

# 2021 Rule of Law Report - targeted stakeholder consultation

Fields marked with \* are mandatory.

## Introduction

The first annual Rule of Law Report was published on 30 September 2020. It is the core of the new European rule of law mechanism, which acts as a preventive tool, deepening multilateral dialogue and joint awareness of rule of law issues.

In the preparation of the first annual Rule of Law Report, the Commission relied on a diversity of relevant sources, including from Member States, country visits, and stakeholders' contributions collected through a targeted stakeholder consultation[1]. The information provided has informed the Member State-specific assessments of the Commission in preparing the Report. Building on the positive experience from the first Rule of Law Report, the Commission is inviting stakeholders to provide written contributions for the preparation of the 2021 Rule of Law Report through this targeted consultation.

The contributions should cover in particular (1) feedback and developments with regard to the points raised in the country chapters of the 2020 Rule of Law Report and (2) any other significant developments since January 2020[2] falling under the 'type of information' outlined in next section. This would also include significant rule of law developments in relation to the COVID-19 pandemic falling under the scope of the four pillars covered by the report.

The input should be short and concise, if possible in English, and summarise information related to one or more of the areas referred to in the template. You are invited to focus on the areas that relate to the scope of work and expertise of your organisation. Existing reports, statements, legislation or other documents may be referenced with a link (no need to provide the full text). Stakeholders are encouraged to make references to any contributions already provided in a different context or to Reports and documents already published.

Contributions should focus on significant developments both as regards the legal framework and its implementation in practice.

Please provide your contribution by 8 March. Should you have any requests for clarifications, you can contact the Commission at the following email address: [rule-of-law-network@ec.europa.eu](mailto:rule-of-law-network@ec.europa.eu).

[1] [https://ec.europa.eu/info/publications/2020-rule-law-report-targeted-stakeholder-consultation\\_en](https://ec.europa.eu/info/publications/2020-rule-law-report-targeted-stakeholder-consultation_en)

[2] Unless the information was already submitted in the consultation for the 2020 Rule of Law Report.

## Type of information

The topics are structured according to four pillars: I. Justice system; II. Anti-corruption framework; III. Media pluralism; and IV. Other institutional issues related to checks and balances. The replies could include aspects set out below under each pillar. This can include challenges, current work streams, positive developments and best practices:

### Legislative developments

- Newly adopted legislation
- Legislative drafts currently discussed in Parliament
- Legislative plans envisaged by the Government

### Policy developments

## Implementation of legislation

- Evaluations, impact assessment, surveys
- White papers/strategies/actions plans/consultation processes
- Follow-up to reports/recommendations of Council of Europe bodies or other international organisations
- Important administrative measures
- Generalised practices

## Developments related to the judiciary / independent authorities

- Important case law by national courts
- Important decision/opinions from independent bodies/authorities
- State of play on terms and nominations for high-level positions (e.g. Supreme Court, Constitutional Court, Council for the Judiciary, heads of independent authorities included in the scope of the request for input[1])

## Any other relevant developments

- National authorities are free to add any further information, which they deem relevant; however, this should be short and to the point.

Please include, where relevant, information related to measures taken in the context of the COVID-19 pandemic under the relevant topics.

If there are no changes, it is sufficient to indicate this and the information covered in the 2020 Rule of Law Report should not be repeated.

[1] Such as: media regulatory authorities and bodies, national human rights institutions, equality bodies, ombudsman institutions and supreme audit institutions.

## About you

\* I am giving my contribution as – **Other**

If “other”, please specify – **President of the Supreme Court of Cassation of Republic of Bulgaria**

\* Organization name - **Supreme Court of Cassation of Republic of Bulgaria**

\* Main Areas of work – **Justice System**

\* Please insert an URL towards your organization’s main online presence or describe your organization briefly: [www.vks.bg](http://www.vks.bg)

\* Country of origin – **Republic of Bulgaria**

- \* First Name - **Lozan**
- \* Surname - **Panov**
- \* Email Address of the organization (this information will not be published) – [rgeorgieva@vks.bg](mailto:rgeorgieva@vks.bg)
- \* Publication of your contribution and privacy settings
  - ☐ Anonymous - Only your type of respondent, country of origin and contribution will be published. Organisation name, URL, transparency register number, first name and surname given above will not be published. To maintain anonymity, please refrain from mentioning the name of your organisation and any details from which your organisation can be identified in the rest of your contribution.
  - ☒ **Public - Your personal details (name, organisation name, transparency register number, country of origin will be published with your contribution.**
  - ☐ No publication - Your contribution will not be published. Elements of your contribution may be referred to anonymously in documents produced by the Commission based on this consultation.
- \* ☒ I agree with the personal data protection provisions. – **I agree**

