

SYLLABUS –PUBLIC LIBERTIES AND HUMAN RIGHTS IN ROMANIA

1. Information regarding the programme

1.1 Higher education institution	Babeş–Bolyai University, Cluj–Napoca
1.2 Faculty	Faculty of Political, Administrative and Communication Sciences
1.3 Department	Political Sciences Department
1.4 Field of study	Political Sciences
1.5 Study cycle	BA
1.6 Study programme / Qualification	Political Sciences

2. Information regarding the discipline

2.1 Name of the discipline (en) (ro)	PUBLIC LIBERTIES AND HUMAN RIGHTS IN ROMANIA						
2.2 Course coordinator Office hours: Friday 16-17 tba	Lecturer Dr. Cynthia Carmen Deaconescu						
2.3 Seminar coordinator	Lecturer Dr. Cynthia Carmen Deaconescu						
2.4. Year of study	III	2.5 Semester	I	2.6. Type of evaluation	E	2.7 Type of discipline	DS
2.8 Code of the discipline	ULE1531						

3. Total estimated time (hours/semester of didactic activities)

3.1 Hours per week	3	Of which: 3.2 course	2	3.3 seminar/laboratory	1
3.4 Total hours in the curriculum	11x14	Of which: 3.5 course	2	3.6 seminar/laboratory	1
Time allotment:	hours				
Learning using manual, course support, bibliography, course notes	3x14				
Additional documentation (in libraries, on electronic platforms, field documentation)	2x14				
Preparation for seminars/labs, homework, papers, portfolios and essays	3x14				
Tutorship					
Evaluations					
Other activities:					
3.7 Total individual study hours	8x14				
3.8 Total hours per semester	11x14				
3.9 Number of ECTS credits	6				

4. Prerequisites (if necessary)

4.1. curriculum	• none
4.2. competencies	• none

5. Conditions (if necessary)

5.1. for the course	<ul style="list-style-type: none"> attendance to course is not compulsory but is recommended to all
5.2. for the seminar /lab activities	<ul style="list-style-type: none"> minimum 75% attendance to seminars is compulsory, according to university regulations students must be active in the seminar and ask questions about the ideas found in the texts read. seminar assignments are compulsory for participation in the final exam. the grade for the final exam includes attendance at the seminar and seminar assignments. If the homework done by the student in the seminars does not fulfil the criteria for passing the exam he/she is obliged to repeat the subject in the following academic year.

6. Specific competencies acquired

Professional competencies	<ul style="list-style-type: none"> - understanding the fundamental concepts; - be familiar with the main theories and approaches of the discipline; - have assimilated the main techniques for analysing the sphere of rights and freedoms - be able to carry out research on the principles guaranteeing public rights and freedoms
Transversal competencies	<ul style="list-style-type: none"> - skills in evaluating literature - presentation and debate skills

7. Objectives of the discipline (outcome of the acquired competencies)

7.1 General objective of the discipline	<ul style="list-style-type: none"> The course is an introduction into the specific theme of fundamental rights and public liberties in a legal approach, as they are regulated by the international conventions and treaties, European Conventions and more specifically, at Romanian Constitution and Romanian legislation level. The course is focused also on the specific legal guarantees of the fundamental rights and public liberties, in Romania. The course aims to develop basic abilities needed for analysis the measure of legal guarantees of public liberties in Romania. Also, one of the basic objectives of this course refers to achieving theoretical concepts related institutions and organisms competent to promote and to defend human rights and public liberties in Romania. A special attention is orientated to the understanding of the role of European Court of Human Rights and its jurisprudence, within the sphere of public liberties and human rights.
7.2 Specific objective of the discipline	<ul style="list-style-type: none"> to introduce the students to the specific ideas, theories and concepts

	<ul style="list-style-type: none"> • to introduce the fundamental principles of human rights and freedoms. • understanding the place and role of the jurisprudence of the European Court of Human Rights • knowing and operationalizing the mechanisms of protection and guarantee of human rights and public freedoms.
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8. Content

8.1 Course	Teaching methods	Remarks
The Historical Approach to the Human Rights Declarations	The teaching method is an interactive one, which emphasizes the correct instrumentation of specialized literature and the understanding of constitutional phenomena. Case studies will be presented and discussed.	Students are recommended to read the course bibliography.
International and universal documents and instruments for the protection of human rights and fundamental freedoms	The teaching method is an interactive one, which emphasizes the correct instrumentation of specialized literature and the understanding of constitutional phenomena. Case studies will be presented and discussed.	Students are recommended to read the course bibliography.
European Documents and Mechanisms for Protection of Human Rights. European Court of Human Rights. European Court of Justice	The teaching method is an interactive one, which emphasizes the correct instrumentation of specialized literature and the understanding of constitutional phenomena. Case studies will be presented and discussed.	Students are recommended to read the course bibliography.

