

THE CONSTITUTION OF BULGARIA

The new Constitution, adopted by the Grand National Assembly on 12 July 1991 and signed by Nikolay Todorov, chairman of the Grand National Assembly, promulgated under Official Gazette ("DURZHAVEN VESTNIK") N 56, 1991, on the 13th of July 1991 Order of Nikolay Todorov, chairman of the Grand National Assembly, on the promulgation of the Constitution of the Republic of Bulgaria, issued in Sofia on 12 July 1991 On the basis of Section 9 of the interim and concluding provisions of the Constitution of the Republic of Bulgaria, adopted on 12 July 1991, I hereby decree that the Constitution of the Republic of Bulgaria, adopted on 12 July 1991 by the Grand National Assembly, be published in DURZHAVEN VESTNIK.

CONSTITUTION OF THE REPUBLIC OF BULGARIA

We, the national representatives of the Seventh Grand National Assembly, in our aspiration to express the will of the Bulgarian people, declaring our loyalty to the universal human ideals of freedom, peace, humanism, equality, justice, and tolerance, and elevating to the rank of supreme principle the rights of the individual and his dignity and security, aware of our irrevocable duty to safeguard the national and state unity of Bulgaria, proclaim our resolve to create a democratic, law-governed, and social state, for which we adopt the present

CONSTITUTION

Chapter 1 Fundamental Principles

Article 1.

(1) Bulgaria is a republic with a parliamentary system of government. (2) The full power of the state originates with the people. It is exercised by the people directly and through the bodies provide for under this Constitution. (3) No part of the people, political party, or other organization, state institution, or individual person may usurp the right to exercise the people's sovereignty.

Article 2.

(1) The Republic of Bulgaria is a unified state with local self-government. No autonomous territorial formations are allowed for under it. (2) The territorial integrity of the Republic of Bulgaria is inviolable. Article 3.

Bulgarian is the official language of the Republic. Article 4.

(1) The Republic of Bulgaria is a state of the rule of law. It shall be governed according to the Constitution and the laws of the country. (2) The Republic of Bulgaria shall guarantee the life, dignity, and rights of the individual and shall provide for conditions for the free development of the individual and civil society.

Article 5.

(1) The Constitution is the supreme law, and no other law may contradict it. (2) The provisions of the Constitution shall have direct applicability. (3) No one may be sentenced for any action or inaction that was not legally provided for a crime when it was committed. (4) International treaties, constitutionally ratified, promulgated, and having come into force as for the Republic of Bulgaria, shall be a part of the domestic law of the country. They shall take precedence over any conflicting legal rules under the domestic legislation. (5) All the normative acts shall be promulgated. They shall come into force three days after their promulgation, unless other period of time shall be stipulated therein. Article 6.

(1) All people are born free and equal in dignity and rights. (2) All citizens are equal under the law. No limitations to their rights or any privileges shall be allowed for on the grounds of race, nationality, ethnic affiliation, sex, origin, religion, education, beliefs, political affiliation, personal or social position, or property status. Article 7.

The state shall be liable for damages caused as a result of illegal laws or actions committed by its authorities or officials. Article 8. The power of the state shall be divided between a legislative, an executive, and a judicial branch. Article 9.

The Armed Forces shall guarantee the sovereignty, safety, and independence of the country, and shall protect its territorial integrity. Article 10.

Elections and national and local referenda are based on universal, equal, and direct elections by secret ballot. Article 11.

(1) Political life in the Republic of Bulgaria shall be based on the principle of political pluralism. (2) No single political party or ideology may be proclaimed or asserted as being that of the state. (3) The parties contribute to the shaping and the expression of the political will of the citizens. The procedure governing the founding or the disbanding of political parties and the conditions governing their activities shall be established by law. (4) Political parties may not be founded on ethnic, racial, or religious grounds, nor shall it be permitted to found a party which seeks to assume state power by violent means. Article 12.

(1) Citizens associations are founded to satisfy and protect the interests of their members. (2) Citizens associations, including trade unions, may not set themselves political objectives or engage in political activities that belong intrinsically to political parties. Article 13.

(1) Any religion and religious conviction shall be free.

(2) Religious institutions shall be separate from the state. (3) The Eastern Orthodox religion is the traditional religion of the Republic of Bulgaria. (4) Religious communities and institutions or religious convictions may not be used in the pursuit of political objectives. Article 14.

The family, motherhood, and children shall be protected by the state and society. Article 15.

The Republic of Bulgaria shall ensure the protection and conservation of the environment, the sustenance of animals and the maintenance of their diversity, and the sensible utilization of the country's natural wealth and resources. Article 16.

The law shall guarantee and protect labour. Article 17.

(1) The law shall guarantee and protect the right to property and inheritance. (2) Property may be private or public. (3) Private property is inviolable. (4) The legal regulation of realties and effects of state and municipal ["obshtina"] property shall established by law. (5) Compulsory expropriation of property out of a necessity of the state or a municipality may be performed only on the grounds provided by law and provided that such need cannot be satisfied in any other way. can not be otherwise met and after a fair compensation paid in advance. Article 18.

(1) The state is the exclusive owner of all the underground resources, the coastal beaches, public roadways, waters, forests and parks of national significance, natural preserves, and archaeological sites, as determined by law. (2) The state shall exercise sovereign rights over the continental shelf and within the exclusive economic zone concerning the study, development, utilization, preservation, and management of biological, mineral, and energy resources of such maritime areas. (3) The state shall exercise sovereign rights over the radio-frequency spectrum and locations of the geostationary orbit assigned to the Republic of Bulgaria by international agreements. (4) A law may provide for the state monopoly over railroad transportation, national postal and telecommunications networks, the utilization of nuclear power, the production of radioactive items, weapons, explosives, and biologically potent substances. (5) The conditions and procedures according to which the state may grant concessions for various projects and permits for activities as per the preceding paragraphs shall be regulated by law. (6) State property is cared for and managed in the interest of the citizens and society. Article 19.

(1) The economy of the Republic of Bulgaria shall be based on free economic initiative. (2) The law establishes and guarantees for all citizens and legal persons equal rights to engage in economic activities by preventing the abuse of monopoly and unfair competition, and by protecting the consumer. (3) Investments and economic activities of Bulgarian and foreign citizens and juridical persons are protected by the law. (4) The law provides the conditions for establishing cooperatives and other types of associations by citizens and juridical persons for the purpose of Economic and social advancement. Article 20.

