



RULES FOR THE OPERATION OF THE CIVIL COUNCIL OF PROFESSIONAL AND NON-GOVERNMENT ORGANISATIONS AT THE SUPREME JUDICIAL COUNCIL

I. Purpose (amended, CC act No. 97/06.07.2018) The Civil Council at the SJC was established with the aim to involve civil and professional organisations in improving the functioning of the judicial system, ensuring objective civil monitoring of its operation and of the application of the legal framework, which guarantees respect for the rule of law in the Republic of Bulgaria.

II. Areas of interaction between the Civil Council and the Supreme Judicial Council

(amended, CC act No. 97/06.07.2018)

1. (amended, CC act No. 97/06.07.2018) Establishing the Civil Council, the Supreme Judicial Council has demonstrated their will to develop sustainable mechanisms for consultation and interaction with the civil society structures involved in the judicial reform when policies are designed and their impact is assessed.

2. The area of interaction of the Supreme Judicial Council and the Civil Council is the overall activities of SJC which are of public interest or which need expert support from the non-governmental sector or the professional organisations.

III. Composition of the Civil Council

1. Upon the establishment of the Civil Council to SJC, members included professional and non-government organisations working in the field of law and judicial reform, as specified in § 1.

2. (amended and supplemented, CC act No. 145/23.04.2021) New members of the Civil Council shall be admitted by the Civil Council, whose decision shall be submitted to the Supreme Judicial Council for information. Candidates for membership of the Civil Council shall submit in writing a registration form "Civil Council at the SJC" and a certificate of good standing - in original, not older than 6 months, if the legal entity is not registered in the CRRNPLE /*Commercial Register and Register of Non-Profit Legal Entities* /.

3. Membership in the Civil Council shall be terminated by submitting an application to the Civil Council which shall take note of the application and inform the Supreme Judicial Council.

4. (amended, CC act No. 145/23.04.2021) Membership in the Civil Council shall automatically terminate upon three (3) consecutive failures to attend or participate in the council's meetings. Membership of the Civil Council shall be terminated by an act of the Civil Council in the following cases:

4.1 where false and/or misleading data and/or information has been received and/or provided during the application process.

4.2 in the case of unethical attitude towards the activities of the Civil Council and/or of its individual members, and/or in the case of behaviour that makes the continued membership of an organisation incompatible with the objectives and functioning of the Civil Council. Incompatible with the objectives and functioning of the Civil Council is any conduct of a representative(s) of a member organisation of the Civil Council which threatens the existence and functioning of the Civil Council and/or is contrary to its objectives;

4.3 in case of systematic violation of the Rules for the Operation of the Civil Council, including prejudicing the activities of the Civil Council or obstructing the normal communication between its members.

5. Each organization shall retain its autonomy and the right to address the SJC individually.

6. (new, CC act No. 145/23.04.2021) Each member organization of the Civil Council at the SJC shall be represented by a person who is neither a member of the Management Board of another member organization of the CC at the SJC, nor permanently authorized to represent it. / This ensures independence in voting and avoidance of vested interests./

IV. Functions of the Civil Council at SJC. The Civil Council shall:

1. assist the SJC in planning and implementing policies related to the statutory functions of the SJC; analyse and evaluate the effect of policy implementation.

2. provide expert support to the SJC in designing programs and projects in the priority lines of the SJC.

2.1. (amended, CC act No. 97/06.07.2018, amended, CC act No. 145/23.04.2021) The Civil Council may assist the SJC and other organisations and institutions in policy design, implementation and monitoring.

3. (amended, CC act No. 97/06.07.2018, amended, CC act No. 145/23.04.2021) prepare opinions, proposals, and recommendations on the activities of the SJC and any other judicial system organisations and institutions.

4. refer to the SJC public cases and issues within the competence of the SJC.

5. (amended, CC act No. 97/06.07.2018) prepare opinions within the conciliation procedures when legislative amendments concerning the judicial system and the application of the legislation in all areas are discussed.

6. (amended, CC act No. 97/06.07.2018) work to strengthen dialogue, trust and mutual assistance between the SJC, the judiciary people, and the civil society.

