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European Union

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**NOTE**

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From:	Mr Krasimir Voinov, Permanent Representation of Bulgaria to the European Union
To:	Ms Christine Roger, Director General, Council of the European Union
Subject:	Implementation of the Council Framework Decision 2008/909/JHA of 27 November 2008 on the application of mutual recognition to judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union - Notification by Bulgaria

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Please find attached a notification by Bulgaria regarding the transposition of Framework Decision 2008/909/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences or sentences involving deprivation of liberty for the purpose of their enforcement in the European Union.

**INFORMATION FROM THE REPUBLIC OF BULGARIA FOR THE  
IMPLEMENTATION OF FRAMEWORK DECISION 2008/909/JHA OF  
27 NOVEMBER 2008 ON THE APPLICATION OF THE PRINCIPLE OF MUTUAL  
RECOGNITION TO JUDGMENTS IN CRIMINAL MATTERS IMPOSING CUSTODIAL  
SENTENCES OR SENTENCES INVOLVING DEPRIVATION OF LIBERTY FOR THE  
PURPOSE OF THEIR ENFORCEMENT IN THE EUROPEAN UNION**

Bulgaria has transposed Framework Decision 2008/909/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences or sentences involving deprivation of liberty for the purpose of their enforcement in the European Union by the Law on the recognition, execution and transmission of judgments imposing custodial sentences or sentences involving deprivation of liberty, published in State Gazette No 45 of 7 June 2009, in force since 1 January 2020.

The internal legal provisions implementing Framework Decision 2008/909/JHA of 27 November 2008 **enter into force on 1 January 2020.**

On the basis of the relevant provisions of its legislation, Bulgaria hereby submits the following information on the implementation of Framework Decision 2008/909/JHA of 27 November 2008:

**Information referred to in Article 2(1)**

(a) The competent authority in the Republic of Bulgaria for the **recognition** of judgments imposing custodial sentences or sentences involving deprivation of liberty delivered in another Member State is the **District Court in the sentenced person's place of residence**. Where the person's place of residence in the Republic of Bulgaria is unknown or he/she does not live in Bulgaria, the authority competent for recognising the judgment shall be Sofia City Court.

In Bulgaria there are 28 District Courts and their contact data are set out in the Annex hereto.

(b) Bulgaria designates **the court of first instance which issued** the judgment imposing a custodial sentence or a sentence involving deprivation of liberty as the authority competent for **forwarding** the certificate and the judgment to the competent authority of the executing State.

In order to identify which Bulgarian judicial authority is competent for executing the judgment in each case, the foreign issuing judicial authority or foreign central authority may consult the information on Bulgaria in the Atlas relating to Framework Decision 2008/909/JHA of 27 November 2008 on the European Judicial Network portal.

In addition, requests for assistance may be made to Bulgaria's national contact points for the European Judicial Network, details of which may be found on the EJN portal ([https://www.ejn-crimjust.europa.eu/ejn/EJN\\_Home.aspx](https://www.ejn-crimjust.europa.eu/ejn/EJN_Home.aspx)).

#### **Information referred to in Article 4(7)**

The prior consent of the Bulgarian authorities is required for the enforcement of sentences in Bulgaria in cases where the sentenced person is neither a Bulgarian citizen residing on Bulgarian territory, nor a Bulgarian citizen who, on the basis of the sentence or any other legal or administrative decision, will be deported to Bulgaria after their release.

#### **Information referred to in Article 16**

Bulgaria designates the Ministry of Justice as competent for receiving transit requests and the documents required, as well as any official correspondence relating to these requests. The Ministry will immediately send a request to the Supreme Prosecutor's Office of Cassation, which will grant the transit of the requested person through the territory of the Republic of Bulgaria and inform the requesting Member State of its decision.

The transit request must be accompanied by the following documentation:

1. Transit request;
2. A copy of the certificate;
3. Data on the sentenced person;
4. Approved plan for the surrender of the sentenced person;
5. Translation of the documents into Bulgarian.

Transit requests and the required documentation should be sent to:

Министерство на правосъдието

Дирекция „Международно правно сътрудничество и европейски въпроси”

Отдел „Сътрудничество по наказателноправни въпроси“

(Ministry of Justice

Directorate of International Legal Cooperation and European Affairs Division of International Cooperation in Criminal Matters)

1040 София, ул. Славянска 1

Telephone: 0035929237-515; 0035929237-534

Fax: 0035929237-546

E-mail: [criminal@justice.government.bg](mailto:criminal@justice.government.bg)

### **Information referred to in Article 23**

Any certificates transmitted to the Bulgarian authorities for execution must be translated into Bulgarian. The judgment does not need to be translated; if necessary, the competent authorities of the issuing and executing Member States may, following consultations, specify which parts of the judgment need to be translated.

### **Information referred to in Article 26(2) and (3)**

To date, and in its relations with Member States, Bulgaria does not implement bilateral or multilateral agreements or arrangements which allow the objectives of this Framework Decision to be extended or enlarged and help to simplify or facilitate further the procedures for the enforcement of sentences which they wish to continue applying under the Framework Decision.

**ANNEX – List of District Courts as competent executing authorities under Article 2(1)**

*Note: The Bulgarian term for 'District Court', Окръжен съд, is transliterated as Okrazhen sad*

Name	Address:	Phone	E-mail
Blagoevgrad	2700 Blagoevgrad, Vasil Levski Sq. 1	+35973/889 856 +35973/889 865	<a href="mailto:blagoevgrad-os@justice.bg">blagoevgrad-os@justice.bg</a>
Burgas	8000 Burgas, Aleksandrovska Str. 101	+35956/879 400	<a href="mailto:judge@os-burgas.org">judge@os-burgas.org</a> <a href="mailto:osburgas@abv.bg">osburgas@abv.bg</a>
Varna	9000 Varna, Nezavisimost Sq. 2	+35952/617 935	<a href="mailto:presidentvos@vcourts.org">presidentvos@vcourts.org</a>
Veliko Tarnovo	5000 Veliko Tarnovo, Vasil Levski Str. 16	+35962/615 887 +35962/615 886	<a href="mailto:vtos.bg@gmail.com">vtos.bg@gmail.com</a>
Vidin	3700 Vidin, Bdintsi Str. 1	+35994/600 958	<a href="mailto:os_vidin@yahoo.com">os_vidin@yahoo.com</a>
Vratsa	3000 Vratsa, Hristo Botev 29	+35992/626 097	<a href="mailto:gagova@abv.bg">gagova@abv.bg</a>
Gabrovo	5300 Gabrovo, Vazrazhdane Sq. 1	+35966/809 264	<a href="mailto:delovodstvo-rsg@court-gbr.com">delovodstvo-rsg@court-gbr.com</a>
Dobrich	9300 Dobrich, Dr. Konstantin Stoilov, Str. 7	+35958/601,480	<a href="mailto:courtdb@db.vega.bg">courtdb@db.vega.bg</a>
Kardzhali	6600 Kardzhali, Belomorski Blvd. 48	+359361/627 08	<a href="mailto:okrsad_kj@mail.bg">okrsad_kj@mail.bg</a>
Kyustendil	2500 Kyustendil, Gorotsvetna Str. 1	+35978/550 461 +35978/550 468	<a href="mailto:kos@kos-bg.eu">kos@kos-bg.eu</a>
Lovech	5500 Lovech, Targovska Str. 41	+35968/601,048	<a href="mailto:los@gbg.bg">los@gbg.bg</a>
Montana	3400 Montana, Vasil Levski Str. 24	+35996/300,654	<a href="mailto:montana-os@justice.bg">montana-os@justice.bg</a>
Pazardzhik	4400 Pazardzhik, Han Krum Str. 3	+35934/409 501 +35934/409 507	<a href="mailto:pazardzhik-os@justice.bg">pazardzhik-os@justice.bg</a> <a href="mailto:delnak@court-pz.info">delnak@court-pz.info</a>
Pernik	2300 Pernik, Targovska Str. 37	+35976/647 055 +35976/647 035	<a href="mailto:ospernik@abv.bg">ospernik@abv.bg</a> <a href="mailto:ospernik@justice.bg">ospernik@justice.bg</a>
Pleven	5800 Pleven, Dimitar Konstantinov Str. 25	+35964/810,203	<a href="mailto:os_pleven@abv.bg">os_pleven@abv.bg</a>

Plovdiv	4000 Plovdiv, Shesti Septemvri Blvd. 167	+35932/623,129	<a href="mailto:osplovdiv@gmail.com">osplovdiv@gmail.com</a>
Razgrad	7200 Razgrad, Nezavisimost Sq. 1	+35984/660 429 +35984/660 179	<a href="mailto:razgrad-os@justice.bg">razgrad-os@justice.bg</a> <a href="mailto:os_razgrad@mail.bg">os_razgrad@mail.bg</a>
Ruse	7000 Ruse, Aleksandrovska Str. 57	+35982/825 453 +35982/881 343	<a href="mailto:courtruse@gmail.com">courtruse@gmail.com</a>
Silistra	7500 Silistra, Simeon Veliki Str. 31	+35986/816 630 +35986/816 639	<a href="mailto:sos_silistra@abv.bg">sos_silistra@abv.bg</a>
Sliven	8800 Sliven, Hadzhi Dimitar Sq. 2	+35944/616 422 +35944/616 420	<a href="mailto:os_sliven@iradeum.com">os_sliven@iradeum.com</a>
Smolyan	4700 Smolyan, Bulgaria Blvd. 16	+359301/604 29 +359301/623 02	<a href="mailto:dc_sm@mail.bg">dc_sm@mail.bg</a>
Sofia District	1000 Sofia, Vitosha Blvd. 2	+3592/986 2329 +3592/981 5742	<a href="mailto:sd_court@sofiadc.justice.bg">sd_court@sofiadc.justice.bg</a>
Sofia City	1000 Sofia, Vitosha Blvd. 2	+3592/921 9345 +3592/980 0008	<a href="mailto:registratura@sgs.justice.bg">registratura@sgs.justice.bg</a> <a href="mailto:cabinet@sgs.justice.bg">cabinet@sgs.justice.bg</a>
Stara Zagora	6000 Stara Zagora, Mitropolit Metodiy Kusev Blvd. 33	+35942/630,296	<a href="mailto:osstz@osstz.com">osstz@osstz.com</a>
Targovishte	7700 Targovishte, Petko R. Slaveykov Str. 59	+359601/656 79	<a href="mailto:info@justicetg.org">info@justicetg.org</a>
Haskovo	6300 Haskovo, Bulgaria Blvd. 144	+35938/601,834	<a href="mailto:haskovo-os@justice.bg">haskovo-os@justice.bg</a> ; <a href="mailto:sud@escom.bg">sud@escom.bg</a>
Shumen	9700 Shumen, Saedinenie Str. 1	+35954/850 346 +35954/850 302 +35954/850 347 +35954/850 348	<a href="mailto:shos@court-sh.org">shos@court-sh.org</a>
Yambol	8600 Yambol, Zhorzh Papazov Str. 1	+35946/688,836	<a href="mailto:info@os-yambol.org">info@os-yambol.org</a> <a href="mailto:s.admin@os-yambol.org">s.admin@os-yambol.org</a>