CIVIL LIABILITY FOR PUBLIC COMMUNICATION UNDER CURRENT ROMANIAN REGULATIONS

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Abstract

Freedom of the press does not exclude the obligation of journalists to cover the damages created by their materials, especially by exceeding the freedom of speech.

Nevertheless, holding someone liable for exercising a fundamental right is not always as simple as mere tort liability. Under Romanian regulations, the journalist will have to cover the damages only if his work can be qualified as an illicit act, or an illegal content.

Alongside an introduction, the paper will consist of three parts: 1. general provisions for the liability of the journalist under national provision, 2. special provisions regarding liability according to Romanian law, by reference to International law, namely, the European Convention on Human Rights and 3. Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act - DSA).

This article aims to identify the particularities of journalist liability or of another person who makes a public communication, in order to remedy the deficiencies of the current regulation.

Keywords: *journalist liability, freedom of speech, public communication, freedom of expression, defamation.*

1. Introduction

Freedom of expression, starting with the first regulations from the time of the French Revolution, until now, has not had the nature of an absolute right, being constantly limited to protect the rights and legitimate interests of other people. For this reason, in most national and international regulations, freedom of expression knows limits both in terms of the message transmitted and in terms of the effects of the communication.

If the limits are exceeded, the material made public may harm other people. Unlike other categories of illegal acts, press crimes produce irreversible effects, which cannot be completely removed from society.

Under these conditions, the injured person cannot benefit from a return to the previous situation, but possibly from a compensation for the damage suffered, under the conditions of tortious civil liability.

The present work will be structured in three substantial parts, of which the first concerns the general conditions for attracting the responsibility of the journalist in the national legislation, and the second will relate to the limits of freedom of expression as derived from the European Convention on Human Rights, and the third will identify the journalist's liability criteria under the terms of Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a single market for digital services and amending Directive 2000/31/EC (Regulation on digital services).

The first part involves the analysis of the provisions of art. 30 of the Romanian Constitution, together with the provisions of the Romanian Civil Code that regulate both the limits of public communication and the legal regime of civil liability.

The second part will involve the identification of the limits of freedom of expression according to the two normative acts that regulate fundamental rights, the criteria for classifying an act as illegal will be analysed starting from the content of art. 10 ECHR. Beyond the analysed doctrine, decisions will also be used of the Romanian courts and the ECtHR, relevant for this topic.

The third part assumes an increased degree of actuality, as the Regulation on digital services entered into force on 16th of February 2024. In this sense, the general conditions under which media platforms and, implicitly, journalists, are responsible for the content brought to the public's attention will be analysed.

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2. The general conditions for incurring the responsibility of the journalist in the national legislation

In national law, civil liability for criminal acts is regulated by art. 1349 para. 1 and 2 CC[1]: „(1) Every person has the duty to comply with the rules of conduct imposed by the law or local custom and not to harm, through his actions or inactions, the rights or legitimate interests of other people. (2) Whoever, having discernment, violates this duty is responsible for all the damages caused, being obliged to repair them in full". The previously rendered provision must be correlated with the provisions of art. 1357 para. 1 CC: „He who causes damage to another through an illegal act, committed with guilt, is obliged to repair it".

Corroborating these texts, we note that the author of an illegal act, by which damage was caused to another person, is obliged to compensate the person whose legitimate rights or interests were harmed. Since the Romanian legislator established subjective tort liability[2], the illegal act must be committed with guilt, including in the form of the slightest fault.

The classification as illegal of an act committed through public communication implies its reporting to the limits of freedom of expression as regulated in national law, respectively in international law. To the extent that they have been violated, simply bringing the message to the public's attention constitutes an illegal act in the sense contemplated by art. 1357 CC.

At the national level, the relevant limits of freedom of expression are found in art. 30 para. 6 and 7 of the Constitution: „(6) Freedom of expression cannot prejudice the dignity, honor, private life of the person, nor the right to one's own image. (7) Defamation of the country and the nation, incitement to war of aggression, national, racial, class or religious hatred, incitement to discrimination, territorial separatism or public violence, as well as obscene manifestations contrary to good morals, are prohibited by law."

The previously rendered provisions are relevant in considering the corroboration with art. 75 para. 1 and 2 CC, which stipulates: „(1) It does not constitute a violation of the rights provided for in this section the infringements that are allowed by law or by international conventions and pacts regarding human rights to which Romania is a party. (2) Exercising constitutional rights and freedoms in good faith and in compliance with international pacts and conventions to which Romania is a party does not constitute a violation of the rights provided for in this section". This last provision constitutes a criterion for analysing the proportionality of the limitation of the fundamental right[3].

