

REVIEW

By Prof. Dr. Rayna Nikolova, professor at New Bulgarian University and chief external member of the jury regarding the application of Chief Assistant Professor, Dr. Svetla Ivanova Yankulova in the procedure for obtaining the academic position of “associate professor” in the field of higher education as follows: 3. Social, economic and legal sciences in professional field 3.6. Law and subject: Administrative law and administrative procedure at the Faculty of Law of the Sofia university “Saint Kliment Ohridski”

1. Information about the candidate, related to the educational and scientific degree “PhD”

Svetla Yankulova holds a Masters of Law degree from Sofia university “Saint Kliment Ohridski” as of 2000.

In 2002, she acquired legal capacity after undergoing a one-year traineeship with the judiciary and taking a practical and theoretical exam under the Judiciary Act.

She has obtained a professional postgraduate qualification for “European Union Law” with the Sofia University and the university of Nancy 2 (France) in 2007.

She has a Master’s degree in “International law-European Union law” from Sofia university “St. Kliment Ohridski” from 2008.

In 2014, she has obtained a PhD degree at Sofia university “Saint Kliment Ohridski” as certified by diploma No. CY 2014-152/15.12.2014 with topic of the dissertation being “The prosecutor in the administrative procedure”.

2. Information about the candidate, related to the acquired position at the academia

Svetla Ivanova Yankulova started as assistant professor in administrative law and procedure at the Faculty of Law of Sofia university “St. Kliment Ohridski”, Public law sciences department, professional field 3.6. Law in 2003, based on Ordinance No. PД 22-162/21.02.2003 of the dean of the university.

She subsequently assumed, in the same higher education institution, faculty and department “Administrative law sciences” and professional field 3.6. Law the academic positions of Senior Assistant Professor (2008- 2010) and Chief Assistant Professor (2010 – to present), based on Ordinance of the dean No. PД 22-718/22.03.2010.

3. Information about the candidate, related to her activity as a law practitioner with proven achievement in the professional field of expertise.

Svetla Yankulova works as parliamentary secretary at the Ministry of interior affairs in the period between 2001- 2003.

From 2003 on the candidate is a legislative referent at the “Legislative activity and European Union law” directorate of the National Assembly of Republic of Bulgaria, whose work includes expert participation in the legislative process- research of bills and drafting of opinions on compliance with the Constitution, the legislation in force, the European Union law, the international treaties, which are in force for Republic of Bulgaria, as well as participation in the sessions of the leading commission on adoption of bills at first and second voting.

4. Data on published monographic work and its scientific contributions

4.1 The monography “Administrative jurisdictions”, Sofia: Mont, 2021, ISBN:978-619-169-231-6 is composed of 288 pages. It contains 366 footnotes and refers to 75 pieces of scientific literature (monographs, studies, articles) in Bulgarian. It is structured into an introduction, three chapters with paragraphs, a conclusion and bibliography.

The introduction presents the main accents of the theoretical research.

The first chapter of the scientific work is dedicated to administrative justice as a base for research on administrative jurisdictions and contains two paragraphs. In the first paragraph, administrative adjudication is discussed in the context of the realization of the separation of powers principle. In the second paragraph, there is a distinction made between administrative adjudication and justice.

Chapter two of the monography examines the notion of “administrative jurisdiction” and contains three paragraphs. Paragraph one contains an analysis of the cumulative jurisdictional elements of the administrative jurisdiction: legal dispute; bringing the case; elementary adversarial procedure; the jurisdictional body is not a party to the dispute; independence and autonomy in the decision of the legal dispute; legal force res judicata of the decisions of the administrative jurisdiction. The second paragraph discusses the criteria for the notion “jurisdiction” in the practice of the Court of Justice of the European Union (CJEU). Paragraph three characterizes the administrative jurisdictions as bodies serving justice.

Chapter three is entitled “Types of administrative jurisdiction”, and contains three paragraphs. The first paragraph presents in retrospect the distinguishing criterion between the two types of administrative jurisdictions, and the author accepts that those are the administrative law enforcement jurisdictions and the administrative sanction jurisdictions. The second paragraph analyzes the activities of the Commission for protection of competition as an administrative law enforcement jurisdiction in public procurement disputes and concession disputes whilst applying the criteria from chapter two.

