



Brussels, 16 July 2025  
(OR. en)

11482/25  
ADD 3

FREMP 197  
JAI 1060  
AG 109  
POLGEN 79

## COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	9 July 2025
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	SWD(2025) 902 final
Subject:	COMMISSION STAFF WORKING DOCUMENT 2025 Rule of Law Report Country Chapter on the rule of law situation in Bulgaria Accompanying the document Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions 2025 Rule of Law Report The rule of law situation in the European Union

Delegations will find attached document SWD(2025) 902 final.

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Encl.: SWD(2025) 902 final



EUROPEAN  
COMMISSION

Strasbourg, 8.7.2025  
SWD(2025) 902 final

## **COMMISSION STAFF WORKING DOCUMENT**

### **2025 Rule of Law Report Country Chapter on the rule of law situation in Bulgaria**

#### *Accompanying the document*

**Communication from the Commission to the European Parliament, the Council, the  
European Economic and Social Committee and the Committee of the Regions**

### **2025 Rule of Law Report The rule of law situation in the European Union**

{COM(2025) 900 final} - {SWD(2025) 901 final} - {SWD(2025) 903 final} -  
{SWD(2025) 904 final} - {SWD(2025) 905 final} - {SWD(2025) 906 final} -  
{SWD(2025) 907 final} - {SWD(2025) 908 final} - {SWD(2025) 909 final} -  
{SWD(2025) 910 final} - {SWD(2025) 911 final} - {SWD(2025) 912 final} -  
{SWD(2025) 913 final} - {SWD(2025) 914 final} - {SWD(2025) 915 final} -  
{SWD(2025) 916 final} - {SWD(2025) 917 final} - {SWD(2025) 918 final} -  
{SWD(2025) 919 final} - {SWD(2025) 920 final} - {SWD(2025) 921 final} -  
{SWD(2025) 922 final} - {SWD(2025) 923 final} - {SWD(2025) 924 final} -  
{SWD(2025) 925 final} - {SWD(2025) 926 final} - {SWD(2025) 927 final} -  
{SWD(2025) 928 final} - {SWD(2025) 929 final} - {SWD(2025) 930 final} -  
{SWD(2025) 931 final}

## **ABSTRACT**

Bulgaria has engaged in reform efforts, in dialogue with the Commission, under the Rule of Law cycle and the Recovery and Resilience Plan, and there have been several legislative developments particularly in the past six months. The Constitutional Court of Bulgaria ruled that parts of the comprehensive constitutional amendments, essential for the organisation of the State, had been adopted by a body not competent to do so, and declared most of the reform unconstitutional. As a result, previous concerns that the reform had aimed to address have reemerged. The provisions dismissed include limits on the Prosecutor General's powers, although the mechanism for the effective accountability and criminal liability of the Prosecutor General and deputies was declared constitutional. The effectiveness of this mechanism is constrained by some procedural issues. As for the Supreme Judicial Council, the Constitutional Court dismissed the overall reform but considered that a restructuring would be possible. The long-term secondment of judges and the functioning of the Inspectorate to the Supreme Judicial Council remain a concern. A draft law to extend judicial review for prosecutorial decisions for cases of termination and suspension of investigations for victimless crimes was tabled. The level of perceived judicial independence in Bulgaria continues to be very low. The law on mandatory meeting for judicial mediation has been adopted. New digital tools have been introduced to improve access to justice. Initial data show that courts perform efficiently when dealing with civil and commercial proceedings.

The implementation of the National Anti-corruption Strategy remains limited. Some steps have been taken to implement the reform of the Commission for Counteracting Corruption and Illegal Assets Forfeiture. Cooperation between national authorities competent in the fight against corruption is overall good, but a robust track-record of high-level corruption cases is yet to be established, as convictions remain limited in numbers and data about prosecutions is inconclusive. Work continues to strengthen integrity in the police and judiciary, but important gaps remain in the rules on the integrity of persons with top executive functions. Rules on asset and interest disclosure for public officials are implemented, although enforcement is lacking. Legislation on lobbying transparency is under preparation and further amendments to the whistleblowers legislation has entered into force. Measures to mitigate the high risks of corruption in public procurement are still insufficient.

Concerns regarding the funding and politisation of the media regulator persist. The draft law aimed at strengthening the independence of public service media was not yet adopted, and the appointment of a new Director-General of the Bulgarian national television continues to be delayed. Despite the existence of several registers, the enforcement of media ownership disclosure obligations remains limited. Improvement has been achieved regarding the transparency in the allocation of state advertising. Indications of political and economic influence over the media remain. Access to public information is improving, although still hindered by previously existing obstacles. Journalists are facing increasing challenges in their activities.

The Constitutional Court was called upon to review the election results in several polling stations. Some independent and regulatory authorities continue to operate with an expired mandate and the renewal procedures have been relaunched. The constitutional amendments limiting the powers of the President in the procedure of appointing an interim government is subject to another constitutionality check. The practical implementation of rules for law-making continues to face challenges, and concerns remain regarding the quality of the legislative process. Attempts to reintroduce legislation requiring the registration of organisations receiving foreign funding were again dismissed by Parliament.

## **RECOMMENDATIONS**

Overall, concerning the recommendations in the 2024 Rule of Law Report, Bulgaria has made:

- No further progress on taking steps to adapt the relevant legislative framework to avoid long-term secondment of judges to fill in vacant positions, taking into account European standards on secondment of judges.
- No further progress on advancing with the draft legislative amendments aiming at improving the functioning of the Inspectorate to the Supreme Judicial Council and avoiding the risk of political influence, in particular by involving judicial bodies in the selection of its members.
- No progress, following the ruling that the procedure used was unconstitutional, in taking forward the plans to adopt a mechanism for introducing safeguards in the appointment procedure of the Parliament-elected members of the Supreme Prosecutorial Council, ensuring their independence and taking into account European standards, particularly in view of the Council's role in the appointment and dismissal of the Prosecutor General.
- No progress yet on ensuring an improved effectiveness of investigations and a robust track record of prosecution and final judgments in high-level corruption cases and some further progress on the institutional reforms of the Anti-Corruption Commission.
- Limited progress on improving the integrity of top executive functions, taking into account European standards, in particular by ensuring that clear integrity standards for the Government as well as an appropriate sanctioning mechanism are in place.
- Some further progress on advancing with the work aimed at improving transparency in the allocation of state advertising, in particular with regard to state advertising contracted through intermediaries, such as media agencies.

On this basis, and considering other developments that took place in the period of reference, in addition to recalling the relevant commitments made under the Recovery and Resilience Plan and the relevant country-specific recommendations under the European Semester, it is recommended to Bulgaria to:

- Take steps to adapt the relevant legislative framework to avoid long-term secondment of judges to fill in vacant positions, taking into account European standards on secondment of judges.
- Advance with the draft legislative amendments aiming at improving the functioning of the Inspectorate to the Supreme Judicial Council and avoiding the risk of political influence, in particular by involving judicial bodies in the selection of its members.
- Re-initiate the process to reform the Supreme Judicial Council, in particular its composition, to ensure its independence and effectiveness, taking into account European standards on Councils for the Judiciary.
- Ensure a robust track record of investigations, prosecutions and final judgments in high-level corruption cases and take further steps to ensure the effective performance of the Anti-Corruption Commission.
- Improve the integrity of top executive functions, taking into account European standards, in particular by ensuring that clear integrity standards for the Government as well as an appropriate sanctioning mechanism are in place.

- Complete the work aimed at improving transparency in the allocation of state advertising, in particular with regard to state advertising contracted through intermediaries, such as media agencies.
- Strengthen the quality of the legislative process by ensuring the use of public consultations and impact assessments for legislative initiatives by Parliament.

## I. JUSTICE SYSTEM<sup>1</sup>

### Independence

**The level of perceived judicial independence in Bulgaria continues to be very low among both the general public and companies.** Overall, 27% of the general population and of companies perceive the level of independence of courts and judges to be ‘fairly or very good’ in 2025<sup>2</sup>. The perceived judicial independence among the general public has increased in comparison with 2024 (24%) and has decreased in comparison with 2021 (32%). The perceived judicial independence among companies has slightly increased in comparison with 2024 (25%) and has significantly decreased in comparison with 2021 (43%). The main reasons cited by both the general public and companies for the perceived lack of independence of courts and judges are the perception of interference or pressure from the Government and politicians, as well as the interference or pressure from economic or other specific interests<sup>3</sup>.

**The Constitutional Court of Bulgaria ruled that parts of the comprehensive constitutional amendments, essential for the organisation of the State, had been adopted a body not competent to do so, and declared most of the reform unconstitutional.** On 20 December 2023, Parliament had adopted comprehensive amendments to the Constitution, aimed at improving judicial independence and addressing long-standing concerns. The reform had changed the Supreme Judicial Council’s composition, explicitly limited the powers of the Prosecutor General at constitutional level<sup>4</sup>, and it also limited certain powers of the President of the Republic regarding the appointment of interim governments<sup>5</sup>. In its judgment of 26 July 2024, the Constitutional Court ruled that several provisions were essential for the organisation of the state, and thus their adoption required a Grand National Assembly<sup>6</sup>, while 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 Court struck them down as part of the larger reform being declared unconstitutional<sup>7</sup>. Consequently, the draft new Judicial System Act was not further pursued in Parliament despite some provisions not being affected by the constitutional amendments. As regards the reform limiting the Prosecutor General’s powers, the Constitutional Court ruled that Parliament lacked the competence to make these changes which it deemed essential for the organisation of the state. As for the Prosecutor General, the combination of the powers and position of the Prosecutor General, which allow for

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<sup>1</sup> An overview of the institutional framework for all four pillars can be found [here](#).

<sup>2</sup> Figures 50 and 52, 2025 EU Justice Scoreboard and Figures 49 and 51, 2023 EU Justice Scoreboard. The level of perceived judicial independence is categorised as follows: very low (below 30% of respondents perceive judicial independence as fairly good and very good); low (between 30-39%), average (between 40-59%), high (between 60-75%), very high (above 75%).

<sup>3</sup> Figures 51 and 53, 2025 EU Justice Scoreboard.

<sup>4</sup> E.g. the provisions linked to the position of the Prosecutor General in the overall structure of the Prosecutor’s Office, and those linked to the powers of the Prosecutor General giving methodological guidance and oversight of legality.

<sup>5</sup> Constitutional court, Decision No. 13 of 26 July 2024.

<sup>6</sup> The Grand National Assembly is a special legislative body convened to adopt a new Constitution or amend key constitutional provisions, such as those concerning fundamental rights, organisation of the state or the territorial integrity of the state. It consists of 400 deputies and operates under stricter procedures and broader representation compared to the ordinary National Assembly.

