Bulgaria

by Maria Spirova

Capital: Sofia
Population: 7.17 million
GNI/capita, PPP: $17,880

Source: World Bank’s World Development Indicators.

Nations in Transit Ratings and Averaged Scores

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NOTE: The ratings reflect the consensus of Freedom House, its academic advisers, and the author(s) of this report. If consensus cannot be reached, Freedom House is responsible for the final ratings. The ratings are based on a scale of 1 to 7, with 1 representing the highest level of democratic progress and 7 the lowest. The Democracy Score is an average of ratings for the categories tracked in a given year. The opinions expressed in this report are those of the author(s).
EXECUTIVE SUMMARY

Several major developments marked Bulgarian politics in 2016. The year signaled an end to the dominance of the right-wing Citizens for European Development of Bulgaria (GERB), the Bulgarian Socialist Party (BSP) returned to the political field as a serious contender, and the BSP’s victory in the November presidential elections triggered a government crisis amid an intensifying refugee and migrant crisis. Media diversity and freedom continued to be challenged, and no major progress in fighting corruption was noted. These trends led to further dissatisfaction with the political process, a phenomenon that found expression in a popular referendum to substantially overhaul the electoral and party finances system, initiated by civil society action.

Problems within the ruling coalition appeared early in the year, and by November, with GERB emerging behind in the first round of presidential elections, Prime Minister Boyko Borissov (GERB) vowed to resign if the party lost the second round. After General Rumen Radev of the BSP won the run-off with a comfortable majority, a cabinet resignation followed, triggering a governmental crisis. Following the constitutionally mandated process, and in an attempt to avoid appointing what would have been the second caretaker government since 2014, the outgoing president, Rosen Plevneliev, unsuccessfully asked the Socialists and the Reformist Bloc to form a coalition. Following their inability to do so, President Plevneliev decided to leave it to the newly elected President Radev to disband the parliament, call early elections, and appoint a caretaker cabinet. The dominance of GERB over political life, which had been the trend until 2016, seems to have ended.

If the presidential elections serve as an indication to the restructuring of the political landscape, they may suggest the return of the Socialists as a major political actor in the country, the emergence of the nationalist alliance (including Patriotic Front and Ataka) as the third political force in the country, and the appearance of the first successful challenger to the dominance of the Movement for Rights and Freedoms (DPS) over the Turkish vote–Democrats for Responsibility, Freedom and Tolerance (DOST). These developments promise stronger competition for votes and an even more fragmented parliament when early elections come in 2017. The strengthening of the nationalist parties’ position might prove particularly troubling in light of the intensified refugee crisis.

Judicial independence, corruption and media freedom–issues that strain relations with Brussels and reappear constantly on the reform agenda–did not show any major improvement. The media situation continued to deteriorate; corruption remained widespread; and solutions to these problems seemed difficult to come by. In a positive step, a new law on the judiciary was passed mid-year, bringing some long-awaited changes to the way the highest judicial bodies are constituted, and providing for more independence.

Bulgaria's foreign policy remained committed to the country's EU and NATO allies, while relations with Turkey worsened following Ankara’s involvement with the Movements for Rights and Freedoms. The election of General Radev to the presidency signaled the possibility of reorienting some of the country’s policy eastwards. Economically, the country continues to be the poorest in the EU, although macro-economic indicators improved slightly in 2016.

Score Changes:

- **National democratic governance rating worsened from 3.50 to 3.75** due to political destabilization and illiberal tendencies.

- **Independent Media score declined from 4.00 to 4.25** due to the continued oligarchic control of the media and the concentration of ownership.

- **Civil Society score declined from 2.25 to 2.50** because of vigilante groups attacking refugees, and the positive support that they received from some politicians and media outlets.
Bulgaria’s Democracy Score declined from 3.25 to 3.36.

