



LIBE Democracy, Fundamental Rights and Monitoring Group (DFRMG)

<p>Follow-up questions to the Bulgarian government</p>

To the Bulgarian Government:

1. Early this year, information regarding large-scale corruption investigations have been released. One of the investigations concerns the activities of the crypto lender Nexo. Could you please comment on whether there have been any cases of circumvention of the EU sanctions against Russia or financing of terrorist organisations in connection with the activities of this company? Furthermore, is there any evidence that senior representatives of the executive power and political leaders in Bulgaria supported Nexo? Could you confirm whether the Bulgarian Minister of finance held a meeting with Nexo representatives, at which they were considering the possibility of paying with cryptocurrencies through Bulgaria's official payment system? In the light of this, could you comment on what specific actions are now being taken with regards to the alleged cases of corruption? (EPP)
2. Could you give us more information about the charges brought up against the former Minister of energy and his deputy regarding the supply of natural gas through the Bulgarian gas company Bulgargaz? Is there any connection between other senior government officials and the natural gas supplies allegedly sourced from Gazprom? Does this case fall into the category of the large-scale corruption investigations? (EPP)
3. In what ways did the closure of the specialized court and prosecutor's office in 2022 affect the investigations of organized crime, corruption, terrorism, and other offences that had fallen within the competences of these structures? Could you please comment on whether you are experiencing any difficulties investigating such cases at the moment? Would you be able to present the European institutions with any statistical data on this matter? (EPP)
4. What is the state of play regarding the commitment to establish an effective mechanism for the accountability and criminal liability of the Prosecutor General and his/her deputies, as well as a judicial review of prosecutorial decisions not to open an investigation? How is the opinion of the Venice Commission of 24 October 2022 taken into account? (Greens/EFA)
5. What is the latest statistics on ordinary competitions for promotion to avoid long-term secondment of judges to fill in vacant positions? (Greens/EFA)
6. What is the state of play regarding the legislative amendments aiming at improving the functioning of the Inspectorate to the Supreme Judicial Council and avoiding the risk of



Committee on Civil Liberties, Justice and Home Affairs

political influence? How is the opinion of the Venice Commission of 24 October 2022 taken into account? (Greens/EFA)

7. Are there plans to adapt the composition of the Supreme Judicial Council, taking into account European standards on Councils for the Judiciary? How is the opinion of the Venice Commission of 24 October 2022 taken into account? (Greens/EFA)

8. What is the state of play regarding implementation of measures to improve the integrity of the specific sectors of the public administration, including measures tailored to the police and the judiciary? (Greens/EFA)

9. What is the state of play regarding institutional reforms of the Anti-Corruption Commission and the specialised judicial authorities? (Greens/EFA)

10. How do you plan to take into account GRECO recommendations as expressed in the evaluation report adopted on 2 December 2022? (Greens/EFA)

11. Are the measures taken to improve transparency in the allocation of state advertising, in particular with regard to state advertising contracted through intermediaries, such as media agencies? (Greens/EFA)

12. Are there plans to revise legislation in order to strengthen the independence of public service media and define in more detail the public service remit and the related financing? (Greens/EFA)

13. Are there plans to establish legislative and other safeguards to protect journalists? What has been put in place to protect the investigative journalist Christo Grozev, who has been put on a list of persons wanted by the Russian interior of Ministry? (Greens/EFA)

14. Are there investigations into allegations of unlawful detention and ill-treatment of refugees, asylum seekers and migrants, and of situations which have led to the death or injury of some of those trying to cross the border into Bulgaria, as requested recently by the CoE Commissioner for Human Rights? (Greens/EFA)

15. How do you plan to implement judgments of the European Court of Human Rights regarding secret surveillance and the system of retention and subsequent accessing of communications data? (Greens/EFA)

16. The actual budget of the Commission for Protection against Discrimination has been cut between 2019 and 2020, and equals now the budget allocated in 2016. Why such budget cut and how to ensure the Commission still fulfils the standards related to its status of national human rights institution and equality body? What will be put in place to ensure the Commission gets an A-status during the next GANHRI evaluation round? (Greens/EFA)



