



2025

ANNUAL REPORT

ON THE ACTIVITIES OF
THE NATIONAL BUREAU FOR CONTROL OVER SPECIAL INTELLIGENCE MEANS



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TABLE OF CONTENTS

ABBREVIATIONS USED	4
INTRODUCTION	7
I. COMPOSITION OF THE NATIONAL BUREAU FOR CONTROL OVER SPECIAL INTELLIGENCE MEANS (NBCSIM). MEETINGS AND ADOPTED DECISIONS	8
II. PROCEDURES UNDER THE SPECIAL INTELLIGENCE MEANS ACT (SIMA)	9
1. Authorities under Article 13 of the SIMA. European Prosecutor and European Delegated Prosecutors. Procedures under Article 34n of the SIMA	9
1.1. Requests	9
1.2. Substantive Legal Grounds for the Use of Special Intelligence Means (SIM)	13
1.3. Analysis of the Results of the Oversight Conducted over Procedures under the SIMA	14
2. Authorities under Article 15 of the SIMA	23
2.1. Authorisations	23
2.2. Refusals	25
2.3. Analysis of the Results of the Oversight Conducted over Procedures under the SIMA	27
3. Authorities under Article 20 of the SIMA	31
3.1. Operational Methods	31
3.2. Cases in Which the Application of SIM Was Not Initiated	34
3.3. Analysis of the Results of the Oversight Conducted over Procedures under the SIMA	37
III. RESULTS OF THE APPLICATION OF SIM, STORAGE AND DESTRUCTION OF THE INFORMATION OBTAINED	39
1. Material Evidence (ME) Obtained through SIM	39

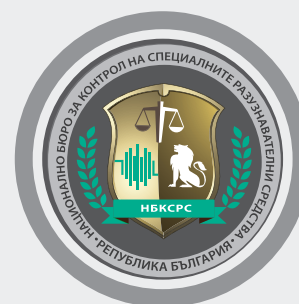
2. Destruction of Information Not Used for the Preparation of ME	41
3. Preparation of a Report to the Authority under Article 15 of the SIMA	42
IV. PROTECTION OF THE RIGHTS AND FREEDOMS OF CITIZENS AGAINST THE UNLAWFUL APPLICATION OF SIM	45
1. Complaints Concerning the Unlawful Application of SIM	45
2. Proceedings under the State and Municipal Liability for Damages Act (SMLDA) and the Access to Public Information Act (APIA)	46
V. COOPERATION WITH STATE AUTHORITIES AND INSTITUTIONS	49
1. Working Meetings	49
2. Instructions, Recommendations and Opinions Issued for Improving the Regulatory Framework Governing Procedures under the SIMA	51
3. Problems Identified in Procedures under the SIMA Requiring Legislative Amendments	53
VI. INTERNATIONAL ACTIVITIES	56
International Exchange of Information. Participation in International Forums and Conferences of Oversight Bodies	56
VII. ORGANISATION OF ADMINISTRATIVE ACTIVITIES	59
1. Administrative Structure	59
General Administration	59
Specialised Administration	59
2. Financial Activities. Budget and Financial Control	59
VIII. CONCLUSION	62

ABBREVIATIONS USED

APO	Appellate Prosecutor's Office
SCA	Sofia Court of Appeal
ME	Material Evidence
SPO	Supreme Prosecutor's Office
SCC	Supreme Court of Cassation
MAPO	Military Appellate Prosecutor's Office
MCA	Military Court of Appeal
MRPO	Military Regional Prosecutor's Office
MC	Military Court
SJC	Supreme Judicial Council
GDCOC	General Directorate Combating Organised Crime
GDBP	General Directorate Border Police
GDNP	General Directorate National Police
Civ. Case	Civil Case
SANS	State Agency for National Security
SIA	State Intelligence Agency
SATO	State Agency Technical Operations
SG	State Gazette
ISD	Internal Security Directorate
SCIS	State Commission on Information Security
PTP	Pre-Trial Proceedings
EDPs	European Delegated Prosecutors
EIO	European Investigation Order
EU	European Union
BA	Bar Act
APIA	Access to Public Information Act
EIOA	European Investigation Order Act
SMLDA	State and Municipal Liability for Damages Act
JSA	Judiciary System Act
SIMA	Special Intelligence Means Act

PCSSSIMECD	Parliamentary Committee for Oversight of Security Services, the Application and Use of Special Intelligence Means and Access to Data under the Electronic Communications Act
ACC	Anti-Corruption Commission
Mol	Ministry of Interior
MoD	Ministry of Defence
NBCSIM	National Bureau for Control over Special Intelligence Means
CC	Criminal Code
CPC	Criminal Procedure Code
NA	National Assembly
RDMol	Regional Directorate of the Ministry of Interior
RPO	Regional Prosecutor's Office
OCG	Organised Criminal Group
RC	Regional Court
PORB	Prosecutor's Office of the Republic of Bulgaria
DPO	District Prosecutor's Office
MPS	Military Police Service
MIS	Military Intelligence Service
SCPO	Sofia City Prosecutor's Office
SCCt	Sofia City Court
SDMol	Sofia Directorate of the Ministry of Interior
STOD-SANS	Specialised Technical Operations Directorate at the State Agency for National Security
SIM	Special Intelligence Means

This Annual Report on the Activities of the NBCSIM for 2025 was prepared in accordance with Article 34b(7) of the SIMA and adopted by a decision taken at a meeting held on 28 May 2026 for submission to the National Assembly.



INTRODUCTION

INTRODUCTION

Pursuant to Article 34c(1) of the Special Intelligence Means Act (SIMA), the National Bureau for Control over Special Intelligence Means (NBCSIM) is a permanent collegial body consisting of five members, including a Chairperson and a Deputy Chairperson, elected by the National Assembly for a term of five years. The Bureau is supported by an administration whose staff are employed under employment contracts.

Article 34b(1) of the SIMA sets out the powers of the NBCSIM as an independent state body responsible for overseeing the procedures for the authorisation, application and use of Special Intelligence Means (SIM), the storage and destruction of information obtained through their use, as well as for protecting the rights and freedoms of citizens against the unlawful use of SIM. The independence of the NBCSIM in exercising its statutory powers plays a decisive role in the fulfilment of its responsibilities.

In accordance with the provisions of the SIMA, the NBCSIM performs its functions and exercises its powers in pursuit of the objectives of the Act, namely to ensure transparency, traceability and stability, and to identify effective mechanisms for safeguarding and protecting the fundamental rights and freedoms of citizens against the unlawful use of SIM.

This Report presents the activities of the NBCSIM and contains aggregated data concerning the procedures for requesting, authorising, applying and using SIM, the storage and destruction of information obtained through SIM, and the protection of the rights and freedoms of citizens against the unlawful use of SIM. The data are presented in tables and charts and compared with data from previous years. The Report analyses the findings established during inspections, as well as the opinions issued and instructions provided. It also contains information on interinstitutional working meetings, international cooperation and participation in international forums during 2025, opinions and proposals related to the improvement of procedures under the SIMA and the Criminal Procedure Code (CPC), and activities aimed at protecting the rights and freedoms of citizens. The Report further provides information on the administrative structure of the NBCSIM, its financial and administrative activities, and the strategic objectives and priorities established for the reporting period, together with the results achieved in their implementation.

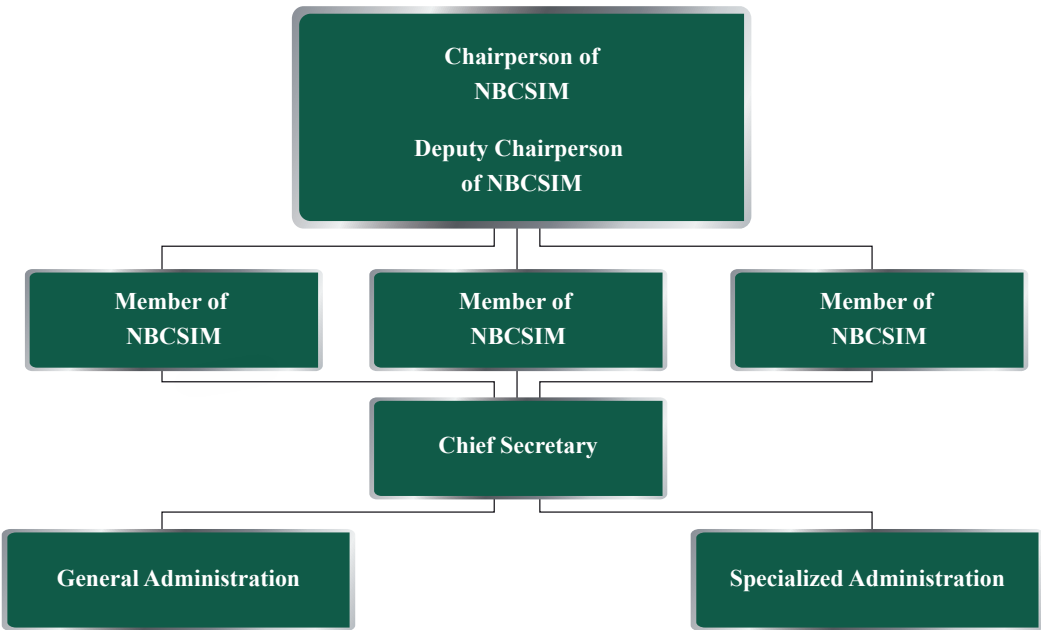
The NBCSIM carries out its activities in accordance with the fundamental principles of legality, objectivity, impartiality, openness and transparency.

The establishment of a clear legal framework, the development of appropriate safeguards and the provision of effective oversight constitute the most appropriate means of ensuring that enhanced security measures made possible through surveillance are fully consistent with the fundamental rights of citizens.

I. COMPOSITION OF THE NATIONAL BUREAU FOR CONTROL OVER SPECIAL INTELLIGENCE MEANS (NBCSIM). MEETINGS AND ADOPTED DECISIONS

The NBCSIM is a legal entity with its seat in Sofia and is a primary budgetary authority.

From May 8, 2025 to the present, the NBCSIM has operated in its full composition: Plamen Kolev – Chairperson, Georgi Hristov – Deputy Chairperson, Angel Kurtishev – Member, Borislav Tsvetanov – Member, and Yassen Slavov – Member.



In 2025, the NBCSIM held a total of 46 meetings. A total of 364 decisions were adopted.

During the reporting period, the NBCSIM carried out 262 comprehensive, ad hoc and thematic inspections of the authorities under Articles 13, 15, 34H and 20 of the (SIMA).

In 2025, the NBCSIM received 49 complaints from citizens alleging unlawful application of SIM against them. In 6 of the complaints, the inspections continued into 2026, while 5 complaints submitted in 2024 were concluded in 2025.

II. PROCEDURES UNDER THE SPECIAL INTELLIGENCE MEANS ACT (SIMA)

1. 1. Authorities under Article 13 of the SIMA. European Prosecutor and European Delegated Prosecutors (EDPs). Procedures under Article 34n of the SIMA.

1.1. Requests

Based on submitted requests in 2025, Special Intelligence Means (SIM) were used in respect of 2,442 persons¹. In 2024, SIM were used in respect of 2,410 persons. For comparison, in 2023 the number of persons was 2,493 (Figure 1).

