

COUNTRY PROFILE

TAKING OF EVIDENCE BY VIDEO-LINK UNDER THE HAGUE CONVENTION OF 18 MARCH 1970 ON THE TAKING OF EVIDENCE ABROAD IN CIVIL OR COMMERCIAL MATTERS

STATE NAME: [REPUBLIC OF BULGARIA](#)

PROFILE UPDATED ON (DATE): [23 OF JUNE, 2017](#)

PART I: STATE

1. Contact details	
<i>The contact details provided in this section <u>will be published</u> on the Hague Conference website</i>	
CHAPTER I (LETTERS OF REQUEST)	
<i>As with any other Letter of Request under Chapter I of the Evidence Convention, the requesting authority should contact the Central Authority(ies) of the requested State when seeking to obtain evidence by means of a Letter of Request, whether using video-link or not.</i>	
<p>a) Are the contact details of the Central Authority(ies) designated by YOUR STATE up-to-date on the Evidence Section of the Hague Conference website?</p>	<p><input type="checkbox"/> Yes.</p> <p><input checked="" type="checkbox"/> No. Please provide the contact details on a separate Word or PDF document for uploading on the Evidence Section of the Hague Conference website.</p>
<p>b) Would YOUR STATE be in favour of specifying a person or department within the Central Authority(ies) who would assist in processing Letters of Request where the use of video-links has expressly been requested (e.g., to arrange the video-link or provide technical assistance)?</p>	<p><input checked="" type="checkbox"/> Yes. If YOUR STATE has already done so, please specify the contact details: Ministry of Justice, International Legal Cooperation and European Affairs Directorate, Civil Unit</p> <p><input type="checkbox"/> No. Please explain why:</p> <p><i>Comments:</i></p>
<p>c) What arrangements are there for ensuring that there is a contact person with whom the requesting authority can liaise and who is available on the day of the hearing to operate the video-link facilities (e.g. is there a booking system)?</p>	<p>As a Central Authority, the Bulgarian Ministry of Justice has reliable system for registration of all filed requests for legal aid, including Letters of Request under Chapter I of the Hague Evidence Convention.</p> <p>Directorate International Legal Cooperation and European Affairs within the Ministry of Justice is responsible for re-sending to the competent authorities all reasonable and correctly filed requests for legal aid.</p> <p>There is not specific booking system regarding requests for video-link hearings.</p>

CHAPTER II (TAKING OF EVIDENCE BY DIPLOMATIC OFFICERS, CONSULAR AGENTS AND COMMISSIONERS)

Permission by a designated authority may be required to apply certain provisions under Chapter II. To know if such a permission is required for a particular State, see the practical information chart (accessible from the [Authorities](#) page) AND / OR the declarations (accessible from the [Status Table](#) page) of the relevant State available on the [Evidence Section](#) of the Hague Conference website.

If permission is not required, applicants should contact the diplomatic and consular mission (Arts 15/16) or the commissioner (Art. 17) to explore whether or not evidence may be obtained by video-link under this Chapter.

If permission is required, applicants should contact the authority that was designated to grant permission AND the relevant diplomatic and consular mission or commissioner, to explore, where necessary, whether or not evidence may be obtained by video-link under this Chapter.

d) Would YOUR STATE be in favour of specifying **an entity or authority, in addition to the relevant authority / diplomatic or consular agent / commissioner**, that would assist in processing applications where the use of video-links has expressly been requested (e.g., to arrange the video-link or provide technical assistance)?

Yes.
If YOUR STATE has already done so, please specify the contact details:

No.
Please explain why:

Comments:

On the ground of Article 33, the Republic of Bulgaria has excluded the application within its territory of the provisions of articles 16, 17, 18 and 19 of Chapter II under the Convention.

e) What arrangements are there for ensuring that there is a contact person with whom the Court of Origin can liaise and who is available on the day of the hearing to operate the video-link facilities (e.g. is there a booking system)?

On the ground of Article 33, the Republic of Bulgaria has excluded the application within its territory of the provisions of articles 16, 17, 18 and 19 of Chapter II under the Convention.

PART II: RELEVANT LEGISLATION AND COURT SYSTEM

Legal basis	
<p>a) Does YOUR STATE, in the application of Article 27 (<i>i.e.</i> internal law or practice), allow for a foreign Court to directly take evidence by video-link?</p>	<p><input type="checkbox"/> Yes. Please specify:</p> <p><input type="checkbox"/> No. Please specify:</p> <p><i>Comments:</i> There is not explicit rule in the national legislation arranging the possibility for a foreign Court to directly take evidence by video-link.</p>
<p>b) Please indicate the legal basis or applicable protocols (<i>i.e.</i>, relevant laws, regulations, practice, etc.) for the use of video-links in the taking of evidence in YOUR STATE, either under the Convention or independent of the Convention (see, <i>e.g.</i> Art. 27 (b) and (c)):</p> <p><i>Please also attach a copy of, or provide a link to, the relevant provisions, where possible in English or French.</i></p>	<p>The Bulgarian national legal framework is based on the following legal acts:</p> <p>Bulgarian Civil Procedural Code, Chapter XIV Evidence, more specifically Article 163 where it is envisaged that a witness shall be obligated to appear before court in order to give testimony. In the same time, taking of testimony by video - link is not explicitly forbidden which can be interpreted as a permissible procedural action.</p> <p>As a Member State of the EU, Bulgaria also apply directly Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters.</p> <p>As a Member State of the Hague Conference and a Contracting State, for the Republic of Bulgaria is also biding the Evidence Convention (excluding the application of several provisions on the ground of Article 33)</p>
<p>c) Does YOUR STATE have any agreements with other Contracting States that derogate from the Convention when taking evidence by video-link (see Art. 28 and Art. 32)?</p>	<p><input type="checkbox"/> Yes. Please attach a copy of, or provide a link to, the relevant provisions, where possible in English or French:</p> <p><input checked="" type="checkbox"/> No.</p> <p><i>Comments:</i> The Republic of Bulgaria is a Contracting Party under bilateral agreements for legal assistance in civil law matters. There are no explicit rules on taking of evidence by video-link.</p> <p>According to Article 5 (4) of the Bulgarian Constitution, any international treaty, which has been ratified according to a procedure established by the Constitution, which has been promulgated, and which has entered into</p>

	<p>force for the Republic of Bulgaria, shall be part of the domestic law of the land. Any such treaty shall take precedence over any conflicting standards of domestic legislation.</p>
<p>Court system</p>	
<p>d) Please indicate which courts permit, or have the facilities for, the taking of evidence by video-link. If possible, indicate where relevant information on videoconferencing facilities in courts can be found online:</p>	<p> <input type="checkbox"/> All courts. <input checked="" type="checkbox"/> All courts of a specific type / level. Please specify: all courts of appeal <input checked="" type="checkbox"/> Only specific courts. Please specify which courts, or provide a link to/attach a full list: some regional courts in remoted areas such as the Regional Court of Vidin, the Regional Court of Pazardzik, the Regional Court of Smolyan; also Sofia Regional Court <input type="checkbox"/> None. </p> <p><i>Comments:</i></p> <p>The Supreme Judicial Council has the necessary technical equipment and in case of need, this equipment may be provided at the disposal of the courts;</p> <p>Further information for the technical video equipment which is at the disposal of the courts can be found on the following webpage: www.vss.justice.bg/en/page/view/2081</p>

PART III: TECHNICAL AND SECURITY ASPECTS (APPLICABLE TO BOTH CHAPTERS)

