



Bulgaria in 2019: Another Tough Year for the Free Press

Association of European Journalists Bulgaria - Annual Report

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2019 was a critical year for the state of media freedom in Bulgaria, with negative trends intensifying in multiple areas, including the independence of public audiovisual media, concentration of media ownership in the hands of big business owners, and pressure applied on journalists – both on national and local level. AEJ-Bulgaria has observed closely several legislative developments that could be used for silencing journalists and media outlets, as well as cases of unprecedented judicial pressure put on investigative journalists. Severe violations of media ethics have also been a part of the picture, bringing together media professionals from various media outlets in joint efforts to defend professional journalism.

Public media under fire

Probably the most notable case of violation of press freedom in Bulgaria in 2019 was the suspension of Silvia Velikova, a prominent anchor in the Bulgarian National Radio, or BNR, followed by an unprecedented taking off air for five hours of the main program of BNR, Horizon, on the morning of September 13.

Several journalists from the BNR, including top editors, revealed their first-hand experience with the pressure which has been put on the management of the radio to oust Velikova because of the critical way in which she had reported the controversial procedure for appointment of Bulgaria's new Prosecutor General – one of the most powerful positions in the country.

Members of the editorial team of the Horizon program of BNR, which was unprecedentedly suspended amid the scandal with Velikova's ousting, testified in front of the Council for Electronic Media, or CEM – the regulatory body in charge – revealing that the director of BNR Svetoslav Kostov was directly pushing for the journalist's removal. Kostov was later ousted by CEM amid continuous protests of Bulgarian journalists and growing pressure from international organizations such as the Council of Europe, European Broadcasting Union, Reporters Without Borders, and others.

AEJ-Bulgaria organized a solidarity action with the journalists in BNR who stood up to defend their independence and [called for an international probe](#) of the case due to serious doubts in the independence of the investigation lead by the Bulgarian prosecution.



The problems of the Bulgarian National Radio were not isolated. They came in parallel with ongoing troubling developments in the Bulgarian National Television, or BNT, which have raised serious concerns about its independence from state and political influence.

In 2019 the Council for Electronic Media appointed as General Director of the public TV broadcaster Emil Koshlukov – a controversial figure with background in politics who had last served a position in ALFA TV, a TV channel of the extremist far right party ATAKA. Koshlukov joined BNT at the end of 2017 as a program director, which was followed by the resignations and dismissals of several prominent reporters and producers who claimed they have been pressured by senior figures in the TV's management.

The producers of BNT's morning cultural show *Denyat Zapochvas Kultura* were dismissed after publicly protesting against the management's alleged interference in the selection of topics and guests to be featured in studio. Senior sports producer Kamen Alipiev, who had maintained a critical stance against the government and Koshlukov, was also ousted in 2019, while programs discussing controversial political topics have been taken off air without convincing grounds being given.

Unlike BNR, however, BNT has demonstrated no resistance towards the ongoing processes, provoking comments that the media's independence had been effectively put under control.

Concerns over major TV acquisitions

In 2019 Bulgaria's two largest and most influential media groups- NOVA Broadcasting Group and BTV Media Group changed their ownership.

In February, NOVA, which includes TV and radio channels and major news websites that reach to 42 per cent of the audience in the country, was acquired by Kiril Domuschiev and his brother Georgi Domuschiev - powerful Bulgarian businessmen with alleged links to the government. The change of ownership was rapidly followed by the ousting of respected and critical journalists and producers such as investigative reporters Miroluba Benatova and Genka Shikerova, who claimed they had been forced to leave by being offered "unacceptable" new contractual arrangements.

Shortly after the acquisition Hristo Hristov, CEO of Netinfo media group, Bulgaria's largest online media group which is part of NOVA Broadcasting Group, accused the new owners of interference in the editorial policies of several of the group's websites. Hristov accused Kiril Domuschiev of attempting to influence the websites' sports content as he is an owner of Bulgaria's top football team Ludogorets. Hristov was ousted from managing Netinfo while the media group dismissed his accusations.



In the end of October BTV Media Group was officially acquired by PPF Group, an investment fund owned by Czech businessman and billionaire Petr Kelner. So far there have been no signs for changes in the media's management and editorial policies.