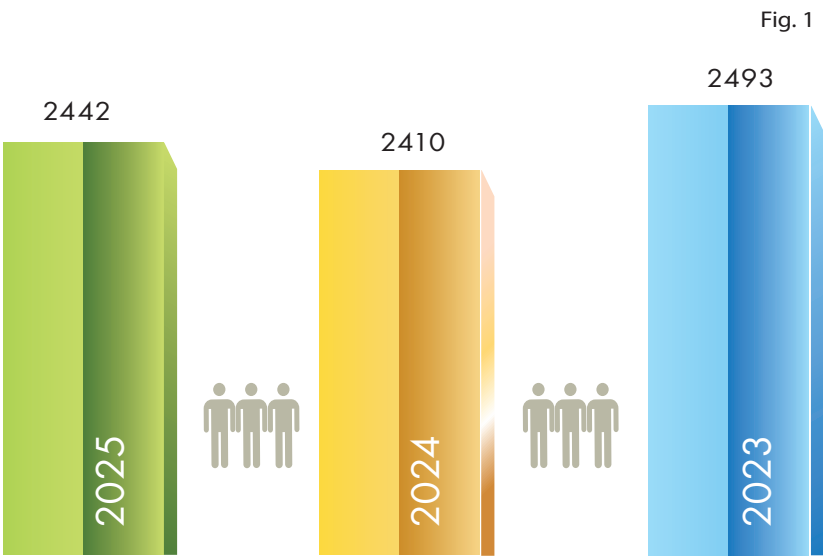


Figure 1. Number of persons in respect of whom SIM were used for the period 2023–2025.

In 2025, the relative share of applicants in the total number of initiated procedures was as follows:

Ministry of Interior (Mol) – 63.06%, Prosecutor’s Office of the Republic of

¹ According to data provided by the authorities under Article 20 of the SIMA.

Bulgaria (PORB) – 23.82%, State Agency for National Security (SANS) – 10.82%, European Delegated Prosecutors in the Republic of Bulgaria (EDPB) – 0.88%, Anti-Corruption Commission (ACC) – 0.56%, Military Police Service of the Ministry of Defence (MPS-MoD) – 0.86%. The Military Intelligence Service (MIS-MoD) and the State Intelligence Agency (SIA) did not submit requests for the use of SIM. (Figure 2)

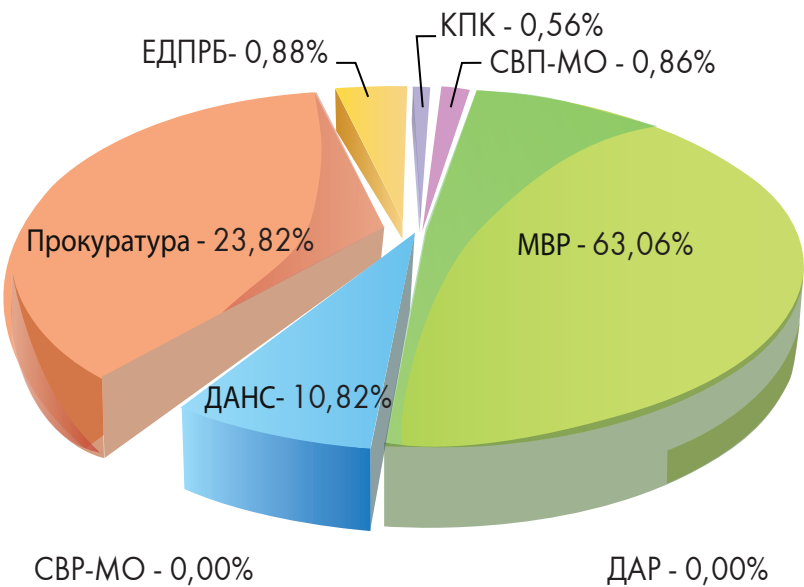


Figure 2. Relative share of applicants in the total number of initiated procedures in 2025.

For the period 2023–2025, the relative share of applicants in the total number of initiated procedures is presented in Table 1 as percentages.

Table 1

Structure	2025	2024	2023
MoI	63,06	63,95	61,45
PORB	23,82	22,43	25,69
SANS	10,82	11,53	10,88
EDPB	0,88	1,78	0,97
ACC	0,56	0,07	0,72
MPS-MoD	0,86	0,24	0,23
MIS-MoD	0	0	0,07
SIA	0	0	0

The comparison of the data shows that procedures initiated by the authorities of the Mol and the PORB account for almost 87% of the total number.

In 68 cases², SIM were used under procedures pursuant to Article 12(1)(4) of the SIMA in relation to targets for establishing the identity of persons for whom there were data and reasonable grounds to assume that they were preparing, committing or had committed a serious intentional offence among those listed in the law (Figure 3).

Fig. 3

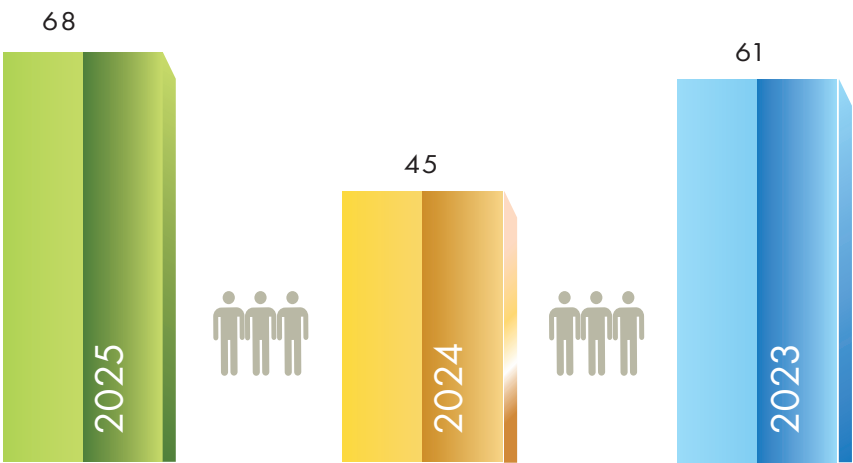


Figure 3. Procedures applied under Article 12(1)(4) of the SIMA for the period 2023–2025.

In 2025, the procedures under Article 12(1)(4) of the SIMA were distributed among the authorities under Article 13 of the SIMA as follows: Mol – 78.87% (compared to 85.71% in 2024 and 85.39% in 2023); Prosecutor’s Office – 21.13% (compared to 14.29% in 2024 and 14.61% in 2023) (Figure 4).

Fig. 4

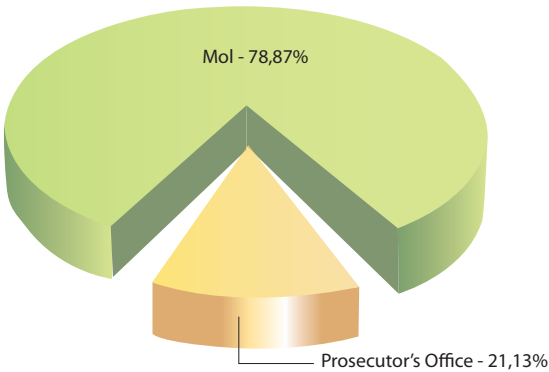


Figure 4. Ratio between applicants in the application of the procedure under Article 12(1)(4) of the SIMA in 2025.

² According to data provided by the authorities under Article 20 of the SIMA.

During the reporting period, the SANS, EDPB, MPS-MoD, SIA, MIS-MoD and the ACC did not submit requests for the use of SIM under procedures pursuant to Article 12(1)(4) of the SIMA.

In 2025, in 211 procedures the application of SIM was initiated under the procedure and conditions laid down in Article 17 of the SIMA. By comparison, the number of such procedures was 187 in 2024 and 308 in 2023 (Figure 5).

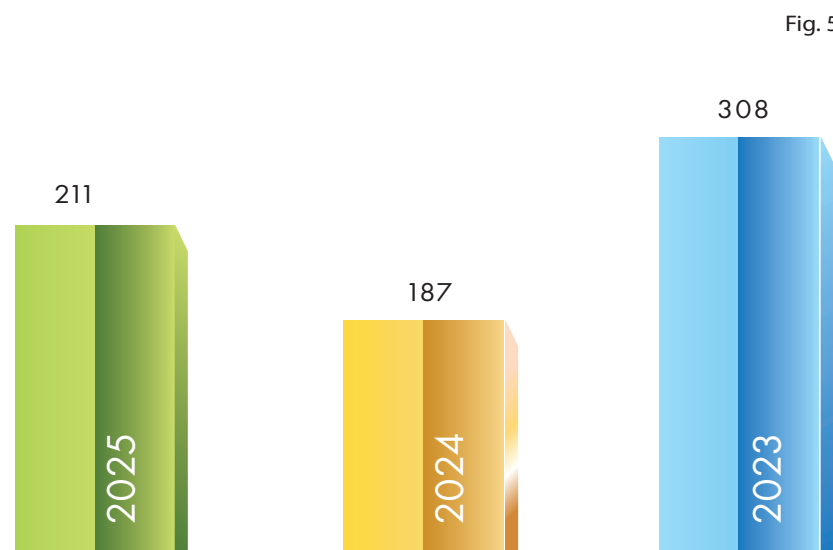


Figure 5. Number of procedures under Article 17 of the SIMA for the period 2023–2025.

In 2025, in 15 procedures the application of SIM was initiated under the conditions laid down in Article 18 of the SIMA. By comparison, the number of such cases was 9 in 2024 and 13 in 2023 (Figure 6).

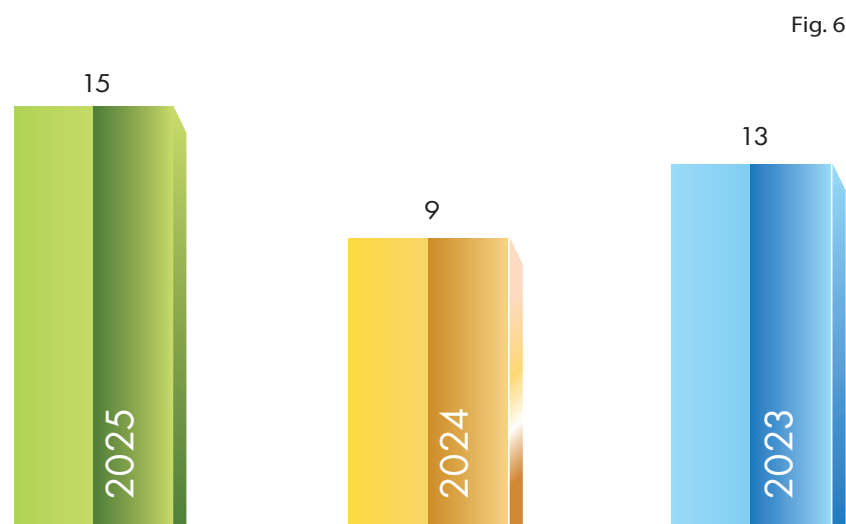


Figure 6. Number of procedures under Article 18 of the SIMA for the period 2023–2025.

In 2025, the authorities under Article 13 of the SIMA submitted a total of 4,315 requests to the court³. SIM were applied in respect of 2,442 persons and in 68 procedures under Article 12(1)(4) of the SIMA.

For comparison, in 2024 SIM were applied in respect of 2,410 persons and in 45 procedures under Article 12(1)(4) of the SIMA. The authorities under Article 13 of the SIMA submitted a total of 4,513 requests to the court. In 2023, SIM were applied in respect of 2,493 persons and in 61 procedures under Article 12(1)(4) of the SIMA, and 4,340 requests were submitted.

The data show that the number of requests prepared in 2025 decreased compared to 2024, while the number of persons in respect of whom SIM were applied increased by 32. This is due to a lower number of refusals and a lower number of requests for extension of the SIM application period.

In 2025, procedures under Article 12(1)(4) of SIMA increased by 23 cases⁴, while the number of targets specified in individual requests decreased as a result of thematic and comprehensive inspections carried out by NBCSIM and the instructions issued.

1.2. Substantive Legal Grounds for the Use of SIM

Pursuant to Article 3(1) of SIMA and Article 172(2) of CPC, the use of SIM is permissible only where necessary for the prevention, detection or investigation of serious intentional offences expressly provided for by law.

In 2025, SIM were most frequently used for the detection, prevention and investigation of offences under Article 321 of the Criminal Code (CC) (organised criminal group – OCG) – 1,347 cases; Article 354a of CC (narcotic substances) – 995 cases; Articles 194 and 195 of CC (theft, including aggravated forms) – 145 cases; Articles 209 and 210 of CC (fraud, including aggravated forms) – 204 cases; Article 242 of CC (offences against the customs regime) – 140 cases; Article 234 of CC (excise goods) – 121 cases; Article 281 of CC (trafficking in human beings) – 107 cases; and Article 301 of CC (bribery) – 122 cases.

For the detection and prevention of offences under Chapter One of CC, 191 requests for the use of SIM were submitted.

3 According to data provided by the authorities under Article 13 of the SIMA.

4 According to data provided by the authorities under Article 20 of the SIMA.

The offences for which SIM were most frequently authorised during the period 2025–2023 are presented in Table 2.

Table 2

Criminal offences under the CC	2025	2024	2023
Article 321	1347	1163	857
Article 354a	995	1016	945
Article 234	121	132	150
Article 195	145	146	121
Article 301	122	61	71
Chapter One of the CC	191	147	118
Article 242	140	140	76
Article 281	107	131	141
Article 167	0	61	126

In 2025, offences under Article 321 (in conjunction with various secondary offences committed by organised criminal groups, including Article 354a of the CC) and under Article 354a of the CC (as a standalone offence) again accounted for the largest share, constituting over 55% of the total number of criminal offences for which the use of SIM was authorised.

There was a significant increase in authorisations for the use of SIM for the prevention, detection or investigation of offences under Article 301 of the CC and under Chapter One of the Special Part of the CC.

1.3. Analysis of the Results of the Oversight Conducted over Procedures under the SIMA

During the inspections carried out by NBCSIM in 2025, it was established that practices had been introduced to improve the procedure for drafting requests for the use of SIM, as well as to strengthen the control exercised by administrative heads:

- ✓ the requested operational methods are substantiated, including the expected results to be achieved through each of them;
- ✓ upon request for additional information by the applying structure, up-to-date data on persons and targets are promptly provided in accordance

with Article 23 of SIMA;

- ✓ measures are taken for the timely termination of SIM in respect of a communicator identified by the applying structure as not being used by the controlled person;

- ✓ where the applying structure is notified that a conversation falls under Article 33(3) of the Bar Act (BA), and the submitted data are confirmed by the respective applicant, the information obtained is promptly destroyed without being forwarded to the authority under Article 13 of SIMA;

- ✓ the organisational arrangements established within Mol to prevent the use of SIM by different structures of the Ministry against the same person for the same criminal act constitute an additional safeguard for administrative control and prevent violations of citizens' rights.

Despite the meetings held and the instructions issued by NBCSIM, some operational and investigative structures and supervising prosecutors continue to commit violations and omissions of the legal requirements in the preparation of requests for the use of SIM. There are also numerous cases in which judges have issued refusals with more than one ground, identifying relevant deficiencies in the submitted requests for the use of SIM, in requests for extension of the SIM application period, or in requests for the inclusion of an additional operational method or a newly identified communicator.

The violations and shortcomings identified in 2025 in the preparation of requests have also been observed in previous years in respect of the authorities under Article 13 of SIMA and are as follows:

- ✓ *Preparation of requests by an incompetent authority.*

When requests for the use of SIM are submitted by authorities under Article 13(1) of SIMA, judges establish that the operational case files presented contain data on the initiation of pre-trial proceedings (PTP). In such cases, refusals are issued, as in the presence of initiated PTP the competent authority to request the use of SIM is the supervising prosecutor, in accordance with Article 13(2) of SIMA.

- ✓ *Submission of requests to an incompetent authority.*

The highest number of refusals under this indicator were issued in relation to requests in which the factual part indicates that the offences were committed within the jurisdiction of different judicial districts. In some requests it was also indicated that the offence was completed within the territory of another judicial district.

These omissions in the factual part of the requests have led to the inability of the authority under Article 15(1) of SIMA to assess whether it is competent to authorise the use of SIM, as the territorial jurisdiction of the court before which the request is submitted has not been complied with. The court must determine whether the case falls within its jurisdiction solely on the basis of the operational information provided.

Such omissions are most frequently made in requests concerning the detection of criminal activity under Article 321 of the CC, where the OCG operates across the territory of different judicial districts. As noted in previous reports of NBCSIM, in order to determine the territorial jurisdiction of the authority under Article 15 of SIMA granting authorisation for the use of SIM, it is necessary for the request to specify where the OCG was formed, who the organiser is, who the leader is, and what its structure is. The requests should also describe under which provision of the CC the secondary criminal activity is carried out, as well as the criminal activity of the person subject to surveillance. The link between the participants in the OCG should also be specified.

✓ *Absence of a complete and exhaustive indication of the facts and circumstances giving grounds to assume that a serious intentional offence listed under Article 3(1) of SIMA is being prepared, committed or has been committed, which necessitate the use of SIM.*

The highest number of refusals issued by judges were due to non-compliance with the provisions of Article 14(1) of SIMA, namely that the requests are generic or unsubstantiated. They do not contain data and factual circumstances revealed in the operational case file or the PTP that would constitute grounds for granting authorisation for the use of SIM. The requests do not specify concrete circumstances indicating that the offence is being prepared, committed, or will be committed.

In several SIM requests prepared by supervising prosecutors, no distinction has been made between primary and secondary criminal activity. The PTP was initiated for an offence under Article 321 CC in conjunction with provisions of Chapter Seven of CC. After reviewing the materials attached to the case, the court found that the authorities conducting the PTP were already aware of the leaders and participants in the OCG, and therefore it was considered unnecessary to authorise the use of SIM for the primary offence committed prior to the initiation of the PTP. The secondary criminal activities under Chapter Seven of the Special Part of the CC do not fall within the scope of Article 3(1) of SIMA.

✓ *Requests prepared at an early stage of the initiation of the operational case file or PTP, which have led to refusals.*

The legally prescribed traditional methods for collecting evidence have not been exhausted. The requests do not convincingly substantiate that the necessary information cannot be obtained by other means or that its collection is associated with exceptional difficulties. The materials submitted to the judge indicate that additional investigative actions are to be carried out, including witness interrogations, searches and seizures, and the appointment of expert examinations.

✓ *Mismatch between the described factual circumstances and the cited provision of CC.*

Upon submission of such requests, the authority under Article 15 of SIMA issues a refusal to authorise the use of SIM.

✓ *Indication of criminal offences under CC that do not fall within the scope of Article 3(1) of SIMA and Article 172(2) of CPC.*

Despite the instructions issued over the years by NBCSIM on the strict observance of legal requirements and the working meetings held with the authorities under Articles 13, 15 and 20 of SIMA, at which issues identified in the preparation of SIM requests were discussed, in rare cases criminal offences are still indicated for which the use of SIM is not permissible.

The indication of unclear or contradictory legal qualification has also served as grounds for judges to issue refusals for the use of SIM.

In certain requests, general provisions of CC are cited – the authorities under Article 13 of SIMA must provide a precise and clear legal qualification, consistent with the factual description, of the activity for which SIM are requested, as CC provides for multiple different hypotheses under a single legal norm.

✓ *Lack of data on the involvement of the person in respect of whom SIM are requested in the alleged criminal activity.*

Cases have been identified in which authorities under Article 13 of SIMA do not indicate the link between the person in respect of whom SIM are requested and the alleged criminal activity. This has provided grounds for the authorities under Article 15 of SIMA to issue refusals to authorise the use of SIM.

✓ *Lack of identification data for the targets in respect of whom the use of SIM is requested.*

Requests for inclusion of newly identified communicators have been identified in which there is no information indicating that telephone numbers registered to third parties are being used by persons placed under surveillance.

In other requests, premises, objects or assets used by the controlled persons in which the measure under Article 8 of SIMA is to be applied are not individually identified, nor is it indicated who their owner or user is.

The lack of individualisation of the target and its description in terms of type, purpose, and ownership or user (where different from the owner) constitutes a breach of the legal requirements, and on this basis the court refuses to authorise the application of the requested operational methods under Articles 6, 8 and 10 of SIMA.

✓ *Lack of justification for the operational methods to be applied.*

In some cases, it has been established that authorities under Article 13 of SIMA do not provide justification for the requested operational methods and the results expected to be achieved by each of them. This omission has led judges to issue full or partial refusals for their application.

✓ *In certain SIM requests, the requirement under Article 14(1)(4) of SIMA to justify the duration of the period for which SIM are requested is not fulfilled.*

Where the duration of the SIM application period is not substantiated in the prepared request, the court issues a full refusal. Such requests are prepared by authorities under Article 13(1) and Article 13(2) of SIMA.

In extension requests, the duration of the requested SIM application period is not sufficiently substantiated, nor is it demonstrated that it is sufficient for the collection of the necessary information. In such cases, the court grants a shorter period.

✓ *In requests for extension of the SIM application period, the results obtained from the SIM applied under the initial requests are not indicated.*

In requests for extension of the SIM application period, there is no comprehensive information both on the results obtained from the applied SIM and on the link between the acquired data and the commission of the offence for which authorisation for the use of SIM was granted.

Where the authority under Article 13 of SIMA requests an extension of the SIM application period, the request must contain a full and exhaustive presentation of the results obtained through the application of SIM, as required under the mandatory

provision of Article 21(3) of SIMA. The results must be presented in a summarised and analytical form, without verbatim reproduction.

In cases where the obtained results are not indicated, judges consider that the application has not produced results and may conclude that such results are unlikely to be achieved through an extension of the application period, and therefore issue a refusal for the use of SIM.

The identified violations of legal requirements have provided grounds for the authority under Article 15 of SIMA to issue full or partial refusals for the use of SIM.

Some of the authorities under Article 13 of SIMA have fully overcome their occurrence, while in other cases these shortcomings remain to be corrected. The identified violations and deficiencies have also been established during inspections carried out by NBCSIM in previous years.

The exercise of direct control by the court and the applying structures, as well as subsequent oversight by NBCSIM, has led to the non-occurrence of violations of the procedures under SIMA and, consequently, to the protection of the rights and freedoms of citizens against the unlawful use of SIM.

European Prosecutor and European Delegated Prosecutors (EDPs)

The European Prosecutor and EDPs participate in proceedings in cases falling within the competence of the European Public Prosecutor's Office in relation to investigation and referral to court of cases concerning offences against the financial interests of the EU, including fraud, corruption, money laundering and cross-border VAT fraud.

In 2025, the European Prosecutor has not submitted any SIM requests.

The EDPs submitted 38 SIM requests in respect of 30 persons – 29 persons under Article 12(1)(1) of SIMA and 1 person under Article 12(3) of SIMA. In 21 requests, the court issued refusals. No requests were submitted under the procedure of Article 12(1)(4) of SIMA.

The requests submitted in 2025 concerned the investigation of offences falling within the scope of Article 3(1) of SIMA and were related to the following offences: Article 242(1) CC, Article 253 CC, Article 301(1) CC, Article 321(3)(2) in conjunction with Article 321(2) and Article 255(3) CC, Article 321(2) and Article 321(3) in conjunction with Article 248a(5) CC, and Article 321 CC. From the applied procedures, 10 material evidences (ME) were obtained, which were attached to the respective PTPs.

In 2024, EDPs submitted 81 SIM requests in respect of 56 persons. The court issued 34 authorisations and 47 refusals. The refusals concerned initial SIM requests. From the applied procedures, 13 pieces of ME were obtained, all of which were attached to PTPs.

In 2023, 42 SIM requests were submitted in respect of 22 persons. The court issued 6 authorisations and 36 refusals for the use of SIM. The preparation of 3 pieces of ME was requested, which were attached to the PTPs.

The comparative analysis shows that in 2025 the number of submitted SIM requests has decreased, but the percentage ratio of refusals remains high – over 55%. The court refused to grant authorisation for the use of SIM on the grounds that not all traditional methods for collecting evidence had been exhausted, and that in extension requests the results obtained from the applied SIM were not fully and comprehensively presented, but only schematically.

The previous tendency of delays by the court in issuing orders for the destruction

of information under Article 25 of SIMA, which will not be used for the preparation of ME, has been overcome.

Procedures under Article 34n of SIMA

For the prevention and investigation of offences explicitly provided for in a binding international treaty to which the Republic of Bulgaria is a party, SIM may be used. The obtained results may be used both for the purposes of international legal assistance and for the purposes of ongoing investigations within the territory of the Republic of Bulgaria.

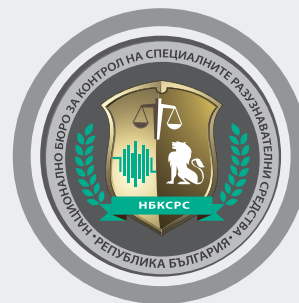
In 2025, the Supreme Court of Cassation Prosecutor's Office submitted 5 SIM requests under Article 34n of SIMA. 4 authorisations were issued and 1 refusal was issued for a request for extension of the SIM application period.

In 2023 and 2024, no requests were submitted for cross-border surveillance under requests for mutual legal assistance from a foreign state.

There remains a need for amendments to the regulatory framework in order to improve the legislation by establishing a clear and precise procedure for the use of SIM on the territory of the country when a request is received from the relevant authorities of foreign states, so as to prevent violations of national legislation and at the same time not to hinder the prevention or detection of crime.

During complex inspections of SIMA-related activities in certain judicial districts in 2025, cases were identified involving the application of SIM under the procedure of European Investigation Order Act (EIOA). It was established that in some requests the provision of Bulgarian criminal law under which the use of SIM was requested was not indicated, as required by law.

A key issue in the use of SIM under mutual legal assistance requests and EIOA requests is the differences between the legal systems of individual countries.



AUTHORITIES UNDER ARTICLE 15 OF THE SIMA

2. Authorities under Article 15 of the SIMA

Requests submitted by the competent applicant authorities are provided to the authorities under Article 15(1) of SIMA (Article 174 of CPC), which must issue a reasoned act within the statutory deadline.

2.1. Authorisations

In 2025, a total of 4,318 requests concerning persons and objects were submitted to the authorities under Article 15 of SIMA. Of these, 3,782 authorisations were issued in respect of initial requests and extensions of the application period or amendments to the initial requests by adding an operational method or a communicator⁵. The distribution of authorisations by courts is presented in Table 3.

Table 3

Court	No. of authorisations	Court	No. of authorisations	Court	No. of authorisations
Sofia City Court	756	Pernik Regional Court	95	Lovech Regional Court	28
Plovdiv Regional Court	395	Burgas Regional Court	90	Dobrich Regional Court	27
Stara Zagora Regional Court	269	Yambol Regional Court	88	Montana Regional Court	21
Ruse Regional Court	200	Razgrad Regional Court	85	Targovishte Regional Court	21
Blagoevgrad Regional Court	196	Sliven Regional Court	80	Vratsa Regional Court	18
Haskovo Regional Court	184	Vidin Regional Court	78	Sofia Court of Appeal	13
Pazardzhik Regional Court	166	Sofia Military Court	58	Sliven Military Court	9
Pleven Regional Court	148	Gabrovo Regional Court	55	Plovdiv Military Court	7
Veliko Tarnovo Regional Court	137	Shumen Regional Court	55	Military Court of Appeal	0
Varna Regional Court	127	Silistra Regional Court	52	Supreme Court of Cassation	0
Kyustendil Regional Court	124	Smolyan Regional Court	44		
Sofia Regional Court	119	Kardzhali Regional Court	37		

5 According to data provided by the authorities under Article 15 of the SIMA.

For comparison, in 2024 the total number of requests was 4,513, and the number of authorisations was 3,739 in respect of initial requests and extensions of the application period or amendments to the initial requests. In 2023, the number of requests was 4,340, and the number of authorisations was 3,594 in respect of initial requests and extensions of the application period or amendments to the initial requests. (Figure 7)

Fig. 7

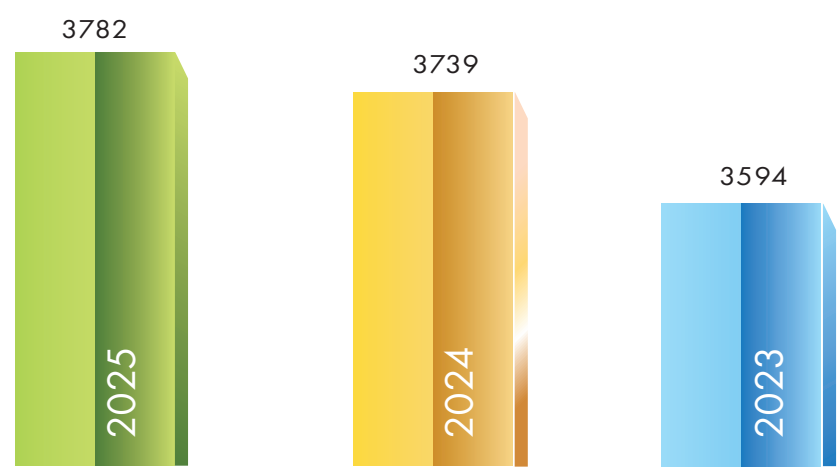


Figure 7. Authorisations for the use of SIM for the period 2025–2023.

It is evident from the data that the number of requests in 2025 has decreased by 4.32% compared to 2024. The number of authorisations has increased by 1.15%, due to a significant reduction in the number of refusals issued.

According to Article 15(4)(1) of SIMA, authorisation for the use of SIM in respect of offences committed by a judge, prosecutor or investigator, and for all participants, including persons and witnesses under Article 12(2) and Article 12(3) of SIMA, is granted by the President of the Sofia Court of Appeal (SCA) or a deputy president expressly authorised by them, where the case falls within the first-instance jurisdiction of the Supreme Court of Cassation (SCC). In all other cases, authorisation is granted by the President of the Military Court of Appeal (MCA) or an expressly authorised deputy. In 2025, no requests were submitted and no authorisations were issued by the MCA.

In 2025, 17 SIM requests were submitted to the SCA. 13 authorisations were issued in respect of 6 persons, of whom two were magistrates.

In 2024, no SIM requests were submitted to the SCA.

In 2023, 19 SIM requests were submitted to the SCA. 13 authorisations were issued in respect of 11 persons, of whom three were magistrates.

According to Article 15(4)(2) of SIMA, for the prevention, detection or investigation of serious intentional offences committed by the President of the SCA, MCA and their deputy, authorisation for the use of SIM is granted by the Deputy President of the SCC heading the Criminal Chamber. In 2025, no requests were submitted and no authorisations were issued by the SCC.

2.2. Refusals

In 2025, judges issued 536 refusals out of the total number of SIM requests⁶. In comparison, in 2024 the number of refusals was 774, and in 2023 it was 746. (Figure 8)

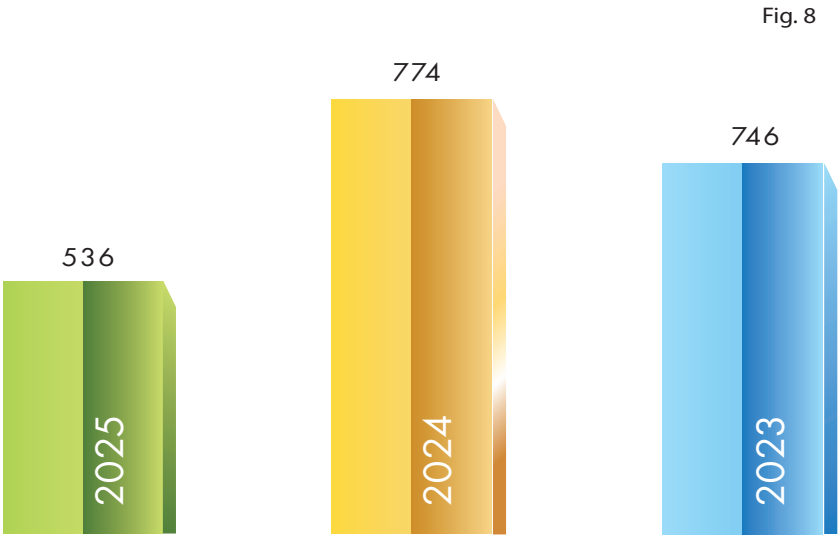


Figure 8. Refusals for the use of SIM for the period 2025–2023.

The distribution of refusals by courts is presented in Table 4.

6 According to data provided by the authorities under Article 15 of the SIMA.

Table 4

Court	No. of refusals	Court	No. of refusals	Court	No. of refusals
Sofia City Court	226	Dobrich Regional Court	7	Silistra Regional Court	0
Burgas Regional Court	56	Razgrad Regional Court	6	Sliven Regional Court	0
Plovdiv Regional Court	54	Montana Regional Court	5	Smolyan Regional Court	0
Blagoevgrad Regional Court	29	Veliko Tarnovo Regional Court	4	Stara Zagora Regional Court	0
Vratsa Regional Court	25	Pazardzhik Regional Court	4	Shumen Regional Court	0
Sofia Regional Court	23	Sofia Court of Appeal	4	Yambol Regional Court	0
Pleven Regional Court	19	Kardzhali Regional Court	3	Sliven Military Court	0
Haskovo Regional Court	18	Gabrovo Regional Court	1	Plovdiv Military Court	0
Varna Regional Court	16	Lovech Regional Court	1	Military Court of Appeal	0
Pernik Regional Court	13	Targovishte Regional Court	1	Supreme Court of Cassation	0
Ruse Regional Court	11	Vidin Regional Court	0		
Sofia Military Court	10	Kyustendil Regional Court	0		

For 2025 and in comparison, with previous periods, the relative share of refusals issued in relation to the requests submitted by the applicants is presented in Table 5.

Table 5

Structure	Refusals, in percentages (%)		
	2025	2024	2023
EDPRB	55,26	58,02	85,71
SANS	17,77	21,18	26,75
Prosecutor's Office	14,79	16,39	21,04
Mol	9,78	14,80	12,90
ACC	20,83	0	19,35
MIS	-	-	33,33
MPS-MoD	13,51	9,09	0

In 2025, judges, exercising their powers related to the review of the legality of SIM procedures under SIMA, also issued 235 acts in which they partially refused the use of SIM in respect of individual operational methods, communicators and offence classifications not falling within Article 3(1) of SIMA, or reduced the requested periods for the application of SIM.

2.3. Analysis of the Results of the Oversight Conducted over Procedures under the SIMA

As a result of the conducted comprehensive inspections, NBCSIM identified both good practices and certain shortcomings in the decisions issued by the authorities under Article 15 of SIMA.

