



Weekly Briefing

Bulgaria political briefing:

The Arrest of former Bulgarian Prime Minister Boyko Borissov and the Institutional War between the Executive and the Prosecution

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Summary

This month, one of the biggest political scandals in Bulgaria was the arrest of former Prime Minister Boyko Borissov and leader of the largest opposition parliamentary party, GERB. On March 17, Borissov was detained in connection with investigative actions on suspicion of several crimes committed - extortion, misuse of European funds and others. Along with Borissov, two other high-ranking political figures from GERB were arrested. These are former Finance Minister Vladislav Goranov and Borissov's personal media adviser Sevdelina Arnaudova. It became clear that the current Prime Minister Kiril Petkov is also a witness in the investigation. However, the detainees were released after 24 hours without charge, deepening the scandal over allegations between the executive and the prosecution. The government accused the prosecutor's office of sabotage. GERB announced that it was a political attack against the opposition, which provoked mass protests against the government organized by the opposition, which announced that it would seek an opportunity to overthrow the government and hold early elections.

It all started with live TV broadcasts from the house of Bulgaria's former longtime prime minister and leader of the largest parliamentary opposition party, Boyko Borissov. Members of the party, including representatives of the leadership and almost all of its deputies, had gathered on the spot. The information provided stated that the house of the former prime minister was being searched and seized.

Prime Minister Kiril Petkov wrote on Facebook that "no one is above the law."

The Ministry of Interior announced that there is a large-scale operation of the National Police coordinated with the European Prosecutor's Office, which is investigating the misuse of European funds, and that four people were detained: former Prime Minister Boyko Borissov, former Finance Minister Vladislav Goranov, GERB media adviser Sevdelina Arnaudova and former parliamentary budget committee chairwoman Menda Stoyanova. Subsequently, it turned out that Stoyanova was not detained.

The police action came shortly after Prime Minister Kiril Petkov met the European Chief Prosecutor Laura Kövesi to discuss closer collaboration over corruption cases, doubtful

infrastructure deals and mismanagement of EU funds in Bulgaria under the watch of Borissov's 2017-2021 government.

A spokeswoman for the Bulgarian chief prosecutor told television that the state prosecution had not been notified of the ongoing operation by the Interior Ministry, but added that there are 24 hours by law for this to happen.

More than two hours after the announcement of the action and the arrests, it became clear that the police had detained Borisov, Goranov and Arnaudova.

This led to the gathering of dozens of GERB supporters and members in front of the National Police building, where party deputies continued to make statements to the media, making accusations against the government and in particular against the Interior Ministry and Interior Minister Boyko Rashkov. They said they want the government to resign and would fight for early elections. In addition, GERB deputies called for a mass protest the next day in front of the Council of Ministers building.

Before the GERB protest began the next morning, Prime Minister Kiril Petkov issued a video address about the detentions. He expressed support for the actions of the Ministry of Interior and reiterated what was written the night before - that "no one is above the law."

Meanwhile, the state prosecution announced that they had already been notified by fax from the Ministry of Interior about the action.

At the same time, in the parliament, the GERB group read a declaration condemning the actions of the Ministry of Interior. The party's deputies described the government's actions as repressive and compared them to those of a totalitarian regime.

In the parliament, the Minister of Finance Asen Vassilev said for the first time that the action of the Ministry of Interior is actually related to signals from Vasil Bozhkov and the Agency for State Financial Inspection. The signals are from last summer and are for deficits in the budget in the amount of BGN 556 million, caused by inaction of the Gambling Commission, which was subordinated to the Minister of Finance Vladislav Goranov.

It is about the events of two years ago, when Boyko Borisov, Vladislav Goranov, Menda Stoyanova and Sevdalina Arnaudova were named by the accused on at least 19 charges former gambling boss Vasil Bozhkov as involved in a scheme for his extortion, in which he handed them tens of millions leva. Fugitive oligarch Vassil Bozhkov who escaped in Dubai has hinted that he gave Goranov in his capacity of finance minister 60 million leva (€30 million) in cash to thank him for uncollected 700 million leva (about €350 million) of taxes.

According to the investigative website, 'Bivol' during her time as spokesperson to Borissov, Sevdalina Arnaudova bought a house in Sofia's outskirts for 1 million leva (€500,000).