It is maintained that “Disputes” department of the Patent Office should not be qualified as such jurisdictional body in the field of the executive in solving disputes, related to patents, utility models and inventions. The third paragraph comments on the administrative sanction as a judicial activity, as well as in which instances could the sanctioning authority pronounce decisions or not as administrative jurisdiction.

The conclusion of the monography summarizes in an exhausting manner all of the conclusions reached by the author in the course of the analysis of the administrative legal institute of “administrative jurisdictions”.

The general evaluation of the monographic work is the following:

The subject of the nature of the administrative jurisdictions is not novel. 65 years ago,

prof. Petko Staynov publishes his work “The special jurisdictions in the administration” (Sofia: BAS, 1956), in which he analyzes in detail the characteristics of this administrative legal institute. This is why the research on this subject is a serious challenge in itself. This does not mean that Svetla Yankulova’s efforts are in vain or that she has committed a mistake in her creative pursuits. On the contrary. I admire her bravery and curiosity, which have provoked her to present before us a contemporary outlook on the matter and to investigate on an important theoretical and practical problem, that has fallen within the scope of unexplained administrative law concepts in the national specialized literature after the adoption of the currently applicable Constitution of Republic of Bulgaria. The changed social relations and the development of the administrative law doctrine necessitate the use of the contemporary legal methodology. And to bring the subject to a new life, and to receive a well-deserved modern interpretation. This aim is reached in an undisputable way in the present theoretical research.

The scientific work “Administrative jurisdictions” authored by Svetla Yankulova is a complete, perfectly structured and detailed research in the field of administrative law and procedure. It contains a significant number of original ideas, presents new doctrine theses, undergoes detailed institutional analysis of the structure and the functioning of this specific category of jurisdictional bodies, which the administrative jurisdictions are. The proposals for legislative amendments “*de lege ferenda*”, that are addressed in numerous places in the monography of Chief Assistant Professor, Dr. Svetla Ivanova Yankulova, are particularly precious and useful.

The theoretic research is pedantic and exhaustive. Every stance, taken by the author, is discussed, proven, and checked from multiple side. Chief Assistant Professor, Dr. Svetla Ivanova Yankulova’s professional experience and skills shine through in this creative and scientific approach as she methodically, consistently and purposefully draws her conclusions. She turns little-known facts into eloquent ones and subordinates them to complete and reasoned legal statements. It is a matter of a topic that was researched in a complex way.

4.2 As already mentioned, administrative jurisdictions have already been a subject of analysis in the legal doctrine. However, the research conducted by Chief Assistant Professor, Dr. Svetla Ivanova Yankulova with the applied by her modern scientific approach contributed to the enrichment of this administrative law institute in a variety of ways. The scientific contributions of the monographic work in the field of administrative law, administrative procedure and administrative sanctioning procedure are numerous, the most important of which are as follows:

4.2.1. I welcome the idea to comment on the case law of the Constitutional Court of the Republic of Bulgaria that is related to the essence of the administrative adjudication, and which is laid down in Decision No. 6/11.11.2008 with the latter providing full introduction to the matter of administrative jurisdictions as law enforcement bodies.

4.2.2. The *de lege ferenda* proposal for Chapter six, “Judiciary” of the Constitution of Republic of Bulgaria to include a distinction between administrative adjudication and administrative justice, and to provide for explicit regulation of administrative jurisdictions is one of the most valuable achievements of the monographic work.

4.2.3. With the highest esteem, I would like to address Chief Assistant Professor, Dr. Svetla Ivanova Yankulova for her comprehensive retrospective analysis of the achievements in the

field of administrative law doctrine concerning the concept of “administrative adjudication”. The summary of the views defended in the scientific community for the past 70 years shows respect for the achievement of scholars who worked on this problem earlier than the author, and it allows bring out of new ideas and defending successfully the author’s own stances on the problem under consideration.

4.2.4. As scientific contribution I define also the additional characteristic of the administrative jurisdiction, which the author adds to the already established in the legal theory 5 characteristics which are namely: guaranteeing the independence of the administrative jurisdiction from the executive power and the judicial review over the decisions rendered by it. The analysis of each of the characteristics of the legal concept of "administrative jurisdictions" is detailed and thorough. This review allows tracing of the development of administrative jurisdictions as a legal institution, enriches its content in accordance with contemporary social and legal conditions.