Analysing the limits provided by art. 30 para. 6 of the Constitution, we note that any public communication is prohibited to the extent that it damages: a) a person's dignity, b) a person's honor, c) their private life and d) the right to their own image. The four limitations strictly target the persons injured by the publicly communicated material and refer to the effects produced on them. Concretely, regardless of the content of the message, the deed will have an illegal nature only in the hypothesis where a concrete injury has occurred to one of the four values protected by the Constitution.[4]

In the specialised literature[5], these were called limitations *in personam*, as they relate to the injured person. Correlatively, the other limitations have an *in rem* nature, that is, they depend only on the content of the transmitted message, their effects not being relevant to the illegal nature of the deed.

Reconciling respect for private life with the right to information is sometimes difficult to achieve, but information becomes legitimate even if it affects private life, if it is useful to the general interest, provided that it does not harm human dignity.[6] It was thus considered that information is always illegal when it is not justified by a general interest.[7]

We note that civil liability acts as a sanction directed against the author of the illegal act[8], being, at the same time, a means of repairing the damage caused to another person.

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[1] Law no. 287/2009, published in the Official Gazette of Romania, Part I, no. 505/15.07.2011.

[2] L. Pop, I.F. Popa, S.I. Vidu, *Civil law course – Obligations*, Universul Juridic Publishing House, Bucharest, 2015, p. 327.

[3] S.Al. Vernea, *Privacy and the press. A practical approach to art.74 of the Romanian Civil Code*, Fiat Iustitia, no. 1/2021, p. 188.

[4] T. Toader, M. Safta, *The Constitution of Romania, with related legislation and jurisprudence*, Hamangiu Publishing House, Bucharest, 2015, p. 148-149.

[5] S.Al. Vernea, *Communication Law*, Hamangiu Publishing House, Bucharest, 2021, p. 39.

[6] C. Jugastru, *Classic and modern in the field of private life*, in Acta Universitaris Lucian Blaga no. 1-2/2003, p. 61.

[7] M. Nicolae, V. Bîcu, G.Al. Ilie, R. Rizoiu, *Civil law. The persons*, Universul Juridic Publishing House, 2016, p. 58.

[8] G. Boroi, L. Stănciulescu, *Institutions of civil law*, Hamangiu Publishing House, Bucharest, 2012, p. 238.

If the *in rem* or *in personam* limits of freedom of expression are violated, the provisions of art. 30 para. 8 of the Constitution will become applicable, according to which: „Civil liability for the information or for the creation brought to public knowledge rests with the publisher or creator, the author, the organiser of the artistic manifestation, the owner of the means of multiplication, of the radio or television station, under the law. Press offenses are established by law".

In judicial practice, it was appreciated that the statement of a journalist of the type „policeman with the IQ of a boar" has a character of mockery, with the sole purpose of offending, without transmitting any information of interest to the interlocutor, thus exceeding the admissible limits of the exercise of the law to free expression, enshrined in art. 10 ECHR. Thus, even within the limits allowed by the literary genre used by the journalist, the use of this appellation damages the plaintiff's right to image, representing an interference in the right to private life, incompatible with freedom of expression and journalistic ethics.[9]

When assessing the actual moral damage caused to the plaintiff, the court took into account the negative consequences and implications that the defamatory materials had on the plaintiff's professional and family level, the mental discomfort experienced by the plaintiff, being indisputable even if he was considered psychologically fit for the exercise the position held.

Also, when assessing the proportionality of the pecuniary sanction, account was taken of the position held by the plaintiff, as well as the quality of the defendants as journalists, opinion makers and the means by which the derogatory statements were propagated to the public. It was considered that the illegal act was committed through the written media, in the online environment where information spreads much faster, being easily accessed by the public through search engines.

In another case[10], it was ruled that the simple finding of the illegal nature of the way in which the defendants exercised their right to free expression, to the extent that it only aims to repair the damage caused to the reputation by disseminating defamatory information unsupported by a relevant factual basis, cannot be likely to contribute to preventing the mass media from fulfilling its task of information and control, but possibly only to draw attention to the importance of respecting ethical rules in the exercise of the essential role that the press has in a democratic society.

