20](#).

20. [CPT/Inf\(2022\)21](#).

21. [Doc. 15292](#), [Doc. 15355](#), [Doc. 15428](#), [Doc. 15656](#), [Doc. 15774](#) and [Doc. 16077](#).

22. See, in particular the 18th and 17th [Annual reports of the Committee of Ministers of the Council of Europe on the supervision of the execution of judgments and decisions of the European Court of Human Rights](#), and the database [HUDOC-EXEC](#).

23. [COM\(2019\)498 final](#).

successive CVM reports in the present report. In September 2023, the European Union closed the Co-operation and Verification Mechanism for Bulgaria which remains subject to yearly European Commission Rule of Law reports. Before reaching the final conclusion in the present report, we visited, on 12 February 2024, the European Commission Directorate monitoring the rule of law in EU member States (DG-Just) and held an exchange of views with the officials responsible for Bulgaria. In this report, we will also refer to findings included in the European Commission 2025 [Rule of Law Report](#) and its chapter on the situation in Bulgaria.²⁴

13. Moreover, in 2016, five prosecutors from EU member States, aided by the Structural Reform Support Service prepared an independent analysis of the structural and functional model of the Prosecutor's Office and an analysis of its independence. We have acquainted ourselves with the findings of this analysis.

14. We believe that the information gathered from such a variety of sources has enabled us to prepare an objective and well-balanced report, assessing the progress accomplished by Bulgaria with regard to the functioning of democratic institutions, and in particular the extent to which the reforms undertaken by the authorities have addressed the concerns expressed by the Assembly in [Resolution 2296 \(2019\)](#) and whether the reform process is sustainable, irreversible and sufficiently entrenched in Bulgarian politics.

15. This report also takes into account the motion for a resolution on "Political pluralism and democracy undermined in Bulgaria", which was tabled on 15 April 2025 and refers to the Bulgarian parliament's refusal to organise a referendum on the country's accession to the Eurozone, scheduled for 1 January 2026.²⁵

2. Political context

16. The last presidential election took place in November 2021. The winning candidate, Mr Rumen Radev representing the BSP (Socialist Party) received 66.72% of the votes against 31.80% for the candidate of the ruling party (GERB – Citizens for European Development of Bulgaria). Ms Iliana Iotova was the running mate of Mr Radev. The next presidential elections are scheduled for autumn 2026.

17. The period between July 2020 and April 2023 was marked by a political crisis and instability following mass demonstrations. These were triggered by numerous corruption scandals surrounding, *inter alia*, the allocation of EU funds, infrastructure projects and government subsidies. Consecutive parliamentary elections did not lead to stable governments until April 2023.

18. While these contextual factors remain outside the remit of the current monitoring report, it is obvious that they have inevitable impact on the functioning of democratic institutions and on the reform process. In this respect we wish to underscore the progress which has been achieved despite the difficult political situation and repeated elections and to commend the Bulgarian authorities on their commitment to fulfil all obligations linked to the membership of the Council of Europe.

19. Following the April 2023 early parliamentary elections, six political parties and coalitions entered the 240-seat parliament: GERB-SDS won 69 seats (2 more than in October 2022); it was closely followed by PP-DB (a coalition between "We Continue the Change" (PP) founded in May 2021 and Democratic Bulgaria) which won 64 seats (9 less than in the previous parliament). The far right and pro-Russian party Revival obtained 37 seats (10 more); the Movement for Rights and Freedom (MRF (DPS) representing minorities) 36 seats, BSP (Bulgarian Socialist Party) 23 seats and ITN ("There is such a People") 11 seats.

20. On 6 June 2023, Bulgaria's Parliament approved a coalition of the two biggest political groups – the GERB and PP-DB. According to the coalition agreement, Mr Nikolay Denkov from the PP-DB was to serve as Prime Minister for the first nine months and then the position was to be taken over by Ms Mariya Gabriel from GERB who until then was to be Deputy Prime Minister and Foreign Affairs Minister.

21. The coalition government agreed on a pro-European Union agenda including top priorities: membership in the Schengen area and the European Monetary Union. It was determined to fight the Russian Federation influence in Bulgaria's security sector, to reform the judiciary and to fight with high-level corruption.

24. European Commission, 2025 Rule of Law Report. Country Chapter on the rule of law situation in Bulgaria, [SWD\(2025\)902 final](#), 8 July 2025.

25. [Doc. 16161](#), tabled by Mr Clement Shopov (Bulgaria, NR) and other members of the Assembly. On 23 June 2025, the Assembly decided that this motion for a resolution should be taken into account in the preparation of this report.

22. On 5 March 2024, Prime Minister Denkov resigned in line with the rotation agreement. However, the planned government rotation and formation of a new administration failed, and, despite numerous rounds of negotiations, no workable government emerged. On 9 April 2024, new elections were announced for 9 June 2024, on the same date as the European Parliament elections.

23. The early parliamentary elections of 9 June 2024 were marked by unprecedented political disengagement, with voter turnout hitting a historic low of 34.41%. GERB-SDS secured 68 seats, (MRF (DPS)) – 47, the PP-DB coalition – 39, Revival – 38, BSP – 19, ITN – 16 and “Velichie” (nationalist party) – 13.²⁶ These results caused further political deadlock, political fragmentation and instability. Despite multiple rounds of negotiations, no stable coalition could be formed, and new early parliamentary elections were called for 27 October 2024.

24. It was the seventh parliamentary vote in just over three years, on top of European elections and two rounds of presidential elections. The turnout was at 38,94%. Eight political parties passed the electoral threshold. Out of 240 seats in the parliament, GERB-SDS got 69 seats (+1 as compared to the June 2024 elections); PP – 37 seats (-2); Revival – 35; MRF- New Beginning– 30; BSP – 20, ARF (Alliance for Rights and Freedoms) – 19, ITN – 18 and MECh (a new party) – 12.²⁷ The results confirmed a continuation of Bulgaria’s fragmented political landscape and there was no major change in the distribution of seats.²⁸ Some smaller parties disputed the results of the election, alleging ballot-rigging.

25. The Assembly election observation missions commended the good organisation of both parliamentary elections but expressed concern at the continuing lack of breakthrough in the political impasse, illustrating recurrent political crises. They were also ‘deeply concerned’ about persistent allegations of vote-buying and controlled voting, despite some positive steps taken by the authorities such as the implementation of a hotline by the Ministry of Interior.²⁹

26. Following the election of 27 October 2024, after eleven voting rounds, Ms Natalia Kiselova (BSP-OL) was elected as Speaker of the National Assembly on 6 December 2024.

27. In January 2025, GERB-SDS formed a minority government in coalition with BSP and ITN with the support of ARF, with Mr Rosen Dimitrov Zhelyazkov (from GERB) as Prime Minister. The three coalition parties together have 107 seats (120 are needed for a majority) and ARF – 19.

28. Bulgaria’s accession to the Eurozone is an issue which unites the majority of parliamentary groups around the ruling coalition, although there are also groups and individuals that are strongly critical of this decision and protests against it were organised in Sofia and other big cities. In May 2025, President Ramev’s proposal to hold a referendum on the adoption of the euro was rejected by the Speaker of the Parliament as unconstitutional and a similar proposal made by Revival MPs was outvoted by the parliament. During our visit to Sofia in July 2025, we discussed these issues with representatives of government and members of parliament. The representatives of Revival complained that, on 7 July 2025, the parliament had rejected a petition signed by over 604 000 citizens calling for a referendum on postponing accession to Eurozone until 2043, although the law imposes an obligation to organise a referendum where the number of collected signatures exceeds 400 000. They stated that the country was not ready to join the Eurozone, and that the adoption of the Euro would increase poverty in the population. The authorities and representatives of the ruling coalition stressed that Bulgaria was committed to join the Eurozone on 1 January 2026, according to its international obligations and that, in June 2025, the European Commission and the European Central Bank had issued their convergence reports, which confirmed the country’s readiness to join the Eurozone. On 7 and 8 July 2025, the European Parliament and the EU Council respectively gave their green light to start this process.

26. [Doc. 16077](#), paras 60 and 61.

27. *Ibid.*

28. According to the [National Assembly’s website](#), the current distribution of seats in the parliament (as of 17 July 2025) is the following: GERB-SDS – 66, PP-DB – 36, Revival – 33, MRF-New Beginning – 29, BSP-United Left – 19, ITN – 17, ARF – 15 and Greatness (Velichie) – 10.

29. [Doc. 16077](#), “Observation of the early parliamentary elections in Bulgaria (9 June and 27 October 2024)”, 26 November 2024, paragraph 89.

3. Outstanding areas of concern identified in [Resolution 2296 \(2019\)](#)

3.1. Reform of the judiciary

3.1.1. Previous attempts to reform the judiciary and the constitutional amendments of December 2023

29. The judicial system in Bulgaria underwent major reform carried out by the then government in 2014, endorsed by the parliament in 2015 and followed by further legislative process in 2015-2017. The changes introduced in that period have contributed to undeniable progress in the field of the judiciary and addressed many concerns expressed by national stakeholders and the international community including the Assembly.³⁰ However, in its 2017 opinion on the Judicial System Act,³¹ the Venice Commission raised a number of concerns which had not been addressed, in particular concerning the composition of the Supreme Judicial Council (SJC), the prosecutors' excessive powers, their involvement in judges' governance and the insufficient accountability of the Prosecutor General.

30. The 2015-2017 reform created two separate chambers within the SJC (one for judges composed of 14 members and one for prosecutors/investigators composed of 11 members). While the Plenary SJC was stripped of most of its powers regarding the appointment, disciplining and removal of judges and prosecutors (these powers went to the two chambers), it retained nomination and dismissal powers vis-à-vis the two Chief Justices (the President of the Supreme Court of Cassation and the President of the Supreme Administrative Court) and the Prosecutor General, as well as the power to remove elected judicial members, and some regulatory powers.