<sup>7</sup> In this context, the draft new Judicial System Act meant to implement the constitutional amendments was not further pursued in Parliament despite some of its provisions not being affected by the constitutional amendments.

disproportionate influence over the Prosecutor's Office and the magistracy as a whole, continue to raise concerns<sup>8</sup>.

**The mechanism for the effective accountability and criminal liability of the Prosecutor General and his or her deputies was declared compatible with the Constitution.** On 26 July 2024, the Constitutional Court published a second judgment concerning the constitutionality of the mechanism for the effective accountability and criminal liability of the Prosecutor General and his or her deputies<sup>9</sup>. The Court considered the mechanism in its entirety compatible with the Constitution, and further explained that due to the position of the Prosecutor General and the powers he has, additional limits to his powers could be imposed through judicial review, which is a step forward in strengthening judicial oversight. However, in the first judgment of the same day, on the constitutional amendments and anchoring the mechanism in the Constitution, the Court considered that such provisions do not belong in the Constitution but in ordinary legislation<sup>10</sup>.

**Procedural issues remain to be addressed to ensure the full effectiveness of the mechanism for the investigation of the Prosecutor General and his or her deputies.** This mechanism addresses long-standing concerns from previous Rule of Law Reports regarding the issue related to the previous lack of a possibility for an effective criminal investigation of the Prosecutor General and his or her deputies, demonstrating Bulgaria's commitment to reform<sup>11</sup>. It is also subject to an assessment as a milestone in the Recovery and Resilience Plan<sup>12</sup>. Procedural issues remain to be addressed to ensure the full effectiveness of the mechanism, linked to the hierarchical and practical independence of the *ad hoc* prosecutor. The judicial review of a decision not to open an investigation seems to be limited by procedural gaps<sup>13</sup>, and there are decisions that can only proceed with the authorisation of the Prosecutor General and his or her deputies<sup>14</sup>. The current *ad hoc* prosecutor has suggested that the simultaneous appointments of the *ad hoc* and the controlling *ad hoc* prosecutors<sup>15</sup> would solve some of the issues and strengthen the independence of this mechanism<sup>16</sup>. The Government has agreed that this would increase the effectiveness of the mechanism. Stakeholders, including the Council of Europe, have

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<sup>8</sup> See 2024 Rule of Law Report, Bulgaria, p. 4.

<sup>9</sup> Constitutional court, Decision No. 14 of 26 July 2024.

<sup>10</sup> Constitutional court, Decision No. 13 of 26 July 2024. The two decisions confirm the compatibility of the mechanism with the Constitution but make it more susceptible to legislative changes requiring only a simple majority.

<sup>11</sup> See 2023 Rule of Law Report, Bulgaria, p. 4.

<sup>12</sup> See milestone 222 of Bulgaria's RRP on the accountability and criminal liability of the Prosecutor General.

<sup>13</sup> Cases filed by the Prosecutor's Office are not susceptible to a judicial review; in case of a termination of the pre-trial proceedings, the controlling *ad hoc* prosecutor is appointed to review the decision of termination. However, the provision laying down the precise conditions under which this could happen does not currently exist, and it is impossible to appoint the controlling *ad hoc* prosecutor (Art. 411d of the CPC mentions the non-existing Art. 243a of the CPC).

<sup>14</sup> In case the *ad hoc* prosecutor needs to request an extension of the deadline to conclude an inspection or an investigation against the Prosecutor General, the latter is responsible for approving this extension.

<sup>15</sup> This is a second judge who is appointed as an *ad hoc* deputy Prosecutor General whose purpose would be to control the acts of the *ad hoc* prosecutor during the pre-trial proceedings.

<sup>16</sup> The *ad hoc* prosecutor lacks a dedicated office and autonomous tools such as a budget for experts' opinions and IT systems, and there are no dedicated operative officers. The SJC declined the *ad hoc* prosecutor's request to choose clerks they work with, or to hire new people who are not coming from the prosecution. As regards the staff helping with investigations, there are no operative officers that can be used during the investigation.

pointed out that the *ad hoc* prosecutor is operational but express some concerns about its impact so far<sup>17</sup>.

**The Government has tabled a draft law to extend judicial review for prosecutorial decisions for cases of termination and suspension of investigations for victimless crimes.** On 27 June 2025, in the context of the Recovery and Resilience Plan, the Government tabled a draft law that would give to a number of state bodies the possibility to challenge decisions suspending or terminating investigations to offences for victimless crimes. This comes as a response to reports by stakeholders that frequent termination of investigations during pre-trial proceedings often goes unchallenged in court due to the absence of effective legal mechanisms to contest such prosecutorial decisions. They consider that this hampers, in particular, the anti-corruption efforts of Bulgaria since this limitation exists only for victimless crimes<sup>18</sup>. The draft law is under public consultation until 10 July 2025.

**The Sofia City Prosecutor's Office has been restructured but concerns remain regarding the structure for the investigation of magistrates.** As previously reported, there are ten prosecutors in Bulgaria responsible for cases concerning offences that may be committed by magistrates. These prosecutors are selected by the administrative head of the Sofia City Prosecutor's Office, who is a direct subordinate to the Prosecutor General, and specialise solely on cases related to magistrates<sup>19</sup>. This continues to raise concerns regarding prosecutorial autonomy and possible concerns regarding judicial independence as every prosecutor, investigator or judge could be subject to a criminal investigation<sup>20</sup>, as recently exemplified by an investigation opened against a first instance court judge for the content of his decisions<sup>21</sup>, and by the investigations against prosecutors as noted by the Council of Europe<sup>22</sup>. On 28 May 2025, the newly appointed interim administrative head of the Sofia City Prosecutor's Office has ordered a restructuring of the office to create new structures and to centralise the work of the

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<sup>17</sup> Country visit Bulgaria, Bulgarian Institute For Legal Initiatives, Anti-Corruption Fund Foundation, Institute For Market Economics, Center For The Study Of Democracy and Initiative Justice For All. See also Joint CSO contribution (2025), written input, pp. 8-9. See also Council of Europe, Supervision of the execution of the European Court's judgments, Committee of Ministers Notes of 11-13 June 2024, (CM/Notes/1501/H46-10).

<sup>18</sup> Center for the Study of Democracy (2025), written input, p. 20. There are also other notable cases for which the pre-trial proceedings have been terminated during the reporting period, see Lex.bg (2025), 4 April 2025. See also Council of Europe, Supervision of the execution of the European Court's judgments, Committee of Ministers Decision, CM/Del/Dec(2023)1475/H46-12 of September 2023, para. 4; CM/Del/Dec(2023)1483/H46-10 of December 2023, para. 3. CM/Notes/1475/H46-12 of September 2023, p. 1. H/Exec(2023)10 of September 2023, p. 1-3; CM/Notes/1501/H46-10 of 11-13 June 2024. See also Venice Commission opinion (CDL-AD(2023)039), para. 91. In relation to the previously introduced judicial review for decisions not to open an investigation, under Art. 213b of the CPC, the Government reported data for 2024: 144 736 files with refusals were resolved, 5 411 confirmed by the upper (district/appellate) prosecutor's office (i.e. potential subject of judicial control), 512 appealed before court).

<sup>19</sup> See 2024 Rule of Law Report, Bulgaria, p. 7.

<sup>20</sup> See Association of Prosecutors in Bulgaria position (2025), 30 January 2025.

<sup>21</sup> See notification of the judge to the Supreme Judicial Council, 29 January 2025. See also Bulgarian Judges Association position (2025), 30 January 2025.

<sup>22</sup> Council of Europe, Supervision of the execution of the European Court's judgments, Committee of Ministers Notes of 11-13 June 2024, (CM/Notes/1501/H46-10), point B, 4, a) and b). See also Supreme Judicial Council, Judges' chamber meeting (2024), 15 October 2024 - hearing of magistrates in connection with the alleged influence of organised crime groups in the justice system. There were 800 judges who were investigated by the prosecutor's office, who ultimately decided that they had not committed a crime.



Office<sup>23</sup>, though this did not change the dedicated structure for the investigation of magistrates, which was maintained. It is noted that the Sofia City Prosecutor's Office consists of a total of eight units in view of the volume of cases and the specific workload of the prosecutors and their specialisation. On an annual basis the Prosecutor's Office provides data to the Supreme Judicial Council on the number of criminal proceedings against magistrates that is processed in a dedicated register.

**The reform regarding the appointment of members to the Supreme Prosecutorial Council was declared unconstitutional, therefore no progress was possible on the recommendation<sup>24</sup>.** The Constitutional Court's judgment also quashed the reform related to the division of the Supreme Judicial Council into two Councils – Supreme Judicial Council for judges, and Supreme Prosecutorial Council for prosecutors. Similarly to the findings of the 2024 Rule of Law Report<sup>25</sup>, the Court praised the reform for improving the judicial independence by giving judges elected by their peers a better representation in the Supreme Judicial Council. However, the Court did not agree with the high number of Parliament-elected members in the Supreme Prosecutorial Council, considering that this gives the Parliament too much influence over the Supreme Prosecutorial Council and the Prosecutor's office<sup>26</sup>. As a result, the rules regarding the composition and appointment of members of the Prosecutorial Council reverted to those that existed before the 2023 constitutional amendments with one single Supreme Judicial Council. Consequently, the concerns raised in previous Rule of Law Reports<sup>27</sup> as regards the influence of the Prosecutor General in the Supreme Judicial Council, and the fact that judges elected by their peers did not form a majority in the Supreme Judicial Council<sup>28</sup> remain unaddressed<sup>29</sup>. On 15 January 2025, the Parliament adopted amendments to the Judicial System Act forbidding a Supreme Judicial Council with an expired mandate (since October 2022) to elect a new Prosecutor General, and new Presidents of the Supreme Courts, and closed all open or pending procedures for election of these positions<sup>30</sup>. While the authorities note that these amendments aim to safeguard institutional integrity and prevent decisions being made by anybody with an expired mandate, this further restricts the functioning of the Supreme Judicial Council. The interim Prosecutor General challenged the closure of the election before the Supreme Administrative Court, which sent a request for a constitutionality check, that is still pending<sup>31</sup>. Some of the members of the Supreme Judicial Council, arguing that the

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<sup>23</sup> See Order of the Administrative head of the Sofia City Prosecutor's Office of 28 May 2025.

<sup>24</sup> The 2024 Rule of Law Report recommended to Bulgaria to "[t]ake forward the plans to adopt a mechanism for introducing safeguards in the appointment procedure of the Parliament-elected members of the Supreme Prosecutorial Council, ensuring their independence and taking into account European standards, particularly in view of the Council's role in the appointment and dismissal of the Prosecutor General."

<sup>25</sup> See 2024 Rule of Law Report, Bulgaria, pp. 9-10.

<sup>26</sup> Constitutional court, Decision No. 13 of 26 July 2024.

<sup>27</sup> See 2023 Rule of Law Report, Bulgaria, pp. 6-8.

