

CONCEPTUAL AND PROCEDURAL FRAMEWORK FOR EXERCISE OF THE POWER OF MINISTER OF JUSTICE TO PROPOSE CANDIDATES FOR MANAGEMENT POSITIONS IN THE JUDICIARY

Drawn up on the instructions of the Minister for Justice with a view to improving the mechanism
of
exercise of its right under Article 130c (3) of the Constitution to propose to the High
Council for the Judiciary candidates for management positions in the judiciary

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1. Short introduction

1.1. Purpose and purpose of the Conceptual and Procedural Framework

This document combines a conceptual, evaluative and procedural framework for the Minister of Justice to exercise his power under Article 130c (3) of the Constitution to propose candidates for leadership positions in the judiciary.

Its purpose is to transform the exercise of this power from individual, situational nominations into a coherent, structured and reasoned process based on predefined criteria, competency models and a competitive procedure for comparing candidates. The framework combines three interrelated elements:

1. a competent model that sets out the requirements for applicants;
2. evaluation methodology based on objective, measurable and verifiable indicators;
3. a competitive procedure that ensures transparency, comparability and publicity of the process.

They structure the power as a management tool to pursue a coherent personnel policy oriented towards long-term goals – institutional efficiency, judicial independence and increasing public trust in the judiciary.

The document is of a methodological and organisational nature and serves as an analytical and procedural basis for forming the assessment of the right holder in support of the relevant acting minister. The document does not form part of the constitutional procedure for the submission of proposals, does not create rights for applicants and does not bind

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the Minister in making his decision, acting on the basis of an independent assessment and taking

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into account all the relevant circumstances.

The implementation of the framework enhances the transparency, predictability and soundness of proposals, while preserving the constitutional model whereby the Minister exercises a right of initiative without decisive competence.

1.2. Profile of the power of the Minister for Justice under Article 130c (3) of the Constitution

The power of the Minister for Justice under Article 130c (3) of the Constitution, as specified in the provisions of

Pursuant to Article 130c (3) of the Constitution, in force as from

The Judicial System Act (Article 169 (2006)). The Minister of Justice may make proposals for appointment, promotion, demotion, 4, item 4; Article 173 (3) and (4); Article 174, transfer and dismissal of judges, paragraphs (1) and (2) are key prosecutors and investigators.

The Judicial System Act specifies this instrument of institutional power in the following provisions:

influence on staff development – Article 169 (4) (4) – in relation to heads of prosecutor's offices the judicial system. Its legal position – Article 173 (3) – is hybrid in the case of nature presidents – it is neither the Supreme Court of CASSATION nor YOU

— Article 173 (3) – with regard to the Prosecutor General, a purely executive competence, — Article 174 (1) in respect of THE Director of

element from the inner

judicial autonomy and checks and balances.

From a constitutional balance point of view, this right is in the nature of an **initiative without decisive power**. The Minister does not appoint, but proposes – the decision belongs to the Supreme Judicial Council. This achieves double legitimacy: on the one hand ~ 3 ~

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democratic (through the executive) and professional and intra-system (through judicial self-government). In this sense, the power functions **as a corrective and pathway for the introduction of the public interest into the closed and open personnel system of the judiciary**, without compromising its independence. The law allows for influence over all levels of government, but it is most active at strategic level (senior appointments) and at institutional level (heads of authorities).

From the perspective of management theory, the law of the Minister can be seen as a form of **strategic and institutional influence without direct hierarchical authority**. It corresponds to governance models where the holder exerts influence by setting standards and expectations, selecting and nominating candidates and structuring the procedural context (time frames, publicity, argumentation). This positioned him in the field of **soft power governance** – control by influence rather than command.

In this context, the following leadership models (strategic, institutional/systemic and operational, complemented by people leadership) provide a conceptual framework that can significantly improve the exercise of this power.

Firstly, the **strategic leadership model supports the Minister** in formulating a clear vision for the development of the judicial system, materialising through the proposals. Instead of reactive or conjunctural nominations, it opens the door to a coherent personnel policy oriented towards long-term goals – effectiveness, independence, trust. This leads to higher predictability and legitimacy of proposals, as well as a better public understanding of the selection criteria.

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Secondly, **institutional and systemic leadership** provides a framework for coordination with other actors in the process – the Supreme Judicial Council, judicial institutions and other authorities. Through this model, the power is exercised not in isolation, but as part of a broader system of interaction that takes into account the needs of specific units (e.g. prosecution offices, supreme courts, NSIS) and the balance between the different levels of the system and the need for

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uniform practice and managerial sustainability. This reduces the risk of institutional conflict and enhances the quality of the proposals themselves through better information and coherence.

Third, the **operational efficiency model** contributes to structuring the exercise of the power itself. The statutory time limits (e.g. the four consecutive meetings under Article 173 (4) of the ZSV or the two consecutive periods under Article 174 (2) of the ZSV) imply a high degree of procedural discipline. The application of the principles of operational effectiveness allows for advance planning of nominations, the use of objective data and indicators, and the traceability and accountability of motives. This leads to greater transparency and reduces the scope for arbitrariness or opaque practices.

Finally, the ‘people leadership’ component is decisive, as the empowerment refers to specific individuals and its exercise implies clear criteria for professional and leadership qualities; an assessment of the potential for managing teams and institutions; and taking into account ethical standards and organisational culture.

This translates the proposals not just into staff acts, but into a **tool for building leadership capacity in the system.**

In summary, the implementation of these models transforms the Minister’s right from a formal procedural possibility into a **structured management tool** that enhances the quality and soundness of proposals, strengthens their legitimacy before the Supreme Judicial Council and society, and supports the strategic development of

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the judiciary through targeted personnel influence. It contributes to a better alignment between the constitutional idea of balance of powers and modern principles of effective public governance.

TITLE I. CONCEPTUAL AND EVALUATION FRAMEWORK: COMPETENT MODEL

for the selection of candidates for the position of Prosecutor General, President of
the HCCJ,
Chairman of the Supreme Administrative Court, Director of the NSIS, District
Prosecutor, District
Prosecutor and Appellate Prosecutor

I. Methodology

This model has been developed through an interdisciplinary approach that combines knowledge and methods from several scientific fields to ensure both regulatory soundness and managerial applicability:

- **normative analytical methods** of constitutional and administrative law, which derive from the provisions of the Constitution and the JSA the legal nature of the power, its scope and its place in the system of separation of powers. This provides the formal framework within which the model operates.

- **institutional and systemic analysis** characteristic of political science and public administration, through which power is addressed as an element of a broader system of interaction between the judiciary and the executive, including the mechanisms of balance and mutual impact.

The model is mainly based **on management and leadership** studies, in particular strategic management; institutional leadership; process management and performance; and people leadership. They interpret the empowerment as a tool of influence that can be structured and optimised with rules and procedures for exercise.

In addition, a **functional method** was used to identify the main functions that the power performs (initiation, selection, influence, legitimacy), as well as a **comparative analytical approach** to differentiate between different levels of leadership in the judiciary.

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As a result, the model is a synthesis between a legal framework and a governance logic that allows the power to be exercised in a transparent, coherent and strategically oriented manner.

Written contributions from the Bulgarian Judges' Union, the Bulgarian Association of Prosecutors, the Supreme Bar Council, the Association of Administration in Judicial Bodies, the Center for Creative Justice, the Bulgarian Helsinki Committee, the Institute for Market Economics and the conclusions of a consultation of non-governmental organisations by the Minister for Justice (19.3.2026) have been taken into account in its development.

II. Aggregate comparison

1. General profile

The structural core and the seven posts comprise the following 5 clusters of competences:

- **a strong governance component** that encompasses business organisation, people management and responsibility for results. The difference is mainly in the scale of management power;
- **staff influence** through appointments, career development and disciplinary power, but in the case of senior managers, the appeal prosecutor and the district prosecutor, these powers are at system/regional level, while in the case of the district prosecutor they are local;
- **internal control and accountability**, including public. The difference is that in the prosecution service the control is hierarchical and multilevel (including secondary in the appeal prosecutor's office) and functional in the courts;
- **very high ethical integrity requirements**. The requirements of independence, impartiality, resilience to pressure and legitimacy of decisions are common; — **combinations of legal and management expertise** (knowledge, skills and experience).

The systemic main differences are presented in the following table:

criterion	Chair HCCJ/YOU	GLP	Director NSIS	Public Prosecutor of	District Prosecutor	District prosecutor
Concentration in power	High, but interference	Highest, centralised	Medium, limited in	High to regional	Medium, regional	Low, local

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critereon	Chair Supreme Court of Cassation/SAC	GLP	Director NSIS	Public Prosecutor of Appeal	District Prosecutor	District prosecutor
	the administration of justice on the merits		frames to the investigation	level (secondary control)	level	
Nature to power	Without direct hierarchical control on judicial acts	Hierarchical, possibility of instructions and review of acts	Methodical and Organisational	Hierarchical + secondary control of acts and public Prosecutor's Offices	Hierarchical within the area	Internal organisation and procedural
Main focus	Unity of the judiciary (HCCJ) Control on the State Administration (SAC)	National policy criminal persecution and centralised control	Investigation and methodological guidance	Systematic supervision, unification of practice and coordination in the appeal region	Oversight and criminal policy management in a region	Operational local control
Strategic orientation	Strategic and institutional	Highly strategic	Mixed nature	Mixed with strong analytical and control component	Mixed (operational and supervisory) nature	Operational nature
Scope	National. The impact is systemic			National (within the framework of the investigation)	Nazionali (Appeals Region)	Regional
Type of control	Interpretative and organisational	Hierarchical and institutional	methodological	Hierarchical + secondary (escalation) control	Hierarchical in area	Internal organisation

2. Competence model according to the structure of powers

The models proposed under each profile outline the types of professional and personal knowledge, skills and attributes (competences) that are necessary for the legitimate, effective, efficient and consistent exercise of the respective competences in the position concerned (Table 1).

Table 2 maps indicative criteria and indicators for assessing the competencies of candidates for the position in question. The table includes both positive competency criteria and negative criteria signalling a risk to the integrity, independence and reliability of the applicant.