The state shall set up conditions for a balanced development of the individual areas of the country and shall assist the territorial authorities and their activities through financial, credit, and investment policies. Article 21.

(1) The land is a basic national resource and benefits from the special protection of the state and society. (2) Arable land may be used exclusively for agricultural purposes. Changes in its use are permitted only when based on proven need, in accordance with conditions and procedures determined by the law. Article 22.

(1) Foreign natural and legal persons may not acquire the right to land ownership unless legally inherited. In such cases, they should transfer the ownership. (2) Under conditions stipulated by law, foreign natural and legal persons may acquire user rights, building rights, and other property rights. Article 23.

The state shall set up conditions for the free development of science, education, and the arts, and shall assist them. It is also concerned with preserving the national historical and cultural heritage. Article 24.

(1) The foreign policy of the Republic of Bulgaria shall be exercised in accordance with the principles and standards of international law. (2) The fundamental objectives of the foreign policy of the Republic of

Bulgaria are the country's national security and independence, the well-being and fundamental rights and freedoms of Bulgarian citizens, and assistance in the establishment of a just international order.

Chapter 2 Fundamental Rights and Obligations of Citizens

Article 25.

(1) Anyone who has at least one parent who is a Bulgarian citizen or anyone who was born on the territory of the Republic of Bulgaria is a Bulgarian citizen, unless he has acquired other citizenship by birth. Bulgarian citizenship may also be acquired by naturalization. (2) Individuals of Bulgarian origin may acquire Bulgarian citizenship through a facilitated procedure. (3) A Bulgarian citizen by birth may not be deprived of his Bulgarian citizenship. (4) A citizen of the Republic of Bulgaria may not be expelled from the country or extradited to another country. (5) Bulgarian citizens who live abroad are under the protection of the Republic of Bulgaria. (6) The conditions and procedures for acquiring, keeping, or losing Bulgarian citizenship shall be regulated by law. Article 26.

(1) Irrespective of where they are, the citizens of the Republic of Bulgaria shall have all the rights and the obligations stipulated in this Constitution. (2) Foreigners who reside in the Republic of Bulgaria shall have all the rights and obligations as per this Constitution, with the exception of the rights and obligations for which the Constitution and the laws require Bulgarian citizenship. Article 27.

(1) Foreigners who legally reside in the country may not be expelled from it or extradited to other countries against their wills, other than under the conditions and procedures defined by the law. (2) The Republic of Bulgaria shall grant asylum to foreigners persecuted for their convictions or activities in defense of internationally recognized rights and freedoms. (3) The conditions and procedures for granting asylum shall be set up under a law. Article 28.

Everyone has the right to life. Any attempt on a person's life will be prosecuted as a grave crime. Article 29.

(1) No one may be subjected to torture or to cruel, inhuman, or degrading treatment, or to coercive assimilation. (2) No one may be subjected to medical, scientific, or other experiments without a voluntary written agreement on his part. Article 30.

(1) Every individual has the right to the personal freedom and inviolability. (2) No one may be detained, investigated, searched, or subjected to any other infringement of his personal inviolability save under the conditions and procedures regulated by law. (3) In urgent circumstances, expressly stipulated under the law, the authorized state body may detain a citizen and thereby must immediately inform the judicial authorities. The judicial authorities must issue a ruling on the lawfulness of such an act within 24 hours following the detention. (4) Everyone shall be entitled to the right to legal counsel from the moment of his detention or indictment. (5) Everyone shall be entitled to the right to a private meeting with his defender. The secrecy of their communication shall be inviolable. Article 31.

(1) Anyone charged with a crime must be brought before the judicial authorities within the legally stipulated period of time. (2) No one can be forced to plead guilty or be sentenced on the only ground of self-confession. (3) An accused person shall be considered innocent until the opposite is ascertained and a court sentence enacted. (4) The rights of the accused may not be restricted beyond what is necessary for the administration of justice. (5) Prisoners are to be provided with conditions that are conducive to the exercise of their fundamental rights that are not limited by virtue of their sentences. (6) Prison sentences are served only in

places established by law. (7) There is no statute of limitations for the criminal prosecution and implementation of punishment for crimes committed against peace and humanity. Article 32.

(1) The private life of a citizen is inviolable. Everyone shall have the right to be protected from illegal interference in personal and family life and against violations of his honour, dignity, and good name. (2) No one may be followed, photographed, filmed, recorded, or subjected to other similar actions without his knowledge or with his express disapproval, other than in cases regulated by the law. Article 33.

(1) A person's residence is inviolable. Without the agreement of the resident, no one may enter or remain inside it other than in cases expressly stipulated in the law. (2) Entering a residence or staying in it without the consent of its occupant or without the permission of the judicial authority may be allowed only for the purpose of preventing an imminent crime or a crime in progress, for the capture of a criminal, or in extreme necessity. Article 34.

(1) The freedom and confidentiality of correspondence and other communications are inviolable. (2) Exceptions to this rule are allowed only by permission of the judicial authorities, if deemed necessary to expose or prevent serious crimes. Article 35.

(1) Anyone has the right to freely choose his domicile, to move within the territory of the country, or to leave the country. This right may be restricted only by law, in order to safeguard national security, public health, or the rights and freedoms of other citizens. (2) Any citizen of Bulgaria has the right to return to the country. Article 36.

(1) Bulgarian citizens have the right and obligation to study and use the Bulgarian language. (2) Citizens whose native tongues are not Bulgarian have the right to study and use their own languages as well as the obligation to study Bulgarian. (3) Cases in which only the official language may be used shall be indicated in the law. Article 37.

(1) Freedom of conscience, thought, and choice of religion or religious or atheistic beliefs are inviolable. The state shall assist the keeping up of tolerance and respect among believers of different faiths as well as between believers and nonbelievers. (2) Freedom of conscience and religion may not be detrimental to national security, public order, public health and morality, or the rights and freedoms of other citizens. Article 38.

No one may be persecuted or have his rights restricted because of his convictions, or be detained or forced to provide information relative to his convictions or those of another person. Article 39.

(1) Everyone has the right to express his opinion and to disseminate it in writing or orally, through sounds, images, or by any other means. (2) This right may not be used to the detriment of the rights and reputations of others or to call for a forcible change in the constitutionally established order, the commission of a crime, the incitement of enmity, or acts of violence against an individual. Article 40.