<sup>28</sup> Venice Commission opinions (CDL-AD(2020)035), para. 44 and (CDL-AD(2023)039), para. 47; JSA, Art. 16(3) and (4) – Since the Judicial Chamber (14 members) was presided by either one of the *ex officio* members (the President of the Supreme Court of Cassation or the President of the Supreme Administrative Court) a majority could be reached, both in the Plenary of the SJC and the Judicial Chamber, without the votes of the judges elected by their peers.

<sup>29</sup> Currently only 4 out of 20 members are peer-elected judges.

<sup>30</sup> See Law amending the Judicial System Act, adopted on 15 January 2025. See also Joint CSO contribution (2025), written input, p. 5.

<sup>31</sup> See Constitutional Court Case No. 5 of 2025. The interim Prosecutor General was allowed to challenge the procedure before the Supreme Administrative Court because he was a candidate (the only one) for a new Prosecutor General.

findings of the Court of Justice on the Inspectorate to the Supreme Judicial Council working on an expired mandate is also applicable to their institution, have considered that additional constraints on the work of the Supreme Judicial Council, linked to the expired mandate, may be necessary<sup>32</sup>.

**There has been no further progress as regards the functioning and risk of political influence of the Inspectorate to the Supreme Judicial Council (ISJC)**<sup>33</sup>. The draft new Judicial System Act, which was published for public consultation in July 2024 was no longer pursued following the Constitutional Court judgment declaring most of the reform unconstitutional. New draft amendments to the Judicial System Act were published for a public consultation on 19 December 2024<sup>34</sup>. These draft amendments also tried to address the previously reported concerns with the ISJC, notably as regards its functioning and the risk of political influence, as the Parliament is the only institution involved at all stages of the appointment procedure. These draft amendments were not pursued further by the new Government appointed in January 2025, and no further steps have been taken to continue this workstrand. In the context of a preliminary ruling request, the Court of Justice ruled that the principle of judicial independence precludes a practice in which a judicial body, such as the ISJC, is working beyond the expiry of its mandate without an express legal basis for this, and without this extension of mandate being limited in time<sup>35</sup>. As a result, there has been no further progress on the recommendation made in the 2024 Rule of Law Report.

**There has been no further progress to avoid long-term secondment of judges to fill vacant positions**<sup>36</sup>. Even though the issue of long-term secondment was not covered in the Constitutional Court judgment of July 2024, and draft provisions to remove the possibility of seconding a judge to a vacant position for undetermined period of time had been prepared, concrete legislative plans have not been taken forward in this area. The widespread use of secondments may have a negative effect on seconded magistrates if they are faced with the risk of termination of their secondment<sup>37</sup>. European standards in this area highlight that secondments of judges with or without consent require the necessary guarantees to prevent the risk of judicial independence being jeopardised<sup>38</sup>,

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<sup>32</sup> DeFakto (2025). According to the President of the Supreme Court of Cassation and another member of the Judges' chamber of the SJC, the 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 also has an effect over the SJC as it fulfils similar functions as the Inspectorate. This is also considered as one of the reasons for the lack of quorum in the Judges' chamber of the SJC.

<sup>33</sup> The 2024 Rule of Law Report recommended to Bulgaria to "[a]dvance with the draft legislative amendments aiming at improving the functioning of the Inspectorate to the Supreme Judicial Council and avoiding the risk of political influence, in particular by involving judicial bodies in the selection of its members."

<sup>34</sup> Country visit, Bulgaria, Ministry of Justice. See also Joint CSO contribution (2025), written input, pp. 3-4, which explains that this draft law's development did not include any civil society organisations and no professional organisations.

<sup>35</sup> 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, points 81-97.

<sup>36</sup> The 2024 Rule of Law Report recommended to Bulgaria to "[t]ake steps to adapt the relevant legislative framework to avoid long-term secondment of judges to fill in vacant positions, taking into account European standards on secondment of judges."

<sup>37</sup> See 2023 Rule of Law Report, Bulgaria, pp. 9-10. According to the register maintained by the Supreme Judicial Council, as of November 2024, there are 196 seconded judges, 57 of them being seconded for more than a year, with the longest secondment being 81 months.

<sup>38</sup> Secondments are being done on a temporary basis and in exceptional circumstances. See also for the specific case of Bulgaria - Venice Commission opinion (CDL-AD(2017)018), paras. 86 and 87.

particularly when a secondment is terminated without the judge's consent<sup>39</sup>. Against this background, there has been no further progress on the recommendation made in the 2024 Rule of Law Report.

**The *ad hoc* committees created to investigate cases of intimidation of magistrates and possible infiltration of the judiciary have concluded their work.** The parliamentary committee could not adopt a final report due to lack of quorum and the committee was not reinstated after the last elections in October 2024<sup>40</sup>. The judiciary committee established by the Judges' chamber of the SJC has finished the inquiry and is working on a report on this issue, set to be published by July 2025. At the same time the Prosecutor's Office terminated the pre-trial proceedings against a suspect allegedly linked to these organised crime groups<sup>41</sup>.

## Quality

**The law on mandatory meeting for judicial mediation has been adopted and includes proceedings relevant for businesses.** On 1 July 2024, the law on mandatory judicial mediation was declared unconstitutional by the Constitutional Court<sup>42</sup>. According to the Court, the mandatory aspect of the mediation violates the right to access a court and to effective judicial protection as guaranteed by the Constitution<sup>43</sup>. The Ministry of Justice has prepared a new draft law, which would align the legislation on judicial mediation with the requirements set by the Constitutional Court. It also intends to address the reform of the mediation framework in Bulgaria's Recovery and Resilience Plan<sup>44</sup>. The aim is for a certain number of civil and commercial proceedings to be preceded by a mandatory information session on mediation, instead of mandatory mediation. Legislation tabled in Parliament in May 2025 sets out the cases where it would be possible for courts to oblige the parties to hold mediation sessions<sup>45</sup>. On 27 June 2025, the draft law was adopted at second reading by Parliament, and it will be published in the State Gazette and will subsequently enter into force.

**New digital tools to improve access to justice have been introduced, while electronic communication tools are still lacking.** The authorities have introduced new digital tools to improve access to justice<sup>46</sup>. In some civil and commercial cases, it is now possible to initiate proceedings online and it is possible to file an application for legal aid online in civil, commercial, and administrative cases. Availability of electronic communication tools is still limited to the prosecution, and as for the courts, electronic communication is only possible between courts but not with other actors in the justice system (e.g. notaries,

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<sup>39</sup> As regards EU law requirements, see CJEU, Judgment of 16 November 2021, *Prokuratura Rejonowa w Minsku Mazowieckim*, Joined Cases C-748/19 to C-754/19, EU:C:2021:931, points 72-90.

<sup>40</sup> The majority of the committee's members did not attend the meeting. - <https://www.parliament.bg/bg/parliamentarycommittees/3350/steno/8051>. See also Joint CSO contribution (2025), written input, pp. 6-7. See Publication by the Anti-corruption Fund Foundation of 4 June 2021. See 2024 Rule of Law Report, Bulgaria, p. 12. See also Civil Liberties Union for Europe (2025), written input, pp. 140-146.

<sup>41</sup> See Press release of the Prosecutor's Office of 4 April 2025.

<sup>42</sup> See Constitutional Decision No. 11 of 1 July 2024.

<sup>43</sup> Art. 57 and 117 of the Constitution.

<sup>44</sup> See reform C10.R3, milestone 227 of Bulgaria's RRP.

<sup>45</sup> Country visit, Bulgaria, Ministry of Justice. See also Joint CSO contribution (2025), written input, pp. 9-10.

<sup>46</sup> It is noted that amendments adopted on 31 July 2024, postponed the entry into force of the electronic order for payment procedure, which is scheduled to apply from 1 July 2025.

lawyers or bailiffs)<sup>47</sup>. Some businesses consider that the insufficient number of electronic services is a barrier for them<sup>48</sup>. On 10 June 2025, the Government tabled a draft law related to the digitalisation of administrative justice. The draft aims at streamlining proceedings and ensuring that actions, such as remote open court hearings and the electronic submission of requests, are effectively implemented<sup>49</sup>.

## Efficiency

**The courts perform efficiently when dealing with civil and commercial proceedings.** Following the positive development announced in the 2024 Rule of Law Report, for the first time Bulgaria was able to report disaggregated data on the disposition time of civil and commercial litigious proceedings for 2023. According to the 2025 EU Justice Scoreboard, it takes on average 186 days to resolve a civil or commercial case, which means that courts generally deal efficiently with their caseload. This new data also allows to observe the performance of the courts in all three instances. It appears that while cases at third instance on average take up to 249 days to be resolved, cases at first and second instance courts take respectively 186 and 138 days to be resolved<sup>50</sup>. Nevertheless, more long-term reporting is needed to establish whether Bulgaria's efforts regarding the efficiency of its courts could have a positive impact on both citizens and businesses. However, at this stage, some businesses consider the efficiency of the justice system as a barrier for them<sup>51</sup>.

## II. ANTI-CORRUPTION FRAMEWORK

**The perception among citizens, experts and business executives is that the level of corruption in the public sector remains high.** In the 2024 Corruption Perceptions Index by Transparency International, Bulgaria scores 43/100 and ranks 26<sup>th</sup> in the European Union and 76<sup>th</sup> globally<sup>52</sup>. This perception has been relatively stable over the past five years<sup>53</sup>. The 2024 Special Eurobarometer on Corruption shows that 80% of respondents consider corruption widespread in their country (EU average 69%) and 32% of respondents feel personally affected by corruption in their daily lives (EU average 30%). As regards businesses, 89% of companies consider that corruption is widespread (EU average 63%) and 55% consider that corruption is a problem when doing business (EU average 35%). Furthermore, 18% of respondents find that there are enough successful prosecutions to deter people from corrupt practices (EU average 36%), while

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<sup>47</sup> 2025 EU Justice Scoreboard, Figure 43-45.

<sup>48</sup> Survey conducted by the Bulgarian Industrial Association in December 2024, among 738 micro, small, medium and big companies in Bulgaria. It shows that 31% of the respondents consider that the insufficient number of electronic services is a barrier for businesses.

<sup>49</sup> This reform is part of Milestone 215 of the Recovery and Resilience Plan.

<sup>50</sup> 2025 EU Justice Scoreboard, Figures 5 and 6. It should be noted that work is ongoing to prepare amendments to the Criminal Code, Criminal Procedure Code, and Judicial System Act (JSA), in order to increase the efficiency of proceedings regarding traffic accident cases.

<sup>51</sup> Survey conducted by the Bulgarian Industrial Association in December 2024, among 738 micro, small, medium and big companies in Bulgaria. It shows that 35% of the respondents consider that the efficiency of the judiciary is a barrier for businesses.