Pressure on critical voices on the rise

In May, Rossen Bossev, investigative reporter from Capital Weekly and member of AEJ's Executive Board was sentenced to a fine of 1,000 BGN [500 euros] in a defamation case filed by Stoyan Mavrodiev, a former chairman of the Financial Supervision Commission, FSC, a government body in charge of ensuring the stability of the banking system, and current director of the Bulgarian Development Bank.

The case constitutes a dangerous precedent demonstrative of the way in which state officials are able to use institutions as tools for pressure. Bossev was sentenced for taking part in a television talk show during which he has tried to explain why FSC has imposed a significant fine to the publication he works for. However, the statements made by Bossev were based on facts which the plaintiff didn't dispute in court.

Moreover, the judge-rapporteur appointed to this case, Petya Krancheva, has been the subject of a series of articles written by Bossev which have exposed a number of deficiencies in her work. All the stories have been published prior to the trial allocation. Judge Krancheva refused to recuse herself in spite of the journalist's request that she did so. This fact draws the objectivity of the court into serious question.

Such court rulings often times have a chilling effect on the exercise of media freedom, as the ECHR has previously stated in its decisions. Non-surprisingly, Bossev's case provoked international condemnation by influential press freedom groups such as Reporters Without Borders and the European Center for Press and Media Freedom.

In 2019, journalists from investigative website Bivol were also subjected to a series of judicial probes which were viewed as a threat to the fragile media freedom in the country. In August Bulgaria issued a European Investigation Order, or EIO, against Atanas Tchobanov, Bivol's editor, who is residing in France, under suspicion of complicity in a major leak from the Bulgarian tax department.

Reporters Without Borders qualified the case as an attempt to intimidate an investigative journalist that could result in violation of the confidentiality of sources and of Tchobanov's freedom of expression. The press freedom group called on the French judicial authorities to reject the EIO.



Judicial proceedings however, were not the only form of pressure used to silence journalists. We have witnessed a number of troubling statements and actions by politicians targeting journalists, too. In October, Prime Minister Boyko Borissov refused to answer questions of a reporter from BTV on the grounds that he had been offended by critical reports of the broadcaster that had revealed wrongdoings of politicians from his party, GERB, on municipal level. The private broadcaster was also sanctioned for the reports by the Central Electoral Commission that treated the reports as a political agitation against a political party as they were broadcasted on the day of the country's municipal elections.

Bulgaria's financial minister Vladislav Goranov went even further in November, threatening a journalist from the Bulgarian Free TV, a new TV channel owned by the Bulgarian Socialist Party, that the station might be left without money as a result of a question that sparked his anger. He also expressed an opinion that him and not the journalists are the ones to decide which topics to be discussed - an arrogant demonstration of the media comfort members of the Bulgarian government enjoy in the recent years.

BTV's reporters were not the only ones that got into trouble for challenging politicians from the ruling party during the campaign for the municipal elections. Elena Kirova, a journalist from regional TV station Cherno More in Bulgaria's third largest city, Varna, was forced to leave her job after asking current mayor who was running again, Ivan Portnih, from GERB, uncomfortable questions. The interview, ordered by national TV station Bulgaria on Air, was never broadcasted, and Kirova claimed she had been intimidated by her employer for grilling Portnih on controversial topics.

Kirova's case illustrates the dire situation of regional journalism in Bulgaria, which is being brutally suppressed both by the municipal authorities and powerful local businessman, as local outlets have strong political and advertising dependencies.

United against “porn journalism”

As AEJ-Bulgaria has pointed out in its regular [press freedom surveys](#), slander campaigns against journalists, activists and governmental officials in the tabloid and pro-governmental press has turned into a part of the Bulgarian media landscape. Despite their disrespect of the fundamental ethical and professional principles, most of those outlets are beneficiaries of generous state advertising with resources from the national budget and EU funds - a vicious practice we have denounced continuously.

In September 2019, however, the latest and most brutal attack against an opposition politician by tabloid website PIK.bg, which labels itself as a news agency, actually backfired. In a clear



attempt to discredit Borislav Ignatov, a candidate for mayor of Sofia from the opposition party Democratic Bulgaria, PIK published intimate photos of his partner. She claimed that she had been a victim of revenge porn by an ex-boyfriend and had notified the authorities about the attacks against her.