31. The Prosecutor General retained an increased influence within the Prosecutorial Chamber of the SJC and remained the hierarchical superior of the prosecutorial members as well as lay members who have a prosecutorial background. Overall, it was a source of serious concern that the prosecutors, and the Prosecutor General in particular, were significantly involved in the governance of judges, *inter alia*, with regard to certain non-disciplinary matters.

32. The Bulgarian authorities made several attempts to remedy these subsisting shortcomings in the organisation and the operation of the SJC by elaborating amendments in 2019 and 2020. It is worth noting that they had requested opinions from the Venice Commission on both occasions which demonstrated their will to co-operate.³² However, due to political instability and repetitive parliamentary elections, these amendments were dropped.

33. Following its formation in May 2023, the then government launched a constitutional reform aimed at addressing the main concerns raised by the Venice Commission in its 2017 opinion³³ and the Assembly with regard to the system of governance of the judiciary and of the prosecution service.

34. The constitutional amendments were adopted by the National Assembly on 20 December 2023 by a prevailing majority of 165 votes in favour, 71 votes against and 1 abstention.

35. The composition, method of appointment and functioning of the SJC, as well as the role played by the Prosecutor General in this body, were crucial issues of the constitutional reform (Chapter VI of the Constitution).

36. The constitutional amendments abolished the plenary of the SJC and created two independent Councils, one for judges and one for prosecutors and investigating magistrates. The abolition of the plenary SJC addressed the concern that the prosecutors, and the Prosecutor General in particular, were excessively involved in the governance of judges. Moreover, the reform also limited certain powers of the President of the Republic regarding the appointment of interim governments.

37. The constitutional amendments constituted, overall, a step in the right direction and were assessed rather positively by the Venice Commission,³⁴ as they addressed many earlier concerns with regard to the Bulgarian judiciary (although not all of them). Nevertheless, their adoption procedure raised some concerns. The draft amendments were introduced on 28 July 2023 by 166 MPs (out of 240) on the basis of the

30. [Resolution 1915 \(2013\)](#).

31. [CDL-AD\(2017\)018](#).

32. [CDL-AD\(2019\)031](#) (Opinion on draft amendments to the Criminal Procedure Code and the Judicial System Act, concerning criminal investigations against top magistrates) and [CDL-AD\(2020\)035](#) (Urgent Interim Opinion on the draft new Constitution).

33. [CDL-AD\(2017\)018](#), op. cit.

34. [CDL-AD\(2023\)039](#) (Opinion on the draft amendments to the Constitution).

agreement between the political forces within the National Assembly³⁵ and made public. The vote on the first reading of the amendments took place on 8 December 2023, the second reading on 19 December and the third reading on 20 December 2023. It appeared that the political agreement for a constitutional change came as a surprise not only to the general public but also to some stakeholders³⁶ and that the Venice Commission's procedural recommendations had not been followed.³⁷ Since, according to some constitutional experts, the proposed changes required the convocation of the Grand National Assembly (Article 153 of the Constitution),³⁸ the case had been referred to the Constitutional Court.

38. In its judgment of 26 July 2024 (No. 13), the Constitutional Court declared unconstitutional several of the constitutional amendments. It ruled that several provisions of the constitutional reform were essential for the organisation of the State, and thus their adoption required a Grand National Assembly and not an ordinary parliament. Therefore, the provisions related to the division of the SJC into two separate Councils, changes in the mandate and powers of the Prosecutor General, the election of members of independent bodies by a qualified majority of two thirds, and restrictions on inspectors holding positions after their mandate expired were declared unconstitutional. Other provisions were struck down due to their drafting quality, lack of clarity and purpose. While some of the provisions were declared compatible in themselves with the Constitution, the Constitutional Court struck them down as part of the larger reform being declared unconstitutional.³⁹ The Constitutional Court confirmed the constitutionality of the provisions that expand the right to appeal to the Constitutional Court, including by the Ombudsman and other institutions, and limit the President's power in appointing a caretaker government. Thus, following the Constitutional Court's judgment almost 90% of the new constitutional amendments were repealed. Consequently, the draft new Judicial System Act of March 2024, which was meant to implement constitutional amendments, was not further pursued in parliament despite some provisions not being affected by the constitutional amendments.⁴⁰ During our visit to Sofia in July 2025, the authorities indicated to us that some of the issues at stake could now be addressed through ordinary legislation. Some of our interlocutors also emphasised that legal professionals, such as judges and prosecutors, had not been properly consulted about the constitutional reform.

3.1.2. Reform of the Supreme Judicial Council

39. According to the December 2023 constitutional amendments, the new Supreme Judicial Council was to be composed of 15 members including the President of the Supreme Court of Cassation who would chair it, the President of the Supreme Administrative Court as well as 8 judges elected by their peers and 5 practicing lawyers with 15 years of experience elected by the National Assembly by a two-thirds majority. This composition would have complied with the Recommendation [CM/Rec\(2010\)12](#) of the Committee of Ministers, which states that "not less than half the members of such councils should be judges chosen by their peers from all levels of the judiciary and with the respect of pluralism inside the judiciary."

40. As a result of the Constitutional Court's judgment of 26 July 2024, the relevant constitutional provisions in their wording before December 2023 are back in force, which appears to be a set-back.⁴¹ Therefore, according to the legislation in force, the SJC shall be composed of eleven members elected by the National Assembly by a two-thirds majority of the national representatives, eleven members elected by the bodies of the judiciary and three ex-officio members (the Presidents of the Supreme Court of Cassation and of the Supreme Administrative Court and the Prosecutor General). The Judicial Chamber of the SJC is composed of six judges elected by judges, six members elected by parliament and the presidents of the Supreme Court of Cassation and the Supreme Administrative Court. Their term of office is of five years (not immediately renewable).

35. The amendments were signed by the MPs from the following parliamentary groups: PP-DB, GERB-SDS and the MRF (DPS).

36. In his comments to the previous preliminary draft report, the representative of the opposition in the Bulgarian delegation to the Assembly, Mr Ivan Ivanov (SOC) had indicated the reasons for the rejection of the constitutional amendments by the BSP. In particular, he referred to the risk of politicisation of the Prosecutor General and the prosecution service. He complained about the lack of a wide public debate and consensus in society, and, more generally, about the hastiness of the procedure for adoption.

37. The Venice Commission has always underlined that constitutional amendments should be based on a broad consensus among the political forces and within society. It also pointed out, as regards the legislative process, that an impact assessment should be done before the adoption of the legislation; see [CDL-AD\(2023\)039](#), op. cit., para. 116.

38. According to Article 157 of the [Bulgarian Constitution](#), "A Grand National Assembly shall consist of 400 members elected according to the election law in force".

39. [SWD\(2025\)902 final](#), op. cit., p. 4.

40. Idem.

41. See the description of the state of execution of the case [Miroslava Todorova v. Bulgaria](#) in HUDOC-EXEC (as of 21 July 2025).

41. It should be pointed out that the December 2023 constitutional amendment providing for a new SJC to be composed of a majority of judicial members elected by their peers, was not problematic in itself, but had to be invalidated because of its close link with the unconstitutional amendments. In this context, the Constitutional Court clarified that increasing the number of judges elected by their peers in the new SJC contributed to the institutional and functional judicial independence.⁴²

42. Moreover, another issue of concern is related to the fact that the terms of office of all elected members of the SJC (22 out of 25) expired in 2022. The SJC continues its work but with a reduced number of members elected by judges (only four). In January 2025, the parliament adopted amendments to the Judiciary Act, which provide, *inter alia*, that within six months (until 21 July 2025), the parliament and the judiciary have to open procedures for electing new members of the SJC.⁴³ In July 2025, the Plenary of the SJC adopted the Rules for conducting elections of members of the SJC by judges, prosecutors and investigating magistrates. The SJC members, whose terms of office have expired, cannot participate in electing or dismissing the presidents of the two supreme courts and the Prosecutor General. This is now problematic as the positions of President of the Supreme Administrative Court and Prosecutor General are still vacant. During our July 2025 visit to Sofia, members of the SJC explained to us that a competition for the post of President of Supreme Administrative Court had been cancelled in 2024 due to lack of candidates and that a competition for the post of Prosecutor General was underway.⁴⁴

43. In May 2025, following a ruling of the Court of Justice of the European Union (CJEU) of 30 April 2025 (see below), the SJC discussed whether and how it could continue exercising its competences when the terms of office of its elected members had expired.

44. The reform of the SJC has been followed by the Committee of Ministers in the context of the execution of the judgment *Miroslava Todorova v. Bulgaria*.⁴⁵ In this case, the European Court of Human Rights found that disciplinary proceedings instituted against the applicant judge before the SJC because of the criticism she had publicly expressed towards this institution and the executive amounted to an interference with the exercise of her right to freedom of expression (violation of Article 10 of the European Convention on Human Rights (ETS No. 5, hereinafter “the Convention”). Moreover, the Court also considered that the predominant purpose of the disciplinary proceedings and sanctions had been to penalise and intimidate the applicant (violation of Article 18 taken together with Article 10 of the Convention). The Committee of Ministers is also examining the execution of a judgment of the European Court of Human Rights concerning a judge’s suspension from his duties following a SJC’s decision (*Pengezov v. Bulgaria*).⁴⁶

3.1.3. The SJC Inspectorate of the Judiciary

45. Another concern relates to the Inspectorate of the Judiciary, a subsidiary organ of the SJC, to be composed of the Inspector General and ten inspectors elected by the National Assembly by a two-thirds majority of its members for a term of five years renewable once. The Inspectorate existed before the recent reform and by an amendment in 2016 it received stronger powers in areas such as integrity, verification of declarations of interest and of private assets of magistrates as well as examination of cases where integrity of magistrates had been put into question. On the same occasion, the Inspectorate’s role was also strengthened with regard to disciplinary proceedings. As a result, the current Inspectorate is competent to examine virtually every aspect of the activities of courts, prosecution offices, individual judges and prosecutors including internal organisation and working arrangements, consistency of the jurisprudence, financial situation of magistrates, their assets, their behaviour in the private sphere etc.