<sup>52</sup> The level of perceived corruption is categorised as follows: low (above 79); relatively low (between 79-60), relatively high (between 59-50), high (below 50).

<sup>53</sup> In 2020 the score was 44, while in 2024 the score was 45. The score significantly increases/decreases when it changes more than five points; improves/deteriorates (changes between 4-5 points); is relatively stable (changes from 1-3 points) in the last five years.

8% of companies believe that people and businesses caught for bribing a senior official are appropriately punished (EU average 33%)<sup>54</sup>.

**The implementation of the National Strategy for the Prevention and Countering of Corruption 2021-2027 remains limited.** The ongoing implementation of the National Strategy for the Prevention and Countering of Corruption 2021-2027 and related Roadmap has not continued in a structured and systematic manner as regards all of its priorities<sup>55</sup>. Annual reports on the implementation of the Strategy have not been prepared for 2023 and 2024 while the Government has committed to improving monitoring and reporting to ensure greater transparency<sup>56</sup>. The proposals for a mid-term revision of the Strategy, which were prepared by an interministerial working group and discussed at the meeting of the National Council on Anti-Corruption Policies in October 2023, were not further pursued by the Council of Ministers<sup>57</sup>. The National Council on Anti-Corruption Policies has not been convened since October 2023. Furthermore, civil society continues to criticise the absence of a sufficiently thorough and evidence-based needs analysis for the implementation and the revision of the current strategy<sup>58</sup>. The implementation of measures set out in sectoral anti-corruption plans has continued.

**Some further progress has been made to implement the reform dividing the Commission for Counteracting Corruption and Illegal Assets Forfeiture<sup>59</sup>.** As reported in 2024, the Commission for Counteracting Corruption and Illegal Assets Forfeiture had been divided into two separate bodies (the Anti-Corruption Commission and the Commission for Illegal Assets Forfeiture)<sup>60</sup>. The three-member leadership of the new Anti-Corruption Commission ('ACC'), intended to be in place by January 2024, still needs to be appointed<sup>61</sup>. This remains an important step for the effective implementation of the law. Draft rules of procedure for an independent Nomination Committee have been submitted to Parliament<sup>62</sup>. The Government and the ACC have noted that the ACC is fully functional<sup>63</sup>. Specialised administrative and operational capacity, including

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<sup>54</sup> Data from Special Eurobarometer 561 (2025) and Flash Eurobarometer 557 (2025).

<sup>55</sup> Country visit, Bulgaria, National Council on Anti-corruption Policies and Transparency International.

<sup>56</sup> In its RRP (milestone 226), the Government has committed to providing yearly implementation reports on the 2021-2027 anti-corruption strategy. The assessment related to the topic of Milestone 226 in the Rule of Law report does not prejudice the assessment of the fulfilment of the measures in the framework of the Bulgarian Recovery and Resilience Plan.

<sup>57</sup> Country visit Bulgaria, Secretariat of the National Council for Anti-Corruption Policies.

<sup>58</sup> Country visit Bulgaria, Bulgarian Institute for Legal Initiatives, Center for the Study of Democracy and Transparency International.

<sup>59</sup> The 2024 Rule of Law Report recommended to Bulgaria to '[e]nsure a robust track record of investigations [...] in high-level corruption cases and the effective performance of the Anti-Corruption Commission.'

<sup>60</sup> See 2024 Rule of Law Report, Bulgaria, p. 16.

<sup>61</sup> The institutional reform divided the previous Commission into two separate bodies and transferred the exclusive competence to investigate corruption crimes of high-level officials to the ACC as of 1 March 2024. See 2024 Rule of Law Report, Bulgaria, p. 16. Two specific milestones on the reform of the Anti-Corruption Commission are envisaged under the Bulgarian RRP, namely the milestones 218 and 220, the assessments of which in the Rule of Law report does not prejudice the assessment of the fulfilment of the measures under the Bulgarian Recovery and Resilience Plan.

<sup>62</sup> The law gives both Parliament and civil society organisations the right to nominate candidates, which have to fulfil certain criteria. According to a draft law submitted to the Parliament on 2 July 2025, candidates then have to be appointed by the Parliament by simple majority - more than half of the votes of members present, in line with Decision 13/2024 of the Constitutional Court.

<sup>63</sup> Its regular activities, including the system for prevention of conflicts of interest and for asset declaration, reportedly continue as before. Bulgarian Government (2025), written input, p. 23. Country visit Bulgaria, Anti-corruption Commission.

experienced investigators, has been built up to support the investigative functions of the ACC and it disposes of its own budget<sup>64</sup>. In 2024, a total of 820 signals and 245 pre-trial proceedings have been received and initiated by the investigative inspectors at the specialised Anti-Corruption Directorate<sup>65</sup>. However, stakeholders have underlined the importance of the new procedure for appointment of the ACC leadership for its credibility. A recent ruling of the Sofia Administrative Court annulled a decision of the ACC on the ground that the decision was taken by a body which was not established in compliance with the Law on Countering Corruption, due to Parliament's failure to appoint its new leadership within the three-month deadline set by that law<sup>66</sup>. An appeal against the ruling before the Supreme Administrative Court is pending<sup>67</sup>. Given the fact that the ACC is functioning and steps towards the adoption of rules of procedure of the Nomination Committee were taken, there is some further progress as regards the functioning of the ACC in the recommendation in the 2024 Rule of Law Report.

**There has been no progress yet in establishing a robust track-record of high-level corruption cases, as convictions remain limited in numbers and data about prosecutions is inconclusive<sup>68</sup>.** In 2024, the Supreme Court of Cassation delivered judgments in four corruption cases against high-level officials<sup>69</sup>. One of these cases resulted in a suspended sentence, two were terminated due to expiry of the statute of limitations, and one was referred back to the court of appeal<sup>70</sup>. In May 2024, the Prosecutor General submitted to Parliament its second annual activity report on combating corruption where it reports in relation to corruption. According to the report there were 70 new pre-trial proceedings, 10 indictments and 4 sentences in 2024 concerning high-level officials<sup>71</sup>. Stakeholders continue to question the prosecution's record on high-level corruption, with charges not brought or inadequately brought forward even in cases of well-substantiated allegations or publicly available evidence<sup>72</sup>.

<sup>64</sup> Bulgarian Government (2025), written input, pp. 25-26. Information regarding the staff, resources, or the exercise of the new investigative functions of the Commission is however not available. In 2024, the ACC had to take on an estimated 170 cases with c. 15 investigative inspectors, which raised questions over the Commission's preparedness to carry out its investigative tasks. See also 2024 Rule of Law Report, Bulgaria, p. 17.

<sup>65</sup> Anti-Corruption Commission (2025), pp. 19-20. Between 01.01.2025 to 10.06.2025 the Specialised Directorate "Counteracting Corruption" received 297 reports. It received and initiated 53 pre-trial proceedings.

<sup>66</sup> Sofia Administrative Court, Decision No 26743 in Case 6637 of 11.12.2024. This case has been suspended awaiting the ruling which the Court of Justice of the European Union is to give on a preliminary reference submitted by the Supreme Administrative Court in case 7373/2024 (C-611/24, pending). Many other decisions of the Commission, adopted after the expiry of the three-month period for the election of a new leadership of the ACC, have been confirmed by administrative courts.

<sup>67</sup> Supreme Administrative Court, Case 1216/2025.

<sup>68</sup> The 2024 Rule of Law Report recommended to Bulgaria to '[e]nsure a robust track-record of investigations, prosecutions and final judgments in high-level corruption cases [...]'. See 2024 Rule of Law Report, Bulgaria, p. 2.'

<sup>69</sup> In 2023, the Supreme Court of Cassation tracked six cases related to high-level corruption on which it rendered a decision. See 2024 Rule of law Report, Bulgaria, p. 18.

<sup>70</sup> Bulgarian Government (2025), written contribution, Annex provided by the SCC.

<sup>71</sup> Prosecutor's Office (2025), pp. 26, 33, 41 and 46. Reporting is based on the Unified Catalogue of Corruption Crimes which covers a more extensive list of crimes than those that fall in the material scope of the Law on Countering Corruption.

<sup>72</sup> Country visit Bulgaria, Bulgarian Institute For Legal Initiatives, Anti-Corruption Fund Foundation, Institute For Market Economics, Center For The Study Of Democracy and Initiative Justice For All. See also 2024 Rule of Law Report, Bulgaria, p. 18. Stakeholders also raised concerns that over the past year investigations and prosecutions were initiated selectively against representatives of specific political parties. See Joint CSO contribution (2025), written input, pp. 10-11.

Similar concerns have been expressed by GRECO<sup>73</sup>. Prosecutors continue to attribute the lack of results to the outdated and overly formalistic Code of Criminal Procedure, as well as the inconsistent efforts of corruption investigators, while no specific actions that could be taken by the Prosecutor's Office to build a robust track-record were identified<sup>74</sup>. Efforts to ensure accurate reporting, including disaggregated data, on high-level corruption are underway<sup>75</sup>. The detection, investigation and prosecution of foreign bribery cases is seen as ineffective and continues to be criticised by the OECD<sup>76</sup>. Legislative amendments aiming to improve the legal framework on foreign bribery were adopted by Parliament in June 2025<sup>77</sup>. On this basis, it is not possible to conclude that there are sufficient concrete results in establishing a robust track record of investigations, prosecution and final judgments in high-level corruption cases, and as such there has been no progress yet on the implementation of this part of the recommendation.

**Cooperation between national authorities competent on the fight against corruption is overall good.** The Ministry of Interior, the Anti-Corruption Commission and prosecutors report that there is effective cooperation on anti-corruption investigations<sup>78</sup>. In 2024, the National Audit Office (NAO) submitted seven audit reports to the prosecution service on suspicions of criminal activity. In the past year, the prosecution service has terminated inspections related to 6 NAO reports, whereas investigations continue on 11 other reports<sup>79</sup>. Comprehensive information has not been provided by the Prosecutor's Office as regards the reasons for terminating inspections<sup>80</sup>. The European Public Prosecutor's Office (EPPO) reported 19 corruption cases among its open cases in Bulgaria in 2024<sup>81</sup>. In March 2025, the EPPO opened an administrative inquiry into possible wrongdoing by the European Prosecutor from Bulgaria, who was also temporarily suspended<sup>82</sup>.

**Further measures have been taken to strengthen integrity in the police and the judiciary.** In 2024, the Ministry of Interior ensured enhanced supervision of officials in charge of road traffic, registration of vehicles, provision of security services and border control to prevent corruption within these bodies. Implementation of the 2024 Anti-Corruption Plan of the Ministry of Interior has continued, including measures aiming to address corruption risks in public procurement, rotation of staff in high-risk sectors, video surveillance and training<sup>83</sup>. Other positive developments include the adoption of

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<sup>73</sup> GRECO (2023).

<sup>74</sup> Country visit Bulgaria, Association of Public Prosecutors and Prosecutor General.

