

5-th INTERNATIONAL CONFERENCE
Exploration Education and Progress in the Third Millennium
18th-19th of April 2013

Programme and Abstracts





Thursday, April 18th

12:00 AM: Welcoming participants (Dean's speech)

12:30 AM: Light lunch offered by the organizing committee

1:30 PM – 3:30 PM

I. Round table – *Individual's protection according to the penal law*

Chair: Professor Alexandru Boroi

Keynote contributor: Assoc. Prof. Gheorghe Ivan

II. Round table – *Le déficit démocratique de l'Europe: réalité ou phantasme? Comment rapprocher l'Europe de ses citoyens? (en français)*

Chair: Lecturer Liviu Coman-Kund

Keynote contributor: Professor Michel Fournaux

Keynote speaker: Professor Dana Tofan

III. Round table – *"Expert in labor law" - a new specialist for employer issues*

Chair: Assoc. Prof. Mihnea Claudiu Drumea

Keynote contributor: Lecturer Ana Ștefănescu

Keynote speakers: Ionel Petrea; Assoc.Prof. Dan Țop

IV. Round table – *Mediation in family relations*

Chair: Assoc. Prof. Nadia Aniței

Keynote contributor: Mihai Popescu

Keynote speakers: Assoc. Prof. Simona Petrina Gavrilă; Lecturer Onorina Botezat; Lecturer Nora Andreea Daghie

02:30 PM Coffee Break

03:30 PM End of debate

04:00 PM Danube promenade

08:00 PM Dinner



Friday, April 19th

08:30 AM: Arrival and registration of participants

9:00 AM – 12:15 AM: Sessions

Each session, moderated by a president, will take place in three stages:

- *Rapporteur's presentation of the session / terms of thematic, communications and questions arisen.*
- *Presentation in a synthetic form of the ideas proposed and analyzed by each author.*
- *Debate between the audience, rapporteur and authors.*

Session 1. a – Public Law

President: Professor Alexandru Boroï

Rapporteur: Associate Professor Gheorghe Ivan

09:00 AM Sessions

ENVIRONMENT IN EUROPEAN CRIMINAL LAW

Mihaela AGHENIȚEI

Ph.D. Lecturer, Faculty of Judicial, Social and Political Sciences, "Dunărea de Jos" University of Galati, Romania

Prosecuter, National Anticorruption Directorate, Territorial Service Galați,

BRIEF CONSIDERATIONS REGARDING PREVENTIVE MEASURE OF HOUSE ARREST IN THE NEW CODE OF CRIMINAL PROCEDURE

Silviu - Gabriel BARBU

Ph.D. Associate Professor, Faculty of Law, "Transilvania" University Brasov

Nicoleta CHIHAIA

Judge, Galati Court,

THE IMPACT OF ARTICLE 1 OF THE EUROPEAN CONVENTION ON HUMAN RIGHTS ON THE ROMANIAN LEGISLATION CONCERNING THE RESTITUTION OF CONFISCATED PROPERTIES

Monica BUZEA

Ph.D. Assistant, Faculty of Judicial, Social and Political Sciences, "Dunărea de Jos" University of Galati, Romania

Prosecuter, Public Prosecutor's Office attached to the Court of Appeal Galati,

APPLYING THE INSTITUTION OF MEDIATION TO CRIMINAL CAUSES

Monica BUZEA

Ph.D. Assistant, Faculty of Judicial, Social and Political Sciences, "Dunărea de Jos" University of Galati, Romania

Prosecuter, Public Prosecutor's Office attached to the Court of Appeal Galati,

CRIME OF ILLEGALLY CONFINEMENT UNDER THE NEW PENAL CODE

Ion IFRIM



Scientific researcher III, , Institutul de Cercetări Juridice „Acad. Andrei Rădulescu” al Academiei Române

CONSIDERATIONS ON CRIME OF RAPE UNDER THE NEW PENAL CODE

Oana Roxana IFRIM

Ph.D. Lecturer, Facultatea de Drept și Administrație Publică, Universitatea Spiru Haret din București

10:30 AM Coffee Break

10:45 AM Sessions

THE OFFENCE OF OMISSION ACCORDING TO THE NEW ROMANIAN CRIMINAL CODE

Gheorghe IVAN

*Ph.D. Associate Professor, Faculty of Judicial, Social and Political Sciences, “Dunărea de Jos” University of Galati, Romania Science Research Associate – „Andrei Radulescu Acad.” Institute for Judicial Research within the Romanian Academy;
Chief Prosecutor – Galati Regional Department, National Anticorruption Directorate*

Mari-Claudia IVAN

Legal adviser

THE CRIMINAL LIABILITY OF EUROPEAN CIVIL SERVANTS

Ștefania-Cristina MIRICĂ

Ph.D. Lecturer, Faculty of Judicial, Social and Political Sciences, “Dunărea de Jos” University of Galati, Romania

TRANSFERRED INTENT. CONCEPT

Călina - Andreea MUNTEANU

Ph.D. Student Lecturer, "Petre Andrei" University of Iasi

CRIMES AGAINST THE EUROPEAN COMMUNITIES' FINANCIAL INTERESTS

Getty-Gabriela POPESCU

Ph.D. Asisstant, Faculty of Judicial, Social and Political Sciences, “Dunărea de Jos” University of Galati, Romania

OFFENCES RELATING TO CAPITAL MARKET

Adriana STANCU

Ph.D. Lecturer, Faculty of Judicial, Social and Political Sciences, “Dunărea de Jos” University of Galati, Romania

MONEY LAUNDERING

Adriana STANCU

Ph.D. Lecturer, Faculty of Judicial, Social and Political Sciences, “Dunărea de Jos” University of Galati, Romania

THEORIES REGARDING THE DOMESTIC AND GENDER BASED VIOLENCE

Lavinia Mihaela VLĂDILĂ



Ph.D. Lecturer, Facultatea de Drept și Științe Social-Politice, Universitatea "Valahia" din Târgoviște

Session 1 b – Public Law

President : Associate Professor Florin Tudor

Rapporteur: Associate Professor Mihai Floroiu

09:00 AM Sessions

GENERAL ISSUES CONCERNING EXCISE SUSPENSION SYSTEM

Georgiana COVRIG

Ph.D. Student Assistant, Faculty of Law and Public Administration, Spiru Haret University of Constanta, Romania

THE HUMAN FUNDAMENTAL RIGHTS AND LIBERTIES IN THE TEXT OF SOME DECLARATIONS OF THE COUNCIL OF EUROPE

Nicolae DURĂ

Ph.D. Professor, Ovidius University of Constanța, Romania

Cătălina MITITELU

Ph.D. Lecturer, Ovidius University of Constanța, Romania

INTERNATIONAL ARBITRATION

Mihai FLOROIU

Ph.D. Associate Professor, Faculty of Judicial, Social and Political Sciences, "Dunărea de Jos" University of Galati, Romania

OPINIONS ON COMPLYING WITH THE RIGHT TO A HEALTHY ENVIRONMENT

Oana GĂLĂȚEANU

Ph.D. Lecturer, Faculty of Judicial, Social and Political Sciences, "Dunărea de Jos" University of Galati, Romania

SHORT OVERLOOK ON THE HETEROGENEITY OF HUMAN RIGHTS GENERATIONS

Alina GENTIMIR

Ph.D. Lecturer, Faculty of Law, Al. I. Cuza University of Iasi

A REVIEW OF THE 1552/2011 DECISION OF THE ROMANIAN CONSTITUTIONAL COURT ABOUT THE 42ND ARTICLE OF LAW NO. 188/1999

Mădălina – Elena MIHĂILESCU

Ph.D. Lecturer, Faculty of Judicial, Social and Political Sciences, "Dunărea de Jos" University of Galati, Romania

THE EFFICIENCY OF THE CURRENT MEANS OF PROTECTION AGAINST DOMESTIC VIOLENCE AND ABUSE IN FAMILY. THE RESTRAINING ORDER

Andreea Elena MIRICĂ

Ph.D. Lecturer, Faculty of Judicial, Social and Political Sciences, "Dunărea de Jos" University of Galati, Romania



10:30 AM Coffee Break

10:45 AM Sessions

THE ROLE OF THE CIVIL SOCIETY IN PROTECTING HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN RELATION WITH THE PUBLIC MINISTRY

Ruxandra MITICĂ

Ph.D. Student, National School of Political and Administrative Studies

FREEDOM OF EXPRESSION AS A CORE VALUE OF CONTEMPORARY SOCIETY

Carmen MOLDOVAN

Ph.D. Assistant, Faculty of Law, "Al. I. Cuza" University of Iași

THE BALANCED BUDGET – A LEGISLATED DESIDERATUM

Rada POSTOLACHE

Ph.D. Lecturer, Faculty of Law and Social-Political Sciences, "Valahia" University of Târgoviște

LIMITATIONS AND COMPLETIONS OF THE FUNDAMENTAL RIGHTS: ARGUMENTS IN THE CASE OF HISTORICAL REMEDIES

Gabriel RADU

Ph.D. Student, National School of Political and Administrative Studies

ADMINISTRATIVE COERCION AND HUMAN RIGHTS

Dana VULPAȘU

Ph.D. Student, Doctoral School in "Administrative Sciences", National School of Political and Administrative Studies

Session II – Private Law

President : Associate Professor Ioan Apostu

Rapporteur: Lecturer Alexandru Bleoanca

09:00 AM Sessions

PRIMARY QUALIFICATION OF THE MATRIMONIAL AGREEMENT NOTION

Nadia Cerasela ANIȚEI

Ph.D. Associate Professor, Faculty of Judicial, Social and Political Sciences, "Dunărea de Jos" University of Galați, Romania

SUR L'APPLICATION DE LA LOI DANS LE TEMPS: UN CAS INÉDIT D'APPLICATION DE LA LOI CONTRAVENTIONNELLE LA PLUS FAVORABLE

Alexandru BLEOANCĂ

Maître de conférences, Faculté des Sciences Juridiques, Sociales et Politiques, Université „Dunărea de Jos” de Galați, Roumanie

RESIGNATION - FORM OF TERMINATION OF THE INDIVIDUAL LABOR CONTRACT

Cosmin CERNAT

Ph.D. Lecturer, "Al. I. Cuza" Police Academy, Bucuresti



CONSIDERATIONS ON THE FUNDAMENTAL RIGHTS OF SHAREHOLDERS

Dragoş-Mihail DAGHIE

Ph.D. Assistant, Faculty of Judicial, Social and Political Sciences, "Dunărea de Jos" University of Galati, Romania

LEGAL WILL AND ITS LIMITS IN THE CONTRACT

Nora Andreea DAGHIE

Ph.D. Lecturer, Faculty of Judicial, Social and Political Sciences, "Dunărea de Jos" University of Galati, Romania

THE EVOLUTION OF LABOR RELATION REGULATIONS WITHIN 1934 TO 1937

Mihnea Claudiu DRUMEA

Faculty of Law and Public Administration, Spiru Haret University Constanta, Romania

BRIEF CONSIDERATIONS ON CONSENT TO MARRIAGE

Simona Petrina GAVRILĂ

Ph.D. Associate Professor, Faculty of Judicial, Social and Political Sciences, "Dunărea de Jos" University of Galati, Romania

CONSUMERS PROTECTION CONCERNING COMPETITION AND CONSUMPTION

Oana GĂLĂŢEANU

Ph.D. Lecturer, Faculty of Judicial, Social and Political Sciences, "Dunărea de Jos" University of Galati, Romania

THE TERM FOR ACCEPTING OR DISCLAIMING AN INHERITANCE ACCORDING TO THE CURRENT CIVIL CODE

Ilioara GENOIU

Ph.D. Lecturer, Faculty of Law and Social-Political Sciences, "Valahia" University of Târgovişte

10:30 AM Coffee Break

10:45 AM Sessions

THE INVOLVEMENT OF THE HIGH COURT OF CASSATION AND JUSTICE IN INTERPRETING AND APPLYING THE INTERNAL LAW FROM THE PERSPECTIVE OF THE EUROPEAN COURT OF HUMAN RIGHTS (CEDO) JURISPRUDENCE AND THAT OF THE NEW CIVIL PROCEDURE CODE

Gina IGNAT

Ph.D. Student, Assistant, Faculty of Judicial, Social and Political Sciences, "Dunărea de Jos" University of Galati, Romania

THE CONDITIONS OF VALIDITY FOR BILL PAYMENT

Ramona Mihaela OPREA

Ph.D. Student, Preparator, Faculty of Judicial, Social and Political Sciences, "Dunărea de Jos" University of Galati, Romania

EUROPEAN UNION DIRECTIVES REGARDING THE COMPANIES



Răducan OPREA

Ph.D. Professor, Faculty of Judicial, Social and Political Sciences, "Dunărea de Jos" University of Galati, Romania

THE OWNER'S PASSIVITY IN CASE OF ARTIFICIAL IMMOVABLE ACCESSION

Adriana Ioana PIRVU

Ph.D. Student, Assistant, The Faculty of Judicial and Administrative Sciences, University of Pitești

EXPERT IN LABOR LAW, A NEW OCCUPATION - FOR THE BENEFIT OF EMPLOYERS OR EMPLOYEES?

Ana ȘTEFĂNESCU

Ph.D. Lecturer, Faculty of Judicial, Social and Political Sciences, "Dunărea de Jos" University of Galati, Romania

UNIQUE COLLECTIVE EMPLOYMENT CONTRACT AT THE LEVEL OF HIGH EDUCATION AND RESEARCH SECTOR NO. 59495/2012 AND INDIVIDUAL EMPLOYMENT CONTRACTS OF UNIVERSITY STAFF

Ana ȘTEFĂNESCU

Ph.D. Lecturer, Faculty of Judicial, Social and Political Sciences, "Dunărea de Jos" University of Galati, Romania

THEORY AND PRACTICE ON DISMISSAL OF THE EMPLOYEES RETURNING FROM GROWTH AND CHILDCARE LEAVE

Dan ȚOP

Ph.D. Associate Professor, Valahia University of Târgoviște

Session III – Administrative Sciences and Regional Studies

President: Professor Romeo Ionescu

Rapporteur: Professor Violeta Puscasu

09:00 AM Sessions

LES EAUX DE CRUES ET LES RISQUES D'INONDATIONS DANS LA VILLE DE MAROUA : ENJEUX ET PERSPECTIVES

Daniel Valérie BASKA TOUSSIA

Assistant, Département de Géographie, ENS-Université de Maroua

Violeta PUȘCAȘU

Ph.D. Professor, Faculty of Judicial, Social and Political Sciences, "Dunărea de Jos" University of Galati, Romania

THE ELECTION PROCEDURE OF REPRESENTATIVE BODIES IN ATU GAGAUZIA

Oleg BERCU

Ph.D Lecturer, Faculty of Law and Public Administration, "Bogdan Petriceicu Hasdeu" State University of Cahul

THE 1997 AND 2008 FINANCIAL CRISES CAUSES AND CONSEQUENCES COMPARED

Pierre CHABAL



Maître de conférences, Université du Havre, France

THE ASPECTS OF RISK MANAGEMENT FOR PUBLIC ENTITIES

Neculina CHEBAC

Ph.D. Associate Professor, Faculty of Judicial, Social and Political Sciences, "Dunărea de Jos" University of Galati, Romania

Mădălina ORAC

Ph.D. Lecturer, Faculty of Judicial, Social and Political Sciences, "Dunărea de Jos" University of Galati, Romania

COMPARISON BETWEEN THE OMBUDSMAN IN FRANCE AND THE OMBUDSMAN IN ROMANIA

Liviu COMAN-KUND

Ph.D. Lecturer, Faculty of Judicial, Social and Political Sciences, "Dunărea de Jos" University of Galati, Romania

THE APPLICATION OF CITIZENS CONSULTATION PRINCIPLE IN PROBLEMS SOLVING ON ADMINISTRATIVE ORGANIZATION OF THE TERRITORY

Sergiu CORNEA

Ph.D. Associate Professor, "Bogdan Petriceicu Hasdeu" State University of Cahul

DILEMMAS OF THE INTERMEDIATE LEVEL OF THE ADMINISTRATION

Valentina CORNEA

Ph.D. Associate Professor, "Bogdan Petriceicu Hasdeu" State University of Cahul

THE ROLE OF R.MOLDOVA PARTICIPATION WITHIN THE "BLACK SEA" EUROREGION IN THE CONTEXT OF EUROPEAN INTEGRATION PROCESS

Nicolae DANDIŞ

Director of Cahul Pro-Europa Center, , Cahul State University „B.P.Hasdeu”

PRODUCTION DE LA CERAMIQUE ET EFFETS SOCIO-ECONOMIQUE ET CULTUREL DANS LES SOCIETES TRADITIONNELLES DE L'EXTREME-NORD DU CAMEROUN

Remy DZOU TZANGA

Département d'histoire, Université de Maroua(Cameroun)

ANALYSE GÉOGRAPHIQUE DE L'ACCÈS À L'ÉDUCATION PRIMAIRE AU NORD-CAMEROUN

Hervé GONDIE

Assistant, Département de Géographie, Université de Maroua, Cameroun

EUROPEAN UNION FACING THE WORLD COMPETITIVENESS

Romeo-Victor IONESCU

Ph.D. Professor, Danubius University, Romania

10:30 AM Coffee Break

10:45 AM Sessions



GOUVERNANCE LOCALE DES TERROIRS. ENJEUX ET DÉFIS À RELEVER DANS UN PAYS EN MUTATION : CAS DU DÉPARTEMENT DE LA NYA-BÉBÉDJIA AU SUD DU TCHAD

Prosper MBAINDODJIM

Assistant, , Université Cheikh Anta DIOP de Dakar (Sénégal)

Enseignant-chercheur, Normale Supérieure de N'Djaména (Tchad)

THE U.S. ECONOMY FACING THE WORLD CRISIS

Mădălina ORAC

Ph.D. Lecturer, Faculty of Judicial, Social and Political Sciences, "Dunărea de Jos" University of Galati, Romania

Niculina CHEBAC

Ph.D. Associate Professor, Faculty of Judicial, Social and Political Sciences, "Dunărea de Jos" University of Galati, Romania

THE EUROPEAN CULTURAL POLICIES AND THE MAASTRICHT TREATY

Cristina PĂTRAȘCU

Ph.D. Assistant, Faculty of Judicial, Social and Political Sciences, "Dunărea de Jos" University of Galati, Romania

DEMOGRAPHIC PLANNING FROM MALTHUS TO TURNER - MEANINGS OF FREEDOM AND INDIVIDUAL RIGHTS

Violeta PUȘCAȘU

Ph.D. Professor, Faculty of Judicial, Social and Political Sciences, "Dunărea de Jos" University of Galati, Romania

EUROPEAN UNION AND DEMOCRATIZATION PROCESS IN ROMANIA. CASE STUDY: ADMINISTRATIVE REFORM

Mihaela RUXANDA (ALBU)

Ph.D. Student, Faculty of Political Science, University of Bucharest

THE PROBLEM OF LEGAL STATUS OF THE LOCAL ELECTED PERSON AND CIVIL SERVANT FROM THE LOCAL PUBLIC ADMINISTRATION IN REPUBLIC OF MOLDOVA

Natalia SAITARLÎ

Ph.D. Student Lecturer, Faculty of Law and Public Administration, "Bogdan Petriceicu Hasdeu" State University of Cahul

THE METHODOLOGY OF DESIGNING AND IMPLEMENTING PERFORMANCE MANAGEMENT SYSTEMS WITHIN NOTARY OFFICES

George SCHIN

Ph.D. Lecturer, Faculty of Judicial, Social and Political Sciences, "Dunărea de Jos" University of Galati, Romania

INSTRUMENTS OF CONTROLLING THE RESPECTING THE GOOD ADMINISTRATION IN THE EUROPEAN ADMINISTRATIVE SPACE

Elisabeta SLABU

Ph.D. Student, Faculty of Law, University of Bucharest



SOME CONSIDERATIONS REGARDING CORRUPTION PHENOMENON IN PUBLIC ADMINISTRATION

Isabela STANCEA

Ph.D. Student, "Constantin Brâncoveanu" University, Pitești

PROHIBITION OF DISCRIMINATION AND FUNDAMENTAL FREEDOMS IN TAX

Florin TUDOR

Ph.D. Associate Professor, Faculty of Judicial, Social and Political Sciences, "Dunărea de Jos" University of Galati, Romania

12:15 AM Conclusions



**INAUGURATION OF THE EUROPEAN DOCUMENTATION CENTRE AT
THE FACULTY OF JURIDICAL, SOCIAL AND POLITICAL SCIENCES**

01:00 PM Welcoming official guests from European Commission Representation

“Dunărea de Jos” University of Galați has been recently included in the network of the European Documentation Centers of the European Commission.

The European Documentation Center (EDC) functions within the universities and the research institutions and provide information and in-depth analyses of the legislation and policies of the EU institutions to the students and specialists in the field. In Galați, EDC is hosted by the Faculty of the Juridical, Social and Political Sciences.

Under the direct coordination of the General Direction of Communication, EDC represents the European Commission in Romania and ensures an efficient dissemination of information towards the citizens and the Romanian public authorities.

The vision of EDC is that of a country representing an integrant part of Europe, thanks to its status of member of the EU, but also thanks to an active involvement of its citizens in the process of the European integration.

Our mission is to contribute to a better understanding of the European Union, of its objectives, fundamental values and its policies, by bringing the information as close to the citizens as possible and in a form which is adapted to their specific needs.





General overview

Conference Thematic

„Human rights and fundamental freedoms”

Humanity has stepped, not so long ago, into the new millennium, but with every new day and despite the unprecedented technological progress, it has to face new and multiple challenges that put in danger its very existence. The only way to defend its spiritual and material integrity seems to remain its treasury of universal values that it tries hard to preserve and pass to the next generations. Among these values, the fundamental human rights, the juridical expression of the individual's most cherished ideals, hold a special place.

Romania, as an integrant part of Europe, contributes to the maintaining and observance of the human rights playing an active part into the international organizations specialised in the field. Using as a starting point the analysis of social reality, and first and foremost the difficulties with which every one of us has to cope every day, the academic staff of our faculty proposes as topic of debate and scientific research the fundamental human rights. In this context, various scientific events will take place all along the year, including the present conference.

Panel discussion

Given the particularities of our faculty's scientific and educational activity, the two major fields of the debate will be: juridical sciences (public and private law) and administrative sciences. These two major areas will also determine the organization of the conference's sessions as well as the approach of the various topics.

The Scientific Committee :

Honorary Chairmans:

Ph.D. Professor Iulian Gabriel BÎRSAN
Rector of the „Dunărea de Jos” University of Galați

Members:

Ph.D. George ANTONIU	(Romania)
Ph.D. Romeo-Victor Ionescu	(Romania)
Ph.D. Alexandru BOROI	(Romania)
Ph.D. Dana TOFAN	(Romania)
Ph.D. Claude BROUDO	(France)
Ph.D. Michele FOURNAUX	(France)



Ph.D. Luminița Daniela CONSTANTIN (Romania)
 Ph.D. Andreas P. CORNETT (Denmark)
 Ph.D. Alexandru ȚICLEA (Romania)
 Ph.D. Pierre CHABAL (France)
 Ph.D. Nicolae DURĂ (Romania)
 Ph.D. Tudorel TOADER (Romania)
 Ph.D. Irena SZAROWSKA (Czech Republic)
 Ph.D. Petre BUNECI (Romania)
 Ph.D. Giorgios CHRISTONAKIS (Greece)
 Ph.D. Silvia Lucia CRISTEA (Romania)
 Ph.D. Claudiu Mihnea DRUMEA (Romania)
 Ph.D. Calina Felicia Jugastru (Romania)
 Ph.D. Iliaara GENOIU (Romania)
 Ph.D. Fabio MUSSO (Italy)
 Ph.D. Dan DROSU-ȘAGUNA (Romania)
 Ph.D. Eleftherios THALASSINOS (Greece)
 Ph.D. Sergiu CORNEA (Republic of Moldavia)
 Ph.D. Emilian STANCU (Romania)
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 Ph.D. Simona Petrina GAVRILĂ (Romania)
 Ph.D. Răducan OPREA (Romania)

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 Ph.D. Mihai FLOROIU (Romania)
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 Ph.D. Ana ȘTEFĂNESCU (Romania)
 Ph.D. George Cristian SCHIN (Romania)
 Ph.D. Dragoș Mihail DAGHIE (Romania)
 Ph.D. Cristina PĂTRAȘCU (Romania)