Outlook for 2017: The year 2017 promises to be a turbulent one in Bulgarian politics. A new president will take office early in the year and snap elections are to follow in the spring. Nationalist parties seem to be on the rise, making it likely that they will join a new coalition cabinet. With the challenges posed by the European refugee and migrant crisis unlikely to diminish, identity politics will probably dominate the political process and illiberal tendencies are set to intensify.
Main Report

National Democratic Governance

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- The instability of Bulgaria's ruling four-party coalition—comprised of Citizens for European Development of Bulgaria (GERB), the Reformist Bloc (RB), the Patriotic Front (PF), and the Alternative for Bulgarian Revival (ABV)—increased throughout 2016. Early in the year, cabinet changes indicated tensions with one of the constituent parties of the Reformist Bloc, Democrats for Strong Bulgaria, and in March, the party openly joined the opposition. In May, one of the other coalition partners, ABV, left the coalition in clear anticipation of the upcoming presidential elections in November. This was seen as the first definite sign that the current political situation was untenable and early elections would become imminent.

- A substantial decline in the popularity of Prime Minister Boyko Borissov’s cabinet was noted in June. Satisfaction with the cabinet was down 4 percentage points from February to June, and dissatisfaction with Borissov was up 5 percentage points in the same period, reaching over 40 percent for the first time since Borissov took office in 2014. This was attributed not so much to dissatisfaction with the work of the cabinet, but more so to intra-coalition problems, tensions, and scandals that have accompanied the cabinet since 2015.

- In November, GERB’s dominance of political life seemingly ended with the election of BSP-backed General Rumen Radev to the country’s presidency. Having pledged to resign if that were to happen, Borissov did so on November 14, initiating a period of further instability as the political parties scrambled to find a solution. The Socialists refused to form a coalition, preferring early elections. The president made an unsuccessful last attempt to avoid having to appoint a third caretaker government during his mandate by asking the Reformist Bloc to attempt to form a coalition. With only a few weeks remaining in office, President Plevneliev left it to the new president to disband the parliament and appoint a caretaker government in January 2017.

- Issues of national security emerged higher on the political agenda in 2016. In January, parliament allowed NATO’s air force to defend Bulgaria’s airspace, following heated parliamentary debates about the desirability of such a decision in light of Bulgaria’s sovereignty. Following complaints about Russia’s behavior in the border airspace over the summer, Sofia asked NATO to step up the defense of Bulgaria’s borders, which it did in August. At the same time, however, Sofia refused the idea of a NATO Black Sea fleet in June, fearing Russia’s response and a potential naval build-up in the region.

- Relations with Turkey also became more problematic, influenced by the tri-partite relationship between the Bulgarian cabinet, the Turkish dominated DPS, and Ankara. Conflicts between the DPS and Erdogan’s regime had already emerged in 2015, but in early 2016, they intensified as Turkey banned two of DPS’s leading politicians from entering the country and the Bulgarian cabinet also questioned some of DPS’s behavior. A series of small diplomatic incidents ensued, and took on greater significance in the context of the Syrian conflict and Russia-Turkish relations, causing substantial concern within the country.

- Over the summer, following the failed coup in Turkey, further concerns emerged about the risks associated with the strengthening of Erdogan’s regime, a potential wave of refugees, radicalization of Bulgaria’s Muslims, and the heightened security threat in the region. Bulgarian Muslims have traditionally been very secular, but with the influx of refugees and Erdogan’s activities across the border, fears of radicalization started to dominate the agenda. Some pointed to the building of mosques, the financing of Muslim schools by Turkey, and alleged radicalization of some Bulgarian
Muslim Roma as worrisome trends. In September, the Bulgarian parliament adopted a ban on full-face veils. According to a report, however, the Bulgarian Turks have remained unyielding to radicalization efforts, building on the history of peaceful coexistence and secularization. In August, the Ministry of Interior quietly cooperated with the Erdogan regime by handing over Abdullah Buuk, an alleged supporter of the coup.

- For the first time, a serious contender for DPS's dominance over the Turkish vote emerged. In early 2016, Lutvi Mestan, the former DPS leader who had been expelled from the party in late 2015, founded a new party: Democrats for Responsibility, Freedom and Tolerance (DOST). The courts initially refused to register the party, citing that the use of the abbreviation DOST (friend in Turkish) violated the constitutional ban on ethnic parties. However, the Supreme Court of Cassation allowed the registration in July. Using the presidential elections as an indicator, the party was able to attract a substantial amount of the DPS vote in the country and in Turkey.

