

# Transilvania University of Braşov, Romania

## Study program: Advanced Criminal Sciences

### 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
Institutions and Principles of Criminal Law	PENAL1	Romanian	8	2	2		

**Course description (Syllabus):** Criminal law and its limits of application; The crime. Tentative. Unity and plurality of crimes; The author and the participants; Principal punishments. Accessory penalties. Complementary punishments; Causes that remove criminal liability. Causes that remove or change the execution of the punishment. Causes that remove the consequences of the conviction; Crimes against the person, property; Crimes against justice; Crimes against public safety; Crimes affecting social life relations; Crimes against the fighting force of the armed forces. Genocide, humanity and war crimes.

Course title	Code	language of instruction	No. of credits	Number of hours per week			
				course	seminar	laboratory	project
Institutions and Principles of Criminal Proceeding Law	PRPENAL1	Romanian	8	2	2		

**Course description (Syllabus):** The principles of criminal procedural law. The participants in the criminal case. Main procedural subjects. The evidence and the means of proof and the probative procedures. Criminal prosecution. Judgment. Extraordinary appeals. Institution of guilt recognition agreement. Execution of criminal decisions. Theoretical and practical explanations regarding the normative acts that were the basis of the modifications of the code of criminal procedure. The connection of criminal procedural law with other branches of law

Course title	Code	language of instruction	No. of credits	Number of hours per week			
				course	seminar	laboratory	project
Corruption, Service, Economic Crime and Liability for Medical Malpractice	INFRACT1	Romanian	7	2	2		

**Course description (Syllabus):** The notion of civil servant; Corruption crimes provided in the Criminal Code. General regulatory framework; Crimes under Law no. 78/2000 regarding the prevention, detection and sanctioning of corruption acts; Crimes against the financial interests of the European Union; Service crimes.; Commercial crimes; Crimes concerning economic interest groups; Trade registry crimes; Liability for Medical Malpractice.

Course title	Code	language of instruction	No. of credits	Number of hours per week			
				course	seminar	laboratory	project
The Presumption of Innocence and the Right to a Fair Trial, the Protection of the Right to Private and Family Life in ECHR Jurisprudence	CEDO1	Romanian	7	2	2		

**Course description (Syllabus):** Introductory Aspects of ECHR Case Law; The application *ratione materiae* and *ratione temporis* of art. 6 of the Convention; Right of access to a court; Equality of arms; Challenging agents; Solving cases within a reasonable time; The guarantee of the presumption of innocence enshrined in Art. 6 para. 2 of the Convention; The special guarantees granted to the suspect or defendant of art. 6 para. 3 of the Convention; Protection of the right to privacy in ECHR jurisprudence; Protection of the Family Right in the ECHR case-law.

Course title	Code	language of instruction	No. of credits	Number of hours per week			
				course	seminar	laboratory	project
Practical and Theoretical Aspects of Negotiated Justice	JUSTITIE2	Romanian	7	2	2		

**Course description (Syllabus):** Presumption of innocence; The right to a fair trial. ECHR; Limits of the recognition of guilty agreement; Recognizing committing the act. The institution of recognition and its implications; The conditions for concluding an agreement on the recognition of guilt; Form and content of the recognition of guilty consent; Proceedings before the court; Principle of contradictory; The court's solutions; Cases where appeal can be made; Comparative law.

Course title	Code	language of instruction	No. of credits	Number of hours per week			
				course	seminar	laboratory	project
The right to Silence and the Right to Not Self-Incriminate	INCRIMINARE2	Romanian	7	1	2		

**Course description (Syllabus):** General aspects of criminal proceedings; General Aspects of Access to Justice; Judicial assistance in criminal proceedings; The Right to Counseling, Defense and Representation in Criminal Proceedings; General limitations of the right to access to justice; Access to justice of certain categories of persons; National case law (ICCJ, CCR) on access to justice and the right to silence and the right not to contribute to its own criminality; The Jurisprudence of the CJEU on access to justice and the right to silence and the right not to contribute to its own criminality; ECHR jurisprudence on access to justice and the right to silence and the right not to contribute to its own incrimination.

Course title	Code	language of instruction	No. of credits	Number of hours per week			
				course	seminar	laboratory	project
Forensic Expertise in Criminal Proceedings	EXPERTIZA2	Romanian	6	2	2		

**Course description (Syllabus):** Expertise of traces left by beings and objects; Graphical and technical expertise of documents; Ballistic and ammunition ballistic expertise; Dactyloscopic expertise; Expertise of portrait photography; Physico-chemical expertise of material samples; Criminal forensic expertise on land traffic accidents; Forensic Expertise in Fire and Explosions; Expertise of voice and speech and the detection of simulated behavior - the polygraph; Forensic expertise and genetic expertise; The role of Forensic Expertise in Criminal and Civil Proceedings.

Course title	Code	language of instruction	No. of credits	Number of hours per week			
				course	seminar	laboratory	project
Cybercrime	CRIMINALITATE2	Romanian	6	2	2		

**Course description (Syllabus):** Overview on the phenomenon of cybercrime. Information information. Terminology. Illegal access to a computer system. Illegal interception of a computer data transmission. Altering the integrity of computer data. The disturbance of the functioning of the information systems. Unauthorized transfer of computer data. Illegal operations with computer devices or software, Incrimination in relation to infringements of intellectual property and related rights. Falsification of an electronic payment instrument. Abuses on devices. Computer fraud and computer fraud. International bodies in the fight against the phenomenon of cybercrime. Judicial practice

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
Principles of International Criminal Law	PRINCIPII3	Romanian	8	2	2		

**Course description (Syllabus):** Formation of International Criminal Law. The notion of International Criminal Law. The features and sources of international criminal law. International criminal jurisdictions. The first international criminal courts. Ad hoc international criminal courts. The International Criminal Court. Other mechanisms for the suppression of international crimes. International crimes. Genocide crime. Crimes against humanity. War crimes. Crime of aggression. Other international crimes. General principles regarding the responsibility for committing international crimes. The Future of International Criminal Law. International criminal law and national jurisdictions.

Course title	Code	language of instruction	No. of credits	Number of hours per week			
				course	seminar	laboratory	project
The Right of the European Union and Its Connection to National Law in Criminal Matters	DUE3	Romanian	8	2	2		

**Course description (Syllabus):** Introductory aspects. History of the European Union. EU treaties. Regulations, directives, other legislative acts in the EU field. Application of EU law in relation to national law. EU legal system and decision-making procedures. The principle of subsidiarity. Supranational decision-making procedures. Intergovernmental decision-making procedures. Correlation of European Union law with Romanian criminal law. The correlation of European Union law with Romanian criminal procedural law. The Court of Justice of the European Union. Presentation, attributions. Actions before the Court of Justice of the European Union. Selections of judgments of the Court of Justice of the European Union. Case law

Course title	Code	language of instruction	No. of credits	Number of hours per week			
				course	seminar	laboratory	project
International Recognition and Enforcement of Criminal Convictions with or without Deprivation of Liberty	CONDAM3	Romanian	7	2	2		

**Course description (Syllabus):** Recognition and execution of foreign criminal judgments in Romanian law; Recognition and enforcement of foreign judgments; Mutual recognition of judgments imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the EU; Enforcement in Romania of sentences or detention measures imposed by courts of other EU Member States; Recognition and enforcement in other EU member states of the Romanian judgments imposing custodial sentences; Extradition and European arrest warrant; Transfer of convicted persons held in other EU Member States for the purpose of executing the sentence or measure depriving them of liberty in a penitentiary or health facility in Romania; International judicial assistance in criminal matters.

Course title	Code	language of instruction	No. of credits	Number of hours per week			
				course	seminar	laboratory	project
Instruments Adopted by the EU in the Field of Judicial Cooperation in Criminal Matters	INSTRUMENTE 3	Romanian	7	2	2		

**Course description (Syllabus):** International judicial cooperation in criminal matters; Judicial assistance in criminal matters; Instruments adopted by the EU in the field of judicial cooperation in criminal matters; Instruments adopted by Romania in the field of judicial cooperation in criminal matters; Transfer of proceedings in criminal matters;

European arrest warrant and its execution; Other forms of cooperation in criminal matters; The procedure for the recognition of foreign judgments in Romania and their execution; The procedure for recognizing the execution of orders for the release of goods or evidence; Transfer of procedures in the field of international judicial cooperation, Police cooperation - a legal instrument for international judicial cooperation; European Convention on the Supervision of Sentenced or Conditionally Released Persons

Course title	Code	language of instruction	No. of credits	Number of hours per week			
				course	seminar	laboratory	project
Special means of investigation in the criminal process	INVESTIG4	Romanian	7	2	2		

**Course description (Syllabus):** Introductory aspects. Special supervisory or research techniques. Technical supervision. Procedure for issuing the technical supervision mandate. The role of the prosecutor in authorizing measures of technical supervision. Implementation of the mandate of technical supervision. To record the technical supervision activities. Extension of the mandate of technical supervision. Inform the supervised person. Conservation of materials resulting from technical supervision. Retention, delivery and search of postal items. Use of undercover investigators. Protective measures for undercover investigators. Related legislation, references in case law, doctrine

Course title	Code	language of instruction	No. of credits	Number of hours per week			
				course	seminar	laboratory	project
Judicial cooperation in criminal matters	COOPERARE4	Romanian	7	2	2		

**Course description (Syllabus):** The main legislative acts regarding judicial cooperation in criminal matters. Legislative initiative and passing of bills, procedures. Combating terrorism. Fight against corruption. Fight against cybercrime. Fight against fraud and money laundering. Extradition. Expulsion. Transfer of proceedings in criminal matters. Judicial assistance in criminal matters. Transfer of convicted persons. European arrest warrant. The principle of mutual recognition of judicial decisions. National transposition

Course title	Code	language of instruction	No. of credits	Number of hours per week			
				course	seminar	laboratory	project
The European Judicial Network in criminal matters and EUROJUST	EUROJUST3	Romanian	6	2	2		

**Course description (Syllabus):** Introductory aspects regarding the European Judicial Network in Criminal Matters. The Judicial Network in Criminal Matters: Member States, contact points, composition and duties. Introductory aspects regarding EUROJUST. The constitution, composition, objectives and competences of EUROJUST. EUROJUST functions. EUROJUST national members, college and national correspondents. Processing of personal data. The joint control body of EUROJUST activities. Eurojust relations with partners: EUROPOL, INTERPOL, EUROPEAN JUDICIAL NETWORK, OLAF. Organization and operation of EUROJUST. Joint investigation teams. Exchange of information with Member States and between national members. National, European and international structures for data exchange. Liaison magistrates - appointment, duties