It was established that judicial review of SIM requests has become more rigorous, with practices being harmonised and uniform criteria applied, namely:

- ✓ The periods of SIM application authorised in previous requests concerning the same person are deducted where the procedure under Article 12(1)(4) of SIMA had previously been applied.
- ✓ Judges require applicants to submit the order extending the investigation period in the relevant PTP for which the use of SIM is requested.
- ✓ Judges issue refusals where the application of SIM would duplicate an existing authorisation granted by another authority within the same judicial district in respect of the same person and the same offence.
- ✓ Judges issue refusals where no evidence has been provided as to the ownership or user of the communicators specified in the request for the application of the method under Article 6 of SIMA, or where the premises and objects for the application of the methods under Articles 8, 9 and 10 of SIMA have not been individually identified;
- ✓ The requests contain well-reasoned justifications for the requested operational methods, including the results expected to be achieved through the application of each method. Where the requested methods are not adequately substantiated, judges issue partial refusals.
- ✓ Applicants are required to comply with the statutory requirement to provide reasons for the requested duration of the application period.

- ✓ Judges require applicants under Article 13(1) of SIMA to declare that no PTP has been initiated.

- ✓ In most judicial districts, judges require detailed reports to be prepared, presenting in analytical form the results obtained from the application of SIM, the operational methods that were applied, the methods that were not applied, and the reasons therefor.

In 2025, several significant shortcomings were identified in decisions on SIM requests. In such cases, the application of SIM was not ordered by the authority under Article 16 of SIMA, and the authorisations granted were revoked or the decisions were amended in order to remedy the identified deficiencies. The shortcomings included the following:

- ✓ Authorisations were granted for the use of SIM to prevent or detect offences that were not serious offences within the meaning of Article 93(7) of the CC and did not fall within the scope of Article 3(1) of SIMA.

- ✓ Authorisations were granted for periods exceeding those requested by the applicants.

- ✓ Discrepancies between the legal classification stated in the request and that stated in the authorisation.

- ✓ Decisions exceeding the scope of the request, whereby authorisation was granted for the application of operational methods that had not been requested by the applicant.

The following shortcomings were also identified in decisions on SIM requests:

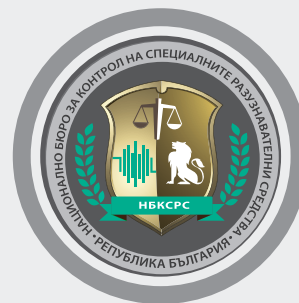
- ✓ Obvious factual errors in recording the Personal Identification Numbers of the persons concerned and the communicators.

- ✓ Authorisations were granted where requests for the use of SIM to identify the users of objects (procedure under Article 12(1)(4) of SIMA) specified an unjustifiably large number of communicators.

- ✓ In some judicial districts, the practice continues of requiring the authorities under Article 13(1) of SIMA to notify the judge who authorised the use of SIM and request an order under Article 175(7) of CPC for the destruction of information under Article 25 of SIMA.

✓ The practice of failing to issue decisions within the 48-hour period under Article 15(1) of SIMA continues.

✓ Cases were also identified where SIM requests were left without consideration or dismissed, whereas the law requires that a refusal be issued.



AUTHORITIES UNDER ARTICLE 20 OF THE SIMA

3. Authorities under Article 20 of the SIMA

According to Article 20 of SIMA, SIM shall be provided and applied exclusively by State Agency Technical Operations (SATO), the Specialised Technical Operations Directorate at the State Agency for National Security (STOD-SANS), and Mol—in respect of the methods under Articles 106 and 10B of the Act, and the method under Article 10a in cases involving the use of an undercover officer. SIA and MIS may possess and apply SIM within the scope of the powers conferred on them by law.

In 2025, SATO applied 5,719 operational methods in respect of 2,176 persons and 67 procedures under Article 12(1)(4) of SIMA. By comparison, in 2024 SATO applied 5,564 operational methods in respect of 2,220 persons and 44 procedures under Article 12(1)(4) of SIMA, while in 2023 it applied 5,225 operational methods in respect of 2,261 persons and 60 procedures under Article 12(1)(4) of SIMA.

The STOD-SANS applied 522 operational methods in respect of 266 persons and one procedure under Article 12(1)(4) of SIMA. By comparison, in 2024 it applied 480 operational methods in respect of 190 persons and one procedure under Article 12(1)(4) of SIMA, while in 2023 it applied 488 operational methods in respect of 232 persons and one procedure under Article 12(1)(4) of SIMA.

Through an undercover officer, Mol applied 39 operational methods under Articles 106 and 10B of SIMA in respect of 22 persons. By comparison, in 2024, 31 operational methods were applied in respect of 21 persons, while in 2023, 21 operational methods were applied in respect of 15 persons.

In 2025, MIS and SIA did not apply SIM.

3.1. Operational Methods

In 2025, a total of 6,280 operational methods were applied in the use of SIM (compared to 6,095 in 2024 and 5,749 in 2023). The operational methods applied during the reporting period accounted for 55.09% of the total number of operational methods authorised. By comparison, this figure was 54.41% in 2024 and 52.24% in 2023.

The number of operational methods (authorised/applied), by type, is as follows:

✓ Article 5 of SIMA (surveillance) – 3,381 (compared to 3,329 in 2024 and 3,230 in 2023), of which 1,267 were applied (compared to 1,230 in 2024 and 1,079 in 2023);

✓ Article 6 of SIMA (interception) – 3,562 (compared to 3,506 in 2024 and 3,453 in 2023), of which 3,551 were applied (compared to 3,485 in 2024 and 3,441 in 2023);

✓ Article 7 of SIMA (tracking) – 3,374 (compared to 3,331 in 2024 and 3,238 in 2023), of which 1,253 were applied (compared to 1,208 in 2024 and 1,072 in 2023);

✓ Article 8 of SIMA (covert entry) – 420 (compared to 401 in 2024 and 416 in 2023), of which 108 were applied (compared to 72 in 2024 and 65 in 2023);

✓ Article 9 of SIMA (marking) – 129 (compared to 131 in 2024 and 201 in 2023), of which 19 were applied (compared to 19 in 2024 and 26 in 2023);

✓ Article 10 of SIMA (correspondence monitoring) – 435 (compared to 365 in 2024 and 379 in 2023), of which 43 were applied (compared to 30 in 2024 and 30 in 2023);

✓ Article 10a of SIMA (controlled delivery) – 4 (compared to 10 in 2024 and 9 in 2023), of which none were applied (compared to none in 2024 and none in 2023);

✓ Article 10b of SIMA (trusted transaction) – 45 (compared to 64 in 2024 and 38 in 2023), of which 16 were applied (compared to 20 in 2024 and 15 in 2023);

✓ Article 10c of SIMA (undercover officer) – 49 (compared to 65 in 2024 and 40 in 2023), of which 23 were applied (compared to 31 in 2024 and 21 in 2023).

Fig. 9

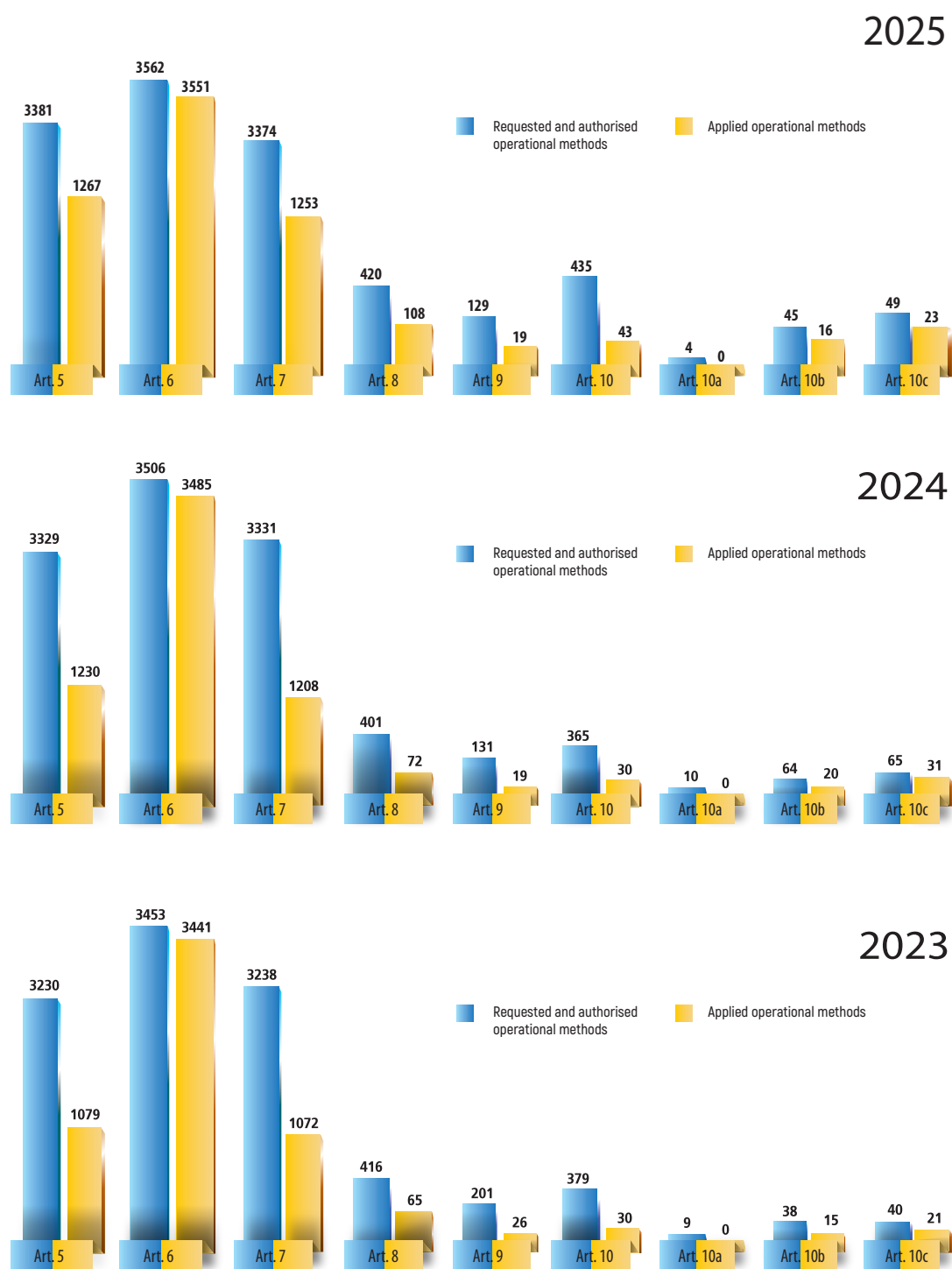


Figure 9. Requested, authorised and applied operational methods for the period 2025–2023.

The analysis of the consolidated data shows that, in 2025, the highest proportion of applied to authorised operational methods remained that under Article 6 of SIMA—99.69% (compared to 99.40% in 2024 and 99.65% in 2023). The proportion of methods applied under Articles 5 and 7 of SIMA was lower, at 37.47% and 37.14%, respectively (compared to 36.95% and 36.27% in 2024, and 33.41% and 33.11% in 2023). The lowest proportions continued to be recorded for the methods under Articles 8, 9 and 10 of SIMA, at 25.71%, 14.73% and 9.89%, respectively (compared to 17.96%, 14.50% and 8.22% in 2024, and 15.63%, 12.94% and 7.92% in 2023).

