

OPINION

By Prof. Plamen Alexandrov Panayotov, PhD, member of the scientific jury in the competition for the academic position "Associate Professor" in 3.6. Law (Criminalistics) in the Department of Criminal Law at the Faculty of Law of Sofia University "St. Kliment Ohridski", announced in State Gazette No 24/17.03.2023, with candidate Chief Asst.Prof. Iskra Vladkova Vladova-Nedkova, PhD

In the competition for Associate Professor of Criminalistics at the Faculty of Law of Sofia University "St. Kliment Ohridski" Chief Asst.Prof. Iskra Vladova-Nedkova, PhD is the only candidate. For her participation in the competition she presents scientific works that were published after the defense of her dissertation. One of them is a habilitation thesis - the monograph "Investigation of computer crimes" /Sofia: Sofi-R, 2023, 232 p./, and the others are 5 articles. At its first meeting, held on 18.05.2023, the scientific jury admitted Chief Asst.Prof. Iskra Vladova-Nedkova, PhD to participate in the competition, as she meets the national minimum requirements for the position of "Associate Professor".

2. Iskra Vladova-Nedkova holds a Master's degree in Law from the Sofia University "St. Kliment Ohridski". Since 2011 she has been an assistant professor, and currently - a chief assistant professor of Criminalistics at the Faculty of Law of Sofia University "St. Kliment Ohridski". Since 2017 she had her educational and scientific degree "Doctor of Law" after successfully defended dissertation on the topic "Methodology for the investigation of drug-related crimes". She successfully led at the Sofia University "St. Kliment Ohridski" law students in Criminalistics. She is also a lecturer in Criminology at New Bulgarian University. Iskra Vladova-Nedkova has also her significant experience as an investigating police officer at Sofia Police Department from 2007 to 2011.

3. The monograph "Computer Crime Investigation" is a conscientiously conducted, thorough and systematic study. It is distinguished by its topicality as it concerns a relatively new and extremely dynamic type of crimes. This specificity gives rise to numerous problems, the solution of which depends on its effective investigation. The author has tackled a significant scientific challenge, offering reasoned recommendations on how to proceed to ensure such an investigation. The high theoretical value of the work is also conditioned by the

interdisciplinary approach used in conducting the research. Modern achievements of computer science, criminal law, criminology and criminalistics are used. It is in this general context that it is emphasized that in-depth knowledge and skills in the field of computer technology are necessary for the successful detection and investigation of computer crimes. The monograph is also notable for its practical utility. It provides specific guidelines, the consideration of which would increase the success rate of the competent authorities in the investigation of computer crimes. In view of the above, the work is of interest to the pre-trial authorities, the court, the legislator in view of the *de lege ferenda* proposals made, the scientific community in the field of computer science and law, as well as to a much wider readership - to all those who are looking for ways to increase the effectiveness of criminal law enforcement.

The monograph is also distinguished by a number of specific contributions, some of which are as follows:

- the content and scope of the concepts used in the course of the investigation is precisely specified - not only the legally defined in the Criminal Code "information system", "computer data", "computer information service provider", "computer network", "computer program", "computer virus" /accordingly under Art. 21, 22, 23, 25, 26, 27/, but also those that, although not legally defined in the Criminal Code, are used in the theory and practice devoted to the investigation of computer crimes - "electronic evidence", "hardware", "software", "operating system", "personal computer", "server", "router", "modem", "slip mod", "system administrator", "hard disk", etc.;

- a significant comparative legal review has been carried out, highlighting the different approaches to the regulation of computer crimes in the criminal law systems of different countries - China, India, Japan, USA, Brazil, Estonia, Germany, Sweden, UK, Finland, Austria, Norway, Denmark, Portugal, etc.;

- in the course of the research, the sources of applicable law in our country are analysed, which in the area under consideration are not only sources of our national law, but also those of EU and international law;

- an in-depth criminological characterisation of computer crime is made - the reasons for the high level of latency, the characteristics of the victims and the perpetrators are explained;

- differentiation of what is to be understood by the criminological and criminalistical characteristics of computer crime;

