ANNOTATIONS
of the scientific works of Associate Professor Hristo Yordanov Paunov, PhD,
submitted for participation in the competition for the academic position of "Professor"
in the field of higher education: 3. Social, Economic and Legal Sciences;
professional field: 3.6 Law (Constitutional Law)
at the Faculty of Law of Plovdiv University "Paisii Hilendarski",
announced in the State Gazette, issue 96 of 11.11.2025.

I. Monograph

Representative Democracy and Digitalization
Plovdiv University Press, Plovdiv, 2025,
ISBN 978-619-7768-42-8, 256 pages.

The monograph offers a comprehensive analysis of the interaction between the processes of digitalization and the functioning of representative democracy in the contemporary constitutional order, with a special focus on the Bulgarian legal system and practice. The author examines how new technologies transform the traditional mechanisms of democratic representation, what opportunities and risks they pose for the exercise of fundamental rights and freedoms, and how the legal system can adapt to these challenges without losing its fundamental values and constitutional principles. The book is aimed not only at legal professionals but also at all those interested in the role of digital technologies in the organization and operation of representative institutions. It will be useful both for students and researchers in the fields of law, political and administrative sciences, national security, and related disciplines, as well as for anyone wishing to expand their knowledge of one of the most current challenges facing modern democracy.

The first chapter of the monograph presents an in-depth analysis of representative democracy as a fundamental element of the contemporary constitutional order. The study aims to define the main aspects, principles, and mechanisms of representative governance, to identify key theoretical frameworks, and to analyze contemporary challenges culminating in the crisis of legitimacy and trust in representative institutions. The author introduces a comprehensive legal and political perspective, systematizing constitutional guarantees and theoretical models of representation, including specific references to the Constitution of the Republic of Bulgaria (CRB).

The author emphasizes that the effective functioning of the system requires a number of constitutional guarantees, among which are political pluralism, freedom of expression and information, separation of powers, and judicial independence. The main constitutional models of representative democracy - parliamentary, presidential, and semi-presidential republic—are also analyzed, noting that the choice among them depends on the historical and political conditions of each state. The first chapter also introduces the thesis that representative democracy is not absolute, being complemented and limited by mechanisms of direct democracy and constitutional control.

The second chapter of the monograph offers a systematic analysis of digitalization, considered not only as a technological change but also as a comprehensive social and legal phenomenon with fundamental consequences for constitutional law and democratic processes.

The chapter introduces key concepts and theoretical frameworks necessary for understanding the interaction between digital technologies and constitutional democracy.

The chapter begins by defining digitalization, distinguishing it from the initial technical process of converting information from analog to digital form. The main thesis is that digitalization represents a complex transformational process encompassing technological, economic, social, political, and legal dimensions. This comprehensiveness makes it one of the main factors shaping contemporary society and the legal system. Five key dimensions are identified: technological, economic, social, political, and legal. Key characteristics of this transformational process include the accelerated pace of change, the blurring of traditional boundaries (public/private, national/global), and the redistribution of power, creating new centers of influence (technological companies and algorithms).

This chapter emphasizes the particular significance of digitalization for constitutional law, as it directly affects fundamental rights and freedoms, the system of separation of powers, democratic processes, and traditional concepts of sovereignty and jurisdiction.

From a technological perspective, emphasis is placed on the fact that technologies (internet, mobile devices, AI) are not neutral tools but active factors that shape legal reality. Special attention is given to cybersecurity and technological resilience as key aspects for protecting fundamental rights and the integrity of democratic institutions (e.g., electoral processes). The necessity of protecting critical information infrastructure and balancing security measures with constitutionally guaranteed rights is examined.

Chapter Three of the monograph, entitled "Digitalization of the Electoral Process," represents a legal and conceptual analysis of the transformation of electoral procedures in Bulgaria under the influence of information and communication technologies. The central thesis presented in this chapter is that digitalization is an inevitable trend offering significant advantages in terms of efficiency and accessibility, while simultaneously posing serious challenges to the modern democratic state related to security, transparency, and the preservation of constitutional guarantees for free and fair voting.

The chapter begins by establishing elections as the core of representative democracy and a key link between civil society and public authority. The traditional electoral process, based on paper ballots and manual counting, is presented as resilient but vulnerable to human errors and bureaucratic complexity. In response to global digitalization processes, the author explains the concept of "electronic voting" as a broad spectrum of technological solutions for casting, recording, transmitting, or counting votes. A classification of electronic voting according to the International Institute for Democracy and Electoral Assistance (International IDEA) is presented. The main theoretical focus is on the dilemma between technological progress (increasing efficiency, accessibility, and attracting young voters) and constitutional risks (cyber threats, manipulation, violation of ballot secrecy, and digital divide). It is emphasized that the legal framework must ensure that technological innovations do not compromise fundamental rights and freedoms, especially the principles of secret and equal suffrage.

A significant part of the analysis is devoted to a detailed examination of the legal framework for machine electronic voting in Bulgaria and remote electronic voting, regulated in the Electoral Code (EC).

Chapter Four of the monograph offers an analysis of the digitalization process in the activities of the National Assembly (NA) of the Republic of Bulgaria. The chapter explores the legal and normative framework and practical applications of information and communication

technologies (ICT) in key parliamentary functions - legislation, oversight, and ensuring transparency - emphasizing the constitutional aspects of digital parliamentarism.

The chapter begins by positioning legislative activity as the primary law-making function of state power. It is highlighted that digitalization is a key element of modern representative democracy aimed at increasing the efficiency, transparency, and accessibility of the legislative process, which traditionally passes through three stages: initial (initiative), substantive (discussion and voting), and final (sanction and promulgation). A key argument is that the principle of openness and coherence, enshrined in the Law on Normative Acts (LNA), finds its effective realization through digital tools.

The monographic analysis details the main operational areas of digitalization of parliamentary activity.

Chapter Five of the monograph, entitled "Digitalization of the Executive Power," represents a systematic analysis of the legal, institutional, and conceptual transformation of state administration in the Republic of Bulgaria, triggered by the processes of the digital revolution. The chapter examines how the traditional functions and structure of the executive power, as defined by the Constitution, adapt to the requirements of electronic governance and what the main challenges are to achieving effective and transparent administration in the digital age.

The introduction to the chapter emphasizes the constitutional definition of the executive power, which is exercised by the Council of Ministers and the state administration through executive-regulatory activity. The author stresses that digitalization is not merely a technological upgrade but a fundamental change in the organization and functioning of administrative structures. A key theoretical contribution is the clear distinction between the concepts of "e-government" (a specific term focused on relations between the administration and citizens) and "electronic governance" (a generic term with broader content encompassing all social relations manifesting state authority, including electronic healthcare, justice, and democracy). Electronic governance is viewed as an integral part of a broader administrative reform aimed at increasing the efficiency and effectiveness of the public sector through the use of information and communication technologies (ICT).

The chapter contains the thesis on the transformation of fundamental legal principles in the digital environment. It examines how the principle of separation of powers acquires new dimensions, as technological resources and expertise may lead to a potential "concentration of power" in the executive branch. Particular attention is paid to the principles of transparency and accountability. While digital technologies offer the opportunity to enhance transparency through open data and online access to procedures, the complexity of algorithms and automated systems may generate a new type of opacity. The author argues that traditional accountability mechanisms are insufficient and necessitate the introduction of new forms tailored to the specifics of digital governance. The issue of democratic legitimacy is also addressed, noting the risk of a "digital divide" that may exclude certain groups from decision-making processes.

Chapter Six of the monograph presents the process of digitization of the judiciary in Bulgaria, considered not only as a technological necessity but also as a constitutional imperative to ensure effective, accessible, and fair justice within the framework of the modern rule of law. The main thesis defended is that successful digital transformation requires a careful balance between the introduction of innovative information and communication technologies (ICT) and the preservation of the foundational principles of the judiciary enshrined in the Constitution of the Republic of Bulgaria (CRB).

The author introduces and defines the conceptual framework of electronic justice (e-Justice) as a complex notion encompassing the use of ICT to improve the efficiency, accessibility, and quality of judicial services. It is emphasized that e-Justice is a process of digital transformation involving the rethinking and optimization of judicial processes, rather than merely technological modernization. Although similar terms such as "digital justice" and "online justice" are distinguished, the focus is on the integrative nature of electronic justice, which unites various technological solutions into a unified system. An important element in the conceptual analysis is the assertion that electronic justice should be regarded as a tool that supports and enhances the human factor in the judicial process, rather than replacing it. Judicial activity by its nature requires human reasoning and evaluation of evidence, which sets limits on full automation.

A central place in the chapter is occupied by the analysis of the constitutional-legal aspects of digitization. The author outlines specific requirements for electronic justice arising from the fundamental principles of the judiciary (Chapter Six of the CRB).

Chapter Seven of the monograph offers a constitutional-legal analysis of the impact of digital transformation on the fundamental rights, freedoms, and obligations of citizens. The chapter explores the key conceptual frameworks through which traditional constitutional guarantees are adapted to the online environment, while also introducing and analyzing new legal categories specific to the digital era.

The central thesis developed by the author is that digital rights do not constitute an entirely new category but rather an adaptation and extension of existing fundamental rights and freedoms to the specific conditions of the digital environment. This adaptation is imperative, as digital technologies have become an integral part of human dignity and democratic participation.

The analysis begins with a review of the applicability of traditional constitutional norms (e.g., Article 39 of the CRB on freedom of expression) and their flexibility, allowing coverage of digital forms of communication. The key role of the international legal context is emphasized, including the interpretative practice of the European Court of Human Rights under the European Convention on Human Rights and the more modern provisions of the Charter of Fundamental Rights of the EU (notably Article 8 on the protection of personal data) and the European Declaration on Digital Rights.

The chapter examines in detail the transformation of freedom of speech in the digital space. Digital expression is characterized by unprecedented scope, speed, and interactivity, which democratize information production but simultaneously create acute legal challenges.

Chapter Eight of the monograph, entitled "Digital Forms of Civic Participation," offers a legal-theoretical analysis of the transformation of democratic processes under the influence of information and communication technologies (ICT). The main thesis of the chapter is that the digital revolution necessitates a rethinking of the constitutional dimensions of civic participation, while simultaneously creating tension between the traditional principles of representative democracy and new mechanisms for direct civic engagement.

The chapter defines digital civic participation (DCP) as a set of processes and tools that enable citizens to exercise their constitutional rights to participate in socio-political life through the use of digital technologies. DCP is regarded as a contemporary form of democratic participation based on the principle that technologies can serve as a bridge between citizens and institutions.

Three key characteristics distinguishing Digital Civic Participation (DCP) from traditional forms are introduced:

- Accessibility. Digital platforms overcome physical, geographical, and temporal limitations, expanding the circle of active citizens.

- Interactivity and bilateral communication. ICT creates opportunities for richer and more nuanced dialogue between citizens and institutions.

- Transparency and accountability. Digitalization enhances the traceability of governance processes and decisions.

Several forms of digital civic participation are presented and analyzed in the chapter:

- *Electronic petitions*

The right to petition, enshrined in Article 45 of the Constitution, is a fundamental instrument for civic participation. However, its digitalization raises a number of constitutional issues related to:

Authenticity and security: The need for reliable electronic identification systems to guarantee the security of signatures.

Transparency: Tracking the status of petitions and ensuring feedback.

Collective petitions: Verification of the authenticity of mass-gathered online support.

Bulgaria is attempting to create a centralized online platform for petitions within the framework of the "Partnership for Open Government." However, the project is at a standstill, with the primary reason being the necessity for the prior implementation of an electronic identification system. As a result, citizens continue to use private platforms that do not have legally binding force for institutions.

- *Crowdsourcing in the Legislative Process*

Crowdsourcing is an innovative method for collecting ideas and proposals from the general public ("collective intelligence") to improve the quality of legislation. Its theoretical foundations are rooted in concepts such as the "wisdom of crowds," deliberative democracy, and open governance.

Despite its potential to enrich the legislative process, crowdsourcing faces serious constitutional limitations in Bulgaria:

Separation of Powers (Art. 8 of the Constitution of the Republic of Bulgaria): Legislative power belongs exclusively to the National Assembly. Crowdsourcing can only have an auxiliary and consultative role.

Representative Democracy: Members of Parliament bear political responsibility before their electors, unlike anonymous participants in online platforms.

Equality and Access: There is a risk of a "digital divide," whereby citizens without access to or skills in technology are excluded from the process.

Quality and Competence: Legislation requires specialized knowledge that cannot always be provided by mass participation.

- *Proceedings on Proposals and Signals under the Administrative Procedure Code*

The Administrative Procedure Code creates a favorable environment for the digitalization of communication with the administration. Article 12 of the APC introduces the principle of accessibility, publicity, and transparency, while Article 18a directly provides for the possibility of submitting documents electronically. Chapter Eight of the APC, regulating proceedings on proposals and signals, is particularly suitable for digitalization due to:

The liberal submission regime: Signals and proposals may be submitted in writing, orally, by telephone, or by email (Art. 111 of the Administrative Procedure Code).

Absence of requirement for direct and personal legal interest: Any citizen or organization may address the authorities.

Despite the legal framework, practical implementation remains fragmented. Targeted amendments to the Administrative Procedure Code are necessary to establish clearer rules for electronic identification, service, and maintenance of electronic registers.

- Procedures before the Ombudsman of the Republic of Bulgaria

The institution of the Ombudsman is an example of successful implementation of digital services. The Ombudsman Act and internal regulations create an exceptionally progressive legal framework. Article 25 of the Act allows the submission of complaints by "other traditional means of communication," explicitly specifying in the additional provisions that this includes email. The Ombudsman has developed a comprehensive digital ecosystem:

Main online complaint form: Available on the institution's website, it is structured in accordance with legal requirements and offers features such as anonymity preservation and file attachments.

Specialized platforms: Separate digital channels have been created for specific needs, such as a platform for the protection of persons reporting violations (so-called "whistleblowers") and a section adapted for children.

Integration of channels: Digital services do not replace but complement traditional ones (reception, telephone), ensuring access for all citizens regardless of their digital literacy.

Digital forms of civic participation carry significant opportunities for strengthening democracy in Bulgaria, but also serious challenges. The analysis reveals the presence of divergent trends: on the one hand, there are progressive legal frameworks and successful practices such as that of the Ombudsman, and on the other – stalled projects (e-petitions) and clear constitutional limitations (crowdsourcing in legislation).

II. Articles

The Capital of Bulgaria as a State Symbol -

in the collection "Law - Traditions and Perspectives," Ciela, Sofia, 2018,
ISBN 978-954-28-2625-5, pp. 376-384

The article traces and analyzes the constitutional and legislative status of the city of Sofia as the capital of the Bulgarian state, arguing its role not only as an administrative center but also as a key state symbol.

The author conducts a detailed legal-historical analysis, beginning with the debates in the Constituent Assembly in 1879 and the selection of Sofia as the capital. An interesting fact is emphasized that the Tarnovo Constitution does not contain an explicit provision regarding the capital, and the decision was made by the protocol of the Constituent Assembly. The concept of Dragan Tsankov regarding two capitals – Tarnovo as the historical capital and Sofia as the governmental capital – is examined. The legislative development over the years is traced, including the first urban planning schemes, the creation of the coat of arms of Sofia in 1900, and the expansion of the city to the "Greater Sofia Municipality" in 1938.

The constitutional entrenchment of the status of the capital is considered in the context of subsequent fundamental laws:

- The Constitution of the People's Republic of Bulgaria from 1947. For the first time, the capital is explicitly mentioned in a constitutional text and is included among the state symbols.

- The Constitution of the People's Republic of Bulgaria from 1971. It continues the tradition of regulating the capital in the chapter dedicated to state symbols.

- The Constitution of the Republic of Bulgaria from 1991. It confirms Sofia as the capital and places it in Chapter Ten alongside the coat of arms, the seal, the flag, and the anthem.

- The article pays special attention to the current legal framework. It analyzes the special status of the Capital Municipality, which according to the Law on Local Self-Government and Local Administration (LSGLA) and the Law on the Administrative-Territorial Structure of the Republic of Bulgaria (LATSRB) is simultaneously a municipality and a region. This dualism, according to the author, creates a specific governance model that combines local self-government with the implementation of state policy for the development of the capital.

- The author emphasizes the existing gap in the legislation. He recalls the unsuccessful attempts in 2003 and 2007 to adopt a special Law on Sofia, which would codify the numerous provisions scattered across more than 38 different normative acts. This fragmentation of the legal regulation leads to an overlap of competencies between state and local authorities and complicates effective governance.

- In the concluding part of the article, the author formulates a clear de lege ferenda recommendation – the necessity of adopting a special Law on Sofia, highlighting several key arguments in support of this thesis.