3. Leadership levels and corresponding competences

The functions of the posts at issue give rise to four distinct levels of leadership, corresponding to different institutional scopes, degrees of influence and the nature of powers. They reflect the transition from operational management to strategic institutional leadership.

3.1. Strategic leadership (national level)

Characteristic of the Attorney General. Covers the shaping of a vision and strategic management of criminal policy at national level. Requires the ability to take decisions with a high degree of societal impact, crisis management and institutional reputation, and a balance between judicial independence and external pressure. The skills to think strategically, initiate reforms and ensure public legitimacy are key.

3.2. Institutional and systemic leadership (Supreme Judicial Level)

Characteristic of the presidents of the Supreme Court of Cassation and the Supreme Administrative Court. It involves the management of supreme judicial institutions, the unification of jurisprudence and active interaction with other authorities. This level combines strategic and operational elements and requires the management of complex institutional structures, the development of policies and internal rules, the efficient allocation of resources and high legal expertise, including on constitutional and international standards.

3.3. System Coordination Leadership (Attorney General)

Characteristic of the public prosecutor's office of appeal. Covers secondary (escalatory) supervision of legality, control of acts and activities of lower

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public prosecutor's offices and unification of practice within the appellate district. Includes a strong analytical function – aggregating and analysing information, identifying systemic problems and formulating regional priorities. Requires the ability to coordinate between institutions and internal structures, as well as to balance hierarchical control with professional autonomy, while limiting the risks of selectivity and opacity.

3.4. Operational and management leadership (regional and local level)

Characteristic of district and district prosecutors. It focuses on day-to-day business, process and performance management. Involves organising work, monitoring time limits and workload, ensuring the efficiency of criminal proceedings, and implementing internal rules and good practices. Requires skills to work with data and indicators, as well as to manage the operational activity directly.

3.5. People management (horizontal competence)

Applicable to all levels of government. Covers leadership of magistrates and administrative teams, staff development and evaluation, conflict management, creation of professional environment and motivation, as well as delegation and confidence-building. Maintaining high ethical standards and an organisational culture is key.

4. Restrictive (negative) criteria

These criteria do not constitute autonomous competences, but function as guarantees (limits of eligibility) limiting the possibility to consider a person as a suitable candidate, regardless of the level of professional qualities and managerial skills and experience.

They may have different weightings – an obstacle to nomination or reasons for a higher standard of reasoning. Where there are substantial and undisputed doubts about integrity or independence, the candidate should not be considered suitable for being proposed. In exceptional cases where, despite the existence of such circumstances, a candidate is considered to be an eligible nomination, this should be explicitly and specifically motivated

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by the Minister, taking into account their weight, credibility and importance for the performance of their duties. Such data are objectively established and verifiable data on dependencies or influence; asset

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mismatches or opacity; behavioural patterns that undermine trust in the judiciary; engaging in practices that create suspicions of selectivity, abuse of power or impairment of citizens' rights; other circumstances which objectively call into question or are likely to call into question the professional integrity or institutional reliability of the applicant. The following table sets out such indicative criteria, the applicability of which varies from one candidate to another for different posts. High levels of leadership imply a higher eligibility threshold. Hence, where such criteria are established in respect of senior positions, they are likely to create an insurmountable obstacle to nomination.

GUARANTEE	Specific PRIMARY CRITERIES (applicable to specific facts)
Political neutrality	- holding an elected or appointed political office or being a member of a management body of a political party in the last 5 years; - membership of a political party in the last 5 years; - public participation in party activities, including campaigns, going beyond expression in a civic position.
Selectivity and irregular exercise of powers	- participation (as prosecutor, investigator or judge) in proceedings involving: established by a court or an international body, significant violations of the right to a fair trial; an unjustified duration or failure to act of high public importance has been established; identified compromise of evidence; - systematic participation in cases with a clear asymmetry in the treatment of similar cases (indicator: selectivity); - systematic participation in cases where essential procedural requirements have been proven; — participation in case law characterised by systematic and unjustified deviations from established standards; frequent cancellations by a higher instance (where applicable); - lack of contribution to the unification of practice in the case of such a professional ownership; - systemic delays or inefficiencies in complex cases.
Misuse of power tools	- evidence of improper or disproportionate use of special intelligence means; high-intensity coercive measures (detention, public shares, etc.); - engaging in practices where procedural acts are predominantly used public or media effect.
Institutional dependencies	- taking up positions or participating in structures that create lasting dependence on: the executive; security services outside of statutory interactions; — repetitive staffing solutions pointing to addiction building (patronage models) - participation as prosecutor/investigator in practices where the investigation is dependent on unregulated instructions from services or external informal influences.
Impairment to judicial independence	- public statements or actions justifying interference with the independence of the court; question the principle of separation of powers; failure to comply with mandatory judicial prescriptions or interpretations - engaging in informal practices to influence the allocation or resolution of cases.

Ethical deficit

- behavioural patterns incompatible with the status of judge/prosecutor/investigator: conflict of interests; undeclared circumstances;
- public events that undermine the authority of the judiciary.

Risk when handling information

- breaches in the handling of classified information;
- data on leaks of sensitive information;
- improper sharing of information outside eligible channels;

Management risk

lack of experience, managerial unsuitability or proven systemic mismanagement of a structure (e.g.: persistently low performance; high revocability of acts; severe internal conflicts; inability to control subordinate units in case of significant breaches; proven problems in managing collective bodies; inability to maintain institutional balance in conflicts; high degree of management disorganisation);

III. Chief Prosecutor of the Republic of Bulgaria

1. General profile of the post

The Attorney General is a constitutionally empowered central authority that concentrates in one person functions of supreme oversight of legality, strategic shaping of criminal policy, management of a strong hierarchical system and participation in national security. The position combines powers of control over all prosecutors and investigators, strong staff influence, broad participation in the management of the judiciary and national security systems, determining responsibility for criminal policy and the fight against crime, broad access to sensitive information, and meaningful participation in interinstitutional and international mechanisms. Its role as guarantor of constitutionality and balance between state power and citizens' rights in the rule of law is particularly crucial.

Fulfilling these competences requires a combination of high legal expertise, strategic thinking, managerial capacity, independence and a strong ethical foundation.

At the same time, the concentration of legal, managerial and de facto power resources creates systemic risks of selective law enforcement, instrumentalisation of prosecution for illegitimate purposes, dependency through personnel decisions, non-transparent use of intelligence tools and erosion of the balance between repression and the protection of fundamental rights. The position therefore requires an extremely high level of professional competence, institutional restraint, accountability and proven resilience to external and internal pressures.

2. Competence model according to the structure of powers

TABLE NO 1

Basics groups competences	Content	Main actions by service	Procedural basis
Professional law (core)	Thorough knowledge of criminal law and related matters. Broad legal jurisdiction beyond narrow criminal law Ability to interpret and	Repeal / amendment to prosecutorial acts Reopening of criminal cases Supervision of pre-trial proceedings Attribution of jurisdiction, and	Constitution: Article 126 (2) (supervision for legality and methodological guidance), the JSA: Article 138 (1) (6) (issuing instructions and instructions) Article 139 (2) (repeal/amendment of
Main groups of competences	Content	Main actions by service	Procedural basis

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	application of the law Methodological guidance and unification of practice Review of the legality of acts and proceedings Taking legal decisions of a high degree of complexity Active participation outside formation to binding interpretative judicial practice through initiation of and participation in interpretative proceedings	jurisdiction Commissioning of investigations Requests for SRS, extradition, indictment Making claims (e.g. under the ZYuLNTs) Access to financial criminal information Exercise of powers under special laws (financial, electoral, security) Initiation of interpretative decisions and rulings Participation with opinions in interpretative proceedings Ensuring the uniform application of the law through interpretative work	prosecutorial acts) Article 125 (request for interpretative acts) Article 129 (participation in interpretative proceedings) Article 136 (6) (extended supervision – including protection of rights) of the NPK: Article 46 (7) (supervision of legality) Article 243, paragraph 11 (repeal to notice of termination) Article 420 (request for reopening of criminal cases) Article 194, paragraph 2 (entrustment to investigation of the NSIS) Article 195 (4) and (5) (determination of jurisdiction) Article 421 (time limits and obligations in the event of reopening) ZSRS: Article 13 (4) (request for use of CPC) Extradition Act: Article 23 (extradition request) Electoral Code: Article 160 (request to accuse an applicant) ZYULNTS: Article 13 (1) (3) (c) (action for termination — terrorism) Financial legislation: ZPPKS, Article 133 (5) (4) ZPFI, Article 91 (5)
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Analytical and strategic	Strategic Criminal Policy Planning Law Enforcement Analysis and crime Assessment of the effectiveness of the Public Prosecutor's Office Identification to systemic problems and good practices Shaping policies and priorities Data governance	Preparation of annual reports Analysis to corruption crimes Follow-up of criminal policy Deadline analysis and quality of investigations Removal to priorities Systematisation of data by the Prosecutor's Office	JSA: Article 138 (1) (7) (control activity; sensitivity infringements, good practices, priorities) Article 138 (1) (12) (summary information on activities) Article 138a (1) and (2) (annual analytical reports) Article 138 (1) (11) (definition of indicators for information countermeasure terrorism : Article 8a (participation in analysis and exchange of information) ZSRS: Article 30 (processing of SSA results) Constitution: Article 84, t 16 (reports to
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Main groups of competences	Content	Main actions by service	Procedural basis
			National Assembly)

