

ANNOTATION

OF THE PAPERS OF ASSOC. PROF. BOGDAN DRAGNEV YORDANOV,
PH.D. IN RELATION TO PARTICIPATION IN A COMPETITION FOR
OCCUPYING THE ACADEMIC POSITION OF PROFESSOR
IN AREA OF HIGHER EDUCATION 3. SOCIAL, ECONOMIC AND
LEGAL STUDIES,
PROFESSIONAL DIRECTION 3.6 LAW (ADMINISTRATIVE LAW AND
ADMINISTRATIVE PROCESS)
IN LAW FACULTY OF PLOVDIV UNIVERSITY "PAISII HILENDARSKI"

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1. MONOGRAPHIC WORK: Regional Development, 2024, ed. Libra Scorp, ISBN 978-619-273-049-9.

1. General Characteristic

1.1. The work contains 206 pages, including the literature used. The paper is a monographic work dedicated to the current administrative and economic aspects of the regional development of the Republic of Bulgaria. The monograph is a comprehensive scientific work that examines the essence of the concept of 'regional development', the structure of regional planning, the management of regional development, strategic planning documents and the resource provision of regional development. The positive aspects of the modern legislative framework are analyzed, its gaps and ambiguities are reflected and suggestions for its improvement are made. The main task of the scientific work is to outline the current problems related to the regulation of regional development and to offer the most optimal options for combating social and economic inequalities, which can be assessed as one of the main strategic priorities in the EU's regional development policy.

1.2. Structurally, the presentation includes an introduction, five chapters and a conclusion:

- Chapter 1 – Regional development – substance;
- Chapter two – Structure of regional development;

- Chapter three – Regional development management – competent authorities and strategic planning documents;
- Chapter Four – Resource provision for regional development;
- Chapter five – Comments and recommendations on the current legislative framework.

2. Chapter one – Regional development – substance.

This chapter focuses on the essence of the concepts of ‘regional development’ and ‘region’, with the most serious emphasis on approaches and the historical evolution of the regulatory framework in Bulgaria.

The first part draws attention to the theoretical statements related to the regional approach, providing a clear and comprehensive picture of the concept of regional development. The importance of an integrated approach and modern monitoring and evaluation methods, which are key to the successful implementation of regional policy, is underlined. The analysis is supported by specific examples and historical context, which also contributes to a better understanding of the topic.

The second part of this chapter focuses on the concept of ‘region’. All components of the region are considered: natural, demographic, economic and territorial-administrative. By clarifying the conceptual apparatus in the field of regional development, the aim is to outline the modern meaning of concepts such as ‘area’, ‘region’, ‘regional development’ and ‘regionalisation’, so that they can be used correctly according to the specific context. The clear definition of the term "region" aims to contribute to the effective planning and management of regional development, taking into account the unique characteristics and needs of each territory.

The part dedicated to the historical review of the regulatory framework and modern principles for conducting regional policy provides a comprehensive analysis of the evolution of legislation in the field of regional development in Bulgaria. The development of the regulatory framework is considered, starting with the first Regional Development Act 1999, which initiated the planning, management and resource provision of regional development in Bulgaria, going through an analysis of the subsequent laws of 2004 and 2008 and reaching the latest amendments in year 2020. The gradual adaptation and improvement of the legislation in accordance with European standards and requirements is also monitored.

The need for a flexible regulatory framework that can adequately regulate the ever-changing relations in the field of regional development is stressed.

3. Chapter two – Structure of regional planning.

The first paragraph provides a comprehensive overview of the socio-economic zoning in Bulgaria, tracing the historical development and the different approaches to the territorial division of the country. The analysis starts from the first attempt at zoning in 1934 by Academician Anastas Beshkov, who proposed a division into seven economic regions and went as far as the introduction of the NUTS system in year 2000, which was coordinated with Eurostat and the National Statistical Institute. The new proposals for amendment of the zoning made in 2018 are analyzed in order to meet the requirements of Eurostat and to optimize the access to European funds. A rule is drawn that always in future changes in zoning it is important to take into account the population size, GDP and natural geographical division.

The section dealing with planning regions under the current Regional Development Act (NUTS-2) provides an in-depth analysis of the importance and functions of these areas. It highlights the role of NUTS-2 regions in planning and financing of regional development, as well as the challenges related to their zoning and compliance with European standards. NUTS-2 planning regions are not territorial units but are established for regional development and statistical purposes. They are an essential tool for planning, programming, implementing and monitoring regional policies in line with the requirements of the European Union. The main objective of these areas is to form the framework for regional development, ensuring compliance with European standards and facilitating access to funding from European funds. They play a key role in the definition of funding and development priorities, as well as in the coordination of sectoral policies at regional level. The six regions (North-West, North-Central, North-Eastern, South-West, South-Central and South-Eastern) into which Bulgaria is divided are analyzed, each of them covering several regions that are administrative-territorial units. The 'population size' has been identified as the leading criterion for the formation of areas.

The third part of this chapter is devoted to the areas of the third hierarchical level (NUTS-3). It underlines the role of the districts as main administrative-territorial units for the implementation of regional policy and ensuring the alignment of national and local interests. The proposals - amendments to merge individual areas in order to achieve greater efficiency and compliance with European standards - are reflected and assessed, as eleven of the areas do not meet the minimum population threshold, which poses challenges for the effective implementation of regional policy. The EU's interest in the big cities in Bulgaria in order to turn them into well-established national centers on a larger share of the territory is also reflected.

Chapter Three – Regional development management – competent authorities and strategic planning documents.

The first part provides an in-depth and comprehensive analysis of the institutional framework and functions of the various bodies involved in regional development. The importance of coordination and interaction between different institutions at national, regional and local level for the successful implementation of regional policy is emphasized. The main objective of the legislation on regional development is to achieve full coherence, coordination and effective interaction between the different competent structures. This is reflected as a necessity for a successful regional policy and the achievement of the desired development of the regions. Emphasis is also placed on the growing need for coordination at regional and local level between the different administrative structures that manage parallel regional policies.

The section ‘Acts in the field of regional development’ in the monograph provides an in-depth overview of the strategic documents and regulations that regulate regional development in Bulgaria. This section begins by explaining the purpose of the amendments made to the Regional Development Act in 2020, which are aimed at introducing a simplified and integrated system of strategic planning documents. This system aims to overcome the artificial separation between spatial and regional development strategy documents. The importance of these strategic documents for coordination and coherence in territorial changes of sectoral policies, which is key to achieving sustainable regional development, is also highlighted. However, the trend is reflected that there are still problems with determining the nature of acts in the field of regional development and the order of their contestation. The analysis made shows that the main strategic documents in the field of regional development are well structured, but also identifies some of the challenges related to their implementation and control.

Chapter Four – Resource provision for regional development.

This chapter underlines the importance of financial resources for the successful implementation of strategic documents and the achievement of regional development objectives. It is concluded that without adequate funding, even the best developed plans and strategies would remain ineffective. The approach to selecting sources of funding is also analyzed – by determining that it depends on the characteristics of the project, the environment for its implementation and the values of the possible sources. The need for diversified sources of funding for the successful implementation of the strategic documents is also clearly underlined. Despite the availability of significant funds from the state budget and European funds, the challenge for their effective allocation and use remains. The problems with the scarcity of funds in the municipal budgets are also discussed, which once again proves the need for better coordination and management of resources. The main sources of funding for regional

development are examined in detail, while some of the challenges related to their implementation and control are also noted.

Chapter Five – Comments and recommendations on the current legislative framework.

As an introduction to this chapter, the legislative reform in the field of regional development carried out in 2020, which is assessed as a significant step towards modernization and optimization of the regulatory framework in Bulgaria, is considered. This reform is designed to improve the effectiveness of regional planning and management by introducing clearer and simpler procedures and documents. Clearer and more comprehensible provisions harmonised with European standards have also been introduced, the system of strategic planning documents has been simplified and the administrative burden has been reduced. While more time is needed to fully assess the effects of the reform and the existence of case law, the initial results are encouraging and show an improvement in control and accountability.

Legislative unsustainability, which in itself hinders the effective implementation of development policies and strategies, is a serious problem in the field of regional development. This part of the paper examines the causes and consequences of frequent changes in the legislative framework, as well as the need for stability and predictability in the regulatory framework.

In this chapter, the scientific contributions of the entire monographic work are practically outlined, which are expressed in: reflecting existing gaps and ambiguities in the Regional Development Act following the latest updates and drawing up proposals *de lege ferenda*, with a view to improving the current regulatory framework in relation to the issues examined.

For the first time in legal doctrine, a comprehensive scientific study on the topic of regional development is presented, which can be assessed as a worthy guide to the regulation of this matter for lawyers, as well as for economists and statisticians. Even if some parts of the scientific work have been the subject of scientific research - in its entirety, regional development has always remained outside the scope of the legal studies.

As a result of the application of the historical-legal analysis, a comparison was made in the development of the doctrine for the regions and the regional development.

II. MONOGRAPHIC WORK: Municipal Property Management, 2024, ed. Libra Scorp, ISBN 978-619-273-078-9, issued on the basis of a defended dissertation for the acquisition of the educational and scientific degree of Doctor of Law named ‘Municipal Property Management: up-to-date Administrative Law Aspects’. The publication is completely up-to-

date with the current legal framework regulating the management of municipal property as of September 2024 and may be said to contain an entirely new approach and analysis of the current legislation in this field, taking into account the legal changes (for 23 years) since the issuance of the dissertation in year 2001 to the present day.

The paper contains 235 pages, including the literature used. The work is a monograph dedicated to the current Administrative Law aspects in the management of municipal properties. The monograph is a comprehensive scientific paper that covers the current aspects of municipal property management and is based on historical and comparative legal analysis. A solid amount of case law on the topic of the study is analyzed and the current legislation and the acts of the administrative courts and the Supreme Administrative Court are critically analyzed. The main task is to outline the current problems that are related to the regime of municipal property management and to propose adequate approaches to solve them on the basis of the current legislation and the administrative practice of its implementation.

In the course of the study, all concepts, rules and procedures related to the regime of municipal property management are examined. As a result of the application of the historical and legal analysis, the regulation of the regime of public and private municipal property at the beginning of the twentieth century and the regime of municipal property established under the current legislation has been clarified. There are also numerous proposals *de lege ferenda* to improve the legislation, which would also lead to its full compliance with EU law. The possible forms of citizen participation in the management of municipal property are also outlined in detail. The administrative legal status of all participants in the process of management of private and public municipal property is also clarified. Finally yet importantly, a comprehensive analysis of the most advanced forms of municipal property management – concessions and public procurement – has also been carried out.

The dissertation concludes that the way to maximize the stimulation of regional economic development is to effectively engage all stakeholders - central and local government authorities, local and central investors, as well as the citizens of each relevant municipality. The paper analyses and synthesizes individual appropriate strategies for regional development, which are defined as "necessary measures to improve the quality and conditions for the development of private initiative and investment and entrepreneurial activity in the municipality concerned". The formulated strategies for regional and economic development can also be considered as a basis for improving the current legislation.

The paper also makes a critical analysis of the case law relevant to the management of municipal properties and makes some proposals for changes to the current Municipal Property

Act with a view to further improving the legal framework in relation to the mechanism of management of private and public municipal property.

1.2. Structurally, the paper includes an introduction, six chapters and a conclusion:

- Chapter 1 – General theoretical issues and legislative development of municipal property management;
- Chapter Two – Administrative characteristics of municipal property management;
- Chapter 3 – Some forms of direct management of municipal property;
- Chapter Four – Management of municipal properties by submitting them to legal persons;
- Chapter Five – Managerial peculiarities of the acting and accountability of municipal properties;
- Chapter six - Current trends in municipal policy. Regional development strategies.

III. STUDIES AND ARTICLES

1. Need for Improvement and Modernization of the Regulation of Spatial Planning and Planning, article, in Collection of Scientific Readings on the 140th Anniversary of the Adoption of the Tarnovo Constitution, organized by the Law Faculty of the Plovdiv University "Paisii Hilendarski", ed. Ciela Norma AD, 2019, pp.123-130, ISBN 978-954-28-3043-6.

The article discusses the need to improve and modernize the regulatory framework of spatial planning and planning in Bulgaria. The current legislation at the time of publication of the article has been analyzed in detail, the main problems in the field have been identified and solutions based on the experience of other countries and international standards relating to spatial planning have been proposed.

The research begins with an overview of the political, economic and social changes in Bulgaria over the last three decades, which have had a significant impact on spatial planning and planning. Democratic processes, restitution, privatisation and the protection of private property have led to the emergence of new players in the economy and urban planning.

The current legislation at the time of publication of the article is subject to critical analysis, emphasizing that it is often contradictory and ineffective. The main law in the field of spatial planning and planning - the Spatial Planning Act (SPA) has been amended and supplemented many times, but it can quite rightly be said that it still does not meet the standards of modern countries and the requirements of the European Spatial Development Concept.

Three main areas in which territorial planning in Bulgaria encounters problems are identified in the scientific work: the planning system and its legal framework; planning practice

and education and professionalism in the field of planning. The article outlines the need for modernization of the regulatory framework, using a comparative method and drawing on the experience of other countries. The European concept of spatial development and the experience of the countries of the Baltic Sea region, as well as the practice of spatial planning in the United States of America, are also considered and analyzed. Several key principles for the modernisation of legislation are also proposed: investment in housing and environmental use; environmental and local economic development planning and appropriate urban planning that combines the natural landscape with a diverse urban environment. In conclusion, it can be said that the article provides an in-depth analysis of the existing legislation in the field of spatial planning and planning in Bulgaria, and it accurately and clearly identifies the main problems and proposes specific solutions based on international experience and standards. It is suitable to serve as a basis for future legislative reforms in the field of spatial planning and planning in the Republic of Bulgaria.

2. The Regional Governor. Historical Traditions. Status and Organization of Activity, article, journal 'Studia Juris', No 2-2016, pp. 59-71, ISSN 2367-5314

The article examines in practice the figure of the regional governor in Bulgaria, focusing on the historical traditions, the status and the organization of its activities. In summary, the scientific paper reviews the legal framework, analyses the main functions and powers of the regional governor and proposes recommendations for improving the legislation.

The study included a historical review of the legal framework. In the Ottoman period, the figure of the regional governor was established in the person of the mudurin, who was a representative of the central authority and exercised control over the local councils. After the Liberation, the figure of the regional governor was provided for in the Tarnovo Constitution and the special laws. It is presented as a 'local public authority with general competence in the territory of the area concerned'. The constitutions of 1947 and 1971 denied the need for the existence of regional governors. Instead, management at the regional level is carried out by collective bodies. After 1991, with the entry into force of the current Constitution, the existence of the regional governor was restored. The region is defined as an administrative-territorial unit for conducting regional policy and implementing state governance on the ground.

The scientific article examines in detail the whole range of functions performed by the regional governor. However, the Administration Act also provides for a number of restrictions on regional governors, including a ban on holding another state position, exercising a commercial activity and participating in the management of legal entities. The regional

governor is assisted by a political cabinet, which has advisory, control and information-analytical functions. It reports to the Council of Ministers and presents annual reports on the activities of the regional administration.

The scientific work emphasizes the need for modernization of the regulatory framework, expanding the powers of the regional governor and ensuring greater operational autonomy. De lege ferenda has been proposed to develop the decentralisation process and to give more autonomous powers and responsibility to the regional governor so that he can effectively fulfil the tasks and objectives set out in the Constitution.

3. Legal Problems in Contesting the Decisions of the Municipal Electoral Commission on The Early Termination of the Powers of Mayors, article, in Collection "Law - art for the good and fair", ed. Plovdiv University, 2013, pp. 51-57, ISBN 978-954-423-874-2.

The scientific paper discusses the legal problems related to challenging the decisions of the Municipal Electoral Commission (MEC) for early termination of the powers of the mayors. The amendments to the Local Self-Government and Local Administration Act (LSGLAA) of 2011 and the consistent case-law reflected in Interpretative Decision No 1/30.03.2009 of the Supreme Administrative Court are analyzed in detail.

The article begins with a review of the legal framework governing the grounds for early termination of the powers of mayors and municipal councilors pursuant to Articles 30, 41 and 42 of the LSGLAA. It is emphasized that the decisions of the MEC for early termination of the powers are subject to judicial review under the Administrative Procedure Code. The legal framework is not precise enough regarding the appealability of the refusals of the MEC for early termination of the powers of the mayors. This gives rise to contradictory case-law. Despite the amendments to the LSGLAA in 2011, which regulate judicial control over the decisions and refusals of the MEC for municipal councilors, there is no analogous regulation for the mayors of municipalities.

The Supreme Administrative Court held in Interpretative Decision No 1/30.03.2009 that the refusals of the MEC for early termination of the powers of mayors and municipal councilors are not subject to challenge. The article clearly outlines the arguments that prove that this opinion of the Supreme Administrative Court limits the legal sphere of the interested entities and allows a double standard of administration of justice. The legal interest and standing of the entities that can challenge the decisions of the MEC are also analyzed in detail. It is emphasized that the signal to the MEC should be considered as a request to initiate proceedings for the

issuance of an individual administrative act. The article also states that political parties and coalitions should have a recognized legal interest in challenging MEC decisions, as they affect their rights and the possibility of holding new by-elections.

Legislative changes and revision of the settled case law are also proposed in order to clarify and specify the legal framework regarding the appealability of the refusals of the MEC for early termination of the powers of the mayors. Emphasis is placed on the need to overcome vicious public practices and protect significant public interests.

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