

# Transilvania University of Braşov, Romania

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

Faculty of Law

Study period: 2 years (master)

1<sup>st</sup> Year

Course title	Code	No. of credits	Number of hours per week			
			course	seminar	laboratory	project
Principles and Institutions of International Public Law	PUBLIC1	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	No. of credits	Number of hours per week			
			course	seminar	laboratory	project
International Systems of Human Rights Protection	DREPTOM1	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	No. of credits	Number of hours per week			
			course	seminar	laboratory	project
European Convention of Human Rights and the ECHR case law	CEDO1	7	2	2	-	-

**Course description (Syllabus):** Protection of human rights. Institutions and content; Human rights in public international law and European law; European Convention on Human Rights; The European Charter of Human Rights; European systems for the protection of human rights. European Court of Human Rights; Relationship between the Universal Declaration of Human Rights, the European Convention on Human Rights and the European Charter of Human Rights; Other systems for the protection of human rights; Sanctions; ECHR case law. Cases against Romania.

Course title	Code	No. of credits	Number of hours per week			
			course	seminar	laboratory	project
International Intergovernmental Organizations	ORGANIZATII1	7	2	2	-	-

**Course description (Syllabus):** Domain of international relations; Evolution of the international system; The actors of the international system; General concepts of international intergovernmental organizations; The legal personality of international intergovernmental organizations; Establishment of international intergovernmental organizations; Participation in the activities of international intergovernmental organizations; The United Nations - an organization with universal vocation; North Atlantic Treaty Organization - Origins, Purposes, Political Mechanism and Decision Making; NATO Civilian and Military Structures.

Course title	Code	No. of credits	Number of hours per week			
			course	seminar	laboratory	project
Law of Treaties	TRATAT2	8	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	No. of credits	Number of hours per week			
			course	seminar	laboratory	project
European Judicial Proceedings before the Court of Justice of the European Union	PROCEDURI2	8	2	2	-	-

**Course description (Syllabus):** EU institutions. Principles. The EU pillars; The jurisdictional system of the EU; The General Court and the proceedings before the Court of First Instance, The Jurisdiction of the CJEU; Written and oral procedure before the CJEU; Jurisdiction of the CJEU. Actions filed with the CJEU; Special procedures before the CJEU; The role of CJEU jurisprudence in the application of European law; European cooperation in the legal field; Fundamental principles established by the CJEU case law.

Course title	Code	No. of credits	Number of hours per week			
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International Humanitarian Law	UMANITAR2	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	No. of credits	Number of hours per week			
			course	seminar	laboratory	project
Rules of Material Law in the EU	MATDRUE2	6	1	2	-	-

**Course description (Syllabus):** Introduction to the material law of the European Union; Free movement of goods (I). Customs Union; Free movement of goods (II). Common commercial policy; Free movement of persons. Principles on the movement and residence of European citizens; Public administration, except for the principle of free movement of workers; Restrictions on the free movement of European citizens; Free movement of capital. Features; Economic policy of the European Union; The stages of establishing an economic and monetary union; The European Monetary Institutional System; EU competition law (I). Agreements between companies and concerted practices incompatible

with the internal market; EU competition law (II). Abuse of a dominant position; EU competition law (III). State aid; The rights of the European consumer

Course title	Code	No. of credits	Number of hours per week			
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Academic Ethics and Integrity	ETICA2	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	No. of credits	Number of hours per week			
			course	seminar	laboratory	project
Law of the Sea	MARE3	8	2	2	-	-

**Course description (Syllabus):** Principles and concepts of the Law of the Sea; appearance and evolution, International law in the field of the Law of the Sea; The Legal Regime of Channels and Straits; Settlement of disputes concerning maritime areas in the light of the United Nations Convention on the Law of the Sea of 1982; International Maritime Arbitration; Maritime arbitration agreement - forms, content, effects; International Tribunal for the Law of the Sea - Chamber for the Settlement of Disputes on Submarine Territories; competence, procedure.

Course title	Code	No. of credits	Number of hours per week			
			course	seminar	laboratory	project
European Social Law	EUSOCIAL3	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	No. of credits	Number of hours per week			
			course	seminar	laboratory	project
European Public Policy	POLITICI3	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	No. of credits	Number of hours per week			
			course	seminar	laboratory	project
State Responsibility and Sanctions in Contemporary International Law	STAT3	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	No. of credits	Number of hours per week			
			course	seminar	laboratory	project
Romania in International Relations	INTERN4	7	2	2	-	-

**Course description (Syllabus):** The Eastern Issue and the Romanian Principalities (1821-1856); Foreign Policy of the Romanian Principalities 1856-1866; Defining the place and role of Romania in the international system (1866-1912), Defining the place and role of Romania in the international system (1912-1916), Romania during the First World War. Alliance Policy (1916-1920); Romania and the European diplomacy between the two world wars 1921-1938; Romania in political-diplomatic conjuncture 1938-1940; Romanian diplomacy during the Second World War 1940-1945; Romanian Diplomacy during the Peace Conference in Paris (1946-1947); Romania's foreign policy during the communist regime; Redefinition of the place and role of Romania in the international system 1990-2007, Analysis of Romania's foreign policy as an EU member state.

Course title	Code	No. of credits	Number of hours per week			
			course	seminar	laboratory	project
Institutional System of European Union	EUSISTEM4	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	No. of credits	Number of hours per week			
			course	seminar	laboratory	project
Constitutional Comparative Law	CONSTCOMP4	6	2	2	-	-

**Course description (Syllabus):** Comparative law – general aspects; Comparative constitutional law – general aspects; The state – the form of government, structure of state, sovereignty; The principle of the separation and balance of powers; The Parliament – in different constitutional systems; The Executive power – in different constitutional systems; The Judicial power – in different constitutional systems; Control of constitutionality – general aspects; Authorities of constitutionality control - in different constitutional systems; Fundamental rights, freedoms and duties – the constitutional framework in different constitutional systems