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Contents

<i>Ivan. K. Tsonev, Vera Lavrecka</i> , REQUIRED LOKOMOTOR ROBOT HABILITATION AND REHABILITATION FOR CHILDREN WITH CEREBRAL PALSY DURING SLEEP	4
<i>Ilinka M. Ivanova</i> , FORENSIC EXPERT: ENGINEER GEODESIST	13
<i>Ilinka M. Ivanova, St. Spasova</i> , STATE AND MUNICIPAL PROPERTY IN THE CADASTRAL MAP AND CADASTRAL REGISTERS OF VELIKO TARNOVO.	26
<i>Miroslav Tsvetanov</i> , RESEARCH OF COMMUNICATION PROCESSES IN FRAME RELAY NETWORK WITH CISCO PACKET TRACER.....	37
<i>Nikolay M. Dimitrov</i> , ANALYSIS OF STREET LIGHTING IN SHUMEN AND ITS MANAGEMENT	42
<i>Dobromir Dobrev</i> , PAST AND PERSPECTIVES IN THE RELATIONS BETWEEN THE UNITED STATES OF AMERICA AND CHINA	50
<i>Donika V. Dimanova</i> , ACCIDENTS CAUSED BY TECHNOGENIC RISKS - NUCLEAR AND RADIATION ACCIDENTS.....	58
<i>Donika V. Dimanova</i> , STUDY OF RISK - UNCERTAINTY AND INDEFINITENESS	66
<i>Zdravko Y. Kuzmanov, Elitsa Y. Kuzmanova</i> , PUBLIC ORDER AND PUBLIC SECURITY	75
<i>Hristo A. Hristov</i> , PARLIAMENTARY CONTROL OVER SECURITY SECTOR	82
<i>Hristo A. Hristov</i> , APPROACHES ABOUT DEFINING THE NATURE OF „CONTROL” CATEGORY	89
<i>Silviya D. Saltirova-Radkova</i> , TERMS AND CONDITIONS FOR PLACEMENT OF JUVENILES AND MINORS IN CORRECTIONAL BOARDING SCHOOLS AND SOCIO-PEDAGOGICAL BOARDING SCHOOLS	99
<i>Tihomir Solakov</i> , THE BULGARIAN STATE AND THE RELIGIOUS ORGANIZATIONS IN THE PERIOD AFTER 1989	107
<i>Tihomir Solakov</i> , RELIGIOUS FUNDAMENTALISM AND EXTREMISM	120
<i>Tihomir Solakov</i> , RADICALISM AND STAGES OF RADICALIZATION	133

REQUIRED LOKOMOTOR ROBOT HABILITATION AND REHABILITATION FOR CHILDREN WITH CEREBRAL PALSY DURING SLEEP

I. Tsonev, V. Lavrecka

ABSTRACT: *The child is cast into slow sleep phase (SSP) by exposure to monotonous action of the locomotor robot thus creating movement stereotypes during recurrent day sessions.*

KEYWORDS: *sleep, habilitation, rehabilitation, locomotor robot.*

INTRODUCTION

Over the recent decades new rehabilitation methods have evolved that are based on exposure of patients to external energy in special brain conditions. Leon Sazbon successfully developed rehabilitation of adult patients in vegetative state (2001).

Patients with paediatric cerebral palsy (PCP) aged between 1.5 and 6 years should not be included into this brain state group, besides patients in this group lack muscular and controlling activity and movement stereotypes. The process of habilitation becomes possible only if the imperative acceleration of a child's locomotor activity is applied through exposure to external energy.

Application of the locomotor robot makes it possible to ensure controlled external energy and information flows. Sleep is characterised by inhibition of the organism's active exchange with the surrounding environment. Sleep makes the child available for corrective intervention. The subject of the research is habilitation during slow sleep phase (SSP) ensured by a biotechnical system „child – locomotor robot”.

THE METHOD

By means of monotonous locomotory actions of robot on a child, the latter is brought into the slow sleep phase (SSP), creating the stereotypes of motion during numerous daily sessions.

Functional essence of the author's method comes down to the use of external energy for activation and normalization of main systems of the body. External energy supplements the internal energy on micro- and macro structural level of the body and provides the patient with possibility of self-recovery [1].

The ideology of the method is basing on realization of the PROCESS OF DISINTEGRATION of mutual interference between the executive periphery and the CEREBRAL STRUCTURES, which contributes to the ESTABLISHMENT OF NEW REFLEX CONNECTIONS, which are consolidated in the process of treatment. The process is carried out with the use of new class of auxiliary technical aids: abilitation locomotor robots.

The philosophy of the method: motion is treatment, wherefrom a necessity directly follows to solve two biomechanical problems on macro level: verticalization of the patient's body and forcing the patient to walk.

Walking process is accompanied by reduction in the difference "pathology (of natural type) – norm (of artificial type), since the sensor correction is realized by a complex (not single but more types of sensors) of motion reflex mechanisms at the spinal level while brain participates in these processes indirectly and passively. This fact allows to compensate the deficiency of muscle activity (DMA) and the deficit of controlling activity (DCA), not depending directly on the degree of brain pathology (i.e. on the type of disease, in particular).

THE RESULTS

Locomotor robot [2] is used, which consists of an orthotic reciprocal system (A) fastened at a given height to a patient's verticalization device (Б), which has an active horizontal mechanism. Both together, they are fastened to an electric treadmill (B). All three modules (A-Б-B) are mounted together inside a parallelepipedic frame

(Г), in upper part of which a two-coordinate manual manipulator (Д) is mounted, on which an electric telfher (Е) is fastened for vertical lifting of body and handle (Р) for movement of patient in longitudinal and transverse direction. Upon delivery of external energy, the treadmill belt starts moving at adjustable speed due to the friction force of the treadmill against the soles of the reciprocal orthotic system. Simultaneously, a motor is switched on for oscillating movement of a rocker of horizontal reciprocal connection. Between left and right sole, a forced alternate pendulum motion of left and right leg begins in the orthotic system, thus realizing the locomotory action. Mechanical energy tracts transfer external energy to pivotally connected pelvic and chest parts of body and orthotic system of upper extremities, leading to forced, almost natural cinematically synchronous walking motions of all parts of human body (except head). Upon completion of the abilitation session, external energy is switched off, then the manipulator handle.



Fig.1. Locomotor robot is used to position the electric telfher above

the patient at both sides. Snap hooks are used to fasten the left and the right cables that are mounted on the rocker (K), which at its side is suspended to the cable of the electric telfher, releasing the fastener of the orthotic system from the virtualizing device, lifting and

positioning the patient besides the treadmill. Independent walking then follows, supported by the operator.

The locomotor robot carries out a mechanically forced motion of all body parts and induces a process that does not require a reconstruction in the central nervous system. Depending on the number of training sessions and their duration, a transfer is realized from the forced conditionally reflex activity to the unconditionally reflex activity.

The base for this transfer is formed at the microstructure level of motion control. It is established that in the phase of excitation (whether active or forced), the locomotor centres are relieved from inhibitory impacts and become available for corrective effects. Due to the connection between motoneurons of different muscles and muscle groups in spinal cord, the spinal interactions are realized in so-called neuronic pools, organizing the step-like rhythmic motions.

Verticalization

In the process of treatment by means of locomotor robots, orthostatic hypotension is not observed due to the functioning of the baroreflex and vestibular reflexes.

The following manifestations of the vestibular reflex and vestibular function resulting from the use of the reciprocal orthotic complex (ROC) are available for stimulation and study:

- vestibular nystagmus (generated during the process of the gyratory tests);
- statokinetic reactions of cross-striped external and oculomotor muscles;
- extrapolation of regularity (normal and pathologic) of vestibular nystagmus phenomena on activity of skeletal muscles.

The misbalance of paired interaction between the labyrinths is practically smoothed down, which leads to:

- smoothed asymmetry of statokinetic reactions;
- partial resetting of muscular tone;
- normalization of ratio between reactions of otolith organs at semicircular ducts;

- changes in behavior pattern of muscular tone;
- reduction in spasticity;
- reduction in rigidity;
- stabilized position of the common centre of mass due to reduction in frontal rocking when walking, typical for ICP patients;
- improved behaviour pattern of foot contact pressures with the use of bionic insoles and involvement of foot areas into supporting reaction during the heel-and-toe phase from the time of the front take-off till the end of the rear take-off;
- normalization not only of highly-automatic motilities but also of speech, intellect to a considerable degree, sharp increase in sensory ability;
- injured patients (backbone, spinal cord) are recovering faster and easier than patients with inborn diseases since the first ones possess the locomotory memory.

Forced Walking

When using a locomotor robot, the patient moves forcibly, which ensures:

- correct mutual arrangement of all body segments;
- non-crossing and non-twisting of lower extremities into waist, non-eversion and non-twisting of pelvis, spatial balancing of the whole body during the locomotions, changes in movement speed and correction of gait phases;
- strong reduction, up to elimination, of muscular atrophy, increase in volume and strength of muscles, bioelectric activity, acceleration of metabolism and other characteristics.

The first stage of SSP (drowsiness) rapidly passes into the second and third phase featured by occurrence of slow rhythmic of electroencephalogram in delta range with frequency up to 2 per second. Duration of one sleep cycle is average 1.5 to 2 hours, which fully coincides with the duration of the locomotor sleep (up to 2 hours). Initial provision of resonance processes requires the determination of the step length and frequency.

The step length $\ell[m]$ is determined by Gavanga&Margaria formula at walking speed on the treadmill $V_m \leq 2.7[m/s]$,

$\ell=0.362+0.257 V_m$. It depends on the belt speed and between-centres distances on the rocker of the left and right brace.

The step frequency on the treadmill at average speed $V_m \leq 2.7$ [m/s] is determined by Gavanga&Margaria formula f [1/s]= $V_m: 0.362+0.257 V_m$. Minimal speed of the robot belt is 0.1[m/s].

Approximate frequency band is presented in table below.

V_m [m/s]	0.1	0.25	1	1.38
f [step/s]	0.24	0.6	1.36	2

Fatigue of the child does not influence the step length and frequency since the robot maintains constant the movement parameters.





Fig. 2. Options of locomotor robot and its home use.

DISCUSSION

Of principal significance are:

Adequacy of external energy load with consideration of pathologic motional stereotype (synergy/synkinesis) formed in the patient as a result of disease; with a healthy person the change in position lying – sitting – standing leads to the increase in load along the gravity vector about 14-16 kgf under REST CONDITIONS and increases the metabolism by 0.8 – 2.5 [kJ/min].

Use of active TREADMILL, movement at a speed up to 5 [km/h] (120 steps per minute) causes the growth in metabolism up to 26 [kJ/min] upon load 25 [kgf], and up to 38.8 [kJ/min] upon load 50 [kgf], that is in tens of times!

The biggest progress is observed at high treadmill speed.

Skeleton muscles are loaded from external energy via reciprocal orthotic system, and this process leads to: growing metabolism; pulmonary ventilation; thermoregulation; increased heart rate.

Independent walking causes:

- reduction in intensity of extrapyramidal and cerebellar symptomatology;
- correction of dysarthria;
- reduction in DMA and DCA caused by traumatic damages of spinal cord in the age 16-52.

The reason is in the “reminiscences” about walking, which are fixed in memory at different information storage levels.

The robot reduces the pathologic activity of the PROPRIOCEPTIVE INPUT and causes its gradual normalization, as well as ENSURES the optimal functioning of the EFFERENT (executive) ELEMENT of the locomotory-kinesthetic ANALYZER, thereby BREAKING the VICIOUS informational CIRCLE existing with such pathology.

Motor reflexes appear in children at sleep time while brain is functioning at a level corresponding to its lower phase of ontogenetic development. Considerable changes in sleep components are observed in the age up to 6.

Cerebral disease cause the long-term sleep disturbance – hypersomnia, which mainly manifests in episodes of daytime sleep-onsets (cataplexy). Idiopathic hypersomnia is featured by a daytime drowsiness, often with a syndrome of “sleepy intoxication”. These pathologic processes were also taken into consideration and used for clinical characteristics of the method.

During the period of “locomotory” sleep, an active inhibition takes place, coming from the brain stem. These changes, which are resulting from presynaptic and postsynaptic activity inhibition of gamma and alpha motoneurons, lead to reduction in muscular tone during SSP and sharp inhibition in muscles during the rapid eye movement sleep (REM).

The main components for the author’s method are the somatic vestibular reactions since they are evolutionally consolidated and ensure the preservation of spatial position of the body. Human spatial analysis is supplemented with visual (dimmed light during the sessions), proprioceptive, tactile, auditory analyzers (silence is necessary in the room). Monotonous effects upon the vestibular system

reduce the thresholds of vestibulo-spinal reflexes of inhibition of sensory and vegetative manifestations.

CONCLUSIONS

Application of monotonous forced mechanical movement of all body parts triggers the process that does not require rebuilding of the central nervous system (CNS) but merely marks a transition from the forced conditioned reflex to unconditioned reflex activity. The basis for such transition is shaped at the level of microstructure responsible for locomotion control – at the (active or forced) muscle excitatory stage, locomotion centres are released from inhibitory influence and become available for corrective intervention. Due to the links among motor neurons of various muscles and groups, spinal interaction is launched in the motor neuron pools of the spinal cord, which creates rhythmical movement of the step motion pattern.

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FORENSIC EXPERT: ENGINEER GEODESIST

Ilinka Metodieva Ivanova

***ABSTRACT:** The forensic expert is an important participant in the trial. He assists the activity of the court with special knowledge in various scientific fields. This special knowledge is used for the preparation of expert reports, which are particularly important task, because from these reports often depend the judgment.*

The forensic expert assists the court with special knowledge in specific scientific fields. They are used for expert reports, which are particularly responsible task. Very often the judgment in the case in question is based on the conclusion of judicial and technical expertise. Unfortunately, neither secondary nor university education is taught how to produce judicial-technical expertise. What exactly knowledge must have expert - forensic expert. Besides the specialized competence in the relevant scientific field, in which he trained at University forensic expert has to know well and other areas of knowledge close to him, and the legislative acts that regulate the respective activities.

In developed textbook "Practical handbook for forensi experts and candidates for forensic experts' of the Administrative Court - Veliko Tarnovo describes the structure for various types of judicial expertise and gives examples. Unfortunately, the development of this practical handbook not involved experts (forensic experts) on different cases, which would improve the quality of the handbook. These examples represent a classic case of preparation of expertise in a given case. In any case, the structure of the building expertise is respected, but the tasks are of varying complexity and sometimes difficult development of the expertise. The complexity of drafting expertise derives from the fact that very often the tasks are vague, especially when it is done by lawyers of the parties.

The publication " Forensic Experts in Bulgaria - ethical standards and mechanisms for control on their activities" consider matters relating

to the selection of forensic experts, their behavior and compliance with ethical rules, procedures in default of expert witnesses in court, monitoring and control over their activities and even the main topic on the use of expert assistance as an important part of the trial in complex lawsuits.

Judicial technical expertise (JTE) by way of procedural organization, sole, collective, uniform, complex, initial, additional and repeated.

The expertises that are sole are made by an expert, collective - when made by several forensic experts.

Uniform - when provided by experts of the same field of science.

Complex - when prepared by persons from different directions of science in order to give a comprehensive assessment of the issue by the relevant specialists.

Expertises [1] are divided into classes. Those we Surveyors prepare normally fall under class - "Judicial engineering technical expertise" which are six types:

- Judicial engineering technical expertise
- Judicial autotechnical expertise
- Judicial engineering technological expertise
- Judicial computer-technical expertise.
- Judicial building and technical expertise;
- Judicial firefighting expertise

Usually we participate in judicial engineering technical expertise and judicial building technical expertise. Two types of expertises are too broad scope of scientific knowledge, which allows the determination of forensic experts to include experts who do not have the necessary training. In this case, relying solely on the good faith of the forensic expert to give his recusal due to lack of the necessary skills and training. Often appointment for forensic expert engineers and architects on issues related to cadastre, spatial planning - implementation and preparation of plans for regulation over the years, researching deformation of engineering facilities who lack the necessary skills to related questions. Perhaps the court is not known at university these experts do not acquire knowledge in applied geodesy, regulation and vertical planning and cadastre. There are appointments to surveyors with tasks related to the sustainability of the construction of buildings or matters within the competence of the architect and civil

engineer-constructor, which also have no training and competences in these matters

Expert activity includes:

- organization of procedural and cognitive activity of the subjects of judicial expertise;
- research in the field of judicial expertise;
- scientific and methodological collateralize of judicial expertise;
- professional training and qualification of forensic experts.

The activity of experts based on the principles (Article 2 [1]):

- legality;
- appointment of a haphazard selection;
- procedural and cognitive independence of the forensic expert;
- scientific merit of the means and methods used in the expert study;
- integrity, objectivity, comprehensiveness and completeness of the expertise;
- confidentiality and compliance with professional ethics.

The requirements to be met by the expert, who wants to be a forensic expert [1] are:

• have completed vocational education and possess the relevant special scientific knowledge of a certain kind of judicial expertise according to the classes and types specified in Annex № 1 of Ordinance №3 of 2012 for entry qualification and remuneration of forensic experts [1];

- have at least 5 years' professional experience;
- has been convicted of indictable offense;
- is not deprived of the right to exercise a profession or activity;
- Do not exercise functions of justice in the judicial system;
- if the person is a foreign citizen to have a permanent residence permit in the Republic of Bulgaria.

As is clear from the above, nothing is said of degree in terms of the required education. Recorded the Ordinance allows forensic experts to be and people with very low level of education - secondary education that give "competent" advice.

In various areas of knowledge, for example in construction, illegal construction, cadastre, spatial planning, vertical planning, etc., Expert opinions are sometimes associated with complex structures of buildings and facilities or complex problems of illegal construction, cadastre and spatial planning where often employed technicians or persons aged over 80 years who are uncommunicative.

Forensic expert as an important participant in the trial supports with special knowledge (expertise) activities of the court - "translate" in plain language relevant issues and give an opinion to solve it.

To the requirements of forensic experts - surveyors as very important need to add:

- knowledge of the legislative acts not only in the field of geodesy, but also in the field of spatial planning, including illegal construction, cadastre, valuation of real estate, legal documents related to European aid in agriculture - farmers ...;
- experts should have proven analytical capabilities;
- for expertise in the field of cadastre and illegal construction are required and knowledge of property right.

Rights and obligations of forensic experts

The forensic expert shall have free access and can consult on the case which is designated to receive copies of documents, plans and reports take precedence in court, the prosecution pre-trial bodies, administrative bodies and other offices and wherever necessary only based on the quality of their expert who verifies by submission of relevant documents.

The ordinance [1] also stipulates that the court, prosecutors, pre-trial bodies, administrative bodies, all state bodies, legal entities and citizens in the country are obliged to cooperate with the forensic experts, but it is not always respected, especially by administration. Often the administration of various agencies requires forensic experts to write letters to be answered questions put to them by the Court. This hampers the work of the forensic expert, because instead of receiving information and reports on various documents directly from the source, the expert needs to recreate the response of the institution, which is usually a party.

Forensic experts [3] must possess the necessary moral qualities that ensure their impartiality and independence. They should perform their duties fairly, objectively and impartially. It is not allowed the realization of suspicious contacts with representatives of the business sector in which operates the forensic expert. At the same time the experts who work as consultants for specific companies or sectors are not allowed to accept court appointments in cases involving them. Experts who are engaged in criminal cases are not allowed to participate in lawsuits. Experts must refuse from participating in cases in which their impartiality might be questioned, either because of close personal or business relationship or due to the existence of an earlier conflict with any of the parties involved. For this reason, judicial appointments of forensic expert must be kept for at least ten years.

In case of unconscious or involuntary error of assessment of the expert, it is not looking for justice. Among other things, the expert has the right to make mistakes. In order for them to be avoided, however, by the expert is expected to update and continuously enrich their knowledge, as recommended participated in additional training and seminars in his area.

Forensic experts in Bulgaria - ethical standards "and determined commitment of the experts according to" Forensic experts in Bulgaria - ethical standards and mechanisms for control on their activities "sound like slogans.

In indicated below literature there is no reference to the rights of forensic experts. It is stated that various institutions have to cooperate with the forensic experts and provide them with all information necessary for the expertise.

Data needed for expertises, such as drawings, plans and others. archival materials are obtained from the municipal administration, which sometimes deliberately mislead the expert or refused to provide data with the grounds that the files are in court, especially when it is a party.

In the expertises emerge another problem - do not give categorical assessments and do not make specific findings of the experts, do not take responsibility by giving ambiguous answers to tasks, thus saving themselves the trouble and responsibility.

Determining the remuneration of the forensic experts

In ordinance №3 / 2012 [1] remuneration of experts was set at 5 leva per hour. Who will answer whether it is a lot or few this value? We will only mention that to become a good forensic expert a person requires continuous improvement of knowledge in their field and related fields. The forensic expert shall bear penal responsibility for incorrect or biased drawn conclusion. Moreover, the expertise prejudices the decision of the court. Mispricing the labor of the expert / s can have very serious consequences such as: negligence, superficial, hasty preparation of expertise, which could mislead the court in the judgment; obtaining additional unauthorized payment, which would lead to bias in the preparation of expertise. All this brings material and moral consequences.

Ordinance №3 / 2012 provides for particularly complex and specific expertise, performed by highly qualified experts, remuneration may be increased to 100% (Art. 32, para 1 of the Ordinance). And in par. 2 "For expertise performed on weekends and national holidays, the fee may be increased up to 100%." This is good, but not specified how to determine one expertise how complicated is and nobody can prove when expertises are made in weekends or on holidays, as most experts are appointed on a labor contract somewhere.

How is determined the remuneration at tasks that are beyond one expertise that is necessary surveying, mapping aircraft photos, deciphering? These activities require appropriate equipment and volume are within just a powerful geodetic companies. Moreover, the price exceeds 5 to 10 times the value of expertise. No rare cases where stakeholders prefer instead of expensive surveying activities to settle the question by tasking the expertise that very unfortunately allowed by some judges.

What expertise prepares forensic expert – surveyor

The profession is a kind of work that requires continuous and intensive training in core competencies, knowledge of specialized knowledge and skills usually adjusted by a professional organization, ethical code and process of licensing or certification. In Bulgaria there is no professional organization of experts.

The knowledge that gets surveyor educational qualification master in the field of higher and applied geodesy, in the field of spatial planning, cadastre.

Besides the subjects that are studied at the University engineers surveyors should thoroughly know the laws related to the exercise of the profession - Law on geodesy (FA), Law on Cadastre and Property Register Act (CPRA), Law on Spatial Planning (LSP) Law on roads (RA), Law on rail transport (LRT), Law on the Black sea coast (ZCHK), water Law (WA), Law on Mineral resources (URA), the Law on maritime spaces, inland waterways and ports of the Republic of Bulgaria (LSSIWPRB), Law on protection of agricultural lands (PALA), Law on ownership and use of agricultural lands (OUFLA), Law on restitution of land and forests from the forest fund (ZVSZGGF) Forestry Act (FA) and regulations. Listed laws are closely related to setting boundaries in landed properties and type of ownership - private physical and legal entities, state, municipal.

Engineer surveyor is usually attracted as an expert in administrative and lawsuits.