<p>Constitutional principles of human rights and public liberties in Romania. Definition and classification of public liberties and human rights. General Prohibition of Discrimination. ECtHR case law</p>	<p>The teaching method is an interactive one, which emphasizes the correct instrumentation of specialized literature and the understanding of constitutional phenomena. Case studies will be presented and discussed.</p>	<p>Students are recommended to read the course bibliography.</p>
<p>The Right to respect for private and family life. Secret of Correspondence. ECtHR case law Data Protection – GDPR.</p>	<p>The teaching method is an interactive one, which emphasizes the correct instrumentation of specialized literature and the understanding of constitutional phenomena. Case studies will be presented and discussed.</p>	<p>Students are recommended to read the course bibliography.</p>
<p>The right to life, to physical and mental integrity. ECtHR case law</p>	<p>The teaching method is an interactive one, which emphasizes the correct instrumentation of specialized literature and the understanding of constitutional phenomena. Case studies will be presented and discussed.</p>	<p>Students are recommended to read the course bibliography.</p>
<p>Individual Freedom and Security of Person. ECtHR case law</p>	<p>The teaching method is an interactive one, which emphasizes the correct instrumentation of specialized literature and the understanding of constitutional phenomena. Case studies will be presented and discussed.</p>	<p>Students are recommended to read the course bibliography.</p>

<p>The Right to a fair trial. Presumption of innocence and right of defence. Inviolability of domicile. ECtHR case law</p>	<p>The teaching method is an interactive one, which emphasizes the correct instrumentation of specialized literature and the understanding of constitutional phenomena. Case studies will be presented and discussed.</p>	<p>Students are recommended to read the course bibliography.</p>
<p>Freedom of conscience. Freedom of expression. Hate Speech. Access to internet.</p>	<p>The teaching method is an interactive one, which emphasizes the correct instrumentation of specialized literature and the understanding of constitutional phenomena. Case studies will be presented and discussed.</p>	<p>Students are recommended to read the course bibliography.</p>
<p>Ombudsman. Right of petition. Right of a person aggrieved by a public authority</p>	<p>The teaching method is an interactive one, which emphasizes the correct instrumentation of specialized literature and the understanding of constitutional phenomena. Case studies will be presented and discussed.</p>	<p>Students are recommended to read the course bibliography.</p>
<p>Bibliography: Harris, O'Boyle, and Warbrick: Law of the European Convention on Human Rights, 2023, Oxford University Press; Gerards, Janneke, General Principles of the European Convention on Human Rights, Cambridge University Press, 2019; Eva Brems, Janneke Gerards, Shaping Rights in the ECHR. The Role of the European Court of Human Rights in determining the Scope of Human Rights, Cambridge University Press, 2014; Human Rights, Digital Society and the Law A Research Companion Edited By Mart Susi, Routledge, 2021; Radu H.R., Convenția Europeană a Drepturilor Omului, curs universitar, București: Universul Juridic, 2021; Frédéric Sudre, Jean-Pierre Marguénaud, Joël Adriansimbazovina, Adeline Gouttenoire, Michel Levinet, Marile horărări ale Curții Europene a Drepturilor Omului, Bucuresti: Rosetti Educational și Rosetti International, 2011, Bîrsan C., Convenția europeană a drepturilor omului – Comentariu pe articole, vol. I., Drepturi si libertati, Bucuresti: C.H.Beck, 2005; Drepturi și libertăți, Editura All Beck, 2005 Emil Boc: Drepturile omului si libertatile publice. Cluj-Napoca: Accent, 2003; Deleanu Ion, Institutii si proceduri</p>		

constitutionale, in dreptul roman si comparat, Bucuresti: C.H.Beck, 2006; Chirita R., Conventia Europeana a Drepturilor Omului, comentarii si explicatii, Bucuresti: C.H.Beck, 2008; Research Handbook on Human Rights and Digital Technology. Global Politics, Law and International Relations. Research Handbooks in Human Rights series, Edited by Ben Wagner, Matthias C. Kettemann and Kilian Vieth, 2019;

Additional readings:

Vincent Berger: Jurisprudenta Curtii Europene a Drepturilor Omului. ed. a 3-a, Bucuresti: Institutul Roman pentru Drepturile Omului. Jacques Robert: Libertes publiques et droit de l'homme. Montchrestien, Paris, 1988. Deaconu Ștefan, Drept constituțional, București: CH Beck, 2011, vol.I, Ion Dogaru – Claudiu Dan Danisor: Drepturile omului si libertatile publice. Chisinau: Zamolxe, 1999. Victor Duculescu: Protectia juridica a drepturilor omului. Bucuresti: Lumina Lex, 1994. Gheorghe Iancu: Drepturile, libertatile si indatoririle fundamentale in Romania. Bucuresti: All Beck, 2002. Monica Macovei: Hotarari ale Curtii Europene a Drepturilor Omului. culegere selectiva, vol.I-II-III, Iasi: Polirom, 2001. Doina Micu: Garantarea drepturilor Omului. Bucuresti: All Beck, 1998. Jean Morange: Libertatile publice. Bucuresti: Rosetti, 1995. Ioan Muraru, Simina Tanasescu: Drept constitutional si institutii politice. Bucuresti: All Beck, 2006. David O'Brien: Constitutional Law and Politics. Civil Rights and Civil Liberties. NY: W.W. Norton&Company, 1995. Martian Niciu: Culegere de documente de drept international public. Bucuresti: Lumina Lex, 1996. Jean Rivero: Libertes publiques et droit de l'homme. Paris: Montchrestien, 1988. Stelian Scaunas: Dreptul international al drepturilor omului. Bucuresti: All Beck, 2003. Gheorghe Scripcaru - Aurora Ciuca - Vasile Astatastoe - Călin Scripcaru: Bioetica, stiintele vietii si drepturile omului. Iasi: Polirom, 1998. Florin Streteanu: Drept penal, partea generala. Bucuresti: Rosetti, 2003. Marin Voicu: Curtea Europeană a Drepturilor Omului. Bucuresti: Editura Juridică, 2001, Frédéric Sudre, Jean-Pierre Marguénaud, Joël Adriantsimbazovina, Adeline Gouttenoire, Michel Levinet, Marile horărări ale Curtii Europene a Drepturilor Omului, Bucuresti: Rosetti Educational și Rosetti International, 2011.

8.2 Seminar / laboratory	Teaching methods	Remarks
The Historical Approach to the Human Rights Declarations	Discussion and analysis of the concepts and theories taught in the course based on the indicated bibliography. Debates of ECtHR case law	Students are required to read the compulsory bibliography indicated in the syllabus. Students are required to present regular homework
International and universal documents and instruments for the protection of human rights and fundamental freedoms	Discussion and analysis of the concepts and theories taught in the course based on the indicated bibliography. Debates of ECtHR case law	Students are required to read the compulsory bibliography indicated in the syllabus. Students are required to present regular homework
European Documents and Mechanisms for Protection of Human Rights. European Court of Human Rights. European Court of Justice	Discussion and analysis of the concepts and theories taught in the course based on the indicated bibliography.	Students are required to read the compulsory bibliography indicated in the syllabus. Students are required to present regular homework