### Questions on developments in Member States

The following four pillars are sub-divided into topics and sub-topics. You are invited to provide concrete information on significant developments, focusing primarily on developments since January 2020, for each of the sub-topics which are relevant for your work. Please feel free to provide a link to and reference relevant legislation/documents. Significant developments can include challenges, positive developments and best practices, covering both legislative developments or implementation and practices (as outlined under “type of information”).

If there are developments you consider relevant under each of the four pillars that are not mentioned in the sub-topics, please add them under the section "other - please specify". Only significant developments should be covered.

Please note that, due to the size of the questionnaire, certain elements may be slow to load, especially if selecting many Member States at once. In such cases, it is recommended to wait a few minutes to let the page load correctly.

## **Bulgaria**

### Justice System - Bulgaria

#### Independence

*Appointment and selection of judges, prosecutors and court presidents  
(The reference to 'judges' concerns judges at all level and types of courts  
as well as judges at constitutional courts):*

**There is a tendency that the candidates for presidents of courts that are members at the Bulgarian Judges Association (the biggest and most critical professional organization of judges for the Supreme Judicial Council-SJC) or they are judges that stated publicly their negative opinion regarding the decision of the SJC, for example decisions regarding the judicial map and the implementation of the Unified Information System for Courts, to not be chosen for administrative heads by the Judge's College of the SJC, without those decisions of the personnel authority to be supported with arguments regarding the professional or ethical qualities of the candidates. The last example is related to the election of the president of the District Court – Ruse** (<https://news.lex.bg/%d0%be%d1%81-%d1%80%d1%83%d1%81%d0%b5-%d0%be%d1%81%d1%82%d0%b0%d0%bd%d0%b0-%d0%b1%d0%b5%d0%b7-%d0%bf%d1%80%d0%b5%d0%b4%d1%81%d0%b5%d0%b4%d0%b0%d1%82%d0%b5%d0%bb-%d0%ba%d0%b0%d0%b4%d1%80%d0%be%d0%b2/> and <http://www.vss.justice.bg/page/view/106525>).

Almost a year the National Assembly refuses to execute its constitutional obligation to choose a new composition of the Inspectorate to the SJC. Regardless the expiration of the mandate the general inspector – since 9 April 2020 till the present moment, as well as the inspectors – since 14 March 2020 till the present moment at this authority still continue to work (<https://ime.bg/bg/articles/ostavkata-kato-vyzmojnost-pred-glavniya-sydeben-inspektor/#ixzz6o8MrK66h> and <https://defakto.bg/?p=67138>).

In the meantime the Inspectorate to the SJC continues to deprive the Bulgarian society from the information that is received, created and preserved regarding the inspections for integrity and conflict of interest, made by the Inspectorate, and also to identify the acts that violate the

prestige of the judiciary and violation of independence of magistrates. The Inspectorate does this in spite of the case law (that was created on occasion of refusal of the Inspectorate to the SJC regarding inspection known as TSUM-gate) according to which there is always an outweighed public interest regarding this information (<https://blog.aip-bg.org/publications/1167> and <https://www.svobodnaevropa.bg/a/30990196.html>).

The general inspector refuses the access to this information even to the magistrates that are subject of inspections, including also on the regulation of the Law for access to the public information. At the moment the President of the Supreme Court of Cassation appeals such refusal of the general inspector (<http://www.vks.bg/novini/ivss-jalba.html> and <https://www.paragraph22.bg/22-novini/read/lozan-panov-grajdanite-imat-pravo-na-pulen-dostup-do-informaciata-za-izvurshvanite-proverki-ot-inspektorata-kum-vss>).

