



Union Internationale des Avocats
International Association of Lawyers
Unión Internacional de Abogados



The Court of Justice of the European Union (CJEU) and the National Court – The Role of the Lawyer

FRIDAY, SEPTEMBER 25 & SATURDAY, SEPTEMBER 26, 2015



SOFIA

BULGARIA



Seminar organised by the UIA in collaboration with the Supreme Bar Council (SBC) and the Sofia Bar Council (Sofia BC)

Introduction

Bringing together the world's lawyers

For over 85 years, the Union Internationale des Avocats (UIA - International Association of Lawyers) has been defending the legal profession and facilitating international contacts, cooperation and the exchange of knowledge among lawyers, while respecting their cultural and professional diversity.

Today, the UIA brings together several thousand members – lawyers or law professionals – and hundreds of bars, federations and associations.

Join the UIA and become a member of the world's strongest network of lawyers

- You will participate in the work of the UIA Commissions in Business Law, Human Rights and General Practice and share your experience with that of professionals from over 110 countries.
- You will also be able to join forces with the UIA, which, each year, provides its support to lawyers who cannot freely practise their profession. Everywhere in the world where rights of defence are threatened or the proper administration of justice is hindered, the UIA will make your voice heard.

www.uianet.org

Bulgaria's accession to the European Union on January 1st, 2007 has significantly changed the national jurisprudence. The EU legal norms as well as the case law of the European Court of Human Rights (ECHR) in Strasbourg and of the Court of Justice of the European Union (CJEU) in Luxembourg are part of the domestic law and jurisprudence of the EU Member States and they take precedence in the national jurisprudence of the Member States as part of EU territory.

The attorneys' role for the effective exercise of the procedural rights of citizens and entities within the national jurisprudence and its overall European modernization through comprehensive knowledge and application of the procedure and case law of the CJEU in Luxembourg is growing.

These issues and their practical solutions proposed by practicing attorneys within the procedure before the CJEU, the European judges' invaluable view of them and the academic analysis on the part of representatives of legal doctrine are the reasons to dedicate these two days to the study of the attorneys' role in the interaction between the CJEU and national jurisdiction.



Thursday | September 24 | 2015

20:00 WELCOME COCKTAIL

Hosted by the President of the Sofia Bar Association

Hotel Marinela Sofia

James Bourchier Boulevard, 100
Sofia, Bulgaria



Friday | September | 25 | 2015

08:30 – 09:00 REGISTRATION OF PARTICIPANTS

Hotel Marinela Sofia

James Bourchier Boulevard, 100
Sofia, Bulgaria

09:00 – 09:30 WELCOME AND OPENING OF THE SEMINAR

- **Miguel LOINAZ**, *UIA President, ALS Abogados, Montevideo, Uruguay – or his Representative*
- **Konstantin PENCHEV**, *National Ombudsman of the Republic of Bulgaria*
- **Lozan PANOV**, *President of the Supreme Court of Cassation of Bulgaria*
- **Ralitsa NEGENTSOVA**, *Attorney at Law, President of the Supreme Bar Council, Bulgaria*
- **Petar KITANOV**, *Attorney at Law, President of the Sofia Bar Council, Bulgaria*

09:30 – 10:45 The Lawyers in front of the Court of Justice of the European Union (CJEU)

- **Mariyana KANCHEVA**, *Judge, General Court of the European Union, Luxembourg*

The New Rules of Procedure for the General Court. (as of 7.1.2015). Reform of The General Court

- **Anthony M. COLLINS**, *Judge, General Court of the European Union, Luxembourg*

Discussion

10:45 – 11:15 COFFEE BREAK

11:15 – 12:30 The Role of the Lawyer and the Preliminary Ruling Proceedings

- How a lawyer can achieve a preliminary ruling
- The phrasing questions before the national court
- Preliminary ruling proceedings as a last resort?
- The role of the lawyer in phrasing an application for direct recourse
- **Mimi YOTOVA**, *Lecturer in EU Law, Sofia, Bulgaria*
- **Valentin BOJLOV**, *Djingov, Gouginski, Kyutchukov & Velichkov Law firm, Sofia, Bulgaria*
- **Morvan LE BERRE**, *Cabinet Le Berre, Brussels, Belgium*

Discussion

12:30 – 14:00 LUNCH

Hosted by the President of Supreme Bar Council of Bulgaria

14:00 – 15:00 The Admissibility of the Preliminary Ruling Proceedings and the Rephrasing by the CJEU

- **Alain GROSJEAN**, *Deputy Director of the UIA Seminars, President of the UIA National Committee in Luxembourg, Bonn & Schmitt, Luxembourg, Luxembourg*

