

## **BÎRSAN, CORNELIU (Romania)**

[Original: English]

### **Curriculum vitae**

#### **Professional experience**

PhD, Professor Emeritus  
Faculty of Law, University of Bucharest  
Corresponding member of the Romanian Academy

#### **Relevant professional activities**

1977 - 1998	Judge Court of International Commercial Arbitration, Romanian Chamber of Commerce and Industry
1977-present	Member French Society of Comparative Legislation (Société de Législation Comparée)
1991 - 1998	Judge Board of Arbitration, Romanian Union of Craft Cooperatives
Since 1990	Lawyer Bucharest Bar
1990-present	Member Permanent Court of Arbitration, The Hague
22 March 1995 - 31 October 1998	Romanian member European Commission of Human Rights, Strasbourg
1998-2013	Judge European Court of Human Rights
2002-present	Honorary Member Bucharest Bar Association
2004-present	Honorary member Romanian National Bar Association

### **Non-judicial legal duties**

On 22 January 1967, subsequent to the completion of military service, appointed as trainee assistant to the Chair of Private Law, Faculty of Law, University of Bucharest. Entire subsequent university career under the same Chair, as follows:

1967-1970	Junior lecturer
1970-1976	Assistant lecturer, by competitive recruitment Subjects: Civil Law, Family Law, Private International Law, International Commercial Law.
1976-1990	Lecturer, by competitive recruitment
1990-1992	Senior lecturer, by competitive recruitment
Since 15 February 1992	Professor, by competitive recruitment, specialized in civil law, international commercial law, community law (currently EU law) international human rights law
1993-present	Doctoral advisor Faculty of Law, University of Bucharest
2014-present	Professor Emeritus Faculty of Law, University of Bucharest
1997-1999	Member of the teaching staff Institute of Advanced International Studies, Robert Schuman University (Strasbourg III)
1994, 1996 and 1998	Lecturer in international human rights protection Pantheon-Sorbonne University (Paris I)

### **Non-legal professional activities**

20 January 1990 – 25 June 1998	Elected Dean Faculty of Law, University of Bucharest
25 June 1993 - 25 June 1998	Director “Nicolae Titulescu - Henri Capitant” Franco-Romanian Institute of Business Law and International Co-operation and of the Franco-Romanian Law College the Faculty of Law, University of Bucharest

### **Other activities**

1982-1986	Member Legal Advisory Board, Romanian Ministry of Foreign Trade
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1975-1985	Member Drafting Committee for the new Civil Code and Family Code, Ministry of Justice
Since 1993	Member Academic Board of the Romanian Institute of International Studies, appointed by the Minister for Foreign Affairs and the President of the Romanian Academy
1993-1998	Member National Council for Educational Reform, appointed by the Minister of Education
1994-1998	Member National Academic Assessment Board, elected by the Romanian Parliament (jointly by both Houses)
1994	Elected President Romanian Association of Community Studies, affiliated to ECSA Europe, Brussels
Since 30 July 2017	Corresponding member Romanian Academy
Since 2000	Member of management committees in several Romanian law reviews edited recently: "Curierul judiciar", "Revista român de drept comunitar" (The Romanian journal of Community Law / Revue roumaine de droit communautaire), etc.
Since 1999	Member of the Ph.D. examining board at the Faculty of Law, University Robert Schuman, Strasbourg III, universities of Nice-Sophia Antipolis and of Paris I Panthéon-Sorbonne

## **Education and other academic qualifications**

### **In Romania**

1961	Baccalaureate
1961-1966	Bachelor of Laws, Faculty of Law, University of Bucharest
1977	Doctor of Juridical Science, Faculty of Law, University of Bucharest - Thesis on "The legal effects of bona fides in Romanian Civil Law"

### **Abroad**

Spring 1971	I <sup>st</sup> cycle International Faculty of Comparative Law, Strasbourg
Spring 1972	II <sup>nd</sup> cycle International Faculty of Comparative Law, Strasbourg

Spring 1974	III <sup>rd</sup> cycle International Faculty of Comparative Law, Santiago de Compostela (Spain)
1974-1975	<i>Diploma of Advanced Studies in Comparative Law</i> European University Centre, Nancy Legal Department, Private Law Section