(1) The press and the other information media are free and not subject to censorship. (2) A printed publication or any other information medium may be suppressed or confiscated only through an act of the judicial authorities, when good mores are violated or if it appeals for a violent change in the constitutionally established order, the commission of a crime, or an act of violence against an individual. The suppression shall be rescinded if it is not followed by confiscation within 24 hours. Article 41.

(1) Anyone has the right to seek, obtain, or disseminate information. The exercise of this right may not be detrimental to the rights and good names of other citizens, national security, public order, public health, or morality. (2) The citizens have the right to obtain information from a state authority or establishment on matters of legitimate interest to them, provided that such information is not a state secret or other secret protected by the law, or violates the rights of others. Article 42.

(1) Citizens who are age 18 or older, with the exception of those who are legally incapacitated or serving prison sentences, have the right to elect state and local authorities and to participate in public referenda. (2) The organization and procedures for holding elections and referenda are regulated by law. Article 43.

(1) Citizens have the right to assemble for meetings and demonstrations peacefully and without arms. (2) The procedure for organizing and holding meetings and demonstrations shall be determined by law. (3) No permit shall be required for a meeting held indoors. Article 44.

(1) Citizens are free to form associations. (2) Organizations whose activities are directed against the country's sovereignty and territorial integrity or the unity of the nation, or that encourage racial, national, ethnic, or religious hatred, or violate the rights and freedoms of the citizens, as well as organizations that establish secret or militarized structures or try to achieve their objectives through violent means, are prohibited. (3) The law will regulate organizations that are subject to registration, the procedure for their termination, and their relations with the state. Article 45.

Citizens have the right to file complaints, suggestions, and petitions with the state authorities. Article 46.

(1) Marriage is a voluntary union of a man and a woman. Only a civil marriage is considered legal. (2) Spouses enjoy equal rights and obligations within the marriage and the family. (3) The form of the marriage, the stipulations and procedures for its conclusion and termination, and the personal and property relations between spouses are regulated by law. Article 47.

(1) The raising and the education of children until they come of legal age is a right and an obligation of their parents; the state provides assistance. (2) Mothers enjoy the special protection of the state, which grants them paid leave before and after childbirth, free obstetrical care, easier working conditions, and other types of social assistance. (3) Children born out of wedlock have the same rights as those born within a marriage. (4) Children who are deprived of the care of their relatives are under the special protection of the state and society. (5) The conditions and procedures for restricting or depriving parents of their rights are regulated by law. Article 48.

(1) Citizens have the right to work. The state is concerned with providing conditions for the exercise of this right. (2) The state creates conditions conducive to the exercise of the right to work by the physically or mentally handicapped. (3) A citizen is free to choose his own profession and place of work. (4) No one can be made to perform forced labor. (5) Workers and employees have the right to healthy and safe working conditions, a minimal wage, and remuneration consistent with the work done, as well as rest and leave under the conditions and procedures regulated by law. Article 49.

(1) Workers and employees have the right to form trade unions and associations for the protection of their interests in the areas of labor and social security. (2) Employers have the right to form associations to safeguard their economic interests. Article 50.

Workers and employees have the right to strike in defense of their collective economic and social interests. This right may be exercised under the conditions and procedures regulated by law. Article 51.

(1) Citizens have the right to social security and social assistance. (2) Individuals who are temporarily unemployed receive social security assistance under the conditions and procedures regulated by law. (3) Elderly people who are without relatives and who are unable to support themselves with their own assets, and physically or mentally handicapped individuals are under the special protection of the state and society. Article 52.

(1) Citizens have the right to health insurance, which guarantees them accessible medical aid, and to free medical services, under the conditions and procedures regulated by law. (2) The cost of health care for citizens is financed by the state budget, employers, personal and collective insurance premiums, and other sources, under the conditions and procedures regulated by law. (3) The state protects the health of the citizens and encourages the development of sports and tourism. (4) No one can be forced to undergo treatment or be subjected to health measures other than in cases stipulated by the law. (5) The state supervises all health establishments and the manufacturing of and trading in medicinal drugs, bio-preparations, and medical equipment. Article 53.

(1) The right to education is universal. (2) School attendance until age 16 shall be mandatory. (3) Primary and secondary education in state and municipal schools shall be free. Under conditions regulated by the law, education in higher state schools shall be also free. (4) Higher schools have academic autonomy. (5) Citizens and organizations may found schools under the conditions and procedures regulated by law. Instruction in such schools must be consistent with the requirements of the state. (6) The state encourages education by establishing and financing schools; it helps capable secondary and higher school students; it creates conditions for vocational training and retraining; it supervises all types and levels of schools. Article 54.

(1) The law acknowledges and guarantees to everyone the right to the benefits provided by national and universal human values, and the right to develop his own culture, in accordance with his ethnic affiliation. (2) Freedom of artistic, scientific, and technical creativity is acknowledged and guaranteed by law. (3) The law protects invention, authorship, and related rights. Article 55.

Citizens have the right to a healthy and favorable environment, consistent with stipulated standards and regulations. They have an obligation to protect the environment. Article 56.

Every citizen shall have the right to defend himself if his rights or legitimate interests have been violated or threatened. In dealings with state establishments, a citizen may have his own legal counsel. Article 57.

(1) The fundamental rights of citizens shall be irrevocable. (2) These rights may not be abused and may not be exercised to the detriment of the rights or legitimate interests of others. (3) In the case of a declaration of war or martial law or any other state of emergency, the individual rights of citizens may be temporarily restricted by law, with the exception of the rights stipulated in Article 28; Article 29; Article 31, Paragraphs 1, 2, and 3; Article 32, Paragraph 1; and Article 37.

Article 58.

(1) Citizens must observe and obey the Constitution and the laws. They must respect the rights and legitimate interests of others. (2) Religious or other beliefs are not grounds for refusing to fulfill the obligations imposed by the Constitution and laws. Article 59.

(1) The defense of the fatherland is the duty and the honor of all Bulgarian citizens. Treason and betrayal of the fatherland are grave crimes and are punished with the full strictness of the law. (2) The fulfillment of

military obligations, the conditions and procedures for exemption from them, and the substitution for them by alternate service shall be regulated by the law. Article 60.

