

DEMOCRACY AND HUMAN RIGHTS

POLIT-BAROMETER

Year 20 Issue 5
June 2020

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The scandals involving Prime Minister Borisov have been causing further damage to the country's reputation.



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1

THE POLITICAL SITUATION

The political situation in June was determined mainly by political-criminal plots. A series of scandals dealt a severe blow to the reputation of the ruling party GERB, and to that of Prime Minister Borisov personally. The contradictory reactions of the prosecution to the scandals once again raise the question of its objectivity and the lack of rule of law in Bulgaria.

Vasil Bozhkov, a businessman in hiding in Dubai, accused Prime Minister Boyko Borisov, Finance Minister Vladislav Goranov and National Assembly budget committee chairman Menda Stoyanova of racketeering, extortion, abuse of power and corruption. Bozhkov stated that after a conversation with Prime Minister Borisov in November 2014, he was sent to talk to Menda Stoyanova from GERB in order to find a solution to his problem with the taxation of the gambling business. According to Bozhkov, Menda Stoyanova stated that they would repeal the old provisions in the law by voting on them again, but with a small difference - all forms of gambling would be taxed with a state fee equal to 20% of the commissions they collected. This proposal was approved with votes of GERB. After this course of events, Bozhkov claimed that he had received a call from Prime Minister Borisov, who had told him that everything about his business had been settled and that he should go to Finance Minister Vladislav Goranov. According to Bozhkov, during their meeting, Goranov told him that he was obliged to give 20% of the profits of his companies to Boyko Borisov. Bozhkov stated that over a period of three years he had given BGN 67 million to Borisov, Goranov and to persons named by them. He showed documents of the cash withdrawals from his account for the specified period, stating that he had dealt with all his expenses and payments only by bank transfer.

In May 2018, MPs from NFSB - a coalition partner of GERB, submitted a proposal to amend the Law on Gambling, which stipulated a complete ban on advertising lottery games and products, as well as drastically limiting the possibilities for distributing them. Bozhkov claims that he was summoned by Boyko Borisov, who informed him that he had ordered the GERB parliamentary group to postpone the vote on this proposal in the National Assembly. Thus, this bill did not receive the approval of the parliamentary committees and was withdrawn. After this development, Bozhkov was forced to become the owner of the football

club Levski (Sofia) - which was in dire straits financially - saying he only wanted to be a general sponsor, but was pushed into buying the team after pressure and threats against his business. According to Bozhkov, in September 2019 he received an offer for the purchase of his business from the SAZKA group, which had become the property of Boyko Borisov and Vladislav Goranov. Bozhkov was summoned to a meeting with Goranov, during which the finance minister told him that he should transfer the majority shares in his gambling companies to an entity of his choice. After Bozhkov's refusal came the actions of the prosecutor's office and charges being filed against him.

Bozhkov stated on his Facebook page that he described these facts in a signal sent to the prosecutor's office. He said that he could provide evidence for each of his allegations - witnesses, photos, text messages and recordings. Borisov and Goranov said that this was a defensive strategy of Vasil Bozhkov and they did not intend to comment on the allegations of someone who had been accused of 18 crimes. The same was stated by Chief Prosecutor Geshev, pointing out that this was defence of an accused person. According to acquaintances, the qualification of the data presented by Bozhkov as a defence strategy appeared strange, because with this move he was incriminating himself, admitting that he had participated in crimes of corruption.

Bozhkov started making daily attacks on the government with posts on his Facebook page. He asked Prime Minister Borisov to say why his PR agent Sevdalina Arnaudova went to his office every month. Arnaudova reacted sharply in response on Facebook that she could say a great deal about Bozhkov and that it was not appropriate for him to attack a woman. Arnaudova said that her father had worked for Bozhkov for many years and thus tried to explain his meetings with the businessman. Borisov did not respond to these meetings, saying only that "perhaps Bozhkov liked" Arnaudova. Former GERB deputy chairman Tsvetan Tsvetanov said he did not know about Arnaudova's acquaintance with Bozhkov, but that it was very strange for PR to meet with a businessman. According to Tsvetanov, the job of a PR agent is to organise relations with the media, not with business. At the same time, the investigative journalism website *Bivol* announced that last year Arnaudova bought a large house in the Bistritsa district of the capital city, which is located at the foot of Vitosha Mountain, for BGN

1 million. Arnaudova said the house was bought with a loan of half a million levs and donations from her parents. The journalists from *Bivol* asked the bank how such a huge loan was granted to a state official with a salary of BGN 3,000, but no answer was given.