- The nationalist political parties Patriotic Front and ATAKA continued to be a stable presence in the country’s political life, advocating a strong anti-minority and anti-migrant position, and openly blaming Turkey for the refugee crisis. Patriotic Front co-leader Krasimir Karakachanov finished third in the presidential elections with a little under 15 percent of the vote, and both political formations planned to join forces for the upcoming early elections.

- Economically, exports seemed to have grown for the first time since 2010, and unemployment slightly decreased slightly, while the GDP rose and trust in the economy also increased. However, despite these gains, Bulgaria continued to be the poorest in the EU in terms of GDP per capita.

**Electoral Process**

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- There were substantial amendments to Bulgaria’s electoral framework in 2016, and the groundwork for even more fundamental changes was also laid. In April, the parliament approved several major changes, including the introduction of mandatory voting, measures to “vote against all candidates”, and the prohibition of local coalitions among parties that are in different coalitions nationally. The legislature also tried to limit the number of voting stations in foreign countries, but after strong backlash from civil society groups representing the Bulgarian diaspora, this proposal was abandoned. Mandatory voting was introduced despite some disagreement from all sides of the political spectrum, particularly concerning the use of disenfranchisement as punishment. Under the new legislation, two repeated failures to vote will result in being struck off the voting registry, and those disenfranchised under these measures will need to reregister in order to vote again.

- Presidential elections took place on November 6 and 13, but anticipation over the upcoming vote dominated politics throughout the year, and the election’s consequences went far beyond the appointment of a new head of state. Twenty-two candidate pairs (president and vice-president) registered for the elections and ran in a relatively short, but increasingly dramatic, campaign. The most anticipated pair was the GERB candidacy, which was only announced in early October and was the focus of much speculation. In the end, Borissov put forward Tsentsa Tsacheva, a lawyer and the parliamentary chairwoman since 2009, with the hope that she would become the next president due to GERB’s high popularity at that time.

- Tsacheva’s principal opponent was General Rumen Radev, who was officially nominated by the BSP and its initiative committee. Radev’s partner candidate in the race for the presidential office was Iliana Iotova, a former journalist, BSP spokesperson, MP, and MEP.

- Voter turnout was 57.47 percent for the first round of presidential elections. To the surprise of many, GERB’s candidate Tsentsa Tsacheva did not win the most votes. General Radev secured 25.44
percent of the first round votes, while Tsacheva won 21.96 percent. General Radev won an overwhelming majority in the second round vote on November 13, winning 59.37 percent of the vote. The second round saw 51.62 percent of eligible voters cast their ballot.23 Compared with other elections, there were few complaints about problems with the voting procedures.24

- Parallel to the presidential vote, there was a national referendum on changes to the electoral law, initiated by the highly popular Bulgarian TV personality Slavi Trifonov. The proposal followed the procedures for a popularly initiated referendum, and asked the Bulgarian people to voice their support or opposition to the electoral reforms. Specifically, the referendum posed three questions, pertaining to changing the electoral system to a “majoritarian system with absolute majority in two rounds”, the introduction of mandatory voting in national elections and referenda, and a decrease in the amounts of state subsidies allocated to parties by the national budget.25

- The national referendum barely missed the threshold needed to make its decision binding, falling short by approximately 13,000 votes to reach the necessary threshold—the number of votes cast in the previous national parliamentary elections.26 Although the results are not binding, the consequences of the referendum are likely to be substantial, as 71.95 percent of voters supported the introduction of a majoritarian system. The National Assembly is legally bound to consider the propositions, and given the clear public appetite for change, it is likely to move the electoral legislative framework in this direction.

