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Meeting: 1569th meeting (September 2026) (DH)

Item reference: Action Report (15/07/2026)

Communication from Bulgaria concerning the case of Ugrinova and Sakazova v. Bulgaria (Application No. 50626/11)

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Réunion : 1569^e réunion (septembre 2026) (DH)

Référence du point : Bilan d'action (15/07/2026)

Communication de la Bulgarie concernant l'affaire Ugrinova et Sakazova c. Bulgarie (Requête n° 50626/11)
[anglais uniquement]

ACTION REPORT

Case Ugrinova and Sakazova v. Bulgaria

Application No 50626/11

Judgment of 11 June 2020

Final on 11 December 2020

DGI

15 JUL. 2026

SERVICE DE L'EXECUTION
DES ARRETS DE LA CEDH

1. Convention violation found

The case concerns a prolonged non-enforcement of a final judgment of the Supreme Court of Cassation issued on 5 June 2002 in favor of the applicants against a private third party. Due to the inability of the bailiff to take adequate and sufficient measures to ensure the enforcement of the judgment, the applicants, and subsequently their heirs, were unable to use their property (violation of Article 1 of Protocol 1 of the Convention).

2. Individual measures

a) The compensation awarded has been transferred into the accounts of the applicants' heirs on 3 September 2020.

The Government present current information from the relevant authorities concerning the actual situation about the enforcement of the judgement of the Supreme Court of Cassation issued on 5 June 2002 given in the applicants' favor.

On 31 May 2011, a proposal was received in the Enforcement Service at the Varna District Court from the debtor to purchase the property in question in the enforcement case no. 4258/2002, which has been sent to the creditors (the applicants). Following this date, there were no requests from them to take actions for compulsory execution of the judgement of the Supreme Court of Cassation issued on 5 June 2002 given in the applicants' favor.

The enforcement proceedings were terminated by a decree of **4 March 2016** on the basis of Art. 433, para. 1, item 8 of the Civil Procedure Code, namely when the creditor does not request enforcement actions for two years.

On 16 August 2021, the mayor of the Primorsky District - Varna Municipality issued an order to remove the building erected on the plot as illegal construction. The debtor P.Ts. appealed the order through court and by a final judicial act (decision No. 9667/01.11.2022 in administrative case No. 4959/17 of the Supreme Administrative Court), his appeal was rejected. The mayor's order entered into legal force on 1 November 2022 and an invitation for voluntary compliance was sent to the addressee of the order. As of 3 February 2023, following an inspection by municipal employees, it was established that the order was not voluntarily complied with within the specified period.

By a Protocol dated 9 February 2023, municipal employees and employees of the municipal enterprise "Investment Policy" prepared a preliminary quantitative and value account, which determined the amount of funds necessary to remove the illegal construction. Varna Municipality took further actions on the forced execution of the order - assigns procedures for

the selection of a contractor and concludes public procurement contracts for the removal of illegal construction.

Meanwhile, Varna Municipality has received information that the debtor P.C. has died on 18 February 2023, after the expiration of the term for voluntary execution. Among his legal heirs, his wife and two daughters, on 3 August 2023, solely his wife declared a waiver of inheritance.

On 20 September 2023, a notarial deed for the purchase and sale of real estate was registered in the Registry Office - Varna, by which the ownership of the property in question was transferred from the heirs of the applicants - Mimi Ugrinova and Radka Sakyzova to "Stroitelna kompaniya Accent" OOD.

In 2025, during an on-site inspection by employees of the Varna Municipality, upon an application dated 21 January 2025, in connection with the implementation of control upon discovery of a construction site on the plot in question, a report was drawn up stating that the illegal construction on the property had been removed.

In a letter of 11 June 2026, the Varna District Court indicated that no new enforcement procedure after the termination of the old procedure in 2016 had been initiated by the applicants' heirs in the bailiff's office at that court. It also specified that in September 2023, the applicants' heirs had requested to be given back the original of the 2002 writ of enforcement, and that the original was handed back to one of them on 7 September 2023.

b) No further individual measures seem to be appropriate in the case.

3. General measures

a) Publication and dissemination of the judgment

The translation of the judgment is available on the Ministry of Justice website at <http://www.justice.government.bg/>

The translation of the judgment has been disseminated to the competent national authorities with a circular letter underlining the main conclusions of the ECHR.

b) Other measures

This case is of an isolated nature. The violation established by the Court resulted from the state bailiff's failure to act in order to ensure enforcement against a private individual (failure to pursue any steps towards ensuring that the debtor demolish the unlawfully built construction, failure to use competences to fine repeatedly the non-complying debtor and to seek the involvement of the police). As evident from the Court's judgment, the main facts concerning the bailiff's failure to act (in that case a State bailiff) date back to 2002-2008 (§§ 5-9). In the meantime, important legislative reforms took place, which established in 2005, in addition to the State bailiffs' system, a private judicial enforcement system with private bailiffs who ensure enforcement predominantly of private claims. The organisation and functioning of the private bailiffs' system is regulated by special law, and a specialised professional organisation - the Chamber of Private Bailiffs - was created to organise and represent the profession of private bailiffs. In addition, the new Civil Procedure Code entered into force in 2008, which laid down new rules aiming at improving the enforcement of private claims in Bulgaria. Therefore, the

Government submit that the reforms of 2005-2008 which created a new enforcement system different from the one that existed at the time when the main facts in this case took place,¹ and the awareness raising measures taken, will prevent any future similar violations from occurring.

No other measures seem to be necessary for execution of the judgment.

4. Conclusion

In conclusion, Bulgaria has implemented all necessary individual measures related to the judgement “Ugrinova and Sakazova v. Bulgaria”. The judgement of the Supreme Court of Cassation issued on 5 June 2002 given in the applicants’ favor has been enforced in 2025, as the illegal construction on the applicants’ (ex) property had been removed.

Therefore and in view of all the above, we suggest to the Committee of Ministers to take a decision to close the supervision of the execution of the judgment.

¹ Indeed, the applicants’ heirs did not request any new enforcement actions from the State bailiff after 2011 based on the judgment of 2002 in their favour, neither did they try to make use of the means provided under the new enforcement system after the legislative reforms. Their inactivity led to a closure of the initial enforcement proceedings in 2016.