



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)

[List of judges of the Court since 1959](#)

The Court dealt with 879 applications concerning Bulgaria in 2018, of which 841 were declared inadmissible or struck out. It delivered 29 judgments (concerning 38 applications), 27 of which found at least one violation of the European Convention on Human Rights.

Applications processed in	2017	2018	2019*
Applications allocated to a judicial formation	581	774	414
Communicated to the Government	73	54	39
Applications decided:	684	879	442
- Declared inadmissible or struck out (Single Judge)	585	813	419
- Declared inadmissible or struck out (Committee)	25	23	11
- Declared inadmissible or struck out (Chamber)	12	5	1
- Decided by judgment	62	38	11

*January to July 2019

For information about the Court's judicial formations and procedure, see the [ECHR internet site](#).
Statistics on interim measures can be found [here](#).

Applications pending before the court on 01/07/2019	
Total pending applications*	560
Applications pending before a judicial formation:	486
Single Judge	61
Committee (3 Judges)	247
Chamber (7 Judges)	177
Grand Chamber (17 Judges)	1

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

Bulgaria and ...

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 **643** Registry staff members.

Noteworthy cases, judgments delivered

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

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)

G.S. v. Bulgaria (no. 36538/17)

04.04.2019

The case concerned a Georgian national's complaint that if extradited to Iran, where he faced theft charges, he would be at risk of being flogged.

The Court held that it would be a violation of Article 3 if the applicant were extradited to Iran because of the possible punishment that awaited him there.

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)

Anguelova 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)¹

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

¹ 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.

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
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
3
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:

Divergences in the Supreme Court of Cassation case-law

Mariyka Popova and Asen Popov v. Bulgaria

11.04.2019

No violation of Article 6 § 1

Alleged lack of impartiality of a court

Boyan Gospodinov v. Bulgaria

05.04.2018

Violation of Article 6 § 1

Lack of effective access to a court

Aleksandar Sabev v. Bulgaria

19.07.2018

Violation of Article 6 § 1

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

Right to question witnesses

Dimitrov and Momin v. Bulgaria

07.06.2018

No violation of Article 6 §§ 1 and 3 (d)

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

Presumption of innocence

Maslarova v. Bulgaria

31.01.2019

The case concerned a complaint lodged by Ms Maslarova, who was Minister for Labour and Employment Policy from 2005 to 2009, about a failure to respect her right to be presumed innocent on account of remarks made by certain political and judicial figures, and relayed in the press, in relation to criminal proceedings against her for embezzlement of public funds.

Violation of Article 6 § 2 and violation of Article 13 (right to an effective remedy)

Excessively long court proceedings

Finger v. Bulgaria

Dimitrov and Hamanov v. Bulgaria²

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 judgments³. 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

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

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

effective. Moreover, it considered that mere 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](#)

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[Violation of Article 6 § 2](#)

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](#)

Legislation exposing those affiliated with the former security services

[Anchev v. Bulgaria](#)

11.01.2018

[Application declared inadmissible](#)

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

[Vetsev v. Bulgaria](#)

02.05.2019

The case concerned the Bulgarian authorities' refusal to allow Mr Vetsev, who had been remanded in custody, to travel to his brother's funeral.

[Violation of 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)

[Metodiev and Others v. Bulgaria](#)

15.06.2017

The case concerned the refusal by the authorities to register a new religious association called the Ahmadiyya Muslim Community as a denomination.

[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)

[National Turkish Union and Kungyun v. Bulgaria](#)

08.06.2017

The case concerned the refusal of the Bulgarian authorities to register an association promoting the rights of the Muslim minority in Bulgaria.

[Violation of 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)**

Confiscation and retention for over nine years of sums of money not declared to Bulgarian customs

Togrul v. Bulgaria

15.11.2018

Violation of Article 1 of Protocol No. 1

Property complaints brought by royal family

Sakskoburggotski and Others v. Bulgaria

12.04.2018

Application declared inadmissible

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

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

Zlínsat, 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

25.01.2011

Application declared inadmissible

"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

7 May 2013

Application declared inadmissible

Cap on Bulgarian retirement pensions

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

No violation of Article 14 (prohibition of discrimination)

**Right to education
(Article 2 of Protocol No. 1)**

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

[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](#)

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](#)

Noteworthy pending cases

Grand Chamber

X and Others v. Bulgaria (no. 22457/16)

The case concerns allegations of sexual abuse perpetrated against three children in an orphanage in Bulgaria before their adoption by an Italian couple in June 2012. Relying on Article 3 (prohibition of torture and inhuman or degrading treatment), Article 6 (right to a fair trial), Article 8 (right to respect for private and family life) and Article 13 (right to an effective remedy) of Convention, the applicants complain that they have suffered sexual abuse in the Bulgarian orphanage. They also submit that the Bulgarian authorities failed in their obligations to protect them from such treatment and subsequently to conduct an effective investigation.

