

Adoption: 22 November 2024  
Publication: 6 February 2025

Public  
GrecoRC5(2024)14

# FIFTH EVALUATION ROUND

Preventing corruption and promoting integrity in  
central governments (top executive functions) and  
law enforcement agencies

## COMPLIANCE REPORT

# BULGARIA



Adopted by GRECO  
at its 98<sup>th</sup> Plenary meeting (Strasbourg, 18-22 November 2024)



Group of States against Corruption  
Groupe d'États contre la corruption

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

## **INTRODUCTION**

1. The fifth GRECO evaluation round concerns “Preventing corruption and promoting integrity in central governments (top executive functions) and law enforcement agencies”.
2. This Compliance Report assesses the measures taken by the Bulgarian authorities to implement the recommendations made in the [Fifth Round Evaluation Report on Bulgaria](#) which was adopted by GRECO at its 92<sup>nd</sup> plenary meeting (28 November – 2 December 2022) and made public on 19 January, following authorisation by Bulgaria.
3. As required by GRECO’s Rules of Procedure,<sup>1</sup> the Bulgarian authorities submitted a Situation Report containing information on measures taken to implement the recommendations in the Evaluation Report. That report was received on 28 June 2024 and, along with additional information provided on 21 October 2024, served as a basis for this Compliance Report.
4. GRECO selected Slovenia (in respect of top executive functions in central governments) and Ukraine (in respect of law enforcement agencies) to appoint Rapporteurs for the compliance procedure. The Rapporteurs appointed were Ms Vita HABJAN BARBORIČ, on behalf of Slovenia, and Mr Viktor PAVLUSHCHYK on behalf of Ukraine. They were assisted by GRECO’s Secretariat in drawing up this report.
5. The Compliance Report assesses the implementation of each individual recommendation contained in the Evaluation Report and gives an overall appraisal of the level of the member’s compliance with these recommendations. The implementation of any outstanding recommendations (partly or not implemented) will be assessed on the basis of a further Situation Report to be submitted by the authorities 18 months after this Compliance Report is adopted.

## **II. ANALYSIS**

6. GRECO addressed 28 recommendations to Bulgaria in its Evaluation Report. Compliance with these recommendations is dealt with below.

*Preventing corruption and promoting integrity in central governments (top executive functions)*

### **Recommendation i.**

7. *GRECO recommended introducing rules on incompatibilities and vetting based on integrity criteria in respect of employment of persons hired at the discretion of central government to give advice to persons entrusted with top executive functions or to perform similar functions.*

---

<sup>1</sup> The compliance procedure for the Fifth Evaluation Round is governed by GRECO’s Rules of Procedure as amended. See Rule 31 revised bis and Rule 32 revised bis.

8. The authorities report that persons appointed as part of political cabinets of the Prime Minister, Deputy Prime Ministers, Ministers, Chairmen of State Agencies and Governors are subject to the general rules of the Labour Code for persons employed in state administration (notably, Articles 107a and 330 of the Labour Code), covering the establishment and the termination of the employment relationship, employee impartiality in the performance of their duties and the efficiency of the administration. The authorities also state that members of political cabinets are subject to the Code of Conduct of Civil Servants, setting out situations of incompatibilities and conflicts of interest (see further under recommendation iv below). Finally, reference is made to provisions regarding declarations of assets and interests by heads of political cabinets, which are to be verified by the Anti-Corruption Commission (as per Articles 6 and 58 of the Anti-Corruption Law – covered under recommendation xii below).
9. GRECO takes note of information provided. The legislation referred to by the authorities regarding the setting up of political cabinets, the appointment of persons in top executive functions (PTEFs) and relevant integrity check prior to such appointments has been fully taken into consideration in the Evaluation Report (see paragraphs 23-30 of the Evaluation Report). The authorities report no new developments with regard to the implementation of this recommendation. In particular, no rules on incompatibilities and vetting have been introduced, or are in the making in respect of persons hired at the discretion of central government, including ministers, to give advice to PTEFs.
10. GRECO concludes that recommendation i has not been implemented.

#### **Recommendation ii.**

11. *GRECO recommended to regulate that continuously updated information on the names, functions and remuneration - and ancillary activities as appropriate - of the members of the political cabinets involved in top executive functions, are disclosed in a way that provides for easy, appropriate public access on-line.*
12. The authorities provide a detailed description of the rules governing the submission of asset and interest declarations by heads and members of political cabinets. They indicate that names, functions, remuneration and ancillary activities of members of political cabinets<sup>2</sup> are published on web-sites of respective institutions and disclosed in declarations of assets and interests, accessible to the public online (see paragraph 56 below), as per the Anti-Corruption Law of 2023 and instruction of the Council of Ministers.
13. GRECO takes note of the information submitted. It underlines that the aim of the recommendation is achieving greater transparency as regards PTEFs employed at the discretion of the central executive bodies by making the names, functions and

---

<sup>2</sup> The authorities specify that political cabinets consist of the deputy ministers, the head de cabinet, the parliamentary secretary and the head of the public relations unit (Article 28 of the Law on Administration). The authorities further indicate that advisors are not members of political cabinets and that, as per Article 28, paragraph 4 of the Law on Administration, they may not execute managerial functions. The prime minister, deputy prime ministers, ministers, deputy ministers and heads of political cabinets fall under the scope of the Anti-Corruption Law of 2023 (Article 6, paragraph 1, points 3 and 30).

remuneration, as well as ancillary activities of PTEFs, including members of political cabinets, accessible to public (see paragraph 32 of the Evaluation Report). It would appear that names and functions of some members of political cabinets are indeed made public on the websites of the respective ministries. However, this information so is limited to deputy ministers and heads of cabinets, and does not include all members of political cabinets.<sup>3</sup> It follows that the present recommendation can be considered as implemented only partly.

14. GRECO concludes that recommendation ii has been partly implemented.

**Recommendation iii.**

15. *GRECO recommended that a methodology for risk analysis covering persons entrusted with top executive functions' specific integrity risks is adopted as a matter of priority, such analysis be carried out on a regular basis and remedial measures be included in the anti-corruption guidance documents of the Council of Ministers and ministries.*
16. The authorities submit that on 5 June 2024, the draft Methodology for the analysis of specific risks to the integrity of persons holding public positions in the central executive power has been submitted by the ACC to the General Inspectorate of the Council of Ministers. The draft Methodology, in particular, aims to guide integrity risk assessments with regard to Prime Minister, Deputy Prime Ministers, Ministers, Deputy Ministers, heads and members of political cabinets. It also envisages steps to identify and manage integrity risks and provides that such risk assessments be carried out every three years by a specifically designated working group under the General Inspectorate of the Council of Ministers. The authorities further specify that the management of specific risk identified would be dealt with through Integrity Plans to be drafted within 12 months of the adoption of the Methodology.<sup>4</sup>
17. GRECO takes note of the information provided. It welcomes the preparation of the draft Methodology, which provides for a set of specific measures to analyse, identify and address integrity risks of high officials in the executive government, including periodic analysis of such risks every three years. However, the document has not been adopted yet. In addition, no information has been received on the inclusion of remedial measures in the anticorruption guidance documents of the Council of Ministers and ministries. Until further tangible steps have been taken by the authorities, this recommendation cannot be considered as implemented more than partly.
18. GRECO concludes that recommendation iii has been partly implemented.

---

<sup>3</sup> By way of example, the websites of the [Ministry of the Interior](#) and the [Ministry of Justice](#) only displays names and functions of deputy ministers and heads of cabinets, but not any other officials performing top executive functions within the meaning of GRECO's Fifth Evaluation Round (parliamentary secretaries, heads of public relations' units, advisors etc.).

<sup>4</sup> Integrity Plans will be used to plan and monitor the implementation of the corrective integrity measures and their effectiveness in relation to the specific risks identified. The control over the implementation of the plans will be carried out through reporting to the Prime Minister.

#### **Recommendation iv**

19. *GRECO recommended that (i) a comprehensive code of conduct for persons entrusted with top executive functions be adopted, published and complemented with clear guidance regarding conflicts of interest and other integrity related matters (contacts with third parties, gifts and other benefits, ancillary activities, contracts with state authorities, post-employment restrictions etc.) and (ii) this code be accompanied with a credible and efficient supervisory mechanism, envisaging specific sanctions for violations and tools for their enforcement.*
20. The authorities report that on 23 January 2024, an inter-institutional working group<sup>5</sup> has been set up to develop a draft Code of Conduct for Persons Holding Public Office in the Central Government by 26 June 2024. The first meeting of the working group took place on 6 February 2024. However, due to the appointment of the caretaker Cabinet of Ministers on 9 April, the composition of the working group ought to be revised and has not held regular meetings. Discussions regarding the development of the draft Code continue in an operational manner and the authorities intend to be guided by the experience of setting up a code of conduct for top executives in other Member States of the European Union (EU).
21. GRECO takes note of the information provided. The setting up of a working group to prepare a draft Code of Conduct for Office Holders in central government is to be welcomed. However, no substantial progress has been made in relation to neither parts of the recommendation. GRECO calls upon the Bulgarian authorities to take more resolute steps towards putting in place the code of conduct for PTEFs, covering all integrity-related matters, accompanied with the necessary practical guidance and an efficient supervisory mechanism, as recommended.
22. GRECO concludes that recommendation iv has not been implemented.

#### **Recommendation v**

23. *GRECO recommended (i) that the relations and coordination between the National Anti-Corruption Council and the Anti-Corruption Commission (or its successors) as well as their respective tasks be clarified; (ii) that the selection and appointment process of all the members of the Anti-Corruption Commission be based on merit, transparency and subject to safeguards that prevent undue political influence.*
24. The authorities, concerning the first part of the recommendation, submit that, on 18 October 2023, the National Council on Anti-Corruption Policies, chaired by the Prime Minister, decided to amend the Decree No. 136 of the Council of Ministers of 29 May 2015 on the establishment of the National Council on Anti-Corruption Policies

---

<sup>5</sup> The working group is chaired by the Parliamentary Secretary of the Council of Ministers and is comprised of representatives of relevant state bodies and institutions (Head of the Chief Inspectorate of the Council of Ministers, Ministry of Justice, Anti-Corruption Commission and heads of inspectorates), as well as representatives of civil society (Transparency International, Bulgarian Institute of Legal Initiatives and the Basel Institute for Governance).

under the Council of Ministers. It is intended that the composition of the National Anti-Corruption Council would include representatives of the Prosecutor General's Office, the National Audit Office and the Anti-Corruption Commission and that the coordination and cooperation between the National Anti-Corruption Council and the Anti-Corruption Commission would be further regulated. However, pending the appointment of the Council of Ministers (currently ensured by a caretaker cabinet), these amendments have not been adopted yet.

