

## **OPINION**

By Assoc. Prof. Dr. Alexander Angelov Ivanov, lecturer at SWU "Neofit Rilski", professional field 3.6. Law on the scientific papers submitted for participation in a competition for the academic position “associate professor”, in the professional field 3.6. Law (Law of Obligations), announced by the New Bulgarian University (NBU) in SG, issue 14/ 18.02.2022 with candidate Chief Assistant Professor Dr. Silvia Stoyanova Tsoneva

### **I. Assessment of compliance with the minimum national requirements and the requirements of the New Bulgarian University.**

Evident from the self-assessment report submitted by the candidate and the evidence attached to it, she has held the position of Chief Assistant Professor at NBU for more than two years and meets the minimum national requirements under Article 2b of the Academic Staff Development in the Republic of Bulgaria Act. For some indicators she received more than the required points.

The application of the candidate in the competition contains many documents, proving that she fulfills the additional requirements under Art. 58, para. 1 of the Regulation for the development of the academic staff at NBU (indicators by groups Ж, З and Ъ in the individual assessment table).

There is no legally proven plagiarism in the scientific works of the candidate.

### **II. Research (creative) activity and results**

1. Evaluation of the monographic work, including evaluation of the author's scientific and applied contributions.

The monograph, which is presented has great theoretical and practical significance, which is determined primarily by the in-depth critical analysis of the case law accumulated in recent years and the adequate use of comparative law research method. The comparative analysis includes not only foreign national legislation, but also instruments of the so-called Soft law.

The author' deliberations with scientific contribution are as follows: analysis on the foreseeability of damages in case of buyer's eviction (pp. 34-35); discussion on the notion of

bad faith of the debtor within the meaning of Art. 82, sentence 2 OCA (pp. 77-78); the statement that there is a link between the principle of good faith and the mitigation of loss principle (p. 102); clarifying analysis of the issues related to contributory negligence (pp. 137-138); the thorough analysis and the clarification of the essence of the rule for reduction of loss under art. 83, para. 2 OCA; the argument that damages in case of terminated contract should compensate the positive interest (p. 160 et seq.); the analysis in connection with the application of Article 323 CA (p. 193 et seq.); the analysis of the abstract method for calculating the compensation (p. 200 et seq.); the understating of the lost profits concept (p. 213 et seq.); the analysis related to the application of Art. 80 OCA (p. 251 et seq.); the study of the problem of compensation for non-pecuniary damages in contractual liability (p. 296 et seq.); The survey of the issue of assessment of damages in accordance with the benefits for the debtor is also of undoubted scientific contribution (p. 369 et seq.).

2. Evaluation of the contributions in the other publications, presented in the competition, which are written after the appointment on the academic position "Ch. assistant ", incl. assessment of the requirement for peer-reviewed publications

Among these publications, the monograph "English and Bulgarian tort law" should be highlighted. It is the first comparative study on the subject. The results of this in-depth work can form the basis of a future improvement of our tort law. The other works, which have been published in peer-reviewed publications, are devoted to current issues in various fields of private law. They also show a high theoretical level, at which the comparative law method of research is often widely used.

### 3. Citation from other authors

According to the requirements of the Development of the Academic Staff Act, as well as the requirements of NBU a minimum of 50 points is required in the competition for associate professor. The self-assessment report and the presented materials thereto show and prove 30 citations of articles by Dr. Silvia Tsoneva in monographs and collective volumes with scientific review. Thus, the applicant exceeds the minimum national requirements for indicator Д12 of the individual assessment table for citation by other authors.

### **III. Teaching and learning activities**

The candidate meets all the criteria of NBU for teaching load, for all categories. Dr. Silvia Tsoneva was appointed an assistant at the NBU in 2001. She passed through the academic positions of senior assistant (2005) and chief assistant (2012).

She teaches the following lecture and training courses in the Master Degree Program of Law: Law of obligations, Training in Law of obligations, Consumer protection law and Stock Exchange law. She participates as lecturer in the course "Practicum in Civil Law" organized by Center for Vocational and Continuing Education of NBU. She teaches in English at the NBU's "Applied Linguistics" program and in a program of NBU and the University of York.

The candidate works actively in the e-learning module "MOODLE - NBU", where author's study materials, tests, cases, selected case law on topics, hyperlinks to sites and other materials are published. She also actively works with students in extracurricular activities such as student readings, mootcourt competitions and is responsible for the Law of Obligations's student group at NBU.

Ch. Assistant Professor Dr. Silvia Tsoneva has participated as a member in international research projects, has also participated in the organization and preparation of scientific conferences, delivered public lectures, conducted trainings outside NBU. She has participated in a number of trainings at the Library and the Center for Career Development and Training Resources of NBU to improve the quality of her teaching methodology, to work with MOODLE, with library services etc.

The average grade she received from the student satisfaction surveys for the last ten semesters is Very good 4.47 (with a maximum score of 5.00).

### **IV. Administrative and public activities**

Dr. Silvia Tsoneva worked in the administration of the New Bulgarian University as a director and program consultant of the NBU Law Program during the period 2005 - 2017, as a member of the Accreditation Commission at the Faculty of Master Degree Programs, as a member of the Program Council of the Law Program and the Council of the Law Department of the NBU. She also works as Erasmus Coordinator for the NBU's Law Program.

For over 15 years she was member of the editorial board of the NBU Law Journal. She is currently a member of the editorial board of "Studies in the field of law and politics" at the University of Kujawy and Pomorze in Bigoszc, Poland.

She is a member of the Alliance of Lawyers in Bulgaria.

**V. Personal impressions of the candidate (if any)**

In my view the candidate is well-learned and responsible teacher, thorough and conscientious research scholar.

**VI. Opinions, recommendations and notes on the activities and achievements of the candidate**

The monograph presented for review, as well as the other scientific works of Dr. Silvia Tsoneva are the result of in-depth research in the field of private law and have undoubted scientific and practical significance. Based on this, I give my positive assessment of the scientific and teaching qualities of Chief Assistant Dr. Silvia Stoyanova Tsoneva, who meets the requirements of Art. 24, para. 1 of the DASRBA and Regulation for the application of the Act and I recommend the scientific jury to propose to the Academic Council of NBU to elect Chief Assistant Dr. Silvia Stoyanova Tsoneva to take the academic position of "Associate Professor" in the professional field 3.6 Law (Law of Obligations).

Date: June 22, 2022

Signature: