

# **Coronavirus pandemic in the EU – Fundamental Rights Implications**

**Country:** Bulgaria

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# 1 Measures taken by government/public authorities

## 1.1 Emergency laws/states of emergency

In **Bulgaria**, the parliament adopted amendments to the special law governing the measures related to the state of emergency. The changes were incorporated in a set of amendments to the VAT legislation and envisaged social assistance allowances for certain categories of children and first-line responders.<sup>1</sup> Families, whose children were enrolled in the eighth grade of a state or municipal school for the school year 2020-2021, were granted a one-time allowance to cover part of the costs at the beginning of the school year, provided that the average monthly income per family member for the previous 12 months was less than or equal to BGN 450 (approximately €225). The purpose of this measure was to prevent school drop-out of children, who had finished seventh grade (the stage with the highest drop-out rate, according to the justification of the measure).<sup>2</sup> First line responders (medical staff and nonmedical staff carrying out activities related to treatment, prevention of proliferation and/or overcoming the consequences of COVID-19) were granted a one-time allowance for using domestic tourist services in the amount of BGN 210 (approximately €105).<sup>3</sup>

In **Bulgaria**, the government extended the duration of the emergency epidemic situation (*извънредна епидемична обстановка*) until 15 July 2020. The emergency epidemic situation was initially introduced for a period of one month (from 14 May to 14 June 2020),<sup>4</sup> but was later extended first until the end of June,<sup>5</sup> and then again until 15 July.<sup>6</sup> During the emergency epidemic situation the Minister of Health was authorised to introduce temporary anti-epidemic measures applicable on the whole territory of the country.<sup>7</sup>

In **Bulgaria**, no particular restrictions were introduced in relation to the right of association and demonstration. During the reporting period, a number of demonstrations took place in Sofia,

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<sup>1</sup> Bulgaria, Amendment to the Value Added Tax Act ([Закон за изменение и допълнение на Закона за данъка върху добавената стойност](#)), § 6, 19 June 2020.

<sup>2</sup> Bulgaria, Measures and Activities during the State of Emergency Declared by Decision of the National Assembly of 13 March 2020 and Overcoming the Consequences Act ([Закон за мерките и действията по време на извънредното положение, обявено с решение на Народното събрание от 13 март 2020 г. и за преодоляване на последиците](#)), Art. 12a, 9 April 2020.

<sup>3</sup> Bulgaria, Measures and Activities during the State of Emergency Declared by Decision of the National Assembly of 13 March 2020 and Overcoming the Consequences Act ([Закон за мерките и действията по време на извънредното положение, обявено с решение на Народното събрание от 13 март 2020 г. и за преодоляване на последиците](#)), Art. 27, 9 April 2020.

<sup>4</sup> Bulgaria, Council of Ministers (*Министерски съвет*), Decision No 325 of 14 May 2020 for introducing emergency epidemic situation ([Решение № 325 от 14 май 2020 година за обявяване на извънредна епидемична обстановка](#)), 14 May 2020.

<sup>5</sup> Bulgaria, Council of Ministers (*Министерски съвет*), Decision No 378 of 12 June 2020 for extending the duration of the emergency epidemic situation introduced by Decision No 325 of 14 May 2020 of the Council of Ministers ([Решение № 378 от 12 юни 2020 година за удължаване срока на обявената с Решение № 325 на Министерския съвет от 14 май 2020 г. извънредна епидемична обстановка](#)), 12 June 2020.

<sup>6</sup> Bulgaria, Council of Ministers (*Министерски съвет*), Decision No 418 of 25 June 2020 for extending the duration of the emergency epidemic situation introduced by Decision No 325 of 14 May 2020 of the Council of Ministers and extended by Decision No 378 of 12 June 2020 of the Council of Ministers ([Решение № 418 от 25 юни 2020 година за удължаване срока на обявената с Решение № 325 на Министерския съвет от 14 май 2020 г. извънредна епидемична обстановка, удължена с Решение № 378 на Министерския съвет от 12 юни 2020 г.](#)), 25 June 2020.

<sup>7</sup> Bulgaria, Council of Ministers (*Министерски съвет*), Decision No 418 of 25 June 2020 for extending the duration of the emergency epidemic situation introduced by Decision No 325 of 14 May 2020 of the Council of Ministers and extended by Decision No 378 of 12 June 2020 of the Council of Ministers ([Решение № 418 от 25 юни 2020 година за удължаване срока на обявената с Решение № 325 на Министерския съвет от 14 май 2020 г. извънредна епидемична обстановка, удължена с Решение № 378 на Министерския съвет от 12 юни 2020 г.](#)), 25 June 2020.

including, among others, a protest against racism,<sup>8</sup> a demonstration against construction along the Black Sea coast,<sup>9</sup> and a protest of representatives of the tourist industry.<sup>10</sup> The protests took place peacefully and in compliance with the applicable anti-epidemic measures.

## 1.2 Measures affecting the general population

### 1.2.1 Social distancing

In **Bulgaria**, stay at home was never applied as a general measure and was imposed only on persons subject to mandatory isolation (in a hospital or at home) or quarantine in compliance with an order issued by the Minister of Health.<sup>11</sup> As of the end of June, the persons subject to mandatory isolation and/or treatment in a hospital included: (a) persons aged 60+ (depending on the clinical course of the disease); (b) persons with concomitant chronic diseases and/or immunocompromising conditions (depending on the clinical course of the disease); (c) persons with a severe clinical course (such as shortness of breath or difficulty breathing, sputum or haemoptysis); and (d) persons who could not be isolated and treated at home (regardless of the clinical course of the disease). Persons subject to mandatory isolation and/or treatment at home for a period of 14 days included all persons who tested positive for COVID-19, including those with no symptoms or with mild clinical complaints (body temperature less than 37 °C, cough, malaise, runny nose, sore throat, gastrointestinal symptoms such as nausea, vomiting and/or diarrhoea, without changes in mental status (confusion or lethargy), and without concomitant chronic diseases and/or immunocompromising conditions. Persons subject to mandatory isolation and/or treatment in a hospital, who had refused, explicitly and in writing, to be hospitalised, were also placed under mandatory isolation and/or treatment at home for a period of 14 days. Mandatory quarantine for a period of 14 days was imposed on all persons who had been in close contact with an infected person (according to a definition of close contact provided in an annex to the ministerial order). According to official statistics, as of the end of June 2020, a total of 17,145 persons were staying home due to mandatory quarantine.<sup>12</sup>

