

**OPEN LETTER TO THE PRIME MINISTER OF THE REPUBLIC OF BULGARIA ON THE REJECTED
DRAFT-LAW ON THE PROTECTION OF PERSONS WHO REPORT BREACHES**

DEAR PRIME MINISTER,

I am writing to you in relation to the draft Law on the protection of persons who report breaches of Union law, adopted with the decision №709/29.09.2022 of Council of Ministers of the Republic of Bulgaria in implementation of Directive (EU) 2019/1937 of the European Parliament and of the Council and rejected by the National Assembly on 14.12.2022.

The rejection at first reading, which practically means rejection “in principle” is an unprecedented act, representing a direct refusal to implement European legislation and standards adopted by international business, regardless of the long-started [infringement procedure](#) against Bulgaria.

Being part of the global movement Transparency International, an active participant in the development of the directive at the European level, as well and the Whistleblowing International Network (WIN), Transparency International Bulgaria strongly believes that the above-mentioned bill should be adopted at least in the first reading to demonstrate some political will to fight corruption, and because:

1. Bulgaria is incurring losses due to the initiated infringement procedure in response to failure of the obligations to transpose the Directive.
2. The adoption of this law is part of the National Recovery and Resilience Plan and shall be in line with the allocation of European funding for Bulgaria.
3. As an effective anti-corruption tool, the Whistleblower Protection Act is part of the Rule of law mechanism and the implementation of the mechanism is subject to audit by the European Commission.

The adoption of this law is laid down in the National Strategy for the Prevention and Counteraction of Corruption (2021 - 2027) as a core anti-corruption measure to bring the Bulgarian legal framework for fighting corruption in line with international standards and European law.

The legal issues commented during the parliamentary debate are related to the quality of the bill, about which we have also expressed concern, but those can be resolved between the first and the second reading, within the framework of the parliamentary procedure.

It shall be noted that this is a bill prepared by several Bulgarian governments since 2017, including their work on the texts of the Directive itself and with the participation of the Bulgaria in the process of its adoption.

In relation with the above, I appeal to you with an insistence to re-introduce the draft law, that has already been discussed and submitted by the Council of Ministers, to the National Assembly.

According to the powers granted to you and based on the possibility provided in the Bulgarian legislation you can initiate such re-submission and the consecutive re-consideration with a view to its timely adoption and implementation into Bulgarian legislation.

Currently, this is the only way to overcome the already existing two-year delay in the introduction of the Directive and the related negative consequences.

TRANSPARENCY INTERNATIONAL – BULGARIA

16.12.2022, BULGARIA