46. In its 2017 Opinion on the Judicial System Act⁴⁷ adopted as a follow-up to a request in 2016 by the Monitoring Committee, the Venice Commission expressed the view that the increased powers of the Inspectorate might represent a danger for the independence of the judiciary. Even if the formal decision-making power remains with the SJC, entrusting the Inspectorate with so many new functions, which often overlap with the functions of the SJC, may result in shifting the real power from the SJC to the Inspectorate. The Venice Commission recommended distinguishing more clearly between functions of the Inspectorate and

42. *Idem*.

43. *Idem*.

44. According to Article 129 of the Constitution, the President of the Supreme Court of Cassation, the President of the Supreme Administrative Court and the Prosecutor General are appointed and released of their duties by the President of the Republic of Bulgaria upon a proposal by the Plenary of the SJC for a term of seven years and shall not be eligible for a second term in office. The President cannot deny an appointment or release upon a repeated proposal.

45. Application No. 40072/13, judgment of 19 October 2021.

46. Application No. 66292/14, judgment of 10 October 2023.

47. CDL-AD(2017)018, see paras 57, 66 and 112.

functions of the SJC (in particular between inspections and appraisals). In its comments, the delegation states that the 2016 legislative amendments did not lead to a duplication of functions between the SJC and the Inspectorate. Instead, they complemented them by providing objective information and analyses to support informed decision-making.

47. The Venice Commission also stressed the importance of the procedure for the nomination of the Inspector General and 10 inspectors which would minimise the risk of political attachment that would compromise the independence of the judiciary. According to the Venice Commission, the SJC should have the power to nominate candidates to the position of Inspectors and remove them in cases of serious breaches.

48. Regrettably, the Venice Commission recommendations reiterated by Assembly Resolution 2296 (2019) and the European Commission have not been addressed so far. The draft new Judicial System Act of March 2024, which was positively assessed by the Committee of Ministers in the context of the execution of the Court's judgment *Miroslava Todorova v. Bulgaria*, was no longer pursued following the Constitutional Court judgment declaring most of the reform unconstitutional.⁴⁸ New draft amendments to the Judicial System Act were published for a public consultation on 19 December 2024. They provided, among others, that at least half of the inspectors of the SJC Inspectorate should be appointed among candidates proposed by the plenary meeting of the two supreme courts or by the prosecutors and investigators from the highest bodies of the Prosecutor's Office.⁴⁹ Although they had been positively assessed by the Committee of Ministers,⁵⁰ it seems that they have not been pursued further by the new government appointed in January 2025.⁵¹

49. In its comments, the delegation does not agree with the Venice Commission's position on the risk of political involvement. It stresses that the procedure for nominating the Inspector General and the inspectors is subject to public and parliamentary scrutiny, and includes requirements of professionalism, experience and ethical reputation. It emphasises that, the Inspectorate does not have the power to review or overturn judicial acts and that it is constitutionally and legally guaranteed that its functions are limited to checking administrative activity and ethical standards, without interfering in the essence of the administration of justice. According to the authorities, this eliminates the risk of influencing the independence of the courts. Decision making remains in the hands of the SJC. Even with expanded functions, the Inspectorate does not make final decisions but only provides opinions and reports.

50. In the context of a preliminary ruling request, the CJEU ruled that the principle of judicial independence precludes a practice in which a judicial body, such as the Inspectorate of the Judiciary, works beyond the expiry of its mandate without an express legal basis for this, and without this extension of mandate being limited in time.⁵² Consequently, the Inspectorate of the Judiciary declared that from now on it would abstain from initiating any disciplinary proceedings against judges.⁵³

3.1.4. Reform of the prosecution services

51. Under the system introduced in 2015-2017, the issue of the role of prosecutors in the judicial governance was closely related to the more general question of the overall position of the Prosecutor General within the Bulgarian judicial system. In particular, the lack of an effective mechanism for the accountability and criminal liability of the Prosecutor General and his/her deputies as well as of a judicial review of prosecutorial decisions not to open an investigation have been long-standing issues. These issues have been examined by the Committee of Ministers in the context of the execution of a group of judgments of the European Court of Human Rights (*S.Z./Kolevi v. Bulgaria*⁵⁴) and by the Council of Europe in general.

48. [Miroslava Todorova v. Bulgaria](#), op. cit.

49. Idem.

50. 1531st DH meeting (10-12 June 2015), para. 4 of the decision taken concerning the case of *Miroslava Todorova v. Bulgaria*, ibid.

51. According to European Commission's 2025 Rule of Law Report, [SWD\(2025\)902 final](#), op. cit.

52. CJEU, judgment of 30 April 2025, *Inspektorat kam Visshia sadeben savet*, joined cases C-313/23, C-316/23 and C-332/23, EU:C:2025:303.

53. [Miroslava Todorova v. Bulgaria](#), op. cit.

54. Application no. 29263/12, judgment of 3 June 2015, and application No. 29263/12, judgment of 5 November 2009.

The group S.Z. concerns ineffective investigations into rape, false imprisonment and incitement to prostitution and allegations of sexual abuse in a social care home (procedural violations of Articles 3 or 8 of the Convention). In the S.Z. case, the Court found a "systemic problem" of ineffectiveness of criminal investigations in Bulgaria. The *Kolevi* case relates primarily to the ineffectiveness of the investigation into the murder of the first applicant (a high-

52. In a very important positive development, on 26 May 2023, the National Assembly adopted a Law amending and supplementing the Criminal Procedure Code; it established a mechanism for the accountability and criminal liability of the Prosecutor General and his/her deputies. The Law also stipulates that prosecutors' decisions not to open investigations into certain categories of criminal offences can be subject to judicial review by administrative courts. The new law addresses long-standing concerns expressed by the European Court of Human Rights, the Venice Commission and the Assembly and was welcomed by the Committee of Ministers in the context of the execution of *S.Z./Kolevi v. Bulgaria* group of cases.⁵⁵

53. In a (second) ruling on 26 July 2024 (No. 14), the Constitutional Court confirmed the constitutionality of the legislative amendments of May 2023.

54. As regards the newly established mechanism for independent investigation concerning a (Deputy) Prosecutor General, it relies on the selection of a judge at random, from the list of experienced judges, to serve as *ad hoc* prosecutor in an investigation concerning a prosecutor general or his or her deputies.⁵⁶ On 18 October 2023, Ms Daniela Taleva was appointed as *ad hoc* prosecutor in the Supreme Court of Cassation Prosecutor's Office and she took office on 7 December 2023. In December 2023, the Committee of Ministers welcomed her appointment, requested clarifications on the functioning of the new mechanism and reiterated its support for the proposal to create a constitutional basis for it.⁵⁷ However, there are still many concerns as regards the independence and the effectiveness of the *ad hoc* prosecutor. In particular, the Bulgarian Helsinki Committee complained about the refusal to open an investigation concerning property transactions of the family of the Prosecutor General *ad interim* and the lack of effective investigation into the "Eight Dwarfs" events (concerning allegations of undue influence on judicial proceedings by some lawyers and other private persons).⁵⁸ In its comments, the delegation has indicated that, in accordance with the Minister of Interior's order, officers from the General Directorate Combating Organised Crime had been assigned to conduct inspections based on the Judicial System Act, when investigations were carried out involving the Prosecutor General and their deputies.

55. Another issue of concern relates to the excessive powers of the prosecution, which is in charge of the "general supervision of legality". This vaguely defined competence gave to the prosecutors coercive powers in administrative cases including private disputes. In consequence, prosecutors could intervene in the name of the State, conduct checks and issue binding orders. This has been identified as a concern in previous opinions of the Venice Commission.

56. According to the December 2023 constitutional amendments (through the inclusion of two new paragraphs in Article 127 of the Constitution), the Prosecutor's Office will no longer have the power of "general supervision of legality" instead retaining only limited and transparent functions (such as methodological instructions), which are subject to judicial review. It shall monitor compliance with the law by challenging allegedly unlawful acts before the courts in cases provided for by the law or where, in addition to the cases on criminal offences, it also participates – in instances provided for by law – in other cases, defending significant public interest or persons who need special protection. In its first ruling of 26 July 2024 (No. 13, declaring the unconstitutionality of the majority of constitutional amendments), the Constitutional Court confirmed the constitutionality of these amendments. Therefore, this part of the constitutional reform remains valid.

57. Unfortunately, other constitutional amendments aimed at introducing a thorough transformation of the prosecution service have been invalidated by the Constitutional Court. As mentioned above, the latter declared unconstitutional the provisions:

- providing for separate Supreme Prosecutorial Council (SPC);⁵⁹

ranking prosecutor) committed in 2002, owing to the lack of guarantees in Bulgarian law for the independence of criminal investigations concerning the Prosecutor General (who was suspected by the relatives of the first applicant to be implicated in the murder) and "high-ranking officials close to him" (procedural violation of Article 2 of the Convention).

55. See, in particular, its decision taken at the DH meeting on 21 September 2023, CM/Del/Dec(2023)1475/H46-12.

56. For more information, see the description of the state of execution of the *S.Z. group of cases* in HUDOC-EXEC (as of 21 July 2025).

57. See, its decision taken at the DH meeting on 7 December 2023, CM/Del/Dec(2023)1483/H46-10.

58. See the description of the state of execution of the *S.Z. group of cases*, op. cit.

59. The SPC was to be composed of ten members including the Prosecutor General, two prosecutors elected directly by their peers, one member elected directly by investigators and six members elected by the National Assembly by a two-thirds majority. The public quota in the composition of the SPC would have increased as compared to the one under the previous law. Candidates for Prosecutor General might be presented by three members of the SPC and by the Minister of Justice. The President should not veto any appointment or dismissal following the re-offering of the proposal.