(1) Citizens have the obligation to pay taxes and fees stipulated by the law, consistent with their incomes and property. (2) Taxes may be reduced or increased only by law. Article 61.

Citizens must assist the state and society in the case of natural and other disasters, under the conditions and procedures regulated by law.

Chapter 3 National Assembly [Narodno Subranie]

Article 62.

The National Assembly shall perform the legislative power and shall exercise the parliamentary control. Article 63.

The National Assembly consists of 240 members [narodni predstaviteli]. Article 64.

(1) The National Assembly shall be elected for a four-year term. (2) In cases of war, martial law, or an emergency that may have taken place during or after the expiration of the term of office of the National Assembly, its term shall be extended until when such conditions no longer exist. (3) An election for a new National Assembly is held no later than two months after the mandate of the previous National Assembly has elapsed. Article 65.

(1) Any Bulgarian citizen who does not hold other citizenship, is 21 years old, is not under judicial disability, and is not serving a prison sentence may be elected to be a member of the National Assembly (2) A candidate for a member of the National Assembly who holds a state position may not hold the state position after his registration as a candidate. Article 66.

The legality of elections may be challenged in the Constitutional Court in accordance with the procedure regulated by law. Article 67.

(1) The members of the National Assembly represent not only their constituents but also the entire nation. Binding instructions to a representative are invalid. (3) The members of the National Assembly act on the basis of the Constitution and the laws and in accordance with their own consciences and convictions. Article 68.

(1) National representatives may not hold any other state positions or engage in activities that, according to the law, are incompatible with the status of national representatives. (2) A member of the National Assembly who has been appointed a minister may not exercise his mandate as long as he remains a minister. In that case, he is replaced according to the procedure regulated by the law. Article 69.

The members of the National Assembly may not be held criminally liable for views expressed by them and for their votes in the National Assembly. Article 70.

The members of the National Assembly may not be detained or criminally indicted other than for serious crimes, and then only with the permission of the National Assembly or, should the latter be in recess, of the National Assembly chairman. Permission to detain is not requested if a member of the National Assembly is caught in the act of committing a serious crime. In that case, however, the National Assembly is immediately notified, or, if it is in recess, notification is served to the chairman of the National Assembly. Article 71.

The members of the National Assembly shall receive remuneration, the amount of which is determined by the National Assembly. Article 72.

(1) The powers of a member of the National Assembly shall expire before the end of his term in the following cases: 1. If he submits his resignation to the National Assembly; 2. If a court judgment is enacted, imposing a prison term for a malicious crime, or if serving the prison term has not been postponed; 3. In cases of proven ineligibility or incompatibility; 4. If he dies. (2) In the cases stipulated in Item 1 and 2, the decision must be made by the National Assembly, and in the cases in Item 3, by the Constitutional Court. Article 73.

The organization and activities of the National Assembly are based on the Constitution and on a regulation adopted by the National Assembly. Article 74.

The National Assembly is a permanent acting body. It alone determines its recesses. Article 75.

The newly elected National Assembly is convened for its first meeting by the president of the Republic no later than one month after a National Assembly election. If, within the stipulated time, the president has not convened the National Assembly, it must be convened by one-fifth of the members of the National Assembly. Article 76.

(1) The first session of the National Assembly shall be opened by the oldest national representative present. (2) At their first session, the members of the National Assembly take the following oath: "I swear in the name of the Republic of Bulgaria to observe the Constitution and the laws of the country and to be guided in all my actions by the interests of the people. I thus have sworn." (3) The chairman and the deputy chairmen of the National Assembly shall be elected at the same session. Article 77.

(1) The chairman of the National Assembly [Predsedatelyat na Narodnoto Subranie]: 1. Represents the National Assembly; 2. Submits a draft agenda; 3. Opens, presides over, and closes the meetings of the National Assembly and ensures that order is maintained during the sessions; 4. Certifies with his signature the content of the laws passed by the National Assembly; 5. Promulgates the resolutions, declarations, and appeals passed by the National Assembly; 6. Organizes the international relations of the National Assembly. (2) The deputy chairman of the National Assembly assist the chairman and perform whatever activities he has assigned them. Article 78.

The National Assembly is summoned to sessions by the National Assembly chairman, as follows: 1. On his initiative; 2. At the request of one-fifth of the members of the National Assembly; 3. At the request of the president; 4. At the request of the Council of Ministers. Article 79.

(1) The National Assembly elects permanent and temporary commissions of deputies. (2) The permanent commissions assist the National Assembly in its activities and exercise parliamentary control on its behalf.

(3) Temporary commissions are appointed for study and investigative purposes. Article 80.

If so requested, officials and private citizens must appear to testify before the parliamentary commissions and submit to them any requested information or documents. Article 81.

(1) The National Assembly may sit in session and pass laws if more than one-half of the members of the National Assembly are present. (2) The National Assembly passes laws and other legal acts by a simple majority of national representatives present, unless a qualified majority is required by the Constitution. (3) Votes are individual and public, unless the Constitution requires or the National Assembly chooses a secret ballot. Article 82.

The meetings of the National Assembly shall be public. By exception, the National Assembly may resolve to meet behind closed doors. Article 83.

(1) Members of the Council of Ministers may participate in the sessions of the National Assembly and in the meetings of the parliamentary commissions. At their request, they are given priority in testifying. (2) The National Assembly and the parliamentary commissions may make it mandatory for ministers to attend their meetings and to answer questions. Article 84.

The National Assembly: 1. Adopts, amends, supplements, or rescinds laws; 2. Adopts the state budget and the report on its implementation; 3. Sets taxes and determines their amounts; 4. Schedules elections for president of the Republic; 5. Adopts resolutions on holding national referenda; 6. Appoints or dismisses the prime minister and, in response to his proposal, the Council of Ministers; makes changes in the Cabinet as proposed by the prime minister; 7. Creates, reorganizes, and dissolves ministers at the proposal of the prime minister; 8. Appoints and dismisses the leadership of the Bulgarian National Bank and other institutions, as regulated by law; 9. Gives its consent on the signing of contracts for state loans; 10. Decides on matters concerning the declaration of war and the making of peace; 11. Authorizes the deployment and use of the Bulgarian Armed Forces outside the country as well as the stationing of foreign forces on the country's territory or the transit of the country's territory by such forces; 12. Declares martial law or any other state of emergency for the entire territory or part of the territory of the country as proposed by the president or the Council of Ministers; 13. Grants amnesties; 14. Establishes orders and medals; 15. Determines official holidays. Article 85.