25. Concerning the second part of the recommendation, the authorities report that following the adoption on 6 October 2023 of the new Anti-Corruption Law, the nomination, screening and election of members of the Anti-Corruption Commission (ACC) is regulated under Articles 8-10 of the Law, stipulating that the ACC is to consist of three members (Commissioners) appointed by Parliament for a non-renewable term of office of six years. The Chair of the ACC is to be elected from among the three Commissioners for two years and will rotate among each of the Commissioners. Upon taking up their duties, the Commissioners must sign a declaration of political neutrality. Candidates for election as Commissioners<sup>6</sup> may be nominated by members of Parliament or by non-profit entities for public benefit. The screening and selection of candidates is the task of a Nomination Committee consisting of five independent members, including one representative proposed by the Supreme Court of Cassation, one by the Supreme Bar Council, one by the Ministry of Justice, one by the Ombudsman of Bulgaria and one by the National Audit Office. The Nomination Committee is to examine motivated proposals for candidates to be elected as Commissioners, verify their eligibility and, after a public hearing and discussion, submit a report to the Standing Committee of Parliament in charge of anti-corruption, proposing candidates for discussion before the Parliamentary Committee on the Prevention of Corruption. The Commissioners are elected by Parliament by a two-thirds majority of all members. However, its new composition has not been elected yet.<sup>7</sup>
26. GRECO takes note of the information provided. Concerning the first part of the recommendation, GRECO notes the intention to amend and supplement the Decree No. 136 regulating the functioning of the National Anti-Corruption Council. However, as these amendments have not even been drafted yet, and it is not known to what extent it responds to the requirements of the present recommendation, this part cannot be considered as complied with. As to the second part, GRECO takes note of the amended procedure for electing members of the ACC, providing that candidates can be nominated by either members of Parliament or by non-profit legal entities. Furthermore, GRECO

---

<sup>6</sup> Candidates to be appointed as Commissioners may not hold office at any State or municipal bodies; pursue business or be a partner, managing director or member of supervisory bodies, management bodies or monitoring bodies of any commercial corporation, cooperative, State-owned enterprise or non-profit legal person; receive remuneration for the pursuit of activities under contract or under a civil-service relationship with any State or public organisation, with any commercial corporation, cooperative or non-profit legal person, natural person or sole trader, except for scientific research and teaching or for the exercise of copyright; practise a liberal profession or another remunerated professional activity; be a member of any political party or coalition, of any organisation pursuing political goals, engage in political activity or engage in any other activities which affect the independence thereof.

<sup>7</sup> The authorities specify that owing to the lack of the necessary parliamentary majority and the series of early parliamentary elections, the new members of the Anti-Corruption Commission have not yet been elected. Pending the election of its new members, the Commission continues carrying out its functions under previous composition, as envisaged in Transitional Provisions of the Anti-Corruption Law.

welcomes the additional guarantees of political neutrality included in the relevant provisions, as well as the screening of candidates as regards their eligibility and merit, entrusted to the inter-institutional Nomination Committee. Even though Parliament appears to continue playing a prominent role in the election of the Commissioners of the ACC, which does not entirely eliminate political influence on the process, the requirement of a two-thirds majority of all members of Parliament for the election of Commissioners could cater for a broader consensus among political groups. Overall, the new election procedure represents a positive development compared to the previous system. That said, the new ACC composition has not been elected yet. Therefore, the manner in which the new selection and appointment procedures of its members will be implemented in practice remains to be assessed.

27. GRECO concludes that recommendation v has been partly implemented.

**Recommendation vi**

28. *GRECO recommended that (i) dedicated awareness-raising/training of persons with top executive functions on integrity related matters, including the future Code of Conduct, be provided, when taking up their positions and at regular intervals thereafter; (ii) effective confidential counselling on integrity related issues be established for PTEFs, and (iii) an effective mechanism be developed to ensure consistency of advice among those responsible for giving advice on ethical matters.*

29. The authorities, in relation to the first part of the recommendation, submit that once adopted (see recommendation iv above), the Code of Conduct for Persons Holding Public Office in the Central Government will require public office-holders to undergo training on integrity matters upon taking up office. As to the second part, the authorities report that the ACC provides opinions on integrity matters upon request of interested parties.<sup>8</sup> These opinions are not confidential and are aimed at fulfilling the functions on prevention of corruption in relation to the conflict of interest and the declaration of assets.

30. GRECO takes note of the information provided. Concerning the first part of the recommendation, GRECO notes that the draft Code of Conduct for Persons Holding Public Office refers to integrity training. However, for the time being, such trainings are envisaged only upon taking up office and no training at regular intervals is provided for with respect to PTEFs already in office. More importantly, the development of the Code of Conduct is at the very early stage and at present there is no dedicated training provided to PTEFs on integrity matters. Concerning the second part, GRECO notes the advisory role of the ACC. However, on the one hand the ACC has not been set up yet, and on the other hand its opinions on integrity issues are not confidential. Overall, in GRECO's view, while this function of the ACC has its merits, it cannot be seen as a substitute to an effective confidential counselling for PTEFs. Finally, no information has been submitted in relation to the third part of this recommendation.

---

<sup>8</sup> According to statistical information provided by the authorities, in 2023, some 231 opinions and answers have been provided by the ACC on issues relating to the application of the new Anti-Corruption Law. In 2024, more than 90 opinions and instructions were provided in connection with the new legal requirements.

31. GRECO concludes that recommendation vi has not been implemented.

### **Recommendation vii**

32. *GRECO recommended that an independent assessment of the practical implementation of the legislation regarding access to information and practices of the executive bodies be carried out in order to (i) improve the legislation, including its mechanisms and oversight; and (ii) bring the use of exceptions or derogations to granting the requests for public information to the strict minimum necessary for safeguarding legitimate interests of the State or third parties.*
33. The authorities submit that monitoring of information policy and practice is carried out both by the administration through the Annual State of the Administration Report, as well as by civil society. They take the view that the implementation of the procedures for access to documents is carried out by courts and is therefore considered “as effective as possible”. The authorities also submit that in May 2024, an analysis of the compliance of the Bulgarian legal framework with the Council of Europe Convention on Access to Official Documents was prepared by the Access to Information Programme Foundation (AIP) in the framework of the Fourth National Action Plan of the Global Open Government Partnership.<sup>9</sup>
34. Further, the authorities report that on 29 September 2023, the amendments to the Law on Access to Public Information entered into force, broadening the range of public entities obliged to provide information, providing that an “overriding public interest” also includes cases when access to information is requested for disclosing corruption and abuse of power, enhancing of transparency and accountability of public bodies and entities, as defined by this Law (§1, paragraph 6 of the Additional Provisions of the Law on Access to Public Information). The amendments also strengthened the obligation of public bodies to regularly publish information on their respective websites and ensuring free access to it, and expanded the amount of information to be published on the Access to Public Information Platform. In addition, the Platform now allows submitting applications for access to public information also to the judiciary. Finally, the authorities refer to a Handbook for the implementation of the Law on Access to Public Information, published on 5 May 2021.<sup>10</sup>
35. In addition, the authorities refer to the assessments carried out by the AIP in 2023 and 2024 of the practical implementation of the legislation regarding access to information and practices of the executive bodies at the central, regional, and local level, public institutions and state bodies (covering 562 bodies in 2023 and 560 bodies in 2024).<sup>11</sup> The purpose of these assessments was evaluating compliance of these bodies with their

---

<sup>9</sup> The Access to Information Programme Foundation (AIP) is a non-government organisation which carries out independent monitoring over the implementation of the national legislation and practice regarding access to information in Bulgaria.

<sup>10</sup> The Handbook for the Implementation of the Law on Access to Public Information is accessible (in Bulgarian) via the following link: <https://pitay.government.bg/documents/kak-da-prilagame-zakona-za-dostup-do-obshchestvena-informaciya-naruchnik>

<sup>11</sup> The assessment of 2024 also provides a ranking of local institutions and all central executive bodies with regard to access to information, accessible via the following link (in Bulgarian): <https://data.aip-bg.org/surveys/5KSE24/rankings?d=Y1>



obligation to proactively disclose public information online and to respond to electronic requests for access to information. The authorities indicate that these assessments covered the Council of Ministers, as well as all the ministries and central government agencies. The results of the assessments formed part of the respective AIP's annual reports on Access to Information in Bulgaria. The assessments also included an analysis of court cases initiated against decisions of the respective public bodies under the Law on Access to Public Information.

36. GRECO takes note of the information provided. It notes with interest that an assessment of conformity of Bulgarian legislation on access to information with the provisions of the Council of Europe Convention on Access to Official Documents has been carried out. That said, this assessment did not seek to analyse the application of the relevant Bulgarian legislation in practice. GRECO also notes the AIP has continued its annual assessments of the practical implementation of the access to information legislation by the central, regional and local executive bodies in Bulgaria in 2023 and 2024. However, as the text of these assessments has not been provided, GRECO is not in a position to evaluate whether they covered the practice of access to information laws by central executive bodies, and whether their findings led to any improvements in the legislation and oversight mechanisms, as recommended. Reference is also made to the European Commission 2024 Rule of Law Report,<sup>12</sup> indicating that the practices of active publication of information on the websites of the institutions continues, but some of the known obstacles, such as administrative refusals, are still present. GRECO acknowledges that important legislative and practical steps to improve access to public information have been taken, in particular through the amendments to the Law on Access to Public Information and the upgrade of the Public Information Platform. However, more information is necessary to demonstrate that the amendments made to the Law on Access to Information were informed by the assessment of its practical implementation, and that the use of derogations to granting the requests for public information has been limited to the strict minimum necessary for safeguarding legitimate interests of the State or third parties.
37. GRECO concludes that recommendation vii has been partly implemented.

#### **Recommendation viii**

38. *GRECO recommended that (i) statutory time-limits for public consultations be systematically observed and that measures be put in place to prevent the circumventing of the ordinary consultation period; (ii) a legislative footprint, tracking major external interventions from the beginning of the legislative process be documented and disclosed; (iii) only limited and duly justified derogations from the rule on public consultations be allowed.*
39. The authorities indicate that statutory time limits for public consultations are regulated by the Law on Statutory Instruments, which envisages a minimum of 30 days for submissions of proposals and opinions on the draft posed for public consultations. In

---

<sup>12</sup> European Commission 2024 Rule of Law Report, Country Chapter on the rule of law situation in Bulgaria, accessible via the following link: [https://commission.europa.eu/document/download/fd6bb85d-4aaa-4c79-88a2-8709edfb2002\\_en?filename=10\\_1\\_58051\\_coun\\_chap\\_bulgaria\\_en.pdf](https://commission.europa.eu/document/download/fd6bb85d-4aaa-4c79-88a2-8709edfb2002_en?filename=10_1_58051_coun_chap_bulgaria_en.pdf)

case of duly justified extraordinary situations, this time limit can be reduced to no less than 14 days. The authorities also submit that, according to Article 34 of the Rules of Procedure of the Council of Ministers, the Legal Directorate of the Council of Ministers and its Administration is to express opinions on compliance with the procedures referred above within 14 days of the receipt of the documentation regarding draft legislative act and 10 days for other acts.