In its Chamber [judgment](#) of 17 January 2019 the Court decided to consider the complaints solely under Articles 3 and 8 of the Convention. It held, unanimously, that there had been no violation of both Articles.

[Case referred to the Grand Chamber on 24 June 2019](#)

[Grand Chamber hearing on 15 January 2020](#)

Chamber

Sakskoburggotski and Chrobok v. Bulgaria (nos. 38948/10, 55777/12 and 8954/17)

Case communicated to the Government in March 2018

Decision (partial) on the admissibility on 20 March 2018

The case concerns applications made by the former King and Prime Minister of Bulgaria and his sister in relation to their attempts to obtain the restitution of former Crown properties taken by the State after 1946. In a judgment of 1998 the Constitutional Court declared that a 1947 Act ordering the confiscation of such properties was unconstitutional, and the applicants obtained restitution decisions concerning some properties, or the possession of such properties - land, palaces and residences. The State subsequently claimed back most of the properties at issue, and in some cases the proceedings ended in its favour. The domestic courts concluded that the

properties had not been privately owned by the Kings and that in any event there had been no grounds for restitution.

The applicants rely chiefly on Article 1 of Protocol No. 1 (protection of property) to the Convention.

Bulgarian Orthodox Old Calendar Church and Others v. Bulgaria (no. 56751/13)

Case [communicated](#) to the Government in August 2017

The applicants are a religious association, a priest and worshippers.

The case concerns the refusal of the domestic courts to register the applicant association on the grounds that the law on religious denominations did not allow registration under a name similar to that of a pre-existing denomination, namely the Bulgarian Orthodox Church, if an association had separated from another group in violation of the latter's internal regulations.

The applicants rely on Article 9 (freedom of thought, conscience and religion), Article 14 (prohibition of discrimination), in conjunction with Article 9, and Article 13 (right to an effective remedy) of the Convention.

Similar case:

[Independent Orthodox Church and Zahariev v. Bulgaria](#) (no. 76620/14)

Ribcheva v. Bulgaria (no. 37801/16), Ivanova-Sharkova v. Bulgaria (no. 39549/16), and Sharkova v. Bulgaria (no. 40658/16)

Case [communicated](#) to the Government in November 2016

The applicants in these cases are the mother, widow and daughter of Mr Emil Emilov Sharkov, an officer of the Ministry of Internal Affairs' anti-terrorist squad who was shot and killed during an operation by the squad on 14 March 2014 in the town of Lyaskovets.

The account of the events leading to the operation and of its planning and execution are based on [the statement of facts](#) in the indictment against Mr P.P., the man who was tried and convicted for shooting Mr Sharkov and on the statements of the Deputy Minister of Internal Affairs and the

Ministry's Secretary General during a hearing on the operation before Parliament's Standing Committee on Domestic Security and Public Order.

Under Article 2 (right to life) of the Convention, the applicants complain that the authorities only brought criminal proceedings against Mr P.P. and did not separately carry out an effective investigation into the way in which the authorities had planned and carried out the operation against him, confining their reaction to internal inquiries in which the applicants could not take part and whose results were kept secret.

Relying on the same article, the applicants allege that the authorities did not do enough to prevent the risk to Mr Sharkov's life; that they had granted Mr P.P. permission to store and carry firearms, and had then renewed it, without properly checking whether he was mentally fit, thus allowing him to accumulate a considerable arsenal; that they did not properly plan and carry out the operation for his arrest; and that they did not provide the officers who took part in it with suitable ballistic helmets and shields.

Lastly, the applicants complain under Article 13 (right to an effective remedy) of the Convention that they did not have an effective remedy in respect of their grievances under Article 2 because the requests for a separate investigation went unheeded and because the officials whom they believed responsible for the operation's failure were not duly punished.

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

Case [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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