In judicial practice[11], it was held that, in order to be a passive procedural subject within the legal relationship related to public communication, it is necessary from a legal point of view for the party to have achieved or to have contributed, in any way, to the achievement of the facts of which they are accused by the plaintiffs, respectively the facts consisting in the „making and publishing", on the website, of photos, video recordings and comments in which the plaintiffs are presented in private activities - more precisely the 20 articles incriminated by them.

Also, in order to have passive procedural quality against the second claim of the plaintiffs regarding the obligation to prohibit the publication, „on the website of the magazine or on other partner sites" of any photos or video recordings in which the plaintiffs are presented in the framework of private activities, the defendant should be able to make or determine such publications.

With regard to the claim of the plaintiffs regarding the obligation to prohibit the remittance for broadcasting in some TV shows of these materials, the defendant should also be able to carry out or determine these operations, finding that it cannot be forced to fulfil the claims plaintiffs, because it is not related to the editorial content of the website.

We note that the Romanian legislator, at the constitutional level, stipulated rules regarding liability incurred by public communication carried out outside the limits allowed by law. The order of liability is not accidental[12], since the illegal act is not strictly limited to the drafting of material with an illegal content, but to its dissemination to the receiving public. Thus, in order, the publisher of the publication or the creator of the show or broadcast will be held liable for the first time. In concrete terms, the constitutional legislator considered that the editor and the producer have the vocation to control the content of the material and to disseminate it, respectively bring it to the public's attention only to the extent that it corresponds to the editorial policies of the publication. Under

[9] Arad Court, 1st civ. s., civ. dec. no. 33/15.02.2024 of the unpublished.

[10] Bucharest Court of Sector 5, 2nd civ. s., civ. dec. no. 6769/26.09.2023, unpublished.

[11] Bucharest Court, 4th civ. s., civ. dec. no. 77/21.01.2016, unpublished.

[12] I. Muraru, E.S. Tănăsescu (coord.), *The Constitution of Romania, Commentary on articles*, C.H. Beck Publishing House, Bucharest, 2008, p. 293.

these conditions, once the editorial control has been carried out, and the material has received the necessary approval for publication, the responsibility will fall, first of all, on the publisher, respectively the creator.

In the event that they do not exist, for example in the case of publishing materials on a blog, or on a personal page accessible on social networks, the responsibility can only fall to the author. We appreciate that a possible control of a technical nature, carried out by the administrator of the online platform on the content of the posted material (for example the automatic search for offensive words, or inciting hatred, discrimination, etc.) is not equivalent to an editorial control, but to a measure of filtering of illegal content, which does not imply the existence of an agreement on the part of the online platform to the hosted material.

As a rule, the author is determined or determinable starting from the authentication criteria on the respective platform.

In the situation where the author cannot be identified, since the material was posted by an unauthenticated person or who used an obviously unreal identity, according to the Constitution, the responsibility will fall on the event organiser. In our opinion, the liability has, in this situation, the nature of a guarantee, based on the fault of the organiser who did not allow the traceability of the author of the publicly communicated work. In essence, it is a responsibility for one's own act, since the public communication was made on the occasion of a social event (scientific, cultural, etc.), and the organiser of the event is responsible for his act of bringing the anonymous work to the public's attention.

Finally, for the hypothesis in which there is no organiser of the event, the responsibility will fall, for identity of reason, on the owner of the means of multiplication, of the radio or television station. In our opinion, an interesting problem arises in the case of online publications, since they do not presuppose the existence of a means of multiplication or a radio or television station. For the current understanding of the constitutional regulation, we consider it necessary to report it at the time of drafting. In 1991, when the Romanian Constitution was adopted, the only mass media were represented by the written press, radio and television. Under these conditions, the constituent legislator sought to ensure the existence of an entity that would bear subsidiary responsibility for public communication, in whatever form it was carried out, especially through the mass media. Currently, with the development of online media, we appreciate that the situation of the owner of the means of multiplication is taken over by the online platform that allows the dissemination of the communication made by the author to any interested person.

Based on this finding, we are of the opinion that in the absence of any possibility of identifying the author of a post, the responsibility for its content, in a subsidiary way, belongs to the person who manages the online platform that hosts the post.

3. The journalist's liability under Romanian law by reference to the ECHR

As a preliminary note, we note that freedom of expression enjoys a substantial regulation in art. 10 ECHR: „(1) Every person has the right to freedom of expression. This right includes freedom of opinion and the freedom to receive or communicate information or ideas without the interference of public authorities and regardless of borders. This article does not prevent states from subjecting broadcasting, cinematography or television companies to an authorization regime. (2) The exercise of these freedoms, which entail duties and responsibilities, may be subject to formalities, conditions, restrictions or sanctions provided for by law, which constitute necessary measures, in a democratic society, for national security, territorial integrity or public safety, the defence of order and the prevention crimes, the protection of health or morals, the protection of the reputation or the rights of others, to prevent the disclosure of confidential information or to guarantee the authority and impartiality of the judiciary".