(1) The National Assembly ratifies or denounces with a law international treaties that: 1. Are of a political or military nature; 2. Concern the participation of the Republic of Bulgaria in international organizations; 3. Call for corrections to the borders of the Republic of Bulgaria; 4. Contain financial commitments by the state; 5. Stipulate the participation of the state in any arbitration or court settlement of international disputes; 6. Concern basic human rights; 7. Affect the action of a law or require new legislation for their implementation; 8. Specifically require ratification. (2) Treaties ratified by the National Assembly may be amended or denounced only in accordance with the procedures stipulated in the treaties themselves or in accordance with the universally accepted provisions of international law. (3) The signing of international treaties that require constitutional amendments must be preceded by the passage of such amendments. Article 86.

(1) The National Assembly passes laws [zakoni], resolutions [resheniya], declarations [deklaratsii], and appeals [obrushteniya]. (2) The laws and resolutions passed by the National Assembly are binding for all state authorities, organizations, and citizens. Article 87.

(1) Every member of the National Assembly and the Council of Ministers has the right to initiate legislation. (2) The draft law for the state budget is written and submitted by the Council of Ministers. Article 88.

(1) Laws are discussed and passed with two rounds of balloting, at separate sessions. By way of exception, the National Assembly may decide that both rounds take place during the same session. (2) Other legal acts passed by the National Assembly are passed with one round of balloting. (3) The adopted legal acts are published in DURZHAVEN VESTNIK, no later than 15 days after their adoption. Article 89.

(1) One-fifth of the members of the National Assembly may ask the National Assembly for a motion of no confidence in the Council of Ministers. The motion is adopted when more than one-half of all the members of the National Assembly have voted in its favor. (2) Should the National Assembly pass a motion of no confidence in the prime minister or the Council of Ministers, the prime minister submits the resignation of the Cabinet. (3) Should the National Assembly reject the motion of no confidence in the Council of Ministers, no new motion of no confidence for the same reason may be submitted within the next six months. Article 90. (1) The members of the National Assembly shall have the right to address questions and interpellations to the Council of Ministers or individual ministers, who must respond. (2) By a motion of one-fifth of the members of the National Assembly, debates may be held on an interpellation and a resolution passed.

Article 91.

(1) The National Assembly appoints the members of the General Accounting Office [Smetnata Palata], which monitors the execution of the budget. (2) The organization, rights, and procedures of the General Accounting Office are regulated by law.

Chapter 4 President of the Republic [Prezident na Republikata]

Article 92.

(1) The president is the head of state. He embodies the unity of the nation and represents the Republic of Bulgaria in international relations. (2) The president is assisted in his activities by a vice president [vitseprezident]. Article 93.

(1) The president is elected by a direct election by the voters for a five-year term, in accordance with the procedure regulated by law. (2) Any Bulgarian citizen by birth, 40 years old or older, who meets the criteria for being elected a member of the National Assembly and has resided for the last five years in the country may be elected president. (3) The candidate for whom more than one-half of the valid ballots have been cast shall be considered elected, provided that more than one-half of the voters have participated in the election. (4) If no candidate has been elected, a new election shall be held within the next seven days, with the two candidates who have obtained the highest number of votes competing. The candidate with the most votes shall be elected. (5) An election for a new president must be held no earlier than three months and no later than two months before the expiration of the term of the current president. (6) Disputes concerning the legitimacy of the election for president are resolved by the Constitutional Court within a month following the election. Article 94.

The vice president shall be elected at the same time as the president on the same ballot, in accordance with the conditions and procedure for the election of a president. Article 95.

(1) A president and a vice president may be reelected to their same positions only once. (2) Neither the president nor the vice president may be a member of the National Assembly; perform other state, public, or economic activities; or participate in the leadership of a political party. Article 96.

The president and the vice president take their oaths in the presence of the National Assembly, as per Article 76, Paragraph 2. Article 97.

(1) The authority of the president or the vice president may be terminated before his term expires in the following circumstances: 1. If he submits his resignation to the Constitutional Court; 2. If he is permanently incapacitated by a grave illness. 3. Under the circumstances of Article 103; 4. If he dies. (2) In the circumstances stipulated in Items 1 and 2, the rights of the president or the vice president shall be terminated after the Constitutional Court has confirmed the circumstances of those items. (3) Should any of the circumstances in Paragraph 1 occur [regarding the president], the vice president shall assume the position of president for the duration of his term. (4) Should it be impossible for the vice president to assume the position of president, the authority of the president is assumed by the chairman of the National Assembly until a new president and a new vice president have been elected. In that case, the election for president and vice president is held within two months. Article 98.

The President of the Republic: 1. Shall schedule elections for the National Assembly and for local self-governing bodies and shall set the date for the holding of national referenda, if a resolution to this effect has been passed by the National Assembly; 2. Issues appeals to the people and to the National Assembly; 3. Concludes international treaties in the cases stipulated by law; 4. Promulgates laws; 5. Ratifies changes in the borders and centers of administrative-territorial units when proposed by the Council of Ministers; 6. At the request of the Council of Ministers, appoints and dismisses from their positions the heads of diplomatic missions and the permanent representatives of the Republic of Bulgaria to international organizations, and accepts the credentials and letters of recall of foreign diplomatic representatives to this country. 7. Appoints and dismisses from their positions other state officials, as stipulated by law; 8. Awards orders and medals; 9. Grants, restores, rescinds, or withdraws Bulgarian citizenship; 10. Grants asylum; 11. Exercises the right to pardon; 12. Cancels uncollectable state claims; 13. Designates sites of national significance and gives names to populated areas; 14. Informs the National Assembly concerning basic problems within the limits of his authority. Article 99.

