The Media freedom White Paper

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The Media freedom White Paper is a project of the Union of Publishers in Bulgaria,
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01

The Situation of the Bulgarian Media

Over the past ten years, the situation of the Bulgarian media market has been systematically deteriorating.

On one hand, the media business model is exposed to pressure by internal and external market factors that make it increasingly unattractive.

On the other hand, but also as a result of the above, the quality of the media product is constantly deteriorating. This can be measured by non-compliance with the generally accepted international journalistic rules and standards, the ease with which fake news is accepted and disseminated, and an increasingly limited freedom of speech.

Media freedom

Bulgaria has suffered a worrying trend of a declining stance in the objective international rankings measuring freedom of media and journalism around the world.

According to the Word Press Freedom Index[1] of the Reporters Without Borders organization in 2017, the country ranks 109th out of 180 countries and thus comes last out of all EU member states.

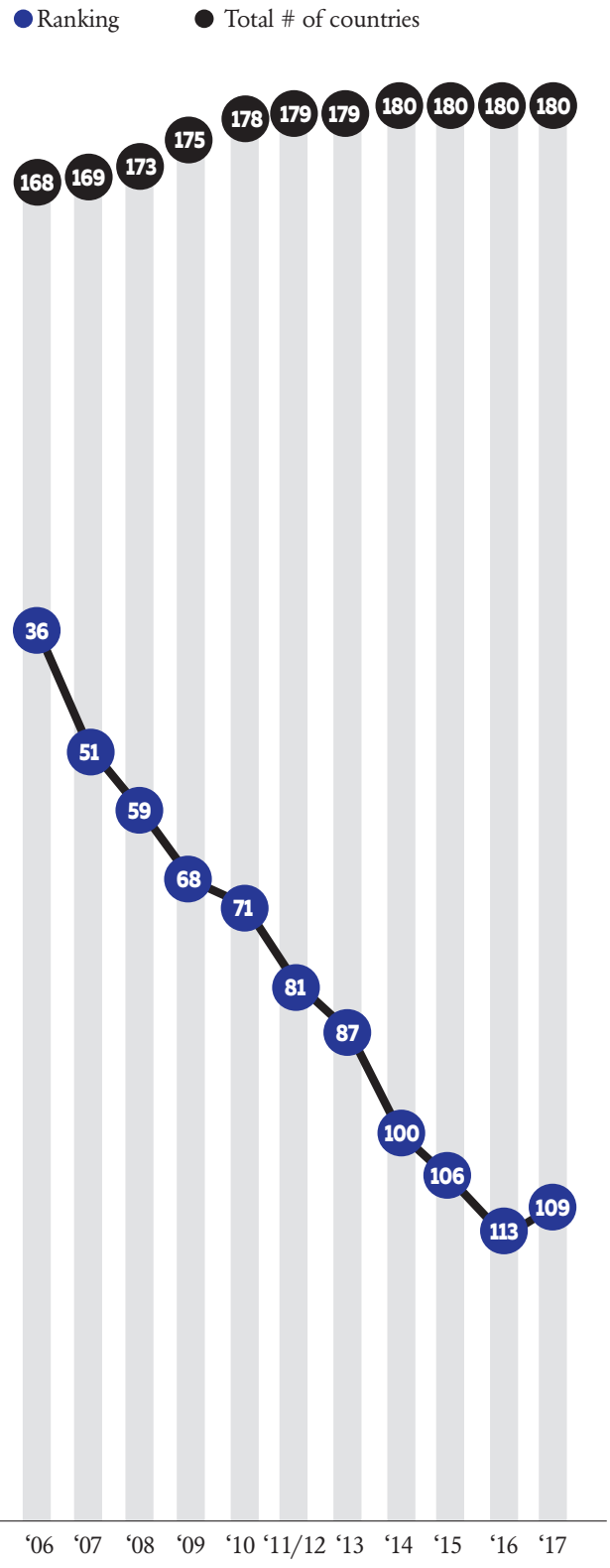
The main reasons indicated in the report are an environment dominated by corruption, ties between media, politicians and oligarchs, and the MRF (ethnic Turks dominated Movement for Rights and Freedoms) MP Delyan Peevski, who owns six newspapers and controls 80% of the distribution market in Bulgaria through his group "New Bulgarian Media Group ", which was provided as an example. Another negative factor indicated is the fact that the process of directing European funds to certain media creates dependence and lack of transparency.

With this position, Bulgaria heads the group of countries that are said to be in a "bad state". There are only three other countries like that in Europe - Macedonia (111), Russia (148) and Turkey (155). Countries such as Trinidad and Tobago, Ghana, Belize, Burkina Faso, Mongolia, Kyrgyzstan and many others are far ahead of Bulgaria.

By comparison, in 2006 the media environment

[1] https://rsf.org/en/bulgaria

Bulgaria' downfall in the World Press Freedom Index of Reporters Without Borders



ranked Bulgaria 36th out of a total of 168 countries. The ostensible decline in ranking over a decade indicates a collapse in the confidence in the media product. (Graph)

During a visit to Bulgaria in 2012, the EU Commissioner for Digital Technology Neelie Kroes addressed this matter by saying: "The case with Bulgaria seems alarming"[2] and adding: "When we talk about media freedom, meaning the protection of core values, not all EU countries enjoy this freedom and we need to fight for it."

Another international observation confirms this negative trend. In its report on the Freedom of Media in 2017, Freedom House[3] gave Bulgaria a total of 42 out of 100 points. (According to the

[2] http://www.bghelsinki.org/bg/novini/bg/single/evrokomisar-neli-krus-situaciyata-s-mediite-v-blgariya-e-trevozhna/
[3] https://freedomhouse.org/report/freedom-press/2017/bulgaria

methodology, absolute media freedom is present at 0 points). Once again – for comparison purposes - in 2006 media freedom was awarded only 34 points, which means that in 10 years the situation has worsened twofold.

The Media Business Model

The second important process taking place on the Bulgarian media market is that it is becoming increasingly unattractive from a business perspective. Business logic has recently been suffering a crisis due to the introduction of new technologies. This change in the environment destroyed traditional business models of the print media first of all, with the same now also happening to broadcast television.

Thanks to the Internet, information is now reaching the users in a completely new way - via phones and tablets. As a result, companies are trying to reach their customers using new channels and abandoning the traditional printed and television advertising. For example, half of the global digital advertising market is held by Google and Facebook[4]. Traditional media outlets need to reconsider their business model in order to regain their readers and users.

Another serious shock to the media market came from the economic cycle and the crisis following the bankruptcy of Lehman Brothers in 2008. It is only now, ten years later, that Europe is seen as fully recovering from it. As a result of the crisis, investments declined, consumption dropped, banks around the world were in a difficult situation. Peripheral countries like Bulgaria suffered the most.

Media business is pro-cyclical and, logically, it was one of the industries hit the hardest. These two objective factors turned Bulgarian media into an unattractive business, both for international and Bulgarian strategic or financial investors. A massive change of ownership in the Bulgarian media market followed, accompanied by the withdrawal of most foreign investors:

> In 2010, the German Westdeutsche Allgemeine Zeitung sold the largest publishing group in Bulgaria to a group of investors with predominantly Bulgarian representatives.

> In 2011, the Swedish media group Bonnier sold the Pari newspaper to the largest economic media group, Economedia.

> In 2013, the Swedish group Sanoma Magazines International withdrew from the market after several difficult years for its business. The group sold its online media, united in Net Info, belonging to Radosvet Radev - owner of the first private radio in Bulgaria, "Darik" radio. The magazine business, including Cosmopolitan, ELLE, Harper's Bazaar, Men's Health, National Geographic, Blyasak, and others, has remained in the hands of the Bulgarian partners of Sanoma - Krasimir and Dimitar Drumev.

The same is the trend in the electronic media market.

