

DEMOCRACY AND HUMAN RIGHTS

# POLIT-BAROMETER

Year 20 Issue 7  
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The political crisis in the country is becoming deeper.



The protests and the situation in the country have led to a reaction on the part of European institutions.



Ninova's victory in the internal party elections for leader of BSP will consolidate her position on the eve of the parliamentary elections.

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## 1

## POLITICAL SITUATION

The protests with demands for the resignation of the government and the chief prosecutor are into their third month now. At the opening of the autumn session of the National Assembly, one of the largest protests took place, referred to as The Great People's Uprising. The protest began in the morning and there were clashes with police, who used a tear-gas type spray to disperse the protesters. Dozens of arrests were made, including the leader of the Green Movement, part of Democratic Bulgaria - Borislav Sandov, without any good reason. This brought about an immediate reaction from the European Greens, who called on the country's authorities to put a stop to the illegal arrests and release Sandov forthwith, which happened a few hours later. In the evening nearly 80,000 protesters gathered in Nezavisimost (Independence) Square, escalating tensions after provocateurs and football crowd leaders were sent in with the aim of tarnishing the protest. The provocateurs bombed the police for two hours without the latter interfering and removing the provocateurs from the protest. After the provocateurs left, the police attacked the protesters and cleared the square. Dozens of citizens were arrested, most of whom had not taken part in the provocations. This was proved in court, which did not respect the detention measures requested by the prosecution.

Violence by the police on September 2nd failed to dishearten the protesters, since thousands continued their action over the following days. So far, the government has refused to resign, thus deepening the political crisis in the country and leading to even greater erosion of trust in institutions and most of all in the government.

In practice the protest has already achieved a great victory, in the form of the fervent international response. A number of influential European and American media sources publish daily materials about the protests in Bulgaria, speaking of the rife corruption and "mafiasation" of the state. There have been reactions from European institutions, politicians and various political parties in Europe.

A hearing of Commissioner Vera Jourova was held in the LIBE Committee of the European Parliament, one of the points being the situation with the rule of law in Bulgaria. MEPs from various parliamentary groups directed probing questions at Jourova, asking why the committee was turning a blind eye to the situation in Bulgaria. MEPs have

expressed the opinion that corruption in the country poses a serious challenge to the rule of law and democracy, with Borisov's government being part of this corrupt environment and the prosecution acting in the interests of the government or being used for political repression. Commissioner Jourova stated that the Cooperation and Verification Mechanism stayed in place at this stage, and the move to abolish it would depend on a decision of the EU Council. According to Jourova, the new rule of law mechanism, which applies to all member states, would continue to monitor the situation in Bulgaria. She stressed that the part on freedom of the media would be particularly critical, due to the systematic problems that have been observed in the country in recent years. Despite the criticism of media concentration by European institutions, the Commission for Protection of Competition (CPC) has allowed oligarch Kiril Domuschiev, owner of Nova TV and a number of other media and websites, who is close to those in power, to buy Kanal 3 TV and several radio stations, which up until now were owned by MP for MRF Delyan Peevski.

The MEPs made a petition, which led to a decision for a debate in the plenary hall of the European Parliament on the situation in Bulgaria, on October 5th. The subcommittee, which deals with corruption issues in member states and in which a representative of the government and one from the Bulgarian prosecutor's office were heard in August, sent questions to the government and the chief prosecutor, to which answers are expected. Some of the questions to Chief Prosecutor Ivan Geshev are the following: What is happening with the investigations into the house in Barcelona and the investigation by the Spanish prosecutor's office into money laundering involving Boyko Borisov? Is there an investigation into the recordings and photos from the Prime Minister's bedroom, and what stage is this at? Why does the prosecution not investigate these records, but discloses others that were collected in the course of pre-trial proceedings or are not part of it at all? Does Geshev continue to claim that he organised the hearing in the subcommittee because this is not true, and what is his attitude to this fake news?