Rules of procedure

Common Rules for the procedures before the CJEU

- The lawyer in the procedure before the CJEU: Organizational measures for oral and written procedures
- **Morvan LE BERRE**, *Cabinet Le Berre, Brussels, Belgium*

The sense of urgency before the CJEU

- **Peter Lulov**, *Cabinet de Mme le Juge Kancheva, Luxembourg*

15:00 – 15:30 COFFEE BREAK

15:30 – 16:30 Role of the lawyer – Limits and opportunities of a necessary interaction between the ECJ and the National Court

- **Roumen RAYKOVSKI**, *Lawyer, Bulgaria*

Delivery and Effects of the CJEU Decisions

- Decision making European judges : deliberation, delivery and the content of the decision (procedural costs and expenses)
- The effects of the decision (binding and retroactivity) and judicial remedies
- **Agata Barbara CAPIK**, *Resercher in EU Law, Luxembourg*

Discussion

16:30 – 18:00 The Member States Liability before the National Courts against National Measures Violating EU Law – Defense in front of National Courts: Frankovitch Case

- **Stanislav KOSTOV**, *Lawyer, Assistant Prof. in EU Law, Sofia University St.Kliment Ohridski, Sofia, Bulgaria*
- **Katina BONCHEVA**, *Lawyer, Ekimdjiev, Boncheva & Chernicherska Law firm, Plovdiv, Bulgaria*

Discussion

20:00 OPTIONAL DINNER

Hadjidraganov's Cellars Restaurant

18, Hristo Belchev street,
Sofia, Bulgaria

09:00 – 09:30 REGISTRATION OF PARTICIPANTS

Hotel Marinela Sofia

James Bourchier Boulevard, 100
Sofia, Bulgaria

09:30 – 11:00 ROUND TABLE about the Previously Discussed Themes

Moderators: • **François MOYSE**, *DSM Di Stefano Moyse Avocats à la Cour, Luxembourg, Luxembourg* & **Agata Barbara CAPIK**, *Resercher in EU Law, Luxembourg*

The CJEU Jurisprudence in the field of immigration law : Dano case and others

• **Martin BABAROV**, *Lawyer, PhD candidate in EU Law, Sofia University St.Kliment Ohridski, Sofia, Bulgaria*

Status of the national lawyers within the freedom to provide services

- **Anna MASIOTA**, *Masiota Adwokaci I Radcowie Prawni, Poznan, Poland*
- **Katerina GRAMATIKOVA**, *Lawyer, Dobrev & Lyutskanov, Bulgaria*

CJEU and Fundamental rights: quo vadis?

- **François MOYSE**, *DSM Di Stefano Moyse Avocats à la Cour, Luxembourg, Luxembourg*

11:00 – 11:30 COFFEE BREAK

11:30 – 13:00 ROUND TABLE about the Previously Discussed Themes (Continued)



Organising Committee

Konstantin DIMITROV

Attorney at Law, Member of the Sofia Bar Association Board
President of Association of Spanish speaking lawyers in Bulgaria
Sofia, Bulgaria
T +359 898 644 034
E dimitrov@lawoffice-bg.eu

Grozdan DOBREV

Attorney at Law, Member of the Sofia Bar Association
National Representative of UIA for Bulgaria
Dobrev & Lyutskanov Law Firm
Sofia, Bulgaria
T +359 888 219 315
E dobrev@lawfirm-bg.org

Marta BOZHKOVA

Attorney at Law, Member of the Plovdiv Bar Association, Bulgaria
Plovdiv, Bulgaria
T +359 888 964 222
E m.bozhikova@b-legal.bg

Enrica SENINI

President of the UIA European Union Law Commission
Studio Legale Senini
Brescia, Italy
T +39 030 50 30 82 0
E e.senini@senini.biz

Alain GROSJEAN

Deputy Director of the UIA Seminars
President of the UIA National Committee in Luxembourg
Bonn & Schmitt
Luxembourg, Luxembourg
T +352 27 855
E agrosjean@bonnschmitt.net

Silvi GAVRILOV

Attorney at Law, Sofia Bar Association
President of the French speaking lawyers association
Sofia, Bulgaria
T +359 894 705 995
E s.gavrilov@avi

General Information

SEMINAR VENUE

HOTEL MARINELA SOFIA

James Bourchier Boulevard, 100
Sofia, Bulgaria
T +359 2 969 2222

REGISTRATION FEES

	UIA Member		Non Member	
	≤ 04.09.2015	> 05.09.2015	≤ 04.09.2015	> 05.09.2015
STANDARD REGISTRATION	€ 390*	€ 440*	€ 440*	€ 490*
YOUNG LAWYER (<35)**	€ 340*	€ 390*	€ 390*	€ 440*
BULGARIAN PARTICIPANTS	€ 180*	€ 230*	€ 180*	€ 230*

* The VAT (20%) can be applied to the amount here above according to the European Directive 2006/112/CE of November 28, 2006. For more information, please contact the UIA.

