

# ***OPINION***

*by Assoc. Prof. Dr. Vanya Hristova Stamatova, PhD in Law,*

*Centre of Legal Studies, Burgas Free University*

*in connection with a competition for the academic position of Associate Professor in the field of higher education 3. Social, Economic and Legal Sciences, professional field 3.6 Law (Private International Law), announced by Burgas Free University, State Gazette, issue 29 of 02.04.2024.*

## **Dear members of the scientific jury,**

In my capacity as a member of the current academic jury, I present an opinion within the competition for the academic position of "associate professor" in International Private Law with a single candidate, Emine Hasan Ilyaz, PhD.

### **I. Brief introduction of the candidate.**

The only candidate in the competition is Emine Hasan Ilyaz, PhD. She graduated in Law from Burgas Free University in 2006. Since 2019 she has a PhD in Private International Law with a diploma from Istanbul University in the Republic of Turkey.

I have had the privilege of knowing Emine Ilyaz, PhD since her student years at BFU. During the past academic year 2023/2024 she conducted seminar classes in Private International Law and EU Law. Dr. Ilyaz has a rich and in-depth theoretical and practical-applied knowledge of Private International Law and related disciplines. With their help, she researches and teaches at an exceptionally high level. She enjoys respect among students and colleagues.

In addition to research and teaching, the candidate has extensive practical experience. From the enclosed CV it is evident that Emine Ilyaz, PhD has work experience as a junior expert in the Regional Administration of Burgas and Stroyconsult Burgas Ltd. She has also worked as an external expert for public procurement at Burgas Municipality.

Since 2013 he has been a registered attorney at the Burgas Bar Association, providing legal advice and representation of individuals and legal entities, international private law and litigation, comprehensive legal representation of foreigners and registration of companies in Bulgaria, a

branch of a foreign company, assistance in obtaining the status of temporary or permanent resident in Bulgaria, labor migration of foreigners, registration of trademarks before EUIPO.

## **II. Fulfillment of the quantitative requirements for occupying the academic position "associate professor".**

The candidate in the announced competition fulfills the minimum national requirements according to the Academic Staff Development Act in the Republic of Bulgaria and the Rules for the Implementation of the Academic Staff Development Act in the Republic of Bulgaria and the additional indicators of the Center for Legal Sciences of the BSU for the occupation of the academic position "associate professor" in the field of higher education 3. Social, economic and legal sciences, professional field 3.6. Law (Private International Law).

The total number of points of the candidate is 425 and exceeds the required minimum of 300 points, which are distributed as follows: group "A" - Dissertation for the award of the degree of Doctor of Education and Science - 50 points; group "C" - Habilitation thesis - monograph "Energy Investment Disputes in the Context of International Arbitration" - 100 points; group "D" - 175 points, of which: point 5 Published monograph based on a defended dissertation - 75 points 6. Articles and reports published in scientific journals, refereed and indexed in world-renowned databases of scientific information - 60 pts.; pts. 7 Articles and reports published in non-refereed peer-reviewed journals or published in edited collective volumes - 40 pts; group "E": pts 11 Citations or reviews in scientific journals, refereed and indexed in world-known databases with scientific information or in monographs - 30 pts; 12 Citations in monographs and collective volumes with scientific peer review - 70 pts.

## **III. Scientific works submitted for the competition and a brief description of the scientific works.**

Emine Ilyaz, PhD participated in the competition for the academic position of Associate Professor with the following scientific works:

1. Monograph "Energy Investment Disputes in the Context of International Arbitration" with reviewers prof. Maria Neikova and Assoc. Prof. Dr. Ana Dzhumalieva, Publisher: Burgas Free University, Burgas, 2024, volume of the monograph 311 pages ISBN 978-619-253-036-5.

2. Published book based on defended dissertation:

Ilyaz, E., *Child Guardianship and Custody in International Family Law*, ed. Burgas Free University, ISBN 978-619-253-035-8, 2024, reviewed by Prof. Dr. Fluria Yusufova Bilgin. Translation: Associate Prof. Menet Shukrieva and Emine Ilyaz, PhD.

*3. Articles and reports published in scientific journals, refereed and indexed in world-known databases with scientific information- 2 pieces.*

*Articles and reports published in scientific journals, refereed and indexed in world-known databases with scientific information- 4 piece.*

The monographic work "Energy Investment Disputes in the Context of International Arbitration" is devoted to a topical and unexplored topic in international legal science. It is topical because in recent years the energy sector as an industry and disputes arising from investments in the sector have become increasingly relevant, especially after the withdrawal of the EU and EURATOM from the Energy Charter Treaty.

In his study of 311 pages and in five chapters, Emine Ilyaz, PhD does exactly that - he offers to our attention a complete and comprehensive study of energy investment disputes in the context of international arbitration. consider and research: Advanced analysis of investment law, concept of energy investment and investment dispute, mechanisms for resolution of energy investment disputes, determination of applicable law.

The last chapter examines new trends in international investment arbitration and the impact of European Union law on energy investment disputes. The monographic work draws on existing, albeit scarce, research, with 1,424 footnotes, and offers a bibliography with numerous cited sources in Bulgarian and English and other relevant literature on the topic. The work represents a fully completed, excellently structured, logically and clearly presented unique study of a topical subject on which Dr. Ilyaz displays a thorough theoretical knowledge enriched by her extensive expertise in practice.

Other scientific publications of Emine Ilyaz, PhD prove her creative qualities and research potential. They show the author's versatile interests in international legal science and fall within the scientific specialty of the competition. They are also devoted to topical issues of undisputed scientific importance and contributions to the development of international legal science, namely

Guardianship and custody of the child in international family law, Scientific and educational review of expedited arbitration in the context of contemporary practices, Scientific and educational analysis of the legal regime of access to the labor market of third-country nationals, Applicable law to environmental pollution on the high seas under private international law, International Conventions on Maintenance Obligations in Turkish Private International Law, Legal Analysis of Article 7 of the Vienna Convention on the International Sale of Goods, etc.

#### **IV. Critical comments and recommendations.**

Without diminishing the qualities of the proposed monograph, I would like to recommend the author, in subsequent publications, to consider in more detail the manner of determining the applicable law in the matter under study, as well as the use of more recent case law of the Court of Justice of the European Union.

#### **V. Conclusion:**

In conclusion, taking into account the above, I consider that the candidature of Dr. Emine Hassan Ilyaz meets all the requirements of Article 24 of the Academic Staff Development Act in the Republic of Bulgaria as well as the other relevant legal framework. I confidently and categorically give a positive assessment of the candidature of Emine Hasan Ilyaz, PhD for the academic position of Associate Professor in International Private Law (professional field 3.6 "Law") for the needs of Burgas Free University.

**Burgas, 01.08.2024**

**Sincerely:.....**

**/Assoc. Prof. Dr. Vanya Stamatova /**