### *Promotion of judges and prosecutors*

An example for tendentious attitude to a judge is the fact that hardly in 2020 with more than year in delay and after the judgment of the Supreme Administrative Court, the Judge's College of the Supreme Judicial Council succeeded to vote an evaluation for references of the former president of the Bulgarian Judges Association and clear critic of the Supreme Judicial Council judge Miroslava Tododorova (<https://news.lex.bg/%D1%81%D0%B0%D0%B3%D0%B0%D1%82%D0%B0-%D0%BF%D1%80%D0%B8%D0%BA%D0%BB%D1%8E%D1%87%D0%B8-%D1%81%D1%8A%D0%B4%D0%B8%D1%8F-%D0%BC%D0%B8%D1%80%D0%BE%D1%81%D0%BB%D0%B0%D0%B2%D0%B0-%D1%82%D0%BE%D0%B4%D0%BE/>).

### *Allocation of cases in courts*

With decisions of the Judge's College at the Supreme Judicial Council there is increasing of numbers of judges in some courts while number of the staff is taken by other courts without clear rules and objective analyze of statistics and tendency of workload. The last example is of transferring of two numbers from judges staff from two district courts to a court to which the Committee for attestation and competition presented before the Judge's College data for permanent tendency for decreasing the cases

<http://www.vss.justice.bg/page/view/106525> and  
<https://news.lex.bg/%d0%ba%d1%80%d0%b0%d1%81%d0%b8%d0%b8%d0%b8%d1%80-%d1%88%d0%b5%d0%ba%d0%b5%d1%80%d0%b4%d0%b6%d0%b8%d0%b5%d0%b2-%d0%b4%d0%b0-%d1%81%d0%bf%d1%80%d0%b5%d0%bc-%d0%b4%d0%b0-%d1%84%d0%b0%d0%b2%d0%be%d1%80/>).

### *Remuneration/bonuses for judges and prosecutors*

In 2020 The Supreme Court of Cassation (SCC) make two requests to the Constitutional Court against the career bonuses provided at the Judiciary System Act.

On 26<sup>th</sup> May 2020 The Plenum of the Supreme Court of Cassation made a request to the Constitutional Court to pronounce as an unconstitutional the provision of para.4 of the Law on amendment and addition of the Judiciary System Act (JSA) regarding the amendment of provision of Article 28 from the JSA in the part that provides at the end of the mandate of a member of the SJC or in case of its earlier termination this member to be reinstated ...” or one level up from the position that he/she was before the election in the judiciary bodies” (<http://www.vks.bg/novini/iskane-kc-zsv-2020.html>).

The Constitutional Court initiates a case on the request but later the National Assembly changes the text of the attacked norm which leads to termination of the case (<http://www.constcourt.bg/bg/Acts/GetHtmlContent/c1461062-4ea8-4d1c-93ff-23ffa9cd5d32>).

Therefore on 20<sup>th</sup> December 2020 the Plenum of the Supreme Court of Cassation made a new request to the Constitutional Court – to pronounce as an unconstitutional the provisions of Article 28 and Article 50 from the JSA in the parts that provides that in case on expiration or earlier termination of the mandate of elective member of the SJC, of the general inspector and inspectors to the Inspectorate to the SJC, they will be appointed (reinstated) on a position that is one level up compare to the position that they were before their election in the judiciary bodies, as well as the parts, that provides them to be reinstated on an equal level position in judiciary bodies ([http://www.vks.bg/novini/ks\\_karierni-bonusi.html](http://www.vks.bg/novini/ks_karierni-bonusi.html), <https://segabg.com/category-bulgaria/vks-parlamentut-kadruva-bonusi-sudebnata-vlast> and <https://news.lex.bg/%D0%B2%D0%BA%D1%81-%D0%B0%D1%82%D0%B0%D0%BA%D1%83%D0%B2%D0%B0-%D0%B2-%D0%BA%D0%BE%D0%BD%D1%81%D1%82%D0%B8%D1%82%>

**D1%83%D1%86%D0%B8%D0%BE%D0%BD%D0%BD%D0%B8%D1%8F-%D1%81%D1%8A%D0%B4-%D0%BA%D0%B0%D1%80/).**

**The Constitutional Court initiates a new case (<http://www.constcourt.bg/bg/Cases/Details/585>).**

*Independence/autonomy of the prosecution service*

**The National Assembly adopted amendment at the Criminal Procedure Code and at the JSA with which a new figure of a prosecutor was created who will investigate the acts of the General Prosecutor. This happens in spite of all critics regarding that idea expressed by the Bulgarian magistrates, institutions and organizations, as well as the skeptical evaluations from the European authorities (<https://www.svobodnaevropa.bg/a/31075812.html> and <https://www.mediapool.bg/parlamentat-odobri-spetsialniya-prokuror-koito-shte-razsledva-glavniya-news317474.html>).**

**In its adopted negative statement regarding the bill the Plenum of the SJC points that the proposed amendments doesn't execute strictly and in entirety the judgment of the Court in Strasbourg on Kolevi v. Bulgaria case. The bill is not consistent also with the recommendations of the European Commission for Democracy through Law (the Venice Commission), given in Opinion № 968/09.12.2019 – statement regarding the Bill of Law of amendment and addition of the Criminal Procedure Code from 2019 (<http://www.vss.justice.bg/page/view/106350>).**

**The amendments were attacked before the Constitutional Court by the President of the Republic of Bulgaria and the constitutional case has been initiated (<http://www.constcourt.bg/bg/Blog/Display/923?type=1> and <http://epicenter.bg/article/Konstitutsionniyat-sad-obrazuva-delo-po-iskaneto-na-Radev-za--quot-vtoriya-quot--glaven-prokuror/241831/2/0>), now a pronouncing of the court regarding the admissibility of the President's request lies ahead (<https://btvnovinite.bg/bulgaria/drugata-sedmica-ks-shte-se-proiznese-po-iskaneto-na-prezidenta-dali-da-ima-specialen-prokuror.html>).**

*Significant developments capable of affecting the perception that the general public has of the independence of the judiciary*

**In December 2020 in an attempt to execute fast adopted measures by the government in response to the recommendations at the Rule of Law Report 2020, the Supreme Judicial Council published on its web site a Register of**

cases of violation against the judiciary independence. Part of the indicated examples in the Register creates bewilderment in Bulgarian society (<https://www.dw.com/bg/%D0%BA%D0%BE%D0%B8-%D1%81%D0%B0-%D0%B8%D1%81%D1%82%D0%B8%D0%BD%D1%81%D0%BA%D0%B8%D1%82%D0%B5-%D0%B4%D0%B8%D1%80%D0%B8%D0%B3%D0%B5%D0%BD%D1%82%D0%B8-%D0%BD%D0%B0-%D1%81%D1%8A%D0%B4%D0%B5%D0%B1%D0%BD%D0%B0%D1%82%D0%B0-%D1%81%D0%B8%D1%81%D1%82%D0%B5%D0%BC%D0%B0-%D0%B2-%D0%B1%D1%8A%D0%BB%D0%B3%D0%B0%D1%80%D0%B8%D1%8F/a-55957249>

<https://www.dw.com/bg/%D0%BA%D0%BE%D0%B8-%D1%81%D0%B0-%D0%B8%D1%81%D1%82%D0%B8%D0%BD%D1%81%D0%BA%D0%B8%D1%82%D0%B5-%D0%B4%D0%B8%D1%80%D0%B8%D0%B3%D0%B5%D0%BD%D1%82%D0%B8-%D0%BD%D0%B0-%D1%81%D1%8A%D0%B4%D0%B5%D0%B1%D0%BD%D0%B0%D1%82%D0%B0-%D1%81%D0%B8%D1%81%D1%82%D0%B5%D0%BC%D0%B0-%D0%B2-%D0%B1%D1%8A%D0%BB%D0%B3%D0%B0%D1%80%D0%B8%D1%8F/a-55957249>

<https://www.dw.com/bg/%D0%BA%D0%BE%D0%B8-%D1%81%D0%B0-%D0%B8%D1%81%D1%82%D0%B8%D0%BD%D1%81%D0%BA%D0%B8%D1%82%D0%B5-%D0%B4%D0%B8%D1%80%D0%B8%D0%B3%D0%B5%D0%BD%D1%82%D0%B8-%D0%BD%D0%B0-%D1%81%D1%8A%D0%B4%D0%B5%D0%B1%D0%BD%D0%B0%D1%82%D0%B0-%D1%81%D0%B8%D1%81%D1%82%D0%B5%D0%BC%D0%B0-%D0%B2-%D0%B1%D1%8A%D0%BB%D0%B3%D0%B0%D1%80%D0%B8%D1%8F/a-55957249>

<https://www.dw.com/bg/%D0%BA%D0%BE%D0%B8-%D1%81%D0%B0-%D0%B8%D1%81%D1%82%D0%B8%D0%BD%D1%81%D0%BA%D0%B8%D1%82%D0%B5-%D0%B4%D0%B8%D1%80%D0%B8%D0%B3%D0%B5%D0%BD%D1%82%D0%B8-%D0%BD%D0%B0-%D1%81%D1%8A%D0%B4%D0%B5%D0%B1%D0%BD%D0%B0%D1%82%D0%B0-%D1%81%D0%B8%D1%81%D1%82%D0%B5%D0%BC%D0%B0-%D0%B2-%D0%B1%D1%8A%D0%BB%D0%B3%D0%B0%D1%80%D0%B8%D1%8F/a-55957249>

<https://www.dw.com/bg/%D0%BA%D0%BE%D0%B8-%D1%81%D0%B0-%D0%B8%D1%81%D1%82%D0%B8%D0%BD%D1%81%D0%BA%D0%B8%D1%82%D0%B5-%D0%B4%D0%B8%D1%80%D0%B8%D0%B3%D0%B5%D0%BD%D1%82%D0%B8-%D0%BD%D0%B0-%D1%81%D1%8A%D0%B4%D0%B5%D0%B1%D0%BD%D0%B0%D1%82%D0%B0-%D1%81%D0%B8%D1%81%D1%82%D0%B5%D0%BC%D0%B0-%D0%B2-%D0%B1%D1%8A%D0%BB%D0%B3%D0%B0%D1%80%D0%B8%D1%8F/a-55957249>

<https://www.dw.com/bg/%D0%BA%D0%BE%D0%B8-%D1%81%D0%B0-%D0%B8%D1%81%D1%82%D0%B8%D0%BD%D1%81%D0%BA%D0%B8%D1%82%D0%B5-%D0%B4%D0%B8%D1%80%D0%B8%D0%B3%D0%B5%D0%BD%D1%82%D0%B8-%D0%BD%D0%B0-%D1%81%D1%8A%D0%B4%D0%B5%D0%B1%D0%BD%D0%B0%D1%82%D0%B0-%D1%81%D0%B8%D1%81%D1%82%D0%B5%D0%BC%D0%B0-%D0%B2-%D0%B1%D1%8A%D0%BB%D0%B3%D0%B0%D1%80%D0%B8%D1%8F/a-55957249>

<https://www.dw.com/bg/%D0%BA%D0%BE%D0%B8-%D1%81%D0%B0-%D0%B8%D1%81%D1%82%D0%B8%D0%BD%D1%81%D0%BA%D0%B8%D1%82%D0%B5-%D0%B4%D0%B8%D1%80%D0%B8%D0%B3%D0%B5%D0%BD%D1%82%D0%B8-%D0%BD%D0%B0-%D1%81%D1%8A%D0%B4%D0%B5%D0%B1%D0%BD%D0%B0%D1%82%D0%B0-%D1%81%D0%B8%D1%81%D1%82%D0%B5%D0%BC%D0%B0-%D0%B2-%D0%B1%D1%8A%D0%BB%D0%B3%D0%B0%D1%80%D0%B8%D1%8F/a-55957249>

and <https://news.lex.bg/%d0%b2%d1%81%d1%81-%d1%81%d1%8a%d0%b7%d0%b4%d0%b0%d0%b4%d0%b5-%d1%80%d0%b5%d0%b3%d0%b8%d1%81%d1%82%d1%8a%d1%80-%d0%bd%d0%b0-%d0%bf%d0%be%d1%81%d0%b5%d0%b3%d0%b0%d1%82%d0%b5%d0%bb%d1%81%d1%82%d0%b2/>

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<https://news.lex.bg/%d0%b2%d1%81%d1%81-%d1%81%d1%8a%d0%b7%d0%b4%d0%b0%d0%b4%d0%b5-%d1%80%d0%b5%d0%b3%d0%b8%d1%81%d1%82%d1%8a%d1%80-%d0%bd%d0%b0-%d0%bf%d0%be%d1%81%d0%b5%d0%b3%d0%b0%d1%82%d0%b5%d0%bb%d1%81%d1%82%d0%b2/>

<https://news.lex.bg/%d0%b2%d1%81%d1%81-%d1%81%d1%8a%d0%b7%d0%b4%d0%b0%d0%b4%d0%b5-%d1%80%d0%b5%d0%b3%d0%b8%d1%81%d1%82%d1%8a%d1%80-%d0%bd%d0%b0-%d0%bf%d0%be%d1%81%d0%b5%d0%b3%d0%b0%d1%82%d0%b5%d0%bb%d1%81%d1%82%d0%b2/>

## Quality of justice

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined under "type of information".)

*Accessibility of courts (e.g. court fees, legal aid, language)*

The majority of the Judge's College and Plenum at the Supreme Judicial Council decided to undertake a reform of the judicial map that is extremely disputable and with a high possibility to threaten the access of citizens to court as well as to create serious cataclysms even to block the work of the courts. This is the chosen Model 4 for optimization of the judicial map of the courts (<http://www.vss.justice.bg/page/view/106485>). In its base lies the idea district courts to become basic first instance and the regional courts to take only simple cases. Part of the judges will be automatically promoted (the regional judges will be promoted in district courts and judges from district courts – in courts of appeal) which creates concerns to evade the competition principle for promotion. It is foreseen many of the regional courts to become a territorial department.



**The approval of this approach was made in a hurry (in pandemic conditions) and without wide discussion with magistrates, other legal guilds, other powers and local communities, as well as with the clear minds that there is no way this reform to be realized in the framework of the mandate of the present Supreme Judicial Council.**

**From the Bulgarian Judges Association issues their statement sent to the Judge's College at the Supreme Judicial Council that the proposals for the reform in the judicial map creates a risk of "industrialization" of justice ([http://judgesbg.org/wp-content/uploads/2021/02/stanovishte\\_model\\_4.pdf](http://judgesbg.org/wp-content/uploads/2021/02/stanovishte_model_4.pdf)).**

*Training of justice professionals (including judges, prosecutors, lawyers, court staff)*

**The Managing Board of the National Institute of Justice (NIJ) in 2021 adopted amendments of its acting Rules for organization for election of director of the NIJ, through which the head of the institution receives the opportunity to be elected for a second mandate without any public and transparent competition procedure. This is a violation of all the principles that are set in the Regulations for organization of activity of NIJ and its administration, with which should be consistent the procedure for election of the head of the institution – equal access, publicity and transparency.**

**The amendments are proposed by the acting director which mandate will expire soon and creates a special privileges for this director. A written statement against those amendments was sent by the Minister of Justice, who is a member of the Managing Board and has the right to vote, but was not attended to the session and did not vote. At the Managing Board there is another member from the quota of the Ministry of Justice, but he voted for the amendments. The only one that voted against the amendments was the President of the Supreme Court of Cassation.**

**According to the amendments the procedure for election of director of NIJ should be open not earlier than 3 months and not later than 1 month before the expiration of mandate of the acting director. But with the new Chapter IV "Re-election for a second mandate" especially for the acting head of the institution it is created procedure that anticipates the other: "The procedure shall be open with application by the director for re-election for a second mandate, which shall be registered in the Registry Office of NIJ. The application with attached to it report of the director shall be applied to the president of the Managing Board not earlier than 5 months and not later than 3 months before the expire of the mandate" (<https://www.segabg.com/hot/category-bulgaria/lozan-panov-alarmira-che-shefkata-na-nip-iska-da-se-betonira-na-posta> and <https://defakto.bg/?p=82834>).**

*Digitalisation (e.g. use of digital technology, particularly electronic communication tools, within the justice system and with court users, including resilience of justice systems in COVID-19 pandemic)*

*(Factual information presented in Commission Staff Working Document of 2 December 2020, SWD(2020) 540 final, does not need to be repeated)*

**In 2020 in a hurry, in pandemic, only in a test environment the implementation of the Unified Information System for Courts (UISC) started only to respect a dead line in a project for its development and payment on contract with Information service. Signals from courts follows on problems with the system that could block their work (<https://www.paragraph22.bg/22-analizi/read/sudii-naskachaha-sreshtu-rezultata-ot-proekt-za-6-mln-leva>; <https://www.mediapool.bg/vss-ne-znae-kakvo-da-pravi-s-novata-sistema-na-sadilishtata-news315636.html>). At the SJC was discussed a statement of SCC judges—members of working group for proposals for changes that are needed at the UISC. They pointed that the implementation of the system could violate the procedural right of citizens (<http://www.vks.bg/novini/stanovishte-vks-eiss.html>).**

**At the end of December 2020 the SJC adopted new schedule for restarting the system after elimination of the detected defects summarized by the working group (<http://www.vss.justice.bg/page/view/106223>; <https://news.lex.bg/ПЛЕНУМЪТ-НА-ВСС-ОДОБРИ-ПЛАН-ЗА-РЕСТАРТ/>).**