### Civil Society

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- Self-organized citizen brigades intensified their activities in early 2016, patrolling the southern border of the country and capturing illegal immigrants. In April, Prime Minister Borissov expressed an ambivalent attitude toward these brigades, at one point appearing to thank them for their vigilance.27 Later on, however, he and other GERB politicians stated that civil society organizations can only notify the respective authorities of breaches of the law, and should never take the law into their own hands. The Bulgarian Helsinki Committee initiated an investigation into the actions of the prime minister, arguing that he had encouraged the brigades. In June, the Sofia Prosecutor’s Office (SGP) refused to start an official investigation.28

- These actions by illiberal civil society elements continued despite a slight decline in the influx of migrants and refugees in 2016.29 By the end of the year, 19,418 people had applied for refugee status in the country, with more than half coming from Afghanistan; in 2015, Bulgaria accepted 20,391 applications.30 The state’s treatment of applicants was unsatisfactory due to a lack of financial resources, as well as public discontent with the predominantly Muslim migrants and asylum seekers. Discontent with poor living conditions in refugee centers intensified as the year progressed.31 In November, a riot of about 1,000 migrants erupted in the refugee camp in Harmanli, leading to brutal police intervention and further protests against taking in more refugees and migrants.32

- There were further debates about— but no real change to—the legal framework for civil society organizations in 2016. Registration and tax processes remained relatively simple. While a bill seeking to formalize volunteer work and amend the law on NGOs passed the judicial committee and had been introduced for discussion in the full parliament in November 2015, no further legislative progress took place in 2016. In November 2016, the country ombudsman, Maya Manolova, together with members of civil society and one Bulgarian MEP held a roundtable on the proposed bill.33

- Protest Network, an organization and social media platform that emerged during the 2013 protests, continued its active monitoring of Bulgarian political life. In March, the organization won a court
case against the daily Monitor for publishing allegations that Protest Network was utilizing paid protesters.

- A positive development during the year was the seemingly growing intensity of local civil society organizations’ activity. Regional building developments, for example, caused concern and triggered protests among local environmental organizations, and initiatives for local referenda on building plans were discussed in some of Sofia’s subdivisions, and in Sliven.

- Civil society enjoyed a victory with the final outcome of the debate on the electoral law. In May, parliament passed legislation that would restrict voting outside the country to polling stations in embassies and consulates only. In 2014, Bulgarians abroad had organized to vote at a much higher rate, using the then-current provision that voting stations could be opened provided that 100 people register to vote in a given location. The May 2016 legislation was met with widespread discontent and protest, and representatives of various organizations of Bulgarians abroad called for its repeal. Meetings with the Ombudsman followed, and the president issued a veto on the law. Parliament rejected the veto, but reconsidered the electoral law, finally allowing a maximum of 35 voting stations per country outside Bulgaria. Bulgarians abroad formed a citizen’s platform called “I Want to Vote”, and continued advocating for easier access to the voting process for the Bulgarian diaspora.

### Independent Media

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- Negative trends evident in Bulgarian media since 2013 intensified in 2016. Problems include an increasing concentration of media ownership into the hands of a few groups, the shrinking number of print media outlets, a growing dependence on political and economic power, and an overall decline of professional standards. Media ownership has increasingly been brought into the hands of several media groups. The top four television groups control 90 percent of the market, with the two biggest—bTV Media Group and Nova/MTG—controlling more than 80 percent of the TV market. The top four press groups—including DPS politician Delyan Peevski’s New Bulgarian Media Group—controlled more than 80 percent of all newspapers. Print media has faced a steady decline, with the number of newspapers shrinking from 369 in 2011 to 283 in 2016.

- Confrontations between the Ekonomedia-owned media and other more popular publications continued. For example, an investigation by Dnevnik into the politics of regional and local media revealed very strong trends of local media dependence on the political authorities. The investigation into the relations between local governments and local media alleged that 10 municipalities had spent 2.7 million lev ($1.5 million) to buy political influence by hiring PR agencies and paying for publications in local outlets. However, 24 Chasa argued that these publications were “showing double standards”, that the investigation was aimed only at media not owned by the group, and that the allegations were unduly libelous to local media and authorities.

- The longtime chair of the electronic media regulator in Bulgaria (SEM), Georgi Lozanov, resigned following the registration of a new TV station associated with the yellow online site Pik, owned by Nedyalko Nedyalkov. According to Lozanov, the site engages in hate speech—although there was no legal basis by which the council could deny the television outlet registration.