> At the end of 2011, ProSieben, which owned the SBS radio stations in Bulgaria (Veselina Radio, Vitosha, Magic FM Radio and The Voice TV channel), left the market.

> At the end of 2012, the American Emm Communications sold the radio stations FM +, Radio Fresh and Star FM to the Bulgarian Reflex Media, previously unknown to the media market.

[4] https://www.reuters.com/article/us-alphabet-facebook-analysis/google-facebook-show-power-of-ad-duopoly-as-rivals-stumble-idUSKBN1AD1ZY

The process is still active to this day. For a similar strategic reason, the two major private televisions are currently for sale: bTV ("BTV Media Group", part of Central European Media Enterprises) has to be sold based on a decision of the US anti-monopoly regulator due to the merger of AT&T and Time Warner.

The owner of Nova TV, the Swedish Modern Times Group (MTG), announced that it is leaving traditional television and will focus on its digital platforms for electronic sports, online gaming and video networks.

Parallel to the withdrawal of foreign investors, there was a market shift among the publishers with Bulgarian capital. The appearance of politically motivated owners who perceived the media as a tool for impact, control and public influence, as opposed to business-oriented investors, can be observed.

Over the past ten years we have witnessed a dangerous concentration of media ownership and influence from a group of people united around the MRF MP Delyan Peevski.

Media controlled by him does not operate based on the market principle, but relies on artificial support, so as to be able to defend the behind-the-scenes interests of their owners.

The media are used to gain control, defeat opponents, maintain the political status quo, distort public opinion to the extent of total reality shift. This process is one of the main reasons for the collapse of confidence in the media environment in Bulgaria, also reported by the objective research. ●

02

Who is Delyan Peevski

In early 2016, German newspaper Der Spiegel published with an article titled "The Bulgarian politician Peevski: The Iceberg of Corruption"[5]. The article refers to Delyan Peevski as one of the most controversial figures in Bulgarian public life. According to his critics, he has climbed to the political heights at the age of 35 as a result of corruption and ties with criminal networks.

At the age of 21, Peevski, born in 1980, was the youngest member of a political cabinet as a parliamentary secretary of the Ministry of Transport. That is how he entered the board of directors of the state owned Varna Port. It was alleged that Peevski was a law student, but public information about the exact university he attended is contradictory.

His career continued with important positions in state institutions, relying heavily on his political ties. Peevski was a police investigator (even though he lacked the necessary experience), deputy minister for disasters and accidents, where he was responsible for the State Reserve.

He was discharged because of serious political and corruption scandal, and later recovered his position as an investigator and then as a deputy minister.

After 2009 Delyan Peevski became an MP from the MRF quota. In 2013, he was elected by the

[5] http://www.spiegel.de/politik/ausland/bulgarien-dps-abgeordneter-deljan-peevski-sorgt-fuer-kontroverse-a-1074203.html

National Assembly as head of SANS (State Agency for National Security), a decision that caused public discontent and mass protests that lasted for more than a year.

In the period after 2007, Delyan Peevski's family started to accumulate assets - initially they bought media, and then key companies for the Bulgarian economy.

All of that resulted from his partnership with the banker Tsvetan Vasilev, who was the majority owner of the fourth largest bank - Corporate Commercial Bank (CCB), at the time.

Peevski does not appear as a direct owner in the acquired companies, in most cases the owner is his mother, Irena Krasteva. The companies were acquired with CCB loans.

In 2014 the Peevski-Vasilev partnership collapsed and the bank was lead to bankruptcy after a synchronized action by the Peevski media and prosecutor's office, resulting in a massive money withdrawal and loss of liquidity.

After CCB's bankruptcy most of the assets acquired with loans, remained under Peevski's control, including the media. His empire also includes the biggest equipment trader Technomarket with a turnover of BGN 300 million (EUR 150 million) per year, the cigarette producer Bulgartabac, various construction companies, real estate companies and others.

Over the years Delyan Peevski has created a network of dependencies in the judiciary, thanks to a number of factors: his political power, the media influence and the financial backing of CCB. Peevski's connections reach the current Chief Prosecutor Sotir Tsatsarov, who has repeatedly used the institution managed by him to support the interests of the MP from MRF and to deal with his alleged opponents.

The Media Group of the MP from MRF Delyan Peevski

Delyan Peevski started building his media empire as early as 2007 with the acquisition of the newspapers Monitor, Telegraph and Politika from the former publisher Petyo Blaskov. These media were facing serious financial difficulties and had been looking for a buyer for a long time. They were purchased by the newly established company "New Bulgarian Media Group Holding" (NBMG), owned by Peevski's mother Irena Krasteva. The transaction was financed by CCB.

Over the first years Peevski did not appear as the owner, although he controlled both the editorial policy and the business. Later on, in 2014, the MP called the newspapers "my media", and a year later his mother transferred him 50% of the ownership. Thus, he actually "came out".

Step by step, partnering with and relying on the financial backing of the banker Tsvetan Vasilev, Peevski built his media empire, which was gradually expanded with national and regional newspapers, television channels, news portals, distribution agencies, publishing house, a people-metric agency, digital television broadcast infrastructure, etc.

The family bought companies distributing print

media and currently controls more than 80% of the distribution market. For a period of 7-8 years the group has invested (by conservative estimates) over BGN 500 million in the media.

The investment of the group only in TV7 was BGN 300 million, the newspapers took up over BGN 120 million. and another BGN 80 million were credited by the bank for the construction of a publishing house in Sofia. The loan, including the interest, exceeds BGN100 million

Two years after the bank's bankruptcy Delyan Peevski took back the publishing house via one of his firms at a public sale by a bailiff for BGN 4.4 million If we look at the broader picture and calculate the amount for the acquisition of NURTS (a set of antennas for distribution of the nationally-covered radio-TV signal) and the funds needed for the interest under the loans, the investments in the media to date would probably reach about BGN 800 million (EUR 400 million).

Where there is no direct ownership, Peevski gained control in the form of pressure through distribution, credit allocation by CCB or as a covert participation and influence on the editorial policy. This may be easily illustrated by the topics and the points of support in the allegedly independent media, following the tone set by Monitor and Telegraph.

Over the period 2007-2012 Delyan Peevski started buying the print media distribution companies. He acquired both the National Distribution Agency and some smaller regional distribution companies. The business is consolidated mainly in two companies that received funding from CCB - "Carne M" and "VIP Properties". Later on there was a further consolidation under the cigarette manufacturer Bulgartabac - Tabak Market (both companies controlled by Delyan Peevski).

"Tabak Market" filed a request[6] to the Commission for the Protection of Competition (CPC) to authorize a deal for the acquisition of eight print media distributors. This transaction had a key significance because it concentrated in a single company the business involving sale of cigarettes, on one hand, and on the other - the distribution of printed media.

At that point Peevski received serious support from the state in the face of the CPC. The regulator did not find Delyan Peevski's connection with the buyer and the sellers, although such can be proven, and allowed the deal. This inaction of CPC actually allowed for the total monopolization of the print media market.

In the following years the Tabak Market network (known under the trade name Lafka) was expanded around the country with the support of the institutions, this time on a local level. The scheme can be illustrated with the case in Blagoevgrad, but applies to dozens of other places throughout the country.

Tabak Market submitted an investment proposal to the municipality to put cigarette and newspaper pavilions in the city. The mayor at the time (from GERB, the party of PM Boyko Borisov) personally

[6] http://reg.cpc.bg/Decision.aspx?DecID=300038294

put it for discussion by the municipal council, which voted in support of it. The sites were provided without a tender or a competition. They are in top locations in the city centre, in residential districts and on public transport stops and within metres of already existing points of sale. The case provoked protests by the other merchants who participated in tenders for the sites, but they did not result in any changes.

Similarly, in dozens of other cities the municipal councils allowed Lafka to receive attractive terrains without competition and at preferential prices. At present, the chain has over 1,000 outlets in 130 towns and villages.

Peevski's involvement in the media market in Bulgaria leads to its splitting in 2012, when a second, alternative alliance of publishers was created - the Bulgarian Media Union. A year earlier some of the media left the only industrial organization at the time - the Union of Publishers in Bulgaria. The media under Peevski's control jointed the new Union and Peevski himself became the chairman of the new organization.

Thus, the media orbiting the MP from MRF on one hand and on the other those asserting their independence, became clearly visible on the market. In the years following, publishers and journalists from the Union of Publishers in Bulgaria were subjected to a systematic pressure.

The true meaning of Peevski's investments in the media is far from the desire to profit from classical publishing. The media is a necessary tool for shifting the topics on the public agenda, elimination of opponents or for support of individual interests, control of the information reaching the public. It is often used for political racketeering.

Two examples may be used to illustrate the above claims

In 2009 Bulgaria had parliamentary elections. The polls showed that the then mayor of Sofia and current prime minister for a third term Boyko Borisov would win the elections. At that time he was an opponent of the group around CCB and Delyan Peevski.

For several months the Peevski-controlled media conducted a smear campaign against GERB and the leader of the party - Borisov, and the stylistics fell to levels where he was likened to a pumpkin. Immediately after the elections and following an arrangement with the new Prime Minister Borisov, the media drastically changed their attitude and started praising all his actions.

Another example is the behavior of the Peevski media in the spring of 2014, after it became clear that the two partners - Tsvetan Vasilev and Delyan Peevski - had a serious conflict. The MP used all his media tools in an attack on the bank and against his ex-partner Vasilev, whom he accused of draining the bank, committing a theft and an attempted murder.

His media generated public tension and panic

that knocked down the bank within a matter of days. At that time CCB's networks of influence in the state shifted towards the MRF deputy Delyan Peevski.

The "CCB" model

The media in Delyan Peevski's orbit represent an important element of a model known as the Model #Who or the CCB model. A powerful influence trading scheme was formed around CCB, which served the interests of those currently in power.

Due to their media power and through the funding of a number of non-bank initiatives (including political parties)[7], the owner of the bank Tsvetan Vasilev and his then partner Delyan Peevski gained significant influence on both the ruling party and the opposition and on the independent public opinion leaders. The state, instead of opposing to this model, supported it by concentrating deposits of public enterprises in CCB. This took place in the midst of a global financial crisis when all other banks and investors had limited resources.

This model lead to a continuous reproduction of political power and control over key economic assets, the Supreme Judicial Council, the Prosecutor's Office, independent institutions and regulators.

As a result, the banking supervision at the Central Bank and the Financial Supervision Commission turned a blind eye to the vicious practices of CCB, such as the provision of loans to related parties. Later on in 2014, the non-banking behavior of CCB brought it to bankruptcy. The direct cost of this bankruptcy is estimated at over 5% of Bulgaria's GDP.

The captured state

After the bankruptcy of CCB and the subsequent fall of the government of Plamen Oresharski, the attempts for completely conquering the state and for secondary plundering of the assets of CCB continued.

An obstacle to the complete subordination of state institutions was the participation of the Reformists Block in the "Borisov 2" Government. The block consisted of parties and political leaders who asserted their independence from the interests of the group around Delyan Peevski, which in turn shifted the support of its media group to the government of GERB and Boyko Borisov.

Over the next three years (2014-2017) there was a massive coordinated campaign carried out by the media controlled by Peevski, the prosecutor's office and Boyko Borisov for fragmentation of the democratic community and discrediting its political leaders.

This massive campaign left the Parliament without a single political representative of the democratic parties and around 20% of the population of Sofia and other big cities remained without political representation in the National Assembly.

The victory of GERB and the nationalists in the parliamentary elections in 2017 and the formation of the "Borisov 3" cabinet with the tacit support of

[7] www.ktbfiles.com

MRF, opened the door to full 'privatization' of state institutions.

The peculiar "Peevski" model, bringing together the political and personal interests of the leaders of several parties around the "Borisov 3" cabinet was consolidated. It already holds 2/3 of the votes in the parliament and has a strong influence on the only opposition party in the parliament – BSP (Bulgarian Socialist Party).

A number of new tools disguised as combating corruption, were introduced to limit basic civil and property rights.

The main tools used to ensure the captured state of Bulgaria, include:

Damaging reputation through fictitious prosecution charges

Prior to the presidential elections in 2016 and the parliamentary elections in 2017 dozens of political charges were raised by the prosecutor's office against pro-Western and pro-EU leaders, among which the former Foreign Minister Daniel Mitov, his deputy Hristo Angelichin, the presidential candidate and former minister of Economy Traycho Traykov, the former Deputy Prime Minister Simeon Dyankov, the former defense minister Nikolay Nenchev, the former health Minister Petar Moskov, the MP Grozdan Karadzhov and many others.

The last three are from the reformist block - the party that was designed to oppose to the political status quo and the corruption. All prosecution actions were loudly publicized by Delyan Peevski's media.

Another tool equally damaging as the indictments by the prosecution against public leaders inconvenient to the "Peevski" model, was the absence of charges. Very often the preliminary investigations and the threat of indictments are sufficient to hold key institutions, parliamentarians, decision makers and the media in a dependent position. Thus the prosecution influences the operational activities of a number of independent regulators and institutions, including the legislative activity of the parliament.

Civil forfeiture

In 2012 new legislation was adopted, introducing the so-called civil forfeiture - a tool for confiscation of property acquired illegally without a final verdict against the person inspected.

This is a very powerful and extreme mechanism that runs along the line between the public interest and human rights, as evidenced by the debate on the subject in other countries where it has been introduced[8].

To protect the public interest, it is crucial that the law enforcement bodies in the country comply with the international standards of independence, impartiality and professionalism.

For years the European Commission has been warning[9] that the Bulgarian judicial authorities have difficulties in defending the rule of law. Thus, powerful mechanisms such as civil forfeiture

[8] https://rm.coe.int/16806eeeba
[9]https://ec.europa.eu/info/strategy/justice-and-fundamental-rights/effective-justice/rule-law/assistance-bulgaria-and-romania-under-cvm/reports-progress-bulgaria-and-romania_en

become a tool for assault against individuals inconvenient to the government to the point of their complete elimination from the economic world.

Moreover, the Bulgarian legislation comes into conflict with the Directive 2014/42 / EC of the European Parliament and of the Council of April 3, 2014 on the freezing and confiscation of instruments and proceeds of crime in the European Union.[10]

It stipulates that the Member States shall take the necessary measures in order to carry out the confiscation, in whole or in part, of instruments and proceeds or property of equivalent value to those instruments and proceeds of crime, subject to a final decision of a court for a crime, including as a result of proceedings in absentia. The only case of confiscation of property without a conviction that the Directive allows, is where the defendant has absconded.

In Bulgaria the property status inspection procedure starts only after an indictment by the prosecution, which is not subject to judicial review. The verification of the compliance between the income and the assets takes place on the grounds of an unpublished methodology that has never been subjected to an external audit.

That allows the responsible authority - the Commission for Forfeiture of Unlawfully Acquired Property (CFUAP) to make unsubstantiated, politically motivated conclusions for which, however, its members bear no statutory responsibility.

The procedure is secretive (without the involvement of the inspected party) until the submission of a request for precautionary measures to the court. The imposition of security measures on the property (attachments and foreclosures) by the court of first instance virtually lacks any judicial review, since the court has only 24 hours to get acquainted with the materials, which in most cases include thousands of pages.

After the imposition of the security measures the Commission has three months to submit a claim for forfeiture of property. The proceedings often last for years before the court of first instance and the security measures imposed remain in effect for the entire duration of the proceedings.

These extraordinary powers are provided to the commission with the argument that it needs a strong tool to forfeit assets acquired by criminals. However, over the past four years there have been very few examples. This is due both to the fact that the commission is bound by the activities of the prosecutor's office and to the vague methodology enabling it to apply double standards.