(1) After consulting with the parliamentary groups, the president suggests to the candidate for prime minister, who has been nominated by the largest parliamentary group, that he form a cabinet. (2) If, within a period of seven days, the candidate for prime minister is unable to propose a list of members of the Council of Ministers, the president assigns the same duty to the candidate for prime minister nominated by the second-largest parliamentary group. (3) If, in this case, as well, no cabinet is proposed within the time stipulated in the preceding paragraph, the president asks any other parliamentary group to nominate a candidate for prime minister. (4) Upon the successful termination of consultations, the president asks the National Assembly to nominate the candidate for prime minister. (5) If no agreement on forming a cabinet can be reached, the president appoints a caretaker cabinet, disbands the National Assembly, and schedules a new election within the time stipulated in Article 64, Paragraph 3. The legal act with which the president dissolves the National Assembly also gives the date for the election of a new National Assembly. (6) The procedure for forming a cabinet as per the preceding paragraphs also applies in the cases stipulated in Article 111, Paragraph 1. (7) In the cases stipulated in Paragraphs 5 and 6, the president may not dissolve the National Assembly during the final three months of his term. If, within that time, the parliament is unable to form a cabinet, the president appoints a caretaker cabinet. 1. If there is a vote of no confidence in the Council of Ministers or the prime minister; 2. If the Council of Ministers or the prime minister submit their resignations; 3. If the prime minister dies. (2) The Council of Ministers submits its resignation to the newly elected National Assembly. (3) In the cases listed in the preceding paragraphs, the Council of Ministers continues to exercise its functions until a new Council of Ministers has been appointed. Article 112.

(1) The Council of Ministers may request of the National Assembly a vote of confidence on its overall policy, on a program, or on any specific item. The resolution must be approved by a simple majority of more than one-half of the attending members of the National Assembly. (2) If the Council of Ministers fails to obtain the requested vote of confidence, the prime minister submits the resignation of the Cabinet. Article 113.

(1) A member of the Council of Ministers may not hold a position or engage in activities incompatible with the position of a national representative. (2) The National Assembly may determine other positions that may not be held and other activities that may not be performed by members of the Council of Ministers. Article 114.

The Council of Ministers promulgates decrees [postanovleniya], orders [razporezhvaniya], and resolutions [resheniya]. The Council of Ministers issues decrees to promulgate rules of procedures [pravilnitsi] and regulations [naredbi]. Article 115.

Ministers issue rules of procedures [pravilnitsi], regulations [naredbi], instructions [instruktsii], and orders [zapovedi]. Article 116.

(1) State officials implement the will of the nation and serve its interests. They must be guided exclusively by the law and remain politically neutral in the performance of their duties. (2) The conditions under which state employees are appointed and dismissed, may be members of political parties and trade union organizations, and exercise their right to strike are regulated by law.

Chapter 6 The Judicial Branch [Sudebna Vlast]

Article 117.

(1) The judicial branch shall protect the rights and legitimate interests of citizens, legal persons, and the State. (2) The judicial branch is independent. Judges, court assessors, prosecutors, and investigators shall be guided strictly by the law in the exercise of their functions. (3) The judicial branch has a separate budget. Article 118.

Justice is administered in the name of the people. Article 119.

(1) Justice is administered by the Supreme Court of Appeals [Vurkhovniyat Kasatsionen Sud], the Supreme Administrative Court [Vurkhovniyat Administrativen Sud], and the appeal [apelativni], district [okruzheni], military [voenni], and county [rayonni] courts [sudilishta]. (2) Specialized courts may be established by law. (3) No extraordinary courts are allowed. Article 120.

(1) The courts supervise the legality of the acts and actions of administrative bodies. (2) Private citizens and legal persons may appeal any administrative act affecting them other than those stipulated by law. Article 121.

(1) The courts ensure the equal and mutual right to challenge of the parties to a judicial proceeding. (2) The purpose of any legal proceeding is to determine the truth. (3) Trials in all courts are conducted publicly unless otherwise stipulated by the law. (4) Actions resulting from the administration of justice must be justified. Article 122.

(1) Citizens and legal persons have the right to a defense at all stages of the legal process. (2) The exercise of the right to a defense is regulated by law. Article 123.

In cases stipulated in the law, a court assessor participates in the administration of justice. Article 124.

The Supreme Court of Appeals provides the supreme judicial supervision over the accurate and equal application of the laws by all courts. Article 125.

(1) The Supreme Administrative Court provides the supreme judicial supervision over the accurate and equal application of the laws in administrative justice. (2) The Supreme Administrative Court rules on arguments concerning the legality of acts promulgated by the Council of Ministers and individual ministers, as well as any other acts indicated by the law. Article 126. (1) The structure of the prosecutor's office corresponds to that of

the courts. (2) The Chief Prosecutor shall supervise the lawfulness of the activities of all prosecutors and provides systematic guidance.

Article 127.

The prosecutor's office supervises the observance of the law by: 1. Bringing to justice individuals who have committed crimes and prosecuting criminal cases of a general nature; 2. Supervising the execution of punitive and other coercive measures; 3. Taking steps to rescind illegal laws; 4. In cases stipulated by law, participating in civil and administrative trials. Article 128.

The investigative authorities are part of the legal system. They implement the preliminary procedures in criminal cases. Article 129.

(1) Judges, prosecutors, and investigators are appointed, promoted, demoted, transferred, or dismissed by the High Judicial Council [Visshiyat Sudeben Suvet]. (2) The president of the Supreme Court of Appeals, the president of the Supreme Administrative Court, and the Chief Prosecutor shall be appointed or dismissed by the president of the Republic, as proposed by the High Judicial Council; they are appointed for single seven-year terms. The president may not refuse their appointments or dismissals if second requests to this effect have been made. (3) After holding his position for a period of three years, a judge, a prosecutor, or an investigator may not be replaced. He may be dismissed only for reason of retirement, resignation, or the enactment of a prison sentence for the commission of a malicious crime, or in the case of lasting actual inability to perform his duties for a period in excess of one year. Article 130.

(1) The High Judicial Council has 25 members. The president of the Supreme Court of Appeals, the president of the Supreme Administrative Court, and the prosecutor general are ex-officio members. (2) Lawyers with high professional and moral integrity and at least 15 years of professional experience, who are not ex-officio members, may be appointed members of the High Judicial Council.

(3) The National Assembly appoints 11 of the High Judicial Council members; the other 11 are appointed by judicial authorities. (4) The appointed members of the High Judicial Council serve five-year terms. They may not be reelected immediately after the expiration of their terms. (5) The sessions of the High Judicial Council are presided over by the minister of justice, who has no voting rights. Article 131.

The resolutions of the High Judicial Council on appointing, promoting, demoting, transferring, or dismissing judges, prosecutors, and investigators, as well as the motions it submits in accordance with Article 129, Paragraph 2, must be passed by secret balloting. Article 132.