<p>a) Does YOUR STATE use licensed software (which ensures support for technical and security matters) for the taking of evidence by video-link?</p>	<p><input checked="" type="checkbox"/> Yes. Please specify:</p> <p><input type="checkbox"/> No.</p> <p><i>Comments:</i></p>
<p>b) What are the specifications of the video-link technology in use in YOUR STATE, including, if any, the minimum standards or mechanisms used to secure the communications and any recordings made?</p> <p><i>States are encouraged to provide as much information as possible when responding to this question. As such, it may be useful to consider liaising with the relevant IT experts.</i></p>	<p>Codec (<i>i.e.</i>, manufacturer, model, transmission speed, bandwidth): AVER, CISCO</p> <p>Video and audio standards (<i>e.g.</i> Standard Definition, High Definition, etc.): HIGH DEFINITION</p> <p>Type of network (<i>e.g.</i>, ISDN, IP, etc.): IP</p> <p>Type of encryption for signals in secure transmissions: According to the approved standards</p> <p>Split screen capability: YES</p> <p>Document cameras: NO</p> <p>Multipoint connections: NO</p> <p>Additional specifications or capabilities: Record of the video-hearing</p> <p>Protocols or other practices: Sending a request; Sending an answer to the request</p> <p><i>Comments:</i></p>
<p>c) Can evidence be taken via commercial providers (<i>e.g.</i>, Skype™)?</p>	<p><input type="checkbox"/> Yes. Please specify:</p> <p><input checked="" type="checkbox"/> No.</p> <p><i>Comments:</i></p>
<p>d) Does YOUR STATE have a procedure for testing connections and the quality of transmissions before the hearing?</p>	<p><input checked="" type="checkbox"/> Yes. Please specify:</p> <p><input type="checkbox"/> No.</p> <p><i>Comments:</i></p> <p>there is no specific written rule, but in practice, such test should be done before a video-hearing</p>
<p>e) Does YOUR STATE have any requirements as to the hearing room, <i>e.g.</i>, should be located in a court, should have a camera view of the whole room or a view of all the parties, etc.?</p>	<p><input checked="" type="checkbox"/> Yes. Please specify:</p> <p><input type="checkbox"/> No.</p> <p><i>Comments:</i></p> <p>A video-hearing should be done in a hearing room, situated in a building of the competent court</p>

PART IV: USE OF VIDEO-LINKS UNDER BOTH CHAPTERS – LEGAL CONSIDERATIONS

Restrictions	
<p>a) Must a court order directing the use of video-links first be obtained from the requesting State (Chapter I) / State of Origin (Chapter II)?</p>	<p><input type="checkbox"/> Yes. Please specify:</p> <p><input type="checkbox"/> No.</p> <p><i>Comments:</i> The national legislation does not provide specific rules on taking of evidence by video-link in the field of civil or commercial matters.</p>
<p>b) Are there any restrictions on what type/s of evidence can be taken by video-link or how it is to be taken?</p>	<p><input type="checkbox"/> Yes. Please specify:</p> <p><input type="checkbox"/> No.</p> <p><i>Comments:</i> The national legislation does not provide specific rules on taking of evidence by video-link in the field of civil or commercial matters.</p>
<p>c) Are there any specific restrictions on how evidence gathered via video-link can be handled and distributed, or do the usual rules for evidence obtained in person apply?</p>	<p><input type="checkbox"/> Yes, there are specific restrictions. Please specify:</p> <p><input type="checkbox"/> No, the normal rules for evidence apply.</p> <p><i>Comments:</i> The national legislation does not provide specific rules on taking of evidence by video-link in the field of civil or commercial matters.</p>
<p>d) Are there any restrictions on the type of person who may be examined by video-link?</p>	<p><input type="checkbox"/> Yes. Please specify:</p> <p><input type="checkbox"/> No.</p> <p><i>Comments:</i> The national legislation does not provide specific rules on taking of evidence by video-link in the field of civil or commercial matters.</p>
<p>e) Is it necessary to seek the consent of the parties to use video-link to take evidence?</p>	<p><input type="checkbox"/> Yes. Please specify the conditions under which parties may refuse the use of video-link:</p> <p><input type="checkbox"/> No.</p> <p><i>Comments:</i> The national legislation does not provide specific rules on taking of evidence by video-link in the field of civil or commercial matters.</p>
<p>f) Are there any restrictions on the location where the person should be examined (e.g. in a courtroom, on the premises of an Embassy or diplomatic mission)?</p>	<p><input type="checkbox"/> Yes. Please specify:</p> <p><input type="checkbox"/> No.</p> <p><i>Comments:</i> As mentioned above, a video-hearing should be done in a hearing room, situated in a building of the competent court.</p>

PART IV - LEGAL CONSIDERATIONS (BOTH CHAPTERS)

