

# Transilvania University of Brașov, Romania

## Study program: Systems and Institutions of European and International Public Law

### Syllabus for ERASMUS + students

Faculty of Law

Study period: 2 years (master)

#### 1<sup>st</sup> YEAR

Course title	Code	language of instruction	No. of credits	Number of hours per week			
				course	seminar	laboratory	project
Instruments and institutions of public international law	PUBLIC1	Romanian	8	2	2		

**Course description (Syllabus):** The international legal order; The main sources of international law. Codification of international law; Subsidiary sources of international law. Equity in international law. Mandatory rules of international law - *jus cogens*; Principles of international law; The State as a subject of international law; International organizations as a subject of international law; Population in international law; Territory of State in International Law, Regime of international spaces; Peaceful settlement of disputes through political-diplomatic means. Peaceful settlement of disputes through jurisdictional means; Settlement of disputes within international organizations. Limits of use of force in contemporary international law.

Course title	Code	language of instruction	No. of credits	Number of hours per week			
				course	seminar	laboratory	project
International Systems of Human Rights Protection	DREPTOM1	Romanian	8	2	2		

**Course description (Syllabus):** Introductory Aspects on the Protection of Human Rights. Historic. Classification. The internal and international protection of human rights; The United Nations System for the Protection of Human Rights; The Universal Declaration of Human Rights, the International Covenant on Human Rights, and other international conventions on human rights; Specialized institutions of the UN system for the protection of human rights: the UN High Commissioner for Human Rights, the UN High Commissioner for Refugees, The Council of Europe system for the protection of human rights; Human Rights Protection Documents adopted by the Council of Europe: the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols, the European Social Charter, and other documents; European Court of Human Rights. The European Union system for the protection of human rights.

Course title	Code	language of instruction	No. of credits	Number of hours per week			
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European medical Law	EUMEDIC1	Romanian	7	2	2		

**Course description (Syllabus):** Introduction to European Medical Law; The competent public authorities in European Medical Law; Access to medical services for cancer patients; Palliative care; Cross-border healthcare; The rights of the patient; The health situation in Romania and in other states of the European Union; Emergency medical assistance; Dental care; Clinical trials.

Course title	Code	language of instruction	No. of credits	Number of hours per week			
				course	seminar	laboratory	project
Institutional system of the European Union	EUSISTEM1	Romanian	7	2	2		

**Course description (Syllabus):** Introduction; Historical aspects regarding European Union - from Paris to Lisbon, via Rome, Maastricht, Amsterdam, Nice an Lisbon; The general principles of European Union and EU law; The legal order of the European Union; The institutions of the European Union Institutions: European Council; European Parliament; Council; European Commission; Court of Justice of the European Union; European Central Bank; Court of Auditors

Course title	Code	language of instruction	No. of credits	Number of hours per week			
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Law of Treaties	TRATAT2	Romanian	7	2	2		

**Course description (Syllabus):** The international treaty as the source of international law; The right of treaties, as a branch of international law; International Negotiation; Successive stages of the conclusion of the treaties (after negotiation); Effects of the Treaties. The principle of pacta sunt servanda. Effects on third parties; Reservations and statements to treaties. Definitions. Formal and substantive conditions; Amendments to treaties. Suspension of treaties, Nullity of treaties. Termination of treaties, Successive treaties and the issue of "fragmentation of international law"; Provisions of Romanian legislation on treaties, with special reference to Law 590/2003 on Treaties, Applying treaties in domestic law.

