SUMMARIES OF PUBLICATIONS FOR PARTICIPATION

1. **Pardons in the Bulgarian Criminal Law and in the Practice of the Head of the State.** Sofia: Siela, 2020, p. 407, ISBN:978-954-28-3245-4.

The monography consists of an introduction, five chapters subdivided into paragraphs, a conclusion and a bibliography which includes 101 publications (67 in Bulgarian and 34 in a foreign language). The footnotes number a total of 381.

The **Introduction** outlines the object, the goals, the study matter and the structure of the monography, as well as the basic concepts of the author which have led to her choice of scientific approaches and the public relevance of the issues under research. The basic achievements of the legal doctrine have been acknowledged. The need for an integral scientific analysis to establish a complete and systematic concept of pardon has been justified.

1.1. The **First chapter 'General Characteristic of the Pardon as a Institute of the Criminal Law'** summarizes the fundamental features of the pardon as an institute of the criminal law, *inter alia*, its legal effects, procedures for issuing and implementation of the pardon edicts by the head of the state, the general requirements for the exercise of the powers of pardon, and the variety of restrictions to which it is subjected. The general criteria guiding the decision-making upon a petition for pardon have also been outlined. A number of possible complications have been discussed. The national model has been integrated within comparative and historical contexts.

The **first paragraph** contains a review of the historical evolution of pardon and its factors and presents periodization based on a complex set of criteria. Each of the periods has been characterized based on the peculiar features of the pardon at the relevant time. Links are established between the type of the competent-to-pardon authority, the constitutional organisation of the state, features of the legal system, and the model of the pardon powers. The historical evolution of pardon toward becoming an exceptional institute for individual release from penalty has been analysed.

The second paragraph clarifies the concept and general features of the powers to pardon which are scrutinized in deeper detail and compared to other institutes in the following chapters. The formal and material preconditions and grounds for pardon have been established, as well as its basic and accidental effects in respect to the execution of the penalty and the treatment of the pardoned person as convicted in the post-pardon period.

The third paragraph is dedicated to the exercise of the powers of pardon. In **the first indent** the general condition and specific issues have been analysed in relation to the ways the head of the state may be approached, the option to pardon upon his initiative (*ex officio*), and the relevance of the consent of the petitioner, *inter alia* the (in)admissibility of forced pardon and the refusal to accept an act of pardon. In **the second indent** detailed scrutiny has been given to the legal nature, effects, and other features of the pardon edict and to a number of complications which occur in practice during edicts' issuing, implementation, and legal enforcement. Issues of the legal form of declines (denials) to pardon have also been discussed.

The fourth paragraph studies the general requirements establishing the scope of pardon. **The first indent** is dedicated to the natural restrictions which normally originate as a result of the functioning of the legal system: the type of the penalty, the system of principles and general institutes applied by the legal system to regulate criminal repression, and factual limitations. In **the second indent** the reasons which constitute grounds for refusal to pardon are classified in groups – prohibited revision of the judgement, depreciation of the crime committed, irrelevance of the correction achievements of the convicted person, impossibility to improve their situation by means of pardon, competition with alternative legal instruments which offer fairer solutions, application of legal principles. In **the third indent** the issue of conditional pardon has been scrutinized, and in the **fourth indent** – the essence, the peculiarities, and the development of the practice on exercise of political pardon.

Based on selected cases from the practice, the **fifth paragraph** presents an analysis of the exercise of the powers to pardon in cases of factual and legal complications established by: multiple penalties, conviction for multiple crimes, and conviction of the perpetrator by a foreign court. **The first indent** introduces and clarifies the concept of multiple pardon and the criteria, approaches, and risks which occur during its implementation. **The second indent**

provides rich argumentation on issues of pardons exercised only in respect to the cumulative penalty within the meaning of Articles 23-25 and 27 of the Criminal Code, and analyses cases which have been given different solutions in the practice. **The third ident** defends the opinion that pardon is not applicable to penalties which have been imposed by acts of foreign courts and these acts have not yet been duly accepted for implementation by the Bulgarian state at the material time.