<p>g) Can a witness / expert be compelled to use video-links to give evidence?</p>	<p><input type="checkbox"/> Yes. If so, please specify what coercive measures may be used:</p> <p><input type="checkbox"/> No. Please explain:</p> <p><i>Comments: The national legislation does not provide specific rules on taking of evidence by video-link in the field of civil or commercial matters.</i></p>
<p>h) Please briefly outline the procedure/s, under Chapter I and Chapter II, for actually notifying or summoning the witness / expert to give evidence by video-link, including any references to relevant laws, regulations or practice.</p> <p><i>Please also include, where applicable, the differences between notifying or summoning a willing witness / expert and notifying or summoning a witness / expert that is to be compelled.</i></p>	<p>Chapter I:</p> <p>Chapter II:</p> <p><i>Comments:</i> <i>The national legislation does not provide specific rules on taking of evidence by video-link in the field of civil or commercial matters.</i></p>
<p>i) The law of which State governs the use of privileges?</p> <p><i>Please tick all that apply.</i></p> <p><i>See Articles 11 and 21(e) of the Convention</i></p>	<p>Chapter I:</p> <p><input type="checkbox"/> The law of the Requesting State.</p> <p><input type="checkbox"/> The law of the Requested State.</p> <p><input type="checkbox"/> The law of another State. Please specify:</p> <p>Chapter II:</p> <p><input type="checkbox"/> The law of the State of Origin.</p> <p><input type="checkbox"/> The law of the State of Execution.</p> <p><input type="checkbox"/> The law of another State. Please specify:</p> <p><i>Comments:</i> <i>The Republic of Bulgaria has submitted declaration on Article 11, para 2.</i> <i>As far as there is no specific regulation under the national legislation, the court should decide depending on the relevant case.</i></p>

PART V: USE OF VIDEO-LINKS UNDER CHAPTER I (LETTERS OF REQUEST) – LEGAL CONSIDERATIONS

Legal obstacles	
<p>a) Does YOUR STATE consider that there are legal obstacles to using video-link to assist in the taking of evidence under Chapter I of the Convention?</p> <p><i>The Special Commission has noted that the use of video-link and similar technologies is consistent with the current framework of the Convention (see C&R No 55 of the 2009 SC and C&R No 20 of the 2014 SC).</i></p>	<p><input checked="" type="checkbox"/> Yes. Please specify: <i>as mentioned above, the main obstacle is the lack of national legislation regulating these matters in details. More over, only some specific courts have at their disposal the necessary technical equipment and facilities to take evidence by vidio-link.</i></p> <p><input type="checkbox"/> No.</p> <p><i>Comments:</i></p>
Direct and indirect taking of evidence	
<p>b) Under Chapter I of the Convention, does YOUR STATE allow for the direct taking of evidence by judicial personnel of the <i>requesting</i> State (<i>i.e.</i>, the State in which the proceedings are pending)?</p>	<p><input type="checkbox"/> Yes. <input type="checkbox"/> No.</p> <p><i>Comments:</i> <i>The national legislation does not provide specific rules on taking of evidence by video-link in the field of civil or commercial matters.</i></p>
<p>c) Under which provisions of Chapter I of the Convention is indirect taking of evidence by video-link possible in YOUR STATE?</p>	<p><input type="checkbox"/> Art. 9(1) – The judicial authority of the requested State obtains evidence (<i>e.g.</i>, a witness / expert examination) which is located in a (distant) location within its own State.</p> <p><input type="checkbox"/> Art. 9(2) - As a special method or procedure. Please also outline whether any specific conditions must be satisfied:</p> <p><i>See also questions on presence.</i></p> <p><i>Comments:</i> <i>The national legislation does not provide specific rules on taking of evidence by video-link in the field of civil or commercial matters.</i></p>
Legal safeguards for witness / expert	
<p>d) What are the legal safeguards in place for witnesses / experts in YOUR STATE when evidence is taken by video-link under Chapter I (<i>e.g.</i> protective measures for the witness / expert, provision of interpretation, right to legal counsel, etc.)?</p>	<p><i>The national legislation does not provide specific rules on taking of evidence by video-link in the field of civil or commercial matters.</i></p>
Presence	
<p>e) Are the rules for the presence of the parties and their representatives when physically in a</p>	<p><input type="checkbox"/> Yes. If so, please specify if they are allowed to</p>

PART V - LEGAL CONSIDERATIONS (CHAPTER I)