In **Bulgaria**, the orders of the Minister of Health laying down the rules on physical distancing when outside the house were changed several times. The changes, however, concerned mostly the places, in which the use of face masks was mandatory, while the rules on physical distancing remained the same as in May 2020. Thus, according to the last set of rules, adopted on 22 June 2020 and valid until 1 July 2020, physical distancing of at least one and a half meters applied between employees at the workplace, between employees and customers, and between customers indoors. Physical distancing of one and a half meters was also mandatory for all persons in public places outdoors (parks, streets, bus stops) unless they were members of the same family or household.<sup>13</sup> The special physical distancing rules for public events (like theatrical performances, concerts, conferences, seminars and

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<sup>8</sup> Markova, D., (Маркова, Д.) (2020), 'Protest in Sofia against racism' (['Протест в София срещу проявите на расизъм'](#)), *Bulgarian National Television*, 6 June 2020.

<sup>9</sup> Fileva, L., (Филева, Л.) (2020), 'A thousand protests demanded the protection of nature from construction' (['Хиляден протест поиска защита на природата от строежи'](#)), *Dnevnik*, 25 June 2020.

<sup>10</sup> Dnevnik (Дневник) (2020), 'Excursion buses blocked downtown Sofia' (['Автобуси за екскурзии блокираха центъра на София'](#)), *Dnevnik*, 15 June 2020.

<sup>11</sup> Bulgaria, Ministry of Health (Министерство на здравеопазването), Order No РД-01-333 on the persons subject to hospital treatment, home treatment and quarantine ([Заповед № РД-01-333 за лица, подлежащи на болнично лечение, домашно лечение и карантина](#)), 12 June 2020.

<sup>12</sup> The number of persons in quarantine is updated on a daily basis. Data for each day since 1 March 2020 is available in [statistics section](#) of the COVID-19 Uniform Information Portal.

<sup>13</sup> Bulgaria, Ministry of Health (Министерство на здравеопазването), Order No РД-01-353 on the introduction of anti-epidemic measures ([Заповед № РД-01-353 за въвеждане на противоепидемични мерки](#)), 22 June 2020.

exhibitions) were changed and all such events were allowed to take place with up to 50 % of the capacity of the venue.<sup>14</sup> Before the change the maximum allowed capacity was 30 % for events taking place indoors, 50 % for events taking place outdoors and up to 20 persons in-group activities with physical distancing of one person per four square meters for other public places like cultural centres, military clubs and youth centres.<sup>15</sup> The ban on mass sports events (both indoors and outdoors) was also lifted and replaced by a limitation of the maximum used capacity of the venue of up to 50 % (or 1,000 persons per sector for football matches) combined with a mandatory physical distance of one and a half meters between spectators.<sup>16</sup>

In **Bulgaria**, during the reporting period, no measures restricting the free movement within the territory of the country were imposed. Only one location were fully quarantined due to an increase of the number of infected persons among their residents. Iztok neighbourhood in the city of Kystendil, with predominant Roma population (about 12,000 people), was locked down on 19 June 2020. The measure was imposed by the local health inspectorate in response to an outbreak of COVID-19 among the residents of the neighbourhood. During the lockdown, access to the neighbourhood was granted only to medical doctors, police officers, officials from the local health authorities and providers of essential services such as water supply, electricity supply and supply to pharmacies and grocery stores. Residents of the neighbourhood were allowed to leave the location only to go to work (including seasonal farm work) and only if they were transported to their workplace and back by transport provided by their employer.<sup>17</sup> Initially, the lockdown was imposed until 30 June 2020, but was subsequently prolonged by one more week until 8 July 2020.<sup>18</sup>

In **Bulgaria**, the public prosecution continued to report regularly on newly instituted criminal proceedings against persons accused of noncompliance with the anti-epidemic measures and more persons found guilty and convicted to probation or suspended imprisonment in combination with financial fines. In the majority of cases, persons were sanctioned for leaving their homes after they were quarantined either because they had been in contact with an infected person in the country or because they have arrived from a country, from which all arrivals were subject to mandatory quarantine.<sup>19</sup>

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<sup>14</sup> Bulgaria, Ministry of Health (*Министерство на здравеопазването*), Order No РД-01-354 on the introduction of anti-epidemic measures ([Заповед № РД-01-354 за въвеждане на противоепидемични мерки](#)), 22 June 2020.

<sup>15</sup> Bulgaria, Ministry of Health (*Министерство на здравеопазването*), Order No РД-01-287 on the introduction of anti-epidemic measures ([Заповед № РД-01-287 за въвеждане на противоепидемични мерки](#)), 30 May 2020.

<sup>16</sup> Bulgaria, Ministry of Health (*Министерство на здравеопазването*), Order No РД-01-354 on the introduction of anti-epidemic measures ([Заповед № РД-01-354 за въвеждане на противоепидемични мерки](#)), 22 June 2020.

<sup>17</sup> Bulgaria, Regional Health Inspectorate Kystendil (*Регионална здравна инспекция Кюстендил*), Order No РД-01-138 on the introduction of anti-epidemic measures ([Заповед № РД-01-138 за въвеждане на противоепидемични мерки](#)), 19 June 2020.

