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Right to privacy concerns amid mud-slinging election campaign

On 12 May 2013 Bulgaria [held](#) early parliamentary elections, a month or two before the scheduled regular vote. This happened because the centre-right government of the GERB party, led by Boyko Borisov, resigned in February after mass street [protests](#) of hundreds of thousands of Bulgarians against high electricity prices, monopoly structures in the economy, low standard of living and corrupt government. Given these developments, one would have expected the election campaign, which officially started a month before the voting day, would focus on economic issues, the fight against corruption and would witness a cleansing of the political spectrum of old faces and advent of new political actors with new ideas and platforms more open to the citizenry.

What indeed happened was a dirty, mud-slinging campaign involving scandals about wiretapping and illegal ballot stashing outside the capital Sofia on the ‘reflection day’ just before the vote. The wiretapping was allegedly perpetrated by senior interior ministry officials with the knowledge and sanction of ex-interior minister and GERB second man Tsvetan Tsvetanov. The prosecutor’s office confirmed the violation, raising serious concerns about unauthorised use of wiretapping equipment by the Bulgarian state and violation of the right to privacy of the citizens. The obvious question here is how secure ordinary individuals can feel if their own government can unrestrictedly intrude their private lives by tapping them.

The questionable practices of the GERB government vis-à-vis democratic conduct and human rights date back some time. In January 2011 the then-prime minister and GERB leader (and a former bodyguard and police chief) Boyko Borisov [said](#) in an interview for a national TV station “I don’t see anything wrong in wiretapping cabinet ministers, deputy prime ministers and government agency heads.” The public’s suspicion of unauthorised wiretapping practiced by the state then gained actual form when an anonymous signal was passed in April 2013 to the leader of the opposition, Sergey Stanishev of the Bulgarian Socialist Party, that a “strange grey Chrysler” equipped with modern wiretapping devices was moving around central Sofia listening to private mobile phone conversation of important public figures. The signal was apparently from an insider, and the whole story proved “2/3 correct”, as put by the prosecutor’s office, [creating](#) a huge “Watergate”-type scandal. While certainly the election campaign was the intended setting for such “accidental” leaks, all this worrisome information, corroborated by the prosecutors, hardly contributes to human security in EU member Bulgaria and the protection of basic human rights.

The right to privacy is present in all major human rights documents adopted by international organisations and states so far. Article 12 of the Universal Declaration of Human Rights [states](#) that “No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such



interference or attacks.” Identical provisions are [made](#) in Article 17 of the International Covenant of Civil and Political Rights. The European Convention on Human Rights, Article 8, [states](#) that “1. Everyone has the right to respect for his private and family life, his home and his correspondence. 2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.” And Article 7 of the latest human rights document of the European Union, the Charter of Fundamental Rights, [says](#) that “Everyone has the right to respect for his or her private and family life, home and communications.”

Bulgaria is party to all of the above treaties, and the new government, once parliamentary majority is formed, should make sure it addresses the issue of unauthorised wiretapping for the sake of the security of its own people.

Media freedom

Bulgaria made just another leap downwards in the 2013 World Press Freedom Index of international media watchdog Reporters Without Borders, [dropping](#) seven places to 87th rank (between Guinea and Madagascar). The situation is truly worrying for an EU member, and even regionally in Southeast Europe. The main reason for this marked and steady deterioration (the country’s rank has been consistently falling for the last several years) in the Bulgarian media environment is the concentration of ownership of the media and the questionable relations between owners and the state. Also, in the context of an ongoing economic crisis, the government has suddenly become the most active advertiser in print media, making the sector less independent that it should be. But the most troublesome developments concern the attitude of state institutions towards individual journalist or outlets. In April 2013, the prosecutor’s office [summoned](#) a journalist from the online outlet Mediapool, Boris Mitov, for questioning over a series of reports he made criticising the work of the institution. And in October 2012 Reporters Without Borders [condemned](#) attempts by several Bulgarian banks to “harass” a news site, Bivol.bg, via the Bulgarian National Bank for publishing analyses of leaked U.S. embassy cables about “bad apples” in the Bulgarian banking system.



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