Review of the Volume „Persoana fizică în dreptul internațional public. Prolegomene” [The Individual Person in Public International Law. Prolegomena], Author Aurora Ciucă, Published by LUMEN Publishing House

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Abstract: The volume "The Individual Person in Public International Law. Prolegomena", written by PhD professor Aurora Ciucă and published in 2017 at LUMEN Publishing House, Iași, Romania, is a work for a wide audience, which can be of interest from multiple perspectives: human rights, international criminal law, European law, the status of the individual on the international level. It is a volume for lawyers and non-specialists equally, an approach that addresses the above-mentioned problems strictly from the niche perspective of the status of the individual, that, in other words, modulates the legal discourse on themes, of course, classical, well-known, but from a new approach and which completes a void in the Romanian legal doctrine.

Keywords: *individual person; international public law; international statute of the individual person.*

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Introduction

Aurora Ciuca is a Ph.D. professor at Ștefan cel Mare University of Suceava, Faculty of Law and Administrative Sciences, author of several volumes from the field of juridical sciences, but mainly international public law. Traditionally, when we say public international law, we refer to states, international organizations, transnational organizations, but not to individuals.

What the author proposes to the reader is the unitary treatment of a person's status in private international law in the context of a monographic book, given the specificity of international relations, the phenomenon of globalization, the free movement of services, labor market migration, crime and other such causes, together with the access granted directly to state nationals to the jurisdiction of the international courts of justice, which seems to turn the individual into a true subject of public international law.

Why is such a book necessary in the Romanian legal doctrine?

The volume "The Individual Person in Public International Law. Prolegomena" is a welcomed synthesis of the status of the individual, with rights and obligations, within all relevant international systems that are concerned with the protection of human rights. The paper summarizes the way in which international human rights organizations (both continental - European Union, and extraeuropean - USA, Africa and the United Nations - UN) interact and refer to the individual, as well as a comparative look between relevant international conventions on the topic of human rights, with an emphasis on their applicability in time and space, with a distinct *ratione materiae*, between issues that prioritize traditional rights in the sphere of private life and matters of criminal justice.

From this point of view, the work is remarkable as a useful approach of the status of the individual person, especially through the way in which the material is organized and the way the information is presented, starting from general aspects and deepening each sub-theme to fine detail. The specialized language is appropriately used and makes the reading easy, without causing problems in understanding the scientific message, which is important considering the complexity of the themes dealt with in the paper. It is also to be noted that the study fully addresses the issues raised (in terms of procedural, institutional, organizational, and principal aspects). A successful effort is that of the comparative manner in which the content of international conventions in the field is presented, as well as the organization

and functioning of the international courts that are responsible for ensuring compliance with international conventions. As a whole, the monograph can be both a source of information for non-specialists, as well as a good working tool and a basis for future research available to law specialists. Considering the above mentioned quality of the volume, we appreciate this study in terms of its practical implications, its necessity in the Romanian legal doctrine, the appropriate manner in which the topics addressed in the paper are presented, the clarity of the specialized language and the organization of the ideas / themes.

Even from the title of the paper - "The Individual Person Prolegomena" - it is clear that the author did not intent an exhaustive treatment of the topics addressed, but rather wanted to make a synthesis of the international systems regarding the rights and obligations of the individual person, an introduction in a much wider field of research. From this point of view, the jurisprudence of the international judicial courts has been properly presented, the case-law was chosen in order to be representative and relevant, but, with regard to the purpose of the work, the author has extracted from the content of the judgements only the essential elements related to the subjects addressed. In addition, the author has included in the paper a centralizer with relevant case decisions, an aspect that could be a valuable tool for readers who would like to deepen the research on the jurisprudence of international courts regarding the individual person.

The volume "*The Individual Person in Public International Law. Prolegomena*" is an interesting monograph for the law researcher, a good working tool for the law practitioner and a source of complete information for the non-specialist. The theme incites discussion and opens the possibility for new analyzes, due to the comparative aspects of the paper, between different legal systems, jurisdictions and international normative acts. The volume can be a working tool, a source of information and a starting point for future debates in several areas of law, including international public law, human rights and international criminal law. In relation to these issues, it addresses a broad category of readers, lawyers and also law researchers and practitioners, students, master students and PhD students.

This volume is part of the thematic and specific issue of a legal book collection of scientific books that addresses issues of interest to the academic community (LUMEN Publishing House Legal Collection), brings new information or structures well-known information, but which are presented in an integrated way, well structured, considering that some topics were discussed in the legal doctrine disparaged, incomplete or inconsistent,

until this work appeared in the literature. The paper aims to highlight the increasingly pronounced tendency in the legal environment emphasizing that the individual is actually at the center of public international law, whether as a subject or as a beneficiary of international law, meaning that the volume is a valuable adagio to any legal collection.

About a book, a working tool and an interesting reading

The themes approached in the paper are analyzed according to their importance for a Romanian reader. Particular emphasis is placed on European jurisdictions (ECHR and EUCJ), given their importance, because they concern the reader from an European state more than American and African jurisdictions. As a positive element, we note that the analysis of extra-European international judicial systems are seriously, completely and well structured. Bringing the African system under discussion is an element that denotes the complexity of this study. The work is equally balanced in terms of space for introductory issues (chapter I), related to issues regarding human rights (chapter II, the most extensive in the paper, but also addressing the most relevant topics in the field) and international criminal law (Chapter III). The topics addressed are well structured in chapters and sections and, where necessary for a slight reading, the author divides the analysis into subsections. The structure of the ideas is clear and well organized. The information is presented gradually, in the sections and subsections, from simple to complex, so the text can be understood not only by law specialists, but also by anyone interested in the subject, which makes it a work of special value.

We did not identify in the present study aspects of scientific content that raise issues of treatment or understanding, or lead to misinterpretations, unfounded or insufficiently motivated or documented conclusions. As far as the literary review of the paper is concerned, the footnotes come to complete the main text of the paper. This paper is thoroughly documented, both from a legislative and a literary point of view. The author uses relevant and credible sources, on which the analysis is based. The literature sources cited in the paper are verifiable by any interested person and are accessible, partly online. The sources cover a broad period of research in the field and, as the case-law indicated, are consulted until the date on which the work was proposed for publication. Even the older bibliographic sources used by the author remain valid by that that they remain the most important literature sources/case decisions that have laid the foundations for the research in the field.

We do not notice in the present paper the disproportionate treatment of some subjects to the detriment of others of similar importance. We consider that each topic approached has been thoroughly detailed and we have not identified relevant topics that were not considered by the author in relation to the theme and purpose of the work (as they are explicitly stated in the author's "Argumentum").

The paper addresses, in addition to classical themes, a number of relatively rare topics covered in the literature (eg access to the Commission and the African Court of Human and Peoples' Rights). It is also a valuable synthesis, which interprets the international human rights conventions and the principles and norms specific to the international criminal law focused on the individual person, which is a new approach in the Romanian legal doctrine.

The topics addressed are treated clearly, concisely, without unnecessary discussions, which would complicate explanations or the way the information is presented. The paper combines a human rights approach with procedural issues of the international courts and relevant case law. This turns it into a study not only complex, but also complete.

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