4.2.5. The autonomy of the jurisdictions is a solid indication that administrative law enforcement jurisdictions in the classical sense of the concept discussed in the monograph should be considered henceforth by the legislator when defining the structure and competence of administrative review bodies that are independent from the executive. The proposal of the Chief Assistant Professor, Dr. Svetla Ivanova Yankulova is that these should be collective bodies with a specific mandate. The same proposal is made regarding to administrative sanction jurisdictions. I fully share the arguments put forward by the author in this respect.

4.2.6. As a positive aspect of the work submitted for review, I defines as a scientific achievement the updating of the doctrinal definition of administrative jurisdiction through its terminological and semantic updating.

4.2.7. Of scientific value for the administrative law is the detailed and systematic analysis of all the types of authorities found in the specialized administrative legislation and which have all the characteristics or lack some of the adjudication features to become true administrative jurisdictions. It is a question of the chosen by Chief Assistant Professor, Dr. Svetla Ivanova Yankulova's scientific approach of verification of facts when establishing the undisputed or disputed factual situation on the basis of the model of construction and functionality of various administrative bodies adopted by the legislator. Thus, it is clear that in adjudicating procurement and concession disputes, the Commission for the Protection of Competition fulfils the standard of an administrative jurisdiction, while the “Disputes” division of the Patent Office (pp. 206-209), the National Expert Medical Commission, etc. cannot be classified as administrative law enforcement jurisdictions. I must emphasize that this is the core of the monograph's scientific contribution, which in a fully analytical and unconditional manner provides answers to theoretical doubts and arguments. Its significance is extremely high.

4.2.8. Another important achievement of the research is one of the many proposals for legislative amendments, which includes providing for the ruling of the administrative jurisdiction on the dispute to be binding, with no other possible way of resolving it. The position is very well argued in the monograph.

4.2.9. The opinion that it is sufficient to provide for a single instance judicial appeal of the decisions of the administrative jurisdiction, since the proceedings are adjudicative, constitutes an independent scientific contribution of a practical and applied nature.

4.2.10. Paragraph three of chapter three discusses the general characteristics of administrative sanction jurisdictions. In separate subparagraphs of this paragraph, the cases in which the sanctioning authority adjudicates as an administrative sanction jurisdiction are discussed, as well as the cases in which its activities do not display all of the characteristics of

an administrative sanction jurisdiction and therefore cannot be considered as such. This part of the monograph is also particularly valuable for both doctrine and practice.

4.2.11. Some cases regulated in the current legislation hypotheses, in which administrative liability is implemented in deviation from the general procedure under the Administrative Violations and Sanctions Act, such as the imposition of fines on natural persons for violations under the Law on Protection of Competition and for established conflict of interest under the Law on Combating Corruption and Confiscation of Illegally Acquired Property are analyzed. The conclusion that in these cases the Commission for Protection of Competition and the Commission for Combating Corruption and Confiscation of Illegally Acquired Assets do not act as administrative sanction jurisdictions is of a contributory nature with relevant importance for theory and practice.

4.2.12. The recommendation "de lege ferenda" to abolish norms in the legislation that provide for administrative sanctions to be imposed with an individual administrative act and not with a sanction decree is one of the examples of a thorough reflection on the legislative practice.

The aforementioned most important contributions of the monographic work "Administrative Jurisdictions" by Chief Assistant Professor, Dr. Svetla Ivanova Yankulova show, that a topic that was considered in a seemingly detailed way decades ago by our administrative law doctrine, acquires its topicality, relevance for theory and practice in contemporary scientific literature thanks to the serious efforts of its author, who has qualitatively assessed the social and legal changes and has stimulated the professional discussion on the role of administrative jurisdictions in the supervisory activities of public authority, by understanding the matter accurately and making many valuable recommendations for legislative improvements. In practice, the scholarly work is a comprehensive legal concept for serious legislative and administrative reform.