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Management and administrative	Running an institution with national scope Management human resources Organisational management Control and reporting Crisis and high risk management (security governance) Staff policy to the system (appointments governance) Career management Disciplinary influence on magistrates	Directs and represents prosecution Organises the activities of the Supreme Cassation Prosecutor's Office Allocate functions between alternates Appoints and dismisses officers Controlling administrative leaders Convenes general meetings Participates in protection and security authorities Creates interdepartmental structures Article 32 (chairing the plenary of the SJC) Art. 38 (staff proposals) Art. 147 (posting) Article 169 (proposals for managers) Article 230 (removal from position)	JSA: Article 138 (1) (1) (directing and representing the public prosecutor's office) Article 138, paragraph 1, t 2 (organises activity) Article 138 (1) (3) (allocating the work of alternates) Article 138 (1) (4) (appointing and dismissing staff) Article 136, paragraph 5 (hierarchical subordination) Article 29a (2) and (3) (convenes general meetings) Article 138 (1) (5) (participation in the Protection Board) Article 32 (chairing to plenary session of the SJC) Art. 38 (staff proposals) Art. 147 (posting) Article 169 (proposals for managers) Art. 230 (removal from office) Electoral Code: Article 18 (5) (Joint Headquarters)
Leadership, communication and interpersonal	Institutional leadership Communication with authorities and society Coordination between institutions Representative functions Management of public and political pressure Conflict management	Chair the Prosecutorial College Participations in the SJC Participations in the Board of the NIJ interact with ministers and institutions Hereby delivers a reports before National Assembly of Bulgaria Responds to questions from citizens and NGOs Refers the matter to the Constitutional Court Participation in the Plenary of the SJC Submission of opinions on key legal issues Institutional influence through participation c interpretative proceedings	Constitution: Article 84 (16) (Hearing in the National Assembly) Article 150 (referral to Constitutional (Court) JSA: Article 113 121 Art. 129 Article 130a (2) (chairing the Prosecutorial Chamber) Article 138 (1) (8) (creation of interdepartmental teams) Article 138a (4) and (5) (corresponds to questions from institutions and citizens) Article 138 (1) (8) – (10) (Joint actions with ministers) Article 252 (ex officio member of the Board of Directors of the NIJ) Article 401 (2) (approval of experts) Act on Countering

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Main groups of competences	Content	Main actions by service	Procedural basis
			terrorism: Article 8a (coordination of services) Electoral Code: headquarters of the Ministry of the Interior
Ethical and values	High moral qualities Integrity and professional ethics Independence Pressure resilience Impartiality Responsibility Sustainability to abuse of power Self-limitation with power and wide powers Responsible exercise of human authority Exclusion to dependencies through appointments and	Takes objective decisions to counteract to outside influence Ensures transparency Ensures equality before the Act Respects limitations with use of power	JSA: Article 173 (5) (1) (high ethical standard) Article 173 (5) (3) (independence and will for legality) Article 173 (4) (high moral quality) Article 38 Article 147 Article 169 ZSRS (Article 13) Access to sensitive information Miscellaneous powers on The Act for countermeasure to terrorism
Related to the primacy of law	Protection constitutionality Ensuring a fair trial Balance of power and rights to citizens Implementation to international Standards	Supervision of investigations Intervention with infringements to the Act Implementation of international decisions courts Ensuring the objectivity of investigations High constitutional susceptibility Interference with infringements Referral to the Constitutional Court Role in ensuring uniform application of the law through interpretative acts Protection of rights through supervision	Constitution: Article 126 (2) Article 150 (access to The Constitutional Court) CPC: Article 421 – Obligation to act within the time limit laid down in the NPK: Article 243 (11) (rectification of incorrect acts) Article 458 (2) and (3) (enforcement of judgments following the annulment of sentences) Article 458 — 460 (powers in international decisions) Article 460 (2) (termination in the event of amnesty) Article 243 (11) (6) (ECtHR judgments) ZSV: Article 136 (6)

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International and coordination	Cooperation c foreign and international bodies Enforcement to international treaties Coordination with cross-border cases	Transfer of sentenced persons Interaction c foreign institutions Work on international criminal proceedings	CPC: Art. 453 (transfer of sentenced persons) Article 455 (international agreements) Article 456 (request to foreign authorities) Article 457 (interaction with a court on transfer)
Main groups of competences	Content	Main actions by service	Procedural basis
	Cross-border criminal policy Legal aid and transfer of sentenced persons		Extradition Act (Article 23) ZSV: Article 138 (1) (9) and (10) (joint instructions with ministers) Law for countermeasure to terrorism, financial laws — terrorism and financial crimes in the international context
Security and intelligence	Participation c from the national security system handling classified information Evaluation to risk (incl. threats for from the national security, terrorism, organised crime) Interaction with services (intelligence, counter- intelligence, law enforcement) Coordination to interdepartmental actions with crises and high-risk Situations Taking to solutions c high level of operational sensitivity Balance between security and fundamental rights	Decides on the use of special intelligence resources with compliance to the legality of and proportionality Appreciates reliability and the importance of operational and intelligence information Ensuring lawful use and protection to classified information Coordinates actions between the Public Prosecutor's Office, MINISTRY OF THE INTERIOR, SANS, intelligence services and other bodies Participates c creating and operation to interdepartmental units (incl. counter-terrorism units) React to reports of threats (terrorism, money laundering, organised crime) Provides control on the use of information collected	CPC: Article 194 (2) (investigations by SIS) ZSRS: Art. 13, Art. 30 Law to counteract to terrorism (Art. 8a) SFPA and LMFI (financial intelligence)

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		Ensure that actions in the field to security no violate citizens' rights	
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TABLE NO 2

Main groups of competences	Summarised leading skill	Indicative judgment criteria	Indicative indicators	
Basics competences	groups	Summarised leading skill	Indicative judgment criteria	Indicative indicators
Professional law (core)		effectively exercise the highest control on the legality of	• Proven years of experience in criminal law and related industries • Enforcement practice and interpretation of complex legal rules	Years of legal experience (general and criminal law)
				Number and weight of cases conducted/controlled
				Number of repealed/amended acts (as control activity)
				Participation in cases of high public interest

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Analytical and strategic		• Experience in the control of acts (repeal, amendment, supervision) • Participation in cases with significant public interest • Teaching or scientific activity (advantage) • A broad legal culture beyond criminal law • Experience in interpretative work or participation in the unification of practice • Participation in the elaboration of opinions on key legal issues	(number, role) Publications; teaching, participation in working groups Appraisal/Career development marks Number participations c interpretative proceedings before the Supreme Court of Cassation/Supreme Court of Cassation/Constitutional Court Number of Systemically Important Legal Opinions issued Contributing to the unification of practice
	forms and implements sustainable policies c County criminal enforcement to	• Ability to analyse crime • Ability to analyse the effectiveness of institutional activity and representation • Experience in drafting strategies, policies, reports • Drafting experience, implementation and/or evaluation of reports/strategies • Ability to work with data and indicators □ Skills to formulate priorities	Contribution to strategic documents (number, role) analyses/reports (annual, thematic) Use of quantitative indicators (KPIs) at work Experience in managing/evaluating policies or programmes Specific results from applied policies (e.g. improved indicators)
	Management and administrative effectively manages a centralised, and large scale system iarchic	• Compulsory experience in a management position • Managing large teams and structures • Experience in resource allocation and control • Crisis management • Having a clear management concept • Experience in personnel policy (appointments, proposals, selection) • Career management experience • Experience in disciplinary procedures • System Dependency Management	Number subordinates employees (direct/indirect) Amount of budget/resources managed Duration of management experience Achieved results (efficiency, timing, workload) Crisis management (case studies) Assessments from administrative controls/audits Number of staff proposals made Participation c procedures recruitment/promotion Number of seconded magistrates Number of disciplinary/exclusion procedures Details of contested/annulled staff decisions

COMPETENT MODEL OF LEADERSHIP POSITIONS IN THE JUDICIARY

Leadership, communication and interpersonal			Assessment of staff transparency
	comply with effective public and international Leadership Institutes	- Public communication skills - Ability to coordinate with other authorities - Work in collective bodies	Number participations c public hearings/Debates Evaluation of public appearances (clarity, consistency, argumentation) Participation in inter-agency formats

Main groups of competences	Summarised leading skill	Indicative judgment criteria	Indicative indicators
	role	- Conflict management - Presentation in public hearings	Feedback from institutions/partners Leader roles in collective bodies Participation in SJC meetings (number, activity) Opinions expressed on strategic issues Role in institutional debates

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Ethical values	ensure sustainable independence, honest and transparent exercise of power	• Lack of dependencies (political, economic) □ Reputation in the professional community • Respect for ethical standards • Consistency in the behaviour • Resistance to pressure • Integrity in exercising staff powers • Lack of dependencies in appointments	Results of integrity checks (property, interests, dependencies) Data from checks (inspectorate, disciplinary proceedings) reputational assessment (professional community) Public positions and their sequence Lack of established breaches/conflicts of interest Appointments analysis (concentration, dependencies, patterns) Conflict of interest data Checks on secondment decisions Reputation on staff decisions
	Related to the primacy of law	• ensures a balance between criminal repression and protection of fundamental Rights • Practice of protecting rights in criminal proceedings • Compliance with fair trial standards • Taking into account decisions of the international courts • Ensuring publicity and accountability • Engaging with civil society • Respect for the independence of professional organisations • Participation in interpretative proceedings • Contributing to a uniform application of the law • Data for the protection of rights through supervisory powers	Number of cases where rights violations were corrected Case-law on the application of judgments of the ECtHR Figures for cancelled acts due to infringements Publicity to activity (reports, reasoning, positions) Evaluation to quality to acts (judicial review)
International and coordination	manage effectively cross-border criminal cooperation	• Experience in international institutions, organisations and formats (Eurojust, ICC, IAS, EU, CoE, UN, international tribunals, etc.) • Experience in international legal cooperation • Experience in cases for transnational crime • Coordination with foreign authorities	Participation in Eurojust, Joint Teams (JITs), etc. Number of international proceedings Extradition/transfers enforced Working language (level) International trainings/mandates
	Security of claims	□ Experience working	Number and type of cases/files related to:

COMPETENT MODEL OF LEADERSHIP POSITIONS IN THE JUDICIARY

Main groups of competences	Summarised leading skill	Indicative judgment criteria	Indicative indicators
intelligence	lawful decisions c the area of national security with high risk	related to national security organised crime terrorism • Access and work c classified information (level and duration) • Participation in interdepartmental structures or operations • Practice on authorisation/control of SSA • Experience in interaction with security services • Ability to take decisions at risk and incomplete information • Sustainability against abuse c sensitive information, politicisation to activity on security and disproportionate interference with citizens' rights	organised crime terrorism financial crimes Participation c interdepartmental teams (number, role) Number and type of cases (terrorism, OCG, financial crime) Participation c interdepartmental teams (number, role) Level to access to classified Information Number cases with RCC (authorisations/controls) Data on infringements (0 as standard) Results from checks (inspectorate, internal control)

VI. President of the Supreme Court of Cassation and the Supreme Administrative Court of the Republic of Bulgaria

1. General profile of the post

The presidents of the Supreme Court of Cassation and the Supreme Administrative Court are supreme judicial leaders, combining functions of administration of justice, unification of jurisprudence and institutional management of the judicial system in its respective part. They concentrate powers on binding interpretative activity, organisational and personnel management of supreme courts, participation in the management of the judiciary through the Supreme Judicial Council and public accountability to society and the National Assembly.