Reactions in support of the protests in Bulgaria came from the groups of the Socialists and Democrats and the Greens in the EP, and a number of MEPs expressed solidarity with the protesters. The parliamentary group of the German So-

cial Democratic Party in the Bundestag also expressed a position, which was published in an official press release. It shows solidarity with the protests, which are in the name of pro-European values. The position states that "democracy, the rule of law and the fight against corruption are among the central pillars of European integration. We welcome the fact that these values receive the broad support of the Bulgarian population."

A report from the US State Department on the state of the economic environment in the world, published in September, stated that in Bulgaria endemic corruption could be observed, which hinders foreign investment and affects the poor business environment, despite the low taxes.

The government pretended that they did not notice all these reactions and criticisms. Moreover, GERB MP Toma Bikov even went as far as to accuse the European media of publishing such materials to order because they were paid for by certain Bulgarians. He declined to say which media outlets were involved in such action and which Bulgarians had paid for these publications. There was a sharp reaction from the Konrad Adenauer Foundation. In a published position of the Media Program of the Foundation for Southeast Europe, it is stated that "in the serious media in Germany, no one takes money to make reports - especially for texts regarding Bulgaria."

A vehement public response was caused by the raid of various government services at the same time in the large toy chain Hippoland. The reason for this was the position of the owner of the chain Marian Kolev, who had said a day earlier that his son had been gassed by the police at the protest and expressed his indignation. Workers in the Hippoland stores are among the protesters and this has not gone unnoticed by the government.

Kolev stated that a female partner of Alexander Staliyski, close to the Prime Minister and oligarch Delyan Peevski, had proposed that he sell his business and that if he did not do so, he would be asking for trouble. This was yet another revelation of business racketeering, following the "Eight Dwarfs" case, which involved the names of former and current prosecutors - a case that had been overlooked by Chief Prosecutor Ivan Geshev.

In this regard, and in relation to what is happening in the country as a whole, the Association of Industrial Capital in Bulgaria issued a scathing declaration. It states that there is insufficient transparency and control over public procurement in the country. There is a widespread feeling that public procurement is carried out on lobbying/ghetto-type principles and that it is used to feed business circles close to the government. According to the branch organisation, corruption is perceived everywhere and on a daily basis, and e-government is desperately overdue. Key energy sources for all kinds of production are determined in a non-market, lobbying manner and in a "nationally traitorous way". The quality of the legislative process and laws is determined as poor. According to industrialists,

new "sinister practices" such as extortion through state instruments whose aim is the deprivation of business are extremely worrying; intimidating business for political obedience; there is a growing sense of the lack of rule of law and security of private property.

MRF refused to support GERB's draft of a new constitution and the convening of a Grand National Assembly, which effectively put paid to the proposal. 160 votes have to be gained in order for a Grand National Assembly to be convened, which cannot happen since BSP and MRF oppose it. Despite this, GERB gathered the 120 votes required to submit their draft constitution to the National Assembly. This became possible after GERB made concessions with regard to the demands of the United Patriots, most of which were populist, whilst others were incompatible with modern democratic standards, such as the introduction of an educational qualification in order to be eligible to vote. The project was also signed by MPs from Volya, which happened in parallel with the receipt of two concessions for beaches in Varna for companies of Veselin Mareshki. The leader of Volya stated that he had not read the draft constitution of GERB, but had signed it because he wanted to give a chance for a debate on the topic to happen.

The aim of submitting this project was for GERB and Borisov to gain time. The idea of a new constitution and the specific project have received severe criticism from specialists on constitutional law and experts. It was unambiguously described as very weak and a "mockery" of the country's constitution, citizens and democracy. Despite these harsh reactions and calls for GERB to withdraw its project, the leadership did not do so. GERB then also presented the version that this was just a draft that would be debated and that the Grand National Assembly could then change it as it wished. According to experts, the humiliation of the constitution because of the Bulgarian Prime Minister, who is trying to buy time and avoid resignation, is the biggest attack on Bulgarian constitutionalism and democracy in the country in the last 30 years.

Scandals surrounding the constitution and accumulated tension in the justice system led to the resignation of Justice Minister Danail Kirilov. His place as minister was taken by his hitherto deputy Desislava Ahladova. Before becoming Deputy Minister of Justice, Ahladova was a judge and administrative head of the Administrative Court in the town of Pernik.