5. Description of other publications in specialized scientific publications in the field of the competition, which do not repeat the ones submitted for the degree of Doctor of Education and Science and their scientific contributions

Svetla Yankulova also participated in this competition with the following other publications:

5.1. Is the National Expert Medical Commission (NEMC) an administrative jurisdiction? – In: Medical law and healthcare, 2021, No.3, pp.25-44. (Administrativna jurisdikcija li e Nacionalnata ekspertna lekarska komisija (NELK)?, Medicinsko pravo i zdraveopazvane, 2021, No.3, 25-44) The scientific publication analyzes the activity of the National Expert Medical Commission in resolving legal disputes related to the working capacity of a person. It is traced whether in this procedure there are the adjudicational features on the basis of which to determine whether the National Expert Medical Commission is an administrative jurisdiction. The conclusion that it does not act as an administrative jurisdiction is justified. The article concludes that the National Expert Medical Commission cannot be defined as an administrative jurisdiction, which is a contribution to the study of judicial bodies in the national legal system.

5.2. Ruling of the administrative sanctioning authority with an agreement, In: Administrative justice, 2021, No.5, pp.50-21 (Proiznasjane na administrativnonakazvašija organ sus sporazumenie., Administrativno pravosudie, 2021, № 5, 5-21.). The article expresses the opinion that by concluding the administrative sanction proceedings with an agreement, the

sanctioning authority rules as an administrative sanction jurisdiction. According to the author, the agreement is equated in its legal consequences to a judicial act of an administrative sanction jurisdiction, which imposes an administrative sanction. By it, the State does not refuse to punish the perpetrator of an administrative offence and also exercises criminal repression. It comments on the legal framework of the agreement and makes recommendations for future amendments to the Administrative Violations and Sanctions Act. In this scientific publication the author comes to the conclusion that the sanctioning authority rules as an administrative sanction jurisdiction. The author's assessment of the legal nature of the agreement as an act which concludes the administrative sanction proceedings, an expression of the state criminal repression and a way of exercising jurisdiction by the sanctioning authority is also of a contributory nature. The agreement is defined as a legal act - an alternative to the sanction decree, equivalent to it in terms of its legal effects.

5.3. Is the "Disputes" department of the Patent Office an administrative jurisdiction? – In: Property and Law, 2021, No.11, pp.67- 77 (Administrativna jurisdikcija li e otdel"t po sporove k"m Patentnoto vedomstvo?, Sobstvenost i pravo, 2021, № 11, 67-77). In the scientific work the activity of the "Disputes" department of the Patent Office, which deals with disputes in connection with patents for inventions and registration of utility models, is analyzed. The main subject of discussion is to what extent in the proceedings of these administrative law disputes there are the features of adjudication and whether the "Disputes" department can be defined as an administrative jurisdiction. The author's conclusion is that the "Disputes" department is not an administrative jurisdiction, since the proceedings for the resolution of disputes relating to industrial property objects lack certain basic jurisdictional features - adversarial proceedings, independence and autonomy in the resolution and res judicata effect of the decision in the dispute.

5.4. Administrative jurisdictions as adjudication bodies. In: De jure, 2021 (23), No. 2, pp. 214-221 (Administrativnite jurisdikcii kato pravorazdavatelni organi, De jure, 2021 (23), № 2, 214-221). The article examines the administrative jurisdictions according to the Bulgarian legislation. It analyses the Constitution of the Republic of Bulgaria, the case law of the Constitutional Court and the current legislation. The peculiarities of the adjudication bodies are pointed out and the necessity of establishing such adjudication bodies is discussed. The publication makes a recommendation "de lege ferenda" for the adoption of legislative amendments, including at constitutional level, which would explicitly regulate the administrative jurisdictions by regulating all the judicial features, that are characteristic of their activity.

5.5. The property sanction under Art. 83 of the Administrative Violations and Sanctions Act. – In: De jure, 2019 (19), No. 2, pp.168- 174 (Imušestvenata sankcija po čl. 83 ot Zakona za administrativnite narušenija i nakazaniya, De jure, 2019 (19), № 2, 168-174.) The scientific publication analyzes the pecuniary sanction under Article 83 of the Law on Administrative Violations and Sanctions. The opinions presented in the theory on the legal nature of this institute are examined and the author's opinion on the issue is presented, as well as the grounds for imposing a pecuniary sanction, the subjects on whom it can be imposed, and also its function at the adoption of the law and at present. The contributory character of the scholarly essay consists in the fact that it makes a recommendation to reconsider the nature and function of the pecuniary sanction.