Constitutional dimensions of Bulgarian cultural identity –

- in the collection "Law and Cultural Values,"
Institute of State and Law at the Bulgarian Academy of Sciences, Sofia, 2019.
ISBN 978-954-9583-37-3, pp. 222-236

The article offers an in-depth historical-legal analysis of the constitutional framework related to Bulgarian cultural identity, tracing its development from the Liberation to the present day.

The author advances the thesis that cultural heritage and values are an emanation of a nation's cultural identity, and their constitutional enshrinement expresses respect for national identity. The article sequentially examines the four Bulgarian constitutions, outlining the specific approaches of each to the legal regulation of culture, education, and language.

The analysis begins with the Tarnovo Constitution (1879), which, although lacking explicit provisions on rights in the cultural sphere, indirectly lays the foundations for cultural development through the proclamation of freedom of the press and the introduction of compulsory and free primary education. The democratic character of these provisions is emphasized as a basis for building a literate and educated society.

Next is the consideration of the 1947 Constitution, which introduces a qualitatively new approach to culture, imposing on the state "special care" for cultural education. This period is characterized by active state participation in creating material conditions for the development of the arts and sciences through the maintenance of publishing houses, theaters, museums, and other cultural institutions. Emphasis is placed on the secular and progressive spirit of education and the guarantee of minority rights to develop their culture, alongside the mandatory study of the Bulgarian language.

The analysis of the 1971 Constitution draws attention to the strong ideological framing of the legal framework, where creativity is called upon to "serve the people" and develop in the "communist spirit." Nevertheless, this constitution expands the state's commitment to culture by including public organizations in the process and explicitly protecting copyright for the first time, albeit with the proviso that these rights may not contradict the public interest.

A central place in the article is occupied by the analysis of the current Constitution of the Republic of Bulgaria from 1991. The author examines in detail Article 54, which regulates the "right to culture" as a complex, participatory fundamental right. Its two aspects are distinguished: the passive – the right of everyone to enjoy national and universal cultural values, and the active – the right to develop one's own culture in accordance with ethnic affiliation. It is emphasized that the realization of these rights requires active measures by the state. Special attention is given to the constitutional status of the Bulgarian language as official and to the state's obligation to preserve the national cultural and historical heritage.

In conclusion, it is summarized that the successive constitutional regulation of "cultural" rights enriches the national legal tradition and serves as an instrument for preserving Bulgarian cultural identity. The article argues that cultural heritage is not only a resource for spiritual survival but also an indispensable factor for sustainable development, social integration, and economic growth in the context of globalization.

140 years since the creation of the Tarnovo Constitution –
in the collection "Scientific Readings Dedicated to
the 140th Anniversary of the Adoption of the Tarnovo Constitution,"
Ciela, Sofia, 2019, ISBN 978-954-28-3043-6, pp. 31-37

The article offers an in-depth analysis of the historical context in which the Tarnovo Constitution was created. It examines key moments from the work of the Constituent Assembly convened in Tarnovo in 1879, as well as the role of prominent Bulgarian public figures and intellectuals in this process. The author pays special attention to the ideological influences and legal models that served as the foundation for the Bulgarian fundamental law, among which the Belgian, Serbian, and Romanian constitutions stand out.

The text highlights the democratic and liberal principles underlying the Tarnovo Constitution. These include popular sovereignty, the separation of powers, guarantees for the fundamental rights and freedoms of citizens, as well as the introduction of universal suffrage. It is emphasized that these principles make the Tarnovo Constitution one of the most progressive fundamental laws of its time in Europe.

The article also traces the subsequent development of the constitutional order in Bulgaria, including the two amendments to the Tarnovo Constitution in 1893 and 1911. The causes and consequences of these changes are analyzed, as well as their impact on the political life of the country.

In conclusion, the author underscores the enduring significance of the Tarnovo Constitution as a symbol of Bulgarian statehood and democracy. Its role in laying the foundations of the modern parliamentary system in Bulgaria and in establishing the country as part of the European legal and political space is emphasized.

Free Economic Initiative as a Constitutional Principle –
in a Collection of Papers from a Scientific Conference
"Tradition and Development of Legislation in the Field of Economy",
Publishing Complex – UNWE, Sofia, 2020, ISBN 978-619-232-276-2, pp. 89-95

The article presents a constitutional law analysis dedicated to one of the fundamental pillars of the modern Bulgarian economic system – the principle of free economic initiative, enshrined in Article 19 of the Constitution of the Republic of Bulgaria.

The author starts from the observation that although the Bulgarian Constitution does not contain a separate chapter devoted to the economic order, its corpus integrates a number of "economic provisions" that outline the framework of the market economy. A central place among them is occupied precisely by the principle of free economic initiative, which marks the transition from a state-centralized to a market economy. The article analyzes the bilateral relationship between the established constitutional order and the economic system, emphasizing that the state withdraws from direct intervention to create space for freely organizing private entities operating under conditions of open competition.

The author structures his analysis around several key directions:

- Essence of the principle. Article 19, paragraph 1 of the Constitution is examined as a foundation that implies limiting state presence in the economy and encouraging private initiative. The inseparable connection between free economic initiative and the inviolability of private property (Article 17, paragraph 3 of the Constitution) is emphasized, highlighting the principle of equality among all economic entities, including the state and municipalities when they act as private owners.

- Limits of the free economic initiative. The article convincingly demonstrates that the right to free economic initiative is not absolute. The author refers to the practice of the Constitutional Court to outline the scenarios in which the legislator may impose restrictions. Such restrictions are permissible for the purpose of:

Protecting higher constitutional values (sovereignty, national security, territorial integrity).
Preventing abuses of monopoly position and protecting consumers.
Preserving the environment, national cultural heritage, and other significant public interests.
Ensuring security in specific sectors, such as banking, where only certain legal-organizational forms are permitted.