- requiring the parliament to elect its quota of members of the two Councils from judicial professionals who were not prosecutors or investigating magistrates;
- stipulating that the Prosecutor General would be appointed for a term of five years (instead of seven) and that (s)he would not exercise legality supervision over the acts of all prosecutors;⁶⁰
- stipulating that a (Deputy) Prosecutor General shall be investigated and prosecuted by a prosecutor who, until the time of his appointment as ad hoc prosecutor, had been a judge in the criminal division of the Supreme Court of Cassation or in the criminal divisions of the appeal courts or regional courts.⁶¹

58. The Constitutional Court also considered that the following provisions fell outside the powers of an ordinary parliament:

- the modification of the mandates of the Prosecutor General and the elected members of the new SJC and SPC;
- the abolition of the legality supervision of the Prosecutor General over all other prosecutors;
- the rules on the composition of the SPC, found to upset the balance between the judiciary and the legislature, because of the high number of members of the SPC elected by parliament, taking into account the prohibition on including prosecutors and investigating magistrates in its composition.⁶²

59. Therefore, according to the legal provisions currently in force, the Prosecutor General is appointed for a non-renewable term of seven years following a selection procedure and nomination by the SJC which is then confirmed by the President of the Republic. Candidates can be presented on the initiative of members of the prosecutorial chamber of the SJC or by the Minister of Justice. The Prosecutors' College of the SJC consists of 11 members. It includes the Prosecutor General, four members elected directly by the prosecutors, one member elected directly by the investigating magistrates and five members elected by the National Assembly.

60. The appointment of the Prosecutor General in October 2019 amply demonstrated the shortcomings of this procedure. The non-governmental judicial and human rights groups questioned the candidate's professionalism, integrity, and independence. As he was the only candidate, the President vetoed his appointment arguing that "nominating a single candidate not only deprives the procedure of competitiveness but also takes away prestige and legitimacy from the future Prosecutor General". The President's veto was overridden by the vote in the SJC and Mr Geshev was confirmed as Prosecutor General. His alleged inaction as Deputy Prosecutor General with regard to high-level corruption and subsequent appointment for the highest post in the prosecution were one of the causes of the mass demonstrations in July 2020. In June 2023, following the May 2023 reform, the heavily criticised Prosecutor General was dismissed, against a background of – a very mediatised – conflict between him and other high-ranking prosecutors. His Deputy Mr Borislav Sarafov (whom we met in Sofia in July 2025) was appointed Prosecutor General ad interim. He has now been in this office for nearly two years. The elections of new Prosecutor General and SJC were postponed due to the expiration of the term of office of the SCJ members (see above).

61. It is regrettable that the constitutional amendments did not enter into force. They would have clarified the Prosecutor General's powers and limited their concentration. They aimed at removing his/her excessive powers over judges in the SJC and reinforcing the independence of the prosecutors in the SPC. They gave a clear prevalence to members elected by parliament, securing very little representation for the prosecutors in the SPC, which was criticised by the Venice Commission.⁶³ During our visit to Sofia in July 2025, we discussed the issue of the constitutional reform with the Prosecutor General ad interim, who explained to us that there had not been any proper consultation in legal circles concerning the reform. He also stressed the need to reform the whole criminal law system, starting by amending the 1968 Criminal Code, which should be updated in order to include new offences. Further legislative changes should concern the Criminal Procedure

60. The constitutional amendments stipulated that the Prosecutor General be appointed for a non-renewable term of five years and dismissed by the President of the Republic following a proposal of the SPC. This complied with the Venice Commission's Opinion which said that renewable terms of office might substantially jeopardise the independence of a post-holder.

61. See the description of the state of execution of the [S.Z. group of cases](#).

62. Idem.

63. [CDL-AD\(2023\)039](#). According to the Venice Commission, such a composition of the SPC went beyond the need to ensure the accountability and the effectiveness of the prosecution service and created a risk of control of this institution by the governing majority. According to the delegation's comment, the 2023 constitutional reform has clearly defined that "the judiciary is independent and its main carrier is the court. The prosecutor's office and the investigate bodies are part of the judicial system. When performing their functions, judges, jurors, prosecutors and investigators are subservient only to the law" (Art. 117, para. 2 of the Constitution).

Code in order to ensure more rapid proceedings and the provisions of the Judicial System Act on magistrates in order to speed up the process of hiring new judges (which currently takes between 4 and 5 years). Moreover, according to the delegation's comments, the constitutional amendments have contributed to greater independence of the prosecutors within the Prosecutors' Chamber, despite the existing parliamentary quota and the risk of politicisation and independent mechanisms guarantee that the prosecution is guided solely by the law. The explicit limitation of powers, the judicial control over the methodological instructions of the Prosecutor General through the Supreme Administrative Court, and functional anti-political instruments prevent the Prosecutor's College from turning into a political body. While there is still room for further strengthening of institutional independence, the constitutional reform represented progress and was in line with the recommendations of the Venice Commission and European standards.

62. In its comments, the delegation has also pointed out that following the 2023 constitutional reform and subsequent legislative amendments to the Judicial System Act, the Prosecutor General submits an annual report to the SJC on the implementation of the law and the activities of the Prosecutor's Office and the investigative bodies, which is then considered by the National Assembly. Additionally, a report on the activities of the Prosecutor's Office in combating corruption crimes is submitted to the National Assembly.⁶⁴

3.1.5. Other issues of concern

63. In its 2023 Opinion,⁶⁵ the Venice Commission pointed out that some outstanding concerns have not been properly addressed in the recent judicial reform. In particular, a five-year probationary period for judges has been retained despite calls on the authorities to change it, including in Resolution 2296 (2019). According to the Venice Commission and GRECO, probationary periods for judges undermine their independence. It should be noted however that, according to the current law, the acquisition of tenure is decided by the SJC. This provides some safeguard against arbitrary or politically motivated terminations of the probationary period. During our visit to Sofia in July 2025, we raised this issue with our interlocutors. The Prosecutor General ad interim stated that, although the probationary period was indeed long, the acquisition of tenure was usually a purely formalistic process. According to the delegation's comments, in recent years, additional transparency and accountability measures have been adopted, including a public report submitted to the Parliament under Article 30 of the Judicial System Act, which helps to mitigate any potential negative impact of the acquisition of tenure process.

64. It should be noted that the level of perceived judicial independence in Bulgaria continues to be very low despite recent improvements. Overall, in 2023, according to the EU Justice Scoreboard, only 30% of the general population and 33% of companies perceived the level of independence of courts and judges to be "fairly or very good". In 2024, these figures were respectively at 24% and 25% and in 2025 at 27%. In 2016, the first figure was higher; it decreased, however, in 2021 and 2022 (32% and 31% respectively).⁶⁶

65. In conclusion, despite the authorities' good intentions, many of the outstanding issues concerning the judiciary have not yet been addressed. It is regrettable that major reforms, such as those concerning the composition of the Supreme Judicial Council and the powers of the Prosecutor General, have also been halted as a result of the Constitutional Court's 26 July 2024 ruling. Furthermore, the broad and vaguely defined remit of the Inspectorate of the Judiciary, and the risk of its politicisation, are matters of concern. We hope that the authorities will continue to reform the judiciary and address all of these issues through ordinary legislation or constitutional amendments adopted by the Grand National Assembly.

3.2. Preventing and fighting corruption

66. With regard to the high-level corruption, we note with satisfaction that the Bulgarian authorities have undertaken a number of important measures aimed at increasing efficiency of the prevention of and fight against corruption. The previous (which was formed in April 2023) and the current governments declared the fight against corruption to be one of their top priorities. The updated National Strategy for Preventing and Countering Corruption 2021-2027 and its associated Road Map are being implemented.

64. Article 84, para. 16 of the Constitution and Article 138a, para. 2 and para. 5 of the Judicial System Act.

65. Ibid.

66. [2023 EU Justice Scoreboard](#).

67. The already mentioned law amending and supplementing the Criminal Procedure Code adopted by the National Assembly on 26 May 2023, marked an important progress by establishing an effective mechanism for the accountability and criminal liability of the Prosecutor General and his/her deputies. Therefore, in cases regarding serious and corruption-related crimes, prosecutors' decisions not to open investigations can be subject to judicial review.

68. On 21 September 2023, amendments to the Anti-Corruption Act were adopted by the National Assembly. They mainly aim at safeguarding the political independence and the efficiency of the Anti-Corruption Commission which was established under the previous law in 2019. The amended law provides for the division of the Commission into two separate bodies: Commission for Counteracting Corruption (tasked with corruption prevention, detection and investigation of corruption crimes, identification of conflict of interest, approval and verification of declarations of assets) and Commission for Illegal Assets Forfeiture (tasked with, *inter alia*, securing and confiscating illegally acquired property).

69. In accordance with the amended law, the Commission for Counteracting Corruption will be composed of three members selected from among candidates proposed by the National Assembly or non-profit legal entities for public benefit. Candidates will be considered and selected by a special nominating committee composed of five independent members appointed by the Supreme Court of Cassation, the Supreme Bar Council, the Ministry of Justice, the Ombudsperson, and the Audit Chamber respectively. Selection procedure will include public hearings. So far, the three members of the Commission for Counteracting Corruption, intended to be in place since January 2024, have not been appointed. The draft law on the rules of procedure for the members' selection process was submitted to the National Assembly on 2 July 2025; it foresees that the selected candidates will be appointed by the Parliament by simple majority.⁶⁷

70. The Commission for Counteracting Corruption will have the power to investigate corruption offences allegedly committed by persons holding public positions, but it is not empowered to bring charges before courts. Under the previous law, it did neither have the powers nor tools to carry out investigative activities which was combined with the lack of accountability of the Prosecutor General and of judicial review of his/her decisions on whether or not to bring cases to the court. This resulted in a lack of high-profile cases before the courts.

71. Despite the high number of proceedings for establishing existence of a possible conflict of interest which were initiated since the establishment of the Commission for Counteracting Corruption, before the 2023 amendments to the Anti-Corruption Act, a solid track-record of final convictions in high-level cases of corruption has been totally lacking. During the co-rapporteurs' September 2023 visit to Sofia, the Chairperson ad interim of the Anti-Corruption Commission (before the revision of its structure and powers) confirmed the weaknesses of the former anti-corruption law and expressed conviction that the amendments which at that time were undergoing legislative process, would considerably improve the situation.