Concentration of influence on interpretative practice, internal organisation of courts and staffing processes creates risks of informal impact on the independence of judges, distortion of practice through interpretative mechanisms and use of administrative tools of influence.

The post therefore requires exceptionally high legal expertise, guaranteed impartiality, institutional restraint and consistent protection of judicial independence and the primacy of law.

COMPETENT MODEL OF JUDICIAL LEADERSHIP
AUTHORITY

2. Competence model according to the structure of competences TABLE No 1

Basics groups competences	Content	Main actions by service	Procedural basis	Specifics VKS/VAS
Professional law (core)	Supreme administration of justice and unification of Jurisprudence Deep expertise c the matter concerned (criminal/civil or administrative law) Interpretation and application of the law at the highest level Forming of mandatory case-law High susceptibility as at constitutional and international law standards	Participation in panels (incl. chairing) Initiation of interpretative decisions and rulings Participation in general meetings of colleges Uniformity of contradictory practice Review in cassation	Constitution: Article 124 Article 125 JSA: Article 114 (VKS), Article 122 (yours), art. 125 Article 128, paragraph 2 (joint interpretative decrees)	HCCJ: cassation control in respect of criminal and civil Cases VAS: Supreme judicial control on administration + application of EU law
Analytical and strategic	Analysis of case law and enforcement Identification to contradictions and systemic problems Development to judicial policy Data governance (data for workload, timing, results)	Preparation of annual and periodic reports Analysis to movement and closure of cases Formulation of suggestions to improve the administration of justice Presentation to reports to High Council for the Judiciary and the National Assembly	JSA: Article 114 (1) (14) to (15) and (2) (HCCJ) Article 122 (1) (14) to (15) and (2) (NAS) Constitution: Article 84 (16)	HCCJ: Court Practice Analysis outside administrative law VAS: analysis to administrative administration of justice a nd regulatory regimes

COMPETENT MODEL OF JUDICIAL LEADERSHIP
AUTHORITY

Management and administrative	Leadership of a supreme court as an institution Management of judges and judicial administration Organisation of activity and workload Personnel policy and internal control	Organisation of the work of the court Appointment and release of employees Appointment of section presidents Allocation of judges to chambers Secondment of judges Supervision of legal secretaries State approval and administration	JSA: Article 114 (1) (1) to (13), Article 115 (HCCJ) Article 122 (1) (1) to (13), Article 123 (NAS)	HCCJ: control on the courts of appeal VAS: review of administrative courts
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Main groups of competences	Content	Main actions by service	Procedural basis	Specifics VKS/VAS
Leadership, communication and interpersonal	Representation of the judiciary Coordination c others public Accountability Role in the Supreme Judicial Council	Participation and chairing of bodies of the SJC Participation in general meetings for the election of members of the SJC Reporting to the National Assembly meeting Answering questions from institutions and citizens Participation c interinstitutional formats	Constitution: Article 130 Article 130b JSA: Art. 29a, Art. 32 Article 252 (2)	HCCJ: Chair to Judgecraft College to SJC VAS: substitute role in absence and learner The Judges' Chamber
Ethical and values	Independence and impartiality Integrity and high moral standard Responsibility in the exercise of authority Transparency and accountability	Guarantee to impartiality c allocation of cases Insurance to transparency (publication of acts, reports) Compliance with ethical standards Limitation of conflicts of interest	Constitution (principle to independence) JSA ethical requirements as at magistrates Article 114 (1) (16) to (17) (VKS) Article 122 (1) (16) to (17) (SAC)	minor

COMPETENT MODEL OF JUDICIAL LEADERSHIP
AUTHORITY

Related to the primacy of law	Ensuring legality and legal certainty Project Quality equal application of the law Balance between state authority and citizens' rights	Forming to compulsory case-law Ensuring access to justice Review of the legality of judicial decisions Ensuring due process	Constitution: Article 117 Article 124 Article 125 JSA (interpretative powers)	HCCJ: unity to judicial practice by private law and criminal disputes SAC: control over administration and defence against the state
International and coordination	Application of international and European law Interaction c international courts Participation c transitional legal processes	Implementation of international treaties Participation in international forums Judicial practice, sensitive c international Standards	Constitution Article 5 (4) JSA: general powers	HCCJ: ECHR and international criminal law standards VAS: strong link with ECtHR and CJEU, preliminary ruling queries
Security and institutional protection	Participation in mechanisms to protect individuals and institutions Work c sensitive information	Participation in the Protection Board under the Protection of Persons at Risk in Criminal Proceedings Act Decision making in cases with	Protection of Persons at Risk in Criminal Proceedings Act: Article 13a	HCCJ: more direct link to criminal proceedings VAS: limited, but available institutional
Main groups of competences	Content	Main actions by service	Procedural basis	Specifics VKS/VAS
	Institutional coordination in risk cases	increased societal and institutional risk Confidentiality		role

TABLE NO 2

Basics groups Summary guiding Indicative judgment criteria
competences skill

Indicative indicators

Specifics VKS/VAS

Professional law (core)	exercises supreme administration of justice and ensures unity to case-law	• In-depth expertise in the relevant field • Experience in dealing with complex and important cases • Participation in interpretative work • Case-law on cassation control • Academic and teaching activities	Number and importance of resolved cases (incl. leading/precedent) Participation in interpretative decisions/rulings Publications; scientific works, teaching experience Professional experience (total and relevant)	HCCJ: practice in criminal/civil cases; participation in cassation panels of the Supreme Administrative Court ; practice in administrative cases; participation in requests for preliminary rulings to the CJEU
Analytical and strategic	analyse and develops case law and institutional efficiency	• Ability to analyse case law • Ability to identify systemic problems • Experience in drafting reports and strategies • Data handling (workload, deadlines, efficiency)	Analytical reports produced Participation in strategy papers Specific measures to improve practice Data for improved effectiveness (deadlines, workload)	HCCJ: sensitivity contradictory practice under the Criminal Code/Code of Civil Procedure VAS: sensitivity administrative practice and regulatory regimes
Management and administrative	effectively directs the Supreme Court and complex institutional set-up	• Management experience (mandatory) • Management of large teams • Organisational capacity • Resource and workload management • Personnel policy	Number of managers/magistrates Duration of management experience Organisational measures in place Data on improved effectiveness to institution Practice on posting and	HCCJ: managing a system with a direct influence on Supreme Administrative Court of Appeal: management of an administrative court system
Leadership, communication	implements effectively	• Public communication skills • Coordination with other authorities	Participation in bodies of the Supreme Judicial Council	HCCJ: Presidency to the Judges' Chamber
Basics groups and interpersonal competences	Summarised leading skill	Indicative judgment criteria	Indicative indicators	Specifies VKS/VAS
	inter-institutional roles with high visibility	• Work in collective bodies • Presentation to institutions	Number and quality of public events Participation c interinstitutional formats Feedback from institutions	VAS: participation and substitute role

COMPETENT MODEL OF JUDICIAL LEADERSHIP
AUTHORITY

Ethical values and Related to the primacy of law International and coordination Security and institutional protection	acts independently, consistently and to a high ethical standard	• Lack of dependencies (political, economic) • Professional reputation Community • Compliance with ethical standards • Integrity and transparency	Absence of disciplinary offences Assessment of inspections (Inspectorate) Public reputation Consistency of decisions	minor
	ensures a balance between state authority and citizens' rights	• Protection of fundamental rights • Ensuring a fair process • Unifying practice • Public accountability	Case-law on cases of high public importance Compliance with EU practice/CJEU Number of repealed acts (as a quality indicator) Transparency (publication of acts, reports) Number of decisions that gave rise to the conviction of the State in the ECtHR/under the ZODOV (0)	HCCJ: balance in criminal matters administration of justice VAS: protection against administration
	applies effective international and the European law	• Experience in international cooperation • Implementation of international standards • Participation in international forums • Knowledge of EU law	Participation in international networks/organisations International case-law element Requests for a preliminary ruling (for the VAS) Implementation of international treaties	HCCJ: international Standards criminal law VAS: strong focus on EU law and the case-law of the CJEU
	participate responsibly in mechanisms for protection and governance to sensitive	• Experience in dealing with promoted cases risk • Participation in safeguard mechanisms • Handling of sensitive information • Institutional coordination	Participation in the Defence Board Number and nature of high-risk cases Absence of infringements when handling information	HCCJ: more intensive link to criminal cases VAS: limited role

V. Director of the National Investigation Service

1. General profile of the post

The Director of the NSIS is the central management and methodological head of the investigation, combining operational expertise in criminal cases with control over the organisation and quality of the investigative activity. The position concentrates on staff development, resource allocation and investigative practice. It has no supreme powers of legality, but it exercises a critical influence on the quality, focus and intensity of investigations.

The main risks stem from the possibility of informally influencing specific investigations through methodological guidance, selectivity in staff decisions, the use of secondment as a tool for internal influence, and the hierarchical influence of the prosecution service.

This requires high professional autonomy, strong management capacity, institutional restraint and resilience against pressure to ensure the objectivity of investigations and prevent instrumentalisation of the criminal process.