The sixth paragraph is dedicated to a significant and specific for the pardon practice issue related to the personal subjective standing of the petitioners in their communication with the head of the state that holds the powers to pardon. The analysis presents and provides examples of typical strategies to seek pardon which face reproach in the pardon case-law – absconding from justice, exercising pressure over the head of state by means of abuse of public opinion, using false statements to procure pardon, promotion (heroisation), depreciation or denial of the crime committed after the petitioner has in fact confessed guilt before the court, and etc.

The last, **eighth, paragraph** contains a comparative legal analysis based on methods which reflect both the normative model of pardon and the practices followed in its implementation. For the first time in the legal doctrine justification has been provided for a **pardon index** which in the practices is used as an aggravated indicator for the level of maturity of the whole legal system. It is presented by means of comparative and historical study of the legal systems of 23 European states. A methodology is established for its application as an assessment indicator about the level of repressiveness of the national jurisdictions, and the adequacy of their response in exceptional cases of disproportionately harsh penalization. Cases from foreign practice have also been presented, *inter alia* cases of foreign nationals who have been convicted by Bulgarian courts for a crime committed within the Bulgarian jurisdiction. The Bulgarian model has been justified as classic and belonging to the best European practices.

1.2. The second chapter is dedicated to the **types of pardon**. They have been subjected to comparative analyses in respect to their grounds, restrictions, and scope within the framework of a classification based on a complex set of criteria. The legal effect of each type of pardon is outlined separately and in competition with other types. Differentiation criteria have been established to allow solutions in borderline cases. The typical legal effects are outlined in relation to each type and linked to the general legitimate goals of the penalty.

The structure of each paragraph follows an identical approach. First, the respective type of pardon is legally characterized and clarification is provided to issues of its legal effects over the legal relations on penalty execution and the conviction status of the pardoned persons, and its impact over the legal qualification in cases of consecutive recidivism. The implementation in the practice of the respective type of pardon is analysed. The circumstances which have been used as grounds for pardon or for denial to pardon have been systemized and studied in depth, as well as the motives by which the decision to grant or refuse pardon have been justified, the evolution trends of the respective type of pardon, and the relevance of the changes in the legal environment. Lastly, the analysis focuses in issues which are specific for the respective type of pardon in cases of factual and legal complications. Each type is given comparisons with the types presented before it.

The first paragraph deals with **full pardon**. The cases where it is typically implemented have been classified according to the following grounds: 1) abolishment of the penalty; 2) existence of durable and unavoidable circumstances at the time of the conviction of the petitioner which cannot prevent the imposition of the penalty, neither do they constitute obstacles before its execution; and 3) appearance of obstacles preventing the execution of the penalty after conviction but before the execution has even commenced. Contact points with the scope of implementation of amnesty and the institute of postponement of penalty's execution have been discussed. Based on individual cases, the study outlines criteria and approaches for assessment and justification of the implementation of full pardon and the denial to pardon. The relevance of the time which has passed after the material time of the crime, the post-crime conduct of the perpetrator, his/her attitude towards the crime and other issues, have been discussed.

The **second paragraph** studies the two forms of **partial pardon** – remission in whole or in part of the unserved remnant of a penalty the execution of which has already commenced. **The first indent** is dedicated to the pardon with the whole remnant of the penalty. Pardon with only part of the remnant is analysed in the **second ident**. This type of pardon is explained as the most problematic type and specific methodology has been developed to establish its grounds and scope based on: disruptions of the penalty's proportionality which are not intolerable; progress within still incomplete correction process; inapplicability of a regular legal instrument designed to remedy disproportions of penalization, length of the unserved remnant of the penalty. The specific implementation of the partial remission of

the remnant has been promoted when exercised with the goal to prevent correctional regress. The concept of correctional regress has been defined and given criteria for recognition, risk assessment, and evaluation of the potentials of the pardon to impact it. The distinction borderline from the full pardon which in the practice is largely compromised has been outlined based on a variety of comparison indicators, statistical analyses, and analyses of multiple cases. **The third indent** studies the competition between both types of partial pardon based on selected cases.

