R E V I E W

by Prof. Dr. Silvi Vassilev Chernev

CONCERNING: Competition for Associate Professor of Civil Law at the Faculty of Law of Paisii Hilendarski University

DEAR MEMBERS OF THE SCIENTIFIC JURY,

I am included in the scientific jury for the competition under discussion by Order No. RD-22-67/16.01.2025 of the Rector of Paisii Hilendarski University. The competition is for the academic position of Associate Professor at Paisii Hilendarski University of Plovdiv in: field of higher education 3. Social, Economic and Legal Sciences, professional field 3.6 Law (Civil and Family Law) at the Department of Civil Law of the Faculty of Law. The same was announced in State Gazette, no. 98/19.11.1924 г.

1. In the following I will make a brief statement in turn of the circumstances relevant to the assessment of the scientific production of the two candidates (I will consider the candidates' works in the order of their applications. I will discuss only the scientific works submitted for this competition - the scientific works submitted for the dissertation defense procedures have been discussed and evaluated accordingly by a competent jury. I also do not evaluate publications that are based on the dissertation).

1.1. Dr. Ivan Petkov Mangachev (application for participation dated 06.01.2025).

The scientific works submitted by the candidate for participation in the competition are 15 in number, among which the monographic work

"Finality of Settlement, Legal Framework", Ciela, 2013, ISBN 9789542812685 can be qualified as a habilitation work.

1.1. The work is 175 pages of pure text plus numerous indexes and appendices (in Bulgarian and English - additional 24 pages at the beginning and 84 pages at the end of the publication). It is devoted to a relatively new for Bulgarian law legal institute, moreover with a wide practical application, and as far as I know, there is no other monographic work devoted to the same issues (there are several articles and documents coming from banks with instructive content).

The monograph consists of an Introduction, four chapters and a Conclusion.

The Introduction (pp. 25-28) outlines the importance of settlement finality, the significance for the development of this institute of Directive 98/26/EC and, respectively, the legal framework adopted in the Payment Services and Payment Systems Act and the Public Offering of Securities Act. Emphasis is placed on the importance of settlement finality in preserving the stability of the financial system even in the event of the opening of insolvency proceedings.

The first chapter (pp. 29-74) is devoted to clarifying the content of the concepts dealt with (including the central "finality of settlement"); the various settlement systems are discussed.

To illustrate, specific cases are examined - the insolvency of the German bank Herstatt ..., the related problems and the necessary changes in the legal framework; reports of the Bank for International Settlements are followed, etc. The third paragraph of this chapter is devoted to the Bulgarian legal framework (the source acts of European law and the specific Bulgarian legal acts). The fourth paragraph is devoted to an

extensive historical study of the development of the institution under consideration (the review starts from phenomena in ancient Mesopotamia, through ancient Egypt, etc.). The chapter ends with a fifth paragraph containing conclusions from the descriptions and analyses carried out.

The second chapter (pp. 75-94) is devoted to the subjects of systems with settlement finality. The characteristics and roles of the so-called system operator, settlement agent, CSD, clearing house and several others are examined in turn. Attention is paid to the supervision of settlement finality systems. At the end of the chapter, the conclusions are summarized.

Chapter Three is devoted to the different elements of the settlement finality mechanism (pp. 95-145), including the settlement finality agreement. The author distinguishes from similar institutes (multilateral transactions, including civil partnership agreements, giro agreement, netting agreement, etc.) and examines the legal nature of this type of agreement. The nature of the settlement account, the transfer order and its irrevocability are analyzed in turn. Separate attention is given to collateral and its provision (including under the Financial Collateral Contracts Act). The nature of clearing and its features in banking and securities transactions are explored; models of regulation in different countries are examined. In the following, the specificities of netting and its variations (including in settlement terms) are treated; finally, the specificities of hybrid settlement are examined. The penultimate paragraph (Seventh) is devoted to guarantee schemes and the last one contains the conclusions of the study.

