

REVIEW OPINION

By **Prof. Vesselin Vuchkov, PhD,**

Professor at the New Bulgarian University,

On the materials presented for review as part of the competition procedure as announced
in SG 24/17.03.2023

For the academic position ‘Associate Professor’ in higher education 3.6. ‘Law’,
specialty ‘Criminal Law’

In the capacity of Member of the Academic Jury as established by Order № RD-38-
182/21.04.2023 of the Rector of the Sofia University ‘St. Klement of Ochrid’, Prof.
Anastas Gerdzhikov, Dr.Sc.

1. General Description of the Materials Presented for Review

The applicant Dr. Iva Dimitrova Pushkarova has presented for review under this competition procedure the following scientific products: 1 monography, 3 studies, 6 articles, as well as 13 citations, all of which equate to a total of 426 science-metric points and thus fully satisfy the formal requirements for the academic position ‘Associate Professor’.

The monography – ‘Pardon in the Bulgarian Criminal Law and in the Practice of the Head of the State’ – was published in 2020 by the reputable Siela publishing company.

2. Impact of the Scientific Publications of the Candidate in the Academic Literature (established citations)

The academic publications of the candidate Dr. Iva Pushkarova are cited in the scientific literature with the necessary intensity: the citations under review are 13 in total, relate to diverse study products of the author, have been made by reputable representatives of science, and belong to various academia formats (monographies, scientific conference reports, articles). They include citations in scientific editions, referred to and indexed by globally recognised data-bases containing scientific information, as well as in monographies which have been academically reviewed.

3. Substantial Contributive Achievements

I will outline the following *contributions* which are contained in the scientific output of the candidate Dr. Iva Pushkarova and which I find *the most important*:

First of all, I find prevailing contributions in the monography ‘Pardons in the Bulgarian Criminal Law and in the Practice of the Head of the State’ (the book was published by Siela in 2020).

The study dedicated to the right to pardon is situated within a *historical context* where the chronological period encompasses the Third Bulgarian state. Relevant provisions of the Tyrnovo Constitution have been presented, including the powers of the Prince, etc.;

distinction has been drawn between pardon and amnesty within the legal order of that time. The whole analysis is positioned within the context of other penal laws of this period: 1896 Criminal Law, 1897 Penal Justice Procedural Act, 1880 Sentencing of Ministers Act. The author has studied provisions from the 1947, 1971 and 1991 Constitutions and all issues are analysed from the lens of the changing criminal legislation – Criminal Code, Code of Criminal Procedure (some of them – new). I fully recognise and agree with *the periodization of the historical development of the institute of pardon* as suggested by the author – three grand periods, while the second and the third are separated by a transitional stage in which elements of each of the three grand periods find expression (Monarchy, Totalitarian, and Democracy period). With precision and diligence has the author presented the relevant arguments to substantiate this periodization with due respect and attention to relative conventionalities (which I find inevitable with respect to the subject matter of the research). The rest of the monography studies *all features of the right to pardon which possibly have criminal-law relevance* in the necessary depth, scope, and precision: an integral methodology for recognition of the exceptionality of pardon, classification of the types of pardon, distinction between them, special correction-based standard for pardoning of life prisoners serving life imprisonment without commutation, isolation penalties (in respect to which pardon finds its broadest applicability), model of the process of correction (reintegration) of the convicted person for the purposes of the exercising of the powers of pardon, etc. The *de lege ferenda* proposals are attentively thought and consistent with the relevant practice (national as well as supranational). The monography definitely possesses doubtless practical usefulness. The style of expression is appropriate, clear, and intelligible.

Moreover, the rest of the scientific outputs presented for review also contain substantial achievements.

I would specifically underline the fact that each of the additional publications of Dr. Iva Pushkarova are *various in their topics and study matter* – abduction in cummulation with other crimes, human-trafficking issues, maritime piracy as an international crime, pardoning according to the law of men and God, and within the Roman legal tradition, schemes of financial and economic crime in Europe (Bulgarian judicial practice).

All of the above clearly demonstrate that the candidate has developed diverse academia interests and possesses academia curiosity which provokes her to interdisciplinary studies (for example, one of the studies contains criminological characteristic of the phenomenon of serial crime in Bulgaria).

4. Assessment of the Personal Contribution of the Candidate

All scientific products, results and outputs presented for review indisputably and definitely constitute original achievement of the author and reflect her personal scientific contributions.

5. Personal Impressions

My personal impressions from the candidate for the academic position ‘Associate professor’ Iva Pushkarova are excellent. I have known her for a long time; we have participated together in different study projects which have been implemented on various occasions within the non-governmental sector. Her performance as a lecturer in front of the judiciary professional communities, university students, and even broader range of target groups, has always attracted much interest and discussions.

6. Conclusion

Based on the above, I hereby express my unconditional *favourable review opinion* to support the election of Dr. Iva Dimitrova Pushkarova ‘Associate Professor’ in professional field 3.6. ‘Law’, specialty ‘Criminal Law’

May 2023

Academic Jury Member:

(prof. V.Vuchkov, PhD)