

Bulgarian CSOs Welcome EU Parliament Debate on Democratic Backsliding

21.10.2025

We, the undersigned civil society organisations, welcome the European Parliament's decision to hold a topical debate on the rule of law and the challenges faced by democratic institutions in Bulgaria.

Observers unfamiliar with the local context may question the rationale for such a debate, considering the recent historic milestones achieved by Bulgaria. In 2019, the European Commission ceased publishing Reports on Bulgaria under the CVM and in 2023 it was formally closed. The country became a full member of the Schengen Area in January 2025 and is set to adopt the Euro in January 2026.

As important as these milestones are, they may deflect attention from the problems of law enforcement and justice institutions in Bulgaria. It is our firm belief that **the gravity of these challenges is such that it undermines Bulgaria's ability to protect democratic principles, the rule of law and the fundamental human rights of its citizens.**

Some of these challenges are listed below:

1. **Arbitrary, Politically Motivated Actions by Anti-Corruption Bodies**

On 8 July 2025, Blagomir Kotsev, mayor of the city of Varna, was detained together with three other suspects, following an operation of the Commission for the Counteraction of Corruption (CCC). A number of procedural violations have been committed during the proceedings. Kotsev is still under arrest, facing charges (based on questionable evidence) of corruption and participation in an organised criminal group.

Kotsev's is the most recent of a long list of examples of politically motivated, arbitrary actions by Bulgaria's anti-corruption institutions. Typically, such criminal proceedings can be linked to specific political events. They serve as smoke screens which allow the public prosecution to use repressive measures in the pursuit of objectives that are in no way linked to the restoration of justice: repression against political opponents, using the media to tarnish the reputation of opponents, and creating a culture of fear among the leadership of political parties. This hidden agenda is set by the individuals who control the anti-corruption institutions via front persons serving as nominal leaders.

All that is necessary for the purposes of these smoke screen operations are some initial and easier to achieve procedural steps, such as the temporary detention of suspects, press conferences announcing charges of corruption, as well as ‘leaks’ of questionable pieces of evidence in certain media outlets. The objective of the criminal proceedings, namely proving culpability and convicting the perpetrators, is completely ignored. This conclusion is supported by the fact that, out of 66 criminal investigations into possible high-level corruption initiated from 2014 to 2023, only four resulted in final convictions¹.

More specifically, in the past 18 months we are witnessing the above-described model in a large number of criminal proceedings on charges of high-level corruption which, without a fail, target political opponents (or individuals linked to them) of Delyan Peevski, the leader of the Movement for Rights and Freedoms - New Beginning, who has been sanctioned for corruption by the United States and the United Kingdom. Some of the proceedings target former ministers, members of Parliament, directors of agencies, local leaders – all of them being Peevski’s political opponents, some even from within the ranks of his own party. These proceedings seem to take up all the energy and effort of Bulgarian law enforcement authorities in as much as high-level corruption investigations are concerned. There are no investigations into individuals representing the current ruling majority, which seems to enjoy Peevski’s political support.

2. Failure to Investigate Large-Scale Abuses of Public Funds

Against the backdrop of politically motivated actions by the Prosecutor’s Office and the CCC, suspected large-scale abuses of public funds that significantly harm the public interest are not investigated, despite publicly available information thereof. When investigations are started, they rarely reach the court phase.

One recent example is the investigation into possible misappropriation of public funds in the project to expand the Hemus Highway². In 2021, in close cooperation with the then-leadership of the Ministry of Interior, the Prosecutor’s Office initiated an investigation. Two years later, the prosecutors working on the case were reassigned just as they were about to lodge an indictment in court. The indictment, with featured charges of misappropriating some BGN 54 million and money laundering, was never filed, and the charges against the main suspects were eventually dropped. One of the prosecutors who initially worked on the

¹ Yankulov, A. Peneva, D. *Anti-Corruption Institutions 2024: a “New” Beginning*. Sofia, ACF, 2025
https://acf.bg/wp-content/uploads/2025/06/ACF_Report2025_EN_web.pdf

² *How BGN 54M for the Construction of Hemus Highway Ended up in a Warehouse near Blagoevgrad and Why the Perpetrators Were Never Charged*, Sofia, 2025.

<https://acf.bg/en/kazusat-hemusgeyt-chast-2-kak-54-mln-le/>

case reported his dismissal to the leadership of the Prosecutor's Office and the Special Prosecutor, claiming possible attempts to influence the investigation on behalf of the acting Prosecutor General. There have been no institutional reactions following the reports.

3. Anti-Corruption Commission Abuses Its New Powers, Lacks Proper Mandate

In 2023, the Commission for Anti-Corruption and the Forfeiture of Illegally Acquired Property was split into two separate bodies: the Commission for the Forfeiture of Illegally Acquired Property and the Commission for the Counteracting of Corruption (CCC). The CCC was given new investigative powers, and this represents one of several reform measures under Bulgaria's Recovery and Resilience Plan.

Unfortunately, the two new bodies have still not been constituted, and the deadline for electing new leadership expired in January 2024. Meanwhile, under the leadership of its former deputy chair (now acting chair) Anton Slavchev, the CCC has exercised its new and expanded powers, joining the Prosecutor's Office in the selective application of repressive measures against Delyan Peevski's opponents. In August 2025, the Nomination Committee that is part of the election procedure for the CCC fulfilled its duties and submitted its report to the respective parliamentary committee to proceed and finalise the election. To date, the National Assembly has not taken steps to elect the new members of the CCC.

4. Expired Mandates of Key Public Bodies

In the last couple of months, the 51st National Assembly carried out a number of election procedures to stack key institutions with a new leadership corps. However, some of the most **important bodies within the judiciary still operate outside their mandates**, thus fueling the narrative of unwillingness at a political level to change the current members thereof.

The mandate of the Supreme Judicial Council, the body tasked with electing the Prosecutor General and the Chairpersons of the Supreme Cassation and the Supreme Administrative Court, expired in October 2022. The mandate of the Chief Inspector and the inspectors at the Inspectorate to the Supreme Judicial Council, responsible for performing integrity inquiries and proposing disciplinary measures against magistrates, **expired more than five years ago**. The mandate of the Chairperson of the Supreme Administrative Court has also

expired. The acting Prosecution General has continued to serve in this capacity, although he is only allowed to stay in this post until July 21, 2025³.

The continued operation of public bodies whose members are serving well beyond the scope of their mandates erodes public trust, undermines the legitimacy of their actions and decisions and creates risks of dependencies and corruption. Mandate expiry has already been identified as problematic by the Court of Justice of the European Union in its decisions in cases C-313/23, C-316/23 and C-332/23. Especially concerning the judiciary, there is a recent decision of the CEU, C-303/25, giving a clear explanation as to why acting outside a mandate could be dangerous to the rule of law in the country.

5. Disciplinary Proceedings Against the Bulgarian European Prosecutor

In September 2025, the College of the European Public Prosecutor's Office (EPPO) announced the initiation of disciplinary proceedings against the Bulgarian European Prosecutor. The inquiry into possible wrongdoing by the investigated prosecutor calls into question the independence of the EPPO office in Bulgaria.

6. Large-Scale Vote Buying and Weak Institutional Reaction

The right to free and fair elections is enshrined in the Universal Declaration of Human Rights and the European Convention on Human Rights. Vote buying is a type of electoral fraud that infringes on this right, undermines the integrity of the electoral process, and weakens democratic institutions. Bulgaria has a long record of evidence for election fraud in certain polling stations, especially those where representatives of vulnerable groups form the majority of voters.

A recent and very concerning example is the elections for municipal council representatives in Pazardjik, held on October 12, 2025, where a large amount of evidence suggests vote buying. However, law enforcement authorities have so far appeared slow or unwilling to act.

This list is not exhaustive, but it clearly shows significant backsliding of the hard-won democratic achievements in Bulgaria's recent history. We hope that the Members of the

³ Two weeks ago, the General Assembly of the Criminal Chamber of the Supreme Cassation Court explicitly stated (while applying a very clear legal norm) that Borislav Sarafov lacks legitimacy as acting Prosecutor General, as of 22 July. The same interpretation has been applied by the Sofia Appellate Court and the Sofia City Court in a recent case. Despite this, Borislav Sarafov has continued to serve as acting Prosecutor General and the Supreme Judicial Council has denied appointing a replacement.

European Parliament will conduct a meaningful debate and will remain vigilant about the serious challenges to democracy and the rule of law in Bulgaria.

Supporting organisations:

- 1. Access to Information Programme**
- 2. Anti-Corruption Fund Foundation**
- 3. Bulgarian Institute for Legal Initiatives**
- 4. Bulgarian Helsinki Committee**
- 5. Bulgarian Lawyers for Human Rights**
- 6. Institute for Market Economics**
- 7. Justice for All Initiative**