	Debates of ECtHR case law	
Constitutional principles of human rights and public liberties in Romania. Definition and classification of public liberties and human rights. General Prohibition of Discrimination. ECtHR case law	Discussion and analysis of the concepts and theories taught in the course based on the indicated bibliography. Debates of ECtHR case law	Students are required to read the compulsory bibliography indicated in the syllabus. Students are required to present regular homework.
The Right to respect for private and family life. Secret of Correspondence. ECtHR case law Data Protection – GDPR.	Discussion and analysis of the concepts and theories taught in the course based on the indicated bibliography. Debates of ECtHR /ECJ case law	Students are required to read the compulsory bibliography indicated in the syllabus. Students are required to present regular homework
The right to life, to physical and mental integrity. ECtHR case law	Discussion and analysis of the concepts and theories taught in the course based on the indicated bibliography. Debates of ECtHR case law	Students are required to read the compulsory bibliography indicated in the syllabus. Students are required to present regular homework
Individual Freedom and Security of Person. ECtHR case law	Discussion and analysis of the concepts and theories taught in the course based on the indicated bibliography. Debates of ECtHR case law	Students are required to read the compulsory bibliography indicated in the syllabus. Students are required to present regular homework
The Right to a fair trial. Presumption of innocence and right of defence. Inviolability of domicile. ECtHR case law	Discussion and analysis of the concepts and theories taught in the course based on the indicated bibliography. Debates of ECtHR case law	Students are required to read the compulsory bibliography indicated in the syllabus. Students are required to present regular homework
Freedom of conscience. Freedom of expression. Hate Speech. Access to internet.	Discussion and analysis of the concepts and theories taught in the course	Students are required to read the compulsory bibliography indicated in the syllabus. Students are

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<p>Bibliography: Harris, O'Boyle, and Warbrick: Law of the European Convention on Human Rights, 2023, Oxford University Press; Gerards, Janneke, General Principles of the European Convention on Human Rights, Cambridge University Press, 2019; Eva Brems, Janneke Gerards, Shaping Rights in the ECHR. The Role of the European Court of Human Rights in determining the Scope of Human Rights, Cambridge University Press, 2014; Human Rights, Digital Society and the Law A Research Companion Edited By Mart Susi, Routledge, 2021;</p> <p>Radu H.R., Convenția Europeană a Drepturilor Omului, curs universitar, București: Universul Juridic, 2021;</p> <p>Frédéric Sudre, Jean-Pierre Marguénaud, Joël Adriantsimbazovina, Adeline Gouttenoire, Michel Levinet, Marile horărări ale Curții Europene a Drepturilor Omului, Bucuresti: Rosetti Educational și Rosetti International, 2011, Birsan C., Convenția europeană a drepturilor omului – Comentariu pe articole, vol. I., Drepturi si libertati, Bucuresti: C.H.Beck, 2005; Drepturi și libertăți, Editura All Beck, 2005 Emil Boc: Drepturile omului si libertatile publice. Cluj-Napoca: Accent, 2003; Deleanu Ion, Institutii si proceduri constitutionale, in dreptul roman si comparat, Bucuresti: C.H.Beck, 2006; Chirita R., Conventia Europeana a Drepturilor Omului, comentarii si explicatii, Bucuresti: C.H.Beck, 2008; Research Handbook on Human Rights and Digital Technology. Global Politics, Law and International Relations. Research Handbooks in Human Rights series, Edited by Ben Wagner, Matthias C. Kettmann and Kilian Vieth, 2019;</p> <p>Additional readings:</p> <p>Vincent Berger: Jurisprudenta Curtii Europene a Drepturilor Omului. ed. a 3-a, Bucuresti: Institutul Roman pentru Drepturile Omului. Jacques Robert: Libertes publiques et droit de l'homme. Montchrestien, Paris, 1988. Deaconu Ștefan, Drept constituțional, București: CH Beck, 2011, vol.I, Ion Dogaru – Claudiu Dan Danisor: Drepturile omului si libertatile publice. Chisinau: Zamolxe, 1999. Victor Duculescu: Protectia juridica a drepturilor omului. Bucuresti: Lumina Lex, 1994. Gheorghe Iancu: Drepturile, libertatile si indatoririle fundamentale in Romania. Bucuresti: All Beck, 2002. Monica Macovei: Hotarari ale Curtii Europene a Drepturilor Omului. culegere selectiva, vol.I-II-III, Iasi: Polirom, 2001. Doina Micu: Garantarea drepturilor Omului. Bucuresti: All Beck, 1998. Jean Morange: Libertatile publice. Bucuresti: Rosetti, 1995. Ioan Muraru, Simina Tanasescu: Drept constitutional si institutii politice. Bucuresti: All Beck, 2006. David O'Brien: Constitutional Law and Politics. Civil Rights and Civil Liberties. NY: W.W. Norton&Company, 1995. Martian Niciu: Culegere de documente de drept international public. Bucuresti: Lumina Lex, 1996. Jean Rivero: Libertes publiques et droit de l'homme. Paris: Montchrestien, 1988. Stelian Scaunas: Dreptul international al drepturilor omului. Bucuresti: All Beck, 2003. Gheorghe Scripcaru - Aurora Ciuca - Vasile Astatastoe - Călin Scripcaru: Bioetica, stiintele vietii si drepturile omului. Iasi: Polirom, 1998. Florin Streteanu: Drept penal, partea generala. Bucuresti: Rosetti, 2003. Marin Voicu: Curtea Europeană a Drepturilor Omului. Bucuresti: Editura Juridică, 2001, Frédéric Sudre, Jean-Pierre Marguénaud, Joël Adriantsimbazovina, Adeline Gouttenoire, Michel Levinet, Marile horărări ale Curții Europene a Drepturilor Omului, Bucuresti: Rosetti Educational și Rosetti International, 2011.</p>		

9. Corroborating the content of the discipline with the expectations of the epistemic community, professional associations and representative employers within the field of the program

- The course aims to analyse specific theme of fundamental rights and public liberties in a legal approach, as they are regulated by the international conventions and treaties, European Convention on Human Rights and ECtHR case law. Specific theoretical concepts introduced in the course will be used to critically analyse concrete phenomena specific to the field. The course also incorporates the latest paradigmatic orientations encountered in the specialized field.

10. Evaluation

Type of activity	10.1 Evaluation criteria	10.2 Evaluation methods	10.3 Share in the grade (%)
10.4 Course	Assessment of level of specialized knowledge. The level of understanding of concepts and research in the field will be monitored.	Final written exam	80%
10.5 Seminar/lab activities	Degree of active participation in the discussion of seminar topics and completion of seminar assignments	Quality of answers to questions related to the topics discussed in the seminars. Quality and completion of mandatory homework.	20%

10.6 Minimum performance standards

- At the end of the course/seminar students will take a short test.
- Student assessment will combine an evaluation of the work of the whole group of students with an individual assessment and will be based on the course and seminar activity (20%), a final test - 80% of the final grade. Seminar attendance and seminar assignments are mandatory for passing the exam. For possible online courses, activation of video camera and microphone is mandatory.
- Attendance required is minimum 75% for seminars. Attendance and absence records will be kept in class. For online courses, video camera and microphone activation is recommended and encouraged.
- In accordance with article 29, paragraph 2 of the Regulations defining the status of UBB students, attendance at a minimum of 75% of seminars is compulsory. Students who do not comply with this provision will not be admitted to the exams, including the semester of the semester of the semester. In this case, the discipline must be included in the study contract the following year.
- "Plagiarism and other forms of academic fraud are sanctioned according to the FSPAC Student Code of Ethics accessible at <https://fspac.ubbcluj.ro/ro/resurse/administrative/regulamente>." Plagiarism and attempted examination fraud will be penalized with a grade 1 in the course and the case will be presented in the meeting of the Department for the appropriate administrative measures to be taken. Fraud in the final exam is punishable by removal from the exam.

Access to online or digital bibliographic resources:

1. BCU:
- online access to the Digital Library, from outside the BCU space

- access to databases outside the BCU space
 - references by email or through library platforms (Ask the Librarian, Facebook Messenger)
 - bibliographies on request and bibliographic research, requested online, under the conditions stipulated on the BCU website
 - delivery of (scanned) documents, under the conditions stipulated on the BCU website
- For further information, please contact us at: help@bcucluj.ro

2. ENFORMATION

You can create a mobile access account to access the resources subscribed by your institution remotely (#fromhome).

Go to: www.e-nformation.ro -> Create account

Enter the requested data. You will receive a link in your email that needs to be activated. Also search spam/junk. Choose your institution, function, area of interest and password.

If you registered using an institutional email address, the account will be automatically activated;

If you used a personal email address (yahoo, gmail, hotmail, outlook, icloud), the account will be activated within 24 hours after

completing and signing the membership certificate received in the registration notification email

Send the completed certificate to events@e-nformation.ro

After account activation, log in to your account and in the "Institutional Profile" section you will find the resources your institution has access to.

Date

Signature of course coordinator

Signature of seminar coordinator

25.09.2024

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Date of approval

Signature of the head of department

25.09.2024

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