Controversy has also been caused by the changes in the Electoral Code, which GERB periodically makes before elections, for which the country has received criticism by the Council of Europe and the Venice Commission. Despite the decision to vote by machine, GERB has delayed the procedure for purchasing machines for more than a year, which at present makes it impossible to hold elections by machine voting due to the short deadlines.

GERB decided to transfer the procedure for the purchase of the machines to the Central Election Commission,

which did not meet with the approval of the CEC chairwoman Stefka Stoeva, who resigned. Thus, the CEC remains without a chairman to this day, and no party has so far nominated a candidate to replace Stoeva. GERB called on BSP to nominate a candidate, but the Socialists retorted that this was the task of the majority, which should take responsibility for the misunderstandings in the election process and the CEC, which had occurred because of their decisions and actions.

In the end, the majority adopted amendments which make it possible for people to vote with both machines and ballots – depending on the choice of every single voter. And the results of the machine voting will be entered manually in the protocols, by entering the vote from the receipt from the machine when voting. This renders machine voting completely meaningless, because the idea of introducing it into the country was due to the desire to avoid the subjective factor when filling in the protocols - to reduce errors and possible manipulations, for which there is data after all elections. President Radev vetoed the amendments to the law.

President Radev rejected calls by MRF and the United Patriots for dialogue with GERB and Boyko Borisov. The head of state said that dialogue is possible only after the issue of “lockers full of money and gold bars”, the issue of corruption and the behind-the-scenes model of government has been cleared up. Radev pointed out that there can be no indulgence for corruption, because every following government would have the confidence and calmness that it could also receive such indulgence. Borisov responded to

Radev with a comment on the photos and recordings, for the first time in practice acknowledging their authenticity after having claimed for months that this was montage. The Prime Minister pointed out that the recordings were made by a “beautiful lady” from the President’s entourage, who went to his place when he was not there and took the pictures after putting the money and gold in the cupboard. Borisov, however, omitted to mention that it has already been proven by a journalist under investigation that these photos were taken on different dates, and that he himself is in one of them - sleeping in his own bedroom. The prosecutor’s office has not yet provided details about the investigation of the recordings and photos. Evidently Borisov knows which woman photographed him, but he has not stated her name. President Radev’s involvement in some kind of conspiracy was met with irony in the public sphere.

The authorities have extended the emergency epidemiological situation until the end of November. Children went to school under strict epidemic measures. At this stage there is no significant growth in the number of those infected in the country. During the summer months, and despite the protests, because of which many claimed that there would be an increase in the number of cases, the number of those registered with positive tests has stabilised. It is expected that a second wave will occur in the autumn, a trend that is already being observed in Europe. It is very likely that the government will use the situation to hold on to power. It is most probable that new, more stringent measures will lead to civil discontent and this will give rise to an even bigger wave of protests.

## 2

## CONDITION AND DEVELOPMENT OF THE PARTY SYSTEM

Anti-government protests are eroding the electoral support for GERB. This is shown in a number of sociological surveys conducted in recent months. Some opinion polls even show that BSP is ahead of GERB in terms of results, albeit minimally, within the realms of statistical error. The reluctance of the Prime Minister to resign, which is what protesters want, increases negative sentiment towards the government and GERB. Deputy Prime Minister Tomislav Donchev stated that he could not “rule stubbornly” and that GERB were continuing to consider various options for overcoming the crisis, including the resignation of the government.

In addition to the anti-government protests, GERB also faces the challenge of the new political project of the former number two in the party - Tsvetan Tsvetanov. After a large group of GERB members from the districts of Veliko Tarnovo, Vidin, Ruse and Yambol left the party last month, now members from Southwestern Bulgaria have done the same. Former mayors of Blagoevgrad - Atanas Kambitov, Bansko - Georgi Ikonov, and Sandanski - Kiril Kotev have joined Tsvetanov's new party “Republicans for Bulgaria”. 50 people from the Shumen party structure have also left GERB, including the coordinator for minority issues, Gunay Ismail. GERB was also left by 28 members of the party in the municipality of Banite, in Smolyan region, led by the municipal chairman of the party - Ventsislav Shishkov. He said that GERB had become a dictatorial party and that all the decisions in the area were enforced by the chairwoman of GERB's parliamentary group, Daniela Daritkova, who is an MP elected in Smolyan.