Course title	Code	language of instruction	No. of credits	Number of hours per week			
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Elements of substantive law of the European Union	DRMATURE2	Romanian	7	2	2		

**Course description (Syllabus):** Introductory concepts of EU substantive law ; EU citizens and their rights ; Free movement of persons ; Internal market: general principles ; Free movement of goods ; Free movement of capital ; Freedom of establishment and freedom to provide services ; Free movement of workers ; European monetary institutional system ; EU competition law ; Public procurement in EU law ; Control of subsidies within the EU

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International Humanitarian Law	UMANITAR2	Romanian	6	2	2		

**Course description (Syllabus):** The emergence and evolution of humanitarian law; Sources of humanitarian law; Subject matter and subjects of humanitarian law; Military hostilities and legal procedures for the protection of human rights; Legal regulations on means and methods of war; The legal regime of different categories of persons and goods in time of war; The status of neutrality, Restoring peace by ending belligerence; Legal regulations on the distinctive signs of protection in humanitarian law; Control of the application of humanitarian law; Liability for violation of humanitarian law.

Course title	Code	language of instruction	No. of credits	Number of hours per week			
				course	seminar	laboratory	project
Mechanisms for promoting and defending human rights at European level	APDRO2	Romanian	6	1	2		

**Course description (Syllabus):** The human rights protection system – principles, protection mechanism, role of the European Court of Human Rights ; Procedure for the examination of an application by the European Court ; Obligations of states under Article 1 of the ECHR ; Right to life guaranteed by Article 2 of the ECHR ; Right not to be subjected to torture and other inhuman or degrading treatment or punishment guaranteed by Article 3 of the ECHR ; Right to liberty and security of person ; Right to a fair trial ; The principle of legality of criminal offences ; The right to respect for

private and family life. The right to marry ; Freedom of expression ; The right to an effective remedy before a national court ; The right not to be discriminated against ; Protection of economic, social, and cultural rights - European Social Charter ; The role of the Court of Justice of the European Union in affirming the principle of protection of human rights

Course title	Code	language of instruction	No. of credits	Number of hours per week			
				course	seminar	laboratory	project
Academic Ethics and Integrity	ETICA2	Romanian	4	1			

**Course description (Syllabus):** Introductory aspects regarding the ethics of the legal professions. Introductory aspects regarding academic integrity. Romanian, European and international legal norms regarding the ethics of legal professions and academic integrity. The values of professional ethics and their analysis. Specific aspects of writing scientific papers in the field of law. Use of specialized legal language to explain and interpret the concepts and theories specific to the field of law. Making the correct and argued selection among several solutions that can be given to a factual situation, from the legal and moral perspective. Good reputation of the person. Relationship with the press. Independence. Legal statute of judge, prosecutor and lawyer. Particular ethical aspects for the teacher and researcher. Problems of professional ethics and deontology solved by the competent bodies of the legal professions. Particular aspects of ethics in academic writing. Particular aspects of student's ethics.

## 2<sup>nd</sup> YEAR

Course title	Code	language of instruction	No. of credits	Number of hours per week			
				course	seminar	laboratory	project
Protective measures in European environmental law	EUMEDIU3	Romanian	8	2	2		

**Course description (Syllabus):** Environmental institutions, bodies and organizations; ISO 14000 and EMAS. Register of legal requirements. Incident regulations. Case studies; Environmental permits and agreements; Legislation. Incidental environmental principles. Jurisprudence; Air protection. Legislation. Case studies; Water protection. Legislation. Case studies; Soil protection. Biodiversity. Legislation. Case studies; Waste legislation. General environmental principles and specific principles. Case studies; Dangerous substances. Legislation. Case studies; Sustainable development - integrated issues; Contravention and criminal liability in environmental law. Jurisprudence; Liability for environmental damage. Legislation. Integrated aspects. Jurisprudence; State liability for environmental damage.

Course title	Code	language of instruction	No. of credits	Number of hours per week			
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European Social Law	EUSOCIAL3	Romanian	8	2	2		

**Course description (Syllabus):** General considerations on labor and industrial relations in the European Union; Individual work relationships. Freedom of movement for workers; Informing workers of the conditions applicable to the contract or employment relationship; Equal treatment. The principle of non-discrimination; Protection of children and young workers; Protection of women in work; Collective work relations; Restructuring the enterprise. Collective redundancies; Business transfer; The competences of the EHR Court and the ECJ in the field of European Social Law. Decisions in the field of European Social Law.