- In May, SEM appointed a new director of the Bulgarian National Radio, Vassil Velev. Upon taking office, the new director immediately fired one of the most popular journalists at the broadcaster, Lilly Marinkova, without serious cause. The move was followed by widespread protests, including from civil society, journalists’ professional organizations, and the academic world, and triggered appeals to reinstate the journalist due to allegations that her dismissal was politically motivated. SEM refused to get involved, and in November Marinkova took Velev to court.
• The year also saw another demonstration of TV media’s involvement in politics. Similar to the role played by TV Skat in popularizing the nationalist party ATAKA, and by TV 7 for the initiation of the party Bulgaria Without Censorship, in 2016 the second largest television, bTV, joined the political game. Its most popular show, “Slavi’s Show”, became a major arena for the expression of populist and antiestablishment sentiments and, ultimately, the medium through which a national referendum on—among other issues—the complete overhaul of the Bulgarian proportional electoral system was initiated. While his political ambitions remained unclear, the showman Slavi Trifonov—unaffiliated with a specific political party—took on an active social role in the months following the referendum.

• An online publication of investigative journalism, Bivol, took center stage in exposing “alleged corruption, embezzlement of public funds, and links between Bulgarian government officials and criminal groups.” This led to various open conflicts between the site and media owned by Delyan Peevski, among others. One of Bivol’s journalists, Dimitar Stoyanov, became the object of physical threats, leading to official concern from Reporters Without Borders in December.

Local Democratic Governance

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• Bulgaria has 264 municipalities that act as self-governing units. The municipalities, which can set their budgets independently, are further organized into 28 regions headed by governors appointed by the prime minister. Regular elections for mayors and members of local councils took place in 2015. These local elections underlined the political weakness of the Socialists, the uncertain status of DPS, and GERB’s almost complete control of the political system. In 2016, by-elections were held in several municipalities without major new developments.

• The changes in the electoral law introduced and passed by the sitting parliament in early 2016 attempted to ban so-called local coalitions. The Patriotic Front (PPG) argued that the tendency of political parties to form local coalitions different from national coalition affiliations may lead to the formation of local political actors with strong clientelistic interests, as local political parties are more likely to succumb to economic pressures. Following debates and discussions that included representatives of the Protest Network and other civil society organizations, the final version of the electoral amendments allowed local coalitions, but explicitly required them to bear the names of the constituent parties.

• Initiatives and projects to strengthen local government and regional development intensified in 2016. Various conferences, workshops, and symposia were held with the support of EU regional funds to help foster local development initiatives. Several organizations, including the Association of Bulgarian Cities and Regions and the National Association of the Municipalities, maintain an active network of events. A new initiative is the portal kmeta.bg, which allows people to nominate the best mayors around the country and encourages various mayoral projects and initiatives with financial support.

• A major problem for the country remains the unequal development of its regions, with the northwestern regions suffering particularly from internal emigration and migration. The government’s EU-supported programs to settle refugees in the “dying municipalities” was met with tenuous support by the Association of Municipalities.

• Another issue of concern continues to be the impact of the influx of refugees on local authorities, and local governments’ handling of the crisis. In November, a major incident happened at a refugee camp in the city of Harmanli. A quarantine imposed on the camp triggered violent protests by the camp inhabitants, which in turn prompted a large scale police response. Numerous people were wounded on
both sides, with 18 people arrested and taken to court. While investigations into the incident continue, it was a clear demonstration of the challenges the ongoing refugee crisis poses, and the inability of local authorities to meet them.

