

Formed in 2022 in the Supreme Court of Cassation corruption cases

The total number of cases for corruption crimes initiated in 2022 in the Supreme Court of Cassation (SCC), included in Annexes 1 and 2 to Order No. 777/18.10.2022 of the President of the SCC, is 34, of which 4 are with defendants being persons holding senior public positions (pursuant to Art. 6 of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act (CCUAAFA)).

1. Cases for corruption crimes with defendants holding high public positions

1.1. Actual corruption crimes committed by persons holding high public positions (under Art. 6 of the CCUAAFA)

Defendant	Qualification under national criminal law	Status
Head of Customs - Svilengrad	Art. 302, item 1 of the Criminal Code (bribery by a person holding a responsible official position)	Announced for resolution.

1.2. Crimes of officials holding high public positions (under Art. 6 of CCUAAFA) with a probable corrupt motive

Defendant 1 – Minister of Economy and Energy of the Republic of Bulgaria	Art. 219, para. 4 of the Criminal Code (deprivation on a large scale, constituting a particularly serious case)	By Decision No. 92/12.09.2022, the SCC decided: Revokes appeal verdict No. 11/22.06.2021 of the Appellate Specialized Criminal Court in general criminal appeal case No. 515/2020 in the following parts: - in the criminal-conviction part, in which the defendant R.S.O. was found guilty of committing a crime under Art. 219, para. 4, para. 3, para. 2 of the Criminal Code, and the defendant P. S. E. was found guilty of committing a crime under Art. 219, para. 4, para. 3, para. 1 of the Criminal Code and - in the civil part, with which the claims were rejected for the difference of BGN 15,977,063.10 to the full claimed amounts of BGN 24,455,475.80 for R.S.O. and BGN 29,151,145.18 for P S. E.
Defendant 2 – member of the Board of Directors and executive director of Mini Bobov dol EAD		
Defendant 3 – Deputy Minister of Economy and Energy of the		

Republic of Bulgaria		Returns the case in the specified parts for a new examination of the Sofia Court of Appeal by another panel, from the stage of the court session. Upholds the judgment in its remaining part.
Deputy Mayor of the Sofia Municipality, Transport and Transport Communications Department	Art. 282 of the Criminal Code (criminal breach of trust)	By Decision No. 86/27.05.2022, the SCC decided: Upholds Decision No. 4/18.03.2022, issued by the Appellate Specialized Criminal Court in appellate criminal case No. 329/2021. (the defendant was found not guilty and acquitted of the charge).

1.3. Abuse of official position by officials holding high public positions (under Art. 6 of the CCUAAFA) and crimes by non-officials with probable corruption motive

Defendant 1 – director of AD Defendant 2 – director of a division of AD Defendant 3 – assistant to an official Civil plaintiff - National Railway Infrastructure Company	Art. 203, para. 1 of the Criminal Code (misappropriation on a particularly large scale, constituting a particularly serious case)	Announced for resolution.
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2. Cases for corruption crimes with defendants who do not hold high public positions

2.1. Actual corruption crimes

Defendant 1 - revenue inspector, NRA Territorial Directorate - Sofia Defendant 2 – senior revenue expert, NRA Territorial Directorate – Sofia	Art. 301 of the Criminal Code (bribery)	By Decision No. 132/20.10.2022, the SCC decided: Upholds appeal decision No. 399 of 17.12.2021 of the Sofia Court of Appeal, issued in general criminal appeal case No. 636/2021. The decision is not subject to appeal. Penalties imposed: - for each of the defendants, 3 years of imprisonment, suspended with a
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		probationary period of 5 years, and a fine in the amount of BGN 2,500 each; - on the basis of Art. 301, para. 4 in conj. with Art. 301, para. 1 and Art. 37, para. 1, points 6 and 7 of the Criminal Code, Defendant 1 is deprived of the right to hold a control state or public office, as well as to exercise a profession or activity related to control activity for a period of 5 years.
Defendant 1 and Defendant 2 - specialists in the Mobile Control Department of the Road Fees and Special Road Use Permits Directorate at the Road Infrastructure Agency Defendant 3 and Defendant 4 – no official capacity	Art. 301 of the Criminal Code (bribery)	Announced for resolution.
Defendant 1 – junior traffic police inspector at the Sofia Directorate of Internal Affairs Defendant 2 – no official capacity	Art. 302, point 1 of the Criminal Code (bribery by a person holding a responsible official position)	By Decision No. 46/06.04.2022, the SCC decided: Revokes Decision No. 185/08.06.2021 in general criminal appeal case No. 199/2021 of the Sofia Court of Appeal. The case is returned for a new consideration to the Sofia Court of Appeal by another panel of the court from the stage of the court session.
Two defendants – police authorities	Art. 302, point 1 of the Criminal Code (bribery by a person holding a responsible official position)	By Decision No. 83/20.06.2022 The SCC decided: Revokes appeal decision No. 374/30.11.2021, rendered in general criminal appeal case No. 977/2021 by the Sofia Court of Appeal. Returns the case for a new consideration by another panel of the appellate court.
Three defendants – police authorities	Art. 302, point 1 of the Criminal Code (bribery by a person holding a responsible official position)	Announced for resolution.