Bozhkov distributed screenshots with text messages from correspondence between himself and Boyko Borisov. The first screenshot is regarding football players from Levski football club, who were subsequently transferred to Vitosha-Bistritsa, a team in whose veterans the Prime Minister Borisov plays. In this screenshot, Bozhkov communicates to Borisov that the former ombudsman Maya Manolova came to him for support, but that he refused. Manolova later announced that she would stand for election as mayor of Sofia. In response to Bozhkov's message, Borisov offers his thanks - written in Latin script. Bozhkov showed another screenshot with a text message, which is from the date when the NFSB bill, which has already been mentioned, was withdrawn. Bozhkov writes - thank you, and Borisov answers "help" (written in Latin script). Bozhkov's reaction - "where and what with, just say", there follows - "in general".

Borisov gave confused and contradictory explanations about the text messages. First of all he said that his phone was old and not in Cyrillic, and that anyone who said he had received a message from him in Cyrillic was lying. Borisov later admitted that he had forwarded these messages in Cyrillic to Bozhkov, sent to him by the management of the Vitosha-Bistritsa football club in connection with the transfer of football players. When asked by journalists why he thanked Manolova and why he wrote "help" - Borisov said that this was in connection with the footballers. It is clear from the correspondence, however, that this has happened on other dates and for some other reason.

President Radev said that there needs to be an answer to this correspondence. According to him, the most worrying thing in this case is that Bozhkov appears far more convincing than his accusers. Radev pointed out that this case is a test for the prosecution and whether it works objectively.

A huge scandal blew up over a recording sent to the media in a voice similar to that of Borisov. A conversation is heard on the recording, in which the recorded person is probably talking on the phone. He uses obscene language, mentioning National Assembly Speaker Tsveta Karayancheva and prime ministers of the EU. Here is also reference to the Eurohold deal for CEZ and Borisov's influence on regulatory institutions for this to be stopped. The conversation also refers to the "guest house" scandal and that the speaker (Borisov) knew in advance that the prosecutor's office would bring charges against Deputy Economy Minister Manolev. He also speaks about BSP MEP Elena Yoncheva, saying that she will also "burn". The recording was probably made around the European elections last year, when Yoncheva revealed a number of scandals among the ruling party. Borisov and media close to the government immediately stated that this was montage. Borisov later denied that it was his voice. Days later, photos from Borisov's bed-

room at the state residence where he lives were sent from the same email. One of the photos shows Borisov sleeping, and a pistol on the locker next to him. Other photos of the room show an open locker - full of bundles of euros with a face value of 500 euros, as well as gold bars, and the gun is again on the locker. According to estimates by some experts - what can be seen in the locker, if the banknotes are real, is at least 1 million euros. On the same day, Borisov gave a briefing about the topic. He said these were compromising documents that came from people whose aim was to topple the government. The Prime Minister pointed out that the coming months are very important - the cessation of the Cooperation and Verification Mechanism, the country's admission to Schengen, as well as entry into the waiting room of the eurozone, and all this is not convenient for certain circles. Borisov pointed to a wide range of people who could be behind the compromise - the opposition, accused businessmen, and even internal circles in GERB, by which he alluded to his former deputy, Tsvetan Tsvetanov, who officially left the party the same day. Borisov even mentioned President Radev, who lives next door to the Prime Minister and said he was making use of a drone over his house to observe him. The Prime Minister said the photos with the money were either montage or someone had put them there to compromise him. He said he had a gun and would carry it with him as he no longer felt protected. Accusations were also levelled at the National Security Service (NSS), which guards the top government officials of the country. The NSS started an inspection forthwith. The former head of the NSS gen. Dimitar Vladimirov defended his colleagues, pointing out that security guards are not allowed to enter the house, and if this happens, it is immediately established. Therefore, according to him, the most probable possible variant for the photos is that they were taken by a person who is from the Prime Minister's inner circle or by someone who was with him in his bedroom at the time. President Radev denied Borisov's accusations, saying that he did have a drone, but did not have Borisov's imagination to comment on the scandal in this spirit. According to President, Borisov should look at the guests he invites and his own entourage. Radev stated that it was very worrying for the sleeping Prime Minister to remain defenceless, but as to why this had happened - Borisov himself must give an answer. At this stage there is no official expert analysis of the recording and photos. However, this was done by the site for investigative journalism *Bivol* and the site *e-vestnik*, which shows that an attempt had been made to change the metadata by changing the dates on which the photos were taken, but the examination established their exact date. The expert analysis shows that the photos are authentic, as only the photo with Borisov has reduced pixels and changed contrast.