2. Competence model according to the structure of powers

TABLE NO 1

Basics groups competences	Content	Main actions by service	Procedural basis
Professional investigators (core)	Thorough knowledge of criminal law and criminal procedure. Specialised expertise in the investigation of complex crimes. Methodological management of investigations. Ensuring the legality of investigative measures.	Methodological guide investigators. Quality control of investigations. Unifying practice in investigative authorities. Analysis of complex cases. Assisting investigators in complex investigations.	JSA: Article 150 (2) (2) (methodological guide a nd control) NPK: Article 46 (direction and supervision in SOEs)

COMPETENT MODEL OF LEADERSHIP POSITIONS IN THE JUDICIARY

Analytical strategic and	Analysis of investigations and their effectiveness. Identification of systemic problems. Priority setting c investigation. Information and data management (workload, timing, results).	Prepare analyses of investigative activity; follow up on deadlines and deliverables; proposes measures for improvement; involved in drafting reports	JSA: Article 150 (2) (general management of the action); internal rules and accountability c judiciary)
Governance and organisational	Leading to national centralised investigative structure. Organisation to activity to investigators and the administration. Governance to human and	Directs the NSIS. Organises work investigators and officers. Manage internal structure.	JSA: Article 150 (2) (b) 1 (directing SIS); Article 30 (organisation to judiciary)
Basics groups competences	Content	Main actions by service	Procedural basis
	organisational resources. Control and accountability. Load and crisis management.	Controls the work of the investigating authorities	
Staff and institutional influence	Participation in the personnel policy of the investigation. Impact on staff development. Selection and evaluation of investigators. Governance to the career. Limitation of dependencies.	Propose appointments. Appoints and proposes heads of unit. He/she shall second investigators. Participates in the appraisal of staff	JSA: Article 38 (6) (staff proposals); Article 153 (structure); Article 154a (posting)
Operational coordination and interaction	Coordination with the prosecution service and other bodies. Work in frames to the criminal process. Synchronisation between central and territorial level.	Interacts c Prosecutor's office. Coordinating activity to NSIS and circles investigative departments. Participates in joint actions with MoI and other authorities	JSA: Article 150, paragraph 2 (coordination) CPC: Article 194 (investigators)
Ethical and value standards	Integrity, impartiality and resistance to influence in the investigation. Limiting abuse of procedural instruments. Prevent to selective investigation.	Ensures professional standards and equal treatment. Ensures objectivity to investigations. Prevents undue influence.	JSA: Art. 173 (ethics) General principles of JSA and CPC

COMPETENT MODEL OF LEADERSHIP POSITIONS IN THE JUDICIARY

Security and sensitive information	Handling of sensitive information and evidence. Risk management in serious crime investigations. Protection of evidence	Dealing with high-risk cases. Protects information. Controls access to sensitive	ZZKI NPK
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TABLE NO 2

Main groups of competences	Summarised leading skill	Indicative judgment criteria	Indicative indicators
Vocational — investigators (core)	manage effectively and lawfully complex investigations	• Long-standing experience in investigation • Work on heavy and complex cases • Capability of procedural guidance • Authority among investigators	Number and weight of cases Participation in complex investigations Marks from attestations Professional reputation
Analytical and	analyse and improve the effectiveness of the investigation	• Analytical experience; • Data handling; • Formulation of measures	Analyses carried out; improved timelines; indicators of performance
Governance and organisational	manage effectively a national structure	• Experience in a management position • Managing teams • Organisational capacity • Load management • Resource management	Number of subordinated Length of management experience Results (timing, effectiveness) Assessment of controls
Staff and institutional influence	exercises a balanced, objective and professional staffing policy	• Recruitment and selection experience • Objectivity in staff decisions • Lack of dependencies • Career management	Number of appointments/proposals Number of seconded investigators Data on appealed decisions Transparency assessment
Main groups of competences	Summarised leading skill	Indicative judgment criteria	Indicative indicators
Operational coordination and interaction	ensures effective interaction	• Working with the Prosecutor's Office • Coordination between entities • Participation in joint actions	Number of joint investigations Assessment by partner institutions
Ethical and	ensures integrity and independence in investigations	• Lack of dependencies • Reputation • Compliance with ethical standards	Data from checks Disciplinary infringements reputational assessment
Security and sensitive information	takes lawful decisions in high-risk investigations	• Experience in cases with organised crime • Handling sensitive information • Resistance to pressure	Number of cases (organised crime, serious crime) Access to classified information No infringements

VI. Administrative heads of appeal, district and district prosecutor's offices

1. Administrative head of the appellate prosecutor's office

1.1. General profile of the post

The Appellate Prosecutor is a management and control body at an intermediate strategic level between the Prosecutor General and the provincial prosecutors' offices, which carries out systematic supervision of legality, control of the activities of the outgoing prosecutors' offices and coordination of criminal policy within the appellate district.

The position combines: hierarchical control over prosecutors and acts (incl. repeal, amendment, binding instructions); systematic organisational and analytical supervision of district and district prosecutor's offices; staff influence at regional level, including on district prosecutors; information management and accountability to the Attorney General; participation in sensitive procedural actions (SSA in respect of magistrates, reopening of proceedings).

The Appellate Prosecutor functions as a second control filter in the system, providing: correction of errors and breaches of primary supervision at lower levels; unifying practice within the region; transmission of the strategic priorities of the Prosecutor General to the operational level. It has a key function to identify systemic issues

The post implies a balance between strong hierarchical control and guarantees of independence and legality. It increases the multilevel and centralisation of control in the prosecution service. The effectiveness of its functions depends on the application of clear rules, transparency and multilevel scrutiny. The main risks stem from the possibility of excessive interference with the independence of lower prosecutors by issuing binding instructions, repealing and amending acts (over-concentration of power and hierarchical pressure); uneven or opaque workload management; influence on personnel decisions; selective exercise of control over district prosecutor's offices; filtering or distorting information to the central level; interference in sensitive proceedings through secondary control. The concentration of analytical and control functions may limit the external visibility of the activity.

The post therefore requires high legal expertise, developed analytical capacity, proven management experience, strong ethical resilience and the ability to balance control, autonomy and accountability.

Generalised differences with the District and District Prosecutors:

	District prosecutor:	District Prosecutor:	Prosecutor of Appeal:
Level	topical	regional (one area)	supra-regional (several areas)
Main focus	operational management	supervision + governance	systematic control and coordination
Nature of power	internal organizational	hierarchical (within the area)	hierarchical + secondary control
Scrutiny function	internal	control of FP	control of POs and systematic analysis
Type of supervision of legality	primary	primary + FP supervision	secondary (escalation)
Staff influence	limited	significantly	very significant (incl. on POs)
Role in investigations	direct (operational)	coordination	indirect (control)
Analytical function	limited	moderate	highly developed (aggregating)
Information handling	local data	regional data	systematic aggregation and reporting
Management complexity	team	system of Public Prosecutors'	system of systems
Risk profile	operational pressure	hierarchical pressure	selective control and

1.2. Competence model according to the structure of powers

TABLE NO 1

Basics groups competences	Content	Main actions by service	Procedural basis
Professional —	In-depth knowledge of	Repeals and amends acts of	CPC:
Basics groups competences	Content	Main actions by service	Procedural basis

COMPETENT MODEL OF LEADERSHIP POSITIONS IN THE JUDICIARY

legal (core)	criminal law and trial. Exercising secondary supervision of legality. Review of acts of lower prosecutors. Deciding on complex and sensitive cases.	prosecutors. Give binding instructions. It carries out procedural acts itself if necessary. Deals with appeals against refusals and acts. Pronounces on displacements. Cancel suspensions.	Article 46 (4) — 5 (repeal/amendment of acts and binding instructions); Article 47 (4) (ruling on disappearances); Article 200 (review of rulings by the court); Article 213 (control of refusal to open a DP) Article 234 (10) (ex officio revocation of the termination of criminal proceedings by a superior prosecutor);
Analytical and strategic	Analysis of the activities of the prosecution offices in the area. Identification of systemic problems. Information and data management. Shaping regional priorities.	Prepare annual reports. Provide quarterly summary information to the Attorney General. Analyse results and timelines. Identifies problems and good practices.	JSA: Article 140 (1) (4) (annual report); Article 140 (5) (summary information to the Prosecutor General)
Management and administrative	Directing an appellate prosecutor's office. Organisation of the activity. Human resources management and administration. Accountability and internal control.	Manage and organise the activity. Issues mandatory injunctions. Recruit and dismiss staff. Monitor the implementation of plans.	JSA: Article 140 (1) (1) to (3) (organises and manages the activity; recruit and dismiss staff; draw up a development plan); Article 140 (2) (binding nature of the instructions of the head of administration);
Hierarchical management and control (key)	Control of district and district prosecutor's offices. Assessment of activity and detection of infringements. Ensure uniform application of the law in the region.	Manage the control activity. Carry out checks. Identify breaches and propose measures. Monitor timeliness and quality.	JSA: Article 140 (1) (organisation and management); Article 140 (2) (binding nature of orders); Article 140 (4) (control activities); CPC: Article 46 (supervision and guidance)
Staff and Institutional (extended to POs)	Significant influence on personnel policy at regional level. Career management. Limitation of dependencies.	Make proposals for appointments (including district prosecutors). Second prosecutors between levels. Allows leave. Recruit staff; Participate in personnel procedures;	JSA: Article 38 (5) (4) (proposals for appointment); Article 140 (1) (2) (appointment and dismissal of staff) Article 147 (secondment of prosecutors); Article 338 (leave authorisation);

COMPETENT MODEL OF LEADERSHIP POSITIONS IN THE JUDICIARY

Leadership, communication and coordination	Coordination between prosecutors' offices in the area. Interaction with courts and institutions. Representative functions at regional level.	Participates in committees (including for experts). Coordinates activities between institutions. Represents the public prosecutor's office in the region.	JSA: Art. 401 (participation in a committee for the approval of lists)
SSA and sensitive	High risk decision making. Control	Submission of requests for SSA (magistrates).	CPC: Art. 173, 174 (procedures and
Basics groups competences	Content	Main actions by service	Procedural basis
information	on the SRS, including as regards magistrates. Balance between security and rights.	Notification controls and procedures. Handling of classified information.	authorisations for the use of SSA, including for magistrates); ZSRS: Art. 13, 14 (jurisdiction and procedure for requesting and authorising CPC)
Related to the primacy of law	Ensuring legality and due process. Control of irregular refusals and suspensions. Corrective function in the system.	Annuls incorrect acts. Ensures access to justice through control. Reopens proceedings (NRA).	CPC: Article 213 (refusal to open a DP and appeal to a superior prosecutor); Art. 380 (proposal to reopen the administrative penalty cases)
Ethical and value	Independence, integrity and resilience to pressure. Responsible exercise of control and personnel power. No selectivity.	Takes objective decisions. Prevents dependencies. Ensures transparency.	JSA: Article 173 (ethical rules and standards of conduct for magistrates); general principles (independence, legality, objectivity and impartiality)

TABLE NO 2

Basics groups competences	Summarised leading skill	Examples criteria for assessment	Indicative indicators
Professional law (core)	exercises effective secondary supervision of legality	Experience in reviewing prosecutorial acts; dealing with complex cases; practice of repealing/amending acts	number of repealed/amended acts; participation in significant proceedings; quality of acts
Analytical and strategic	analyse and manage the performance of the regional system	Experience in drafting reports; data handling; identifying issues	analyses carried out; improved performance (timing, workload); use of key indicators for execution
Management and administrative	directs effective regional Public Prosecutor's Office	Experience in a management position; resource management; organisational capacity	number of subordinates; results (timing, effectiveness); assessment of controls

COMPETENT MODEL OF LEADERSHIP POSITIONS IN THE JUDICIARY

Hierarchical control and supervision	ensures effective control of the Pontist Public Prosecutor’s Offices	Inspection experience; control of acts; balance between control and independence	number of inspections; infringements detected and corrected; reduction of recurrent errors	
Staff and Institutional	exercises balanced staff policy to regional level	Experience in staff proposals; lack of dependencies; objectivity	number appointments/proposals; number of secondees; details of contested decisions	
Leadership and coordination	effectively coordinates the activity in the appeal district	Coordination skills; working with institutions; conflict management	evaluation by partners; participation in interinstitutional formats	
RCC and Security	takes lawful decisions with high-risk cases	Experience with SSA; handling of classified information; resistance to pressure	number cases with RCC; lack of infringements; checks	
Related to	ensures effective	Rights protection practice;	number of repealed illegal acts;	
Basics competences	groups	Summarised leading	Examples criteria for	Indicative indicators
		skill	assessment	
the primacy of law	corrective mechanism in the system	correction of infringements; publicity	cases of protection of rights	
Ethical and value	ensures independence and impartiality exercise of control	Reputation; lack of dependencies; sustainability to pressure	control data; disciplinary practice; reputational assessment	

2. Heads of district and provincial prosecutors' offices

2.1. General profile of district and district prosecutors

A district or regional prosecutor is a key management figure in the prosecution system, combining operational management (daily organisation of activity), hierarchical control over prosecutors and investigators, procedural powers in pre-trial proceedings and personnel policy and disciplinary power. They are the link between the strategic (Prosecutor General) and the operational level (supervising prosecutors and investigators). They are characterised by a strong Geraric subordination of the Prosecutor General and a mixed administrative and procedural nature of the main powers, making them key for the quality and effectiveness of local prosecution.

For these posts, there are risks of excessive centralisation and dependency on the upper hierarchical levels, the possibility to influence the independence of prosecutors and pressure in the management of sensitive proceedings, which requires skills to balance control and autonomy.

An effective head of administration must combine a high level of legal expertise in criminal law; proven management experience; strong ethical resilience; ability to balance control and independence with ability to work in a hierarchical but pressure-sensitive environment.

Aggregated level differences:

	District prosecutor:	District Prosecutor:
General profile	more operational role c on — limited staffing powers and focus on day-to-day operation and timelines	broader staff powers (incl. vs district) with control over an entire area, powers of posting and more complex cases. stronger strategic and supervisory element.
Scope of power	local	regional
Staff influence	limited	essential (incl. recruitments and secondments)
Scrutiny function	internal	systemic (supervision of other prosecution offices)
Role in investigations	operational	coordination and complex cases
Management complexity	team management	managing a system of authorities

2.2. Competence model according to the structure of powers

TABLE NO 1

Basics groups competences	Content	Main actions by service	Procedural basis
Professional law (core)	Thorough knowledge of criminal law and process. Exercise of powers in pre-trial proceedings. Review of legality and timeliness.	Organises and manages the work; Issue binding orders; Assign cases; Supervise; Rule on requests; Designates substitute prosecutors	JSA: Article 144 (organisation of activity); Article 140 (1) (1) and (2); Article 329 (4) CPC: Article 46 (guidance and supervision); Article 234 (time limits); Article 242 (termination/suspension)

COMPETENT MODEL OF LEADERSHIP POSITIONS IN THE JUDICIARY

Analytical and management (stronger for POs)	Workload analysis, deadlines and results. Organisation of the activity. Planning and management of resources.	Analyse the activity; Allocate cases; Optimises workload; Formulate internal priorities	JSA: Article 140 (1) (1) (directing and organising the activity); Article 140 (3) (control)
Hierarchical management and control	Leadership of prosecutors and investigators. Balance between control and independence.	Leads prosecutors and investigators; Issue instructions; Control acts; Monitor timeliness; Carry out instructions from a superior.	JSA: Article 136 (4) and (5) (hierarchical structure); Article 140 (powers of the Administrative Manager) Article 152 (the OP entrusts an investigation to investigators from the SLS)
Staffing powers (significantly broad in the case of POs)	Recruitment, development and appraisal. Limitation of dependencies.	Make proposals for appointments; Recruit staff; Appoint mentors; Determine the place of work of investigators; Participate in evaluation.	JSA: Article 38 (5) (6) and (7) (nominations); Article 140 (1) (2) (appointments); Article 242 (1)
Control and supervisory competence	Review of legality and time limits. (PO also controls district prosecutor's offices)	Monitor timelines; Examine acts; Carry out checks.	JSA: Article 140 (3) and (4) (control and supervision)
Workload management (especially OPs)	Balancing resources and cases. Distribution by complexity.	Designate a substitute prosecutor; Assign cases; Extend deadlines; Rule on requests; Second prosecutors; Allocate cases according to	JSA: Article 147 (posting); Article 144 (2) (replacement of prosecutors); CPC: Article 234 (3) and Article 242 (5)
Basics groups competences	Content	Main actions by service	Procedural basis
		complexity.	(extend deadlines); Article 368 (3) (accelerating DP)
Disciplinary powers	Imposition and initiation of disciplinary liability.	Impose penalties; Proposes disciplinary proceedings.	JSA: Articles 311 – 314 (disciplinary liability)
Ethical and value	Independence, integrity, resilience to pressure. Balance between control and autonomy.	Ensures objectivity; Prevents interference; Ensures a level playing field.	JSA: Article 173 (ethics); Article 327 (emphasis of matter); general principles
SSA and sensitive information	Legality and proportionality in SSA. Protection of rights.	Notify; Prepares/approves requests for RCC Controls use	CPC: Article 173 (CPC); ZSRS: Art. 13-14 (procedures)

COMPETENT MODEL OF LEADERSHIP POSITIONS IN THE JUDICIARY

Accountability and transparency	Public accountability and institutional transparency	Prepare and publish reports; Provides information	JSA: Article 140 (1) (4) (reports)
Interaction with institutions	Cooperation with the Inspectorate, courts and other authorities	Provide information; Participates in inspections	JSA: Article 59 (Inspectorate); Article 175i (6) (checks)

TABLE NO 2

Basics competences	groups	Summarised skill	leading	Examples	criteria for	Indicative indicators
Jurisdiction under professional law		exercises lawful procedural powers		Professional experience in IQR;		Quality of acts; Repealed acts due to material breaches; Knowledge of case-law.
Analytical and management (stronger for POs)		analyse and manage the activity effectively		Managerial experience; planning capability; Data handling; Load analysis		Good organisation; Time limits; Workload; Results.
Hierarchical management		balances control and independence		Compliance with hierarchical dependencies; Coordination; Managing teams		Balanced application of guidelines; Dealing with conflict; Effective leadership; Communication.
Human competency		pursues an objective and fair personnel policy		Experience in recruitment and appraisal; Lack of dependencies		Motivated staff proposals; Lack of favouritism; Transparency of decisions.
Control and supervisory competence		ensures effective control of the activity		Experience in control functions and inspections Monitoring the work of subordinates		Compliance with deadlines; Infringements detected and corrected; Reduction of repeated infringements
Workload management		manages resources evenly		Experience in resource allocation		Uniform load; lack of congested units
Disciplinary competence		fairly imposes sanctions		Practice in disciplinary proceedings		Justified and sustainable disciplinary acts
Ethical		ensures independence and integrity		Reputation; Lack of dependencies		Inspections; Disciplinary data
Jurisdiction under the CPC		ensures legality and		Experience with procedures under the ZSRS		Legitimate requests; Absence of infringements;
Basics competences	groups	Summarised skill	leading	Examples assessment	criteria for	Indicative indicators
		proportionality				Protection of rights
Accountability and transparency		Ensures transparency		Preparation of analyses and reports		Qualitative and informative annual reports

Interaction with control bodies	effectively cooperates with institutions	Practice	Timely and full information Reputation among partners
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In summary, the power of the Minister of Justice to make proposals for judicial personnel decisions is an instrument of institutional influence that combines the principles of separation of powers with the need for managerial coordination. The implementation of strategic, institutional and operational leadership models provides a structured framework for the exercise of this power, enhancing its robustness, predictability and transparency. This creates the conditions for a more efficient functioning of the judicial system, preserving its independence and strengthening public trust.

The competent model shall define the content of the requirements for applicants and the criteria for their evaluation, including by applying the restrictive criteria. Its practical application is carried out through a competitive procedure that ensures the collection of information, verification, evaluation and comparison of applications on equal terms. The conceptual competency framework is thus transformed into a procedural mechanism for making an informed and reasoned decision.