40. Further, the authorities report that since 2023, the Council of Ministers' Administration introduced a practice providing that the Legal Directorate issues an opinion on compliance of draft legislation with the statutory time-limits for public consultation. The authorities add that due to a substantial number<sup>13</sup> of legal acts adopted by default<sup>14</sup> by the Council of Ministers, the Administration is currently working on amending the Rules of Procedure of the Council of Ministers so as to ensure compliance with the statutory public consultation time-limits applicable to draft acts submitted for adoption by default. Finally, the authorities report a recent trend towards improvement of the timing of public consultations and the completeness of the documents to be published.<sup>15</sup> Thus, the percentage of draft acts on which less than 30 days were provided for public consultations decreased from 31% in 2022 to 24% in 2023.
41. GRECO takes note of the information provided. Concerning the first part of the recommendation, it notes the authorities' practical efforts to ensure the observance of 30-day statutory consultation period, including with regard to draft acts introduced for Council of Ministers' adoption by default. However, GRECO would need to be able to consult the text of the draft amendments to the Rules of Procedure of the Council of Ministers, currently in preparation, so as to assess their relevance to and impact on the implementation of the present recommendation. While the number of draft legal acts for which less than 30 days were provided for public consultation has decreased from 2022 to 2023, GRECO considers that the consistency of application of this practice can only be assessed over time, against the background of sufficient statistical data. Concerning the second part, the information provided by the authorities does not suggest any new developments. Reference is made to the need to document and disclose major interventions during the development of draft legislation emanating from the executive (see also paragraph 70 of the Evaluation Report). In this regard, the legal framework described by the authorities remains the same as it was at the time of the evaluation. As to the third part, no new information has been provided on further limiting derogations from the rule on public consultations to duly justified circumstances only. At this stage, this recommendation cannot be considered as implemented, even partly.
42. GRECO concludes that recommendation viii has not been implemented.

---

<sup>13</sup> According to statistical information provided by the authorities, in 2023 the Council of Ministers adopted 83 acts by default out of a total of 1 309 acts adopted that year by the Council of Ministers.

<sup>14</sup> A possibility envisaged under Article 7 (3) of the Rules of Procedure of the Council of Ministers.

<sup>15</sup> According to the Annual Impact Assessment Reports, containing conclusions of the quality of public consultations and methodological instructions for the ministries.

## Recommendation ix

43. *GRECO recommended that (i) rules be introduced on how persons entrusted with top executive functions engage in contacts with lobbyists and other third parties who seek to influence the government's legislative and other activities; and (ii) sufficient information about the purpose of these contacts be systematically disclosed, as well as the identity of the person(s) with whom (or on whose behalf) the meeting(s) took place and the specific subject matter(s) of the discussion.*
44. The authorities report that in 2023, an interdepartmental working group has been set up within the Ministry of Justice to prepare a concept paper for the regulation of lobbying activities. On 17 November – 18 December 2023 the draft Concept for Regulation of Lobbying Activities in the Republic of Bulgaria has been made available for public consultation on the website of the Ministry of Justice and the Public Consultation Portal, and was transmitted to the European Commission and the OECD for opinion. On 20 March 2024, the draft Concept has been considered by the Council of Ministers and made public on the website of the Ministry of Justice. In April 2024, the draft Concept has also been sent to the Development Council and the Civil Society Development Council for consideration.
45. According to the authorities, the Concept envisages recognising lobbying as a legitimate activity and set out legal provisions which would include definitions; public officials who are the addressees of lobbying activities; legislative footprint; transparency register; calendar of meetings of persons holding public offices who are addressees of lobbying; adoption of ethical rules of conduct; an independent and adequately resourced body responsible for operating the lobbying register, supervising the implementation of legal provisions and imposing sanctions for violations; financing of activities within the scope of the concept; administrative liability – subjects, grounds and procedure for implementation. According to the Concept, the functions of registration, control and administrative sanctioning of persons engaged in lobbying activities is to be entrusted to President of the National Audit Office, while it also recognises the need to strengthen the financial and administrative resources of this Office in view of these new functions.
46. GRECO takes note of the information provided. The preparation and publication of the Concept for Regulation of Lobbying Activities in Bulgaria, calling for a dedicated law on the regulation of lobbying is a step in the right direction. However, the draft legislation on lobbying is not in the making yet. GRECO stresses the need to ensure that any new legislation on lobbying contains rules regulating the engagement of PTEFs with lobbyists and other third parties, seeking to influence the decision-making in the executive. It is of equal importance to ensure that information about the purpose of these contacts, the identity of persons met, and the subject matters of such meetings be systematically disclosed. Since the legislative and policy work in this area is in early stages, GRECO will review the implementation of this recommendation once further tangible progress has been achieved.
47. GRECO concludes that recommendation ix has not been implemented.

### **Recommendation x**

48. *GRECO recommended ensuring sufficient functional independence of internal inspectorates to allow these units to effectively fulfil their role in the prevention and detection of integrity breaches and other irregularities within respective executive bodies, including when such irregularities may involve persons entrusted with top executive functions.*
49. The authorities submit that on 23 January 2024, an interinstitutional working group has been set up by the Prime Minister to prepare proposals for amending and supplementing the Law on Administration in relation to its provisions regulating internal inspectorates. The draft amendments produced by the working group envisage that heads and other members of political cabinets, secretaries general and the staff of the relevant administration may not interfere with the operational autonomy of their relevant inspectorates. Further measures include that the appointment and dismissal of the head of the inspectorate be made by the relevant minister upon written agreement of the Prime Minister based on a reasoned request. According to the draft amendments, the Prime Minister may not refuse the appointment of a candidate proposed for appointment, as long as the requirements are met by that candidate. The authorities report that the draft amendments have been transmitted to heads of the inspectorates for consultation. In addition, the authorities report that amendments would be made to the Law on Civil Servants, whereby the appointing authority will no longer be allowed to delegate its powers under the civil service relationship to employees of units under its direct authority. Finally, it is envisaged to amend the Administrative Procedure Code to the effect that failure to comply with recommendations issued by the inspectorates and approved by the respective authority would trigger administrative liability.
50. GRECO takes note of the information provided. Some amendments are envisaged to strengthen the independence of internal inspectorates, which goes in the right direction. However, the drafting process is still at early stages.
51. GRECO concludes that recommendation x has not been implemented.

### **Recommendation xi**

52. *GRECO recommended that rules be drawn up on gifts and other benefits for persons entrusted with top executive functions, requiring them to declare gifts and other benefits accepted, and that this information be made available to the public.*
53. The authorities report that rules on gifts and other benefits for persons holding senior executive functions will be included in the Code of Conduct for Persons Holding Public Office in the Central Government, once adopted. The authorities also submit that the Anti-Corruption Law provides for some rules concerning the declaration of expenses for training, travel and other payments with the value of more than BGN 1 000 (about EUR 511) made with the consent and for the benefit of the person holding a public office or persons related to them, when these are not paid by themselves, public funds or the funds of the institution the person represents.

54. GRECO takes note of the information submitted. While some steps have been initiated with regard to studying good practices on declaring gifts and benefits by the PTEFs in some other member States of GRECO, and the draft Code of Conduct for Persons Holding Public Office is being prepared (see paragraph 20 above), no tangible steps relevant to this recommendation have been completed yet. In addition, GRECO points to the importance of ensuring that any new rules concerning gifts and other benefits should be drafted in a manner as to cover all categories of PTEFs, including ministers, secretaries general and members of political cabinets.
55. GRECO concludes that recommendation xi has not been implemented.

#### **Recommendation xii**

56. *GRECO recommended ensuring that (i) income, asset and interest declarations submitted by persons entrusted with top executive functions be subject to an in-depth, proactive and substantive control mechanism, connected to an enforcement regime; (ii) sufficient human and financial resources be provided to bodies responsible for this task; and (iii) comprehensive statistics on results of this control be established and made accessible to the public.*
57. The authorities submit that the new Anti-Corruption Law broadened the scope of officials required to submit asset and interest declarations to include new categories of public officials, such as members of political cabinets other than the deputy ministers and heads of political cabinets, and the advisors to the political cabinets (as per paragraph 2 of the Additional Provisions of the Law), heads of management and control bodies of commercial companies with state or municipal participation, representatives of the state or municipalities in such legal entities, heads of regional education departments, directors of regional directorates and directors of territorial security services (as per Article 6 of the Law). The model declaration was also updated in accordance with the new legal requirements. The authorities also report that under the new Anti-Corruption Law, all persons subject to submitting declarations must also declare assets and interests of their spouses or their *de facto* cohabitants, as well as minor children living with them, and that declarations are to be made public online.<sup>16</sup>
58. According to the authorities, about 15 300 persons were to submit an annual declaration by 15 May 2024, of whom the majority were mayors and municipal councillors elected in October 2023. According to statistical information, some 523 inspections related to officials not having submitted declarations within the deadline have been carried out in 2023, and 468 notifications have been addressed to the Commission for Illegal Assets Forfeiture to initiate investigations in relation to these officials. In 2023, the previously existing Commission for Combating Corruption and Confiscation of Illegally Acquired Property sent to the National Revenue Agency information regarding 10 declarations which have not been corrected and in which a non-compliance has been established. In 2023, a total of 3 612 notice letters were sent, and so far in 2024 – a further 2565 notice letters. The Public Register Directorate carried out 12 057 checks of declarations of

---

<sup>16</sup> Declarations of income, assets and interests of public office-holders included in the list under Article 6 of the Anti-Corruption Law may be consulted on the website of the Anti-Corruption Commission, as follows: <https://register.caciaf.bg/>

assets and interest, and a further 1 292 such checks were completed in the first half of 2024. As to the sanctions, in 2023, some 166 penal decrees were issued, imposing fines in the amount of BGN 102 900 (about EUR 52 600), and by 31 May 2024, a further 136 penal decrees were issued imposing fines in the amount of BGN 166 700 (about EUR 85 232).

