

THE INTERNATIONAL CONFERENCE

*"HISTORY, CULTURE, CITIZENSHIP IN  
THE EUROPEAN UNION"*

*Pitești, 6 May 2022*

*14<sup>th</sup> edition*

**UNIVERSITY OF PITEȘTI**

**FACULTY OF ECONOMIC SCIENCES AND LAW**

**- CENTER OF LEGAL AND ADMINISTRATIVE  
STUDIES -**

**(ROMANIA)**

***AMICII SCIENTIAE ASSOCIATION (ROMANIA)***

***"ACAD. ANDREI RĂDULESCU" INSTITUTE OF  
LEGAL RESEARCH***

***WITHIN THE ROMANIAN ACADEMY***

**VALAHIA UNIVERSITY OF TÂRGOVIȘTE  
FACULTY OF LAW AND ADMINISTRATIVE  
SCIENCES**

**- RESEARCH CENTRE IN LEGAL AND  
ADMINISTRATIVE SCIENCES -**

**(ROMANIA)**

*THE CONFERENCE PROGRAMME*

*and*

*THE SYNTHESIS OF THE WORKS*

**THE INTERNATIONAL CONFERENCE  
"HISTORY, CULTURE, CITIZENSHIP IN THE EUROPEAN UNION"  
Pitesti – May 6, 2022**

The papers will be published in E-book available on [www.iccu.upit.ro](http://www.iccu.upit.ro) with  
ISSN 2360 – 1841  
ISSN-L 2360 – 1841  
Online: ISSN 2360- 395X

**Publishing House C.H. Beck, Bucharest**

**Currently the proceeding is indexed in SSRN, CEEOL and EBSCO indexing is  
in progress**

**THE INTERNATIONAL CONFERENCE**  
**"HISTORY, CULTURE, CITIZENSHIP IN THE EUROPEAN UNION"**  
**Pitești – May 6, 2022**

**CONFERENCE ORGANIZATION**

- SCIENTIFIC COMMITTEE

Professor Ph.D. Dr.h.c. Rainer ARNOLD-Universität Regensburg, Germany  
Professor Ph.D. Cristina HERMIDA DEL LLANO-Universidad *Rey Juan Carlos*,  
Spain  
Professor Ph.D. DDr.h.c., M.C.L. Heribert Franz KOECK-Universität *Johannes  
Kepler* Linz, Austria  
Professor Ph.D. Dr. h.c. mult. Herbert SCHAMBECK-Universität *Johannes Kepler*  
Linz, Austria  
Professor Ph.D. hab. Jakub STELINA-University of Gdańsk, Poland  
Professor Ph.D. hab. Andrzej SZMYT-University of Gdańsk, Poland  
Professor Ph.D. Anton- Florin BOȚA-University of Pitești, Romania  
Professor Ph.D. Sevastian CERCEL-University of Craiova, Romania  
Professor Ph.D. Eugen CHELARU-University of Pitești, Romania  
Professor Ph.D. Ionel DIDEA-University of Pitești, Romania  
Professor Ph.D. hab. Mircea DUȚU – Director, “Acad.Andrei Rădulescu” Institute  
of Legal Research of the Romanian Academy, Bucharest  
S.R. I, Professor Ph.D. hab., Mihai ȘANDRU – Coordinator of the Center for  
European Law Studies (CSDE) - “Acad.Andrei Rădulescu” Institute of Legal  
Research of the Romanian Academy.  
Associate Professor Ph.D. Dhc Ioan GÂNFĂLEAN -1 decembrie 1918 University  
of Alba Iulia, Romania  
Associate Professor Ph.D. Iliora GENOIU-*Valahia* University of Târgoviște,  
Romania  
Associate Professor Ph.D. Constanța MĂTUȘESCU-*Valahia* University of  
Târgoviște, Romania  
Associate Professor Ph.D. Carmen NENU-University of Pitești, Romania  
Associate Professor Ph.D. Maria ORLOV-„Stefan cel Mare” Academy of the  
Ministry of Interior of the Republic of Moldova, President of the Institute of  
Administrative Sciences of the Republic of Moldova  
Associate Professor Ph.D. Doina POPESCU - LJUNGHOLM-University of Pitești,  
Romania  
Associate Professor Ph.D. Andreea TABACU-University of Pitești, Romania  
Associate Professor Ph.D. Lavinia Mihaela VLĂDILĂ-University *Valahia* of  
Târgoviște, Romania

**THE INTERNATIONAL CONFERENCE**  
**"HISTORY, CULTURE, CITIZENSHIP IN THE EUROPEAN UNION"**  
**Pitești – May 6, 2022**

- ORGANIZING COMMITTEE

Professor Ph.D. Eugen CHELARU- University of Pitești, Romania  
Associate Professor Ph.D. Bianca DABU-University of Pitești, Romania  
Associate Professor Ph.D. Andreea DRĂGHICI-University of Pitești, Romania  
Associate Professor Ph.D. Carmen NENU-University of Pitești, Romania  
Associate Professor Ph.D. Andreea TABACU-University of Pitești, Romania  
Associate Professor Ph.D. Elise VALCU - University of Pitești, Romania  
Lecturer Ph.D. Marius ANDREESCU-University of Pitești, Romania  
Lecturer Ph.D. Denisa BARBU-*Valahia* University of Târgoviște, Romania  
Lecturer Ph.D. Iulia BOGHIRNEA-University of Pitești, Romania  
Lecturer Ph.D. Cătălin BUCUR-University of Pitești, Romania  
Lecturer Ph.D. Emilian BULEA-*Valahia* University of Târgoviște, Romania  
Lecturer Ph.D. Ramona DUMINICĂ-University of Pitești, Romania  
Lecturer Ph.D. Amelia-Veronica GHEOCULESCU(SINGH) -University of Pitești, Romania  
Lecturer Ph.D. Dan GUNĂ-*Valahia* University of Târgoviște, Romania  
Lecturer Ph.D. Daniela IANCU-University of Pitești, Romania  
Lecturer Ph.D. Sorina IONESCU-University of Pitești, Romania  
Lecturer Ph.D. Florina MITROFAN-University of Pitești, Romania  
Lecturer Ph.D. Lavinia OLAH-University of Pitești, Romania  
Lecturer Ph.D. Adriana-Ioana PANTOIU-University of Pitești, Romania  
Lecturer Ph.D. Andra PURAN -University of Pitești, Romania  
Lecturer Ph.D. Andrei SOARE-University of Pitești, Romania  
Lecturer Ph.D. Viorica POPESCU-University of Pitești, Romania  
Lecturer Ph.D. Dumitru VADUVA-University of Pitești, Romania  
Lecturer Ph.D. Carmina TOLBARU-University of Pitești, Romania  
Lecturer Ph.D. Gabriela ZOANA-University of Pitești, Romania

THE INTERNATIONAL CONFERENCE  
"HISTORY, CULTURE, CITIZENSHIP IN THE EUROPEAN UNION"  
Pitesti – May 6, 2022

## THE CONFERENCE PROGRAMME

### Friday, 6 May 2022

10<sup>00</sup>                    **Opening of the Conference: Greetings from  
the President of the Conference - Professor  
Ph.D. Hab. Eugen CHELARU**

10<sup>15</sup>                    **PLENARY SESSIONS**

**Moderator: Professor Ph.D. Hab. Eugen  
CHELARU**

10<sup>15</sup>                    **Prof. Ph.D. Dres. h.c. Rainer ARNOLD**

10<sup>30</sup>                    **Professor Ph.D. hab. Mircea DUTU**

10<sup>45</sup>                    **Prof. Univ. Dr. Dr. hc. Jakub STELINA**

11<sup>00</sup>                    **Professor Ph.D. Sevastian CERCEL,  
Professor Ph.D. Stefan SCURTU**