** Please attach proof of age to the registration form to benefit from young lawyers fee.

These fees cover participation in the welcome cocktail, participation in the seminar, coffee breaks, lunch on Friday, September 25, 2015 as well as the documentation of the seminar. The dinner on Friday night, September 25, as well as the Saturday lunch and the Saturday social programme are optional and at additional charge. Please note that the number of places at the seminar is limited. The organisers reserve the right to refuse registrations in the event of excess applications.

CONTINUING LEGAL EDUCATION

Every participant attending the seminar will receive a "Certificate of Participation" at the end of the event that may be used for obtaining "Credits" for "Continuing Legal Education" – "Continuing Professional Development" purposes, depending on national rules. For more information, please contact the UIA.

LANGUAGE

The working languages will be **English, Bulgarian and French** with a **simultaneous translation**.

HOTEL ROOM RESERVATION

A limited number of rooms has been pre-booked at a preferential rate. Reservations should be made directly through the hotel. Credit card details must be given in order to secure your reservation. Please note that the number of rooms is limited. We recommend that you proceed with your reservations as soon as possible.

Hotel	Rates	
HOTEL MARINELA SOFIA	Deluxe Single room	78 €
<i>Venue of the seminar</i>	Deluxe Double room	83 €
James Bourchier Boulevard, 100	Junior Suite Single	130 €
Sofia, Bulgaria	Junior Suite Double	140 €
T +359 2 969 2222	Breakfast included.	
F +359 2 969 2223	NOT included: City Tax @ €0.67/pers./nuit	
www.hotel-marinela.com		

Please download the hotel reservation form from our Website www.uianet.org

CANCELLATION CONDITIONS

All cancellations will be subject to a 50% deduction and will have to be sent in writing, to be received by the Union Internationale des Avocats **no later than August 25, 2015**. No refund will be made for cancellations received after this date.

VISAS

Anyone who requires a visa invitation letter in order to attend the seminar should register and pay their registration fees **no later than August 25, 2015** to ensure there is enough time to obtain a visa.

All cancellations will be refunded in full, minus €50 + VAT to cover administrative costs, provided that the UIA has received the registration documents and **total registration fees no later than August 25, 2015**.

If you register after this date, only 50% of the amount paid minus €50 + VAT to cover administrative costs will be refunded for cancellations due to visa refusals.

All cancellations due to a visa refusal must be sent in writing and reach the UIA **before the seminar**. Cancellations must be accompanied by a **proof of visa refusal**.

If your visa is issued after the seminar date or if you do not have proof of visa refusal, you will not be entitled to a refund.

GENERAL CONDITIONS

All registrations received by the Union Internationale des Avocats (UIA) along with the full payment of fees corresponding to the events selected will be confirmed in writing.

The UIA reserves the right to cancel or postpone the seminar to a later date, change the seminar venue and/or programme, make any corrections or modifications in the information published in the seminar programme and cancel any invitation to participate in the seminar, at any time and at their entire discretion, without having to provide any reasons for the same.

Neither the UIA, nor any of its managers, employees, agents, members or representatives shall be held responsible for any loss or damage, of any nature, suffered (directly or indirectly) by a delegate, accompanying person or a third party following any cancellations, changes, postponements or modifications.

The UIA strongly advises participants to subscribe to modifiable and/or refundable services, as well as to take out a cancellation insurance.

Neither the UIA, nor any of its managers, employees, agents, members or representatives shall be held responsible for any loss or damage, of any nature whatever, suffered (directly or indirectly) by a delegate or accompanying person, except in case of death or personal injury due to gross negligence by the UIA.

The contractual relations between the UIA and each participant (delegate or accompanying person) in relation to the seminar are subject to French law and jurisdiction, to the exclusion of any other law. Paris is the city of jurisdiction.

FORMALITIES

It is the responsibility of participants to ensure compliance with police, customs and health formalities for their journey. Participants unable to take part in the seminar because of their inability to take a flight or any other means of transportation due to being unable to provide the documents required (passport, visa, vaccination certificate, etc.) cannot claim any reimbursement.

FORCE MAJEURE

“Force majeure” means any events external to the parties, of both an unforeseeable and insurmountable nature that prevents either the client or the participants, or the agency or service providers involved in organising the seminar, from executing all or part of the obligations provided for in the present agreement. By express agreement, such will be the case in the event of a strike affecting the means of transport, hotel staff, air traffic controllers, an insurrection, a riot or any prohibition whatever decreed by Governmental or public authorities.