<sup>18</sup> Bulgaria, Regional Health Inspectorate Kystendil (*Регионална здравна инспекция Кюстендил*), Order No РД-01-154 on the introduction of anti-epidemic measures ([Заповед № РД-01-154 за въвеждане на противоепидемични мерки](#)), 30 June 2020.

<sup>19</sup> For all press releases published by the prosecutions service, see the [News](#) section of the website of the Prosecutor's Office of the Republic of Bulgaria.

- The regional court in Stara Zagora sentenced a 20-year old man to probation for one year,<sup>20</sup> and a 20-year old man to probation for 10 months and a fine of BGN 5,000 (approximately €2,500),<sup>21</sup> both for leaving their homes during quarantine.
- The regional court in Veliko Tarnovo sentenced a man to suspended imprisonment for five months and a fine of BGN 10,000 (approximately €5,000),<sup>22</sup> a man to probation for one year,<sup>23</sup> a man to suspended imprisonment for six months and a fine of BGN 10,000 (approximately €5,000), and two men to suspended imprisonment for three months and a fine of BGN 10,000 (approximately €5,000),<sup>24</sup> all for leaving their homes during quarantine.
- The regional court in Elhovo sentenced a woman to suspended imprisonment for three months and a fine of BGN 10,000 (approximately €5,000) for leaving her home during quarantine.<sup>25</sup>
- The regional court in Provadia sentenced a 25-year old man, a woman and a 19-year old man to suspended imprisonment for three months and a fine of BGN 10,000 (approximately €5,000) for leaving their homes during quarantine.<sup>26</sup>
- The regional court in Razlog sentenced a 21-year old woman to suspended imprisonment for three months for leaving her home during quarantine.<sup>27</sup>

<sup>20</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'Upon indictment of the Regional Prosecutor's Office – Stara Zagora a 20-year-old man was sentenced to probation and 100 hours of community service for violating the mandatory quarantine' (['По обвинителен акт на Районна прокуратура – Стара Загора е осъден 20-годишен мъж на пробация и 100 часа безвъзмезден труд за нарушаване на задължителната карантина'](#)), press release, 30 June 2020.

<sup>21</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'In a pre-trial proceedings of the Regional Prosecutor's Office – Stara Zagora, a 20-year-old man was sentenced to probation and a fine of BGN 5,000 for violating mandatory quarantine during the emergency epidemic situation' (['По досъдебно производство на Районна прокуратура – Стара Загора е осъден 20-годишен мъж на пробация и глоба от 5 000 лв. за нарушаване на задължителна карантина по време на извънредната епидемична обстановка'](#)), press release, 26 June 2020.

<sup>22</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'A man was convicted on the accusation of the Regional Prosecutor's Office – Veliko Tarnovo for violating the quarantine imposed on him' (['По обвинение на Районна прокуратура - Велико Търново бе осъден мъж за нарушаване на наложената му карантина'](#)), press release, 24 June 2020.

<sup>23</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'In pre-trial proceedings of the Regional Prosecutor's Office – Veliko Tarnovo, taken under special supervision by the Appellate Prosecutor's Office – Veliko Tarnovo, two persons were convicted of violating quarantine measures' (['По досъдебни производства на Районна прокуратура – Велико Търново, взети на специален надзор от Апелативна прокуратура – Велико Търново, бяха осъдени двама за нарушаване на карантинните мерки'](#)), press release, 9 June 2020.

<sup>24</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'Four persons convicted for non-compliance with quarantine on charges of the Regional Prosecutor's Office – Veliko Tarnovo' (['Четирима осъдени за неспазване на карантина по обвинение на Районна прокуратура - Велико Търново'](#)), press release, 4 June 2020.

<sup>25</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'Under an indictment filed by the Regional Prosecutor's Office – Yambol, a suspended sentence of 3 months of imprisonment and a fine of BGN 10,000 was imposed on a woman from the town of Elhovo, who violated the anti-epidemiological measures' (['По внесен обвинителен акт на Районна прокуратура - Ямбол бе наложено условно наказание от 3 месеца „лишаване от свобода“ и „глоба“ от 10 000 лева на жена от град Елхово, нарушила противоепидемиологичните мерки'](#)), press release, 19 June 2020.

<sup>26</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'Convictions and a fine of BGN 10,000 is the punishment of three defendants for violating the quarantine measures against COVID-19 after approved agreements with the Regional Prosecutor's Office in Varna' (['Осъдителни присъди и глоба в размер на 10 000 лева е наказанието на трима подсъдими за нарушаване на карантинните мерки срещу COVID-19 след одобрени споразумения с Районната прокуратура във Варна'](#)), press release, 18 June 2020.

<sup>27</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'Under an agreement with the Regional Prosecutor's Office – Razlog a woman was sentenced for violating the anti-epidemic measures in the town of Bansko' (['По споразумение с Районна прокуратура – Разлог е наложено наказание на жена, нарушила противоепидемичните мерки в гр. Банско'](#)), press release, 15 June 2020.

- The regional court in Elena sentenced a woman to probation for one year for leaving her home during quarantine.<sup>28</sup>
- The regional court in Lovech sentenced a man to suspended imprisonment for three months for leaving his home during quarantine.<sup>29</sup>
- The regional court in Pleven sentenced twelve persons to probation and six persons to suspended imprisonment for violating the anti-epidemic measures.<sup>30, 31 and 32</sup>

## 1.2.2 Education

In **Bulgaria**, all schools and universities remained closed and the academic year ended online.<sup>33</sup> The presence of children and students in preschool institutions, schools and universities was allowed only for carrying out activities related to the completion of the current school year or the preparation of the next one, provided that it was impossible to carry out these activities remotely in an electronic environment and/or presence in school was required. In all cases, in which the presence of children and students in schools and universities was allowed, school directors and university rectors were obliged to organise the activities in compliance with the applicable anti-epidemic measures.