5.6. Participation of the prosecutor in the administrative process according to the Bulgarian legislation - In: Law and State in the Modern World: State, Problems, Trends and Development [III International "Maltsev Readings" - in memory of Honored Scientist of the Russian

Federation, Corresponding Member of the Russian Academy of Sciences, Doctor of Law, Professor Maltsev Gennady Vasilievich, Belgorod, 21-22 April 2016], Belgorod: GIK LLC, 2016, pp. 129-163 (Učastie na prokurora v administrativnija proces suglasno bulgarskoto zakonodatelstvo, Pravo i gosudarstvo v sovremennom mire: sostojanie, problemi, tendencii i razvitija. [III Meždunarodnye „Mal'cevskie čtenija“ – pamjati zaslužennogo dejatelja nauki Rossijskoj Federaciji, členu-korrespondenta RAN, doktora juridičeskih nauk, professora Mal'ceva Gennadija Vasil'eviča, Belgorod, 21-22 april 2016 g.], Belgorod: OOO «GiK», 2016, 129-163.) The article discusses the participation of the prosecutor in different administrative proceedings, when he uses different procedural acts with different purposes and which achieve different results. Through all of them legality review over the bodies of executive power is being exercised. The acts of the public prosecutor are assessed by the author as the main means of protecting the state and public interest. I accept that the derivation of a criterion and the differentiation of two procedural forms of the prosecutor's participation in the administrative process constitutes a contribution.

5.7. Origin and development of the prosecutor's institution., In the 135 years since the adoption of the Tarnovo Constitution [Collection of reports from scientific conference dedicated to the 135th anniversary of the adoption of the Tarnovo Constitution], Sofia, Sibi, 2014, pp. 444-449 (Vaznikvane i razvitie na prokurorskata institucija, 135 godini ot priemaneto na Tarnovskata Konstitucija. [Sbornik dokladi ot naučna konferencija, posvetena na 135-ata godišnina ot priemaneto na Tarnovskata konstitucija], Sofija: Sibi, 2014, 444-449.). The scientific work discusses the development of the prosecutorial institution in the Third Bulgarian State. The structure and functions of the prosecutor's office according to the Constitution of the Republic of Bulgaria of 1991 are examined. The retrospective and comparative law analysis of the structure and functions of the prosecutor in European countries and in Bulgaria is of contributory character for the administrative law science.

6. Fulfillment of minimum national and additional scientific metric requirements

6.1. Indicator group A (50 out of 50 required)

The candidate has independently drafted and defended dissertation on the topic "The prosecutor in the administrative procedure" ", Sofia University "St. Kliment Ohridski".

6.2 Group of indicators B (100 out of 100 required)

There is a monographic work "Administrative Jurisdictions", Sofia: Mont, 2021, 288 p. ISBN:978-619-169-231-6.

6.3 Group of indicators D (125 out of 100 required)

a) Published a book based on a defended dissertation for the award of the educational and scientific degree PhD " The prosecutor in the administrative procedure", Sofia: Sibi, 2016, 175 p. ISBN: 978-619-226-010-1.

b) Articles and papers published in non-refereed peer-reviewed journals or published in edited collective volumes

1. Is the National Expert Medical Commission an administrative jurisdiction, Medical Law and Healthcare, issue 3, 2021, pp.: 25-44, ISSN (print): 2748-770, ISSN (online): 2748-7054.

2. Is the "Disputes" division of the Patent Office an Administrative Jurisdiction, Property

and Law, Issue:11, 2021, Pages: 67-77, ISSN (print):1312-9473, ISSN (online): 1312-9473.

3. Administrative jurisdictions as adjudication bodies, De jure, 2021 (23), No. 2, pp. 214-221, ISSN (print):2367-8410, ISSN (online):1314-2593.

4. Ruling of the Administrative sanctioning authority with an agreement, Administrative justice, 2021, No.5, pp.50-21, ISSN (online):0861-5268, ISBN:08615268-1-21.

5. Property sanction under Article 83 of the Law on Administrative Violations and Sanctions Act, De jure, vol:10, issue: 2, 2019, pp. 168-174, ISSN (print):2367-8410, ISSN (online):1314-2593.