The third paragraph analyses in depth the **pardon by replacement of the penalty** as introduced in 2006 as an instrument to commute the gravest life penalties to which partial pardon is naturally inapplicable. **The first indent** studies the replacement of the death penalty, based on cases after the moratorium upon its execution has been established (1990 г.) and after the penalty has been abolished (1998 г.). **The second indent** relates to the life imprisonment without commutation. The progress of the correction of the convict has been justified as a necessary and sufficient exceptional circumstance which creates grounds for this penalty's replacement. The three cases in the practice where this penalty has been commuted by means of pardon have been studied in exceptional details and compared (Edict №12/21.01.2013; Edict № 129/03.09.2014 and Edict № 90/26.06.2018). A system of case-assessment criteria has been elaborated to provide solutions, also in extreme cases of initial and progressive disproportionality of the penalty, risks of correctional regress, and revision of the judgment. **The third indent** deals with the replacement of the regular life imprisonment.

In respect to each of the three imprisonment penalties a concept has been defended according to which the pardon allows for replacement of the penalty only by the next more lenient penalty and if the replacing penalty is temporary imprisonment, it is not admissible to have it individualized in length which is less than the maximum. Comparison has been elaborated between the prerequisites under which life imprisonment and life imprisonment without commutation may be replaced and these cases have been compared to cases where these two penalties should be or should have been subjected to full pardon. Special analysis has been given to cases where a life penalty has been imposed in violation of the legal rules for its individualisation or the criminal law has been applied retroactively.

1.3. The third chapter presents the implementation of **pardon in respect to different types of penalties**, which are compared according to their goals, conditions and peculiarities affecting their execution. A concept has been justified according to which pardon is not exercisable upon identical or even comparable grounds with respect to different types of penalties or with identical effects.

The structure of the analysis presented in each of the paragraphs of this chapter is subjected to an identical approach. First, the basic characteristics of the establishment, content, evolution, and termination of the legal relation within which the penalty is been executed are outlined in respect to the respective type of penalty. Second, the applicability of pardon in general and of certain type of pardon to the individual penalty is studied. Critical analysis of the practice follows and the conclusions and the study approach are presented on the basis of real cases. Where the study matter so allows, the cases have been systemized in a typology and criteria for reaching relevant decisions have been elaborated. The analyses present cases of factual and legal complexity, comparisons of different approaches to pardon and comparisons of pardon-containing strategies to alternative legal solutions.

The first paragraph is dedicated to penalties which do not allow pardon because they are fully executed 'immediately' at the moment the judgement becomes final. **The first indent** provides reasons for the conclusion that pardon is inapplicable to the penalties of confiscation and fines. Critical scrutiny has been provided to cases where pardon has been used to remit fines. In such cases, the applicability of the powers of the head of the state to remit non-collectable state claims, which powers are not constitutionally transferrable to the vicepresident, has been justified. A concept has been displayed according to which, when confiscation and fines are concerned, the judgment establishes a penal relation which creates the state property claim towards the convicted debtor and gets terminated immediately, as well as a non-penal relation within which the claim is to be collected. Thus, the acts of collection of the fines, for example, are not act of execution of the penalty. **The second indent** relates to the deprivation of medals and honours and to the penal reduction in military rank. **The third indent** discusses pardon in respect to deprivation of rights, including cases where it has been separately pardoned in its capacity of a supplementary penalty. The analysis justifies the necessity to abolish the penalty 'deprivation of driving license forever' (Article 342, subparagraph 4 of the Criminal Code).

The second paragraph is dedicated to the penalty of probation and to the measures of probation supervision. **The first indent** justifies the admissibility of pardon as a simultaneous and identical full or partial remission of all

measures imposed and not yet fully served when they belong to the content of the penalty *per se*. Separate or different impact over the different measures is inadmissible because it would constitute a new individualization of the penalty in revision of the judgement. On the basis of case studies, focusing on both the pardon of probation and the execution of this penalty, a conclusion is outlined that the implementation scope of the pardon is shrinking, because cases treated as exceptional in the past increasingly fall within the scope of regular instruments of remedy. **The second indent** is dedicated to the applicability of pardon to the measures of probation supervision which may be imposed within the probation period of conditional imprisonment or conditional preliminary release. Based on a very profound analysis of the concept of penalty according to the national law and the case law of the ECtHR and the national judicial practice clarifying the nature of the measures for probation supervision a conclusion is reached that these measures are deprived of consistent legislative concept which may allow their clear distinction from the penalty of probation. Despite of this, an opinion is defended that these measures cannot be pardoned separately and independently from the penalty, although the early practice on pardon suggests solutions to the contrary.