V. Rules of procedure

1. (amended, CC act No. 97/06.07.2018, amended, CC act No. 145/23.04.2021) Each member of the SJC shall have the right to participate in the meetings of the Civil Council. Members of the Civil Council shall participate in the meetings directly, by proxy or by written opinion/proposal on the agenda

2. (amended, CC act No. 145/23.04.2021) Each professional and non-governmental

organisation shall designate at least one representative to participate in the activities of the Civil Council, notifying to the co-chairperson/chairperson of the Civil Council in writing the name/names of the representative/s by the date of the first meeting following its admission to membership of the Civil Council. In the event of a change of representative(s), notification shall be given in the same manner within 14 days but no later than the next meeting.

3. (amended, CC act No. 145/23.04.2021) Any member organization of the Civil Council may authorize another member organization to represent it at meetings by notifying, as a minimum, the authorized organization and a co-chairperson/chairperson of the Civil Council no later than one hour before the announced start time of the meeting or during the meeting if the authorizing organization participates in the meeting but leaves before the end of the meeting.

3.1 (new, CC act No. 145/23.04.2021) If the scope of powers is not explicitly stated, the organization authorized under paragraph 3 of this section shall participate in the deliberations of the meeting and vote at its discretion on behalf of the authorizer.

3.2 (new, CC act No. 145/23.04.2021 r.) Each organization authorized under subsection (3) of this section or a co-chairperson/chairperson of the Civil Council shall announce, during the meeting, the organisation's authorization and the scope of its powers where they are specifically stated by the authorizer.

4. (amended, CC act No. 97/06.07.2018 and supplemented, CC act No. 145/23.04.2021) Meetings of the Civil Council shall be convened by any co-chairperson not less than once every 2 months or as the need arises, on a proposal by at least 5 of the member organizations of the Civil Council. An extraordinary meeting may also be convened at the request of a member of the Civil Council, in case of urgency, the request being accompanied by a justification of the reasons necessitating the meeting and the written materials on the subject. Meetings may also be convened by any co-chairperson individually.

5. (amended, CC act No. 97/06.07.2018, and supplemented, CC act No. 145/23.04.2021) The agenda shall be set by the co-chairpersons/chairperson of the Civil Council. No agenda item shall be included unless written materials on the subject or a written reasoning on the need for its consideration by the Civil Council are provided. Exceptionally, additional items may be placed on the agenda for consideration if written proposals are received no later than 3 days before the date of the next meeting.

5.1 (new, CC act No. 145/23.04.2021) The Rules of Procedure of the Civil Council may only be amended by expressly including an item on the agenda to that effect (*note: it is therefore not permissible to amend the Rules under, for example, "Organizational Matters"*).

6. (supplemented, CC act No. 145/23.04.2021) The invitation and the agenda of the Civil council meetings shall be sent to the e-mail addresses of all Civil Council members at least 7 (seven) days before the date of the meeting and, for extraordinary meetings – at least 3 (three) days before the date of the meeting.

7. (amended, CC act No. 97/06.07.2018, and supplemented, CC act No. 145/23.04.2021) Changes to the pre-announced agenda shall not be allowed except in the cases under point 5 of

this section.

8. (amended, CC act No. 145/23.04.2021) Experts from other interested institutions and organisations may also be invited to participate in the meetings.

9. (supplemented, CC act No. 145/23.04.2021) The experts from the Public Relations sector of the SJC Administration shall be permanent assistants of the Civil Council.

10. Depending on the specific topics of the meetings, other experts from the SJC Administration may participate in them.

11. The meetings of the Civil Council shall be co-chaired by a member of the SJC and by a representative of the organizations, members of the Citizens' Council, elected for a period of 1 (one) year. At the end of the period, the co-chairs shall give information on what has been accomplished and on the work done during the period at a meeting of the Civil Council.

12. (supplemented, CC act No. 145/23.04.2021 r.) All organisations shall participate in the procedure for the election of a co-chairperson from the quota of NGOs, except those that have expressly declared in writing their refusal to participate. Proposed candidates shall participate in person in the meeting, regardless of its format.

12.1 (new, CC act No. 97/06.07.2018) In the event that no co-chairperson is elected by the civil and professional organizations or by the SJC, until a second co-chairperson is elected, the Civil Council shall be chaired and represented by the chairperson already elected and acting who shall be referred to as the Chairperson of the Civil Council at the SJC.