Judicial Framework and Independence

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- The Bulgarian constitution guarantees the independence of the judiciary, which has benefited from reforms associated with EU accession. However, nontransparent and uncompetitive appointment procedures in the highest judicial bodies, as well as alleged corruption, have continued to tar the judiciary’s reputation at home and abroad.
- The judicial reforms first attempted in 2015 saw limited progress in 2016. The 2015 reform proposal sought to change the way courts were governed, increasing the independence of judges and limiting politicization. Reforms proved extremely difficult, and in early December 2015 parliament approved a watered-down version of the bill. The justice minister resigned following the vote and advocacy organizations widely criticized parliament’s decision, arguing that it showed a lack of commitment to judicial independence.
- During 2016 the new justice minister, Ekaterina Zaharieva, vowed to continue on the reform path and advanced a new set of changes to the Law on the Judiciary. The first package of amendments was passed in March. Its most important changes related to the Supreme Judicial Council (VSS), a body with the power to appoint, promote, demote, reassign, or dismiss judges, prosecutors, and investigating magistrates. The amendments finally institutionalized the division into prosecutors’ and judges’ councils—thus ensuring their separate appointment process—made voting in their meetings open, and increased VSS members’ salaries in order to remove the possibility for open political influence. The effects of these reforms are still to be observed.
- In late July, the final amendments were passed. These reforms made it more difficult to combine positions in the justice system with other special interests, increased the self-regulatory powers of judicial bodies, and raised the professional standards for electing judges.
- The amendments were seen as small, but important, progress towards an independent and politically neutral judiciary. Still, some civil society organizations such as Justice for All which had been crucial for the public and professional push for reform in the judiciary, saw this as a cop-out, since the reform did not, for example, give any attention to the office of the prosecutor general. Judges also protested some of the policies of the VSS and the prosecutor general’s interference in their work.
- The office of the prosecutor general, and the prosecutor general Sotir Tsatsarov himself, attracted further negative attention during the year. Both the office and officeholder were accused of political influence and professional interference in the appointment of judges and the work of two Sofia courts. The prosecutor general’s position has long been the subject of criticism and concern: in fact, in February, the Bulgarian government requested an independent analysis of the structural and functional model of the office by the European Commission’s Structural Reform and Support Service (SRSS). The independent analysis published in December, among other issues, noted the lack of mechanisms for the prosecutor general’s personal accountability, systemic problems with ineffective investigations, and a failure to investigate matters established by the European Court of Human Rights (ECHR) or domestic courts. According to the report, judicial reforms should prioritize strengthening the accountability and transparency of the prosecutor’s office to parliament, and more internal accountability and transparency in decision-making.
Corruption

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- The most troubling trend in recent years—the overlap between political and monopolistic business interests that had been one source of the 2014 political crisis—continued in 2016. The scandals surrounding DPS MP Delyan Peevski are illustrative of the interconnectedness of the media, economy, and politics. In 2015, Peevski declared his ownership in Bulgartabac, NBMG, and other companies, and announced plans to leave politics. During 2016, he remained an MP and continued to increase his economic presence in the country by buying a chain of stores. However, early on in the year, speculations abounded that Prime Minister Borisov wanted to marginalize him. Peevski stopped appearing in parliament and publicly declared, once again, his withdrawal from public life. Few dispute, however, that he continues to pull strings in DPS.

- In 2015, the cabinet introduced a bill to fight high-level corruption, but junior coalition partners ABV and Patriotic Front eventually joined the opposition and voted against the draft. During most of 2016, parliament delayed further discussion of the bill, but late in the year, after the cabinet had already resigned, GERB pushed it forward for consideration. However, by mid-December, it became clear that parliament would not consider the law until the end of its mandate.

- In 2013, the Bulgarian government had created the Center for Prevention and Countering Corruption and Organized Crime (BORKOR) and tasked it with identifying potential corruption loopholes in every law passed in the country. By mid-2016, little had been seemingly achieved. Deputy prime minister Megleva Kuneva’s team suggested that, in light of its apparent inefficiency, BORKOR should be closed, arguing that that the anti-graft organ could be incorporated in the Audit Office in order to decrease the number of state anticorruption bodies.

- In April, allegations of abuse of public office by GERB activists in the high levels of state administration led to internal party problems and the expulsion of the activists in question. Investigation by the office of the prosecutor general found that EU funds for rural developments handled by the State Agricultural Fund had been misused.

- Corruption remains endemic in the country. Based on an Ernst and Young survey of the business elite, 39 percent of Bulgarian managers consider paying a bribe to be a widespread practice in the country, while about half of these respondents consider bribes as part of daily business. Other research has revealed that 10 percent of Bulgarian citizens pay bribes for health services, while Alpha Research found that 58.6 percent of Bulgarians have seen an increase in corruption over recent years, and hold the highest levels of the judiciary most responsible for this trend. According to Transparency International, Bulgaria remains the most corrupt country in the EU, and a leader in the number of state agencies fighting it.