The third paragraph studies pardon in respect to the penalty of public censure.

The fourth paragraph systemizes the issues of pardon in respect to isolation (deprivation-of-liberty) penalties. **The first indent** presents comparative characteristic of imprisonment, life imprisonment and life imprisonment without commutation based on their normative regimes, scope requirements, individualisation rules, goals, content, execution regimes, profiles of the convicted person and other features which are relevant to pardon. Arguments have been given to the concept that in respect to the regular penalties (as listed in Article 37, subparagraph 1 of the Criminal Code) the correctability of the perpetrator is presumed and not subjected to proof, while his/her incorrectability as a mandatory requirement of the exceptional penalty must be proven beyond reasonable doubt. In **the second indent** the concept, the features, the types and the criteria to assess the correctional process which accompanies the different types of penalties have been analysed in detail. A standardized methodology has been built to support evidence-based analyses of the correction progress, prognosis for correction based on initial indicators, sustainability of the correction, reversibility and level if integration of the correctional results, including speed of correction and the factors which influence the process. **The third indent** is dedicated to pardon in respect to temporary imprisonment, *inter alia* the applicable types of pardon and the competition among them. **The fourth indent** studies separately and compares pardon solutions in respect to the two life penalties. The analysis constructs a specific methodology and clarifies the evidence-gathering and evidence-assessment approaches towards different facts of the individual cases under consideration. The analysis integrates the relevant standards of the ECtHR in the matter of gravest penalties and criteria for assessment the compatibility of the national penalty with Article 3 of ECHR, including decisions which acknowledge the Bulgarian experience of implementing pardon towards life imprisonment without commutation as best European practice. Pardon-relevant decision making has been studied from the standpoint of different concept of penalty which tend to alternatively prioritize its preventive and resocialization goals. All conclusions from this paragraph are based upon real-case studies.

1.4. The Fourth chapter 'Application of Pardon in Competition with Other Instruments Commuting the Gravity of the Penalty' studies the competition between pardon and alternative regular instruments which regulate the gravity (proportionality) of the penalty. Here as well, the separate paragraphs are subjected to identical structure. The respective regular institutes are presented by their features, purpose, and effects which distinguish or bring them closer to pardon. Their typical scope of application has been outlined, as well as the typical convicted person towards whom they are designed to be applied. Next, clarification has been given to circumstances under which these institutes may be used to commute disproportionally harsh or goal-deficient penalty, as well as the basic trends in the relevant case-law. On this basis distinction has been made between cases of intolerably disproportionate repression which may or must be effectively remedied by such institutions and cases towards which these institutions are not applicable at all die to formal obstacles. Thus the field of competition with pardon in general or specific types of pardon has been described and different alternative legal solutions have been compared by their final outcomes when applied to selected cases. In this way a system of criteria has been extracted to allow the recognition of preferability or priority of a certain type of pardon вид pardon or, respectively, a certain regular instrument according to the specific situation and the purposes of the legal intervention. A conclusion that generalized solutions in advance are not always possible is demonstrated.

The first paragraph is dedicated to conditional imprisonment. On the basis of various cases presenting its implementation and the peculiarities of the probation period the express priority of this institute is justified in comparison to pardon which can hardly ever find applicability when the convicted person has been sentenced to conditional imprisonment. Scrutiny has been given to the only two cases of pardon – the first outlines classic revision of the sentence and the second constitutes an example of mistake of facts.

