



EUROPEAN COMMISSION
SECRETARIAT-GENERAL

The Secretary General

Brussels, 19/05/2014

Ms Gyaurova-Wegertseder
Director of BILI Foundation
132 G. Rakovki Str., fl.3
1000 Sofia
Bulgaria

Dear Ms Gyaurova-Wegertseder,

Thank you for your email of 15 April in which you call to our attention the upcoming election of the future President of the Supreme Court of Cassation (SCC) in Bulgaria. Also thank you for the attached letter which expresses some concerns about the process and has been sent to the relevant institutions in Bulgaria as well as the Commission. In your email you state that you believe the Commission and its services should exercise a rigorous scrutiny of this election.

I would like to assure you that the election of the new President of the SCC is one of the issues which the Commission services will follow closely in the context of the Cooperation and Verification Mechanism (CVM). As was highlighted in the latest CVM report, adopted on 22 January, Bulgaria needs to develop a track record of appointments to high-level offices being based on real competition between candidates in accordance with clear standards of merit and integrity. This is crucial for the establishment of public trust in the judiciary. In the report, the election of the SCC President in 2014 is explicitly mentioned as an example of such an important appointment. This of course reflects the real significance of the office of President of the SCC.

As the new President of the SCC will be a mainstay of the Bulgarian judiciary for years to come, it is of vital importance that whoever is elected is someone who commands the respect of the entire judiciary as well as of the wider Bulgarian society. The best possible means of achieving this positive outcome is to have the election take place as a result of a fair merit-based contest open to all candidates.

Naturally the details of the procedure are in the hands of the national authorities and it is not for the Commission to comment on specific candidates or draft the laws concerned. But the report, as also endorsed by the EU Member States Council of Ministers, sets out what we would see as the key principles. As your letter points out, the credibility and success of each procedure rests on how such principles are carried forward in practice in each case.

The Commission will continue to closely monitor and report on these developments. It is expected that the next CVM report will be adopted around the end of this year or the beginning of 2015.

Yours sincerely,

Catherine Day

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