11<sup>15</sup> - 11<sup>30</sup>        **Discussions**

**Moderator: Professor Ph.D. Dres. h.c.  
Rainer ARNOLD**

11<sup>30</sup>                    **Prof. Univ. Dr. hc. Eugen CHELARU**

**THE INTERNATIONAL CONFERENCE  
"HISTORY, CULTURE, CITIZENSHIP IN THE EUROPEAN UNION"  
Pitesti – May 6, 2022**

- 11<sup>45</sup> Prof. Univ. Dr. Rafael SANCHEZ  
DOMINGO**
- 12<sup>00</sup> Associate Professor PhD Constanta  
MATUSESCU**
- 12<sup>15</sup> Prof. Ph.D. Lali PAPIASHVILI**
- 12<sup>30</sup> Prof. Ph.D. Cristina HERMIDA DEL  
LLANO**
- 12<sup>45</sup> -13<sup>00</sup> Discussions**
- 13<sup>00</sup> - 14<sup>00</sup> Lunch Break**
- 14<sup>00</sup> WORKS IN SESSIONS**
- 14<sup>00</sup> Section 1**
- Moderators: Associate Professor Ph.D.  
Carmen NENU, Associate Professor  
Constanta MATUSESCU, Lecturer  
Ph.D. Marius ANDREESCU, Lecturer  
Ph.D. Marius VACARELU**
- 14<sup>00</sup> Section 2**
- Associate Professor Ph.D. Andreea  
TABACU, Lecturer Ph.D. Mihaela  
OPRESCU**

THE INTERNATIONAL CONFERENCE  
"HISTORY, CULTURE, CITIZENSHIP IN THE EUROPEAN UNION"  
Pitesti – May 6, 2022

**Friday, 6 May 2022**

OPENING OF THE CONFERENCE  
Greetings from the President of the Conference - Prof.  
Univ. Dr. Hab. Eugen Chelaru (10<sup>00</sup>-10<sup>15</sup>)

PLENARY SESSION  
10<sup>15</sup>- 13<sup>00</sup>

**Moderator:**

**Professor Ph.D. hab. Eugen CHELARU (University of Pitesti, Romania)**

- *Separation of powers in German Constitutional Law - some reflections on the basic concept and recent developments, Professor Ph.D. Dres.h.c. Rainer ARNOLD, University of Regensburg, Germany*

*Separation of powers is a universal constitutional principle that is also an essential element of the rule of law in German constitutional law. The division of state functions secures freedom to a high degree and also guarantees that tasks are performed adequately and efficiently in the State. The case law of the Federal Constitutional Court in this regard is rich. A shift in the weightings intended by the constitution in the decision-making process of the state requires correction in order to satisfy the principle of the separation of powers. The restoration of the balance of powers can be achieved through jurisprudence or constitutional reform. In the practice of the Germany, the restoration of the constitutionally intended relationship between federal legislation requiring explicit consent of the Federal Council on the one hand and those exposed only to an overridable veto of*

**THE INTERNATIONAL CONFERENCE**  
**"HISTORY, CULTURE, CITIZENSHIP IN THE EUROPEAN UNION"**  
**Pitesti – May 6, 2022**

*this institution on the other hand should be emphasized as essential. The constitutional limitation of the executive's normative power is, furthermore, an example of an adequate distribution of functions between the administration and the legislature.*

- ***The contribution/leadership of the European Union in developing and disseminating climate law, Prof. Ph.D. Mircea DUTU, Institute of Legal Research “Acad. Andrei Rădulescu” of the Romanian Academy, Bucharest, Romania***

*Initiated early and consistently promoted, EU policy action to combat climate change is characterized by consistency, exemplary, and stimulating to create the legal framework for the national, regional and global response to the challenges of global warming, resilience and adaptation. climate change. Standing at the forefront of the appropriate response, the Union has shown political, diplomatic, strategic and legal leadership by approving the Framework Convention on Climate Change (1992) and the Kyoto Protocol (1997) without waiting for their entry into force, by to adopt an ambitious and relevant energy-climate package on 23 April 2009, while in December of the same year in Copenhagen, COP-15 failed to make new post-2012 commitments, to play a "locomotive" role in negotiation and adoption of the 2015 Paris Agreement, and in the face of general uncertainty caused by the (temporary) withdrawal of the US from it during the Donald Trump administration, to announce the Green Deal (2019) as a new growth strategy. The adoption of the European Climate Law (Regulation 2021/1119) and the "Fit-for-55" legislative package has led to the structuring of a representative legislative body, which is booming, with rapid trends towards the establishment of an "EU climate law", an incentive for the development of international and comparative law and a major influence on strengthening the relevant regulations in the domestic law of the Member States.*

- ***Post-pandemic employment law - a draft of a new regulation of remote work in Poland, Professor Ph.D. H.C. Jakub***



**THE INTERNATIONAL CONFERENCE**  
**"HISTORY, CULTURE, CITIZENSHIP IN THE EUROPEAN UNION"**  
**Pitesti – May 6, 2022**

**STELINA, Dr Marta ZBUCKA-GARGAS, University of Gdansk, Poland**

*In Poland the package of protective measures with the aim of preventing the economic effects of the coronavirus epidemic, was taken relatively quickly. Parliament adopted Act of 2 March 2020 on special solutions related to the prevention, counteraction and control of COVID-19, other infectious diseases and crisis situations caused by them. The Act is called "Anti-Crisis Shield". A substantial portion of the adopted solutions pertains to the functioning of employers and the situation of employees. In the article, the author examines the selected regulations of anticovid labour law (so-called remote work, flexible working time, extension of the period of paid care leave, flexible rules regarding employment of foreigners, subsidising the salaries of employees on economic downtime, authorisation to apply less favourable terms of employment etc.).*

- ***The carrier's liability as provided by the United Nations Convention on the Carriage of Goods by Sea, 1978, Hamburg, Professor Ph.D. Sevastian CERCEL, Professor Ph.D. Stefan SCURTU, Faculty of Law, University of Craiova, Romania***

*The principle of the full remedy of the damage - restitutio in integrum - ensures the patrimonial rebalancing of the victim, guaranteeing him, by granting a right of remedy, the value he had before the damage occurred. In the matter of the liability of the carrier for the loss or damage of the goods entrusted for transport, the Romanian Civil Code enshrined the rule of limiting the compensation that the carrier may be obliged to pay to the value of the actual damage suffered by the beneficiary of the transport.*

*This rule is found in all international conventions governing the carriage of goods. At the same time, they set a maximum compensation limit. The United Nations Convention on the Carriage of Goods by Sea stipulates that the liability of the carrier for damage resulting from the loss or damage of goods is limited to an amount equivalent to 835 units of account per package or other shipping unit or to 2.5 units of account per kilogram of gross weight of the goods lost or damaged, whichever is higher (art. 6). As regards the contractual clauses on the liability of the parties, only those which aggravate the liability of the carrier are valid (art. 23 of the Convention).*

**THE INTERNATIONAL CONFERENCE**  
**"HISTORY, CULTURE, CITIZENSHIP IN THE EUROPEAN UNION"**  
**Pitesti – May 6, 2022**

**Moderator:**

**Professor Ph.D. Dres.h.c. Rainer ARNOLD (University of Regensburg, Germany)**

- ***Reform of the system for the protection of adults. Special guardianship, Professor Ph.D. hab. Eugen CHELARU, Faculty of Economic Sciences and Law, University of Pitesti, Romania***

*The existence or non-existence of discernment is taken into account by the legislator when it divides people into two categories: those who have legal capacity to exercise and can therefore conclude civil legal acts on their own and those who do not have the legal capacity to exercise, which is why they must be put under the protection of other people, which are to represent them at the conclusion of acts. The second category includes minors and adults who lack discernment because of mental deficiencies.*

*If in the case of minors the Civil Code takes into account the fact that the forming of discernment is an evolutionary process and acknowledges a limited capacity to exercise discernment to those who have reached the age of 14, thus allowing them to conclude certain legal acts on their own, when it comes to adults, it is much more rigid. For adults, there is only one protection measure which deprives them of the capacity to exercise and puts them under the protection of a guardian, who will represent them at the conclusion of civil legal acts, respectively the judicial interdiction. According to the rules in force, the adult with mental deficiencies either does not have discernment and is placed under judicial interdiction, or has discernment, so it does not require the establishment of a protection measure.*

*This nuanced way of dealing with the matter is contrary to the provisions of the UN Convention on the Rights of Persons with Disabilities and was declared unconstitutional by the Romanian Constitutional Court.*