The second paragraph studies the institute of preliminary conditional release which is the closest competitor to the partial pardon. The analysis follows the historical evolution of both instruments because prior to the introduction of the conditional preliminary release in 1958, pardon has been applied under its conditions, and after that both instruments experience a long period of confusion of scopes and excessive and durable invasion of the pardon within the scope of application of the regular instrument. **The first indent** compares the grounds for implementation and the effects of both instruments. **The second indent** outlines the fields of competition between them as established by two hypotheses – early correction of the convicted person leading to an intolerable situation of excessive penalization before the institute under Article 70 of the Criminal Code becomes applicable; and intolerance established by a formal prohibition to apply the institute under Article 70 more than once in respect to the same penalty (a case of 'activation' of the remnant). Discussion focuses on cases of combined application of both legal institutes when each targets different penalties imposed by the courts to be executed separately and consecutively. **The third indent** critically discusses cases where pardon has been granted after the convicted person has been conditionally preliminarily released and defends the necessity that the head of the state rather abstains from such solutions. **The fourth indent** presents the relation between the application scope of the two instruments within a methodology for distinguishing them in individual cases and especially in consideration to changes in the implementation practices of the courts, the penitentiary institutions (prisons) and the head of the state. The strengths of the conditional preliminary release which support the conclusions that it must be preferred to pardon have been outlined. **The fifth indent** deals with cases of simulative (fictitious) competition between the two institutes.

The third paragraphe presents the relation between pardon and the institutes of preliminary release and substitution of the penalty with an educational measure which are applicable towards juvenile offenders (Articles 71 and 64 of the Criminal Code). The priority of the regular instruments – as also confirmed by the case study - is outlined.

The fourth paragraph compares pardon by replacement of life imprisonment with the judicial replacement of this penalty as provided by Article 38a, subparagraph 3 of the Criminal Code. The legal nature, conditions, purposes, and effects of the institute under Article 38a, subparagraph 3 of the Criminal Code are studied in depth. **The first indent** is expressly dedicated to the peculiarities of the material ground for judicial replacement and the standards for its establishment and justification according to the served length of the penalty in concrete cases and the achieved level of correction. The relation with the material ground of the conditional preliminary release has been clarified in the context of the possibility to have both institutes implemented jointly. **The second indent** outlines the competition between the judicial replacement and pardon and elaborates on the priority of each of the institutes in different situations. Three situations have been outlined to possibly grant priority to pardon – early correction; combination of non-exceptional correction with deterioration of health which requires transition to temporary imprisonment to allow the penalty to be temporarily suspended for medical treatment purposes; and conviction under less beneficial criminal code (retroactive implementation of the criminal law). It has been expressly defended that judicial replacement cannot and must not be used to remedy miscarriages of judges.

The fifth paragraph discusses the relation between pardon and the procedural institutes of postponement / suspension of the execution of the penalty. The scope of pardon shrinks to cases where the following conditions are simultaneously present: 1) the ground for postponement / suspension is constant and unavoidable and will remain until the execution of the penalty becomes time-barred or for a similar period; and 2) there is no express necessity to keep the penal reproach towards the convicted person by maintaining the executability of the penalty and thus extending the rehabilitation time-limits.

In **the sixth paragraph** the competition with amnesty is discussed. The analyses find discrepancies between the dogmatically established distinctions between the two institutes and their actual implementation in practice which in different historical periods allows for fusion of their scopes and factual implementation of hybrid institutes. Discussion is present upon practices of collective pardon and limited amnesty where penalties imposed by the courts under certain criminal provisions are been partially remitted and the convicted status of the persons has been kept.

1.5. The Fifth chapter 'Application of Pardon In Relation To the Application of A Legal Principle' studies pardon when it has been exercised in order to overcome violations of basic legal principles – legality of the offence and the penalty, prohibition of retroactive implementation of the criminal law, expedience (capacity to achieve legitimate goals) and proportionality of the penalty, equality before the law, best interest of the child, humanity principle.

In this chapter the study has also been presented following similar structures. Basic features of the respective legal principle are presented in brief, as well as various situations of the respective principle violations with different origins – changes in the law, deformations occurred in the individualization of the penalty, circumstances which have occurred during the execution of the penalty, obligations of the state or the convicted person towards third parties, etc. Based on case-law studies, these situations have been analysed and organised in typologies. Analysis on the possible remedy legal solutions has been integrated within these typologies – including not only pardon, but also other legal institutes. The legal and factual (life) effects of each have been clarified and concepts have been developed to regulate preferences on the basis of their comparative strengths and weaknesses. Principle concepts and approaches have been outlined to form a methodology for case assessment which allow solutions to be reached based on various options.