(1) Judges, prosecutors, and investigators have the same immunity as national representatives. (2) In cases stipulated by law, the High Judicial Council may lift the immunity of a judge, a prosecutor, or an investigator.

Article 133.

The law governs the organization and activities of the High Judicial Council, the courts, and prosecutorial and investigative bodies; the status of judges, prosecutors, and investigators; the conditions and procedures for the appointment and dismissal of judges, court assessors, prosecutors, and investigators, as well as the exercise of their responsibilities. Article 134.

(1) The bar is a free, independent, and self-governing body. It assists citizens and juridical persons in the defense of their rights and legitimate interests. (2) The organization and procedure governing the activities of the bar are regulated by law.

Chapter 7 Local Self-Government and Local Administration

Article 135.

(1) The territory of the Republic of Bulgaria is divided into municipalities and "oblasts". The territorial divisions and rights of the capital city and the other large cities shall be regulated by law. (2) Other administrative-territorial units and self-governing bodies within them may be established only on the basis of a law. Article 136.

(1) The municipality shall be the basic administrative-territorial unit within which local self-government shall be exercised. The citizens participate in governing the municipality through the local self-governing bodies they have elected as well as directly, through referenda and general meetings of the inhabitants. (2) The boundaries of the municipalities shall be set by popular referenda. (3) The municipality shall be a legal person. Article 137.

(1) The self-governing territorial communities may form associations for the purpose of resolving common problems. (2) The law provides conditions for the association of townships. Article 138.

In a municipality, the municipal council shall be the local self-governing body. It is elected by the inhabitants of the respective municipality to a four-year term of office in accordance with a procedure regulated by law. Article 139.

(1) The mayor [kmetut] exercises executive power in the municipality. He is elected by the inhabitants or the municipality council to a four-year term in accordance with the procedure regulated by law. (2) The mayor is guided in his activities by the law, the legal acts passed by the municipal council, and the decisions of the inhabitants. Article 140. The municipality shall have the right to own property that it uses in the interest of the territorial community. Article 141.

(1) The municipality has an autonomous budget. (2) The permanent revenue sources of the municipality are defined by law. (3) The state assists the municipalities in their normal activities by contributing funds from the budget and by other means. Article 142. The oblast is an administrative-territorial entity that implements regional policies and state administrative tasks in the localities and ensures the congruence of national and local interests. Article 143.

(1) The oblast is governed by an oblast governor [oblasten upravitel], assisted by the oblast administration. (2) The oblast governor is appointed by the Council of Ministers. (3) The oblast governor ensures the implementation of state policy. He is responsible for safeguarding the national interests, legality, and public order, and provides administrative control. Article 144.

The central bodies of the state and their local representatives exercise oversight concerning the legality of laws passed by local self-government authorities only if such control is stipulated by law. Article 145.

Municipal councils may appeal in court any acts or actions that violate their rights. Article 146.

The organization and procedures governing the activities of local self-governing bodies and local administrations are regulated by law.

Chapter 8 Constitutional Court [Konstitutsionen Sud]

Article 147.

(1) The Constitutional Court consists of 12 justices, one-third of whom are elected by the National Assembly; the second third is appointed by the president, and the final third is elected at a joint meeting of the justices of the Supreme Court of Appeals and the Supreme Administrative Court. (2) Constitutional Court justices serve nine-year terms. They may not be reelected to the same position. The membership of each quota [kvota] of the Constitutional Court shall be renewed once every three years, in accordance with legal procedures. (3) Lawyers of high professional and moral integrity with at least 15 years of professional experience are eligible for appointment as Constitutional Court justices. (4) The Constitutional Court justices elect a court president to a three-year term by secret balloting. (5) The position of a member of the Constitutional Court is incompatible with the mandate of a member of the National Assembly, a state or public position, membership in a political party or trade union, or the performance of a liberal, commercial, or any other paid professional activity. (6) The members of the Constitutional Court enjoy the same immunity as the members of the National Assembly . Article 148.

(1) The mandate of a Constitutional Court justice is terminated in the following cases: 1. The expiration of a term; 2. A resignation submitted to the Constitutional Court; 3. The enactment of a court sentence imposing a prison sentence for commission of a malicious crime; 4. The actual inability to perform one's duties for more than one year. 5. Incompatibility with the positions and activities as per Article 147, paragraph 5; 6. Death. (2) The Constitutional Court lifts the immunity and determines the actual inability of justices to perform their obligations by means of a secret ballot and by a majority of at least two-thirds of all justices. (3) Should the mandate of a justice of the Constitutional Court be terminated, a candidate from the appropriate tier is elected within a period of one month. Article 149.

(1) The Constitutional Court: 1. Provides mandatory interpretations of the Constitution; 2. Rules on requests to decide the constitutionality of any law or legal act passed by the National Assembly or the president. 3. Settles arguments on the jurisdictions of the National Assembly, the president, and the Council of Ministers, as well as between local self-governments and central executive bodies; 4. Rules on the consistency between the international treaties signed by the Republic of Bulgaria and the Constitution, prior to their ratification, as well as on the consistency between the laws and the universally accepted standards of international law and the international treaties to which Bulgaria is a signatory; 5. Issues opinions on disputes concerning the constitutionality of political parties and associations; 6. Issues opinions on arguments about the legality of the elections of the president and the vice president; 7. Issues opinions on arguments concerning the legality of the election of a national representative; 8. Issues rulings on charges formulated in the National Assembly against the president and the vice president. (2) The rights of the Constitutional Court may be neither increased nor decreased by law. Article 150.

(1) The Constitutional Court acts on the initiative of no less than one-fifth of the members of the National Assembly, the president, the Council of Ministers, the Supreme Court of Appeals, the Supreme Administrative Court or the Chief Prosecutor. Arguments on the question of authority as per Item 3, Paragraph 1 of the preceding article may be submitted by municipal councils, as well. (2) Should a disparity between a law and the Constitution be noted, the Supreme Court of Appeals or the Supreme Administrative Court tables the consideration of the case and submits the matter to the Constitutional Court. Article 151.

(1) The Constitutional Court makes its rulings by a majority vote of more than one-half of all justices. (2) The rulings of the Constitutional Court are published in DURZHAVEN VESTNIK within 15 days of their adoption. The ruling is enacted three days after its publication. Any act ruled unconstitutional becomes invalid as of the day of the enactment of the ruling. (3) Any part of the law not ruled unconstitutional remains in effect. Article 152.

