

The case of Ava, 6: a child is maltreated in Ruse, Bulgaria, with the assistance of Bulgarian authorities

For the distribution to:

Minister of Justice of Bulgaria

Minister of Labour and Social Policy of Bulgaria

Minister of Interior of Bulgaria

Head of Child Protection Agency of Bulgaria

Ombudsman of Bulgaria

Members of the Supreme Judicial Council of Bulgaria

Members of the Supreme Bar Council of Bulgaria

Committee on Children, Family, Youth and Sports of the Bulgarian Parliament

Committee on Human Rights, Religion and Citizens' Complaints of the Bulgarian parliament

Members of the Subcommittee on Human Rights of the European Parliament

Commissioner for Human Rights, Council of Europe

and other institutions (see the full list on pp. 6-7)

The author

Juraj Draxler is former Slovak Minister of Education, Research, Sciences and Sports. More recently he has headed a think-tank in his home country sponsored by several ministries to provide technocratic solutions for the public sector. Following recent elections in his home country he is returning to public service.

He is the father of the 6-year old child described in this report.

Table of Contents

Introduction	6
The wider aims with this report.....	7
Background note 1: The context of the case	9
Case 1: civil case 183/2020.....	17
Background note 2: Bulgarian Law on Domestic Abuse – a badly misguided piece of legislation that the parliament does not want to change despite widespread criticism	19
Background note 3: the role of the police and the public prosecutor’s office	20
Case 2: civil case 32/2022, first instance	24
Background note 4: They are telling lies? So what!.....	32
Background note 5: the psychological state of my daughter	36
Background note 6: Bulgarian lawyers	42
Background note 7: Alexandra Vezirova, lawyer for the counter-party	43
Background note 8: The abominable behaviour of Ruse Child Protection Agency	45
Background note 9: the problem of state capacity in Bulgaria	50
Background note 10: “People are scared. You know, this is how it is in Bulgaria”	52
Cases 3 and 4: criminal cases 1747/2022 and 2240/2022	54
Case 5: civil case 4072/2022 (first instance) and 283/2023 (second instance)	55
Case 6: civil case 748/2022, second instance of the child custody case	58
Case 7: the criminal case against S.P. for ignoring court orders.....	62
Background note 11: How it’s done in other European countries.....	63
Background note 12: The involvement of Slovak institutions (vs. Bulgarian Ministry of Justice, Ministry of Social Policy and Ministry of Foreign Affairs)	64
Background note 13: things take a dramatic turn on December 12. The court-appointed psychologist details how my daughter shows signs of neglect and maltreatment	65
Conclusion for now	66

What I am asking the recipients of this report to undertake:

Immediately, with high urgency:

The Minister of Labour and Social Policy of Bulgaria Ivanka Shalapatova:

- To intervene in the case of my daughter by ordering that a team from Sofia (not Ruse) directly investigates the case and takes immediate measures to protect my daughter against further maltreatment
- To order investigation into the actions of the head of Agency for Social Services Ruse, D. Mateva, who has assisted in the cover-up of the maltreatment of my daughter, and take disciplinary action against her
- To investigate the communication of her ministry via the director of the Directorate Child Policies and Programmes, Strategic Development and Coordination of the State Agency for Child Protection Milena Dyankova with the embassy of the Slovak Republic and the Bulgarian Ministry of Foreign Affairs, to determine why misleading and false information about the case had been provided to Slovak diplomats

The director of the Agency for the Protection of Children Eleonora Lilova:

- To take measures similar to those asked of the minister of social policy (see above) to ensure the safety of my daughter and investigation into the activities of the head of Ruse branch of the Agency for the Protection of Children D. Mateva

The Minister of Interior of Bulgaria Kalin Stoyanov:

- To ensure that the police investigate criminal complaints filed this year against those people named in this report who have maltreated a child and those who have assisted them

Other steps:

The Commissioner on Human Rights of the Council of Europe Dunja Mijatović:

- To read this report and, if deemed necessary, to ask the Bulgarian authorities further questions in order to establish how and why Bulgarian authorities fail in protecting the well-being of children who are maltreated
- To read the report, communicate with the ombudsman of Bulgaria and Bulgarian officials, on the content of the Bulgarian Law on Domestic Abuse to make sure that it better serves its stated purpose.

The Subcommittee on Human Rights (DROI) of the European Parliament:

- To read this report and be prepared to discuss the problems of rule of law in Bulgaria and the protection of basic rights in the face of the evidence from Bulgarian courts, in case such a debate arises at the EU level, for example based on a report by the ombudsman of the Council of Europe

The Minister of Labour and Social Policy of Bulgaria Ivanka Shalapatova:

- To suggest to her government steps to better protect children in Bulgaria against maltreatment. The steps should aim at strengthening the institutions that should provide systemic assistance to citizens and institutions in cases where there are signals a child can be in danger from maltreatment, including from close family

The Minister of Justice of Bulgaria Atanas Slavov:

- To investigate court decisions detailed in the report with the aim of suggesting steps to ensure better functioning of Bulgarian courts

The Ombudsman of Bulgaria Diana Kovacheva:

- *To press the appropriate authorities, especially the Agency for the Protection of Children, to act to protect my daughter as soon as possible*
- *To use this case to illustrate the failure of courts, social services and the police to protect children in need in Bulgaria*

The Supreme Bar Council of Bulgaria:

- *To investigate actions of Alexandra Vezirova, lawyer, Ruse, and collect further evidence on her functioning as a defence lawyer and, if legally possible and deemed relevant, to take action to strip her of the licence to practice or take other disciplinary action*

The Supreme Judicial Council of Bulgaria:

- *To investigate court decisions described in this report, in particular those of judges Velikova, Kazasova, and of the panel Gavrilova/Velkova/Atanasova and to censure the individuals or take disciplinary action if legally possible and deemed relevant*
- *To investigate how the decision-making of the courts in connection with the Law on Domestic Violence can be improved to ensure effective protection of victims as well as the protection of those against whom the law can be abused*

The members of the Committee on Human Rights, Religion and Citizens's Complaints of Bulgarian Parliament and the members of the Committee on Children, Family, Youth and Sports of the Bulgarian Parliament:

- *To read this report and take action to promulgate a more effective and fairer version of the Law on Domestic Violence*

Introduction

On October 19, 2023, I was contacted by a psychologist recently appointed by a Bulgarian court to assess my 6 year-old daughter, from whom I had been cut off since she was two and half years old. The psychologist was in a state of shock and wrote that she needs to talk to me immediately.

Her message was that my daughter shows signs of developmental difficulties. More than that, she said, her mother's behaviour is so worrying she will recommend to the court that it should order a psychiatric assessment of the mother.

The psychologist contacted me again several days later, when **she saw my daughter and her mother again. They were wandering around the local shopping mall at the time when my daughter was supposed to be in kindergarten. Again, both were looking neglected and distraught, my daughter was also showing signs indicating she might have been systematically exposed to verbal or physical violence.**

Sadly, this has not really been news to me. **For three years I have been trying to get the courts, the social services, and the police to act.**

Nobody did.

On the contrary, what I experienced has been a long list of absurdities of Bulgarian law and decision-making.

In my country, children who attend kindergarten are taught according to the curriculum which I not just approved, but co-wrote, as education minister.

In Bulgaria, the authorities do not listen to me. When I try to desperately alert the appropriate institutions to the problems of my own child, it is not just that they do not cooperate, but often they actively sabotage efforts to protect a child in need.

My child, despite recent developments, is still not safe. Earlier this week, i. e. the week when I am sending out this report, the psychologist delivered a damning letter to the court, in which she details the dire state my daughter is in.

Her letter is still not the full report, this is due in January, but she felt she needed to act. The details of her letter are given towards the end of this report. She reports strong signs of developmental problems, including cramps/ticks, as well as the fact that the mother will simply not allow our daughter to be spoken to or be observed. The psychologist thus needed to assess my child only on the basis of observations made despite the attempts of her mother to block the attempt to fully diagnose my daughter.

In the meantime a court also ordered that my daughter's kindergarten must release pedagogical documentation related to her. The kindergarten did – and the documentation gives details of various developmental issues. Our daughter cannot draw, use small utensils such as scissors, or learn to recite simple poetry.

This is in stark contrast with what the State Agency for Child Protection Ruse has claimed on previous occasions, in two reports to courts, covering up my daughter's problems and directly contradicting me when I was trying to raise the alarm that my daughter is doing badly, with the risk of life-long damage to her.

The psychologist also details how the grandmother of the child and then a local lawyer, Alexandra Vezirova, tried to bribe her ahead of writing her report. She also mentions how the head of the State Agency for Child Protection Ruse D. Mateva tried to bully her after she learnt that the psychologist alerted me to the problems of my child.

I am hoping now things will speed up. However, I am also careful not to be too optimistic, after all the disgraceful behaviour of Bulgarian institutions which I detail further on. This

report is part of the effort to force the authorities in Bulgaria to protect her, as soon as possible¹.

December 13, 2023

The wider aims with this report

My main aim here is to press the Bulgarian authorities to immediately act in the case of my daughter, G, who resides in Bulgaria. She is maltreated and needs help.

Since authorities in Bulgaria have been either passive, or even protected the persons responsible for the maltreatment of my daughter, I would also like to apply international pressure for the case to be immediately resolved.

In addition, the case has demonstrated severe problems regarding rule of law in the country, and this should be seriously discussed, inside and outside the country.

Courts struggle with even the most basic processes. For example, mailing out letters: once I received a letter from a Bulgarian court six weeks after it was mailed out. This is an extreme example, but on other occasions it was only slightly better, and still took weeks (this is due to the specific courier service used by the court).

On another occasion the court, bizarrely, did not even mail letters to my address in Slovakia, which was known to the court. Instead they allegedly sent letters to a hotel in Bulgaria where I had previously stayed on a few occasions (although when I later asked in the hotel the personnel there had no knowledge of this).

The level of professionalism is abhorrent: in one ruling, a judge made two simple mistakes in a short text, and several months later “corrected herself” with another ruling. The same judge screamed at me in the court room that I should not consult my lawyer, since “she does not know anything”. She also allowed, on more than one occasion, that the lawyer of the counter-party interrupt a witness and dictate to him the “correct” version of events.

Some of the laws are so badly written that even the ombudsman of the country wrote in a letter to me that, yes, the faults of one particular law, The Law on Domestic Abuse, are well-known and widely discussed, even internationally, but there is no will in the parliament to change it.

Before I ever came into contact with the State Agency for Child Protection, a public body under the ministry of social policy, I was warned by lawyers “not to expect much”: they are underfunded, and many employees are not qualified for their agenda. This was then fully confirmed by my experience. Actually, it was even worse, the agency actively protected the people responsible for the maltreatment of my daughter.

The approach of central state institutions has not been better. It culminated in the response of the Ministry of Labour and Social Policy to the Slovak embassy which had expressed concern about the case. The embassy was informed that the ministry has checked the case (characteristically for a Bulgarian institution, they did not specify how) and that, according to them, everything is fine with the child. The ministry gave this assurance even though the mother of my daughter had in the meantime herself admitted to two separate courts that our child has psychological problems, and even though subsequently she has actively resisted attempts by a court-appointed psychologist to diagnose our daughter, ignoring three court

¹ The story of what has happened more recently, after I was contacted by the court-appointed psychologist, continues at the end of the report.

orders. The psychologist then confirmed that despite the mother's attempts to block any formal diagnosis even a brief observation of the child reveals she is most likely maltreated. This has been confirmed by the pedagogical documentation from her kindergarten, which was released after a court order and shows a range of serious developmental problems. Yet the ministry, unlike the court, unlike the kindergarten, unlike the court-appointed specialist somehow knows that the child is fine.

The Ministry of Foreign Affairs of Bulgaria then provided the Slovak side with an official written reply to the expressed concern, where it even included false information - they claimed that there is a court injunction against me barring me from meeting my child (there isn't). I underline: this was contained in an official diplomatic note of the Bulgarian foreign ministry. Unfortunately, this is emblematic of other actions of the Bulgarian authorities: information provided is usually confusing, often misleading and sometimes downright false.

This is no real surprise to people familiar with the country. Take a few examples from very different walks of life. For example, even a casual observer must notice that a vast proportion of the cars on Bulgarian roads do not conform to EU emissions standards. You can see that by the smoke rising from the exhausts. I do not think there is any other country where a key EU law is so brazenly ignored.

Another example: Bulgarian housing stock looks very un-European. Due to peculiar housing legislation, without equivalent in the EU, each apartment buys its own insulation. Consequently, a typical bloc of flats has many types of cladding, with different colours and textures, but not everywhere, since many owners do not pay for insulation to be installed. The end result is woefully uneconomical and unesthetic, but just like many other things in the country, it is lethargically accepted. It "just is so".

The country has bizarrely anti-economic tax legislation (and, consequently, large income and wealth disparities and empty state pockets), a convoluted constitution and so on.

I would like to add, for the record, that I like the people of the country, and in fact as a public figure I promote in my home country Bulgarian food or tourism to Bulgaria.

However, when it comes to the functioning of the public sector, one is really shocked that the country that is an EU member state functions as badly as it does, without too much outside scrutiny.

Unfortunately, this chaos in legislation and the working of state institutions also extends to such a sensitive issue as the protection of children.

This introductory text provided only a very short glimpse of that. Next, the following report provides many more examples.

Background note 1: The context of the case

I do not want to disclose too much painful personal information here, and it is not even necessary for understanding the individual cases described, but most readers would probably be wondering about the context of the case.

I have known my ex-partner S. P. since we met in college in Germany in 2001, where we spent a year together. She was a sweet and very talented girl, who was, however, deeply troubled. Her mother was controlling her in a pathological way. The mother was checking on her several times a day by phone, every day. In fact, this continued, until the time our daughter was born six years ago, whenever S. P. was not at home². And while in Bulgaria, her mother was deciding where and when she could go, even when my partner was nearing 40.

Even worse, the mother, **V. I., raised my ex-partner with the understanding that she must never have a family of her own.** She encouraged her to have a child, or children, but made it absolutely clear that the child will be raised by them, away from the father. Unfortunately, my girlfriend, though insisting on a child almost from the day we met, was completely, uncritically beholden to her mother, and this included accepting her mother's idea of how her child will be raised. She did not question her mother in anything.

We continued to be in touch over many years, she insisted on talking on the phone each day, which we mostly did. We also saw each other from time to time, but in very irregular intervals. In some years we spent 3-4 weekends together, very rarely even several days in a row, but there were years when we only chatted on the phone, daily, but did not meet³.

This was due to the fact that her mother was closely controlling the life of her daughter, and cut off her meetings with anyone to whom her daughter was getting too close. There was only one time in her life when my ex-partner tried to stand up to her mother: in 2012, she ran away from home to live with me. However, her mother bombarded her with phone calls telling her she was a bad daughter, and after three months, completely broken, she returned home.

Despite her obvious talents (she speaks several languages fluently and semi-fluently), the daughter never, to this day, worked anywhere else except her mother's company in Bulgaria (the company trades in building materials).

She is over 40 now but she never ran a household, in fact, she still lives in the same room where she lived when she was 15, in a village close to the city of Ruse. She does not do any grocery shopping, this is arranged by her mother, who also cooks for her every day. She has no person to talk to outside the circle of people controlled by her mother⁴. For many years, I was the only exception to this.

² It might be difficult to understand this level of maniacal control, however, this is how it was: ever since I have known my ex-partner, **for over twenty years, she never had a single day without her mother.** Either she was at home under her mother's control, or, if she was away from home, the mother was checking on her throughout the day by long, very invasive phone calls. They were often really long, half an hour or so. It is very difficult in such circumstances for a person to develop any kind of mental independence.

³ I was with her through all the difficult moments in her life – when she got kicked out of a college for plagiarism, when she lost a significant amount of money to a fraudster, and so on.

⁴ This consists of the employees of her mother's company, the neighbours from the two houses adjacent to their house, her cousin and his parents (the mother had for years worked for V.I., who occasionally also gives the family for other things, such as medical expenses), and her biological father (as described elsewhere in this report, for many years he was receiving lunches from his ex-wife). All of these people have in recent years been materially supported by my ex-partner's mother, the employees regularly, the others through occasional jobs or occasional financial or material assistance.

Things changed for a while after I became government minister in Slovakia, in 2014. My girlfriend was encouraged by my position of power and at the same time her mother stopped controlling her as tightly as before.

This was the first time since our college time that we were seeing each other regularly. She visited me often and I started visiting her in Bulgaria, so, usually we saw each other at least once a month and much more over holidays and especially in summer. Also, in that period my girlfriend started expressing opinions independent of her mother, complaining about the fact that her mother lies all the time, that she is very nervy and that she can be truly nasty to people.

Crucially, she felt ready to start a family with me, planning to have several children - as she claimed, based on her own experience she knew a single child is potentially more troubled than a child with siblings.

She was still scared of her mother, even confiding to me that she felt her mother would try to “imprison her” in their home after she gives birth. However, we both felt we were strong enough together to overcome her mother⁵.

So, she moved in with me, in autumn 2016. This was after I dropped out of cabinet and consequently had more free time and flexibility, which we both found convenient.

Unfortunately, when she got pregnant, after a few weeks of living with me, she returned to Bulgaria, originally for check-ups but then she stayed to give birth. After birth it was clear she was scared to move back to Slovakia, since she was unused to life outside her home, fearing how she would cope, and she started prolonging the time when the decision would finally have to be made on how to arrange our life together.

Despite this, the birth of our daughter was an immensely happy event. I came for the birth and stayed for a month to help out. I then went back to Slovakia, but only to arrange a change of flats, since my partner insisted our apartment of 75 square metres would be too small for her and our daughter. So, I got a much bigger one (over 100 sq m, plus a large terrace). I then returned as quickly as I could, and continued returning often, usually 2-3 times a month, and stayed long periods over Christmas, Easter and especially summer.

Our daughter was healthy, vigorous, very happy and smiley. As she was growing up, she was showing obvious intelligence and inquisitiveness.

Especially during the first few months with my partner we were the ideal picture of happy parents, sharing the tasks of taking care of our daughter, happily discussing how nicely she was growing up. For me the moments with my daughter were the happiest of my life.

We were mostly left alone by my partner’s mother in these first few months. Sure, she left her presence felt all the time. For example, I was not allowed to see my daughter and my partner immediately after birth, the mother arranged only for herself to go and see them (she knew the head nurse at the birth clinic). I had to wait for several more hours.

She was always around us in the household, with comments, but in the first few months she mostly did not directly intervene in things.

⁵ The story of my ex-partner is more difficult to explain to Bulgarians than to most other people. This is because Bulgaria, in fact, has a strong tradition of overbearing mothers. Over the years I have been explained many stories: this mother will not allow her 40 year-old son to marry, that one insists on always going on holidays with her adult daughter, even when she goes with a boyfriend, and so on. What is specific in the case described here, is that the person in question, V.I., is really an extremely manipulative character and she essentially brainwashed her partner and her own daughter into behaving completely like her sect. Also she has variously demonstrated in the past that she is prepared to really harm people who cross her path, and consequently other people are scared of her.

However, as our daughter was growing up, reacting to people around her (including being happy when I came to see her) my partner's mother started re-asserting control. When our daughter was about ten months old, one morning my partner's mother came into the room and started taking the spoon from my partner to feed our child. My partner asked her gently: "please let me feed my daughter myself". This, however, is a complete no-no in that household, one must never question the mother, V.I. Therefore, for the rest of the day the mother created a very tense atmosphere in the house. My partner was taking this very badly.

After this my partner never again dared to question her mother, even mildly. The mother also kept increasing her pressure to edge me out of their lives. She increasingly picked little fights with me, and she complained to my partner behind my back that I visit too often. She also started staying more and more in the house, only going to check on her shop for 3-4 hours a day. The rest of the day she was in the household with us.

With time I was increasingly worried not just about the lack of peaceful time with my family, but the fact that my daughter was starting to suffer from the way she was being brought up. By this time the family was living almost like a sect, very isolated from the outside world.

The entire time during which I was visiting them, so for two and half years, my girlfriend left the village only twice. My daughter only once⁶.

This isolation from the outside world extended to my own family. To this day, my father never saw his grand-daughter, or my two brothers their niece. My mother came secretly to Bulgaria in October 2017, without even telling me (I knew my partner would have a conflict with her mother if someone came to the household so I discouraged my mother from planning a visit), and she sought out the house of my partner's family so that she could see her grand-daughter.