72. In another positive development, on 27 January 2023, the National Assembly adopted the Law on the Protection of Whistleblowers or Persons Publicly Disclosing Information about Violations. The new law provides for a comprehensive and streamlined legal framework for reporting and whistle-blowers' protection which complies with democratic standards. On 30 April 2025, the Parliament adopted amendments to this law in order to further align it with the EU Whistleblowers Directive (2019/1937).⁶⁸

73. Amendments to the Law on Public Procurement aimed at increasing transparency were adopted on 5 October 2023.

74. In 2020, the Code of Conduct for State Administration Employees was adopted by the Council of Ministers.⁶⁹ While this is a positive development, it is regrettable that the Code does not cover persons with top executive functions (see GRECO's conclusions below). An ad hoc working group established by the Council of Ministers has just prepared a draft law amending and supplementing the Law on Administration and new Code of Conduct for Persons Holding Public Positions in the Central Executive, which are now subject to public and interinstitutional consultations.

75. In November 2024, the Ministry of Justice set up a working group to prepare legislation on regulating lobbying activities in the context of public decision making. NGOs are actively participating in this work.⁷⁰ There are no specific obligations for the registration of lobbyists or the reporting of contacts between public

67. SWD(2025)902 final, op. cit., p. 11.

68. Ibid, p. 16.

69. Decree No. 57 of 2 April 2020.

70. SWD(2025)902 final, op. cit., pp. 15-16.

officials and lobbyists. On 11 November 2023, the previous government's working group published a Concept Note for the Regulation of Lobbying Activities in the Republic of Bulgaria, which recommended to define lobbying activities in the legislation and to set up a transparency register for lobbyists.⁷¹

76. Similarly, a new legislation aimed at better detection, investigation and prosecution of foreign bribery was adopted by Parliament on 2 June 2025,⁷² following the criticism expressed in the Organisation for Economic Co-operation and Development recommendations (OECD).⁷³

77. Progress has been also acknowledged by GRECO. In its Second Compliance report on Bulgaria assessing the implementation of the recommendations of the Fourth Evaluation Round on the prevention of corruption in respect of members of parliament, judges, and prosecutors (published in January 2020), GRECO concluded that Bulgaria had implemented 16 out of 19 recommendations and that the three remaining recommendations had been partly implemented.⁷⁴ Therefore, the Fourth Round compliance procedure with respect to Bulgaria was terminated. As regards the measures taken concerning parliaments, GRECO welcomed, in particular, the establishment of a procedure to tackle breaches of ethical rules by MPs, with a parliamentary committee having the power to impose sanctions in case of infringements. Moreover, an independent review into the prevention of conflicts of interest and the verification of asset declarations of MPs has been introduced.

78. With regard to judges and prosecutors, additional rules on integrity checks including through regular asset declarations have been established. The principle of random case allocation has been put in place in respect of both judges and prosecutors. The GRECO also welcomed the creation of the Judges' College and the Prosecutors' College within the structure of the SJC.

79. The three partially implemented recommendations concerned the composition of the College of Judges within the SJC (since, as explained above, the number of members of the College of Judges elected by the National Assembly still equals that of judges elected by their peers), the five-year probationary period for judges (see above), and the application of supplementary remuneration for judges, which remains subject to broad discretionary decisions. This means that the risk of undue influence remains.⁷⁵ In December 2024, the codes of ethics for judges and prosecutors were further aligned with the Venice Commission's recommendations.⁷⁶

80. The GRECO Fifth Evaluation Round report on Bulgaria, published in January 2023, evaluated the effectiveness of the framework in place to prevent and combat corruption among persons entrusted with top executive functions (Prime Minister, ministers, secretaries general, chiefs of political cabinets, advisers, experts etc.) and members of the police (civil servants of the Ministry of the Interior with law enforcement functions). It underscored that Bulgaria's criminal justice response to high-profile corruption cases was unsatisfactory and needed to be addressed as a matter of urgency. It formulated 28 recommendations with regard to transparency and oversight of executive activities of government including the introduction of rules on incompatibilities and vetting of persons hired at the discretion of government; the adoption of a comprehensive code of conduct for persons entrusted with top executive functions to be complemented with clear guidance regarding conflicts of interest and other integrity related matters (contacts with third parties, gifts and other benefits, ancillary activities, contracts with State authorities, post-employment restrictions etc.); the establishment of a credible and efficient supervisory mechanism envisaging specific sanctions for violations and tools for their enforcement. GRECO urged for more pro-active and systematic investigations and prosecutions for corruption offences linked to top executive functions, a removal of procedural impediments and effective and proportionate sanctions.⁷⁷ The state of implementation of these 28 recommendations was evaluated by GRECO in November 2024. GRECO concluded that only seven of them had been implemented satisfactorily (concerning integrity of police⁷⁸), eleven recommendations had been partly implemented and ten had not been implemented.⁷⁹ The new laws and regulations are expected to remedy the situation which remains worrying. Over the last years, Bulgaria has been shaken by scandals over

71. European Commission, 2024 Rule of Law Report. Chapter on the rule of law situation in Bulgaria, [SWD\(2024\)802 final](#), 24 July 2024, p. 23.

72. [SWD\(2025\)902 final](#), op. cit., p. 13.

73. OECD (2023) [Implementing the OECD Anti-Bribery Convention in Bulgaria Phase 4 Follow-Up Report: Bulgaria](#), p. 4.

74. [GrecoRC4\(2019\)24](#), op. cit.

75. *Ibid*, para. 46.

76. [SWD\(2025\)902 final](#), op. cit., p. 14.

77. [GRECO/Eval5Rep\(2022\)9](#), para. 3.

78. However, according to GRECO, its operational independence from the Ministry of Interior remains insufficient, there is no dedicated anti-corruption strategy and promotion and recruitment procedures need to be improved.

79. [GrecoRC5\(2024\)14](#), op. cit., para. 139.

allegations of purchases of luxury properties below market prices by prominent politicians and State officials involving corruption, fraud, and tax-evasion (“apartmentgate”). The revelations led to the resignation of a number of high-level politicians including the former Minister of Justice, two deputy ministers, the deputy chairman of GERB (ruling party) and the Head of the Anti-Corruption Commission. However, no charges have been brought before the courts.

81. In March 2022, former top executive officials (notably the former Prime Minister and the then leader of the opposition, the Finance Minister, as well as the Head of the Press Centre of GERB) were detained on suspicion of corruption as part of a police operation. They were all released the following day as no charges were brought by the Prosecutor’s Office.⁸⁰ The administrative court ruled that the arrest warrants were issued illegally.⁸¹

82. A number of Bulgarian political figures were sanctioned in third countries in 2023 in cases related to high-level corruption. On 10 February 2023, the United States and United Kingdom sanctioned several current and former government officials for corruption under their Global Magnitsky Act. Some of them had earlier been subject to investigations or indictments within the Bulgarian judicial system but the proceedings had been halted or dismissed.⁸²

83. The perception of public sector corruption among experts and business executives remains very high. In the 2024 Corruption Perception Index of Transparency International, Bulgaria scored 43 on a scale from 0 (highly corrupt) to 100 (very clean). It ranked 76th among the 180 countries in the index. The [2023 Special Eurobarometer on Corruption](#) shows that 81% of respondents considered corruption widespread in their country (EU average 70%) and 29% of respondents felt personally affected by corruption in their daily lives (EU average 24%).

84. Allegations of endemic corruption were among the underlying reasons for widespread public protests which started on 9 July 2019 in Sofia and other cities and lasted 282 days until the resignation of the Prime Minister was accepted by the National Assembly on 16 April 2021. This was followed by the above-mentioned seven consecutive early elections.

85. One of the difficulties in properly evaluating the situation is the lack of accurate reporting, including disaggregated data on high-level corruption cases. The Prosecutor General’s Office⁸³ and the Supreme Court of Cassation continue to report different streams of data on corruption which makes it difficult to have a clear picture. There is no regular reporting on high-level corruption cases thus making accuracy and reliability of data problematic.⁸⁴ The authorities disagree with this statement. They stressed that the amendments to the Judicial System Act which oblige the Prosecutor General to submit an annual report to the National Assembly on the activities of the Prosecutor General’s Office with regard to corruption cases including detailed information on ongoing and resolved cases and relevant comparable statistics. Thus, on one hand, the Prosecutor General’s annual report covers all prosecution offices in the country, and, on the other hand, the Supreme Court of Cassation’s report only covers the activities of this court and not of the other courts in the country. Additionally, the grounds for preparing both reports differ.

86. The Supreme Court of Cassation has started differentiating between high-level and regular corruption cases since the end of 2022. In 2023, it had tracked six cases related to high-level corruption on which it rendered a decision.⁸⁵ In 2024, it delivered judgments in four corruption cases against high-level officials.⁸⁶ As for the Prosecutor General’s Office, it had reported, in relation to corruption in general, 144 new pre-trial proceedings and 48 indictments forwarded to the court in the first nine months of 2022.⁸⁷ In the first nine months of 2023, it had reported 82 new pre-trial proceedings and 27 indictments.⁸⁸ In May 2024, it reported 70 new pre-trial proceedings, 10 indictments and four sentences in 2024 concerning high-level officials.⁸⁹

80. Idem.

81. Decisions by the Sofia City Administrative Court of 24 August 2022, 1 November and 31 December 2022.

82. [SWD\(2023\)802 final](#), op. cit.

83. In 2014, the Prosecutor General issued an order introducing the *United Catalogue of Corruption Crimes*. According to the authorities, this catalogue aligns with the definitions and concepts of corruption found in international instruments.

84. [SWD\(2023\)802 final](#), op. cit.

85. [SWD\(2024\)802 final](#), op. cit., p. 18.

86. [SWD\(2025\)902 final](#), op. cit., p. 12.

87. Idem.

88. [SWD\(2024\)802 final](#), op. cit., p. 18.

89. [SWD\(2025\)902 final](#), op. cit., p. 12.