*The reaction of the legislator took the form of the development of a draft law on protection measures for people with intellectual and psychosocial disabilities, which takes into account the degree of impairment of the discretion of adults in need of protection and the need to allow them, in certain conditions, to participate directly in civilian life.*

**THE INTERNATIONAL CONFERENCE**  
**"HISTORY, CULTURE, CITIZENSHIP IN THE EUROPEAN UNION"**  
**Pitesti – May 6, 2022**

*The main provisions of this draft refer to the setting up of two new measures for the protection of adults, namely special guardianship, which will replace judicial interdiction and judicial counselling.*

- **Castile and its european projection (13th-15th centuries). Two examples of juridical superiority, Professor Ph.D. Rafael SÁNCHEZ DOMINGO, Facultad de Derecho, Universidad de Burgos, España**

*Between the 13th and 15th centuries, two major historical events took place in the kingdom of Castile (Spain) that could have changed the course of history. King Alfonso X harboured the intention of going to Rome to be crowned emperor by the Pope as heir to the Romano-Germanic empire, as Frederick II of Hohenstaufen had died in 1250, since on his mother's side, Beatrice of Suabia, he was the great-grandson of the said emperor, and it was then that the "Ghibelline inheritance in Spain" came to mind. This yearning of Alfonso X was called "el fecho de imperio", but in the end it did not achieve the desired result for the Castilian monarch. On the other hand, the prelate from Burgos, Alonso de Cartagena, was commissioned in 1434 to take part in the Council of Basel, delivering the Discourse on the pre-eminence of Spain over England, at the same time as he articulated the speech Allegations on the conquest of the Canary Islands, in such a way that he demonstrated that the Portuguese crown lacked arguments to refute the title of ownership of the Canary Islands over the Castilian monarchy.*

- **Mutual defense clause (article 42 (7) TEU) - foundation of a European Defense Union? Some considerations regarding the possible operationalization of the clause in the context of recent threats, Associate Professor Ph.D. Constanta MATUSESCU, Faculty of Law and Administrative Sciences, „Valahia” University of Târgoviște, Romania**

*At a time when we are witnessing the return of the war to Europe, there is inevitably a renewed political and academic interest in the establishment of the European Defense Union, as provided for in Article 42 (2) of the Treaty on European Union (TEU) as part of common security and defense policy, but the creation of which was long overdue. In this context,*

**THE INTERNATIONAL CONFERENCE**  
**"HISTORY, CULTURE, CITIZENSHIP IN THE EUROPEAN UNION"**  
**Pitesti – May 6, 2022**

*one of the options available to policy makers to provide a European defense is the mutual defense clause in Article 42 (7) TEU. This provides that if a Member State is the victim of armed aggression on its territory, the other States have an obligation to aid and assist by all means at their disposal. The paper aims to highlight the tensions inherent in the provision in question, which have left the possibilities it offers largely left unexplored, but also to bring a number of elements in support of the idea that this provision reflects a solid legal obligation, an expression of solidarity between EU Member States.*

- ***Hearsay in a fair trial: modern trend and challenges, Professor Ph.D. Lali PAPIASHVILI, Iv. Javakhishvili Tbilisi State University, Georgia***

*Hearsay, as one of the most complex and highly debated evidence in Criminal justice is connected to the right to a fair trial and Confrontation Clause. The courts are generally able to admit hearsay under their discretionary powers and base conviction upon this type of evidence.*

*Generally, hearsay is less trustworthy evidence, carries with it the risk of creating false impression with regards to guilt. On the other hand, inadmissibility of hearsay may result in the exclusion of the evidence which might be regarded as accurate and reliable. Despite the fact that according to the ECtHR, the use of hearsay does not prima facie contradict to the conventional guarantees (under article 6), the law of hearsay in many jurisdictions is considered as being in need of attention, clarification and change.*

*Constitutional Court of Georgia has declared use of hearsay for conviction reasons unconstitutional, therefore, causing problems for prosecution and increasing the number of acquittals and making highly debated - whether using a hearsay should be possible under some exceptional circumstances and issue of proper balance between conflicting rights.*

- ***A commitment to the principles of judicial ethics against the danger of judicial politicization to the democracies in the European Union, Professor Ph.D. Cristina HERMIDA DEL LLANO, Universidad Rey Juan Carlos, Spain***

**THE INTERNATIONAL CONFERENCE  
"HISTORY, CULTURE, CITIZENSHIP IN THE EUROPEAN UNION"  
Pitesti – May 6, 2022**

*The relationship between judicial power and democracy is so tight that judicial power can be considered an essential element in democracy. We explore the dangers that threaten modern democracies when the judicial power is politicized and acts in party interests, which is happening now in some of the member States of the European Union and puts the separation of powers into question that is characteristic of the Rule of Law. We analyze how a commitment to the principles of judicial ethics could restore citizens' faith in the Rule of Law and act against the politicization of the judicial power in the European Union. The premise that a judge should not be an instrument of political power is of supranational importance.*

THE INTERNATIONAL CONFERENCE  
*"HISTORY, CULTURE, CITIZENSHIP IN THE EUROPEAN UNION"*  
*Pitesti – May 6, 2022*

**Lunch Break**

13<sup>00</sup> – 14<sup>00</sup>

**THE INTERNATIONAL CONFERENCE**  
**"HISTORY, CULTURE, CITIZENSHIP IN THE EUROPEAN UNION"**  
**Pitesti – May 6, 2022**

**PAPERS IN SECTIONS**

**SECTION 1**

**14<sup>00</sup>**

**Moderators:**

**Associate Professor Ph.D. Carmen NENU (University of Pitesti, Romania)**

**Associate Professor Ph.D. Constanta MATUSESCU (Valahia University of Targoviste, Romania)**

**Lecturer Ph.D. Marius ANDREESCU (University of Pitesti, Romania)**

**Lecturer Ph.D. Marius VACARELU (SNSPA Bucharest, Romania)**

**Moderators:**

**Lecturer Ph.D. Marius ANDREESCU (University of Pitesti, Romania)**

**Lecturer Ph.D. Marius VACARELU (SNSPA Bucharest, Romania)**

- **SUSTAINABLE DEVELOPMENT” CLAUSES IN THE TRADE DEALS OF THE EUROPEAN UNION – A LEGAL INSTRUMENT FOR ENVIRONMENTAL PROTECTION**

Associate Professor Ph.D. Andrei DUȚU-BUZURA (National University Of Political Studies And Public Administration, Bucharest, Romania)

*By means of the European Green Deal, the European Union has set (for itself) the ambitious goal of reducing greenhouse gas (GHG) emissions by the 2050 deadline by adopting a “sustainable and inclusive growth model [...] dissociated from the use of resources”. In this context, the European Commission also acknowledges the lack of an international consensus on the measures required to ensure environmental protection and the fight against climate change. Thus, in the absence of direct and mutually agreed efforts by the partner states, policies imposed by the European Union may therefore have no effect on global GHG emissions, mainly due*

**THE INTERNATIONAL CONFERENCE**  
**"HISTORY, CULTURE, CITIZENSHIP IN THE EUROPEAN UNION"**  
**Pitesti – May 6, 2022**

*to the transfer of polluting and highly carbon-generating industrial production towards states that offer more flexible legal regimes for environmental protection.*

*Consequently, in order to achieve the proposed objectives, the EU must take advantage of its position as the world's leading trading bloc, using its economic strength to develop international standards in line with its ambitions in the field of ecoclimate action. Trade policy has therefore become a key tool in enabling the European Union to achieve its environmental, sustainable development, and climate change goals.*

- **THE PRINCIPLE OF ENSURING A HIGH LEVEL OF CLIMATE PROTECTION UNDER EUROPEAN UNION LAW**

Associate Professor Ph.D. Mircea DUTU-BUZURA (University of Craiova, Doctoral School of the Faculty of Law, Romania)