<sup>75</sup> In particular, the Unified Catalogue of Corruption Offences, which serves as the basis for reporting, combines data about corruption offences with other offences which fall outside the material scope of the Anti-corruption Law. Regular annual reporting on high-level corruption cases is envisaged under milestone 222 of Bulgaria's RRP to improve accuracy and reliability of data. Council Implementing Decision on the approval of the assessment of the recovery and resilience plan for Bulgaria, SWD(2022) 106 final.

<sup>76</sup> OECD (2023), p. 4.

<sup>77</sup> Draft law 51-502-01-20 of 3 June 2025.

<sup>78</sup> Country visit Bulgaria, Anti-corruption Commission, Ministry of Interior and Association of prosecutors.

<sup>79</sup> Country visit Bulgaria, National Audit Office.

<sup>80</sup> Country visit Bulgaria, National Audit Office. Concerns about the lack of effective prosecutorial follow-up to identified allegations of criminal behaviour remain valid, see 2024 Rule of Law Report, Bulgaria, p. 24.

<sup>81</sup> EPPO (2025), p. 19.

<sup>82</sup> EPPO (2025), Press statement.

<sup>83</sup> 2024 Annual activity report of the Ministry of Interior. Bulgarian Government (2025), written input, Annex 'Specific measures in sectors at high risk of corruption'. In 2024, 88 reports were received against employees of the Directorate-General Border Police, resulting in the initiation of 19 pre-trial

rules on donations and a revised code of ethics for the police. However, as reported by GRECO, the operational independence of the police from the Ministry of Interior remains insufficient, a dedicated anti-corruption strategy for the police is still lacking and promotion and recruitment procedures need to be improved<sup>84</sup>. As regards the judiciary, in December 2024, the codes of ethics for judges and prosecutors were further aligned with Venice Commission recommendations<sup>85</sup>. Nevertheless, complementary rules clearly defining disciplinary offences, as well as rules of conduct for prosecutors and investigators faced with instructions that they believe to be wrong or illegal, are lacking<sup>86</sup>. In 2024, the Inspectorate to the Supreme Judicial Council (ISJC) continued to provide training courses to magistrates, covering issues related to conflicts of interest and the application of the codes of ethics<sup>87</sup>. The ISJC initiated 18 inspections for integrity and conflicts of interest, resulting in one disciplinary proceeding<sup>88</sup>. Work is ongoing on the finalisation of a code of ethics for state-owned enterprises<sup>89</sup>.

**There has been limited progress to strengthen the integrity of persons with top executive functions<sup>90</sup>.** There are still no rules on integrity checks and on incompatibilities of persons hired as advisers to senior political officials, and there is no comprehensive code of conduct and enforcement mechanism for persons in top executive functions<sup>91</sup>. Integrity provisions for top executive functions remain fragmented, with various institutions having differing provisions<sup>92</sup>. Clear rules on the declaration of gifts to persons in top executive functions are also lacking<sup>93</sup>. The interministerial working group, set up at the start of 2024, did not advance further with the preparation of a code of conduct for top functions, as envisaged in the Anti-Corruption Strategy<sup>94</sup>. The Chief Inspectorate and various ministerial inspectorates do not have the appropriate functional independence to effectively fulfil their role in prevention and detection of corruption<sup>95</sup>. The new Government Programme for the period 2025-2029 includes measures to improve integrity among persons holding public office in the central executive branch and to guarantee the functional independence of the inspectorates. In March, a new interministerial working group was set up to prepare, by 30 September 2025, draft amendments to the Law on Administration and a Code of Conduct for persons holding public positions in the central executive branch. The legislative amendments will set out an obligation for the Council of Ministers to adopt a Code of Conduct for persons

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proceedings by various Prosecutor's Offices in the country. A follow-up anti-corruption plan was adopted in January 2025.

<sup>84</sup> GRECO (2025).

<sup>85</sup> Bulgarian Government (2025), written input, p. 14. Making corruption prevention systems for the judiciary more robust, including through the Inspectorate to the Supreme Judicial Council (ISJC) and adopting the codes of conduct is a commitment under the RRP (see milestone 219). The assessment related to the topic of Milestone 219 in the Rule of Law report does not prejudice the assessment of the fulfilment of the measures in the framework of the Bulgarian Recovery and Resilience Plan.

<sup>86</sup> Venice Commission (2024).

<sup>87</sup> Bulgarian Government (2025), written input, p. 34.

<sup>88</sup> Bulgarian Government (2025), written input, p. 30.

<sup>89</sup> See Milestone 224 of the Bulgarian RRP. The assessment related to the topic of Milestone 224 in the Rule of Law report does not prejudice the assessment of the fulfilment of the measures in the framework of the Bulgarian Recovery and Resilience Plan.

<sup>90</sup> The 2024 Rule of Law report recommended to Bulgaria to '[i]mprove the integrity of top executive functions, taking into account European standards, in particular by ensuring that clear integrity standards for the Government as well as an appropriate sanctioning mechanism are in place.

<sup>91</sup> See also GRECO (2025).

<sup>92</sup> 2024 Rule of Law Report, Bulgaria, p. 22.

<sup>93</sup> GRECO (2025), recommendation xi.

<sup>94</sup> Bulgarian Government (2025), written input p. 24.

<sup>95</sup> GRECO (2025), recommendation x.



holding public office in the central executive branch<sup>96</sup>. As some initial steps have been taken to improve the integrity framework for persons in top executive functions, there has been limited progress on the recommendation made in the 2024 Rule of Law Report.

**The rules on asset and interest disclosure for public officials are implemented but doubts remain on the extent and effectiveness of verifications and sanctions.** The Anti-Corruption Commission has continued implementing the rules on the disclosure of assets and interests<sup>97</sup>. The draft regulation on the declaration of assets of certain public officials which was previously reported on was not further pursued<sup>98</sup>. The ACC reports that it has sufficient resources to accomplish its verification tasks and that it conducts in-depth reviews, including complete income and asset analyses comparing the declared circumstances with data available in the public and other state registers<sup>99</sup>. The Anti-corruption Fund points out structural issues related to verifications, which they find to be formalistic, superficial and non-dissuasive, as well as lacking an in-depth assessment of whether the income justifies declared assets<sup>100</sup>. The annual reports of the Anti-Corruption Commission provide publicly available information on fines imposed in relation to delays in the submission of asset declarations. The ACC referred five cases to the National Revenue Agency and six cases to the Commission for Illegal Assets Forfeiture ('CIAF') for detected inconsistencies<sup>101</sup>. Concerns over the lack of results of the asset and interest declaration system, which was not reformed, remain valid<sup>102</sup>.

**Legislation on lobbying transparency is under preparation.** In light of the Government's commitment to adopt legislative measures to regulate lobbying, in November 2024, the Ministry of Justice set up a working group to prepare a legislative proposal<sup>103</sup>. While the draft law is not publicly available, civil society organisations

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<sup>96</sup> The Code of conduct would include guidelines on conflicts of interest contacts with third parties, gifts and other benefits, additional activities, contracts with state bodies, post-employment restrictions. The draft amendments would also establish a supervisory mechanism for the implementation of the code, providing for precise sanctions for violations and instruments for their enforcement.

<sup>97</sup> In 2024, the ACC inspected 8 597 annual declarations of assets and interests (irregularities remain in 12 cases), as well as 1 735 initial and final declarations filed in 2023 (irregularities remain in 126 cases). Verifications of 14 656 annual declarations submitted in 2024 and of 12 118 initial and final declarations submitted between 06.10.2023 to 31.12.2023 have been initiated. The verifications resulted in 2 524 administrative proceedings and 495 decrees establishing an administrative violation. The administrative violations concern cases of both failure to submit and wrongly submitted asset declarations. Bulgarian Government (2025), p. 34. Anti-corruption Commission (2025), pp 11-12

<sup>98</sup> 2024 Rule of law Report, Bulgaria, p. 23.

<sup>99</sup> Country visit Bulgaria, Anti-corruption Commission. In 2024, 13 competitions have been finalised and 16 persons appointed in the Directorate in charge of investigations.

<sup>100</sup> Country visit Bulgaria, Anti-corruption Fund. GRECO has expressed similar concerns. GRECO (2023), recommendation ix.

<sup>101</sup> 652 cases were also referred to CIAF due to late submission of the declaration.

<sup>102</sup> 2024 Rule of Law Report, Bulgaria, p. 23.

<sup>103</sup> Bulgarian Government (2025), written input, p. 33. Under the RRP a concept note shall be prepared on the regulation of lobbying, and legislative measures shall be adopted to regulate lobbying activities in the context of public decision-making. The assessment related to the topic of Milestone 223 in the Rule of Law report does not prejudice the assessment of the fulfilment of the measures in the framework of the Bulgarian Recovery and Resilience Plan.

continue to participate actively in this work<sup>104</sup>. NAO is envisaged as the body that would possibly manage a future transparency register<sup>105</sup>.

**Audits on political party and campaign financing continue.** NAO remains responsible for carrying out audits of the annual accounts of political parties, which are also required to share a list of donors<sup>106</sup>. In 2024, NAO carried out six audits related to political party and campaign financing, one of which is still ongoing. Given that several snap elections were carried out in the past years, NAO's resources remain under strain. Information on donors, donations made, and other information related to the campaign is submitted and analysed via the Unified Electoral Code Register. In 2024, NAO adopted 59 administrative acts and fines amounting to EUR 25 000 due to administrative violations of the electoral code<sup>107</sup>. In the context of the October electoral campaign, the Ministry of Interior received 984 reports of irregularities, mainly corruption-related, leading to 128 pre-trial proceedings. This is an increase of 58.2% compared to the parliamentary elections in June 2024<sup>108</sup>.

**Further amendments to the legislation for the protection of whistleblowers have been adopted by Parliament** The amendments, largely aimed at aligning the current legislative framework for the protection of whistleblowers with the EU Whistleblowers Directive were adopted by Parliament on 30 April 2025 and have entered into force<sup>109</sup>. Amongst others, the amendments seek to address the narrow personal scope of protection and the temporal limitation precluding investigations for breaches committed more than two years before the reporting. This commitment is also included in Bulgaria's RRP<sup>110</sup>. The Commission for Data Protection remains the competent authority to oversee whistleblower protection. It regularly updates publicly available information on its website, along with detailed answers to frequently asked questions (see statistics). The Anti-Corruption Commission is then the main body which receives and investigates reports of corruption involving senior public officials<sup>111</sup>. Civil society organisations continue to play a role in promoting the protection of whistleblowers and fostering a culture of safe and effective whistleblowing<sup>112</sup>. Some civil society organisations are,

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<sup>104</sup> Joint CSO contribution (2025), written input, p. 14. Contribution from the Bulgarian Institute for Legal Initiatives for the 2024 Rule of Law Report, p. 25.

