

# NEW BULGARIAN UNIVERSITY

## REVIEW

by Prof. Dr. Vesselin Borislavov Vuchkov, New Bulgarian University, lecturer in Criminal procedure law, member of the Scientific Jury, appointed by the Rector of NBU with Order № 3-PK-53/20.11.2019 and Decision of the Academic Council № 3 от 19.11.2019, on the academic works presented for participation in a competition for the academic position „Associate Professor“, professional field 3.6. Law (Criminal law and Criminal law of EU), announced in State Gazette, No 83/2019 with applicant Chief Assistant Professor Dr. Ralitsa Svetlozarova Kostadinova

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

The self-assessment report of the applicant Ralitsa Sv. Kostadinova and the evidence attached to it show that Chief Assistant Professor Ralitsa Svetlozarova Kostadinova fulfills the minimum national requirements, as well as the obligatory conditions of the New Bulgarian University for the occupation of the academic position " Associate Professor".

In total, the candidate scores 1 330 points with a required minimum of 570 points.

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

#### *1. Evaluation of the monographic work*

The primary work presented for review by the applicant is the monographic work “Suspended sentence under Bulgarian criminal law”.

First and foremost, the study is the first academic work specifically devoted to the classical institute of suspended sentence in Bulgarian substantive criminal law. Surely, many other publications have been made on this topic, but they didn’t qualify for a separate comprehensive research study. Therefore, I can briefly state that the research is relevant, significant and complete. I would like to highlight some of the important contributions of the work.

*First*, I highly appreciate the author's approach to place the research in the context of historical chronology. The occurrence of suspended sentence in Europe and the setting for its appearing in Bulgaria have been expertly tracked - much of Chapter One deals with it. The main focus, of course, is put on the way the topic currently stands in the Bulgarian legal system, as I will point out herein below.

Present-day challenges have not been overlooked as well and Chapter Four of the monograph deals with the transfer of probation measures in case of suspended sentence in the European Union (brief discussions are also included on some acts of the Council of Europe and the United Nations).

*Second*, the main part of the analysis is taken by the national legal framework on suspended sentence. I would like to emphasize here the indisputable depth and comprehensiveness of the research endeavors.

The conclusions drawn on the legal nature of the suspended sentence and its comparison with other (similar) legal figures are correct. The requirements for imposing suspended sentence, as well as all aspects of its regime are analyzed in full detail. Each chapter of the monographic work - and it is beyond doubt that in terms of volume and completeness it is a monographic work - ends with a separate paragraph with formulated conclusions.

All issues of legal theory are discussed in great detail. Numerous court decisions (both interpretative and specific) have been used.

The monograph consists of 279 pages. There are 204 sources in the bibliography. There are 603 footnotes. The 8 attachments at the end of the monograph add to the applicability of the study.

## *2. Evaluation of the contributions of the other publications*

With regard to my assessment of the contributions of the other scientific publications of the candidate R. Kostadinova, I would like to point out:

The documents submitted for the competition have a list of publications after the defense of the doctoral dissertation by Kostadinova in October 2011. The list includes one research study, one manual and twenty-six articles and reports.

The theoretical contributions of these works are beyond any dispute. Many of them stand at the border between criminal law and problems of national security - an approach that should be

encouraged. I highly value the practical contribution contained in the co-authored study manual, reprinted several times.

The articles and reports have been published in non-refereed peer-reviewed journals or in peer-reviewed collective volumes.

### *3. Citations by other authors*

The citations of the candidate's publications are as follows:

fifteen citations in monographs and peer reviewed collective volumes and eleven citations in non-refereed peer-reviewed journals.

### *4. Evaluation of the results of participation in research and creative projects and application of the obtained results in practice*

The applicant has a sufficient number of participations in research and creative projects (both at New Bulgarian University and in external organizations and government bodies); that is also true for the participations in various forms of organizational activity.

## **III. Teaching and lecturing activity of the applicant**

Based on the documentation submitted for participation in the competition it could be concluded that Dr. Ralitsa Kostadinova fulfills all the criteria of the New Bulgarian University for teaching load on all indicators. Her teaching career began at New Bulgarian University in 2001, after winning a competition for an assistant professor in Criminal Law. She gradually moved through the academic positions of "Senior Assistant" and "Chief Assistant". She teaches class and extracurricular courses in the Master's Law program and in other programs at NBU.

After receiving her doctoral degree in Criminal Law (October 2011), she actively took part in improving the programs. She developed new courses at the Law and National and International Security Departments of the NBU in the field of law and crime prevention. In 2015 she introduced and currently teaches at the NBU the course Criminal Law of the European Union.

1. Class and extra-curricular work, electronic training module "MOODLE - NBU", support for student internships and traineeships, work with students and PhD students.

