



# Bulgaria

## Ratified the European Convention on Human Rights in 1992

### National Judge: Yonko Grozev

[Judges' CVs](#) are available on the ECHR Internet site

Previous Judges: Dimitar Gotchev (1992-1998), Snejana Botoucharova (1998-2008), Zdravka Kalaydjieva (2008-2015)

The Court dealt with 949 applications concerning Bulgaria in 2016, of which 907 were declared inadmissible or struck out. It delivered 37 judgments (concerning 42 applications), 33 of which found at least one violation of the European Convention on Human Rights.

Applications processed in	2014	2015	2016
Applications allocated to a judicial formation	928	1031	882
Communicated to the Government	77	102	48
Applications decided:	2402	1213	949
- Declared inadmissible or struck out (Single Judge)	2342	1148	863
- Declared inadmissible or struck out (Committee)	24	18	37
- Declared inadmissible or struck out (Chamber)	15	10	7
- Decided by judgment	21	37	42
Interim measures:	5	6	12
- Granted	0	0	1
- Refused (including out of scope)	5	6	11

For information about the Court's judicial formations and procedure, see the [ECHR internet site](#)

Applications pending before the court on 01/01/2017	
Total pending applications*	811
Applications pending before a judicial formation:	718
Single Judge	70
Committee (3 Judges)	106
Chamber (7 Judges)	541
Grand Chamber (17 Judges)	1

\*including applications for which completed application forms have not yet been received

## Bulgaria and ...

### Its contribution to the Court's budget

For 2017 the Court's budget amounts to approximately 71 million euros. That budget is financed by contributions from the 47 member States of the Council of Europe in accordance with scales based on population and GDP; the 2017 contribution of Bulgaria to the Council of Europe's (EUR 328 million) budget is **EUR 1,168,351**.

### The Registry

The task of the Registry is to provide legal and administrative support to the Court in the exercise of its judicial functions. It is composed of lawyers, administrative and technical staff and translators. There are currently **672** Registry staff members of whom **17** are Bulgarian.

## Noteworthy cases, judgments delivered

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### Grand Chamber

#### **Simeonovi v. Bulgaria**

12.05.2017

The case concerned the absence of legal assistance for the first three days of the detention of Mr Simeonov, who was sentenced to life imprisonment, and the conditions of the detention and prison regime imposed on him.

Violation of Article 3

No violation of Article 6 §§ 1 and 3 (c) (right to a fair trial/right to legal assistance)

#### **Stanev v. Bulgaria**

17.01.2012

The case concerned a man forced to live for years in an unsanitary and dilapidated psychiatric institution with inadequate food and heating and no activities for residents.

Violation of Article 5 § 1 (right to liberty and security), in that the applicant was illegally detained

Violation of Article 5 § 4, concerning the impossibility for him to bring proceedings to have the lawfulness of his detention decided by a court

Violation of Article 5 § 5, concerning the impossibility for him to apply for compensation for his illegal detention and the lack of review by a court of the lawfulness of his detention

Violation of Article 3 (prohibition of degrading treatment), concerning the conditions in which he was forced to live

Violation of Article 13 (right to an effective remedy), concerning the impossibility for him to apply for compensation regarding his degrading living conditions

Violation of Article 6 § 1 (right to a fair hearing), in that he was denied access to a court to seek restoration of his legal capacity

#### **Nachova and Others v. Bulgaria**

06.07.2005

Two deaths as a result of police force and ineffective investigation and prosecution of the incidents, including into possible racist motives behind the events.

Two violations of Article 2 (right to life)  
Violation of Article 14 (prohibition of discrimination)

#### **Hasan and Chaush v. Bulgaria**

26.10.2000

State interference with the internal organisation of religious communities

Violation of Article 9 (freedom of religion) and Article 13 (effective remedy)

## Noteworthy cases, judgments and decisions delivered

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### Chamber

#### **Cases dealing with the right to life (Article 2)**

#### **Bulgarian Helsinki Committee v. Bulgaria**

21.07.2016

The case concerned the death of two children with mental disabilities in special homes in which they had been placed, and the request submitted to the Court by an association specialising in human rights protection to grant it legal standing either as an indirect victim or as the representative of the two deceased adolescents.