In the overall assessment for this group of scientific metric indicators for this application procedure I do not include the articles, published in collections of conference reports, with which the candidate participates and are described below, as their subject matter overlaps with the dissertation submitted for the PhD degree, does not in the least diminish their scientific value:

1. The content of the “The prosecutor in the administrative procedure according to the Bulgarian legislation, In: Law and State in the Modern World: State, Problems, Trends and Developments-III International "Maltsevskie readings", Belgorod, 21-22 April 2016, editor(s): Professor Markhheim M. V., publisher: Belgorod: LLC "GIK", 2016, pp.: 129-163, ISBN:978-5-906520-56-2, duplicates part of the content of what is written on p. 94-103 (Chapter Three "Participation of the Prosecutor in the Administrative Process", §1 "Legal Nature and Forms of the Prosecutor's Participation in the Administrative Process") of the published dissertation ("The Prosecutor in the Administrative Process", Sofia: Sibi, 2016 ISBN: 978-619-226-010-1).

2. The content of “Origin and development of the prosecutor’s institution, In: 135 years since the adoption of the Tarnovo Constitution, Collection of reports from scientific conference dedicated to the 135th anniversary of the adoption of the Tarnovo Constitution, Vassil Mruchkov (edd.), publisher: Sibi, 2014, pp.: 444-449, ISBN:978-954-730-891-6 is duplicated with the written on pp. 25-28 (Chapter One "Structure and Functions of the Bulgarian Prosecutor's Office", § 2 "Historical Overview of the Structure and Functions of the Prosecutor's Office") of the published dissertation ("The Prosecutor in the Administrative Process", Sofia: Sibi, 2016 ISBN: 978-619-226-010-1).

6.4. Group of indicators E (70 out of 50 required)

a) Svetla Yankulova, The prosecutor in the administrative procedure, ISBN: 978-619-226-010-1, Sibi, Sofia Quoted in: Mihailova-Goleminova S., Challenges for the Member States and Candidates for EU Membership in the Field of Taxation and Financial Law, Sofia: Ciela, 2019, pp. 301 and 329; ISBN: 978-954-2850-1

b) Svetla Yankulova, Analysis of the Interpretative Decision No. 4 of the General Assembly of Judges of the Supreme Administrative Court of 22.04.2004, Contemporary Law, issue:5, 2004, pp.:57-73, ISSN (print):08611815, ISSN (online):08611815 Quoted in: Rushev, I. Normative acts - source of private law, Sofia: Albatros, 2008, pp. 190, ISBN 9789547510852

c) Svetla Yankulova, The property sanction under Article 83 of the Administrative Violations and Sanctions Act, De jure, vol:10, issue:2, 2019, pages:168-174, ISSN (print):2367-8410, ISSN (online):1314-2593 Cited in: Sivkov, Tz. The interest in the field of administrative punishment. - In:50 years of the Administrative Violations and Sanctions Act -

history, traditions, future. Proceedings, Sofia: "St. Kliment Ohridski", 2020, p. 29 ISBN 978-954-07-4975-4.

d) Svetla Yankulova, The principle of the service principle in the administrative process, Contemporary Law, issue:3, 2007, pp.:58-72, ISSN (print):08611815, ISSN (online):08611815 Quoted in: Sivkov, Tz. The agreement under the Administrative Procedure Code, Sofia: Ciela, 2012, p. 60, ISBN 9789542811558

e) Svetla Yankulova, The principle of ex officio in the administrative process, Contemporary Law, issue: 3, 2007, pp.:58-72, ISSN (print):08611815, ISSN (online):08611815 Cited in: Panayotova, E. Basic Principles of Executive Activity under the Administrative Procedure Code, Sofia: Sibi, 2018, p. 204, ISBN 978-619-226-084-

(f) Svetla Yankulova, The principle of ex officio in the administrative process, Contemporary Law, issue:3, 2007, pp.:58-72, ISSN (print):08611815, ISSN (online):08611815 Quoted in: Sivkov, Tz. The interest in the field of administrative punishment. - In: 50 years of the Administrative Violations and Sanctions Act - history, traditions, future. Proceedings, Sofia: "St. Kliment Ohridski", 2020, p. 26, ISBN 978-954-07-4975-4

g) Svetla Yankulova, The Origing and Development of the Prosecutor's Institution, In: 135 years since the adoption of the Tarnovo Constitution, Collection of reports from scientific conference dedicated to the 135th anniversary of the adoption of the Tarnovo Constitution, Vasil Mruchkov (edd), Publisher: Sibi, 2014, pp:444-449, ISBN:978-954-730-891-6. Cited in: Chakarova-Dimitrova, I. The reasonable term in the administrative process, Veliko Tarnovo: Faber, 2017, p. 31 ISBN 978-619-00-0691-6 COBISS. BG-ID 1283929316.