Two days after the scandal, the prosecutor's office published text message correspondence between the accused businessman Plamen Bobokov and the president's secretary for legal issues and anti-corruption Plamen Uzunov. From these it can be seen that the presidential adviser sent a decision of the administrative court concerning the Libyan ship *Badr*, which was detained a year ago in a Bulgarian port,

before the decision was officially published. In addition, in the text messages Bobokov's lobbying for the appointment of Bulgaria's ambassador to Nigeria is established. Uzunov was summoned for questioning by the investigation. For several days, the prosecutor's office posted text messages between Bobokov and Uzunov. President Radev reacted sharply, saying that the prosecution was yet again violating the secrecy of the investigation and working for Borisov's crisis PR. Radev stated that the prosecution was showing a double standard - talking about Uzunov's text messages about lobbying and trading with influence, and about Vasil Bozhkov's revelations about large-scale corruption and his text messages – *non sequitur*. Radev stated that the most important issue is to conduct an objective and independent expert analysis of the recording and photos from the Prime Minister's room. The presidency gave a reminder that ambassadorial appointments are made after a proposal from the government to the president, who can issue an appointment decree, but can also reject a proposal. Borisov retorted to Radev that he no longer had the right to talk about corruption and judicial reform, because the actions of his adviser show that they are "firmly bogged down in the swamp." At the same time, the prosecutor's office issued a short statement in which they say saying that Borisov, Vladislav Goranov and Menda Stoyanova had been questioned as witnesses in connection with the data published by Bozhkov. A month earlier, the chief prosecutor had said he had not read Bozhkov's text messages, but that his colleagues had told him that there was nothing untoward with them that required criminal prosecution. All this raises doubts as to whether the prosecution has the will to conduct an independent and objective investigation.

Plamen Bobokov and his brother, Atanas Bobokov, were detained at the beginning of June and charged with participating in an organised crime group for illegal trade and storage of waste. Deputy Minister of Environment Krassimir Zhivkov was also detained. The Bobokov brothers have a serious business and there has never been any suspicion of them being engaged in criminal business. They produce motor oils and car batteries and have factories and investments in a number of countries around the world. For this reason the accusations against them caused a surprise in the public sphere. Plamen Bobokov said that they were being repressed and that their business was being destroyed. Bobokov made an emotional statement in court to journalists, turning to Europe and the world for help and describing what was happening in Bulgaria as iniquity. It became clear from Plamen Bobokov's text messages that he had lobbied for the appointment of a prosecutor from Ruse as a district prosecutor in the city. Bobokov stated that this lobbying had not led to anything, but pointed out that in the country all appointments are made through a petition and gave the example of appointments in Ruse. According to him, all appointments in the city from the highest of positions to the cleaner are made by the regional coordinator of GERB and MP Plamen Nunev, and they come down from Borisov. Bobokov said the state has two centres of power - one controlled by Borisov and the other by businessman Delyan Peevski, considered the blade of honorary MRF chairman Ahmed Dogan.

