

OPINION

by Assoc. Prof. Katerina Borislavova Yocheva, Ph D

New Bulgarian University,

Associate professor in professional area 3. Social, business and legal sciences,
professional area 3.6. Law

(International Law and International Relations)

on the scientific works for participation in a competition

to be appointed to the academic position associate professor in
professional area 3. Social, business and legal sciences,

professional area 3.6. Law

(Criminal Law and EU Criminal Law),

published in SG 83 of 22.10.2019,

the candidate being senior assistant professor Ralitsa Svetlozarova Kostadinova, Ph D

I. The scientific works and other materials presented by senior assistant professor Ralitsa Kostadinova, Ph D are fully in conformity with and to some extent are even above the requirements of the minimal national requirements as well as the requirements of New Bulgarian University to be appointed to the academic position associate professor.

II. The candidate presents in the competition a monography entitled „Условното осъждане по българското наказателно право“ (Suspended Sentence under Bulgarian Criminal Law) amounting to 280 pages. This work satisfies as a whole the requirements of the definition of “monography” under the ЗПАСРБ (Act on the Development of the academic staff in the Republic of Bulgaria).

Besides, the candidate presents proves of a big amount of other publications mainly in revised publications in the area of criminal law, which contain essential scientific contributions.

1. The monography that is presented to the competition contains a number of contributions. It may be defined as the first comprehensive study of the institute of suspended sentence under Bulgarian criminal law. It makes an in-depth theoretical analysis of suspended

sentence, which is viewed as a specific criminal law means to counteract criminal acts in Bulgaria. The attention is caught by the author's original and scientifically argumentized periodisation of the historic development of the legal regulation of suspended sentence in Bulgaria. The author makes an in-depth analysis of the notion of suspended sentence, as well as of its legal characteristics. In order to do so the author makes reference to similar institutes. As a contribution should be defined the systematic analysis of the relevant case-law as well as the proposals to amend the legislation made. Another contribution is the comprehensive analysis of the term of probation with regard to suspended sentence as well as the introduction in the doctrine of the notion of "suspended sentence regime". Should be noted the interdisciplinary approach of Mrs Kostadinova, Ph D, who in addition makes an analysis of legal instruments of the Council of Europe, the United Nations and the EU in order to throw light on the European perspective with regard to suspended sentence. The expert skills of the candidate in the area of the EU Criminal law provides her with the opportunity easily to make analysis of the issues regarding the transfer of probation measures during suspended sentence in the EU.

2. The candidate has presented one study and 26 articles, which have not been used in the procedure of acquiring the educational and scientific degree Ph D. Their overview reveals, that most of them tackle with current issues of criminal law such as the system of criminal offences and criminal policy, punishments for transport-related offences, corruption, current issues with regard to the case-law of the Supreme court of cassation, terrorism and so on. Besides, there are some very interesting publications presented by the candidate, in which she deals with issues with regard to criminal law history, international criminal law and the EU criminal law.

3. As may be easily seen from the proves offered by the candidate, her publications have been quoted in a big number of monographs and collective works, which have been revised (15), as well as in a number of non-referred periodicals (11) with scientific revision.

III. The candidate in the competition fulfils in whole the legislative requirements with regard to academic and lecturing activity. Mrs Kostadinova, Ph D starts her academic career in 2001 in New Bulgarian University following a competition and is appointed as assistant professor in criminal law. Gradually she has been appointed to the academic positions of chief and senior assistant professor. She has lectured in different courses in Law Master Program as well in other programs in New Bulgarian University. Following the acquisition of the educational and scientific degree Ph D in criminal law in October 2011 she has taken active

part in the development of the programs by offering and developing new lecture courses in the Law Department and the Department National and International Security in the New Bulgarian University in the area of the legal regulation and counteraction of criminal activity. In 2015 she introduced in New Bulgarian University the lecture course EU Criminal Law, which is still on the curriculum of the Law Master Program with the students from the 10th semester.

1.1. Regarding the issue of academic activity and ability to work with the electronic educational module “Moodle NBU” the candidate fulfils all the requirements. During the period of attestation Mrs Kostadinova, Ph D has introduced and lectured in more than ten various lecture courses in New Bulgarian University: mainly seminars in criminal law, as well as lecture courses in EU criminal law, penitentiary law, probation, counteraction of corruption, basics of the law among others.

It should be noted that throughout the period 2013–2019 Mrs Kostadinova, Ph D has achieved a developed level of education in the electronic educational module “Moodle NBU”, where she has published big number of own materials. All the courses of Mrs Kostadinova, Ph D are provided with educational materials through the platform “Moodle NBU”. Under the title of any of the courses there is presentation material with a detailed content, links, additional papers in accordance with the requirements of New Bulgarian University. The total volume amounts to more than 7500 pages.