- Legal mechanisms for implementation and protection. The role of legislation in specifying constitutional mandates is analyzed. Key normative acts such as the Competition Protection Act, the Consumer Protection Act, and the Investment Promotion Act are examined, which establish the legal framework for fair competition, protection of consumer rights, and safeguarding investments of Bulgarian and foreign entities.

- European legal context. A parallel is drawn with European Union law, noting that the freedom of economic initiative is enshrined in Article 16 of the Charter of Fundamental Rights of the EU. This aligns the Bulgarian constitutional framework with the pan-European principles of freedom to conduct business, freedom of contract, and free competition.

In conclusion, the author summarizes that the constitutional principle of free economic initiative is a necessary prerequisite for building a successful market economy. It creates a system of equal legal conditions for all participants in economic life, while simultaneously allowing the state to perform its regulatory and corrective functions.

On the necessity of the functioning of
the institution of the "university ombudsman" in Bulgaria -
in the collection "100 Years of UNWE - 100 Years of Law at UNWE".
Volume II "Current Issues of Public and Criminal Law.
Current Issues of Historical, Economic, and Social Sciences",
Publishing Complex - UNWE, Sofia, 2021, ISBN 978-619-232-438-4, pp. 46-55

In the article, the author cogently defends the necessity of introducing and developing the institution of the "university ombudsman" within the Bulgarian academic environment as an important instrument for protecting the rights of members of the university community and for improving the quality of higher education.

The article begins with a historical and theoretical overview of the institution of the "ombudsman," tracing its origin in Sweden and its development worldwide. The author emphasizes the evolution of the ombudsman from a general defender of civil rights to specialized forms tailored to the specifics of various social sectors. In this context, the emergence of the university ombudsman is also examined, citing examples from the USA, Canada, Australia, New Zealand, and Europe.

In the main part, the exposition focuses on the Bulgarian experience, noting that the institution of the academic ombudsman was first introduced at Sofia University "St. Kliment Ohridski" in 2004 and was subsequently adopted by other higher education institutions in the country. The author analyzes the legal framework and practical functioning of the institution, outlining the fundamental principles that should guide its activity:

Confidentiality: Ensuring the anonymity of individuals who have submitted complaints and reports.

Independence: Functional and organizational independence from the administrative and managerial bodies of the higher education institution.

Impartiality: Objective and neutral consideration of the facts in each individual case.

Legality: Conducting activities in accordance with the applicable legislation and the internal regulations of the university.

Publicity: Transparency and accountability of activities before the academic community.

Special attention is given to the functions of the university ombudsman, which are systematized into three main directions:

Mediation function: Assistance in the fair resolution of disputes through dialogue and mediation between the parties in conflict.

Informational function: Providing information and consultations to members of the academic community on matters related to their rights and obligations.

Proactive/preventive function: Identifying systemic issues and issuing recommendations for improving administrative practices and procedures in order to prevent future violations.

In conclusion, the author argues that the institution of the university ombudsman is not merely an alternative dispute resolution mechanism, but an important indicator of the democratic development of higher education institutions in Bulgaria. Its effective functioning contributes to enhancing transparency, accountability, and the quality of educational and administrative services, thereby aiding the harmonization of Bulgarian higher education with European and global standards

Exclusive state ownership – public law aspects -
in the collection "Property Relations in Law – Development and Perspectives",
Paisii Hilendarski University Press, Plovdiv, 2021, ISBN 978-619-202-672-1, pp. 368-381

The article presents a legal analysis of the institution of exclusive state ownership, examining one of the fundamental elements of the country's economic system, enshrined in its basic law.

The author systematically investigates the public law aspects of exclusive state ownership, regulated in Article 18 of the Constitution of the Republic of Bulgaria. The analysis begins by situating the institution within the broader context of the constitutional regulation of property and the distinction between its two main forms – public and private. The author refers to the interpretative practice of the Constitutional Court to clarify the criteria for this distinction, namely: the subject of the right, the type of objects, and their public purpose.

A central place in the article is occupied by the definition of exclusive state ownership as a special category of public property, whose objects are exhaustively enumerated in the Constitution due to their strategic importance for society. The author proposes a clear classification of these objects into three main groups:

Objects acquiring status by virtue of the constitutional norm itself: underground resources, coastal beach strip, republican roads.

Objects determined by the criterion of "national significance": waters, forests, and parks.

Objects defined by the legal criterion "determined by law": natural and archaeological reserves.

The key characteristic of these objects is emphasized – their inalienability and the fact that the state is their sole possible and legally permissible owner. According to the author, this special status constitutes a constitutional guarantee for ensuring the universal benefit from these resources and goods.

The article pays special attention to the legal regime for the management and administration of the objects – exclusive state ownership. The legal means by which the state can grant third parties the opportunity to use them – concession and permit – are analyzed in detail. The author clearly distinguishes between the two mechanisms, emphasizing that the concession relates to the establishment of a right of use over an object, while the permit concerns the right to perform an activity. It is underscored that the conditions and procedure for their granting must mandatorily be regulated by law, which ensures the highest degree of legal protection of the public interest.

The Grand National Assembly as a guarantor for the protection of the Constitution of the Republic of Bulgaria -
Studia Iuris journal, No. 2, 2021, ISSN 2367-5314, pp. 75-82.

The article offers a comprehensive review of the role and powers of the Grand National Assembly (GNA), positioning it not merely as a constituent body but as a special guarantor of the stability and protection of the fundamental law. The author develops the thesis that the complicated procedure for convening the GNA and the high qualified majorities required for the adoption of its acts are not archaic obstacles but a deliberately established mechanism by the constitutional legislator to safeguard the fundamental principles of the state structure.