This was met with disapproval and my partner was clearly put through hell by her mother. After this, whenever I mentioned that someone from my family wants to come with me to Bulgaria, and, accompanied by me, would come for one or two hours to see my daughter, this was forcefully rejected by my partner.

At first she at least shortly replied to my parents when they sent her birthday wishes or so via email or SMS, but this soon stopped. For years now, she has not been in contact with my parents despite their regular efforts to be in touch with her.

My ex-partner had many mental scars from her own upbringing, most visibly in the form of several phobias, clinically easily recognizable. However, when she was growing up, at least she had the influence of her biological father, whom her mother, however, divorced when my partner was in early teenage years. Also, she was partly taken care of by other members of what was then an extended family.

However, it was clear that my daughter was going to be far more isolated than that since by this time there is no one around to break through the sect-like conditions that the family lives in.

It was painful to see how my daughter had no playmates, I desperately wanted her to have a normal, healthy childhood.

⁶ My daughter only left when they arranged a passport for her to be made, and she needed to be photographed. Since she was so unused to people she cried horribly when she was taken to see the lady with a camera, which can be seen on her passport picture, where she is crying face. Afterwards she threw up, even though she had almost never thrown up before. This was also one of the two occasions when my girlfriend left the village, the other was when she needed to see a dentist.

She was also lacking the opportunity to see other adults since she stayed almost exclusively in the house. My girlfriend did go on walks around the village, usually every day, but these were fairly socially isolated walks. Even when there were other children in the playground, which was not always the case, my daughter and girlfriend did not mix with them too much. It was later remarked to me by people in the village how sorry they felt “for both of them, always seen walking so lonely through the village”.

My daughter was not spending enough time with me to learn the language I spoke and she was clearly confused how come she understood her mother reading her stories but not me. Also, she did not speak. Until the end of my visits (by which time she was two and a half years old) she never uttered even a single sentence, the only words she was using, in isolation, were “baba” (grandmother) and, more rarely, “mama” (mother). **I stress again, up to the age of two and half I never heard her speak another Bulgarian word except for these two.**

The only time she came close to saying a sentence was when she spontaneously tried to tell me a sentence in English, the language in which I communicated with my partner. So, this was before she tried any sentence in Bulgarian. This is recorded on one of my videos – it is so unclear that I realized only when watching the video later that she was, miraculously, stringing up a sentence of English words.

I implored my partner to spend more time outside, providing our daughter with opportunities for physical activity, since then she would happily fall asleep, tired. The lack of sleep was becoming a problem, both for my daughter (she often properly fell asleep only very late, at 1,00 or 2,00 am, and woke up very late, often at 9,00 am) and for my partner. My partner had always complained to me that she slept very badly while at home - when she visited me in my country, she often had heavy bags under her eyes and slept heavily in the first days of her visit. Even prior to the birth of our daughter I was worried for her health, now it was even worse. (The continuous lack of sleep could potentially explain, up to a degree, her recent behaviour and increasing mental confusion described in several places of this report.)

The lack of sleep was another reason why I wanted to get them out of the village, even for a few days, so that I could fully take over caring for my daughter, which would give my partner some rest. However, the topic of leaving the village could not even be discussed. With months passing, my partner was becoming generally lethargic. She stopped asking me to bring her things to read (in the first months she insisted that I buy her some magazines in different languages to read). She stopped asking not just about people she got to know in Slovakia but generally about what was happening in the world.

She stopped eating properly – sometimes she simply had a large bar of chocolate (250 grams) instead of breakfast.

Bizarrely, when speaking to her mother, she started using a high-pitched voice, like a small child. This was really worrying. And in general, she became completely, unquestioningly obedient to her mother.

Up to this point I was trying to get on well with the mother, despite her strange relationship to people around her. In her house, she rules with an iron hand – once, her partner disobeyed her when she told him where he must sit in the garden (she told him a few times he must move away from the sun, he insisted he will sit where he wants) and she kicked him out of the house for several hours. She took him back in only when he came with a bouquet of flowers and apologized for his behaviour. This was the only time I saw him refusing to take her command.

I could not even cook a meal for my daughter since it was the iron law that only V.I would prepare meals in the house, including for our daughter. Once I cooked a little meal but my partner threw it out immediately, horrified that her mother might find out that one of us tried to feed our daughter on our own.

The mother did not think it strange to come in the middle of the night to my partner's room to tell us to "switch on the air-conditioning, it is too hot". She would sneak into the room while we were not there, snatch my laptop and wipe the keyboard and the screen. To her it seemed not clean enough and she did not question how appropriate or inappropriate it would be to go through the things of another adult. Or, she would take my laundry to wash it, even though I increasingly told her I would take care of my laundry myself.

As mentioned, she lives with her partner (they had been together for almost 30 years but never married), who is almost as obedient to her as my ex partner. She is extremely narcissistic, people around her must constantly praise her, and she has, what used to be called a Napoleonic complex – she keeps making up stories that make her look very important, she really believes herself the centre of the universe. She showers the people who behave the way she wants with gifts and attention, but at the same time she immediately gets very nasty to anyone who tries to behave even mildly independent of her⁷. Still, I got on well with her and her partner and tried to fit in with the family as much as possible, helping out around the house, in the garden, and so on. When the mother started picking fights with me, to a large part since she was simply jealous that my daughter was so happy to see me, I stopped spending nights in the house, and started sleeping in the hotel, to minimize the opportunities for her to pick on me.

At the same time, I still behaved respectfully and continued to help around the house. I became relatively proficient in Bulgarian (this is the language I also use for some of the easier agenda with some my lawyers, those who do not speak English). Simply, since V.I. and T.S. do not speak anything other than their native language, and cannot learn, I took it upon myself to make sure we can communicate.

I continued taking care of my daughter as well as I could. I was playing with her, often singing to her to get her to fall asleep for her afternoon naps, I brought her toys, clothes, shoes and other accessories (just as I had brought baby blankets, feeding bottles and small utensils, scales for weighing her, and so on, before her birth).

However, by the time my daughter was two and half, things were becoming untenable. My daughter started making animal-like noises, out of sheer boredom and lack of socialization. My heart was bleeding. I had almost no free time with her since her grandmother was by now almost always hovering around – essentially, on many occasions I flew to Bulgaria to have at most 3-4 hours of time with her without the presence of her grandmother. My partner was more and more lethargic.

I was getting more and more desperate and begged my partner by emails to mobilize herself to resolve how we will live together - I never wanted to discuss tense topics with her in front of our daughter.

On one occasion I did discuss the issue while our daughter was in the room, but in a gentle way. I simply implored her to think about her life, and to face how weird it is for someone

⁷ Many times people who do not know the family asked me whether there is really no way of reasoning with them. But that is exactly the problem. It is not possible. The mother has already harmed her own daughter, who has clinical mental issues dating from her childhood, and clearly does not care that her grand-daughter is developing in an even worse way. In fact, she wants people around her to be damaged and therefore vulnerable and fully dependent on her.

over 40 to have all the material needs taken care of by her mother. Suddenly, surprisingly, she physically attacked me, by pushing me angrily. I was shocked since up to that point the conversation was calm, and because she never did such a thing before (in her younger years she was often very verbally abusive, but never physically).

I even mentioned, in an email, that if I went to court and asked the court to guarantee me right of access to my daughter, I would be better off compared to almost no time with my daughter that I was currently getting. (However, I stressed I did not really intend to do such a thing. This was a mistake, since I should have done it, but I simply could not imagine going to court against my partner over our daughter.)

In January 2020 I thought enough was enough and I decided to finally have a strong word with the mother of my partner, and her partner. This happened away from my partner and our child, who were in a different part of the house at the time.

I told the mother, V.I., that I did not want to overhear again her stressing out my partner against moving back to Slovakia, with our child. This was because whenever the subject was brought up by my partner, her mother was mocking her, telling her I am a pauper who will never be able to provide for my family and she will be left on her own in a foreign land⁸. She did this behind my back but I sometimes overheard the conversations.

When hearing this, V. I. threw a hysterical fit and screamed that after talking to her like this I am no longer allowed in her house and that she would make sure I do not have any access to my daughter. Then she took an air rifle that stood in the corner, and pointed it, point blank, at my face. At this point her partner, realizing this was too much, pushed her out of the room but he, too, continued shouting at me. I left since I did not want to have a screaming match in the house where my daughter was present.

What I did not expect was that next the family went to court and the court actually granted an injunction against me. This was the start of a string of court battles described in this report.

If the story ended here it would still be a story of an unhappy father who wants to access his child, and such stories are, unfortunately, manifold in any country these days.

The crucial distinction here is, however, that **the child has been suffering from the completely inadequate way she is being brought up, visibly**. I knew about this at first because people from the village and others who had the chance to see my daughter were able to tell me how she was not developing well.

Much later, in summer 2022 I briefly saw my daughter myself and I was horrified. She was pale, thin, and had very unnatural reactions to her environment and even early signs of something like ticks. This was repeated on September 10, 2022 - this was the only time in the last three years that I was able to actually interact with her. Even on pictures from other environments (e.g. her kindergarten) she absolutely does not look like a normal child, it is quite visible. As we will see later, during all this time she was getting worse and worse in her development, which was observed by the kindergarten staff and other people, but no-one intervened and the social services actually tried to cover up what was happening with her. Moreover, my ex-partner's behaviour was becoming more and more confused. She was making more and more contradictory statements. In her statements, private and in front of people, she was mixing up events. On one occasion she had a problem understanding a simple text. She also started looking very unhealthy. I was getting more and more

⁸ Since in my earlier years, especially when I was teaching at a university, my pay had not been particularly high, the leitmotif stuck, even long after circumstances changed.

concerned, for her but especially for the well-being of our daughter, since her mother was now becoming unstable.

Just a brief look at my daughter with her mother should have been worrying to any independent observer - just as it later shocked the court-appointed psychologist and as it will be later described in detail.

However, nobody helped. Local people are afraid of the family, which is relatively wealthy by the standards of the location. I heard over and over the sentence "you know, this is Bulgaria, people here are afraid of getting mixed up in anything".

What is worse, the serious problems which Bulgaria has in its governance meant fighting for my daughter to have a normal life meant going through more and more absurd situations. Unfortunately, the start of the most serious problems coincided with the start of the pandemic, when borders were closed, inhibiting my ability to be in touch with my family and even communicate with people in their vicinity.

It also coincided with a change of government in Slovakia. The new government, which soon became the most unpopular in Slovak history, would not provide me with the leverage I needed to resolve the situation.

However, recently, in September, we had elections which brought in a new coalition. This means both the prospect of more active help for a citizen in distress (my daughter is a Bulgarian as well as a Slovak citizen by virtue of having a Slovak parent) and a significant rise in my standing, since I am returning to public life (I am gradually being appointed to key executive and advisory positions).

On the margins I would like to mention that all these manoeuvres came at a significant personal cost to me, both financial and, much more seriously, the cost of time lost. In the last year when I was still visiting my family, in 2019, I paid over 6500 euro for flights to Bulgaria alone (as with everything else at one point I offered the documentation for this to the court to demonstrate how much effort I had put into being in touch with my daughter). To this one must add the cost of car rental (Ruse is relatively far from international airports) and hotel accommodation.

Btw, as for contributions directly to my partner, I gave her 2500 euro for storing the stem cells from our baby with a company that offers this service, which my partner wanted (the total cost was 3100 euro, but she paid down the reservation payment).

I also covered other medical expenses, such as lab tests. I only very rarely gave my partner cash since the family was generally very vocal about the fact that they can take care of themselves and especially their food, which they partly grow and raise on their premises. However, I spent a lot on my daughter. For example, my credit card statements show that between September 2017 and January 2019 I spent 1100 euro just in two shops: Le Petit Bateau and Sergent Major. These two shops only sell children's clothes, nothing else. (I spent much more, since I shopped in other venues too, but this is the kind of shopping which is completely irrefutably for children's clothes.) I did buy clothes and accessories for my partner too.

The cost is slightly more difficult to determine for the past few years, since due to the pandemic I mostly travelled by car. It should be pointed out the distance between Ruse and Bratislava is 1000 kilometres. Half of the distance is not even covered by highways. In the summer of 2022 I travelled to Bulgaria almost every week, to be with my daughter according to court decisions which allowed me two hours of meeting her every week (yet the meetings were always sabotaged).

Similarly, just in the past year, i.e. 12 months, I paid 7000 euro in fees to my lawyers. To this one must add other legal costs: mountains of legal translations, interpreting during the hearings, forensic psychologist and, again, the most costly item, travel to and from Bulgaria. Most seriously, the time spent on the case gravely impacted my work and public activities. However, unbelievably, despite the significant amount of time and resources spent, I have simply not been able not just to see my daughter for three years but save her from mistreatment.

By the way, for the full context, in the last year and a half, so since the decision of the Bulgarian court on financial support for my child, I sent 6250 euro in alimony payments. This does not stop the counter-party and her lawyer from lying to people that I do not contribute financially to my daughter's upbringing.

Despite my intensive efforts, my daughter has been left to live in the circumstances that have been, as will be described, dramatically impacting her development to the point that from a totally happy and stable child grew a child with special needs.

The following story is not just the story of bizarre ineffectiveness of public administration in Bulgaria but of brutal callousness of many of the people involved. They must and will be fully exposed through this report and by other means.

Technical note: This report is in an abridged version. The full version contains full names of the people concerned and extensive supplements containing the original documents relating to the case (court documents, letters exchanged with the authorities, and so on). It is available to the authorities investigating the case in detail.

Instead of full names only initials are used to denote private person here. However, public persons (including defence lawyers) are denoted by their full names.

Case 1: civil case 183/2020

Description: Regional court Ruse rules that I, the father, am not allowed to approach my daughter for 18 months

Dates: January 15, 2020 (petition filed) to May 4, 2020 (final ruling)

Judge: Tatyana Ilieva

Background to the case: On January 15 my ex-partner S.P filed a petition to the local court in Ruse asking the court to ban me from approaching either herself or our daughter for 18 months.

The petition **falsely claimed that I did not materially take care of my daughter - as described previously, this is easy to refute by documentary evidence.**

The text also claimed a few things which I insist are lies and for which the counter-party had no evidence or independent witnesses. It said that I allegedly behaved aggressively in the house during shouting rows about our future together and that I allegedly threatened to take my daughter away from her mother and that I said she would not see her again.

As we will see later, me and my lawyer later demanded (the next court case) that the court convokes an independent witness, the domestic help, a lady who was, on workdays, always in the house from 8,00 to 17,00, to testify on this. However, the family, who had in the meantime fired this independent witness who had served in the household for many years, lied that they cannot remember not just her contact details but not even her name.

The most serious part of the petition stated that I allegedly had to be pushed out of the house on Jan 10, 2020 after I became aggressive towards the mother of my partner and exchanged punches with him, the partner. The petition also added that I allegedly screamed that I will come back and snatch my daughter away from the family, with our daughter allegedly watching the scene and crying.

This is false and anyone even vaguely familiar the persons involved would have immediately found this description improbable. First of all, T. S. is a pensioner, I am 20 years his junior. He is untrained, I am fairly well-known, even publicly, for my years of training in boxing, kick-boxing and grappling. The idea of him physically confronting me is very far-fetched⁹. Secondly, there would have been no logic in me screaming that I would snatch my daughter from the family - I would have been able to take her away any time until that point, since I did stay with her often.

In reality, as described earlier (Background note 1) there was no tussle at all. I just left the house after I got hysterically screamed at.

Well, the only physical contact made during the whole scene was when my partner burst into the room on hearing her mother scream, and half-punched, half pushed me in the chest. However, after I calmly told her to go back to take care of our daughter, and after she realized not much was happening, only her mother had been screaming, she left, after less than half a minute.

⁹ And, as we will see, several months later the family came up with a radically different story, in which I was suddenly a brutal aggressor able to physically abuse T. S. at will, without him unable to defend himself.

It was some time between 18,00 and 19,00. Outside the house, in the dark and away from his partner, T.S. tried to make up with me, saying “we are men, men should stick together”. At this point, I told him if he ever tries to be between me and my daughter again, I will hurt him. This was the only menacing thing I uttered on that day, and it is NOT contained in their description of the incident. He was shocked, since up to this point I had always behaved to him in a friendly way, and he got visibly scared, standing there, outside, in the dark, alone. He started screaming “I am not afraid of you, I am the member of Bulgarian state security!”. (State security was the name of the secret police during the socialist era.) I laughed at him and asked him if he is imagining he is in some kind of a telenovela¹⁰. After this he calmed down, and opened the front gate for me. I got into the car, and left.

As I was driving away, I noticed a neighbour in the street. I stopped the car and asked him whether I could help him with something, he said “no, I am fine”. This was the whole scene. The petition mentions that I allegedly only left after a neighbour had come to the door of the house, which is untrue. In fact, the petition does NOT contain any witness statement from this or any other neighbour.

There was no police investigation, since the family, which allegedly had been physically attacked and claimed they felt directly physically threatened, did not go to the police.

They went straight to the court. Their evidence were the statements of the three of them. Nothing else was attached to their letter.

Crucially, even with the false accusations, the petition did not contain any descriptions of me ever harming my partner. And it did not mention anything negative in terms of my relations with my daughter.

The trial: Despite this, the court almost immediately issued an injunction against me (January 17) and set dates for trials. On May 4, 2020 it issued a ruling banning me from seeing both my partner and my daughter for 18 months.

Shockingly, **I had no way of defending myself since I was not even aware of any court action.** Later the defence for the counter-party claimed to the police that they had a copy of a receipt of the letter from the court with my signature on it. The Bulgarian police submitted the document to graphological expertise which concluded that the signature was not mine. Neither was I ever contacted by any public defender, and I do not know to this date if any was actually assigned¹¹.

¹⁰ He had been very proud of the fact that after school, he had been asked to join the secret service, but instead he went to work for the customs service, where there was more money to be made. He had confided this during his tipsy moments. Nevertheless, even many years after the fact he still felt a little James Bond-ish.

¹¹ One ongoing source of frustration for me has been access to documents. As described elsewhere, official communication, via letters, is often very poor. Sometimes my lawyers or collaborators are able to get some documents which I require, sometimes even very unofficially, but on other occasions I simply do not have documentation of what happened. In this case I have a copy of the petition against me, a copy of the temporary injunction against me and the final ruling, but this does not give me the full information of what had been happening,. Also, some of the documents (especially the copies of statements of S.P. and T.S., attached to the petition, are of such poor quality that they are mostly illegible).

Background note 2: Bulgarian Law on Domestic Abuse – a badly misguided piece of legislation that the parliament does not want to change despite widespread criticism

In the case just described, the primary role is played by the Bulgarian Law on Domestic Abuse. This is very important to note.

There are only two other EU member states that have a special law on domestic abuse (in fact, violence in general), Austria and Germany¹². However, in their case the wording of the law and instructions to the public clearly link it to the criminal code. For example, if there is suspicion of domestic violence, the police must be notified.

Let us take the case of Austria. Here, the description of the law¹³ to the general public clearly states that in the first instance of suspected violence, *the police get involved*. The law does not cover just domestic, but any violence. The law gives the police the power to bar the suspected perpetrator from entering the household of the alleged victim. If there is a danger of repeated violence, which, as the description states, *is to be assessed on the basis of previous acts of violence*, the court can issue an injunction. The description clearly states that *the claimant needs to produce attestations in the form of a medical report or photographs to plead the case for an injunction*.

Also, the law provides for the existence of public centres for the prevention of violence and these must be notified and get involved after the police issues a barring order. So, the Austrian law both protects the victims of violence swiftly and comprehensively but also provides for mechanisms that prevent abuse of the provisions of the law.

Similarly, the German law. In this case there is, just like in the Austrian case, a law on violence that does not have to be domestic. Nevertheless, it is clear that domestic violence is one of the primary targets. Again, the official description of the law makes it clear that the police are normally supposed to be the first point of contact. Also, in terms of injunctions, in case of a regular injunction it is clearly stated that for the court to issue one, there *must be no reasonable doubt that the person in question acts violently or can perpetrate an act of violence*. The expression “beyond doubt” is key here.

Also, while the description covers psychological violence (including stalking), it makes it clear that *the perpetrator must be clearly proven to be making threats or engaging in harassment (repeated acts)*. The kinds of cases that fall under the description of domestic violence are normally handled by a special type of courts (“family courts”)¹⁴.

Not so in the case of Bulgaria. Unbelievably, **you can simply go to the court and convince the judge that you are being domestically abused**. With as little to prove your case as statements by your close family.

The second absurdity is that **remedial mechanisms are very weak. You have only 7 days to appeal the court’s decision**. And **in the case of second instance decision you cannot appeal**

¹² At least to the best of my knowledge, after consulting several lawyers and skimming through various sources.