Course title	Code	language of instruction	No. of credits	Number of hours per week			
				course	seminar	laboratory	project
European Public Policy	POLITICI3	Romanian	7	2	2		

**Course description (Syllabus):** The concept of public policies; Public policy actors; Scientific approaches to public policies; The EU 2020 objectives; EU Structural Fund Regulations; The Europe 2020 strategy and its component policies; The budget of European public policies; Regional policy instruments; EU competition policy, EU Merger Control Regulation; EU industry policy. Common Agricultural Policy CAP; Environmental policy; Social policy; Regional policy at EU level.

Course title	Code	language of instruction	No. of credits	Number of hours per week			
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State Responsibility and Sanctions in Contemporary International Law	STAT3	Romanian	7	2	2		

**Course description (Syllabus):** Liability of States as subjects of international law; Evolution of Concepts on the Elements of State Responsibility, in the light of the Draft Articles of RDI (November 2001) and adopted by the UN General Assembly; Determining the "victim state" of illicit conduct. The concept of "victim state". Identifying legal damage as a result of illicit conduct; Reparation for injury; Implementation of State Responsibility; Liability of States for damages caused by activities not prohibited by international law.

Course title	Code	language of instruction	No. of credits	Number of hours per week			
				course	seminar	laboratory	project
International aerospace law	DRAERO4	Romanian	7	2	2		

**Course description (Syllabus):** Chicago Convention on International Civil Aviation (1944); International Civil Aviation Organization; Principles of aerospace law; Air traffic; Flight safety; Licensing/authorization of aircraft and aviation personnel; Investigation of air traffic accidents; International treaties on outer space; State liability for damage caused by space objects; Regulations on the use of satellites; Peaceful use of outer space and protection of the environment

Course title	Code	language of instruction	No. of credits	Number of hours per week			
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Proceedings before the Court of Justice of the European Union	EUPROC4	Romanian	7	2	2		

**Course description (Syllabus):** The EU judicial system. General aspects; Fundamental principles of operation and significant characteristics of the CJEU; Composition of the Court of Justice of the European Union. Status of CJEU judges ; Jurisdiction of EU courts; Written procedure (Parties to EU proceedings. Legal representation and mandatory counsel. Interveners in EU proceedings. Conditions for bringing an action. Defense. Appointment of the rapporteur and the Advocate General; Language of proceedings; Oral proceedings. Adversarial discussions between the parties and the taking of evidence; Opinion of the Advocate General. Reopening of oral proceedings. Procedural and procedural objections, preliminary issues preventing the resolution of the merits.

Interlocutory judgments; Judgment. Deliberation and pronouncement. Forms of judgments and technique of drafting them. Obtaining provisional judgments; Alternative dispute resolution. Request for interpretation and request for an enforceable order concerning the enforcement of assets belonging to the European Union. Enforcement of judgments. Procedural time limits. Legal costs. Free legal aid; Appeals. Appeal. Extraordinary appeals. Third-party opposition. Review. Re-examination. Opposition and complaint; Action for failure of a Member State to fulfill obligations under the Treaties. Specific procedures; Preliminary ruling. Specific procedures ; Action for annulment. Specific procedures ; Action for failure to fulfill obligations; Action for failure to act. Specific procedures

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International economic Law	DRECON1	Romanian	6	2	2		

**Course description (Syllabus):** The legal dimension of the international economic order; Sources of international economic law; Subjects of international economic law; Legal status of investments; World Trade Organization; Substantial rules applicable in the WTO; Substantial WTO rules. Exceptions, safeguard measures, developing country regime, subsidies and anti-dumping, GATS, TRIPS; International Monetary Fund; World Bank; Resolving international economic disputes; Perspectives on international economic law