Besides, also available is the educational aid „Наказателно право в схеми и определения“ (Criminal law in schemes and definitions), 4th revised edition, Sofia, Сиела, 2017. ISBN 978-954-28-2472-5 in the Book Centre of New Bulgarian University for the purposes of the process of education in criminal law.

Other own publications (more than 30) are also accessible by students in New Bulgarian University in the scientific electronic archive of New Bulgarian University.

1.2. With regard to the requirement for work with students and Ph D students and provision of students’ practice and internships, it should be noted that Mrs Kostadinova, Ph D has organised on a regular basis different events for students as well as she has revised students’ papers. In the last two years she has been coaching the teams of New Bulgarian University for participation in the National Competition for solution of cases as well as she has chaired the criminal law club. With these activities she has undoubtedly contributed to the increase of the image of New Bulgarian University among academic institutions.

1.3. With regard to the requirement provision of students’ practice and internships under consideration should be taken the fact that Mrs Kostadinova, Ph D has provided on regular basis recommendations to students of New Bulgarian University with regard to their

internships, job applications or applications for further education in Bulgaria or abroad as well as applications in magistrates' competitions.

2. Although that till present the candidate in the competition does not [provide evidence that she has worked with Erasmus students, I can witness that Mrs, Ph D is in possession of all the required qualities in any necessity to work in her areas of preference in the academic sphere with students under the Erasmus + program and other similar programs in future.

3. With regard to the evaluation made by students in different polls it should be noted that according to data supplied by the Centre for quality and evaluation the average grade put to Mrs Kostadinova, Ph D regarding the last 10 semesters is very good 4.55 (out of very good 5.00). Besides, Mrs Kostadinova, Ph D has been distinguished with the honorary title "Our favourite lecturer" by issue 2013 of the Law Master program (dated 6.7.2013).

IV. With regard to the requirement for administrative and social activity of Mrs Kostadinova, Ph D it may be summarised that she has offered proves of a rich activity in the both directions.

She has served as an administrative director of Law Master Program for a 10 years period. She has also served as a Member of the Accreditation Commission of the Master Faculty for a term of 5 years as well as a Member of the Library Council of New Bulgarian University for a 5 years term.

As regard her social activities the particular examples include the membership of Mrs Kostadinova, Ph D in Bulgarian association of criminology since 2013, she is also a founding member in 2005 г. And is editor in chief of Law Journal of New Bulgarian University since 2018. Besides being founder she has also been an active member of the editorial board of the said Journal since as well as she has been a secretary of the periodical Legal Review in the period 2003–2005.

She is also a member of the editorial board of the issue "Studies in the field of law and politics. Miscellanies", issued by the Law, Administration and Economy faculty of Kujawy and Pomorze University in Bydgoszcz since 2017.

The expert skills of Mrs Kostadinova, Ph D in the criminal law area is the reason she to be invited as a member of panels of judges in national competitions, to be invited as a lecturer in the National Institute of Justice, as well as to serve in the capacity of scientific chair of legislative researches in the National Assembly of the Republic of Bulgaria.

By her comprehensive academic activity Mrs Kostadinova, Ph D brings about the increase of the public image of the Law Master Program of New Bulgarian University and contributes to the attraction of students, who are willing to study law.

V. It is my personal conviction and understanding that Mrs Kostadinova, Ph D has the deserved the fullest respect not only of the members of the Law Department but also of the rest of the members of the administrative service and of the academic staff not only pertaining to the New Bulgarian University but also outside this university. She has proved to be highly erudite, responsible and loyal member of the academic staff of the Law Department and anyone may take confidence in her expert appreciations in the legal area chosen by her for her professional realization.

VI. Views, recommendations and notes with regard to the activity and the accomplishments of the candidate

It is evident that the academic activity of senior assistant professor Ralitsa Kostadinova, Ph D in New Bulgarian University is versatile and fruitful and is highly appreciated by the practicing jurists and magistrates. My basic recommendation to her is that she should keep on improving her work in the area of EU and international criminal law, as well as to make profit of the opportunities to lecture before foreign students.

In conclusion I declare with my deep internal conviction my entirely positive appreciation of the academic work of the candidate and I propose the candidate to be admitted to appointment by the Academic Council of NBU of senior assistant professor Ralitsa Svetlozarova Kostadinova, Ph D to the academic position Associate Professor.

27 January 2020

Signature:

(Assoc. Prof. K. Yocheva, Ph D)