The application of operational methods requires enhanced coordination and effective cooperation between the authorities under Articles 13 and 20 of SIMA, as well as the existence of a specific operational necessity and the conditions required for their use.

NBCSIM found that the continuing practice in requests for the use of SIM is to provide insufficient justification for the need to apply each specific operational method and for the results expected to be achieved through its use.

In this regard, NBCSIM has issued guidance to applicants requiring that requests for the use of SIM include specific reasons justifying the necessity of applying each individual operational method.

3.2. Analysis of the Results of the Oversight Conducted over Procedures under the SIMA

During the comprehensive inspections carried out in 2025, cases were identified of inconsistencies between the start and end dates for the application of SIM indicated in the requests submitted by the authorities under Article 13 of SIMA and those contained in the judicial orders issued by the authorities under Article 15 of SIMA.

Cases were also identified where requests were received by the applying structures after the date set as the start of the application in the judicial act.

In cases where the period specified in the judicial act was shorter than the requested period, the authority under Article 20 of SIMA applied SIM in accordance with the court order issued.

In one request, a period was sought in accordance with Article 21(2)(3) of SIMA, while the authority under Article 15 of SIMA authorised a longer period. Where

the authorised period exceeds the requested one, the authority under Article 20 of SIMA notifies the authorities under Articles 13 and 15 of SIMA of the identified discrepancy, stating that the court does not have a legal basis to authorise a period longer than the one explicitly requested. SIM is applied within the statutory time limits.

Cases were also identified where SIM was not initiated by SATO under Article 22(3)(2) of SIMA due to manifest factual errors in the requests or authorisations. The most frequently identified inaccuracies relate to incorrect spelling of names of persons, personal identification numbers, or numbers of the communicators used.

Non-conformities and procedural shortcomings that led to the non-initiation of SIM application:

- ✓ Discrepancy between the offence for which SIM was requested and the offence for which authorisation was granted.

Following notification by the authority under Article 20 of SIMA, the judge corrected the judicial act and ordered the application of SIM.

- ✓ Discrepancy between the operational methods specified in the request of the authority under Article 13 of SIMA and those authorised by the authority under Article 15 of SIMA.

Following notification by the authority under Article 20 of SIMA, the judge corrected the judicial act.

- ✓ Issuance of a decision by the authority under Article 15 of SIMA outside the scope of the submitted request, whereby SIM was authorised for offences different from those requested by the authority under Article 13 of SIMA.

In these cases, the authority under Article 20 of SIMA informed the authority under Article 15 of SIMA that SIM would be applied solely in respect of the offences requested by the authority under Article 13 of SIMA and authorised by the authority under Article 15 of SIMA.

- ✓ Failure to specify or incomplete specification of the place of application of SIM in requests for the use of the operational method under Article 8 of SIMA.

In such cases, the authority under Article 20 of SIMA informed the authorities under Articles 13 and 15 of SIMA that the application of SIM in respect of a premises

and/or object requires that the specific location to which the method “covert entry” is to be applied must be explicitly identified both in the request and in the corresponding authorisation.

- ✓ Cases where SIM was requested in relation to a specific address, but the operational method under Article 8 of SIMA (“covert entry”) was not requested and/or authorised.

In such cases, the authority under Article 20 of SIMA informed the authorities under Articles 13 and 15 of SIMA that the application of SIM in relation to an address requires that the method under Article 8 of SIMA be explicitly stated both in the request and in the judicial authorisation.

- ✓ Cases where SIM was requested in relation to several communicators, but the judicial authorisation referred to the term “communicator” in the singular.

In these cases, an obvious factual error is present, as the judicial act does not allow for an unambiguous identification of the specific communicator for which the application of the method under Article 6 of SIMA has been authorised. Until the ambiguity is resolved, the authority under Article 20 of SIMA initiated the application of SIM solely in respect of the person and the operational methods for which no uncertainty existed. Following the issuance of an additional order by the authority under Article 15 of SIMA, the authority under Article 16 of SIMA ordered the application of SIM also in respect of the specifically identified communicators.

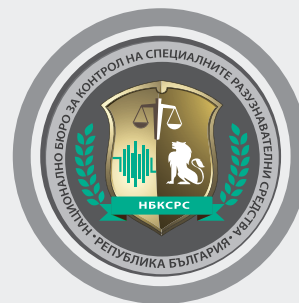
In 2025, no requests or authorisations were received by the STOD-SANS of SANS that would have provided grounds for the authority under Article 16(2) of SIMA—the Chairperson of SANS or a deputy chairperson authorised in writing by them—to refuse to order the commencement of SIM application.

Likewise, in Mol, no requests or authorisations were received that would have provided grounds for the authority under Article 16(4) of SIMA—the Chief Secretary or a deputy chief secretary authorised in writing by them—to refuse to order the commencement of SIM application.

3.3. Analysis of the Results of the Oversight Conducted over Procedures under the SIMA

The authority under Article 20 of SIMA ensures strict compliance with the law and, where necessary, promptly notifies the authorities under Articles 13 and 15 of SIMA in order for them to take action within their respective competences.

In the performance of its duties, the applying structure strictly complies with the requirements of Article 33(3) of the BA, which constitutes a significant safeguard for the protection of citizens' rights and legitimate interests.



RESULTS OF THE APPLICATION OF SIM



III. RESULTS OF THE APPLICATION OF SIM, STORAGE AND DESTRUCTION OF THE INFORMATION OBTAINED

1. Material Evidence (ME) Obtained through SIM

In respect of SIM requests submitted in 2025, a total of 930 requests for the preparation of ME were received, including 20 requests for the examination of undercover officers. By comparison, in 2024 a total of 891 requests for the preparation of ME and 31 requests for the examination of undercover officers were received, while in 2023 a total of 921 requests for the preparation of ME and 16 requests for the examination of undercover officers were received.

In relation to the 2,198 procedures applied by SATA in 2025 concerning persons and objects under Article 12(1)(4) of SIMA, the applicants requested the preparation of 818 ME. In 2024, SATA applied a total of 2,264 procedures concerning persons and objects under Article 12(1)(4) of SIMA, with 781 pieces of ME requested, while in 2023, out of 2,321 applied procedures concerning persons and objects under Article 12(1)(4) of SIMA, 804 pieces of ME were requested.

In relation to the 227 procedures applied by the STOD-SANS of SANS in 2025 concerning persons and objects under Article 12(1)(4) of SIMA, 92 pieces of ME were requested. By comparison, in 2024 STOD-SANS applied 191 procedures, with 79 pieces of ME requested, while in 2023, out of 187 applied procedures concerning persons and objects under Article 12(1)(4) of SIMA, 101 pieces of ME were requested.

In their capacity as an authority under Article 20(1)(3) of SIMA, Mol applied 39 operational methods under Articles 106 and 10b of SIMA in respect of 22 persons. A total of 20 examinations of undercover officers before a judge were requested. In 2024, 51 operational methods under Articles 106 and 10b of SIMA were applied in respect of 21 persons, with 31 records of examinations conducted before a judge being prepared. In 2023, 36 operational methods under Articles 106 and 10b of SIMA were applied in respect of 15 persons, with 16 records of examinations conducted before a judge being prepared.

The ratio between the number of applied operational methods and the prepared ME, including examinations conducted before a judge, shows the following percentages: SATO – 37.22% in 2025 (34.50% in 2024 and 34.64% in 2023); STOD-SANS of SANS – 40.53% in 2025 (41.36% in 2024 and 54.01% in 2023); Mol – 51.28% in 2025 (60.78% in 2024 and 44.44% in 2023).

The results show an increase in the number of pieces of ME prepared by the applying structures in 2025 compared to 2024 and 2023, while a decrease is observed in Mol with regard to examinations of undercover officers before a judge compared to 2024.

In 2025, the authorities under Article 20 of SIMA prepared a total of 1,187 pieces of ME, of which 726 were prepared under requests submitted in 2025, while 461 pieces of ME were prepared under requests from previous years. In 2024, a total of 1,067 pieces of ME were prepared, and in 2023 a total of 1,096 pieces of ME were prepared.

The ratio between the number of requests for the preparation of pieces of ME and the number of persons whose fundamental rights were temporarily restricted through the application of SIM, including under Article 12(1)(4) of SIMA, amounts to 36.25%. By comparison, in 2024 this indicator was 35.30%, and in 2023 it was 36.06%.

Based on the analysis of the statistical data provided by the authorities under Article 20 of SIMA, it can be reasonably concluded that there is a trend of maintaining the effectiveness of SIM application with regard to the collection of admissible evidence during criminal investigations. According to NBCSIM, this is due both to the reduced number of applied procedures and to the more precise assessment by applicants regarding the cases in which the preparation of pieces of ME is necessary for proving specific criminal acts.

It should also be noted that in activities related to the protection of national security, the result of the use of SIM is not always expressed in the preparation of pieces of ME, but is often associated with the acquisition of operationally significant information.

In 2025, cases were also identified of ME not being attached to criminal proceedings, where they are retained by the authorities under Article 13(1) of SIMA. NBCSIM has issued instructions for strict compliance with Article 31(2) of SIMA, according to which the prepared ME must be stored by the respective judicial authority.

There are also cases where, during the preparation of ME, the need for their use as evidence in criminal proceedings has ceased due to the termination of the PTP or the conclusion of a plea agreement.

According to NBCSIM, in cases where the need for the preparation of ME ceases to exist, the authority under Article 13 of SIMA shall immediately notify the authority under Article 20 of SIMA.

The prepared and submitted to the judge who authorised the use of SIM copies of ME are stored by the authorities under Article 15 of SIMA for an indefinite period and are not subject to destruction.

2. Destruction of Information Not Used for the Preparation of ME

Pursuant to Article 31(3) of SIMA, the information under Article 24 of the Act that has not been used for the preparation of ME, as well as the information under Article 25 of SIMA, regardless of whether it constitutes classified information, shall be subject to destruction by the structures under Article 13 and Article 20(1) of SIMA within 10 days from the termination of the use of SIM. The destruction shall be carried out by a three-member commission appointed by order of the head of the respective structure, and a protocol shall be drawn up.

Failure to comply with these requirements creates conditions for the use of information obtained through SIM outside its legally established purpose, namely for the prevention, detection, and proving of crimes, in accordance with Article 32 of SIMA.

During an inspection carried out in a structure of the Mol, a case was identified in which documents obtained under Article 25(1) of SIMA, containing results from the use of SIM, were found. These should have been destroyed in accordance with Article 31(3) of the Act. A protocol was available certifying the destruction of the information contained on optical and paper carriers. However, during the inspection it was established that the paper carriers had not been destroyed but had been attached to an operational case file. The optical carriers and accompanying documents had been destroyed.

In this regard, on the basis of Article 34e(5) of SIMA, NBCSIM has referred the leadership of the Mol to take action within its competence. The PORB will also be notified regarding the established violation.

Isolated cases were identified of failure to prepare protocols or delays in the destruction of information under Article 25 of SIMA, the main reasons for which are:

- ✓ preparation of additional protocols outside the time limit under Article 31(3) of SIMA due to subsequent receipt of information under Article 25 of SIMA;

✓ delays in issuing orders under Article 175(7) of the Criminal Procedure Code for the destruction of information under Article 25 of SIMA.

It should be noted that Article 175(7), second sentence of the CPC does not provide for a time limit within which the judge who authorised the use of SIM must issue an order for the destruction of information that has not been used for the preparation of ME.

During the reporting period, there is a significant decrease in cases where the supervising prosecutor has requested, within the statutory 10-day period, the issuance of an order for the destruction of information under Article 25 of SIMA, and the court has ruled after the expiry of that period.