At the end of June, investigative journalists from the Anti-Corruption Fund published a scandalous investigation, in which it becomes evident how business is being stolen in Bulgaria - through racketeering, threats and extortion. Iliya Zlatanov, owner of the company Izamet - the largest manufacturer of elevators in the country, presented a shocking story. After a conflict with his son and an internal business dispute, Zlatanov sought legal assistance, and was recommended a lawyer, Petar Petrov, a former head of the capital's investigation, known by his nickname Petyo Evroto (Petyo the Euro).

After numerous signals connected to his name, investigator Petrov, considered to be close to Delyan Peevski, left the judiciary some years ago. Petyo the Euro promised Zlatanov assistance and in fact, after sending a signal to the specialised prosecutor's office in 2019, there followed arrests of Zlatanov's son and others for extortion, embezzlement and money laundering. The seizure of half a million euros and 35 kg of gold worth 4 million euros from the vaults of Zlatanov and his wife began. A day before the seizure, Zlatanov was forced to sign a promissory note for nearly BGN 2.86 million in favour of the wife of the Petyo the Euro - Lyubena Petrova. Zlatanov was forced to sign an agreement with Petrov that half of the money would be returned to him, and the other half would remain for him as a lawyer's fee. Petyo the Euro even told Zlatanov that it was good to develop his business and then sell it to Delyan Peevski, as the oligarch MP was interested in this business because Bulgaria was expected to receive 4 billion euros from the EU to replace the elevators in the country. In the end, Zlatanov was coerced to transfer his business, because his son, who is in prison, would not be put on the haemodialysis he needed and would die, and Zlatanov would be sent to prison. Petyo Euro told him – "We dealt with Vasil Bozhkov, and as for you... You will be blown away like sand in the desert." Zlatanov says The Euro is guarded by police, with one of his drivers being a police officer who is the brother of Interior Minister Mladen Marinov. Zlatanov has not lived in Bulgaria since April 12th this year. During this journalistic investigation, none of the persons involved wished to answer their questions. And the investigative journalist Nikolay Staykov stated that he was threatened in that he received calls with the question – "Is this the Staykov funeral agency?" the recordings of which Staykov made public. The video of Zlatanov's story was watched by 350,000 people on the Internet in one day alone, although it was not covered on any of the major national television channels, but only on opposition websites and Free Europe. This yet again showed Bulgaria's huge problem with media freedom and the media's fear of the powermongers of the day. To this moment, none of the persons mentioned by Zlatanov has given a public explanation.

At the end of June, the head of the anti-drug department at the Directorate General for Combating Organised Crime of the Interior Ministry and two other senior officials were arrested while receiving bribes and investigating drug patronage. As a result, the head of the Directorate Ivaylo Spiridonov and the Deputy Secretary General of the Minis-

try of the Interior, Chief Commissioner Georgi Arabadjiev, resigned. This case provoked a sharp reaction among democratic circles, as it testified to large-scale corruption in the bodies of the Ministry of Interior.

There have only been three convictions for high-level corruption cases or allegations in the last five years, and not one of the sentences imposed is effectively enforceable. Twice as many - 7 were acquittals in such cases for the period, and in 5 of them it was established that the charges were initially disproportionate. This was announced by lawyer Andrey Yankulov from the Anti-Corruption Fund (ACF) at the presentation of the ACF Annual Monitoring Report on the state of the fight against corruption in 2019.

“The unwillingness of the prosecutor’s office to see the numerous striking scandals and signals of looting of state funds, and of mass corruption, reveals one state of affairs - fear and addictions,” said President Radev recently, referring to the chief prosecutor.

After the measures for the coronavirus were relaxed, the number of those infected rose again, and at the end of June, more than 100 new cases were registered every day. This prompted the government to step up controls on compliance with the measures and the wearing of masks, as well as to extend the emergency epidemiological situation until July 15th. At this stage, there is no large increase in severe cases placed in intensive care units. The government stated that it does not intend to return to the harshest measures because it would be disastrous for business.