A central place in the exposition is occupied by the analysis of the dual regime for constitutional revision, regulated in Chapter Nine of the fundamental law. The powers of the Ordinary National Assembly to amend the majority of constitutional provisions are distinguished from the exclusive competence of the GNA, reserved for matters of fundamental importance.

The author pays special attention to the interpretative practice of the Constitutional Court (notably Decisions No. 3/2003, No. 3/2004, and No. 8/2005), which, through an expansive interpretation of the concept of "form of government," has cemented the status of the GNA as the sole body legitimized to restructure the mechanism of state power.

A contribution to legal thought is made by the retrospective analysis in the article of the debates in the Seventh Grand National Assembly. By citing stenographic records, the diversity of ideas and concepts discussed during the drafting of the current Constitution is revealed – ranging from proposals to abolish the GNA and replace it with more stringent procedures in the National Assembly, to various models for its composition. This historical reading allows the contemporary jurist to gain a deeper understanding of the constitutional legislator's motives and to assess the relevance of the principles established at that time.

The article does not overlook contemporary voices that characterize the institution of the GNA as "superfluous" or "obsolete." In response, the author argues convincingly that the abolition of this "self-protective mechanism" would open the door to facile and opportunistic changes to the foundations of statehood. It is emphasized that the GNA fulfills its protective function even "in absentia," by its mere existence within the constitutional model, thereby imparting greater stability and resilience to the norms whose amendment falls within its competence.

The Technology of Constitutional Amendments in the Bulgarian Constitutions of 1947 and 1971 -

Journal "Business and Law," No. 4, 2021, ISSN (print): 2603-3437;
ISSN (online): 2603-3445, pp. 5-14

The article offers a comparative analysis of the legal framework regulating the procedures for amending the fundamental laws of the People's Republic of Bulgaria – the Constitution of 1947 and the Constitution of 1971. The author examines the "technology" of constitutional amendments by situating it within the broad socio-political context of the era and traces its evolution up to the key events at the end of 1989 and the adoption of the current Constitution of the Republic of Bulgaria.

The article begins by defining the subject of study – the specific activity of revising the fundamental law, which includes amendment, supplementation, repeal of individual provisions, or adoption of an entirely new constitutional act. The fundamental importance of the constitution as a stable legal act is emphasized, which, however, must possess mechanisms for adaptation to the dynamics of social life.

The Constitution of the People's Republic of Bulgaria of 1947 is considered as a product of the radical socio-political changes following September 9, 1944. Adopted by the VI Grand National Assembly, it establishes a republican form of government but also lays the foundations of the totalitarian regime. The analysis of the procedure for its amendment, succinctly regulated in Article 99, reveals an exceptionally "flexible" model.

The competent body for making changes is the ordinary National Assembly, which may act on the initiative of the government or one quarter of the members of parliament. Adoption of amendments requires a qualified majority of two-thirds. The author highlights a key omission in this regulation – the absence of any procedure for adopting a new constitution, which leaves open the question of the legitimacy of any future complete constitutional change.

Moving on to the Constitution of the People's Republic of Bulgaria of 1971, the author presents it as a normative expression of the doctrine of "developed socialism." Adopted by referendum, this constitution is distinguished by its strong ideological character, proclaiming the leading role of the Bulgarian Communist Party. The revision procedure, contained in Article 143, now provides for two separate hypotheses: adoption of a new constitution and amendment of the existing one. Nevertheless, competence in both cases remains vested in the ordinary National Assembly. The circle of subjects entitled to initiative has been expanded to include the State Council, and the deadlines for consideration of proposals have been extended. The requirement for a two-thirds majority is retained.

A distinct part of the study is the analysis of constitutional changes after November 10, 1989. In the context of political pluralism and public pressure, the National Round Table became a forum for negotiating the peaceful transition to democracy. The article traces in detail the amendments to the 1971 Constitution, adopted by the last communist National Assembly. A key step is the amendment to Article 143, which restores the institution of the Grand National Assembly as the sole body competent to adopt a new constitution. This change, as noted by the Constitutional Court in its practice, revives a democratic tradition from the Tarnovo Constitution and legitimizes the creation of an entirely new constitutional model. The author emphasizes the unique legal construction whereby the Seventh Grand National Assembly (1990-1991) functioned simultaneously as a constituent power and as an ordinary legislative body.

In conclusion, the author summarizes that both "socialist" constitutions were created with the purpose of being easily revised by the ruling elite to serve the political conjuncture. The absence of a distinction between constituent and constituted power in these fundamental laws was deliberately embedded to guarantee the monopoly of power. Only with the amendments of 1990 was the classical constitutional principle restored, that the creation of the fundamental law is the exclusive prerogative of a sovereign specially convened for this purpose – the Grand National Assembly.

On Constitutional Law as a science and academic discipline at the Faculty of Law of Plovdiv University "Paisii Hilendarski" –
Studia Iuris journal, No. 2, 2022, ISSN 2367-5314, pp. 79-89

The article offers an in-depth and panoramic view of the development of constitutional law as a fundamental scientific field and academic discipline within the Faculty of Law at Plovdiv University "Paisii Hilendarski." The text represents a perspective on the history of legal education in Bulgaria, while simultaneously paying tribute to key figures who contributed to the establishment of the Plovdiv constitutional law school.

The article begins by defining constitutional law as a leading branch in the national legal system, which forms the core of the legal order and regulates fundamental social relations related to the state structure, the functioning of public authority, and the basic rights of citizens.

The author emphasizes its role as the first independent discipline encountered by law students, which determines its key significance for shaping their legal thinking.