Junior auto-inspector at the Traffic Police Sector	Art. 302, point 1 of the Criminal Code (bribery by a person holding a responsible official position)	Announced for resolution.
Police officer	Art. 302, point 1 of the Criminal Code (bribery by a person holding a responsible official position)	Announced for resolution.
No official capacity	Art. 304 of the Criminal Code (bribery of an official)	Announced for resolution.
No official capacity	Art. 304 of the Criminal Code (bribery of an official)	By Decision No. 112/18.07.2022, the SCC decided: Upholds Decision No. 125/14.12.2021, issued in general criminal appeal case No. 480/2021, according to the inventory of the Plovdiv Court of Appeal. Penalties imposed: - imprisonment for a term of 2 years and 6 months, suspended for a probationary term of 4 years, and a fine in the amount of BGN 2,000.
No official capacity	Art. 304a of the Criminal Code (bribery of an official holding a responsible official position)	By Decision No. 100/02.06.2022, the SCC decided: Leaves in force appeal decision No. 3/13.01.2022, issued in general criminal appeal case No. 325/2021 of the Veliko Tarnovo Court of Appeal. The decision is final. Penalties imposed: 5 months imprisonment and a fine in the amount of BGN 500.
No official capacity	Art. 304a of the Criminal Code (bribery of an official holding a responsible official position)	By Decision No. 86/22.07.2022, the SCC decided: Leaves in force Decision No. 367/24.11.2021, rendered in general criminal appeal case No. 692/2021 of the Sofia Court of Appeal. Penalties imposed: - probation with probationary measures "mandatory registration at current address" for a period of 6 months, 2 times a week

		and "mandatory periodic meetings with a probation officer" for a period of 6 months; - fine in the amount of BGN 500.
No official capacity	Art. 304a of the Criminal Code (bribery of an official holding a responsible official position)	By Decision No. 94/02.06.2022, the SCC decided: Upholds Decision No. 26/01.03.2022 in general criminal appeal case No. 285/2021 on the inventory of the Court of Appeals - Varna. The decision is final. Penalties imposed: - 1 year imprisonment, with serving suspended for a period of 3 years; - fine in the amount of BGN 500.
No official capacity	Art. 304a of the Criminal Code (bribery of an official holding a responsible official position)	By Decision No. 50128/05.10.2022, the SCC decided: Leaves in force Decision No. 49/16.06.2022, issued in general criminal appeal case No. 79/2022, according to the inventory of the Burgas Court of Appeals. The decision is final. Penalties imposed: - 8 months of "imprisonment", suspended for a period of 3 years; - a fine of BGN 200.
No official capacity	Art. 304b of the Criminal Code (passive trading in influence)	By Decision No. 28/07.03.2022, the SCC decided: Leaves in force Decision No. 151/07.12.2021, rendered in general criminal appeal case No. 303/2021 of the Veliko Tarnovo Court of Appeal. Penalties imposed: 3 years and 6 months imprisonment.
Lawyer	Art. 304b of the Criminal Code (passive trading in influence)	By Decision No. 88/01.07.2022, the SCC decided: Disregards the request of the convicted M.S.S. for the resumption of the cassation case No. 217/2019 of the SCC, according to which decision No. 83 of 29.05.2019 was issued, which upheld the appeal verdict of the Varna Court of Appeal No. 7 of 15.06.2018 in the general criminal appeal case No. 158/2018

		(the court disregards a request for resumption based on an established violation of Art. 8 European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR)).
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2.2. Crimes of officials with a probable corrupt motive

Manager of a Single Owner Limited Liability Company (SOLLC)	Art. 220 of the Criminal Code (unremunerative deal)	Announced for resolution.
Manager of a Single Owner Limited Liability Company (SOLLC)	Art. 220 of the Criminal Code (unremunerative deal)	By Decision No. 152/24.11.2022, the SCC decided: Revokes Decision No. 122/25.07.2022 in general criminal appeal case No. 113/2022 of the Varna Court of Appeal. It returns the case for a new consideration to the same court by a different panel, from the stage of the court session. The decision is final.
Partner in a Limited Liability Company (LLC)	Art. 256, para. 2 of the Criminal Code (budget fraud involving an official)	By Decision No. 137/24.10.2022, the SCC decided: Upholds appeal decision No. 60/15/04/2022, rendered in general criminal appeal case No. 347/2021 by the Varna Court of Appeals. The Defendant was acquitted of the charge.
Manager of a Single Owner Limited Liability Company (SOLLC)	Art. 256, para. 2 of the Criminal Code (budget fraud involving an official)	Announced for resolution.
No official capacity	Art. 280, para. 2, point 5 of the Criminal Code (organization of transfer across the border by an organization)	Announced for resolution.