Legislative changes exerting pressure on the court and limiting key rights

The third Borisov government launched a major legislative reform, introduced as "fighting corruption". It includes amendments to the criminal procedure, the anti-corruption legislation and the structure of the judiciary authorities.

The establishment of a unified anti-corruption body including CFUAP, is used as a pretext for

[10] http://eur-lex.europa.eu/legal-content/BG/TXT/?uri=CELEX%3A32014L0042

further expansion of CFUAP's powers. Thus, for example CFUAP will not be bound by the results of tax audits or judicial decisions revoking them, i.e. CFUAP stands above the court. [11]

Later on, in the summer of 2017 large-scale amendments in the criminal proceedings, adopted without any public debate, limited the rights of the defendants and consolidated the powers of the prosecution. For example, an "automatic" detention was introduced for persons who have been indicted in their absence.

Another amendment introduced an opportunity for continuation of the proceedings in the absence of the lawyer (even if it is for valid reasons), but never in the absence of the prosecutor. The procedure enabling the defendant to request the case to be submitted to court after the expiry of a certain period of time after the indictment, was also eliminated.

Some of these amendments have been challenged before the Constitutional Court by the bar association[12] and the Supreme Court of Cassation. [13]

Another amendment in the Judiciary Power Act, adopted without any public debate as well, provides an opportunity to the prosecution to remove judges for an indefinite period of time without any judicial review of such authority.

The law stipulates that a judge, prosecutor or investigator is automatically removed from office if charged with an indictable offense. The prosecutor's office has complete discretion upon determining the persons to be charged and its decision is not subject to review by the court.

As a result of the significant amendments to "Chapter 26" in practice, except for absolute prescription, there are no other guarantees to limit the time during which a person may be charged, i.e. the prosecution may remove judges for years. This amendment has been criticized by the Venice Commission with the Council of Europe,[14] which lead to its partial revocation. However, the mechanism for removal of judges remains but only if they have been convicted of crimes related to their profession.

Another major amendment adopted by the government in the summer of 2017 is related to the transfer of cases involving a broad category of high-ranking officials to the Specialized Criminal Court, which so far has had jurisdiction over organized crime and terrorism cases.

This change is not supported by solid arguments, as far as the analysis of the specialized courts made by the Supreme Court of Cassation[15] has questioned the effectiveness and quality of the specialized court.

The legislative change that led to the relocation of cases to the specialized court is accompanied by other changes related to the remuneration of judges (without an equivalent in the other courts and based on the discretion of the administrative head) and the mechanism of their appointment (commissioned from other courts without a competition, once again only at the discretion of the head of the court).

[11] http://www.parliament.bg/bills/44/754-04-179.pdf
[12] http://www.vas.bg/bg/a/visshiyat-advokatski-svet-na-osnovanie-chl-150-al-4-ot-konstitutsiyata-na-republika-blgariya-sezira-konstitutsionniya-sd-na-republika-blgariya-s-dve-iskaniya-za-ustanovyavane-na-protivokonstitutsionnost-na-slednite-razpredbi-ot-normativni-aktove
[13] http://vks.bg/vks_p02_0441.htm
[14] http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2017)018-e
[15] http://vks.bg/Docs/analiz_spec_sud_2012-2015.pdf

Cumulatively the above changes turn the Specialized court into an extraordinary court. This provoked the SCC to challenge the amendment before the Constitutional Court.

Hegemony of the Attorney General over the other authorities

The common element of all these changes is that they coincide entirely and exclusively with the Attorney General's vision of the reforms. At the same time, no recommendations for introduction of mechanisms for control and accountability of the attorney general have been submitted to the legislature. The problem with the absence of such mechanisms has been repeatedly noted:

> in the Independent technical analysis of the structural and functional model of the Prosecutor's office of Bulgaria, prepared by a group of prosecutors of other EU member-states [16]

> repeatedly in the EC reports prepared within the Mechanism for Cooperation and Verification, including in the last one from November 2017 [17]

> by the Venice Commission [18] in the judgment of the European Court of Human Rights on the Kolevi case against Bulgaria. [19]

The changes introduced over the last year combined with the unresolved systemic problem with the state prosecution, namely the inviolability of the Attorney General, his long term of office, the lack of any accountability and the very limited judicial control over prosecutorial acts issued during the investigation phase, have turned the Attorney General into an extremely powerful figure, having hegemony over the other authorities.

Elimination of the control over wiretapping

As a result of the judgment on the case in the European Court of Human Rights "Association for European Integration and Human Rights and Ekimdzhiev against Bulgaria".[20] Bulgaria is obliged to establish an independent body to oversee the implementation and use of special intelligence means - i.e. a Control Bureau for special intelligence means, which, based on complaints submitted by citizens, may inspect the entire process of application, authorization and implementation of wiretapping, surveillance and other methods violating citizens' privacy. This bureau was closed in 2010 and restored in 2013.

Following the reintroduction of the Bureau, it started active work by detecting hundreds of violations in the operations of the security services and the courts, which have violated the rights of citizens. Some of the illegally bugged individuals are politicians, magistrates and according to the chairman of the Bureau Boyko Rashkov - journalists, as well.

The findings of the Bureau and its position generated tension between its members on the one hand, and the security services and prosecutors on the other.

It escalated to a point that after the intervention

[16] http://www.mjs.bg/Files/Executive%20Summary%20Final%20Report%20BG%2015122016.pdf
[17] https://ec.europa.eu/info/sites/info/files/comm-2017-700_en.pdf
[18] http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2017)018-e
[19] http://hudoc.echr.coe.int/eng?i=001-95607
[20] http://hudoc.echr.coe.int/eng?i=001-81323

of the prosecutor's office in July 2017, the Deputy Chairman of the Bureau Georgi Gatev was declined access to classified information, the direct effect of which was his de facto removal from office.

The Supreme Bar Council issued a declaration on the matter criticizing the prosecutor's office, describing its actions as a "disproportionate interference with the authorities of this body."

The attack continued and in early December the Chairman of the Commission for Control of Special Intelligence Means Boyko Rashkov submitted to the parliament extremely troubling data of mass illegal bugging of MPs, magistrates and journalists by the prosecutor's office and the secret services.

This illegal method of collection of sensitive information and the coordinated leaks of such information to the media controlled by Delyan Peevski, is an essential part of the pressure exerted on the political opposition and the independent media. ●

03

Systematic pressure on the independent media

All these tools of pressure and repression have been fully applied against key members of the Union of Publishers in Bulgaria, as well as against other independent media and leading investigative journalists.

Pressure on Economedia and Ivo Prokopiev

Over the period 2009-2013 the printed media of Economedia – Capital weekly and news portal Dnevnik published a series of journalist investigation reports on the emergence of the CCB model, the concentration of deposits of public enterprises in the bank, the funding and acquisition of media using loans from the bank, lending in favour of related parties, endangering the money of depositors.

The investigations of Capital and Dnevnik were fully confirmed in 2014, when the bank went bankrupt and the auditors found that 84% of the loan portfolio included loans to related parties. The expected recovery after the liquidation is less than 10% of the assets.

The investigations of corruption schemes around CCB sparked a series of hostile actions against Economedia, one of its publishers Ivo Prokopiev and leading journalists of the media group.

Immediately after the first investigations in 2009 the Peevski media started a massive negative campaign against Prokopiev and the publications of Economedia. More than 1,000 articles, applications and books were published. The

campaign continues to this very day with the same false allegations, despite the large number of lawsuits (a total of 12) for defamation and tort that Prokopiev has won against Peevski's publications.

Later on in 2013 the state took active participation in the campaign against Economedia. The first peak of these attacks was during the government of Plamen Oresharski and involved a total pressure exerted over numerous government institutions - tax inspections, prosecutors and police investigations, fines imposed by the financial regulator, fines by the Commission for Protection of Competition and many others.

An operation for hostile takeover of Economedia was organized by accelerating a bank loan, but the quick intervention of the court and the early repayment of the loan eliminated the danger.