The last chapter (Fourth - pp. 146-193) is devoted to the peculiarities of insolvency proceedings in case of finality of settlement. The first two paragraphs deal with the particularities of insolvency proceedings against a settlement participant depending on which law the proceedings are conducted under (the Bankruptcy Code or the Bankruptcy Act), including

with regard to the resolution measures. The third paragraph deals with the protection of transfer orders and netting. The author analyses the specific case of British Eagle (1975) and several hypotheses of Directive 98/26/EC and their respective transposition into the Payment Services and Payment Systems Act (the work was written under the repealed 2009 Act). The prohibitions on the attachment of the settlement account and on the retroactive effect of insolvency proceedings are discussed in turn4 (par. 4 and 5). The penultimate (6th) paragraph is devoted to aspects of collateral protection in insolvency proceedings, including issues of applicable law. And this chapter concludes with a summary of the conclusions.

The conclusion (pp. 194-199) is brief and contains principled and concrete proposals for improving the legal framework in force at the time of the publication of the work.

There is no evidence that the work has been peer-reviewed.

Overall, the monograph is a contribution. It presents Directive 98/26/EC, relevant regulations in various European countries based on this Directive. The parts of the presentation dealing with settlement participants, settlement finality systems, the irrevocability of transfer orders and, above all, the relevance of settlement finality for insolvency proceedings should be mentioned as specific contributions.

Most of the ideas and concrete proposals for improving the legal framework are useful and acceptable.

Significant is the fact that in subsequent amendments and additions to the relevant regulations, some of the proposals of the applicant have been adopted and converted into existing regulations.

1.1.2. A significant number of other publications were also submitted for the competition

A number of them are directly or indirectly related to the topic of the habilitation thesis (apart from the predominant subject matter related to banking law and interbank relations, including on collateral and varieties of banking contracts - Nos. 3, 4, 7, 10, 13 and 14 of the aforementioned works); No. 2 is devoted to an overview of the protection of immovable property in Bulgaria (in English), and Nos. 5 and 15 are related to the legal nature of nationalization acts. Two works, Nos. 8 and 9, are devoted to the specifics of bank nationalization; No. 11 is devoted to the problems under Article 71 of the Civil Code; and No. 6 is a historical study of activities related to bank records in ancient Rome. One of the publications deals with problems of stabilization in insolvency proceedings under the LC.

TARGET 2 and Settlement Finality, Acta Universitatis Danubius. Juridica, Vol 7, No 1 (2011), Print ISSN: 1844-8062. Online ISSN: 2065-3891" - is closely related to the subject matter of the discussed habilitation thesis and presents a trans-European settlement system.

The same applies to the publication: 'Participants in a Settlement Finality System, Gramada Electronic Legal Site, ISSN (online): 2682-9703'.

What has been said with regard to the relevant parts of the habilitation thesis applies to these two works as well.

1.2.2. The article "Active Solidarity and its Application in Bank Lending", Commercial and Bond Law Digest, 2024, Vol. 11, ISSN: 1314-8133, should be highlighted, which is devoted to the so-called "active solidarity", attention to the problems of which has arisen in recent years, and regulation is practically lacking. Both the treatment of the problem and the corresponding proposals for the improvement of our legislation are contributory.

1.1.2.3. Of practical utility is the work "On the banking concepts of "deposit", "deposit" and "account", Electronic Legal Site "Gramada", ISSN (online): 2682-9703.

1.1.2.4. The work "Protection of immovables in European legal systems" (the part for the Republic of Bulgaria, co-authored with Silvia Tsoneva) is part of a collective work presenting the state of protection of immovable property on the European continent. The aim of this kind of publication is to create something like an almanac on a given issue, covering the legal regime or the state of law enforcement on a given issue in as many countries as possible. The aim is informative rather than providing a substantive analysis of the relevant regimes. In the present case, the submission consists of answers to questions posed by the editors.

1.1.2.5. Several of the works presented deal with nationalization (of the estates of former kings; of nationalization of banks in general; and of nationalization of a particular bank): "The Law on Declaring State Ownership of the Properties of the Families of the Former Tsars Ferdinand and Boris and Their Heirs - Nationalization, Expropriation, Confiscation or Estatization?"; "The Legal Forms of Nationalization in the Banking Sector Comparison and Brief Commentary on Directive 2014/59/EU", Commercial and Bond Law Digest, 2014, vol. 08, ISSN: 1314-8133; "The nationalization of the Franco-Bulgarian Bank", Electronic Legal Site "Gramada", ISSN (online): 2682-9703;

One of the articles has a theoretical significance "Expropriation and Nationalization as Forms of Nationalization, Property and Law Digest, 2009, Vol. 6, ISSN: 1312-9473" It seems to me that a contribution is the consideration of nationalization and expropriation as forms of nationalization.

Against the backdrop of the considerable temporal distance (respectively of the socio-political situation), including from the moment when the question of the possible return of the properties in question was raised, the study of the deeds concerning the properties of the former kings is of historical interest only.

As far as the nationalisation in the banking sector is concerned, both works are of contributory importance (analytical and informative).

1.1.2.6. The Uniform Rules on Demand-Paid Guarantees (EPGP) and Bulgarian Case Law, Electronic Legal Site "Gramada", ISSN (online): 2682-9703. The so-called Uniform Rules on Demand Guarantees are discussed, and it should be noted that these are voluntary rules that have been drafted by the International Chamber of Commerce in Paris. The article contains a rather brief legal analysis of the content of the relevant rules (including Article 442 of the LC), after which the author turns to an analysis of the available case law in the country and concludes with the observation that the courts, while accepting the meaning of the Uniform Rules, also assume that they are dispositive (which is quite natural for this type of acts, which generally do not have normative force).

1.1.2.7. Two of the submitted works have the significance of a historical legal overview and especially the first of them "On codex rationes, codex (ratio) accepti et expensi and receptum argentarii, Electronic Legal Site "Gramada", ISSN (online): 2682-9703" does not reveal a direct link to the theme of the competition.

As for the second article, The Payment Transaction in European and Roman Law, Ius Romanum, Universum iuris romani Issue II/2017, pp. 491-500, ISSN 2367-7007, I also find no connection with what knowledge about modern complex transactions can be enriched by comparing them with the corresponding ones performed in ancient Rome. And this work could

qualify in a competition on Roman law. Otherwise, the roots of the modern European legal system are inevitably to be found in ancient Roman law.

1.1.2.8. The work "The Claim under Article 71 of the Civil Code, Electronic Legal Site "Gramada", ISSN (online): 2682-9703" raises interesting questions about the status of members of management and supervisory bodies in commercial companies, and also of partners in non-equity companies. The author's reflections and suggestions for refining the existing texts are useful and acceptable.

1.1.2.9. The work "Stabilization Proceedings - Past, Present and Near Future, Electronic Legal Site "Gramada", ISSN (online): 2682-9703" is an attempt to outline the essence of stabilization proceedings, it contains a historical overview.

The general thing that can be deduced from the review of the presented scientific works, and especially for the habilitation thesis, is the high cognitive value of the elaborations - one can observe the knowledge and fluent handling of a complex matter and in the context of the relevant European norms and the Bulgarian legislation in force at the time of writing the work; serious knowledge in historical and comparative legal terms. The scientific apparatus impresses with the multiplicity and diversity of its titles; the free use of texts in different languages, which also testifies to a high linguistic culture.

Here, however, in connection with the scientific production, I would like to point out that, despite the high value of the presented production, in a part of the research it would be difficult to talk about a matter that constitutes civil and especially family law. Whilst a significant part of the work does contain elements of civil law, I doubt that interbank relations, especially international relations (as is the case in much of the work) can be described as belonging to classical civil law.

Compliance with other legal and internal university requirements will be discussed when comparing the two candidates.

1.2. Chief asst. Dr. Dimitar Simeonov Topouzov (application submitted on 13.01.2025).

The works submitted for the competition are a habilitation thesis and 13 articles and reports.

1.2.1. The habilitation thesis is a monograph. The work was reviewed by two respected scientific editors - Assoc. Prof. Dr. Krassen Stoychev and Assoc. Prof. Dr. Velina Todorova.

The choice of the topic leads to wide opportunities for the unfolding of scientific potential: on the one hand, it enables the potential reader (and this upon a thorough analytical reading by the author) to get acquainted with the formulated principles of European family law; on the other hand, it provides an opportunity to compare these principles with the existing legal framework of Bulgarian family law, and thus - to provide a starting point for its possible improvement.

The matter is of exclusive interest to the vast majority of private law subjects, in fact to the overwhelming number of individuals.

The work is 263 pages of pure text (plus 35 pages of indexes and appendices - 15 at the beginning and 20 at the end).

In the Introduction (pp. 15 - 20) the author justifies the relevance of the chosen topic, sets his scientific objectives (which in turn predetermines the structure of the work); outlines his methodological toolkit and generally traces the content of the exposition.

Chapter One (pp. 21-91) is devoted to the Commission on European Family Law and the principles it developed: The first paragraph is devoted to the

establishment, legal status (outlining its private law nature), structure, objectives and modus operandi of this Commission. Separate subsections are devoted to the Commission's working methodology.

The importance of more general institutions relevant to the development of family law and its harmonisation is discussed - the EU, the CoE, the UN, as well as the role of the Hague Conference on Private International Law.

The second part of this chapter (pp. 41-91) successively outlines the different principles (on divorce and maintenance between former spouses; relations towards children, including parental responsibility; property relations between spouses. On the principle of the status of property, maintenance and inheritance rights in de facto unions).

Part of the presentation is devoted to the study of the essence and legal nature of these principles and their distinctions from related phenomena (legal norms, legal principles, customs); their significance for jurisprudence, etc.

The second chapter is devoted to and contains an assessment of the conformity of the European principles with the current Bulgarian legal framework of property relations between spouses (pp. 92-190).

The chapter begins with a discussion of the notion of 'primary legal regime' and contains the finding that the current Bulgarian law lacks a fully-fledged primary matrimonial regime, partly due to previous periods of regulation when the relationship was governed in a purely peremptory manner, not tolerating deviation.

Among the principles primarily addressed are the equality of the spouses; the principle of legal capacity (legal capacity of the spouses); the necessity of the participation of both spouses in providing for the needs of the family; the protection of the family home (including under different property

regimes); spousal representation; and the duty to provide information. Separate attention is paid to the principle of freedom to conclude property and matrimonial agreements.

For all of the principles listed, the submission contains a thorough and in-depth analysis (including historical and, in some cases, comparative law) of the individual principles and concludes with conclusions and implications.

Chapter Three (pp. 191-274) reflects the author's vision of the possible perspectives for improving the Bulgarian matrimonial property rights and obligations regime on the basis of the principles discussed.

First of all, it points out the necessity of introducing a primary matrimonial regime and outlines the exemplary content and the systematic place of such a regime within the existing legislative framework. With regard to the principle of spousal contribution to the needs of the family, the need for a claim for the pecuniary equivalent of the contribution due is justified and certain necessary features and distinctions are set out.ds of the family; the protection of the family home (including under the different property regimes); of spousal representation; and the duty to provide information.

The presentation contains a solid analysis, well-founded conclusions and concrete proposals for improving the legislation.

The paper concludes with a brief conclusion which broadly summarises the ideas put forward.

1.2.2 Alongside the habilitation thesis, the candidate has submitted a significant number of other publications (articles, reports). The articles and reports have been published in non-peer-reviewed scientific journals or in collective edited volumes. All the papers are on family law and inheritance law issues. He has co-authored three consecutive editions of a family and inheritance law textbook (2017, 2019 and 2023).

1.2.2.1. The applicant has submitted one collective monograph "Republic of Bulgaria" - In International Encyclopedia of Laws: family and Succession Law, edited by Walter Pintens, Alphe van den Rijn, NL: Kluwer Law International, 2019, ISBN 978-90-654-4888-0. Unlike the overview work on the legal protection of immovable property under Bulgarian law presented by the first candidate, which is (as stated) answers to specific questions (hypotheses), the work presented by the second candidate is a collective monograph - a scientific work of 316 pages, with extensive scientific apparatus. The monograph contains an analytical exposition of the entire Bulgarian family and inheritance law, including the issues of de facto cohabitation.

1.2.2.2. Thirteen articles were also submitted for the competition.

1.2.2.2.1. The statement in the article "The principles of European family law - basic characteristics, legal nature and limitations" - In. Volume I, Plovdiv, University of Economics "Paisii Hilendarski", 2023, 373-387, ISBN 978-619-202-903-6 coincides with the problems addressed in the habilitation thesis. "Principles of European family law on property relations between spouses" - Legal Thought, 2020, vol. 4, pp. 3-22, ISSN 1310-7348 (co-authored with Assoc. Prof. Velina Todorova); the article "De lege ferenda on the protection of the rented family home" - Legal Thought, 2018, vol. 4, pp. 48-60, ISSN 1310-7348; the article "Representation between spouses in the light of the Principles of European Family Law" - Studia Iuris, no. In. S: Sibi, 2017, pp. 169-187, ISBN 978-619-226-005-7.

1.2.2.2.2. Of interest is the article "Will the chosen matrimonial property regime be suspended if one of the spouses is subsequently placed under disability?" The article was published in Marriage and spousal relations. Family Law Discussion Paper. Plovdiv, University "Paisii Hilendarski", 2022, pp. 76-93, ISBN 978-619-202-730-8. The article contains a

multifaceted analysis, which leads to the conclusion that minors and limitedly prohibited persons cannot choose the matrimonial property regime, and also that in case of subsequent prohibition, the chosen regime is suspended and the general matrimonial property regime comes into force in its place.

1.2.2.2.3. The article "Principles of European Family Law on Property, Maintenance and Inheritance Rights of Couples in De facto Unions" - Legal Thought, 2021, vol. 3-4, pp. 62-77, ISSN 1310-7348 (co-authored with Assoc. Prof. Velina Todorova), presents the Principles on Property, Maintenance and Inheritance Rights in De facto Unions elaborated by the European Family Law Commission, which is a scientific contribution in itself. In fact, this article contains what was made as a recommendation for future work on the topic of the habilitation thesis (see below).

1.2.2.2.4. There is also a contributory point in the article "Review of selected decisions from the practice of the Supreme Court of Cassation for 2019-2020 on the issues of parental alienation and personal relations of the child with grandparents" - Electronic edition "Challenge the law!", 21.02.2021, htpps://www.chalengingthelaw.com/semeion-i-nasledstveno-pravo/pregled-vks-2018-semeino-pravo/, ISSN: 1314-7854, which raises the issue of relations between grandparents/grandparents on the one hand and their grandchildren.

Similar is the article "Review of selected decisions from the recent practice of the SCC on family law issues" - Challenge Law, 14.07.2019, https://www.chalengingthelaw.com/semeino-i-nasledstveno-pravo/pregled-vks-2018-seme-ino-pravo/, ISSN: 1314-7854. It critically discusses the practice of the Supreme Court of Cassation (SCC) in the field of family law.

1.2.2.2.5. The subject of the article "Problems of testamentary capacity" - Ius Romanum, issue 1/2020; Hereditas, c.335-358, ISSN:3467-

7007,htpps:iusromanum.eu/periodicum/numeri, is the regulation of the so-called "testamentary capacity" under the Bulgarian law according to Article 13 of the Law on Inheritance (adopted in 1949) and accordingly the obligations of the Republic of Bulgaria in relation to the obligations assumed by it under the Convention on the Rights of Persons with Disabilities. The author takes the acceptable view that the rules concerning this type of 'capacity' differ and should differ from the general rules of civil law.

1.2.2.2.6. The article "Is post-divorce spousal maintenance in Bulgarian law obsolete? Antonoskolskaia (eds.) Family Law and Family Realities. Conference book - 16th World Conference of the International Society of Family Law. Eleven International Publishing, 2019; ISBN 978-94-6236-927-6 deals with the regulation of spousal maintenance in the new Family Code. As a result of the analysis, the author concludes that this regulation is not adequate and differs from models in other advanced countries.

1.2.2.2.7. The article "On the form of validity of the marriage contract" - Property and Law, 2018, vol. 2, pp. 43-51, ISSN 1312-9473, analyzes the legal requirements for the manner of conclusion of the marriage contract - the form of validity, the competent persons to perform the necessary certifications. Of interest is the discussion of the consequences of concluding the contract in a form more restrictive than the statutory form and the possibility for the parties to agree on a form of validity.

1.2.2.2.8. An important question is addressed in the article "Can partial transformation be claimed in the case of a co-ownership agreement approved by the divorce court? Practical issues in the absence of share ratio agreements" - Property and Law, 2016, vol. 6, pp. 41-47, ISSN 1312-9473. The author presents his opinion on the issue, which was raised in Interpretation Case No. 3/2015 of the SCC, Civil Division.

1.2.2.2.9. The textbook (co-authored with Assoc. Prof. Dr. Velina Todorova), which has undergone three editions, is of significant importance for the competition.

Overall, it can be said that the habilitation thesis is of remarkable theoretical and practical utility - in fact, it is a highly significant analysis of the existing regulation of property relations under Bulgarian family law (and not only of them) in comparison with the trends of development in other EU countries and beyond. Usually this kind of works is a rare phenomenon in our legal theory. That being said, the whole work represents a significant contribution in scientific and practical terms.

The specific analyses and relevant conclusions on the need for a full and distinct primary matrimonial regime under our law; on spousal representation; on the regime of the so-called family home; on the need to regulate the duty to provide information, etc. are also contributory. Many of the de lege ferenda proposals are also acceptable (corresponding to the above-mentioned acceptable ideas - the establishment of a primary matrimonial regime, the introduction of a sophisticated matrimonial home regime, including rent, etc.).

I am sceptical about the introduction of a claim for the award of the monetary equivalent of the spousal contribution due. Even if such a claim were to be introduced, its practical utility would be nil in the current state of the enforcement process. Moreover, such a claim would seriously contribute to a further deterioration of the relationship between the spouses.

A fundamental question to be addressed by the author in a subsequent work is what constitutes family law today - a law that governs the relations of persons who have entered into a formal marriage, or a law that also governs persons who cohabit, have children in common, etc. According to

statistics, about 50% of young people live together without a formal marriage. The Bulgarian legislator missed the opportunity to extend the scope of family law in the 2009 reform.

The other presented scientific works - the participation in the extensive collective monograph and the number of the above-mentioned articles - are of high scientific and practical utility.

2. Comparison of the two submissions on their compliance with minimum national and additional faculty requirements (if any):

2.1. According to these indicators, the candidate Dr. Ivan Petkov Mangachev has:

Group of indicators A 50 50

Group of indicators B 100 100

Group of indicators D 200 240

Group of indicators E 50 190

Total - 580 points.

2.2. Dr. Dimitar Simeonov Topuzov has:

Group of indicators A 50 50

Group of indicators B 100 100

Group of indicators D 200 245

Group of indicators E 50 355

Total: 750 points.

Both applicants meet the requirements. The difference between them is 170 points in favour of the candidate Assoc. Dr Topuzov.

3. Assessment of additional indicators within the meaning of Article 27(4) of the Law on the Development of Academic Staff in the Republic of Bulgaria.

First of all, it should be noted that the assessment of these additional indicators should be proceeded with equal results of the assessment of compliance with the minimum national requirements under Art. 1 OF THE DRRBA. Therefore, the assessment of the candidates on these indicators will be given more for the full outline of the applications rather than as a decisive factor.

3.1. The teaching work done by both candidates is impressive:

3.1.1. Dr. Ivan Mangachev (evidenced by a note dated 18.12.2024) has 17 years of teaching experience at the NBU, where he has taught various courses in commercial law and related subjects. The courses are listed as one-semester courses, there is no data on the specific number of academic hours.

3.1.2. Chief asst. Dr. Dimitar Topuzov in the period from 2016 to the present moment has delivered 386 hours of lectures and 2 299 hours of exercises in family and inheritance law and civil law general part.

There are two circumstances that should be taken into account in this comparison for one candidate the exact amount of teaching activity cannot be determined, for the second is impressive. For the second candidate, 386 hours of lectures were given; for the first candidate it cannot be ascertained whether the courses were lectures (in some places it is stated that they were 'seminaries', in others there are no specific details).

The disciplines on which the lecture courses and exercises are eventually conducted also differ. For the first candidate the predominant workload is related to commercial law, for the second - family and inheritance law and civil law - general part. Dr. Mangachev's teaching activities for the training

of attorneys should also be taken into account (Advocate Training Center - Dr. Krustyu Tsonchev) - the training is in commercial transactions, banking and financial law, insolvency and at the Institute of Chartered Financial Advisors (introduction to financial planning and inheritance law).

For the benefit of hl. asc. Dimitar Topuzov should be mentioned the participation in the triple publication of a textbook on family and inheritance law (co-authorship). This fact should be taken into account as positive in terms of work with students. As regards him, his active participation in the scientific activities of the Faculty of Law at PU, including by drafting opinions on constitutional cases and interpretative cases of the Supreme Court of Cassation, should be mentioned.

The professional biographies of the two candidates are rich (especially rich to the first candidate), but the 12 year age difference should be kept in mind.

In terms of innovations in teaching methods, there is no information on either candidate.

The first candidate provided evidence of involvement in 4 projects and the second in 3. On this indicator, the evidence presented is only formal - it is not possible to ascertain the personal contribution of either to the outcomes of the respective project, nor would I presume to qualify the results of work on such projects.

Dr. Mangachev has indicated participation in 5 international organizations and institutions, for which there is no direct evidence, and As. Dr. Topuzov - in four. In both cases there is no concrete evidence.

Principal asst. Dr. Topuzov has held and currently holds the position of Scientific Secretary at the Faculty of Science of PU.

Both candidates have participated in a number of scientific forums.

I find that in assessing the two candidates, a distinction should be made between the scientific specialty (which is law, in particular civil law - the requirements of which both candidates undoubtedly meet) and the academic discipline for which the competition is being announced, with the second candidate prevailing.

4. CONCLUSION

The evidence presented for both candidates leads to the conclusion that both applications are of a high standard.

4.1. When comparing the value of their scientific works, I give prevalence to Asst. Dr. Topuzov for the following reasons:

The habilitation thesis is devoted to a central concept of the whole legal branch "Family Law", the scientific analysis is extensive and thorough, the work as a whole has a remarkable value and both theoretical and practical usefulness.

4.1.1. The habilitation thesis of the other candidate (Dr. Mangachev) is of considerable practical utility and remarkably high informational value, but the analysis of legal (especially purely substantive) phenomena does not reach great depth and precision. Instead, there are self-serving and at times unnecessary references and comparisons.

I am not sure whether the existence of peer-review should be taken into account as a decisive criterion (let the competent scientific body do this), since no such requirement existed when the work was published.

In favour of the head. asst. Dr. Dimitar Topuzov is his participation in a wide-ranging collective monograph, representing a real scientific work. Dr. Mangachev's participation in such a work is rather on a purely informative level (the exposition of the collective work in question is an answer to questions posed by the editors).

4.1.2. The assessment of the other submitted works leads to conclusions about the equal level of the two candidates.

4.1.3. As noted, participation in the publication of a textbook on three occasions leads to an additional advantage for the PI. Dr. Topuzov.

4.2 Teaching and Learning

Here again, the candidature of the head asst. Dr Dimitar Topuzov.

The records of his teaching activity point to a remarkable activity in this field - It is available data that he has conducted 386 hours of lectures and 2 299 hours of exercises and this on family and inheritance law and civil law in general (compulsory subjects).

In view of the way Dr. Mangachev's service note is formulated (the hours mentioned are 1 year more than those of the head asst. Dr. Topuzov, but the latter's memo indicates only hours conducted after the defense of his doctoral dissertation), it cannot be ascertained to what extent lectures were conducted (and whether they were conducted at all) and how many hours of exercises. It is not entirely clear what part of the teaching activity is in relation to compulsory courses and what part is elective. To date, Dr. Mangachev has not been a full-time lecturer for more than 5 years.

The fact that the competition was announced under the heading Civil and Family Law should also be taken into account; the official note issued by the Dean of the Faculty of Law of PU shows that there are teaching hours in family and inheritance law and civil status acts in connection with the competition.

4.3. The overall assessment of compliance with the minimum national requirements also gives prevalence to Assoc. Dimitar Topuzov - his score is 170 points higher than that of Dr. Mangachev.

4.4. As I have pointed out, the additional criteria (Art. 27, para. 4 of the RRDA) are relevant in case of equal results of the assessments for the coverage of the minimum national requirements.

Both candidates should be highly commended on these indicators, but as the law does not require it, I will not go into detail.

4.5. In conclusion, pursuant to Article 26 para. 3 in conjunction with Art. 26 para. I find that the candidature of the head as. Dr. Dimitar Topuzov satisfies to a greater extent the requirements for the academic position of Associate Professor in Civil and Family Law at the Faculty of Law of Paisii Hilensarski University of Sofia.

5. In view of the above, I propose the following ranking of the candidates in the competition:

- First place - Principal Assistant Dr Dimitar Simeonov Topuzov;

- second place - Dr Ivan Petkov Mangachev.

In view of the above and on the basis of Art. 3, the relevant texts of the PPPRACPB and of the PRASPU I PROPOSE to the scientific jury to take a decision, by virtue of which prof. as. Dr. Dimitar Simeonov Topuzov to be elected to the academic position of Associate Professor at the University of Plovdiv "Paisii Hilendarski" in the field of higher education 3. "Social, Economic and Legal Sciences", professional field No. 6 "Law" in the scientific specialty "Civil and Family Law".

Sofia, 04.03.2025:

(Prof. Dr. Silvy Chernev)