Defendant 1 – commander of a department in the prison in the city of Varna Defendant 2 – prison warden in the city of Varna Defendant 3 – prison warden in the city of Varna	Art. 282 of the Criminal Code (criminal breach of trust)	By Decision No. 26/20.09.2022, the SCC decided: Upholds Verdict No. 7 of 01.10.2021 of the Varna Court of Appeal in general criminal appeal case No. 245/2021. Penalties imposed: - Defendant 1 – 2 years imprisonment, the execution of which is postponed for the probationary period of 5 years, and deprivation of rights under Art. 37, point 6 of the Criminal Code for a period of 3 years; - Defendant 2 – 1 year and 6 months of imprisonment, the execution of which has been suspended for a period of 4 years, and deprivation of rights under Art. 37, point 6 of the Criminal Code to hold a supervisory security position for a period of 2 years and 6 months; - Defendant 3 – 1 year imprisonment with suspended execution for a period of 3 years and deprivation of the right to hold a supervisory security position in the General Directorate Execution of Sentences (GDES) and the General Directorate of Security (GDS) for a period of 2 years.
Police authority	Art. 282 of the Criminal Code (criminal breach of trust)	By Decision No. 75/13.06.2022, the SCC decided: Revokes appeal verdict No. 15 of 11.06.2021 in general criminal appeal case No. 463/2021 of the Sofia Court of Appeal. Returns the case for a new consideration by another panel of the Sofia Court of Appeal. The decision is final.
Head of the Traffic Police Department	Art. 282 of the Criminal Code (criminal breach of trust)	Announced for resolution.
Private bailiff	Art. 282 of the Criminal Code (criminal breach of trust)	Announced for resolution.

Chairman of community centre	Art. 283a of the Criminal Code (criminal breach of trust related to privatization, sale, renting or lease of another person's property)	By Decision No. 50/21.07.2022, the SCC decided: Revokes Verdict No. 6/01.10.2021 of the Varna Court of Appeal, rendered in general criminal appeal case No. 114/2021 according to the inventory of the same court in its sentencing part (the defendant was acquitted).
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2.3. Abuse of official position by officials and crimes by non-officials with probable corruption motive

Lodge/Cottage Manager	Art. 202, para. 1, point 1 and point 2 of the Criminal Code (misappropriation, for the facilitation of which another crime was committed or which was committed by two or more persons who agreed in advance)	By Decision No. 96/19.07.2022, the SCC decided: Upholds an appellate decision No. 6/28.03.2022, decided in general criminal appeal case No. 53/2021 according to the list of the Military Court of Appeal (the defendant was acquitted to the charges).
Bank employee	Art. 202, para. 1, point 1 and point 2 of the Criminal Code (misappropriation, for the facilitation of which another crime was committed or which was committed by two or more persons who agreed in advance)	Announced for resolution.
Accountant at a university	Art. 202, para. 2, point 1 of the Criminal Code (large-scale misappropriation)	By Decision No. 33/06.04.2022, the SCC decided: Revokes Decision No. 44 of 14.10.2021 on general criminal appeal case No. 192/2021 of the Vidin District Court, including the part on costs. Rejects the civil claim brought by the SU St. St. Cyril and Methodiy against N. K. G. for compensation for property damage from the crime under Art. 202, para. 2, point 1, para. 1, point 1, Art. 201 in conj. with Art. 26, para. 1 of the Criminal Code together with the legal interest on this amount from 16.08.2010 until the final payment.

Accountant and "front-office" specialist at DSK bank EAD - Kostinbrod branch	Art. 203, para. 1 of the Criminal Code (embezzlement on a particularly large scale, representing a particularly serious case)	By Decision No. 81/29.07.2022, the SCC decided: Upholds Decision No. 7 of 20.01.2022 on general criminal appeal case No. 989/2021 of the Sofia Court of Appeal. The decision is not subject to appeal or protest. Penalties imposed: - imprisonment for a term of 10 years; - confiscation of part of the property; - deprivation of the right to hold state and public positions related to the management and accounting of funds for a period of 10 years.
Chief Cashier of Alfa Bank, - Bulgaria Branch	Art. 203, para. 1 of the Criminal Code (embezzlement on a particularly large scale, representing a particularly serious case)	By Decision No. 138/24.10.2022, the SCC decided: Upholds decision No. 354/17.11.2021 in general criminal appeal case No. 851/2020 of the Sofia Court of Appeal. The decision is final. Penalties imposed: 14 years of imprisonment, confiscation of half of the property and deprivation of the right to hold an accounting and materially responsible position in state and municipal companies and to carry out materially responsible or accounting activities at the same employers for a period of 3 years .