### **Honorary distinctions**

1977	Member of the French Comparative Law Society
1991	Honorary diploma for scholarship from the Centre for International Legal Studies, Salzburg, Austria
1994	Honorary law doctorate from the New England School of Law, Boston, USA
1997	Honorary diploma of the National Union of Lawyers, Romania
2003	Doctor Honoris Causa of Paris I Panthéon Sorbonne University
2002-present	Honorary Member of the Bucharest Bar Association
2004-present	Honorary member of the Romanian National Bar Association
2005	“Mihail Eliescu” prize of the Union of Jurist of Romania for “Convenția Europeană a Drepturilor Omului – comentariu pe articole”
2006	Honorary diploma of the Association of Magistrates of Romania
2010	Doctor Honoris Causa of The West University of Timișoara
2013	“Mihail Eliescu” prize of the Union of Jurist of Romania for “Drept Civil. Drepturile reale principale în reglementarea Noului Cod Civil”
2014	Professor emeritus of the Faculty of Law, University of Bucharest
2015	Doctor Honoris Causa of the Galați “Lower Danube” University
2015	2015 was named “The Corneliu Bîrsan year” by the Romanian journal of Private Law
2016	“Matei Cantacuzino Opera Omnia” Lifetime achievement award in the field of Private Law, awarded by the Romanian journal of Private Law and the Romanian National Bar Association

## Publications and other works

25 texts published (university courses, monographies, treaties) alone or as co-author, together with more than 150 articles, studies, comments on judiciary practice, scientific papers in Romania and abroad. The most important papers are listed hereafter:

*Drept civil. Teoria general a drepturilor reale*, “Civil law. General Theory of Rights in Rem” (co-author), T.U.B., Bucharest, 1980.

*Subiectele colective de drept în România*, “Legal Personality of Companies in Romania”, (co-author), Editura Academiei, Bucharest, 1981.

*Tratat de drept civil. Teoria general a obligațiilor*, “Treatise on civil law. General Theory of Obligations”, (coauthor), Editura Academiei, Bucharest, 1981, reprinted in 1991, 1992, 1993, 1994, 1995, 1998, 2001, 2004.

*Regimul juridic al bunurilor imobile*, “The Law of Real Property”, Editura științifică și Enciclopedică, Bucharest, 1983.

*Rechte beim Reisen*, “Rights while Travelling”, (in German, co-author), Verlag Die Wirtschaft, Berlin, 1974.

*Contractul în contrapartidă. Probleme juridice*, “The contract as consideration – legal issues”, (co-author), I.E.M., Bucharest, 1984.

*Clauza penal în contractele comerciale internaționale*, “Penalty clause in international commercial contracts”, (co-author), I.E.M., Bucharest, 1985

*Legal Aspects of Doing Business in Eastern Europe - Romania* (in English), Kluwer Law and Taxation Publishers, West Publishing Co., St. Paul, Minn., USA, 1986, revised in 1990

*Exportul în contrapartidă. Probleme economice și juridice*, “Export as consideration. Economic and legal issues”, (co-author), Editura Academiei, Bucharest, 1987

*Drept civil. Drepturile reale*, “Civil law. Rights in Rem”, (co-author), Iasi, 1997

*Dreptul comerțului internațional*, “International commercial law”, (co-author), vol. I, 1988, vol. II, 1990

*Societățile comerciale*, “Commercial companies”, Bucharest, 1992

*Drept civil. Drepturile reale principale*, “Civil law. Rights in Rem”, Bucharest, 2001

*Convenția europeană a drepturilor omului - Comentariu pe articole*, “European Convention on Human Rights - Annotated and commented”, Vol. I 2005, Vol. II 2006

*Convenția europeană a drepturilor omului - Comentariu pe articole*, “European Convention on Human Rights - Annotated and commented”, 2010, 2<sup>nd</sup> Edition.

*Drept civil. Drepturile reale principale*, “Civil law. Rights in Rem”, Bucharest, 2017, 3<sup>rd</sup> Edition.

## **Studies, articles, case-law commentaries, papers, etc**

On questions of civil law, international trade law, family law, community law/European Union Law, international human rights' protection, published mainly in Romanian, but also in French and German legal journals.

Since September 2002, PhD, Professor emeritus Corneliu Bîrsan comments on the judgments of the European Court of Human Rights in the "Dalloz" review, and also in the "Révue pénale et pénitentiaire" and "Petites affiches" - European law and Human Rights sections.

## **Citations**

6458 citations identified in 1431 university courses, monographies, treaties in Romania

1202 citations identified in articles published in Romanian Journals

208 citations identified in French publications - *Dalloz*.

## **Investiture**

1999 Chevalier of the Legion of Honour, France

2007 The Order of the Star of Romania, Knight Rank, Civil Order

## **Languages**

Fluent in both French and English

Native in Romanian

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