<sup>105</sup> 2024 Rule of Law Report, Bulgaria, p. 23. GRECO has also recommended to introduce rules governing the interactions between top executive functions and lobbyists, see GRECO (2023), recommendation xiii.

<sup>106</sup> This work with the support of the Unified Public Register of political parties registered in view of participating in elections, whereas the Unified Electoral code Register allows electronic submission of documents by political parties.

<sup>107</sup> Country visit Bulgaria, National Audit Office. Audits are performed on political parties that have declared revenue and expenditure above a certain threshold (approximately EUR 500).

<sup>108</sup> Report of the Ministry of Interior (2024).

<sup>109</sup> Draft amending act 51-402-01-29.

<sup>110</sup> Milestone 217 of Bulgaria's RRP requires that Bulgaria '[introduces] the requirements of Directive (EU) 2019/1937, notably: the creation of confidential internal and external channels for reporting irregularities and corruption; the establishment of verification mechanisms of the submitted reports; providing protection and support measures to whistleblowers; ensuring provision of feedback and publicity on the results of the performed investigation based on reports'. The assessment related to the topic of Milestone 217 in the Rule of Law report does not prejudice the assessment of the fulfilment of the measures in the framework of the Bulgarian Recovery and Resilience Plan. Discussions on the fulfilment of this milestone are ongoing.

<sup>111</sup> In 2024 the ACC decided on 568 crime reports, of which 126 were referred to the prosecution due to suspicion of corruption crimes.

<sup>112</sup> Including through membership of the Southeast Europe Coalition on Whistleblower Protection. See p.16.

however, still critical of the fact that the Commission for Data Protection is the competent authority to oversee whistleblower protection and point out that the whistleblowing system in place since 2023 has only resulted in few reports<sup>113</sup>.

**Measures to mitigate the high risks of corruption in public procurement are still insufficient.** Corruption has been flagged as one of the main barriers for businesses in a survey conducted by the Bulgarian Industry Association among 738 companies<sup>114</sup>. Businesses' attitudes towards corruption in the EU show that 35% of companies in Bulgaria (EU average 25%) think that corruption has prevented them from winning a public tender or a public procurement contract in practice in the last three years<sup>115</sup>. Moreover, only 30% of companies perceive the level of independence of the public procurement review body (Commission on Protection of Competition) as very or fairly good<sup>116</sup>. The Single Market and Competitiveness Scoreboard on access to public procurement in Bulgaria reports 37% of single bids for 2023 (EU average 29%). As such, public procurement continues to be considered as an area at high risk of corruption, in addition to the management of public property, management of EU funds and the conclusion of concession contracts<sup>117</sup>. In 2024, NAO detected 153 irregularities in the application of the public procurement legislation and issued 67 administrative sanctions, 49 of which concern mayors and their deputies<sup>118</sup>. The most frequent irregularities that have been reported concern setting terms that unreasonably restrict certain participants; non-compliance with the provisions of the Public Procurement Act when determining the award criteria; non-application of the legal procedure for awarding public procurement; subdivision of public procurement, which leads to awarding under a more simplified procedure; selection of negotiated procedures with a limited number of participants or with only one participant in non-compliance with the requirements of the Public Procurement Act<sup>119</sup>. Public procurement policy has not included dedicated measures to combat corruption<sup>120</sup>. The Government has committed to develop targeted measures to strengthen public procurement by focusing on competitive and transparent practices<sup>121</sup>.

### **III. MEDIA PLURALISM AND MEDIA FREEDOM**

**Concerns regarding the funding and politisation of the media regulator persist.** The appointment procedure for members of the Council of Electronic Media (CEM) relies on shared competences for Parliament and the President of Bulgaria<sup>122</sup>. Following the expiration of the last chairperson's mandate in September 2024, and an absence of a

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<sup>113</sup> Country visit Bulgaria, CSOs. 2024 Rule of Law Report, Bulgaria, p. 25. By law the Commission for Data Protection is required to analyse the practice of implementing the law regularly and at least every three years.

<sup>114</sup> Survey conducted by the Bulgarian Industrial Association in December 2024, among 738 micro, small, medium and big companies in Bulgaria. It shows that 47% of the respondents consider corruption as a major barrier for businesses.

<sup>115</sup> Flash Eurobarometer 557 on Businesses' attitudes towards corruption in the EU (2025). This is 10 percentage points above the EU average.

<sup>116</sup> Figure 59, 2025 EU Justice Scoreboard.

<sup>117</sup> Country visit Bulgaria, NAO. NAO (2025).

<sup>118</sup> NAO (2025). The total amount of fines amounts to over EUR 150 000.

<sup>119</sup> See also Anti-Corruption Fund (2025e).

<sup>120</sup> The 2014-2020 National Strategy for the development of the public procurement sector does not include any anti-corruption measures and has not been followed up by a post-2020 strategy. The 2024 annual report of the Public Procurement Agency does not refer to the implementation of anti-corruption measures.

<sup>121</sup> Bulgarian Government (2025), written input.

<sup>122</sup> Bulgarian Government (2025a), p. 40.

voting majority for electing a new chairperson, CEM was led by temporary acting heads on a rotational basis<sup>123</sup>. On 22 April 2025, a new chair was elected for a one-year term. The 2025 Media Pluralism Monitor and other stakeholders noted risks of political pressure or influence<sup>124</sup>. The regulator indicated that its operations continue to be hindered due to significant and systematic budgetary challenges, even in light of the upcoming implementation of the European Media Freedom Act<sup>125</sup>.

**The draft law to strengthen independence of public service media was not adopted and the Council for Electronic Media has not yet appointed a new Director-General of the Bulgarian national television.** There has been no progress in adopting the envisaged revision of the law intended to define in more detail the public service remit and the related financing which was planned to be presented in Parliament in 2024, though a dedicated working group within the Ministry of Culture continues to pursue this issue<sup>126</sup>. While CEM elected a new Director-General of the Bulgarian national radio (BNR) for a second three-year term in 2024, the election of a new Director-General of the Bulgarian national television (BNT) was further delayed due to legal disputes on the results of the 2022 competition, for which a final decision was issued by the Supreme Administrative Court in June 2025<sup>127</sup>. In line with the judgement ordering the re-launch of the appointment procedure, the Government has committed to a permanent appointment in compliance with national law<sup>128</sup>. The current Director-General remains in the position *ad interim*. Stakeholders continue to note that this situation contributes to uncertainty and possibly undermines the independence of the broadcaster<sup>129</sup>.

**There are still shortcomings regarding the enforcement of media ownership disclosure obligations despite the existence of several registers.** In addition to the CEM public register covering media ownership structures of radio and television operators, the Ministry of Culture hosts a public register based on declarations made by any media outlet of its beneficial ownership and the funding received from public funds, political parties, etc<sup>130</sup>. There are concerns that this regulatory framework is not sufficiently enforced since, despite the lack of disclosure of ultimate owners by some media companies, no fines as foreseen by the law have been imposed in 2024 despite violations being reported by stakeholders<sup>131</sup>. Another issue is the lack of disclosure of ownership of websites that are not considered media outlets and therefore fall outside the current scope of media law, reportedly spreading disinformation and propaganda operating almost anonymously notwithstanding their increasing audience<sup>132</sup>.

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<sup>123</sup> Country visit Bulgaria, CEM.

<sup>124</sup> Certain members of the regulator indicated that they faced pressure as regards their activities by certain politicians and political parties. 2025 MPM Report, p. 17-18; International Press Institute (2025), written input, p. 12; Joint CSO contribution (2025), written input, pp. 17-18. See also 2024 Rule of Law Report, Bulgaria, p. 26.

<sup>125</sup> Country visit Bulgaria, CEM; CEM (2025), written input, p. 2.

<sup>126</sup> 2024 Rule of Law Report, Bulgaria, p. 29.

<sup>127</sup> DeFakto (2025a).

<sup>128</sup> Bulgarian Government (2025a), p. 46.

<sup>129</sup> 2024 Rule of Law Report, Bulgaria, p. 29. Country visit Bulgaria, Association of European Journalists – Bulgaria, For the truth project, National Council for Journalistic Ethics.

<sup>130</sup> Both registries are accessible online.

<sup>131</sup> Country visit Bulgaria, Association of European Journalists – Bulgaria; National Council for Journalistic Ethics; For the truth Project; Access to Information Programme, Media Democracy Foundation.

<sup>132</sup> Country visit Bulgaria, Media Democracy Foundation; 2025 MPM Report, p. 5, 10, 13, 26; RSF (2025), written input, p. 12-13.

**There has been some further progress on the recommendation regarding transparency in the allocation of state advertising<sup>133</sup>.** The amendments to the Public Procurement Act adopted in October 2023<sup>134</sup> have improved transparency when awarding state advertising to radio and television broadcasters and on-demand media services<sup>135</sup>. Still, those amendments do not apply to contracts below a certain threshold<sup>136</sup> or contracts through intermediaries (media agencies). In addition, there is no compulsory legal requirement for media advertising contracts to be concluded through public procurement, and allocation of state advertising is not being annually monitored and reported by a centralised authority<sup>137</sup>. Moreover, concerns remain regarding the use of state advertising as a means to buy influence, notably with regard to online media receiving funding from political parties to cover election campaigns<sup>138</sup>. Furthermore, as a positive development in the specific remit of online platforms, the Ministry of Tourism has been publishing on its website monthly reports for their spending on advertising on these platforms<sup>139</sup>. Some further progress has been made at improving transparency in the allocation of state advertising.

**Indications of political and economic influence over the media remain.** The 2025 Media Pluralism Monitor notes that there has been no improvement in this context, highlighting the existence of several party-affiliated audiovisual media in the country<sup>140</sup>. This view is shared by stakeholders who point to political influence in editorial policies, notably in cases where privately owned media have ownership interests in other regulated sectors, including due to the fact that some of the biggest companies are internationally owned<sup>141</sup>. A survey conducted at the end of 2024 also shows an increase in political pressure, including on media advertising and particularly at local and regional levels<sup>142</sup>. The lack of regulation of online media and the purchase of local and regional media by municipal administrations underpin the criticism of how public funds are used to fund private media and further undermine the media market plurality, leading to “media deserts”, particularly at the local level<sup>143</sup>. There are still no specific provisions governing cross-ownership of media companies or addressing media concentrations and their impact on media pluralism or editorial independence<sup>144</sup>.

**Access to public information is improving, despite some continuing difficulties.** Improved budget and good practices in terms of financial transparency on public institutions’ websites, updated internal rules on access to information and improved

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<sup>133</sup> The 2024 Rule of Law Report recommended Bulgaria to ‘[a]dvance with the work aimed at improving transparency in the allocation of state advertising, in particular with regard to state advertising contracted through intermediaries, such as media agencies’.

<sup>134</sup> The amended law was published in the official journal No. 20 of 18 October 2023.

