



Statement on BULGARIA

At its meeting in Athens on 2 June 2023 the European Association of Judges (EAJ) was informed that decisions of utmost importance for judicial appointments and careers are made under the jurisdiction of the Supreme Judicial Council in which the judicial members are in a minority. Such decisions of the Supreme Judicial Council -including the election of the presidents of both the Supreme Courts the judicial map and the distribution of financial resources between the courts and prosecutors - are dominated by the non-judicial members elected by politicians and prosecutors, which are hierarchically under the General Prosecutor and thereby also politically influenced.

The EAJ also learned that regarding the recent election of the judicial members several complaints regarding flaws and irregularities in the election procedures, particularly in the case of online voting (secrecy of the ballot, lack of proper documentation, absence of security against unauthorised access) were rejected. Nevertheless, serious doubts remain.

The EAJ therefore urges the Bulgarian authorities to consider making amendments to the jurisdiction within the Superior Council for the Judiciary in order to bring it into line with European standards. Those standards aim to ensure that decisions on the careers of judges are dealt with by an independent body the majority (or at least half) of whose members are judges elected by their peers.

The EAJ also recommends establishing an electoral system for the election of the judicial members of judges, which follows democratic rules of an election and provides safeguards for their application in a transparent way. Without trust in the election of its members, the trust in the Council and in judiciary at large will be jeopardized.