Starting from the previously reproduced regulation, we note that the limitations of the fundamental right are allowed only under the conditions of para. 2, respectively in the case of their provision in internal normative acts, only to the extent that they are necessary in a democratic society for the expressly listed objectives, and insofar as they are proportionate to the intended purpose. We note that, in addition to the national regulation, art. 10 ECHR also recognizes a right to receive information, equivalent to art. 31 of the Romanian Constitution[13]. In certain areas of regulation, the right of access to information assumes a distinct regime from freedom of

[13] S.Al. Vernea, *The legal nature of the right to information under Romanian regulations*, in the collective volume Challenges of the Knowledge Society 2021, „Nicolae Titulescu" University, Bucharest, 2021, p. 690.

expression[14], having a derogatory regime from the general rules common to these rights. In the present situation, we will limit our analysis strictly to the freedom of expression itself.

The guarantee that art. 10 ECHR offers it specifically to journalists with regard to reporting on issues of general interest, it is subject to the condition that they act in good faith, based on accurate facts, and provide reliable and accurate information, respecting journalistic ethics.[15] Another criterion evaluated in the case consists in the extent of the dissemination of information which can also be important, depending on the type of newspaper in question, with national or local circulation, important or not important.[16]

At the same time, the court will take into account the quality of the person targeted by the incriminated articles, since the status of the person who is the target of the slanderous statements is a criterion of the examination carried out by the Court in cases related to slander. In this sense, the Court considered that the „limits of admissible criticism" are much more extended in the case of persons with public status than in the case of simple persons under private law.[17]

The Court ruled that it is necessary to distinguish between persons under private law and persons acting in a public context, as political figures or public figures. Thus, while a person under private law unknown to the public can claim special protection of his right to private life, this is not valid for public persons as well.[18]

ECtHR established with principle value that art. 10 para. 2 ECHR implies duties and responsibilities, applicable equally to journalists, even when it comes to matters of significant general interest. These duties and responsibilities can be of particular importance if there is a risk of harm to a person's reputation.[19]

Moreover, in the case of *Axel Springer AG v. Germany*[20], ECtHR established to what extent a balance can be maintained between freedom of expression (art. 10 ECHR), its limits and respect for the right to a good reputation (art. 8 ECHR), in apparent conflict.

The exercise of freedom of expression includes obligations and responsibilities, the extent of which depends on the situation and the technical procedure used, and that the guarantee offered by art. 10 to journalists is subject to the condition that those concerned act in good faith, so as to provide accurate and worthy information trustworthy with respect for journalistic ethics.

Under these conditions, the role of the press as an opinion maker and the particular impact of the information and opinions published implies the exercise of freedom of expression under certain deontological conditions that guarantee the natural exercise of the role of the press in a democratic society.[21]

If, by virtue of its role, the press has the duty to alert the public when it is informed of alleged embezzlement by local elected officials and public officials, the fact of directly pointing to specific persons, indicating their names and functions, implies for the plaintiffs the obligation to provide a sufficient factual basis.

In its practice, the Court decided that, in the absence of good faith and factual basis, and although the disputed article was part of a wider and very current debate for society - the corruption of officials - the claimants' claims are not the expression of a „dose of exaggeration" or „provocation" which is allowed in the exercise of journalistic freedom.[22]

Specialising, the pamphlet was confirmed as a journalistic style recognized and protected by the freedom of expression included in art. 10 ECHR. It is also revealing in this sense that the Council of the European Union, in the meeting of May 12, 2014, adopted, *inter alia*, the following guidelines under the title „EU Human Rights Guidelines on Freedom of Expression Online and Offline": «The expression can take any form including the language spoken, written and sign language, as well as non-verbal expressions such as images and art objects, all of which are protected. The means of expression may include books, magazines, pamphlets (...).» The Court has emphasised on several occasions that satire is a form of artistic expression and social commentary which, by

[14] See, in this sense, S.Al. Vernea, *The Romanian legal regime of access to information in environmental matters*, Fiat Iustitia, no. 1/2022, p. 116.

[15] Case *Bédat v. Switzerland*, app. no. 56925/08, judgment from 29.03.2016, para. 60.