<sup>135</sup> Country visit Bulgaria, Association of European Journalists – Bulgaria; National Council for Journalistic Ethics; For the truth Project; Access to Information Programme; Media Democracy Foundation.

<sup>136</sup> BGN 10 000 [EUR 5 112]

<sup>137</sup> 2025 MPM Report, p. 29.

<sup>138</sup> RSF (2025), written input, p. 12-13.

<sup>139</sup> 2025 MPM Report, p. 29. The obligation stems from Art. 6a(3) from the Tourism Act, as amended in June 2023, and entered into force in 2024.

<sup>140</sup> 2025 MPM Report, p. 26

<sup>141</sup> Country visit Bulgaria, the Media Democracy Foundation and ‘For the truth project’; RSF (2025-online).

<sup>142</sup> Association of European Journalists – Bulgaria (2024).

<sup>143</sup> Country visit Bulgaria, journalists’ associations. The term “media desert” refers to a geographic area or community that lacks access to local news and information.

<sup>144</sup> 2024 Rule of Law Report, Bulgaria, p. 28; International Press Institute (2025), written input, p. 13-14.

management of internal information systems have been reported by civil society<sup>145</sup>. However, administrative refusals by state institutions and selective engagement are still reported by stakeholders, in spite of the Access to Public Information Act, with several ongoing court cases filed due to such refusals<sup>146</sup>.

**Journalists are facing increasing challenges in their activities.** Several reports<sup>147</sup> indicate an increasing number of cases of threats to media professionals in 2024 compared to 2023, including by public and political actors, with most incidents having taken place in public places during electoral periods. Since the 2024 Rule of Law Report, two new alerts regarding physical attacks to the safety and integrity of journalists and to their harassment and intimidation were registered on the Council of Europe Platform to promote the protection of journalism and safety of journalists<sup>148</sup>. There were also six alerts reported by the Media Freedom Rapid Response mechanism relating to physical assaults and intimidation and harassment<sup>149</sup>. As reported by stakeholders, the number of lawsuits against journalists continues to increase, though most of the reported cases have been decided against the plaintiffs<sup>150</sup>. Due to the parliamentary elections in October 2024 and the establishment of a new Government in January 2025, the legal reform prepared by the working group tasked with drafting legislative measures to introduce protections against SLAPPs was delayed<sup>151</sup>. Beyond lawsuits, stakeholders highlight an overall worsening of verbal attacks against journalists in political discourse, targeting both individual journalists and media service providers and including persistent online harassment of journalists, as well as the rise in hate speech against women journalists and fact-checkers<sup>152</sup>. In December 2024, a political party submitted a draft law in Parliament which would have the effect of restricting the possibility for journalists of receiving funding from foreign sources<sup>153</sup>. The draft law was dismissed by Parliament on 5 February 2025. Following legislative reforms to the Criminal Code concerning insult and defamation in 2023, a legislative proposal for lower penalties for defamation has been submitted by the Council of Ministers to the National Assembly for adoption<sup>154</sup>.

#### **IV. OTHER INSTITUTIONAL ISSUES RELATED TO CHECKS AND BALANCES**

**The Constitutional Court reviewed the election results in several polling stations.** After the October 2024 parliamentary elections, a group of members of Parliament seized the Constitutional Court to review the election results in several polling stations, following concerns that voter fraud has occurred, and to recount the votes in case irregularities were found<sup>155</sup>. In its judgment of 14 March 2025, the Constitutional Court

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<sup>145</sup> Access to Information Program (2024).

<sup>146</sup> Country visit Bulgaria, Media Democracy Foundation; 2025 MPM Report, p. 15.

<sup>147</sup> RSF (2025), written input, p. 13-14; 2025 MPM Report, p. 16.

<sup>148</sup> Council of Europe Platform to promote the protection of journalism and safety of journalism (2024-2025). Bulgaria has replied to one of those two alerts, notably the one relating to attacks on physical safety and integrity of journalists.

<sup>149</sup> European Centre for Press and Media Freedom, Media Freedom Rapid Response – Bulgaria (2024).

<sup>150</sup> Several examples provided by Media Democracy Foundation. RSF (2025), written input, p. 14. Association of European Journalists – Bulgaria (2024), p. 41-44.

<sup>151</sup> 2024 Rule of Law Report, Bulgaria, p. 29-30; RSF (2025), written input, p. 14.

<sup>152</sup> 2025 MPM Report, p. 16-17.

<sup>153</sup> Country visit Bulgaria, journalists' associations.

<sup>154</sup> Decision No. 347 of the Council of Ministers on 2 June 2025.

<sup>155</sup> Constitutional Court, Decision No. 1 of 13 March 2025. See also Joint CSO contribution (2025), written input, pp. 24-26. In March 2025, the President of the Constitutional Court complained that the opening of an enquiry by the Prosecutor's Office and a request for the Court to provide documents

found that the election of 16 members of Parliament was illegal<sup>156</sup>. This led to a recalculation of the seats and the parties represented in Parliament.

**Some independent and regulatory authorities continue to operate with an expired mandate and the Government has now relaunched the renewal procedures.** Since the new Government was appointed on 16 January 2025<sup>157</sup>, it has launched the procedures for the renewal of mandates of several independent and regulatory authorities, including the positions of Ombudsperson and Deputy Ombudsperson that have been vacant since January 2024<sup>158</sup>. The appointment of four authorities was completed<sup>159</sup>. However, there is still a significant number of authorities working on an expired mandate<sup>160</sup>. Concerns have been raised as to the increased potential risk that the lack of secure tenure accentuates the potential political influence over decisions of some of these authorities<sup>161</sup>. Moreover, the Constitutional Court judgment of 26 July 2024 declared incompatible with the Constitution the provision declaring that Parliament respects the principles of openness, transparency, publicity, and justification in the selection of the members of the bodies that are wholly or partially elected by it, in order to guarantee their independence<sup>162</sup>. In 2024, the Commission noted that the political crisis in the country showed vulnerabilities with the way independent and regulatory authorities are appointed<sup>163</sup>.

**The constitutional amendments limiting the powers of the President in the procedure of appointing an interim government is subject to another**

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amounted to unjustified pressure on the Court. Stakeholders voiced concern on the grounds of respect for the separation of powers.

<sup>156</sup> Constitutional Court, Decision No. 1 of 13 March 2025.

<sup>157</sup> In October 2024, Bulgaria held its seventh parliamentary election since April 2021, following which a government was formed by three main parties represented in Parliament, supported by two others without seats in it.

<sup>158</sup> Ombudsperson; Commission for Personal Data Protection; National Competition Authority; National Social Security Institute.

<sup>159</sup> Financial Supervision Committee; National Social Security; Bulgarian Fiscal Council; Energy and Water Regulatory Commission.

<sup>160</sup> As of 15 April 2025, these are: Supreme Judicial Council and the Inspectorate to it; Commission for Public Oversight of Statutory Auditors; Committee for disclosing the documents of the State Security and intelligence services of the Army; Commission for Protection against Discrimination; Public Enterprises and Control Agency; National Council of the Bulgarians living abroad. There are also authorities for which the mandate was prematurely terminated or have been reformed: Anti-corruption Commission, and Commission for Illegal Assets Forfeiture; National Bureau for Control over Special Intelligence Means. In the context of a preliminary ruling request, the Court of Justice ruled that the principle of judicial independence precludes a practice in which a judicial body, such as the ISJC, is working beyond the expiry of its mandate without an express legal basis for this, and without this extension of mandate being limited in time. 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, points 81-97.

<sup>161</sup> For some authorities, there could be potential risk of institutions being more likely to take decisions in line with the predicted position of the authorities responsible for renewing their mandates given the threat of sudden termination of the already expired mandate. See 2024 Rule of Law Report, Bulgaria, pp. 31-32. In addition to the example of last report on the National Audit Office, the dismissal of the National Social Security by the Parliament was also declared unconstitutional. See Constitutional Court, Decision No. 5 of 24 September 2024.

<sup>162</sup> The Court considered that the wording of the provision created a double regime for the election of bodies whose appointment procedure is outlined in the Constitution (such as the Supreme Judicial Council and the Inspectorate to it).

<sup>163</sup> See 2024 European Semester, Bulgaria (Country report), p. 15 and 18; (Country Specific Recommendations) number 2 on page 10. See also Bulgarian Institute for Legal Initiatives (2025), “How (In)dependent Institutions Work - Structural and functional analysis of public bodies elected by the National Assembly”.

**constitutionality check.** The constitutionality of the 2023 reform, which restricted the choice of the President of the Republic when appointing an interim government was among the provisions on which the Constitutional Court judgment of 26 July 2024 could not reach a conclusion<sup>164</sup>. Following the October 2024 parliamentary elections and the new appointment of a judge to the Constitutional Court, a group of members of Parliament requested a new constitutionality check of this reform<sup>165</sup>. There has not yet been a decision.

**Problems over the practical implementation of rules for law-making continue, and concerns regarding the quality of the legislative process persist.** As previously reported<sup>166</sup>, improved rules for law-making in Parliament have been adopted and continue to be in place<sup>167</sup>. However, the practical implementation of these rules continues to raise some concerns<sup>168</sup>. Since the majority of legislative amendments have been proposed directly by members of Parliament<sup>169</sup>, these do not go through the same mandatory procedure as for government initiatives, including as regards impact assessment and public consultations<sup>170</sup>. In that context, stakeholders continued to express criticism that the impact assessment and public consultations carried out by the members of Parliament are often done *pro forma*<sup>171</sup>. As regards the public consultations, according to a study prepared by Parliament, in 94% of the draft laws there is no information about public consultations or discussions organised to determine the problems and reasons necessitating the adoption of the draft law. In 94.2% of the draft laws, the arguments and different points of view of the stakeholders were not included, and in 65% there was no analysis on the compatibility of the draft laws with EU law<sup>172</sup>. Stakeholders also reported that the practice of introducing legislative changes through amendments to other, unrelated, acts between the first and the second reading has been used again, although sporadically<sup>173</sup>. Frequent changes to the legislation have been flagged as one of the key barriers for businesses<sup>174</sup>.

**Less than half of the companies surveyed in Bulgaria express high levels of confidence in the effectiveness of investment protection.** 41% of companies are very

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<sup>164</sup> Constitutional Court Decision No. 13 of 26 July 2024.

<sup>165</sup> Constitutional Court Case No. 40 of 2024.

<sup>166</sup> Milestone 241 under the RRP.

<sup>167</sup> See 2024 Rule of Law Report, Bulgaria, p. 33.

<sup>168</sup> Country visit, Bulgaria, Bulgarian Centre for Not-for-Profit Law, Deystvie, Amnesty International – Bulgaria, Bulgarian Helsinki Committee. See also Joint CSO contribution (2025), written input, pp. 22-23.