In practice most often require legal and technical expertise in relation to:

- cadastre
 - determination of property boundaries;
 - Identification of land;
 - manufacture of composite sketches and more.
- General and applied geodesy:
 - deformation of dams and ponds;
 - geodetic measurements to determine boundaries of land and buildings available to them;
 - determination of areas and others.
- Spatial planning and illegal construction
 - elaboration and approval of detailed plans (PUP) - plans for regulation and for development (PPP), plans for regulation (IP), plot plans (PP);
 - visa for design;
 - issuance of a construction permit
 - compliance procedures during the construction of various objects;

- comparing the approved construction documents with sites built and others.

The appointment of judicial expertise may be essential to clarify the important moments of standing problem in accordance with the evidence and information on the case and be of great help to the judge. On the other hand, the question arises what happens to public confidence in the judicial system if the expert is not qualified or his opinion is not well protected by facts?

Sometimes it is possible to use expert help to weaken the confidence of lawyers and parties in the trial and skills of the judge. Reports made by the forensic expert can lead to serious tension in the trial at least two reasons - the expertise was prepared perfectly, competently which was developed by highly qualified person who is not liked by one party in the trial or the expertise was made of mediocre expert incompetent, biased, which instead to help judge to lead to even greater confusion or mislead the judge and making the wrong decision. Another question is how the judge according to his competence, of legal counsel and expertise takes an impartial decision.

We will look at some examples from practice:

1. In a small town near Sofia contested application number of floors of the building in the cadastral map (CK) and has lawsuits by a lawyer, with claims that the building of his client does not comply with reflected on floors. The single expertise from Eng. Surveyor finds that are not inflicted the floors of the building. Appointed triple expertise with the same tasks. Get acquainted with the materials of the case and see attached sketch of the land property, a sketch of the building, floor plans, schemes of independent sites excerpt from the cadastral register (CR), i.e. in the case contains all information related to the number of floors on the building. It turned out that my colleague from the single expertise does not know that the number recorded on the building in the cadastral map is the identifier of the building, not the number of floors.

2. At the last court instance is hearing trial to the stability of the wall of the tailing pond. The tasks set by the judge require knowledge of Applied Geodesy - survey of deformation. The expertise required special knowledge of survey of deformations of the earth embankment wall and the location of the exit points to monitor, control points, period

and method of monitoring instrumentation, software, etc. The single expertise was not responded to that task that was difficult for the court to decide on the sustainability of the wall of the pond. The issue of sustainability of the wall is very important for the safety of the population, infrastructure, buildings and facilities.

3. On the final court of instance is decided about separation private property in the center of Sofia. It's old temple and a hotel on the same property. Both buildings are built into each other and the external outlines of the buildings match the property and Regulatory borders. It is practically impossible to delineate two separate properties or two separated regulated land property in accordance with its rules and regulations, which is the conclusion of the judicial technical expertise. The rapporteur of the case deprives the forensic expert from fee and evict him from the hall to the opinion expressed by the statement that could be divided into two separate properties, citing the fact that this same property and located him two buildings with different functions studied in the UACEG as exception from the rules of urban planning.

Should not in textbook or in training course to give examples that contradict the current legislation.

4. The case against a licensed appraiser in connection with determining the market value of the right to lay branches from common networks and facilities of the technical infrastructure in foreign properties (in article 193 of the Law on Spatial planning). Counsel to the National Revenue Agency (NRA) claims that the licensed appraiser has compensated the municipality as a low price of the property. The mayor of the municipality shall issue an order for right of passage for five years (in Article 192 of the LSP) and claims that cannot invalidate already issued order. Issued order of the mayor is a right of passage of five years, i.e. worth 1/5 of proposed what creates the impression of the value downwards. The proposed assessment is made on one right and was used to set up another different right which is in the art. 193 of the LSP. Assess municipal built property - street, which has no analogue market. The method of evaluation in accordance with Article 3, paragraph 1 of the Ordinance on prices in real estate Sofia Municipality (OPRE SM). In determining the market value of the area are met the requirements of Article 3, paragraph 6 of OPRE SM on the zone in which the property falls and spatial indicators.

The Court finds it necessary to remove any doubt that the proposed amount of expertise was prepared competently and impartially, but does not take into account Article 42, para. (1) of the Law of licensed appraisers, according to which it can be challenged within 14 days from the date of broadcast and on compliance standards of evaluation that has not been done. Apart from this, the proposed market price is not binding. Under article 6, par. (3) of the Law of licensed appraisers, appraisal is an opinion of the assessor and is not binding on the contracting authority.

5. An appeal against, approved by Order RD-18-19 / 27.01.2012, ID AGCC CM and the CR within the area "dam. Iskar".

Legal representative of the AGCC: Property complained no approved CM and CR. The property falls within the area of land under §4, paragraph 1 of the TFP of the Law on Ownership and Use of Agricultural Lands (OUFLA) for the Office of Geodesy, Cartography and Cadastre (SGKK) will approve and implement the plan of the newly properties (PNI). According to Article 46, paragraph 1 after the change of 21.10.2011, Ordinance 3 / 28.05.2005 for content creation and maintenance of cadastral map and cadastral registers (CMP for territories §4, paragraph 1 of the TFP (PRC) of the Law on Ownership and Use of Agricultural lands ZSPZZ without an approved plan of the newly formed properties (PNI) in CM is applied border of that territory, which was formed as cadastral area.

Under paragraph 2 of the same ordinance limits of the approved and applied plan of newly formed properties are applied in CM under Article 41, Paragraph 1.

In the minutes of the hearing is admitted judicial technical expertise with tasks: 1 / The forensic expert to establish whether the property, ownership of which claims the applicant falls in property identifier with the last digits 2222; 2 / To check whether the latter falls within the territory §4, paragraph 1 of the Plan for regulation and structuration of Law of ownership and use of agriculture lands and whether that territory is approved and enacted a plan of the newly formed properties In accordance with the tasks, establish: The terrain reflected in parcel plan of the land is allocated for use by certificate under Decree №26 / 1987 According to the municipality, provide land falls on former agricultural land owners who were expropriated and compensated. In unapproved cadastral plan of 1995, supplied terrain

was shot and gets cadastre number. The property is reflected legally established under construction two storey residential building. In scheduled sheet to plan for the property is registered owner with proof of ownership. Property cadastre number was filmed with the creation of the plan under the existing border. Cadastral plan of 1995 reflects the property, as materialized in place.

It is evident from the map of restituted property (CAS) data on land made available for use under §4, paragraph 1 of the TFP of OUFLA are incomplete due to the fact that some of the files users are in the administrations of settlements in the municipality and They are provided to the Metropolitan Municipality of proceeding.

The second problem is the border dispute between the two municipalities as a result of the cancellation of several settlements in the construction of the dam "Iskar" and the lack of map base. These are land borders between the villages of Dolni Okol, Gorni Okol, Shiroki Dol, Zlokuchane and Novo Selo belonging to the municipality of Samokov and former villages Kalkovo, Shishmanovo and Upper Pasarel of Sofia Municipality. Territory in §4, paragraph 1 of the TFP of OUFLA reflected in the CM as a separate cadastral area made no plan for the newly formed property NFP. After the entry into force of the decision resolved a border dispute and their official application will be made NFP. In the municipal office "Agriculture" there is no set recovery solutions ownership of the former owners.

CONCLUSION:

Process property falls within the territory occupied with lands with §4, para 1 of the TFP of OUFLA reflected in the CM as a separate cadastral area 2222. For this same territory there is no set of solutions of Municipal Agriculture Office "Pancharevo" to the reality of ownership and is no set plan made the former owners. Agricultural land for the right of use by the Council of Ministers referred to in §4, paragraph 1, item 1 of the TFP of OUFLA cannot be subject to the cadastral map, which is made in the law on cadastre and property register CPRA since c.a.2222 not approved and applied plan of newly formed properties (which are assigned by the district administration), in accordance with Article 46, paragraph 1 of the CPRA.

Dissolution of the forensic experts

Conditions described under which specialist on the list of the forensic experts' witnesses can be removed, except in his desire and death are not definite and clear. For now, we the forensic experts do not know some have dismissed as a forensic expert when repeatedly unreasonably refused to be assigned work and in violation of the ethical rules for expert witnesses and repeated delays execution of expertise.

Some problems in exercising the profession of a forensic expert:

- Continuous maintenance of knowledge in the field requires a lot of time, and once and tools for qualification by participating in various training courses and paid with personal funds of the expert.
- It is knowledge of the processes, rules and regulations during the occurrence subject of the dispute of building construction and current norms in the field of design, spatial planning, cadastre, etc.
- A big problem for experts is putting pressure on any of the parties.
- Appointment of persons who are incompetent (or uncommunicative due to old age) on the tasks assigned by the court without the forensic experts to give themselves recusal of it.
- Certain low pay pursuant to Ordinance №3 / 2012
- When preparing the ordinance is not taken into account the views of the experts participating in the trial to determine the remuneration of this outstanding work with high qualifications and experience in other areas, as well as legislative acts related with scientific field.
- improper conduct of some lawyers to the forensic expert witnesses during the trial.
- There is currently no association of experts in Bulgaria, which is a major problem for exchanging experience and ensuring training of the forensic experts and from there quality in the preparation of legal and technical expertise.
- Low pay the forensic experts distorting the process, i.e. although expert criminally liable for false expertise sometimes it can be bought and the entire judicial process to turn.

- Unfortunately, random selection of the forensic experts is not observed, often employed the same experts who at the same time and government employees. As an example may be given appointment in the administrative courts of heads of municipal services "Agriculture" for expert witnesses in cases in which the defendant in the case has been Fund "Agriculture" - Paying Agency and for the region of action of the employee. Some experts sometimes have more than 6-7 cases per day (more than 30 cases per month). I can not explain how they are doing and how competent are prepared expert.

Corollaries:

1. To prepare the technical expertise of the forensic experts required very good training in the main occupation and knowledge of coming to her knowledge areas.

2. Proper conclusion of expertise is crucial to the ruling the court's decision.

3. Biased conclusions drawn can lead to unexpected moral and material consequences.

Recommendations to Promoting lists of the forensic experts:

1. Class "Judicial engineering technical expertise" to be divided into more species. For example, cadastre, spatial planning, illegal construction.

2. Honorable Court to include in the committee that examines applications for approval of lists of the forensic experts' representative professional organizations.

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STATE AND MUNICIPAL PROPERTY IN THE CADASTRAL MAP AND CADASTRAL REGISTERS OF VELIKO TARNOVO

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ABSTRACT: *Almost every seminar, workshop, scientific session and other public event, experts discuss the delimitation of the properties, the content of the cadastral map, how to create a cadastral map, accuracy. Looks like the issue of filling the cadastral registers stays somewhere behind or we don't think about it at all, especially for state and municipal property. Thereby protecting the rights of municipalities and the state are neglected (abandoned).*

Earth's surface is constantly used to meet the needs of food, construction, industry, ecology, etc. This is a prerequisite for land's effective use as a resource, so it is important for the state and municipalities to have reliable, secure and guaranteed legal information of type, range, quantity, ownership, fertility and its other characteristics. This requires the right of state to fulfill its regulatory function regarding land, its description and use. Developing a reliable information sources on the ground, in terms of state and law, leads to the need to establish system such as cadastre.

Developing and maintaining the system up to date data in the cadastre is a necessary condition for successful management of the country and ensure ownership. The information, which the cadastral systems provide, is used for construction needs, spatial planning, tax and social policy, economic, environmental, real estate. Without this information it is impossible to use the land optimal and to perform control to its use, protection and improvement. The cadastre is the basis of the information system on Earth, but the goal is the delimitation of the properties and their owners.

I. Review and analysis of current legislative acts for state and municipal property

The types of property according to the law on the Republic of Bulgaria are discussed, as more attention is paid to the types of state and municipal property on the various objects of the cadastre. It was made an analysis for the recording of objects of state and municipal property in the cadastral map and cadastral registers. Accurate and unambiguous identification ownership of these properties is necessary to enable the state and / or the municipality to implement transparent and successful management and investment initiatives.

Subject of a specific analysis is the recording of the state and municipal property in the cadastral map and cadastral registers of Veliko Tarnovo.

The main legal document for cadastre is the Law on Cadastre and Property Register [2]. This law regulates relations in organizing, financing and establishment of cadastre and rules for the establishment, maintenance and implementation of the Property Register.

The definition of cadastre which is recorded in the Law is - set of basic data on the location, boundaries and size of property which were collected, presented and kept in current condition. The real estates which are subject to cadastre are: land property, building (including built in rough construction) and private property in a building.

Each property has a unique number assigned to it - ID which is unambiguous for the whole country. Basic cadastral data on land property are: ID; delimited by the geodetic coordinates of the defining points; area; sustainable use; permanent usage and address. For building: ID; outline of the building, determined by geodetic coordinates of their determinant points; actual size; floors; designation and address. For private property in a building: ID, location, floor, use. Main cadastral data is also the data on state boundaries, boundaries of administrative-territorial units, land borders and boundaries of the areas with the same permanent destination.

The cadastral map is a way of presenting cadastre and is inextricably linked to the cadastral registers.

Cadastral map contains data on points of the geodetic base and their numbers; detailed points that determine the boundaries of landed

properties and outlines of buildings; state boundaries, boundaries of districts, municipalities, lands on cadastral areas, landed properties of the areas with the same permanent destination; names of places, streets, waterways, museums, schools and other public buildings. In addition to the cadastral map are created and schemes of independent sites in buildings.

Cadastral registers are used to gather information and its storage. There are registers of: real estate; geodetic control points; points from the working geodetic basis; identifiers and their changes.

The creation of a cadastral map and cadastral registers shall be opened by order of the Executive Director of the Agency for Geodesy, Cartography and Cadastre.

Cadastral map and cadastral registers are created by combining the data contained in maps, plans, records and other documentation, and also gathered through surveying, photogrammetric and other measurements and calculations.

Data for owners and holders of other rights and deeds from which they derive their rights can be provided from: registers to the maps and plans; polling place; records of municipal and regional administration. The data for rights over immovable property shall be specified based on property lots provided by the Registry Office (ST).

Cadastral map and cadastral registers shall be adopted by the Office of Geodesy, Cartography and Cadastre (SGKK), via adoption, announcement and approval procedures of the cadastral map and cadastral registers (CCR) spelled out in the regulations [2, 3].

CCR is kept up to date by the Office of Geodesy, Cartography and Cadastre. Changes can be made when found deficiencies and errors, or when it is established that were approved in violation of the law. Changes are permitted in producing additional cadastral data.

The content and the arrangements for the establishment, maintenance and storage of cadastral map and cadastral registers are regulated by Ordinance № 3 from 28.04.2005 for content, creation and maintenance of cadastral map and cadastral registers. The regulation also says: how to create a geodetic basis of the cadastral map; the accuracy of the damage in the cadastral map land and buildings; cadastral records which were made.

From the analysis that was made of Ordinance №19 from 28.12.2001 which regulates the terms and procedures for control and

acceptance of the cadastral map and cadastral registers, must be performed control of measurements, materials and details of working geodetic basis; content and accuracy of the cadastral map; the content of the schemes of independent sites in buildings; the content of the cadastral register of real estate; IDs of real estate; digitized cadastral plans; materials and data created while maintaining the CCR; specialized data to be included in the cadastre as additional cadastral data.

The structure and content of property's ID, as well as terms and conditions for its use and storage are defined by Ordinance № 15 from 23.07.2001 for structure and content of the real estate's identifier in cadastre [5].

ID is a unique number by which the property is stated clearly on the territory of the country. It consists of five numeric fields, arranged hierarchically, with each level identifies the object in the previous quarter. Another feature of the identifier is associated graphics and attributes part. The fields of the identifier are separated by a point, as the hierarchical levels are listed in descending order. The record of the identifier is in the form:

XXXXX.XXXX.XXXX.XXX.XXX

(№land.№cad.region.№property.№building.№ private property in a building)

II. Types of property according to the law on the Republic of Bulgaria

Ownership of real estate in the country can belong to the state, municipalities, legal entities / cooperatives including / and citizens.

According to Article 17 of the Constitution of the Republic of Bulgaria (CRB) [1] property is subdivided into public and private. Public can be property of the state and municipalities. Private property belongs to the individuals, legal entities, state and municipalities.

Under the law on ownership [7], private property of individuals and legal entities can be all things except those exclusive state properties or by law are public, state or municipal properties. Private property may belong to foreign entities such as the right to property acquired under an international treaty.

Property rights may belong to two or more parties - the state, municipalities and other entities or individuals, and then this is called co-ownership. In this case the owners have a perfect part of the property as part of the co-owners and they are considered equal until proven otherwise. Each owner participates in the benefits and burdens of the common property in accordance with their share.

According to the Law on State Property (LSP), it is private and public, including exclusive state property.

Objects state properties are: objects that are exclusive state property pursuant to Art. 18, paragraph 1 CRB - mineral resources, coastal beaches, national roads and water areas and parks of national significance, natural and archaeological reserves established by law; property available to the state authorities to perform their functions; experts declared monuments of global or national importance; Property for permanent satisfaction of public needs of national importance through common use.

All properties and belongings outside those as public property are privately owned.

Municipal property, which is regulated by the Law on Municipal Property (LMP) [9] is also divided into public and private.

Public municipal properties are: property and possessions specified by law; property designed to fulfill the functions of local government and local administration; other properties designated for permanent satisfaction of public needs of local importance.

All municipal property and possessions which are not public municipal property are private municipal property.

The types of property on different sites are regulated in a number of laws.

Under the Law on Water [10] exclusive state property are: internal waters and territorial sea; mineral waters on the list, which is an integral part of the law.

Public property following water bodies subject to the cadastre: rivers and adjacent land; lakes, lagoons, estuaries and marshes, where they are situated on land - state property; natural waterfalls; islands; complex and significant dams, which have a list to the law; dikes, corrections of rivers and drainage systems; treatment plants and facilities serving customers in more than one municipality; The land

occupied by the innermost belt of the sanitary protection zones, public state property [11].

Public municipal property are: water and water bodies where they are located on lands [12] - municipal property and not a state; treatment plants and waste water facilities serving customers in the municipality; small dams; protective dikes and equipment and systems for the strengthening of river beds within the settlements; land of the innermost belt of the sanitary protection zones and facilities for water supply of settlements in the municipality, except those that are public property.

Law on the Organization of the Black Sea coast - under exclusive state properties are beaches.

Public properties are: embankments and coast protection systems and facilities built in the state property outside the boundaries of the settlements; adjacent to the sea coastal lakes, lagoons, estuaries and wetlands; sand dunes; islands, including built by human activity.

Public municipal properties are: embankments and coast protection systems and equipment, except those that are public property.

According to the Law on roads [13] ownership of roads is as follows: the roads are exclusive state property, such as when passing through urban area exclusive state ownership is only the roadway and sidewalks are public municipal property; local municipal roads are public municipal property.

According to the Law on railways [14], railway infrastructure and the land on which they are built are public property.

Mineral Resources [15] are exclusive state property.

The Law on Protected Areas [16] stipulates that national and natural parks listed in Schedule to the Act are exclusive state property and other protected areas are public state or municipal property.

III. Contents of the cadastral map and cadastral registers in covering the sites of state and municipal property

According to the Law on Cadastre and Property Register basic unit for cadastre - the landed property is ground with boundaries defined according to ownership.

Ownership determines specific autonomous part from the territory of the country which is the subject of coverage in the cadastre and property register. One of the subjects exercising this right are state and municipalities. The rights to most of the sites of the cadastre are precisely theirs.

In the cadastral map and cadastral registers ownership of objects is reflected according to property records reflecting all objects subject to cadastre, including those of state and municipal property.

A major problem with coverage in the cadastral register of objects of state and municipal property, is the lack of acts for state / municipal property for some properties. According to the Law on State Property [8] acts do not make up for the riverbeds and other natural reservoirs, roads, bridges, underpasses, engineering infrastructure, temporary structures. According to the Law on Municipal Property [9] not be registered temporary structures, streets, squares, riverbeds and gullies, municipal roads and other linear objects of technical infrastructure.

According to the Law on Cadastre and Property Register [1] in the cadastral register of immovable properties does not contain data about the owners and holders of other rights, as well as acts from which they derive their rights where they are not represented in the drafting of cadastral map and cadastral register. In such cases, the cadastral register should be noted only the data for the property and the fields with the information for the owner to remain empty. However, in the elaboration of cadastral map and cadastral registers is recorded owner - the state or the municipality with the appropriate type of ownership, since under a legislative act, the reflecting object is precisely their property. In this case it is possible to be an error in recording the type of property - public or private.

Another prerequisite for the admission of inaccuracies in the reflection of objects of state and municipal property is still missing link between the information system of cadastre and the registries of the state and municipal properties, as it should have under the Law on Cadastre and Property Register. For a State Property is maintained an electronic register properties in regional administrations, so there are for the municipal properties in municipalities, but no connection to the information system of cadastre. For this reason, the information

submitted to the Agency of Geodesy, Cartography and Cadastre for the state and municipal property may be incomplete or inaccurate.

Many of the objects of a publicly ownership, regulated by various laws listed above are not subject to the cadastral map and cadastral registers, but for them are produced specialized maps registers and information systems in accordance with Chapter Four of the Law on Cadastre and Property Register and can be included in the cadastre as additional cadastral data.

IV. Research and solutions for coverage of state and municipal property in the cadastral map and cadastral registers of Veliko Tarnovo

Under ordinance № 3 [3] the regional and municipal authorities are obliged to provide the Office of Geodesy, Cartography and Cadastre copies of acts accordingly for state and municipal property, but during the elaboration of cadastral map and register of the town. Veliko Tarnovo they have not fulfilled this obligation, although it is requested in the required order. Representatives of regional and municipal administration were members of the commission appointed by order of the Executive Director of the Agency for Geodesy, Cartography and Cadastre for acceptance of the cadastral map and cadastral registers of Veliko Tarnovo, but even then they have not been interested for real estate - state and municipal property.

Departments and institutions that have been provided for stewardship and property management - state and municipal property, also were not interested, how are reflected managed by them estates in announcing of the developed cadastral map and register of Veliko Tarnovo.

From what has been said in the cadastral map and cadastral registers of Veliko Tarnovo has many errors and inaccuracies related to real estate state and municipal property - the wrong kind of property, false cadastral boundaries, missing or incorrectly reflected objects in separate buildings.

Since the elaboration of CMR in Veliko Tarnovo regional and municipal administration have not submitted their acts of ownership, a lot of real estate owned by the state and municipality are reflected

wrong. This requires modification of the cadastral map and cadastral registers on account of this that has not fulfilled its obligations under art. 37 and 38 of the Law on Cadastre and Property Register.

Institutions managing state property, the municipality found that the properties under their management and control are with false ownership or boundaries on request information or drawing of the Office of Geodesy, Cartography and Cadastre Veliko Tarnovo. In this case, at their own expense they outsource to qualified persons making sketches - a draft amendment of the cadastral map and cadastral registers of properties managed by them.

As a result of the reviewed and analyzed by the authors several cases of amendment the CMR of Veliko Tarnovo related properties state and municipal property is elaborated thematic map on the types of property to the urban area of Veliko Tarnovo, based on used cadastral city map. Fragment thereof is shown in Fig.1. The figure varying hatches shows municipal and state property. Municipal public property with blue, which represents fig.1 street network, municipal private property - green color, state private property - purple, state public - red.

It is seen from the thematic map that many of the objects of state and municipal property in the cadastral map of the city are the wrong type of property. Examples are the following - significant sites:

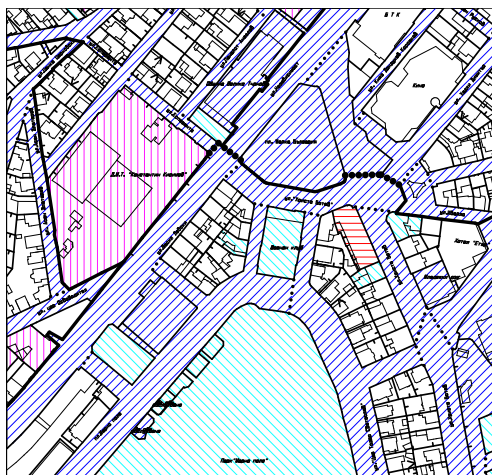


Fig. 1. Quote of thematic map

- Historical hills Tsarevets and Trapezitsa are reflected as state private property and must be state public;
- Property dramatic musical theater "K. Kisimov "is reflected as state private property and must be state public;
- The property of senior military combined arms University "Vasil Levski" is also reflected as state private property and must be state public;
- Park "Marno pole" is reflected by municipal private and must have municipal public;
- Property of the Regional Directorate of the internal affairs Veliko Tarnovo is reflected by municipal private and state must be public.

It can be mention other examples, but there are many properties that are municipal private property and on them has been granted the right to build, but are reflected as a private property of natural persons.

V. Corollaries and Recommendations

1. In order not to make mistakes and inaccuracies in reflection the type of property in the cadastral register of real estate is essential that the person who elaborates the CMR to know well as legislative acts for establishing and maintaining the cadastre and the laws of the Republic of Bulgaria regulating the ownership of state and municipalities on various objects subject to cadastre.

2. A prerequisite for admission of inaccuracies in the reflection of objects of state and municipal property is still missing link between the information system of cadastre and registry of state and municipal administrations that manage and control the respective properties as it should have under the law on cadastre and property register.

3. State Property maintain an electronic register in the regional administrations and for the municipal properties in the municipalities, but unfortunately there is no connection to the information system of cadastre. For this reason, the information provided to the agency of cartography and cadastre for the state and municipal property may be incomplete or inaccurate, which often leads to errors.

4. To stop abuses of selling real estate public property is required owners and the responsible for the stewardship and management to

perform their duties, which are reflected in the legislative acts and even more important is the controlling authority in the face of the Agency of Geodesy, Cartography and Cadastre to perform strictly their functions and duties.

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RESEARCH OF COMMUNICATION PROCESSES IN FRAME RELAY NETWORK WITH CISCO PACKET TRACER

Miroslav Tsvetanov

ABSTRACT: *The research of communication processes and sending packets within the simulated network helps the system administrators and IT specialists to analyze each network inbound and outbound connection in order to improve the computer and network performance.*

KEYWORDS: Frame relay, Frame, Router, Switch, Packet.

1. Introduction

The communication network consists of the following elements:

- 9 number personal computers;
- 1 number Web Server;
- 5 number Laptops;
- Copper Straight-Through UTP cables cat.5e;
- Copper Crossover cables UTP cat.5e;
- Serial Smart DTE DB60 cable;
- 4 number Modular Routers - Cisco 1841 Modular Routers (Fig. 1);
- 2 number Switches - Cisco C2960-24TT (Fig. 2);
- 2 number Printers;
- 1 number Frame Relay Cloud.

2. Preliminary preparation

The Router FTN 1 has two interfaces - Fast Ethernet (Fa0/0) with Net ID 10.10.20.0/24 and Serial interface (Se0/0/0) with Net ID 192.168.1.0/24 [14].

The computer network 10.10.10.0/24 consists of one Cisco 1841 Modular router and one Cisco C2960-24TT switch to which four personal computers and one network printer are connected. The private

local network has got default gateway 10.10.10.1/24 and in this case this represents the network address of Fast Ethernet interface of FTN 3 router. The maximum capacity of this computer network is 254 hosts [14].

The computer network 10.10.20.0/24 consists of one Cisco 1841 Modular router and one Cisco C2960-24TT switch to which one personal computer, one laptop and one network printer are connected. The IPv4 default gateway of this private local computer network is 10.10.20.1/24 and in this case this represents the network address of Fast Ethernet interface of FTN 1 router. The maximum capacity of this computer network is 254 hosts [14].

The computer network with IPv4 address 194.141.47.0/27 represents public global network which connects FTN 2 router and the Internet Service Provider (ISP). The Connection between the two routers with Serial DTE cable is realized. The clock rate to 2000000 bits per second is set [14].

The computer network with address 209.165.209.0/27 is public global network which connect FTN 2 router and Internet Service Provider (ISP). The Connection between the two routers with Serial DTE cable is made [14].

3. Results

On fig.1 It shows a scheme of the frame relay global network. In simulation mode the program packet tracer run package PC1 to Laptop0 [1], [2], [3], [4], [15], [16], [17], [18], [19].

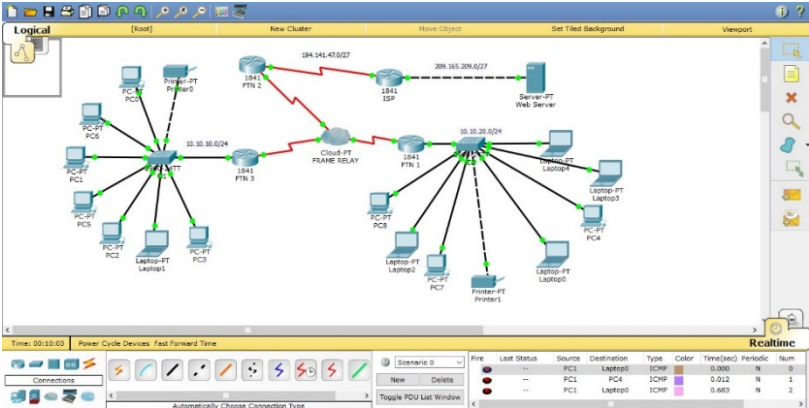


Fig.1 Common scheme of the communication network

Using the program can trace the path of the package and whether it has successfully reached the recipient. Fig.2 shows the path of the package and the nodes went through: From PC1 goes to the switch C1, which forwards the packet to all devices to determine to which device is aimed. The package switches to Router FTN3, then in FR Cloud, Router FTN1 I reached the switch C2, where the packet is sent to all the devices to your final destination. After finding the receiver, it sends back information to the sender that the package was received successfully [8], [9], [10], [11], [19].

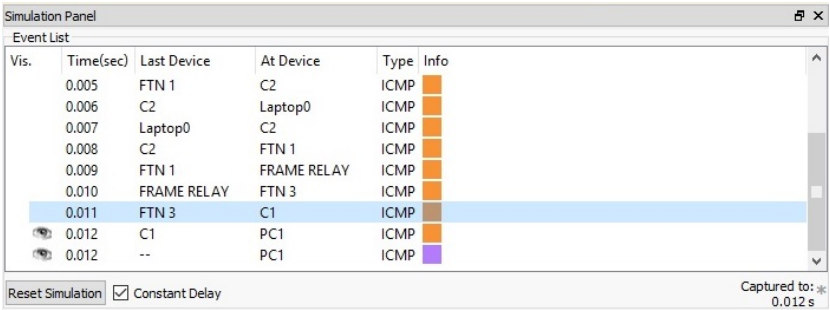


Fig.2 Simulation Panel

On fig.3 you can see information about the package, in which node is now, which is the source of the package and final recipient. In this case, the package is in Router C1, going from PC1, and his ultimate goal is Laptop0. It can be seen that the packet using a first and a second layer of the OSI model [8], [9], [10], [11], [19].

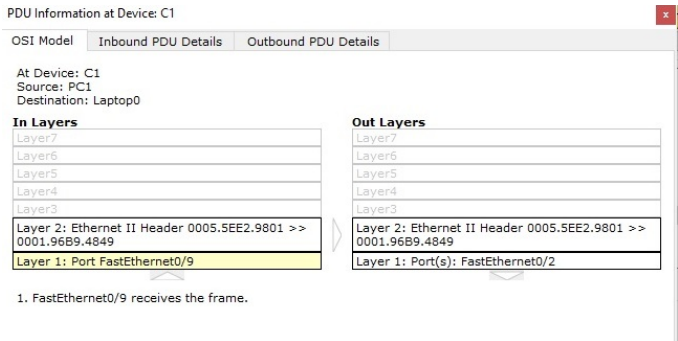


Fig.3 PDU Information

From the menu PDU Details are receiving detailed information about the contents of the package (Fig.4). Visible MAC address of the sender and receiver, and their IP addresses.

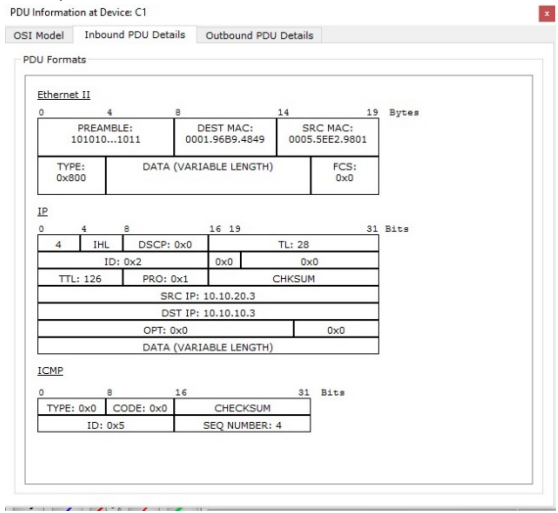


Fig.4 PDU Details

4.Conclusion

The research and the detailed information for packets is of great use for system administrators and IT experts. It helps in analyzing and improving global computer networks, revealing where the weak points in the system and thus they can be improved.

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ANALYSIS OF STREET LIGHTING IN SHUMEN AND ITS MANAGEMENT

Nikolay Ml. Dimitrov

ABSTRACT: *Investigation of the status and analysis of options for replacing existing street lighting in the town of Shumen with more efficient LED lighting, while preserving the normal parameters of the system*

KEYWORDS: *street lighting, high pressure sodium lamps, luminaries, LED, energy efficiency.*

INTRODUCTION

Street lighting is an essential element from contemporary city environment. Its proper functioning is important for all working people traveling in the nighttime. Parallely, it is a significant consumer of electricity and it is necessary that ways of increasing its energy efficiency and reliability are sought after.

The article presents analyses of the options for replacing existing street luminaries which use high pressure sodium lamps (HPSL) with new LED luminaries.

EXPOSITION

There have been a series of claims from citizens and legal entities for insufficient and/ or lacking lighting in certain parts of the town of Shumen.

Luminaries do not work or light up and down at certain time intervals. The lighting is not lit up in the nighttime or it is lit up during the day.

The last mass replacement of street lighting in Shumen was carried out in 2002 with a project made in 2001 by a team of the Technical University in Gabrovo, headed by Prof. Eng. S. Platikanov.

Of the total installed 4091 pcs. street luminaries - 2361 lamps are HPSL 70W, taking into account also the number of garden luminaries with the same type of lamp - 1060 pcs., this type of lamp is of general use in lighting the city [3]. It is appropriate to note that the project does not include the more remote districts of Shumen - Divdyadovo, Makak, Matnitsa, Lozevo and cottage areas.

The initial analysis shows that in its greater part the problem does not lie in the not illuminated luminaries, but in the power supply, which is interrupted along the whole way or in a part of it, i.e. in the cable network (the project from 2001 includes only the replacement of luminaries without any work on the cable network).

Switching on and off of the lamps in different periods of time is a characteristic phenomenon in HPSL (high pressure sodium lamps), which means that the lamp's life has expired and it needs to be replaced.

The management of turning on and off of the lines with street lighting is done via watches Fonotronika-2, located in 250 tapes around the town, when these need periodic adjustment for proper functioning.

Street luminaries with 70W HPSL used in the project are installed in 2002. They have a warranty period of eight years, which has expired, but the resource of the most luminaries of 16-18 years has not yet exhausted. They have a conventional SCG (start control gear) consisting of electromagnetic ballast of 70W and pulse ignitor.

The main consumable for these lamps is the lamp powered with 70W. The total power consumption of a single lamp is 85 W (due to losses in SCG), and the luminous flux (Φ) which emits is about 4200 lm.

Currently the price of HPSL 70W ranges from 9.00 to 15.00 BGN, VAT not included. [4]. The life (expiry term) of these lamps is from 28,000 to 40,000 hours.

The analysis (Table 1) shows that currently for the maintenance of the existing lighting it is sufficient to use the cheaper model of lamps from a reliable manufacturer (GE TUNGSRAM LUCALOX STAND, PHILIPS SON-T).

The cost of replacement of the lamps is taken approximately, its change not changing the final result. Calculations were made at an average daily operation of lamps, which is 11 hours, and an averagely

weighted price of electricity of 0.16 BGN, VAT not included.[1] (Table 2)

Table 1

Producer:	PHILIPS		GE TUNGSRAM	
Lamp model:	son-t 70w	son-t PIA 70w	lucalox stand 70w	lucalox XO 70w
Luminous flux (Φ):	6000 lm	6600 lm	6100 lm	6600 lm
Defectation in % after exploitation period in hours (h)	12000h 5%	17000h 5%	6000h 5%	18100h 5%
	15000h 10%	20000h 10%	10000h 10%	22500h 10%
	19000h 20%	23500h 20%	14000h 20%	26000h 20%
	28000h 50%	30000h 50%	28500h 50%	40000h 50%
Lamp price with replacement, BGN VAT excl.	29	35	29	35
Lamp price, BGN VAT excl.	9	15	9	15
Lamp replacement price, BGN VAT excl.	20	20	20	20
Cost by years				
1year = 4000 (4015) h	83.50	89.50	83.50	89.50
2 years = 8000 h	54.50	54.50	55.95	54.50
3 years = 12000 h	55.95	54.50	55.95	54.50
4 years = 16000 h	55.95	56.25	57.40	54.50
5 years = 20000 h	57.40	56.25	57.40	56.25
6 years = 24000 h	57.40	58.00	57.40	56.25
7 years = 28000 h	60.30	58.00	57.40	58.00
8 years = 32000 h	69.00	61.50	69.00	58.00

Producer:	PHILIPS		GE TUNGSRAM	
Lamp model:	son-t 70w	son-t PIA 70w	lucalox stand 70w	lucalox XO 70w
9 years = 36000 h		72.00		58.00
10 years = 40000 h				58.00
11 years = 44000 h				72.00
Total:	494.03	560.53	494.03	669.54
Yearly average:	61.75	62.28	61.75	60.87

LED (Light Emitting Diode) luminaries are the future of lighting technology, their prices is suffering permanent decrease and their efficiency (light output ratio) is steadily increasing. The theoretical maximum for the LED technology from around 280 lm / W, for white light, has already been achieved in laboratory conditions and it is expected that in the coming years there will be a massive supply of this type of lighting. [2]

Comparing the luminaries in their efficiency it is worth comparing the ones that have a similar luminous flux. The lamps currently installed with 70W HPSL have a light output ratio (RLO) of 50 lm / W and a general luminous flux $\Phi = 4200$ lm. There is a wide variety of LED luminaries on the market at this moment, their light output ratio being within 80-150 lm / W. The dynamics of prices accordingly is in the direction of a faster depreciation of lighting fixtures. Table 2 below provides an analysis of the basic model with three types of LED luminaires with different efficiency and prices, and accordingly a forecast for the development of such in the coming 3-6 years.

In the process of choosing a new LED luminaries warranty and lifetime should be considered. They have 2-3 years warranty periods and 30000-50000 hours (8-13 years) of operation. The operating time is determined by the life of electronic drivers and not by the LEDs life.

Table 2

All prices are VAT excl.		LED street luminaries for			in 3 years	in 6 years
Type of Luminaire:	Basic model with replacement of HPSL 70W	Luminaire 1	Luminaire 2	Luminaire 3	Luminaire 1	Forecast Luminaire
total power incl. losses in PRA [W]	85	27	35	50	27	<u>16</u>
Total luminous flux [lm]	4200	3920	4550	4000	3920	3920
Light output ratio [lm/W]	49	145	130	80	145	245
Price of a spare lamp	9	xxx	xxx	xxx	xxx	xxx
Assembly price of the lamp	20	xxx	xxx	xxx	xxx	xxx
Total price for lamp replacement	29	xxx	xxx	xxx	xxx	xxx
Price for a new luminaire	xxx	332	195	120	<u>120</u>	<u>120</u>
Assembly price for a luminaire	xxx	20	20	20	20	20
Total price for luminaire replacement	xxx	352	215	140	140	140
Average time for operation of the luminaire per year (at a working schedule of 11 h per day) [h]	4015	4015	4015	4015	4015	4015
Yearly consumption of electricity per luminaire	341.28	108.41	140.53	200.75	108.41	64.24

All prices are VAT excl.		LED street luminaries for			in 3 years	in 6 years
Type of Luminaire:	Basic model with replacement of HPSL 70W	Luminaire 1	Luminaire 2	Luminaire 3	Luminaire 1	Forecast Luminaire
[kWh]						
Luminaire operation per day [h]	11.00					
Daily electricity tariff	0.23	4.00	Average operational time at daily tariff [h]			
Nightly electricity tariff	0.12	7.00	Average operational time at nightly tariff [h]			
Average weighted value of the tariff 4h daily : 7h nightly	0.16	0.16	0.16	0.16	0.16	0.16
Cost of electricity consumption per ONE year	54.50	17.31	22.44	32.06	17.31	10.26
For electricity and lamps GE stand 70W	61.75					
Yearly electricity economy	0	37.19	32.06	22.44	37.19	44.24
Payback period – in electricity (years)	0	9.5	6.7	6.2	3.8	3.2
Yearly economy of electricity + lamps	0	44.4	39.3	29.7	44.4	51.5
Payback period – in electricity +lamps GE stand 70W(years)	0	7.9	5.5	4.7	3.2	2.7
Warranty period (years)		2	3	3	5	5

All prices are VAT excl.		LED street luminaries for			in 3 years	in 6 years
Type of Luminaire:	Basic model with replacement of HPSL 70W	Luminaire 1	Luminaire 2	Luminaire 3	Luminaire 1	Forecast Luminaire
Operational term (h)		50000	50000	30000	60000	60000
Operational term (years)		12.5	12.5	7.5	14.9	14.9

The new LED luminaries, due to the specifics of their implementation, are more appropriate for dimming and individual remote control. This is a prerequisite for building a system for management and monitoring of street lighting, which can additionally save municipal expenditures on maintenance of the system and eliminates the problem of untimely switching.

CONCLUSION

Analyses of this data forms the conclusion that at present there is no economic motivation for the replacement of old luminaries with new LED – the payback period of the investment is rather long (without taking into account interest on alleged credit), it is bigger than their warranty period and is comparable to their operational term.

Assuming a further reduction in prices of luminaries, an increase of their efficiency and an increase in their warranty and lifetime - a mass replacement in a period of 2-3 years seems much more reasonable and economically motivated. Admittedly this does not exclude reaching the alleged parameters and in a shorter period.

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PAST AND PERSPECTIVES IN THE RELATIONS BETWEEN THE UNITED STATES OF AMERICA AND CHINA

Dobromir Dobrev

ABSTRACT: *Interesting relations of the United States with China in the context of its rapid economic development in recent years. The rise of the former "empire under heaven" led many analysts to talk about the end of unipolarity and the emergence of a new centre. Last tendencies in their relations.*

KEYWORDS: *new centre, China, United States, Trump.*

The relations between the USA and China are quite interesting in the context of its rapid development in the last years. The rise of the former "empire under heaven" led many analysts to talk about the end of unipolarity and the emergence of a new centre. In the last months the presidential campaign in the United States and especially the rhetoric of the newly elected president Donald Trump laid the bipolar relations on a new plane. Some said the thaw in the relations with Russia will be accompanied by a cooling in the relations with China.

China has a centuries-old history and an imperial tradition that should be taken into consideration when viewing its contemporary perspectives. It is no accident that Henry Kissinger opened his book *On China* emphasizing on its traditional central role in the region.

"Even when China was weak or divided, its centrality remained the touchstone of regional legitimacy; aspirants, both Chinese and foreign, vied to unify or conquer it, then ruled from the Chinese capital without challenging the basic premise that it was the centre of the universe. While other countries were named after ethnic groups or geographical landmarks, China called itself *zhongguo* — the "Middle Kingdom" or the "Central Country." Any attempt to understand China's twentieth-century diplomacy or its twenty-first-century world role must

begin — even at the cost of some potential oversimplification — with a basic appreciation of the traditional context¹.

When talking about the context of tradition we could not neglect the teaching of Confucius (551 – 479 B.C.) that served as a basis of many Chinese characteristics. His philosophy influenced the development of traditional Chinese respect toward hierarchy and the desire for social harmony. Focusing on studying, the pursuit of perfection and self-control gave a new direction of the Heavenly Kingdom. In the 2nd century B.C. the philosophy of Confucius was recognized as the official state philosophy and still has its influence notwithstanding the years of Communism and ideological repressions.

The Chinese self-confidence built for centuries, though not ostensibly demonstrated, should be taken into consideration when analysing its relations with the West. If focusing on the relation between the United States and China, we could say that they came to a deadlock after WWII. It was not until 1972 that those relations became more intensive as a result of Richard Nixon's visit to China and the endorsement of the so-called Shanghai communique.

In fact the communique agrees on the ideological differences and the contrary direction of development that both countries have. The common contradistinction of the hegemony in the Asia-Pacific region is very interesting. This thesis is clearly directed to the USSR's policy of expansion that united the American and Chinese interests.

It could be said that one of the reasons for China to seek contact with the West is the fear of “the Brezhnev doctrine”. In 1968 during the rule of Leonid Brezhnev, the USSR stated that it would use force if any Communist country “deviated” from the established path. Czechoslovakia understood the whole seriousness underlined in the Russian intentions and the Chinese leaders felt they could be the next brought back to the right path.

The intensive contacts with the USA presented China with the possibility to balance the conflict with Moscow.

„When threatened China would see to its security by balancing the surrounding states – which it regarded as barbarian – against each

¹ **Kissinger, H.** On China. S., 2012, p. 19.

other. A rule of thumb was that the distant barbarian was usually safer to deal with the one nearby. In 1969, it required no great acumen to divine that the principle threat to China's security was the Soviet Union, a million of whose troops were massing on China's borders; the principal question in Mao's mind was almost certainly whether the United States, the distant barbarian, would understand its own interests"².

Exactly this century-old pragmatism unlocked the relations with the USA that made progress in the coming years. The Russians had to consider the warmed American and Chinese contacts. The policy of President Nixon led by Kissinger was beneficial to the USA and China.

When mentioning Chinese pragmatism and the patient pursuit of goals, I would point out one curious example. During one of the conversation between the Chinese leader Mao Zedong and H. Kissinger in 1973 it was said: ... I say we can do without Taiwan for the time being and let it come after one hundred years. Do not take matter on this world so rapidly. Why is there need to be in such great haste?"³.

Mao's words regarding a core point of his foreign policy, namely bringing back Taiwan to China reveal a patient pursuit without letting go off the goal.

Similarly, without hurrying but consistently, the Chinese economic reforms were carried out. The beginning was put at the end of the 70s of the last century by the then leader Deng Xiaoping. The accent was put on decentralization of the economy and production of consumer goods. All this combined with the dispatch of tens of thousands Chinese students to Western universities became the official policy. It was not accidental that the Third Plenary session of the Central Committee of the Communist Party of China held in 1978 raised the Reform and Opening Up slogan.

It is necessary to specify that the above-mentioned economic liberalization was not accompanied by steps to make it a political one. This remained a characteristic of the Chinese changes in the times to come, market principles and a single-party socialist system of government.

² **Kissinger, H.** Years of Renewal. S., 1999, p. 120.

³ **Kissinger, H.** On, p.19.

Deng Xiaoping composed the famous 24-character strategy and directed it to his followers.

„Observe carefully, solidify our position, handle challenges calmly, bide our time, hid our capacities, desist from claiming leadership, take initiatives and make some accomplishments“⁴.

These are concise, clear and exact instructions the leader left as legacy before he retired. It is important to point out that they were written in the beginning of the 90s of the last century when China was far away from its magnificent economic successes. On the contrary, the country was in a political crisis following the cruel actions of the authorities against the Tiananmen Square protesters. The same could be said about the economic and political situation of the country at that time.

Deng Xiaoping was perspicacious enough to warn against the great dangers to his country that were to appear when the reforms turned the country into a factor of world significance. Undoubtedly, the rise of China was about to provoke reaction by its neighbours and globally.

Deng's words described the future we are witnessing at the moment. China's progress requires restraint and reason in the process of global relations.

After the Cold war ended, China, on one hand had chances to maneuver and break the traditional politics against the USSR and the agreements with the United States. The problems of the Soviet Union during the time of Gorbachev made the country pliable enough and willing to have a dialogue. Moreover, during his visit in China in 1989, Gorbachev asked his host for economic aid.

Undoubtedly, those events presented the Chinese foreign policy with new horizons.

On the other hand, after the first years of the fall of the Berlin Wall, the events in the Tiananmen Square and the fall of the Communist regimes in Eastern Europe, China's feeling of isolation increased. Protests in different Chinese town that had reached its zenith in the Tiananmen Square gave the feeling of instability and chaos.

⁴ There again, p. 382.

After the protests were crushed, the next step according to Deng was reaching stability. So, he wrote the following statement:

„Everyone should be very clear that, in the present international situation, all the attention of the enemy will be concentrated on China. It will use every pretext to cause trouble, to create difficulties and pressures for us. China therefore needs stability, stability, and still more stability. The next three to five years will be very important for our party and our country, and extremely important. If we stand fast and survive them, our cause will develop quickly. If we collapse, China’s history will regress for several tens of years, even for a hundred years“⁵.

It is logical to say that stability shall be followed by prosperity.

The last thing that Deng Xiaoping did in favour of the economic reforms was his tour in Southern China in 1992. Not holding any formal positions and thanks to his personal authority he focused the public support on liberalisation of the economy. The tour aimed at confirming the irreversibility of the reforms in China. It was a task that we could say was successful looking back at that time.

After his last engagement Deng Xiaoping withdrew from public life until his death in 1997. His Chinese model of Socialism that combined free markets and foreign investments with the single-party authoritarian government made China an influential factor in the global world.

At the end of the 90s, the reforms started to yield results and the GDP of the country increased by two-digit numbers. The political stability – a result of the peaceful rendering of the power in the hands of the new generation of Communist leaders also contributed to the new position of China.

The Chinese leaders from the beginning of the XXI century, the President Hu Jintao and the Prime Minister Wen Jiabao continued the market model and the consistent economy growth. The aims of the leaders were formulated as building “a society of harmony” and “a world of harmony”.

As for the ideology, we could say that the official Chinese authorities rehabilitated the philosophy of Confucius though not rejecting Marxism and Maoism. An indication for this is the

⁵ There again, p. 381.

establishment and financing of multiple Confucius Institutes that spread Chinese culture and traditions throughout many states. This “cultural expansion” symbolised the new self-confidence and role of China in the world. The monument of Confucius erected in 2011 not far from the mausoleum of Mao also serves as a typical example for the desire of the leaders to walk on solid ground.

As for the foreign policy, China adhered to the principles of peaceful development and world of harmony. There are no indications of a pursuit of becoming world leaders but at the same time Chinese leaders talk about “the perspective of global multipolarity”. It is an idea shared by the Russian foreign policy that gives the possibility of drawing the two former empires closer.

In relation to this, it is interesting to view China’s position toward the West and especially the USA whose dominance in the contemporary world has been beyond any doubt so far. If the United States is the superpower supporting a unipolar world, is this part of China’s understanding of global harmony? Do we need to trust Chinese statements of “peaceful progress” and “world of harmony” after we read Deng’s 24-character strategy? I will again remind a little part of it: ... bide our time, hid our capacities...”⁶.

Maybe China’s policy hides the deeply rooted imperial instincts of the reborn “Middle kingdom” and manipulates the international society?

Similar doubts are raised in unofficial publications, consistent with the nationalistic aspirations and calling for world leadership.

Official Beijing remains very careful in its foreign policy ambitions and sticks to the thesis for a world of harmony and mutually beneficial cooperation.

Kissinger thinks that the concept of a Pacific Community, similar to the Atlantic Community, established after the end of WWII would decrease the distrust in the region and especially the one between the United States and China.

„The concept of a Pacific Community – a region to which the United States, China, and other states all belong and in whose peaceful

⁶ There again, p. 382.

development all participate – could ease both fears. It would make the United States and China part of a common enterprise. Shared purposes – and the elaboration of them - would replace strategic uneasiness to some extent. It would enable other major countries such as Japan, Indonesia, Vietnam, India and Australia to participate in the construction of a system perceived as joint rather than polarized between “Chinese” and “American” blocs.”⁷.

Such visionary projects face many different obstacles in the process of their realization. The hope is that the last generation of Chinese leaders, the President Xi Jinping and the Prime Minister Li Keqiang, elected in 2013 share similar ideas.

Here is the place to mention that the newly elected American President Donald Trump keeps far from such visions. His statements during the pre-election debate clearly indicated that he would take measures for making serious changes in the relations with China.

The repeated Trump’s intentions for commercial protectionism seriously worried China. Undoubtedly, the obvious desire to have the production of goods and services back in the United States, would deeply affect China. If adding the intention of the newly elected President to impose considerable duties on Chinese goods, it becomes obvious that the bilateral relations are facing interesting times.

It is important to specify that Trump’s rhetoric could considerably change after his inauguration. His present activity in the social networks gives the impression of an impending conflict with China. For example, on February 3-rd, 2017, he wrote in Twitter: “China has been taking out massive amounts of money and wealth from the U.S. in totally one-sided trade, but won’t help with North Korea. Nice!”

This is not his only statement in this direction. But we can presume that as President he would be more careful not only with his statements but also with his actions regarding China.

Yet, there is a feeling for an impending change of the United States’ policy regarding the main opponents China and Russia. And though he demonstrates friendly feelings toward Putin, the signals that China receives are different.

⁷ There again, p. 458.

Are we going to witness a change of the rapprochement, achieved by Nixon and Kissinger as balancing the Russian expansion for something quite different, even opposite, namely, rapprochement with Russia as a counterbalance to the increasing Chinese influence...

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ACCIDENTS CAUSED BY TECHNOGENIC RISKS - NUCLEAR AND RADIATION ACCIDENTS

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ABSTRACT: *With the commissioning of the first nuclear power plant in 1954 and up to now there have been about 155 small and large accidents with nuclear reactors, accompanied by the release of radioactive substances into the environment. To the largest can be attributed the accidents in nuclear reactors at Windscale (England, 1957), nuclear power plant "Three Mile Island" (USA, 1979), NPP "Häme" (Germany, 1986), NPP "Chernobyl"(Ukraine, 1986) and the NPP "Fukushima – 1" (Japan, 2012). The consequences of these accidents affect the normal existence of large groups of people and lead to financial, material and human losses. It is therefore necessary to have a proper identification and definition of risk factors and hazards, as well as effective policy of the state.*

KEYWORDS: *Disasters, nuclear and radiological accidents, technogenic risks, protecting people.*

Introduction

The most common accidents are caused by human-induced risks resulting from the activities of existing sites and industrial premises (sites dealing with nuclear, radiological, explosive and inflammable materials, radioactive substances, industrial poisons and toxic gases), new industrial construction that demolishes natural ecosystems, and negative impact of preserved sites with potentially dangerous properties.

In this regard, the purpose of the report is as follows:

1. To classify accidents
2. To identify potential factors and dangers of occurrence of radiation and nuclear accidents in Bulgaria.

Exposition

The accident may be considered as a technological sudden failure of machinery, equipment and components, accompanied by suspension or a serious breach of the process, explosions, fires, environmental pollution, destruction, casualties or a threat to life and health of the population [1, 3].

In broad terms, the accident is a negative event of large scale, including roads, highways and air traffic, fire, demolition of hydro-constructions, accidents caused by activities at sea, nuclear accidents and other environmental and industrial accidents caused by activities or acts of man [2, 5].

A radiation accident means violating the boundaries of safe operation in which radioactive products or ionizing radiation extend beyond the limit norms and the normal operation of systems containing ionizing radiation sources and equipment has to be stopped [8].

Nuclear accident is an accident involving the release of radioactive substances into the environment or potentially dangerous exposure of personnel or the population caused by loss of control and management of the fission chain reaction, formation of critical mass violations, of heat removal from irradiated nuclear material or damage of nuclear material, including nuclear fuel [4, 6].

Accident classification:

1) By origin, accidents can be divided into several groups [9]:

- by place of occurrence - in manufacturing plants and business objects (related to violation of the technological process, formation of explosive mixtures and fires with the release of industrial poisonous and toxic substances), during transportation of chemicals and their storage;

- by type of hazardous substances - toxic, flammable, corrosive, explosive, dangerous for the environment (flora and fauna);

- by type of consequences - short-term, mid-term (up to several days or several months) and long-term (several months to several years or more);

- by the type of the accident effects - if there is or isn't any impact on other systems and activities;

- by scale of accident - within the workplace, within the enterprise, outside the enterprise (in case the damage is inflicted on the population, environment, businesses close, infrastructure, etc.).

- by the possibility of elimination – is it possible or not to liquidate the accident or the consequences.

2) accidents in NPPs with destruction of production facilities and radioactive contamination of the territory;

3) accidents at nuclear systems of research centers with radioactive contamination of the territory;

4) accidents at dangerous chemical enterprises (sites) with disposal (pouring) into the environment of hazardous chemicals;

5) accidents at research centers engaged in developing, processing, storage and transportation of bacterial agents or other biological substances that include spreading into the environment;

6) accidents in various infrastructure systems and sites with casualties, requiring the conduct of rescue operations;

7) hydrodynamic events (destruction of dams and facilities, breakthrough in large dams and dykes);

8) accidents along pipelines, causing a large discharge of transported substances and environmental contamination;

9) explosions at military installations and other dangerous systems of the industry;

10) accidents on the water communications, causing casualties, the contamination with toxic substances on water areas of ports, coastal areas and inland water bodies;

Danger of nuclear and radiation accidents

Despite stringent security measures for the operation of various types of nuclear reactors and the availability of automated control systems, control and protection practice shows that it is possible to occur situations that are accompanied by accidental release of radioactive substances into the environment.

A radioactive substance is a substance that contains one or more radionuclides, which activity or concentration of activity cannot be neglected from the standpoint of radiation protection.

Radioactive contamination could occur when there is [7, 10]:

- accident in NPP "Kozloduy", accompanied by the release of radioactive substances into the environment;

- cross-border radioactive contamination following a nuclear or radiological emergency in other countries;
- accidents with vehicles (cars, railway cars, boats and aircraft) transporting radioactive materials;
- accident in facilities using and/or storing sources of ionizing radiation and radioactive materials.

The most common causes of accidents at nuclear plants may be [9]:

- instantaneous increase of the power of the nuclear reactor due to the strong acceleration of the chain reaction, and overheating of the fuel elements. This will lead to uncontrolled degradation of the nuclear fuel (blast), wherein the effects, even in case of accident with reactor of small power, are unpredictable;
- steam explosion in reactors with primary circuit of water - water type. Due to the very high temperature to which the steam is heated in the reactors using water, it is possible under certain conditions, to occur destruction of water to hydrogen and oxygen.
- hydrogen is easily ignited and exploded, which will cause extremely severe damage to the reactor system;
- occurrence of fault in the system regulating chain-nuclear process.

Even though management of the control mechanisms is duplicated and can be done automatically or manually, under certain conditions this process could be blocked, and could dramatically increase the power of a nuclear reactor;

- incorrect design and technical solutions in the construction of a nuclear power plant;
- insufficient expertise of engineering and technical personnel conducting periodic maintenance of reactors;
- occurrence of failures in the systems for automatic protection and control;
- serious errors made by the operators of reactors;
- occurrence of natural disasters such as earthquakes, floods, fires and others.

The greatest danger comes from earthquakes, especially in areas that fall within the so called seismic zones. In case of strong earthquakes

near a nuclear power plant reactor, the individual links of the reactor complex may be destroyed and massive concrete debris to fall into the zone of the reactor upon demolition of the power units, and thus to cause steam explosion.

An *International Nuclear Event Scale* (INES) was established. Its purpose is to inform about the importance of the accidents that occur in nuclear installations. The scale is applicable to events at all nuclear installations, associated with the nuclear industry for peaceful purposes, as well as events in the transportation of nuclear materials to and from these installations.

Events that are classified on this scale (Table 1) refer only to nuclear safety and radiation protection [9].

Table 1: International Nuclear Event Scale

Level №	Criteria	Impact outside NPP
7. Severe accident	Large external release of radioactive materials, transfrontier pollution.	Acute and / or shorter illness, long-term consequences for the environment.
6. Major accident	Significant external release of radioactive materials.	For limiting the consequences, the full implementation of the emergency plan is required.
5. Accident with danger outside NPP	Confined external release of radioactive materials.	For limiting the consequences, partial implementation of the emergency plan is required.
	Severe damage to nuclear facilities.	
4. Accident without danger outside NPP	Small external release, the maximum radiation is within the permissible norms.	Protection measures other than local food control not required.
	Significant damage to nuclear facilities.	
	Serious over-exposure of some of the staff.	

Level №	Criteria	Impact outside NPP
3. Serious incident	Very weak external release, the maximum radiation is below the permissible limits.	Measures not required to protect population and environment.
	Contamination of the site and significant over-exposure of some of the staff.	
	No more reserves in the safety systems.	
2. Incident	Local pollution and slight over-exposure of some of the staff.	
	Failures in some of the safety systems.	
1. Anomaly	Deviation from normal operating mode.	
0. Below the scale	No effect on safety.	

The events graded on this scale must necessarily be registered and immediately reported to the International Atomic Energy Agency, and yet to be disclosed to the population from potentially affected areas. Events that have no comparison to safety are classified "out of scale" and shall obligatorily be announced.

Although the purpose of the scale is for analysis after each accident, there are cases which require analysis and information for a longer period of time. This is necessary to assess the extent of the consequences of the event. In such cases is given a preliminary rating with confirmation at a later date.

In an accident in NPP, the factors that have effect in the site area and among population are: steam explosion, penetrating radiation, radioactive contamination outside the nuclear power plant and the sanitary protection zone.

In an accident in the nuclear reactor of NPP "Kozloduy" or at NPP "Black Water", depending on the meteorological conditions at the

time of the accident, the release of radioactive substances into the environment can result in:

- radioactive contamination of part of the territory, contamination of food, water, feed and animals in the affected areas;
- exposure of some of the population;
- contamination may affect different parts of the districts of Silistra, Ruse, Dobrich and Varna (if accident at NPP "Black Water") and territories in the area of emergency protective measures around NPP "Kozloduy" (30 km radius);
- fire, explosion, chemical reagents, etc., which to further complicate the situation.

Conclusion

To protect and reduce the effects of radioactive contamination (if an accident in a nuclear reactor) part of the country, as well as exposure of part of the population, it is necessary to take certain preventive measures and rescue activities. The main legislation regulating the prevention, rescue and emergency recovery activities in case of emergencies are: Law on Disaster Protection, National Program for Disaster Protection, Strategy to reduce disaster risk, National Plan for Disaster Protection and the ensuing legislation (regulations, rules, etc.).

In recent years there has been a trend of increasing the number of attempts at malicious use of radioactive sources, and for terrorist purposes (terrorist threats related to chemical, biological, radioactive and nuclear materials).

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STUDY OF RISK - UNCERTAINTY AND INDEFINITENESS

Donika V. Dimanova

ABSTRACT: *Risk is one of the most important categories that express the level of danger to certain situations in which there are factors adversely affecting human society and nature. This category is used in many sciences such as: social, natural, mathematical, medical, technical and military. Depending on the subject and the object of study each of these sciences has its own specific methods for analysis of risk. The study suggests the risk revealing its essence, elements, characteristics and internal contradictions [5].*

KEYWORDS: *Elements of risk, risk factors, uncertainty, indefiniteness.*

Introduction

The contradiction of risk is based on the clash between objectively existing risk activities and their subjective evaluation. Undoubtedly, with the introduction of innovative ideas and new technologies, accelerating technical progress, a feel and mood of conservatism, dogmatism and subjectivism appears in society.

There are two approaches in risk perception - approach of individuals and approach of professional managers. Most people associate risk with a threat or a waste of money, and because of that it is perceived as a negative impact on personality, losses or lost profits. Professional managers do not perceive risk as a negative phenomenon but on the contrary. They view risk as the uncertainty if the expected results related to certain goals would be achieved. For them, risk may be defined as the degree of certainty or uncertainty of realizing the expected future performance through the expected future return.

Over time, the term “risk” is entering widely in all spheres of public life by expanding and crystalizing, depending on the area in which it is used. Each person, depending on their experience and

environment in which they develop, have a different idea and attitude to risk. Different types of activities and professions define the term “risk” in different ways.

In this regard, the purpose of the report is as follows:

1. To analyze the nature, the elements and the factors of risk.
2. To analyze the relationship between indefiniteness and risk.

Exposition

The term “risk” is contradictory, hence the wide variety in interpretations and definitions for it.

The word “risk” comes from the Arabic “risq” - something that is given to man from God and from which he can derive profit (opportunities). The elements are: conditionality, externality of risk, impact on man.

In Bulgarian language “risk” is adopted from French and has three meanings: a possible danger; possible loss of a commercial transaction in currency or credit transactions; action at random in hope of success.

Most people associate risk with danger and threat, that is why in many definitions it is described with negative implications.

In the field of safety and labor protection it is generally accepted that risk has only a negative side, therefore management strategy is prevention and potential damage limitation.

Risk is the likelihood of leakage of adverse event or development related to human activity that is subject to rationalization and management [4].

In ISO standards [6, 9, 10], related to risk management, the following definition of risk is adopted: “Risk is related to the effect of uncertainty on objectives”.

The most significant of risk awareness in these standards is as follows:

focus changes from the event (something to happen) to the impact, effects, consequences;

risk relates to the impact on the organization's objectives, i.e. objectives are the starting point in managing risks;

risk is an event or process that can affect the organization's goals both negative and positive;

risk features and "is measured" by the consequences and likelihood of these (and not some abstract, unrelated to the purpose of the organization) effects to occur;

risk is not only a possible emergency and intensive as change and scale event, but can also occur in slow development (cumulative) or as a consequence of chronic situations and circumstances.

Of the many definitions in literature, the essence of risk can be defined broadly as: possible adverse deviation from the desired and expected outcome of the implementation of management decision or action due to the multiplicity and indeterminacy of the factors of the environment in which the activity takes place, creating objective prerequisites for hazard.

Disclosure of risk is a determination of the probable dangers (through their quality characteristics) in the process of realization of a particular decision. Essentially disclosure of risk is a description of all the abstract possibilities for something unwanted, bad or fatal to happen.

Quality characteristics reflect the overall performance of the hazard, its relative stability and certainty, the factors that influence its implementation. The relative stability and certainty of hazards in turn make it possible to measure risk and to affect it by controlling the results of this impact.

Under conditions of uncertainty or lack of information, different approaches could be applied to explain complex natural and social phenomena. Preferably, these are approaches that use the logical scenario for the connection between events. Through them could be described logical and probabilistic risk function, and with greater precision to calculate its probability.

In general, the detection of risks includes solving several relatively independent problems [8]:

- identification of abstract possibilities to happen an adverse event;
- description of the harmful consequences of a possible occurrence of an adverse event;

- explanation of the reasons that could lead to an adverse event, which in turn can be a cause of harmful consequences;

determining of fixed factors and variable ones, and how to exercise appropriate monitoring and control over them;

systematization of principles, indicators and metrics objectives, that manifest the process of transforming abstract chances of happening of an adverse event into a real opportunity.

For risk elements are considered [1]:

probability of risk event;

frequency of occurrence of the risk event;

effect (negative) from the occurrence of the risk event;

relative importance compared to other risks;

exposure to risk - defined as the combination of likelihood and impact of occurrence.

An essential element of the procedure for disclosure of risk is determining the factors that influence it. These are real activities that affect or are able to influence the course and content of the processes, relevant to the specific risk.

As it is known [6], risk factors are situation, event, action or process, which may lead to the occurrence of individual risk. They are of paramount importance in making decisions on risk management.

Vladimir Tomov [7] divides risk factors into manageable and unmanageable, deterministic and stochastic, significant and insignificant. Manageable ones vary within certain limits and are maintained at a certain level, whereas with unmanageable ones it is impossible. In turn, unmanageable factors are further divided into controllable and uncontrollable ones. The controllable ones can be measured and evaluated while the uncontrollable can't. Occasional factors can be of different nature, have different forms of impact and various randomly varying characteristics. Deterministic are constant over time. Significant factors have a significant influence on risk whereas insignificant ones have minor.

Risk factors are determined by the analysis of political, economic and financial policy of a country or society as a whole.

When analyzing the external environment, it is customary to distinguish factors that directly impact and factors with indirect effects [2].

- factors of direct impact – these include such conditions that directly can affect the organization. For most organizations these are: suppliers, customers, competitors, the State, contract audiences.

- factors of indirect impact – they create the general conditions for the activities of all organizations and in most cases do not occur immediately. To the factors of indirect impact are assigned general economic, political, social, scientific and international conditions that affect the operations of the organization and its results, and should be considered by managers in developing and making long-term and strategic decisions.

The study of risk factors is a complex and demanding task, since in different environmental conditions same factors have different effects - some of the essential factors may turn out to be insignificant, and other factors negligible or vice versa. It is necessary to know the mutual relationship and influence between the various factors by which links between absolutely unrelated events are established. So the risk factors suggest consideration of past and present, allowing to examine and evaluate the resulting qualitative changes [1]. Proper identification and definition of risks and threats is a criterion for good security status.

Summarizing research on the nature of risk, one can formulate its main points [3]:

- uncertainty – objective condition for the existence of risk;
- need for decision making – subjective reason for the existence of risk;
- future – source of risk;
- value of loss – main threat of risk;
- the possibility of loss – the degree of danger from risk;
- relationship “risk-return”– stimulating factor in decision-making under conditions of uncertainty.

For an explanation of the relationship between uncertainty and risk. Alexander Krutnik and Alexey Muravyev introduce the concept of “risk situation”. According to them, “risk situation” is a combination of different circumstances and conditions that create a certain atmosphere for some or other events. In this regard, the risk situation can be considered as a variation of the undefined situation where the occurrence of events is likely and may be determined

Risk and uncertainty are directly dependent. If there is information there is a state of risk. In the absence of information exist

conditions of uncertainty. The reaction of people in such situations and their subjective attitude to the uncertainty is a consequence of the manifestation of risk.