The second peak of the government attacks against the media group started in early 2017, after the indictment of Ivo Prokopiev by the prosecutor's office. He was accused that as a result of his public statement regarding the measures required to overcome the financial crisis at the National Council for Tripartite Cooperation (NCTC) in 2009 in his capacity as a representative of the employers, he incited the then Deputy Prime Minister and Finance Minister Simeon Dyankov to commit a crime two years later by selling minority state holdings on the stock exchange.

On two instances the court ruled that the indictment was unfit for hearing due to grave procedural violations and logic collapses therein and returned it to the prosecutor's office. The prosecutor's office, however, continues to insist on the same text and now it has been submitted to the Specialized court.

The real objective of this false accusation is to trigger an inspection by the Commission for Forfeiture of Unlawfully Acquired Property.

In a flagrant violation of the law, disregarding a final court judgment and going far beyond the mandate of its activity, under the pressure of the prosecutor's office in November 2017 CFUAP initiated proceedings against Prokopiev and his family. As a result, 100% of the company which owns a majority stake in Economedia and other shareholdings, were seized. The measures have been challenged in court. The director of CFUAP was personally appointed by the Prime Minister Boyko Borisov.

The continuous checks, institutional attacks and attachments make the normal functioning of Economedia virtually impossible.

Ivo Prokopiev is a well-known Bulgarian entrepreneur and public figure. The group of companies he manages is a leading investor in renewable energy, digital technology and financial services.

Prokopiev has been an active participant in the transition towards democracy and market economy, he has held various public positions, including first chairman of the Confederation of Employers and Industrialists (CEIBG) between 2006 and 2010 upon the establishment of the organization, after the merger of the associations

of the Bulgarian employers and foreign investors in 2006.

Ivo Prokopiev's partner in Economedia is Teodor Zahov, president of the Union of Publishers in Bulgaria. Zahov is also a well-known Bulgarian entrepreneur in the field of information technology and real estate and a public figure. He has held various public positions, including Chairman of the Bulgarian Association of Information Technologies (BAIT).

In the recent years another two owners of media independent from the government were subjected to pressure through the judiciary authorities with fictitious prosecutor's charges, investigations and continuous slanderous campaigns in the yellow media of Delyan Peevski.

Pressure on Ognyan Donev and "Club Z"

In 2011 Ognyan Donev credited the company of Lyubomir Pavlov, Hristo Grozev and others for the purchase of "Media Group Bulgaria Holding". At that time the group published two of the most influential central political daily newspapers, having indisputably the highest circulation - Trud and 24 Hours, the weekly 168 Hours, and many other publications. The seller was the German concern Westdeutsche Allgemeine Zeitung.

Later it became clear that the tandem Tsvetan Vasilev - Delyan Peevski also had claims for acquisition of the group. The duo tried to buy the group both directly and through proxies. Peevski's media and the television of Tsvetan Vasilev started daily vicious attacks against Donev and Pavlov.

In 2012 Ognyan Donev and Lyubomir Pavlov were charged with money laundering through the sale of shares and document fraud based on information submitted by Pavlov's partner - Hristo Grozev. Later on Tsvetan Vasilev confessed that he had financed Grozev to challenge the ownership of the newspapers.

At the same time Donev was charged with another crime - tax evasion in the sale of shares in a pharmaceutical company. These were transactions with publicly traded shares in 2006 for which the tax authorities stated that they had no claims and that all taxes due have been paid.

The activity of the prosecutor's office had one major goal - to encourage the change of ownership of the newspapers - i.e. to force the owners to sell the media group. People from the government are well aware of this "deal."

Soon after the institution of the cases, the change of ownership of the media holding was initiated. The deal was finalized after the termination of the criminal proceedings for money laundering against Donev and Pavlov. They ended in March 2013 after the prosecutor's office admitted that there was no evidence of crimes. The case for tax evasion is

currently in the first instance phase at the Sofia City Court.

Throughout this entire period the media of Peevski and Tsvetan Vasilev have been attacking Donev on a daily basis with fictional allegations of crimes related to his activities as CEO and co-owner of the largest Bulgarian pharmaceutical company Sopharma.

In March 2014 Ognyan Donev started publishing the Club Z magazine and the Club Z news portal. From the very beginning they have been subject to attacks in a number of public statements of the prosecution and the Attorney General. A few months back the Attorney General Sotir Tsatsarov, at a meeting of the Supreme Judicial Council, asked the board members if it was appropriate to give interviews to the "media of a defendant." He even required the members of the Supreme Judicial Council not to talk to such media.

This never-ending attack is once again supported by the publications from the circle of Delyan Peevski, supporting all claims of the prosecution. Ognyan Donev is accused of publishing media defending his interests, but the fact is that the magazine and the website do not contain even a single material concerning the core business of the publisher.

One of the reasons for such an attitude is the critical position of the two Club Z media outlets towards the work of the prosecutor's office, the Attorney General and the Supreme Judicial Council, the government and the ruling party. This position, however, has always complied with the journalist standards.

The other reason is that the "accusers" are deeply convinced in the lack of perspective of their case and are trying to create a public opinion and put pressure on the court.

The attacks of the prosecution supported by the "Peevski" circle, do not affect only Ognyan Donev's image. They are carried out without any regard to the damages inflicted on a public company with thousands of shareholders and employees. Contrary to all principles the prosecutors' office has been investigating for years a transaction carried out a decade ago, and throughout all that time it has been publically equating the terms "investigated", "accused" and "criminal".

Ognyan Donev is one of the most important Bulgarian entrepreneurs and investors. He is the CEO and co-owner of the largest Bulgarian pharmaceutical company "Sopharma". He invests in a number of other companies and has held various public positions, including chairman of the Confederation of Employers and Industrialists, one of the most influential employers' organizations, vice president of the German-Bulgarian Chamber of Commerce. He was awarded with the "Atanas Burov" Foundation award for industrial management, he won the title "Mister Economy" 2016. The company managed by him has always been at the forefront of the good corporate governance indicators.

Pressure on the "Sega" newspaper and its publisher Sasho Donchev

For 20 years the owner of the largest company engaged in the distribution of natural gas in Bulgaria "Overgas" Sasho Donchev has been under constant pressure from the executive authorities and the prosecution because of the critical articles in the newspaper published by him - "Sega" (having international awards for independent and quality journalism) and the caricatures by Hristo Komarnitski (winner of numerous international awards for caricature).

Usually these attacks are supported by the entire repressive power of the state - tax authorities, prosecutors, police and regulatory bodies. However, they did not manage to achieve anything - all inspections end without finding any violations, all investigations fail because of the lack of evidence.

For example, in 2004 the then Attorney General Nikola Filchev sent anti-terrorist police and prosecutors to the office of "Overgas" as part of a speculative action. The official reason was the investigation of the Ukrainian Prosecutor's Office against two Ukrainian companies that had relationships with "Overgas". The unofficial reason - Filchev was angry at a critical commentary in the newspaper illustrated with an amusing collage.

Three years later the investigation was terminated due to the lack of grounds. Ten years later Filchev himself admitted in an interview that the request of the Ukrainian Prosecutor's Office was not submitted in compliance with the required procedure and was not consistent with the Bulgarian legislation, which is why it was not satisfied.

In late 2008 the National Revenue Agency started a complete audit of "Overgas Inc." for the period 2003-2007. This happened after a series of critical publications against the coalition government of BSP and MRF.

The inspection did not find any violations in "Overgas Inc." but the NRA refused to recognize the costs for the advertisements published by the company in "Sega." The act was challenged in court and in 2013 "Overgas Inc". won the case in all instances.

In 2009 the then-President Georgi Parvanov directly turned to his Russian counterpart Vladimir Putin during a work visit to Moscow with a request to put pressure on "Gazprom" to give up its partner in Bulgaria - "Overgas", because it financed a newspaper critical of the government.

The holder of the mandate of the MRF government, with whom Parvanov maintained close relations and with whose assistance he was elected president twice, was particularly annoyed.

The reason - the insistence of the Sega newspaper that the competent authorities had to inspect the origin of the financial resources of the leader

Ahmed Dogan and the former head of the lottery Irena Krasteva and her son Delyan Peevski, shopping for media per kilo for the purposes of MRF. Parvanov was so confident of his success that a close adviser of his publicly boasted: "We closed the Sega newspaper".

Boyko Borisov had been expressing his dissatisfaction with the Sega newspaper quite vocally during his two terms as prime minister. There was hardly any interview in which he did not complain about the caricatures, in which he was the main protagonist, and the critical articles about his government. Borisov, however, did not confine his actions to simple verbal attacks.

In 2015, a few days after the Prime minister loudly complained against "Sega" because of articles commenting on the fact that GERB and MRF together blocked key reforms the country, the NRA started a full tax audit of the company publishing the newspaper for 5 years back. The audit ended without finding any violations.

Borisov made particular efforts to take the business of Sega's publisher Sasho Donchev. Just like his predecessors, he attacked his partnership with Gazprom, which ultimately unilaterally and illegally terminated its contract with "Overgas".

The prime minister did not fail to boast of his "achievement": "In the media bats of gas intermediaries, which lost hundreds of millions a year as a result of my actions, manipulate public opinion. I have always given the example of the Sega newspaper. Once we removed the intermediaries ... There were three intermediaries in the gas supply and their main sponsor is placed at the top of the newspaper - "Overgas" . Immediately after we did that, the newspaper, from the very first to its last page, including the caricature, covered exclusively us".

In January 2017 the publisher of Sega Sasho Donchev and his business in "Overgas" became the subject of an investigation by the prosecution for high treason in relation to a signal sent to the attorney general Sotir Tsatsarov. The signal contains publicly known information about a claim sent by Sasho Donchev in 2011 to the European Commission for abuse of dominant position by "Bulgargaz" and "Bulgartransgas" on the Bulgarian market, as a result of which the European Commission has initiated proceedings against Bulgaria.

In March Sasho Donchev was invited by a mediator to a meeting with the Attorney General Sotir Tsatsarov, who hinted that there could be problems if the Sega newspaper would continue its critical position on the judicial reform and the actions of the prosecution. Tsatsarov asked Donchev to exercise influence on the television station BIT and stop his support to the party "Yes, Bulgaria!", which also criticizes the prosecution. Sasho Donchev had no relation with the last two.

Sasho Donchev's statement about the meeting and Tsatsarov's demands caused a huge public scandal and calls for inspections and investigations of the attorney general for undue pressure on businessmen and media. The

Supreme Judicial Council and the Inspectorate thereto, however, denied the request for an inspection.

In April 2017, based on a signal against Sasho Donchev, the prosecutor's office opened an investigation against officials of the Energy and Water Regulatory Commission (EWRC) for crimes in office. It had to establish whether members of EWRC have performed their duties to oversee the implementation of key elements of the business programs of gas distribution companies and whether the investments actually made by these companies complied with those stated by them and approved by EWRC.

"Overgas" is among the largest taxpayers, investors and sponsors in Bulgaria and has been awarded in the country and in the EU multiple times. Sasho Donchev is the chairman of the Bulgarian Industrial Association (BIA), which represents Bulgaria at BusinessEurope. [21]

Pressure on journalists from the independent media

It is common practice journalists working in the "opposition" media, daring to criticize the government, the status quo and the model created around Delyan Peevski, to become victims of tendentious pressure. This happens either through investigations and lawsuits instituted against them or through defamatory campaigns in the tabloid media owned by Peevski.

A typical example for the above is the independent site Bivol. This is one of the leading media for investigative journalism, known for its bold articles against corruption and the mafia.

The site published a series of articles revealing the schemes for sale of cigarettes manufactured by "Bulgartabac" and intended to be smuggled in the Middle East. The ownership of "Bulgartabac" is hidden behind offshore companies, but it is associated with Delyan Peevski. The site has repeatedly called the revealing of the beneficial owners of the company.

Bivol is supported only by advertising, donations and partners with reputable international initiatives such as the Organized Crime and Corruption Reporting Project. [22] Because of its revelations over the years there have been repeated attempts by public institutions [23] to put pressure on its publisher Asen Yordanov and the editor in chief Atanas Chobanov, and threats by representatives of the criminal world. [24] Both Chobanov and Yordanov are subject to constant slanderous campaigns in the media owned by Delyan Peevski. [25]

In 2015, the prosecution attempted to confiscate the servers of the site based abroad, using the international legal assistance mechanisms. [26]

In March 2017 the entire property of Asen Yordanov was seized by the National Revenue Agency and, according to the publisher, the reason was a request submitted by the

[21] https://www.businesseurope.eu/members/bulgarian-industrial-association-union-bulgarian-business-bia
[22] https://www.occrp.org/en
[23] https://rsf.org/fr/actualites/secteur-bancaire-en-danger-lettre-ouverte-aux-parlementaires-bulgares
[24] https://rsf.org/fr/actualites/un-journaliste-dinvestigation-bulgare-victime-de-menaces-persistantes-pour-ses-enquetes-sur-des
[25] https://bivol.bg/en/reporters-without-borders-and-network-for-free-speech-condemn-smear-campaign-against-bivol.html
[26] http://www.capital.bg/politika_i_ikonomika/bulgaria/2017/10/13/3058946_asen_iordanov_useshtam_zarodisha_na_neturpimostta_v/

Municipality of Burgas, the mayor of which has often been the subject of Bivol's investigations. [27]

The National Revenue Agency, for example, is a body that often applies double standards in its approach to the media. Audits are initiated almost always against the publishers of independent media or those criticizing the government. At the same time, there are certain media accumulating liabilities to the NRA for years without any sanctions against them. The agency has become a tool for exercising pressure against the uncomfortable ones and a tool to control and influence the content of the media in a difficult financial situation.

The journalists of Economedia are also the frequent target of attacks by various institutions. In 2014 Dnevnik, which is part of the Economedia group, published brief information that in the lawsuit for money laundery from drug trafficking brought against Evelin Banev-Brendo, the Chairman of the Financial Supervision Commission Stoyan Mavrodiev was summoned as a witness.

Subsequently, Capital published a lengthy article based on documents from the case file, revealing that as a lawyer Mavrodiev had authenticated documents related to money laundering.

These revelations gave rise to a massive campaign against "Economedia" as a group and against individual journalists from its printed media.

> The Financial Supervision Commission managed by Mavrodiev issued nearly 100 penal provisions against companies and managers of the co-publisher of Capital Ivo Prokopiev and against him personally.

> Because of two publications in Capital FSC imposed two record-breaking fines of BGN 150,000 on Economedia. The last actions caused the response of various international institutions, including the OSCE [28], the US Department of State, [29] the Council of Europe. [30] Reporters without Borders [31] and others.

> Following the imposition of the fines the journalists of Capital Desislava Nikolova and Rosen Bosev and the CEO Galya Prokopieva made the case public before various media. Stoyan Mavrodiev filed libel suits against them.

Meanwhile, the journalist Rosen Bosev who covered the work of the prosecution, was personally attacked in various statements by the Attorney General Sotir Tsatsarov. Similar attacks were made by Tsatsarov against other journalists critical of his work as well, such as Lora Fileva from "Dnevnik" and Sylvia Velikova from BNR. Tsatsarov's statements are often followed by defamatory campaigns against journalists mentioned by him in the media of Delyan Peevski.

The prosecutor's office used different tools against Yovo Nikolov, another investigative journalist of "Economedia", because of his investigations of the illegal construction on the Black Sea coast. Besides an audit of his income and slanderous campaigns in the media owned by

[27]http://www.bitelevision.com/asen-jordanov-zaporirali-sa-mi-vsichko-po-iskane-na-marionetkata-na-borisov-v-burgas/
[28] http://www.osce.org/fom/139001
[29] https://www.state.gov/documents/organization/265616.pdf
[30] https://www.coe.int/ru/web/commissioner/-/bulgaria-progress-needed-to-better-protect-children-improve-media-freedom-and-uphold-the-human-rights-of-migrants
[31] https://rsf.org/en/news/authorities-ramp-pressure-media-over-banking-disclosures

Peevski, the prosecution attacked the building permit for his house in a severe legal battle lasting more than 10 years.

Another interesting case is the one with the comic publication "Pras Press" issued by the cartoonists Kristo Komarnitski, Chavdar Nikolov and Chavdar Georgiev and the journalist Ivan Bakalov, the main characters of which often are the Prime Minister Boyko Borisov, the attorney general Sotir Tsatsarov and Delyan Peevski. Right from its very first issue released in March 2017, the newspaper was censored.

All major distributors under the control of Delyan Peevski refused to sell the newspaper and hid it from the market. The publishers were required to organize their own distribution in non-traditional outlets such as cafes, galleries and bookstores as well as online.

Defamatory campaigns against journalists

The annual report of Freedom House on the state of the media in Bulgaria for 2016[32] has indicated a new trend in the pressure on journalists, criticizing the government, namely their defamation by yellow and smearing materials against their personal lives.

The discrediting of TV presenters of the most popular shows on the national television channels is particularly apparent. In an interview for "Dnevnik" [33] the presenter of "Nova TV" Viktor Nikolaev said that such campaigns against him follow immediately after he asks critical questions to his guests.

These campaigns often include politicians. The best example is the one with the MEP Nikolay Barekov. Despite the findings of the prosecution that he had been improperly financed with funds from CCB, he was not indicted and thus he was obviously kept in a dependent position.

In the summer of 2017 Barekov filed signals [34] to the prosecutor's office and the tax authorities against some of the most popular TV presenters. The signals contained tendentiously presented facts about the property status of the journalists. Based on these signals the authorities started inspections, which constitutes a form of institutional harassment. The signals were accompanied again by a smearing campaign in the media of Delyan Peevski.

In the context of these campaigns one of the presenters of "Nova TV" - Ana Tsolova - was taken off the air without clear reasoning, but with the explanation that she will start a new show. That has not happened to this day.

In October 2017 two politicians from the ruling coalition - the MP Anton Todorov and the Deputy Prime Minister Valeri Simeonov made threats on air against Viktor Nikolaev because of the critical questions he asked. After the sharp reaction Anton Todorov resigned but Valeri Simeonov continues his attacks.

[32] https://freedomhouse.org/report/freedom-press/2016/bulgaria
[33] https://m.dnevnik.bg/intervju/2017/05/24/2976659_anna_colova_i_viktor_nikolaev_polagat_se_neprekusnati/
[34] http://www.aej-bulgaria.org/bul/p.php?post=8531

Viktor Nikolaev and his colleagues from another national television station are often monitored by teams that appear to be related to the media of Delyan Peevski. Immediately after a person having a critical opinion of the government, is invited to the TV studio, the yellow sites start posting photos and details about the private life of TV presenters.

Campaigns against regional media

The pressure on the media in Bulgaria is most visible at a local level, where the media operate with very limited resources and in a hostile environment. The only publications that enjoy comfort are those working with the local authorities or oligarchs. [35]

Zov News - Vratsa is a regional news portal in the poorest region of Bulgaria and the European Union - Northwestern Bulgaria. The site is known for the fact that it keeps its independence and fights for freedom of speech despite the difficult environment in which it operates.

After a series of critical materials, in 2015 the media was sanctioned by the Financial Supervision Commission with a fine which exceeded ten times the annual budget of the publication. The fines were revoked by the court.

Recently Zov News came again under attack after a witness testified that the murder of the publisher Georgi Ezekiev was being planned. The reason was a joint investigation of "Zov News" and "Bivol" of a group engaged in drug trafficking and distribution, involving police officers. The two media claim that the criminal schemes are patronized by local authorities and in front of the camera one of the involved persons says that the elimination of Ezekiev was being planned. On this occasion, the organization "Reporters without Borders"[36] and five non-parliamentary political forces[37] issued a statement in support of the publisher and required the authorities to intervene.

Following the intervention of the president of the international "Association of European Journalists",[38] CDCOC undertook to investigate the threats intensively.

In November 2017 the regional journalist Yuliana Velcheva from the "Belezhnik" website revealed a conflict of interest in the implementation of a project of the Dobrich Municipality. Shortly afterwards, an anonymous signal against her initiated inspections by various state institutions.[39]

[35] http://www.fmd.bg/wp-content/uploads/2016/05/regional-media-in-bulgaria-_mdf_-daniel-penev.pdf
[36]http://bnr.bg/horizont/post/100900941/reporteri-bez-granici-s-trevoga-sledim-sluchaa-s-izdatela-na-vrachanskia-sait-zov-nuz-georgi-ezekiev
[37] https://dabulgaria.bg/razpravata-s-nezavisimite-medii-dosega-v-sofiya-veche-i-v-drugi-gradove/
[38] http://www.aej-bulgaria.org/eng/p.php?post=2599&c=146&d=2017-11-30%2012:01:51&n=head-of-bulgarias-organized-crime-agency-discuss-threats-against-journalists
[39] https://m.dnevnik.bg/bulgaria/2017/11/28/3086818_jurnalist_ot_dobrich_razsledval_mestnata_vlast_be/

04

Policy recommendations

Independent media and journalists in Bulgaria are subject to an unprecedented pressure and there are a number of objective difficulties for their existence. Unless the various groups of problems revealed in this "White Paper" are addressed in a timely manner, free media in Bulgaria will completely disappear.

The core problem is the use of the prosecution, led by the Attorney General Sotir Tsatsarov, and through it various other state bodies, as instruments of pressure and censorship, as means of repression of political and social opponents, thus blocking the functioning of the entire democratic process.

Independent media is only possible if media companies are economically independent. Currently, the free media environment in Bulgaria exists because of the personal efforts and morale of a few dozen journalists and media owners. However, they are faced with the desire of the ruling political class to destroy them economically using the prosecution and pressure by other government institutions. This state is unsustainable.

The Union of Publishers in Bulgaria hereby submits a few ideas for possible solutions to the above problems:

1. Freedom of expression, diversity of opinion in the society is a basic human and European value. Media freedom needs to be among the main criteria based on which the EU and the EC determine their policy towards the Member States. Countries and governments forcibly restricting the freedom of speech, which is clearly confirmed by the international indices and rankings of media freedom, should not have access to any European funds.

2. Journalists and publishers can hardly rely on justice and fair proceedings, especially in the pre-trial phase, where the actions of prosecutors are not subject to judicial review. UPB urges the EU to send independent observers - international prosecutors to review in detail all charges and preliminary investigations against journalists and publishers in Bulgaria.

3. The trends in the global media business and advertising clearly indicate that, the media have no objective opportunity to achieve a sustainable business model, especially on small markets like Bulgaria. In such environment the government's financial support provided only to media loyal to it, is playing an increasingly crucial role. As noted in the last report of "Reporters without Borders", by concentrating the communication budgets under the European programs only to the government-controlled media, the government buys its peace of mind. "The allocation of money from EU funds to certain media is accompanied by a complete lack of transparency. This guarantees the benevolent coverage of government activities and concealing of scandals," the organization noted. UPB recommends to the EC to require more transparency and increase the control over the spending of communication budgets under EU programmes in Bulgaria. According to the estimates of UPB, the annual amounts under these programs far exceed the advertising revenue of all publishers.

4. Another essential element in the support for dependent media is allowing a concentration in media ownership, particularly in the distribution of printed media. Despite the numerous signals and practices of unfair competition, so far the government and the antitrust regulator - the Commission for Protection of Competition - had not taken any actions against media monopoly. UPB recommends to the EC to launch an international investigation of concentration and unfair competition on the Bulgarian media market.

