

OPINION

By Prof. Ivan Vladimirov Boev, PhD - member of the scientific jury in the competition for the academic position of Associate Professor in the field "Social, Economic and Legal Sciences", professional field 3.6 Law /Criminalistics/, announced for the needs of the Faculty of Law at Sofia University "St. Kliment Ohridski", in State Gazette No. 24 of 17.03.2023, with a candidate – Chief Asst.Prof. Iskra Vladkova Vladova – Nedkova, PhD

Subject: the scientific, scientific-applied and professional-academic activity and production, presented by the only participant in the competition - Chief Asst.Prof. Iskra Vladkova Vladova-Nedkova, PhD

The opinion has been prepared in accordance with the Order of the Rector of Sofia University "St. Kliment Ohridski" *РД 38-202/26.04.2023* and in accordance with the decision of the scientific jury. The requirements of the law in the Republic of Bulgaria have been taken into account.

I. General presentation of the candidate and submitted materials

Iskra Vladkova Vladova-Nedkova, the only candidate in the announced competition, is a lecturer at the Department of Criminal Law of the Faculty of Law of Sofia University "St. Kliment Ohridski" since 2011. In 2017 she successfully defended her dissertation thesis on "Methodology for the investigation of drug-related crimes". As a senior lecturer she teaches Criminalistics to law students.

For participation in the competition Iskra Vladova-Nedkova submitted for review a monograph on "Investigation of Computer Crimes" and five articles.

The review of the scientific and scientific-applied production and professional-academic activity submitted by Iskra Vladova-Nedkova, PhD is a basis for the conclusion that the national requirements for the academic position

of Associate Professor in the professional field 3.6. Law /Criminalistics/ have been fulfilled.

According to the information from the submitted references, the announcement of the competition complies with the requirement to provide the academic post of Associate Professor with the required number of hours in lecture courses. For the academic year 2022/2023, 297 hours have been voted for by the Faculty of Law, which are in accordance with the professional field of the announced competition for the academic post of Associate Professor.

II. Evaluation of the scientific and practical results and contributions of the creative production submitted for the competition

The scientific and scientific-applied production of Iskra Vladova-Nedkova, PhD is focused on the investigation of drug-related crimes and the investigation of computer crimes. In the sense of these problems is also the monographic work, presented by the candidate on the topic "Investigation of computer crimes", which represents the first modern comprehensive study in Bulgaria of the problems concerning cybercrime.

The topic transcends national interests, given that the cross-border nature of computer crime is indisputable. In practice, with a single command and without leaving the confines of their workplaces, perpetrators of cybercrime can gain remote access to a computer system, regardless of its location, and a criminal outcome corresponding to this action.

The subject under consideration is also interdisciplinary and complex, as it presupposes certain knowledge and training on the part of the competent investigative authorities, not only in the legal branches, but also in the field of computer technology.

There is room for such an independent study in Bulgarian legal doctrine. With its innovativeness, the work is valuable for theory, and it also has considerable practical value.

The author has set as a goal for this work the improvement of the practice of cybercrime investigation by conducting an in-depth study of the stages and content of pre-trial proceedings.

The author achieved scientifically substantiated results of her research by focusing on several main issues:

- Computer technical terms that are most commonly relevant to the investigation in various investigative situations are discussed. Some of them have a legal basis, while the meaning of the others has been clarified through a study of a considerable body of scientific literature;

- The historical development of computer crime from its inception to the present day is traced;

- The general characteristics of computer crime with its criminal, criminological and forensic aspects are examined;

- To the initial stage of the investigation are referred the initiation of the pre-trial proceedings with its specifics in the hypothesis in which cybercrime is subject to investigation, as well as the construction of the investigative versions and the planning of the investigation and the investigative actions that fill its content in the different investigative situations;

- Investigative actions of an initial and urgent nature include crime scene investigation, searching and seizure. With regard to each of them, the preparation, the substantive performance and the fixing of the results are clarified. Particular importance is attached to the specifics of the packaging, transport and storage of computer and electronic traces, given their specific nature;

- The interrogation of witnesses and accused, as well as expert examinations, are assigned to the follow-up phase of the investigation. The categories of witnesses and accused to be questioned and the issues to be clarified according to the specificity of the particular investigative situation are examined. A central place among the expert studies is given to the computer-technical expertise, which is classified according to its subject matter into software, hardware, informational and network.

In the conclusion, along with the summarized conclusions reached as a result of the research, two proposals *de lege ferenda* are formulated, which, if included in the Criminal Procedure Code, would contribute to solutions that are adequate to modern times and useful for society.

The monographic work of Iskra Vladova-Nedkova, PhD is developed with scientific competence, the conceptual apparatus is used adequately, the style of presentation is logical, which presupposes the logic of the overall scientific study.

The scientific publications of Iskra Vladova-Nedkova, PhD are also in the sense of the "investigation of computer crimes", which reveal the diversity of her scientific searches in the researched field. My assessment of publications such as "Forensic Characteristics of Computer Crime and Predictability of Investigation", "The cyber crimes investigation. The preparation of the crime scene investigation, searching and seizure in the cyber crimes investigation", "The cyber crimes investigation. The performing of the crime scene investigation, searching and seizure in the cyber crime investigation", "The cyber crimes investigation. The documentation and the evidence collection of the crime scene investigation, searching and seizure in the cyber crime investigation", etc. is positive.

On the basis of the significance of the presented monographic work, its competent elaboration and achieved results, as well as on the basis of the scientific value of the other publications on the problem, I express my opinion that Chief Asst.Prof. Iskra Vladova-Nedkova, PhD has successfully defended her scientific theses, which is a testimonial in support of her participation in the competition for the academic position of Associate Professor.

In summary, I accept the scientific and scientific-applied contributions made by the candidate, and I believe that their consideration in the legislation will enrich the existing theory and practices regarding the investigation of computer crimes.

III. Critical remarks and recommendations

Taking into account the topicality of the problems, investigated by the candidate, as well as the level of legislation in the field of criminal law, I recommend new scientific publications with applied orientation and active participation in scientific forums on criminal law problems.

IV. Conclusion

After evaluation of the submitted materials concerning the scientific, scientific-applied and teaching activity of Chief Asst.Prof. Iskra Vladova-Nedkova, PhD I consider that the results achieved by her fully comply with the requirements for holding the academic position of "Associate Professor", therefore I confidently give my positive assessment and propose to the esteemed Scientific Jury and the members of the Faculty of Law to elect Chief Asst.Prof. Iskra Vladkova Vladova-Nedkova, PhD as a "Associate Professor" in the professional field 3.6. /Criminalistics/.

Opinion prepared by

Prof. Ivan Vladimirov Boev, PhD

Sofia, May, 2023