

EVALUATION

by Prof. J.D. Boyka Ivaylova Cherneva,
external member of a scientific jury (Reg. Order No. 22/12.12.2023)

SUBJECT: Public defense before a scientific jury for the acquisition of a professional and scientific degree "doctor" in the field of higher education 3. Social, economic and legal sciences, PN 3.6 Law (Constitutional law) by Nikolay Ivanov Nikolaev

Procedure data

Nikolay Ivanov Nikolaev has presented a dissertation on the topic "Parliamentary Committees in the National Assembly of the Republic of Bulgaria" for consideration by a scientific jury. The scientific supervisor of the doctoral student is Assoc. Prof. J.D. Nataliya Kiselova. The necessary materials for public defense have been provided. The requirements of the Law on the Development of the Academic Staff in the Republic of Belarus and the Regulations for the Implementation of the above mentioned act have been met. Nikolay Ivanov Nikolaev studied part-time as a doctoral student at the Department of Constitutional and Legal Sciences of the Faculty of Law of the University of St. Kliment Ohridski". He was charged with the right of defense. The dissertation work is directed for public defense before a scientific jury (Reg. Order No. 22/12.12.2023).

Data for the dissertation - general characteristics

The dissertation "The Parliamentary Committees in the National Assembly of the Republic of Bulgaria" is 225 pages long and includes an introduction, three chapters, a

conclusion and a bibliography in Cyrillic and Latin. The introduction of the dissertation clarifies the importance and relevance of the topic, subject and tasks of the research, as well as the scientific methodology that was used. The topic is examined in the context of the challenges to parliamentarism under the conditions of political crisis, both in Bulgaria and worldwide. The lack of relatively few studies on the subject of the dissertation work is noted. The subject and tasks of the research are clearly stated. The main theses of the author are presented. Special attention is paid to the Committee on European Union Affairs.

The scientific methodology follows the subject area of the dissertation work. The historical approach, the sociological approach and the legal research method are mainly used. The comparative law approach is also widely advocated.

Chapter one of the dissertation study is devoted to the evolution of the institution of parliamentary committees as part of the development of constitutionalism. The main concepts are introduced and terminological clarifications are made, which are important for the methodological accuracy and objectivity of the presentation and the author's conclusions. Political science knowledge is successfully used in the context of the legal framework of public authority and the rights of citizens. Thus, the research acquires an interdisciplinary significance without affecting its legal focus. In an evolutionary sense, it is concluded that parliamentary committees are a specificity of Modernity, despite the existence of prototypes in Antiquity. Nikolay Nikolov distinguishes three stages in the development of parliamentary committees: early, classic and modern, or as he calls it "rationalized". Classical and rationalized parliamentarism as stages of development of parliamentary committees are explained in detail.

An examination of the evolution of parliamentary committees is used to presuppose the definition of the nature of parliamentary committees. The concept of "committee" is defined, and the main characteristics of the concept are derived. In this part, the research has a high theoretical value. The functions of the parliamentary committees were examined - legislative, constitutive and control function. The view is presented that the committees also perform independent functions of a political nature.

Chapter two of the dissertation study is devoted to the historical dynamics in the development of the Bulgarian parliamentary committees based on the Tarnovo Constitution. It contains a detailed and valuable analysis regarding the emergence of Bulgarian parliamentary

committees and their contribution to the development of a number of sectors of Bulgarian socio-political and economic life. Committees are seen as an element of the political system. The individual stages in the development of the system of parliamentary committees during the operation of the Tarnovo Constitution are examined in detail.

A separate paragraph reviews the parliamentary committees under the 1947 Constitution in comparison with the 1971 Constitution.

A separate part (paragraph) is dedicated to the parliamentary committees in the work of the Seventh Grand National Assembly (1990-1991). The importance of political pluralism and changes in the political system in the new political model of Bulgaria is emphasized. The continuing tradition in the subject-specific allocation of the committees is also indicated. Types of committees are considered.