59. According to the authorities, the checks of declarations continue being carried out according to the internal rules of the ACC. In particular, in accordance with the methods of checks of declarations stipulated in the Anti-Corruption Law, the ACC performs comprehensive verification of information contained in declarations by comparing it with the information available in other databases of state authorities, local self-government bodies and local administration, judicial authorities and other institutions.<sup>17</sup> With regard to the staffing of the ACC, the authorities submit that in spite of four general elections and ensuing changes in the Government composition in the past two years, consistent efforts were made to ensure that the previous Commission and the new ACC have sufficient human resources to continue performing their tasks, in particular to receive, process, and verify declarations. The authorities indicate that recruitment competitions continue to fill the vacant posts in the ACC, and that a request to increase its budget for 2024 has also been granted by the Government.
60. GRECO takes note of the information provided. It notes that the structure and functioning of the ACC, the main body in charge of receipt, verification and publication of declarations of assets and interest, has evolved considerably since the evaluation. GRECO also notes that the scope of persons subject to submitting asset and interest declarations has been expanded and now expressly includes members of political cabinets, which is to be welcomed. Concerning the first part of the recommendation, GRECO notes that a considerable number of declarations are verified by the ACC through cross-checking of information contained in other public databases. While this is to be welcomed, GRECO recalls that at the time of the evaluation, desk verifications were not considered sufficiently comprehensive, as in some cases substantive discrepancies between information declared and the factual situation went unnoticed in the past (see paragraph 111 of the Evaluation Report). In addition to regular cross-checks of information, GRECO sees merit in applying more pro-active verification methods, such as on-site visits by the ACC.
61. Regarding the second part, in spite of ongoing process of recruiting additional staff in the ACC and an increase in its 2024 budget, the information provided does not allow to conclude that the new ACC now has adequate human and financial resources to allow effective discharge of its duties regarding verification of asset and interest declarations. While GRECO acknowledges the authorities' efforts to recruit staff of the ACC, the process has not yet been completed. What is more, the fact that the three Commissioners have not yet been elected<sup>18</sup> (see paragraph 25 above) raises doubts as

---

<sup>17</sup> The ACC has full access to registers and information systems of the Property Register, the Commercial Register, the Register of Motor Vehicles, the Central Credit Register, the National Revenue Agency Register, the database of Geographical and Information Systems, the Cadastre Agency and the register of the Bulgarian National Bank.

<sup>18</sup> In spite of § 7 paragraph (1) of the Transitional Provisions of the Anti-Corruption Law, which stipulates that "within three months from the entry into force of this Act, the National Assembly shall elect the members of the Commission for Anti-Corruption."

to whether this new body can be considered as fully functional. This part of the recommendation thus requires further efforts for its effective implementation.

62. Finally, concerning the third part of the recommendation, GRECO recognises the steps taken by the ACC to collect and publish the statistical data regarding asset and interest declarations received, verifications performed, and violations detected. It notes with satisfaction that this information features in the ACC Annual Reports, published online. This part of the recommendation has thus been met.
63. GRECO concludes that recommendation xii has been partly implemented.

### **Recommendation xiii**

64. *GRECO recommended that an effective mechanism be introduced to ensure that (i) proactive investigations and effective prosecutions of criminal offences of corruption involving persons entrusted with top executive functions systematically take place; (ii) procedural impediments hampering or preventing criminal investigations and proceedings of such cases are eliminated; and (iii) effective and proportionate criminal sanctions are imposed for such offences.*
65. The Bulgarian authorities, with regard to the first part of the recommendation, report that the new Anti-Corruption Law provides a definition of corruption<sup>19</sup> and establishes that investigations into corruption-related offences possibly committed by public office-holders are to be conducted by the investigative inspectors of the ACC. This task has been entrusted upon the Counter-Corruption Specialised Directorate of the ACC and the modalities of its investigative activities have been set out under Chapter Nine of the Anti-Corruption Law (Articles 100 – 111). The authorities indicate that such investigations are to be carried out under the interaction with and supervision of the Prosecutor General's Office and the European Public Prosecutor's Office, where appropriate.<sup>20</sup> The Anti-Corruption Law also stipulates that, in exercising their powers, the investigating inspectors will take decisions on the basis of their own internal conviction, based on an objective, comprehensive and complete examination of all the circumstances of the pre-trial proceedings, guided by the law (Article 19, paragraph (5)).
66. Further, the authorities refer to the amendments to the Criminal Procedure Code (CPC), which provides that a refusal by the prosecutor to initiate criminal proceedings into any of the corruption-related offences is to be notified to the ACC, which may appeal such a refusal before a court within 14 days from notification.<sup>21</sup> A decision of the first instance

---

<sup>19</sup> Article 3 (1) of the Anti-Corruption Law stipulates that “...corruption shall be a situation in which a public office holder referred to in Article 6 (1) herein commits a criminal offence under Article 201, Article 202 (1) and (2), Article 203 (1), Article 219 (3) and (4), Articles 220, 224, 225b, 225c, 254a, Article 254b (2), Articles 282, 282a, 283, 283a, 283b, Article 294 (4) in conjunction with Article 294 (2), Articles 301, 302, 302a, 304, 304a, 304b, 305, 305a, 307 and Article 387 (3) of the Criminal Code, as well as any other criminal offence committed in relation to those listed above.”

<sup>20</sup> When investigating offences falling within the competence of the European Public Prosecutor's Office, the investigating inspectors are to cooperate with the European investigating prosecutors, pursuant to an agreement between the Chair of the ACC and the European delegated prosecutor.

<sup>21</sup> More specifically, Article 213b(1) of the CPC provides that when the prosecutor refuses to initiate criminal proceedings for an offence under Articles of the Criminal Code included in the definition of corruption, as well as any other offence committed in connection with these offences by the public office holders, a copy of the

court, which should be taken not later than one month from appeal, may be subject to a judicial review before the court of appeal within seven days of its notification. The decision of the court of appeal is final.

67. In addition, the authorities refer to the amendments to the Constitution of Bulgaria, enacted in December 2023, which *inter alia*, introduced structural changes to the Supreme Judicial Council.<sup>22</sup> The authorities report that some of these amendments have been successfully challenged before the Constitutional Court in its decision of 26 July 2024. However, the authorities indicate that the provisions declared as unconstitutional do not directly relate to the present recommendation. Further, through the amendments to the Criminal Procedure Code and the Law on Judiciary, a mechanism for accountability and criminal liability of the Prosecutor General and his/her deputies has been introduced. In addition, the authorities inform that on 15 December 2022 the Prosecutor General instructed the administrative heads of the prosecutor's offices to take additional measures to improve the organisation, completeness and timeliness of investigations into bribery-related offences. On the same date, the Prosecutor General's Office established that any information found in the media by spokespersons for district or regional prosecutor's offices, suggesting that a possible criminal offence may have been committed, should be notified to administrative heads of respective prosecutors' offices. Moreover, on 10 July 2023 the Prosecutor General approved the guidelines for organising the work on files and pre-trial proceedings initiated for money laundering and terrorism financing. Finally, in 2023, the National Investigation Service updated the Methodology for investigating bribery offences.
68. Concerning the second part of the recommendation, the authorities report that in 2023 an inter-institutional working group was established to draw up amendments to the CPC with a view to reducing procedural impediments to the criminal investigation and prosecution.<sup>23</sup> In January 2024, draft amendments to the CPC were made available for public consultation.<sup>24</sup> The authorities indicate that for the time being the consideration of these draft amendments has been suspended owing to conceptual difficulties related to the provisions criminalizing terrorism.

---

refusal order is to be sent to the ACC, which may appeal against the order before the relevant court of first instance within 14 days of receipt of the copy.

<sup>22</sup> More specifically, following the amendments, the Supreme Judicial Council has been restructured into two separate organisations: the Supreme Prosecutorial Council and the Supreme Judicial Council, exercising their powers independently and through a General Assembly. The Supreme Prosecutorial Council is composed of 10 members: the Prosecutor General, two members elected by prosecutors, one member elected by investigators, and six members elected by the National Assembly. The Supreme Judicial Council is composed of 15 members, including the President of the Supreme Court of Cassation, the President of the Supreme Administrative Court, eight members elected directly by the judges of all courts, and five members elected by the National Assembly by two-thirds majority for a four-year term. Further, the amendments grant the President of Bulgaria the authority to appoint the Prosecutor General on the basis of a proposal from the Supreme Prosecutorial Council for a non-renewable five-year term of office, as well as the authority to dismiss the Prosecutor General on the Supreme Prosecutorial Council's recommendation.

<sup>23</sup> Also in the context of addressing some of the recommendations made to Bulgaria by the MONEYVAL in its Fifth Evaluation Round Report of 18 May 2022.

<sup>24</sup> In particular, it is suggested to amend Article 234 of the CPC concerning the time limits for the investigation to the effect that the time limits for investigation be differentiated with respect to minor and serious crimes to 3 and 6 months respectively with the possibility of extension by the supervising prosecutor to 6 and 12 months. It is also proposed to amend Article 163, paragraph 7 of the so as to remove the requirement for computer information data to be recorded on paper.



69. With regard to the third part, the authorities report that pre-trial proceedings have been initiated by the ACC and charges have been brought for corruption offences possibly committed by public office-holders. The statistical data provided by the authorities indicate that in 2023, some 622 pre-trial proceedings were conducted for corruption offences, of which 244 were with respect to persons indicated in Article 6, paragraph 1 of the Anti-Corruption Law.<sup>25</sup> In the same year, new proceedings were initiated in 187 cases, of which 55 with respect to public officials under Article 6, paragraph 1 of the Anti-Corruption Law. As to the convictions and sanctions, in 2023 a total of 33 public officials were convicted for corruption offences, of which 24 were sentenced to deprivation of liberty (one effectively served, 23 conditional), 14 were sanctioned by fines, five were put on probation and other sanctions have been imposed on a further 14 people.
70. GRECO takes note of the information provided. Concerning the first part of the recommendation, GRECO takes note of the new investigative function given to the ACC, under supervision of the Prosecutor's Office. GRECO also notes that the 2023 constitutional amendments, providing two separate Councils for the judiciary and the prosecution, as well as modifications to the rules on appointment and dismissal of the Prosecutor General were declared unconstitutional. While these developments do not directly relate to the present recommendation, their effect may strengthen the criminal justice response to corruption offences. In this regard, GRECO refers to an overall positive assessment given to the reorganisation of the Supreme Judicial Council by the European Commission for Democracy Through Law (the Venice Commission).<sup>26</sup> However, the investigative functions of the ACC are only recent. The effectiveness of the criminal justice response to corruption offences involving PTEFs needs to be demonstrated over time through concrete examples of investigations, prosecutions and convictions. For the time being, the examples provided by the authorities are limited in this respect. Concerning the second part, GRECO notes that amendments to the CPC are in preparation to facilitate criminal investigations and prosecutions, including for corruption, but further consideration of this promising initiative has been put on hold. As to the third part, GRECO is satisfied that statistical data is being collected with regard to prosecutions and convictions of public office-holders of corruption offences. However, the vast majority of sanctions imposed were conditional, which raises questions as to their effectiveness.
71. GRECO concludes that recommendation xiii has been partly implemented.