In **Bulgaria**, in compliance with a decision of the Ministry of Education and Science (MES) (*Министерство на образованието и науката*, МОН), adopted in May 2020, all mandatory exams after fourth and tenth grade, and the optional foreign language exam after seventh grade, which were originally scheduled to take place in May and June, were canceled.<sup>34</sup> All mandatory exams after seventh and twelfth grade were rescheduled and took place in person, in compliance with strict anti-epidemic measures including later start (9 a.m.) to avoid the crowding of persons in front of the schools, reduced number of students in one room to ensure physical distance of between and a half

<sup>28</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'In pre-trial proceedings of the Regional Prosecutor's Office – Veliko Tarnovo, taken under special supervision by the Appellate Prosecutor's Office – Veliko Tarnovo, two persons were convicted of violating quarantine measures' (['По досъдебни производства на Районна прокуратура – Велико Търново, взети на специален надзор от Апелативна прокуратура – Велико Търново, бяха осъдени двама за нарушаване на карантинните мерки'](#)), press release, 9 June 2020.

<sup>29</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'A man was convicted for violating the quarantine imposed on him in a fast-track procedure of the Lovech Regional Prosecutor's Office, taken under special supervision by the Veliko Tarnovo Appellate Prosecutor's Office' (['По бързо производство на Районна прокуратура-Ловеч, взето на специален надзор от Апелативна прокуратура – Велико Търново, осъдиха мъж за нарушаване на наложената му карантина'](#)), press release, 8 June 2020.

<sup>30</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'Four persons were convicted for violating the quarantine imposed on them in cases of the Pleven Regional Prosecutor's Office, taken under special supervision by the Appellate Prosecutor's Office – Veliko Tarnovo' (['Четири осъдени лица за нарушаване на наложената им карантина по дела на Районна прокуратура-Плевен, взети на специален надзор от Апелативна прокуратура – Велико Търново'](#)), press release, 19 June 2020.

<sup>31</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'On pre-trial proceedings of the Regional Prosecutor's Office of Pleven, taken under special supervision by the Appellate Prosecutor's Office – Veliko Tarnovo, four persons were convicted of violating quarantine measures' (['По досъдебни производства на Районна прокуратура-гр. Плевен, взети на специален надзор от Апелативна прокуратура – Велико Търново, бяха осъдени четирима за нарушаване на карантинните мерки'](#)), press release, 12 June 2020.

<sup>32</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'Eight persons were convicted for the period 01.06.-05.06.2020 for violation of the quarantine imposed on them in cases monitored by the Regional Prosecutor's Office – Pleven and taken under special supervision by the Appellate Prosecutor's Office – Veliko Tarnovo' (['Осем са осъдените лица за периода 01.06.-05.06.2020 г. за нарушаване на наложената им карантина по дела, наблюдавани от Районна прокуратура - гр. Плевен и взети на специален надзор от Апелативна прокуратура-Велико Търново'](#)), press release, 12 June 2020.

<sup>33</sup> Bulgaria, Ministry of Health (*Министерство на здравеопазването*), Order No РД-01-354 on the introduction of anti-epidemic measures ([Заповед № РД-01-354 за въвеждане на противоепидемични мерки](#)), 22 June 2020.

<sup>34</sup> Bulgaria, Ministry of Education and Science (*Министерство на образованието и науката*), Order No РД09-1104/19.05.2020 ([Заповед № РД09-1104/19.05.2020 г.](#)), 19 May 2020.

and two meters between students, use of face masks (mandatory) and gloves (optional), and measurement of the body temperature before entry.<sup>35</sup>

In **Bulgaria**, children from socioeconomically disadvantaged background, who were not able to participate in the e-learning process, were provided with the opportunity to receive additional education during the summer. The rules for organising the additional classes were adopted by the government at the end of May 2020 and envisaged up to 120 teaching hours on one or more subjects.<sup>36</sup> Lessons are delivered individually or in small groups of up to ten children, preferably in person, observing the applicable anti-epidemic measures.

In **Bulgaria**, the major universities cancelled most of their admission exams and either replaced them by online exams or announced they were going to admit students based on the results from the final school exams. Only a few universities carried out some of their admission exams in person.<sup>37</sup>

### 1.2.3 Work

In **Bulgaria**, restriction of work was never implemented as a mandatory measure and therefore no specific measures were introduced in relation to return to work. The recommendation to employers to introduce, as far as possible, distance working for their employees, or, where this was not possible, to apply anti-epidemic measures at the workplace, remained valid.<sup>38</sup> The minimum set of anti-epidemic measures at the workplace were defined in an order issued by the Minister of Health. According to the last adopted order (issued on 22 June 2020), these measures included: mandatory disinfection according to a pre-defined algorithm, non-admission to the work premises of persons with symptoms of acute respiratory diseases (fever, cough, difficulty breathing, loss of smell, disturbance or loss of taste, etc.), provision of instructions to staff about proper hand hygiene, provision of soap, water and disinfectant, organisation of work to ensure physical distance between persons of at least 1.5 m, and provision of personal protective equipment to staff depending on the specifics of the work and the risk assessment at the workplace (face masks, helmets, gloves, etc.).<sup>39</sup>

In **Bulgaria**, the socioeconomic measures in the area of employment (financial support to persons whose employment was affected by the state of emergency) continued to apply, including the compensation scheme for covering a share of 60 % of the remuneration of employees, who were not dismissed by their employers during the state of emergency,<sup>40</sup> and the one-off social assistance allowance of BGN 375 (approximately €190) envisaged for parents of children up to 14 years of age,

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<sup>35</sup> Georgieva, D., (Георгиева, Д.) (2020), 'Final exams 2020: Strict anti-epidemic measures await students' (['Матури 2020: Строги противоепидемични мерки очакват учениците'](#)), *Bulgaria On Air*, 29 May 2020.