The first paragraph deals with violations of the legality of the offence. They have occurred in practice in cases where in the procedure for adaptation of a foreign judgment the Bulgarian court accepts a legal qualification which does not correspond to the facts of crime as established by the foreign court and which engraves the penal situation of the convicted person.

The second paragraph is dedicated to the legality of the penalty, the violations of which have been remedied by means of pardon in cases of convictions under Article 279, subparagraph 5 of the Criminal Code.

The third paragraph presents a group of cases where life imprisonment has been imposed in violation of the prohibition for retroactive implementation of a less beneficial criminal law. The features of the violation of Article 2, subparagraph 2 of the Criminal Code и Article 7 ECHR have been presented and criteria for pardon by replacement of the penalty with temporary imprisonment has been developed, as well as rules for determining its length without disrespect for the principle of individualisation.

The principle of proportionality of the penalty is elaborated in **the fourth paragraph** and its violations are compared to the violations of the equality principle. The distinction between pardon as a correcting intervention and as a revision of the judgement has been clarified. Cases are presented where penalty's disproportionality has been caused by the appearance of almost complete correction of the convicted person in the early stages of a grave penalty as a result of improper individualisation of the penalty or objective restrictions before more adequate adaptation of judgements of foreign courts.

The fifth paragraph analyses the penalty's potential to achieve its legitimate goals. The violations in this respect are among the most frequently used grounds for pardon. The cases are grouped and linked to a system of criteria for recognition and assessment of the violation. **The first indent** is dedicated to situations of early correction, **the second** – to delayed execution of the penalty within the where in the meantime the convicted person has achieved personal improvement and the penalty no longer has anything to correct, and **the third** – to cases of health deterioration of the convicted person.

The sixth paragraph studies issues of the principle equality before the law which is highly important for the scope of pardon and historically is among the most commonly used grounds for granting pardon. **The first indent** outlines the rules to establish inequality, links them to the antidiscrimination legal standards, clarifies the types of the discrimination that has occurred, and provides rules for identification of the comparator. The abstract models are outlined on the basis of the regimes for penalty's execution and linked to standardized features of the correction process and to the penalty-related facts. All of these have been justified as comparison indicators. **The second indent** studies cases of collective inequality and introduces decision-making methodology which also contains comparisons to solutions based on other institutes. **The third indent** justifies the specific case of inequality which has occurred as a result of correction which the legal system is unable to gratify by respective commutation of the penalty. **The fourth indent** discusses simulative inequality, which seemingly occur as a result of changes in the law, and **the fifth** – the possibility for a discriminative denial to pardon.

The seventh paragraph is also dedicated to a principle with profound and typical relevance for pardon which is related to health deterioration of the convicted person (humanity principle). The regimes of healthcare within the

penitentiary system and the status of the convicts as vulnerable patients have been presented. The competition is analysed between pardon on one hand and delay / suspension of the execution of the penalty and conditional preliminary release, on the other hand. Exceptionality cases have been outlined. Arguments are provided for the opinion that by itself health deterioration does not establish and absolute or sufficient grounds for pardon, especially where the recidivism risk remains relevant. A methodology for assessment of the case and for recognition of the need to pardon has been introduced. Cases are classified according to the response and the effects of the regular instruments towards the health condition of the convict. In this way the **indents of the paragraph** are dedicated respectively to the pardon of convicted persons whose penalty is not under execution; whose penalty is often been suspended and resumed; who reside in prison but are in poor condition; in respect to whom the pardon aims to support their medical treatment; and who suffer from health problems which are not grave. The last two indents study denials to pardon despite the poor health of the petitioner and solutions in cases of recidivism of a person who have been pardoned in the past upon health-related grounds.