¹³ See <https://www.bundeskanzleramt.gv.at/en/agenda/women-and-equality/violence-against-women/domestic-violence.html> This summary also includes links to further materials relating to the Austrian law.

¹⁴ See <https://www.bmfsfj.de/resource/blob/121760/b227b8b02448a576045c444efe81b792/mehr-schutz-bei-haeuslicher-gewalt-englisch-data.pdf>

at all. The law states the decision of the second instance court is final and cannot be appealed.

There are other problems with the law. One is clearly the way the law is applied. As we have seen, courts treat the cases as disputes, where they lean, based on available evidence, towards one or the other side, rather than acting on the basis of “beyond reasonable doubt”.

Also, one suspects that the judges see injunctions not as a means of preventing violence but as a form of punishment. The reasoning seems to be that one party asks for a punishment to be given to the other party and the court either accepts the proposition or does not. Hence the judge does not enter into the process of determining what would be the reasonable way of preventing violence, instead, s/he determines whether to accept what the alleged affected party proposes. This has been the case in the instances I have experienced and several lawyers more or less confirmed to me they have had similar experiences.

There is no framework for suggestions (e.g. by social or other public services) on what the dynamics of the supposed conflict situation are or on what would be the optimal way to resolve a situation and, at least in the cases described here, no judge’s deliberation. Again, all in all, the judge does not consider how to best resolve the situation. If one party suggests a penalty, and the judge believes the party, he orders that penalty.

Another aspect: the law states that in the case of a breach of an injunction based on this law the culprit must be detained for 24 hours, there is no space for assessing whether there actually is an ongoing threat.

Finally, the problem is that there is no systemic link between protection against abuse and other institutional arrangements. Neither the law nor the application practice (as far as the author of this text has been able to ascertain) counts on the police, social or other services to be involved in monitoring a case and providing information to the court (for example a suggestion on whether an injunction should be prolonged in case the danger persists).

The biggest absurdity of all is that the problems with the law, introduced in 2005, are well-known and acknowledged. Several lawyers that I have spoken to told me bluntly that the law is widely seen as problematic and leading to unfair outcomes.

In fact, in a letter to me by the ombudsman of Bulgarian, Diana Kovacheva, she stated that her office has been receiving increasing number of complaints about the law and that she herself has been involved in effort to have the law changed. However, she added, the parliament has not been cooperative in this effort.

Background note 3: the role of the police and the public prosecutor’s office

Following the incident of January 10, 2020, described in Case 1, I did not see my family for a few months, for two reasons. The main one was that the pandemic unfolded and it was not possible to cross the border. Secondly, my partner insisted that her mother is categorically against me coming.

I thus concentrated on making sure that my partner would find the perfect home in Slovakia. She continued to contrast the situation in Bratislava, where I had a flat, with her living conditions in Bulgaria, where she lived in a house with a garden¹⁵. She was especially

¹⁵ Without going into too much detail: she also complained when I showed her picture of houses that I could either buy or rent. Any suggestion met with some counter-argument.

insistent that ourselves and our child cannot be fed by vegetables bought from a supermarket.

So I borrowed a plot of land from my parents where I started a large vegetable garden. And I also rented a large, spacious, modern house, in the same village, which is very close to the city, and is nowadays a very popular place for mostly well-to-do people to move to, thanks to excellent links to the city (the centre can be reached in 20 minutes) and thanks to the fact that it is surrounded by nature.

I moved there in August 2020 and in September I went to see my partner to convince her that this time she would have really comfortable conditions to live in.

However, the meeting with her, in a street in the village, was very short. Our daughter did not recognize me by this time. She was visibly nervous standing close to someone who was a stranger to her, even though my partner asked her to remember me, as her father. When my daughter was close to starting to cry, I simply left. I was angry but there was no scene. Two days later I went to see the partner of my partner's mother, T.S. I chose to meet him in their garden relatively early in the morning, away from his partner (in summer he usually goes to the garden at around 7,00 and works there for one or two hours). We met and chatted. The conversation was not particularly friendly, but it was also not openly hostile. He promised he would stay away from any disputes that I had with his partner and would not chip in to support her in her hostile aggressive towards me.

However, after these words of reason his attitude changed when she heard us talking and came out of the house. At first she threatened to let the dog out at me, then she left. She came back after a few minutes.

This time we were closer to the house and to the street since I was about to leave. Her attitude then suddenly changed and she started to convince me to come in the house and talk to my partner. "Talk things over with her," she said. "I want you two to make up and be happy". I refused to do so, since I was fairly certain that once inside the house there would again be some screaming, and I did not want my daughter to be a witness to that.

I thought, naively, that V.I. behaved the way she behaved for the sake of neighbours, so that she looks like the one who is reasonable.

What I did not know at the time was that in fact in the meantime she had called the police. She was simply trying to manoeuvre me into the house so that they can more convincingly claim attempt at domestic violence (and me breaking into the house).

We continued the conversation. However, it was not friendly, since this time T.S. was screaming a lot, trying to show off in front of V.I. So I left.

I went back to my hotel where I had a belated breakfast ahead of a long journey home and I went to the border. However, at the border I was detained by the Bulgarian police. They informed me I was in breach of a court injunction and that they had to detain me. I was taken to the police station.

I have to say the police were mostly friendly. Some of the younger officers were especially amused by the fact that through google they saw pictures of me in the presence of the president of Bulgaria and government ministers (I had visited the country on two official occasions) and now I was sitting there with them. I was given food and in general, as I say, most of these people were friendly.

The exception was when the main person from the intervention team tried to force me to sign a statement in Bulgarian, which I refused (they claimed I had an interpreter there and could ask anything that was unclear). What also helped was that the Slovak embassy, which I had informed by phone, was intervening relatively forcefully and kept asking the police

chief questions. After 24 hours I was let go. However, I had to return several days later, to sign the statement which this time was translated into Slovak.

The other aspect of this episode that is noteworthy is that the family of my ex-partner had been given internal information from the police. When I talked to my ex-partner on the phone after I left the station she let slip that she knew even the contents of my luggage.

The police had my alleged signature on alleged receipt of a letter from the court submitted to graphological expertise and then officially confirmed the signature was not mine.

Taking into account this proof that I most likely did not know about the injunction, and the fact that there was no evidence to corroborate the account by the family of my partner (see the next para), the prosecutor dropped the case.

The family, in the meantime, had claimed I had jumped T.S. in the garden and tried to strangle him. V.I. claimed in her witness statement that she saw strangulation marks on the neck of her partner. They even got a doctor to give them a note that he saw some bruises on T.S. However, this was not supported by any photographic evidence. As said, the prosecutor dropped the case¹⁶.

Crucially, there was one semi-independent witness at the scene during the alleged attack.

The witness was the cleaning lady, who had served the family for several years prior to the incident. However, there was no witness statement by her taken by the police (which tells a lot of the quality of police work). Also, after this incident she was fired by the family. I was helpfully informed about this by people in the village, via an email.

I tried to seek the lady out later, first to ask her to give a statement regarding the alleged incident, second, to secure her statement for other court cases. She was potentially a very important witness, since she was at the house every working day of the week from roughly 8,00 to 17,00 and could therefore testify on many things - how I behaved in the house, how I treated my daughter, what things I brought my daughter, and so on.

However, through an intermediary she let me know that even though she was very bitter towards the family, mostly for the way they had treated her, she would not want to be involved in anything. Again, the phrase, as many times before and after, was mentioned: "this is Bulgaria, people are scared".

At any rate, the case was reopened again shortly later since on my visit to sign the statement I came to the premises of the family company to talk to T.S. again. The visit was short, I basically entered not the part of land where his partner had offices and a shop, but the part where he parks his car and then stays and where he has a small business (a shop for changing tyres). We talked for a few minutes, when again he told me he would not meddle in the case, but unconvincingly, and then I left.

The family then claimed that I breached the injunction again, since it also covered the premises of their company. By now, however, my lawyer was able to point out that up to that point I still (!) had not been served court papers and I could not possibly have known which locations the injunction covered. The case was dropped again.

However, then the case was reopened once or two more times, at the same level of the prosecutor service, at the insistence of the family. It is one of the mysteries of the local

¹⁶ Bizarrely the prosecutor also pointed out that the protection order did not really relate to the plot of land where the house was actually located and that it was a different address from the one for which the family asked for protection. This is one of the intricacies of the Bulgarian situation – often land allocation is not clear. (In fact, the family does not receive post, such as electricity bills, at their home and the post is instead delivered for them to the local shop.)

system how a case can be reopened at the same level, with no new evidence. Then the case was finally dropped.

Also, much later the police informally told me the family was still trying to come up with some stories against me to persuade them to arrest me, but the police simply did not pursue any of those new attempts.

Similarly, I was told by people close to the family that V.I. was trying to convince them to come up with false stories about how I was supposedly harassing or threatening the family. Heroically, one or two refused to provide her with this.

I would like to conclude that prior to this incident I had not just never in my life been charged with anything, but I had never even been inside a police station. It is further testimony to the system in the country that a totally innocent person can be detained by the police as it happened to me.

The story does not stop here, however. Much later, **in between the two hearings relating to the custody of my daughter and access to her, in 2022, a prosecutor (Kremena Kolutsova) from the district prosecutor's office (the second level in the hierarchy) issued a decision to re-open the case** (the decision is dated June 21, 2022). **This was brought to the court by the lawyer for the counter-party, to support her claim I am a potential criminal investigated by the police.** After this piece of theatre, nothing more happened. One and half year since then, as of now, December 2023, there has not been any investigation, at least as far as I know¹⁷.

I am not claiming unequivocally that something underhand was going on, nevertheless, the coincidence of the trial with the decision of a prosecutor merits at least some suspicion.

In August 2023 I myself went to the local prosecutor office, twice, and on both occasions I filed criminal complaints. In the first instance it was the complaint that my ex-partner has for over a year been ignoring the court order to allow me access to my child, which is a criminal act. In the second instance, I demanded police investigation into the suspicion that my daughter is subjected to some kind of abuse.

Up to now, December 2023, I have not been asked by the police for cooperation, neither is there any news that following my complaints any investigation has been opened.

¹⁷ After the trial I tried to check via my lawyer whether there really was any investigation, but, annoyingly, as has often happened, nobody knew anything, there was no answer "no" and no answer "yes".

Case 2: civil case 32/2022, first instance

Description: I file a civil petition to get either access to my daughter or, preferably, custody of her

Dates: February 1, 2022, May 20, 2022 (first hearing), June 30, 2022 (second hearing), July 4, 2022 (final ruling)

Judge: Desislava Velikova

If anyone interested in this sad story or the state of Bulgaria's courts should read one story in detail, it is this. The behaviour of judge Velikova as described here was simply unbelievable.

Background: Since there was no possibility of appeal against the previous case, I had to wait for the 18-month injunction to expire to finally file a petition for access to my daughter and for custody of her.

Or at least my lawyers claimed there was no point – this was wrong, since, as we will see in the description of second instance proceedings, a court actually can, under special circumstances (sessions monitored by social workers), provide for continued access to a child. However, the quality of Bulgarian legal services, as briefly described later, is the same as the quality of my other things in the country.

My lawyer for this specific case was (and still is) Yordanka Bekirska, who is a well-known lawyer specializing in family law and who had been recommended to me by several sources. Finally, in February she filed a petition to the court whereby I asked for either the custody of my daughter or at least guaranteed access to her.

Despite the fact that the case concerned a child and her relation to her parents, which in most EU countries is strongly given precedence over other cases, we had to wait until May 20 for the first hearing to take place.

In fact, both court cases through which I had been seeking access to my child took longer to start than each of the other cases described here.

In the meantime, the counter-party provided an answer to our petition (March 8, 2022).

This text merits a detailed look. In it, my partner claimed the following things, all false:

- After the birth of our daughter she realized she would be left on her own since I did not have a place where to live, and I did not have a regular job. In reality since November 2017 until the moment she wrote this, I had a full-time, indefinite contract with the Presidium of the Slovak Academy of Sciences. I was renting a very spacious apartment (100 sq m, plus a terrace of about 30 sq m, plus a balcony), in a prestigious part of the capital of Slovakia.
- She claimed I was not buying my daughter any clothes or shoes, and allegedly neither was I contributing towards any medical costs. As explained previously, this is also a lie and a large part of the lie can be disproved via documentary evidence.
- She claims the same about my mother, who allegedly never bought any things for my daughter (again false). As my mother came to testify to the court (see below) she, too, had been struggling to have access to my daughter.

- In her statement, my ex-partner also claimed that my parents were not nice to her “the only things I heard from them was criticism”. In reality, she barely knew my parents. She only met my father twice, when we went to see him, at my insistence, so that he finally gets to see the person with whom I had been in a relationship for years. He was extremely nice to her. As for my mother, my partner met her on two occasions before the birth of our daughter. Once, when my mother came to have lunch with us and once when we had a lunch at a restaurant, which included one of my brothers too (there might have been one more, but very brief, meeting after this). Again, my mother was nice to my partner, in fact, as a psychologist by education, she is very careful not to be pushy to people with unwanted advice, let alone criticism. One more time when she saw my partner was in October 2017, when she went to Bulgaria so that she can finally see her grand-daughter. V.I. and T.S. were pretending to be friendly to her, but then made hell to my partner that my mother showed up in their place. From then on, any suggestion that anyone from my family could come to see my daughter had met with open hostility.
- Most of the text then repeats the allegations regarding January 10, 2020 and September 2020. She then bizarrely continues that she disputes whether I had not known about the injunction against me before September 2020, since “injunctions are sent to the border police and there is no way I had not been informed about mine when crossing the border”. I cannot claim to have knowledge of Bulgarian regulations to this effect, but certainly nobody at the border police ever informed me about this injunction or the later one (see below) and I actually doubt the border police get involved like this.
- This discourse then continues, when she argues I should not be allowed to take our daughter outside of Bulgaria given the “military activities in the region very close to both Bulgaria and Slovakia”, meaning the war in Ukraine, of which the battles in reality took place thousands of kilometres from Bratislava.
- The text also states that “this aggressive and publicly harmful behaviour is demonstrated by Juraj Draxler also in his home country, where he had been sanctioned for public disturbance”. It does not give any details. In fact, my ex-partner has clearly been following my public Facebook: as part of protests against the government of 2020-23 (the most unpopular in Slovakia’s history) I put a small anti-government banner on one of the bridges across the Danube. Later I received a letter from one of the departments of the Ministry of Interior saying they consider this an act equivalent with leaving rubbish in public space. However, they continued, since no real harm was done, they are not issuing me with any fine. Since the letter with this banal information was very long and, in its bureaucratic language, hilarious, I described it on my Facebook. (Ironically, as of December 2023, among my other activities I am now actually advisor at the Ministry of Interior).

In other words, the answer was mostly a compilation of slanderous statements without any evidence to back them up, plus a few statements that desperately try to exaggerate banal facts.

The trial: As said before, the trial was a shock. With two minutes of the hearing, **the judge got into a heated argument with my lawyer. It was very uncivilized, the judge was simply screaming.** I did not quite get what the two were arguing about. Then the judge turned to me, and now screamed at me “you, you tell me!”.

Still not understanding what the issue was, **I turned to my lawyer to ask for an explanation. However, the judge screamed again: “do not consult with her!”.**

I told her politely but firmly to, first, stop using that tone with me and, secondly, to **explain how come I cannot consult my lawyer. She retorted: “because she does not understand anything!”.**

Unfortunately, this is how the judge behaved for the good part of the two court hearings. She gave the impression of a cantankerous woman who is probably bored at home and therefore enjoys a good argument, or, rather, a screaming match. It was all very uncivilized. It transpired that the argument was about the request to Slovak social services to draw up a report on me. It was me and my lawyer who had asked that the court sends such a request to Slovakia.

The reason was that I had been told by several people that in similar court disputes, courts normally ask social services to draw up reports on the parents. I even asked Slovak authorities proactively to get such a report done on me, so that we would not lose time on it later when it could hold up the court proceedings. However, I was told legally they must wait for a request by a proper authority, in this case a court in Bulgaria. So, I just asked my lawyer to give this request to the judge at the start of the trial.

Also, when we saw the reply to my court petition by the counter-party, described above, it was clear such a report was necessary. The petition claimed, I underline again, that I had been a long term unemployed with no place to live. For this we needed the Slovak authorities to confirm that I was living in the conditions that would allow me to either comfortably raise a child or at least to have my daughter spend comfortable time with me when away from her mother.

The petition as well as the speeches by **the lawyer for the counter-party kept repeating that I was not just a person without income or place of abode but that I was a short-tempered, aggressive individual. A lot of court time was spent on these characteristics of me.**

The counter-party also brought in two witnesses. One was the partner of my ex-partner's mother, T.S. He claimed I rarely came to see my daughter, at most once every 2-3 months. He also claimed that it is not true the family lives an isolated life and that they often go outside the village, even to the seaside.

My lawyer asked him to give the court contact information for the cleaning lady which the family had employed for many years (at least five, based on the time when I was regularly visiting them). We wanted her to be called as witness, since she was in the house every working day from approximately 8 till 17,00 and could confirm or deny many claims made about me (how often I came, how I cared for my daughter, how I behaved in the house, how I was active around the house, what happened in September 2020, and so on). However, T.S. claimed, clearly falsely, that he did not remember either the contact details or even the name of the person. S.P. also refused to answer the question. The judge refused to cooperate on pressing them to divulge this information.

The other witness was the cousin of my ex-partner, who claimed that he heard from my ex-partner that I was not coming very often to see my daughter. He also claimed that the family travels with the child out of the village, to seaside and to mountains.

When either of the two witnesses were asked by my lawyer to remember roughly the dates of these trips and the exact destinations, they could not.

The judge herself did not probe these witness statements. She was also nervously interrupting my lawyer when she tried to pose questions.

What was even more shocking, **the judge did not interrupt completely inappropriate behaviour in the courtroom. The lawyer for the defence. A. Vezirova (see more details on this person later) openly mocked my mother, who came to be my witness.**

My mother has a hearing problem and had questions (which were translated to her in English, so not even in her native tongue) repeated to her. A. Vezirova was rolling her eyes and making loud hostile comments also when my lawyer was speaking or, later, when I finally got to speak. This was never interrupted by the judge.

At one point I started recording the hearing on my phone, to have proof of what was happening. A. Vezirova noticed it (I was not hiding it) and told the judge. **Again, the judge started screaming. She told me to immediately erase what I had recorded lest she would call security guards who will erase all of the stuff from my phone.**

I told her I believed her that it might not be permitted to tape in Bulgarian courtrooms but that I would respectfully want to know according to which law. She did not reply and continued screaming I must erase everything or she will call the guards to erase it. I told her I was sure she had not legal right to do such a thing.

A standoff continued. Then, after the pleading from my lawyer and the assurance by the judge that the proceedings are being recorded by the court, I simply put the phone in my pocket. The judge calmed down and the hearing continued.

Importantly, **the court protocol does not record what the judge told me** about calling guards to take my phone and erase the record. And the protocol lies: it says the proceedings continued after I erased the recording – in fact it was clear I did not erase anything and just put the phone in my pocket.

More shocking behaviour followed, though. On three occasions the witnesses for the counter-party started saying things which were not completely in favour of the case of the counter-party. Twice A. Vezirova and once my ex partner **interrupted them and started dictating to them, quite openly, the “correct” answer. Again, the judge did not interrupt and they only stopped when my lawyer started screaming at them.**

My mother came to testify, among other things, that I had good relations with my ex-partner, whom I had known for a very long time and who was often calling me even in the years when she was not meeting me. And that I loved my daughter, and often went to see her, buying her various presents and so on.

The judge, however, started grilling her about where I lived, how much I earned, where was my office located, what was the colour of the bathroom in my house, how many rooms were there and so on. This went on for a long time (it was the longest line of questioning throughout the two hearings).

In reality, of course my partner never doubted where I lived. I had regularly been sending her pictures of my life in the house. Crucially, had she allowed me to be in touch with her and my daughter via video calls, my partner would have seen clearly how I live.

Nevertheless, the judge was clearly bent on playing the game of the counter-party.

Essentially, **despite the fact that it was easy to disprove the assertions of the counter-party about me via documentary evidence (contracts, tax records, the social services report)** the judge was ostentatiously behaving as if there was something suspicious about me.