<sup>36</sup> Bulgaria, Council of Ministers (Министерски съвет), Decree No 100 of 21 May 2020 on amending the Regulation on Inclusive Education adopted by Decree No 232 of the Council of Ministers of 2017 ([Постановление № 100 от 21 май 2020 г. за изменение и допълнение на Наредбата за приобщаващото образование, приета с Постановление № 232 на Министерския съвет от 2017 г.](#)), 26 May 2020.

<sup>37</sup> Bulgarian National Television (Българска национална телевизия) (2020), 'For all candidate students: The new rules and dates in the major universities for the 2020 exam campaign' (['За всички кандидат-студенти: Новите правила и дати в големите университети за изпитна кампания 2020 г.'](#)), *Bulgarian National Television*, 20 May 2020.

<sup>38</sup> Bulgaria, Ministry of Health (Министерство на здравеопазването), Order No РД-01-353 on the introduction of anti-epidemic measures ([Заповед № РД-01-353 за въвеждане на противоепидемични мерки](#)), 22 June 2020.

<sup>39</sup> Bulgaria, Ministry of Health (Министерство на здравеопазването), Order No РД-01-353 on the introduction of anti-epidemic measures ([Заповед № РД-01-353 за въвеждане на противоепидемични мерки](#)), 22 June 2020.

<sup>40</sup> The period covered by the compensation scheme was extended until 30 June 2020 and employers were allowed to submit applications at any time without a deadline.

who had been on unpaid leave for at least 20 days because of their inability to work from home during the state of emergency.<sup>41 and 42</sup>

In **Bulgaria**, no measures were implemented specifically targeting people in precarious work situation apart from the general financial support measures targeting all businesses and employees affected by the anti-epidemic restrictions.

#### 1.2.4 Access to justice

In **Bulgaria**, the courts continued to operate according to the anti-epidemic rules adopted by the Judges' College (*Съдийска колегия*) of the Supreme Judicial Council (SJC) (*Висш съдебен съвет*, ВСС) on 12 May 2020. The rules underwent minor revisions in June, but overall remained the same.<sup>43</sup> They governed the physical access to court buildings, the implementation of anti-epidemic measures within the buildings, the scheduling and publicity of hearings, etc. No specific measures were undertaken to address backlog or increased litigation. As a consequence, the Judges' College (*Съдийска колегия*) of the Supreme Judicial Council (SJC) (*Висш съдебен съвет*, ВСС) sent a formal notification to the Inspectorate of the Supreme Judicial Council (ISJC) (*Инспекторат при Висшия съдебен съвет*, ИВСС) announcing that due to the suspension of cases between 13 March and 13 May 2020, and the anti-epidemic measures introduced afterwards, a significant number of cases were not going finish within the statutory deadlines.<sup>44</sup>

In **Bulgaria**, the Ministry of Justice (MoJ) (*Министерство на правосъдието*, МП) proposed draft legislative amendments for introducing videoconference in civil and administrative proceedings and expanding its application in criminal proceedings. The draft underwent a round of public consultations, which ended on 19 June 2020, and its submission to parliament was planned for the beginning of July 2020. The proposed new rules envisage the introduction of videoconference for interpretation and collection of evidence in civil proceedings, for interpretation and participation of parties in administrative proceedings, and for participation of prisoners and detainees in certain hearings and execution of certain procedural actions in criminal proceedings.<sup>45</sup> The new provisions are not envisaged as a temporary measure but as a permanent alternative to conducting procedural actions in person. According to data presented by the Ministry of Justice (MoJ) (*Министерство на правосъдието*, МП), as of 22 June 2020, 56 courts across the country were using the videoconference systems provided by the Ministry of Justice (MoJ) (*Министерство на правосъдието*, МП), mostly for criminal proceedings. Videoconference contact points were set up in 20 court buildings (some hosting more than one court) and six prisons. For a period of one month, a total of 39 court hearings took place in prisons via videoconference.<sup>46</sup>

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<sup>41</sup> The procedure for granting one-off social assistance allowances for children was re-opened in the beginning of May 2020 with no deadline set for the submission of applications.

<sup>42</sup> For the full set of socio-economic measures, which continued to apply after the end of the state of emergency, see the [social measures section](#) and the [economic measures section](#) of the COVID-19 Uniform Information Portal.

<sup>43</sup> Bulgaria, Supreme Judicial Council (*Висш съдебен съвет*), Rules and measures for the operation of the courts during a pandemic ([Правила и мерки за работа на съдилищата в условията на пандемия](#)), 12 May 2020.

<sup>44</sup> Bulgaria, Supreme Judicial Council (*Висш съдебен съвет*), Rules and measures for the operation of the courts during a pandemic ([Правила и мерки за работа на съдилищата в условията на пандемия](#)), 12 May 2020.

<sup>45</sup> Bulgaria, Ministry of Justice (*Министерство на правосъдието*), Draft Amendment to the Civil Procedure Code ([Законопроект за изменение и допълнение на Гражданския процесуален кодекс](#)), 20 May 2020.

<sup>46</sup> Bulgaria, Ministry of Justice (*Министерство на правосъдието*), '56 courts are actively using the videoconferencing system set up by the Ministry of Justice' (['56 съдилища активно използват изградената от МП система за видеоконферентна връзка'](#)), press release, 22 June 2020.

