





Challenges of the Knowledge Society

May 12th-13th, 2017 - 11th Edition

INTERNATIONAL SCIENTIFIC COMMITTEE

Ion NEAGU, "Nicolae Titulescu" University; José Luis de la CUESTA, San Sebastian, Spain; Viorel CORNESCU, "Nicolae Titulescu" University; Gabriel BOROI, "Nicolae Titulescu" University; Mircea DAMASCHIN, "Nicolae Titulescu" University; Lorena BACHMAIER WINTER, Complutense University, Madrid, Spain; Maria Luz SUAREZ CASTIÑEIRA, University of Deusto, Spain; Antonio Manrique de LUNA BARRIOS, University of Deusto, Spain; Steffen Bay RASMUSSEN, University of Deusto, Spain; Bogdan MICU, "Nicolae Titulescu" University; Mihai HOTCA, "Nicolae Titulescu" University; Nicolae POPA, "Nicolae Titulescu" University; Alexandru OLTEANU, "Nicolae Titulescu" University; Serghei MĂRGULESCU, "Nicolae Titulescu" University; Augustin FUEREA, "Nicolae Titulescu" University; Viorel ROŞ, "Nicolae Titulescu" University; Ioan CHIŞ, "Nicolae Titulescu" University; Vasile DOBRINOIU, "Nicolae Titulescu" University; Sica STANCIU, "Nicolae Titulescu" University; Adina CREȚAN, "Nicolae Titulescu" University; Raluca MIGA-BEŞTELIU, "Nicolae Titulescu" University; Nicoleta JULA, "Nicolae Titulescu" University; Valentina VASILE, "Nicolae Titulescu" University; Liviu STĂNCIULESCU, "Nicolae Titulescu" University; Traian DIMA, "Nicolae Titulescu" University; Andrei MURARU, "Nicolae Titulescu" University; Erika ROTH, University of Miskolc, Hungary; Elena ANDREEVSKA, SEE University, Tetovo, Macedonia; Mirela GORUNESCU, "Nicolae Titulescu" University; Vasile NEMEŞ, "Nicolae Titulescu" University; Cristian GHEORGHE, "Nicolae Titulescu" University; Elena NEDELCU, "Nicolae Titulescu" University; Maria GRIGORE, "Nicolae Titulescu" University; Mădălina RĂDOI, "Nicolae Titulescu" University; Constantin BRĂGARU, "Nicolae Titulescu" University; Mariana GURĂU, "Nicolae Titulescu" University; Yusuf AKAN, Ataturk University, Erzurum, Turkey; Zlata DURDEVIC, University of Zagreb, Croatia; Vasilka SANCIN, University of Ljubljana, Slovenia; Gabriel Uluitu, "Nicolae Titulescu" University; Ştefan NAUBAUER, "Nicolae Titulescu" University; Claudia CLIZA, "Nicolae Titulescu" University; Elena ŞTEFAN, "Nicolae Titulescu" University; Paul BUTA, "Nicolae Titulescu" University; "Nicolae Titulescu" University; Mihaela ILIESCU, "Nicolae Titulescu" University; Liviu RADU, "Nicolae Titulescu" University; Diana Elena NEAGA, "Nicolae Titulescu" University; Carmen RADU, "Nicolae Titulescu" University, Dan-Alexandru SITARU, "Nicolae Titulescu" University

ORGANIZING COMMITTEE

Ion NEAGU, Lorena BACHMAIER WINTER, Viorel CORNESCU, Mircea DAMASCHIN, Ion DRAGNE, Andreea STROE, Lamya Diana HĂRĂTĂU, Carmen CARAIMAN, Paul BUTA, Dan-Alexandru SITARU, Mirela Cristiana NILĂ-STRATONE, Maria Loredana NICOLESCU, Viorica Mirela ŞTEFAN-DUICU, Diana Elena NEAGA, Carmen RADU, Otilia Elena PLATON, Andrei







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DIAMANDESCU, Carla ANGHELESCU, Mihai NOVAC, Dan VELICU, Laura SPĂTARU-NEGURĂ, Oana-Măriuca PETRESCU, Sergiu PAŞCU, Elena STRUGARU.

~ FRIDAY, MAY 12th ~

09.00-10.00	REGISTRATION OF PARTICIPANTS "Nicolae Titulescu" University – ground floor
10.00-11.30	PLENARY SESSION – Amphitheatre No. 1
10.00-10.10	WELCOME ADDRESS Gabriel BOROI, Professor, PhD, Rector of "Nicolae Titulescu" University, Bucharest
10.10-10.40	"The Post-Obama American Leadership: Leading from behind?" Marta Enciso SANTOCILDES, Associate Professor, PhD, University of Deusto, Bilbao, Spain
10.40-11.10	"Fighting Crime in the Knowledge Society" Pinar Memiş KARTAL, Associate Professor, PhD, Galatasaray University, Istanbul, Turkey
11.10-11.30	"Human beings trafficking in the European Court of Human Rights case-law" Laura SPĂTARU-NEGURĂ, Assistant Lecturer, PhD, Nicolae Titulescu University, Bucharest
11.30-12.00	COFFEE BREAK
12.00-15.00	PANEL SESSIONS

SECTION 1 – JURIDICAL SCIENCES

Subsection 1.1. Criminal Law – Room No. 12 (ground floor)

Subsection 1.2. Private Law – Amphitheatre No. 7 (ground floor)

Subsection 1.3. Public Law – IT Laboratory No. 6 (second floor)

Subsection 1.4. Intellectual Property Law – Private Law Department (first floor)

SECTION 2 – ECONOMIC SCIENCES

Subsection 2.1. Economics – Senate Hall (first floor)

Subsection 2.2. Business Administration and Marketing – Senate Hall (first floor)

Subsection 2.3. Finance and Accounting – Senate Hall (first floor)







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SECTION 3 – ADMINISTRATIVE AND POLITICAL SCIENCES

Subsection 3.1. Political Sciences, European Studies and International Relations – IT Laboratory No. 5 (second floor) Subsection 3.2. Education and Sociology – IT Laboratory No. 5 (second floor)

SECTION 4 – IT IN SOCIAL SCIENCES – IT Laboratory No. 2 (first floor)

14.30-16.30 LUNCH BREAK ("Salt and Pepper" Restaurant)

20.00-22.00 CEREMONIAL DINNER ("Caru' cu bere" Restaurant)

~ SATURDAY, MAY 13th ~

10.00-10.30 CLOSING CEREMONY – "SENATE" HALL (first floor)

Gabriel BOROI, Professor, PhD, Rector of the "Nicolae Titulescu" University, **Bucharest**

Mircea DAMASCHIN, Professor, PhD, Vice-Rector of the "Nicolae Titulescu" University, Bucharest

10.30-11.00 COFFEE BREAK

11.30-13.30 BUCHAREST CITY TOUR

14.00-16.00 LUNCH ("Hanul lui Manuc" Restaurant)







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SECTION 1 - JURIDICAL SCIENCES

SUBSECTION 1.1. CRIMINAL LAW

Room – no. 12 (ground floor)

Chairpersons Associate Professor, PhD, Mirela GORUNESCU

Lecturer, PhD Constantin NEDELCU

01. Author Marian ALEXANDRU

Scientific degree and title Lecturer, PhD

Affiliation Faculty of Law and Administrative Science, "Ovidius" University

of Constanţa

Title of the paper PLEA AGREEMENT DURING THE CRIMINAL PROSECUTION OF A

CRIMINAL TRIAL

02. Author Marian ALEXANDRU

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Title of the paper JUDGE'S LIABILITY WHILE CARRYING OUT THEI PROFESSIONAL

DUTIES

03. Author Andrei-Dorin BĂNCILĂ

Affiliation Faculty of Law, "Nicolae Titulescu" University of Bucharest

Title of the paper THE PROBATION MEASURES – THE REASONS FOR THE

REGULATION

04. Author Nadia CANTEMIR-STOICA

Scientific degree and title PhD Candidate; Definitive Attourney

Affiliation Faculty of Law, "Nicolae Titulescu" University of Bucharest;

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Title of the paper TERMINATION OF PREVENTIVE MEASURES – COMPARATIVE

LAW ISSUES

05. Author Dorian CHIRIŢĂ

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Affiliation Faculty of Law, "Nicolae Titulescu" University of Bucharest

Title of the paper OBSERVANCE OF THE FUNDAMENTAL RIGHTS OF CONVICTED

INDIVIDUALS DURING THE RE-EDUCATION AND SOCIAL

REINSERTION PROCESS

06. Author Luminiţa CRISTIU-NINU

Scientific degree and title Judge

Affiliation Court of Appeal Bucharest







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SHORT REFLECTIONS REGARDING PRECAUTIONARY AND Title of the paper

PREVENTIVE MEASURES ORDERED IN THE CRIMINAL TRIAL

AGAINST AN INSOLVENT LEGAL PERSON

07. **Author** Mircea DAMASCHIN

> Scientific degree and title Professor, PhD

Faculty of Law, "Nicolae Titulescu" University of Bucharest **Affiliation** Title of the paper

HEARING AS A WITNESS THE PERSON AGAINST WHOM

CRIMINAL CHARGES MAY BE FILED

08. **Author Traian DIMA**

> Scientific degree and title Professor, PhD

Affiliation

Faculty of Law, "Nicolae Titulescu" University of Bucharest Title of the paper CONSIDERATIONS ON THE MATERIAL ELEMENT OF THE

> OBJECTIVE SIDE OF THE CRIMINAL OFFENCE OF PUBLIC ORDER AND TRANQUILITY DISTURBANCE, AS PROVIDED IN ARTICLE

371 OF THE CRIMINAL CODE

Name of the co-authors

and affiliation

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Florentina Laurenția GĂIŞTEANU 09. **Author**

Scientific degree and title

Affiliation

Title of the paper

PhD Candidate

Faculty of Law, "Nicolae Titulescu" University of Bucharest COMPARATIVE STUDY ON THE RIGHT TO HEALTH CARE SYSTEM

PRISON LAW INTENDED TO ROMANIAN NATIONAL HEALTH

LAW

10. **Author** Radu Florin GEAMĂNU

Scientific degree and title

Affiliation

Title of the paper

PhD Candidate, Legal Adviser, Romanian Ministry of Justice Faculty of Law, "Nicolae Titulescu" University of Bucharest FREEDOM OF EXPRESSION AND VIOLENCE AGAINST

JOURNALISTS

11. Author Mirela GORUNESCU

Scientific degree and title

Affiliation

Title of the paper

Associate Professor, PhD

Faculty of Law, "Nicolae Titulescu" University of Bucharest THE USE WITHOUT RIGHT OF THE PRIVILEGED INFORMATION

(INSIDE TRADING) - OFFENSE REGARDING THE CAPITAL

MARKET

12. **Author** Mihai Adrian HOTCA

Scientific degree and title

Affiliation

Title of the paper

Professor, PhD

Faculty of Law, "Nicolae Titulescu" University of Bucharest CONSIDERATIONS ON THE PRINCIPLE OF LEGALITY OF

CRIMINALISATION







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Andrei IUGAN 13. Author

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CIVIL ACTION SETTLEMENT IN CRIMINAL PROCEEDINGS Title of the paper

THE DANGER RELATED CRIMES

14. **Author Dantes MARCOVICI**

> Scientific degree and title PhD Candidate

Affiliation Faculty of Law, "Nicolae Titulescu" University of Bucharest Title of the paper THE JUDGE'S ROLE OF SURVEILLANCE OF DEPRIVATION OF LIBERTY

IN THE EXECUTION OF THE CUSTODIAL PENALTIES.

15. **Author** Mihai MAREŞ

Scientific degree and title PhD Candidate

Affiliation Legal Research Institute of the Romanian Academy

Title of the paper THE EXCLUSION OF EVIDENCE IN CRIMINAL PROCEEDINGS - A

COMPARATIVE APPROACH

16. Author **Bogdan MICU**

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Affiliation Faculty of Law, "Nicolae Titulescu" University of Bucharest

Title of the paper THEORETICAL AND PRACTICAL CONSIDERATIONS REGARDING

THE PROCEDURE OF PRELIMINARY CHAMBER

17. Author Constantin NEDELCU

Scientific degree and title Lecturer, PhD

Affiliation

Title of the paper CRIME OF MONEY LAUNDERING REFLECTED IN THE RECENT

MANDATORY JURISPRUDENCE OF THE HIGH COURT OF

Faculty of Law, "Nicolae Titulescu" University of Bucharest

CASSATION AND JUSTICE

Alin Sorin NICOLESCU 18. Author

Scientific degree and title Judge, PhD Candidate

Affiliation Bucharest Court of Appeal, Faculty of Law, "Nicolae Titulescu"

University of Bucharest

Title of the paper THEORETICAL AND JUDICIAL PRACTICE REFLECTIONS

> REGARDING THE OFFENCE OF PUTTING INTO CIRCULATION OR DRIVING AN UNREGISTERED/UNLISTED VEHICLE (ART. 334.

