



COUNCIL OF EUROPE CONSEIL DE L'EUROPE

Committee of Ministers
Comité des Ministres

Ministers' Deputies

CM Documents

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4 Human Rights

4.8 European Court of Human Rights

Election of judges – List of candidatures in respect of Bulgaria

¹ This document has been classified restricted at the date of issue. Unless the Committee of Ministers decides otherwise, it will be declassified according to the rules set out in Resolution Res(2001)6 on access to Council of Europe documents.

Translation

From: Bulgaria [mailto:bulgarie@noos.fr]

Sent: Monday 18 June 2007 16:00

To: philippe.boillat@coe.int

Cc: PALMER Simon; Emanuela Tomova

Subject: transmission of Bulgarian candidates for the post of judge to the European Court of Human Rights

18 June 2007

Dear Director General,

With reference to the letter from the Secretary General, Mr Terry Davis, of 21 December 2006, concerning the expiry of the term of Ms Snejana Botoucharova, judge at the European Court of Human Rights, on 31 October next, I am honoured to submit the list of candidates in respect of Bulgaria. In alphabetical order, the candidates are as follows:

- Mr Margarit Nikolov Ganev;
- Ms Momiana Martinova Guneva;
- Ms Snejinka Nikolova Sapundjieva.

The curricula vitae of the three candidates are enclosed.

The enclosures set out the candidates' CVs, starting with the Bulgarian versions, followed by the English and/or French versions from page 28.

[Yours faithfully,]

CURRICULUM VITAE
Margarit Nikolov Ganev

I. Personal details

Name, forename: GANEV Margarit
 Sex: Male
 Date and place of birth: May 13, 1959, Popovo, Bulgaria
 Nationality: Bulgarian

II. Education and academic and other qualifications

Since 2007 Assoc. Professor in International Law and International Relations
 1991-1995 Institute for Legal Studies, Bulgarian Academy of Sciences Research associate
 Since 1991 Doctor's degree in International Law
 1989-1991 Institute of Legal Studies, Bulgarian Academy of Sciences Research lawyer
 1986-1989 Institute for Legal Studies, Bulgarian academy of sciences
 Doctor Degree Applicant in Law
 1985-1986 Sofia City Court Judicial candidate
 1980-1985 University of Sofia "St. Kliment Ohridski", Faculty of Law
 Masters in Law
 1978-1980 School for Reserve Officers
 Military High School, Chair of "Public Sciences"
 Military rank – Captain of the reserve
 1974-1978 Foreign Languages School "Zahari Stoyanov", Sliven

III. Relevant professional activities*a. Judicial activities*

Since 2004 Permanent Court of Arbitration, The Hague -Member of the Bulgarian national group
 Since 2002 Court of Arbitration at the Bulgarian Stock Exchange - Vice-president
 Since 1996 Attorney-at-Law, member of Sofia BAR Association

*b. Non-judicial legal activities**- Academic activities*

Since 2003 Bourgas Free University - Lecturer in International Humanitarian Law
 Since 2001 Bourgas Free University - Lecturer in international organisations
 1999-2000 University of National and World Economy Lecturer
 1996-1997 Sofia University, Faculty of Economics Lecturer
 Since 1996 Bourgas Free University - Lecturer in Diplomatic and Consular Law
 1991 – 1993 Sofia University, Faculty of Journalism and Mass Communications - Lecturer
 Since 1991 Bourgas Free University - Lecturer in International Public Law

- Other activities

Since 2002 International Law Association, Committee "International Criminal Court" - Member
 2001 – 2004 International Healthcare and Health Insurance Institute, Sofia, Legal Directorate -Director
 Since 1998 Institute of International Law – Sofia - Founder and co-president

c. Non-legal professional activities: None

IV. Activities and experience in the field of human rights

Since 2004, as a deputy minister of justice I have performed various duties related to the protection of the human rights. Currently I administrate the Department "Procedural Representation of the Republic of Bulgaria before the European Court of Human Rights" in the Ministry of Justice.

I am responsible for the following other directorates of the Ministry of Justice which activities are directly connected to the implementation of the international human rights standards and their compliance with the Bulgarian legislation: Directorate "Legislation Council", Directorate "International Cooperation and European integration", Directorate "International Legal Protection of the Child and International Adoptions". Under my proposal in 2005, the last mentioned Directorate, started implementing the international legal standards for the protection of the child.