<p>single location the same for when evidence is taken via video-link? <i>See Article 7 of the Convention</i></p>	<p>actively participate:</p> <p><input type="checkbox"/> No.</p> <p><i>Comments:</i> The national legislation does not provide specific rules on taking of evidence by video-link in the field of civil or commercial matters.</p>
<p>f) Under Chapter I of the Convention, does YOUR STATE allow for the cross-examination of a witness / expert by video-link by the representatives located in the <i>requesting</i> State (<i>i.e.</i>, the State in which the proceedings are pending)?</p>	<p><input type="checkbox"/> Yes. <input type="checkbox"/> No.</p> <p><i>Comments:</i> The national legislation does not provide specific rules on taking of evidence by video-link in the field of civil or commercial matters.</p>
<p>g) Does YOUR STATE allow for the presence of the judicial personnel of the requesting State via video-link? <i>See Article 8 of the Convention</i> <i>Please note that a declaration may be made under this provision.</i></p>	<p><input type="checkbox"/> Yes. If so, please specify if they are allowed to actively participate:</p> <p><input type="checkbox"/> No.</p> <p><i>Comments:</i> The national legislation does not provide specific rules on taking of evidence by video-link in the field of civil or commercial matters.</p>

PART VI : USE OF VIDEO-LINKS UNDER CHAPTER II (BY DIPLOMATIC OFFICERS, CONSULAR AGENTS AND COMMISSIONERS) – LEGAL CONSIDERATIONS

<p>The questions in this Part are only for States that have not wholly excluded the application of Chapter II</p> <p>Please note that Chapter II may be subject to a reservation in whole or in part under Article 33. Check the reservations that YOUR STATE has made under this Chapter in the status table, available on the Evidence Section of the Hague Conference website.</p>	
<p>Legal obstacles and legal framework</p>	
<p>a) Does YOUR STATE consider there to be any legal obstacles to the taking of evidence by video-link under Chapter II of the Convention?</p> <p><i>The Special Commission has noted that the use of video-link and similar technologies is consistent with the current framework of the Convention (C&R No 55 of the 2009 SC and C&R No 20 of the 2014 SC).</i></p>	<p><input checked="" type="checkbox"/> Yes. Please specify: On the ground of Article 33, the Republic of Bulgaria has excluded the application within its territory of the provisions of articles 16, 17, 18 and 19 of Chapter II under the Convention.</p> <p><input type="checkbox"/> No.</p> <p>Comments:</p>
<p>b) Under which provisions of Chapter II of the Convention is taking of evidence by video-link possible in YOUR STATE?</p>	<p><input type="checkbox"/> Art. 15 <input type="checkbox"/> Art. 16 <input type="checkbox"/> Art. 17</p> <p>Comments: N/A</p>
<p>c) Is prior permission from YOUR STATE required when taking evidence under Chapter II of the Convention on the territory of YOUR STATE?</p>	<p><input type="checkbox"/> Yes. Please outline the procedure for seeking such permission, including any specific conditions that must be satisfied:</p> <p><input type="checkbox"/> No.</p> <p>Comments: N/A</p>
<p>d) Please indicate who administers the oath or affirmation and how perjury and contempt are dealt with when evidence is taken under Chapter II of the Convention on the territory of YOUR STATE.</p>	<p>Administration of the oath or affirmation: N/A</p> <p>Dealing with perjury and contempt: N/A</p>
<p>Direct and indirect taking of evidence</p>	
<p>e) Diplomatic and consular agents are usually located in the State where the witness / expert resides. It may be, however, that a witness / expert is located in a neighbouring country or in a place distant from the Embassy or Consulate. In these circumstances, does YOUR STATE consider it possible to use video-link to obtain evidence under Chapter II of the Convention?</p>	<p><input type="checkbox"/> Yes. Please specify:</p> <p><input type="checkbox"/> No.</p> <p>Comments: N/A</p>

PART VI - LEGAL CONSIDERATIONS (CHAPTER II)

Legal safeguards for witness / expert	
f) What are the legal safeguards in place for witnesses / experts in YOUR STATE when evidence is taken by video-link under Chapter II (e.g. protective measures for the witness / expert, provision of interpretation, right to legal counsel, etc.)?	N/A
Presence	
g) Under the law of YOUR STATE, who may be present via video-link when evidence is taken by diplomatic and consular agents ? <i>Please tick all that apply.</i>	<input type="checkbox"/> The parties. <input type="checkbox"/> The parties' representatives. <input type="checkbox"/> Judicial personnel. <input checked="" type="checkbox"/> Someone else. Please specify: All parties and stakeholders eligible to attend. <i>Comments:</i>
h) Under the law of YOUR STATE, who may be present via video-link when evidence is taken by commissioners ? <i>Please tick all that apply.</i>	<input type="checkbox"/> The parties. <input type="checkbox"/> The parties' representatives. <input type="checkbox"/> Judicial personnel. <input type="checkbox"/> Someone else. Please specify: <i>Comments:</i> N/A
Applicable law	
i) The law of which State governs the administration of an oath or affirmation when evidence is taken by video-link under Chapter II?	<input type="checkbox"/> The law of the State of Origin <input type="checkbox"/> The law of the State of Execution <input type="checkbox"/> It depends on whether evidence is taken by a consular or diplomatic agent or a commissioner. Please specify: <i>Comments:</i>
j) The law of which State governs perjury and contempt when evidence is taken by video-link under Chapter II?	<input type="checkbox"/> The law of the State of Origin <input type="checkbox"/> The law of the State of Execution <input type="checkbox"/> It depends on whether evidence is taken by a consular or diplomatic agent or a commissioner. Please specify: <i>Comments:</i> Applicability of the law is determined on a case-by-case basis.