The last, **eighth paragraph** analyses in depth pardon when applied in respect to a parent or another close relative on grounds of 'best interest of a child'. **The first indent** outlines the principle of respect for the best interest of the child principle pursuant to Article 3 of the Convention on the Rights of the Child and integrates its assessment within the ex-officio decision–making in relation to a pardon petition. **The second indent** presents the profile of pardon-seeking parents as established by analysis of the practice, including their subjective attitude towards their role as parents, their objective abilities and skill to fulfill it, the relevance of the parent responsibilities within the pardon-seeking motivation and in respect to their criminal acts. **The third indent** systemizes and analyses in depth the risks which might occur in respect to children and must be taken into consideration when e petition for pardon is decided upon: 1) risks of causing damages to the family originating from the conviction of the parent for a crime which has directly victimized the child or other close relatives; 2) risks of direct criminalisation of the child by demonstration of criminal copying strategies on the part of the convicted parent; 3) risks of loss of allowances and risks related to the response of the other parent towards the crime and the penalty; 4) risks of abuse of the parent function by applying strategies to seek commutation of the criminal responsibility based on falsely claimed parent obligations; 5) risks of institutionalization of the child and loss of the family environment; 6) risks, originating from the forced separation between the child and the parent which causes suffering and deprivation, interpretations that the child has been rejected by the parent and mutual alienation. A huge variety of cases which have faced combined implementation of different legal instruments and cooperation of multiple institutions aimed at the suppression of risks with different structure, gravity, manifestations and combinations, have been studied in detail. The role of pardon has been clarified as an element of a joint institutional response. Cases have been discussed where risks for the child have falsely been simulated by the parent with the aim that the parent may effectively abscond justice. A methodology has been outlined to identify and respond to such cases.

The **Conclusion** outlines in brief the basic results of the study and ca formulates the most significant conclusion.

2. **Abduction in Cummulation With Other Crimes: Jurisprudence Problems Of Legal Qualification And Penalty Individualisation.** In: Annual Of Sofia University „St. Kliment Ohridski". Faculty of Law, Sofia, 2021, Vol 87, p. 116-152, ISSN (print):0081-1866

The crime of abduction under Article 142 of the Penal Code is excessively singular in terms of modus operandi and criminal motivation which complicates its correlation with other types of crime. It is often committed in combination with extortion, robbery, murder, illegal detention, sexual crimes, taking hostage, human trafficking, criminal exposure to risks of harm to life or health, and etc. In reality these multiple crime are presented in complex factual contexts which are highly demanding in respect for judicial qualification and penalty individualisation. Judiciary response, however, is rather incomplete and controversial. By studying the identified challenges and possible solution, this article strives to contribute to its improvement.

3. **Serial Crime In Bulgaria: Criminological Characteristic And Judicial Practice.** In: Annual Of Sofia University „St. Kliment Ohridski". Faculty of Law, Vol 88, p. 104-134, ISSN (print):0081-1866

Based on a combined criminological, legal, psychological and historical analysis and analysis of convicts' development during penalty execution upon OASys system of recidivism-risk assessments, the article presents a typology of the serial-crime cases known to the Bulgarian judicial practice. The factors and general features of serial crime, the perpetrator's profile and the motivation and perpetration mechanisms of the series have been established out of case-by-case study, as well as criteria for recognition of the phenomenon in bordering cases. The judicial response has been analysed and complications in the legal qualification and the penalty individualization discussed.

4. **Recovery and Reflection Period Granted By The International And EU Law To Victims Of Human Trafficking: European Practice.** In: Annual of the Ministry of Interior Academy, Sofia, MoIA, 2020, Vol. 31, p.67-10, ISBN: 1312-6415

The recovery and reflection period (RRP) is an institute of international and EU law which aims at allowing the victim of human trafficking to overcome the consequences of the crime and decide on his/her cooperation in the investigation against the perpetrator. The paper studies the supranational standard and the national response to it by comparing the approaches of 27 Member-States to the CoE Convention against Human Trafficking, which are located on the main roads of trafficking to and within Europe and show variety of legal systems and traditions, and practices towards victims. The models are analysed as systems of legal solutions in a certain criminal, victim-related, institutional and legislative context with a focus on their overall outcomes in an effort to contribute to the legislative conceptualisation of the RRP and the practice on cases with international element.