<sup>169</sup> About 78% of the drafts were tabled by members of Parliament. See National Assembly. Study of the law-making activity of the National Assembly (November 2024 – February 2025), p. 7.

<sup>170</sup> The Rules of Procedure of Parliament state that draft laws tabled both by members of Parliament and by the government shall be subject to preliminary impact assessments. However, the preliminary impact assessments of the government need to comply with higher standards, as set out by the Law on the Normative Acts and the relevant secondary legislation.

<sup>171</sup> Country visit, Bulgaria, Bulgarian Centre for Not-for-Profit Law, Deystvie, Amnesty International – Bulgaria, Bulgarian Helsinki Committee.

<sup>172</sup> See National Assembly. Study of the law-making activity of the National Assembly (November 2024 – February 2025), pp 36-40.

<sup>173</sup> This practice allows to circumvent the requirement for public consultations and public discussions. This is especially true for the changes made in the final and transitional provisions. Country visit, Bulgaria, Bulgarian Centre for Not-for-profit Law, Open Society Institute, Bulgarian Helsinki Committee, Deystvie, Bulgarian Institute For Legal Initiatives And Institute For Market Economics.

<sup>174</sup> Survey conducted by the Bulgarian Industrial Association in December 2024, among 738 micro, small, medium and big companies in Bulgaria. It shows that 47% of the respondents consider the frequent changes to the legislation as a major barrier for businesses.



or fairly confident that investments are protected by law and courts<sup>175</sup>. The main reasons among companies for their lack of confidence are the difficulty to challenge administrative decisions in court (34%) and the concerns about the quality of the law-making process and the quality (30%), efficiency or independence of justice (34%)<sup>176</sup>. Moreover, only 34% perceive the level of independence of the national competition authority (Commission on Protection of Competition) as very or fairly good<sup>177</sup>. A number of judicial mechanisms are in place at the level of the Supreme Administrative Court to ensure the implementation of administrative court judgments, which include fines for responsible officials for non-compliance. However, these mechanisms do not include the possibility to quash administrative decisions for continued non-compliance with court's instructions, to issue binding orders to the administration to perform or refrain from administrative acts, or to award direct or consequential damages or compensation<sup>178</sup>.

**On 1 January 2025, Bulgaria had 89 leading judgments of the European Court of Human Rights pending implementation, the same number as the previous year<sup>179</sup>.** At that time, Bulgaria's rate of leading judgments from the past 10 years that had been implemented was at 46% (compared to 47% in 2024; 54% remained pending), and the average time that the judgments had been pending implementation was 7 years and 3 months (compared to 6 years and 9 months in 2024)<sup>180</sup>. The oldest leading judgment, pending implementation for 20 years, concerns the poor conditions of detention in remand facilities and prisons, and the lack of an effective remedy to complain about such conditions. Nonetheless, it is noted that in 2024, the Committee of Ministers acknowledged the significant progress achieved by the State in this judgment<sup>181</sup>. As regards the respect of payment deadlines, on 31 December 2024 there were 9 cases in total awaiting confirmation of payments (compared to 13 in 2023)<sup>182</sup>. On 16 June 2025, the number of leading judgments pending implementation had increased to 92<sup>183</sup>.

**The members of the Council for Civil Society Development are being renewed.** After the new Government took office on 16 January 2025, the Council for Civil Society Development was able to resume its work. However, since the mandate of its members

<sup>175</sup> Figure 54, 2025 EU Justice Scoreboard.

<sup>176</sup> Figure 55, 2025 EU Justice Scoreboard. 30% of the surveyed investors perceive the frequent changes in legislation or concerns about quality of law-making process as a reason for the lack of confidence in investment protection.

<sup>177</sup> Figure 60, 2025 EU Justice Scoreboard.

<sup>178</sup> Figure 49, 2025 EU Justice Scoreboard. The data presented reflects exclusively the mechanisms in place at the level of the highest administrative jurisdictions; the same or other mechanisms may be in place at lower instance administrative courts.

<sup>179</sup> For an explanation of the supervision process, see the [website](#) of the Council of Europe.

<sup>180</sup> All figures calculated by the European Implementation Network (EIN) and based on the number of cases that are considered pending at the annual cut-off date of 1 January 2025. EIN (2025), written input, p. 2.

<sup>181</sup> Judgment of the ECtHR, 41035/98, *Kehayov v. Bulgaria*, pending implementation since 2005. The Committee noted that the authorities have adopted in recent years numerous measures, which have enabled the almost complete eradication of overcrowding, even though the overall capacity of the prisons and prison hostels has decreased, and have allowed significant improvement in the material conditions of detention. The Committee decided to continue the supervision of the remaining questions regarding overcrowding, outdoors activities for persons detained in Investigation Detention Facilities and further improvement of material conditions of detention in the context of the *Kehayov* case under the standard supervision procedure. See also a case on the freedom of assembly and association, judgment of the ECtHR, 59491/00, *UMO and others v. Bulgaria* pending implementation since 2006.

<sup>182</sup> Council of Europe (2025), p. 156.

<sup>183</sup> Data according to the online database of the Council of Europe (HUDOC).

expired, on 28 March 2025, the Government started a procedure for the selection of new members<sup>184</sup>. The draft decision on the renewal of the Council is currently being assessed at interdepartmental level, following which the decision can be adopted by the Government. Once the decision adopted, the Council will start its activities. The Council's main tasks are to conduct an annual review of the needs and challenges faced by civil society organisations; to monitor the implementation of the civil society strategy; and to develop a national funding mechanism for civil society. However, to date, no such reviews have been published or conducted by the Council; no civil society strategy is currently in place, as the last one expired in 2015; and the work on developing the national funding mechanism was not finalised<sup>185</sup>. In response to this, civil society organisations have called for action, including advocating for amendments to the Council's rules of procedure to ensure its continuity and effective functioning. Currently, there is cooperation and dialogue between the Secretariat of the Civil Society Development Council and the civic sector. Amendments to the Rules of Procedure for the Organisation and Activities of the Council are being prepared, in order to adapt them to the Law on Non-Profit Legal Entities, ensuring its continuity and effective functioning.

**Attempts to reintroduce legislation requiring the registration of organisations receiving foreign funding were again dismissed by Parliament.** Civic space in Bulgaria continues to be rated as narrowed<sup>186</sup>. Another draft law for the registration of 'foreign agents' was resubmitted to Parliament by members of Parliament on 11 November 2024. The previous drafts that were tabled in recent past legislatures have either been dismissed or have lapsed due to the end of the Parliament's mandate<sup>187</sup>. Shortly after the new Government took office, on 5 February 2025, the new draft law was discussed in Parliament, where it was dismissed following a vote. Stakeholders expressed concerns that some of the aspects of the controversial draft foreign agents act could be tabled again or introduced through another legal act<sup>188</sup>. Some stakeholders report that a law adopted in 2024 prohibiting acts related to 'propaganda for non-traditional sexual orientation' in schools and in their vicinity<sup>189</sup> has had the effect of schools and teachers not engaging with CSOs working in the field of LGBTIQ rights, including on topics such as health<sup>190</sup>.

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<sup>184</sup> Country visit, Bulgaria, Bulgarian Center for not-for-profit law. Since their first meeting in March 2022 and until February 2025, the Council met 19 times.

<sup>185</sup> See also Joint CSO contribution (2025), written input, pp. 26-27

<sup>186</sup> See rating given by CIVICUS, Bulgaria. Ratings are on a five-category scale defined as: open, narrowed, obstructed, repressed and closed.

<sup>187</sup> Since 2020, there have been five draft laws for the registration of foreign agents that have been tabled in Parliament. Three of them have lapsed due to the dissolution of the Parliament and subsequent snap elections, and two in 2023 and 2025 have been dismissed by the Parliament.

<sup>188</sup> Country visit, Bulgaria, Bulgarian Institute for Legal Initiatives, Institute for Market Economics, Bulgarian Helsinki Committee, Bulgarian Centre for not-for-profit law, Deystvie, Amnesty International – Bulgaria. See also Joint CSO contribution (2025), written input, pp. 23-24. It should be noted that the National Assembly Rules of Procedure provide that a draft law rejected at first reading can be submitted for debate and voting only following fundamental revision and no earlier than three months after the initial procedure.

<sup>189</sup> See Law for the amendment and supplement of the law on pre-school and school education, adopted on 7 August 2024.

<sup>190</sup> Country visit, Bulgaria, Bulgarian Institute for Legal Initiatives, Institute for Market Economics, Bulgarian Helsinki Committee, Bulgarian Centre for not-for-profit law, Deystvie, Amnesty International – Bulgaria. See also Joint CSO contribution (2025), written input, pp. 24-26. Civil Society Europe (2025), written input, p. 10. See also Civil Liberties Union for Europe (2025), written input, pp. 168-170.

## Annex I: List of sources in alphabetical order\*

\* The list of contributions received in the context of the consultation for the 2025 Rule of Law report can be found at [https://commission.europa.eu/publications/2025-rule-law-report-targeted-stakeholder-consultation\\_en](https://commission.europa.eu/publications/2025-rule-law-report-targeted-stakeholder-consultation_en)

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## **Annex II: Country visit to Bulgaria**

The Commission services held virtual meetings in March 2025 with:

- Access to Information Programme
- Amnesty International - Bulgaria
- Anti-Corruption Council
- Anti-corruption Fund Foundation
- Association of Bulgarian Radio and TV Operators
- Association of European Journalists – Bulgaria
- Association of Prosecutors in Bulgaria
- Audio-Visual regulator – Council for Electronic Media
- Bulgarian center for not-for-profit law
- Bulgarian Helsinki Committee
- Bulgarian Industrial Association
- Bulgarian Institute for Legal Initiatives
- Bulgarian Judges Association
- Centre for the Study of Democracy
- Commission for countering corruption
- Commission for forfeiture of illegally acquired assets
- Constitutional court
- Deystvie
- For the truth project
- Inspectorate to the Supreme Judicial Council
- Internal Security Directorate – Ministry of Interior
- Institute for Market Economics
- Justice for All Initiative
- Ministry of Culture
- Ministry of Interior
- Ministry of Justice
- National Audit Office
- National Council for Journalistic Ethics
- Office of the Prosecutor General
- Open Society Institute
- Public service media – Bulgarian National Radio
- Supreme Administrative Court
- Supreme Bar Council
- Supreme Court of Cassation
- Supreme Judicial Council
- Transparency International - Bulgaria

\* The Commission also met the following organisations in a number of horizontal meetings:

- Amnesty International
- Araminta
- Civil Liberties Union for Europe
- Civil Society Europe

- European Civic Forum
- European Partnership for Democracy
- European Youth Forum,
- International Commission of Jurists
- International Federation for Human Rights (FIDH)
- JEF Europe
- Philea – Philanthropy Europe Association.
- Transparency International