87. In July 2025, a new wave of protests erupted in Sofia and other Bulgarian cities, including Varna and Plovdiv. Thousands of people took to the streets to denounce the disproportionate level of politically motivated repression against opposition parties, following the arrest of Varna's mayor, Blagomir Kotsev, a member of "We Continue the Change" accused of corruption. They also called for reforms that would ensure fair trials for all and the investigation of all corruption cases, not just those concerning opposition party representatives. On 22 July, a large protest was organised in Sofia to denounce judicial corruption and to call for the resignation of the Prosecutor General ad interim, whose term of office was recently extended following SCJ's decision.

3.3. The media

88. Bulgaria has considerably improved the status of freedom of expression. In 2024, in their [Press Freedom Index](#), Reporters without Borders ranked Bulgaria 70th out of 180 countries as compared to 111th in 2019. However, according to Reporters without Borders the overall situation is fragile and unstable and the few independent voices in Bulgaria work under constant pressure.

89. We have noted a number of positive measures taken by the authorities with a view to improving the situation. In particular, on 28 July 2023, amendments to the Criminal Code provided for better protection of journalists in cases of alleged defamation and insult of public officials. The alleviation of criminal liability has addressed a long-standing recommendation of the Council of Europe. It should also be acknowledged that in recent years there has been a major improvement in the jurisprudence of national courts with regard to defamation charges brought against journalists in application of Article 10 of the European Convention on Human Rights and the case law of the European Court of Human Rights in this respect.

90. The media market in Bulgaria is diverse but to a great extent dependent on political and economic influences. Having a large number of media outlets does not necessarily result in a more pluralistic media scene. According to the Centre for Media Pluralism and Media Freedom, the overall situation of risks to media pluralism remains challenging with the indicator showing a high risk (76%).⁹⁰

91. Persisting problems include high levels of media concentration and a lack of transparency in media ownership, distribution, and media providers, already highlighted by our predecessors in their report debated in 2019. Unfortunately, there has been no progress in this respect. The general rules in the Bulgarian competition law do not include sector-specific provisions for the media market which the Law on Radio and Television does not regulate either. For example, the legislation does not provide for concentration thresholds in case of media mergers.

92. Consequently, Bulgaria is among the five European countries with the highest concentration of media ownership with a rate amounting to 66%.⁹¹ Horizontal media ownership concentration is estimated to be as high as 96% and cross-media ownership concentration at 88%. The top four major owners in the broadcasting sector have an aggregated market share of 93,35%. The top four major press owners have 79,7%.

93. The problem of the concentration of ownership is further aggravated by insufficient transparency in ownership. The actual level of concentration is impossible to track due to a lack of precise data, which is considered as a risk in itself. Information available on market shares is based solely on partial advertising revenue data. Although there are formal legal provisions for the disclosure of media ownership (Mandatory Deposition of Print and Other Works Act, Radio and Television Act, Commercial Register Act), the present legal requirements are not effectively implemented in practice, in particular as regards online media.

94. In 2020, the Law on Radio and Television was amended, and a Public Register of the Council of Electronic Media was established. The register includes information on the ownership structure and on the actual owners of the suppliers as well as on legal entities and private individuals exercising control over the management of media service providers. In addition, the public register, established by the Ministry of Culture, is based on declarations on ownership and funding received from different sources. Even though envisaged by law, sanctions for not complying with the transparency obligations have never been imposed on media outlets. As a result, not all media declare their ultimate owners and sources of financing. During the co-rapporteurs' September 2023 visit to Sofia, the representatives of civil society complained that in some cases, the actual owners of a given media remain unknown to the public.

90. 2022 Country Report on Bulgaria, Centre for Media Pluralism and Media Freedom.

91. Council of Europe Platform to promote the protection of journalism and safety of journalists, [Media Freedom in Europe 2023 – Partners' report](#), p. 67.

95. There is a need for reliable and accessible media market data including market shares of owners in all media sectors, circulation and distribution figures, data on online media concentration etc., which would allow for precise monitoring and evaluation of media pluralism in Bulgaria.

96. The Expert Working Group on Media Environment and Access to Information set up by the Minister of Justice and the Chair of the SJC on 14 August 2023, has been tasked with the elaboration of proposals on possible measures to improve the functioning of the Register under the responsibility of the Ministry of Culture.⁹²

97. Ownership is frequently used as a tool for advancing political and business interests. While legal safeguards against owner influence over editorial content exist, they appear to be insufficient. There are serious shortcomings in the legal and self-regulatory instruments ensuring editorial independence: there are no mechanisms granting social protection to journalists in case of changes of ownership or editorial line; no regulatory safeguards ensuring that decisions regarding appointments and dismissals of editors-in-chief are not influenced by commercial interests; no measures stipulating that the exercise of the journalistic profession is incompatible with activities in the field of advertising. This facilitates the owners' interference in editorial content. However, the 2023 Media Pluralism Monitor indicator on "Political independence of the media" rated a medium risk of 42% as compared with a high risk (92%) in 2021.

98. One of the biggest problems that affects media pluralism is the non-transparent and unregulated allocation of State advertising to certain media outlets as well as the distribution of EU funds. The high degree of media dependence on income from advertising and a non-transparent distribution of funds to the media are powerful tools for the authorities to influence news reporting.

99. An important measure to remedy this situation constituted the adoption, on 8 October 2023, of the amendments to the Public Procurement Act increasing transparency in the conclusion of contracts for the purchase of programme time or the provision of broadcasts which are awarded to media providers.

100. Other measures have also been taken to improve the implementation of existing legislation notably through the introduction of an additional control mechanism and the publication of a list of advertising contracts.

101. Investigative journalists covering organised crime and high-level corruption are frequently targeted by smear campaigns, strategic lawsuits against public participation (SLAPPs), threats and at times physical assaults, which do not appear to be met with adequate legal and political responses from the authorities. While the legislative framework for the protection of journalists seems to be in place, efficient tools for safeguarding the media from violations of press freedom are lacking. The above-mentioned Expert Working Group was preparing proposals for amendments to the Code of Civil Procedure on the introduction of legal mechanisms to protect journalists and human rights defenders from SLAPPs.⁹³ However, this reform was delayed due to the last parliamentary elections.⁹⁴

102. There are also concerns with regard to legislation on the composition, independence and effectiveness of the Council for Electronic Media (CEM), the national media authority. Following the expiration of the last chairperson's mandate in September 2024 and the organisation of new parliamentary elections, a new chairperson was only appointed on 22 April 2025 for a one-year term. The CEM is constantly at risk of political influence and faces systematic budgetary challenges.⁹⁵

103. Protection of the right to information through more effective implementation of the Access to Public Information Act by State institutions is another issue. While some concerns remain (such as administrative refusals) in terms of access to information functionalities of institutional websites and increasing the number of institutions responding within the statutory deadlines and giving full access to the requested information, positive trends can be noted.

92. According to the information provided by the authorities in the framework of the preparation of the previous version of the report, the working group includes representatives of the Union of Bulgarian Journalists, the Council for Electronic Media, the Supreme Bar Council, the Ombudsperson, the Commission for Journalistic Ethics, the Bulgarian Association of Regional Media, Association of Bulgarian Radio and TV Broadcasters, the Association of European Journalists, Bulgarian National TV and Bulgarian National Radio. It is tasked with reflecting on improving different aspects of the media environment and it works in close co-operation with experts from the European Commission.

93. According to the comments provided by the authorities in reference to the 2024 report.

94. SWD(2025)902 final, p. 20.

95. Ibid, pp. 17-18.

104. Political and corporate interests are preventing the majority of Bulgarian media and journalists to act as a check on power and in the public interest. According to the 2025 Media Pluralism Monitor, which highlights the existence of several party-affiliated audiovisual media in the country, there has been no improvement as regards political and economic influence over the media.⁹⁶

3.4. Human rights of minorities

105. In her last report on Bulgaria published in March 2020, the then Council of Europe Commissioner for Human Rights, Ms Dunja Mijatović, noted with alarm “the rampant intolerance manifested towards minority groups in Bulgaria, affecting especially Roma, Muslims, migrants and asylum seekers, persons identifying as ethnic Macedonians and LGBTI people. The negative attitude towards minorities is often reflected in media coverage which associates minorities with criminality and presents them as creating a danger to the values or interests of the majority population or to national interests”.⁹⁷ According to the Bulgarian delegation’s comments of July 2025, this statement is outdated, as persons belonging to minority groups are represented in the media, academia, law-enforcement authorities, judiciary, State administration and local authorities. Some of them hold public positions, including high-ranking government ones. In their latest reports on Bulgaria respectively of 2022 and 2024, the ECRI⁹⁸ and the Advisory Committee on the Framework Convention for the Protection of National Minorities⁹⁹ noted some positive developments concerning the situation of minorities. Nevertheless, there are still issues which give rise to concern, especially with regard to Roma, ethnic Macedonians and LGBTI people.

106. The situation of the Roma population which constitutes the third largest ethnic group in Bulgaria (almost 4.4 % of population, after the Bulgarians and the Turks¹⁰⁰) remains a concern. Our predecessors referred in their report to cases of mob violence leading to attacks on Roma population and demolition of Roma houses.¹⁰¹

107. There is a *de facto* segregation in education for Roma pupils because the majority of Roma families live in areas inhabited by their communities.¹⁰² The schools attended by Roma children are often sub-standard. Only an estimated 14.4% of Roma have secondary education and just 0.8% have a university degree.¹⁰³ In its 2024 report, the Advisory Committee on the Framework Convention for the Protection of National Minorities called on the authorities to improve access to quality education for Roma children, by setting up a disaggregated data collection system and adopting a comprehensive desegregation policy.¹⁰⁴ The authorities allege that there is no “segregation” of Roma pupils. The fact that in some schools there is a predominance of pupils of Roma origin is due to the family’s place of residence. They point out that, in recent years, Bulgaria has made significant progress in promoting inclusive education by financing projects, including at the municipal level, aimed at expanding access to preschool education for children in vulnerable situations and those living in poverty. The role of education mediators has been crucial in this context. As regards the issue of statistics, the authorities stress that the State does not gather any other information based on racial or ethnic origin of individuals as this presents highly sensitive personal data. The gathering of information based on racial or ethnic origin can be done only in some cases, in accordance with the provisions of the Statistics Act.