Uncertainty can be regarded as incomplete or inaccurate information on the conditions for the realization of an activity. Risk is possible and occurs only in times of uncertainty or when you do not know when and with what consequences it may occur. The uncertainty is a source of risk and ambiguity of unforeseen events, the occurrence of which causes chaos, disorientation, inability for adequate responses. As reasons for the emergence of uncertainty can be pointed out: spontaneity of natural processes and phenomena, natural disasters; randomness of events – according to the socio-economic and technological processes, under similar conditions, the same event could be true in a different way; the probabilistic nature of scientific progress; incomplete and insufficient information about the objects, processes and events; limitations of the material, financial, labor and other resources in making decisions and implementing them, and so on.

The conditions of uncertainty are determined by the fact that the systems in the process of its operation depend on several factors, allowing the classification of the following categories uncertainty [1]:

- during occurrence – retrospective, current and perspective uncertainty;
- by factors of occurrence – economic, political and natural uncertainty;
- uncertainty caused by external or internal environment;
- uncertainty arising from the existence of conflict – the strategy of persons participating in competitions, actions of competitors;
- the pricing policy of monopoly, oligarchy and others.

Economic uncertainty is due to both unfavorable and favorable changes in the country's economy as a whole. These are the uncertainty of demand, uncertainty of market proposals, poor predictability of market prices, the tax system, employment and unemployment, inadequate information about competitors and others.

Political uncertainty is due to the change of the political situation and the legislation affecting investors and organizations.

Natural uncertainty is a combination of natural factors and phenomena (climatic, meteorological, aerospace, environmental, etc.).

In practice, the types of uncertainty can hardly be distinguished, since they are closely interconnected.

The presence of uncertainty significantly hampers the process of selecting the optimal solution, and the failure to take account of uncontrollable factors in the analysis can lead to unpredictable results (substantial losses of economic, social and other nature). It is therefore necessary to study and analyze the uncertainty regarding the financial, trade, business, management and other activities.

For the first time Frank Knight determined the practical distinction between categories of risk and uncertainty in his work "Risk, uncertainty and profit" in 1921. When calculating risk, the distribution of the results in a group is known by a priori calculations or by studying the statistics of previous experience, while with uncertainty that is missing. This missing feature is often caused by the inability to perform clustering of cases because of the uniqueness of situations. An example to illustrate risk and uncertainty. If a box has 10 balls - 8 white and 2 black, the risk of pulling out a black ball has a probability of $1/5$. If you do not know the number and the color of the balls in the box, then the situation can be defined as uncertainty [5].

People are not able to anticipate the course of events to their end, and because of this, the problem of uncertainty remains open. This is of great importance to security, where risks and threats are related to the effect of factors for which there is no information or it is incomplete.

Therefore, to limit uncertainty, it takes a lot of effort, knowledge, experience and activities such as:

- previous experience at risk situations;
- observations, analysis and forecasts;
- computer programs for simulation models of the factors in hazardous environments;
- exchange of information between the institutions that make decisions in crisis situations;
- strictly adhered to legal principles and standards for safe working environment, nature protection, fair competition and more.

There are known three main parties in the characterization of the nature of risk – subjective, objective and subjective-objective.

The subjective aspect of risk is associated with choosing a particular alternative to calculate the probability of the outcome, the

uneven adoption by the individual of the risk for various psychological, moral, ideological and other features.

As known, the term "risk" reflects real-existing phenomena, processes, various aspects of the organization activities. Risk exists whether we realize its existence, or not, whether it is taken into account or not. Therefore, objectivity of the risk is due to the probabilistic nature of many social, natural and technological processes, the multiplicity of material and ideological relations between the objects of social and economic life.

Risk arises both from processes that can be defined as subjective, and processes beyond the control of the will and attitude of people. That is exactly what determines the subjective-objective nature of risk.

Conclusion

Since ancient times people knew risk and realized their dependence on natural and social forces. Interaction with nature and other people, coping with multiple dangers and threats, were the main source of uncertainty that connected man as a social being with collective lifestyle. It can be considered that from antiquity to this day, risk is the basis for most daring political, military, technical and scientific projects.

Drafting of a general theory of risk is impossible without evaluating the past - how different ideas occurred and developed, how they were connected historically and logically, and how they had proven in practice.

In modern society people are increasingly faced with new, non-existent until recently phenomena, such as [5]:

- deepening the gap between the countries, layers of society and individuals, regarding the adoption and use of new technological solutions;

- increasing synergistic effect of various innovations on the individual, society and humanity;

- the growing globalization of the economy and market interests where the risks in a single country quickly become a cross-border threat to many other countries.

Bearer of risk could be nature, society, technology and people. The study of risk and its management is subject to different sciences, using a variety of methods, models, algorithms, programs, and systems of analysis and evaluation.

To justify risk, the opportunities for success and failure must be balanced, and risk is to be taken only if their ratio is acceptable.

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PUBLIC ORDER AND PUBLIC SECURITY

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ABSTRACT: *The definition of “public order” and “public safety”, characteristics and features of public order and public safety, threats to public safety, public security and a need of change in the law enforcement and the legislative process.*

KEY WORDS: *public order, public safety, public security, law enforcement*

Society or human society is a large group of people, a community in which individual personalities interact mostly with other members of the group. Society is interdependent network of human relationships.

One of the most important laws of public life are: the stability and sustainability of the system, the social integration of people and constant interaction between elements of the general public and society with other forms of sociality. Social order is a fundamental condition for the existence of society in general and as such is highly dependent on the power and effect of its social management. All theorists accept the presence of conflict as normal and naturally condition of social life, but consider it as a major threat to social order.

Public relations as an attribute of public life and society are constantly evolving and allow to predict the behavior of other entities. Predictability is possible thanks to established rules governing these relations and indicating appropriate behavior by the stability and security of the norms accepted in society. Norms or proper behavior in society have different character. They can be formalized legal acts (laws, rules, regulations, instructions, etc.) for carrying out the government or be present in the traditions of society. The latter are called moral norms. The confrontation between the legal and moral

norms or giving priority to one or the other in the establishment of order in society may be a reason for conflict.

The term "*public order*" is difficult to determine because of the various aspects that can be incorporated in it. In Law Studies there is no single definition, although it is used in numerous acts of Bulgarian legislation. In the specialized legal literature attempts have been made for its scientific determination according to different branches of law - administrative, criminal or public. Most of the authors accept that "*public order is regulated by norms of public law system of social relations, ensuring public peace and public safety*" [1].

Public order should not be seen only as a concept of law. Usually it is associated with the functions and activities of state administrative bodies and administrations that support them. Nowadays the term is also associated with the activities of private security companies. Although their work is always legally regulated, they carry a number of managerial and organizational activities of keeping public order - management, logistics, maintenance, protection and security. In this regard, the concept can be seen in its connection to other social sciences [1].

During the 70-ies of XX century, in the People's Republic of Bulgaria the management of public order is an integral part of social management and unlike its other spheres (economy, culture, health, social care), theorists in the field of administrative law judge it there is limited time of action and after the depletion of the tasks of the socialist state, will die out and the state attribute "public order" because there will be no imperialism and anti-socialist classes and groups to violate that order. This utopian thesis is supported by the establishment of basic principles, methods and industries in the management of public order.

With the advent of democratic changes in Bulgaria after 1989 and the adoption of a new constitution in 1991, a number of legislative initiatives are taken, affecting the provision of public order. The definition takes place only in scientific studies, but not in the current legislation. Specialized literature confirms the view that public order should be seen in two meanings – as a state of social relations in the sphere of public order (in a broad sense), and as a legal category (in the narrow sense of the word).

In its *broad sense* the term "public order" is regarded as a state of the system of social relations, regulation of legal norms, social and

ethical, in which there is no real threat to public peace, rights and freedoms of citizens and the activities of state and non-state institutions or all interconnections and relations in society and its construction as a whole.

In its *narrow sense*, the term "public order" is regarded as regulated by norms of public law, and a system of social relations ensuring public peace and safety. Its definition is relevant to the work of the public order services, prosecutors and judges. The emphasis is on prevention and countering of specific crimes and administrative violations that threaten the public relations existing in this sphere.

The purpose of establishing and maintaining public order is the provision of personal and public safety, creating favorable conditions for the normal functioning of public organizations and events, labor and rest of the citizens, respecting their honor, dignity and public morality [2].

Closer to the concept of public order is the notion of public safety. *Public safety* is seen as a set of public relations, established in accordance with legal, technical, construction and other rules related to the use of objects and subjects representing increased danger to people and society as a whole, or upon the occurrence of specific conditions relating to natural disasters or other exceptional occurrences of natural, social or technological character [2].

Threat to public safety may occur when there are violations of operating rules of road, rail, aviation and other transport, construction, travel, maintenance and other work, in the operation of inflammable objects and devices, and also in handling weapons, ammunition, explosives, lethal poisons, reactive isotopes, means for color copying, computer systems and other objects and substances. Threat to public safety and personal safety of citizens may occur in violation of the established order of holding mass events in places unprepared for their conduct, untimely measures to ensure the movement of large groups of people, etc. Signs of a threat to public safety and personal safety of citizens inevitably resulting from natural disasters and other emergencies.

Real threat to public safety are criminogenic factors, criminality, but also criminal terror to representatives of public authorities, including the services of public policy, drug control and other

authorities. Among the threats to public safety are also illegal activity of political parties, movements, civil society organizations, including from fascist character, religious and similar groups, political extremism and terrorism, actions aimed at creating prerequisites for collective and mass violations of public order, disobedience to authorities and others. Public safety is threatened by road accidents, breakdowns, accidents, production of faulty vehicles, management of vehicles after consuming alcohol and drugs, vulnerability of personality and property from fires.

As a socio-legal categories covering specific areas of public relations, the two concepts *are characterized* by series of features defining the content of the activity of the public order in relation to maintaining these relationships:

- Public order and public safety relate to all citizens without exception from the moment of birth to the end of their life;
- Public order and public safety generally relate to the elementary activities and rules for human behavior. They are open, public and generally comprehensible to all;
- Public order and public safety are regulated both by legal and other social and technical norms (morality, customs, traditions, and even fashion);
- In the field of public order and public safety annually are carried out huge amounts of violations of law, calculated as many as tens of millions of cases. All violators of law, and they are a significant part of the population, are subjected anyway to forced action by the public order services;
- In the field of public order and public safety exists control of objects and objects of high risk: acquisition, storage, use, transportation of civil and service firearms, explosives and lethal poisonous substances, radioactive isotopes and others. Therefore, licensing and authorization activity of internal affairs bodies performing state supervision and control in this area makes it possible to prevent and discourage violations of established rules and thus to minimize the occurrence of severe consequences, associated generally with violation of relevant rules, standards and requirements.
- In the field of public order and public safety are constantly held mass public events with large concentrations of people in premises or restricted open territory, which often threatens

the health and lives of citizens and the normal functioning of the organization of the events. These events include political ones (rallies, marches, demonstrations), economical ones (protests, hunger strike), cultural and spectacular (concerts, festivals, days of the city), sports (Olympic Games, football and hockey games), religious and other mass events. Their implementation requires tremendous organizational work of the organs of internal affairs, attracting significant efforts and resources of the police to ensure order and safety;

- In the field of public order and public safety occur different group violations of order, riot, armed and unarmed conflicts, acts of terrorism. Often they are accompanied by killings, pogroms and burning of government and public buildings, residential homes, destroying of railways, bridges, long-distance electrical lines;
- Public order is connected with dangerous anti-social phenomena such as drug and alcohol addiction, prostitution and vagrancy;
- This sector is inextricably linked with emergency situations occurring in the event of natural disasters, fires, major technological accidents, catastrophies, epidemics which threaten the health and lives of citizens and requiring conducting of rescue and restoration work [1].

These features of social order and public safety clearly demonstrate the importance and timeliness of this sphere of activity of the services of public order and mostly determine the content of their law enforcement functions and powers.

In modern times, adopting a considerable part of the terminology used in the acts of the European Union, in the Republic of Bulgaria is considered a new concept – *"public security"*.

Public security is defined as an aspect of quality of life, a way of being, in which people as individuals or collectively, are exempt sufficiently from a number of real or anticipated risks posed by crime and related behavior, can deal with the consequences of such incidents quite well, which anyway can happen to them, and if you are not able to cope alone, you get help, for example through special support for

victims of crime or through insurance. Public security is provided mainly by the police administration of each State [1].

Like any European police administration, that of the Republic of Bulgaria seeks to achieve certain key goals related to ensuring public safety and public order.

Basic objective of ensuring public security can be detailed to appropriate targets such as ensuring the constitutional rights and freedom of citizens, their personal safety; protection of political, economic and social interests; just law enforcement; prevention and detection of crime; control of state borders.

Basic objective of ensuring public order can be detailed to appropriate sub-targets, such as ensuring public peace and public safety. Each of these sub-targets can also be detailed to other sub-targets.

In the theoretical aspect, the ensuring of public order can be subdivided into appropriate sub-targets such as ensuring public peace and the conditions for normal work of state and public organizations; maintaining a state of personal peace of citizens and ensuring the peaceful coexistence in settlements.

Ensuring public safety can be divided into respective sub-targets such as ensuring the safety of traffic; ensuring safety for activities involving hazardous devices; ensuring safety in the presence of terrorist activity; in the event of epidemics, epizootic, in terms of major industrial accidents, natural, public disasters and mass events.

In the public administration system, each of these sub-targets is assigned to certain legislative bodies of executive authorities and the administration assisting them. To achieve them, they should provide efficient public services to society and citizens. Such a public service is ensuring public order. Central executive authorities with tasks to carry out government policy for the preservation of public order and territorial authorities are responsible for its enforcement [3].

The lack of legal and common legislative definition of "public order" implies ambiguous understanding of it by law enforcement and judicial authorities in the country, which, in turn, creates conditions for the occurrence of errors or speculation in law enforcement and carrying out violations of public order precisely by those who have to keep it. It is necessary to give maximum freedom to the degree of judgement of the executive and the judiciary authorities in ensuring public order.

Currently valid regulations adopted by municipal councils do not cover the commitments of municipalities, as agents of the executive power locally, to the preservation of public order. There is obligatory need for reviewing and supplementing municipal ordinances so that they cover absolutely every aspect of public life in their respective communities, with particular attention to be paid to the smaller settlements, especially those in which there is no mayor and town hall, a deputy mayor only. The problems in the country in recent years confirm the thesis of the ineffectiveness of municipal administrations as part of the executive power in the Republic of Bulgaria, in providing the service "public order". This imposes the necessity of legislative change affecting mostly mayors, deputy mayors and inspectors of public order, assigned to the respective small town halls, and giving them police powers to reach the common goal of providing and protecting the public order.

NGOs and citizens, as subjects of society, participate in the relations arising in connection with keeping public order. It is recommended that the legislature assign responsibilities and control functions in following and keeping safe of public order. At the same time we must continually bring up and develop among members of the society, and especially among young people, socially acceptable types of behavior – respect for legal standards, but also respect for and following the rules of good manners

Public order is a value that holds the integrity of society. Therefore any attempt to breach it must be crossed with proportionate measures by law enforcement authorities and citizens.

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PARLIAMENTARY CONTROL OVER SECURITY SECTOR

Hristo A. Hristov

ABSTRACT: *The Parliament influences on the system of National Assembly throughout active mechanisms including co-working in the process of security policy making, drafting and adopting national security strategy, military doctrine and laws that establishes the building, structure and the principles of functioning of all national security's elements. Besides, all the time, the constant monitoring has been made.*

KEYWORDS: *sector of security, parliamentary control, national security system, National Assembly, national security policy, parliament, parliamentary practices and parliamentary mechanisms*

According to article 1 paragraph 1 of the Bulgarian constitution Bulgaria is a republic with parliamentary form of government. This means that National Assembly is an institution that adopts laws and exercises parliamentary control on activity of executive power.

National Assembly passes laws, resolutions, declarations and statements. Laws and resolutions are binding force for all state structures, organizations and citizens.

Authorities related to the national security of National Assembly:

1. It negotiates the declaration of war and conclusion of peace.
2. It allows the deployment and use of Bulgarian armed forces abroad when they do military or military and political tasks.
3. It can pass martial laws or announce a state of emergency on the entire territory of the country or a part of it when the President or the Council of Ministers presents a motion.

4. It adopts with resolution the strategy of national security and the military doctrine when the motion of the Council of Ministers is provided.

5. It passes long-term programmes about armed forces' development.

6. It passes those funds of the state budget that are needed to guarantee the national security and the defence of the country.

7. National Assembly defines the number of Bulgarian armed forces when the Council of Ministers tables a proposal related to that question.

8. It provides the necessary legislation connected with creating martial or other formations for civil protection and for implementation of humanitarian tasks related to disaster and accident protection.

9. It exercises parliamentary control on activities connected with the security of the country and that control is stated by the constitution.

The Parliament controls the system of National assembly through active mechanisms that are taking part in the security policy formation, developing and adopting the strategy of national security, the military doctrine and also the laws that lays down the design, structure and principles of separate elements' of national security functioning. Besides, the Parliament does constant monitoring on the system of National Assembly.

The politics of national security is a basis for the government's approach for the security and expectations related to how exactly this security will be provided. The policy of national security includes fundamental decisions for security system with influence up on internal and external security. It's based on the concrete approach of the security providing guidance about developing strategy for National Assembly as well as military doctrine and also it's developing into frames of national standards and international negotiations that the country takes part in. In such a way it is based on the perceptions of necessities and priorities of the national security but it is also influenced by several external factors, requirements and obligations. In all cases the policy should conform to values and principles approved by the constitution.

From the point of view of parliamentary participation the debate about national security policy shouldn't be a single event but a process consisting of these four phases: elaboration, taking a decision, implementation and assessment.

The parliamentary practices and mechanisms enforced by the system of National Assembly.

General: a legislative initiative; supplement, amendments or rewriting laws; interpellations to the representatives of the executive power; summoning the representatives of the executive power as witnesses in the Parliament; summoning civil experts as witnesses in the Parliament; summoning military men and citizens as witnesses in the Parliament; summoning civil experts as witnesses in the Parliament; receipting documents from executive power; instituting and holding parliamentary inquiries and investigations; hearings.

Security policy – the right for endorsement and rejection: national security strategy; a concept for crisis management; military strategy/ doctrine; laws related to national security.

Budget control: access to all budget documents; right of inspecting and changing the budget resources allotted for security; budget control on programme, project and separate deliveries' level; right to carry or reject each additional budget proposal in the field of security.

A right of the Parliament to approve or reject a proposal about mission participation and dislocation out of the country territory: participation in the taking-decision process before sending the troops abroad; defining the mandate of the mission; secure the mandate for the United Nations; mission financing; defining the risk for military men that take part; defining the rules for strength usage; defining the command relations; defining the duration of the mission; the right to visit the troops that participate in the mission.

Shipments: it's an obligation of the executive power to inform the Parliament about the decisions for deliveries; a right to approve or reject contracts; inspection on the following phases of buying the stock: specifying the need for new equipment, making a comparison and then choice about a producer, assessment of the proposals for compensation and off-set.

Cadres insecurity/defence: a right to approve or reject personnel plan; a right to define the amount and limit of resources for

staff; a right to approve, reject or make a statement concerning a senior military appointment.

Investigation on the issues of security:

a) Establishment of parliamentary commission of security/ defence that can concentrate the investigation and the knowledge of its members on security problems. The Parliament may discuss the commission's separation into several separate commissions that should be responsible for the shipments, staff matters, the budget and the operations.

b) Participation in national and international seminars, school trips, visitations in the objects of security sector and short preparation courses for parliamentary members. This may also include briefings of the parliamentary members who visit the national troops that take part into peacekeeping missions.

c) Changing experience and practices between parliamentary members from different countries, for example during sessions of international parliamentary meetings.

d) Well-prepared and sufficient number of professional employees that are entered on the pay-roll in the Parliament.

e) Ensured access to specialized and well-maintained libraries and investigation centers including access to electronic databases.

f) Guaranteed access to advices of non-governmental external experts, for instance universities, association of retired officers, etc.

g) Access for parliamentary members to international and regional contracts translated into national language in the field of security, to information about ratification process and to documents of organizations, if there are available, examining the contracts' performance.

h) Annual choice of two or three topics related to the security sector that should be scrutinized by sub-commission.

i) Forming the group constituted by parliamentary members from all parties who have common interest on security/ defence issues and that group can be used as informal opponent.

Parliamentary mechanisms.

Each system of laws gives to the Parliament various mechanisms for access to information that is needed to control the policy, administration supervising, personal protection, identifying and

repealing abuses and injustices. Furthermore, the parliamentary members can use and develop informal methods that can be suitable addition to constitutional and legislative contrivances and mechanisms.

Legislative opportunities of the Parliament to get information from the government and to influence on the system of National Assembly: parliamentary debates; parliamentary interpellations; parliamentary inquiries and investigations; hearings in the commissions; presentments of departments, ministers and white papers.

Parliamentary debates on security issues.

Parliamentary debates on security issues are key opportunity for changing opinions and gathering important information about the facts and the intentions of the government. In general terms, the parliamentary debates on the overall policy and concrete security questions are used in five types of situations:

- after submitting the draft budget for security sector;
- during the progress of official and informal investigations concerning responsible ministers, for example the minister of defence or minister of foreign affairs;
- in connection with national review on the defence, presenting the white paper for defence or other basic document regarding security problems;
- in relation to parliamentary programmes that are usually announced after elections;
- in relation to each concrete question that requires a parliamentary debate, for example public exposure, important defiance for security or accident.

Parliamentary interpellations connected with the security.

Interpellations (verbal or written) are a part of the public function of the Parliament and they are one of the widely used parliamentary procedures for controlling the government actions.

Considering this important function, interpellations can have dramatical contribution to the effective control of the security sector. As regards security, interpellations usually:

- give the parliamentary members opportunity to get timely, accurate and up-to-date information about government policy regarding the most important questions for state security;
- help the parliament to control the enforcement of the endorsed laws in regard to the security;

- attract the public attention to the security issues especially when the inquiry is verbal and the mass media broadcasts it or other transmission is used, for example a national official bulletin;

- contribute to the reorientation of the political agenda of the government regarding the security problems;

- give the opponent parliamentary members opportunity to discuss questions on security problems that they are interested in and questions that don't exist sufficient information for.

Parliamentary inquiries and investigations.

In addition to their role in the legislative process, the parliamentary commissions take part in the effective surveillance on the governmental policy. The government's activities can be supervised through interim mandate engaging more than one commission which activities usually end with information report publication. When there is specialized parliamentary investigations the Parliament should have the authority to summon that is typical for judicial investigation.

Basic advantages and characteristics of the inquiry commissions.

The inquiry commissions committed with security problems have the specific importance and many advantages:

- Their establishment can be considered especially by the society as positive political signal.

- They can be an adequate contrivance for scrutinizing appreciable political questions regarding security sector.

Potentially they permit the precise assessment of the governmental policy in regard to one concrete security problem and proposals, when this is suitable, about ways for a change that can be passed by the whole Parliament and the government.

Security sector is a very significant component that provides information concerning state security and society protection in order to defend their vital interests. Although the institutions of the security sector are mainly in executive power subjection, the Parliament takes a significant place in regard to the control of their activity.

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APPROACHES ABOUT DEFINING THE NATURE OF „CONTROL” CATEGORY

Hristo A. Hristov

ABSTRACT: *Each country pursuits its own activities on the basis of certain legislation and definite standards of conduct but at the same time if they're infringed, sanctions are imposed.*

Control is an activity through which the information about attitude and norms of behavior laid down by existing legislation is being gathered and the courts of tribunals defines the size of the imposed sentence towards extent of these breaches and their social impact. In connection to this the subject of this report is the approaches about examining the nature of „control” category.