Applications declared inadmissible as incompatible *ratione personae*

#### **Dimitrov and Others v. Bulgaria**

01.07.2014

The case concerned the death of a suspect in drug trafficking and pimping during a police operation.

Violation of Article 2

Violation of Article 3 (prohibition of inhuman or degrading treatment)

No violation of Article 6 § 1 (right to a fair trial/hearing)

#### **Nencheva and Others v. Bulgaria**

18.06.2013

Fifteen children and young adults died between 15 December 1996 and 14 March 1997 in a home for physically and mentally disabled young people in the village of Dzhurkovo, from the effects of cold and shortages of food, medicines and basic necessities. The manager of the home, observing the problems, had tried without success on several occasions to alert all the

public institutions which had direct responsibility for funding the home and which could have been expected to act. The Court found a violation of Article 2 in that the authorities had failed in their duty to protect the lives of the vulnerable children placed in their care from a serious and immediate threat. The authorities had also failed to conduct an effective official investigation into the deaths, occurring in highly exceptional circumstances.

### **Cases dealing with inhuman and/or degrading treatment (article 3)**

#### **Popovi v. Bulgaria**

09.06.2016

The case concerned the arrest of Mr Popov, former secretary general of the Ministry of Finance, during a police operation that received extensive media coverage.

Violation of Article 3 (prohibition of inhuman or degrading treatment and lack of effective investigation)

Violation of Article 6 § 2 (presumption of innocence) regarding the statements by the Minister of the Interior on the day of Mr Popov's arrest

No violation of Article 6 § 2 regarding the statements by the Prime Minister and the prosecutor R.V. on the day of Mr Popov's arrest

Violation of Article 8 (right to respect for private and family life) due to the media coverage of Mr Popov's arrest and the search and seizure carried out in Mrs Popova's offices

Violation of Article 13 (right to an effective remedy) taken in conjunction with Articles 3, 6 § 2 and 8

#### **Stoyanov and Others v. Bulgaria**

#### **Alexey Petrov v. Bulgaria**

#### **Petrov and Ivanova v. Bulgaria**

31.03.2016

These cases concerned a number of media-hyped police operations, raising issues similar to those examined by the Court in the case of [Gutsanovi v. Bulgaria](#) regarding the prohibition of torture and inhuman or degrading treatment (Article 3) and respect for the accused's presumption of innocence (Article 6 § 2).

For the case of *Stoyanov and Others*

Violation of Article 3 (prohibition of torture and inhuman or degrading treatment)

Violation and no violation of Article 6 § 2 (presumption of innocence)

Violation of Article 8 (right to respect for private and family life)

Violation of Article 13 (right to an effective remedy) taken in conjunction with Articles 3 and 8

For the case of *Alexey Petrov*

No violation of Article 3,

Violation and no violation of Article 6 § 2,

Violation of Article 8

For the case of *Petrov and Ivanova*

Violation of Article 3

Violation and no violation of Article 6 § 2

Violation of Article 13 taken in conjunction with Articles 3 and 6 § 2

#### **S.Z. v. Bulgaria (no. 29263/12)**

03.03.2015

The case concerns criminal proceedings brought against individuals responsible for the illegal confinement and rape of the applicant.

Violation of Article 3 on account of the shortcomings in the investigation carried out into the illegal confinement and rape of the applicant, having regard in particular to the excessive delays in the criminal proceedings and the lack of investigation into certain aspects of the offences.

The Court observed that it had already, in over 45 judgments against Bulgaria, found that the authorities had failed to comply with their obligation to carry out an effective investigation and considered that these recurrent shortcomings disclosed the existence of a systemic problem. It considered that it was incumbent on Bulgaria, in cooperation with the Committee of Ministers, to decide which general measures were required in practical terms to prevent other similar violations of the Convention in the future.

#### **Abdu v. Bulgaria**

11.03.2014

The applicant in this case complained of the authorities' failure to conduct an investigation into the potentially racist nature of an attack on him.

Violation of Article 3 taken alone and in conjunction with Article 14 (prohibition of discrimination)

### **Gutsanovi v. Bulgaria**

15.10.2013

The case concerned a police operation carried out at the home of Mr Gutsanov, an influential politician, leading to his arrest.

Violation of Article 3

Violation of Article 5 § 3 (right to liberty and security) on account of the unjustified length of detention

Violation of Article 5 § 3 (right to liberty and security) regarding Mr Gutsanov's right to be brought promptly before a judge

Violation of Article 5 § 5 (right to compensation)

Violation of Article 6 § 2 (presumption of innocence) regarding the remarks made by the Prime Minister and the regional public prosecutor

Violation of Article 6 § 2 regarding the remarks of the Interior Minister and the reasons for the Varna Regional Court's decision of 18 May 2010

Violation of Article 8 (right to respect for the home)

Violation of Article 13 (right to an effective remedy) read in conjunction with Articles 3 and 8

Cases concerning the use of force by the police, inadequate investigation and prosecution of deaths and injuries (Articles 2 and 3)

### **Anzhelo Georgiev and Others v. Bulgaria**

30.09.2014

### **Lenev v. Bulgaria**

04.12.2012

### **Dimov and Others v. Bulgaria**

06.11.2012

### **Jordan Petrov v. Bulgaria**

24 .01.2012

### **Biser Kostov v. Bulgaria**

10.01.2012

### **Kolevi v. Bulgaria**

05.11.2009

Violation of Articles 2 (right to life) and 5 §§ 1, 3 and 4 (right to liberty and security)

Press release ([Bulgarian version](#))

### **Angelova and Iliev v. Bulgaria**

26.07.2007

Violation of Article 2 (right to life)

Violation of Article 14 (prohibition of discrimination)

### **Ognyanova and Choban v. Bulgaria**

23.02.2006

Two violations of Article 2 (right to life) in respect of Mr Stefanov's death, and, in that the authorities failed to conduct an effective investigation into Mr Stefanov's death;

Violation of Article 3 (prohibition of inhuman or degrading treatment);

Violation of Article 5 § 1 (right to liberty and security);

Violation of Article 13 (right to an effective remedy); and,

No violation of Article 14 (prohibition of discrimination).

### **Osman v. Bulgaria**

16.02.2006

Two violations of Article 3 (prohibition of inhuman or degrading treatment) on account of the ill-treatment to which the applicants had been subjected, and, on account of the lack of an effective investigation;

No violation of Article 14 (prohibition of discrimination) with regard to the allegations that the ill-treatment was motivated by racial prejudice;

Violation of Article 1 of Protocol No 1 (protection of property)

### **Krastanov v. Bulgaria**

30.09.2004

Two violations of Article 3 (prohibition of inhuman treatment) concerning the applicant's ill-treatment by police officers and the Bulgarian authorities failure to conduct a thorough and effective investigation into the ill-treatment

Violation of Article 6 § 1 (right to a fair hearing)

### **Angelova v. Bulgaria**

13.06.2002

Two violations of Article 2 (right to life)

Violation of Article 3 (prohibition of inhuman or degrading treatment)

Violation of Article 5 (right to liberty and security)

Violation of Article 13 (right to an effective remedy)

Cases concerning conditions of detention in prisons and pre-trial detention facilities

### **Neshkov and Others v. Bulgaria**

27.01.2015 (pilot judgment)<sup>1</sup>

Violation of Article 3

Violation of Article 13 (right to an effective remedy)

The applicants' cases, as well as many other similar cases – the Court having already decided more than 20 cases leading to 25 violations of the Convention and there being approximately 40 more applications concerning detention conditions in Bulgaria currently pending before the Court – highlight a systemic problem within the Bulgarian prison system, justifying a pilot-judgment procedure because of the serious and persistent nature of the problems identified.

### **Harakchiev and Tolumov v. Bulgaria**

08.07.2014

Violation of Article 3 as concerned the regime and conditions of Mr Harakchiev's and Mr Tolumov's detention

Violation of Article 13 (right to an effective remedy) as concerned the lack of effective domestic remedies in respect of the conditions of Mr Harakchiev's and Mr Tolumov's detention

Violation of Article 3, as concerned Mr Harakchiev's inability to obtain a reduction of his sentence of life imprisonment without commutation from the time when it became final

### **Jordan Petrov v. Bulgaria**

24.01.2012

Violation of Article 3 in respect of ill-treatment by the police and prison guards, the lack of effective investigation into those events and the conditions of detention at Varna Prison

No violation of Article 3 in respect of the alleged lack of medical care

Violation of Article 6 § 1 (right to a fair trial) in respect of the use of confessions obtained in breach of Article 3

<sup>1</sup> The [pilot judgment](#) procedure was developed as a technique of identifying structural problems underlying repetitive cases against many countries and imposing an obligation on member States to address those problems. Where the Court receives several applications that share a root cause, it can select one or more for priority treatment under the pilot procedure. In a pilot judgment, the Court's task is not only to decide whether a violation of the Convention occurred in the specific case but also to identify the systemic problem and to give the Government clear indications of the type of remedial measures needed to resolve it.

Violation of Article 8 (right to respect for private and family life) in respect of the monitoring of the applicant's correspondence with his lawyer

Violation of Article 13 (right to an effective remedy) in respect of the poor conditions of detention at Varna Prison

No violation of Article 13 in respect of the monitoring of correspondence

### **Shahanov v. Bulgaria**

10.01.2012

Violation of Article 3

Violation of Article 13 in conjunction with Article 3

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Violation of Article 8 (right to respect for private and family life)

No violation of Article 13 (right to an effective remedy) in conjunction with Article 8

Violation of Article 6 § 1 (length of the criminal proceedings)

Violation of Article 13 in conjunction with Article 6 § 1

### **Iorgov (no. 2) v. Bulgaria**

02.09.2010

No violation of Article 3

No violation of Article 5 § 4 (right to liberty and security)

### **Yordanov v. Bulgaria**

10.08.2006

Violation of Article 3

Violation of Article 5 § 3 (right to liberty and security)

Violation of Article 8 (right to respect for home)

### **Iovchev v. Bulgaria**

02.02.2006

Violation of Article 3

Two violations of Article 5 § 3 (right to liberty and security)

Violation of Articles 6 § 1 (right to a fair trial within a reasonable time) and 13 (right to an effective remedy)

### **I.I. v. Bulgaria (no. 44082/98)**

09.06.2005

Violation of Article 3

Violation of Article 5 §§ 1, 3 and 4 (right to liberty and security)

### **Kehayov v. Bulgaria**

18.01.2005

Violation of Article 3

Violation of Article 5 §§ 3 (right to be brought promptly before a judge) and 4 (right to have lawfulness of detention decided speedily by a court)

**Iorgov v. Bulgaria**

11.03.2004

Violation of Article 3

**Cases dealing with the right to liberty and security (Article 5)**

Cases concerning deportation of aliens in the absence of adequate safeguards against arbitrariness

**Raza v. Bulgaria**

11.02.2010

Violation of Article 5 §§ 1 and 4

Violation of Article 8 (right to respect for private and family life)

Violation of Article 13 (right to an effective remedy)

**Al-Nashif v. Bulgaria**

20.06.2002

Violation of Article 5 § 4

Violation of Article 8 (right to respect for family life)

Violation of Article 13 (right to an effective remedy)

Cases concerning excessive length of detention pending trial and defective judicial control of lawfulness of detention

**Vasilev v. Bulgaria**

02.02.2006

Violation of Article 5 §§ 3 and 4

Violation of Article 6 § 1 (length)

**Mitev v. Bulgaria**

22.12.2004

Violation of Article 5 §§ 1, 3, 4 and 5

Violation of Article 6 § 1 (length)

Violation of Article 13 (right to an effective remedy) in conjunction with Article 6 § 1

**Ilijkov v. Bulgaria**

26.07.2001

Violation of Article 5 §§ 3 and 4

Violation of Article 6 § 1 (length)

Unlawful placement in psychiatric hospital and lack of domestic remedies

**Varbanov v. Bulgaria**

05.10.2000

Violation of Article 5

Ordered placement in an educational centre for young people

**D.L. v. Bulgaria (no. 7472/14)**

19.05.2016

No violation of Article 5 § 1 (right to liberty and security)

Violation of Article 5 § 4 (right to have the lawfulness of detention examined speedily)

Violation of Article 8 (right to respect for private and family life)

**Cases dealing with Article 6**

Cases concerning procedural shortcomings and excessive formalism in law and in judicial proceedings:

Lack of effective access to a court

**Chakalova-Ilieva v. Bulgaria**

06.10.2016

Violation of Article 6 § 1

**Stankov v. Bulgaria**

12.07.2007

Violation of Article 6 § 1

**Capital Bank AD v. Bulgaria**

02.11.2005

Violation of Article 6 § 1

Violation of Article 1 of Protocol No. 1

Trial in one's absence

**Lena Atanasova v. Bulgaria**

26.01.2017

No violation of Article 6 § 1

**Kounov v. Bulgaria**

23.05.2006

Violation of Article 6 § 1

**Stoichkov v. Bulgaria**

24.03.2005

Violation of Article 5 §§ 1, 4 and 5

Non-recognition of a final judgment

**Kehaya and Others v. Bulgaria**

12.01.2006

Violation of Article 6 § 1

Two violations of Article 1 of Protocol No. 1

Excessively long court proceedings

**Finger v. Bulgaria**  
**Dimitrov and Hamanov v. Bulgaria**<sup>2</sup>

10.05.2011

First pilot judgments concerning Bulgaria in which the Court has asked the Government to introduce remedies to deal with unreasonably long criminal proceedings and, more importantly, a compensatory remedy in respect of unreasonably long criminal, civil and administrative proceedings. Those remedies must conform to the Court's principles and become available within 12 months from the date on which the judgments become final.

[A violation of Article 6 § 1](#)

[A violation of Article 13 \(right to an effective remedy\)](#)

Cases regarding effectiveness of remedies in respect of length of proceedings, lodged following the pilot judgments in Dimitrov and Hamanov v. Bulgaria and Finger v. Bulgaria:

**Valcheva and Abrashev v. Bulgaria**  
**Balakchiev and Others v. Bulgaria**

Declared inadmissible on 18.06.2013

These cases concerned the applicants' complaints about unreasonable length of proceedings. More importantly, they also concerned the effectiveness of two new administrative and judicial compensatory remedies introduced by the Bulgarian authorities following two pilot judgments<sup>3</sup>. These remedies were intended to enable victims of unreasonably lengthy proceedings, including people who had already lodged an application with the Court in this regard, to obtain monetary compensation.

Although no long-term practice had been established in this domain, the Court considered that it could not be assumed at this current stage that the Bulgarian authorities and courts applying the new remedies provisions of the Acts would not give proper effect to them. Therefore, the new remedies could be regarded as effective. Moreover, it considered that mere

<sup>2</sup> Systemic problem in Bulgarian's justice system, namely, the absence of effective legal remedies for excessive length of civil, administrative and criminal proceedings.

<sup>3</sup> Judgments [Finger v. Bulgaria](#) and [Dimitrov and Hamanov v. Bulgaria](#) of 10 May 2011

doubts about the effective functioning of a newly created statutory remedy did not dispense the applicants from having recourse to it. Since the applicants had not apparently brought such proceedings and no special circumstances absolved them from doing so, their complaints were rejected for non-exhaustion of domestic remedies.

Press release in [Bulgarian](#).

**Cases dealing with the right to private and family life (Article 8)**

Inadequate control of secret surveillance

**Savovi v. Bulgaria**

27.11.2012

**Hadzhiev v. Bulgaria**

23.10.2012

**Association for European Integration and Human Rights and Ekimdzhiev v. Bulgaria**

28.06.2007

Violation of Article 8 (right to respect for private and family life and correspondence)  
Violation of Article 13

Deportation of foreigners in the absence of adequate safeguards against arbitrariness

**C.G. and Others v. Bulgaria**  
**(no. 1365/07)**

24.04.2008

Violation of Article 8

Violation of Article 13 Violation of Article 1 of Protocol No. 7 (procedural safeguards relating to expulsion of aliens)

**Other cases on Article 8**

**L.D. and P.K. v. Bulgaria** (nos. 7949/11 and 45522/13)

08.12.2016

The case concerned the inability for L.D. and P.K., who claimed to be the biological fathers of children born out of wedlock, to challenge declarations of paternity by two other men and to have their own paternity established.

Violation of Article 8

**Ivanova and Cherkezov v. Bulgaria**

21.04.2016

The case principally concerned a complaint by a couple about the threatened demolition of the house in which they live.