### 1.2.5 Freedom of movement

In **Bulgaria**, the border restrictions were changed several times during the reporting period. The restrictions, which were valid as of the end of June, were imposed on 19 June 2020 and consisted of an entry ban on all third-country nationals and a list of exceptions.<sup>47</sup> The list of exceptions included, among others, persons with valid residence permits and their families, medical staff, transport personnel, foreign officials, diplomats and persons travelling for humanitarian reasons.<sup>48</sup> Transit through the country was allowed only to nationals or long-term residents of another EU country or a Schengen country and their family members who were returning to their country of residence, and citizens of Serbia, the Republic of Northern Macedonia, Bosnia and Herzegovina, Montenegro, Turkey, Albania and Kosovo who were returning to their country of nationality. Persons arriving to Bulgaria were required sign a declaration that: (a) they had no symptoms of COVID-19; (b) they had not been in contact with a person suffering from COVID-19 during the last 14 days and they were not placed under quarantine; (c) they were familiar with the epidemiological situation in Bulgaria and the risks of infection with the COVID-19 virus; (d) they were going to observe the anti-epidemic measures in Bulgaria; (e) they were travelling at their own risk; (f) the purpose of their trip; and (g) commitment to leave Bulgaria as soon as possible (applicable only to persons transiting through Bulgaria). Persons arriving from Sweden, the United Kingdom and Portugal as well persons arriving from third countries with the exception of Serbia, Bosnia and Herzegovina, Montenegro, Iceland, Norway, Switzerland, Lichtenstein, San Marino, Andorra, Monaco and the Vatican, were placed under mandatory quarantine for two weeks at a place of their own choice by a written order issued by a border health inspector.

In **Bulgaria**, all measures affecting the situation of asylum applicants, announced by the State Agency for Refugees (SAR) (*Държавна агенция за бежанците*, ДАБ) on 14 May 2020, remained valid.<sup>49</sup> International protection procedures continued without restrictions, all newly accommodated asylum applicants in reception centres continued to be placed under quarantine for 14 days, the ban on entry of visitors into reception centres remained valid and those authorised to enter remained obliged to observe the relevant anti-epidemic measures (including measured body temperature below 37 °C and mandatory use of personal protective equipment). Overall, the number of asylum applications submitted during the anti-epidemic restrictions marked a significant decrease. Between 1 March and 30 June 2020, a total of 262 new application were registered, which is much less compared to the same period in 2019, when their number was 660. However, there are no studies examining the

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<sup>47</sup> Bulgaria, Ministry of Health (*Министерство на здравеопазването*), Order No РД-01-374 on temporarily prohibiting the entry on the territory of the Republic of Bulgaria, the exceptions to this ban and the quarantine of entrants from certain countries ([Заповед № РД-01-374 за временна забрана за влизане на територията на Република България, изключенията от тази забрана и поставяне под карантина на влизащи от определени страни](#)), 19 June 2020.

<sup>48</sup> The full list of exceptions included: persons with permanent, long-term or continuous residence status in Bulgaria and members of their families; persons with a residence permit issued in another EU Member State, the United Kingdom or country from the Schengen Area and member of their family; medical professionals, medical scientists, social workers and their managers travelling for a purpose related to their profession; employees involved in supply of medicines, medical products, personal protective equipment and medical equipment; transport personnel engaged in the transportation of persons and goods, crews of aircraft engaged in commercial air transport and other transport personnel as necessary, including ship crews; foreign officials and members of their delegations, as well as diplomats, officials of international organisations, military personnel and humanitarian workers performing their duties; persons traveling for humanitarian reasons; persons directly involved in the construction, maintenance, operation and security of strategic and critical infrastructure in Bulgaria; frontier workers; and seasonal farm workers.

<sup>49</sup> Bulgaria, State Agency for Refugees (*Държавна агенция за бежанците*) (2020), 'Measures to limit the spread of COVID-19 during the emergency epidemic situation' (['Мерки за ограничаване на разпространението на COVID-19 за срока на извънредната епидемична обстановка'](#)), press release, 14 May 2020.

reasons for this decrease and there is no evidence that it is linked to the anti-epidemic measures and travel restrictions introduced during the outbreak.

### 1.3 Impact of measures on particular groups

In **Bulgaria**, the special measures for persons with disabilities, introduced during the state of emergency, continued to apply. These measures included, among other things, remote performance (by telephone or e-mail) of individual needs assessment of people with disabilities, home delivery of food, medicine and essential products through the social patronage care service, home delivery of food through the 'Hot Lunch' programme, extension of the validity of disability assessment certificates (and of the payment of related social assistance allowances), ex-officio recalculation of pensions of working pensioners, purchase of medicines only by presenting a prescription book (without presenting a written prescription by a medical doctor), submission of social assistance applications by e-mail or registered mail, etc.<sup>50</sup> The ban on access of visitors to specialised institutions for persons with disabilities remained valid.<sup>51</sup>

In **Bulgaria**, the Social Assistance Agency (SAA) (*Агенция за социално подпомагане*, АСП) issued new instructions to providers of social services (including residential services) for children, older persons and persons with disabilities related to the prevention of the spread of COVID-19.<sup>52</sup> The instructions included rules on cleaning and disinfection, access control, physical distancing, ventilation, use of protective equipment, and provision of information and awareness raising.

In **Bulgaria**, the anti-epidemic measures in prisons and pre-trial detention facilities, introduced in May 2020, remained valid. They included: mandatory medical examination for signs of coronavirus and 14-day active monitoring of the health condition of all newly admitted inmates; daily monitoring of all inmates with flu-like symptoms; availability of separate rooms for quarantine in each prison and pre-trial detention facility; daily medical control over the sanitary regime and the food units, including the persons working in these units; and spending time outdoors in smaller groups and in compliance with physical distancing rules. Visits between inmates and their relatives continued to take place both in person and via videoconference. On 1 June 2020, several more restrictions affecting the situation of prisoners and detainees were lifted. These included: the ban on transportation of inmates to work sites outside the prisons, the temporary suspension of extended visits (up to four hours), and the ban on meetings with relatives outside prisons and prison leaves (monthly leaves up to two days and home leaves up to five days).<sup>53</sup>

In **Bulgaria**, one more Roma neighbourhood was fully quarantined during the reporting period (as outlined in the section on social distancing on page 4). On 19 June 2020, the local authorities in the city of Kyustendil locked down Iztok neighbourhood with predominant Roma population of about 12,000 people. The local health inspectorate imposed the measure in response to an outbreak of COVID-19 in the neighbourhood. During the lockdown, access to the neighbourhood was granted only to medical doctors, police officers, officials from the local health authorities and providers of essential

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<sup>50</sup> For the full set of measures for persons with disabilities, which continued to apply in June 2020, see the [section for persons with disabilities](#) of the COVID-19 Uniform Information Portal.