*The principle of integrating the requirement of a high level of environmental protection and improving its quality into all Union policies, as enshrined in Article 37 of the Charter of Fundamental Rights of the EU, is also increasingly reflected in the EU action on climate change. It expresses the importance of environmental and climate protection as one of the European Union's key objectives (Article 3(3) TEU and Article 191 TFEU) and specifies the level pursued. The proclamation of the Green Deal (December 2019), the assumption of the "Fit-for-55" package and in particular the adoption of the European Climate Law (Regulation (EU) No 1119/2021) have brought about important developments in the meaning of the principle and the affirmation of its specific dimension in order to ensure a high level of climate protection. As a principle of EU law, compliance with it is conditional on the validity of the derived law and thus subject to judicial review under the conditions laid down in Article 191 TFEU; it constitutes an element of the interpretation of the derived law, thereby influencing national policies and regulations in this area. Last but not least, the principle is an incentive and influence of the general movement of enshrining and guaranteeing a stable right to climate, which is part of the general human right to a protected environment.*



**THE INTERNATIONAL CONFERENCE**  
**"HISTORY, CULTURE, CITIZENSHIP IN THE EUROPEAN UNION"**  
**Pitești – May 6, 2022**

- **ENVIRONMENTAL PROTECTION DURING ARMED CONFLICTS**

Lecturer Ph.D. Ramona DUMINICA, Lecturer Ph.D. Lavinia OLAH  
(Faculty of Economic Sciences and Law, University of Pitești, Romania)

*In the context of the outbreak of the armed conflict in Ukraine, the analysis of legal instruments for environmental protection, guaranteeing national and cross-border environmental security are topical issues.*

*Given that the negative effects of pollution caused by an armed conflict do not only occur at the state level but can spread rapidly, causing damage to states neighboring the war zone, this article proposes a debate on international regulations on environmental protection during an armed conflict.*

*Undoubtedly, history has shown that wars of all times have caused serious and long-lasting damage to the environment. If in the past military tactics such as arson, water poisoning, deforestation was used, today new types of weapons, such as nuclear, biological, chemical, artificial weathering, can have a devastating effect on human health and life on earth.*

*Consequently, this study is built around the idea that environmental protection is and must remain a major public interest objective, both at the national level but also at the international level, especially in times of crisis, generated by the existence of different armed conflicts.*

- **THE EUROPEAN UNION: THE EVOLUTION TOWARDS A POLITICAL UNION**

Ph.D. Student Carmen DIMA (University of Craiova, Romania)

*Ever since its foundation, the European Union has always had treaties in place, which regulate a wide variety of topics: from economics and free trade to European Citizenship or individual rights. Throughout the years, these treaties have evolved and have adapted based upon the needs and demands of the member states, but ultimately, of the European citizens. What used to be a common market for steel and coal in between France and West Germany has evolved into a political union counting 27 states. This*

**THE INTERNATIONAL CONFERENCE**  
**"HISTORY, CULTURE, CITIZENSHIP IN THE EUROPEAN UNION"**  
**Pitesti – May 6, 2022**

*spectacular transformation is the result of over 70 years of European cooperation. Resulting from this cooperation are the numerous treaties enacted throughout the years, which have been the very essence of the European Union, shaping its law, institutions, and policies. Without any hesitation, it can be said that the backbone of the whole European Union are the treaties which shape it.*

- **THE “EUROPEAN” MODEL – REGIONAL PROJECTS AND CONSTRUCTIONS IN THE EURASIAN SPACE**

Postdoctoral Researcher, Ph.D. Catalina-Laura PAȘCU (Faculty of Philosophy and Social-Political Sciences, Doctoral School of Political Sciences, “Alexandru Ioan Cuza” University of Iași, Romania)

*In the global context of geopolitical transformations, of the gap between regional and global as a reaction-counter-reaction approach, new powers and centers of power imprint their presence in a world that tends towards structural changes of a multipolar type.*

*A “strategic identity” in a multipolar context is what the Russian Federation also wants, promoting cooperation in regional projects and constructions, in order to give it and sustain a questionable identity of great power both in the Eurasian space and globally.*

*This paper aims to present an analytical perspective of the regional visions of the Russian Federation, starting from the limits of a regional concept - the Eurasian space, necessary for maintaining the sphere of traditional influence and as a support of regional projects and constructions, achieved through the “Europeanization” of integration models.*

- **COOPERATION OF THE EUROPEAN PARLIAMENT WITH THE NATIONAL PARLIAMENTS OF THE MEMBER STATES**

Associate Professor Ph.D. Ioana Neli MILITARU (Academy of Economic Studies in Bucharest - Faculty of Law, Romania)

*Cooperation relations have been established between the European Parliament and national parliaments, initially through systematic*

**THE INTERNATIONAL CONFERENCE**  
**"HISTORY, CULTURE, CITIZENSHIP IN THE EUROPEAN UNION"**  
**Pitesti – May 6, 2022**

*meetings between the Speakers of National Parliaments and later through meetings of parliamentary factions and committees. Cooperation between the European Parliament and national parliaments has been enshrined in Protocol no. 1 on the role of national parliaments in the European Union in organizing and promoting interparliamentary cooperation. COSAC - Inter-Parliamentary Conference of European Business Bodies, was established in Madrid in 1989. Members of the national parliaments of the Member States of the European Union have committed themselves to strengthening the role of the national parliaments of the Member States in relation to Community issues, today of the Union.*

- **THE IMPACT OF COVID-19 CRISIS ON CULTURE AND THE EU SOLUTIONS**

Lecturer Ph.D. Sorina IONESCU (University of Pitesti, Romania)

*The impact that the present Covid-19 crisis had on culture has shown the precarity that this sector manifested for a very long time. This crisis just emphasized a situation that was a reality for many years and the fact that no real efforts were made to recognize the real value of culture especially on social cohesion and also on international relations.*

*The present paper aims to emphasize the efforts that are made and also the necessary actions at EU level to improve the working conditions of artists across Europe in order to safeguard this important sector.*

- **THE EU ENLARGEMEN PROCESS. CAN THERE BE A FAST-TRACK PROCEDURE TO OBTAIN MEMBERSHIP?**

Lecturer Ph.D. Sorina IONESCU (University of Pitesti, Romania)

*The verification of an application for membership by the European Commission usually takes up to 18 months. The respective states then receive the status of candidates. This means that the EU is seriously considering accepting those countries into its ranks. But then many years can pass before the actual start of accession negotiations.*

*The paper aims to analyze the possibility of implementing, under the current situation, of a fast-track procedure to obtain EU membership.*

**THE INTERNATIONAL CONFERENCE**  
**"HISTORY, CULTURE, CITIZENSHIP IN THE EUROPEAN UNION"**  
**Pitești – May 6, 2022**

- **THE AFLUX OF REFUGEES FROM UKRAINE -UNIONAL AND NATIONAL MECHANISMS REGARDING TEMPORARY PROTECTION**

Associate Professor Ph.D. Elise VALCU (Faculty of Economic Sciences and Law, University of Pitești, Romania)

*On February 24, 2022, the Russian Federation launched a military invasion of Ukraine, the conflict generating implications for the European Union, namely the pressure of immigration at its eastern borders, endangering European stability.*

*Faced with this reality, Member States have activated the temporary protection provided by Directive 2001/55 / EC, in order to allow temporary refuge in the European Union as well as the sharing of responsibility among Member States for managing the situation of refugees in Ukraine.*

*In accordance with the union's legislative approach, the Romanian Government adopted the Emergency Ordinance no. 20 of March 7, 2022, which regulates the financial and humanitarian assistance mechanism granted by the Romanian state to foreign citizens and stateless persons being in special situations and coming from the conflict zone in Ukraine.*

- **HISTORICAL APPROACH TO HUMAN RIGHTS VIOLATIONS IN THE FORMER SOVIET UNION**

Lecturer Ph. D. Alina MARINESCU (Faculty of Theology, Letters, History and Arts, University of Pitești, Romania)

*Russia's expansionist policy in the northern Black Sea, namely Crimea, the city of Sevastopol and now in Ukraine, has a significant negative impact on the economic and social life of all European citizens and beyond, while also posing a significant threat to regional security European and world.*

*The illegal annexation of these areas and the current war declared to Ukraine by the Russian Federation violate international law, including the UN Charter, the Helsinki Final Act, the 1994 Budapest Memorandum and the 1997 Treaty of Friendship, Cooperation and Partnership between Ukraine and Russian Federation.*

