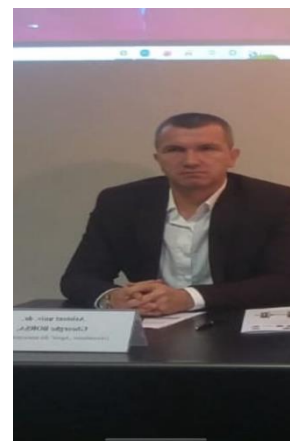


PANEL: RESPECTING FOR FUNDAMENTAL RIGHTS OF THE PERSON DURING JUDICIAL PROCEEDINGS - AS AN EXPRESSION OF THE CONCEPT OF PUBLIC SECURITY/RESPECTAREA DREPTURILOR FUNDAMENTALE ALE PERSOANEI ÎN CURSUL PROCEDURILOR JUDICIARE – CA EXPRESIE A CONCEPTULUI DE SECURITATE PUBLICĂ

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Professional experience (occupation):

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Presentation of the panel

The concept of "**social capital**" implies the existence of cohesion, of trust between individuals in the context of their relationship, the construction of this capital being based on the need for safety for each person in establishing social relations, including the legal relations developed during some judicial proceedings.

The safety of the person, regardless of the procedural quality in which he can participate during a judicial procedure, presupposes, first of all, the respect of his fundamental rights during the course of that procedure.

At the same time, related to the need to respect the fundamental rights of the person during judicial proceedings, the concept of "public security" can be viewed from a double perspective:

- on the one hand, public security is guaranteed, among other things, by ensuring the respect of these fundamental rights, because the safety of every person involved in a judicial procedure, regardless of his procedural quality and regardless of the nature of the judicial procedure (criminal, civil, of administrative litigation etc.), ultimately leads to the preservation of public security. In other words, public security is the expression of the legal security of each person participating in the social relations established within a state of law;

- on the other hand, some limitations of these rights (in the sense of interference in their exercise), can intervene, in a state of law, only under conditions strictly provided by law and in cases justified precisely by the need to guarantee public safety, as expression of maintaining the balance between personal interests and the general interest of society.

A high level of social capital, in the sense of mutual trust of individuals in the context of their relationship in society, is obtained and maintained by guaranteeing public security, including by respecting the fundamental rights of the person during the various judicial procedures, in any of the procedural situations in where the respective person may be (suspect, accused, injured person, civil party, plaintiff, defendant etc.).

In this context, we propose that, through the works presented in this panel, we address the issue of ***respecting the fundamental rights of the person, as an expression of the concept of public security***, both in the framework of the criminal process launched for the investigation of facts that may constitute crimes, as well as in the framework of other judicial procedures.