12.2 (new, CC act No. 145/23.04.2021) The term of office of a co-chairperson/chairperson may be terminated early by an act of the Civil Council of the SJC under the terms of Section III, paragraph 4 of these Rules.

13. (amended, CC act No. 97/06.07.2018) The acts of the Citizens' Council shall be adopted by a simple majority of the organizations present or participating by written statements in a meeting held and shall form an integral part of the minutes of the meeting.

14. Voting shall be open and by roll call and the manner of voting by those present shall be recorded in the minutes.

15. (supplemented, CC act No. 145/23.04.2021) The meetings of the CC at the SJC may be held in person in the SCC building or online by videoconference. Access to the internet platform where the online meeting of the SCC is held shall be provided by the co-chairperson/chairperson, and the members of the SCC shall be notified by being sent a link to access the online meeting to the e-mail addresses they have specified. The online meeting shall be audio-recorded and its content shall be reproduced in the minutes of the meeting. The sound recording shall be stored by the Administration of the Supreme Judicial Council in accordance with the rules of the SJC. At the request of a member of the CC of the SJC, access to the sound recording of the meeting shall be granted in accordance with the rules of the SJC. The meetings of the Civil Council shall be open to journalists.

15.1 (new, CC act No. 145/23.04.2021) The minutes of the meetings of the Civil Council shall be sent to each of the member organizations after they have been prepared within the time period

specified in paragraph 17 of this section. They shall be published on the official website of the Supreme Judicial Council.

16. (supplemented, CC act No. 145/23.04.2021) The Secretary General of the SJC shall appoint with an order a permanent technical assistant of the Civil Council who shall take a verbatim record, keep the records and provide correspondence backup, including keeping the incoming and outgoing correspondence register. The technical assistant may participate in the meetings and the communication of the Civil Council by giving instructions/clarifications on the Internal Rules of Procedure of the Administration of the SJC in the event of questions and queries of this nature and in relation to his/her competences listed above in this point, in his/her capacity as permanent technical assistant of the Civil Council.

17. (supplemented, CC act No. 145/23.04.2021) The minutes of the meetings shall be signed by the co-chairperson/chairperson and the technical assistant, and then published on the website of the Supreme Judicial Council not later than 2 months after the date of the meeting.

18. The participants in the Civil Council shall not receive remuneration for their participation in the meetings.

19. (amended, CC act No. 97/06.07.2018) The acts of the Civil Council shall be considered by the Plenum of the Supreme Judicial Council within 30 days. The Plenum of the Supreme Judicial Council shall deliver an opinion within 2 months at the latest.

20. (repealed, CC act No. 97/06.07.2018)

21. (amended, CC act No. 97/06.07.2018, and supplemented, CC act No. 145/23.04.2021) Statements to the media on behalf of the Civil Council may be made jointly or individually by the two co-chairperson or the chairperson of the Civil Council.

TRANSITIONAL PROVISIONS

§1. The Civil Council was established on the basis of decisions of the Supreme Judicial Council under Minutes No. 53/13.11.2012 and Minutes No. 1/10.01.2013.

§2. These Rules for the Operation of the Civil Council at the Supreme Judicial Council were approved at a meeting held on 11.02.2013, under Minutes No. 2, as amended and supplemented at a meeting held on 25.06.2013, under Minutes No. 6, as amended and supplemented at a meeting held on 22.10.2013, under Minutes No. 8, as amended and supplemented at a meeting held on 07.03.2014 under Minutes No. 12, as amended and supplemented at a meeting held on 11.04.2014 under Minutes No. 13, supplemented at a meeting held on 11.07.2014 under Minutes No. 16, as amended and supplemented at a meeting held on 19.09.2014 under Minutes No. 17, supplemented at a meeting held on 03.06.2016 under Minutes No. 28, as amended and supplemented at a meeting held on 08.07.2016 under Minutes No. 29, as amended and supplemented at a meeting held on 01.06.2018 under Minutes No. 49 and at a meeting held on 06.07.2018 under Minutes No. 50, as amended and supplemented at a meeting held on 23.04.2021 under Minutes No. 73.