108. Long-term mass unemployment among the Roma population is the most serious indicator of their socio-economic exclusion and poverty. Despite the government’s efforts including positive policies and strategies to counter this phenomenon,¹⁰⁵ the employment rate among Roma remains the lowest within the different ethnic groups in Bulgaria.¹⁰⁶ Roma NGOs consider these figures to be underestimated. While the reasons for this inequality are complex, the marginalisation and discrimination of the Roma population

96. Ibid, p. 19.

97. Commissioner for Human Rights of the Council of Europe, CommDH(2020)8, op. cit., para. 6.

98. ECRI report on Bulgaria published on 4 October 2022 and ECRI Conclusions on the implementation of the recommendations in respect of Bulgaria subject to interim follow-up, adopted on 21 November 2024, CRI(2025)01, p. 5.

99. ACFC/OP/V(2024)2, op. cit., para. 1 of the summary findings.

100. According to the Bulgarian delegation’s comments of July 2025.

101. Doc. 14904.

102. ACFC/OP/V(2024)2, op. cit., paras 136 and 140.

103. According to the data from the 2021 Census, provided by the Bulgarian delegation in July 2025.

104. ACFC/OP/V(2024)2, op. cit., para. 141.

105. In their comments of July 2025, the authorities stressed the role of Roma labour mediators and the State budget funds provided for employers to employ Roma persons.

106. Ibid, para. 180. Employment rates for working-age Roma men are 51%, compared to 65% for Turkish males and 76% for ethnic Bulgarian males. For women, the differences are even bigger with employment rates of 31%, 48% and 71% for Roma, Turkish and Bulgarians, respectively.

contribute to reducing the employment opportunities available to them. Due to their lack of employment, a number of Roma do not have health insurance. In its 2024 report, while commending the work of Roma mediators', the Advisory Committee on the Framework Convention for the Protection of National Minorities expressed concerns about the overall healthcare situation of Roma and recognised that it was due mainly to housing and employment issues.¹⁰⁷

109. The material situation of the Roma population is generally very poor. Housing remains a major concern. The lack of social housing is a problem affecting Bulgarian society as a whole but its impact on the Roma population is disproportionate, affecting approximately 200 000 families. Furthermore, many Roma houses are built either illegally or without compliance with sanitary and safety requirements. The majority of Roma in Bulgaria live in severely substandard housing, in situations of *de facto* spatial segregation, with limited access to basic infrastructure (electricity or drinking water), security of tenure or essential services, such as public transport, postal services, emergency medical aid, and waste collection.¹⁰⁸ In case of forced evictions, the conditions of alternative housing also remain inhumane. Moreover, due to the absence of a permanent address, many Roma people do not have identity documents, which impedes their access to a number of rights.¹⁰⁹

110. Concerns linked to the issues of forced evictions and demolitions of Roma settlements have been denounced by different bodies of the Council of Europe, including the Assembly, since Bulgaria's accession. Following the developments in *Voyvodinovo*,¹¹⁰ a number of affected people have lodged a complaint before the European Court of Human Rights.¹¹¹ The Court indicated interim measures in this case and demolition orders have been suspended. On 25 April 2025, the Council of Europe Commissioner for Human Rights, Mr Michael O'Flaherty, wrote a letter to the Bulgarian authorities condemning the demolition of a number of Roma residents' homes in Zaharna Fabrika neighbourhood in the Ilinden district of Sofia, despite an interim measure of the Court on 11 April 2025.¹¹² According to the authorities, the demolished buildings had been built illegally and alternative accommodation had been proposed to all occupants. On 2 July 2025, the Court communicated the case to the Bulgarian authorities.¹¹³

111. The Bulgarian authorities have declared their commitment to the execution of the Court's judgments in the *Yordanova*¹¹⁴ group of cases (concerning eviction or demolition orders) and have engaged in a dialogue with the Committee of Ministers in this respect. The relevant legislative proposals have been prepared by the inter-ministerial working group, and they are at the stage of consultation with all stakeholders including municipalities, regional governors, and the Directorate for National Building Control. However, a draft law that would include the proportionality assessment in cases of eviction, has still not been implemented.¹¹⁵ In 2024, a special roundtable was organised with the participation of representatives of the Department for the Execution of Judgments of the European Court of Human Rights as well as the Bulgarian institutions and Roma organisations. Moreover, the Congress of Local and Regional Authorities of the Council of Europe started a series of thematic meetings with local and national authorities. The most recent visit took place on 3 June 2025 with the participation of the Deputy Minister for Regional Development and Public Works, the Mayor of Sofia and members of the National Association of Municipalities.

112. Meanwhile, on several occasions the Supreme Administrative Court has directly referred to the European Court of Human Rights judgments on the violation of Article 8 of the Convention in relevant domestic cases, thus practically applying the principles and criteria set out in the planned law which is under consultation.

113. At the same time, it has to be acknowledged that the Bulgarian authorities demonstrate political will and make efforts regarding Roma integration. The National Strategy for Equality, Inclusion and Participation of Roma (2021-2030) established objectives in four areas in which the situation of Roma is particularly disadvantageous: education, health, housing, and employment. It is also planned to establish a Council of

107. Ibid, para. 177.

108. Ibid, para. 168.

109. Ibid, para. 63.

110. Doc. 14904.

111. *Silviya Andonova Paketova and Others v. Bulgaria*, Application No. 17808/19, communicated on 5 July 2019.

112. Letter from the Commissioner for Human Rights.

113. *Ilieva and Others v. Bulgaria*, application No. 11201/25.

114. *Yordanova and Others v. Bulgaria*, Application No. 25446/06, judgment of 24 April 2012, and a few similar cases.

115. The Ministry of Justice has worked on it in the framework of the project financed by the Norway Financial Mechanism "Enhancing the national capacity for the effective implementation of the judgments of the European Court of Human Rights".

NGOs monitoring the implementation of the Strategy. This national strategy is implemented through short-term national action plans; two of them have already been adopted, covering the periods 2022-2023 and 2024-2027.

114. In particular, the National Action Plan provided for programmes for inclusive education at municipal level. It also envisaged expanding the network of health mediators. It also led to the adoption, in 2022, of an amendment to the relevant law to guarantee medical care to pregnant women without health insurance. With regard to employment, the action plan provided for increasing the number of labour mediators and the establishment of an electronic register facilitating job searches. In 2022, as many as 26 235 unemployed persons identifying themselves as Roma were included in vocational guidance, training, and employment programmes. Overall, unfortunately, the situation of the Roma population has not much improved since the last report on the post-monitoring dialogue with Bulgaria.¹¹⁶

115. Other problems relate to the presence of a very tiny Macedonian ethnic group (according to 2021 census 1 143 persons, less than 0,5% of the population). They are not recognised by the authorities as a 'national minority' under the Framework Convention for the Protection of National Minorities (ratified by Bulgaria in 1999; hereinafter "Framework Convention"), due to a strict application of the objective criteria set in this convention and despite repeated requests expressed by the group's representatives.¹¹⁷ As a result, Macedonians are not included in programmes concerning minorities, do not receive assistance and have no representatives in consultative bodies, their language, literature and history are not taught, and they are prevented from establishing a party and organisations to defend their rights. These problems are related to Bulgaria's difficult relations with neighbouring North Macedonia over a number of controversial issues with regard to national identity, cultural heritage, language and history, which have at times affected Bulgaria's position on North Macedonia's candidacy for membership in the European Union. However, recognition by the State as a 'national minority' is not a prerequisite to qualify for protection under the Framework Convention, and the Macedonians are very active in lobbying for their rights, while the authorities are very sensitive about this issue.

116. The major concern in this respect remains the execution of the European Court of Human Rights judgments in the group of cases *UMO Ilinden and Others v. Bulgaria*¹¹⁸ regarding violations of Article 11 of the Convention (freedom of association). They concern the unjustified refusals of the Bulgarian courts in 1998-99, 2002-2004, 2010-2013 and 2014-2015 to register associations the aim of which is to achieve "the recognition of the Macedonian minority in Bulgaria." Although more than 18 years have elapsed since the first judgment in this group became final, and despite various measures adopted by the Bulgarian authorities to improve the functioning of the registration mechanism (since 1 January 2018), the above-mentioned associations continue to be routinely refused registration on grounds which appear related to a broader problem of disapproval of their goals.¹¹⁹ In March 2024, the then Minister of Justice decided to create a working group for analysing possible measures to implement these judgments.¹²⁰

117. With regard to the rights of LGBTI people, on 20 February 2023, the Supreme Court of Cassation ruled that transgender people will no longer be eligible to change documents in accordance with their gender identity, as the constitution and legislation "are built on the understanding of the binary existence of the human species", according to the text of the judgment. 28 judges voted in favour, but 21 expressed dissenting opinions. Legal experts stated it was rare to see the Supreme Court so starkly divided on an issue and expected that the plaintiffs would file an application with the European Court of Human Rights.

3.5. Hate speech

118. During the September 2023 visit, the authorities provided the co-rapporteurs with extensive information on measures undertaken to combat hate speech. The relevant legislation contains the main elements prescribed by international standards. In 2020, amendments to the Law on Radio and Television introduced stricter measures against the use of hate speech and incitement to violence, hatred or terrorist acts in the audio-visual media and online platforms and strengthened the powers of the media regulator (the Council for Electronic media) in this respect.

116. [Doc. 14904](#).

117. Macedonians reiterated their long-standing wish to be protected under this convention. But because the authorities do not accept the existence of the objective criteria for them, they are unable to enjoy access to individual minority rights. The authorities point out that the Bulgarian legislation does not contain the term "national minority" and that Bulgaria fulfils its obligations through an individual approach; ACFC/OP/V(2024)2, op. cit., paras 32, 29 and 30.

118. Application No. 59491/00, judgment of 19 January 2006, and a few similar judgments.

119. See [Notes for the 1507th CM-DH meeting \(17-19 September 2024\)](#) in HUDOC-EXEC database.

120. Ibid.

119. The latest amendments to the Criminal Code adopted in July 2023 provide for more severe punishment for hate speech and crimes. The criteria defining hate speech were expanded to include colour, origin and sexual orientation.

