

SUMMARY
OF THE HABILITATION THESIS
„THE REVIEWS IN CRIMINAL MATTERS – APPLICATION AND
IMPROVEMENT OF CRIMINAL PROCEDURAL LEGISLATION”

I. After the doctoral thesis (“*Technical aspects of criminal law*”), I continued my activity of scientific research, both by deepening some of the issues addressed in the doctoral thesis, but also through the development of other plans in the field of criminal sciences research (in particular, the criminal procedural law, but also international judicial cooperation in criminal matters), publishing an introduction to a monograph in the matter of remedies in criminal proceedings under current legislation (“*The Appeal in Cassation in the New Code of Criminal Procedure*”). The main scientific contributions that I believe I have brought, until the present, to the development of criminal sciences, can be synthesized in the the following:

1. Contributions to the analysis of technical aspects of criminal law

For instance, in the context of addressing the concept of “simplification - as imperative of modernizing and improving the quality of law”, I brought into question the opportunity of amending certain provisions of the current Code of Criminal Procedure, for it to become a truly effective legal instrument in regulating the Romanian criminal proceedings.

2. Contributions to the analysis of the legal institutions in the field of criminal law, according to previous criminal procedure legislation (Code of Criminal Procedure from 1968)

By focusing the scientific research on the field of criminal procedural law, I conducted a series of analyses on some legal institutions in this matter, in regulating the Code of Criminal Procedure from 1968, with subsequent amendments (especially the changes from 2003, 2006, 2010, and 2013).

3. Contributions to the analysis of the regulations on criminal procedure in the current Criminal Procedural Code

The New Code of Criminal Procedure (Law No. 135/2010), which entered into effect from February 1, 2014, brought substantial changes in respect to all institutions of criminal procedural law; in this context, by way of example, I analyzed: the new fundamental principles of the criminal proceedings, provisions on the enforcement of the fine penalty or those relating to the proceedings on the criminal liability of the legal person,

4. Contributions to the analysis of aspects regarding international judicial cooperation in criminal matters (criminal procedural law related area)

In this area, I analyzed the main forms of international judicial cooperation in criminal matters, particularly in terms of procedural aspects, focusing on provisions applicable to relations between the European Union Member States.

5. Contributions to the development of teaching materials (university courses for undergraduate studies program and master's degree programs, and other guidelines for students: lessons of synthesis, multiple choice tests, a collection of test cases, etc.)

For example, the most recent academic course that I published is „*Criminal Procedural Law*” (according to the new Code of Criminal Procedure), 1st volume, Univers Juridic Publishing, Bucharest, 2015. Structured according to the General Provisions of the current Code of Criminal Procedure, this course analyzes the main institutions of criminal procedural law, with reference to aspects of judicial practice (Constitutional Court decisions, Decisions of the High Court of Cassation and Justice in solving appeals on points of law, C.E.D.O. Jurisprudence).

6. Contributions to the analysis of the appeals in criminal proceedings, both under previous legislation as well as according to the current Criminal Procedural Code

Starting from the interpretation of certain legal provisions, but also from some legal practice solutions, I addressed issues concerning the possibility of contesting the measures and criminal prosecution actions, amendments to the Code of Criminal Procedure from 1968, through “*the little reform*” in terms of reducing the degrees of jurisdiction and the consequences of the reconfiguration, through the current Code of Criminal Procedure, of the system of appeals against criminal court decisions.

7. Contributions to coordination and implementation of specific research projects and educational-social scientific research

In order to prevent crime and to better inform the population in the area of criminal law and criminal procedure, I participated in the elaboration of certain socio-educational research projects that have involved staff of the Police Academy and representatives of other institutions (local authorities, the Service for Analysis and Prevention of Crime from the Police General Directorate of Bucharest, etc.). Also, within a scientific research project, as a member of a group of authors, I took part, by analyzing and interpreting certain provisions of the current Criminal Procedural Code, to the development of the paper “*Preliminary Explanations of the New Code of Criminal Procedure*” (paper which has not been published yet).

In terms of professional and academic achievements, I went through the teaching grades from preparer (1992) to University Professor (2009), performing my activity continuously in the same discipline – Criminal Procedural Law – within the Chair (the Department) of Criminal Law within the Police Academy.

II. With regard to the academic and professional career, I intend to continue my work as holder professor, in the same institution where I have been teaching in the last 23 years, namely “Alexandru Ioan Cuza” Police Academy from Bucharest, and to the extent that I will be given this right, obtaining the right to

advise doctoral thesis, to become a member of the Doctoral School of the Police Academy.

Regarding the scientific career, **the main research direction that I intend to concentrate on is the study of appeals in criminal matters, starting from the introduction to the monograph I wrote, by elaborating the paper “*The Appeal in Cassation in the New Code of Criminal Procedure*”.** Furthering the research on the appeal in cassation, I wish to extend the analysis and interpretation on the provisions of the current Criminal Procedural Code also in to other ways of extraordinary appeals.

The current Criminal Procedural Code brings substantial amendments regarding the regulation of ordinary appeals, by reducing the number of degrees of jurisdiction (aspects that I’ve already addressed in several published articles). Therefore, I intend to continue analyzing this issue, for a correct interpretation and application of both the provisions on appeal, and those regarding the contestation.

Another line of research, in the same context of the issues of remedies in criminal matters, is addressing new regulations in this area, from the perspective of legislative technique. Given my previous concerns regarding the research aspects of legislative technique in criminal matters, I intend a continuation of this research, precisely in order to improve the criminal procedural legislation.

Beyond the study of appeals that may be exercised against the decisions during the trial stage, I intend to approach redress procedures that can be used in other stages of the criminal procedure (the prosecution, the preliminary chamber and the stage of execution of final criminal judgments). Thus, I will continue the research I started with some articles I’ve already published and which I have consecrated to the complaints against acts and measures of prosecution or complaints to the court/ judge against some solution of not bringing to trial treating these institutions under the current Criminal Procedural Code. At the same time, I intend to analyze the other legal remedies: contestation against the closing, ordering the preventive measures during criminal investigations, contestation on how to handle requests and exceptions, and against the solutions given in the preliminary procedure room and, also, appeal to execution (as judicial process to resolve claims or objections arising from the execution of criminal decisions).

Of course, the scientific career development plans are not limited to the study of the legal remedies in criminal matters, but covers all the institutions of criminal procedural law, this being the branch of law which I specialized in and to whose development I wish to bring my humble contribution in the future.

I propose to develop all these plans of scientific research in the extent that I get the certificate of entitlement, together with the Doctoral candidates I would guide.