Committee on Civil Liberties, Justice and Home Affairs

17. Bulgaria is one of the 6 Member States that has not yet ratified the Istanbul Convention. What are the concrete steps and timeline foreseen to ratify the Convention, particularly in view of the possible EU accession to the Istanbul Convention? What are the concrete actions taken to combat gender-based violence in the country? (Greens/EFA)

18. In October 2022, the Venice Commission published its opinion on "the draft amendments to the criminal procedure code and the judicial system act". How does the BG government intend to take into account the VC opinion, especially on the following points: (Renew)

- The accountability of the Prosecutor General;
- The linked design of the Supreme Judicial Council and its prosecutorial chamber;

19. In January 2023, GRECO published its Evaluation Report on Bulgaria in the context of its fifth evaluation round. How does the BG government intend to take into account the GRECO evaluation, especially on the following points: (Renew)

- The prevention of corruption and the promotion of integrity regarding central governments, particular top executive functions;
- The independence of law enforcement agencies, internal anti-corruption measures, and the protection of whistle-blowers.

20. How far advanced is the Bulgarian government with the fulfilment of the recommendations of the European Commission's 2022 Rule of Law report, in particular regarding: (Renew)

- The appointment of judges through ordinary competitions;
- The needed improved effectiveness of investigations and prosecutions in high-level corruption cases;
- The need to improve transparency in the allocation of State advertising.

21. In our last exchange, you spoke of the establishment of a national Rule of Law Council which brings together various actors working on the Rule of Law, also in giving input into and following up to the Commission Rule of Law report. How many times has this body met so far and what are the lessons learnt? (Renew)

To the General Prosecutor:

Since 2020, DRFMG is following the progress made investigating several high-level corruption cases in Bulgaria, including the so-called Barcelona-gate and the Golden Bars case. In your previous written answers, you notified us that the investigations under those cases are still on-going and that the Prosecution has requested additional expertise and checks, including through different EU countries. Against this background could you clarify:



Committee on Civil Liberties, Justice and Home Affairs

1. What is the current state of play of these investigations? (S&D)
2. On 21.01.2023 in an interview with the Bulgarian National TV the Prosecutor General announced that the Barcelona-gate and Golden Bars case will be soon finalized - what are the underlying considerations for this announcement and what was the purpose of the announcement? (S&D)
3. In November 2022, the former PM of Bulgaria Borissov who is allegedly involved in the Barcelona-gate and Golden Bars cases presented himself information on the on-going investigations to the media¹ - did the Prosecution investigate how information on on-going investigation ended up in the hands of the former PM? In light of such a statement, how will the Prosecution ensure an independent and impartial investigation? What measures have been taken to avoid political pressure on such high-profile case? How will the integrity of the investigation be preserved? (S&D)
4. On 28.01.2023, the former PM Borissov commented again on the on-going investigations, in particular the so-called Barcelona-gate², highlighting that he awaits the pronouncing of the Spanish authorities on this case. Given that the Bulgarian authorities requested a transfer of the investigation from Spanish authorities to avoid conflict of jurisdictions, could you specify whether there is additional materials or information that the Bulgarian authorities await currently from their Spanish counterparts? Moreover, taking into account that the investigation in question started on the basis of information gathered by the Spanish authorities and that the object of the crime is located in Barcelona, did the Bulgarian authorities shared the progress made on the case with the Spanish counterparts? Are the Spanish authorities informed about a possible finalization of the case and about the procedural actions undertaken by the Bulgarian authorities following the transfer of the case? (S&D)
5. Can you give us an update on the state of affairs of the investigations regarding the so-called "Barcelona" and "Golden Bars" cases? Can you confirm and elaborate your earlier public statements that these investigations would be soon finalised? On what were they based and with what purpose were they made? Moreover, what is the state of affairs regarding cooperation with other prosecutorial services in other Member States, in particular with the Spanish authorities? (Renew)

¹ <https://www.segabg.com/hot/category-bulgaria/prokuratura-ne-proveryava-borisov-za-tech-deloto-za-chekmedzheto>

² <https://www.bgonair.bg/a/2-bulgaria/293652-borisov-vasilev-i-petkov-sa-zabogate-li-s-do-1-mlrd-ot-izprashta-neto-na-orazhie-za-ukrayna>