120. The Ministry of the Interior is monitoring content posted online with a view to detecting human rights abuses. It also receives alerts from non-governmental organisations and individuals.

121. A number of public awareness measures have been introduced: civic education has been included in all stages of school and pre-school education. Training of law enforcement agents on anti-LGBTI hate crimes has been introduced in co-operation with the LGBTI community. Since 2019, the Ministry of Interior has been working closely with the LGBTI youth organisation "Action" to provide training to police officers from across the country on how to counter homophobic and transphobic hate crimes. To date, over 460 police officers have received this training.

122. The Council of Europe manual "Policing Hate Crime against LGBTI persons: Training for a professional Police Response" has been translated into Bulgarian and disseminated to all police structures. In 2022-2023, the Commission for Protection against Discrimination organised a national campaign to increase public awareness on protection against discrimination and hate speech. The SJC jointly with the Ministry of Education conduct an educational programme on the subject involving more than 15 000 students. In 2023, the question of hate speech was integrated in the curriculum on human rights and protection from discrimination of the Academy of the Ministry of Interior. A number of ad hoc trainings and seminars have been organised for police officers and prosecutors.

123. Despite all these measures, hate speech remains a serious concern in Bulgaria. While it is widespread, it is often under-reported mainly due to a fear of disclosing sexual orientation/identity and/or a lack of confidence in law enforcement agents' efficiency to prosecute the offenders. According to a survey conducted by a Bulgarian NGO in 2019, 73% of LGBTI respondents had experienced hate speech online in the preceding five years. Of these victims, 34% did not report the incidents; 24 % reported them to the relevant social media platforms and only 3% reported cases to the police.¹²¹

124. Hate speech affects mainly Roma, Muslims, migrants and asylum seekers, persons identifying as ethnic Macedonians, as well as LGBTI people. Shifts in targets among these groups often depend on the political agenda of the moment. For example, during the migration crisis, hate speech was mostly directed against migrants, in particular those from Muslim countries. Recently, it has shifted back to Roma and LGBTI people.¹²²

125. Of particular concern is hate speech in political discourse. This is particularly noticeable during electoral campaigns but is present also outside the electoral period and even in the current parliament.¹²³ In June 2023, a member of VRMO (Bulgarian national movement) was fined and prohibited from publishing materials amounting to racism and hate speech against Roma and other ethnic minorities on his website by a decision of Bulgaria's Commission for Protection Against Discrimination. The European Court of Human Rights, in its 2021 judgment in the case of *Budinova and Chaprazov v. Bulgaria*¹²⁴, found that the anti-Roma statements made by a Bulgarian politician constituted a violation of Article 8 (right to private and family life) in conjunction with Article 14 (prohibition of discrimination) of the Convention.

126. According to the authorities, there has been significant improvement in the elimination of hate speech from political discourse over the period of 20 years which has passed since the events in the case *Budinova and Chaprazov*. In few cases of discriminatory public speaking, the domestic courts have followed the case law of the European Court of Human Rights.

3.6. Violence against women

127. It has to be acknowledged that considerable progress has been achieved with regard to the protection of women. In order to address the issue of violence against women, the government adopted a National Strategy for promoting equality between women and men (2021-2030). The accompanying Action Plan contains specific measures aimed at combating domestic violence.

121. ECRI report on Bulgaria (sixth monitoring cycle) adopted on 22 June 2023, op. cit., para. 24

122. Ibid, para. 21.

123. In the latest comments provided by the Bulgarian delegation to the Assembly, representatives of the Movement for Rights and Freedoms – New Beginning, complained about the use of divisive narratives and the spread of misinformation by the political groups Revival, Morality, Unity, Honour (MECh), Greatness (Velichie) and ARF.

124. Application No. 12567/13, judgment of 16 February 2021.

128. In July 2023, the National Assembly adopted amendments to the Criminal Code which provide the definition of an “offence committed in the context of domestic violence” thus enabling victims to benefit from protection at an early stage, namely the first committed act of violence. These amendments also introduced more severe penalties for offences related to domestic violence.

129. In August 2023, following a shocking case of violence against an 18-year-old woman by her ex-boyfriend, which sparked mass outrage in the country, additional amendments to the Law on Protection from Domestic Violence were adopted by the parliamentary majority in an extraordinary session. These amendments expanded the scope of legal protection to individuals who have experienced violence in the context of an intimate relationship outside marriage or cohabitation.

130. Other amendments to the Law on Protection from Domestic Violence provide for quick and effective protection for victims of domestic violence. The amendments increase the scope of protection measures against domestic violence. They facilitate access to justice and optimise court proceedings by, *inter alia*, expanding the jurisdiction for cases of domestic violence. In addition, the amended law provides for the establishment of a National Domestic Violence Information System, a National Council for Prevention and Protection from Domestic Violence and an accompanying mechanism for the co-ordination between the competent authorities, municipalities, and the judiciary. Subsequently, a specialised department was established under the Secretary General for Prevention and Protection from Domestic Violence, Cooperation on Ethnic and Integration Issues and Interaction with Civil Society, within the Administration of the Council of Ministers. The department provides administrative, expert and financial support to the National Council on Cooperation on Ethnic and Integration Issues and is the focal point at government level for prevention and protection from domestic violence.

131. These legislative changes are most welcome as they also address some shortcomings identified by the Court’s judgment delivered in the case *Y and others v. Bulgaria*,¹²⁵ in which it found a violation of Article 2 of the Convention (right to life) due to inefficient protection from domestic violence followed by the death of the victim.

132. According to police statistics, 18 women were killed in the first three months of 2023. Women’s rights activists claim that due to under-reporting and unclear statistics, this figure is underestimated.

133. The authorities have indicated that they had introduced awareness-raising, legislative, organisational and capacity building measures to combat from domestic violence.

134. A new automated information system “Domestic and gender-based violence” has been functioning within the police since January 2025. In December 2023, a mobile application “Help Me” was put in place to encourage the reporting of cases of domestic violence. In 2024, the National Program for Prevention and Protection from Domestic Violence 2024-2026 was adopted to outline the main goals and priority activities for financing institutions in the field of prevention and protection from domestic violence. Over BGN 6.2 million are foreseen in its budget. Most of the funds are allocated for the prevention of aggression at home, including for national information campaigns, conferences, seminars and awareness-raising meetings.

135. Bulgaria signed the Convention on Preventing and Combating Violence against Women and Domestic Violence (CETS No. 210, “Istanbul Convention”) in April 2016. However, the question of its ratification has created a very heated debate in the country. In February 2018, a group of 75 members of the National Assembly (mainly from the Socialist Group) asked the Constitutional Court for a ruling on the conformity of concepts such as “socially constructed roles”, “stereotyped roles” and the term “gender” with the Constitution. In July 2018, the Court declared the Istanbul Convention unconstitutional. In consequence, Bulgaria is not subject to the evaluations by GREVIO, the independent monitoring body attached to the Istanbul Convention.

136. During the September 2023 visit, civil society interlocutors highlighted the insufficient material basis for the protection of women and the lack of funds. They told that there were 24 shelters for victims of domestic violence which was not enough. In some places, allegedly, women without children were not admitted.

137. The authorities refuted these allegations, although they admitted that the lack of sufficient number of shelters was a problem. In their latest comments, they indicated that the municipalities would continue to maintain the existing 31 crisis centres in the country, which could accommodate a total of 348 women and children, victims of domestic violence or trafficking.

125. Application No. 9077/18, judgment of 22 March 2022.

4. Conclusions

138. In March 2024, after having carefully ascertained the progress accomplished by Bulgaria in six areas of concern enumerated in [Resolution 2296 \(2019\)](#), the Monitoring Committee, agreed to propose to the Assembly to close the post-monitoring dialogue with Bulgaria.

139. At the same time, however, it suggested to devote one of its future periodic reviews, within a few years, to the implementation of the reforms with regard to the rule of law, pluralist democracy and human rights as well as their irreversibility and sustainability.

140. Due to new early parliamentary elections in Bulgaria, the Assembly postponed the final approval of the Committee's proposals. Having examined again the situation in the country, we fully support the above two proposals.

141. Nevertheless, we note that, despite the authorities' efforts and good intentions, many outstanding issues remain unaddressed. In particular, the reform of the judiciary and the prosecution services has only been partially implemented and has since been halted as a result of the Constitutional Court's ruling of 26 July 2024. Recommendations from Council of Europe bodies, such as those concerning the composition of the Supreme Judicial Council, the powers of the Prosecutor General, and the remit of the Inspectorate of the Judiciary, still need to be implemented. Furthermore, while the Bulgarian authorities have introduced many significant measures to combat high-level corruption, there is still a lack of a solid track record of final convictions in such cases, and the majority of GRECO's recommendations from the Fifth Evaluation Round on preventing corruption and promoting integrity in central governments and law enforcement authorities remain unimplemented. Furthermore, despite some progress regarding the overall respect for freedom of expression, we are concerned about the concentration and lack of transparency in media ownership. Finally, we remain deeply concerned about the fragile situation of the Roma population, their forced evictions and demolitions of their houses (as illustrated in the Court's judgment in the case of *Yordanova and Others v. Bulgaria*), as well as the non-implementation of the Court's judgments concerning the refusal to register associations of ethnic Macedonians (*UMO Ilinden and Others v. Bulgaria*, among others).

142. Therefore, we propose to close the post-monitoring dialogue with Bulgaria and to come back to the non-resolved issues in a future periodic review.

143. It should be acknowledged that the pace of the legislative reforms was partly the result of international pressure and delays caused by political instability. As mentioned earlier, the evaluation of the progress accomplished by Bulgaria in complying with democratic, rule of law and human rights standards cannot be considered in abstraction from the constraints imposed by repetitive elections. We are fully aware of the difficulties encountered by the Bulgarian authorities and once again we commend them for their commitment and political will to comply with the obligations and commitments they entered into upon accession to the Council of Europe