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Contact: Ireneusz Kondak
Tel: 03.90.21.59.86

Date: 06/11/2026

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Documents distributed at the request of a Representative shall be under the sole responsibility of the said Representative, without prejudice to the legal or political position of the Committee of Ministers.

Meeting: 1577th meeting (December 2026) (DH)

Item reference: Action Report (05/11/2026)

Communication from Bulgaria concerning the case of Markova v. Bulgaria (Application No. 44251/18)

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Réunion : 1577e réunion (décembre 2026) (DH)

Référence du point : Bilan d'action (05/11/2026)

Communication de la Bulgarie concernant l'affaire Markova c. Bulgarie (Requête n° 44251/18) ***[anglais uniquement]***

DH-DD(2026)1495: Communication from Bulgaria
Documents distributed at the request of a Representative shall be under the sole responsibility of the said Representative, without prejudice to the legal or political position of the Committee of Ministers.

DGI
05 NOV. 2026
SERVICE DE L'EXECUTION DES ARRETS DE LA CEDH

ACTION REPORT

Markova v. Bulgaria

Application no. 44251/18, judgment of 16/04/2024, final on 16/04/2024

1. Case description

The case concerns the denial of access to a court to the applicant in order-for-payment proceedings and the Sofia City Court's failure in 2018 to duly examine her objection under Article 423 § 1 of the Code of Civil Procedure against the order for payment and to afford her a fresh hearing of the case, in violation of Article 6 § 1.

The Sofia City Court instead considered the notice to have been duly served because it had been left at the applicant's declared address, although the service officer had established that she no longer lived there and had in fact moved out nine years earlier. The applicant eventually paid the debt in full: 3,776 Bulgarian levs (equivalent to 1,930 euros) comprising the amount ordered against her, interest and costs.

2. Individual measures

The Court rejected the claim for pecuniary damage and did not award any sums in respect of non-pecuniary damage, costs and expenses since the applicant did not claim such. The applicant did not seek reopening of the domestic proceedings in the statutory term.

3. General measures

In October 2017 service of documents to the place of work was introduced in the Code of Civil Procedure (CCP), and the obligation of the court not to issue a writ of execution in the circumstances under Article 415 § 1 (2) of the CCP[1] was introduced in December 2019.

The recent judicial practice shows that Bulgarian courts do not treat a defendant's permanent or current registered address, or registered place of work, as the only possible places for service of documents. When an attempt there is unsuccessful, courts often direct service to other identified addresses and take further steps to establish where the defendant can be reached.

Varna District Court provided examples[2] for servicing documents to addresses other than a defendant's permanent address, current address or place of work. These included commercial premises recorded with the National Revenue Agency, a company's registered seat and management address found in the Commercial Register, and addresses identified by an applicant or in a consumer-credit agreement. These examples reflect attempts to use specific

[1] When the payment order has been served on the debtor under the conditions of Article 47, paragraph 5 (left at the defendant's declared address), and the person effecting service has gathered information—following an inquiry with the manager of the condominium, the mayor of the respective settlement, or by other means—that the debtor does not reside at the address and has certified this by indicating the source of such information in the notice.

[2] Разпореждане № 41387/05.11.2025 по ч. гр. д. 5090/2025 г., Разпореждане № 14125/11.06.2026 по ч. гр. д. 8256/2025, Разпореждане № 4305/24.11.2205 г. по ч. гр. д. 4060/2025 г., Разпореждане № 32148/07.08.2025 по ч. гр. д. 3385/2025, Разпореждане № 30091/22.07.2025 по ч. гр. д. 4204/2025, Разпореждане № 35975/11.09.2025 г.

information linked to the defendant's business or contractual dealings, rather than relying exclusively on civil-register addresses.

Judicial acts of the Burgas District Court[3] likewise show that a search for an appropriate service address may need to continue when service to an address connected to the defendant's business has not been attempted. In two cases, the court found that service of orders for payment had not been sufficiently pursued because the debtor had not been sought at a separate business-activity address identified through the Commercial Register; it treated the resulting payment-order claims as premature and directed that the service procedure continue. A Burgas District Court order directed court staff to telephone the defendant at available numbers and invite her either to collect the documents or to provide a new address.

The recent judicial practice of Sofia District Court[4] also calls for repeated visits, inquiries of building managers or neighbours, and recording the source of information about whether the defendant lives at the address; they set out steps for placing and documenting a notice where personal service remains unsuccessful. This emphasis on verification and procedural safeguards is consistent with Supreme Court of Cassation decisions[5] requiring strict compliance with service rules and further inquiry where the case file indicates another place at which the defendant may be found.

Taken together, the judicial practice from the three of the district courts with the highest case-volume in Bulgaria support the conclusion that service is pursued beyond registered addresses using a range of information-gathering measures, including inquiries to public authorities and mobile carriers, checks of business and employment records, telephone contact, and service at identified commercial, contractual or other addresses. They also show courts directing further efforts to locate defendants and to document those efforts, while observing the legal requirements for valid service.

Therefore, although there is no express rule provided in the CCP for the courts to rule on servicing documents to addresses other than those declared to the local authorities (current or permanent address) and registered place of work, the courts have already established consistent practice to deliver documents to addresses which are known to them and actively inquire for other possible addresses for service.

4. Conclusion

Accordingly, the Government consider that no further individual or general measures are required and that the Committee of Ministers may close its supervision of this case.

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[3] Определение № 1809/09.04.2026 г. по гр. д. 1546/2026 г., Разпореждане № 4032/24.04.2026 по гр. д. 799/2026 г., решение № 793/09.04.2025 г. по гр. д. 373/2025 г., Определение № 1573/25.03.2026 г. по гр. д. 1388/2026 г,

[4] Разпореждане № 169091 от 01.11.2025 г. по гр. дело № 14949/2024 г., 25-и състав, Разпореждане № 166126 от 27.10.2025 г. по гр. дело № 44/2025 г., 31-ви състав., Разпореждане № 23900 от 20.02.2026 г. по гр. дело № 34421/2025 г., 56-и състав, Разпореждане № 124344 от 08.08.2025 г. по гр. дело № 16022/2025 г., 65-и състав. , Разпореждане № 152962 от 03.10.2025 г. по гр. дело № 14046/2025 г., 73-ти състав, Разпореждане № 67296 от 25.04.2025 г. по гр. дело № 53219/2024 г., 74-ти състав, Разпореждане № 95200 от 17.06.2025 г. по гр. дело № 25969/2025 г., 79-и състав, Разпореждане № 20096268 от 05.07.2023 г. по гр. дело № 3147/2018 г., 148-и състав, Разпореждане № 2579 от 10.06.2021 г. по гр. дело № 29290/2021 г., 156-и състав, Разпореждане № 12244 от 27.01.2026 г. по гр. дело № 12826/2025 г., 178-и състав

[5] Определение № 2019 от 24.04.2025 г. на ВКС по ч. гр. д. № 4947/2024 г., Решение № 20 от 14.03.2022 г. на ВКС по гр. д. № 5077/202, Решение № 60122 от 10.01.2022 г. на ВКС по гр. д. № 2494/2021 г., II г. о., ГК.