KEYWORDS: *sector of security, control, etymological approach, characteristics, a subject and an object of control, a structure and functions of control*

Each country pursuits its activities on the basis of certain legislative rules with definite norms of behavior but at the same time it uses sanctions if there are infringements.

The control at the security sector is an activity which furthers gathering information about attitude and behavior of norms laid down by the current legislation and depending on the degree of these breaches and their social impact, judicial bodies determine the size of the sentence. In connection to this the subject of this report is the approaches about examining the nature of „control” category.

1.1. Etymological approach.

According to this approach clarifying the nature of control is accomplished by the origin of „control” concept.

The etymological origin of control comes from French word „**contrôle**” that means check-up.

The meaning that is given when the concept of control is used is often associated with:

a/ verification, object or process verification with aim to find out that they are in good working order;

b/ an institution, an authority or section that verifies.

In practice the concept of control has broader content than the concept of check-up. Usually the check-up is considered as checking something that is a part of the whole entity and control is considered as checking something completed and finished like the whole entity. In more cases the control is permanent and covers all the objects while the check-up takes in only some of the objects or their parts at strictly defined time. The control uses all possible contrivances to determine objects' condition and admitted deviations while the check-up uses only parts of them.

1.2. The control as public relation.

Control is an authoritative public relation and depending on the definite historical and social conditions, it can be carried out by special institution, specialized agencies or realized as a function of social management.

The advent and development of different kinds of control in science and practice is attended by the development of the country and the society, their structures and their pursuits of maintaining institutional environment that should be oriented to national interests' fulfillment.

Each country carries out its activity on the bases of certain legislation and also defines the judicial bodies. The law defines the norms of behavior and it prescribes definite actions in order to observe these norms, but at the same time it sets sanctions if they are contravened.

The control is an activity through which the information about attitude and behavior of norms laid down by the law, regulations, instructions and other written rules is being gathered and depending on the degree of the violation and their social impact, the judicial bodies choose the amount of the sentence.

Because the main social function of the control is keeping the set balance state of the social system the control has definite and very important regulatory and defensive character. Its defensive role concludes in orientation of control influence to guard legislatively protected social relations, to define and eliminate those effects and relations that are extrinsic and harmful to these relations.

The control has compensating and sanctioning character. In relation to sanctioning element in certain cases the control has also preventive character. Often the fact that there is a control mechanism working constantly and precisely stimulates well- and accurate performance of given tasks and preserves from omissions, mistakes and other discrepancies at work.

The control over administrative deeds and actions is a serious guarantee for democratically built and effectively functioning administration. Knowing the opportunities that the control gives to the administration derives twofold benefit.

First, it is useful for the administration itself, for authorities that use control as contrivance for feedback that shows directions and methods for work improvement and refining the structure of public administration.

On second place the control is useful for citizens and organizations that use administrative work and services and that are interested in improvement of public administration work that should provide them with suitable environment for establishment of their administrative rights and obligations and for protecting their legitimate interests.

1.3. The control as management function.

Basic management functions confirmed by practice: planning, organizing, coordination, regulation and control.

The character of management functions defines the opportunity for each social formation to set goals, organize their accomplishment, check and regulate the behavior of separate sub-systems and elements in order to achieve the end purpose.

Control is a combination of analytical and assessment activities through which the results are determined and the alternatives for changing the management influence are defined.

The control goes along with planning, discussing and taking-decision process in management as well as their performance. Control information assists in keeping up with divagation from definite norms of behavior of social information, passing judgement upon correctness and lawfulness of adopted decisions and taken actions and also it contributes to assessment ascertaining whether these decisions and actions reach the desired results.

Control is a necessary condition for assessment of old decisions and for taking the new ones in management. It is a factor for optimization and correlation between all other activities in management.

1.4. Structure of control as management function.

A. Elaborating and establishing norms.

A norm – a rule, standard, established order.

Norms are submitted to purposes of social information and have two important characteristics that are time frame and a definite criterion for measuring the accomplished amount.

Norms are quantitative and qualitative. Types of norms: time rate; standard of workmanship; quality rate; norm of rate savings; rate of growth and so on.

Choosing the norm depends on specifics of the certain activity.

B. Defining (measuring) the actual state.

In connection with measurement of the actual standard state the manager or management team should have the necessary information. It should meet definite requirements:

- Objective and accurate in presenting the actual standard state;
- Giving opportunity for juxtaposition - real data should be compared with existing norms;
- Appropriate in time;
- Minimum volume, but rich content;
- Giving an idea of the overall condition of the social formation or its elements.

Determining the actual state is carried out in two directions – on one hand the end result and on the other hand the characteristics of each parameter. This approach is compulsory for actual state assessment. In this way the control authorities will have data that describes the parameters of the end purpose, qualitative and quantitative characteristics for each control parameter individually. Thereby general

and concrete information will be formed that defines the place of each parameter while the end purpose is reached. Thus the actual state assessment obtains significance regarding further development of control process.

C. Comparing the actual state with accepted norms or standards

In such a way the difference between the current and beforehand planned state of social formation is made. It is crucial to what extent the taken results comply with norms/ standards and assist in achieving the purposes.

D. Determining the occurred divagations.

At this stage the disparities between two states of social formation (or its elements) are being defined and also it's decided whether the current divagations are favorable or negative.

E. Analysis and assessment of the factors causing these divagations.

At this stage the reasons for the differences are being detached and analyzed and information about corrective actions is being provided.

Characteristics of control.

Object and subject of control.

In general terms an object of control can be each system (natural-scientific; biological; technical; social with its specific structures as institutions, organizations, administrative or other units).

Because there is a similarity to a certain extent between object and scope of the control these two concepts are hardly distinguished and often used as synonyms.

The object of control is of crucial importance. It is the prime cause for the occurrence of the scope that depends on the type of the authority exercising control activity towards delegated powers and purpose of the control which is actually formed on this very basis. Therefore, the scope of one object will be different depending on the purpose of the control unit and the set goal. The controller (the review advisor) will check a definite object in order to assess legality and appropriateness of the current and last activity of the object while tax and customs authorities will check correctness as regards levying and

importing taxes and duties in accordance with adopted deadlines by laws and regulations.

The research for control nature is intrinsically linked to its subject. When the researchers are not accurate in their usage these two concepts are considered equal. The control contributes to practical achievement of the set goal while the subject of the control includes all connected with knowledge for control essential characteristics as forms, methods, contrivances that should be known by the subject of the control in order to define approaches when control actions on each object of control are taken.

Subject of control.

In more cases subject of control is the human being as creature that explores the outside world (object) and influences on it. Thereby the base of the control activity is the human perception, weighing up and taking-decision process in order to remedy the weaknesses and remove shortcomings that are situated in the objects of control.

The subject of control is considered as activator of the control activity. It is at the core of the emergence of critical attitude to eventual object. At the same time the subject defines the object that will be controlled. Therefore it should be considered as active element concerning realization of control process.

The human can be considered as subject of control when his desire to exercise control activity coincides with his professional duties. This moment is related to certain psychological motivation that develops into targeted control actions on the basis of definite theoretical and practical preparation. Therefore, forming the human as subject of control is a result of temporal relation including psychological mind-set, professional motivation and theoretical and practical preparation.

Besides theoretical point of view the subject of control can be examined from the institutional point of view. In this case the institution can be an office, social formation or other structure exercising the legal capacity to control. In order to examine these structures as subject of control two conditions should be available – they must be authorized with rights to control and have opportunities to execute the conceded power.

The authorizing is carried out by the act of public authority like law or government decree or by interim order of social formation and

thus the right for doing control actions from offices, social formations and individuals is formed.

Exercising the delegated power is carried out by appointing people with definite qualification, experience, knowledge and abilities towards the concrete control activity. The legal capacity is not considered as arbitrary actions, for example exceeding authorities but actions oriented to certain object comprising findings, assessments and forming the control influence.

The subject of control is closely interdependent with control object. It forms its behavior towards the concrete object that is not constant but changeable depending on changes in the object. Therefore, the subject changes towards development and this change is a function of the object change. The change in object is based on the change of public conditions in the country – political, economic and social. Because the subject of control serves the interests of society its development should be examined in historical plan and these interests are a result of social and political changes and within public interests the subject exercises the delegated powers for control actions.

Control functions.

The composition of control is defined by its structure and performed tasks in the management system. The basic control functions are feedback, educational function, defensive and influencing one.

A. Feedback

The feedback takes the most important place in the control system of functions. Feedback summarizes several activities:

►**retrieving information**– because of data-mining the control ensures on-going monitoring of the objects on the basis of information created by other information systems. In practice the control units use information gathered by accounting. There are other sources of information – accounting and non-accounting. Beside traditional methods and means retrieving information is possible in automatic way especially for information that is processed for the purposes of accounting, statistics, economic analysis, etc. The programming way ensures information retrieval considering the state and also the admitted deviations

►**information producing** – the information about deviations is produced in quantitative and qualitative manner. In essence creating

information about admitted deviations actually produces the new one that cannot be gotten by other sources. In relation to this it is needed to make inventories, interview witnesses, make laboratory analysis, expertise, etc. The accepted information by the specific contrivances and methods is used for importation of the adjustments in control objects' behavior.

►**information processing** – In order to take effective decisions the information should be processed through sorting, filtering and modification so that necessary regulatory measures can be taken. The information is inserted in final documents, findings are listed in strict order, documented, proved, etc.

►**provision of information** –the retrieved and systematized information is addressed and ready to use in the taking-decision management process. For that purpose the subjects of control makes assessments regarding information user, the way of information providing, terms of sending, etc.

B. Educational function.

This function comes to get her activities oriented to maintain dynamic balance in object behavior of management and control and management goals and strategy.

Actions characterizing educational functions:

►**criticism** – at its bases there are prerequisites for improvement of control activity, refinement of managerial authorities' work and rise of human mind.

►**self-criticism** – there are processes linking up subjects and objects of the control. It is particularly expressed under conditions of self-control.

►**training staff** – it is necessary because of the common and professional training of controlling authorities and individuals whose activity is an object of control.

C. Defensive function.

Its subject is predominantly proprietary interests. It's exercised by different units. The most rights are given to authorities of state control.

This function is accompanied by the following actions:

►**securement of payments** – in relation to this at the time of controlling control authorities can require and set a series of precautionary measures. These measures aim to remove the legal

opportunity of the people liable for the charge to dispose with moveable or immoveable property or parts of it.

➤ **recovery of receivables** – it's realized by the system of payment of compensation. In connection to this control units impose financial sanctions against employees, engross acts against employees, etc.

➤ **repressing guilty persons** – it's realized by the system of disciplinary responsibility, criminal liability or administrative and penal responsibility.

D. Influencing function

There is certain influence up on behavior of control objects. This function consists of the following actions:

➤ **defensive** – it is inegal and natural persons' interest favour.

➤ **precautionary** – the preventiveness is reached within definite directions or certain cases;

➤ **protective** – it contributes to carrying out some conditions and prerequisites. For example, recruitment system, securing some payment claims, control effectiveness, etc.

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TERMS AND CONDITIONS FOR PLACEMENT OF JUVENILES AND MINORS IN CORRECTIONAL BOARDING SCHOOLS AND SOCIO-PEDAGOGICAL BOARDING SCHOOLS

Silviya D. Saltirova-Radkova

ABSTRACT: *The present article deals with the issues of the juvenile delinquency and most specifically with two of the most serious correctional measures that may be taken in such cases. These measures are placement of the juvenile/minor in a correctional boarding school or in a socio-pedagogical boarding school. These measures may be qualified as the two most serious because in fact they are the only that restrict juvenile/minor's freedom. The purpose of the article is to clarify the terms and conditions for placement of juveniles and minors in those institutions.*

KEYWORDS: *juvenile delinquency, educational boarding schools, socio-pedagogical boarding schools*

Children are protected by the state and society. This text is enshrined in the Constitution of the Republic of Bulgaria (**Art. 14 of the CRB**⁸). It is implemented in the current legislation, e.g. **art. 1, para 1 of the Child Protection Act (CPA)**⁹, which provides that: “*The State shall protect and guarantee the fundamental rights of the child in all spheres of public life for all groups of children according to age, social*

⁸ **Constitution of the Republic of Bulgaria** (prom. SG. 56 of July 13, 1991, last amend. and suppl. SG. 100 of December 18, 2015).

⁹ **Child Protection Act** (prom. SG. 48 of June 13, 2000, last amend. and suppl. SG. 8 of January 29, 2016).

status, physical, health and mental condition, providing all appropriate economic, social and cultural environment, education, freedom of expression and security.”

Starting precisely from these basic principles, the Bulgarian legislator has provided special regime for juveniles and minors who have committed antisocial acts. This regime is regulated by the provisions of the Measures against Juvenile Delinquency Act (JDA)¹⁰, which provides that in such cases correctional measures will be imposed on juvenile and minor delinquents. Among the other correctional measures, the Act provides two measures that restrict the freedom of juveniles and minors. These are placement of juveniles and minors in correctional boarding schools (CBS) and socio-pedagogical boarding schools (SPBS).

1. Correctional boarding schools and socio-pedagogical boarding schools

The correctional boarding schools and socio-pedagogical boarding schools were established by amendments to the JDA in 1996. By the adoption of JDA (amend. SG. 110 by December 30, 1996, corr. SG. 3 of January 10, 1997) the titles of Chapter V was amended from “Labour Correctional Schools” to “Socio-pedagogical Boarding Schools and Correctional Boarding Schools”. Thus the Labour Correctional Schools (LES) were replaced by the CBS and SPBS. Since then the provisions of Chapter V of the JDA suffered another major change – in 2004 (SG. 66) and three partial changes – in 2009 (SG. 74), in 2013 (SG. 68) and in 2016 (SG. 59).

2. Terms for placement of juveniles and minors in CBS and SPBS

The procedure for placement of juvenile and minor delinquents in CBS and SPBS is governed by the provisions of JDA.

Pursuant to **Art. 13, para. 1 of the JDA** the following correctional measures are imposed on juvenile and minor delinquents as well as on juvenile and minor offenders who are released from criminal responsibility under **Art. 61 of the Criminal Code (CC)**¹¹:

¹⁰ **Juvenile Delinquency Act** (prom. SG. 13 of February 14, 1958, last amend. SG. 59 of July 29, 2016).

¹¹ **Criminal Code** (prom. SG. 26 of April 2, 1968, last amend. and suppl. SG. 95 of November 29, 2016).

1. Warning;
2. Obligation to apologize to the victim;
3. Obligation to participate in consultations, trainings and programs to overcome deviations in behaviour;
4. Placement under correctional supervision of parents or persons who replace them with duty of enhanced care;
5. Placement under correctional supervision of public educator;
6. Prohibition for the minor to enter certain places and bars;
7. Prohibition for the minor to meet and establish contacts with certain persons;
8. Prohibition for the minor to leave their current address;
9. Obligation for the minor to remove the harm caused by their own work, if it is in their capabilities;
10. Obligation for the minor to perform work for the benefit of society;
11. Placement in SPBS;
12. Warning for placement in CBS with a probation period of 6 months;
13. Placement in CBS.

All the measures except the placement in SPBS and CBS are imposed by local juvenile delinquency combating commissions (hereinafter referred to as local commissions). For the measures under **Art. 13, para. 1, pp. 11 and 13 of the JDA** the local commissions have the sole power to propose to the regional court to impose one of the two measures (**Art. 21, para. 1, p. 2 of the JDA**), i.e. the measures are imposed by the regional court. To make this proposal, however, the local commission must first consider the so-called “correctional case”.

Therefore, in order to be imposed any measures under **Art. 13, para. 1, pp. 11 and 13 of the JDA** there must develop two separate procedures – first the local commission must consider the correctional case and then the regional court imposes the measures.

2.1. Considering the correctional case by the local juvenile delinquency combating commission

The judicial authorities and the prosecution, officials and citizens send a signal to the local commission for any antisocial behaviour committed by juveniles and minors. The secretary of the local commission files the signal in a special inventory book and assigns two

public educators, who are not members of the local commission, to verify the existence of sufficient evidence of an offense. When the signal is issued by the judicial authorities, the prosecution or the police, as well as when after the inspection it is established that there is sufficient evidence of an offense, the secretary of the local commission immediately reports to its chairman. The last one:

1. Determines the local commission's panel;
2. Instructs a member of the local commission, who is not a member of the panel, within 14 days to prepare a written report on the personal characteristic of the offender, their age, health, physical and mental development, family environment, family relations, the degree of care by the parents or the people who replace them, and education.

The report is transmitted to the presiding of the penal. The panel opens the correctional case and:

1. Schedule date for the hearing;
2. Appoints a rapporteur of the case, which prepares it for the hearing.

Along with scheduling a date for the hearing, the penal immediately notifies in writing the juvenile/minor, the parents or people who replace them, and the corresponding "Social Assistance" Directorate which prepares written report (**Art. 21, para. 1, p. 15 of the CPA**). The case must be scheduled for hearing one month after its opening.

Before the hearing of the correctional case, the presiding of the penal gives the juvenile/minor, their parents or the people who replace them, and those who defend juvenile/minor's rights to get acquainted with the report commissioned by the chairman of the local committee and the report of the "Social assistance."

The presence of the juvenile/minor and one of their parents or the person who replaces them is mandatory when hearing the correctional case.

Pursuant to **Art. 19, para. 3 of the JDA** the rights and interests of the juvenile/minor before the local commission are protected by a trusted representative or a lawyer, and when such is not specified – by a representative of the "Social Assistance" Directorate.

The correctional case is heard behind closed doors. If the presiding of the panel considers it in the best interest of the

juvenile/minor other specialists may be invited to participate in the hearing of the case – these may be an educator, psychologist, psychiatrist, class teacher, guidance counselor, school psychologist, etc. as well as the victim of the delinquency (**Art. 19, para. 5 of the JDA**).

The procedure for hearing the correctional case is set out in **Art. 20 of the JDA**:

The presiding of the panel opens the hearing and explains to the juvenile/minor their rights, the act at issue and its consequences.

The juvenile/minor is invited, if desired, to give explanations. They cannot be compelled to do so or to plead guilty. If it is judged that it is in the interest of the child, it shall be heard in the absence of his parents or the people who replace them.

Questions may be asked and witnesses may be pointed only by:

- The juvenile – through their parents or the people who replace them, or through the people who defend their rights and interests;
- The minor – either personally or through their parents or the people who replace them, or those who defend their rights and interests;
- Juvenile/minor's parents or the people who replace them, or those who defend their rights and interests.

The local commission's panel who hear the correctional case, question the witnesses and people who have appeared, collect and verify all the written and material evidence presented. Where it is considered that the case is not clear in fact, the panel postpone it for the collection of additional evidence.

When other people are invited for the hearing under **Art. 19, para. 5 of the JDA**, they are heard and before the panel withdraw for a meeting to make decision, they allow the juvenile/minor to express their final attitude towards the act in issue.

A case record is kept for the hearing, which must reflect the following circumstances:

- The date and place of the hearing;
- The panel heard the case;
- The people who have appeared;
- Actions taken in their sequence;
- Evidence collected.

The record shall be signed by the presiding of the panel and the recorder.

When making their decision, the panel must take into account the following circumstances:

- Personal characteristics of the offender;
- Their age;
- Health;
- Physical and mental development;
- Family environment;
- Education;
- The nature and gravity of the offense;
- The motives and the circumstances in which the act was committed;
- Was there an attempt to eliminate the damage caused;
- The subsequent conduct of the offender;
- Previous events and imposed measures and penalties;
- Other factors that matter in the case.

The decision of the commission shall be made in writing with reasons, and shall be signed by the members of the panel. The decision is pronounced to the same hearing. When the decision is to propose to the regional court to place the juvenile/minor in CBS or SPBS the decision along with the whole correctional case is sent to the regional court within three days.

2.2. Hearing the case by the regional court

The regional court sets the case within 14 days of its receipt.

The regional court hear the case solely, at a hearing behind closed doors. For the hearing are called the juvenile/minor, the parents or the people who replace them, those who defend their rights and interests and a prosecutor from the corresponding Regional Prosecutor's Office.

The court may hear new evidence. The court hears the summoned peoples and issues a motivated decision within 7 days. The court may decide:

1. To impose the proposed correctional measure and order the juvenile/minor to be placed in CBS or SPBS;
2. To impose another correctional measure;
3. To close the case and send it to the prosecutor, if it considers that the act constitutes a crime, except in cases where the

minor is released from criminal liability under **Art. 61 of the CC**;

4. To close the case where it finds that there is no delinquency or it is not committed by the juvenile/minor or the act is clearly insignificant.

The decision by which the court ruled placement in CBS or SPBS may be appealed or protested before the respective district court within 14 days after delivery¹².

The district court sets the case within 14 days from receipt of the complaint or the protest. The case is heard by the district court behind closed doors in a panel of three judges. For hearing again are summoned the juvenile/minor, the parents or people who replace them, as well as those who defend their rights and lawful interests and prosecutor by the District Prosecutor's Office.

The parties may present evidence till the case is proceeded. The court shall hear the applicant and the conclusion of the prosecutor and shall pronounce in 7 days with a decision that is final.

The district court may:

1. Confirm the decision of the regional court;
2. Revoke the decision and impose another correctional measure;
3. Revoke the decision and dismiss the case where it finds that here is no delinquency or that it is not committed by the juvenile/minor or the act is clearly insignificant¹³.

After completion of proceedings the case is returned to the local commission, whose chairman is responsible for the enforcement of the final judgment.

3. Conditions for placement in CBS or SPBS

Chapter V of the JDA provides the conditions for placement of juveniles/minors in CBS or SPBS.

In SPBS are placed juveniles over 8 years of age and minors who have committed antisocial acts or for whom there are conditions for committing such acts.

¹² **Art. 24a of the JDA**

¹³ **Art. 24b of the JDA**

In CBS may be placed juveniles over 8 years of age and minors, who have committed antisocial acts to which other correctional measures have not proved sufficient and for their normal education there is no suitable social environment. In CBS are placed also minors to which the court or the prosecutor had imposed such a measure under **Art. 61 and 64 of the CC**.

The law provides that the maximum stay in a CBS or SPBS may be three years (**Art. 30, para 2 of the JDA**). The residents in CBS and SPBS may remain there until the age of 16 years, and with their written request - until the age of 18 years. An exception is provided in the provisions of **Art. 30, para. 4 of the JDA** under which the minor may remain after the age of 18 until the completion of the degree or professional qualification. In this case a written consent of the person is required, on the basis of which the pedagogical council with the participation of a prosecutor and a representative of the local commission, issues a decision for extension of the stay in CBS or SPBS.

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THE BULGARIAN STATE AND THE RELIGIOUS ORGANIZATIONS IN THE PERIOD AFTER 1989

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ABSTRACT: *The relationship between the state and the religious communities has always been crucial to the state policy in the field of security. This is due to the fact that the religion determines the awareness of members of society and hence can influence all government spheres. The spread of non-traditional for the relevant state religious denominations in its territory has the potential to fundamentally change the behaviour of certain groups of individuals and the creation of communities which often resorted to violence in one form or another, ergo, the occurrence of serious threats to national security. In this respect, it is very important how the government will react to such a trend.*

The aim of this report is to examine the development of relations between the Bulgarian state and the religious communities on the territory of Bulgaria and the legislative steps taken to limit the spread of unconventional religions after the fall of the totalitarian regime in 1989.

