

OPINION

on the announced competition for the academic rank
"Associate Professor" in Criminal Law
with candidate Dr. Krasimir Nikolov Manov
by Assoc. Prof. Dr. Daniela Doncheva –
Member of the Scientific Jury

In the announced by Sofia University "St. Kl. Ohridski" in SG, issue 103 of 10.12.2021 competition for the academic rank of "Associate Professor" in Criminal Law, field of higher education 3. "Social, economic and legal sciences", professional field 3.6. (Law), there is one candidate Ch. Assistant Professor Dr. Krasimir Nikolov Manov.

Ch. Assistant Professor Dr. Krasimir Nikolov Manov graduated in Law from the Faculty of Law of Sofia University "St. Kliment Ohridski". Since 2002 he has been working as an assistant at the Law Faculty of Sofia University, Department of Criminal Law, and since 2009 he has been a chief assistant.

Since 2005 Krasimir Nikolov Manov has been a member of the Sofia Bar Association, and since 2017 he has been enrolled as a mediator in the Unified Register of Mediators at the Ministry of Justice of the Republic of Bulgaria.

In 2014 the candidate successfully defended his doctoral dissertation on the topic: "Criminal Law Protection of Cultural Heritage in the Republic of Bulgaria" and was awarded the educational and scientific degree "Doctor".

A list of five publications and a monograph entitled "Criminal Mental Impact" has been presented for this competition. The volume of the monograph is 256 pages.

The candidate has many years of teaching experience and good organizational and communication skills. He has in-depth scientific training and excellent professional qualities for teaching.

Ch. Assist. Prof. Dr. Krasimir Nikolov Manov meets the requirements of the Law on the Development of Academic Staff in the Republic of Bulgaria and admitting him to participate in the competition is justified. He works very conscientiously and thoroughly on various topics of criminal law.

The monograph consists of an introduction, three chapters and a conclusion, and bibliography.

Chapter One deals with the psychological impact and some concepts of the criminal law. Structurally, this chapter has seven sections, which analyze

various aspects of the matter - mental impact and mechanism of affecting the object of the crime; mental impact and subject of the crime; mental impact and executive act; psychological impact and criminal result; formal and resultant compositions of crimes related to mental impact; mental impact and object of the crime; mental impact and restorative justice.

Chapter Two is devoted to the mental impact of some institutes on the general part of criminal law. In this chapter the author has established five sections, in which he is considering different peculiarities of the formation of guilt in crimes related to mental impact, the concept of non compos mentis victim, the concept of sanity and its use in the composition of crimes related to mental impact in the special part of the Penal Code, complicity, indirect perpetration, mental impact and the grounds excluding the main properties of the criminal act; the mental impact of an undercover officer; the mental impact in the execution of an illegal official order and the mental impact in the case of coercion of a victim of a crime.

Chapter Three analyzes the crimes related to mental impact - they are systematized into four groups –first deals with crimes related to mental impact; second – with criminal mental impact, motivating to commit a subsequent crime or other illegal act; third – with criminal mental impact, motivating to commit different behavior; fourth – with criminal provocation of certain mental or physiological states or experiences.

The habilitation work is very interesting and significant because it gives a different perspective to the study of crimes, namely the discovery of the essence of a criminal act, and then the signs of its composition. The author himself rightly notes in his conclusion that his research "represents an attempt to apply a new approach to clarifying crimes." The risks of such an endeavor are serious. The author has considered them very accurately and with a measured dose of courage, great responsibility and depth, he has managed to develop each of his theses and defend them.

The presentation is very well structured and consistent, and I should note that the author has focused entirely on developing his theses and justifying them, without being tempted to analyze or give an opinion on topics that are indisputable and side to the content.

The monograph is very interesting and has many contributing moments, but in my opinion there are several main ones: It is the first in Bulgarian criminal law theory comprehensive monographic study on the problem of mental impact carried out in criminal activity. The work presents a different aspect of the study of the criminal law institutions and individual types of crime, allowing the clarification of their nature as socially dangerous acts in terms of interaction between the perpetrator, on the one hand, and on the other - the victim of the crime and other persons. The author has differentiated the types of mental impact

- direct and indirect according to whether the impact on the psyche of the perceiver is realized directly through the act itself or indirectly - by perceiving a certain result of the act. A classification of crimes related to mental impact has been made in view of the intended or induced result of this impact. Based on this criterion, two main groups of crimes are considered: 1. Motivating crimes in which the object of mental influence is motivated to commit certain behaviors and 2. Crimes that cause certain mental states or experiences in the perceiver.

For the first time, different crimes related to the impact on a person, which generates different mental processes, without the need for the person to be motivated to a certain behavior, have been distinguished as a group with common characteristics. The essence of these crimes is revealed in terms of the mental processes they cause in the victim or another person. A specific problem has been posed regarding the possibility of committing crimes in which a mental impact on the victim causes a result with physical manifestations. The main focus is on crimes against health and life.

I was very positively impressed by the author's analysis of the psychological impact the crime has not only on the victim within the meaning of the Criminal Procedure Code, but on a wider range of people, but I cannot agree to some of the conclusions drawn, as I find them extreme and insufficiently substantiated, for example the option to enable all those affected by the crime to be involved in the process of resolving the perpetrator's liability.

The work is characterized by a modern approach to the analysis of problems, different research methods are used, accurate terminological language is used, but there are some places where the expression is heavy and difficult, which affects the meaning.

The activity of Ch. Assist. Prof. Dr. Krasimir Nikolov Manov in science and teaching criminal law is characterized by high professionalism, responsibility and integrity.

The professional and scientific biography of Ch. Assistant Professor Dr. Krasimir Nikolov Manov, his teaching experience and personal qualities fully meet the requirements of the Law on Holding the position of "Associate Professor".

After getting acquainted with the materials and scientific papers presented for the competition, and analysing their significance and scientific contribution, I conclude that Ch. Assistant Professor Dr. Krasimir Nikolov Manov meets the requirements for being awarded the academic rank "Associate Professor" in the field of higher education 3. "Social, economic and legal sciences", professional field 3.6 "Law", scientific specialty "Criminal Law".

The documents and materials submitted by the candidate in the competition meet the requirements. The teaching qualification of the candidate is at an

excellent level. The results achieved by Ch. Assistant Professor Dr. Krasimir Nikolov Manov meet the requirements of the Law.

I give a positive assessment of the teaching and research work of Ch. Assistant Professor Dr. Krasimir Nikolov Manov.

I recommend the Scientific Jury to prepare a proposal to the Faculty Council of the Faculty of Law for awarding Ch. Assist. Prof. Dr. Krasimir Nikolov Manov the academic rank of “Associate Professor” at Sofia University “St. Kliment Ohridski” in the field of higher education 3. “Social, economic and legal sciences”, professional field 3.6. Law, scientific specialty "Criminal Law".

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Assoc. Prof. Dr. Daniela Doncheva