PART VII PRACTICAL CONSIDERATIONS

COMMON TO BOTH CHAPTERS	
Notice	
a) What does YOUR STATE consider to be the minimum amount of time required between the request and the actual hearing in order to make the arrangements to take evidence by video-link?	Chapter I: Chapter II: It depends on the specific case and circumstances.
Interpretation services	
b) Who is responsible, under Chapter I and Chapter II, for the use of interpretation services and who arranges these services in YOUR STATE when video-link is used?	Chapter I: Chapter II: The national legislation does not provide specific rules on taking of evidence by video-link in the field of civil or commercial matters.
c) Are professional accredited interpreters required in YOUR STATE, and where can relevant contact details be found?	<input type="checkbox"/> Yes. Please specify: <input type="checkbox"/> No. <i>Comments:</i> The Ordinance Nº H-1 of 16.05.2014 on the court translators envisages that in the district and administrative courts, as well as in the specialized criminal court, there are maintained registers containing lists of specialists approved for court translators. The Supreme Court of Cassation and the Supreme Administrative Court, the Supreme Cassation Prosecutor's Office, the Supreme Administrative Prosecutor's Office and the National Investigation Service shall, as necessary, establish separate lists of court translators for the needs of their activities.
d) Under the law of YOUR STATE, is interpretation to be <i>simultaneous</i> or <i>consecutive</i> when a witness / expert is examined via video-link?	The national legislation does not provide specific rules on taking of evidence by video-link in the field of civil or commercial matters.
e) Where may the interpreter be located when a witness / expert is examined via video-link? <i>Please check all that apply.</i>	<input type="checkbox"/> In the room with the witness / expert. <input type="checkbox"/> In the room with those conducting the examination. <input type="checkbox"/> Elsewhere in the requesting State (Chapter I) / State of Origin (Chapter II). <input type="checkbox"/> Elsewhere in the requested State (Chapter I) / State of Execution (Chapter II). <input type="checkbox"/> In a third State. <input type="checkbox"/> Other. Please specify: <i>Comments:</i>

PART VII – PRACTICAL CONSIDERATIONS (BOTH CHAPTERS)

	<p>The national legislation does not provide specific rules on taking of evidence by video-link in the field of civil or commercial matters.</p>
<p>Reporting and recording</p>	
<p>f) Is a written report of the video-link hearing or testimony prepared?</p>	<p><input type="checkbox"/> Yes. Please specify by whom: Please also outline the specific rules or regulations, if any, that are applicable to the handling/storage/distribution of the report:</p> <p><input type="checkbox"/> No.</p> <p><i>Comments:</i> The national legislation does not provide specific rules on taking of evidence by video-link in the field of civil or commercial matters.</p>
<p>g) Are facilities and equipment made available in order to record the hearing or testimony?</p>	<p><input type="checkbox"/> Yes, with audio and video. <input type="checkbox"/> Yes, only with video. <input type="checkbox"/> Yes, only with audio. <input type="checkbox"/> No, but the recording of hearings/testimonies is permitted.</p> <p>If a recording is produced, please also outline the specific rules or regulations, if any, that are applicable to the handling/storage/distribution of the recording:</p> <p><input type="checkbox"/> No, because the recording of hearings/testimonies is not permitted under internal law.</p> <p><i>Comments:</i> The Supreme Judicial Council has the necessary technical equipment and in case of need, this equipment may be provided at the disposal of the courts; Further information for the technical video equipment which is at the disposal of the courts can be found on the following webpage: www.vss.justice.bg/en/page/view/2081</p>
<p>Documents and exhibits</p>	
<p>h) What arrangements are to be made for showing or referring to documents or exhibits when taking evidence by video-link?</p>	<p>The national legislation does not provide specific rules on taking of evidence by video-link in the field of civil or commercial matters.</p>

