

(English version)

**Question for written answer E-003062/25
to the Commission
Anthony Smith (The Left)
(23 July 2025)**

Subject: Trade union repression in Bulgaria

On 14 July, Todor Kapitanov, Vice-President of the Confederation of Independent Trade Unions in Bulgaria and Chair of the National Strike Committee, was arrested at a demonstration organised by workers on the Trakia motorway calling for a wage increase. He was then handcuffed and allegedly injured, even though the peaceful demonstration had been organised in full compliance with trade union rules, human rights standards and democratic principles.

These actions are a flagrant violation of trade union rights. As a Member State of the European Union, Bulgaria is bound by Article 12 of the Charter of Fundamental Rights of the European Union, which guarantees the right to freedom of assembly and association, including the right to form and join trade unions. Furthermore, the European Pillar of Social Rights affirms workers' right to fair working conditions and collective bargaining. These rights are also enshrined in International Labour Organisation Conventions 87 and 98.

Does the Commission intend:

1. to investigate whether Bulgaria has respected Article 12 of the EU Charter of Fundamental Rights?
2. to condemn Bulgaria for infringing trade union freedoms in the above-mentioned case?

Submitted: 23.7.2025

**Answer given by Executive Vice-President Minzatu on behalf of the European Commission
(4 September 2025)**

The Charter of Fundamental Rights of the European Union recognises the freedom of assembly and of association, as well as the right for workers and employers to conclude collective agreements and take collective action ⁽¹⁾.

However, according to its Article 51(1), the Charter applies to Member States only when they are implementing EU law, and does not extend the field of application of EU law.

Pursuant to Article 153(5) of the Treaty on the Functioning of the European Union, the right of association is outside the social policy fields in which the EU supports and complements the activities of the Member States.

It is therefore for the competent national authorities, including courts, to ensure that employers and national authorities correctly apply the relevant national provisions and the fundamental rights resulting from their international obligations to ensure the respect of workers' rights.

Finally, the freedom of association and the right of social partners to organise themselves are enshrined in the Freedom of Association and Protection of the Right to Organise Convention of the International Labour Organisation (ILO) (1948) No 87 ⁽²⁾. The standard supervisory system of the ILO can assess compliance of national rules with international labour standards.

⁽¹⁾ Article 12 of the Charter of fundamental Rights of the European Union, <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:12012P/TXT&from=EN>.

⁽²⁾ Ratified by all EU Member States.