Violation of Article 8 (right to respect for private and family life and the home) if the order for the demolition of the house were to be enforced without a proper review of its proportionality in the light of the applicants' personal circumstances

No violation of Article 1 of Protocol No. 1 (protection of property) if the order for the demolition of the house were to be enforced

**Yordanova et autres c. Bulgarie**

24.04.2012

The case concerned the Bulgarian authorities' plan to evict Roma from a settlement situated on municipal land in an area of Sofia called Batalova Vodenitsa.

Violation of Article 8 (right to private and family life)

**Freedom of thought, conscience and religion cases (Article 9)**

**Karahmed v. Bulgaria**

24.02.2015

The case concerned a demonstration by members of the Ataka political party outside the Banya Bashi Mosque in Sofia and the official investigations into this incident.

Violation of Article 9

State interference with the internal organisation of religious communities

In the three cases immediately below:  
Violation of Article 9

**Holy Synod of the Bulgarian Orthodox Church (Metropolitan Inokentiy) and Others v. Bulgaria**

22.01.2009

**Supreme Holy Council of the Muslim Community v. Bulgaria**

16.12.2004

**Hasan and Chaush v. Bulgaria**

26.10.2000

**Freedom of expression case (Article 10)**

Criminal convictions of/civil judgments against journalists

**Yordanova and Toshev v. Bulgaria**

02.10.2012

Violation of Article 10

**Cases regarding the right to freedom of assembly and association (Article 11)**

A group of cases concerning complaints about continuous refusal of the authorities to register Macedonian parties and organisations and allow their peaceful gatherings

In all three cases below: Three violations of Article 11 as regards the refusal to register the association United Macedonian Organisation Ilinden and to allow a number of peaceful assemblies of supporters of that association, as well as an assembly of its sibling organisation United Macedonian Organisation Ilinden – PIRIN; No violation of Article 11 and Article 14 (prohibition of discrimination) as regards the refusal to register United Macedonian Organisation Ilinden – PIRIN as a political party.

United Macedonian Organisation Ilinden and Others v. Bulgaria (no. 2), Singartiyski and Others v. Bulgaria, United Macedonian Organisation Ilinden and Ivanov v. Bulgaria (no. 2), United Macedonian Organisation Ilinden – PIRIN and Others v. Bulgaria (no. 2)

18.10.2011

In all five cases below: Violation of Article 11

**The United Macedonian Organisation Ilinden and Others v. Bulgaria**

19.01.2006

**Ivanov and Others v. Bulgaria**

24.11.2005

**The United Macedonian Organisation Ilinden and Ivanov v. Bulgaria**

20.10.2005

**The United Macedonian Organisation Ilinden – PIRIN and Others v. Bulgaria**



20.10.2005

**Stankov and the United Macedonian Organisation Ilinden v. Bulgaria**

02.10.2001

Inadequately reasoned refusals to register political parties and associations

In both cases below: [Violation of Article 11](#)

**Zhechev v. Bulgaria**

21.06.2007

**Tsonev v. Bulgaria**

13.04.2006

**Property issues cases (Article 1 of Protocol No. 1)**

Domestic remedy for enforcement of administrative court judgments considered effective as of mid-2012

**Dimitar Yanakiev v. Bulgaria**

31.03.2016

Press release in [Bulgarian](#)

[Violation of Article 6 § 1 \(right to a fair trial\)](#)

[Violation of Article 1 of Protocol No. 1 to the Convention](#)

Effects of restitution law on third parties

**Velikovi and Others v. Bulgaria**

15.03.2007

[Violation of Article 1 of Protocol No. 1](#)

Interference by the prosecution authorities in privatisation deals, without judicial control

**Zlinsat, Spol. S R.o. v. Bulgaria**

15.06.2006

[Violation of Article 6 § 1 \(fairness\)](#)

[Violation of Article 1 of Protocol No. 1](#)

State's failure to respect its pecuniary obligations

**Kirilova and Others v. Bulgaria**

09.06.2005

[Violation of Article 1 of Protocol No. 1](#)

Inadequate application of V.A.T. legislation

**Nazarev and Others v. Bulgaria**

Admissibility decision on 25.01.2011

Inadmissible: complaints rejected

**"Bulves" AD v. Bulgaria**

22.01.2009

[Violation of Article 1 of Protocol No. 1](#)

