

(English version)

**Question for written answer E-000911/26  
to the Commission  
Radan Kanev (PPE)  
(4 March 2026)**

**Subject:** Concerns over possible breaches of EU procurement, competition and State-aid rules in the liberalisation of Bulgaria's rail passenger transport

In February 2026, Bulgarian authorities awarded operational rights for two of the three rail passenger transport sectors to a single operator (Ivkoni Express) as part of Bulgaria's rail liberalisation.

The procedure was reportedly announced less than one month before its launch, despite EU requirements for prior publication and sufficient advance notice (at least 12 months), calling into question transparency and equal access. Only one bidder is said to have participated, raising doubts as to whether genuine competition was ensured. The award risks creating a dominant or monopolistic position in the southern and eastern sectors of Bulgarian rail transport.

Alleged breaches concern Regulation (EC) No 1370/2007 <sup>(1)</sup>, which requires transparent and competitive award procedures for public service contracts, Regulation (EU) 2016/2338 <sup>(2)</sup>, which guarantees non-discriminatory access and market competition, and Articles 107-109 of the Treaty on the Functioning of the European Union, if subsidies, asset transfers or other financial advantages granted to the operator amount to state aid requiring prior Commission approval. Market concentration concerns may also arise under EU competition rules.

1. How does the Commission assess compliance with EU transparency, tendering and publication requirements in such cases?
2. Will the Commission examine the risk of a de facto monopoly and possible breaches of EU State-aid or competition rules, and consider follow-up action?

Submitted: 4.3.2026

**Answer given by Mr Tzitzikostas on behalf of the European Commission  
(18 June 2026)**

According to Article 7(2) of Regulation (EC) No 1370/2007 <sup>(1)</sup>, it is for the competent authorities to ensure that, at least one year before the launch of the invitation to tender procedure, specific information on the envisaged award is published in the Official Journal of the European Union.

The Bulgarian authorities published two notices to comply with Article 7(2) for the tendering procedure aiming to liberalise rail passenger transport. A prior notice published on 31 October 2023 <sup>(2)</sup> was complemented on 4 August 2025 <sup>(3)</sup>.

Bulgaria carried out tenders for three lots, which were awarded to two different operators, the incumbent Bulgarian State Railways and Ivkoni Express EAD.

The Commission does not have indications that those tenders may have breached EU State aid or competition rules. Persons having had an interest in obtaining a particular contract may ask for a review of award decisions. A mechanism for a rapid and effective review is mandatory under Article 5(7) of Regulation (EC) No 1370/2007.

Public service compensation for the operation of public passenger transport services paid in accordance with Regulation (EC) No 1370/2007 shall be compatible with the common market.

Such compensation shall be exempt from the prior notification requirement laid down in Article 108(3) of the Treaty on the Functioning of the EU. In addition, Member States have a wide margin of discretion in organising the transport services required by their population.

In the light of the above, the Commission does not plan at this stage any follow-up action either as regards an alleged breach of competition rules or the tender itself.

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<sup>1</sup> Regulation (EC) No 1370/2007 of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road and repealing Council Regulations (EEC) Nos 1191/69 and 1107/70 (OJ L 315, 3.12.2007, p. 1, ELI: <http://data.europa.eu/eli/reg/2007/1370/oj>).

<sup>2</sup> Regulation (EU) 2016/2338 of the European Parliament and of the Council of 14 December 2016 amending Regulation (EC) No 1370/2007 concerning the opening of the market for domestic passenger transport services by rail (OJ L 354, 23.12.2016, p. 22, ELI: <http://data.europa.eu/eli/reg/2016/2338/oj>).

<sup>(1)</sup> <https://eur-lex.europa.eu/eli/reg/2007/1370/oj/eng>.

<sup>(2)</sup> <https://ted.europa.eu/en/notice/-/detail/664188-2023>.

<sup>(3)</sup> <https://ted.europa.eu/en/notice/-/detail/507109-2025>.