**THE INTERNATIONAL CONFERENCE**  
**"HISTORY, CULTURE, CITIZENSHIP IN THE EUROPEAN UNION"**  
**Pitești – May 6, 2022**

*The European Union strongly condemns the acts considered to be genocid committed on the territory of Ukraine after the present invasion, firmly upholding the sovereignty and territorial integrity of Ukraine within its historical borders.*

- **CONSTITUTIONAL DUTIES IN THE CENTRAL AND EAST EUROPEAN COUNTRIES: A COMPARATIVE OVERVIEW**

Professor Ph.D. habil. Rafal CZACHOR (Andrzej Frycz Modrzewski Cracow Academy, Poland)

*The duties, along with rights and freedoms, define the legal status of the person in the state. However, the scientific literature pays more attention to the rights and freedoms, since they are considered as more important. The presentation will tackle the issue of constitutional duties in the Central and Eastern European countries. The investigation will have both qualitative and quantitative character and will present results in a comparative way, revealing similarities and differences in this matter.*

- **THE PRINCIPLES OF LAW: PHILOSOPHICAL APPROACH**

Lecturer Ph.D. Marius ANDREESCU, Lecturer Ph.D. Andra PURAN (Faculty of Economic Sciences and Law, University of Pitești, Romania)

*Any scientific intercession that has as objective, the understanding of the significances of the “principle of law” needs to have an interdisciplinary character, the basis for the approach being the philosophy of the law. In this study we fulfill such an analysis with the purpose to underline the multiple theoretical significances due to this concept, but also the relationship between the juridical principles and norms, respectively the normative value of the principle of the law. These us are being materialized extensive references to the philosophical and juridical doctrine in the matter. This study is a pleading to refer to the principles, in the work for the law’s creation and applying. Starting with the difference between “given” and “constructed” we propose the distinction between the “metaphysical*

**THE INTERNATIONAL CONFERENCE**  
**"HISTORY, CULTURE, CITIZENSHIP IN THE EUROPEAN UNION"**  
**Pitesti – May 6, 2022**

*principles” outside the law, which by their contents have philosophical significances, and the “constructed principles” elaborated inside the law.*

- **THE RIGHT TO GOOD GOVERNANCE IN WAR TIMES**

Lecturer Ph.D. Marius VACARELU (National School of Political and Administrative Studies, Bucharest)

*If 2020 and 2021 year were marked by the pandemic crisis, it seems that 2022 is more complicate and copies older times, when countries and governments act to change frontiers and territorial population distribution. In such complex situation it becomes necessary to see if modern concepts – good governance, good administration, etc. – will be applied in neighbour countries and what are possible changes on their application. In such paradigm we need to analyse the governmental actions, because their costs will be supported by all citizens.*

**MODERATORS:**

**Associate Professor Ph.D. Carmen NENU (University of Pitesti, Romania)**

**Associate Professor Ph.D. Constanta MATUSESCU (Valahia University, Targoviste, Romania)**

- **JURIDICAL RESPONSIBILITY OF THE STATE – THE CONSEQUENCE OF ILLICIT BEHAVIOR OF HIS REPRESENTATIVES**

Associate Professor Ph.D. Elena MORARU (SAUM, Republic of Moldova)

*The juridical responsibility of the state is grounded on necessity of the regulation and protect of social relationships, the creation of conditions of a normal and adequate living in society, the providing of legality and right order which in its turn grounds the necessity of existence of state as a sovereign subject of the public law. In this way as a basis of juridical responsibility of the state may be generally indicated the social grounds of*

**THE INTERNATIONAL CONFERENCE**  
**"HISTORY, CULTURE, CITIZENSHIP IN THE EUROPEAN UNION"**  
**Pitesti – May 6, 2022**

*the juridical responsibility that is non-admission of damages causes founded on the rigor of an efficient achievement of the state functions.*

- **ANALYSIS OF THE PRINCIPLE OF COMPETENCE OF THE CIVIL SERVICE FROM THE PERSPECTIVE OF THE EUROPEAN UNION STAFF REGULATIONS AND THE ROMANIAN ADMINISTRATIVE CODE**

Lecturer Ph.D. Viorica POPESCU (Faculty of Economic Sciences and Law, University of Pitesti, Romania)

*In contemporary society, public administration has a fundamental role to play in influencing sustainable economic prosperity, social cohesion and the well-being of people.*

*The current pace of social, technological and economic change requires the public administration to adapt to new realities. This adaptation cannot be achieved without taking into account the most important factor, namely the human one. Hiring civil servants based on clear competency criteria will allow the public administration to improve its efficiency, but also to increase the attractiveness of the public sector.*

*The principle of competence in the public service is a fundamental principle both at the level of the European Union and at the level of each Member State. This article aims to make a brief analysis of this principle from the dual perspective of Union and national regulations in order to highlight its value in strengthening public administration.*

- **PRINCIPLE OF CONSULTATION OF CITIZENS AND ELIGIBILITY OF PUBLIC ADMINISTRATION AUTHORITIES IN THE LOCAL PUBLIC ADMINISTRATION**

Associate Professor Ph.D. Maria ALBU (Faculty of Law and Social Sciences, “1 Decembrie 1918” University, Alba Iulia, Romania)

*Citizens' consultation is the principle that should ensure that citizens are involved in the process of formulating public policies and in making decisions about the community. Consulting citizens is especially useful to identify the priorities and needs of the community but also to*

**THE INTERNATIONAL CONFERENCE**  
**"HISTORY, CULTURE, CITIZENSHIP IN THE EUROPEAN UNION"**  
**Pitesti – May 6, 2022**

*decide and choose between options for solving a problem. On the other hand, the principle of eligibility designates the right of members of a community to appoint their own leaders, their own governing bodies. Both principles are essential for local public administration and we find them formulated in the Administrative Code.*

- **CONSIDERATIONS ABOUT THE CONCEPTS/MODELS OF PREVENTION CRIME**

Scientific researcher III gr. Aura PREDA (Legal Research Institute – Romanian Academy)

*The contemporary criminology is due to propose, by turn to account on the advanced measurement and evaluation techniques regarding concrete measures for the diminution of the criminogenic risk factors, implicitly actions with preventive specificity. The concept/models for crime prevention becomes a priority, especially in the context of extensive studies on the cost of crime. Thus, the phrase "preventive criminology" becomes justified by referring to the broad types of prevention developed by different criminological schools. The concept of crime prevention is indispensably correlated with that of social control.*

- **THE ISSUE OF CRIME VICTIMS AT EUROPEAN LEVEL. ASSURING THE ACCESS TO LEGAL AID AND PROTECTION FOR VICTIMS OF OFFENCES**

Lecturer Ph.D. Carmina TOLBARU, Associate Professor Ph.D. Andreea DRAGHICI (University of Pitesti, Romania)

*The issue of criminality plays an important part at European level, all the more so as the Covid-19 pandemic elicited extreme social reactions, having registered an increase in the cases of domestic violence, sexual abuse on children, computer crime and racist or xenophobia hate crimes. The efforts at the European level aim at guaranteeing the victims' rights, regardless of the type of offence accomplished, but at the same time, they wish an intervention on the specific needs of the victims of certain offences. Starting from the struggling of the victims to have access to justice, the main objective is represented by the reinforcement of the framework for*



**THE INTERNATIONAL CONFERENCE**  
**"HISTORY, CULTURE, CITIZENSHIP IN THE EUROPEAN UNION"**  
**Pitesti – May 6, 2022**

*granting legal aid and protection to such victims, including the guarantee of resilience in crisis situations. However, such an objective cannot be reached without some awareness on behalf of the Member States, regarding the integral transposition of the instruments adopted at the European Union level, in matters of minimum standards agreed concerning the victims' rights.*

- **BRIEF CONSIDERATIONS ON THE FEATURES AND PRINCIPLES OF CRIMINAL LAW SANCTIONS**

Lecturer Ph.D. Catalin BUCUR (Faculty of Economic Sciences and Law, University of Pitesti, Romania)

*Combating the criminal phenomenon involves, on the one hand, combating the causes and conditions that generate it, and on the other hand, it involves the adoption of effective means of combating the variety of causes and conditions that generate it.*

*Usually, the means of combat are applied ante delictum and take into account the so-called virtual crime.*

*The actual crime involves all the acts committed in a given period of time and on a given territory, so it refers to acts already produced for which it is necessary to apply legal sanctions. Thus, criminal law sanctions are applied post delictum and aim to prevent the commission of crimes.*

*The legal institution of criminal sanctions is a set of legal rules that provide for the type of sanctions, their content, their limits and their application.*

- **PREVIOUS HEARING OF THE SUSPECT AS A WITNESS**

Lecturer Ph.D. Gabriela ZOANA (University of Pitesti, Romania)

*The paper aims to criticize the institution of notifying the status of suspect after the person was heard as a witness in a criminal case (transforming the quality of witness into a suspect) in the sense of violating the provisions of Article 307 of the Code of Criminal Procedure referred to Article 83 of the Code of Criminal Procedure, in view of the offense of perjury provided for in Article 273 of the Criminal Code. Are the fundamental rights of the suspect respected or not, with priority given to the*

**THE INTERNATIONAL CONFERENCE**  
**"HISTORY, CULTURE, CITIZENSHIP IN THE EUROPEAN UNION"**  
**Pitești – May 6, 2022**

*right not to testify under Article 83 (1) (a) of the Code of Criminal Procedure? It is justified in this situation the efficiency of art. 118 Code of Criminal Procedure?*

- **THE COVID-19 PANDEMIC AND ITS EFFECTS ON THE CONCEPTS OF QUARANTINE AND TEMPORARY INCAPACITY FOR WORK, SOCIAL SECURITY RISKS INSURED WITHIN THE INSURANCE SYSTEM FOR VACATION AND HEALTH BENEFITS**

Associate Professor PhD Carmen Constantina NENU (University of Pitești, Romania), Chief of Works, PhD Octavia Sorina HONȚARU (University of Pitești, Romania)

*The national regulatory dynamics generated by the need of an answer to the changes of social life created by the sanitary emergency situation, also influenced the provisions of the Government Emergency Ordinance no. 158/2005, as approved with amendments and additions by Law no. 399/2006, with further amendments and additions. These regulatory provisions were correlated to the ones of Law no. 136/2000 on the establishment of some measures in the field of public health in situation of epidemiological and biological risk, as republished, with further amendments and additions, with regard to providing an easier access to the medical leave certificates in cases where the isolation of insured persons is imposed. Another purpose of the amendments was to make responsible the persons travelling for personal interest in areas where there is an epidemic, epidemiologic or biological risk with another high pathogen agent, and who, upon their return to the Romanian territory, entered in medical quarantine leave in order not to become such risk factors for the persons coming into contact with them.*

- **TAX LIABILITY OF EMPLOYEES AND OF EMPLOYERS TO PAY THE SOCIAL SECURITY CONTRIBUTIONS, BETWEEN NATIONAL REGULATION AND SOCIAL REALITY**

Associate Professor PhD Carmen Constantina NENU (University of Pitești, Romania), Lecturer PhD Daniela IANCU (University of Pitești, Romania)

**THE INTERNATIONAL CONFERENCE**  
**"HISTORY, CULTURE, CITIZENSHIP IN THE EUROPEAN UNION"**  
**Pitesti – May 6, 2022**

*Starting with 2018, the direction of tax policy focusing on social security contributions in Romania fundamentally changed, along with the entering into force of the provisions of OUG (Government Emergency Ordinance) 79/2017 for amendment and addition of Law no. 227/2015 on the Tax Code. The government based this emergency solution on the need of reforming the public social security systems in Romania in order to increase the level of collection of incomes to the state social security budget and of responsibility of employers regarding the on-time payment of compulsory social security contributions due both by them and by employees. In this regard, they pursued the decrease of the number of compulsory social security contributions, the employer hereafter aiming at establishing, withholding, declaring and paying the tax liabilities due by employees and also directly. But the balance between employer and employees was unbalanced through these amendments, with regard to the tax liability payment of the social security contributions, having major consequences on the employees' net salary rights.*

- **TAXATION OF INCOME OF INDIVIDUALS - HISTORY AND MODERN TRENDS**

Lecturer Ph.D. Adriana PANTOIU (University of Pitesti, Romania)

*Fiscal policy is one of the tools by which the state can influence economic development. At the same time, the level of public services depends on the quality of the fiscal system, and, in close correlation with them, the degree of satisfaction of the taxpayers.*

*The amounts resulting from the collection of taxes due for the income obtained by individuals are, at European level, the second most important source of public revenue, after the amounts collected as VAT. Therefore, states pay more attention to how these revenues are taxed. At national level, the return to the progressive taxation system, which would replace the single quota system, has been discussed.*

*For these reasons, this article aims to present some of the most important aspects of personal income taxation.*

- **THE LEGAL REGIME OF THE DECISIONS PRONOUNCED IN THE APPEAL IN THE INTEREST OF**

**THE INTERNATIONAL CONFERENCE**  
**"HISTORY, CULTURE, CITIZENSHIP IN THE EUROPEAN UNION"**  
**Pitesti – May 6, 2022**

**THE LAW AND THEIR ROLE AS A SOURCE OF LAW -  
CASE STUDIES**

Lecturer Ph.D. Cornelia Beatrice Gabriela ENE-DINU (Faculty of Law, University “Nicolae Titulescu” Bucharest, Romania)

*Currently, in the Romanian legal system, the judge interprets and adapts the law to the concrete realities, remedies the normative gaps and discovers remedies that can inspire the legislator. In this regard, the role of the judicial precedent materialized in the decisions of the High Court of Cassation and Justice, pronounced in the appeal in the interest of the law, must be emphasized, because these decisions create general rules for interpreting and applying legal provisions that generate non-unitary practices. The legal doctrine is unanimous in considering that the decisions pronounced in the appeal in the interest of the law are sources of law. Of course, there are also differences of opinion in this respect, but insignificant, in the sense that they are considered by some authors as main sources, and by other authors as secondary sources of law, as long as the character of source of law is recognized. Based on this aspect, practitioners are required to apply the mandatory interpretive rule.*

- **THE LEGITIMACY OF THE JUDICIAL POWER AND ITS ELEMENTS**

Lecturer Ph.D. Florina MITROFAN (University of Pitesti, Romania)

*The Romanian Constitution recognizes and creates the normative framework regarding the role of the judicial power to uphold the rule of law and to resolve disputes by applying the law to specific cases brought before the court.*

*In terms of judicial organization, we must start with the delimitation of the judicial function from other fundamental functions of the state: the legislative and executive functions.*

*The judicial power does not act in its own name, exercising its powers on the basis and within the limits provided for by the legal provisions, and an independent and efficient judicial system represent the function of the rule of law.*

**THE INTERNATIONAL CONFERENCE**  
**"HISTORY, CULTURE, CITIZENSHIP IN THE EUROPEAN UNION"**  
**Pitesti – May 6, 2022**

**SECTION 2**  
**14<sup>00</sup>**

**Moderators:**

**Associate Professor Ph.D. Andreea TABACU (University of Pitesti, Romania)**

**Lecturer Ph.D. Mihaela OPRESCU (Babes-Bolyai University, Cluj-Napoca, Romania)**

- **QUALIFYING THE LEGAL STATUS OF EMPLOYEES OF PRIVATE MILITARY AND SECURITY COMPANIES**

Pro-rector, Associate Professor Ph.D. Alexandr CAUIA (Free International University of Moldova, Republic of Moldova), Ph.D. Student Corina ZACON (Free International University of Moldova, Republic of Moldova)

*The nature of the presence and participation of private military and security companies in contemporary armed conflicts is omnipresent. The rights and obligations of these companies in general and their employees in particular are an important element of legal research in the field of international humanitarian law.*

*This article examines the constituent elements of the legal status of employees in the light of the following categories of participants in the conflict: combatants, mercenaries, civilians following the regular armed forces and civilians.*

*Thus, it is very important to establish the rights and obligations of employees of private military and security companies in both international and non-international armed conflicts, in order to establish the mechanisms and legal instruments to ensure their compliance with the international humanitarian law rules.*

- **ASPECTS CONCERNING THE LEGAL NATURE OF THE PUBLIC PROCUREMENT CONTRACT IN ROMANIA**

**THE INTERNATIONAL CONFERENCE**  
**"HISTORY, CULTURE, CITIZENSHIP IN THE EUROPEAN UNION"**  
**Pitesti – May 6, 2022**

Lecturer Ph.D. Daniela CIMPEAN (Faculty of Business, Babes-Bolyai University, Cluj-Napoca, Romania)

*The concept of "public contract" represents the starting point in assessing the scope of application of the public procurement regime. Being in the presence of a legal definition of the public contract, set by EU regulation, the Romanian legislator has just translated the definition from the Directive and added one aspect, its assimilation to the administrative act.*

*This article aims to analyze the impact of the legal nature of the public procurement contract under Romanian legislation bearing the supremacy of the European Union law. The main conclusion is that a public procurement contract must respect the European legal framework irrespective of the legal regime (public or private) that governs its terms according to the national legislation.*

- **THE RIGHT TO FREE MOVEMENT AND RESIDENCE WITHIN THE EU - BEYOND ITS LIMITS?**

Lecturer Ph.D. Mihaela Adriana OPRESCU (Faculty of European Studies, Babeş-Bolyai University, Cluj-Napoca, Romania)

*The heterogeneity of the national legal systems of the EU Member States creates the preconditions for a person to be considered married under the law of one Member State and unmarried in relation to the law of another Member State.*

*The exercise of the right of free movement and residence within the EU, which is the prerogative of European citizenship, therefore calls into question the way in which the national legal order is articulated with the European one, in the context in which the effectiveness of this right is affected, on the one hand, by the unequivocal identifications of its beneficiaries and, on the other hand, by the differences in the Member States' approaches about the conjugality models.*

*In the Coman judgment, the Court of Justice of the European Union using the method of self-interpretation provided a new definition, fully emancipated from the national law of the Member States, of the concept of 'spouse' with which Member States must operate when acting in the sphere of application of the Treaties.*

**THE INTERNATIONAL CONFERENCE**  
**"HISTORY, CULTURE, CITIZENSHIP IN THE EUROPEAN UNION"**  
**Pitești – May 6, 2022**

*Similarly, in an attempt to find a solution for the harmonization of the legal systems of the Member States in this field, the Luxembourg court has opened a Pandora's box which can be used to provide legal proceedings for same-sex couples residing in an EU Member State, grafted on the principle of non-discrimination.*

- **THE NEW OLD REGULATION ON THE SERVICE IN THE MEMBER STATES OF JUDICIAL AND EXTRAJUDICIAL DOCUMENTS IN CIVIL OR COMMERCIAL MATTERS**

Associate Professor Ph.D. Andreea TABACU (Faculty of Economic Sciences and Law, University of Pitești, Romania)

*The new realities of technological development and the increasing procedural use of modern communication tools, in the context of demonstrating their usefulness in pandemics, have attracted the need to adapt and communicate judicial and extrajudicial documents in civil and commercial matters in the Member States. of the European Union.*

*Thus, the new Regulation no. 1784/2020, which, although it largely retained the procedural solutions of the current Regulation no. 1393/2007, gave important effects to the way of transmitting the procedural documents in the electronic environment and thus determined a real speed of the service procedures.*

- **FREEDOM OF EXPRESSION OF THE MEDIA AND THE RIGHT TO PRIVACY. FROM THE CASE LAW OF THE EUROPEAN COURT OF HUMAN RIGHTS**

Lecturer Ph.D. Ramona DUMINICA, Associate Professor Ph.D. Andreea DRAGHICI (Faculty of Economic Sciences and Law, University of Pitești, Romania)

*This article brings up the sensitive issue of the relationship between two human rights: freedom of expression and the right to privacy.*

*Do fundamental rights, guaranteed at national, European and international level, enter into a real conflict? How is this conflict resolved? To what extent is their interpretation possible in harmony?*

**THE INTERNATIONAL CONFERENCE**  
**"HISTORY, CULTURE, CITIZENSHIP IN THE EUROPEAN UNION"**  
**Pitesti – May 6, 2022**

*Based on these questions, we propose in this study a debate on the existence of a conflict between these two rights and the possibilities for settlement by reference to the jurisprudence of the ECHR in this matter.*

- **TELEVISION SUBTITLING FOR DEAF AND HARD OF HEARING PEOPLE - LEGAL ASPECTS**

Associate Professor Ph.D. Bianca DABU (University of Pitesti, Romania)

*The ratification of the Convention on the Rights of Persons with Disabilities signed by Romania in 2007 has generated the necessity of elaboration of the National Strategy on the Rights of Persons with Disabilities 2021-2027. Among persons with disabilities, the deaf and hard of hearing people have often been the subject of legal provisions in what access to communication, information and culture is concerned. Access to television programmes is thus, regulated through a series of laws and regulations that ensure the rights of the deaf and hard of hearing people to fair access to the content of films, documentaries, commercials, news, etc. through subtitling or other means of equivalent language. This article focuses on both linguistic aspects of rendering informational and cultural content through subtitling and the legal provisions of Romanian laws on deaf and hard of hearing persons beginning with the Audiovisual Law up to present.*

- **ADMINISTRATIVE CHANGE OF THE NAME. CASE LAW PERSPECTIVES**

Postdoctoral Researcher, Ph.D. Oana-Nicoleta RETEA (Faculty of Law, University of Craiova, Romania)

*It is a principle that an individual may not change his last name or first name arbitrarily, but only of his own free will. Precisely due to the fact that the name is an attribute whose purpose is to identify the individual in social relations, but also in family relationships, it is clear that the social interest requires that the name be as stable as possible. The legality of the name requires that the change in any way of the family name (as well as the first name) can be made only in the situations and conditions provided by law. The administrative replacement of the name takes place only on*



**THE INTERNATIONAL CONFERENCE**  
**"HISTORY, CULTURE, CITIZENSHIP IN THE EUROPEAN UNION"**  
**Pitesti – May 6, 2022**

*request, once again delimiting the change of the surname from the modification of the surname.*

- **THE MINOR'S CAPACITY TO EXERCISE AND TO CONTRACT**

Ph.D. Student Noni-Emil IORDACHE (Faculty of Law, University of Craiova, Romania)

*The positioning of the natural person in various classes according to the exercise capacity has legal importance from the point of view of the categories of legal acts that can be validly concluded under certain conditions by these classes of persons. For the conclusion of legal acts, the lack of capacity to exercise requires the legal representation of the person, and the restrained capacity to exercise the legal assistance. Nothing precludes a person without capacity to exercise or who has a restrained capacity to exercise to enter personally and alone into civil relations.*

*In this study we analyze legal acts that can be concluded by the minor without legal capacity to exercise, legal acts that can be concluded by the minor with limited capacity to exercise, and legal acts that can be concluded by the minor with anticipated full capacity of exercise.*

- **ASPECTS REGARDING THE CONCLUSION AND CONTENT OF THE HOTEL SERVICE CONTRACT WITHIN HORECA**

Affiliate and Ph.D. student Laura-Ramona NAE (Doctoral School of Law, Academy of Economic Studies in Bucharest, Romania)

*The hotel activity corresponding to the HoReCa tourism industry, which is also limited to the field of tourism, is a complex activity, which involves various contractual relationships and constantly changing legislation, determined by the evolution of technology and the dynamics of the economy in this sector. The contracting parties involved in the hotel business are : the hotel company providing the hotel services, the tourist / customer consuming hotel services, the state authorities responsible for complying with the applicable legislation in the field. The contractual legal relations related to the tourism activity include : hotel services*

**THE INTERNATIONAL CONFERENCE  
"HISTORY, CULTURE, CITIZENSHIP IN THE EUROPEAN UNION"  
Pitesti – May 6, 2022**

*(accommodation and catering), relaxation and treatment activities, leisure and historical tourist circuits, sports activities, body maintenance and beauty activities, ways of extinguishing the obligations between the contracting parties, and so on.*

- **INDIRECT/FACTUAL EXPROPRIATION (ATYPICAL FORM OF EXPROPRIATION)**

Associate Professor Ph.D. Tatiana STAHI (SAUM, Republic of Moldova),  
Assistant Ph.D. Mariana ROBEA (Danubius University, Galati, Romania)