<sup>51</sup> Bulgaria, Ministry of Health (*Министерство на здравеопазването*), Order No РД-01-354 on the introduction of anti-epidemic measures (*Заповед № РД-01-354 за въвеждане на противоепидемични мерки*), 22 June 2020.

<sup>52</sup> Bulgaria, Social Assistance Agency (*Агенция за социално подпомагане*), Instructions regarding the prevention of the spread of COVID-19 in social services (*Указания, относно превенция на разпространението на COVID-19 в социалните услуги*), 1 June 2020.

<sup>53</sup> For the full set of measures affecting the situation of prisoners and detainees, see the [section for persons deprived of liberty](#) of the COVID-19 Uniform Information Portal.

services such as water supply, electricity supply and supply to pharmacies and grocery stores. Residents of the neighbourhood were allowed to leave the location only to go to work (including seasonal farm work) and only if they were transported to their workplace and back by transport provided by their employer.<sup>54</sup> Despite the measures, the number of newly infected persons in the neighbourhood continued to grow, increasing from nine to 90 during the first week of the lockdown.<sup>55</sup> The situation was additionally complicated by the arrival of Roma from other cities, hired for the cherry-picking campaign in the region. According to Mayor of Kystendil, many of those persons were not observing the anti-epidemic measures for physical distancing and use of face masks.<sup>56</sup> As a result of the increased number of infected persons, the lockdown, which was initially imposed until 30 June 2020, was prolonged until 8 July 2020.<sup>57</sup> The extension of the lockdown led to a protest by the residents of the neighbourhood, which was discontinued after the local authorities promised to provide assistance to those affected by the restrictions.<sup>58</sup> According to the civil society platform Roma Standing Conference (*Постоянна ромска конференция*), after the protest a meeting between the community and the mayor took place, during which the participants decided that people from the neighbourhood were going to help the police at the checkpoints and serve as guarantors for the residents when going to a nearby store, medical clinic or bank office.<sup>59</sup>

## 2 Selected issues emerging during the COVID-19 crisis

### 2.1 Xenophobic speech, acts of harassment and violent attacks

In **Bulgaria**, since the beginning of the COVID-19 outbreak, an increase of xenophobic speech was registered against Roma. According to Amnesty International, the introduction of restrictive measures in Roma neighbourhoods was accompanied by ‘an increasingly hostile anti-Roma rhetoric, frequently stoked by politicians’, who were exploiting the public health crises to ‘present Roma as a collective threat to the general population’.<sup>60</sup> Representatives of the political party IMRO – Bulgarian National Movement (IMRO-BND) (*ВМРО – Българско национално движение*, ВМРО-БНД), a junior coalition partner in the government, made several statements referring to Roma as a potential threat for spreading the infection.<sup>61</sup> In response to these statements, human rights activists sent a petition to

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<sup>54</sup> Bulgaria, Regional Health Inspectorate Kystendil (*Регионална здравна инспекция Кюстендил*), Order No РД-01-138 on the introduction of anti-epidemic measures ([Заповед № РД-01-138 за въвеждане на противоепидемични мерки](#)), 19 June 2020.

<sup>55</sup> Mediapool (2020), ‘Crisis in Kyustendil due to Covid-19, over 90 infected in the Roma neighbourhood’ ([‘Криза в Кюстендил заради Covid-19, над 90 заразени в ромския квартал’](#)), *Mediapool*, 25 June 2020.

<sup>56</sup> Mediapool (2020), ‘Crisis in Kyustendil due to Covid-19, over 90 infected in the Roma neighbourhood’ ([‘Криза в Кюстендил заради Covid-19, над 90 заразени в ромския квартал’](#)), *Mediapool*, 25 June 2020.

<sup>57</sup> Bulgaria, Regional Health Inspectorate Kystendil (*Регионална здравна инспекция Кюстендил*), Order No РД-01-154 on the introduction of anti-epidemic measures ([Заповед № РД-01-154 за въвеждане на противоепидемични мерки](#)), 30 June 2020.

<sup>58</sup> Falin K., (*Фалин, К.*) (2020), ‘The quarantine in Iztok neighbourhood of Kyustendil is extended by a week’ ([‘Удължават със седмица карантината в кюстендилския кв. „Изток“’](#)), *Bulgarian National Radio*, 30 June 2020.

<sup>59</sup> Roma Standing Conference (*Постоянна ромска конференция*) (2020), ‘Iztok neighbourhood in Kyustendil remains under blockade for another 7 days’ ([‘Квартал Изток в Кюстендил остава под блокада още 7 дни’](#)), press release, 30 June 2020.

<sup>60</sup> Amnesty International (2020), [Stigmatizing quarantines of Roma settlements in Slovakia and Bulgaria](#), Amnesty International Public Statement, 17 April 2020.

<sup>61</sup> For example, see 24 Chasa (*24 часа*) (2020), ‘Dzhambazki from IMRO: Lock down the ghettos everywhere’ ([‘Джамбазки от ВМРО: Затворете гетата навсякъде’](#)), *24 Chasa*, 18 March 2020; Krasimirov, A. and Tsolova, Ts. (2020), [‘Bulgaria’s Roma say some coronavirus measures are discriminatory’](#), *Reuters*, 24 March 2020; Deutsche Welle Bulgaria (2020), ‘In

the Bulgarian Members of the European Parliament,<sup>62</sup> and another one to the Petitions Committee of the European Parliament.<sup>63</sup> There is no information about cases of xenophobic speech, harassment or violence targeting other groups of the population.