As a part of my academic career I have gathered profound knowledge in various fields of the international law. Currently I am providing classes and lectures in international humanitarian law and human rights. In 1992 I have co-authored one of the first Bulgarian collected texts on the issues of human rights. The collection contains basic legal documents of UN related to the prevention of discrimination, slavery and forced labour; the prohibition of torture; the protection of the right to life, liberty and security; freedom of expression, thought and religion; right to respect for private and family life, etc. This important activity undoubtedly contributed for the raising of the public awareness on the human rights issues.

In 1998 I became one of the founders and co-presidents of the Institute of International Law, situated in Sofia. The Institute is one of the most important Non-governmental organisations in Bulgaria, working in the field of international law and jurisprudence.

V. Public activities

a. Public office

Since 2004 Ministry of Justice - Deputy Minister of Justice

b. Elected posts

Since 2007 Member of the National Council on Child Protection

Since 2005 Member of the National Commission on Fight against Trafficking in Human Beings

1997-2004 Bourgas Free University - Vice-Dean of the Faculty of Law, responsible for scientific research and international relations

Since 1994 Bulgarian Association of International Law - Secretary General,
Ex officio member of the Executive Council of the International Law Association, London

c. Posts held in a political party or movement: None

VI. Other activities: None

VII. Publications and other works

1. "The Treaty of Berlin and the Capitulations of Bulgaria after the Liberation", published in: "Pravna missal", book 3, 1986, p. 27-37 (co authored by Mihail Mihailov)
2. "Constitutionally recognised Rights and Freedoms of the Citizens in the Republic of Bulgaria and the Obligations of the Country", published in: "Constitution from 1991 and the Participation of Bulgaria in the International Treaties", "Sibi", 1992, p. 99-120
3. International treaties of Bulgaria after the Balkan wars and their reflection in "the Thracian question", published in "Juridical collection", vol. VII, 1997, p. 38-45

4. Guarantees for the Human Rights Protection in the International Agreements of Bulgaria for Extradition", published in "Juridical collection", vol. IX, 1998, p. 158-191
5. "Codification and progressive Development of the International Law", published in "Juridical collection", vol. X, 1999, p. 61-112
6. "International Law System for Maintaining International Peace and Security on the Threshold on the new Century and the new Challenges", published in: Works on international Law, vol.V, C., Bulgarian Association of International Law, 2000, p. 113-164
7. "Participation of Bulgaria in the European and Euro-Atlantic institutional system: organizational aspects", published in: "Studies of international Law", vol.VI, C., Bulgarian Association for International Law, 2003, p.151-250.
8. "Historical Development and realisation of the Idea for a Permanent International Criminal Justice", published in "The International Criminal Justice in the context of the Bulgarian legislation", Association Transparency International", 2004, p. 5-16

VIII. Languages

Languages	Reading			Writing			Speaking		
	VG	G	F	VG	G	F	VG	G	F
a. First language: Bulgarian									
b. Official languages:									
French	X			X			X		
English		X				X			X
c. Other languages:									
Russian	X			X			X		
Italian			X			X			X

IX. Other relevant information: None

X. Confirmation on willingness to take up permanent residence in Strasbourg

I confirm that I will take up a permanent residence in Strasbourg if I am elected as judge to the ECHR.

CURRICULUM VITAE
Momiana Martinova GUNEVA

I. Personal details

Name, forename: Guneva, Momiana Martinova
Sex: female
Date and place of birth: January 7th, 1951, Pleven, Bulgaria
Nationality: Bulgarian

II. Education and academic and other qualifications

1973 Master of law, diploma magna cum laude, University of Sofia "St. Climent Ohridsky";
1975-1979 PhD in Criminal law, Bulgarian Academy of Sciences, Institute of Law and State Sciences;
1989 Habilitation as Professor in Criminal law;
1982-1996 Many specialisations in Criminal Law. Among them are especially to mention:
Max Planck Stipendium – Max Planck Institute of Foreign and International Criminal Law in Freiburg, Germany and Lectorship on Criminal law in the TEMPUS Program, University of Athens, Greece.

III. Relevant professional activities

a. Judicial activities

1988-1989 District Attorney's Office in Sofia;

b. Non-judicial legal activities

1975-1995 Bulgarian Academy of Sciences, Institute of Law and State Sciences as a research officer, Professor;
1995-1999 Professor in Criminal Law, South-Western University "Neofit Rilsky" – Blagoevgrad;
1992-2007 Professor in Criminal Law. Head of department "Public law", Vice-Rector, Dean of Law faculty – Burgas Free University;
2005 Head of experts group on major novelling of Criminal Code.

c. Non-legal professional activities: None

IV. Activities and experience in the field of human rights

2005-2007 Chairperson of Experts' Council of Association for Rehabilitation of Imprisoned Persons – NGO;
2005 Staff member of program "Political Prisoners in Azerbaijan – Elaboration of Effective Public Control Mechanism". The program was held by 21 NGO's in Azerbaijan and Association for Rehabilitation of: Imprisoned Persons;
2005 Chair-person of experts' summit on "The Fight against Terrorism and the Human Rights";
2006-2007 Head of research project "Access to Justice".