2

CONDITION AND DEVELOPMENT OF THE PARTY SYSTEM

The scandals and revelations related to Prime Minister Borisov have led to serious damage to GERB's image. The politicians of the party were busy this month with crisis PR. GERB entered into a circular defence and at this stage the party relies on the strong support of the media that is dependent and close to the government as well as the media of Delyan Peevski, which have always played the role of propaganda mouthpiece of the government.

GERB also received a severe blow from within, which could have consequences for the unity of the party, especially in the context of the scandals. After Tsvetan Tsvetanov's intention to create a new party became clear, the expectations for the dissolution of local structures came about. Another 35 people left the Vidin structure of GERB, and members from a number of other regional cities in the country are expected to do the same. On June 17th, former GERB "number two" Tsvetan Tsvetanov officially left the party. Among his motives, he pointed out that membership of GERB was no longer a cause for pride - neither for him, nor for many of the members of the party. Tsvetanov said the party did not listen to its members. According to him, GERB has no long-term goals to unite and mobilise national resources. Tsvetanov pointed out that GERB has surrounded itself with careerists, led by kowtowing and intrigue and incapable of constructive work. Borisov commented on Tsvetanov's departure, saying that everyone was free to do whatever they wanted, but it did not honour Tsvetanov to lambaste his colleagues. Tsvetanov attacked Borisov and Deputy Prime Minister Tomislav Donchev, saying the two were dependent on Russia for working unreservedly for Russian energy projects.

In BSP tensions and internal battles continued this month. The party's first National Council after the state of emergency showed that its support for Ninova was growing weaker and weaker. During the plenum, Sergei Stanishev challenged the decision to sign the dates of the vote for president and congress, which was made on the grounds that they could not convene due to the state of emergency, and spoke out against the proposal for a nationwide petition to overthrow the cabinet, which Ninova said she would initiate. According to Stanishev and critics of this idea, it is an approach of the extra-parliamentary opposition. The chairman of the Plovdiv branch of the BSP, Georgi Gergov, who is one of Ninova's outspoken critics, said that

"she must leave because it is harmful for the party and for Bulgaria." At the plenum, a number of Ninova's proposals were blamed, which shows that the opposition in the party prevails. This includes the fact that the financial report of the party was not accepted. In the end, it was decided that the election for president would take place on September 12th, and not as Ninova wanted - a week later. It was decided that the congress would be on September 26th. The idea of a nationwide subscription was dropped, and it was decided that BSP would initiate a vote of no confidence in the government in connection with the numerous corruption scandals involving the ruling party.

Kiril Dobrev confirmed that he will stand for election as for party chairman. Thus, he has emerged as Ninova's main opponent. An advantage for Kiril Dobrev is that he is the organisational secretary of the party and is responsible for working with the structures. Dobrev said that what he could not forgive Ninova for was that she had divided the party – "the powerful and the powerless, the old and the young, the rich and the poor." Another candidate for the post is MP Krassimir Yankov.

BSP asked that a commission of inquiry be set up to check the data provided by Bozhkov regarding the changes in the Gambling Act, where the Prime Minister, Finance Minister Goranov and MP Menda Stoyanova would be questioned. GERB and MRF nipped this initiative in the bud, stating that they agreed to have such a commission, but that it should check all businessmen at the transition. Korneliya Ninova said that Bozhkov's revelations proved their thesis about the "captured state" and that as soon as possible this government that was "harmful" for Bulgaria should be toppled in order to begin the reconstruction of the country. GERB accused BSP of defending Bozhkov, even announcing that Ninova had a joint meeting with Vasil Bozhkov and Valentin Zlatev from Lukoil - without specifying when it was held and where they got this information from. Ninova categorically denied that she had met with the two at the same time and said that GERB were diverting attention from the scandals with the Prime Minister. Ninova said Borisov should give an explanation for his text messages and conversations with Vasil Bozhkov.