At no point did the judge pose questions to the counter-party to verify or probe statements. **More importantly, the judge did not pose a single question, to anybody, relating to my daughter. How she lives, what contacts does she have, does she ever mention her father, how many friends does she have and who they are, etc.** Some of these questions were

posed by my lawyer, but the counter-party essentially refused to answer most of them, they just said something brief and non-specific.

The judge also turned down our request for a psychosomatic assessment of my daughter. At the end of the hearing I asked to speak. I tried to point out that I had not been asked any questions nor asked to speak at all. **The judge said she will not allow me to make a statement.**

At this point my lawyer told me to simply go to the dock anyway and speak. I was perplexed but I did this. When I started speaking, in the dock, the judge waved her hand at me angrily and said something like “ok, speak!” I repeated the case was urgent, I needed to have access to my daughter, who is not developing well and therefore in danger, and so on. Then my ex partner also took to the dock and said I was a very aggressive person and that I was unhappy with her decision not to move to Slovakia and that was causing all the problems. And that was that.

The second hearing took place on June 30. I brought copies of boarding cards for my flights to Bulgaria to show how often I came to visit my daughter. In addition I brought records from Ruse hotels where I had stayed. I also said I was willing to provide photos taken of my daughter during my visits – these photos had visible time stamps as well as times stamps in the digital code, that would prove I had been visiting my daughter much more frequently than the counter-party stated. I brought a contract for my house and copies of tax records showing my income. The judge said she was not interested in any of that. The only thing which she accepted was a confirmation written by another member of the think tank I was headed which stated my current income – she had a look at it and said it was ok.

I also submitted a long written statement underlining why my daughter could be in danger and also explaining all the lies that had been told by the counter-party.

In the meantime the judge did send a request for a social report, via the Bulgarian ministry of justice. However, the ministry did not forward the request to Slovakia. It first asked the judge to explain why such a request was needed and then simply informed the judge that the ministry did not consider the report necessary and would not forward it to Slovakia¹⁸.

We insisted that the judge must submit the request again. Curiously, the counter-party also insisted they need to know how I live, so the judge now had a double reason to apply for the social report. But she turned it down.

This second hearing in general was much calmer than the first one. And much shorter. At the end, the judge said how much I would be required to pay as alimony (500 leva) and she described the regime of access to my daughter. She started by saying that for July and August, I can see her every Tuesday from 10 till 12,00 in the presence of social workers at the premises of the local branch of child services.

Here my lawyer started to object that it would be quite inconvenient for me to come 1000 kilometres and not even on a weekend, for a two-hour meeting, without a guarantee that it would even happen. The judge told us with a wry smile “he said he likes his daughter, so he can prove it”. Then she continued to recite other details of what her judgment was going to be but she was going too quickly for even my lawyer to understand.

In her closing statement, my lawyer pointed out inconsistencies in witness statements (e.g. the fact that after claiming our daughter goes on trips, they could not remember where).

¹⁸ Curiously, when the Bulgarian authorities sent the request to Slovak social service the next year, they wrote that to ask for a social report is standard practice in such cases in Bulgaria.

She said she absolutely insists the court needs to establish how often I had been visiting my daughter, since there is ample evidence for my statements and against the statements of witnesses. She also pointed out that while the counter-party and the witnesses claimed my daughter had been attending kindergarten for the previous two months, in our investigation at the kindergarten we were able to establish that she only came a few times (essentially so that the counter-party can claim our daughter attends kindergarten). Equally, she insisted that the judge establish a more reasonable regime of my meetings with my daughter. She said it is unreasonable to demand that for the next two months I come for two hours of meeting every Tuesday, not even a weekend, 1000 km each way.

My lawyer also insisted I cannot just see my daughter only every two weeks starting September 2022, this would be insufficient to establish proper father-daughter relations.

She also insisted that the judge must order contact with my daughter via video calls.

She underlined that suppressing the relationship between the parent and the child is a form of emotional violence against the child. She also pointed out that Bulgaria has already lost 8 cases at the European Court for Human Rights relating to its protection of parental rights.

The judge refused to consider any of this.

Last came the closing speech of Alexandra Vezirova, the lawyer for the counter-party.

Especially to those persons who receive the full version of this report, including the individual court protocols, I urge you to read the speech in full. It is incredible what a lawyer is allowed to do in a Bulgarian court.

Essentially, the speech was one long slanderous statement towards me. She said things such as “he clearly cannot accept the fact that he is not wanted as an intimate partner... he so much wants to be father that this would lead to him violently taking the child from her mother’s hands... he has an abnormal relationship to what it is to be a father... his anti-social behaviour... as we said he has had specific and abnormal, for his age and status, ways of expressing his political beliefs... he has tried to force S.P. to live with him in Bratislava, threatening that if she refuses he will break her arms... clearly he cannot control his behaviour and this is the source of fear of the child... he has not given evidence in what circumstances he would be able to raise the child, and in what social circumstances, or if he can provide the child with medical care... we have seen that his social circle consists of his mother who lives who knows where in Bratislava and who has not been able to take care of Ava.. she has come to see her grand-daughter one single time...”.

In all, the speech lasted about ten minutes and it was all like this. The judge allowed this veritable river of filth to flow on and on. As we will see in a later description, this kind of behaviour continued later as well.

Of course, no one would even remotely expect a Bulgarian courtroom to be the same as a courtroom in US films or high-profile cases where any attempt to distort evidence or say things not based on facts are interrupted by objections of hearsay and so on. But how can this kind of behaviour be allowed, in principle? How do you even react?

With my lawyer, we stuck to stating facts, while the counter-party spewed poison that they did not back by any evidence and it was all allowed, throughout the trial.

And, of course, it is a bizarre feeling. I hate to pull rank, but ever since my secondary school (a private school attended in the UK on merit scholarship) I held positions that required significant skills and knowledge, and therefore commanded respect. My social circle, incidentally, consists mostly of high-ranking civil servants, top scientists, successful businessmen, and some politicians - these are the people with whom I normally spend not

just work but also free time. We discuss latest advances in physics, the formation of school curricula, reforms to various aspects of civil service, and so on.

And then one stands in a Bulgarian courtroom against a judge who, at the minimum, does not care, and a lawyer with highly amoral behaviour who clearly considers it her duty as a defence lawyer to construct a character assassination case as outrageous as possible. They are extremely vulgar and aggressive, and clearly not open to any rational discourse. How do you deal with this?

For the details of the judgment, we had to wait for the written statement, which appeared on July 29, 2022. It said that after August 2022 I was allowed to see my daughter every second Saturday in the month from 10 until 18,00, in the city of Ruse, on my own. This regime was to be had until my daughter reaches 6 years of age. I was also entitled to 20 days with her during the period of summer. The judgment then continued that until my daughter has reached the age of 6, I will be entitled to spend every other Saturday in a month from 10 to 18,00 and after she reached the age of 7, I can spend every other weekend with her, from 10 on Saturday to 18,00 on Sunday, plus 20 days over summer. Two things are immediately noticeable. The regime was to be very restrictive throughout the year, but then, illogically, over summer I would suddenly be entitled to a disproportionately long period of time with my daughter.

Secondly, **the judge simply omitted one year – between ages 6 and 7. So, later, when my daughter reached the age of 6 I no longer had any legal title to seeing her for a year.**

Also, the judge did not stipulate any compensation mechanisms that would be used in case my daughter was ill on a particular Saturday and would allow me a different date instead. Neither did the judge stipulate any contact via telephone or video link, despite the plea for my lawyer.

The chaos in the case did not stop with the omitted year. **Several months later, on November 1, the judge issued a new ruling saying it was a correction to the previous ruling** and stipulated that I was also to pay a back alimony for the year March 2021 to March 2022.

She did this because in her original ruling, of July 29, she only said I was to pay monthly alimony, “from the day the ruling becomes legally valid”. She thus did not include alimony starting in March 2021. In her verbal reading of temporary ruling until the final ruling, on June 30, 2022 (followed by both lawyers asking additional questions and expressing disagreement), she mentioned that her temporary ruling is that I am to pay alimony as of March 2022. However, again, it was not mentioned in the final ruling on July 29.

There was no ruling on alimony on July 4, when I personally went to the court to pick up any papers related to the ruling and I picked up a letter of execution relating to my meetings with my daughter. However, on July 6, the court issued a letter of execution that stated I am to pay alimony, starting March 2022. It contained the bank account number of my ex-partner. Neither me nor my lawyer had any idea this was issued.

At any rate, the bailiff issued a note asking me to pay alimony, including cost of executing, on July 8. He then handed this note (stating I had two weeks to comply or else he could sell my property etc.) to me on August 2, as I was waiting in the office of the social services for my daughter.

So, to summarize: the court issued a letter of execution on July 6, which for the first time contained the bank account number of my ex-partner, and on July 8 the whole case was in the hands of a bailiff, to whose bank account I was supposed to pay, including costs to him of enforcing the payment. (And on August 2 I was officially served papers by him.)

When I asked my lawyer how is it possible to put a bailiff on someone 2 days after the court issues a paper how much one is supposed to pay and where, she just shrugged her shoulders and told me, yes, this is unfair and it is due to badly written laws (again!) but this is how it is and lots of people abuse the law exactly in this way, putting a bailiff on counter-party as early as this.

On August 2, as will be described, the bailiff did not come on his own, he was guided to the meeting by Alexandra Vezirova, the lawyer for the counter-party, who then proceeded to tell social workers that I am a lousy father who does not even pay alimony towards his daughter.

Shocked, I asked how it was possible to be served papers without even being aware of the existence of a judgment (at this time, the full written judgment was not yet available).

Moreover, I had clearly wanted to pay – after the second hearing I sent an SMS to my ex-partner asking her for her bank account so that I can start sending her money. She did not reply. But, most importantly, the whole situation was absurd: I was asked to pay through a bailiff, with extra money due to him and to the lawyer to the counter-party, without even having the opportunity to start payments.

Here the question of alimony does not stop. Since it was not clear whether the “correction” to the original ruling was really legal, while I did dutifully pay the monthly payments, I did not pay the back part of the alimony (March 2021-March 2022). However, my lawyer was not reaction to questions relating to this “corrected judgment” (see the Background note on Bulgarian lawyers) and later I was persuaded by her to simply pay it.

I went to the bailiff, some time in spring 2023, and said I was willing to pay that part. He, however, served me yet another set of papers, for a much larger sum, not the 6000 leva this originally comprised, but 13,000. He could not immediately explain why so much.

Only in October 2023 he showed me, personally, on one of my following visits to Ruse, how the amount had been calculated. Apparently, the sum he wanted was correct, the largest part of the extra cost was incurred via interest, which was, according to law, a hefty 14 percent per annum.

I was able to deal with the issue but as an aside, I simply cannot imagine what can be done by average working people, who live from month to month and suddenly due to confused court decisions, combined with badly written laws, end up in a similar situation. They suddenly have to pay a sum of money that was significantly enhanced by a steep interest rate dating to the period even before the ruling on the alimony was made.

As an aside I would like to mention that I specifically did not appeal those parts of the judgment of the first instance court as it was published on July 29, 2022, that concerned alimony, since I clearly did want to pay towards the cost of raising my daughter.

Background note 4: They are telling lies? So what!

When I first went to court I was perplexed by the brazen lies that the counter-party gave in her statement to the court. Surely no sane person would state lies that are so easy to refute by documentary evidence, that would defeat the entire purpose? That is what I thought.

In fact, in Bulgaria, no problem. The first instance judge even refused to consider contrary evidence submitted by me.

The second instance panel of judges, as we will see, did accept evidence and did conclude that, for example, I was not a homeless person as the counter-party had argued.

However, the panel did not in any way comment on the fact that the counter-party had been clearly lying on a number of issues.

This would not matter if the lies had been immaterial to the case. But they had not. First of all, both courts (but especially the first one) allowed significant amount of time to be given to clear, demonstrable lies being recited about me – by the counter-party, the witnesses and the defence lawyer.

I, on the other hand, was not allowed to set the record straight, even in the most important parts, for example how often I had been visiting my daughter or where I lived. And so the counter-party continued to spread their lies with impunity.

Secondly, the lies should have had some impact on how the veracity of the counter-party would be regarded. Yet, here it was ok to lie and lie and lie, without judges stating that they feel statements of the counter-party clearly cannot be trusted.

Thirdly, since some of the lies were really outlandish and since the counter-party was so often contradicting herself, this should have been taken into account as a signal that there might be wider psychological or mental health problems at play.

And there were some strong indications that my ex-partner has been getting really confused, which created significant dangers to our child.

On April 12, 2023, she sent an email to the branch of Slovak social services which was supposed to conduct the social report on me.

In the email she stated many demonstrably false things. She claimed that I was not living where I claimed I was, despite the fact that it was exactly the remit of the service to verify where and how I lived (and a few weeks after this email they confirmed to the Bulgarian court that I indeed lived where I claimed to live).

Confusingly she even claimed that I allegedly changed my statement to the court about my place of abode and in April allegedly stated to the judges that I will now be living with my parents – even though I made no such statement.

In the same vein she stated to Slovak social services that allegedly I had not been able to show the Bulgarian judges the rental contract to my house, even though I did bring them the original of the contract (as well as printouts of bank statements documenting regular rent payments) and the court stated during the hearing that they were satisfied by the evidence.

In the same email she lied that I had been criminally convicted in Bulgaria (she even said on several counts). She also said that I deserted her and my daughter, despite the fact that elsewhere she kept claiming it was her decision to not live with me. The text was also made to sound as if before I deserted them they lived outside of Bulgaria with me.

This was worrying since this type of lying did not make any sense, purely pragmatically.

However, not only the judges, but even the court-appointed psychologist were unwilling to take this vast body of evidence into account.

After I visited the psychologist and had the interview with her I asked her whether she will be taking into account the contradictions and the lies of my ex-partner in her psychological profile. She said this was outside the scope of what was expected of her.

For the sake of complete transparency, I list here the main pieces of false information (most of them can be straightforwardly called lies) as well as contradictory statements by the counter-party:

- *The lie: after the birth of our daughter, my then partner decided I could not take care of my family, since I had no job (case 32/2022).* The reality: from November 2016 until August 2020 I had a full-time job on an indefinite contract at the Presidium of the Slovak Academy of Science. (The job was well-covered by the media at the time). And in fact, for about a year I even had a parallel part-time contract as a consultant to one of the government agencies in Slovakia beside this main job. So I was more than busy with work. After August 2020 until August 2023 my main source of income were studies done by the think-tank I had established, which had been financed by the Office of the Government of Slovakia (PM's office), the Ministry of Finance, the Ministry of Economy and the Slovak Guarantee and Development Bank.
- *I have no place to live (case 32/2022, also the second instance of the same case).* In reality in August 2017 I rented a large two-storey apartment in the very centre of Bratislava. It was over 100 sq m inside, with a terrace of about 30 sq m plus a large balcony. (Ironically, the previous apartment, which the Slovak press had criticized as possibly too posh for a minister, was deemed too small and uncomfortable by my then girlfriend. It was 75 sq metres and located in a pretty, well-reconstructed neoclassical villa in the most prestigious part of Bratislava.) In August 2020 I rented a large, modern house in a village close to the outskirts of Bratislava, with a large plot of land attached to it, from a well-known financier. I still live there. Yet my ex-partner keeps spreading the lie that I have no place to be, that I live with my parents, and so on.
- *I came to see my daughter only rarely (case 32/2022, this was also stated by the two witnesses for my ex-partner and by S. P. also in her statement to the Child Protection Agency in June 2022).* In reality I came about twice a month. This is documented by boarding cards from my flights and hotel statements from hotels in Ruse. Crucially, since I was always taking pictures of my daughter, my mobile phone provides irrefutable evidence about the times when I was with my family (both through the visible time stamp and through the time stamp inside the digital code, which is practically impossible to falsify, as stated by specialists during Amber Heard vs. Johnny Depp trial in the US). We offered that the court examine this evidence, in vain.
- *I was a financial burden on the family of my then partner, since they had to feed me while I was in their household (case 32/2022).* As should be clear, this statement is quite contradictory to the previous one about me showing myself only seldom. (Not to mention, again, completely ridiculous, considering the amounts of money I was clearly spending on trips to Bulgaria, easily documented by my credit card statements). In fact the statement was wider, continuing that the family had to pay for my clothes, and even for me going to sports trainings in Ruse (in actual fact while I went to a few boxing trainings in Ruse before my daughter was born, I stopped

- going after her birth, and of course I did not need anyone to pay for me). The fact that altogether this does not make sense and the family simply randomly say anything that comes to their minds with the effect that it should sound damaging to me, no matter how contradictory when taken together, did not bother the judge.
- *I did not buy clothes and shoes for my daughter (case 32/2022)*. As described previously (Background statement 1) this is contradicted by the statements from my credit card, which show that I spent considerable sums on children's clothes. Again, all these individual lies, which are produced with one aim, to portray me as a person without income and therefore unable to take care of my daughter, are not contradicted just by documentary evidence, for example bank statements of my expenses, but also by the simple, highly visible evidence that I go to Bulgaria very often, I am engaged in many court battles, all of which clearly costs significant amounts of money.
 - My partner also stated, on many occasions, that *she wishes for me to have access to my daughter*. This is mentioned in case 32/2022, also mentioned by her statement to social workers who were making the social report of June 2022. Also, during the second instance hearing in April 2023 she ostentatiously told me in front of judges to "finally" show some interest in my daughter and on the same day come to see her in their house – she said this despite the fact that there was an injunction in place against me seeing both of them, which she herself had asked for. In fact clearly she does not want that I approach my daughter – on two occasions she herself asked for me to be legally barred from seeing her and my daughter. She did not allow me contact with my daughter even after the court stipulated the regime of access, not even via video calls. From this it should be clear that she simply says things according to a situation in which she is at the moment: if it looks socially desirable to say that she wants her daughter to have a relationship with her father, she says that. On other occasions she acts completely contradictory to that. The problem, over and over again, is that nobody has held her accountable for these blatant contradictions.
 - *My ex-partner is afraid of me and for this reason needs to be protected from contact with me*. This is again undermined by her completely contradictory behaviour. On the one hand, on two occasions she requested the court to bar me from seeing both her and her daughter. In both of these cases as well as in case 32/2022 she alleged I had been trying to physically threaten her. However, in her statement to Bulgarian child protection agency in June 2022 she stated that she expressly wishes that my meetings with my child take place in their household, and not anywhere else. (I stress this again, she wanted me to come to their house even though previously she said she feels unsafe there with me, and not just her, but her stepfather and her mother.) She repeated the request that she wants me to come to see my child in their household to social workers on July 5, 2022. Then the same subsequently in several SMS messages to me over the summer, when she refused to come with our daughter to social services and insisted I must come to their household. In April 2023 she challenged me in front of the judges of the second instance hearing in case 32/2022 to "finally" come and see my daughter in their house. This was then several weeks after a different court issued an injunction at her request against me seeing her and my daughter. Anybody with half a brain could see that something was really not right in her behaviour. Btw, this motif had continued with the court-appointed psychologist, to whom she said if she wants to see our daughter at play, she must

come to their village. **Again, this psychosis, whereby she, the person who had now mostly been constrained in her existence to her mother's house for six and half years, and keeps insisting on her meetings to be in the village, has not been officially flagged by the court or social services, even though the way this is demonstrated is a sign of a potentially serious mental disruption.**

- *I am not really interested in my daughter* (this has been repeated over and over again by S. P. in first and second instance of case case 32/2022, also her mother V.I spreads these lies among people in Ruse). Again, this is clearly contradicted by the fact that I have been spending a lot of time and resources on trying to get access to my daughter. In fact it is also contradicted by the counter-party, especially by the statement of the defence lawyer at the conclusion of the second hearing of the first instance trial, where she tried to portray me as someone who completely maniacally tries to have access to his daughter.
- The perfect example of how the counter-party has been giving contradictory statement is the state of our daughter. *It has been simultaneously claimed by S.P. that our daughter has no psychological problems and that she has problems.* In August 2022 my ex-partner hired a child psychologist who then had six sessions with our daughter. The psychologist later admitted in court (case 4072/2022) that our child is afraid of men, but refuses to discuss why. This has also been confirmed by kindergarten teachers when I visited my daughter's kindergarten in April 2023 to talk to them (but not mentioned in two reports by social services to the court based on interview with the kindergarten teachers). In the second instance court trial 32/2022 my ex-partner protested forcefully when the court mentioned the name of a child psychologist who could be appointed to see our daughter. My ex-partner and her lawyer protested strongly that this must not be done, since the psychologist in question is a man and our daughter is afraid of men. In yet another court case (2250/2022) my ex partner actually colourfully described that our daughter suffers from psychological problems. Of course, there are witnesses: the biological father of my ex partner told me in September 2022 Ava is very afraid of men, as well as simply driven in a car. Both my brother and his wife testified she was generally frightful when they saw her in September 2022 and had a hysterical reaction when suddenly approached by men (in this case, my brother). In addition, it was clear Ava was even afraid of unknown buildings: she had a panic fit when she was asked to enter the social services building, on two occasions in summer 2022.
- My partner also clearly lied about her readiness to have me see my daughter after the court decision establishing the regime of our meetings. While on some occasions she blatantly ignored the court decisions, on others she was more careful and simply came up with a sick note for the child whenever I was coming to Ruse. The fact that the sick notes, all for mild problems, come from various doctors, and not from my child's regular one (and therefore culpability is spread) should be seen as a strong indication that something irregular is going on.
- Finally, while my ex-partner told social workers in their June 2022 interview with them that she agrees for our daughter to have short video calls with me every day, in reality she never allowed this, despite my frequent pleas.