### 1.1. Courses taught by R. Kostadinova during the assessed period

Annex No. 12. Evidence of courses developed and taught

- courses developed and taught at NBU:

LAWN705 Training course in Criminal law, advanced training in Moodle since the academic year 2008/2009;

LAWN 812 Course Paper on Criminal law, since 2008/2009;

LAWN 002 Criminal law of the EU, since 2015/2016;

LAWQ200 Practical training in Criminal law studies, since 2017/2018;

CRIM 104 Selected topics of Criminal law and criminal procedure law – master program MSNCRI01 Criminology and polices for crime prevention, 2016/2017, Fall semester;

CRIM 106 Penitentiary law – master program Criminology and polices for crime prevention, 2016/2017, Fall semester;

CRIM 154 Course Paper on Selected problems of Criminal law and criminal procedure law – master program MSNCRI01 Criminology and polices for crime prevention, 2016/2017, Fall semester;

CRIM 156 Course Paper on Penitentiary law - master program MSNCRI01 Criminology and polices for crime prevention, 2016/2017;

CRIM 357 Probation in Criminal law - Current Regulatory and Practical Issues, 2017/2018;

SECB024 Criminal Law and Criminal Procedure, NSEC01-Civil and Corporate Security, since 2018/2019;

OOK 225 Law, Faculty of basic studies, since 2016/2017;

RESB 825 Criminal Law Aspects of the Fight Against Corruption, NRES01 - Public Order and Local Government, 2015/2016 Spring Semester;

RESB 811 Criminal Defense Against Corruption, 2015/2016 Spring Semester;

RESB 851 Course paper on Criminal Defense against Corruption, 2015/2016 Spring semester;

- all courses of R. Kostadinova are provided with study materials through the Moodle NBU platform. For each course there is an uploaded presentation material with detailed content, links and additional materials, all compliant with NBU requirements; over 7500 pages;
- the tutorial "Criminal Law in Schemes and Definitions", Fourth Edition, Sofia, Ciela, 2017. ISBN 978-954-28-2472-5 is available at the NBU's Center for the Book to support the training in Criminal Law at NBU;
- other copyrighted publications (more than 30) are also available to NBU students and can be found in the NBU Scientific Electronic Archive

#### 1.2. The applicant has organized student events and reviewed student reports

- Member of the organization committee of the Student Seminar on Security "(In) Security in the Western Balkans", June 6, 2018, academic assistance to Maria Anastasova and Joanna Boyadjiska in the preparation of their seminar reports;
- Reviewer of the published collection of reports from the Youth Discussion Forum "Young People and Security", November 30, 2017 and the Student Seminar on Security (In) Security in the Western Balkans, ISBN 978-619-239-106-5, Sofia, 2018 .;
- Member of the organizational committee of the Student Seminar on Security "Security and the Modern City", May 10, 2019, tutor of Diana Kacheva;
- Participation with NBU students in the play game "The Criminal Process from A to ... Z, Sofia, 2014;
- Head of the Criminal Law student group at NBU 2018/2019, Spring semester;
- Head of the Criminal Law student group at NBU 2019/2020, Fall semester;

#### 1.3. Assistance in internships and traineeships

- Giving references to NBU students applying for internships, work or training in the country or abroad (in evidence of this conclusion letters of recommendation from different persons are attached, incl. by a public notary and a private enforcement officer.

## 2. Work with Erasmus students.

3. Scores from student survey questionnaires.

- According to the Quality and Evaluation Center, the average grade of Dr. Kostadinova for the last 10 semesters is very good (4.55) with a maximum of 5.00;
- Certificate “Favorite Teacher” of the 2013 Graduates, Law Program (06.07.2013, signed by Prof. Blagoi Vidin, Head of Law Department).

#### **IV. Administrative and social work**

1. Participation in NBU's collective governing bodies: She carried out administrative work at NBU as Director of the Law Program for a period of 10 years. She was member of the Accreditation committee at the Faculty of Master programs for 5 years and member of the NBU Library Council for 5 years.

2. Social activity.

- Member of the Bulgarian Association of Criminology (BAC) since 2013;
- Chief editor of the Law Journal of NBU - since 2018;
- Initiator and member of the editorial board of the Law Journal of NBU - since 2005;
- Secretary of the journal „Legal review” – from 2003 to 2005.
- Member of the editorial board of „Studies in the field of law and politics. Miscellanies“, published by the Faculty of law, administration and economy of the Kujawy and Pomorze University in Bydgoszcz - since 2017;
- Member of the jury at the National Moot Court Competition (Criminal Law), organized by ELSA Bulgaria, 2012;
- Lecturer at the National Institute of Justice on Transport Crimes in 2012 and 2014;
- Head of the legislative study on Good European practices for combating aggressive driving behavior, National Assembly, 2016.

#### **V. Personal impressions of the applicant**

I have very good impressions of the candidate's scientific and academic activities. I have direct and positive impressions of Ralitsa Kostadinova's expertise in the permanent Committee for the control of the services and procedures for the use of special intelligence means, which was established at the National Assembly several years ago and which continues its work to this day. I had the opportunity to participate in the work of this parliamentary committee as a Member of Parliament.

#### **VI. Opinion, recommendations and notes on the applicant's activities and achievements**

I have no recommendations and notes on the activity and achievements of the sole candidate in the competition - R. Kostadinova.

In *conclusion*, I reaffirm my *positive assessment* of the academic activity of the candidate in the competition Dr. Ralitsa Kostadinova and I *propose* that the scientific jury take a *positive decision* and come up with a proposal to the Academic Council of New Bulgarian University to *appoint* the candidate to the academic position "Assistant Professor" in professional field 3.6. Law (Criminal Law and EU Criminal Law).

10 February 2020.

Signature .....

(Prof. Dr. V. Vouchkov)