The publication of the photos provoked an unprecedented reaction among the Bulgarian journalism community, with over 100 media professionals from different outlets joining forces to condemn the act and to stand for the need of respect of professional standards. As a part of the broad reaction, AEJ-Bulgaria launched a campaign named #NoPornJournalism, calling all public and private entities to stop advertising and funding media that breaches the basic journalistic values. Most political parties in the country also distanced themselves from the scandalous publication.

Another positive example of shared efforts and solidarity among Bulgarian journalists is the joint declaration of journalists from ten leading media in Bulgaria's second biggest city, Plovdiv, against the reveal of the name of a local minor, charged with terrorism. The name of the boy was again revealed by PIK.bg, which provoked the outrage of the Plovdiv journalists, who accused the site of breaching the personal data of the suspect and his family, as well as the country's child protection legislation.

Troubling legislative developments

In February the Bulgarian Parliament passed amendments to the Personal Data Protection Act, or PDPA, in order to synchronize it with the Regulation (EU) 679/2016 of 27 April 2016, commonly known as the General Data Protection Regulation or GDPR. The revision included ten criteria that journalists had to observe in order not to breach data protection rules, which were largely viewed as an [attempt for institutionalized censorship](#). Although GDPR allows exceptions from the new stricter rules when it comes to the works of journalists, such an opportunity was not allowed in the new Bulgarian legislation, which, on top of that, foresaw drastic sanctions for media. The state Commission for Personal Data protection was given extended competences to interfere in such cases.

Legal and media experts protested the measures that would in practice punish journalists for doing investigative work and publishing facts and documents including personal data that would serve in public interest. In November 2019 the Constitutional Court of Bulgaria declared the disputed changes unconstitutional, warning that they could pose "a real threat for the effective practice of the right of free expression and dissemination of opinion".



Another legislative development that could have a freezing effect on the already fragile media freedom in Bulgaria are the changes to the Compulsory Deposit of Copies of Printed and Other Works Act that gained popularity as the “Peevski Act”, as the media mogul and MP from the ethnic-Turkish dominated party Movement for Rights and Freedoms was one of its initiators. The amendments that were adopted at the end of 2018 force the publishers to reveal all their sources of funding, including donations and crowdfunding, including the names of the donors, even if they are private individuals. AEJ-Bulgaria [protested](#) the proposed measures prior to their adoption as they could discourage private individuals from supporting small independent outlets that count mostly on donations to fund their operation, but they were passed anyway. This poses an ongoing risk for the very existence of such media, which have remained one of the few independent voices in the country.

In 2019 the launched a process for amending the Radio and Television Act which is worth close observation. A working group, chaired by the Director General of the Bulgarian National Television, Emil Koshukov, mentioned above, and including representatives of BTV and NOVA Television, as well as Channel 3, which is closely related to Delyan Peevski, has been assigned to draft the new rules. Another working group is charged with transposition of the European Audiovisual Directive in the Bulgarian legislation.

It is very likely that the revised legislation will give the regulator in the face of the Council for Electronic Media new powers, including monitoring over the online media, extending the mandates of the directors of the public media and proposing new methods for funding the public radio and television.

The end of the daily press?

In 2020 the number of national daily newspapers that cover the current social and political affairs will drop with one more as the opposition paper “Sega” will become a weekly. This means that next year the dailies with national coverage will be limited to five - “24 chasa”, the tabloid “Bulgaria Dnes”, the two papers of Delyan Peevski, which publish similar content - “Monitor and Telegraph”, and “Trud”. All of them are pro-governmental in their coverage.

Regionally, only “Vyara” and “Struma” which are distributed only in Southwestern Bulgaria will remain dailies.

Conclusion

We can conclude that 2019 was a year of significant challenges to press freedom in Bulgaria, with threats coming from multiple directions: politics, private business, law enforcement and



judiciary. Yes, despite the concentrated attacks on independent journalists and on professional journalism as a whole, after a long period of alienation, the Bulgarian journalism community proved that it still maintains a capacity to act together in its defence, with a record number of media professionals speaking up against the ongoing harassment and joining protest actions.