GERB stated that there was not a split in the party, and they were not worried about these departures. They described those who left the party as failed mayors who had lost the elections and who did not enjoy a good reputation among citizens in these areas.

The founding committee of Republicans for Bulgaria included the former GERB MP, who was chairman of the parliamentary committee on foreign policy - Dzhema Grozdanova, the journalist from the Bulgarian National Television Goran Blagoev, the owners of the closed BIT TV - the businessmen Valevi brothers from Chicago, and the weightlifting world champion from the recent past - Blagoy Blagoev. Tsvetanov said the new party would be centre-right - with the country's Euro-Atlantic ties and orientations as a top priority. He

commented that the party would not have a leader and be concentrated around one person, but would rely on the expertise and professionalism of the people in it. The Founding Declaration stated that the country was governed without a clear vision for development, calling for an end to opposition and a resumption of dialogue between institutions. Tsvetanov said he supported the protests and that the way out of the crisis was the resignation of the government and early parliamentary elections. Tsvetanov said that Democratic Bulgaria is the closest to the new party regarding a vision, with which Republicans for Bulgaria would cooperate after the elections. Democratic Bulgaria, however, declined to comment.

The campaign for the election of leader of BSP was marked by personal attacks between the individual candidates. The BSP opposition made an attempt to convene a National Council to block direct elections, but did not manage to do so. Ninova's opponents claimed that the vote would not be fair and that there would be manipulations. However, the day of the election passed normally with a high turnout. The election took place on September 12. Korneliya Ninova won convincingly with 81.5% of the vote or 43,228 votes. More than 53,000 socialists out of just over 80,000 party members participated in the vote, making a 67% turnout. Ninova's main competitor - Kiril Dobrev received 14.9% of the vote or 7,914 votes, Krassimir Yankov got 2.1% and Valeri Zhablyanov had 1.4%. After the victory, Ninova said that BSP members have shown that they are the most democratic party in the country and expressed satisfaction with the well-organised and conducted campaign, in which the party has shown high professionalism in organising direct elections. According to Ninova, the vote showed that the party is united and consolidated, which refutes the suggestions that it is split and torn apart by contradictions. Kiril Dobrev congratulated Ninova on the victory, wishing her to put efforts into winning the parliamentary elections. He pointed out that the myth that he was a candidate of GERB or the internal opposition had been debunked.

In a speech before congressional delegates, the newly elected “old” leader of BSP Korneliya Ninova said the party had shown maturity and high organisational and institutional culture at the time of the internal elections. In her opinion, BSP has proven to be a European and democratic party. The direct election has shown that the party is not divided, but united in defending its goals and programme.

Ninova promised to turn BSP into the first political force. She stated that she was extending the hand to anyone who wanted to work for the good of Bulgaria.

The main task of the congress was to elect a new National Council of the party and 113 of its members. Former party leader Mikhail Mikov has stepped down in advance. Not many of the people who had opposed Ninova were included in the National Council, with such names as PES leader and former BSP chairman Sergei Stanishev, Georgi Pirinski, Dimitar Dabov, Valeri Zhablyanov, Krassimir Yankov, Atanas Merdjanov, Angel Naidenov, Katya Nikolova, Velislava Dareva, Yuri Aslanov, etc. not figuring in it. Ninova's main opponent in the election for party leader, Kiril Dobrev, was elected a member of the National Council. Krum Zarkov, one of the already established young and promising politicians in BSP, received the most votes among members of the congress. In numbers of votes gained he is followed by Yanaki Stoilov, Georgi Svilenski, Rumen Gechev and others.

Korneliya Ninova is now to elect the party's Executive Bureau from among the members of the National Council. The new composition of the National Council is a success for Ninova's political standpoint.

In the meantime, six members of the parliamentary group left as a protest against Ninova and her manner of leading the party.