PRACTICAL CONSIDERATIONS UNDER CHAPTER I	
Practical obstacles	
<p>i) Does YOUR STATE consider that there are practical obstacles to using video-link to assist in the taking of evidence under Chapter I of the Convention?</p>	<p><input type="checkbox"/> Yes. Please specify:</p> <p><input type="checkbox"/> No.</p> <p><i>Comments:</i> As mentioned above, only some specific courts have the necessary technical equipment and facilities to take evidence by video-link. Generally, in case of need, courts should require such equipment to be additionally provided by the Supreme Judicial Council.</p> <p>Another obstacle is the lack of national legislation regulating these matters in details.</p>
Identification of all relevant actors	
<p>j) What is the procedure for verifying the identity of the parties, the witness / expert, and all relevant actors in YOUR STATE when video-link is used under Chapter I?</p>	<p>The national legislation does not provide specific rules on taking of evidence by video-link in the field of civil or commercial matters.</p>
Standard Forms	
<p>k) Do the authorities of YOUR STATE use a standardised request form under Chapter I that makes specific reference to the use of video-links?</p> <p><i>The use of the Model Form of the Evidence Convention is recommended when taking evidence under Chapter I.</i></p> <p><i>While the Model Form has no explicit reference to the use of video-link, a request to this effect may be included in item 13 of the Form.</i></p>	<p><input type="checkbox"/> Yes. Please specify:</p> <p><input type="checkbox"/> The standardised form used makes no reference to video-link.</p> <p><input checked="" type="checkbox"/> No standardised form is used.</p> <p><i>Comments:</i> Practice reveals that Model Form is used rarely.</p>
<p>l) Does YOUR STATE require the inclusion of any particular practical or technical information from the requesting State in the request in order to conduct / arrange a witness / expert examination by video-link under Chapter I? (e.g. contact details for IT support, technical specifications, etc)</p>	<p><input type="checkbox"/> Yes. Please specify:</p> <p><input type="checkbox"/> No.</p> <p><i>Comments:</i> The national legislation does not provide specific rules on taking of evidence by video-link in the field of civil or commercial matters.</p>
Costs	
<p>m) Are there any costs associated with the taking of evidence via video-link under Chapter I in YOUR STATE?</p>	<p><input type="checkbox"/> Yes. Please provide an approximate estimate of these costs and / or specify the criteria used to determine these costs:</p> <p><input type="checkbox"/> No.</p> <p><i>Comments:</i> Such information is not available at the moment because of the lack of the national rules</p>

PART VII – PRACTICAL CONSIDERATIONS (CHAPTER I)

	<p>on taking of evidence by video-link in the field of civil or commercial matters.</p>
<p>n) Who is responsible for bearing the costs occasioned by the use of video-link under Chapter I in YOUR STATE? See Art. 14(2) of the Evidence Convention</p>	<p><input type="checkbox"/> The moving party (requesting the use of video-link).</p> <p><input type="checkbox"/> The requesting authority (in the requesting State).</p> <p><input type="checkbox"/> The requested authority (in the requested State).</p> <p><input type="checkbox"/> Other. Please specify:</p> <p><i>Comments:</i> Such information is not available at the moment because of the lack of the national rules on taking of evidence by video-link in the field of civil or commercial matters.</p>
<p>o) How are these costs generally expected to be paid and/or reimbursed?</p>	<p><input type="checkbox"/> Payment in cash</p> <p><input type="checkbox"/> Payment by (credit) card</p> <p><input type="checkbox"/> Electronic/wire transfer</p> <p><input type="checkbox"/> Other. Please specify:</p> <p><i>Comments:</i> Such information is not available at the moment because of the lack of the national rules on taking of evidence by video-link in the field of civil or commercial matters.</p>
<p>p) Who pays for the interpretation services under Chapter I in YOUR STATE when video-link is used and how are these costs to be paid and/or reimbursed?</p>	<p>Such information is not available at the moment because of the lack of the national rules on taking of evidence by video-link in the field of civil or commercial matters.</p>