Despite the fact that the counter-party a) clearly contradicts herself and b) presents massive amounts of false information, easily refutable by evidence, this is not reflected anywhere: neither in judges' questions to her or statement nor in a psychological profile of her.

Background note 5: the psychological state of my daughter

When I last had normal interactions with my daughter, in January 2020, she was a very healthy looking child. She was also inquisitive and energetic. She loved when her mother was reading stories to her. She could put together fairly complicated puzzle pieces. She loved physical activities: running, throwing things, exploring a playground slide, etc. The child I saw in summer 2020 was completely different. She looked much thinner and was quite pale. Her mother came with her twice to the Child Protection Agency in Ruse, after I insisted she must show up according to the court order. However, she did not even try to encourage our daughter to go and see me – this was seen by the social workers who were present at the scene, but not reported. Ava was categorically refusing to enter the building, she was very panicky about it. On both occasions, after a few minutes, they left. This could have been just the result of Ava being intentionally programmed by her mother to act scared (and, as we will see later, her mother really does try to programme her). In such a case I would not be too worried. But Ava was also looking much less healthy than before, she was poorly dressed compared to how me but also my partner used to dress her. Most worryingly, she had the tendency to squirm and had grimaces unnatural for a healthy child.

There had been worrying signs that her mother was aware that things were going badly with our daughter. When I phoned her to tell her, in autumn 2021, that I have no choice but to go to court to ask for guaranteed access or custody of Ava, she blurted out “don’t do it, they will take her away from me!”. This had me really worried. The first glimpses of Ava after two years had been confirming my fears.

Also, her mother and lawyer were extremely aggressive about the idea that I could take a picture or record a video of Ava. Again, this simple fact should already be enough to alert anyone interested in the case, who would ask why they are trying to hide her behaviour so desperately.

The next time I saw Ava was on September 10, 2022. At my continued insistence that she must allow me to see our daughter, my ex-partner accepted on condition that I will see them both, not just Ava, and in their village.

Previously I had offered that of course they might come both, but I insisted they must come to Ruse, as the court decision stated. I offered that my partner can bring a trusted friend and we will be either in my hotel suite (which is spread over two floors, and has a very large terrace) or that we can be outside, promenading in the city. She refused and insisted on the village meeting. I had no choice but to accept, if I wanted to see my daughter.

I suggested that I would bring my nephew. He is two years younger than Ava, but very grown-up, playful and sociable. This would help to break the ice. I said my nephew’s mother will come as well. My ex-partner agreed and she suggested a friend who would come along. I knew the girl, an employee from her mother’s company, friendly and calm.

These were the conditions of the meeting, overseen by our lawyers. However, my partner immediately broke them.

On the day of the meeting **she did not come with the specified friend. She and our daughter were driven by her stepfather T.S. to the playground where we were supposed to meet**, despite the fact that it is less than 100 metres from their house. They were about 15 mins late. He then stayed in the car, observing us for another 15-20 minutes.

Then he left but **there were two other people, a man and a woman, at the playground who continued observing us**. I recognized the man as a person who works on menial tasks for

T.S. I also remembered I had seen the woman somewhere but could not remember exactly where. They occasionally took pictures of us and I overheard a conversation they had on the phone most likely with V.I. describing what they were seeing. I will copy a statement later made by my brother's partner about the whole meeting:

"Last September I was asked by Juraj Draxler to come with my son to the village where his daughter, Ava, lives with her mother, S. P. I was able to observe the behaviour of Ava, S. P., and the people in the village.

We flew to Bulgaria together with P. (partner) and A. (nephew). (Juraj paid for our flights, and drove us to and from the airport, we paid for our hotel accommodation). On Sept 10, 2022, we went with him to the village to meet Stela and Ava at the place Stela suggested, which was a playground close to their house.

They arrived about 20 minutes late. Despite the fact that their house is literally just around the corner, they were driven to the playground in a car by a person who Juraj told me was T. S., the partner of V. I. After about 15 minutes he drove off. However, there were two people, a man and a woman, at the playground who were observing us and took pictures of us. Juraj told me he recognized one of them as a person who works for T. Shakhanov. He could not mentally place the lady who was with him but had a feeling he had already seen her.

We decided not to be disturbed by their presence. S. greeted me in a fairly friendly way. She also instructed her daughter, Ava, to greet us with a Slovak expression ("ahoj"), which Ava did.

We spent about two hours at this playground, playing with children. After that at Juraj's suggestion, to which S. agreed, we moved to another playground, about 300 m away. The two people mentioned above accompanied us and entered the playground with us. There were two other mothers with children in this playground. I have not noticed whether S. greeted them or not, but they did not talk and neither did Ava, who also did not show any interest in the children. They left after about 5 minutes.

After three hours of total time spent together we broke for lunch and rest. We arrived again at 17,00 and stayed until 18,00 at which point S. abruptly ended the meeting. She dragged Ava away without explanation to the car, in which T. S. had been sitting the whole one hour next to the playground.

For this second session we were also joined by P. who arrived about 10 minutes into the meeting, after consulting with Juraj that his, P's, presence would not be considered disruptive by Stela.

I have two major observations from the meeting. First, I found it strange that despite the fact that there were village people passing us by, S. was not greeting them, and neither was Ava (who did not seem to recognize anybody). In contrast, people occasionally waved in a friendly greeting to Juraj. On two occasions they also stopped and talked to him.

Second, it was clear that S. was "encouraging" Ava to be scared of Juraj, by making loud statements such as "do not worry, he is not going to come near you" (she only referred to him as "he" or Juraj, never as "father"). At the same time, it was clear that especially after some time Ava was not afraid of Juraj. She would approach him occasionally to take balloons from him which he was blowing up, and so on.

It was also clear that Ava has problems interacting with people and playing. Even though she was trying to play with A. (he is a very sociable child), it was awkward. At one point, A. took a bib out of his pocket and put it in his mouth. Ava told S. something and S. replied. Juraj translated to me later that Ava said "look, the child has a bib" and S. said "yes, he has and he is too old for a bib, go and take it from him". After this Ava approached A. and rudely

pulled the bib out of his mouth. A. was shocked and ran to me for comfort but did not make a scene or start crying. I found the behaviour of Ava and especially S. disconcerting. In general, Ava was very excited by all the toys that Juraj had brought, but almost always quickly lost interest in playing with them since she was not very good at throwing things, kicking a ball and so on. Also, in general she looked quite pale and slim and not very energetic. The only things in which she had keen, prolonged interest were balloons, which she chased around happily, and bubbles which we were blowing. When I took out a bubble blower, Stela told me indignantly that Ava would not be interested in such a thing but in fact Ava was very happy.

When we arrived at lunchtime S. told Juraj "no photo, no video". I asked her why, and she replied that this is because Ava is scared when people take pictures of her. In reality, at the end of the meeting, at 1800 I spontaneously asked S. if the children can have a picture taken together. She nodded without hesitation and Ava even started posing for Al. who snatched the phone from me and wanted to take a picture first. Then, however, Stela started pulling Ava away, towards the car where T. S. was sitting the whole time. There was no explanation and they did not even say goodbye. When Juraj asked her where she was going and pointed out that he is entitled to much more time than this, she told him "as usual". (This was in English, which is the language in which they usually communicate.) It did not make any sense.

Also, even though Juraj brought a lot of presents for Ava (they were given to her not by him, but by A., who took them out of the car and gave to her) S. left them ostensibly in the playground. Ava took only one toy, the little Czech mole (Krték), which she kept holding on to almost the entire time from the moment A. gave it to her.

While during the meeting Juraj was very smiley and tried to be relaxed for the sake of Ava and A., after this he was expressing to us how angry he was seeing what state Ava was in. Our son was quite happy with the meeting and the next day even asked if we are going to see Ava again.

The next day before driving us to the airport in Sofia, Juraj went to the village again, to talk to neighbours. When he returned he told us that Stela attacked him physically, in front of their daughter, after being driven in a car by T. S. to a place where he was talking to people. He and V. I. were, according to Juraj, encouraging S. to attack Juraj. When S. told Juraj that Ava was in the car and witnessing it, Juraj left immediately. He was angry he did not have time to go to the police that day since he had to drive us to the airport.

He also said that in Ruse he had met Stela's biological father. He told him that he, too, is now cut off from Ava, whom he used to go to see regularly when she was younger.

According to Juraj, Stela's father was unhappy about the situation and he did acknowledge many of the problems which Juraj saw himself or about which neighbours from the village or people in Ruse who know the family told him: Ava being scared of people, of being driven in a car, entering a building she does not know, and so on.

Last, I want to point out that when P. arrived to join us, he approached S. to greet her. He did it walking relatively fast towards her. At that point Ava got very scared, almost had a hysterical fit. There is something very wrong happening in the family. I am shocked to hear that the Bulgarian authorities have not intervened.

Finally, I want to add that I have known Juraj for several years. I have never witnessed him in a situation when he would behave aggressively towards anyone. We regularly visit him in his house, sometimes sleeping over. The house is very spacious and pretty and A. has always loved it there. It has always been a special treat for him to go and visit Juraj.

They have been very good friends since A. was much smaller. A. has always been very comfortable around Juraj, sometimes they go on walks, the two of them, in summer A. plays in the garden next to Juraj while Juraj works.

I was shocked to hear that S. and her family tried to paint the picture of Juraj as a homeless person (before this house he had a very spacious apartment which he specifically rented after Ava was born so that she and Stela have a comfortable place to move to). In general I find their behaviour incomprehensible.“

The incident mentioned in this statement, submitted to 2nd instance court in case 748/2022, happened on September 11, 2022. I went back to the village, trying to productively use the time in Bulgaria, since it was clear my ex-partner will still not allow me proper access to our daughter. I went to talk to people in the village about the situation, giving to those, who were not familiar with the case, brochures which I had printed earlier, and which I used to explain the case to lawyers, officials, the mayor of the village, and so on. In general, I had good rapport with people in the village, not least because many of them realized there is something wrong with the family, which was keeping both my ex-partner and our daughter isolated. In fact, for a long time people in the village were my only source of information about my daughter. Some of them happily chatted with me about the situation when I met them in the street, with one I even exchanged a series of emails. On September 11, one of the people, the head of the village distillery who makes a lot of money from the family and whose mother had been paid by them too to help around the house, informed them that I was in the village.

Shortly before leaving the village, I was stopped by two people who wanted more information about the case. This happened just round the corner from the main village shop, a location which is quite far, about 500 m driving distance, from the house of my ex-partner.

At one point, however, I saw the car of T.S. driving towards me, while I was still chatting with the two people. It stopped and my ex-partner got out. She approached me as if to tell me something and then suddenly started to try to punch me, over and over again. She also tried to snatch my phone away from me as I tried to film the incident. She was followed closely by T.S. and then shortly by her mother as well. Both of them were loudly encouraging her to punch me and recording it on their phones. It became clear immediately from their encouraging shouts that they were trying to make her attack me in such a way that even if I just lifted an arm they would try to claim via screenshots that I had attacked her. Consequently I did not even lift my hands and took a few punches to my chin as I was retreating towards my car. When I was almost by my car, I realized from their shouts that my daughter was in the car. After this I got into the car to stop the scene quickly. As I was leaving, T.S. started shouting towards the two people in the street, who were pale with shock “he never paid a single leva to his daughter!” and towards me “the police are waiting for you on the way to the city!”.

I must say that if I had even a tiny bit of sympathy left for him (after all, before this he had never tried to be proactively nasty to me, he just obediently followed his pathological partner), this scene ended it. It was clear that in this incident all three of these people were not just trying to, again, pin a crime or at least something anti-social on me, but that they were purposely doing it in front of my daughter.

After this I went to the city (of course no police were waiting for me) to meet with one of the people who had been helping me with the case, for a brief meeting. As I was waiting for him I met, by chance, the biological father of my ex-partner.

As described by my sister in law, he told me how unhappy he was about the whole situation. **He confided in me that he no longer sees his grand-daughter.** This was news to me, because while I was still visiting the family, he would also come, at least once a week, at midday to avoid meeting the current partner of his ex-wife. However, he told me that at one point he had to stop going, he did not tell me why. He said that my ex-partner refuses to come to the city to show him his grand-daughter, and when he asked why, she told him it was because our daughter was afraid of being driven in a car. On the rare occasions when he did manage to see her he, too, noticed that she was panicky when a man approached her too closely.

This isolation of my ex-partner and our daughter even from my ex-partner's biological father, whom she adores and with whom she mostly used to be in daily contact by phone, and even after she clearly started driving our daughter to the kindergarten in the city, was recently confirmed by the court-appointed psychologist (see below).

As for his general reaction to the whole situation, however, it was very "Bulgarian". Even though unhappy, he felt he could not do anything about it, if even trying to talk some sense into his daughter or encourage her to be more independent¹⁹. He ended the whole conversation by abruptly changing the topic and started complaining about why the European Union is obsessed so much with gender and LGBTI rights. I left.

What did I make of my meeting with my daughter? The one piece of positive news in the misery was that she was at least partly acting and reacting normally. She did not exhibit, as far as I could see, cognitive impairment. She was just much behind the learning curve she had exhibited in her earlier age. She did not talk much, and she was too infantile for her age, considering how well she had been developing before, but at least she could communicate. However, she was clearly finding it difficult to concentrate on even slightly complicated tasks. She also got tired easily. As for her motor skills, she was practically the same level as my nephew, who is, however, two years her junior.

This is exactly the problem. Since Ava is not visibly impaired, the intellectual abilities of many of the people concerned are simply not sufficient to see how badly she is in reality doing (I was especially discouraged when I saw how extremely simple one of the social workers allocated to assessing my daughter was).

Let us take the most visible aspect of her behaviour over the past year or so – panicky fear of men. It is an awful thing to be happening to a small child, who starts shaking whenever a man – apparently, any age – comes close to her.

In addition, the fact that a child has a persistent fear of men points that she is, exactly as I had claimed for years, badly socialized. There is no way a child who regularly goes out would keep a panicky fear even if something bad had happened to her concerning a particular man. Again, I doubt that some of the people involved in the case would even have the mental capacity to grasp this.

However, the persistence of the fear should also have been cause for concern since it did indicate that something quite bad could have been happening to Ava, repeatedly. There are several possible theories: the mildest one being that Ava was simply repeatedly stressed out

¹⁹ He himself has been partly dependent on his ex-wife for years. She kept sending him lunch, behind the back of her present partner, for years and years. I know this intimately, since often I was the courier, who had to secretly take a bag with food from her and drive it to her ex-husband. I do not think her current partner would be able to express disagreement, but it is in her character that she enjoys cheating on people, even in small things. This, however, seems to have stopped in the past three years.

by her grandmother and mother that one day a man, her father, would come to do something bad to her.

Two other hypotheses spring to mind. One is that my ex-partner had tried to establish a relationship with someone who had either beaten her or verbally abused. Or that T.S. himself was sometimes nasty to Ava (he is the type of person who “educates” a dog by beating him, so this is not out of the question, though less likely than the previous two theories).

Again I had to stress that any really professional judge or other specialist involved in the case would see plenty of red flags just by checking the most obvious facts of the case. First, the isolation of the mother from the outside world and her position within the household, which is more akin to the position of a child than an adult:

- She lives in the same room where she lived when she was actually a child.
- She does not cook and does not know how to cook.
- She does not do shopping for the household (she does shop, mostly online, but only small things for herself and for her daughter, such as clothes or toys).
- She does not have any friends independent of her mother.
- She never had her own job.

Even much bigger red-flag should have been raised, a long time ago, by the fact that she persistently lies or at least contradicts herself, in a clearly pathological behaviour. This can point to a simple confused mental state but also potentially to a more serious underlying mental issue.

And the biggest red flag should have been the fact that she has consistently tried to make sure our daughter cannot be independently checked (I think after what had been said we can discount local social workers and kindergarten teachers from the set of people able to act independently and professionally). She has been hysterically trying to make sure that pictures or videos of Ava are not taken. And she has forcefully resisted any attempt that Ava be seen by an independent psychologist.

Yet, a visit to a psychologist is not like a visit to the dentist. To a child, it is simply seeing some adult who plays with her and asks some questions. The fact that S.P. first strongly objected to this, and later, since early September 2023, has actively sabotaged attempts to have her daughter independently checked, should have been deeply worrying to anyone involved in the case. Especially since the mother herself, in August and September 2022 brought her child to a psychologist (but one paid by her, and therefore not independent). This all should have been extremely worrying, yet even the second instance court has so far, as we will see, not been particularly alarmed.

It did, in April 2023, order that the mother must submit my daughter to assessment by a professional psychologist. Finally.

And the mother did not do it. As will be described, first she simply cut the psychologist off from communication. Then, after the court ordered her again to submit our daughter and the child to psychological assessment, she finally showed up at the office of the psychologist. As mentioned earlier, and will be explained in more detail later, the psychologist was shocked by what she saw. It had taken three years of my constant battle until the truth started coming out. The mother, however, only showed up, but did not allow the psychologist to actually interact with our daughter, who did not even enter the cabin of the specialist and stayed in the front room.

In the meantime when I hired a bailiff to chase my ex-partner in winter about her obligations to bring me Ava to Ruse every other Saturday, she at first told him she will

cooperate. Then she sent him an ugly note claiming, yet again, that I am a very aggressive person, not to be trusted around a child and so on. Then she kept sending him sick notes for our child, from various doctors, so no meeting ever happened.

Then in March the first instance court through which my ex-partner sued me, again, on the basis of the Law on Domestic Abuse, issued an injunction against me seeing either Ava or my ex-partner. However, the second instance court in the case on the custody of the child partly overruled the injunction and ruled that a) I must be allowed video calls to my daughter, twice a week, half an hour each, b) I am allowed to see my daughter, every week, in the presence of social workers. As will be described below, social services refused to cooperate, in a bizarre answer to the bailiff.

Also, when I reminded my ex-partner that the court has ruled that I should see my daughter in the presence of social services, she sent me an angry reply claiming the court decision does not say any such thing and then an angry “you better learn to read” in Bulgarian. This was another worrying sign that she might not be fully ok, mentally: the text of the court decision was clear and concise, and my ex-partner used to be a relatively sharp mind not to understand a simple text like this.

When I insisted on the meetings, plus video calls, she simply blocked me on her mobile phone. She did the same with the bailiff. At first she promised to see him to have the papers served, however, then she blocked him on the phone. Whenever he went to her place of abode in the village, nobody opened the door, and when he went to her mother’s company, and even talked to the mother, he was also told she is not there, she works from home.

Background note 6: Bulgarian lawyers

Finding a lawyer in a foreign country can by itself be a challenge. (And for me was altogether a new experience, I never employed a lawyer in my life before this). In addition, since Bulgaria is generally so isolated (for example it has very little foreign investment, especially into productive companies) it is not easy to internationally come across people who have some experience with the legal system there.

This challenge is compounded by other issues. First, there is the general habit of people and firms, even law firms, that they often do not reply to emails. There is chaos in information (the lawyer which I eventually found had one address, long defunct, in some public register, another one of the subpages of its website and yet another, where the office was actually located).

The second problem, more specific to the case, is that there is simply huge disparity of income for those specializing in commercial matters (very often concerning buying land), and something like family law, which is consequently of very little interest to higher calibre lawyers.

The third problem, in a country like Bulgaria, has been that it is very difficult to get local lawyers to help sue people from their town or region. And, on the other hand, lawyers from Sofia, the capital, are difficult to hire for a job in Ruse, a provincial town which is four hours’ drive away.

I came up against this over and over again. Even when I was physically attacked the Ruse lawyer who was then assisting me in my affairs simply refused to help me file a complaint. With the next law firm I employed locally it has been the same problem when I tried to file a case for being slandered or for my partner not respecting court decisions. Helping me to

defend myself against their accusations was fair game, but the lawyers were very wary of anything that would be seen as aggressive legal action against the family in question, a local family.

The final problem is simply the quality of the legal service provided. I do not want to go into too much detail here, since I need to stay on friendly terms with most of the lawyers who have been working for me, but communication has been chaotic. In one instance, after Ruse court issued a first instance ruling, in March 2023, which contained an injunction against me meeting my ex-partner and my daughter, one of my lawyers specifically assured me in writing that the injunction was not valid since we appealed the case. Another of my lawyers accepted this. It was only when I went to see the local bailiff, he pointed out to me that there was an injunction out against me. When I told him it should not be valid since we appealed, he pointed out to me that the Law on Domestic Abuse specifically states that an appeal does not invalidate an injunction contained in the ruling. However, two lawyers, one specializing in family law, had not known this and only accepted it once they finally saw the text of the law themselves.

More painfully, one lawyer after another told me nothing could be done regarding the ruling of 2020 that I cannot approach my daughter and that I had to wait for the injunction to expire. Only much later did I learn that a court actually can order that meetings take place, they just have to happen in the presence of social workers.

And in between, again, mix-ups of dates, documents often not forwarded to me by my lawyers until I reminded them I needed to be informed, and so on.

Recently, when I decided to appeal the verdict based on the Law on Domestic Abuse through the European Court for Human Rights, I simply I filed the complaint myself.

Background note 7: Alexandra Vezirova, lawyer for the counter-party

There are few people more responsible for my daughter's continued suffering than the lawyer Alexandra Vezirova.

I first met this person in May 2022, at the first hearing of the 1st instance court regarding custody of my child. What struck me was her bullying behaviour.

For example she was sneering at my lawyer, myself or even my elderly mother when we talked. Her general attitude was very arrogant. She would usually refer to me as „Draxler“, and talk to me in sentences such as „Draxler did this“ or „Draxler should realize that“. She consistently portrayed me as an irresponsible, short-tempered, aggressive person, questioning my material conditions (income, whether I had a place to live and so on).

However, she went well beyond this and she has proactively sought to make it impossible for me to have a relationship with my daughter. She did this by blackening my name in front of other people to portray me as an irresponsible and downright criminal individual. She did not do this just in court:

- As also described elsewhere in this report, when I went to one of the visits to the agency for the protection of children, to wait there for Ava, A. Vezirova showed up with a bailiff to serve me papers in front of the employees of the agency. Not only this, she took them aside and stressed to them that I do not pay alimony for my child. This despite the fact that up to that point I had no way of paying. When I asked Stela for her bank account contact, she ignored me. When I went to the court to pick up papers relating to decisions from the first instance of this court case, there was

no information, again, on how I can pay alimony. A. Vezirova went to the court, got the letter of execution and hired a bailiff. As far as I understood from asking around, this is not possible in other countries, you cannot simply take a bailiff right after a court decision, there needs to be a demonstrable reason that the person is refusing to pay. In Bulgaria, the law is weird, and not just this one, and A. Vezirova fully took advantage of it. And, again, proactively even smeared my name to the employees of the child protection agency.

- During the same meeting, the employees of the child protection agency suggested to Stela, who claimed Ava is afraid to enter the building, that she should walk with Ava to a shop with the promise of buying her a balloon and I should casually join them on the way. Despite this agreement, Stela simply dragged Ava away, not waiting for me and an employee of the child protection agency to catch up. I took out a phone to document this, at which point A. Vezirova jumped in front of me and started saying that she does not wish to be filmed – even though she was not at all in the shot (I still have the video clip). A few minutes later when I was still not able to catch up with Stela and Ava and took out the phone again, A. Vezirova jumped to me and tried to pull the phone from my hand. When I pushed her hand away she started screaming, making sure people in the street hear her, that I attacked her and she has bruises. Fortunately, the employee of the child protection agency told her bluntly that this is not what happened and when I told A. Vezirova to show her bruises she started covering her hand. In the meantime Stela and Ava disappeared in the distance and I decided it was pointless to try to make contact.
- In February 2023, the local police in Ruse were told that I do not pay monthly alimony towards my child. The intent was clearly to get the police to detain me on one of my visits. However, the police contacted the bailiff, who confirmed to them that I do pay it and consequently the police stopped pursuing the case. I do not have enough information to know if A. Vezirova was involved, but it is highly unlikely that my ex-partner would have thought of this on her own.

When I asked about, I was told that this is how she behaves in other court cases as well, she is aggressive and simply nasty to people.

In my case, there was not a single moment in her performances in court and outside, where she would leave a space for a civilized talk, aimed at reaching a common understanding. This despite the fact that me and my lawyer have not resorted to the same type of vulgar behaviour.

It is true that she does not strike one as a very bright person (which most likely is the reason why she has to resort to simple bullying tactics rather than professional arguments), but it is still very unlikely that A. Vezirova would not be aware of my daughter's worrying behaviour and her maltreatment. She is a big contributor to my daughter's suffering.

Background note 8: The abominable behaviour of Ruse Child Protection Agency

I had been warned by lawyers not to expect much of Bulgarian child protection services. One prominent Sofia lawyer told me “when they are asked to assess a child, they will send some ladies to the household, who will be happy to be invited to drink tea with the family and unless the child is starving or chained to a heater, they will sing off that everything is fine.”

I was first supposed to come into touch with child protection agency of Ruse in spring 2022. The court asked the agency to prepare a report ahead of a court hearing on the custody of the child. **The agency never contacted me.** In their report they said “since according to his lawyer, Ms. Bekirska, the father resides in Slovakia, the employees of the agency do not objectively have the possibility of communicating with him”. Two notes about this. First, they did not even bother to pretend they could have suggested a video call. Secondly, in reality I would have come to Ruse in person, of course. But they never even asked. This despite the fact that my lawyer stressed to them that I am ready to come to Ruse if they need to observe me in a meeting with my daughter (this is even mentioned in their protocol). In other words, they flagrantly bypassed me, as the father, in their report. Consequently, half of the report are in fact lies that my ex-partner, yet again, said about me. The social report mentions the same effective lie already mentioned by S.P. and her cousin that the child has been attending a kindergarten in Ruse (as mentioned previously, when we investigated this we found out that in reality over the period of two months she came literally just a few times).

The report also in effect lies that “the mother... has secured excellent living conditions” while in reality she simply lives in her mother’s house, where she has no say whatsoever over how even her own room should be furnished, everything, to the smallest detail, is run by her mother. Similarly, the report does not mention that the mother’s alleged work position is in fact in her mother’s company and that she therefore does not have an independent source of income. In fact the report glosses over the fact that the mother and the child live in fairly constrained circumstances. Or that the family owns an aggressive dog that my ex-partner is very afraid of, ever since it tried to attack her a few years ago (she never goes out when the dog is out) and which is only let out at night (the unruly dog is potential danger to the child).

Crucially, there is very little said about the child. The report refers to kindergarten teachers who had allegedly told the social services that the child is communicative towards other children and gets engaged in activities such as listening to fairy tales being narrated. There is no mention of the fear of men, even though this had been noticed by a psychologist who had sessions with Ava a little later, in August and September 2022. There is no mention of the various problems which Ava in fact has, and which are detailed in her pedagogical documentation, as we recently found out, but not in this and the following report of the social services. Also, the report does not mention that Ava is very thin and pale. The report does not show any effort by the workers to actually interview the child. Consequently, they did not check her knowledge and cognitive skills themselves, did not try to observe the child’s interaction with adults, did not try to find out from the child if she has any friends she could name, ask her with what adults she regularly meets, and so on.

Neither is there any mention of an interview with the mother that would try to establish her social interactions, how she works to earn a living, to check her parental skills and attitudes and so on.

It is obvious the agency simply does not have manuals and instructions that would allow it to properly assess what is happening in a household.

The agency clearly does not distinguish between situations where they are needed to simply check a household for the most basic things, such as sanitary conditions, and other types of cases, where a slightly more complex approach is needed.

In other words, **the agency operates on a naïve view that if a child does not look completely dirty or undernourished and if it can say a few words, everything is fine.** In this worldview, the vast majority of psychological and psychiatric problems would simply not exist. The person committed suicide? That is surprising, he looked well fed.

I then first came into direct contact with child services on July 5, 2022. I went to the court and picked up a letter of execution regarding the recent court judgment. This judgment stated I was entitled to see my daughter every Tuesday from 10 to 12,00 in July and August. After this I had the right to see my daughter every Saturday from 10 till 18,00. So, I walked straight from the court to the office of the agency.

My attempts to see my daughter then happened as follows:

July 5. I went to the child protection agency in Ruse and showed them the letter of execution. They phoned my ex-partner who told them our child was ill. She said, however, that **I can see my daughter if I come to their household.** At first I refused. This is how I left the agency. Then, however, I was able to contact the translator who had been present in the previous court hearing. She accepted that she would come with me to see my daughter - I told her truthfully that I do not really need her to translate but I need a witness to be with me, otherwise the family would try to claim, as usual, that I was behaving aggressively or something along those lines. However, after I told my ex-partner over the phone that I am coming with someone else, she cancelled the meeting (she said "it was a stupid idea").

July 12: There was no meeting, my ex-partner sent me a sick note via SMS saying that Ava is ill from July 7 till July 18.

July 19: there was no meeting. On July 17, my ex-partner sent me an SMS, after I pointed out that according to the court decision she must bring me my daughter to social services in Ruse. Her SMS read "I repeat, Ava is in the first place, not the decision of the court, you did not even ask how she has been. She does not want to meet you in Ruse but in Bazan." (Bazan is the name of the village where the family lives). (Also, on June 23 I sent an SMS asking her for her bank account number so that I can send her alimony, no reply.)

July 26: Again no meeting. I asked via call and SMS, and on July 24 my ex-partner sent me another sick note, this one claiming my daughter is sick from July 19 to July 27. With the sick note my partner sent me a text message that **I can meet her and my daughter next Tuesday, but not at social services – she insisted on a meeting in the shopping mall for two hours.** I showed up at the social services on July 26, they made a laconic report stating I showed up and my ex-partner did not. On July 28 she sent me an SMS saying she had not received any court order yet, to which I sent her the copy of the letter of execution.

August 2: On August 1 **my ex-partner asked me if I would be meeting her and my daughter in the mall the next day. I told her no.** On August 2, while I waited at the Child Protection Agency, Alexandra Vezirova, the lawyer, showed up, with a bailiff who served me papers (this is described in other part of this report in detail). A. Vezirova also told workers that I do not pay any money to my child. The bailiff left. My ex-partner showed up, with my daughter.

The daughter was looking around with a scared look, the look of a hunted animal, clearly stressed out before the meeting. When I exited the building she looked at my direction when her mother looked at me and started shaking, even though I was still about 10 metres away. Seeing this I went back into the building, The employees spoke briefly with my ex-partner, who said our daughter is scared and will not enter the building, after which they left. (Following this I sent my ex-partner an SMS saying how shocked I was by what I saw and how disgusted I was by the fact that she was harming our child.)

August 9: I have no record that I can find of what happened on this day, but there was no meeting. I think for this one day I simply gave up on driving from Slovakia knowing full well no meeting would take place.

August 16: My ex-partner showed up in front of the building, with our daughter, accompanied by Alexandra Vezirova, the lawyer. The situation was the same, our daughter was shaking, even without seeing me (I stayed inside the building.) This time the employees of the agency, the nice ones, really tried to make an effort so that the meeting with my daughter could happen. They suggested the plan whereby they would ask my daughter if she wanted a balloon from a nearby shop. The plan was that my ex-partner would then walk with our daughter towards the shop and me and one of the employees would casually join them on the way, away from the building which they thought was stressing the child. Ava agreed that she wanted a balloon and with her mother started walking away towards a shop. I went out, with the employee who had been primarily assigned to this case (and she was really trying to be helpful all the time). However, my ex-partner was in reality walking away very fast, it was very clear she had no intention to wait for me to join them. I took out my phone to document this. At this time A. Vezirova created an incident mentioned in other parts of this report. The meeting was unsuccessful anyway. After half an hour S. P. showed up to co-sign the protocol from the meeting. She ostentatiously told the employee that she must make sure I am at least 3 metres away, since she is afraid of me (as most people who get familiar with the case and see the behaviour of people involved, the employee was by now fully conscious as to what was happening and she simply rolled her eyes after hearing this).

August 23: Again no meeting. On Aug 22 my ex-partner sent me an SMS claiming our daughter hurt herself in the house. She said if I wanted to see my daughter I must come to their house. I did not go, and instead showed up at the agency where the employees recorded a no show by my ex-partner and daughter.

August 30: This time I did not drive to Ruse since it was clear I would be wasting an enormous amount of time and money for a meeting that would not take place. In the meantime I was seeing how confused my ex-partner was, since her messages were weirder and weirder. In one she called me a fat pig. In another, on Aug 22, she claimed that I called my daughter "retarded". I demanded to know when did I ever say such a thing. Her reply was: "You claimed that in your loving brochures and many times in the written and oral statements of your sexy lawyer". In fact the word retarded was never mentioned by myself or my lawyer. However, by this time she was generally getting to claim things that simply never happened (the jealousy towards my lawyer was less strange, she used to have bizarre remarks of this kind in the past whenever she thought she saw an attractive woman in my presence).

After unsuccessful attempts to see my daughter and to find a way of enforcing the court ruling I was finally able to employ a bailiff in Ruse. He got into touch with my ex-partner. He also contacted the Child Protection Agency and asked them to provide an employee to be

present at the handover of my child to me. **The agency replied they do not have the capacity to provide an employee on a Saturday.**

No meeting happened anyway. My ex-partner, just like in summer, simply kept providing notes from doctors for any date I was supposed to meet my child.

Then, in March 2023, a first instance court in case 4072/2022 issued an injunction against me seeing my ex-partner or my daughter.

However, on April 27, 2023 the second instance court in the case regarding the custody of my child, case 748/2022, issued a temporary ruling that partly overruled the injunction. It gave me the right to be in touch with my daughter two times a week for half an hour via video calls. Secondly it gave me the right to see my daughter, at the premises of the child protection agency and in the presence of an employee of the agency. The court specifically ordered the Child Protection Agency to ensure they would cooperate on making these meetings happen.

My bailiff contacted the agency officially with a letter of execution on June 16 to ask them to provide assistance with my personal meetings with my daughter at the premises of the agency. The agency took almost two months, until August 8 to reply to him. And their reply was very confused. The letter said the employees of the agency are ready to cooperate and be present in the child meeting room of the agency *during the father's video calls* to his daughter (!), however, since they cannot provide an English speaking employee, they would like to ask the court to order the parents to pay for an interpreter to be present during these video calls. Signed, Detelina Mateva, head of the agency, Ruse branch.

In other words, the agency was not even able to understand what the court asked them to do: to ensure personal meetings between daughter and father, NOT video calls – for that part the court did not ask social services' assistance, it was clearly stated in the text as a separate issue but the agency did not get that there were two requests and that they were asked to be involving in helping with one of them.

In the meantime the agency was again asked to provide a report on Ava and her mother, this time by the second instance court. It was the same story as the previous year, the agency simply said in a few sentences that everything was fine, and they also quoted kindergarten teachers, who added a few non specific details about how allegedly fine my daughter is, communicative etc.

In the meantime I did make the effort to get the agency to act. This happened on April 10, 2023. I came to the agency with my lawyer Y. Bekirska, who was in town for the court hearing we were supposed to have the next day. We requested a meeting with the head of the agency, to point out to her that a) the mother of my child continues to sabotage any meetings between me and my daughter, b) we are seriously worried about Ava, given by all the signals she has developmental problems, shows possible signs of abuse (fear of men) and that we are worried by the behaviour of her mother.

The director²⁰ met us and then told us I can see her, but on my own, not in the presence of my lawyer. She claimed there is some written document that bans the employees of the agency or the services to see parents in the presence of their lawyers. We demanded to see the document. She was first unwilling to show us, then she went away and brought a piece of paper. When I wanted to photocopy or photograph it, she quickly took it away from me, saying I cannot do it. From the brief reading I am not even sure what it exactly said.

²⁰ Since the person was very uncooperative, I am not completely sure if I spoke to the head of the Agency for the Protection of Children or the head of all social services on that day. As far as I know it was D. Mateva, but I am checking to fully confirm.

After some standoff, I accepted to see her just in the presence of my translator. She was accompanied, by an employee, who happened to be exactly the woman who had seen my daughter's strange behaviour the previous summer in front of the building and even commented on it ("why is she behaving like that?").

In the meeting I explained to them that by now I have very strong suspicions of abuse towards my child. I told them about the meeting the previous autumn with the biological father of my ex-partner and how he, too, explained to me that he rarely sees his granddaughter, that she is afraid of men, and has other fears, such as even being driven in a car. I told them about me seeing Ava on September 10, 2022, and her behaviour there, plus that there are other witnesses. When I pointed out that Ava had been behaving strangely even the previous summer, which the employee had seen, the employee became very defensive and said she never noticed anything like I was describing.

At the end I told them I do expect them to intervene in the case since my daughter is clearly already showing developmental problems. The reaction was non-comital. They listened, at time they pretended to be genuinely surprised by some of the things I explained. But that was it.

After the meeting I sent the agency an email specifically reminding the management of all the suspicious things that have been happening. There was no reply.

In November 2023, so, last month, the agency was contacted by the ministry of social affairs after I asked the ministry to intervene in the case (see below). Clearly, they told the ministry nothing irregular was happening.

They also clearly bullied the psychologist appointed by the court. Since the ministry let it be known to them that I complained about how the case was handled, they invited the psychologist to a meeting with them. In the meeting D. Mateva interrogated her about what she had told me. The psychologist was clearly rattled, and sent a letter to the court defending herself and her actions. Characteristically, they seemed to have told her false things, for example that I alleged that she told me that my daughter is cognitively impaired. There was nothing like that in my letter to the ministry.

Also, they then apparently provided false information to the ministry itself. They claimed to the ministry that there is currently an injunction against me seeing my daughter (there was one in spring, but the second instance court repealed it in June). They also apparently claimed that they sent letters individually to both parents inviting us to be cooperative with each other (at least this is how it was presented to the Slovak embassy). No such thing happened, I never received any letter from them. In fact they never contacted me, all the contacts with them were done by me.

In sum, since early 2022 the agency has done practically nothing to intervene in the case of my daughter. There were individual workers who were trying to help. The person who was in charge of overseeing my meetings with Ava in summer 2022 (Ms. Kassabova) was genuinely nice and trying to be helpful. There was at least one more, who also got involved when my ex-partner showed up for the second time. These people were friendly, and attentive to detail. However, the way the agency as a whole is managed is leaves a lot to be desired.

Of course, part of the problem is simply the capacity of the state to fund such services. The child protection agency in Ruse has seven employees to cover the whole region of Ruse (officially around a quarter of a million inhabitants). When the agency was asked by a bailiff to provide a worker to oversee the handover of my child to me, which was supposed to

happen every other Saturday, it stated that it does not have the capacity to provide an employee over the weekend. This is understandable given the constrained resources. The agency also officially provides a room (they call it “the blue room”) for controlled meetings between a parent and a child. However, this is actually the meeting room for normal business of the agency, with a few toys in the corner in case a parent-child meeting takes place there. The room is small, run-down and not very clean. Certainly not a place where I would want to spend even a few minutes with my daughter, let alone hours. The workers themselves are a mixed lot. Some clearly well-meaning and trying to be professional, some clearly with only very rudimentary education and absolutely substandard grasp of topics necessary for such a job.

As said, some of the deficiencies are understandable given this lack of funding. However, as we have seen, on some occasions the agency was actually unprofessionally uncooperative, on one occasion the head of the agency either did not understand a simple request from the court or made herself look like she did not understand. The head of the agency tried to bully the specialist appointed by the court. The agency also provided false information to its own ministry.

Background note 9: the problem of state capacity in Bulgaria

The local birth clinic in Ruse, where my daughter was born, had bed linen titled NHS Humber and North Yorkshire. Bulgaria is so poor its state hospitals often rely on donations of second hand linen previously used in hospitals in western Europe.

Using second-hand stuff in public services is not uncommon. Until recently, one of the trolleybuses in Ruse had a sign with a Berlin terminus shown above the driver. The trolleybus clearly had its first lease of life in Germany and after being donated to Bulgaria, nobody even bothered to change the sign. (Ruse uses a mixture of public vehicles: some are cheap Turkish imports, some are second hand.)