---

<sup>25</sup> This data includes criminal offences committed by high-level public officials and other persons holding higher positions in state and municipal institutions.

<sup>26</sup> In particular, the Venice Commission, in its Opinion on the Draft Amendments to the Constitution of Bulgaria, adopted at its 136th Plenary Session on 6-7 October 2023 ([CDL-AD\(2023\)039](#)), considered that "One of the crucial components of the reform process is the legitimate attempt of a thorough transformation of the State Prosecution Service, for the purpose of improving its efficiency and accountability, as well as the functional autonomy of individual prosecutors." The Opinion also concludes that "draft Constitutional amendments at stake create a constitutional basis for specific rules on investigation of a Prosecutor General, allowing for the creation of a specific mechanism of independent prosecution, as part of the implementation of general measures required by the Committee of Ministers following the ECtHR judgments in the case of Kolevi and others v. Bulgaria."

**Recommendation xiv**

72. *GRECO recommended that (i) sufficient operational independence of the Police vis-à-vis the Ministry of the Interior be provided for in law and ensured in practice; and that (ii) individual instructions to the Police be properly documented in writing, as a main rule.*
73. The authorities report that on 14 June 2023, the Minister of the Interior approved a Plan for the implementation of the recommendations of GRECO regarding law enforcement agencies. Under the Plan, five different working groups have been established to address specific recommendations of GRECO. On 19 July 2023, a working group has been set up in the Ministry of the Interior to analyse the current legislation as regards the operational independence of the Police and documenting individual instructions to the Police in writing, as well as post-employment integrity risks (recommendation xxv below) and examine any needs of amending it. The analysis carried out by the working group concluded that the distribution of powers between the political and professional leadership of the Ministry is clearly regulated: the Minister defines the mission and vision for the development of the Ministry, sets the goals and determines the main short- and long-term priorities and tasks. The Secretary General, on the other hand, carries out the operational management of the Ministry and directly supervises and coordinates the main activities of different structures with police powers. The authorities recall the principles of the police activity, contained in relevant legal provisions, including independence, legality, honesty, integrity, impartiality and political neutrality (Law on the Ministry of the Interior, the Code of Ethics of Civil Servants in the Ministry of the Interior, CPC etc.). Further, the working group prepared a draft addendum<sup>27</sup> to the Law on the Ministry of the Interior with a view to further strengthening the operational independence of the Police. The authorities indicate that these amendments are expected to be submitted to Parliament in near future.
74. As regards the second part of the recommendation, the authorities refer to the Internal Rules on the Organisation of the Document Flow in the Ministry of the Interior of 2017, which stipulates that all incoming documents in the Ministry of the Interior should indicate in writing the follow up to be given in their regard, the structure(s)/position(s)/name of the implementor(s), task(s)/action(s) to be taken, deadline for implementation, as well as the date and signature of the supervisor.
75. GRECO takes note of the information provided. Concerning the first part of the recommendation, no new provisions have been introduced so far to guarantee operational independence of the Police in individual cases vis-à-vis the Ministry of the Interior (see paragraph 124 of the Evaluation Report). GRECO recognises the steps taken by the authorities to introduce amendments to the Law on the Ministry of the Interior, but the legislative process is at a very early stage and the draft has not even been examined by Government. As to the second part, the information provided does not fully address the issue at stake, as it is limited to documents addressed to the Ministry. The recommendation aims to ensure that any individual instructions addressed to the

---

<sup>27</sup> The proposed amendment reads as follows: “*The activity of police bodies is based on the principle for operational independence and is governed by the law. It is guided by the principles of Art.3 (of the MoI Act)*”.

Police from the political level are documented in writing. For the time being, no information has been provided to demonstrate that this is the case.

76. GRECO concludes that recommendation xiv has not been implemented.

**Recommendation xv**

77. *GRECO recommended that (i) a broad analysis be carried out of the legal framework and practice of non-budgetary (including private) sponsorship and donations to the Ministry of the Interior/Police and its various structural entities and that, in light of its findings, clear rules be established to abandon private donations and/or, as a minimum, to eliminate the risks of conflicts of interests and corruption in this respect; (ii) information regarding donations and sponsorship received by the Police, indicating the nature and value of each donation, as well as the identity of the donor be systematically published.*

78. The authorities submit that in the course of 2023, the Ministry of the Interior carried out an analysis of the existing regulations regarding acceptance of donations and the procedures for ensuring transparency and accountability in this respect. On 14 July 2023, the Minister of the Interior issued new Internal Rules on the terms and conditions for concluding contracts for donations, receiving and managing donations. The newly adopted Internal Rules provide that donations are to be refused in cases of doubts about the morality of receiving them, regardless of whether they formally meet all the normative requirements for legality and admissibility. For instance, no donations are to be accepted when they contradict morals and good manners, imply receipt of material or immaterial benefits by the donor or, due to their nature, could prevent the implementation of the main activities of the Ministry of the Interior; when the donor performs an economic activity through donations; when donations are properties with conditions for their use, or for the use of income from them; when the donor's will cannot be executed. In addition, a Standing Central Commission has been set up in the Ministry for reviewing and approving donation contracts. The Ministry maintains a register of donations, containing the number and date of the concluded donation contract, the donor, the recipient, the subject of the donation and its value in BGN. Finally, the Commission submits annual reports on its activity to the Minister. The authorities indicate that the electronic version of the register of donations accepted by the Ministry of the Interior is accessible on the Ministry's website.<sup>28</sup> The authorities also refer to Article 139 of the Law on the Ministry of the Interior, which establishes a general prohibition for receiving donations, except in the cases explicitly stated in the law.<sup>29</sup>

---

<sup>28</sup> The Register of donations accepted by the Ministry of the Interior is accessible via the following link: <https://mvr.bg/министерството/за-министерството-на-вътрешните-работи/съвети-и-комисии/вксбк/документи>

<sup>29</sup> These exceptions, stipulated in Article 249, paragraph 9 of the Law on the Ministry of the Interior, are as follows:

- the implementation of international contracts, in which the Republic of Bulgaria is a party;
- the role of the donor - the donation is admissible only when the donor is a municipality, state structure, state enterprise or commercial company with 100% state participation, as well as when the donor is a foreign state body or body or institution of the European Union or an international organization;
- the subject of the donation: Donations are allowed only in the form of books, science literature or study materials, required for the preparation of the Ministry's officials.

79. GRECO takes note of the information provided. Concerning the first part of the recommendation, GRECO welcomes the analysis carried out by the Ministry regarding regulations on receipt of donations. Even though private donations have not been abandoned, new rules have been adopted to clearly establish what types of donations are permissible to be accepted by the Ministry of the Interior and in which circumstances donations should be refused. It follows that the first part of the recommendation has been complied with. As regards the second part, GRECO welcomes the establishment of a new structure to examine draft donation contracts, which regularly reports to the Minister, and the setting up of the register of donations, with an electronic version accessible to the public. It follows that the requirements of this part of the recommendation have also been met.

80. GRECO concludes that recommendation xv has been implemented satisfactorily.

#### **Recommendation xvi**

81. *GRECO recommended that dedicated measures be taken to strengthen the representation of women at all levels in the Police, including in senior positions.*

82. The authorities report that in January 2024, the Minister of the Interior approved a *Plan for strengthening the representation of women at all levels in the police for the period 2024-2026*, which foresees measures in the field of education, public relations and human resources management. The Ministry also envisages carrying out annual analysis of the women to men ratio in the various structures with police functions to identify gender-underrepresented areas and propose measures to achieve gender balance. Furthermore, guidelines have been drawn up to ensure gender equality in the competitive appointment and promotion procedures in the structures of the Ministry by strengthening the participation of women in the selection committees and other measures. The authorities further submit that a proposal has been made to increase the quota for admission of women cadets in the Police Faculty of the Ministry of the Interior Academy for the next academic year. As regards women currently in managerial posts in the Police, at present the overall representation of women managers in the Police is at 8,9%, with the highest representation is in the sectors counteracting juvenile delinquency (14,3% to 37,5%) and border control (19,5% to 21,9%).

83. GRECO takes note of the information provided. It welcomes the newly adopted Plan for strengthening the representation of women at all levels in the police for the period 2024-2026, as well as the guidelines to enhance representation of women in the appointment and promotion procedures in the Ministry. The proposal to increase the quota for admission of women cadets in the Police Faculty is also encouraging. GRECO calls on the authorities to implement it consistently for forthcoming academic years, as it could indeed cater for greater representation of women in police structures. GRECO recalls that efforts should also be put towards strengthening representation of women in senior positions in the Police, which is currently very low. That said, GRECO is satisfied that the measures already taken by the authorities meet the requirements of the present recommendation.

84. GRECO concludes that recommendation xvi has been implemented satisfactorily.

### **Recommendation xvii**

85. *GRECO recommended that a dedicated anti-corruption strategy (or an equivalent document) be established for the Police as a complement to the National Strategy for Prevention and Counteraction to Corruption, accompanied by an action plan for its implementation.*
86. The authorities report that on 9 February 2024, the Minister of the Interior approved the Anti-Corruption Plan of the Ministry for 2024. The Anti-corruption plan provides for general, horizontal measures, as well as more specific measures, such as rotation of staff providing administrative services, checks of declarations of senior officials in the Ministry on the subject of any incompatibilities, education and training activities etc.<sup>30</sup> According to the authorities, annual anti-corruption plans and reports for their implementation are published online. In addition, the authorities submit that the Ministry of the Interior is planning to prepare a Concept for countering corruption in the Ministry on the basis of the goals set out in the National Anti-Corruption Strategy for 2021 – 2027. The Concept will set medium-term goals in the field of prevention and countering corruption in the Ministry of the Interior and will be based on a risk assessment to be carried out in accordance with the Evaluation Methodology of corruption risks in the Ministry, approved in July 2024 (see recommendation xviii below). In addition, the authorities submit that the Ministry of the Interior implements annual anti-corruption plans to fulfil the commitments laid down in the National Anti-Corruption Strategy for 2021-2027. Specific measures are implemented in the high corruption risk areas, such as road control, border control, registration regimes, public procurement, etc., as well as general and horizontal measures for the prevention and counteraction of corruption.
87. GRECO takes note of the information provided. It notes that, while the preparation of a Concept for countering corruption in the Ministry of the Interior is a promising initiative, it is not possible to determine to what extent this document will constitute an anti-corruption strategy for the Police. The existence of annual anti-corruption plans in the Ministry was taken into account at the time of the evaluation (see paragraph 134 of the Evaluation Report), but establishing a dedicated anti-corruption strategy for the Police was recommended, as it would also emphasise the organisational identity of the Police in Bulgaria. For the time being, while some preparatory work is in the pipeline, this lacuna has not been remedied.
88. GRECO concludes that recommendation xvii has not been implemented.