CRIMINAL LAW)

Author George Octavian NICOLAE

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Affiliation

Faculty of Law, "Nicolae Titulescu" University of Bucharest Title of the paper THE CRIMINAL CHARGE

Name of the co-authors Sebastian Bogdan GAVRILĂ and affiliation Judge at First Instance Court Bucharest







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20. Author Iulia POPESCU

Scientific degree and title PhD Candidate, Judge

Affiliation Faculty of Law, "Nicolae Titulescu" University of Bucharest

Title of the paper THE PRIVATE VISIT – RIGHT OR COMPENSATION

21. Author Rodica Aida POPA

Scientific degree and title Lecturer, PhD, Judge

Affiliation Faculty of Law, "Nicolae Titulescu" University of Bucharest;

High Court of Cassation and Justice

Title of the paper ASPECTS OF GUILTY PLEA AND PROCEDURE OF GUILT

ADMITTANCE, NEW JUDICIAL INSITUTIONS FOR A CRIMINAL

TRIAL OF HIGHER QUALITY

22. Author Irinel Dumitru SAMOILĂ

Scientific degree and title PhD Candidate

Affiliation University of Bucharest

Title of the paper THE JUDICIAL TREATMENTN APPLICABLE TO INFRIGEMENT OF

THE PROVISIONS ON SETTING AS CIVIL PART IN THE CRIMINAL

TRIAL

23. Author Mircea Constantin SINESCU

Scientific degree and title Assistant Lecti

Affiliation Faculty of Law, "Nicolae Titulescu" University of Bucharest

Title of the paper COMMENTS ON THE OFFENSE SET FORTH UNDER ART.13 IN

THE LAW No. 78/2000

Name of the co-authors

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24. Author Sorin-Alexandru VERNEA

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Affiliation

University of Bucharest

dilliation Offiversity of Buchares

Title of the paper CRIMINAL LIABILITY OF A LEGAL ENTITY ACCORDING TO

ROMANIAN LAW NO.46/2008

25. Author Andrei ZARAFIU

Scientific degree and title Associate Professor, PhD

Affiliation

Faculty of Law, University of Bucharest

Title of the paper ACTUAL ISSUES REGARDING THE ENFORCEMENT OF LEGAL

STANDARDS OF THE DEED OF INTIMATION LODGED WITH THE COURT OF LAW IN THE ROMANIAN COURT PROCEEDINGS







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JURIDICAL SCIENCES

SUBSECTION 1.2. - PRIVATE LAW

Amphitheatre No. 7 (ground floor)

Professor PhD, Dan LUPAŞCU Chairpersons

Lecturer, PhD, Alexandru SITARU

01. Author **Monica CALU**

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Title of the paper BEATING BANKS THROUGH KNOWLEDGE

Name of the co-authors **Costel STANCIU**

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Bucharest

Roxana-Mihaela CĂTEA Author

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Faculty of Law, "Nicolae Titulescu" University of Bucharest Affiliation Title of the paper PRACTICAL ASPECTS REGARDING THE CLAIM FOR THE

ANNULMENT OF THE RESOLUTIONS OF THE GENERAL MEETING OF SHAREHOLDERS, FROM A SUBSTANTIAL AND PROCEDURAL

PERSPECTIVE

03. Author **Corina Georgiana COSTEA**

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Affiliation

Faculty of Law, "Nicolae Titulescu" University of Bucharest THE COMPOSITION - A REHABILITATION PROCEEDING Title of the paper

Florin CONSTANTINESCU 04. Author

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Title of the paper THE LEGAL REGIME OF THE MORTGAGE OVER THE SHARES AND

SOCIAL PARTS IN THE CURRENT BUSINESS ENVIRONMENT

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Title of the paper CONSIDERATION REGARDING THE LAW no.77/2016 IN VIEW OF

DECISION OF THE CONSTITUTIONAL COURT no.623/2016

06. **Author** Valentin COCEAN

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Faculty of Law, "Nicolae Titulescu" University of Bucharest Affiliation







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THE DISCERNMENT-REQUIRMENT FOR THE VALIDITY OF Title of the paper

CONSENT

Eniko DAMASCHIN 07. Author

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Title of the paper CLASSIFIED DOCUMENTS IN CIVIL LAWSUITS

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PROFESSIONAL LIABILITY: PARTICULAROTIES OF CIVIL LIABILITY Title of the paper

REGARDING THE LIBERAL PROFESSIONS

09. **Author Roxana-Cristina DUTESCU**

Scientific degree and title PhD Candidate

Faculty of Law, "Nicolae Titulescu" University of Bucharest **Affiliation**

Title of the paper MEDICAL MALPRACTICE. THE MALPRACTICE INSURANCE

10. Author Gabriela FIERBINTEANU

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Affiliation

Faculty of Law, "Nicolae Titulescu" University of Bucharest A NEW APPROACH IN CROSS BORDER CASES - REGULATION (EU) Title of the paper

NO 2015/848 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL OF 20 MAY 2015 ON INSOLVENCY PROCEEDINGS

(RECAST)?

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Title of the paper MANDATORY TAKEOVER BIDS ON ROMANIAN CAPITAL MARKET

12. Author **Dan LUPASCU**

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THEORETICAL AND PRACTICAL ISSUES REGARDING THE Title of the paper

MATRIMONIAL REGIMES

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STUDY ON THE OBJECTIVE NOVATION OF AN OBLIGATION Title of the paper

14. Author **Dănilă Ștefan MATEI**

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Affiliation

Faculty of Law "Nicolae Titulescu" University of Bucharest CHARACTERISTICS OF THE CARGO INSURANCE CONTRACT IN Title of the paper

CASE OF INTERNATIONAL LAND TRANSPORT

Emilian Constantin MEIU 15. Author

Scientific degree and title

Affiliation

Title of the paper

PhD Candidate

Faculty of Law, "Nicolae Titulescu" University of Bucharest THE POSSIBILITY OF CONVENTIONAL REPRESENTATION OF A CREDITOR LEGAL ENTITY BY ANOTHER LEGAL REPRESENTATIVE

IN THE ENFORCEMENT PHASE

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Title of the paper

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Title of the paper PREREQUISITES OF THE RESOLUTION OF A CONTRACT

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Title of the paper ISSUES RELATED TO THE APPEARANCE, EVOLUTION, FUNCTIONS

AND UTILITY OF THE LEGAL EXPENSES INSURANCE CONTRACTS,

ESPECIALLY WITHIN THE EUROPEAN UNION'S STATES

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Title of the paper

A FEW ASPECTS REGARDING THE SIMULATION OF CONTRACT IN

THE ROMANIAN CIVIL CODE

20. Author Silviu-Dorin \$CHIOPU

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Affiliation

PhD Candidate

Title of the paper

Faculty of Law, "Nicolae Titulescu" University AN OVERVIEW ON THE TRANSLATIVE VERSUS THE

CONSTITUTIVE EFFECT OF THE INHERITANCE PARTITION IN

ROMANIA







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THE REQUIRED FORM OF A PRE-CONTRACT Title of the paper ALLOWING FOR A COURT JUDGMENT

TO STAND FOR A SALE CONTRACT

22. Author Raluca Antoaneta TOMESCU

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Title of the paper THE OBJECT OF LEASING OPERATIONS

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Title of the paper

Faculty of Law, University of Bucharest IMMUNITY AND LENIENCY POLICY IN COMPETITION CASES

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Title of the paper

THE LACK OF REGULATION IN THE ROMANIAN CIVIL CODE OF THE LEGAL SOLUTIONS OF PRINCIPLE IN THE FIELD OF REAL

RIGHTS

25. Author **Gabriel VASII**

Scientific degree and title

Affiliation

PhD Candidate

Faculty of Law, "Nicolae Titulescu" University of Bucharest Title of the paper IMPLEMENTING THE CONSTITUTIONAL COURT'S RECENT DECISIONS REGARDING CERTAIN PROVISIONS STIPULATED FOR