5. **Maritime Piracy as an International Crime. Differentiation From Similar Crimes Under The National Law.** In: Jus Romanum: Mare Nostrum, Sofia, Sofia University "St. Kliment Ohridski", 2021, p. 456-472, ISSN (online):2367-7007

The international crime of piracy often presents a number of complications related to its perpetration in various and continuous forms and together with other crimes and recognition of the applicable law. The article outlines its general legal and criminological characteristic, provides criteria for its legal qualification and differentiation from robbery, maritime crimes, war crimes, terrorism and other crimes and some insights on its development as a criminal phenomenon.

6. **Pardoning According To the Law of Men and God: A Glance At The Influence Of The Christian Ethics And Doctrine Over Granting Of Supreme Mercy.** In: Law and Religion, Collection of Reports, Sofia, Sofia University "Sw. Kliment Of Ochrid", 2021, p. 347-360, ISBN:9789540751337

Pardon is the most ancient instrument of lifting or alleviation of penalties. It is strongly influenced by the religious justifications of state sanctioning power which have closely followed its evolution. The article seeks to identify the potentially surviving presence of Christian ethics and remnants of theological interpretations of mercy, sin and remorse in the background of the secular pardon and the goals of the penalty.

7. **Pardon In Roman Legal Tradition.** In: JusRomanum, Sofia, Sofia University "St. Kliment Ohridski", 2020, Vol. 2, p. 721-741, ISSN (online):2367-7007

The article studies the scope of application, the legal effects and the legal and political concept of pardon as an instrument for full or partial abolition of an imposed penalty in Ancient Rome Empire focusing on both normative

resources and historical evidence of the manner in which the institute has been practiced. By outlining both permanent characteristics of pardon which have survived to the present times and features which have changed together with the change-related factors, the analysis contributes to the establishment of a common understanding of the institute.

8. **Adaptation Of Penalties Imposed By A Foreign Court Within Transfer Procedures Of Bulgarian Nationals.** In: Scholarly Readings: Predictability of Law. Collection of the reports. Sofia University "St. Kliment Ohridski", 2021, p. 241-254, ISBN: 9789540754789

The article analyses the substantial-law aspects of the adaptation of life-term penalties imposed by a foreign court when the sentence is accepted for execution by a Bulgarian court within a procedure of transfer of convicted Bulgarian nationals. Based on case study and comparative analysis of foreign and domestic legislation the article identifies and provides arguments for adaptation criteria in complicated cases where the two penalties do not correspond in terms of execution regimes or gravity.

9. **Criminal Repression Established For Preventive And Regulative Purposes: Issues In Cases Of Criminal Protection Of Administrative Regulations And Duplicating Administrative And Criminal Offenses.** In: 50 Years Administrative Offences and Penalties Act – History, Traditions, Future. Collection of the reports. Sofia University "St. Kliment Ohridski", 2020, p. 228-240, ISBN:9789540749754

Among the most challenging issues of the contemporary penal law is the ever expanding usage of criminal laws for preventive and regulative purposes. The most disputable element is the attempt to seek criminal solutions for ineffectiveness of administrative regimes. The article discusses the processes of overcriminalisation and inflation of criminal legislation, the principles of social dangerousness and injury as grounds for criminalisation and penalization, issues of sanction proportionality and *mens rea*, comparisons between penal and administrative response to a wrong, the respective legislative techniques, and their consequences.

10. **Schemes Of Financial And Economic Crime In Europe: Bulgarian Judicial Practice.** In: European Prospects For the Development of Criminal Legislation. Collection of the reports. Sofia University "St. Kliment Ohridski", 2014, p. 96-110, ISBN: 9789540737225

The article outlines the types and development of fi nancial and economic crime schemes in Bulgaria since 1990 and their dependence on legislation and judicial practice. It briefly characterises the legislative policy and its potentials to impact crime rates, as well as the economic eff ects of criminal schemes. It analyses some of the major challenges faced by the judiciary – criminal relevance of the validity of contracts and their criminal motives, abuse of economic freedom, causal links between criminal acts and material injuries, sources of perpetrator's offi cial duties, recognition of personal liability behind collective conduct and of the perpetrator of white-collar crime.