

DISCIPLINE DESCRIPTION

1. Information on the study programme

| | |
|--|------------------------------|
| 1.1 Institution of higher education | West University of Timișoara |
| 1.2 Faculty | Faculty of Law |
| 1.3 Department | Department of Public Law |
| 1.4 Field of Study | Law |
| 1.5 Cycle of study | Master's Studies |
| 1.6 Programme of study / Qualification | European Union Law |

2. Information on the discipline

| | | | | | | | |
|--|---|---|---|------------------------|----|-----------------------|----|
| 2.1 Discipline denomination | | Human Rights in the European Union - D2UE1103 | | | | | |
| 2.2 Responsible for class activities | | Senior Lecturer Sorina Doroga, PhD | | | | | |
| 2.3 Responsible for seminar activities | | Senior Lecturer Sorina Doroga, PhD | | | | | |
| 2.4 Year of study | I | 2.5 Semester | 1 | 2.6 Type of evaluation | Ex | 2.7 Discipline regime | CS |

3. Total estimated time (number of hours of teaching activities per semester)

| | | | | | |
|---|----|-------------------------|----|------------------------|--------------|
| 3.1 Number of hours per week | 3 | out of which: 3.2 class | 2 | 3.3 seminar/laboratory | 1 |
| 3.4 Total number of hours included in the curriculum | 42 | out of which: 3.5 class | 28 | 3.6 seminar/laboratory | 14 |
| Distribution of time: | | | | | Hours |
| Study using textbooks, support materials, bibliography and notes | | | | | 30 |
| Additional research in the library, using specialized electronic platforms / field research | | | | | 10 |
| Preparation for seminars / laboratories, homework, projects, essays | | | | | 10 |
| Tutoring | | | | | - |
| Examination | | | | | 8 |
| Other activities | | | | | - |
| 3.7 Total number of hours of individual study | | | | | 58 |
| 3.8 Total number of hours per semester | | | | | 100 |
| 3.9 Number of credits | | | | | 4 |

4. Preconditions (if any)

| | |
|------------------------|---|
| 4.1 curriculum-related | - |
|------------------------|---|

| | |
|------------------------|---|
| 4.2 competence-related | - |
|------------------------|---|

5. Conditions (if any)

| | |
|--------------------------------------|---|
| 5.1 regarding classes | - |
| 5.2 regarding seminars/ laboratories | - |

6. Specific accumulated competences

| | |
|--------------------------|--|
| Professional competences | <p>Professional competences are related, on the one hand, to the capacity to assume the procedural roles imposed by the judicial system of the European Union. On the other hand, students should deepen and consolidate their knowledge on the guiding principles and main systems of human rights protection operating in the European Union.</p> <p>Teaching activities shall be carried out in order to respond to the individual needs of students, depending on their previously acquired professional competences (students holding a Bachelor's Degree in law vs. students coming from different backgrounds).</p> |
| Cross competences | <p>Understanding the implications of the European system of protection of human rights, in an attempt to harmonize the level of protection within the EU Member States, as well as the interconnectedness and interaction of the EU instruments with the system of the European Convention on Human Rights.</p> <p>Understanding the social, political and economic implications of the maximum European standard of human rights protection.</p> |

7. Discipline objectives (resulting from the grid of specific accumulated competences)

| | |
|----------------------------------|--|
| 7.1 General discipline objective | <p>Developing the students' values and understanding of the place and role of fundamental rights in a democratic society.</p> <p>Identifying the premises supporting an evolving interpretation of the fundamental rights and the extension of horizontal protection.</p> |
| 7.2 Specific objectives | <ul style="list-style-type: none"> • Understanding the distinction between negative and positive rights and acquiring the capacity to operate with discipline-specific terminology and legal concepts. • Understanding the conditions for justiciability of certain rights. • Identifying the content of the applicable protection standards in different factual situations, based on case-law patterns of the |

| | |
|--|--|
| | <p>European Court of Human Rights, as well as of the European Court of Justice.</p> <ul style="list-style-type: none"> • Acquiring the capacity to conduct critical analyses of case-law of the relevant international courts |
|--|--|

8. Contents

| 8.1 Courses | Teaching methods | Observations |
|--|--|--------------|
| <ul style="list-style-type: none"> • Essential concepts in international human rights protection. The two main human rights protection instruments in Europe and critical discussions on the interaction between systems. | Exposition, heuristic conversation and case-law analysis | 2 hours |
| <ul style="list-style-type: none"> • The Charter of Fundamental Rights of the European Union - CFREU. Discussing the Charter's position within the universal systems of protection of human rights | Exposition, heuristic conversation and case-law analysis | 2 hours |
| <ul style="list-style-type: none"> • The relationship between the Charter of Fundamental Rights in the European Union and the European Convention on Human Rights – commonalities and differences. Procedural requirements. | Exposition, heuristic conversation and case-law analysis | 4 hours |
| <ul style="list-style-type: none"> • The issue of the EU's accession to the ECHR. Advisory opinions of the European Court of Justice concerning accession and state of negotiations. | Exposition, heuristic conversation and case-law analysis | 2 hours |
| <ul style="list-style-type: none"> • Application of the EU Charter and the case-law <i>acquis</i> of the ECHR. Applicable standards of protection: <ul style="list-style-type: none"> - Right to life - Right to a fair trial - Right to private life - Protection of personal data - Freedom of thought, conscience and religion - Freedom of expression and information - Right to private property - Non-discrimination | Exposition, heuristic conversation and case-law analysis | 16 hours |

| | | |
|---|--|---------------------|
| <ul style="list-style-type: none"> • Incursions of the EU Tribunal and the CJEU in the field of human rights | Exposition, heuristic conversation and case-law analysis | 2 hours |
| 8.2. Seminar/Laboratory | | |
| | Teaching methods | Observations |
| <ul style="list-style-type: none"> • Application of international human rights law to EU procedural law | Exercise, case-study, group activity, independent activity | 2 hours |
| <ul style="list-style-type: none"> • Right to life - case-studies and critical analysis of standards of protection | Exercise, case-study, group activity, independent activity | 1 hour |
| <ul style="list-style-type: none"> • Right to a fair trial - case-studies and critical analysis of standards of protection (civil limb) | Exercise, case-study, group activity, independent activity | 1 hour |
| <ul style="list-style-type: none"> • Right to a fair trial - case-studies and critical analysis of standards of protection (criminal limb) | Exercise, case-study, group activity, independent activity | 1 hour |
| <ul style="list-style-type: none"> • Right to private life - case-studies and critical analysis of standards of protection | Exercise, case-study, group activity, independent activity | 1 hour |
| <ul style="list-style-type: none"> • Protection of personal data - case-studies and critical analysis of standards of protection | Exercise, case-study, group activity, independent activity | 2 hours |
| <ul style="list-style-type: none"> • Freedom of thought, conscience and religion - case-studies and critical analysis of standards of protection | Exercise, case-study, group activity, independent activity | 2 hour |
| <ul style="list-style-type: none"> • Freedom of expression and information - case-studies and critical analysis of standards of protection | Exercise, case-study, group activity, independent activity | 1 hour |
| <ul style="list-style-type: none"> • Right to private property - case-studies and critical analysis of standards of protection | Exercise, case-study, group activity, independent activity | 1 hour |
| <ul style="list-style-type: none"> • Non-discrimination - case-studies and critical analysis of standards of protection | Exercise, case-study, group activity, independent activity | 2 hours |
| Bibliography: <ol style="list-style-type: none"> 1. Robert Schutze, <i>European Constitutional Law</i>, Cambridge University Press 2012 2. Alina Kaczorowska - <i>European Union Law</i>, Routledge 2013 | | |

1. Corroboration of the discipline contents with the expectations of the representatives of the epistemic community, professional associations and key employers in the field of the programme

Students must distinguish between the *ratione materiae* competences of the European jurisdictions and should understand what are the relevant documents that may be invoked before each of such jurisdictions.

2. Evaluation

| Type of activity | 10.1 Evaluation criteria | 10.2 Methods of evaluation | 10.3 Percentage of the final grade |
|---|---|---|------------------------------------|
| 10.4 Class | Evaluation of each student, by reference to minimal performance standards | Grade evaluation, by oral examination. | 90% |
| 10.5 Seminar / laboratory | Evaluation of each student, by reference to minimal performance standards | Grade evaluation by oral examination of the relevant case-studies prepared by students during the seminars. | 10% |
| 10.6 Minimal performance standard | | | |
| <ul style="list-style-type: none"> • Adequate use of the notions pertaining to EU human rights law • Adequate knowledge of the substantial contents of human rights in the case law of the CJEU/ ECHR • The ability to draft rough claims before the relevant human rights jurisdictions | | | |

11. Teaching and evaluation activities online

| E-learning platform used | Videoconference application to be used | Technical requirements in order to participate in the educational and evaluation processes | Platform on which the course materials can be consulted in electronic format and on which other learning/bibliographic resources may be accessed in digital format |
|---------------------------|--|--|--|
| Moodle / Google Classroom | | | |
| Google Classroom | Google Meet | Students will require access to specific technical means in order to take part in the educational and evaluation processes: desktop/ laptop/ tablet/ smartphone with internet access, allowing them to connect to the e-learning platform used, as well as to the videoconference application used. In order for the educational process to take place optimally, students will log on the e-learning and videoconference platforms using solely their institutional | https://elearning.e-uvt.ro/ https://classroom.google.com |

| | | | |
|--|--|--|--|
| | | accounts (name.surname year of birth @e-uvv.ro). | |
|--|--|--|--|

Date of filling in

16.09.2020

Signature of person

responsible for class
activities

Senior Lecturer Sorina

Doroga, PhD

Signature responsible for

seminary activities

Senior Lecturer Sorina

Doroga, PhD