### **Recommendation xviii**

89. *GRECO recommended that a comprehensive risk assessment of corruption prone areas and activities be undertaken in the Ministry of the Interior to identify problems and*

---

<sup>30</sup> Including on anti-corruption at the Academy of the Ministry of the Interior with the participation of officials from the specialised structures (Internal Security Directorate, Inspectorate, Human Resources Directorate) and refresher trainings on the applicable legislation (Law on Servants, Labour Code; Code of Conduct for Civil Servants in the Public Administration, Code of Ethics for Civil Servants in the Ministry of the Interior, Rules for the Organisation of the Work in the Ministry etc.).

*emerging trends, and that the results of the assessment serve as a basis for the design of a dedicated anti-corruption strategy of the Police.*

90. The authorities report that on 4 July 2024, the Minister of the Interior approved the Methodology for Assessing and Managing Corruption Risk in the Ministry of the Interior. The Methodology was drafted by an interdepartmental working group of the Ministry with the participation of representatives of the Anti-Corruption Commission. The risk assessment, to be conducted on the basis of the Evaluation Methodology, will inform the Concept for countering corruption in the Ministry, envisaged to be prepared in near future (see paragraph 85 above).
91. GRECO takes note of the information provided. It notes the approval of a risk assessment methodology for the Ministry of the Interior, prepared with the participation of representatives of the Anti-Corruption Commission, which is a welcome development. As to the risk assessment itself, the process has not been initiated yet. It follows that the present recommendation can be considered as implemented only to some extent.
92. GRECO concludes that recommendation xviii has been partly implemented.

#### **Recommendation xix**

93. *GRECO recommended that the code of ethics applicable to the Police covers in detail all relevant integrity issues for the Police (such as conflicts of interest, gifts, contacts with third parties, outside activities, handling of confidential information etc.) and that it be complemented by tailor-made practical guidance and an enforcement mechanism.*
94. The authorities report that a working group set up in the Ministry of the Interior on 28 July 2023 has prepared amendments to the Code of Ethics of Civil Servants applicable to employees with police functions. On 23 August 2024, the amended Code of Ethics has been approved and promulgated in the State Gazette of 17 September 2024. The Code of Ethics now covers issues related to integrity, conflict of interest,<sup>31</sup> gifts,<sup>32</sup> contacts with third parties, external activities, use of social media and working with classified information. Further, they prohibit membership in groups or associations, as well as the maintenance of ties with groups or individuals that could influence the impartial performance of official duties by the Ministry officials.<sup>33</sup> In addition, a new chapter introduced in the Code of Ethics establishes disciplinary liability for non-compliance with the Code. The amended Code also includes a reference to ethics committees and advisers established by order of the Minister of the Interior, indicating that civil servants

---

<sup>31</sup> Following the amendments adopted, the employees are subject to additional rules as follows: they must not be influenced by their personal interests or the interests of third parties; they must not seek advantages and/or privileges for personal or others' interests using their work position or functions; they must not participate in decision making when they or persons related to them are interested in the decision or there can be doubt in their impartiality.

<sup>32</sup> The amendments to the Code of Ethics prohibit receiving of gifts, donations, travel, accommodation in a hotel or other place, hospitality, discounts on payments due, preferential loans, and services, where accepting them may have an impact on the performance of his official duties.

<sup>33</sup> The draft amendments will prohibit the employees to participate in meetings with interested parties on matters within the competence of the Ministry, unless they are expressly authorised to do so, or if the participation does not arise from their official functions and/or tasks.

have the right seek advice on the proper application of professional standards and ethical rules with their direct superiors or with the regional commissions / ethics advisors (see recommendation xxi below). Finally, the authorities report that in October 2024, the Guidelines on the implementation of the Code of Ethics have been approved by the Minister of the Interior.

95. GRECO takes note of the information provided by the authorities. It notes with satisfaction that the amendments proposed to the Code of Ethics applicable to employees of the Ministry of the Interior with police functions have been approved. The amended Code of Ethics now addresses the relevant issues, underlying this recommendation. GRECO encourages the authorities to ensure that the Code of Ethics unequivocally applies to all Police employees, who should be made fully aware of it. Finally, GRECO is satisfied to learn that Guidelines on the implementation of the Code of Ethics have been recently approved, although it did not have the opportunity to examine the text. It stresses that a guiding instrument should contain practical examples and propose possible solutions to situations relating to ethics and integrity which the police officials may come across when performing their functions.
96. GRECO concludes that recommendation xix has been implemented satisfactorily.

#### **Recommendation xx**

97. *GRECO recommended enhancing the induction training and providing for regular in-service training of police officers (including the Secretary General, directors and all senior officials) on integrity matters, ethics and anti-corruption.*
98. The authorities report that ethics and corruption prevention are part of the training provided by the Academy of the Ministry of the Interior and centres for specialised police training. Furthermore, a working group of professors in relevant disciplines was set up with to review and update the educational materials used in education and professional training on the issues of integrity and corruption prevention, so as to ensure that training materials are aligned with changes in the domestic legislation and international standards in these areas. The working group concluded that the training provided sufficiently covers all aspects of integrity and anti-corruption and no changes are required to the training catalogue and curricula. In addition, the authorities report that, upon the proposal of the working group, the thematic plan for a 5-week online course to increase professional qualification of employees in managerial positions now also applies to the Secretary General, directors and all managerial employees in Ministry of the Interior.
99. The authorities submit that in the framework of initial professional training, in 2022 some 773 police officials participated in training courses on training on the Code of Ethics of Civil Servants, 973 in 2023 and a further 759 in 2024 (as of 8 October). Moreover, during the period of 2022-2024, a total of 19 training courses on ethics and integrity have been delivered to officials in managerial positions, involving 566 senior officials. In addition, within the framework of the project "Prevention and Counteraction of Corruption" under the "Home Affairs" Programme of the Norwegian Financial Mechanism, 24 trainings on prevention and counteraction of corruption were

conducted for the staff of the Internal Security Directorate, involving newly recruited, executive and managerial staff.

100. GRECO takes note of the information provided. It notes the authorities' efforts to keep training materials regarding integrity and corruption prevention up to date as regards the applicable legislation and international standards. Moreover, GRECO also notes that trainings the thematic plan for in-service trainings envisages to apply to the Secretary General, directors and all managerial employees. It would appear that integrity trainings also regularly involve police officers in senior positions. GRECO welcomes these measures. It encourages the authorities to ensure that all police officers in service, including senior officials, are regularly provided with training on integrity matters, ethics and anti-corruption.
101. GRECO concludes that recommendation xx has been implemented satisfactorily.

### **Recommendation xxi**

102. *GRECO recommended establishing a system of dedicated persons of trust available to provide confidential counselling on ethical and integrity matters to police officers.*
103. The authorities report that a working group tasked with the implementation this recommendation drafted a proposal for the establishment of commissions and advisers on ethics in the main structures of Ministry of the Interior. On 22 March 2024, the Minister adopted the rules for the organisation of the activities of the ethics commissions and advisers in the Ministry. Pursuant to these rules, the ethics commissions and advisers have a mandate to provide opinions and advice on issues related to ethics, honesty and integrity to employees in their respective structures. In addition, the authorities report that at the central level, the Standing Committee on Ethics is to provide opinions and advice related to ethics and integrity, and to initiate, organise and participate in discussions, forums, seminars, trainings and other events on these matters. On 20 June 2024, the Minister of the Interior appointed the Standing Commission on Ethics of the Ministry. Ethics commissions or advisers have been established in all police structures, and the staff has been made aware of their tasks and functions, including the possibility to seek confidential advice on ethics and integrity issues.<sup>34</sup>
104. GRECO takes note of the information provided. It notes with satisfaction that the setting up of ethics commissions or advisers to provide counselling on ethical and integrity matters to police employees have been approved by the order of the Minister of the Interior, and that these functions have now been set up in all police structures. GRECO encourages the authorities to continue raising awareness among the police of the possibility to receive confidential counselling and advice from ethics commissions/advisers, and to ensure that these functions are performed by officials

---

<sup>34</sup> Article 20, paragraph 3 of the Rules on the Organisation and Activities of the Commissions and Advisers on Ethics states that ethics commissions and advisers keep confidentiality for the advice they provide, except where there is a statutory duty to report.



who are not direct superiors of those seeking advice, and do not at the same time have competence in disciplinary matters.

105. GRECO concludes that recommendation xxi has been implemented satisfactorily.

#### **Recommendation xxii**

106. *GRECO recommended that (i) objectivity and transparency of promotion procedures in the Ministry of the Interior be enhanced to ensure they are based on merit pertinent for the police profession, and that (ii) open competitions be effectively used for all recruitments to, and promotions within the Police.*
107. The authorities report that a working group established in the Ministry of the Interior with a view to implementing this recommendation analysed the applicable regulations and prepared draft amendments to the respective Ordinance<sup>35</sup> with the aim to increase the objectivity and impartiality of the competition procedures. On 14 August 2024, these amendments were adopted by the Minister of the Interior. They require, in particular, a preliminary formulation of questions/topics/options for case-solving in the respective thematic fields and generating at least three examination options immediately prior to the professional knowledge test, from which the examination option is to be drawn on the day of the competition. According to the amendments, preparation of tests and case studies is reserved to the competition committee. In addition, the authorities point to several other provisions of the Ordinance, including an obligation to announce competitions for vacant positions both in the Intranet as well as the website of the Ministry,<sup>36</sup> an obligation for the selection board members to recuse themselves if any of the candidates are related to them in the meaning of the Anti-Corruption Law etc. The authorities further specify that the different stages of competitions are to be held in accordance with the methodology for conducting psychological research and the methodology for conducting and evaluating a structured interview. Finally, the authorities inform of the plans conduct annual training for employees from the human resources units and other employees participating in appointment and promotion selection committees.
108. As to the rules and procedures for the appointment on senior management positions in the Ministry of the Interior (Secretary General, Deputy Secretary General and directors general), the authorities report that draft amendments to the Law on the Ministry of the Interior proposing to delete Article 163, paragraph 2 of the Law, stipulating that no competition is to be held for the senior management positions, were examined by Parliament at first reading in June 2023, but could not have been considered further, as the powers of Parliament were terminated due to early elections.
109. As to the appointments and career development in Ministry, the working group concluded that the appointment and career development process is carried out in

---

<sup>35</sup> Ordinance of 14 April 2015 on the conditions and procedures for holding a competition for moving to a higher position in the Ministry of the Interior (No. 8121z-406/14.04.2015).