3. Preparation of a Report to the Authority under Article 15 of the SIMA

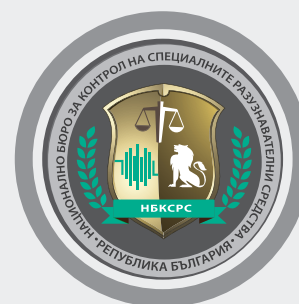
Pursuant to Article 29(7) of SIMA, within one month from the termination of the use of SIM, the authority under Article 13(1)–(4) of SIMA is obliged to submit a report to the judge who authorised the use of SIM. The report must contain data on the type of SIM applied, the start and end dates of their application, the preparation of ME, as well as information on the destruction of the collected data.

During the inspections carried out, it was established that in the majority of cases the prepared reports are detailed and contain not only the legally required elements but also additional information regarding the requested and applied operational methods, the results achieved, as well as the reasons for non-applied operational methods.

The preparation of a detailed report enables effective subsequent control by the authority under Article 15 of SIMA regarding the legality of the procedures for the application of SIM.

Cases have been identified within authorities under Article 13 of SIMA in which the reports submitted to the judge who authorised the use of SIM were prepared immediately after the termination of their application and do not contain data on the destruction of information under Article 24 of SIMA that has not been used for the preparation of ME.

The NBCSIM does not support such practice and, during inspections, has issued instructions for the strict and correct preparation of reports in accordance with the legal requirements.



PROTECTION OF THE RIGHTS AND FREEDOMS OF CITIZENS

IV. PROTECTION OF THE RIGHTS AND FREEDOMS OF CITIZENS AGAINST THE UNLAWFUL APPLICATION OF SIM

Pursuant to Article 34ж(1) of SIMA, NBCSIM shall officially notify citizens when SIM have been unlawfully applied against them. The legislator has provided an exception to this provision, and citizens are not notified where there is a risk that the objectives of the Act (Articles 3 and 4 of SIMA) would not be achieved, that operational methods or technical means would be disclosed, or where such notification would create a risk for an undercover officer or their relatives.

Official notification of citizens by the NBCSIM regarding established unlawful application of SIM constitutes grounds for them to file a claim under the State and Municipalities Liability for Damages Act.

The inspections carried out in 2025 did not establish any cases of unlawful application of SIM.

1. Complaints Concerning the Unlawful Application of SIM

SIMA does not provide for a procedure governing NBCSIM's handling of citizens' complaints requesting an inspection for unlawful application of SIM. In order to protect the rights and freedoms of citizens, guaranteed by the Constitution of the Republic of Bulgaria, the NBCSIM has developed "Internal Rules for NBCSIM Work on Complaints of Unlawful Application of Special Intelligence Means" and a standard complaint form, published on the NBCSIM website at www.nbksrs.bg, in the section "Complaints under SIMA", subsection "Documents" – "Complaint Handling", as well as publicly available information regarding the notification regime in cases of established unlawful use and application of SIM against citizens.

Pursuant to Article 8(1), item 9 of the Rules on the Organisation and Activities of NBCSIM and its Administration (promulgated in the State Gazette of Republic of Bulgaria, No. 77 of 4 October 2016), the NBCSIM carries out inspections based on motivated complaints submitted by citizens regarding unlawful application of SIM against them, as well as on its own initiative.

Amendments and supplements to the Internal Rules for NBCSIM Work on

Complaints of Unlawful Application of SIM are forthcoming, including the introduction of an electronic complaint submission form through the NBCSIM website, using an electronic template.

In 2025, NBCSIM received 49 complaints from citizens alleging that SIM had been unlawfully applied against them.

All received complaints were examined at meetings of NBCSIM. Six of the inspections were completed in 2026.

The inspections carried out in 2025 did not establish any cases of unlawful application of SIM. In 2024, no cases of unlawfulness in SIM procedures were established. In 2023, one case of unlawful application of SIM was identified following the conducted inspections.

2. Proceedings under the State and Municipal Liability for Damages Act (SMLDA) and the Access to Public Information Act (APIA)

Proceedings under the SMLDA

With the amendment of Article 2(1), item 7 (State Gazette of Republic of Bulgaria, No. 17 of 2009) of the SMLDA, the liability of the State for damages caused to citizens by investigative authorities, the prosecution, or the court due to unlawful use of SIM was further expanded. The unlawful use of SIM affects civil rights that enjoy constitutional protection and international recognition (Article 8 of the European Convention on Human Rights (ECHR)).

Pursuant to Article 7 of the Constitution of the Republic of Bulgaria, the State is liable for damages caused by unlawful acts or actions of its bodies and officials. This liability is borne by the respective bodies of the executive and judicial branches, rather than by individual officials. The SMLDA is one of the mechanisms for the protection of constitutionally granted rights. It is also one of the domestic remedies within the meaning of Article 35 §1 of the ECHR. Under the SMLDA, the State bears strict liability for unlawfully caused damages arising from the activity of law enforcement authorities. According to Article 4 of the SMLDA, the State owes compensation for all pecuniary

and non-pecuniary damages that are a direct and immediate consequence of the harm, regardless of whether the damage was caused through fault of the official.

Proceedings under the APIA

The NBCSIM, as a state authority, is an obliged subject to provide information regarding its activities, in accordance with Article 3(1) of the APIA.

In 2025, two electronic applications for access to public information were received, under which full access to the requested information was granted. No grounds arose for refusal to provide access to public information. No complaints were filed against decisions issued by NBCSIM under the APIA.



ВЗАИМОДЕЙСТВИЕ С ДЪРЖАВНИ ОРГАНИ И ИНСТИТУЦИИ

V. COOPERATION WITH STATE AUTHORITIES AND INSTITUTIONS

The NBCSIM annually organizes and conducts working meetings with representatives of the authorities involved in procedures for the application of SIM.

The main purpose of these meetings is the exchange of good practices aimed at improving the legality and effectiveness of the procedures, as well as the presentation and discussion of issues identified by NBCSIM, including shortcomings and violations in the application of SIMA, which create conditions for unlawful restriction of citizens' rights.

As a result of the established good communication and the implementation of decisions taken during the joint meetings with the authorities under Articles 13, 15 and 20 of SIMA, a significant part of the previously identified shortcomings and differences in practice has been overcome. A substantial improvement in judicial control over the authorisation and application of SIM has been observed, as well as a sustained trend towards higher standards applied by judges when authorising the use of SIM.

In 2025, the NBCSIM organised a working meeting with representatives of the SCC, the Supreme Cassation Prosecutor's Office, the Sofia City Prosecutor's Office and the Sofia City Court, at which issues that may arise in the use of SIM in cases of incoming European Investigation Orders (EIOs) were discussed, as well as possible common solutions for overcoming them. The meeting was prompted by cases identified by NBCSIM during comprehensive inspections of SIM procedures. Specific cases identified during such inspections involving received and executed EIOs were presented. The need to organise training for prosecutors and to establish a coordination mechanism regarding SIM procedures in cases of received EIOs was highlighted.

In 2025, an inter-institutional working meeting was also held with representatives of the PORB, the Administration of the EDPs, the MoI, the SANS, the SIA, the MIS, and the MPS within the MoD. Within the framework of the meeting, issues related to the storage and destruction of documents under Article 31(5) of SIMA and of ME were discussed, with the aim of developing a common approach to overcoming the identified practical problems.

As a result of the discussion held, the participants in the working meeting reached agreement on the following key issues:

- ✓ the applications, authorisations and other documents under Article

31(5) of SIMA should be retained until a legal framework for their destruction is established;

- ✓ all ME prepared upon request of authorities under Article 13 of SIMA outside the structure of the prosecution service should be forwarded to the prosecution service for use within the respective PTP;

- ✓ in cases where the need for the use of ME ceases during the period of their preparation, the structure under Article 13 of SIMA that requested the preparation of ME shall promptly notify the respective authority under Article 20 of SIMA with a view to terminating their preparation.

The NBCSIM considers that the practice, established over the years, of holding working meetings with representatives of all authorities involved in the various stages of SIM procedures constitutes a significant safeguard for strict compliance with the law and for preventing violations of the fundamental constitutional rights and freedoms of citizens.

With a view to improving the regime for the application of SIM procedures, the NBCSIM participates in seminars related to the preparation and harmonisation of practices among the individual authorities under Article 13 of SIMA. At the Academy of the Mol, representatives of NBCSIM delivered lectures on the topic "Control over the organisation and application of SIM in the Republic of Bulgaria".

The NBCSIM conducted training for information security officers of the organisational units within the structure of the PORB, during which practical issues were discussed and good practices in the application of SIM procedures were shared.

Representatives of NBCSIM, upon invitation by the Association of Prosecutors in Bulgaria, participated in a training course on the topic: "Special Intelligence Means – procedure for authorisation, provision and application of SIM, use of results from SIM, use of SIM in international cooperation. Control and oversight of SIM, shortcomings in drafting applications and in the application of SIM."

At seminars and training forums, topics were discussed concerning shortcomings and practical problems in the preparation of applications for the

use of SIM, the application of SIM, refusals and authorisations. Participants were familiarised with the shortcomings and violations identified through comprehensive inspections of SIM procedures, as well as the most common mistakes in drafting applications for the use of SIM. Discussions were held on questions raised by seminar participants, most frequently concerning the powers of applying authorities when establishing communication between a monitored person and their defence counsel; actions upon receiving information beyond the scope of the application and the authorisation granted; and actions in cases of obtaining new information that the monitored person has acquired immunity during election periods, among others.

2. Instructions, Recommendations and Opinions Issued for Improving the Regulatory Framework Governing Procedures under the SIMA

In connection with a working meeting held with representatives of the Supreme Judicial Council (SJC) and the President of the SCC, at which issues concerning the storage of materials from implemented SIM procedures, including the storage of ME, were discussed, it was concluded that there is a need for legislative amendments to SIMA that would be binding on all participants in the procedures under the Act and would be relevant to the retention periods for documents arising from SIM procedures.\

In 2025, NBCSIM issued mandatory instructions to the authorities under Article 13 of SIMA regarding the storage of documents specified in Article 31(5) of SIMA. The participants in the working meeting agreed that copies of the documents held by the authorities under Article 15 of SIMA should be retained by them until a legal framework for their destruction is established.

During comprehensive inspections carried out in 2025 and upon identification of shortcomings in SIM procedures, instructions were issued for their prevention, which included the following:

- ✓ drafting applications for the use of SIM for the prevention and detection of serious intentional crimes explicitly listed in Article 3(1) of SIMA, respectively Article 172(2) of the CPC, and establishing organisation and internal control mechanisms to prevent the use of SIM for the prevention and detection of

crimes outside those specified by law;

- ✓ ensuring that, when drafting applications, the maximum permissible time limits for the application of SIM under Article 21 of SIMA are not exceeded;

- ✓ compliance with the requirement for territorial jurisdiction of the authority granting SIM authorisation in relation to persons involved in OCGs;

- ✓ when notifications are received from the applying authorities regarding authorised targets (objects) that are not actually being used by the monitored person, updated information for each such target must be provided in a timely manner in accordance with Article 23 of SIMA;

- ✓ upon receipt of a notification from the applying structure that a conversation is being conducted which may fall within the hypothesis of Article 33(3) of the BA, timely provision of information as to whether the specified communicator belongs to a person practising the legal profession or is a defence counsel of the monitored person within the meaning of Article 91(2) of the CPC.

