

## OPINION

by **Dr. Marieta Hristova Rabohchiyska** –

**Associate Professor at the Faculty of Law of St. Cyril and St. Methodius University of Veliko Turnovo, in the area of higher education: 3. Social Science, Economic Science and Law, professional field: 3.6 Law (International Law and International Relations)**

regarding a dissertation for the award of the educational and scientific degree “**Doctor**” in the area of higher education: 3. Social Science, Economic Science and Law, professional field: 3.6 Law, doctoral programme: International Law and International Relations

Author: **Desislava Nikolaeva Dukova**

Topic: “**International Legal Aspects of the Crisis in Ukraine**”

Scientific supervisor: **Prof. D. Sc. Nadia Georgieva Boyadjieva** – Paisii Hilendarski University of Plovdiv

### **1. General summary of the procedure and introduction of the PhD student**

By Order No. RD-21-670 dated 24.03.2023 of the Rector of Paisii Hilendarski University of Plovdiv, I was designated as an external member of the scientific jury in the procedure for the defence of the dissertation work for the acquisition of the educational and scientific degree “Doctor” by Desislava Dukova – a full-time doctoral student at the Public Law Science Department of the Faculty of Law of Paisii Hilendarski University of Plovdiv. Subsequently, I was entrusted to draw up an opinion.

The doctoral student has submitted a complete and orderly set of materials in accordance with Article 36 (1) of the Rules for the development of the academic staff of the University of Plovdiv (RDASUP). I have no critical remarks concerning the submitted documents. The reference for compliance with the minimum national requirements bears two certifications. Full-text copies of the publications on the subject of the dissertation have been provided. Without being a requirement under the RDASUP, an opinion has been presented by the scientific supervisor that the dissertation work is ready in its entirety and suitable for preliminary discussion at a meeting of the departmental council. Such meeting was held on 15.02.2023 and certified by an excerpt from the transcript of the minutes. In the course of the procedure or prior to its launching, no plagiarism reports have been filed and no plagiarism has been proven regarding the candidate’s scientific works. It can be undoubtedly concluded that the procedure is in accordance with the Development of Academic Staff in the Republic of Bulgaria Act (DASRBA) and the Regulations on its implementation, as well as with the RDASUP.

Evident from the curriculum vitae enclosed, as of 2018, Desislava Dukova has a master’s degree in law from the University of Plovdiv. She has completed a training in introduction to humanitarian law. She has participated in the organization of scientific seminars in the field of international relations and human rights. Since 2020, she has gained professional experience at a regional directorate of the Ministry of Interior dealing with investigation of crimes. In my opinion, the indicated facts from her biography directly relate to the procedure.

### **2. Relevance of the topic, knowledge of the problem and research methodology**

The topicality of the issue under consideration in the dissertation work is beyond any doubt both from the point of view of the ongoing hostilities in Ukraine, which began in 2022, and in connection with the study

of the fundamental features and effectiveness of international public law in overcoming regional and global threats to security. The analysed crisis in Ukraine (2013 – 2015) has strained the relations between the leading participants in international politics – Russia, the USA, NATO and the EU with its ever-increasing involvement. Today, these relations are even more intense. In addition to being topical, the choice of topic also testifies to the PhD student's research courage.

Desislava Dukova is well aware of the state of the problem. First, she has examined it through the widest possible prism of international relations with an emphasis on its international legal regulation. Second, she has made good use of an impressive number of diverse sources (315 items), the critical apparatus amounting to 511 footnotes. The methodology used (legal-dogmatic, historical, systematic and comparative legal analysis) has contributed to solving the outlined research tasks.