<sup>36</sup> The 2024 amendments to the Ordinance also stipulate that the deadline for submission of applications and required documents to participate in the competition may not be shorter than seven days from the day following the publication of the competition.

accordance with normatively regulated procedures. The recruitment and promotion competitions are said to be announced by order of the Minister of the Interior and published on a dedicated webpage or portal for job offers, as well as on the official webpage of Ministry, as required by Article 156 paragraph 6 of the Law on the Ministry of the Interior.<sup>37</sup> The authorities indicate that competitions are held by committees with their compositions defined in the relevant order announcing the competition. Finally, the authorities state that the appointing authority is bound by the decision of the selection committee and cannot alter the ranking, or refuse appointing the selected candidate.

110. GRECO takes note of the information provided. Concerning the first part of the recommendation, GRECO notes the adoption of the amendments, prepared by the working group, to the relevant Ordinance of the Ministry to enhance objectivity and transparency in promotion procedures. While this is a positive step, GRECO recalls that the main shortcoming identified during the evaluation was not the regulations on recruitment and promotion *per se*, but their consistent application in practice. No information has been provided by the authorities demonstrating that this issue has been addressed. As to the second part, GRECO understands that following the termination of the mandate of the previous Parliament, the amendments to the Law on the Ministry of the Interior regarding the appointments of the Secretary General, the Deputy Secretary General and the directors general without open competition could not have been examined. GRECO encourages the authorities to take the necessary steps to address this matter. For the time being, the situation remains the same as it was at the time of the evaluation, i.e. the risk of undue political influence on the functioning of law enforcement has not been remedied. Overall, only very limited progress has been achieved with respect to the first part of the recommendation, and none for the second part. Therefore, this recommendation cannot be considered as implemented more than partly.
111. GRECO concludes that recommendation xxii has been partly implemented.

### **Recommendation xxiii**

112. *GRECO recommended that the security check system in the Police be strengthened, including by ensuring that integrity checks take place before recruitment and at regular intervals during the careers of police members, depending on their exposure to corruption risks and the required security levels.*
113. The authorities report that the working group set up in the Ministry of the Interior analysed the existing regulations regarding the integrity of applicants and employees of

---

<sup>37</sup> The order for opening the competition, which includes information about the structure, field of activity, position and the requirements (general and specific) for its occupation, necessary documents, stages of the competition and the manner of their implementation, including evaluation scales, eliminatory thresholds and deadline for conducting the competition, is said to be published at the time of the announcement. The lists of admitted and non-admitted candidates, the minutes of the meetings of the selection committee and the final rankings are published on the website of the Ministry (Human Resources Directorate) and the Intranet, as required under Article 6 of Ordinance No. 8121z-344/25.07.2014 for appointment to a civil service in the Ministry of the Interior and Article 4 of Ordinance No. 8121z-406/14.04.2015 on the conditions and procedure for holding a competition for moving to a higher position of civil servants in the Ministry.

the Ministry. The analysis demonstrated that adequate measures are developed and implemented throughout the selection, appointment and the entire career of employees in the Ministry. The authorities reiterate that selection procedures involve security checks of the applicants to the Ministry positions, as well as candidate cadets in the Academy of the Ministry through the information systems and databases, as well as at their place of residence. They also refer to two-stage psychological examination as a mandatory stage of the selection procedure to a position with police functions, which also includes assessing candidates' integrity. Further, the authorities submit that security checks of candidates are carried out prior to their appointment and at statutory intervals throughout their career for determining their clearance level with respect of access to classified information.<sup>38</sup> Such security clearance checks are performed at least three months prior to expiration of the previous security clearance. Finally, the Internal Security Directorate may conduct integrity tests in the framework of administrative control, for which the police employees are selected on the basis of the nature of their work and duties performed. The authorities report that in the course of 2024, more than 70 such tests were conducted with regard to 150 officials.

114. The authorities also report that in the course of 2022-2023 additional integrity-related measures were introduced in the Ministry of the Interior. In particular, on 27 July 2022, the Minister adopted Ordinance No. 8121z-941 on the conditions and procedure for establishing the use and abuse of narcotic substances and their analogues in the Ministry, introducing mandatory tests for narcotic drugs and psychotropic substances for both applicants and officials of the Ministry. Further, a new Ordinance was adopted in 2023 on the terms and conditions for determining the psychological fitness of the officials of the Ministry, providing for an additional psychological examination in cases of maladaptive or risky behaviour. The "Video surveillance of patrolling and traffic control police" has been expanded and the actions of Gendarmerie were also included in the scope of monitoring. The working group therefore concluded that no changes are required to the existing regulations related to the security checks in the Police.
115. GRECO takes note of the information provided. It notes that the security clearance checks conducted in the context of granting access to classified information have been duly taken into account at the time of the evaluation (see paragraph 161 of the Evaluation Report). GRECO acknowledges that additional checks and verifications regarding the abuse of narcotic drugs and psychological fitness of the Police employees are of relevance in ensuring high standards of conduct expected of law enforcement and therefore contribute to promoting integrity. GRECO also takes note of the possibility to perform integrity tests as a measure of administrative control. However, formalised vetting on the subject of integrity remains at the discretion of the appointing authority/officer and is still not conducted at regular intervals. Therefore, this recommendation can be seen as implemented only to some extent.
116. GRECO concludes that recommendation xxiii has been partly implemented.

---

<sup>38</sup> These checks are said to cover a broad array of information, including family ties, criminal record, employment, income, property status and debts of the official and their spouse or partner, drug, alcohol or other addictions, membership in bodies and organizations, relations with foreign countries, etc. According to the level of access, the security clearances are issued for a term, respectively of: three years - for top secret, four years - for secret, five years - for confidential.

#### **Recommendation xxiv**

117. *GRECO recommended improving the employment conditions in the police by reviewing the scale of remuneration, so as to establish more attractive wages for the lower ranks, whilst maintaining a stimulating margin for progression throughout the career.*
118. The authorities report an increase in the budget allocated for the implementation of policies in the field of internal order and security in the Law on the State Budget of Bulgaria for 2023. Following this, as of 1 August 2023, basic salaries of the Ministry of the Interior employees with police functions have been increased by 10%, with an additional BGN 100 (about EUR 50) increase for employees with secondary education. Further following the amendments to the Law on the Ministry of the Interior adopted in February 2024, the calculation of the basic monthly salary for the lowest positions in the Ministry is now to be carried out annually on the basis of the average salary in Bulgaria for the second quarter of the previous year. Thus, the monthly remuneration is defined as follows: for the lowest executive position – not less than 1.2 of the average salary; for the lowest junior executive position – not less than 1.0 of the average salary. As a result, the remuneration for the lowest executive positions has increased by about 30% and for the lowest junior executive positions by about 40%. Additionally, as of 2023 the amount of additional payments and social benefits<sup>39</sup> for the Ministry of the Interior employees have also been increased.
119. GRECO takes note of the information provided. It welcomes the increase in the public funding for the implementation of internal order and security activities and the considerable increase of basic monthly remuneration for the lowest positions in the Ministry of the Interior, including for the employees with the police functions. The newly introduced salary calculation caters for annual indexation of police employee remuneration, commensurate with the average salary in Bulgaria, which is to be welcomed. Furthermore, GRECO also notes the increase of additional payments and social benefits. It is therefore satisfied that the requirements of the present recommendation have been met.
120. GRECO concludes that recommendation xxiv has been implemented satisfactorily.

#### **Recommendation xxv**

121. *GRECO recommended that a study be conducted concerning the activities of police officers after they leave the service and that, if necessary, in the light of the findings of this study, rules be established to ensure transparency and limit the risks of conflicts of interest.*
122. The authorities report that a working group of the Ministry of the Interior analysed the applicable legal acts and prepared draft amendments to the Law on the Ministry of the Interior, introducing a requirement that upon termination of the employment

---

<sup>39</sup> Such as compensation for availability, remuneration for the performance of specific official activities of employees with police function, remuneration for achieved results in official activities, clothes, work under specific conditions, travel expended during annual paid leave and free meals.

relationship, the former Police employee signs a declaration of confidentiality, undertaking not to use information obtained in the performance of official duties in private interest for the period of one year after the employment termination. The authorities submit that the proposed amendments will undergo public consultation and coordination procedure with other ministries and competent bodies and, once approved by the Council of Ministers, will be submitted to Parliament.

123. GRECO takes note of the information provided. It notes that the analysis of legal acts related to termination of employment by the officials of the Ministry of the Interior has been carried out by the working group, which resulted in draft amendments to the Law on the Ministry of the Interior. However, these draft amendments are at early stages. GRECO has misgivings about the one-year ban on the use of information acquired in the course of the official duties in the broad terms the current draft establishes. Further, the above-mentioned analysis does not appear to have examined the situation in practice, in particular, the areas where former police officers seek employment after the termination of public service, and any associated risks. GRECO recalls that seeking employment by law enforcement officers in private sector may influence the proper exercise of their official duties by an expectation of future employment, or may lead to the use of private contacts with former colleagues in law enforcement for the undue advantage of the new employer. It has not been possible to establish the magnitude of these risks at the time of the evaluation (see paragraph 180 of the Evaluation Report), and the main objective of this recommendation was to study the matter further. For the time being, this has not been done.

124. GRECO concludes that recommendation xxv has not been implemented.

#### **Recommendation xxvi**

125. *GRECO recommended to establish a robust set of rules and guidelines on gifts and other advantages for the Police, including obligations to report and, as appropriate, register gifts, services, gains or other benefits.*

126. The authorities report that the Code of Ethics for Civil Servants in the Ministry of the Interior, amended on 23 August 2024, banned the receipt of gifts, hospitality and other discounts or benefits by the Ministry officials or persons related to them, if they may have an impact on the performance of their official duties. According to the authorities, the Code of Conduct, as amended, requires that the Ministry officials: be objective and independent, not allowing to be influenced either by their personal interests or by the interests of third parties; be incorruptible and not take advantage of their powers or official position for personal gain or for any other private motive; do not accept or facilitate the acceptance for themselves or for other persons of gifts, donations, travel, accommodation in a hotel or in another place, the provision of hospitality, discounts on payments due, preferential loans, services or others that may influence the performance of their official duties; have no right to offer or give gifts or perform other services that would lead to influencing the performance of the recipient's official duties; do not seek advantages and/or privileges for personal or others' interests using their office or position.

127. GRECO takes note of the information provided by the authorities. It notes with satisfaction that the amended Code of Ethics for Civil Servants, applicable to the Ministry officials with police functions, now envisages a full ban on receiving gifts, donations, travel, accommodation in a hotel or other place, hospitality, discounts on payments due, preferential loans, services or other benefits. This is a tangible step in line with this recommendation. However, new provisions of the Code of Conduct regarding inadmissibility of gifts remain ambiguous as to what constitutes a situation where a gift or another benefit “may have an impact on the performance of official duties”, and who is to assess such situations. Further, the text deserves further articulation, for instance, regarding potential exceptions (e.g. ceremonial gifts), reporting and registration, which is also part of this recommendation.