[16] Case *Karhuvaara et Iltalehti v. Finland*, app. no. 53678/00, judgment from 16.11.2004, para. 47.

[17] Case *Palomo Sánchez and others v. Spain (GC)*, app. no. 28955/06, 28957/06, 28959/06 and 28964/06, judgment from 12.09.2011, para. 71.

[18] Case *Minelli v. Switzerland* (dec.), app. no. 14991/02, judgment from 14.06.2005.

[19] Case *Tănăsoaica v. Romania*, app. no. 3490/03, judgment from 19.06.2012, also Case *Tammer v. Estonia*, app. no. 41205/98, judgment from 06.02.2001.

[20] Case *Axel Springer AG v. Germany*, app. no. 39954/08, judgment from 07.02.2012.

[21] R. Chiriță, *European Convention on Human Rights. Commentaries and Explanations*, 2nd ed., CH Beck Publishing House, Bucharest, 2008, p. 562.

[22] Case *Stângu and Scutelnicu v. Romania*, app. no. 53899/00, judgment from 31.01.2006.

exaggerating and distorting the reality that characterises it, aims naturally to provoke and agitate it is for this reason that any interference with the right of an artist or any other person to express himself in this way needs to be scrutinised very carefully.

ECtHR showed that art. 10 includes the artistic freedom to participate in the public exchange of cultural, political and social information and ideas of all kinds. Consequently, those who create, interpret, disseminate or exhibit a work of art contribute to the exchange of ideas and opinions indispensable to a democratic society.[23]

In order to establish whether the exercise of the right to free expression of the defendants, journalists, constituted an interference with the right to private life of the plaintiff, respectively whether their sanctioning is necessary in a democratic society and pursues a legitimate purpose, in accordance with the ECHR principles revealed in the Case *Lingens v. Austria*, it was held that it is necessary to make a careful distinction between facts, on the one hand, and value judgments, on the other. If the material aspect of the former can be proven, those in the second category do not lend themselves to demonstrating their accuracy.[24] The obligation of proof is therefore impossible for value judgments and violates the very freedom of opinion, a fundamental element of the right guaranteed by art. 10.[25]

Although freedom of expression is recognized internationally, both in terms of content and limits, we note that in the ECHR there are no provisions regarding liability for exceeding its limits.

Consequently, we will take into account that any overstepping of the limits of freedom of expression, as recognized by the Convention, is likely to attract the liability of the author of the public communication, however, under the conditions of national law, respectively starting from art. 30 para. (8) from the Constitution and from art. 1357 para. (1) CC.

An interesting problem arises when there is a conflict between national (even constitutional) norms and international norms regarding the same right. In this regard, according to art. 20 para. (2) of the Constitution, „If there are inconsistencies between the pacts and treaties regarding fundamental human rights, to which Romania is a party, and the internal laws, the international regulations have priority, except in the case in which the Constitution or internal laws contain more favourable provisions". In this hypothesis, the limits of freedom of expression will be determined starting from the most favourable incident treatment for the right holder. Correlatively, his liability will be incurred only if by exercising the freedom of expression both the limits regulated at the internal level and those resulting from the Convention have been violated.

4. The responsibility of the journalist under the terms of Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 (DSA)

With the entry into force on February 16, 2024 of the DSA Regulation, the liability of online platforms has entered a new regulatory stage.

Beyond the previous regulations in the e-commerce directive, there are currently directly applicable rules in national law regarding the liability of any online platform for the posting of illegal content.

With priority, we note that the regulation does not consider the responsibility of the journalist, but the responsibility of the online platform, as it expressly results from the content of art. 3 letter g) DSA, but this appears as relevant in public communication as it represents the equivalent of „multiplication means" referred to in art. 30 para. (8) of the Romanian Constitution, previously analysed.

As a rule, starting from the provisions of art. 6 DSA, we note that the provider of the information service, in this case the person who is responsible for the administration of the platform, is responsible for the posting of „illegal content". The definition of the notion can be found in art. 3 letter h) DSA, as „any information which, in itself or by reference to an activity, including the sale of products or the provision of services, does not comply with the law of the Union or the law of any state member that complies with Union law, regardless of the object or exact nature of that right".

We note that illegal content refers to any information that does not comply with the law of the Union or of any member state, regardless of the object or nature of that law. Under these conditions, according to our

[23] Case *Müller and Others v. Switzerland*, app. no. 10737/84, judgment from 24.05.1988, para. 27 *et seq.*; Case *Lindon, Otchakovsky-Laurens and July v. France (GC)*, judgment from 22.10.2007, para. 47.