The agency for the protection of children described above is housed in a building so decrepit, that there is a mesh installed above its entrance to make sure no one is hurt by pieces of rubbish falling off from the façade.

As one walks a few metres to the court building, which is nearby, things do not improve much. The building itself is at least reconstructed. However, inside the signs of the general poverty of the country demonstrate themselves again. As you enter the building, you see a sign: please donate money so that we can install a room in this building where parents can meet children, or victims of violence the social workers. If you want to donate, there is a donations box in the main hall (in fact, when I read this, earlier this week, the news was old, since the date given was until December 1 and there was no box, but nobody bothered to take the poster down).

Next to the poster: a few certificates proudly displaying how many plastic caps the employees of the Regional Court Ruse and District Court Ruse donated in 2020, 2021 and 2023. The sociology of this would merit its own chapter, but not in this report²¹.

²¹ The bottle cap hoax was very prominent in the US around 2010, then it spread to other countries. People were asked to collect bottle caps and told they will be able to donate them to a worthy cause through some charity. After people collected the caps they discovered there was no programme whereby they could somehow use the caps as a currency to help out a charity. In recent years, there have been some charities that genuinely collect caps and sell them to plastic recycling companies and donate the proceeds. Everywhere, this is very small scale since the economics of this effort are poor - it's done more for the benefit of those who

Some of the problems I encountered are not surprising given the context of Bulgaria. Since 1990, the country lost about a third of its population. Some of the loss is due to falling birth rates but many people simply left.

This is due to two reasons. First, the industrial base of the country has collapsed, and there is shortage of productive activity, and, secondly, the Bulgarian state simply does not have the money to pay for its services and people. This is, again, due to the narrow tax base of the badly functioning economy, but also to a peculiar set up of the Bulgarian state, which has lowest taxes in the EU (which did not, contrary to expectations, stimulate the domestic economy or create and influx of foreign investment).

The problem with finding quality personnel is clearly fairly acute in the court system. When I was starting out with my first court case, one of my Bulgarian collaborators told me bluntly: "Do not expect much from the judges in this country. Many are really stupid. And even those who are not do not bother to really study their cases." This may sound harsh and undiplomatic, especially to those judges who are trying to act professionally, and I am sure there are many who are (some of my own experiences have been less negative than other) but, as evidenced in this text, it is not a wholly unfair assessment.

The problems of finding adequately educated and professional personnel also extend to other public bodies, of course, including child protection services.

However, there are other problems too - certainly it would be incorrect to pin all the blame on the fact that Bulgaria is a poor country.

Part of the problem is general disregard for laws, rules and roles. I remember my shock when years ago, a local bank went bankrupt. The question of blame arose, including who had been supposed to supervise the bank. The central bank of Bulgaria then issued a statement, an unbelievably worded, cantankerous text, which essentially said that, yes, according to the law, the bank is charged with supervising the banking system but it does not have enough resources to do it effectively. What especially struck me was the language- it was more like an email written by one angry secretary to another, than an official statement of a public body.

I had already mentioned the disregard for law, including EU law, is visible even to somebody briefly visiting the country, e.g. the thick fumes from exhausts of the cars on the streets indicate EU emission norms are not much respected here.

In Bulgaria, you encounter very basic plumbing problems even in luxury hotels. In the same way as a worker does not understand that he should not simply drill into a bathroom tile and then stick a soap holder in, the bureaucracy can be comically unprofessional.

I have been through many moments when I wanted to scream at lawyers or civil servants to not use the phrase "according to Bulgarian law" especially not in formal documents, but CITE the law. Be precise, if you refer to something, for example a document, specify what you are referring to. However, the people usually do not get it. You want to pull your hair out.

Similarly, there is a problem with information. As pointed out in this report too, officials will cheerily share information that is not correct, or grossly imprecise. When you complain,

donate, since people somehow feel proud they made some effort to collect something and then donate it. One exception to the rule that such activities are small scale is Bulgaria. There is an initiative driven by a particular person through a Facebook page (there is no website) to collect caps, which has been going on for six years now, and it is often even covered by national television. The initiative also collects cash and there is very little transparency (no financial statements published) of what is really going on. This is modern Bulgaria in a nutshell.

they often do not even understand why you are unhappy. This is clearly the problem of general education, even of wider culture²² but an EU government cannot function with any reasonable effectiveness if this part of local culture is allowed to persist in public bodies.

Background note 10: “People are scared. You know, this is how it is in Bulgaria”

The story regarding my daughter is well-known to local people: people in the village where my daughter lives, and people in the company owned by my daughter’s grandmother. To a very large extent, people have been sympathetic to my fight for my daughter. People in the village have been a source of information about her. They share their impressions when I talk to them, others send me messages of support.

They feel sorry for Ava. Some of them openly says things such as “they are criminals” towards the family that has caused my daughter’s harm.

More widely, people in Ruse who have come into contact with the mother of my ex-partner know that she has strong psychopathic traits. On several occasions I had been warned by people in the city “be very careful, she will try to harm you, watch out”.

Yet nobody has done anything to stop the abuse. The common refrain is: you know, this is Bulgaria. People are afraid. Everybody is minding their own business.

They are not afraid of a family with a web of political connections or a family of a crime boss. The people in question are certainly not that. They are just a little bit richer than most people around them. The partner of V.I. used to be head of customs service in Ruse, a very long time ago, up to, I think 1996 (this period is the starting point of his small wealth, as any Bulgarian remembering the 90s would immediately recognize, and he himself does not hide the fact too much).

However, even though this was a long time ago, people point out that he might still have connections and therefore they better try to not get into a confrontation with him. He also tries to look a little bit like a gangster, in a typical Balkan fashion, even though in reality he is not. In the same vein he pretends to people that he can easily command the police to do something, even though (as described in this report) he cannot, even when he tries. But such small things, small talk, pretensions, are enough to impress people around the family. And in general, the state of civil society in Bulgaria is in such that people are afraid to speak up against almost anything.

This extends to people in public positions. In 2020 I visited the mayor of the village and pleaded with her to go and at least check how my daughter is being raised. Her response was that she does not wish to come between me and V.I. In other words, she was unconcerned about the child and viewed the situation purely as a conflict between adults. The same happened in April 2023 when I visited her again, and again pleaded with her to at least go and see how my child is reacting to people and behaving in general. Again, she refused.

²² In fact, there are jokes in Slovakia that refer to this part of the Bulgarian culture. One only really gets to understand what is meant by jokingly referring to “the Bulgarian metre” or “the Bulgarian constant” (this refers to including any extra number in your equation that will get you the result you need) when being in the country. “Why did you tell me to walk towards a tram when you meant a trolleybus?”. “Why did you say stock-exchange when you meant a commodity exchange?”. Often, the interlocutor is simply unconcerned about your irritation regarding the lack of precision.

Of course this extends to situation where you need witnesses. When I spoke to a witness who saw me physically attacked in the village, he claimed he did not remember anything. And that was that.

Cases 3 and 4: criminal cases 1747/2022 and 2240/2022

Description: the mother of my ex-partner V. I. and her partner T. S. submit two criminal complaints about me, alleging I spread slanderous information about them

Dates: October 2022-now

Judges: Velizar Boychev, Khristian Gyurchev

Background: Throughout the trials, the family of the counter-party continued to try to harass and criminalize me. Since the police were no longer willing to accept complaints from them (as they themselves confidentially told me, there were continued attempts by them to have the police detain me, charge me and so on) they turned to courts.

In autumn 2020 both the mother of my ex-partner and her partner filed a criminal complaint against me claiming I had been spreading fake information about them (I do not know the exact dates of filings since the petitions are undated).

They claim practically identical things: they complain about me distributing brochures about my case to their neighbours in the village (even though, I insist, the brochures contain true statement, especially about the lies that the family has been actively spreading about me, mostly through testimonies to courts). They also claim I distributed posters related to them, a claim which I partly dispute, at least in the format as stated by the family.

The files then also contain other claims, specific to each person. T. S. complains that in one SMS to my ex-partner I referred to him as “idiot” (I did, I was referring to his claim he is a member of the secret service of Bulgaria) and similarly V. I. claims damage was done to her by me when in an SMS to my ex-partner I referred to her as “your crazy mother”.

Both cases were quickly picked up by courts, with first decisions that trials will be held on October 27 and December 5, 2022 in respective cases. Again I have to underline, while trials relating to my child take long time to even start, in other cases, court actions tend to be swift.

The trials: At least as regards the start. Afterwards, the cases got bogged down in technical issues. First, again, I had letters by courts delivered to me very late, and hearings kept being postponed. Then the courts found some way of working, but are now stuck on technical details, since me and my lawyer have requested technical information on CCTV screenshots of myself to check their authenticity, and the counter-party struggles with this. Also, both courts have struggled to provide me with interpreting in my own language (for these two courts I stuck to my right to have an interpreted in my native tongue, and this is very difficult to provide in a provincial city in Bulgaria).

Curiously, even though the main point of both complaints are my public statements, in writing, about the family (detailing the lies they had used in courts against me), and which the family claims constitute slander, neither of the judges, as far as I know, had tried to ascertain the truth value of the statements.

In general I do not consider the two trials very important, and it should be clear they are just an attempt to generally harass me and have me financially exhausted by paying more lawyers (the counter-party simply uses a lawyer who handles the legal issues related to the company V. I. owns) and especially by making frequent trips to Bulgaria.

I have to add that in both cases the judges have acted in a very calm and measured manner, giving ample, calm time for lawyers from both parties to talk and explain things. Also, in this case the lawyer for the counter-parties is behaving in a much more restrained, calm way than the lawyer for S. P.

Case 5: civil case 4072/2022 (first instance) and 283/2023 (second instance)

Description: My ex-partner files a complaint against me alleging domestic abuse, to use the Law on Domestic Abuse to cut me off from our daughter. I turn to the European Court for Human Rights.

Dates: August 2022 (petition to the court submitted), March 6, 2023 (first instance ruling), July 10, 2023 (second instance ruling)

Judges: Tikhomira Kazasova (first instance), Aglika Gavrilova (chair of second instance panel), Maria Velkova and Antoaneta Atanasova (second instance judges)

Background: In August 2022 my ex-partner filed a petition against me asking the courts to order an injunction against me barring me to see her or our daughter for 18 months. She alleged domestic abuse. She did this, just like in the previous case alleging domestic abuse, even though we do not co-habit, using the provision in the law that allows also where the alleged victim has a child with the alleged perpetrator, without the need for any other tests to be fulfilled, to be regarded as a potential case of domestic abuse. Her case rested on two arguments. One, that eight SMS messages I sent her on August 2 and 3 after I saw our daughter and was shocked by how she looked and behaved, constituted domestic violence²³. Two, that speaking to her neighbours in the village and telling them about the case, including providing them with brochures detailing the case, constituted domestic violence.

In reality I did send angry SMS messages to my ex-partner and did distribute brochures in the village. The messages happened clearly in the context of my shock at the state of my daughter (other people who saw picture of her, and how she changed, were also shocked). The messages of those two days were an isolated case: my SMS box shows that I had been in regular touch with my ex-partner, but never in a hostile way²⁴. Ironically, it was her who engaged in gratuitous verbal abuse, sending me a message that I looked like a fat pig or having a hint of jealousy about my “sexy lawyer”. As for the brochures, they truthfully documented how I had been cut off from my daughter and what lies the family had told about me in court, as documented in this report too.

²³ The messages read “From a child with rosy cheeks and a nice built to a pale ultra thin kid with underdeveloped muscles.” “You are not so mentally off not to see this.” “You are a monster”. “You ruined the life of a child and you simply don’t care.” “She will be affected her whole life you creep”. “Everyone is shocked by how she looks compared to two years ago.” “She had you to protect her and care for her” “You fucked up freak”.

²⁴ There was one more SMS message the counter-party mentioned, from the day I first saw her after a long time, at the first hearing: “So how much chocolate cakes have you stuffed yourself with this week so far? Proud of yourself?” “Even dying of diabetes is fine, leaving your child alone, just as long as you get your sugar rush covered for now, right?” This alluded to the fact that she had a long-standing problem controlling herself when it came to sweets (once my brother was shocked after I stayed with her for a weekend in his place and the day after he discovered that she had secretly eaten a large jar of Nutella, half a kilo, taken from his cupboard). This habit of uncontrollably stuffing herself with large quantities of sweets worsened after our daughter was two, even though I begged her to look after herself, health-wise, for the sake of our daughter. As is clear from the messages, they were, again, driven by the fear for my daughter rather than anything else.

This time the judge did not order an immediate injunction, but she sought to start a trial. However, exactly in this case the chaos that ensued was comical. The court did not send me letters to my home address in Slovakia but purported to send me those letters to a hotel where I sometimes stayed in Bulgaria (even though when I asked the employees, they were not aware of any attempts to deliver a letter to me there). My suspicion is that the chaos arose in the following way: the judge was considering issuing an immediate injunction against me and asked the counter-party how it could be served to me. Since my ex-partner knew from me that in summer I usually used a particular hotel in the region when I needed to be in Ruse, she told the court about it. Then, however, the judge decided against issuing the injunction. So in practice there was no need to contact me immediately, however, the administrators still had the address of the hotel as the contact address for me and a note that the police should go there and deliver a letter to me (as said, as far as I was able to ascertain, this actually never happened when I was not there and it never happened when I did stay there, as I did on several occasions during this period).

I only learnt about the whole case purely because my lawyer in the child custody case was by that time monitoring whether the family would not try to come up with cases against me and at one point saw this one in the electronic system.

I did get in touch with the court but there was further chaos, with letters now sent to my home address but arriving with long delays. So the first (and last) hearing did not happen until March. I myself had to cancel my trip due to medical reasons so was not present (but my presence had not been required, and my lawyer was there).

The counter-party brought in a "witness", an employee who testified that my ex-partner was badly psychologically damaged by my communication with her.

Shockingly, the judge upheld the request and issued an injunction against me see either my ex-partner or my daughter for 18 months. I appealed.

In April, the other court where the trial was ongoing, for the custody of my child, partly overruled this, giving me the right to see my daughter, for the duration of the injunction, in the presence of social workers and via video calls (this, as had been described, was ignored and sabotaged by my ex-partner and social services, again, were not helpful either).

The second hearing took place in June. The judges did not seek to investigate the context of the case. The chair just showed me some message and asked if I had written it. I replied that I do not remember that particular one. That was the only question about messages, they did not ask me if I sent any other messages than the one the chair showed me or anything else related to the communication with my ex-partner. They also asked me if it was true I attacked my ex-partner in her village on September 11. The counter-part brought a picture of me standing next to a car in the village as "proof". I said it was the obverse and described the scene. Then all the questioning stopped. They did not ask my ex-partner anything in response to what I had said.

They also asked me if I had written a letter to the head of the regional court Ruse several months previously where I complained about how the first instance custody battle was handled by the judge. She showed me a text and demanded to confirm if I had written it. I said I could not possibly confirm on the spot that the text of several pages she showed me was fully mine but that, yes, I did complain about the way the case had been handled.

This is the gist of what happened. I have to say that I asked the Slovak embassy to send representatives to this court hearing, to make sure the court understands there is some monitoring of what they will be doing. Two representatives did show up.

I do not know if it was since they were impressed by the presence of the embassy staff or if they were acting in response to my complaint to the head of the court, or if this was indeed her normal practice, but during this session, the chair of the panel was ostentatiously strict with the counter-party and their attempts to loudly comment or shout, they were always immediately interrupted.

My lawyer primarily argued that the case was clearly brought by the counter-party to cut me off from my daughter, and she was not in any way concerned about any potential violence. The case was a clear abuse of law, he said.

Also, he pointed out that there were clear discrepancies in her statements to different courts, to one, this one, she claimed our daughter had psychological problems (obviously to claim it was due to psychological terror of five SMS messages in July 2022) while in a different case, 2240, when asked as a witness, she strenuously denied any psychological problems by the child.

The panel issued their ruling on July 10. In it, they cancelled the injunction concerning me and my daughter. However, they upheld the ruling that I cannot physically approach my ex-partner for 18 months. Nor enter her alleged place of work or her place of abode Malyovitsa 2 (ironically, she is not officially registered at this address, instead she is registered at two addresses in Ruse, one as her permanent address and the other as her temporary place of abode).

In other words, the court did not bar me from continuing the acts that my ex-partner complained about. On the other hand it did bar me from getting physically close to her, despite the fact that there never was any evidence that I ever tried to harm her. In fact, even she herself never claimed such a thing. In previous cases she stated that I allegedly told her I would break her hands if I she does not give me our daughter, which is a complete lie, and that I allegedly had been verbally aggressive towards her when discussing our future together, again, a lie. But even this did not constitute any claim based on which one could conclude she ever felt under an actual threat by me.

Ironically, of course, as had been described, my ex-partner actually on many occasions in the period July 2020-April 2023 invited me to her house, via SMS messages, via employees of the child protection agency and even in front of judges in the April 2023 hearing. In this context, the decision of the panel led by Judge Gavrilova looks even more ridiculous. **The judge sentenced me to not approaching my ex-partner, who, during the time of the court case, kept insisting if I want to see my daughter I must come to their household.**

Since the Law on Domestic Abuse states the decision of a second instance court cannot be appealed, I had exhausted any means of appeal in Bulgaria. This made it possible for me to sue the Republic of Bulgaria at the European Court for Human Rights – and I did. I filed a case and wait for a trial in Strasbourg.

Case 6: civil case 748/2022, second instance of the child custody case

Judges: Nikolinka Chokoeva (chair), Tatyana Cherkezova, Galina Magardichyan

Trial: It took 7 months from the month me and my lawyer lodged an appeal against the first instance trial for the second one to start.

The first hearing was held on April 11, 2023. It was very encouraging. First, the atmosphere was much more professional than during the first instance trial. The chair of the panel did not allow any disturbance in the courtroom, she was very strict if someone tried to speak out of order, and so on.

Secondly, in contrast to the first trial, questions were now directed to the heart of the matter and evidence was accepted. I was asked practical questions such as who would be able to take care of my child if she was staying with me and I was recalled to work duties, and so on. I presented the rental contract to the house, which was inspected by the judges, as well as bank statements showing that I was regularly paying rent. The judges said they were satisfied with the evidence presented. In addition, they filed a request towards Slovak social services to prepare a report on how I live. In short, all the things that the first instance court should have done were now finally being done.

The Slovak social services later contacted me. I had two interviews with them, one in their office and one in my house. The report said I lived where I claimed that I lived and that the house was spacious, clean and in general suitable for a child to be in. Social services also interviewed my mother about the case.

They also included in their report two emails which had been sent to them by my ex-partner. I had described them elsewhere: the lies were now getting positively weird, with her claiming that I told the court in Bulgaria I was living, or going to live, with my parents, that I failed to show the judges a rental contract to my house, that I had allegedly claimed to the court in the past I lived in a house in the town of Malacky (a small town in Slovakia where I never lived and never ever claimed to live or have lived), that in Bulgaria I had been sentenced for criminal offences, that I had abandoned her and our daughter, to whom I did not pay alimony, etc.

Her behaviour, including starting to lie really pointlessly and profusely, but also appearing to be genuinely confused and losing grip on reality, was beginning to be of grave concern to me.

The Slovak social services sent a report to Bulgaria, the court received it in September.

In the meantime, the encouraging signs included the fact that the court said they will order a proper assessment of my daughter and her development (again, finally!).

Here, my ex-partner and her lawyer let slip one of the problems of my daughter: when the name of a male psychologist was mentioned as the one who could do the assessment, both started forcefully objecting, saying Ava is scared of men and therefore a male psychologist is a bad choice. Also, in general my ex-partner objected strongly to any assessment, claiming it would stress her child.

After this encouraging start things started to go wrong again, due to the capacities of the Bulgarian public sector. It actually took the court almost 2 months to find a psychologist (their first choice declined, for whatever reason, and they then took a long time to find another psychologist).

As time passed, the psychologist, however, was not contacting me (she was supposed to interview both parents as well as the child). I phoned her to ask why the holdup. This was in early summer.

She explained that she did not have enough time to study the court file in order to prepare for the assessment. **She explained that she, somehow, needs to have the original of the file in order to study it.** However, when she had it (for something like two weeks), the court requested the file back. This was because I asked the court to issue a letter of execution, to give to the bailiff so that he can officially approach my ex-partner, who at the time was, again, ignoring my requests to allow me access to my child. In additional bizarre twist of events, the second instance panel asked the first instance court to issue the letter of execution, instead of issuing it themselves (according to my lawyer, this is not the usual procedure).