**AUTHOR: Maria Spirova**

Maria Spirova is a senior lecturer of Comparative Politics and International Relations at Leiden University. She holds a PhD in political science from the University of Wisconsin–Milwaukee, and has previously studied political science at the Central European University and the American University in Bulgaria. Her research interests include political parties, party patronage, and corruption, and the democratic representation of ethnic minorities. In addition, she serves as book reviews editor for East European Politics.

Ibid.

"Няма да има местни коалиции на избори" [There will be no local coalitions at elections], Dnevnik, 18 April 2016, http://www.dnevnik.bg/bulgaria/2016/04/18/2744954 niama da ima mestni koalicii na izbori bili/

"Местни коалиции на избори все пак ще има" [There will be local coalitions], Dnevnik, 26 April 2016, http://www.dnevnik.bg/bulgaria/2016/04/26/2750006 mestni koalicii na izbori vse pak shte ima/


"Каква е истината за размирите в Харманли?" [What is the truth about the riots in Harmanli?], DW, 24 November 2016, https://goo.gl/XR4Qul; "Задържаните след бунта в Харманли мигранти остават в ареста" [The arrested after the riots remain in prison], BTV Novinite, 28 November 2016, http://btvnovinite.bg/gallery/kriminalno/zadarzhanite-sled-bunta-v-harmanli-migranti-ostavat-v-aresta.html

"Идва ли нова криза" [Is a new crisis coming?], Capital, 15 January 2016, http://www.capital.bg/kreader/?i=capital&issueid=4721#post2730311

"ВЕСЕЛЕ ВЕЧЕ ЩЕ СЪСТОИ ДВЕ КОЛЕГИИ" [The VSS will have two teams], Capital, 31 March 2016, http://www.capital.bg/politika_i_ikonomika/bulgaria/2016/03/31/2734198_vesele_shte_susoto_ot_dve_kolegi_za_chlenovete/

"Ах, тази съдебна реформа" [Ah, this reform of the judiciary], Dnevnik, 30 July 2016, http://www.dnevnik.bg/analiizi/2016/07/30/2803458 ah tazi sudebnata_reforma/


"Зашо протестират съдии" [Why do the justices protest?], Capital, 8 December 2016, http://www.capital.bg/politika_i_ikonomika/bulgaria/2016/12/08/2879302 zashto protestirat sudiite/

"Европейските прокурори: Главният прокурор да се отчита на всеки три месеца пред парламента публично" [European prosecutors: the prosecutor general needs to be regularly accountable to parliament], Dnevnik, 20 December 2016, http://www.dnevnik.bg/bulgaria/2016/12/20/2887331_europeiskite_prokurori_glavniat_prokuror_da_se%ef{id}


"Товорчески съвет за изграждане, Бивол" [Bivol], https://bivol.bg/tag/%D0%B4%D0%B5%D0%BB%D1%8F%D0%BD-%D0%BF%D0%B5%D0%B2%D1%81%D0%BA%D0%B8/

"ГЕРБ забръза работата по антикорупционния закон на Кунева" [GERB is speeding up the Kuneva anti-corruption law], Sega, 6 December 2016, http://www.segabg.com/article.php?id=833528

"Гози парламент няма да приеме антикорупционния закон" [This parliament will not pass the anti-corruption law], Dnevnik 14 December 2016, http://www.dnevnik.bg/bulgaria/2016/12/14/2883599 tozi_parlament_nima_da_prieme_antikorupcionniia_zakon/

"Помните ли Боркор?" [Do you remember BORKOR?], Capital, 25 March 2016, http://www.capital.bg/kreader/?i=capital&issueid=4721#post2730311

"Какво има в черната кутия на фонд 'Земеделие'" [What is in the black box of the Agriculture Fund], Capital, 15 April 2016, http://www.capital.bg/kreader/?i=capital&issueid=4745#post2743430
68 “Проучване на Алфа Рисърч: Корупцията расте, въпреки напредъка в различни сфери” [According to Alpha Research Corruption is on the rise], BNT, 7 March 2016, http://news.bnt.bg/bg/a/alfa