The United Patriots have also suffered significant erosion as part of the government. Sociological surveys show that they are only on the verge of surpassing the 4 percent barrier and there is a possibility of them not finding a place in the next National Assembly. This is the main reason for the patriots insisting that the government should not resign. Deputy Prime Minister Krassimir Karakachanov has offered to mediate between the Prime Minister and the President in order to reduce the tension, stating that a possible solution would be a new cabinet of experts within this parliament. The United Patriots signed a draft of a new constitution, and at their behest some extreme populist texts were included, such as the introduction of an educational qualification in order to be eligible to vote, for example, which is in direct conflict with a number of international and European conventions. The Patriots demanded an increase in presidential powers, and at their request the Law on the Direct Participation of Citizens in State Power and Local Government was amended, with which it is possible for the issue of the form of government to be resolved by a referendum. This proposal is unconstitutional, as the current constitution clearly states that this can only be done by a Grand National Assembly. The opposition has stated that it will refer the matter to the Constitutional Court.

MRF rejected the possibility of supporting the draft of a new constitution of GERB right at the start of the new parliamentary season. The party stated that this was yet another attack on Bulgarian democracy and statehood which GERB was committing. According to the leader of the movement, Mustafa Karadayi, the project of GERB de-

nies universal values - freedom, peace, humanism, justice and tolerance. According to him, a new constitution can be adopted only after a wide public debate, in which a large circle of experts would be included, and this can only happen in a calm and normal socio-political situation. MRF has presented the idea of forming an expert government within this parliament to come up with a clear anti-crisis programme. According to MRF, the country needs dialogue and normalisation of the political situation, and for this reason the government must resign. MRF also demanded the resignation of President Radev, because he is deepening the crisis with his intransigence and the utterances with which he supported the protesters. However, MRF does not support the demands for the resignation of Ivan Geshev, which is what the protesting citizens and the opposition demand. The reason is that politicians cannot interfere in the work of the independent judiciary. However, the real motive is most probably different – dissemination of suspicion of Ivan Geshev's closeness to MRF MP Delyan Peevski was directly related to his appointment.

Volya supported the project of GERB for changes in the constitution, although Veselin Mareshki had previously made a firm promise not to do so. After the draft was signed by the MPs of Volya deputies, it became clear that the government had given a concession to two beaches in Varna with which Mareshki has links. The leader of Volya denied that it had anything to do with the change in his decision. In the middle of the month, the Varna Court of Appeals sentenced Mareshki to four years in prison for extortion, thus overturning its acquittal in the first instance. Mareshki stated that he would appeal and that he was not worried that he might go to prison because he was innocent. He pointed out that this sentence has political overtones and that someone had decided that this should be reflected in the forthcoming monitoring report on the rule of law, in order for it to be seen that there are convicted politicians in Bulgaria as well. BSP demanded that Mareshki resign as deputy speaker of the National Assembly. According to the Socialists, it is humiliating for parliament to have its deputy chairman effectively sentenced to 4 years in prison in the second instance and for him to continue in office.

Democratic Bulgaria is the formation that has shown the most significant electoral growth in the course of the protests. The biggest plus for Democratic Bulgaria is that they have always defended the position of reform of the prosecution, even in the years when the leader of Yes, Bulgaria - Hristo Ivanov was Minister of Justice in Borisov's second government. Then the reform, in the form in which it was proposed by the Ministry of Justice, was blocked by GERB and MRF, and this prompted Hristo Ivanov to resign. Since then, judicial reform has been a priority issue for the formations that are now part of Democratic Bulgaria. This is also the main reason why a large number of voters recognise them as authentic supporters of reforms in the judiciary, which is what the protesters are demanding.

Showman Slavi Trifonov's party "There is such a people" supports the protests, although it does not advertise its



presence as being among the protesters. Trifonov stated that he thought this was more correct, so that there would be no speculation about party affiliation of the protests. According to him, the biggest force of these protests is that they are civilians and that there are people with different party sympathies who just want to live in a normal country, and not in one overrun by the mafia. "There is such a people" continues to rank third in the sociological polls, only 5% behind BSP and GERB. Toshko Yordanov - one of the screenwriters of the TV pro-

gramme, Slavi's Show, who is also in the governing bodies of the party, stated that they would not form a coalition with GERB, BSP, MRF, Volya or the United Patriots. For them, these are parties of the status quo, with which they have no points of contact. They see Democratic Bulgaria as closest to them, although they also participated in Borisov's second government. Toshko Yordanov said that they would not back down from their idea of electronic remote voting and compulsory voting, for which they would fight in the next parliament.