6.5. Indicators under Art. 112. 2 of the Regulations on the Conditions and Procedure for Acquisition of Scientific Degrees and Academic Positions at the Sofia University "St. Kliment Ohridski"

a) Additional indicators, related to the teaching activity

1. During the academic 2017/2018 year the candidate leads:

1.1. Lectures and seminars on administrative law and administrative procedure in the master's program "Law" at the Faculty of law at the Sofia university "St. Kliment Ohridski;

1.2. Lectures and seminars on administrative law and administrative procedure in the master's program "Human resources management" in the "Administration and management" subject and in bachelor program "Regional development and policy" in the subject with same name at the Geology- geography faculty of the Sofia university "St. Kliment Ohridski".

2. During the academic year of 2018/2019 the candidate leads:

2.1. Lectures and seminars on administrative law and administrative procedure in the master's program "Law" of the Law subject at the Faculty of law at the Sofia university "St. Kliment Ohridski;

2.2. Lectures and seminars on administrative law and administrative procedure in the master's program "Human resources management" in the "Administration and management" subject and in bachelor program "Regional development and policy" in the subject with same name at the Geology- geography faculty of the Sofia university "St. Kliment Ohridski".

3. During the academic 2020/2021 year the candidate leads:

- 3.1. Lectures and seminars on administrative law and administrative procedure in the master's program "Law" at the Faculty of law at the Sofia university "St. Kliment Ohridski";
- 3.2. Lectures and seminars on administrative law and administrative procedure in the master's program "Human resources management" in the "Administration and management" subject and in bachelor program "Regional development and policy" in the subject with same name at the Geology- geography faculty of the Sofia university "St. Kliment Ohridski".
4. In the 2016-2018 period the candidate Svetla Yankulova has organized extra curriculum classes as part of the administrative procedure traineeship with the Administrative court of Sofia city for the 4th year law students at the Faculty of law of the Sofia university "St. Kliment Ohridski".
5. In the period of 2014- 2016 the candidate Svetla Yankulova holds distance trainings, organized by the National Institute of Justice.
6. In 2016 the candidate Svetla Yankulova holds distance and in person trainings "Application of the Code of Administrative Procedure" (for non-lawyers within the system for government of European structural and investment funds), organized by the Institute for public administration and the Faculty of law of the Sofia university "St. Kliment Ohridski".

b) Additional indicators, related to the scientific research activity

1. Participation in scientific projects

1.1. In 2014 the candidate Svetla Yankulova participates in the project "Updating of the educational programs of the Faculty of law of the Sofia university "St. Kliment Ohridski", financed by Operational program "Human resources management" through the European social fund 2.

1.2. In the periods of 19.06.2013. – 31.10.2014 and 26.10.2016 - 26.11.2017 the candidate Svetla Yankulova acts as academic mentor in projects "Student practices" (BG051PO001-3.3.07-0002) and "Student practices"- phase I (BG05M2OP001-2-002-0001), financed by Operational program "Science and education for intelligent growth 2014- 2020", through which she supported the practical education of the law students, who participate in the project implementation.

2. Participation in conferences

2.1 Presence, Ruling of the Administrative sanctioning authority under the Administrative Violations and Sanctions Act by agreement, 2021.

2.2. Presence, Property sanction under Art. 83 of the Administrative Violations and Sanctions Act, 2019.

2.3. Presence, Administrative control of EU funds management, 2016.

2.4. Plenary report, Administrative violations and sanctions under the Road Traffic Act, 2016.

2.5. Section report, Origin and development of the prosecutor's institution, 2014.

7. Data on the application procedure

7.1. The faculty of law of the Sofia university has announced a procedure for the acquisition of the academic position of associate professor in the field of higher education as follows: 3. Social, economic and legal sciences in professional field 3.6. Law (Administrative law and administrative procedure) in State Gazette, issue 87 from 19th of October 2021.