## 2.2 Infringement of privacy and/or data protection rights

In **Bulgaria**, on 9 June 2020, the Constitutional Court (CC) (*Конституционен съд*, КС) admitted for consideration the case for reviewing the compliance with the Constitution of the amendments to the Electronic Communications Act (*Закон за електронните съобщения*) allowing the police to obtain access to traffic data of quarantined persons remained pending.<sup>64</sup> The case was opened in April 2020 on the grounds of an application by a group of Members of Parliament, who claimed that the new rules represented disproportionate interference with the right to privacy and the confidentiality of correspondence and communications. The court is expected to decide on the merits of the case in the upcoming months.

## 2.3 Spread of disinformation online

In **Bulgaria**, no new measures were taken by the government to counter the spread of disinformation online. The draft amendments to the Radio and Television Act (*Закон за радиото и телевизията*) aimed to counter disinformation, which were suggested by a group of Members of Parliament on 19 March 2020, were not voted and are still pending in parliament.<sup>65</sup> A number of public institutions and civil society organisation submitted official statements on the draft, including, among others, the Ministry of Justice (MoJ) (*Министерство на правосъдието*, МП), the Ministry of Culture (MC) (*Министерство на културата*, МК), the Council of Electronic Media (CEM) (*Съвет за електронни медии*, СЕМ), and the Supreme Bar Council (SBC) (*Висш адвокатски съвет*, ВАС). The majority of the submitted statements criticised the suggested amendments for the lack of clear definitions of disinformation and incorrect information, for unjustifiably expanding the powers of public authorities to supervise online media, and for violating the freedom of expression and the freedom of the media.<sup>66</sup>

In **Bulgaria**, the independent sociological agency Research Center Trend (*Изследователски център „Тренд“*) conducted a national representative survey on the public perceptions related to the COVID-19 outbreak. The survey was conducted in the period 1-7 June 2020 through semi-structured face-to-face interviews with a sample of 1008 respondents (adults aged 18+). According to the results of the survey, 43 % of Bulgarians believed that the coronavirus was an artificially created disease to allow pharmaceutical companies to generate profit, 40 % believed that it was a biological weapon created to decrease the population on Earth, 23 % shared the opinion that no coronavirus existed and the whole situation was a global deception, 22 % were concerned that the vaccine against the coronavirus

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Bulgaria: "If the coronavirus reaches Roma neighborhoods, there will be a catastrophe" (*‘В България: “Ако коронавируса стигне до ромските квартали, ще настъпи катастрофа”*), *Deutsche Welle Bulgaria*, 27 March 2020.

<sup>62</sup> Committee of Roma in the European Union (*Комитет на ромите в Европейския съюз*) (2020), Petition to the Bulgarian Members of the European Parliament to differentiate from Angel Dzhambazki (*Петиция до българските евродепутати да се разграничат от Ангел Джамбазки*), 20 March 2020.

<sup>63</sup> Marginalia (2020), 'A petition against hate speech used by Angel Dzhambazki is gaining momentum' (*‘Петиция срещу езика на омразата използван поредно от Ангел Джамбазки набира скорост’*), *Marginalia*, 7 May 2020.

<sup>64</sup> Bulgaria, Constitutional Court (*Конституционен съд*), Constitutional Case No 4/2020 (*Конституционно дело № 4/2020*), 22 April 2020.

<sup>65</sup> Bulgaria, Draft Amendment to the Radio and Television Act (*Законопроект за изменение и допълнение на Закона за радиото и телевизията*), 19 March 2020.

<sup>66</sup> For the full list of submitted statements on the draft, see the [website of the parliament](#).

was going to be used for installing chips into people with the purpose to control their behaviour, and 12 % believed that the coronavirus was spread through the 5G technology.<sup>67</sup>

In **Bulgaria**, a report published by GLOBESEC, put Bulgaria in second place among Central and Eastern European countries (after Slovakia) in terms of susceptibility to conspiracy theories and misinformation narratives. According to the report, 56 % of Bulgarians believed in conspiracy theories and misinformation narratives, 52 % agreed that world affairs were not decided by elected leaders but by secret groups aiming to establish a totalitarian world order, 55 % thought that the EU had always schemed to destroy Bulgaria's nuclear energy industry and strip the country of the role of a regional information hub, and 50 % believed NATO was an American scheme to keep Europe subordinate. The outcomes and findings of the report were based on public opinion poll surveys carried out in March 2020 on a representative sample of the population in ten EU member states (Austria, Bulgaria, Czechia, Estonia, Hungary, Lithuania, Latvia, Poland, Romania and Slovakia). The surveys were conducted on a sample ranging from 1,000 to 1,047 respondents using stratified multistage random sampling in the form of computer assisted personal interviewing (CAPI) or computer-assisted telephone interviewing (CATI).<sup>68</sup>

In **Bulgaria**, according to data collected by the Center for the Study of Democracy (CSD) (*Център за изследване на демокрацията*, ЦИД) for the special reports on disinformation of the European External Action Service (EEAS), the articles related to the coronavirus, which appeared in the monitored Bulgarian media (the Bulgarian editions of News Front and Russia Beyond), had revealed a pattern of recurring disinformation narratives, grouped around several major themes, including, among others, the success of Russia in dealing with the pandemic and in the fight against foreign disinformation on the coronavirus, Russia's history of successfully managing large-scale crises, and Russia's donations to Serbia and Russia's oil and gas sector preparedness to cope with declining revenues.

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<sup>67</sup> Research Center Trend (*Изследователски център „Тренд“*) (2020), 'Attitudes of Bulgarians towards the coronavirus and conspiracy theories (June 2020)' (*'Нагласи на българите спрямо коронавируса и конспиративни теории (юни 2020)'*), press release, 11 June 2020.

<sup>68</sup> GLOBESEC (2020), [Voices of Central and Eastern Europe: Perceptions of democracy & governance in 10 EU countries](#), Bratislava, GLOBESEC.