MRF tried to steer clear of the scandals. MRF ties with GERB are becoming increasingly visible, although the party has for-

mally declared itself in opposition. When a journalist asked Borisov why he did not name only the MRF among all those he listed as enemies who could be behind the compromising materials against him, the Prime Minister said that "they are acting from behind" - without specifying what he meant. MRF commented on the Prime Minister's words saying that this probably meant that they are a predictable party that is always in favour of the country's Euro-Atlantic path. MRF supported GERB in order to overcome the president's veto in connection with the Law on the Ministry of Interior, which envisages the construction of a security structure parallel to the NSS. MRF are among the main initiators of this idea. According to a number of observers, the creation of a parallel NSS aims to diminish the president's functions, as the security service is under his authority.

After MRF and GERB blocked one of the bills of the United Patriots related to the creation of volunteer units at the

Interior Ministry, the nationalists threatened to withdraw from the government. The MRF described the patriots' rejected proposal as a victory for parliamentarism. Despite this tension, the Patriots are unlikely to step down from power. The United Patriots described the scandals with the recordings and photos of Borisov as an attempt by certain circles to overthrow the government.

The extra-parliamentary opposition in the face of Democratic Bulgaria put forward the proposal that there should be an objective and independent investigation of all the scandals related to Prime Minister Borisov. However, the right-wing coalition expressed reservations that this could be done by the Bulgarian prosecutor's office, because Chief Prosecutor Geshev is on a political side. Democratic Bulgaria believes that this once again raises the issue of limiting its powers and the need for constitutional reform of the prosecution.

3

PUBLIC OPINION

A survey by Gallup conducted in early June shows that President Rumen Radev enjoys the approval of 50% of Bulgarians, and there is 30% confidence in Prime Minister Borisov. 31% of respondents do not have trust in the president, and 57% of voters show distrust of Borisov. However,

the survey does not take into account the latest scandals related to the Prime Minister, because it was carried out earlier. Parliament has the trust of 23% and is distrusted by 67%. The work of the government is approved by 30% of respondents against 60% disapproval.

4

MAIN CONCLUSIONS AND FORECASTS

Scandals involving Prime Minister Borisov have further damaged the reputation of the country. They have received a strong international response, being covered in influential media such as *Bloomberg*, *the Independent*, *the Guardian* and a number of other European media. Many analysts believe that these revelations will affect the country's goals of Schengen and eurozone membership, and a report on the new rule of law mechanism, due to be released this autumn, is expected to be highly critical. A number of analysts believe that the EU can no longer take lightly what is happening in Bulgaria and a reaction is very likely to follow imminently. Recent events show that a number of fundamental EU values such as the rule of law, freedom of speech and the media, and the separation of powers have been severely damaged in Bulgaria and the EU's silence is not well received by democratic circles in the country.

President Radev is becoming increasingly critical of the government and of Prime Minister Borisov personally. It is likely that the opposition to the current government will increasingly form around him.

The prosecution continues to demonstrate a double standard in identical cases and is used to deal with people, businessmen or media who are inconvenient for those in power. Just such a situation is the controversial case against former ministers Djankov and Traikov, and the owner of the opposition media *Capital* and *Dnevnik* Ivo Prokopiev. All this goes to show the urgent need for reform of the prosecution, for which, however, there is no political will on the part of the government.

Political upheaval is on the cards in the coming months, because the expectation is that revelations about the government will continue. This paves the way for a new transformation of the party system in the country in view of the demands of a number of new political projects. There is some potential for an anti-GERB wave, albeit without a clear alternative subject. For the time being, the BSP cannot take the opportunity to overturn public attitudes and become the basis for this wave. The party continues to be torn apart by internal contradictions in which different factions are fighting against each other. BSP processes are also influenced by factors external to the party, some of which also protect corporate interests related to GERB.

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ABOUT THIS STUDY

FES Bulgaria has been publishing the „Polit-Barometer“ since 2000, analyzing current and long-term political processes and identifying trends in Bulgarian politics with a special focus on the political parties as democratic actors. In a situation where

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Further information on the topic can be found here:
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