During the inspections, instructions were also issued regarding the correct completion of specific fields in the registers under Article 34e(2), item 1 of SIMA. These registers must be maintained in accordance with the rules approved by the Chairperson of NBCSIM. In certain structures, it was found that the data of all targets (objects) for which SIM are requested are not entered. Only the protocol numbers for the destruction of information that will not be used for the preparation of ME are recorded, but not the date on which the information was destroyed. In addition, the basis on which the application of SIM was terminated is either not indicated or is incorrectly recorded—for example, it is stated that the application did not produce results, while at the same time a request for ME has been submitted.

3. Problems Identified in Procedures under the SIMA Requiring Legislative Amendments

3.1. Need for amendments and supplements to SIMA and the CPC

In the present annual report, the NBCSIM reiterates its position on the need to adopt measures for amendments and supplements to SIMA and the CPC, as well as for their harmonisation.

- ✓ The issue of the storage of prepared ME, which are retained for an indefinite period by the authorities under Article 13 of SIMA when they are not included in pre-trial proceedings, as well as by the authorities under Article 15 of SIMA and in completed judicial cases, remains unresolved. It is necessary to establish rules and conditions for the destruction of ME for which the need for their retention has ceased, as well as for documents and materials under Article 31(5) of SIMA.

- ✓ The provision of Article 175(7), second sentence of the CPC should be repealed, as it creates conditions for the destruction of information under Article 25 of SIMA after the expiry of the statutory period. Cases have been identified in which authorities under Article 15 of SIMA require applicants under Article 13(1) of SIMA to request an order for the destruction of information under Article 25 of SIMA.

- ✓ Article 22(3) of SIMA should be supplemented by granting additional powers to the authorities under Article 16 of SIMA to refuse to order the commencement or termination of SIM application in cases of: applications submitted by an incompetent authority under Article 13 of SIMA; authorisations issued by an incompetent authority under Article 15 of SIMA; exceeding the authorised period of SIM application; or where the judge's authorisation is not accompanied by a declaration under Article 173(3) of the CPC from the undercover officer..

- ✓ In order to prevent unjustified intrusion into the private sphere of citizens, Article 14(1), item 5 of SIMA should be supplemented with a requirement to provide reasoning for the requested operational methods.

- ✓ Clear rules should be introduced to distinguish between cross-border surveillance under police cooperation between EU Member States and

execution of requests for mutual legal assistance by judicial authorities based on the Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters among EU Member States, including with regard to the allocation of competence.

✓ In order to protect citizens' rights and freedoms, it is necessary to introduce an electronic register within the authorities under Article 15 of SIMA to prevent duplication of SIM requests.

3.2. Need for harmonisation of provisions of SIMA and the CPC

✓ It is necessary to regulate in SIMA a procedure for the use of an undercover officer. Such a provision exists only in the CPC for criminal investigations, whereas the activities of operational officers of the authorities under Article 13(1) of SIMA are related to the detection and prevention of crimes, but not to their investigation. The NBCSIM considers that the possibility of including the undercover officer in SIMA should be discussed by reproducing the provision of Article 173(3) of the CPC.

✓ In order to ensure maximum protection of citizens' rights, it is necessary to harmonise Article 173(2), item 1 of the CPC with Article 14(1), item 1 of SIMA.



INTERNATIONAL ACTIVITIES

VI. INTERNATIONAL ACTIVITIES

International Exchange of Information. Participation in International Forums and Conferences of Oversight Bodies

The NBCSIM, as an independent state authority responsible for overseeing the procedures for authorisation, application and use of SIM, the storage and destruction of information obtained through SIM, as well as for protecting the rights and freedoms of citizens against their unlawful use, actively engages in international cooperation with equivalent oversight bodies and international organisations.

The main objective of participation in international initiatives is the exchange of experience and good practices with similar bodies in order to develop new approaches for the protection of fundamental human rights and freedoms, as well as to improve legislation in the field of security and the use of covert methods involving restriction of human rights and freedoms. The dynamic international security environment, as well as the rapid development of information technologies and artificial intelligence, pose new challenges and require measures at supranational level to strengthen international cooperation and coordination.

As a result of the participation of the NBCSIM in international forums and conferences, international-level contacts have been established in the field of the application of covert surveillance methods and the protection of citizens' rights and freedoms.

In 2025, representatives of the NBCSIM took part in the European Intelligence Oversight Conference 2025 (EIOC 2025), held in Zurich, Switzerland. The conference was attended by representatives from 17 countries, representing 22 oversight bodies. Within the framework of the conference, topics related to risk management in exercising oversight over intelligence activities were discussed, as well as the legal, institutional and operational aspects of effective oversight over intelligence services, among others.

Representatives of NBCSIM also participated in the International Intelligence Oversight Forum 2025 (IIOF 2025), held in Austin, Texas, United States of America. The forum focused on oversight of intelligence services in complex security environments. The main focus of the discussions was the current challenges faced by oversight bodies and the need for exchange of good practices to improve legislation and enhance the effectiveness of oversight activities. The forum was attended by members of intelligence oversight bodies, as well as representatives of intelligence agencies and a group of

external experts from civil society and academia. A key emphasis in the discussions was placed on the growing impact of artificial intelligence on the activities of structures engaged in national security and public order, as well as on individuals and organisations engaged in unlawful activities.

Despite the different functions, tasks and competences of oversight bodies in different countries, the challenges they face are similar, as is the need to increase and strengthen public trust in security services, public order authorities and law enforcement bodies through the work of oversight institutions that guarantee the protection of citizens' rights and freedoms.

In the context of international cooperation, the NBCSIM, as an independent authority, plans the organisation and holding of working meetings with representatives of similar oversight bodies from other countries, with the aim of developing bilateral cooperation with counterpart institutions. In 2025, the NBCSIM extended an invitation for a bilateral meeting with representatives of the Hellenic Authority for Communication Security and Privacy (ADAE), at which topics related to the exercise of oversight over the application of procedures for the use of covert surveillance methods will be discussed.

The NBCSIM plans to organise and host the European Intelligence Oversight Conference in 2027.

The participation of NBCSIM representatives in such international initiatives contributes to strengthening the institution's authority and is of significant importance for promoting international cooperation and interaction with analogous oversight bodies and international organisations.



ORGANISATION OF ADMINISTRATIVE ACTIVITIES

VII. ORGANISATION OF ADMINISTRATIVE ACTIVITIES

1. Administrative Structure

The total staff establishment is 21 full-time positions, of which 19 are actually filled.

General Administration

The General Administration supports the exercise of NBCSIM's powers, creates conditions for the functioning of the specialised administration, and performs technical activities related to administrative servicing. Within the General Administration, a "Finance and Accounting" unit is established, which carries out planning, management and control of financial resources, and ensures the financial support of NBCSIM and its administration.

Specialised Administration

The Specialised Administration supports the exercise of NBCSIM's powers by participating in inspections of the authorities under Articles 13, 34H, 15 and 20 of SIMA regarding compliance with the law in relation to activities connected with the authorisation, use and application of SIM, as well as the storage or destruction of information obtained through them. It also analyses, systematises and summarises information and prepares expert opinions and proposals.

2. Financial Activities. Budget and Financial Control

The NBCSIM applies a programme-based budget format, implementing the budget programme "Control of Special Intelligence Means" within the functional area "Oversight of the procedures for authorisation, application and use of special intelligence means".

By Article 48(2) of the State Budget of the Republic of Bulgaria Act for 2025, the budget of the NBCSIM was adopted in the amount of BGN 2,580,700.

As of December 31, 2025, the NBCSIM has reported no revenues.

The total amount of reported expenditures at the end of 2025 is BGN 2,150,652.

In 2025, a financial audit of the 2024 Annual Financial Statement of NBCSIM was carried out by the Bulgarian National Audit Office. The final audit report expressed an opinion that the financial statement of the NBCSIM presents a true and fair view of its financial position, financial performance, and cash flows as of December 31, 2024.

Financial management and control within NBCSIM is implemented through a system of financial management and control, including policies, procedures and activities aimed at providing reasonable assurance that the organisation’s objectives are achieved in accordance with legislation, internal acts and contracts; ensuring the reliability and comprehensiveness of financial and operational information; achieving efficiency, effectiveness and economy of activities; safeguarding assets and information; and preventing and detecting fraud and irregularities. Procedures have been introduced for ongoing control over the execution of financial commitments and concluded contracts, as well as for subsequent evaluation of performance.

INDICATORS	Adopted budget for 2025 (BGN)	Revised plan for 2025 (BGN)	Report for 2025 (BGN)	Execution compared to the revised plan
EXPENDITURES:	2 580 700	2 580 700	2 150 652	83.34%
Current expenditures	2 497 700	2 497 700	2 075 603	83.10%
Personnel	2 110 700	2 134 673	1 783 657	83.56%
Maintenance and other current expenditures	387 700	363 027	291 946	80.42%
Capital expenditures	83 000	83 000	75 049	90.42%



CONCLUSION



VIII. CONCLUSION

In 2025, NBCSIM continued to exercise objective and independent oversight over SIM procedures, creating an environment for increasing trust in security services, law enforcement authorities and judicial authorities.

In the performance of its activities, the NBCSIM is guided by the principles of legality, independence, proportionality, objectivity and impartiality.

The lawfulness of SIM procedures is determined by the harmonisation of Bulgarian legislation and the updating of the possibilities for the use of this exceptional measure for the prevention, detection and investigation of serious intentional crimes and for the protection of national security, within constitutionally permissible limits.

As a result of the enhanced control exercised by NBCSIM through the improvement of methods for monitoring and supervising the procedures for authorisation, application and use of SIM, as well as the storage and destruction of information obtained through them, and through the numerous inspections carried out on the authorities under Articles 13, 15 and 20 of SIMA, a significant contribution was made to the protection of citizens' rights and freedoms against the unlawful use of SIM.

The main priorities and directions for the development of the activities of the NBCSIM are related to:

- ✓ the need to strengthen the protection of fundamental rights and freedoms of citizens;
- ✓ increasing public trust in the institutions responsible for safeguarding citizens' security;
- ✓ the case-law of the European Court of Human Rights;
- ✓ accumulated experience from oversight activities;
- ✓ the dynamics of social relations.

The NBCSIM will continue to serve as a guarantor of the lawful use of SIM through independent and effective oversight of the procedures for requesting, authorising, applying, using, storing, and destroying information obtained through SIM, with the aim of protecting the rights and freedoms of citizens.

The implementation of the NBCSIM's main priorities will lead to:

- ✓ an increased level of protection of citizens' rights and freedoms, including the right to respect for private and family life, as a result of effectively functioning control mechanisms;
- ✓ a reduction in identified violations, shortcomings, and inconsistencies in the activities of the authorities that request, authorise, and apply SIM, as a result of systematic and independent oversight;
- ✓ improved quality and consistency of monitoring and control over the procedures for requesting, authorising, applying, using, storing, and destroying information obtained through SIM;
- ✓ the prevention of unlawful use of SIM;
- ✓ the harmonisation of practices and the establishment of legality standards, aimed at improving legal certainty and predictability in the application of SIM.

It is necessary to continue active efforts to enhance internal institutional control and the control exercised by the implementing authorities. In this way, the main objective of the NBCSIM will be achieved—preventing the unlawful use of SIM and increasing public trust in the institutions responsible for safeguarding citizens' security.

The NBCSIM will continue to work towards strengthening institutional capacity for the exercise of effective, objective, and independent oversight, including in the context of the development and use of new technologies, with a view to promoting best practices.

The NBCSIM is a guarantor of the lawful use of SIM and the protection of fundamental rights and freedoms of citizens.



Composition of the National Bureau for Control
of Special Intelligence Means as of May 28, 2026

ANNUAL REPORT 2025

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