



OMBUDSMAN OF THE REPUBLIC OF BULGARIA

# Constitutional Case No. 10/2019

**HEALTHY ENVIRONMENT**

# REJECTED REFFERALS TO THE CONSTITUTIONAL COURT



## **RIGHT TO A HEALTHY ENVIRONMENT** – restrictive regulatory provisions for “free camping”

- Request for establishing the unconstitutionality of Art. 10a, Art. 17a and Art. 24c of the Black Sea Coast Planning Act (BSCPA), introducing restrictive regulatory provisions for “free camping” – possibility to pitch tents and camper vans outside camping grounds set out in line with the Tourism Act.
- According to the Ombudsman, the BSCPA provisions are contrary to the principles enshrined in Art. 1, para 2 (democratic state), Art. 4, para 1 (rule of law), Art. 15 (state obligation to ensure safekeeping and reproduction of the environment and reasonable use of natural resources), Art. 22, para 3 (obligation to lay down the land regime in a law) and Art. 55 (right to a health and adequate environment) of the Constitution.
- **Constitutional case No. 10/2019** was initiated upon the request.
- **By virtue of judgment No. 6 of the Constitutional Court of 16 June 2020, the Ombudsman’s request was rejected**