TITLE II. PROCEDURAL FRAMEWORK: COMPETING MODEL FOR RECRUITMENT, EVALUATION AND MATCHING OF CANDIDATES

1. Purpose and functions of the nomination procedure

The procedure lays down the terms and conditions for the recruitment, evaluation and competitive comparison of candidates for management positions in the judiciary with a view to the Minister of Justice exercising his or her power under Article 130c (3) of the Constitution to make proposals for appointment. It translates this empowerment into a structured, transparent and objectively measurable mechanism that provides:

- objective identification of candidates with the highest level of compliance
the requirements for the position in question;
- equal comparability between applications based on
pre-established competency models, criteria and indicators;
- forming a sound and consistent personnel policy in
exercise of the power;
- enhancing the quality, predictability and public legitimacy of
the proposals.

The procedure fulfils a preparatory, analytical and selection function, creating a systematic information and evaluation basis for the Minister of Justice to take a decision. It exercises the power under Article 130c (3) of the Constitution as an instrument of strategic and institutional influence over the development of the judicial system within the framework of the constitutional mechanism for the balance between the executive and the judiciary, respecting the principles of judicial independence and objectivity, transparency, adversarial and accountability of the appointment of its heads.

The procedure is internal (preparatory) in nature and does not form part of the constitutional procedure for submitting proposals to the SJC itself. It serves for ~ 43 ~

assisting the Minister of Justice in forming his assessment by collecting, verifying and analysing information on applicants, as well as by applying a standardised methodology for their assessment and comparison. Its conduct does not limit or derogate from the constitutional autonomy of the Minister for Justice in the exercise

of his or her power under Article 130c (3) of the Constitution. The Minister is not bound by the outcome of the procedure and takes a decision on the basis of his own judgment, taking into account all relevant circumstances and the public interest.

The constitutional proposal to the Superior Council of Magistracy is a self-standing external act based on, but not limited to, the outcome of the procedure. The procedure does not create a right for candidates to be proposed, nor does it create an obligation for the Minister to discuss the applications of everyone and to make a proposal for specific persons.

This ensures compatibility between the structured and transparent nature of the procedure and the constitutional model of balanced participation between authorities, where the Minister exercises a right of initiative without binding competence for the final decision.

2. General principles of the procedure

2.1. Objectivity

Evaluation shall be based on facts, demonstrable results and pre-established criteria, free from subjective or political influences.

It involves the use of clear competency models and indicators, ensuring comparability between applicants and the primacy of evidence over declarations. Competences shall be demonstrated by specific, objective, measurable and verifiable indicators, evidence of experience and results of controls. Declarations by the applicant shall be admissible as complementary or inapplicable to other sources of evidence. The principle shall be ensured by pre-agreed criteria and methodology, documented evaluations; pluralism of evaluators and traceability of reasons for decisions.

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2.2. Transparency

Clarity on the rules, steps and reasoning of the procedure through publicly disclosed rules and criteria, visible evaluation and selection procedures, reasoned decisions, access to information on the progress of the procedure, publication of all documents (rules, CVs, concepts, opinions, questions, answers).

2.3. Publicity

Actively involving society and professional communities through access to and participation in the procedure through the possibility to propose candidates, public hearings of candidates, the possibility to ask questions to candidates, media visibility of the procedure, publication of all material in real time.

2.4. Adversarial procedure and equal treatment of candidates

Ensure effective competition on equal terms for all applicants through equal requirements, conditions and deadlines for participation, equal evaluation criteria, standardised procedures, equal access to information and guarantees against discrimination, privileged treatment and informal advantages, including a ban on the use of artificial intelligence to generate concepts and answers to questions (authorship requirement and declaration). If artificial intelligence is used to format or revise the applicant's copyrights, this should be indicated (declared) on the document.

The competitive nature of the procedure ensures genuine competition.

2.5. Accountability

The Minister of Justice is responsible for the choice and must justify it both on the grounds for the selected candidate and on comparative grounds for its preference. The procedure provides for verifiability of decisions, transparency of reasoning and public and institutional scrutiny, which ensures that the rights and interests of participants can be safeguarded through clarity and predictability of the process.

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2.6. Verifiability

All claims on applicants must be verifiable from reliable sources through checks by institutions, evidence and cross-checking of data, avoiding anonymous, factually unsupported or manifestly biased claims.

2.7. Independence

The procedure and the decision are protected from political, economic or institutional pressure through guarantees of autonomy of the evaluator and against pre-determination of the choice, inclusiveness of conflict of interest rules, publicity of the nomination and evaluation process, clear and pre-established criteria, division of roles in the procedure, involvement of multiple evaluators, requirement for reasoned decisions.

The nomination procedures shall be based on the principle of functional separation between an expert assessment by a support structure and the power of decision of the Minister. The expert assessment structures the information, reduces subjectivity and supports the formation of judgement, without replacing the political and constitutional responsibility of the Minister. This strikes a balance between the need for an objective

and transparent process and the requirement to preserve the autonomy of the authority empowered to make the proposal.

2.8. Predictability and legal certainty

The procedure follows clear, stable and unchanging rules.

3. Institutional framework of the procedure

3.1. Role of the Minister of Justice

The Minister for Justice directs the procedure and is responsible for the final decision on the exercise of the power under Article 130c (3) of the Constitution.

It shall:

- initiate the procedure and approve its rules;
- determine the composition of the support structures;

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- ensure that it is conducted in a lawful and transparent manner;
- examine the results of all evaluation phases;
- carry out an independent, comprehensive and discretionary assessment of the applicants;
- decide whether or not to make an offer;
- give reasons for its decision, including by comparing the applications.

The Minister is not bound by the interim or final evaluations prepared by the support structures, using them as an analytical and informative basis to form his own conviction.

3.2. Support structures (Proposal Reporting Committee)

In order to ensure the objectivity, professionalism and traceability of the evaluation, an ad hoc support expert structure – the Proposals Reporting Commission – shall be established within the Minister of Justice where the Minister decides to participate with his/her own nomination in a procedure for the appointment of a head of the judiciary.

The Commission shall be of an analytical and technical support nature, shall carry out a formal documentary check of the applications and the fulfilment of the eligibility criteria, and shall submit for each applicant a public report, without taking any decision on the substance of the empowerment. Commission:

- ensure organisational, technical and documentary conduct of the process, including by:

- accept and register proposals;
- checks proposals for formal eligibility, incl. presence of formal obstacles and incompatibilities;
- collect and systematise information and evidence;
- organise public hearings;
- maintain publicity and access to information;
- conduct professional and comparative evaluation and ranking of applicants on the basis of approved criteria and competent models, which is not binding on the Minister;

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- analyse the documents, evidence and information submitted;
- participate in the conduct of public hearings;
- prepare reasoned reports to the Minister for each candidate, which systematise and evaluate information and facilitate comparison between applicants; — provide the Minister with a comparative analysis of the proposals.

The Minister may accept, in whole or in part, the conclusions drawn by the Commission, carry out an additional independent assessment or arrive at a different conclusion which justifies it.

The composition of the Commission shall be determined by the Minister in accordance with the principles of professional competence, pluralism and impartiality. It may be composed of persons with proven professional experience in the field of law and case-law; public administration and the management and evaluation of professional and leadership competences. Its members shall sign declarations of absence of conflict of interest, impartiality and objectivity and confidentiality in the handling of the information. In circumstances where impartiality is in doubt, the member concerned shall be excluded from the evaluation of the candidate concerned or from the composition of the Commission.

4. Steps of the nomination procedure before the Commission

The Nomination Procedure is carried out as a multi-stage, consistent and verifiable process that ensures the objective collection, assessment and comparison of information about applicants with a view to assisting the Minister of Justice in making a decision.

COMPETITIVE CALL FOR PROPOSALS AND EVALUATION

STEP	CONTENT
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COMPETITIVE CALL FOR PROPOSALS AND EVALUATION

Advertising to the procedure and nomination of candidates	The procedure starts with a public announcement containing: • the position for which the selection is being made; • the eligibility requirements; • the competency profile of the post derived from the applicable competency model; • the evaluation criteria and methodology; • deadlines for submission of applications; • the structure of the application – content and form requirements. Nominations shall be made by: • proposals from institutions; • professional and other organisations; [self-nominations. The application must include at least: • curriculum vitae; • concept for the development and management of relevant position;
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STEP	CONTENT
	• declarations of conflicts of interest and assets; • evidence of professional experience, performance and achievements; • other documents attesting compliance with the required competencies.
Verification for eligibility (formal stage)	Checks include: • required traineeship and professional experience; • the legal prerequisites for taking up the post are met; • no disciplinary sanctions incompatible with the position have entered into force; • absence conflict of interest and incompatibility. If necessary, additional information or documents are requested. Applicants who do not meet the minimum requirements shall not proceed to the next stage.
Prior professional assessment (based on documents)	The assessment shall be carried out on the basis of the documents submitted, in accordance with the competent model for the post in question: • professional experience and professional and legal competences; • management and leadership experience and competences; • proven track record; • quality and relevance of the concept presented; • further qualifications, specialisations and professional development. The evaluation shall be carried out according to a standardised system with predefined criteria, indicators and weightings ensuring comparability between applicants. The outcome of this phase is of a comparative nature and serves to select the candidates who move to the next phase.

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COMPETITIVE CALL FOR PROPOSALS AND EVALUATION

Evaluation to integrity and independence	This stage is self-standing and mandatory, key to the procedure. The assessment shall be based on verifiable sources and duly collected information and shall include: • verification of conflict of interest; • asset verification and analysis and its transparency; • analysis of potential dependencies and vulnerabilities; • verification of behavioural patterns and professional reputation; • analysis of public appearances, acts and decisions. The evaluation also assesses negative criteria (obstacles) related to integrity, independence and public trust. They function as risk indicators that may call into question the suitability of the applicant to occupy the relevant position. These are: Established substantial doubts about integrity or independence, which are not convincingly refuted, are generally a disqualifying criterion and constitute grounds for disqualifying the candidate, regardless of the results of the other professional and managerial qualities criteria. In exceptional cases, where such circumstances do not lead to their disappearance, they shall be subject to an explicit, specific and thorough assessment and justification, taking into account their seriousness, credibility and importance for the post concerned.
Public hearing to candidates	Admitted candidates shall participate in a public hearing organised by the Commission. • presentation of the concept by the applicant; • questions from the Commission on predefined thematic areas (professional activity, management, strategy, integrity); • opportunity for institutional and societal questions; • structured time and regulation. The same rules, time limits and thematic scope of questions apply to all applicants. Full publicity shall be ensured through: • direct broadcasting; • public access to the questions and answers;
STEP	CONTENT
	• access to all hearing materials; • equal conditions for all candidates. The results of the hearing are reflected in the assessment of competences related to leadership, strategic thinking, communication and public accountability.