## 3

## PUBLIC OPINION

Several polls have already shown a serious reduction in electoral support for GERB, with Gallup even showing a small, albeit insignificant, lead for BSP. This is shown by the data from their survey conducted in early September among 807 voters. 13.5% would vote for BSP and 13.2% for GERB. However, both parties showed a slight decline in support compared to August, when 13.9% of respondents said they supported BSP and 14.5% favoured GERB.

Slavi Trifonov's party "There is such a people" continues to rank third, as 8.3% of respondents would vote for it. MRF are fourth with a score of 7.6% of respondents. Democratic Bulgaria come fifth with 5.2% support. 2.7% of voters would vote for United Patriots, which would make it difficult for them to enter parliament. 2.2% of respondents

would cast their vote for the movement of Maya Manolova, "Stand Up.bg", which is also on the verge of the electoral barrier. Volya has no chance of entering parliament with the support of 1.8% of voters.

59% of respondents state that they want the resignation of the government and early elections. The creation of a second cabinet in this parliament is supported by 36%, and 43% do not support such an idea.

President Rumen Radev remains the political figure with the greatest support, with 52% approval. In second place is Slavi Trifonov with 30% positive ratings. Trust in Boyko Borisov amounts to 20%. BSP leader Korneliya Ninova has the same percentage of support.

# 4

## MAIN CONCLUSIONS AND FORECASTS

The political crisis in the country is deepening. Borisov's refusal to resign, which is what protesters want, has increased public tension. The electoral erosion of the ruling party continues, which reduces GERB's chances in the forthcoming elections. For four months now, there has been no response from the prosecutor's office regarding the recordings and photos with Borisov, which confirms suspicions that Chief Prosecutor Geshev is guided by the interests of circles that are close to the government.

For the first time there has been such a strong international response regarding Bulgaria and articles about corruption in the government in dozens of authoritative Western media sources.

Yet again, the idea of forming a new expert government has been put forward by MRF and the United Patriots. This option, which Borisov could also choose, aims for this government to complete the term of the National Assembly and not lead to early elections and a caretaker government of the President. Actually, the possibility of forming a caretaker government in the event of the resignation of the government is one of the main reasons why Borisov is not in favour of early elections. The Prime Minister fears that President Radev will order the caretaker cabinet to launch an investigation against him and the numerous signals of corruption related to the government.

The protests and the situation in the country have led to a reaction from European institutions. The debate on Bulgaria in the European Parliament, which will take place on October 5th, and the report on the new rule of law mechanism will be of vital importance. Linking the distribution of European funds to the rule of law and the state of democracy is likely to affect Bulgaria as well, but this will be an additional incentive for rapid changes and reforms.

Ninova's victory in the internal party elections for leader of BSP will consolidate her position on the eve of the parliamentary elections. In the meantime, six members of the internal party opposition have split from the party's parliamentary group, and this could intensify internal party conflicts.

One can observe a strong anti-GERB mobilisation in the country, which will be expressed in electoral support for different political parties. It is more important in this case whether these parties will agree to broad reforms, including constitutional changes related to the accountability of the Chief Prosecutor and the reduction of his powers. There is broad public consensus on this issue, which is a basic prerequisite that can give impetus to the parties to make this reform, which is essential in changing the situation in the country and thus starting a real fight against corruption.

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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

the quality and neutrality of Bulgarian media is under question, we aim to provide a scientific basis for a political discussion for Bulgarian and international readers.

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The protests and the situation in the country have led to a reaction on the part of European institutions. The debate on Bulgaria in the European Parliament, which will take place on October 5th, and the report on the new mechanism of the rule of law will be of paramount importance.



Ninova's victory in the internal party elections for leader of BSP will consolidate her position on the eve of the parliamentary elections. At the same time, six members of the internal party opposition split from the party's parliamentary group, which could intensify internal party conflicts.

Further information on the topic can be found here:  
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