

UNIVERSITATEA DE VEST DIN TIMIȘOARA
DOMENIUL DREPT

ȘASE DOMENII ÎN CĂUTAREA UNEI EFECTIVITĂȚI
REZUMATUL TEZEI DE ABILITARE

CANDIDAT:

FLAVIU CIOPEC, conf. univ. dr., Facultatea de Drept

2024

The habilitation thesis summarizes the research and academic teaching activity that I have carried out since obtaining my PhD degree in law in 2011, as well as the future projects to be conducted. It is the outcome of 25 years of continuous teaching and research activity at the Faculty of Law, in relation with six interdependent and complementary legal areas.

The first part of the thesis, dedicated to professional achievements, traces the contributions made in the main field of study, teaching and research which is the theory of criminal procedure. This is joined by criminal enforcement law, as part of the inseparable trinity of criminal law *lato sensu*. These areas are covered by undergraduate courses at the bachelor level: criminal procedure in its fourth edition (2023) and enforcement law in its first edition (2022). Both areas are naturally complemented by lectures held for the postgraduate Master's programme in Criminal Sciences: the course on Criminal Procedural Law - in-depth approach (for which there is a paper as a teaching and learning support) and the course on Penology.

The third area of teaching and research is Criminology, as an optional subject for the second year of the bachelor's degree and Victimology, as an optional subject for the Master's program in Criminal Sciences.

Last but not least, specialized research has focused on the study of economic crime, as well as on the study of criminal confiscation as an appropriate solution to control this type of crime. Economic crimes have been constantly in my attention as a criminal lawyer, specialized in building lines of defence in such cases, while criminal confiscation has been the subject of my post-doctoral research, completed with a monography published in 2015.

In addition to these should also be mentioned European criminal law, which has been my long-standing point of academic interest, starting with specialized studies (Olomouc - Czech Republic, Siracusa - Italy and Trier - Germany) and continuing with the drafting of articles, editing of volumes, research contracts and (temporary) teaching in the undergraduate program at the Faculty of Law.

With regard to all these areas, I have been constantly publishing studies, articles, participating in conferences, drafting specialized opinions for the specialized panels of the Court of Justice and carrying out research contracts.

In the second part of the thesis, I have shown that I intend to continue conducting projects especially in the field of criminal procedure, by elaborating a course dedicated to the criminal process, approached in its natural order, as it is actually carried out, and not by the physiognomy

of the procedural law. This project is supplemented by the drafting of a compendium of the Strasbourg Court's case law on criminal procedure in disputes in which Romania has been involved, as well as an inventory of all the grounds for invalidity that apply during all phases of the criminal procedure. Finally, an ambitious project is devoted to a general overview of criminal law in all its dimensions, substantive, procedural and executive, in English, under the title of Principles of Romanian Criminal Law. In this project, the principles of Romanian criminal law do not retain the traditional connotation of fundamental rules, but of essential aspects of the subject matter intended to be known by non-national addressees who come into contact with domestic legislation.

I also aim to publish a criminology course, which will contain a general, theoretical and a special part, dedicated to the forms of criminality most likely to be identified in Romania.

With regard to the academic teaching activity, I have shown the main methods used in the three disciplines within the structure of the position I currently hold, as well as the other aspects of this component of my professional activity, including the coordination of bachelor's and dissertation papers, participation in the committees for doctoral theses or - to broaden the scope of the discussion - in the exam committees for admission and final examinations in the legal professions.

I have indicated, in the habilitation thesis, the way in which I have constantly involved the students, master and doctoral students of the Faculty of Law in all these activities, by coordinating them in their research projects.

The future teaching dimension of my career will be dedicated to academic teaching mobility within the framework of international cooperation agreements to which the Faculty of Law of the West University of Timisoara is a party (in particular within the UNITA university alliance).

As a conclusion of the habilitation thesis, I pointed out the importance of bringing out the underlying connections existing between all the research areas addressed from the perspective of meeting the essential standard of effectiveness. In an unexpected way, but detectable during the elaboration of the habilitation thesis, I realized that, through six research areas, I have unintentionally aimed at the organic integration of research into a system whose principle of order and development is effectiveness.