The fall of the totalitarian regime in Bulgaria in 1989 finds some heavily distorted relations between the state and the religious communities. For more than 40 years, the state totalitarian machine has had constant pressure on religious communities. Despite the fact that both Constitutions in force at the time (by 1947 and 1971) have established the right to freedom of religion, the opportunities for its actual exercise during this period are a classic case of totalitarian demagoguery. The actual freedom of religion is incompatible with the

thesis of the leading role of the Communist Party in society (Art.1, paragraph 3 of the Constitution of the PRB of 1971) and the obligation of the public to educate youth in a communist spirit (Art.39). Any attempt to actual independence of religious communities is literally stifled by the practice of the government and judicial authorities. The achievement of the ultimate goals of the developed socialist society must undergo a mandatory stage - "withering away of religion". This inevitably involves placing under control of the activity of religious organisations, which has become an obvious state policy. The atheism is a basic view, part of the state policy, which uses every opportunity of stigmatising belief in God with all the resulting moral and psychological effects¹⁴.

The Religious Denominations Act, adopted in 1949, regulates the relations in the religious sphere by establishing a Committee on the Affairs of the Bulgarian Orthodox Church and Religious Cults. The newly created structure was originally subordinated to the Ministry of Foreign Affairs and later to the Directorate of Religious Affairs at the Council of Ministers. Through this institution, the registration of the religious denominations and their central leadership, the appointment and withdrawal of members of the central leadership, the withdrawal of the approval of the statutes (meaning automatic termination of the denomination), the performance of administrative punishment activity and more were carried out.

With the advent of democracy after 10 November 1989, changes in Bulgarian society have made it necessary to treat the relationship between the state and the religious organisations in a new way. They have to comply with the traditions of the Bulgarian state and the interests of the Bulgarian nation, related to acquisitions of the world democracy in this field.

In connection with the latter, the state has undoubtedly achieved the greatest success with the stipulations laid down in the Constitution¹⁵ (Article 13 and Article 37) on: freedom of religion; the separation of religious institutions from the state; the integrity of freedom of conscience and the choice of religion and beliefs; the state's obligation

¹⁴Gruikin, I., Report at the conference "The actual problems of religious communities in Bulgaria", 2004., <http://oshte-info.de-zorata.de/oshte.info/doc/other/015.htm>

¹⁵The Constitution of the Republic of Bulgaria (prom.SG No.56 of 13.07.1991)

to maintain tolerance and respect among the believers and nonbelievers. The novelty of Article 6, paragraph 2 of the Constitution¹⁶, which stipulates that citizens are equal before the law and that no limitations on rights and privileges based on religion are allowed, brings an indisputable contribution. These are the principles adopted by the global and European legal systems and in particular, the instruments governing this area of human rights.

Considering the essence of contemporary religious cults, one must not overlook the fact that in their quest to develop active religious and missionary activities, they often violate texts of the Constitution of the Republic of Bulgaria activities, they often violate texts of the Constitution of the Republic of Bulgaria (CRB), whose compliance ensures our national security, the rights and freedoms of citizens and their lives. The Basic Law of the Republic of Bulgaria does not refer to specific religious organisations as anti-constitutional. The Constitution does not such a task, but it strictly defines the grounds on which a particular religious community can be categorised as unconstitutional.

The Constitution of the Republic of Bulgaria requires the State, as a guarantor of the civil rights proclaimed by it, to ensure the necessary conditions for the free and unhindered exercise of the individual right of the religion of every Bulgarian citizen.

In order to bring it into line with the newly adopted Constitution, special legislation regulating public relations in the religious sphere needed change. This is the case between 1992 and 1993.

In a study by the Journalist Faculty in 1994, it was found that over 90% of the publications in the print media on religious themes were of a negative character. Several public committees for the protection of the individual and the family were set up to oppose certain religious communities. The pluralism of religious ideas was perceived as an invasion of the so-called sects, and the opposition against it as an expression of patriotism. These public moods allowed the unfortunate Art.133a of the Persons and Family Act to be published, which in short terms required the re-registration of more than 200 non-profit organisations with a religious and religious-educational purpose, only

¹⁶Declaration (Article 6, paragraph 2) to the Constitution of the Republic of Bulgaria (prom.SG No.56 of 13.07.1991)

after the preliminary assessment of the executive power, which was a prerequisite for the court's decision.

The freedom of religion is not defined in the positive Bulgarian law. Pursuant to Art.5, para.4 of the Constitution the international treaties, ratified by the constitutional order, promulgated and put into effect for the Republic of Bulgaria, are part of the domestic law of the country. The European Convention for the Protection of Human Rights and Fundamental Freedoms is such an international treaty, and its Art.9 (1) defines the content of freedom of religion as follows: this right includes the freedom (of every person) to manifest his or her religion or belief, either individually or in community with others and in public or private, in worship, teaching, religious rites and rituals, as well as to changes his/her religion or beliefs.

Any interference of the state, which goes beyond the scope and the grounds under paragraph 2 of the same Article 9 of the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), shall be considered arbitrary. The first condition for state interference in religious communities is that this interference to be provided by the law.

Throughout the changes are cancelled some texts of the Religious Denominations Act, in order to bring it into conformity with the Constitution. The right to register associations of believers under Article 133a of the Persons and Family Act (PFA) is also ensured.¹⁷

An important issue in the field under consideration was the Decision No.5/1992 of the Constitutional Court¹⁸ on a Constitutional Case No.11/1992¹⁹, according to which the provisions of the Religious

¹⁷Persons and Family act, Promulgated SG.182 of 9 August 1949, corr. SG.193 of 1949, amended, published, SG.12 of 9 February 1951, SG.12 of 8 February 1952, SG.92 of 7 November 1952, SG.15 of 20 February 1953, corr. SG. 16 of 24 February 1953, amended, SG.89 of 6 November 1953, SG.90 of 8 November 1955, SG.90 of 9 November 1956, SG.50 of 23 June 1961, SG. 23 of 22 March 1968, SG. 36 of 8 May 1979, SG.41 of 28 May 1985, SG.46 of 16 June 1989, SG.20 from 9 March 1990, SG.15 of 18 February 1994

¹⁸Decision No.5/11.06.1992 on a Constitutional Case No.11 of 1992. promulgated SG.49 of 16.06.1992.

¹⁹<http://www.csd.bg/artShow.php?id=12964>, Democratic process and democratic institutions, Rule of Law, Human Rights and Protection of Minorities

Denominations Act that are contrary to Art.13 and 37 of the Constitution should be deemed to have been abrogated by virtue of the immediate effect of these constitutional norms since the entry into force of the Constitution. This can be found incidentally by any law enforcement authority. Thus, the Decision states that the provisions of Articles 10, 12, 18, 20, 21, 22 and 23 of the Religious Denominations Act are in direct contradiction to Articles 13 and 37 of the Constitution, as such listing is exemplary. Along with the above dispositive, which answers the basic question used for seising the court, the Decision No.5/92 of the Constitutional Court of the Republic of Bulgaria gives characterisation of the constitutional right to choose religion and religious beliefs - Art.37, para.1 of the Constitution, as well as in an interpretative way it also sets out the basic principles of interaction between the state and the religious communities. It is pointed out that the state, through its bodies and institutions, can not intervene and administer the internal organisation of religious communities and institutions. This is governed by the statutes and their internal organizational rules, which follow from the provision of Art.13, para.1 of the Constitution of the Republic of Bulgaria, that the religious denominations are free (both personally and institutionally) and the explicit text of Art.13, para.2 of the Constitution of the Republic of Bulgaria, which states that the religious institutions are separate from the state.

According to the Decision, the Article 9 (2) of the European Convention on Human Rights is almost entirely rectified in Article 37, paragraph 2 of our Constitution.

The rights of the state to intervene in the activities of religious communities and institutions are reduced to taking the necessary measures only in the cases where we face the hypotheses of Art.3, para.4 and Art.37, para.2 of the Constitution. Such an assessment is made in the event of registration of church communities or institutions.

Paragraph 3 of the dispositive of the Decision No.5/1992 of the Constitutional Court of the Republic of Bulgaria reads: "The right to religious freedom cannot be restricted in any way except in the cases of Art.13, para.4 and Art.37, para.2 of the Constitution, namely, when

religious communities and institutions are used for political purposes, or where freedom of conscience and religion is directed against national security, public order, public health and morals or against the rights and freedoms of other citizens. These restrictive grounds are exhaustively listed and cannot be expanded or supplemented by law or by interpretation. The specific mechanisms for their implementation can be defined by law."

The changes imposed by the Constitution of the Republic of Bulgaria in the regulation of the relations between the state and the religious communities, although positive and aiming to bring these relationships to a democratic level, failed to meet the public needs. In general, despite the change, the Religious Denominations Act was inadequate to the changes that occurred in the religious situation in the country, and outside of it remains the solving of a number of new problems. This has led to a number of permissions, standing in conflict with the constitutional provisions and principles, which resulted from the widespread interpretation of the law. The leeway in the legislation has also resulted in the unlawful expansion of the state's powers to intervene in the life of religious communities, which has led to the emergence of many insurmountable conflicts. The state proved unable to react adequately to certain processes and phenomena in the religious life of the country, and to resolve conflicts that arise between different forces and interests in this area of public life.

In support of the above considerations, three facts can be mentioned:

1. Until November 10, 1989, 11 religious denominations having historical roots and tradition in the life of the Bulgarian people have been officially registered in the Republic of Bulgaria. At the beginning of the transition to the formation of a democratic society, besides these 11 denominations, another 19 denominations were registered²⁰. The latter, until they were registered, were not recognised as such because they are new and unfamiliar to our country. Upon registration of new denominations are recognised and some who apparently lack the qualities of a denomination, with vague theological basis.

²⁰Veleva P., Reasons for sectarianism in Bulgaria. Forms and methods of activity., 2009, Page 4

2. The withdrawal of registration of some already established non-traditional denominations and associations is rarely due to inconsistency in denominations or misleading the state, by offering an exact copy of the statutes of another denomination. It is known that some of the associations and foundations serve as a cover for the activities of various sects and unconventional religions²¹.

3. In the event of legal conflicts during the registration of denominations and especially their leadership, state institutions appear hesitation. According to the Religious Denominations Act, the Council of Ministers and the Religious Affairs Directorate are the only authorities competent to resolve the issue of registration. This opinion was expressed in five decisions of the Supreme Court, taken between 1992 and 1995. In the Decision No.225/1992 of the Supreme Court of the Republic of Bulgaria, this view was best synthesised: "The registration system is not authorization-enforceable but normative. The registration has only a settling, finding an effect, but not a constitutive one. It is therefore not an individual administrative act because it affects the rights and obligations or the legally protected interests of individuals but is of a protective nature. This is an act of unquestionable judicial administration, and for those acts, there is no judicial control provided under the Law on Administrative Proceedings and a Special Order for Judicial Control under the Religious Denominations Act."²²

As a result of the abolition of all restrictions on the religious rights and freedoms of Bulgarian citizens of Turkish origin and Bulgarian Muslim citizens, in the course of the process of democratisation after 1989 in the Republic of Bulgaria:

- operate more than 1,000 mosques;
- the Quran is spread freely in Bulgarian and Turkish;
- other religious literature is spread freely in both languages;
- since 1991 Sunday schools in mosques have been opened, as currently in the country has four medium-Muslim religious schools and one college Islamic religious institute.

²¹Veleva P., Reasons for sectarianism in Bulgaria. Forms and methods of activity., 2009, Page 5

²²Veleva P., Reasons for sectarianism in Bulgaria. Forms and methods of activity, 2009, Page 5

At first glance, these facts sound harmless - it is normal once on the territory of a democratic state are living citizens professing Islam, Muslim temples are functioning in the same territory, spreading the sacred Islam book (the Quran), using and distributing a religious literature. However, the freedom of religion, in particular, the freedom to profess Islam freely, takes forms that endanger both the Islamic religious community itself and the security of the entire Bulgarian society.

Various sects and foundations with fundamentalist leanings - the Wahhabis, have found a good ground for development in the Republic of Bulgaria since 1989. Their influence is growing as Bulgarian youths claiming Muslim religion are sent with scholarships to study in some Arab countries - Sudan, Jordan, Turkey and others. The latest diplomatic report issued by the American diplomat John Beyrle of 2005, published by WikiLeaks on 13 July 2011, says: "Only recently have Bulgarian students begun to return from long-term study in the Arab world in significant numbers. Exact figures on the number of students participating in such programs are not available, but they are believed to number in the hundreds. Their return has sparked fears of links to terrorist groups and other extremist organisations. The returnees' espousal of "classical" Arab-influenced Islam has also led to cultural clashes with community elders over issues of religious doctrine and local cultural traditions."²³

Nontraditional religious denominations come to Bulgaria well-backed financially. They are rapidly orienting themselves in the country's legislation on religious freedom to adapt to it and to have the possibility of officially permitted activity. They focus mainly on young people aged between 14 and 20 years. Of interest are the socially disadvantaged people and people deprived of their liberty. Another approach to gaining positions is to give humanitarian aid and gifts, holding public sermons and religious literacy courses.²⁴

²³A quote from the report of John Beyrle, 2005, Islam And Islamic Extremism In Bulgaria,

<https://cablegatesearch.wikileaks.org/cable.php?id=05SOFIA1729>

²⁴Veleva P., Reasons for sectarianism in Bulgaria. Forms and methods of activity, 2009, Pare 3

The American diplomat John Beyrle in his report of October 11, 2005, noted that "Since the 1990s, foreign missionaries and international Islamic NGOs have been active in the country, some espousing Wahhabism and other extremist ideologies. These Islamic foundations are concentrated primarily among Pomak and Muslim Roma communities, both of whom are more socially marginalised and economically vulnerable than the larger ethnic Turkish minority. There has been little effective regulation of foreign donations, but large sums have been spent on mosque construction, the establishment of religious schools, and scholarships for Bulgarian children to study in countries such as Jordan, Syria, Iran, Sudan, and Saudi Arabia. Currently, there are three legally registered Islamic NGOs active in Bulgaria."²⁵

In connection with the foregoing, it is noticeable how Arab foundations spread mainly in the Rhodopes. They are funding the construction of hundreds of mosques in the smallest hamlets and organises Islamic schools for the Bulgarian Pomaks who after one or two generations will speak Turkish language and will be considered Turks. The foregoing has been made through political compromises in today's Bulgaria, which in perspective threatens national security and identity.

Meanwhile, ethnic Sunni Turks are strongly influenced by their compatriots from neighbouring Turkey and hence Turkish nationalism. They are primarily aimed at restoring the Muslim traditions from before 1944. In this connection the old temples are being repaired; new ones are built where necessary; religious schools are opened; efforts are being made for the religious education of the population, **with particular emphasis on children and adolescents**. And since the nationalism has long been instrumentalised the Islam, making it part of the national identity of this population, it is recovering mainly the professed "traditional" Islam for the Balkans, **in which any radicalism is alienated, and it is mainly at a household level**. Similarly, there are processes among the Alevi Turks, but with the difference that a small number of them has already strived for a purely Shiite understanding of

²⁵A quote from the report of John Beyrle, 2005, Islam And Islamic Extremism In Bulgaria,

<https://cablegatesearch.wikileaks.org/cable.php?id=05SOFIA1729>

their faith and desire for purification of Christian and pagan borrowings in search of some kind of Shiite orthodoxy.

In the case of Muslim Roma, the majority of the community has a vague national identity and often identifies itself in publicity as Turks, although the Turkish community in Bulgaria rejects them. Among this part of Muslim Roma are undergoing processes of a return to Muslim traditions identical to those in the Sunni Turks community. Part of the Muslim Roma, thanks to their return to Muslim traditions, has been converted to Islam, formerly atheists of Muslim or Christian origin. For this Roma community, the norms of "traditional" Islam are illegitimate, and it seeks a new argumentation for its faith outside the authorities and traditions of the Balkans.

The most problematic is a return to Muslim traditions of Muslim Bulgarians, who have two communities:

- In the first community, there is an unclear national identity and it turns the religion into a single marker of the community. The same group has a much higher religiosity than normal for the country, has a much lower educational level and is worse integrated into Bulgarian society.

- In the second there is a clear Bulgarian consciousness, an open dislike of all the Turkish, even the religious traditions. There is a high religious belief in the group because religion is also the only marker of the community, distinguishing it from the Bulgarian Christians but combined with better education and integration in Bulgarian society.

In general, the Islam confessed by the Muslim Bulgarians, is syncretic, and under "traditional" Islam, they refer to those transmitted from generation to generation, mainly expressed at a household level. Upon their return to Muslim traditions, however, it cannot stand the criticism of the Quran and lose its legitimacy for a large part of the community.

The transition from complete denial to boundless tolerance towards religions leads to a risk of penetrating and spreading fundamentalist ideas among the members of the Bulgarian society. The virtual absence of any restrictions and prohibitions of a legislative nature, allows non-traditional religious denominations to develop their activities on the territory of the Republic of Bulgaria and to attract followers, thus the ideas of fundamentalism can find very easily and quickly spread among a large number of people. This, of course, poses

a direct threat danger to national security, since the ideas of fundamentalism are incompatible with the ideas of a democratic modern society, the development of which the Bulgarian state aspires after 1989.

Each tolerance, including religious, has its limits. We cannot tolerate nontraditional religions and sects, acting on behalf of the rights and freedoms of people and which ruin the traditional moral system and moral foundations of society.

On 2 January 2003 a new Religious Denominations Act (SG.120 of 2002) enacted by the National Assembly, according to which the relationship between the state and the religious communities are radically changed. In Art.2 the Law proclaims the right to religious freedom as a fundamental, absolute, subjective, personal and inviolable (Paragraph 1). In general, defining the freedom of religion, the legislator has embedded in it the content of freedom of religion set forth by Art.9 of the ECHR.

The foundations of the law are the principles of the European Convention for the Protection of Human Rights and Fundamental Freedoms and the International Covenant on Civil and Political Rights. The regime of direct administrative order is abolished, providing for religious denominations to acquire the status of a legal entity in court. This is the end of a 125-year tradition and practice, the state, in the face of the executive power, to exercise a kind of licensing regime with regard to the right to choose and, above all, the practice of religion, which has been replaced by a "free market" of religious ideas. This mechanism ensures the non-interference of the executive power in the internal organisational life of religious communities.

Despite a number of criticisms levelled at the Religious Denominations Act, even in Resolution No.1390/2004 of the Parliamentary Assembly of the Council of Europe, it is strongly emphasised that the Religious Denominations Act of 2002 represents an important step forward in comparison with the Religious Denominations Act of 1949.

With the enactment of the law, the state created the following sequence in the establishment of the state - religious community relations:

- The first step - recognition of the religious community by the state - the registration of the religious communities as legal entities is carried out by the Sofia City Court under the Civil Procedure Code (CPC). This replaces the hierarchical principle of relations between the state and the religious denominations with the principles of equality, partnership and dialogue.

- The second step - state interference in the internal life of the religious denominations. The Religious Denominations Act foresaw such a possibility only in the case of Art.8 - in the case of established violations under Art.7, the state may restrict the freedom of worship by applying one of these measures in the text.

The law defines the concepts of religious community, religious institution.

The concepts are in correlation with each other as a general to the particular - the religious institution is always a religious community but the religious community is a religious institution only if it is legally registered.

The Bulgarian State has assigned its functions to the religious issues and the control over the implementation of the Religious Denominations Act to the executive power (Directorate of Religious Affairs of the Bulgarian Council of Ministers) and the judiciary (the Sofia City Court and the higher courts).

The Religious Denominations Act regulates:

- the powers of the Council of Ministers and the Directorate of Religious Affairs as a specialised administration, which is a consultative and coordinating body.

- the state's role in relations with religious institutions. Religious communities are separated from the state. State intervention in the internal organisation of religious communities and institutions is unacceptable.

CONCLUSION

The development of relations between the state and the religious communities in Bulgaria after 1989 is not only a consequence of the change in government in the country. It opposes the dangerous trend of free and uncontrolled activity of non-traditional religious denominations on the territory of the country after 1989, connected with

the dissemination of the ideas of fundamentalism and radicalism respectively. This also aims at avoiding a direct threat to national security.

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RELIGIOUS FUNDAMENTALISM AND EXTREMISM

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ABSTRACT: *Religious fundamentalism and extremism as concepts have recently become widely used by both researchers and people working in the security sphere as well as in the public sphere. They are often used not only by professionals but also by the media. In many cases, content other than their real content is invested in them. In recent years, the concept of fundamentalism is most often associated with the Islamic religion, and hence the role, connection, and prerequisites for the emergence and spread of the Islamic fundamentalism as Islamic terrorism are studied. Extremism is perceived as a practice of denying basic and universally accepted human values and as an attempt to impose a political model subordinate to violence.*

This report aims to briefly present the concepts of religious fundamentalism and extremism as well as their manifestations.

Religious Fundamentalism

The question of when fundamentalism arose is controversial. According to the researcher Graham, fundamentalism first appeared as a term in European annals in the late Middle Ages but its use remained limited²⁶. In his study *The Islamic Threat: Myth or Reality?*, John Esposito said that the Christian interpretation of the term *fundamentalism* leads us to a 'movement in Protestantism in the

²⁶ Graham, G., Fundamentalism, <http://www.newfun2/htmlBack>

twentieth century, emphasizing the literal interpretation of the Bible as the foundation of Christian life and doctrine'²⁷ .

In fact, due to the lack of popularity of the *fundamentalism* in the Middle Ages, researchers assumed that at the end of the 19th century it was born in close connection with certain internal disturbances observed in Christianity and viewed as an innovation of American evangelicals wishing to radically separate themselves from the routine and conservative Catholicism, believing that they are thus returning to the origins and moral foundations of Christianity. At that time, American evangelicals considered the moral foundations of Christianity once again defiled by the mass Catholicism and its clergy.

Peter Ruckman, president of Pensacola Bible Institute, characterized *fundamentalism* as a second reformation, analogous to the rejection of the principles of domination of the Holy See in the Vatican in the German territories by Martin Luther and Thomas Münzer.²⁸

Jeffrey Hayden fully viewed fundamentalism as a product of the North American evangelical tradition, defined as an unprecedented religious vitality of the American society at the end of the 19th century, which was the root cause of its emergence²⁹.

Analyses of leading Muslim research centres stated that the concept of fundamentalism originated from the American Evangelical church. In their research, they emphasized the process of designing an ideology through the influence of the Christian society in North America on the Muslim societies in the East. The Western science and politics had a social and political impact on the Islamic world, which perceived and adapted the idea of fundamentalism as its instrument. For example, the analyses of the Pakistani *Jaamat al-Islami* pointed out the fact that the United States should not blame the Islamic world for the

²⁷ John Esposito, *The Islamic Threat: Myth or Reality?*, p. 13

²⁸ Ruckman, P., *Fundamentalists and Fundamentalism, Part One*, <http://www.fundamentals.html>Back

²⁹ Hadden, J., *Fundamentalism*, <http://www.virginia.org>Back

development of fundamentalism as this radical political doctrine of theocentric origin was formed precisely in the American political thought³⁰.

In the world encyclopaedic literature, several types of definitions of the term *fundamentalism* prevail:

1. The Random House Guide gives the following definition: ‘A Protestant movement, which emphasizes the infallibility of the Bible in the field of faith’.

