



**BULGARIAN JUDGES ASSOCIATION**  
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To

The European Association of Judges

Dear colleagues,

The Bulgarian Judges Association would like to bring the attention of the members of the European Association of Judges to the following actual problems of the Bulgarian judicial system:

The amendments to the Bulgarian Constitution adopted in December 2024, which provided for the creation of an independent Supreme Judicial Council for judges, with a majority of judges elected by their peers, were declared unconstitutional by a decision of the Constitutional Court in July 2024. As a result of this decision of the Constitutional Court, the structure of the Bulgarian Supreme Judicial Council continues to be contrary to established international standards, as judges elected by judges are less than half of the Council's membership.

The prolonged political crisis in Bulgaria /six early elections have been held in the last three years/ led to the impossibility of electing new members of the Supreme Judicial Council and the Inspectorate to the Supreme Judicial Council, which for more than two years continue to work with an expired mandate.

The Supreme Judicial Council, the prosecutor's office and the executive did not take the necessary actions to clarify doubts about the security of the remote electronic voting system used in 2022 for the election of members of the Supreme Judicial Council by judges and prosecutors. The recommendations of the European Judges' Association in its statement of the Athens meeting of 2 June 2023 for the introduction of an electoral system for the election of members of the High Judicial Council that follows the democratic rules of elections and guarantees their application in a transparent manner have also not been implemented.

Therefore, the Bulgarian Judges Association would be grateful should the European Association of Judges issue a statement on the abovementioned issues.

We would propose the following text of such statement:

The European Association of Judges (EAJ) expresses its deep concerns that the Supreme Judicial Council has not taken into account its statement from the Meeting in Athens on 2 June 2023 on the need to introduce secure and transparent electronic system for the election of its judicial members for the next turn of office.

Since it is the EAJ's understanding that after the 2023 constitutional reform failed the Supreme Judicial Council, where the judges appointed by judges are still a minority a new round of elections is pending and being prepared, it is strongly worrying that the issues of the security and the integrity of the electronic voting systems have neither been scrutinized nor taken care of. Moreover, as the EAJ understands, these issues have never been put to serious debate in the Supreme Judicial Council since the statement of Athens.

Therefore, we urge the Supreme Judicial Council of Bulgaria to urgently update its electronic voting systems in an open and transparent procedure, allowing independent scrutiny before the implementation of any system that will be used for a judges' vote. We also request the Council not to press any elections before the full implementation of such a system, which is proven to be reliable, secure and safeguarding the vote's secrecy.

We would also like to encourage the European Commission, which is still overseeing several projects with EU financing to investigate the matter and to act promptly in accordance with article 19, paragraph 1, second sentence TEU in order to secure the effective electronic voting process, which will provide the judges with confidence that their vote is neither manipulated nor made known to other persons without their consent. We strongly believe that shall this not be implemented, financial restrictions are an appropriate measure to be applied and request the European Commission to consider them.

Tatyana Zhilova

Chairperson of the

Bulgarian Judges Association