The whole business with letters of execution is strange anyway. A court can only ever issue one, I was told. And if that piece of paper is lost, nothing can be done, no further letter of execution, no copy, based on that particular ruling will be issued.

At any rate, after a few days the file was back to the second instance court, after the lower court had issued the letter, but there was no activity from the psychologist. When I contacted her again, in mid-August, she told me she did not have time to prepare for the assessment, since, she claimed again, she did not have the file for long enough and then she had to leave for the rest of the summer and she will only return to the business of the assessment in September.

In September there was no word from the psychologist and she did not deliver her report even on the day of her deadline, Oct 2. However, she did file a report of sorts the day after. It stated that she managed to speak to my ex-partner only once,. My ex partner told her she was ill and could not come for the interview. After this she did not react to any more phone calls or messages from the psychologist. So, the psychologist said, she did not have the chance to assess the child and the mother.

She did, however, write a report of sorts, explaining why she could not assess the child and then providing some commentary of the things my ex-partner said about the case and what the kindergarten and social services had mentioned.

When asked at the court why she did not assess at least me as the father, she said something along the lines that she expected this would be necessary only after she assesses the child.

During the next hearing, on October 10, the court said it will order again the mother of the child to submit herself to an interview with the psychologist and to submit the child to an interview. It stated more clearly than before that both parents are to be assessed as well. Me and my lawyer also repeated the request which was in our original petition, that the court also issue a temporary ruling on my access to my daughter. This was since, as stated earlier, the first instance judge simply omitted one year from her ruling and starting from July I had no legal access to my child, since the judges overlooked our plea.

The judges then issued the order for the assessment of the child and the parents. I came to my meeting with the psychologist in early October. I was surprised to be given just a one hour simple personality test. There was nothing else. I also asked if she will be writing her reports also based on other information, for example statements by the parties to the court, the way the parties live, and so on. She said no.

However, the psychologist contacted me soon again, as mentioned at the beginning of this report. On Oct 19 she sent me an email asking me to contact her back. I called her and she

was very shaken. She explained what happened: my ex partner did show up on October 19, with our daughter. The partner did take a test. She did not, however, leave or daughter alone with the psychologist to be diagnosed. She did not even allow the psychologist to speak freely with our daughter in her presence. In addition there were other things she found disturbing:

- The mother appeared very nervous outside the child psychology centre, when talking to our daughter on the street. She then completely changed her behaviour as she entered, trying to look very friendly and relaxed.
- She came with her biological father. The psychologist gathered from their conversation before and after the meeting that the father himself does not see his granddaughter very often. It looked like they used this occasion so that they can meet and he can see them.
- The daughter was fearful and stayed in the ante room, never entering the cabin itself. (In her letter to the court this week, the psychologist added one detail: before entering the building from the street, S.P. told our daughter "we are now going to see doctor Marinova". To address a psychology as a doctor is unusual in Bulgarian, and the psychologist sees this as an indication that the mother was trying to stress the child out, so that she can claim the child is fearful and must not be talked to.
- When the psychologist tried to talk to the child, the mother was looking at them closely, kept interrupting and did not allow the child to speak freely.
- The psychologist also mentioned that at one moment, when the mother was looking away, she mentioned my name and the child smiled. However, when the mother looked at her, our daughter stopped the smiling.
- When the psychologist insisted she must be left to observe our daughter to diagnose her, my ex-partner said she could do that in their village and insisted on that.

In general, the psychologist tried to stress to me that she considered the whole scene really abnormal, and that in other circumstances she would immediately try to call social services to intervene in the family (the half spoken context was that it was useless to try to do it via the ones in Ruse). She also said she was considering asking the court to order a psychiatric assessment of the mother.

Since she talked very fast and my Bulgarian is not so good, I called my lawyer and asked her to call the psychologist so that she, too, can hear the story and fill me in with any details I might have missed. She did that.

In addition the next morning I called the court appointed translator, who was at the hearings and at my interview, and asked her, too, to call the psychologist, get the story from her and then re-tell it to me over the telephone. She did that.

The psychologist then contacted me again several days later (she claims in her letter it was on October 27, according to my notes it was earlier). Again I phoned the translator and asked her to get the story from the psychologist and then recount it to me. The psychologist said that she had seen my ex-partner and our daughter in the local shopping mall and that the scene was to her even more disturbing than the previous one. As my ex-partner saw the psychologist she tried to disappear from her sight as soon as possible. Our daughter was exhibiting strange movements in the upper half of her body, something between spasms and ticks. She also seemed to have other difficulties orienting herself. On this occasion as on the previous one, the daughter was poorly dressed and had badly done hair, while the mother also looked like someone who is not looking after herself.

After this I flew to Ruse to meet the psychologist, in the presence of the same, court-appointed translator. She again told me what she had seen and urged me to apply some pressure so that authorities act to save the child. She shared the impression that the services in Ruse would be completely useless in this regard. On this occasion, disturbingly to me, she mentioned that she is also scared, since in the meantime she had been told about the family in question and she thought they will try to be nasty to her.

She also made a more formal interview with me, to include in the later report to the court, where she asked me in some detail what steps I plan to take in case I either take my daughter for a trip outside of Ruse or if I am given custody of her. In essence she was trying to check if I would be able to deal with a potentially very traumatized child.

Later, as I was flying home she sent me an SMS message urging me to contact the minister of social affairs in order to try to force an investigation directly from Sofia (see)

There was one troubling aspect in the whole story. Despite her alarm, the psychologist insisted that she will file her report on the day of her deadline. This despite the fact that I insisted she should do it as early as possible, so that a) I have something in hand when approaching whatever authorities it will be necessary to approach, and b) so that the court has something in hand as soon and possible and can issue a temporary ruling based on it. However, when the deadline came she did not actually give the court any report and just asked the court to postpone the hearing which was scheduled for November and order the mother of the child again to submit the child to a diagnostic session. She asked for December 6 as the date to do this.

The court immediately granted the request and set a date for a new hearing, January 16. It also finally reacted to my request to make a temporary ruling on the regime of access to my daughter, given that the first instance judge completely omitted one year in her ruling. However, the temporary regime was a huge disappointment. It said that given how long I had not seen my daughter, for the next six months I should be seeing her every other week on Thursday and Friday from 15,00 to 17,00, at the premises of the social services, in the presence of a social worker who speaks English (even though the court never asked if I intended to speak to my child in English).

In the meantime, I wrote a personal letter to the minister of social policy Shalapatova, explaining the situation, including the fact that the local social services have been uncooperative and that the case needs to be investigated from Sofia. However, after the ministry received my complaint, apparently they simply phoned Ruse. And in Ruse, the head of social services tried to bully the psychologist and then sent misleading information to Sofia. This is described further on.

Case 7: the criminal case against S.P. for ignoring court orders

This case was started on the basis of my petition to the court in August 2023 (Bulgarian legal system allows for individual citizens to directly initiate criminal cases, as happened in the cases against me, detailed earlier). The first hearing was supposed to be in November, but at the request of the counter-party (their defence lawyer was allegedly not available for the date picked by the court), it was moved to January.

It had taken me a long time and tortuous persuasion of my lawyers in Ruse to initiate this case. As I had mentioned earlier, in general lawyers in Ruse have been fairly unwilling to take any steps they deem too aggressive to be taken against local people – at least this is my assessment, they, of course, had their own argument why any of the suggestions that I had to protect myself against slander, to initiate police investigation after a physical attack, or to sue the person who had clearly been in breach of court orders was not possible. In the latter case, we finally started something, but the lawyers were only willing to take the case in a relatively mild format, attacking the actions that were ignoring the court ruling taken up to February 2023. I am still looking for lawyers who will be willing to sue for other actions of the family of my ex-partner.

In the meantime, the first hearing of the one criminal action I have been able to initiate will happen in January.

Background note 11: How it's done in other European countries

In case of disputes over children many European countries apply multidisciplinary approach. In German countries and some other this is often the labelled “the Cochem system”, based on a German town where this approach first started to be comprehensively applied in 1990s.

The key aspect of the system is cooperation of the court, from the very start of a dispute, with psychologists and with social services that can provide intervention in the family or counselling. Often there is a specific court official other than the judge appointed to oversee the situation between the parties concerned and coordinate the multidisciplinary efforts. This is also now the case in my country, Slovakia, where after several years of pilot schemes the law now, starting this year, requires that this approach must be taken by the courts and specifies how.

Bulgaria is light years from such an approach. As we have seen in this case, the Child Protection Agency is not just underfunded and with personnel whose qualifications are questionable, but it has actively resisted providing assistance.

Neither is it possible to rely much on the help of psychologists. From my discussion with the lawyers it transpired psychological assessments required by courts are not very frequent. Part of the problem is simply that it is difficult to get a psychologist.

As I described above, the test I was given, a very basic type of a personality inventory test, would not show much in terms of the personality of the parent. This is not the criticism of the psychologist herself – there simply needs to be a system, a set of guidelines plus batteries of tests, put in place by the state, or with the assistance of state institutions, to create a robust system for assessing parents.

In our case, there was no interview, there was no analysis of documents (statements given in court, and so on).

This is in stark contrast to practice in other European countries. One can cite the examples of Germany²⁵, Belgium²⁶ or France²⁷ (since French and German are relatively widely spoken languages), where the role of psychologists in judicial process is strongly underlined.

In broader context, in terms of child custody and child protection, not just national but also fresh **EU legislation strongly underlines the right of the child including the need for the child to be heard**²⁸.

This contrasts strongly with how in this case the Bulgarian judges were simply unconcerned with the child, showing no active demand to investigate how the child is doing, what are the circumstances in which she is raised and so on. In our case the right of the child to be heard was actually stressed by the psychologist. But only by her.

Bulgaria clearly has no system for making sure that the child is heard. In this case social workers clearly had no manual, no structured approach to investigation. And as for bringing a psychologist in, this is regarded as a potential luxury or nuisance, not the right that the child should have. In the first instance hearing, the judge flatly refused our demand to have

²⁵ See <https://www.sciencedirect.com/science/article/abs/pii/S0145213418303223>

²⁶ See

https://www.one.be/fileadmin/user_upload/siteone/PRO/Maltraitance/CCAEMV_comptre_rendu_de_la_journee_du_17-10-2014.pdf

²⁷ See <https://www.alexia.fr/fiche/4753/expertise-medico-psychologique.htm>

²⁸ See <https://www.pubaffairsbruxelles.eu/eu-institution-news/new-eu-rules-to-protect-children-better-in-cross-border-custody-cases-start-applying-today/>

a psychologist see and assess my daughter. In the second instance case, the judges also did not act automatically, we actually had to plead with them. The court, as we saw, then actually struggled to find a psychologist and even when it found one it did not actively steer the process. It simply kept accepting that the mother has not yet allowed the child to be assessed.

Background note 12: The involvement of Slovak institutions (vs. Bulgarian Ministry of Justice, Ministry of Social Policy and Ministry of Foreign Affairs)

In April 2022 Bulgarian authorities were addressed by the Centre for International Protection of Children, a Slovak government agency charged with helping children and parents in cross-border disputes. Despite the fact that the centre has practically no mandate to assist in this case (as parents we have never been married, our child has never lived in Slovakia) it tried to help by at least sending a letter to the Bulgarian Ministry of Justice, expressing concern that there is a prolonged period when a father cannot get access to a child, neither to a trial, and that the father is worried about possible maltreatment of the child.

In their response, the Bulgarian Ministry simply replied that they advise the father to address the court with any issues he might have in terms of access to the child and that was that.

As mentioned previously, subsequently the judge in Sofia issued a request for Slovak social services to make a social report on me and my ability to provide for a child. The request was sent by the judge through the Ministry of Justice and the Ministry blocked it, saying there was no need for this.

And the most dramatic example of Bulgarian non-cooperation: in November 2023 the Slovak embassy in Sofia relayed to the Bulgarian Ministry of Social Policy the letter by me, where I cited the concerns of the court-appointed child psychologist as she described them to me.

In the letter I specifically asked that an investigation is conducted from Sofia, and that the Agency for the Protection of Children in Ruse should not be relied on for any information. Following my request, Slovak embassy representatives met with Milena Dyankova, the Director of Child Policy and Programmes at the State Agency for Child Protection of Bulgaria. Mrs Dyankova had informed them that she was on touch with the deputy minister of social policy and that they asked the child protection agency in Ruse to provide them with information on the case (despite the fact that I had clearly indicated the agency branch in Ruse has not acted even when strongly asked to intervene and must not be relied upon).

M. Dyankova told the embassy officials that as per their investigation,

- both the mother and the father of the child were addressed in letters sent by the agency to cooperate in their approach to their child (this is false),
- two assessments by psychologists confirmed the child has no psychological problems (this is false),
- I had tried to approach my daughter in her kindergarten despite an existing injunction against me approaching her (false again).

Mrs Dyankova even added that, per information from the mother of the child, referring to me, “he did not even give his daughter a present for her birthday”.

I can only add: nothing sums up the crass stupidity of Bulgarian authorities in dealing with this case better than when a state official utters such a sentence in the context of a case where the father is desperately trying to get access, any access, to his daughter and cannot get it.

I have no idea if minister Shalapatova has seen my letter to her²⁹. The response of the authorities, however, has reflected the general image Bulgaria has in the rest of Europe. So, it was clear that there had been no investigation into the matter, the ministry simply asked the local branch of the agency to provide them with information, and the local branch, which has every incentive to hide the true state of affairs (otherwise they would be implicating themselves and their prolonged inactivity and cover-ups) gave back the ministry this woeful “report”. It does not even reflect what the courts have said and what followed and it is completely contradicted by the what the psychologist is now reporting to the court and what the documentation of my daughter’s kindergarten says.

The embassy then received a written report on the case from Ministry of Foreign Affairs of Bulgaria, which mostly repeated what Mrs Dyankova had said, and even added another false information, that I allegedly am currently forbidden by the court to approach my daughter. This is the reason why an international scandal is needed. These people are incompetent and do not care.

Background note 13: things take a dramatic turn on December 12. The court-appointed psychologist details how my daughter shows signs of neglect and maltreatment

The psychologist submitted her preliminary findings to the court on December 12. She said the following:

- even after the third court order, the mother has not allowed her to inspect the child. She therefore must base her preliminary findings on two situations when she was able to casually observe the child and on pedagogical documentation from the kindergarten
- she detailed how on the only visit by the mother to her cabinet, the mother was strongly controlling our daughter and did not allow the psychologist to have an interaction with her. During the entire visit the child was staying in the front room, refusing to enter further. When the psychologist tried to lean to her and talk to her, the mother immediately interrupted the communication. The mother herself did

²⁹ Here I have to add a note of criticism towards the Slovak embassy in Sofia, headed by a relatively recently appointed ambassador Vasil Grivna. Even though I specifically asked that the embassy try to actively alert the minister of social policy Shalapatova, or someone close to her, to my personal letter to her, the embassy just sent it via the usual diplomatic channels, without taking other steps. Consequently, after the bureaucrats from the ministry received it, they did exactly what I warned against: they simply got their information from local social services in Ruse, exactly the place that had been covering up the maltreatment of my child. And the head of the social services in Ruse as well as the family that was to be investigated then tried to harass the court appointed psychologist for raising the alarm about the state of my daughter. It is painful to note that I had to point out to the ambassador that when a Slovak citizen (my daughter has a double citizenship) is in an emergency situation, they have a duty to actively intervene.

enter and filled out a questionnaire (a psycho test, the evaluation will presumably be given in the final report) but at the repeated insistence of the psychologist that she must be allowed to communicate with the child, the mother refused. At one point the mother of the child suggested that she can visit them in their village and observe the child at the playground. (This is a recurrent motif: the mother keeps inviting people to the village, where she lives with her mother, half an hour's drive from Ruse.)

- The psychologist also mentioned that before the mother entered the building, she said to the child "we are now going to see doctor Marinova". Since psychologists are not normally referred to as doctors in Bulgaria, the psychologist indicated she strongly suspects this was meant to stress our daughter out, so that she herself would be unwilling to cooperate with the psychologist.
- The psychologist also mentioned that a few days later, on October 27, 20023, she met my ex-partner and our daughter by accident, in the local shopping mall, at about 15,00 (the time when normally the child should still be in the kindergarten). She described that as she turned around to observe them walking, the mother started pulling the child so that they quickly disappear from the sight of the psychologist. She said that then she and a colleague who was with her observed very strange physiological reaction of my daughter, when slightly stressed out, she seemed to have part of the body in a cramp and indicated this was very disconcerting to see.
- She also described how after I complained, via the Slovak embassy, to the Ministry of Labour and Social Policy, the head of social services in Ruse D. Mateva called her in and bullied her. (As described earlier, I asked the Ministry of Social Affairs for help, the ministry clearly simply just telephoned the local social services.) D. Mateva had previously made efforts to cover up the true state of my daughter's health, issuing reports to the court that stated she was perfectly fine, even though even a brief interaction with her, as pointed out by witnesses, showed she had developmental problems and was not even physically fit.
- The psychologist had previously asked the court that it order that the kindergarten must release pedagogical documentation relating to my daughter. It did, and it strongly contrasts with what social services had been claiming. The documentation shows my daughter cannot draw simple lines, cannot remember simple rhymes, cannot use simple manual instruments, has trouble concentrating, and so on.
- The letter to the court includes a description how the grand-mother of my daughter, V.I., strongly insisted on seeing the psychologist and indicated she was going to bring her a bribe and how the offer of a bribe was repeated by the lawyer for the counter-party, A. Vezirova.

Conclusion for now

The health of my daughter is ruined, most likely she will suffer her entire life the consequences of what has been done to her in these past three years. In the most sensitive, most vulnerable age of her life she was left in the care of a person with deeply pathological behaviour, her grandmother V.I.

The personality of V.I. is known to people locally, and they have been concerned about what has been happening. However, there has been no investigation, during which they would be

offered that they could safely relate to the authorities what they have been seeing. Also, given the very bad track record of governance in Bulgaria, people are in general afraid to speak up against not just injustice but also, as we saw, the maltreatment of a child. Even worse, people in the position of authority have cooperated, indirectly and even directly, in covering up the abuses that will leave long-term scars on the mental health of my daughter.

Especially the actions of Judge Velikova and of D. Mateva, the head of social services Ruse MUST be investigated. The same applies to A. Vezirova, the lawyer for the counter-party, who must be criminally investigated, and not just for her attempt to bribe the psychologist appointed by the court to assess my daughter.

The panel of judges presiding over the ongoing custody battle have in general acted much more professionally than the judge in the first instance stage. However, I am now very concerned that after the first hearing, which was in April, they did not act more decisively even though even more evidence has been pouring in on the behaviour of S.P. and other people.

Recently, the judges at least finally caught up with the fact that due to last year's faulty ruling of judge Velikova ever since July I am without a legal guarantee of access to my child and they remedied it with (an extremely inadequate) ruling that gives me some right of access via social services. All this has been happening as even a casual observer should be able to note the suspicious circumstance in which my daughter is raised. I summarize again here:

- The mother of the child has hysterically shielded her daughter from examination by an independent expert, despite three court orders so far. She will not allow that her child be photographed or a video of her be taken.
- The mother lives in highly unusual circumstances - for the past six and half years she has mostly been living in her room in the house of her mother. Even though she formally has a job in her mother's company, she "works from home".
- The mother has been pathologically lying throughout the court case. This can be seen by checking documentary evidence, including, most recently, the report and attachments by the social services in Slovakia. In addition, often no documentary evidence to check her statements is needed, since she frequently contradicts herself.

And this week what I have been claiming and other witnesses have been supporting has also been confirmed by the psychologist who had been appointed by the court. The child is in a bad state. This has also been confirmed by the documentation which the kindergarten of my daughter had to release following a court order.

If she will stay in the same household, her mental capabilities will deteriorate even further. This should be absolutely clear: over the past three years she has gone from a very healthy and vigorous child to her present state. This change has been happening while she has been with her mother, who simply cannot cope with the current situation and while being controlled by her grandmother, a deeply pathological character.

I will make sure that all who are responsible will be taken to justice. However, my first priority at the moment is to make sure that my daughter finally, after the authorities have assisted in effecting lasting damage to her, be taken out of the family and made safe. This is the responsibility, first of all, of the Agency for the Protection of Children and the Ministry of Labour and Social Policy of Bulgaria. Secondly, courts in Ruse need to support

the actions to make the child safe. Any failure to do so will be clearly communicated to the Bulgarian public and to international institutions.
The authorities must act – immediately.