The organization and procedures governing the activities of the Constitutional Court are regulated by law.

Chapter 9 Amendments and Supplements to the Constitution; Adoption of a New Constitution

Article 153.

The National Assembly may amend and supplement any provision included in the Constitution, with the exception of those that are the prerogative of the Grand National Assembly. Article 154.

(1) The right to initiate constitutional amendments and supplements is held by one-quarter of the members of the National Assembly and by the president. (2) Any motion to this effect must be considered by the National Assembly no earlier than one month and no later than three months after it has been filed. Article 155.

(1) The National Assembly may pass a law on amending and supplementing the Constitution by a majority of three-quarters of the members of the National Assembly, after three rounds of balloting on different days. (2) If a motion is approved by less than three-quarters but no less than two-thirds of the votes of the members of the National Assembly, the motion is resubmitted for consideration after two months have elapsed, but before the passage of five months. In any new debate, a motion may be approved if at least two-thirds of the members of the National Assembly have voted for it. Article 156.

A law amending or supplementing the Constitution must be signed by the chairman of the National Assembly and promulgated in DURZHAVEN VESTNIK within seven days of its adoption. Article 157.

The Grand National Assembly consists of 400 national representatives elected in accordance with common procedures. Article 158.

The Grand National Assembly: 1. Adopts a new constitution; 2. Rules on changes in the territory of the Republic of Bulgaria and ratifies international treaties stipulating such changes; 3. Settles questions related to changes in the form of the state structure and the state administration; 4. Settles questions related to amendments to Article 5, Paragraphs 2 and 4 and Article 57, Paragraphs 1 and 3 of the Constitution; 5. Rules on matters related to amending and supplementing Article 159.

(1) The right to initiate changes as per the preceding article can be exercised by either at least one-half of the members of the National Assembly or by the president. (2) The draft of a new constitution or an amendment to the present Constitution that relates to changes in the territory of the country as defined in Article 158 must be discussed by the National Assembly not earlier than two months and not later than five months after its submission. Article 160.

(1) The National Assembly may rule, by a majority of two-thirds of the members of the National Assembly, that an election for a Grand National Assembly be held. (2) The president schedules an election for the Grand

National Assembly within three months of the passage of a resolution by the National Assembly. (3) The term of the National Assembly ends with the holding of an election for the Grand National Assembly. Article 161.

The Grand National Assembly may issue rulings on drafts by a majority of two-thirds of all of the members of the National Assembly, after three rounds of balloting on different days. Article 162.

(1) The Grand National Assembly may resolve only the constitutional matters for which it was elected. (2) In urgent cases, the Grand National Assembly performs the functions of an ordinary National Assembly. (3) The authority of the Grand National Assembly ends after it has issued its final ruling on the questions for which it was elected. The president then schedules an election in accordance with legal procedures. Article 163.

The legal acts of the Grand National Assembly must be signed and promulgated by its chairman within seven days of their adoption.

Chapter 10 Coat of Arms, Seal, Flag, Anthem, and Capital

Article 164.

The coat of arms of the Republic of Bulgaria depicts a gold lion rampant on a dark red shield. Article 165.

The state seal depicts the coat of arms of the Republic of Bulgaria. Article 166.

The flag of the Republic of Bulgaria is a tricolor: white, green, and red stripes placed horizontally, from the top down. Article 167.

The procedure for applying the state seal and raising the national flag is regulated by law. Article 168.

The anthem of the Republic of Bulgaria is the song "Mila Rodino [Dear Homeland]." Article 169.

The city of Sofia is the capital of the Republic of Bulgaria.

Interim and Concluding Provisions

1. (1) The Grand National Assembly dissolves itself following the adoption of the Constitution. (2) The Grand National Assembly functions as a National Assembly until a new National Assembly has been elected. During that time, it passes laws on the elections of a National Assembly, a president, and local self-governing bodies, as well as other laws. The Constitutional Court and the High Judicial Council are established during that time. (3) The national representatives, the president, the vice president, and the members of the Council of Ministers swear the oath stipulated in this Constitution at the first session of the National Assembly after the enactment of the Constitution. 2. Until the Supreme Court of Appeals and the Supreme Administrative Court have been appointed, their authority, as per Article 130, Paragraph 3 and Article 147, Paragraph 1 of the Constitution, is exercised by the Supreme Court of the Republic of Bulgaria. 3. (1) Provisions of existing laws retain their

validity unless they conflict with the Constitution. (2) Provisions of existing laws that were not rescinded as a result of the effect of Article 5, Paragraph 2 of the Constitution are rescinded by the National Assembly within one year of the adoption of the Constitution. (3) Within a period of three years, the National Assembly must pass the laws specifically stipulated in the Constitution. 4. The judicial branch, as defined by the Constitution, is organized after the adoption of the new laws on reorganization and procedures, which must be passed within the time limit set in Item 3, Paragraph 2. 5. Judges, prosecutors, and investigators may not be removed from office if, within three months of its establishment, the High Judicial Council has not resolved that they lack the necessary professional qualities. 6. Until a new legislative system governing Bulgarian National Television, Bulgarian National Radio, and the Bulgarian Telegraph Agency has been established, the National Assembly will exercise the authority of the Grand National Assembly in matters pertaining to these national institutions. 7. (1) Elections for National Assembly representatives and local self-governing bodies must be held within three months after the Grand National Assembly has dissolved itself. The dates for the elections are set by the president in accordance with his authority as defined in Article 98, Item 1 of the Constitution. (2) The election for president and vice president must be held within three months after the election of a National Assembly. (3) Pending the election of a president and a vice president, their functions established by this Constitution are performed by the chairman (president) and the vice chairman (vice president). 8. The government continues to exercise its functions in accordance with the present Constitution until a new government has been formed. 9. The present Constitution will be enacted as of the day of its publication in DURZHAVEN VESTNIK by the chairman of the Grand National Assembly and will revoke the Constitution of the Republic of Bulgaria adopted on 18 May 1971 (published in DURZHAVEN VESTNIK No. 39, 1971; amended in No. 6, 1990; amended and supplemented in No. 29, 1990; amended in Nos. 87, 94, and 98, 1990; corrected in No. 98, 1990).