Historically, the publication traces the establishment of the Faculty of Law in 1992 – one of the first in the country after the democratic changes. Special attention is given to the initial years, the development of the curriculum, and the recruitment of prominent lecturers. A central place in this text is occupied by the figure of Prof. Dr. Emilia Drumeva, who has been the holder of the constitutional law course since the faculty's foundation. The article presents in detail her impressive biography – from her participation in the drafting of the current Constitution, through her long-standing work as director of the legal directorate in the National Assembly and as a judge at the Constitutional Court, to her current position as Secretary for Legal Affairs to the President of the Republic of Bulgaria. Her fundamental scholarly work – the textbook "Constitutional Law," which has undergone five editions and is being prepared for a sixth, establishing itself as a primary aid for generations of lawyers – is also highlighted.

The author examines the evolution of the teaching staff in the discipline, as well as the innovative teaching methods of their time. Emphasis is placed on the combination of theoretical training with practically oriented approaches, including case solving, working with the practice of the Constitutional Court, organizing discussion forums, and visits to key state institutions. An important element of academic life is also presented as the Circle of Public Law Sciences, which provides a platform for in-depth research and discussions among students and doctoral candidates.

A particular contribution of the Plovdiv school, highlighted in the article, is the existence of an accredited doctoral program in "Constitutional Law," which is among the few in the country and contributes to the training of highly qualified specialists and researchers in the field.
The article is not merely a historical overview but an emotional narrative about continuity, academic spirit, and professionalism that build the authority of the constitutional law school in Plovdiv. The publication is dedicated to the 75th anniversary of Prof. Emilia Drumeva and concludes with a selected bibliography of her works, making it a valuable source for anyone interested in the development of Bulgarian constitutionalism.

Public law aspects in the regulation of the state monopoly under Article 18, paragraph 4 of the Constitution of the Republic of Bulgaria -
in the collection "Legal, economic, and historical aspects of state regulation of economic activity",
Publishing Complex – UNWE, Sofia, 2023, ISBN 978-619-232-703-3, pp. 85-92

The article offers a legal analysis of the institution of the state monopoly, regulated in Article 18, paragraph 4 of the Constitution of the Republic of Bulgaria (CRB), examining its essence, scope, and legal consequences in the context of the modern market economy.
The author begins his analysis by presenting the fundamental contradiction in the Bulgarian constitutional model – on the one hand, the free economic initiative proclaimed in Article 19, paragraphs 1 and 2 of the CRB and the requirement for equal legal conditions for economic activity, and on the other hand – the provision in Article 18, paragraph 4 allowing for the establishment of a state monopoly.

This dichotomy forms the basis of the entire study, which aims to clarify the boundaries and content of this exception to the general principle of market freedom.

The article traces the etymology of the term “monopoly” and presents various doctrinal and legal definitions. Central to the discussion is the analysis of the practice of the Constitutional Court, specifically Decision No. 6 of 2000, which defines the state monopoly as “...the constitutionally established power in Article 18, paragraph 4 of the Constitution of the National Assembly by law to grant exclusive rights for the exercise of the exhaustively enumerated activities in the same provision.”

The author emphasizes that the constitutional provision does not impose an obligation but merely creates a legal possibility for the legislator to establish a monopoly when it is in the public interest.

One of the key issues addressed in the article is the object of the state monopoly. The author analyzes the text of Article 18, paragraph 4 of the CRB and the practice of the Constitutional Court (Decision No. 2 of 1996).

The article pays special attention to the mechanism for exercising the monopoly. It is emphasized that the establishment of a state monopoly does not necessarily mean that only the state, through its organs or enterprises, may perform the respective activity. Through the provision of Article 18, paragraph 5 of the CRB, the Constitution provides the possibility for the state to grant permits to third parties (including private law entities) to carry out monopolized activities. The author clarifies that granting such a permit is not equivalent to transferring the monopoly. The state remains the holder of the exclusive right, retaining its control functions and the ability to oppose anyone who performs the activity without proper authorization.

Through an analytical reading of the normative framework and judicial practice, the author clearly outlines the legal framework of the state monopoly, distinguishing it from other legal constructs and emphasizing its exclusive and strictly regulated character. The work is of essential importance for understanding the balance between free economic initiative and state regulation in the name of the public interest.

Regarding the change in the form of government of the Republic of Bulgaria -

in the collection "Law in the 21st Century - Challenges and Perspectives," Volume 2 "Public Law Sciences; Criminal Law Sciences; International Law Sciences,"
Paisii Hilendarski University Publishing House, Plovdiv, 2023,
ISBN 978-619-202-904-3, pp. 35-43

The article presents an in-depth constitutional law analysis of one of the fundamental issues of the Bulgarian state model – the form of government and the mechanism for its possible change. The author outlines the theoretical foundations of the concept, examines its specific dimensions in the current Constitution of the Republic of Bulgaria (CRB), and provides a detailed presentation of the complex procedure envisaged for amending the established constitutional order.

The article begins by defining the complex and multilayered category "form of the state." The author presents it as the "constitutional legal order in the state," which encompasses the organization and exercise of public authority.

Referring to classical theorists such as Carl Schmitt, the author emphasizes that the form of the state is a product of the sovereign decision of the constituent power, through which the people determine the manner of their political existence. The article makes a clear distinction between the two main manifestations of the state form: form of state structure (unitary or federal state) and form of government (monarchy or republic), thereby preparing the reader for the subsequent analysis focused on the latter category.

A central place in the exposition is occupied by the analysis of the Bulgarian constitutional model established by the 1991 Constitution. The author stresses that the definition of Bulgaria as a "republic with parliamentary governance" (Art. 1, para. 1 of the CRB) is not merely a formal declaration but an expression of a comprehensive system of principles that constitute a "democratic, rule-of-law, and social state." He convincingly links the parliamentary republic with fundamental constitutional principles such as popular sovereignty, separation of powers, political pluralism, and the supremacy of law. In this way, the article reveals that the form of government is a complex result of the interaction of numerous constitutional norms and institutions.