5. Development of a "Digital Media Transformation" programme in the EU aimed at technological support of the traditional media. The small media enterprises in Bulgaria and other similar markets are not able to make the necessary investments in technological development so as to compete with the global giants like Google and Facebook. As we already indicated above, the success of the program requires media companies to apply for funding directly to Brussels in order to avoid the mediation of the local government. ●

The following few cartoons by Christo Komarnitski and Tchavdar Nikolov are also a reason for pressure on the publishers of Sega and Prass Press newspapers.

Bulgarian Prosecutor General Sotir Tsatsarov (left), prime minister Boyko Borisssov (in the middle) and Delyan Peevski, MP and media mogul

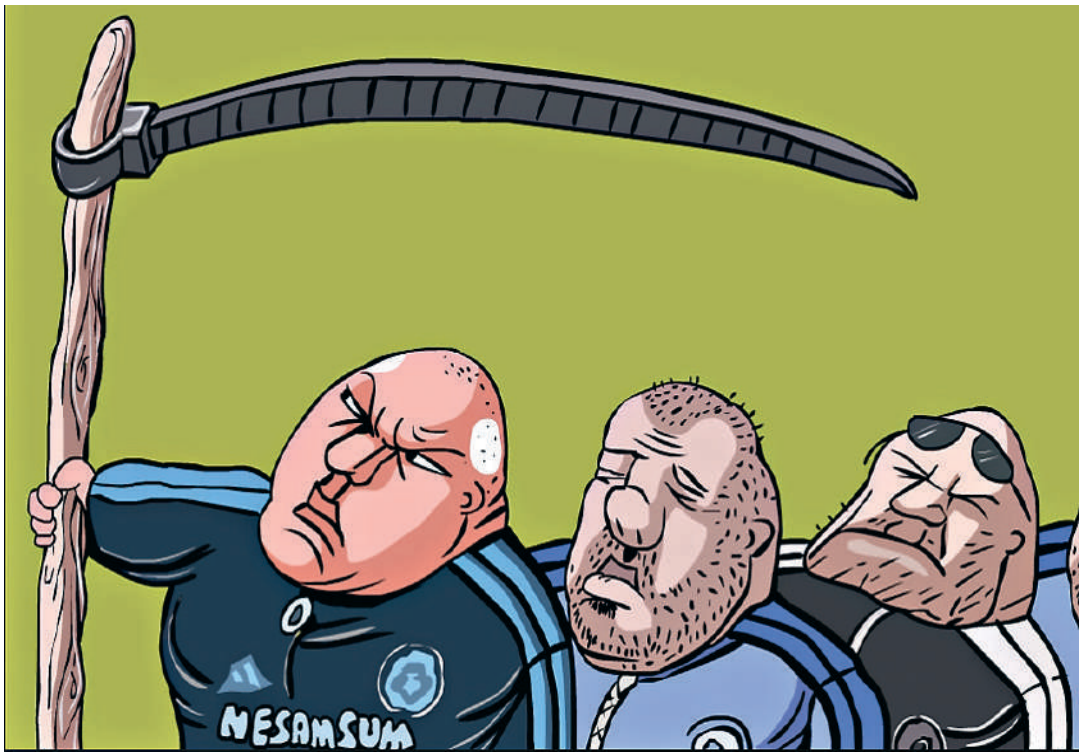
Прас (prass) is the root of the word "pig" in Bulgarian. So prass press is a pun which also alludes to Peevski's overall image in society. / *Free pig-press... I am falling*

According to the Word Press Freedom Index of Reporters Without Borders as of 2017 Bulgaria ranks 113th among 180 countries worldwide and is at the bottom of the list among all EU countries. / *Corruption (first place), Free speech (ranking 113), Minister of Culture Rashidov to PM Borisov: "Come on, let's hide into the gap!"*

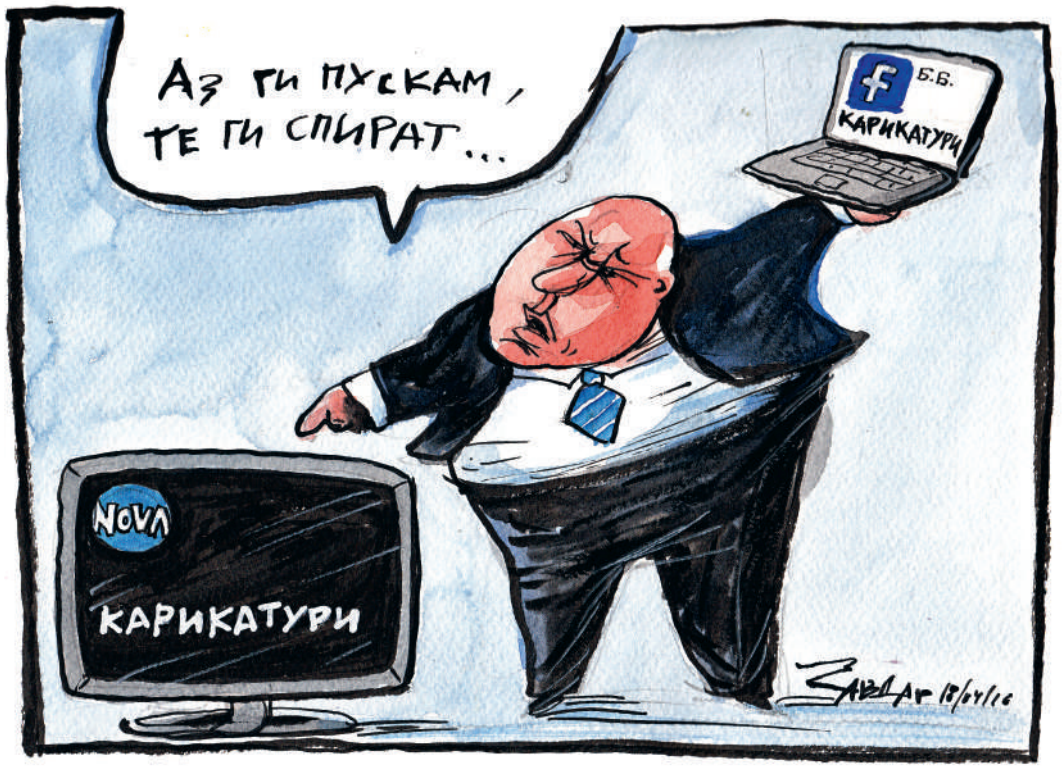
Irena Krasteva and her son, Delyan Peevski, both pictured here, own a number of national and regional newspapers, TV stations, websites, distribution agencies, a printhouse, digital TV broadcating infrastructure etc. / *Summit of Bulgarian media, Mama! - Baby!*

The speaker of the Bulgarian Prosecutor General Sotir Tsatsarov is holding a box of detergent "Tsatsy" (short for Tsatsarov) while Ivo Prokopiev, Simeon Dyankov and Ognyan Donev are hanging out to dry

Georgi Gergov, Publisher of SEGA Sasho Donchev, and Prosecutor General Sotir Tsatsarov / *Let's take a selfie!*



The screenshot (picturing the prime minister and the man (in the middle) known as the Refugee Hunter, who takes pride in singlehandedly "arresting" migrants using cable ties) is from an animated cartoon by Tchavdar Nikolov. The cartoon became especially popular after it was censored by NOVA Television and taken off, together with all his other works, from all media channels. As a result of this censorship, Tchavdar Nikolov left the television network.



PM Boyko Borisov, MP Delyan Peevski and editors of the media they control prepare a law for the secondary rip off of the media freedom. The used phrase refers to Delyan Peevski's legislative initiative "to stop the secondary plundering" of Corporate Commercial Bank.

Prosecutor General Sotir Tsatsarov and Themis (the Titan goddess of divine law).

Sofia, 2018