Finally, first Boyko Borissov, then Vladislav Goranov and Sevdalina Arnaudova were released after the 24-hour deadline expired and the prosecutor's office did not press any charges against them.

Shortly after the former prime minister was released from custody, Sofia City Prosecutor's Office spokeswoman Desislava Petrova gave a briefing stating that supervising prosecutors had ruled that it would be illegal to bring the three detainees in charge at this stage. Furthermore the prosecutor's office said that for all procedural-investigative actions there should have been a prior court permit, ie. without such actions are illegal. In addition, they were committed by the police, ie. incompetent authority, and should have been carried out by the Investigation.

Shortly before midnight on March 18th , Kiril Petkov and Interior Minister Boyko Rashkov gave an extraordinary press conference at the Council of Ministers. According to them, the prosecution has been provided with sufficient evidence to allow the detention of the three GERB members to be extended by another 72 hours and to bring charges against them. *"Once again we are witnessing sabotage by the prosecutor's office,"* said Prime Minister Kiril Petkov. *"Information is being concealed from the extorted person, just so that no legal actions are taken. The legal powers of the investigating authorities are denied. There is no independent prosecutor's office in Bulgaria. It is once again acting as a lawyer when it comes to corruption,"* he said, adding that the European Public Prosecutor's Office was working on the case, but did not explain exactly what was happening.

Later The European Public Prosecutor's Office (EPPO) confirmed that it has received several reports from Bulgaria of serious allegations of fraud with EU funds and systemic corruption, involving top officials. Vasil Bozhkov himself has also announced that he has testified before the EPPO.

The arrest of Boyko Borissov is just the latest episode in Bulgaria's institutional wars which started after Borissov fell from power. His arrest became another occasion for tensions between the prosecution service and the executive.

Borissov previously has been the subject of corruption allegations several times during his tenure but has denied any wrongdoing and no charges had been filed against him.

Bulgaria, a member of the EU and NATO, has also come under scrutiny from its Western partners due to its longstanding problems with corruption, adhering to the rule of law and preserving freedom of the media.

The intensified relationship between the government and the European Prosecution also deepens the isolation of Bulgaria's Chief Prosecutor Ivan Geshev, seen by the current government as a protector of Borissov's interests. Efforts of Petkov to tackle high-level corruption so far have hit a wall in the person of Chief Prosecutor Ivan Geshev, who was installed in this position by Borissov.

Protests held during many months in Bulgaria in 2020 asked for the resignation of Borissov and Geshev, both seen by the protesters as the personification of the mafia in Bulgaria. In 2021 Borissov lost power, but Geshev's seven-year mandate will expire only in 2026.

Conclusion

The arrest of former Bulgarian Prime Minister Boyko Borissov is a sign that the country's new leader Kiril Petkov is serious about his pledge to combat corruption. At the same time, Borissov's quick release — and the reluctance of the excessively mighty prosecutor's office to press charges against the former prime minister — is an equally clear sign that the government will need outside help to stand any chance of winning its anti-corruption mission.

That's where European Public Prosecutor Laura Codruța Kövesi comes in. Bulgaria's corruption presents the Romanian enforcer with her first major opportunity to show that her relatively newly created office can play an effective role in instituting the rule of law in a country where Brussels has long ignored rampant corruption and the abuse of EU funds. Significantly, Kövesi's first visit to an EU capital as prosecutor was to Sofia last year and she made another trip the day just before Borissov's late-night arrest.

The case is theoretically still alive, with Sofia prosecutors conducting follow-up interviews, but Chief Prosecutor Ivan Geshev has made no secret of his contempt for the government's actions.

The inevitable consequences of the arrest of Boyko Borissov are a strong polarization of the political space, which has already been seen in the reaction of GERB.

The political party GERB, in turn, contacted the Specialized Prosecutor's Office for the March 17 arrest of Boyko Borisov, Vladislav Goranov and Sevdelina Arnaudova. The signal is against Prime Minister Kiril Petkov and Interior Minister Boyko Rashkov, who according to Boyko Borissov's party have committed a crime in excess of their powers, with the main goal of political repression.

Whether the investigative actions against the former Prime Minister of Bulgaria will lead to the collection of sufficient evidence to bring charges against him remains to be seen.

However, it is certainly clear that the institutional war between the executive and the prosecution in Bulgaria will continue in the future.