A particularly valuable contribution of the article is the detailed consideration of the interpretative practice of the Constitutional Court. The author focuses on the key Decision No. 3 of 2003, in which the court provides an expansive interpretation of the concept "form of government." He highlights the conclusion of the constitutional judges that this concept is not exhausted by the dichotomy "republic or monarchy," but includes the entire architecture of the highest state institutions – the National Assembly, the President, the Council of Ministers, the judiciary, and the Constitutional Court. According to the analysis in the article, any change that would disrupt the balance of powers established by the constituent authority among these bodies constitutes a change in the form of government and therefore falls within the exclusive competence of the Grand National Assembly (GNA), pursuant to Art. 158, item 3 of the CRB.
In its final part, the article proceeds to a precise review of the procedure for convening the GNA and for amending the form of government. All stages are examined sequentially.

The author draws attention to certain procedural ambiguities in the constitutional framework, such as the absence of an explicitly regulated quorum for the sessions of the GNA, and emphasizes the role that a future regulation on the activities of the GNA would have in resolving them.

In conclusion, it is summarized that the complex and burdensome procedure for changing the form of government is a deliberate choice of the constitutional legislator. It serves as a guarantee for the stability of the state model and protects the fundamental characteristics of the parliamentary republic from conjunctural changes dictated by transient political majorities.

Legal challenges in adopting amendments
in the Constitution of the Republic of Bulgaria -
in the collection “Challenges to Legal Regulation in Bulgaria”,
Publishing Complex - UNWE, Sofia, 2024, ISBN 978-619-232-848-1, pp. 41-54

The article offers a legal-theoretical and practical analysis of the procedure for amendment and supplementation of the Bulgarian Constitution, carried out by an ordinary National Assembly.

The author considers the constitutional framework as a “living matter” that must evolve in accordance with socio-political realities, while simultaneously emphasizing the necessity for stability and predictability of the fundamental law.

The article is structured so as to sequentially examine each stage of the complex process of constitutional revision, identifying both the explicitly regulated guarantees in Chapter Nine of the Constitution and the existing legal gaps and challenges.

The central object of the study is the special legislative process for constitutional revision, regulated in Articles 154–156 of the fundamental law. The author clearly distinguishes it from the ordinary legislative process, highlighting the specific procedural requirements that serve as safeguards against hasty and ill-considered changes. The analysis covers the following key aspects of the procedure:

- Right of initiative. A limited circle of subjects – one quarter of the members of parliament and the president. The exclusion of the Council of Ministers and the requirement for a qualified number of deputies (60) underscore the exceptional importance of the act.
- Deadlines for consideration. The draft law is considered within strictly defined timeframes – not earlier than one and not later than three months after its submission, which provides time for public debate and political consultations.
- Qualified majority. The requirement for a three-quarters majority (180 votes) of all members of parliament, adopted in three votes on different days, is a key guarantee for achieving broad parliamentary consensus.
- Hypothesis of the "declining majority." The provision of Article 155, paragraph 2 of the Constitution is analyzed, which allows a bill that has received support from at least two-thirds but less than three-quarters of the deputies to be reconsidered and adopted by a two-thirds majority.
- Quorum. The author identifies a legal gap regarding the required quorum for holding sessions, arguing that it logically should be higher than the majority required for adoption.
- Promulgation. The special role of the Chairman of the National Assembly is examined, who signs and promulgates the law, excluding the participation of the president and his right of suspensive veto.

The author pays special attention to the fact that many procedural details are not regulated in the Constitution itself but are adopted through ad hoc procedural rules by each National Assembly undertaking constitutional revision. This practice, although established, creates uncertainty and is one of the main challenges to legal regulation.

In the concluding part of the article, the author formulates a number of recommendations for future improvement of the normative framework (de lege ferenda). These are aimed at overcoming the identified gaps and increasing legal certainty in the amendment of the fundamental law.

Minors and underage persons in Bulgarian constitutional legal norms -
Studia Iuris journal, 2024, No. 2, ISSN 2367-5314, pp. 7-16

The article offers a comparative review of the evolution of constitutional protection of children in Bulgaria. The material traces the development of constitutional legal norms concerning children through four key periods in Bulgarian history, analyzing the following main laws:

- The Tarnovo Constitution. Although the text lacks explicit provisions regarding children's rights, the author reveals how they were indirectly protected through general principles such as equality before the law (Art. 57), the prohibition of slavery (Art. 61), and the introduction of free and compulsory primary education (Art. 78). Specific norms concerning the minority of the monarch are also analyzed.

- The Constitutions of the People's Republic of Bulgaria from 1947 and 1971. The transition to explicit mention of children's rights is examined, albeit within a highly ideological context. Emphasis is placed on norms such as the equalization of the rights of illegitimate children (Art. 76, para. 3 of the 1947 PRB Constitution) and the obligation of parents for "communist upbringing" (Art. 38, para. 3 of the 1971 PRB Constitution).

- The Constitution of the Republic of Bulgaria from 1991. The analysis focuses on the contemporary, democratic framework that places the child at the center of a protection system. Foundational principles are considered, such as the protection of the family, motherhood, and children by the state and society (Art. 14), the right and duty of parents to raise and educate their children until adulthood (Art. 47), as well as the guaranteed right to education (Art. 53).

The author concludes that although the current Bulgarian legal framework corresponds to contemporary international standards for the protection of children's rights, challenges persist. These are mainly related to the effective implementation of legal measures, insufficient funding of social programs, and the need for better coordination among institutions. The article offers recommendations for improving legislation, particularly in the direction of preventing violence and exploitation, and strengthening social support for children at risk.

Prepared by:

Assoc. Prof. Hristo Y. Paunov, PhD