**In March 2020 a state of emergency was announced in Bulgaria and the Judge's College to the SJC adopted Measures on prevention and limitation of COVID-19 in courts-the examination of cases were stopped with exception of those cases that requires emergency pronouncing.**

**With decision of the Council of Ministers from 14 May 2020 was pronounced emergency epidemic situation that continues till the present moment-the procedural terms are running, the cases are constituted and there are hearings in the courts.**

**In May 2020 the Judges' College adopted Rules and measures for work of courts in the conditions of pandemic situation-limitation of access to court buildings, organization of hearings, receiving of documents electronically, summoning.**

**Some of the courts interrogated arrested/defendant and witnesses via Skype.**

**In 2020 the SCC conducted a distance hearing on interpretative cases of the general assembly of the judges of the respective colleges and also the Plenum.**

In the same way were conducted two interpretative cases submitted before the general assembly of judges at the colleges at the two supreme courts in Bulgaria.

To achieve the constitutional principle of publicity in hearings the SCC creates its own YouTube channel-in pandemic situation the SCC was the first Bulgarian court that broadcasted online with picture and sound a court hearing on a case with public interests (<https://www.youtube.com/channel/UCVVuprY2clDxfurCg07spnQ>)-visited more than 3100 times. Now there are no sessions that are broadcasted since it is allowed journalists to attend at court rooms after a preliminary request.

Sofia City Court started broadcasting online only with sound sessions with public interest in Facebook group where only judicial reporters and employees at Public relations from Sofia courts participate-the press attaché inform the journalists on the cases with public interests.

### Efficiency of the justice system

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined under "type of information".)

### *Length of proceedings*

At the beginning of 2021 two very significant cases with public interest comes to an end and on both of them there weren't impose punishments to the defendant because of the absolute prescription is expired.

The first case is known as "Mega case for draining more than 14 million from SAPARD Programme" – one of the first cases for violation with funds from European grants, that continues more than 13 years (<https://www.segabg.com/hot/category-bulgaria/deloto-za-iztochvane-na-145-mln-lv-sapard-okonchatelno-se-srina>); <https://euractiv.bg/section/%D0%BF%D1%80%D0%B0%D0%B2%D0%BE%D1%81%D1%8A%D0%B4%D0%B8%D0%B5-%D0%B8-%D0%B2%D1%8A%D1%82%D1%80%D0%B5%D1%88%D0%B5%D0%BD-%D1%80%D0%B5%D0%B4/news/%D0%BF%D1%80%D0%BE%D0%BA%D1%83%D1%80%D0%B0%D1%82%D1%83%D1%80%D0%B0%D1%82%D0%B0-%D0%BE%D0%BA%D0%BE%D0%BD%D1%87%D0%B0%D1%82%D0%B5%D0%BB%D0%BD%D0%BE-%D0%B7%D0%B0%D0%B3%D1%83%D0%B1%D0%B8-%D0%B7%D0%BD/>).

The other one is for the murder of Angel Dimitrov – Chorata in 2005 during the police operation “Respect”. After the final judgment, followed by the conviction of Bulgaria at the European Court of Human Rights and two re-opening of the proceedings, in March 2021 the SCC decided that the five policemen that detained Angel Dimitrov committed homicide through imprudence because of inaction. It found expression in this that after putting the handcuffs of the victim and setting him on the ground and after he stated many times that he suffocate himself, they didn’t take any actions to preserve his life. The court found that for the committed crime the prescription for criminal prosecution is expired and because of that the defendants are admitted as guilty by the Supreme Court of Cassation but they are not punished (<http://www.vks.bg/novini/reshenie-chorata.html>, <https://news.lex.bg/%D0%B4%D0%B5%D0%BB%D0%BE%D1%82%D0%BE-%D0%B7%D0%B0-%D1%81%D0%BC%D1%8A%D1%80%D1%82%D1%82%D0%B0-%D0%BD%D0%B0-%D1%87%D0%BE%D1%80%D0%B0%D1%82%D0%B0-%D0%BF%D1%80%D0%B8%D0%BA%D0%BB%D1%8E%D1%87%D0%B8-%D0%B1/> ; <https://www.svobodnaevropa.bg/a/31136321.html>).