Chapter three of the dissertation contains a general description of the parliamentary committees in the current constitutional model. The question of the nature of parliamentary committees and the types of committees is raised again. The opinion is expressed that the functions of the committees should be discussed in the context of the objectives and powers of the National Assembly. A valuable legal-political characterization of the committees has been made, which do not have their own political legitimacy, but the effectiveness of the committees affects the political legitimacy of the National Assembly. The exposition on the relations between parliamentary groups and parliamentary committees is interesting. The author argues that he does not accept the opinion that parliamentary committees participate in the formation of the general will expressed by the National Assembly. The characteristics of the committees continue with consideration of the committees as advisory and specialized bodies.

An important part of the dissertation work is the distinction between the parliamentary committees and other bodies supporting the National Assembly - the expert advisory bodies. The comparative law approach has been successfully used here.

The types of committees according to Art. 71, para. 1 of the Constitution of the Republic of Bulgaria is studied. Separate attention is paid to the constitution, forms of work and organization of the activity of the parliamentary committees, making a number of proposals to

improve the effectiveness of the activity and identifying problems facing the Bulgarian theory and practice in the field of constitutional law.

Given the integration of the Bulgarian legal system into the legal system of EU law, the dissertation systematically covers the issues of the powers, functions and tasks of the Bulgarian parliament in the process of development of the European Union as an integrated legal order. The new responsibilities of the parliamentary committees are discussed. The author's reflections are valuable in terms of supporting the opinion that the Committee on European Union Affairs, as well as other committees, participate in the second phase of the European legislative process - discussion of bills. The activities of the committees in the European Parliament also have their impact on the Bulgarian constitutional model. Comparative law aspects are again considered. Here the analysis is legal. The sources regulating the organization of the activity, the order and forms of work of the committees in the European Parliament, etc. are indicated and analyzed.

Abstract and publications on the topic of the dissertation work

Nikolay Nikolov has submitted a 40-page abstract that clearly, correctly and objectively presents the content of the dissertation work. The abstract accurately reflects the doctoral student's scientific contributions.

The dissertation candidate has submitted a list of three publications on the topic of scientific research, from which it is evident that he fulfills the minimum national requirements for obtaining the educational and scientific degree "Doctor".

Scientific contributions and practical results

The dissertation contains a number of contributions and practical results, among which the following contributions should be explicitly noted.

The work enriches the legal literature in the field of the evolution of the system of parliamentary committees. Comparative legal analysis combines the historical and the functional approach, which is a novelty in the theory.

The analysis and characterization of the concept of "parliamentary committees" and the presentation of the types of parliamentary committees significantly enriches the scientific research in this part. The systematization of the argumentation, as well as the exposition of

independent arguments in this direction, represents an independent scientific contribution of the author. The author's conclusions that parliamentary committees cannot issue non-legal acts (as acts of political significance) have a theoretical contribution.

Contributions are contained in the discussion about the role and responsibilities of the Bulgarian parliamentary committees in the context of the construction of the European Union, given the fact that Bulgaria is part of this process. As a result of the analysis, fundamental changes are proposed in the functions performed by the Committee on European Union Affairs, as well as other proposals for changes in the legal framework.

A scholarly contribution are the author's reflections on the need to establish an order for resolving competence disputes between standing committees. As a suitable form, it is proposed to introduce the institute of the Council of Chairmen of Standing Committees.

The proposed *de lege ferenda* comprehensive change of Art. 79 of the Constitution of the Republic of Belarus in order to clarify the constitutional texts. Changes are also proposed in the Regulations for the organization and activities of the National Assembly.

The evaluation of the status and functions of the Bulgarian parliamentary committees with a view to optimality (efficiency) is of a contributing nature. The conclusions about the optimality of the Bulgarian parliamentary committees and the criticism addressed to the mixed committees, the delegation of powers from the plenum to the committees or to the special committees have important practical significance.

Conclusion

The characterization of the dissertation work, as well as the indicated scientific contributions, give reason to conclude that Nikolay Ivanov Nikolov has the ability for independent theoretical thinking in the field of constitutional law. The dissertation work on the topic "Parliamentary Committees in the National Assembly of the Republic of Bulgaria" contains essential theoretical and practical-applied results.

Given the above, I give a POSITIVE ASSESSMENT and propose to the scientific jury to award Nikolay Ivanov Nikolaev the educational and scientific degree "doctor" in the field of

higher education 3. Social, economic and legal sciences, professional direction 3.6. "Law"
(Constitutional Law).

04 February 2024 г.

Prepared the evaluation:

Prof. J.D. Boyka Cherneva