*This research examines the notion of indirect expropriation as an atypical form of expropriation. Our approach is important, because the expropriation as a form of public utility is a frequently debated topic in the literature, but contemporary doctrine has not comprehensively addressed such a large and current topic for the courts of law. This subject was debated only on a one-off basis and this motivates us to study its issues in a systematic way, which aims is not to overlook over the essential issues that could lead to an overall understanding of this phenomenon-expropriation, including the phenomenon of indirect expropriation.*

- **DOES ART 21 (6) STILL OFFER US SURPRISES?**

Lecturer Ph.D. Andrei SOARE (University of Pitesti, Romania)

*The current version of art. 21 (6) of Law no. 165/2013 represents the wording by which the Romanian Parliament agreed with the provisions of the Constitution the concrete way of valuing real estate in order to grant remedial measures in equivalent, in the form of compensation points. This study seeks to answer the question: whether the current wording, being the eighth intervention that the legislature has made on a single article, solves the problems that arise during its application, in the vital issue for beneficiaries of the law, represented by real estate valuation in order determining the number of compensation points. The guide in the trip I propose will be our Decision no. 9/2022 pronounced by the High Court of Cassation and Justice - Panel for resolving legal issues on 21.02.2022.*

**THE INTERNATIONAL CONFERENCE**  
**"HISTORY, CULTURE, CITIZENSHIP IN THE EUROPEAN UNION"**  
**Pitesti – May 6, 2022**

• **THE EFFECTS OF THE OPENING OF INSOLVENCY PROCEEDINGS**

Vice-Dean, Lecturer Ph.D. Dragoș-Mihail DAGHIE (Faculty of Law, Social and Political Sciences, University “Dunărea de Jos” Galați, Romania)

*The insolvency procedure, as regulated by Law no. 85/2014, produces major changes in the life of traders, changes determined by the takeover of business administration by the insolvency practitioner or by creating a procedure for supervising the activity in case the debtor enters the observation period.*

*Once the conditions for opening the procedure are met and if the court has ordered the admission of the application, the debtor changes his legal clothes by going through a period of analysis of the activity to be carried out in the previous period, an analysis that will be found in the reports. they are filed by the insolvency practitioner and on which the future of the debtor depends.*

• **THEORETICAL CONSIDERATIONS REGARDING THE RIGHT OF REGRESSION OF THE GUARANTOR**

Associate Professor Ph.D. Nora Andreea DAGHIE (University “Dunărea de Jos” Galați, Romania)

*Relationships arising between the main debtor and the guarantor usually represent the consequence of the payment made by the guarantor to the creditor. The guarantor which has paid the debt has a right of regression against the debtor, even when it committed itself without the debtor’s consent.*

*In certain cases expressly provided for by law, the guarantor shall be recognized a right of regression as well, before making the payment. This is the case of expected regression.*

*Limits of the right of regression are sometimes determined by the main debtor’s position in relation to the suretyship. To this end, the legislator regulates three situations: when the guarantor committed itself with the debtor’s consent [Art. 2.306 para. (1) of the Civil Code]; when the guarantor committed itself without the consent of the debtor [Art. 2.306*

**THE INTERNATIONAL CONFERENCE**  
**"HISTORY, CULTURE, CITIZENSHIP IN THE EUROPEAN UNION"**  
**Pitesti – May 6, 2022**

*para. (2) of the Civil Code]; when the guarantor committed itself against the debtor's will (Art. 2.309 of the Civil Code).*

- **DETERMINATION OF SOME PRACTICAL DIFFICULTIES IN APPLYING THE NEW LEGISLATION AFFECTING THE SALE OF AGRICULTURAL LAND LOCATED IN EXTRAVILAN OF THE LOCALITIES**

Associate Professor Ph.D. Ilioara GENOIU ("Valahia" University of Targoviste, Romania)

*Amendment of Law no. 17/2014, with incidence in the matter of sale of lands located outside the built-up areas of the localities, by Law no. 175/2020, generated several practical difficulties, making it at least difficult for the notaries to authenticate the land alienation contracts having the mentioned category of use and location. First of all, a period of several months after the entry into force of Law no. 175/2020, there were no methodological norms for its application, so it was not possible to authenticate the sales contracts having such an object. Then, the adoption of these methodological norms did not solve, unfortunately, all the problems generated by the entry into force of Law no. 175/2020. Unfortunately, there are still some texts of this law that are susceptible to interpretation and, worst of all, there is another drawback of application, which proves to be insurmountable, at least at this time, this being represented by the ignorance of the entity that calculates and collects the tax due by the seller, if the agricultural land outside the town was acquired by him, by purchase, less than 8 years before the time when the sale is desired. It is undeniable that the new amendments to the said normative act put to the test both the notaries public and, especially, the specialized apparatus of the mayor's institution, under whose supervision a very extensive procedure regarding the right of preemption must be carried out.*

- **THE VACANCY OF INHERITANCE, A TRADITIONAL INSTITUTION OF THE SUCCESSION LAW, SUBSTANTIALLY REPHRASED BY THE NEW CIVIL CODE**

Lecturer Ph.D. Dumitru VADUVA (University of Pitesti, Romania)

**THE INTERNATIONAL CONFERENCE**  
**"HISTORY, CULTURE, CITIZENSHIP IN THE EUROPEAN UNION"**  
**Pitesti – May 6, 2022**

*The Romanian state cannot be disinterested in the unclaimed estates and on which there is information that it could be disinherited because it has to protect the creditors of the inheritance and at the same time the public order which would be disturbed if such an inheritance was left to hunters of "found" ownerless goods. Therefore, the law organizes a procedure to protect the interests of the heirs who could prove that they are within the term of exercise of the succession option but also that of the creditors of the inheritance. The latter recover their claims from the persons to whom the law recognizes a succession vocation in the absence of legal or testamentary heirs, the territorial administrative units within whose radius the assets of the inheritance are located, respectively the state if the inheritance has foreign or immovable elements located on the territory of another state.*

• **ORGANIZATIONAL CULTURE IN A PANDEMIC CONTEXT**

Ph.D. Student Alin Adrian DINCA („Valahia” University of Târgoviște)

*Looking back on the recession and previous crisis, it can be seen that the pandemic that humanity is still going through will greatly transform our personal and professional lives in many ways - trust in others, satisfaction and not in followed by the behavior of the leaders of the organization. Recent studies have shown that, in the context of the SARS-CoV pandemic, both organization leaders and employees are placing increasing emphasis on the importance of organizational communication. There was also a growing need for individuals to be informed as promptly and correctly as possible by the higher forums - governmental and local authorities, managers, etc. Beyond the communication aspects, the general behavior of managers will probably not be forgotten by employees, as human nature is directed, in such situations, towards a return to basic instincts. Throughout the pandemic, the most diverse reactions of organizational leaders were observed, often extreme, but also balanced, ethical, full of empathy, behaviors that will be seen at some point in life, in the culture of the organization, especially in the future, when new employees are recruited.*

**THE INTERNATIONAL CONFERENCE**  
**"HISTORY, CULTURE, CITIZENSHIP IN THE EUROPEAN UNION"**  
**Pitești – May 6, 2022**

• **THE VALENCES OF WORK WITHIN THE  
CONTEMPORARY SOCIETY**

Ph.D. Student, Professor Catalin-Andrei MATEI (Faculty of Orthodox Theology "Saint Nicodim" – Craiova/ "Matei Basarab" Gymnasium School – Pitești, Romania)

*In the current socio-cultural context there is a need for a formative education of work with a divine, social and personal approach. On the labor market there is a social and moral crisis. I believe that is necessary correlating the resources of the school with the requirements of the labor market for outlining the social aspirations of professional training students, a career and find a job. Moreover, work is a factor of moral progress and cultivation of virtue in a secularized world.*

• **CONDITIONS FOR ACCESS TO ROAD TRANSPORT  
ACTIVITY IN THE LIGHT OF RECENT LEGISLATIVE  
CHANGES**

Lecturer Ph.D. Amelia GHEOCULESCU / SINGH (Faculty of Economic Sciences and Law, University of Pitești, Romania)

*National and European legislation have recently been amended as regards the conditions of access to the occupation of road transport operator. in addition to the additions brought by the legislator to each of the access conditions, it is essential that they must be fulfilled by all operators engaged in the transport with vehicles exceeding 2.5 tons.*