128. GRECO concludes that recommendation xxvi has been partly implemented.

### **Recommendation xxvii**

129. *GRECO recommended to establish a clear requirement for Police officers to report all integrity-related misconduct they may come across in the service.*

130. The authorities report that on 4 July 2023, the Minister of the Interior adopted the Rules for Internal Whistleblowing and follow-up actions. These Rules, adopted following the enactment of the Law on the Whistleblower Protection (discussed under recommendation xxviii below), establish a reporting channel and the procedure for submitting, registering and considering of information regarding violations committed in the Ministry of the Interior. They also contain a set of measures to protect whistleblowers and information related to them, including prohibition of any form of retaliation.

131. In addition, the authorities submit that the current regulation explicitly provides the duty of the officials of the Ministry of the Interior to inform their superiors or relevant authorities of any act of corruption that comes to their knowledge. They further indicate that, according to the Code of Ethics, as amended, possible or actual conflicts of interest, unethical or dangerous behaviour, violent, inhumane or abusive treatment of any person by another official must be reported to direct superior officers (Articles 42e, 43, 50, 51 and 69 of the Code of Ethics). An additional possibility to turn to the regional ethics commissions or advisers on specific issues and cases related to ethics, honesty or integrity has also been recently introduced for all Ministry of the Interior employees (see paragraph 102 above).

132. GRECO takes note of the information provided. The adoption of the Rules for Internal Whistleblowing is a welcome development, which may encourage the reporting of violations in the Police. In addition, the recent amendments to the Code of Ethics, applicable to civil servants with police function, require reporting of various integrity-related violations. As the non-compliance with the Code of Ethics would lead to disciplinary liability, GRECO is now satisfied that the obligation to report has been expanded beyond the acts of corruption and now also includes other types of integrity-related misconduct.

133. GRECO concludes that recommendation xxvii has been implemented satisfactorily.

#### **Recommendation xxviii**

134. *GRECO recommended to adopting and implementing whistle-blower protection measures in the law and integrating modules on whistle-blower protection into training programmes on integrity, conflicts of interest and corruption prevention.*

135. The authorities submit that on 27 January 2023, Parliament adopted the Law on Whistleblower Protection, which entered into force on 4 May 2023.<sup>40</sup> The Act aims to protect persons who report or publicly disclose breaches of the Bulgarian legislation<sup>41</sup> or that of the European Union. The Commission for Personal Data Protection has been designated as central authority in Bulgaria for external reporting and the protection of whistleblowers disclosing information on breaches. Pursuant to Article 10, paragraph (4) of the Law, “obliged entities”, which include employers in the public sector (therefore also the ministries) must “provide clear and easily accessible information on the terms and conditions of reporting.” Relevant arrangements have already been made in the Ministry of the Interior in this respect (see under recommendation xxvii above). Further, the authorities provide extensive information about the development, in the course of 2023, of the regulatory framework and methodological guidelines addressed to all obliged entities, adapting the website of the Commission for Personal Data Protection to generate the Unique Identification Number (UIN), allowing for accounting and traceability of each report and the trainings carried out so far for the employees responsible for processing reports received, including through internal reporting channels established as a result of the adoption of the Law.<sup>42</sup> In May 2024, the Commission generated the first set of statistical data containing the number of reports,

---

<sup>40</sup> One of the main purposes the adoption of this Law was the transposition of the Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law.

<sup>41</sup> In particular, according to Article 3 of the Law it applies to reports or public disclosure of information on: breaches of the Bulgarian legislation or acts of the European Union in the areas of 1. (a) public procurement; (b) financial services, products and markets, and prevention of money laundering and terrorist financing; (c) safety and compliance of products; (d) transport safety; (e) protection of the environment; (f) radiation protection and nuclear safety; (g) food and feed safety, animal health and welfare; (h) public health; (i) consumer protection; (j) respect for privacy and protection of personal data; (k) security of network and information systems; 2. breaches affecting the financial interests of the Union; 3. breaches of the rules of the internal market as referred to in Article 26, paragraph 2 of the Treaty on the Functioning of the European Union, including the rules of the European Union and the Bulgarian legislation on competition and state aid; 4. breaches relating to cross-border tax arrangements the purpose of which is to obtain a tax advantage that defeats the object or purpose of the applicable corporate tax law; 5. a committed criminal offence of a general nature, of which a person under Article 5 has become aware in connection with the performance of his or her work or his or her official duties. In addition, the Law also applies to reports or public disclosure of information on breaches of Bulgarian law concerning the rules for payment of outstanding public state and municipal receivables; the labour law; the legislation related to the performance of public service.

<sup>42</sup> In this regard, the authorities report that the Institute of Public Administration of the Council of Ministers is currently conducting a training campaign for civil servants in charge of implementing the Law on Whistleblower Protection. The Institute of Public Administration developed, in collaboration with the Commission for Personal Data Protection, a training course entitled “Implementation of the Protection of whistleblowers or public disclosing information about violations”. In the course of the first six months of 2024, this training was provided to 53 civil servants, and a further 55 civil servants are to be trained by the end of 2024.

investigations, judicial proceedings, financial damage and amounts recovered, which was sent to the European Commission.

136. Further, the authorities report that topics relating to the implementation of the newly adopted whistleblower protection legislation and regulations have been included in the themes of in-service training for police employees provided in the Ministry. Finally, as of 2024, the Institute of Public Administration is also providing training courses on the implementation of the Law on the Protection of Persons Reporting Corruption and Publicly Disclosing Information about Infringements, which were already attended by 19 officials of the Ministry of the Interior.
137. GRECO takes note of the information provided. It notes with satisfaction the adoption of a comprehensive Law on Whistleblower Protection in Bulgaria<sup>43</sup> and the Rules for Internal Whistleblowers of the Ministry of the Interior. Along with seeking conformity with the applicable EU legislation, the new Law on Whistleblower Protection significantly contributes to the implementation of the Council of Europe recommendation CM/REC (2014)7 on the protection of whistleblowers. GRECO further notes that modules on whistleblower protection are being gradually integrated into training programmes on integrity, conflicts of interest and corruption prevention for civil servants. However, as this recommendation is addressed to law enforcement agencies, further information is needed on whistleblower protection training provided to police officers. For the time being, it cannot be considered as implemented more than partly.
138. GRECO concludes that recommendation xxviii has been partly implemented.

### III. CONCLUSIONS

139. **In the light of the foregoing, GRECO concludes that Bulgaria has implemented satisfactorily seven of the twenty-eight recommendations set out in the Fifth Round Evaluation Report.** Of the outstanding twenty-one recommendations, eleven recommendations have been partly implemented and ten have not been implemented.
140. More specifically, recommendations xv, xvi, xix to xxi, xxiv and xxvii have been implemented satisfactorily, recommendations ii, iii, v, vii, xii, xiii, xviii, xxii, xxiii, xxvi and xxviii have been partly implemented and recommendations i, iv, vi, viii to xi, xiv, xvii and xxv have not been implemented.
141. With regard to top executive functions, a significant number of legislative and other reforms are in the making. However, the final results have not been achieved yet, and

---

<sup>43</sup> The Law, in particular, proposes a broad scope of application, defines the reporting of breaches and sets out the obligations of public and other entities with regard to making available internal and external reporting channels, responses to be given to such reports, defines the central authority for receiving and processing such reports couples with an external audit of this authority, and accords a wide spectrum of protection to reporting persons. These measures include the principle of confidentiality and the protection of personal data of reporting persons, protection from any form of retaliation, provisional protection measures in court proceedings, legal aid in criminal, civil and administrative matters, as well as international civil disputes etc. Finally, the Law also contains administrative penal provisions for obliged entities' failure to fulfil their obligations related to establishing and maintaining internal reporting channels, protection of whistleblowers and prohibition of retaliation.



consequently none of the recommendations in this section have been complied with fully at this stage. Substantive changes are planned to the rules on functioning of the National Anti-Corruption Council, and the new procedure for electing the members of the Anti-Corruption Commission, which is yet to become operational, has been approved by the 2023 Anti-Corruption Law. Further, a Methodology for corruption risk analysis in the central government is in preparation and a draft Code of Conduct for Persons Holding Public Office, which will need to be coupled with appropriate training and counselling measures, is also being developed. Promising developments are in the pipeline as regards legislation on lobbying, but the process is at an early stage. GRECO encourages the authorities to complete these tasks with no further delay. No rules on incompatibilities and vetting have been introduced in respect of persons hired at the discretion of central government, and the information regarding all members of political cabinets (e.g. names, functions, remuneration, as well as ancillary activities) is still not accessible to public. Further improvements are still needed with regard to the effective implementation of access to information requirements and public consultations on legal acts emanating from the Government. Finally, gradual upgrades are being made to the criminal justice response to corruption offences, but there is still room for further progress in this area.

142. As to the law enforcement agencies, the overall progress is more significant. Tangible steps have been taken by the authorities to encourage representation of women in the Police and an increase in the remuneration of the Ministry of the Interior employees, especially at the entry and junior levels, has been made during the reporting period. Ethics commissions and advisers have now been appointed and are to provide confidential counselling to police officials on integrity matters. Reporting of integrity-related misconduct has also been made mandatory. Clear rules have been adopted as regards receipt, accounting and transparency of donations and sponsorship. The amended Code of Ethics applicable to police functions now reflects in a more detailed manner the integrity-related issues and bans receiving gifts, benefits or services, which may have an impact on the performance of official duties. The adoption in 2023 of a comprehensive Law on Whistleblower Protection is another welcome development, and the authorities are encouraged to pursue regular training of police officers on breach reporting and whistleblower protection measures. Several important initiatives are in the making by working groups, but these still need to be accomplished. A risk assessment methodology has been approved and will inform the development of a Concept for countering corruption in the Ministry of the Interior, yet to be accomplished. Several issues, however, require more prominent efforts. The operational independence of the Police from the Ministry must be strengthened, further steps should be taken to ensure that the appointments to senior positions in the Ministry (Secretary General, Deputy Secretary General etc.) are conducted through open competitions, and the practical risks of post-employment activities of former police officers need to be examined and addressed, as appropriate. Finally, regular integrity checks should be put in place.
143. In the light of the foregoing, GRECO notes that further progress will need to be made within the next 18 months to achieve an adequate level of compliance with the recommendations. In accordance with Rule 31 revised bis, paragraph 8.2, of its Rules of Procedure, GRECO calls on the head of the delegation of Bulgaria to submit additional

information with regard to the implementation of outstanding recommendations, namely recommendations i to xiv, xvii, xviii, xxii, xxiii, xxv, xxvi and xxviii by 31 May 2026.

144. GRECO invites the authorities of Bulgaria to authorise, at their earliest convenience, the publication of this report, and to make a translation of it into the national language available to the public.