### **3. Overview and assessment of the dissertation work, the abstract and the contributions**

The dissertation work consists of 224 pages of actual text with a logical structure. The introduction encompasses the mandatory requisites, among which is the formulation of the work thesis. The content of the dissertation correctly reflects and even exceeds the topic indicated in its title. By defining the notion of “crisis” and distinguishing it from related concepts, the first chapter sets the necessary conceptual, theoretical and analytical framework of the issue under consideration. In the second chapter, the crisis in Ukraine has been presented in its development and has been placed in the wider context of international relations, including from the perspective of their restructuring after the end of the Cold War and the rearrangement of the international order. I find that the third chapter, dedicated to the specific manifestations of the international legal aspects of the crisis, the challenges it poses to the development of international law, as well as the role of international organizations, including EU-type structures, constitutes the strongest feature of the work. The doctoral student Dukova has achieved comprehensiveness and thoroughness of the research, has actually used all the cited sources, has successfully defended her thesis, has reached a number of correct conclusions, and has applied a balanced and unbiased scientific approach.

The abstract reflects the dissertation in good faith. It is in accordance with the requirement of the RDASUP for 32 pages in length. The contributions of the dissertation work are listed in 8 points in a separate part of the abstract. Of these, I accept the first six. They may be defined as scientific (No. 1, 2, 3) and scientific-applied (No. 4, 5 and 6). I do not accept contribution No. 7 because I find a discrepancy between the title of the relevant section and its content as regards the reaction of the Bulgarian public. I do not accept contribution No. 8 because the PhD student does not actually make specific recommendations for improving the international legal framework for crisis prevention and resolution, but rather claims, as part of her research thesis, that, although ineffective, “international law still offers valid solutions to the crisis in Ukraine” (p. 11).

Without touching on the essence of the work, I have some critical remarks – there are inaccurate legal wordings: “normative ‘anchoring’ in the Helsinki Agreements” (p. 90), “convening at any time” (p. 183) the permanent International Criminal Court, “the CFSP adopts a decision” (p. 209), etc.; presenting a doctrinal classification of EU sanctions as a general classification of sanctions in international law and international relations (p. 129); inaccurate classification of EU sanctions (p. 209).

#### 4. Assessment of the publications and of the doctoral student's personal contribution

Desislava Dukova has indicated five /5/ articles in publications that are included in the National Reference List of NACID. All articles, wherein she is the sole author, dwell on the topic of her dissertation work and exceed the minimum national requirements by 20 points. I find no coincidence or overlap in the content of the publications, which include: one article in *Studia Iuris* of the Faculty of Law of the University of Plovdiv (2019) and 4 panel reports in academic works of universities (the annual scientific conferences of the National Military University) in 2019, 2020 and 2021, respectively. As a PhD student, Desislava Dukova has worked consistently and steadfastly on the subject of her work – two of the publications were presented in the first year of her doctoral studies; the content of the articles has increased in length over time and has become extensively analytical with an expected emphasis on the (international) legal aspects of the issues under consideration. For example, the articles on the jurisdiction of the International Criminal Court with respect to crimes in Ukraine and on the agreement on the settlement of the political crisis in Ukraine serve as indisputable proof thereof. One can establish the doctoral student's personal participation in the conducted research and her personal merit for the formulated contributions and the results that have been obtained.

#### 5. Recommendations for future use of the dissertation contributions and results

I would recommend publishing the dissertation work as a book after introducing certain corrections. Thus, the results of the dissertation will have an even greater impact on science, enriching the specialized scientific literature on the subject. The PhD student may consider including the time frame of the study (2013 – 2015) in the title. Furthermore, the wording “international aspects” of the crisis in Ukraine might be more appropriate to reflect the broader scope of the conducted analysis whereof the study of the international legal regulation is an indispensable part.

#### CONCLUSION

The dissertation work contains scientific and scientific-applied results constituting personal contribution to science and meeting all the requirements set out in the DASRBA, the Regulations on its implementation, and in the RDASUP. It is evident from the dissertation that the doctoral student has acquired theoretical knowledge and mastered professional skills in the scientific specialty of international relations and international law demonstrating qualities and capabilities for independent scientific research.

In view of the above, I hereby make a **positive assessment** of the conducted research and **propose to the honourable scientific jury to award the educational and scientific degree “Doctor”** to Desislava Nikolaeva Dukova in the area of higher education: 3. Social Science, Economic Science and Law, professional field: 3.6 Law, doctoral programme: International Law and International Relations.

Sofia, 12.05.2023

**Assessor:** .....

/Assoc. Prof. Dr. Marieta Rabohchiyska/