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Counterfactual assessment	The Commission carries out an overall comparative assessment of the applicants based on the results of all stages. The assessment shall be based on: • the well-established groups of competences and their relative weights; • quantitative evaluation results; • qualitative analysis of the strengths and weaknesses of the applicants. The counterfactual assessment shall be performed using a standardised scoring matrix that provides: • consistency and comparability; • transparency of the criteria; • traceability of lessons learned. As a result of the evaluation, the committee shall draw up a summary comparative report which shall: • present the profile of each candidate; • analyse the degree of compliance with the competent model; • outline comparative advantages and constraints; • it does not contain a binding ranking or a proposal for election.
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On the basis of all the materials collected and the results of the procedure, the Minister for Justice makes an independent assessment and decides to make a proposal, taking into account:

- the results of the evaluation and the Commission’s comparative analytical report;
- the relevance of the candidates to the competency profile of the post;
- the need for strategic and institutional development of the body concerned;
- the public interest and the requirements of trust in the judicial system.

The Minister’s proposal is a self-standing reasoned act which includes a statement of the reasons for the choice; comparative analysis with other candidates and reasoning is preferable and not preferable.

Where a negative criterion (obstacle) is found to exist for a particular candidate, this does not automatically lead to the disappearance of the candidate, but requires an increased standard of justification if the Minister decides to propose that particular candidate. The assessment shall take into account the nature of the circumstances, their duration, their repetition, their gravity, their degree of permanence and their importance for the performance of the specific post, and whether they reveal a sustainable behavioural pattern.

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The statement of reasons must explicitly and specifically analyse the impediment, its seriousness, credibility and significance for the performance of the post, as well as the reasons why the Minister proposes the candidate despite it.

The final assessment of the Minister is made on the basis of an aggregate assessment of all the circumstances identified, including the results of the individual stages of the procedure, the comparative analysis between the candidates and the importance of the specific position for the functioning of the judicial system.

The Minister may refrain from making a proposal.

5. Evaluation of the candidates

In contrast to the competences that delineate them, the groups of competences themselves do not have the same weight in the overall assessment of an application for the post:

- **ethical-value** – highest weighting ¹. They are required as personal standard, in the absence of a threshold beyond which they would be downgraded. Represent a field of actual competition between candidates that are relatively equivalent in the other indicators. The lack of ethical competences is not counterbalanced, including by advantages in high professional and managerial qualities. In the absence of the required minimum, the candidate shall be removed.

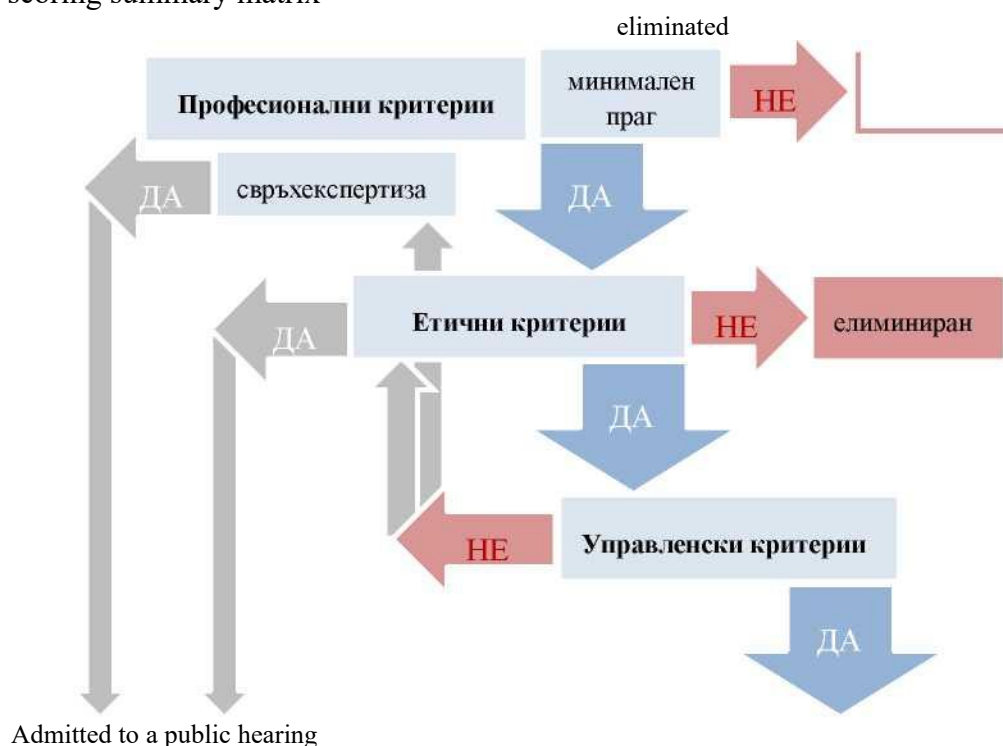
- **professional** – the minimum must be reached, in otherwise, the candidate will be disqualified. Above that, their importance is relatively diminishing. Over-expertise on these indicators cannot compensate for a lack of ethical qualities, but can compensate for a lack of management.

- **management** – relevant for business efficiency, but some deficits may be compensated by team members and alternates or professional overexpertise. This category of qualities is complementary and cannot compensate for a shortage of professional or ethical qualities.

¹ on the importance of this category of qualities, see Judgment of the Constitutional Court No 17/8.11.2018 in Case No 9/2018.

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Candidate pre-scoring summary matrix



The evaluation is carried out using a standardised evaluation scale, clearly defined indicators and comparability between candidates. Each competency is scored on a motivated scale from 1 to 10, the resulting values are added up for a final rating determining the candidate's rating. Applicants shall be ranked by rating. In the event of close results, priority shall be given to: higher ethical performance; higher professional competencies; higher management capabilities. The rating is of an analytical and supporting nature and is not binding on the Minister.

Aggregated rating matrix:

Candidate	Professional	Ethical	Management	Final evaluation	Rating
Candidate 1					
Candidate 2					
Candidate 3					

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6. Risks and guarantees

The Nomination Procedure, due to its public nature, high institutional importance and direct link to

the exercise of constitutional power, is exposed to specific risks that may affect its objectivity, independence, effectiveness and societal legitimacy. Managing these risks is an integral part of the procedure. The envisaged safeguards aim to limit illegitimate influences by structuring the process, ensuring transparency and traceability, introducing objective criteria and verifiable sources of information, and clearly distinguishing between expert assessment and the decisive power of the Minister.

The system of risks and guarantees ensures a balance between transparency and protection of the procedure from manipulation, adversarial and institutional stability, expertise and independence of the Minister of Justice.

RISK	CONTENT ASSESSMENT	ENDANGERE D STEP	GUARANTEES
Political or institutional influence	Possibility of direct or indirectly impact on the procedure through formal or informal pressure on participants or the process	All stages (horizontal risk)	• full publicity of the rules, stages and key documents; • written and motivated form for all evaluations; • functional distinction between evaluation and decision-making; • participation of a multiplicity of assessors; • traceability and public scrutiny
Formal competition and in advance predetermined result	The procedure may be carried out formally at the presence of a preformed assessment without real comparison of candidates	Advertising; Counterfactual evaluation; Final decision	• pre-announced criteria and methodology; • mandatory counterfactual assessment; • a public hearing on equal terms; • comparative analysis of candidates; • statement of reasons for the final decision

COMPETITIVE CALL FOR PROPOSALS AND EVALUATION

Subjectivity in the assessment	Assessments may be influenced by personal preferences or insufficiently reasoned judgements	Professional evaluation; Integrity; Counterfactual assessment	• standardised assessment scales and matrices; • assessment by competency models; • involvement of more than one evaluator; • written and reasoned assessments; • calibration by benchmarking
Inequality priority applicants through	Possible creation	Advertising; Nomination;	• uniform terms and conditions; between • equal access to information;

RISK	RISK CONTENT	ENDANGERED	GUARANTEES
			STEP
	unequal access to information or declaration of external assistance used	Publicly hearing	• standardised questions and criteria; • publicity of the stages; informal influences
Conflict of interest or dependency	Personal or professional relationships between assessors and candidates may affect impartiality	Professional evaluation; Integrity; Counterfactual evaluation	• declarations of absence of conflict of interest; • exclusion and substitution mechanisms; • preliminary incompatibility check; • publicity of the composition of the Commission; • remediation in case of suspicion of bias
Incomplete or incorrect assessment	The assessment may be based on limited information and may not reflect the real qualities of the applicant	Professional evaluation; Integrity; Public hearing	• use of multiple sources information; • self-standing assessment phase to integrity; • analysis of real results; • possibility of additional data; • verification by independent sources
Manipulation or selective presentation of information	Presentation to incomplete, incorrect or misleading information from applicants or third parties	Nomination; Professional evaluation; Integrity	• a declaration of authenticity of the data; • cross-checking information; • use of official sources; • publicity and the possibility of reporting; • consequences of establishing false data
Formal or ineffective publicity	Publicity can be formal without real involvement and control	Advertising; Public hearing	• mechanisms for participation of society and the professional community; • public hearings with real access; • timely publication of materials; • public archive of the procedure; • possibility of opinions and alerts

COMPETITIVE CALL FOR PROPOSALS AND EVALUATION

Compromising autonomy of the final decision	Procedure or external factors may limit discretionary power of the Minister	Counterfactual assessment; Final solution	• non-binding nature of evaluations; • distinguishing between valuation and decision; • self-motivation of the final Act; • possibility of further assessment by the Minister; • publicity of the statement of reasons
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