[24] Case *McVicar v. the United Kingdom*, app. no. 46311/99, judgment from 07.05.2002, para. 83; Case *Lingens v. Austria*, app. no. 9815/82, judgment from 08.07.1986, para. 46.

[25] Case *Morice v. France (GC)*, app. no. 29369/10, judgment from 23.04.2015, para. 126; Case *Dalban v. Romania (GC)*, app. no. 28114/95, judgment from 09.09.1999, para. 49; Case *Oberschlick v. Austria (no. 1)*, app. no. 11662/85, judgment from 23.05.1991, para. 63.

assessment, both what exceeds the limits provided by art. 30 para. (6) and (7) of the Romanian Constitution and art. 10 para. 2 ECHR, has the nature of illegal content.

The regulation does not expressly stipulate the obligation of providers to compensate the injured persons, however, it contains in art. 6 a clause of exemption from liability, which leads to the conclusion that every posting of illegal content attracts the responsibility of the provider, with the expressly mentioned exceptions. Art. 6 para. 1 DSA stipulates: „If an information society service is provided that consists in storing information provided by a recipient of the service, the service provider is not responsible for the information stored at the request of a recipient of the service , provided that the provider: (a) has no actual knowledge of the illegal activity or illegal content, and with respect to actions for damages, has no knowledge of facts or circumstances from which the illegality of the activity or content results; or (b) upon becoming aware of such matters, act promptly to remove the illegal content or to block access to it."

In such a situation, the obligation to compensate rests with the service provider, less in the situation where he does not know the content of the posted information, and, from the moment he became aware of it, acted promptly to eliminate or restrict access to the material qualified as „content illegal".

At first glance, this provision presents a slight contradiction with the constitutional provisions, but, in reality, we consider that the European legislator has validated our interpretation in the sense of attracting the subsidiary liability of the administrator of the online platform on which materials with illegal content are posted, as a way of updating of the provisions of art. 30 para. (8) of the Constitution.

5. Conclusions

Since freedom of expression has never been an absolute right, it is natural that its limits should be strengthened by establishing sanctions for holders who abuse their right. Even so, the sanctions must present a degree of rigor specific to legal liability, and their effects must be predictable for society.

Essentially, we consider that the current national regulation is mostly reliable, but it has a high number of shortcomings regarding online media, for which there is no clear legal framework.

With the entry into force of the DSA, a new framework was established for the liability of online service providers, including news platforms or social media platforms, which requires the adjustment of the current tortious civil liability mechanisms so that they can respond to the new challenges arising from online public communication.

In these conditions, given the unprecedented technological evolution and the way it has affected the mass media, we appreciate that the adoption of a law regarding the legal regime of public communications carried out in the online space appears to be necessary, while the DSA has an extreme object of limited regulation.

References

- Boroi, G., Stănciulescu, L., *Institutions of civil law*, Hamangiu Publishing House, Bucharest, 2012;
- Chiriță, R., European Convention on Human Rights. Commentaries and Explanations, 2nd ed., C.H. Beck Publishing House, 2008;
- Jugastru, C., *Classic and modern in the field of private life*, in Acta Universitaris Lucian Blaga no. 1-2/2003;
- Muraru, I., Tănăsescu, E.S. (coord.), *The Constitution of Romania, Commentary on articles*, C.H. Beck Publishing House, Bucharest, 2008;
- Nicolae, M., Bîcu, V., Ilie, G.Al., Rizoiu, R., *Civil Law. The Persons*, Universul Juridic Publishing House, Bucharest, 2016;
- Pop, L., Popa, I.F., Vidu, S.I., *Civil law course - Obligations*, Universul Juridic Publishing House, Bucharest, 2015;
- Toader, T., Safta, M., The Constitution of Romania, with related legislation and jurisprudence, Hamangiu Publishing House, Bucharest, 2015;
- Vernea, S.Al., *Communication Law*, Hamangiu Publishing House, Bucharest, 2021;
- Vernea, S.Al., *Privacy and the press*. A practical approach to art. 74 of the Romanian Civil Code, Fiat Iustitia, no. 1/2021;
- Vernea, S.Al., *The legal nature of the right to information under Romanian regulations*, in the collective volume Challenges of the Knowledge Society, 2021, „Nicolae Titulescu" University Publishing House, Bucharest, 2021;
- Vernea, S.Al., The Romanian legal regime of access to information in environmental matters, Fiat Iustitia, no. 1/2022.