CREDIT AGREEMENTS AND CREDIT CONVERSION

Dan VELICU 26. **Author**

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Lecturer, PhD

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Title of the paper

Faculty of Law, "Nicolae Titulescu" University of Bucharest THE SELLER'S OBLIGATION TO DELIVER THE GOODS ACCORDING

TO CISG







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SECTION 1 – JURIDICAL SCIENCES

SUBSECTION 1.3.- PUBLIC LAW

IT Laboratory No. 6

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Lecturer, PhD Elena ŞTEFAN

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THE FUTURE OF HUMAN RIGHTS TOWARDS A WORLD COURT Title of the paper

OF HUMAN RIGHTS: REASONS FOR THE ESTABLISHMENT

02. Author **Marius ANDREESCU**

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REASONS CONCERNING THE RESTRICTION OF SOME RIGHTS IN Title of the paper

COMPLIANCE WITH THE PROVISIONS OF ART. 53 OF

CONSTITUTION

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03. Author **Marius ANDREESCU**

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Title of the paper CONSTITUTION AND CONSTITUTIONALISM

CONTEMPORARY ISSUE

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JUDICIAL PRECEDENT, A LAW SOURCE Title of the paper

05. **Author Elena ANGHEL**

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Title of the paper **JUSTICE AND EQUITY**







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06. Author Dragoș – Adrian BANTAȘ

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Title of the paper POSTWAR INTERNATIONAL ORGANIZATIONS PREDECESSOR OF

THE EUROPEAN UNION

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Title of the paper THE RATIONALE OF LAW. THE ROLE AND IMPORTANCE OF THE

LOGICAL METHOD OF INTERPRETATION OF LEGAL NORMS

08. Author Valentina BĂRBĂŢEANU

Scientific degree and title Assist

Affiliation

Title of the paper

Assistant Lecturer, PhD

Faculty of Law, "Nicolae Titulescu" University of Bucharest THE PLACE OF POLITICAL PARTIES IN A DEMOCRATIC STATE,

THROUGH THE GLASS OF CONSTITUTIONAL REVIEW

09. Author Silviu Gabriel BARBU

Scientific degree and title Associat

Affiliation

Title of the paper

Associate Professor, PhD

Faculty of Law and Sociology, "Transilvania" University of Brasov THE SEPARATION OF POWERS IN THE CONSTITUTIONS OF THE

EU MEMBER STATES

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Title of the paper THE PRINCIPLE OF SEPARATION OF POWERS - CONSTITUTIONAL

GUARANTEE

11. Author Claudia CLIZA

Scientific degree and title

Affiliation

Title of the paper

Associate Professor, PhD

Faculty of Law, "Nicolae Titulescu" University of Bucharest
ASSESSMENTS REGARDING THE LEGAL NATURE OF AN ACT
BETWEEN A LABOR LAW ACT, A NORMATIVE ADMINISTRATIVE

ACT OR AN INDIVIDUAL ADMINISTRATIVE ACT







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12. Author Claudia CLIZA

> Scientific degree and title Associate Professor, PhD

Faculty of Law, "Nicolae Titulescu" University of Bucharest **Affiliation** Title of the paper CONFLICT OF INTERESTS' REGULATION ON ELECTED OFFICIALS

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`HEALTH CLAIMS` NOTION IN THE CASE LAW OF THE EUROPEAN Title of the paper

COURT OF JUSTICE

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Title of the paper WHAT IS THE PRICE FOR BREAKING EU LAW?

15. Author **Cornelia Beatrice Gabriela ENE-DINU**

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Faculty of Law, "Nicolae Titulescu" University of Bucharest **Affiliation**

THE IMPACT OF PRELIMINARY RULINGS PRONOUNCED BY THE Title of the paper

COURT OF JUSTICE OF THE EUROPEAN UNION ON THE ACTIVITY

OF THE ROMANIAN COURTS OF LAW

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THE ECJ CASE-LAW ON THE ANNULMENT ACTION: GROUNDS, EFFECTS Title of the paper

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THE INFLUENCE OF MONETARY POLICY ON INVESTMENT

DECISION IN THE EURO ZONE







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