It is expressly agreed that for the parties, a case of force majeure would suspend the execution of their reciprocal obligations. At the same time, each of the parties shall bear the burden of all the expenses incumbent upon them, resulting from the case of force majeure.

HEALTH

The organisers decline any responsibility in case of any health problems existing prior to the seminar that may lead to complications or be aggravated during the entire period of the stay: pregnancy, cardio-vascular problems, any allergies, special diets, any disorders under treatment and not yet consolidated on the day the seminar starts, psychic or mental or depressive illness, etc. (Non exhaustive list).



Union Internationale des Avocats
International Association of Lawyers
Unión Internacional de Abogados



The Court of Justice of the European Union (CJEU) and the National Court – The Role of the Lawyer

Friday, September 25 & Saturday, September 26, 2015

SOFIA, BULGARIA

REGISTRATION FORM

Register online at: www.uianet.org

or please complete and return this form, by email, fax or post, to:

UNION INTERNATIONALE DES AVOCATS

25 rue du Jour, 75001 Paris, France

Tel: +33 1 44 88 55 66 ■ Fax: +33 1 44 88 55 77 ■ Email: uiacentre@uianet.org



Register online

UIA INDIVIDUAL MEMBERS: M I - - - - -

Please specify your membership number (Please check your membership card or membership fees)

Family Name:

First Name:

Firm:

Address:

Post Code: City:

Country:

Tel: Fax:

Email:

Date of Birth:

EU VAT ID – Number:

Special requests (special diet, allergies, handicap...):

Arrival/departure times & flight numbers:

Hotel:

A. SEMINAR REGISTRATION FEES

	UIA Member		Non Member	
	≤ 04.09.2015	> 05.09.2015	≤ 04.09.2015	> 05.09.2015
STANDARD REGISTRATION	€ 390*	€ 440*	€ 440*	€ 490*
YOUNG LAWYER (<35)**	€ 340*	€ 390*	€ 390*	€ 440*
BULGARIAN PARTICIPANTS	€ 180*	€ 230*	€ 180*	€ 230*

* The VAT (20%) can be applied to the amount here above according to the European Directive 2006/112/CE of November 28, 2006. For more information, please contact the UIA.

** Please attach proof of age to the registration form to benefit from young lawyer fee.

B. SEMINAR SOCIAL ACTIVITIES

Please indicate below whether you plan to attend the following events **included** in the cost of your registration.

- Welcome Cocktail – Thursday, September 24, 2015
 Lunch – Friday, September 25, 2015

C. OPTIONAL ACTIVITY

(**not included** in the registration fees)

- Optional Dinner – Friday, September 25, 2015

• Please book person(s) for the dinner

€ 50 (Excl. VAT) x ___ / pers

Total (C) (Excl. VAT) €

D. TOTAL

TOTAL (A) Excl. VAT – Registration Fees €

TOTAL (C) Excl. VAT – Optional Activity €

TOTAL (A+C) Excl. VAT €

VAT if applicable (20%)* €

TOTAL (A+C+VAT) €

* The VAT (20%) can be applied to the amount here above according to the European Directive 2006/112/CE of November 28, 2006. For more information, please contact the UIA.

E. CANCELLATION CONDITIONS

I, the Undersigned, confirm that I have read and accepted the **cancellation conditions** as well as the **general conditions** given on page 6 of the registration programme. My registration will only be taken into account on receipt of the payment.

Participants are aware that their image and/or voice may be photographed, recorded or filmed throughout the duration of the seminar. They hereby assign to the UIA, with the signature of this form, the right to exploit, reproduce and disseminate the images and recordings by all means, both known and unknown, using all media, for an unlimited term and free of charge.

F. METHOD OF PAYMENT

- By cheque in € payable to the UIA, addressed to: UIA – 25 rue du Jour – 75001 Paris – France
 By bank transfer in €, without charges to the payee, in favour of the Union Internationale des Avocats, quoting “2015 Sofia Seminar”, to the following bank and account:

Société Générale – Paris Elysées Entreprise
91 avenue des Champs Elysées – 75008 Paris – France
BIC / SWIFT N°: SOGEFRPP
IBAN: FR76 3000 3033 9200 0503 4165 164

Kindly attach a copy of your bank transfer order to your registration form

- By credit card: Visa Mastercard

Card N°: _ _ _ _ _

Expiry date: _ _ / _ _ 3 digits: _ _ _

Name of card holder:

I authorise the Union Internationale des Avocats to debit the above mentioned credit card in the amount of € (EUR)

Date: / /

Signature: