National Judicial Network in Civil and Commercial Matters

The legal framework of the National Judicial Network in Civil and Commercial Matters in the Republic of Bulgaria (the National Network) is set in its Operational Rules (*Pravila za deynostta*), adopted by the Supreme Judicial Council (*Vissh sadeben savet,* VSS) by a decision of 13 March 2018, which superseded the rules adopted by a decision of 11 December 2014 and amended by a decision of 19 March 2015.

The purpose of the National Network is to provide the necessary assistance to the judicial authorities in the effective drawing up, transmission and execution of requests for judicial assistance, the collection and storage of statistics about the international legal cooperation pursued by courts in Bulgaria, and to cooperate with the contact points of the European Judicial Network and other similar institutions.

The Judges Chamber (*Sadiyska kolegiya*) of the Supreme Judicial Council is responsible for the functioning of the National Network, for its participation in national and international projects, and for its cooperation with all institutions, organisations and entities, whether national or international, which perform functions in the area of international judicial assistance. The International Relations and Protocol Directorate (*Direktsiya Mezhdunarodna deynost i protokol*) of the Supreme Judicial Council assists and coordinates the exchange of information between the members of the Network, the national contact points and the Judges Chamber. Methodological guidance and coordination of the operation of the National Network is provided by the Judges Chamber through the Committee on Appraisals and Competitions (*Komisiya po atestiraneto i konkursite*).

Complement

Applicants for members of the National Network must be judges of a district and provincial court or a court of appeal meeting particular criteria in terms of professional standing and moral integrity, foreign language skills, etc. After a recruitment competition, the judges of the National Network are designated by a decision of the Judges Chamber of the Supreme Judicial Council for a period of five years. The National Network includes up to seven judges of each appellate district and up to 15 judges of the Sofia Appellate District. In cases expressly provided for, membership of the Network is terminated by a reasoned decision of the Judges Chamber of the Supreme Judicial Council, proposed by the Committee on Appraisal and Competitions.

Contact points

The Judges Chamber of the Supreme Judicial Council, acting on a proposal by the Committee on Appraisals and Competitions, designates contact points from among the members of the Network: one contact point in civil matters and one contact point in commercial matters, for a period of five years.

Functions

— The members of the National Network assist the national contact points that are part of the European Judicial Network in Civil and Commercial Matters or other international networks for legal cooperation and the national judges in the pursuit of international legal cooperation.

— As part of this assistance, the members of the National Network are bound to inform, advise, coordinate, where necessary, and carry out other activities to facilitate international legal cooperation in accordance with the jurisdiction of the respective judicial authorities in Bulgaria. The members of the National Network are bound to provide assistance when requested by each national judge, prosecutor, investigating magistrate or representative of a central national authority vested with powers, in line with international and European legislation.

— The members of the National Network facilitate the arrangement of training in the field of international legal cooperation which are delivered in the district in which they perform their duties.

— The members of the National Network facilitate judges in the pursuit of international legal cooperation in the relevant appellate district for which they are responsible.

— The members of the National Network conduct studies of European and national case-law and the intervening changes in cooperation in civil and commercial matters, and popularise and disseminate these studies.

— The members of the National Network draw up quarterly activity statements for the relevant appellate district in connection with the implementation of Community and international law and international legal cooperation and send these statements to an up-to-date and updating database with the VSS and provide the national contact points with an electronic version of the court instruments in civil and commercial matters rendered by the courts in the appellate district concerned applying EU law, so that the requisite database could be maintained.

— They also carry out additional assignments set by the VSS Judges Chamber, if it is necessary to provide information, conduct a study, deliver training or carry out another activity concerning international legal cooperation.

— The members of the National Network maintain an up-to-date database of contact details (email addresses, other addresses for correspondence, telephone numbers) and a database of the case-law of the European Court of Human Rights and the Court of Justice of the European Union, which is published on the VSS website, section Judicial Network in Civil and Commercial Matters.

— Each member of the National Network perform their functions within the relevant appellate district.

— The members of the National Network attend an annual meeting, which takes place in February and at which an activity report of the Network for the previous calendar year is adopted; the activity report is drawn up by the national contact point on the basis of annual activity reports submitted by the members by 15 January.

— After attending the periodic meetings of the contact points of the European Judicial Network in Civil and Commercial Matters, the participants submit a report to the Judges Chamber of the Supreme Judicial Council, which is published on the website of the Supreme Judicial Council, section International Cooperation, European Judicial Network in Civil and Commercial Matters, in order to ensure publicity of their activity.

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