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## Defendants (criminal proceedings)

Bolgarija

These factsheets explain what happens when a person is suspected or accused of a crime which is dealt with by a trial in court. For information on road traffic offences, which are usually dealt with by a fixed penalty like a fine, go to Factsheet 5. If you are the victim of a crime, you can find full information about your rights here.

### Summary of the criminal process

The Bulgarian criminal process has two stages – pre-trial and trial.

**The pre-trial proceedings** aim to collect, through investigation, evidence to either confirm or deny an assumption that a certain person has committed a certain crime. The investigation is carried out by investigating magistrates, or investigating policemen, under the guidance of a prosecutor. The objective is to prepare and assist the prosecutor in deciding whether to file and justify charges in court against the accused person or to terminate the proceedings.

**The trial** begins with the prosecutor filing charges in court against a person for a crime committed by that person. Court proceedings involve opposing parties and the prosecutor, defendant and defence lawyer have equal procedural rights. The court examines the evidence produced by the prosecutor but may, at the request of the parties, or on the court's own initiative, collect and examine new evidence in the search for truth.

The trial ends with a court judgement, which either convicts and imposes a penalty on the defendant, or declares the defendant not guilty.

Details about all of these stages in the process, and about your rights, can be found in the factsheets. This information is not a substitute for legal advice and is intended to be for your guidance only.

### Role of the European Commission

Please note that the European Commission has no role in criminal proceedings in Member States and cannot assist you if you have a complaint. Information is provided in these factsheets about how to complain and to whom.

**Click on the links below to find the information that you need**

[1 – Getting legal advice](#)

[2 – My rights during the investigation of a crime](#)

Investigation (incl. bringing charges and questioning)

Arrest (including European Arrest Warrant)

First court hearing

Detention or release

Preparation for trial by the prosecution

Preparation for trial by the defence

Measures to prevent evasion of prosecution

Ban on leaving Bulgaria

[3 – My rights during the trial](#)

Interviewing a protected witness

[4 - My rights after the trial](#)

[5 – Minor road traffic offences](#)subpage:169:5

### Related links

[Criminal Procedure Code](#)

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