- possible objects of computer crimes are systematized - computer systems, computer networks, computer information, computer equipment, etc.;

- the two main ways of committing computer crimes are discussed: directly - by direct impact on a computer or remotely - by remote access to a computer system or network;

- the types of traces that can be formed as a result of a computer crime - virtual, material and ideal - are analysed;

- all the peculiarities of the initial stage of the investigation of computer crimes are analytically and thoroughly clarified;

- the circumstances that are subject to proof in the crimes under consideration are systematized;

- the different type of versions to be constructed in the investigation are clarified;

- of considerable practical value is the clarification of the specifics of the planning of the investigation;

- the stages of preparation, substantive conduct and recording of the results of the examination, search and seizure are analysed;

- it is explained why it is necessary to carry out actions with computer technology at the crime scene investigation by a specialist in the field of computer technology or under his supervision;

- in the framework of the presentation on the subsequent stage of the investigation, attention is paid to the specificities of the questioning of witnesses and defendants;

- the essential role of computer expertise in the investigation of computer crimes is highlighted;

- well-founded de lege ferenda proposals have been made on the basis of the results of the conducted research.

Taking into account the outlined contributions of the habilitation thesis, the conclusion of its high scientific and scientific-applied value is undoubtedly required. It should be emphasized that the perception of the author's thesis is also facilitated by the clear and accessible way in which they are formulated and argued.

4. Chief Asst.Prof. Iskra Vladova-Nedkova, PhD submits for participation in the competition five other scientific publications – “The drug expertise and the expert proof of a drug abuse” /In: Collection of the reports of a scientific conference “Contemporary challenges to the criminal law”, edited by prof. Plamen Panayotov, PhD, prof. Georgi Mitov, LL.D, asst.prof. Nikoleta Kuzmanova, PhD, St. Kliment Ohridski University Press, S., 2018, pp. 438-450/; “The cyber crimes investigation. The preparation of the crime scene investigation, searching and seizure in the cyber crimes investigation /Part I” /In: Society and Law, No. 6/2020, pp. 35-51/; "The cyber crimes investigation. Part two. The performing of the crime scene investigation, searching and seizure in the cyber crime investigation” /In: Society and Law, No. 10/2020, pp. 60-73/; "The cyber crimes investigation. Part three. The documentation and the evidence collection of the crime scene investigation, searching and seizure in the cyber crime investigation” /In: Society and Law, No. 1/2021, pp. 64-77/; "The computer crimes specificities and the predictability of the investigation” /In: Scholarly readings: Predictability of law - Collection of the reports of a scientific conference, organized by the Law Faculty of Sofia University “St. Kliment Ohridski”, edited by prof. Yanaki Stoilov, PhD, assos.prof. Ralitsa Ilkova, PhD, ch.assist.prof. Dilyan Nachev, PhD, ch.assist.prof. Krasimir Manov, PhD, “St. Kliment Ohridski” University press, S., 2022, pp. 254-265/. In four of these publications the author thoroughly investigates specific aspects of the topic of the monographic work. In the fifth one the peculiarities of the physical-chemical and evaluative expertise of narcotic substances, as well as of the chemical expertise of samples of biological origin are clarified.

5. In general, the scientific work of the Chief Asst.Prof. Iskra Vladova-Nedkova, PhD should receive a positive evaluation due to the highlighted theoretical and practical significance of her works. They are a novelty in science and are the result of her personal research work.

In conclusion, given the above mentioned regarding the teaching, practical and scientific research activities of Chief Asst.Prof. Iskra Vladkova Vladova-Nedkova, PhD I strongly believe that she meets all the conditions for holding the

academic position of Associate Professor under the Law on the Development of Academic Staff in the Republic of Bulgaria. Therefore, I recommend the scientific jury to propose to the Faculty Council of the Faculty of Law of the Sofia University "St. Kliment Ohridski" to elect as Associate Professor of Criminalistics Chief Asst.Prof. Iskra Vladkova Vladova-Nedkova, PhD.

Opinion prepared by

Prof. Plamen Alexandrov Panayotov, PhD

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