V. Public activities*a. Public office*

2002-2007 Member of the Pardon Commission by the President of Bulgaria Administration; member of Program developing Council by the Magistrate's Training Centre – National Institute of Justice;

b. Elected posts

2006-2007 Member of Board of Trustees of Burgas Free University

*c. Posts held in a political party or movement: None***VI. Other activities***a. Field*

Member of Association Internationale de Droit Penal;
Member of International Law Association – London, International Criminal Court Committee.

b. Duration

For 18, resp. 5 years

VII. Publications and other works

Two books and more than 40 articles published, among them the most important titles are:

"The Amnesty as a Problem in the Bulgarian Criminal Law";

"Responsibility and Reprehension"

"Criminal Policy in Bulgaria"

"The Criminal Law Reform and the European Standards"

VIII. Languages

Languages	Reading			Writing			Speaking		
	VG	G	F	VG	G	F	VG	G	F
a. First language: Bulgarian									
b. Official languages:									
English	X			X			X		
French	X				X			X	
c. Other languages:									
German	X			X			X		
Russian	X			X			X		

IX. Other relevant information

X. Hereby I confirm that I will take up permanent residence in Strasbourg if elected a judge on the Court.

CURRICULUM VITAE
Snejinka Nikolova SAPOUNDJIEVA

I. Personal details

Name, forename: Sapoundjieva, Snejinka
Sex: Female
Date and place of birth: 2 January 1949, Kubrat
Nationality: Bulgarian

II. Education and academic and other qualifications

June-July 1991 University of Nice Sophia Antipolis Training in the field of Competition law

1990 Ministry of Justice
Training course for judges in the field of Civil Law and Civil Lawsuit

May-June 1981 Centre international de l'Enfance, Paris
Ecole nationale de la magistrature, Bordeaux
Training the field of Juvenile Crime, Juvenile Justice, Vulnerable Children and Youth Protection

1976 Ministry of Justice
Training course for judges in the field of Civil and Criminal Law

1968-1972 University of Sofia "St Kiiment Ohridski", Faculty of Law Master of Laws

1963-1968 French Language School "Frederic Joliot-Curie", Varna General Certificate of Secondary Education

III. Relevant professional activities

a. Judicial activities

November 1983 - October 1992	Judge, Sofia City Court
September 1980 - November 1983	President of the Civil Division, Sofia District Court
July 1979 - September 1980	Judge, Sofia District Court
July 1974 - July 1979	Judge, Razgrad District Court
May 1973 - May 1974	Trainee lawyer, Sofia City Court

b. Non-judicial legal activities

Since 1993	<u>Barrister, Sofia Bar</u>
September 1990 - July 1997	Teaching Assistant in the University of Sofia (Civil Lawsuit)

c. Non-legal professional activities: None

IV. Activities and experience in the field of human rights

Advised and appeared in as Counsel in numerous cases before the Bulgarian courts, involving various human rights related issues, namely the respect *for* right to peaceful enjoyment of one's possessions, right of access to court, right to fair trial, family and private life.

As Teaching Assistant in the University of Sofia, lectured on various aspects of human rights, in particular on topics related to civil lawsuit, such as the right to fair trial, the principle of equality of arms, the obligation to issue a reasoned judgment, etc.

As Judge in Razgrad District Court decided criminal cases involving minors and applied procedural requirements aiming at providing special guarantees for the accused. Followed a course in 1981.

V. Public activities

- a. *Public office:* None
- b. *Elected posts:* None
- c. *Posts held in a political party or movement:* None

VI. Other activities

Member of the Commission for the Prevention of Youth Delinquency (1974 – 1979)
Member of an Association for the Preservation of Historical Monuments

VII. Publications and other works

VIII. Languages

Languages	Reading			Writing			Speaking		
	VG	G	F	VG	G	F	VG	G	F
a. First language: Bulgarian									
b. Official languages:									
English		X				X			X
French	X			X			X		
c. Other languages:									
Russian		X				X		X	
Italian			X			X			X

IX. Other relevant information

X. Confirmation on willingness to take up permanent residence in Strasbourg

I confirm that I will take up permanent residence in Strasbourg if elected a judge to the Court.