7.2. On the ground of Art. 4 and Art. 25 of the Act on the Academic Staff Development (AASD); Art. 57.1-2 of the Regulation on the application of AASD; Art. 108.1 and Art. 108.3 of the Regulations on the Conditions and Procedure for Acquisition of Scientific Degrees and Academic Positions at Sofia University "St. Kliment Ohridski" and decision of the Faculty Council of the Faculty of law, adopted with Protocol No. 3 from 16.11.2021, Ordinance No. RD-38-553/22.11.2021 I have been selected as chief external member of the jury in the application procedure for the position of „associate professors” in the field of higher education as follows: 3. Social, economic and legal sciences in professional field 3.6. Law (Administrative law and administrative procedure) at the Sofia University "St. Kliment Ohridski", Faculty of Law.

7.3 On the 21.12.2021 at the dean’s office of the Faculty of law of Sofia University "St. Kliment Ohridski" there was a session of the admissibility committee for the application procedure for the position of „associate professors” in the field of higher education as follows: 3. Social, economic and legal sciences in professional field 3.6 Law (Administrative law and administrative procedure), announced with State Gazette issue 87 from 19th of October 2021, with the committee being appointed by Ordinance No. RD 38-551/22.11.2021 of the Dean of the University, and which application committee after reviewing the application and its attachments with regard to Art. 107 of the Regulations on the Conditions and Procedure for Acquisition of Scientific Degrees and Academic Positions at Sofia University "St. Kliment Ohridski", based on Art. 109.2 of the same act decided that the only eligible candidate for the application procedure is Chief assistant prof. Dr. Svetla Yankulova and that she matches the admissibility requirements under Art. 105.1.1- 105.1.5 of Regulations on the Conditions and Procedure for Acquisition of Scientific Degrees and Academic Positions at Sofia University "St. Kliment Ohridski".

7.4. At the first session of the jury of the application procedure for acquisition of position of „associate professors” in the field of higher education as follows: 3. Social, economic and legal sciences in professional field 3.6. Law (Administrative law and administrative procedure) I was defined as external reviewer, that has to check whether the candidate Chief assistant prof. Dr. Svetla Yankulova meets all of the minimal national requirements for assuming of the position.

Conclusion

Based on the Act on the Academic Staff Development (AASD), the Rules for its application, Art. 105.1 of the Regulations on the Conditions and Procedure for Acquisition of Scientific Degrees and Academic Positions at Sofia University "St. Kliment Ohridski", and the submitted for the application procedure documents and proves I give the following reviews of the candidate Chief Assistant Professor, Dr. Svetla Ivanova Yankulova:

1. holds educational and scientific PhD degree in the same field as the academic position she is applying for (Administrative law and procedure);
2. has held for 11 years the academic position of Chief Assistant Professor, whilst at the same time teaching lectures and seminars and being a prominent practitioner with proven achievements in the field of administrative law and administrative procedure;
3. she has submitted a monographic work “Administrative jurisdictions” and other publications in specialized scientific editions in the field of the present application

procedure with significant scientific achievements, which do not repeat the ones reached for the acquisition of the educational and scientific degree of PhD;

4. she meets all of the minimal requirements under Art. 2b of AASD for scientific field of higher education 3. “Social, economic and legal sciences”, professional field 3.6. “Law” (345 out of 300 required) and the additional requirements of Sofia university "St. Kliment Ohridski;
5. there has not been proven in an established by law procedure plagiarism in her scientific papers.

My personal impressions of Svetla Yankulova are that she is a very good legal expert. A highly valued jurist for the important matters in the field of administrative law and procedure that she is engaged with, as well as for the engrossing way in which she shares with the scientific community her views. The latter is confirmed also by the number of references to her scientific works. And last, but not least- thanks to the respectable and well-meaning tone, with which she always participates in well-founded discussions.

Having in mind all of the above, I find that the candidacy of Chief assistant prof. Dr. Svetla Yankulova meets the national minimal requirements and the additional ones of Sofia university “Saint Kliment Ohridski” for the filling of the position of „associate professor”. Based on this I present my *positive* opinion regarding the candidate in the competition by proposing the Faculty of Law of the Sofia university “Saint Kliment Ohridski” to select Chief Assistant Professor, Dr. Svetla Yankulova for the position of „associate professor” in the field of higher education as follows: 3. Social, economic and legal sciences in professional field 3.6. Law (Administrative law and administrative procedure).

31.01.2022

Reviewer:

Prof. Dr. Rayna Nikolova,
Professor at the NBU