Failure to enforce judgments recognising the right to restitution or of compensation for nationalised agricultural land

**Mutishev v. Bulgaria**

03.12.2010

[Violation of Article 1 of Protocol No. 1](#)

**Naydenov v. Bulgaria**

26.11.2009

[Violation of Article 1 of Protocol No. 1](#)

Black sea coastal resort restitution of land cases

**Nedelcheva and Others v. Bulgaria**

28.05.2013

[Two violations of Article 1 of Protocol No. 1](#)

**Kupenova and Others v. Bulgaria**

Declared inadmissible on 7 May 2013

**Cases dealing with the right to free elections (Article 3 of protocol No. 1)**

**Kulinski and Sabev v. Bulgaria**

21.07.2016

The case concerned the constitutional ban on prisoners' voting rights in Bulgaria.

[Violation of Article 3 of Protocol No. 1](#)

[No violation of Article 13 \(right to an effective remedy\)](#)

**Riza and Others v. Bulgaria**

13.10.2015

The case concerned respect for the right to stand for election and the right to vote.

Mr Riza and a Bulgarian political party, "DPS - the Movement for rights and freedoms", alleged that the annulment of the election results in 23 polling stations in Turkey had unjustifiably interfered with their right to stand for election and the other applicants alleged that the annulment of their ballot papers had constituted a violation of their active electoral rights.

[Violation of Article 3 of Protocol No. 1 – concerning the right to stand for election of Mr Riza and the DPS](#)

[Violation of Article 3 of Protocol No. 1 – concerning the right to vote of the 101 other applicants](#)

### **Ekoglasnost v. Bulgaria**

06.11.2012

The case concerned the inability for Ekoglasnost, a Bulgarian political party, to submit two documents required by an electoral law, enacted shortly before parliamentary elections in June 2005, in order to present its candidates.

[Violation of Article 3 of Protocol No. 1](#)

## **Other noteworthy cases, judgments delivered**

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### **Velev v. Bulgaria**

27.05.2014

The case concerned access to education for a remand prisoner. Mr Velev alleged that he had not been allowed to pursue his secondary education while being detained on remand in Stara Zagora Prison for 29 months.

[Violation of Article 2 of Protocol No. 1 \(right to education\)](#)

### **Valkov v. Bulgaria**

25.10.2011

This case is part of a group of 29 cases which concern the existence of a statutory limit on State retirement pensions and alleged discrimination in this respect.

[No violation of Article 1 of Protocol No. 1 \(protection of property\)](#)

[No violation of Article 14 \(prohibition of discrimination\)](#)

### **Anatoliy Ponomaryov and Vitaliy Ponomaryov v. Bulgaria**

21.06.2011

The case concerned the requirement that two Russian boys, living in Bulgaria with their mother who was married to a Bulgarian, pay school fees for their secondary education, unlike Bulgarian nationals and aliens with permanent residence permits.

[Violation of Article 14 \(prohibition of discrimination\) in conjunction with Article 2 of Protocol No. 1 \(right to education\)](#)

## **Noteworthy pending cases**

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### **Dimitrova and Others v. Bulgaria (no. 39084/10)**

[Communicated](#) to the Bulgarian Government in December 2014

The case concerns complaints about the forced eviction of a group of 23 Roma in December 2008 and the State's failure to promptly provide them with shelter, which resulted in the death of a two-month-old baby.

The applicants allege that during the eviction representatives of the authorities verbally abused them and destroyed their homes causing much distress to both the applicants and their children. They further complain about the poor living conditions in the shelter which was later provided to them.

Most of the applicants rely on Articles 2 (right to life), 3 (inhuman or degrading treatment), 6 § 1 (right to a fair trial), 8 (right to private and family life and home), 13 (right to an effective remedy) in conjunction with 6 § 1, and Article 14 (prohibition of discrimination) in conjunction with Articles 2, 3 and 8 of the Convention.

### **Todorov and Others v. Bulgaria (no. 50705/11)**

[Communicated](#) to the Bulgarian Government in January 2014

The case concerns the freezing and forfeiture of the applicants' assets under proceeds-of-crime legislation in Bulgaria.

The applicants allege in particular a violation of Article 1 of Protocol No. 1 (protection of property) to the Convention.

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