2. The Webster's authors defined the phenomenon as a ‘Movement or behaviour that perceives as imperative the strict adherence to many basic principles’.

The two definitions actually mark the development of fundamentalism as a political-religious doctrine and a pattern of behaviour, which we would define as a means of achieving certain political goals. In principle, fundamentalism focuses a multi-layered matter in itself in which two levels stand out in terms of political theory: both a means and a goal in the plurality of the political paradigms³¹.

In his monograph *Terror in the Mind of God. The Global Rise of Religious Violence*, Mark Juergensmeyer used the analysis of the motivation of fundamentalists as *religious terrorists*, being individuals with an extraordinary disadvantage as they take religion too seriously³².

According to Ruthven, the word ‘fundamentalism’ strays into extremism, sectarianism, ideological purism. Although many religious activists (especially the evangelical movements within Christianity and Islam) believe they have a universal mission to transform or convert the world, all religious traditions must face the problématique of their

³⁰ Fundamentalism and Islamic Movement, The Secretary General, Jamaat Islami, Lahore, Pakistan, <http://www.webmaster.jamaat.org>Back

³¹ Chukov V., Etymological Retrospection of Religious Fundamentalism

³² Juergensmeyer, M., *Terror of the Mind of God, The Global Rise of Religious Violence*, Berkley, University of California Press, 2 000, p. 289.Back

parochial origins, the embarrassing fact that saviours and prophets uttered divine words in specific languages to relatively small groups of people in certain localities at particular moments in time. Religious pluralism and globalization are part of modernity. They imply choice, inviting the suspicion that there may be more than one path to salvation (perhaps even a non-religious path). The surge of fundamentalist movements or movements of religious revitalization we are witnessing in many parts of the world is a response to globalization and, more specifically, to the concern of the thought that there are ways of living other than those defined by the deity version of a particular group³³.

According to fundamentalism researchers, with every action of theirs, including the shedding of blood, fundamentalists are considered to be the saviours of the world, thus justifying their actions. The social reality of fundamentalists is outlined in black and white and objects for them are only friends or enemies - infidels, and their actions qualify as good or bad. For them, the phases of human development are reduced to the past golden times, with utopian touches and infidelity, which must be changed in the present. For fundamentalists, the return of the past golden times is related to the perception of the fundamentalist ideologies with their values and approaches.

At present, the understanding of fundamentalism is generally associated with religion, where the motivation is often violence and terror. The finding of a close relationship between past and present in interpreting the nature of fundamentalism justifies the conclusion that there is an unconscious design of methods and means enforced by force in the present, that are borrowed from the past. Considering the above, one can conclude that in fundamentalism there is essentially a clash for the elimination of the past and the perception of a tradition.

Fundamentalism is manifested in and refers to Christianity; Judaism; Hinduism; Islam, where it is more acute. According to Claude Lévi-Strauss, social groups experience serious 'difficulties in coping with the increasingly closer, even intimate presence of people from

³³ Ruthven, *Fundamentalism*, Sofia 2006, pp. 44- 49

other cultures due to the increasing population density.’ The scientist believes that the individual members of the society, social groups, and cultures need a distance. And when this distance indispensably disappears, all sorts of pathological phenomena arise³⁴.

In recent years, the concept of fundamentalism is most often associated with the Islamic religion, and hence the role, connection, and prerequisites for the emergence and spread of the Islamic fundamentalism as Islamic terrorism are studied. The latter does not arise from Islam as a religion but is the result of a one-sided representation of the Islamic religion, characterized with hatred, loathing, intolerance to infidels, to all people who are different or have a different religion, ethnicity, culture, etc.

The actions of representatives of radical Islam are linked to the Islamic fundamentalism and have the following characteristics:

- They perceive jihad as an armed struggle against infidels, thus allowing the multi-dimensional concept of ‘jihad’ to be reduced to one of its meanings and to exclude the others;

- The representatives of radical Islam strive to create a universal caliphate by the emulation of the form of government and structure known in the distant past;

- They adopt Sharia as a single legislative source. Radical Islamists have set themselves the task of aligning with Sharia the legal systems of the countries in which they establish themselves in power;

In fundamentalism, important is the extremist-focused ideology that serves the interests of its creators, which can be nationalistic, ethnic, social, religious interests that justify their terrorist actions. Participants in the terror are united on the basis of the ideas that help them create attractive motives and goals. A purposefully created extremist ideology enables terrorists to gain confidence by which they

³⁴ Беседа с Клодом Леви-Стросом К. фон Барлевска и Г. Наумовы. В: Вопросы философии, 2009, № 5, стр. 74

justify their actions and link them to public issues with the motif of serving the public and / or a particular group.

The targets of terrorists, who always need support from people approving their cause, make an impression on other people. The support is important for finding echoes, popularizing, and commenting on the preached ideology, and hence the terrorist act, as otherwise the targets of terrorists will remain unknown and inconspicuous to the society.

The extremist ideology, based on rationality and deliberately prepared and rational arguments, is not an ideology but there are irrational moments, which, in their unity, serve to explain and justify destructive actions. Thus viewed, the extremist ideas that guide terrorists are obviously deceptive and unrealistic.

Extremism: Essence and Ideas

According to Rumyan Rusev, the concept of extremism is regarded as a collection of ideas and views, representing absolute irreconcilability and denial of everything that is contradictory or different.

Extremism is also viewed as:

- A system of norms, rules, and ideas totally contradictory to the values realized and accepted by the humankind;

- A set of absurd ideas and views of ideologies and religions that are popular in the society and which, in spite of the common phraseology, cannot in any way be identified with one another;

- A kind of public pathology, a deviant psychological setting, an abnormal reaction directed against social practice and life ³⁵.

³⁵ Rusev, R., *Terrorism in Turkey*, Ciela, 1997, p.175

In studying the concept of extremism, Rumyan Rusev concluded that 'Regardless of the use of words such as 'left', 'right', 'Islamic', 'Armenian', 'Kurdish', 'Latin American', etc. in combination with extremism or terrorism, in no way do the phenomena identify with the ideologies and religions from which the phraseology was borrowed'³⁶.

On the other hand, Zbigniew Brzezinski stated in 1994 that 'Extremism and terrorism are objective social phenomena that can be studied and actually limited in the society'³⁷.

In his book, Patrick Kennedy developed the theory of extremism as a public phenomenon, which has long been not only a scientific fact but is present in the everyday life of all societies. 'It is one of the sad features of our time. Due to the fact that the phenomenon is not a group, confessional or national but global one, in its analysis I am going use an approach that is adequate to its magnitude,' said Brzezinski.

According to Professor Sigmund Baumann, 'Global issues require common answers'³⁸.

With regard to extremism, there is no generally recognized definition, nor an unanimous opinion of where its boundaries are and under what conditions it can be used with a high degree of credibility. In the society, there are intuitive concepts of extremism that make it an amorphous social phenomenon that is difficult and politically dangerous.

According to Rumyan Rusev, in a sense, this state is even encouraged by the convenience of the political expediency, the momentary interest in law, the acute need to legitimize actions and also the indifference. Undoubtedly, all these influences exist but they are hardly basic. In order to define such a pronounced negative phenomenon as extremism, it is necessary to have a consensus in the world if not on all or many issues, at least on a few vital ones. Today,

³⁶ Rusev, R., *Terrorism in Turkey*, Ciela, 1997, pp.175-176

³⁷ See Brzezinski, Z., *Out of Control*, S, 1994

³⁸ See Baumann Z., *Globalization*, S, 1999

the humanity could already outline consensual issues that can be summed up in several groups³⁹:

- Preservation of life on earth;
- Striving to preserve and develop the understanding of human freedom, realized and reached in the historical evolution;
- Preserving the fragile ecological balance of the planet; preserving the perspective of the new generations;
- Maintaining a balance and ratios in the world economics that predict the growth trend; striving to preserve spirituality; reducing suffering; improving international law and extending its perimeter;
- Curbing crisis fluctuations in the global financial system;
- Striving to preserve state borders and seeking self-determination in their spaces.

At the same time, the humanity is far away from or has not yet reached consensus on such groups of issues as distribution and use of vital, including natural resources; parameters of inequality; acceptable means of enforcing interests; inadmissibility of war; common foundations of spirituality; a model for the improvement of democracy; parameters of the new world order, etc.; recognizing the obvious trend of globalization.

In such a real situation where consensus is present but not prevalent, a legitimate explanation of a phenomenon of general significance such as extremism is possible if its boundaries are consistent with these consensual issues. Otherwise, we will go back to the dichotomy of communism and capitalism, developed and poor world, 'white' and 'red', etc. A well-known state in which only others

³⁹ Rusev. R, Anatomy of Extremism, S. 2001, pp. 18-19

are related to extremism. Otherwise, the explanation of the phenomenon will have no common but a group, national or, at best, coalition significance.

But in that case it would look like an epithet and not a complete feature. No wonder that for decades the two opposing ideological systems addressed extremism to the opposing party and sought out the conceptual roots of the phenomenon in the enemy⁴⁰. An apparently unscientific thesis and subjective striving that led to the absence of a sufficiently acceptable view of the definition of extremism.

The attempt to study the issue of extremism is designed on the recognition of a real trend, which is an objective necessity and is related to the globalization of the world.

The model of social environment in which attempts are made to identify extremism is called *politeia*. This concept is used as a working one and expresses the internal relationships and correlations in the societies (political regimes) or those between them. It is about the correlation and the relationship between such groups of entities, which can be summarized as fair and correct⁴¹.

Fair, in the sense of satisfying the interests, views, and moral norms of the majority.

⁴⁰ Генри Э., Против Терроризма, М. 1881 г.; Генри Э., Терроризм и неофашизм, М. 1981 г. Блищенко И., Жданов В., Международно-равовая борьба с терроризмом, журнал "Правоведения", 1985, бр.1.; Васечкин Н., От революционной фразы к безрассудному авантюризму, М. 1986 г.;

⁴¹ John R., A Theory of Justice, S. 2000, pp. 19-143

Correct, in the sense of consciously accepted compromises with their own views and norms for the purpose of the functioning of the society and its preservation⁴².

The view of *politeia* as a form of government, subordinate to the interests of the majority, was accepted by Aristotle⁴³ and further developed by modern philosophers; the aim of the government is the common benefit through real interpretation of the fair/ useful rules correlation. The center of the coordinate system, positioning *politeia* in the real dimensions of the fair and useful, is the concrete content put to them by the members of each society. This diversity of values and, above all, their correlation create the palette of *politeias* in the world.

The term ‘tolerant societies’, in which justice is not only dominant but occupies the predominant part of the space, is used as an analogue of the term ‘*politeia*’.

In the relationship between real *politeias*, consensus issues refer to ‘the right norms’ and express the international rules accepted as fair, the imposition of which expresses the existing or the constructing new world order. The use of the term ‘right’ is in the context of the necessary conditions for non-permission of disruptive public tendencies in the world, one of which is extremism.

Extremism is considered to be a collection of ideas the realization of which is based on behaviour that is adequate to them, and as a result they reach a certain state. The former is due to the fact that there is neither universal knowledge nor universal assessment of the phenomenon of extremism, which is the reason why no absolute definition is sought, since the quest is to consider the evolution of the

⁴² Nisbet R., *The Quest for Community*, S. 1992, pp. 37-74

⁴³ See Aristotle, *Politics*

viewpoints until the reach of a degree of consensus by the humanity as a whole⁴⁴.

It is assumed that extremist issues are the main issues outlining the acceptable limit and the exceptions behind them. In this sense and provided that the generally accepted boundaries of consensual issues are not commensurate and identical, we can also talk about a different kind of extremism. There are generally known differences in the society between the ethical and legal boundaries, the existence of significant differences in the assessments and the thresholds of admissibility in particular groups, communities, and countries. Therefore, international extremism can be referred to as a concept only outside the boundaries of the generally accepted international norms, and political extremism as a concept beyond the limits of the acceptable political norms.

Extremism, viewed as an idea, behaviour, and condition could be distinguished from other social phenomena by comparing it with them. It is logical to look for a place of extremism outside the perimeter of other phenomena and even beyond the most radical ones but entering into the realized 'left' and 'right' models of the world, including religious ones. In fact, there is a distinction between extreme (in the sense of radical and fundamentalist) ideas and extremism, and they must be categorically distinguished.

By ignoring the modern understanding of justice and hence human life, extremism builds on theory and aims at destroying the rules established by the current political system, which appears to be:

- Rejection of basic and generally accepted human values;
- A pursuit to change of one political model with another subjected to violence and related to the ignoring of the conscious norms in life.

⁴⁴ Rusev. R, Anatomy of Extremism, S. 2001, p. 96

Achieving a state that implies creating conditions for non-violent resolving of conflicts between different identities and for progress is the idea of homogenizing the world, which is not viewed as a loss of identity⁴⁵.

CONCLUSION

The consideration of fundamentalism and extremism as concepts and external manifestation allows to cover in a wider sense the security threats at national and international level. Hence, security mechanisms that are adequate to the available threats could be more easily developed. On the other hand, underestimating the knowledge of the origin, development, and essence of fundamentalism and extremism would lead to serious security implications at all levels.

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RADICALISM AND STAGES OF RADICALIZATION

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ABSTRACT: *In recent years, Europe has been facing multiple and complex security threats posed by various factors, both internal and external. The threat of radicalism and terrorism is becoming more and more tangible. The many attacks in European cities - Paris, Brussels, Nice - show that threats to Europe can be also internal. The latest terrorist acts, apart from being extremely cold-blooded, were committed by young people who were born and grew up in Europe and attended European schools, which means they are familiar with the European principles and values. It is a fact that many young people of European origin, born and living in European countries, are fighting on the side of the Islamic state. These trends require the need to investigate the processes that motivate bombers to commit terrorist acts.*

This report aims to briefly examine the nature of radicalism and the stages of radicalization as well as the signs indicating the beginning and existence of radicalization processes in some individuals and groups of individuals.

On the issue of the essence of radicalism, scientists have come to the consensus that radicalization is a phenomenon lacking straightness and rather bound by the context of a particular situation, in which the sociological, political, religious, and psychological factors equally play the role of triggers. It is the result of the convergence between the "path" of an individual and a system of beliefs (faith, religion) justifying recourse to violence that can be exacerbated by the perception of a threat to someone's identity or moral values and fuelled by social networks (face to face or online).

The theory assumes that radicalization is a dynamic, multi-layered, multifaceted phenomenon arising at the intersection of individual *triggers* (biographical predisposition and personal trajectory, inner motivation, personal dramas experienced) and *pullfactors* (exposing ideologies and recruiting new followers). Frequently, mere situational factors such as structural and environmental conditions, together with group factors and dynamic events, can contribute to accelerate or can act as a catalyst for this process. Structural factors alone cannot adequately explain radicalization as emphasis should be rather placed on how the enabling environment affects individuals and interacts with them. Propaganda and recruitment of new followers are often catalysts of this interaction.

The process of radicalization takes place at the level of individuals, groups / communities as well as at a society level, and often particular "causal" factors and events that act as triggers resonate and "work" at the indicated levels simultaneously. For example, deprivation of certain goods may affect both a particular individual and entire public groups; international events - for example the conflict in Syria - can resonate with the individual as well as at a group level and act as a catalyst to incite individuals to embrace radical ideas.

The Understanding, Assessing and Monitoring Radicalisation Risks and Trends Guidelines for Practitioners issued in 2016 by the Center for the Study of Democracy suggest and examine a three-level model of analysis of the factors and processes of radicalization leading to violence:

Macro-level, that is, the role of the government and society inside and outside the country, radicalization of public opinion and political parties, tense relations between the majority and minority groups especially if they are ethnic groups living outside their historical homeland (foreign diasporas); the lack of socio-economic opportunities for entire public sectors leading to the mobilization and radicalization of dissatisfied persons that could take the form of terrorism, too. The macro-level is further related to international relations, weak integration, and, at the same time, also influences the processes of globalization and modernization.

Meso-level, that is, a broader radical environment - a supportive or even abetting social environment that serves as a unifying element, the "missing link" with the broad support for terrorists, respectively, groups of aggrieved individuals or ones suffering injustice, who in turn can radicalize part of the young people and help for the formation of terrorist organizations or for specific acts of terrorism. The meso-level (or social level) is further related to the issues of social identity, social communication, and group processes.

Micro-level, that is, the individual level (personality and experience), which includes personal issues, unsuccessful integration, sense of alienation, marginalization, discrimination, lack of close friends, humiliation (direct or indirect), stigmatization, and rejection often combined with moral insults and a desire for revenge (it may also be revenge in the name of someone else)⁴⁶.

The practice has outlined several exemplary stages of radicalization. The conclusions are based on specific observations on the biographies and activity of specific terrorists.

Provisionally, the following stages of radicalization can be distinguished:

1. Stage of the so-called *Pre-Radicalization*

At this stage, individuals are influenced by internal or external factors: identity crisis, frustration, personal trauma, discrimination, sense of injustice, family or community pressure, lack of moderate debate, meeting a charismatic leader, etc. Most common are the psychological deficits of individuals, the sense of isolation, in which

⁴⁶ Dzhokova Rositsa, Moravec Ludek, Mancheva Mila, Stoyanova Nadya, Anagnostou Dia, Understanding, Assessing and Monitoring Radicalisation Risks and Trends / guidelines for practitioners/, Edited by Lindsay Clutterbuck, independent senior expert on (counter)radicalisation and (counter)terrorism, Center for the study of democracy, September 2016

case they are motivated to look for places and people among whom they can feel accepted and appreciated.

A potential entry into this process is possible during visits to prayer homes, restaurants, schools, sports and youth clubs, places of employment, and can happen even in prison. The fastest and easiest way is via the Internet because of the mediated and anonymous, to a large extent, contact.

2. Stage of the so-called *Identification* or acceptance of the ideology

At this initial stage, individuals are usually revealed the positive aspects of the doctrine they accept, and even the acts of violence that result from it are perceived as a reasonable and logical response to a certain injustice. This is the stage in which individuals begin to move away from their lifestyle. There is a growing sense that their friends do not "understand" them; this feeling does not cause distress though because they are surrounded by new people, their "brothers-in-ideology", with whom they share the same values and ideologies. In the new group where they feel "chosen", individuals gradually acquire a new social identity that isolates them from the rest of the world, and the growing sense of group affiliation reinforces their motivation and belief. At this stage, group dynamics plays a particularly important role. Though already accepted in the new group, sometimes individuals still feel "alien" and this encourages them to prove their devotion to the community or ideology by doing something "extraordinary", including a crime or act of violence.

3. Stage of the so-called *Indoctrination* /system training/

Once individuals have adopted the radical ideology, the spiritual leaders begin to assign specific tasks to them and they begin to lose their previous criticism. The leader of the group is an undeniable authority and everything they say is taken at face value. Assigning responsibilities within the group increases the individuals' sense of involvement and significance. Community leaders enhance the ideological preparation of the new members and induce them to improve their physical shape. The purpose of this systemic indoctrination of individuals is to lose all sense of rationality, give

themselves to and believe in the life that awaits them in the future should they be righteous instead in the earthly being.

4. *Action-for-the-cause* stage

At this stage, it is intended to maximize the benefit of radicalized individuals by engaging them in activities that use their specific skills and knowledge. For example, they may become preachers or recruiters; they may commit criminal and / or violent acts including taking part in combat, suicide bombings, etc. The passage through this stage is related to the external manifestation of the individuals' psychological processes. It is at this point that the external signs of radicalization can be most clearly identified.

These signs are conditionally divided into several groups:

1. Personality-related signs

In brief, these are:

- Acquiring a pseudonym (usually from religious texts), which shows involvement with the particular religious trend;
- Changing the style of dressing, choosing clothes that are specific for the members of the particular religious community and often atypical for the society;
- Changing the physical appearance, shaving the head or growing long hair or beard. One of the most characteristic external traits for radical Islamists is the long beard with short whiskers.

2. Behaviour-related signs

In brief, these signs are as follows:

- Striving for contacts with leaders of radical religious groups;
- Changing religious practices: individuals become more strict in respecting religious rituals, for which they neglect the essential daily activities of their previous life: visiting school, going to work, etc.;
- Taking part in closed events, usually after prayer, when there is a more narrow circle of "trusted" persons in the prayer home. These meetings do not discuss religious topics but current geopolitical and social events and their impact on the religious community, with plans to respond to them;

- Using Internet forums with radical content. There, individuals find "related souls" as well as persons who could be radicalized;
- Changing the model of travel or stay in specific areas where the residents share their radical views;
- Praising martyrdom and violence. Here, no acceptable justification is sought but violence is perceived as a personal path following the example of those who have already "moved" to the afterlife in "the most Godly way";
- Enthusiasm for extreme or power sports;
- Social exclusion: avoidance of school, youth clubs, concerts, etc.;
- Using radical or specific terminology that is not universally accessible;
- Committing minor crimes as a symbol of disrespect for the established rules in the society, a kind of "rebellion" against it;
- Disregarding the secular power through demonstrating disrespect for it (following the maxim *Power comes from God, not from people*).

3. Ideology-related signs

In brief, the signs related to the individual's beliefs are:

- Denying innovations in religious beliefs and practices and hatred towards more moderate trends in the religion;
- Emotional engagement in causes that are often of direct concern to the individuals (e.g., the Palestinian-Israeli conflict, the military conflict in Syria, etc.);
- Denying scientific achievements and theories to a level of absurdity for other members of the society. This is one of the most obvious signs of the individuals' inner convictions;

Interesting are the specific ways of radicalization. In short, the methods used to radicalize individuals are:

Oppression method

This method uses photographs or video materials that represent the suffering of civilians (indirect victims of a conflict), mostly children and women. Thus, individuals are urged to respond, by using their compassion and sense of justice.

Suggestion method

A significant tool in the Islamic propaganda is the so-called *Nasheeds*, i.e. songs in which the same phrases are repeated many times under emotional musical accompaniment. Nasheeds are often included in videos that show certain shots, including of dead “martyrs”. This is intended to influence the subconsciousness. Autosuggestion is the goal of the ritual religious practices. Specifically, Muslim religious rituals imply a fivefold prayer in which the same actions and the same phrases are repeated many times, and this leads to self-suggestion.

4. Violence method

In the closed religious groups or in the training camps of terrorists, violence is often used against those who show signs of hesitation. That is how their will breaks.

The practice divides radicalized persons into three groups:

1. Self-radicalized persons

Here, personal causes and social exclusion play a key role. In searching for identity, these individuals come to radical ideas that attract them. This is mostly done through the Internet.

2. Persons radicalized under the influence of external factors

The representatives of this group are influenced by preachers or the group dynamics of a radical community. The catalyst is usually a foreign political event discussed in detail in the group or commented by the spiritual leader.

3. Converts (Persons that accept another religion)

Here, we can talk about a combination between the two previous groups. This group of radicalized persons brings a great risk because their desire to prove the power of their faith is very great.

CONCLUSION

Against radicalization, as a complex and multi-layered phenomenon, many and varied methods of counteraction must be used

⁴⁷. Knowing the nature, stages, and methods of radicalization could contribute to the development of an effective system of counter-measures. They should be action-oriented at both national and international level. At the same time, it is necessary, through these means, to prevent the occurrence of situations, acts of violence, crimes, etc. as a consequence of adopting radical ideas. Last but not least, the main goal of counteracting radicalization should be prevention, that is to say, to thwart all attempts to spread the ideas of radicalism among individuals or groups of individuals.

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ГОДИШНИК

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