PRACTICAL CONSIDERATIONS UNDER CHAPTER II	
Only for States that have not excluded in whole the application of Chapter II	
Practical obstacles	
<p>q) Does YOUR STATE consider that there are practical obstacles to using video-link to assist in the taking of evidence under Chapter II of the Convention?</p>	<p><input type="checkbox"/> Yes. Please specify:</p> <p><input checked="" type="checkbox"/> No.</p> <p><i>Comments:</i> There are no practical obstacles to using video-link, but the procedure is excluded by the law.</p>
Identification of all relevant actors	
<p>r) What is the procedure for verifying the identity of the parties, the witness / expert, and all relevant actors in YOUR STATE when video-link is used under Chapter II?</p>	<p>So far, the procedure has not been applied. In principle, identity verification is based on the presentation of a valid personal identity document.</p>
Standard Forms	
<p>s) Do the authorities of YOUR STATE use a standardised request form under Chapter II that makes specific reference to the use of video-links?</p> <p><i>Although the use of the Model Form of the Evidence Convention is recommended when taking evidence under Chapter I, it may also be used, with the necessary amendments when applying for permission to take evidence under Chapter II.</i></p> <p><i>While the Model Form has no explicit reference to the use of video-link, a request to this effect may be included in item 13 of the Form.</i></p>	<p><input type="checkbox"/> Yes. Please specify:</p> <p><input type="checkbox"/> The standardised form used makes no reference to video-link.</p> <p><input type="checkbox"/> No standardised form is used.</p> <p><i>Comments:</i> No data</p>
Assistance and facilities	
<p>t) Are the Embassies and Consulates of YOUR STATE (acting as the State of Execution) able to assist applicants in arranging a video-link?</p>	<p><input checked="" type="checkbox"/> Yes. Please specify how, e.g., via a booking system: Embassy and Consulate staff can assist the booking system and verify the ID.</p> <p><input type="checkbox"/> No. Please specify who else would assist, if anyone:</p> <p><i>Comments:</i></p>
<p>u) Is it possible to hold a video-link session requested under the Convention at the premises of the Embassies or Consulates of YOUR STATE abroad?</p>	<p><input checked="" type="checkbox"/> Yes. Please specify: If there is a suitable room in the embassy or consulate premises.</p> <p><input type="checkbox"/> No.</p> <p><i>Comments:</i></p>
<p>v) Does YOUR STATE require the inclusion of any particular practical or technical information from the State of Origin in the request in order to conduct / arrange a witness or</p>	<p><input checked="" type="checkbox"/> Yes. Please specify: if there is a list of registered translators and stenographers.</p> <p><input type="checkbox"/> No.</p>

PART VII – PRACTICAL CONSIDERATIONS (CHAPTER II)

<p>expert examination by video-link under Chapter II? (e.g. the use of interpreters, stenographers, or recording devices)</p>	<p>Comments:</p>
<p>Costs</p>	
<p>w) Are there any costs associated with the taking of evidence via video-link under Chapter II in YOUR STATE?</p>	<p><input type="checkbox"/> Yes. Please provide an approximate estimate of these costs and / or specify the criteria used to determine these costs: <i>In order to ensure the reliability of the procedure, it is necessary to appoint an additional employee, to purchase professional equipment, to provide technical support for this equipment, to keep translators and stenographers on record.</i></p> <p><input type="checkbox"/> No.</p> <p>Comments:</p>
<p>x) Who is responsible for bearing the costs occasioned by the use of video-link under Chapter II in YOUR STATE?</p>	<p><input type="checkbox"/> The moving party (requesting the use of video-link). <input type="checkbox"/> The State of Origin <input type="checkbox"/> The Diplomatic mission or Consulate in the State of Execution. <input type="checkbox"/> The commissioner <input checked="" type="checkbox"/> Other. <i>Please specify: The law does not regulate who will bear the cost. In principle, the state budget covers the costs of salaries, equipment and other expenses in embassies and consulates.</i></p> <p>Comments:</p>
<p>y) How are these costs generally expected to be paid and/or reimbursed?</p>	<p><input type="checkbox"/> Payment in cash <input type="checkbox"/> Payment by (credit) card <input type="checkbox"/> Electronic/wire transfer <input type="checkbox"/> Other. Please specify:</p> <p>Comments: N/A</p>
<p>z) Who pays for the interpretation services under Chapter II in YOUR STATE when video-link is used and how are these costs to be paid and/or reimbursed?</p>	<p>N/A</p>