



Spiru Haret University
The Faculty of Legal, Economic and
Administrative Sciences

Vasile Conta Street, no 4, Craiova, Dolj County,
Romania

The 3rd National Conference on Advanced
Research in Legal, Economics and Administrative
Sciences

Book of Abstracts

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SESSION I – Advanced Studies in Economics
Coordinator: PhD. Professor Laura GAVRILĂ

**CLUSTERING – TECHNIQUES FOR GROUPING
MULTIDIMENSIONAL DATA**

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Keywords: clustering, grouping rules, multidimensional data, k-means algorithm

Abstract:

The paper aims to discuss technologies designed to facilitate the processing of data from multiple sources and transforming them into intelligible and valuable information that supports the decision making process.

Using the clustering technique, a set of data is analyzed and a set of rules is established in order to build a base on which the data will be grouped in the future. A data mining software will automatically identify classes by studying the pattern of existing data.

Regardless of the degree of complexity, the use of this technique in accordance with the company's information needs leads to a significant increase in the capacity to react to the changes which taking place in the business environment.

ROMANIA'S EXPERIENCE IN APPLYING INTERNATIONAL FINANCIAL REPORTING STANDARDS

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Keywords: IFRS, financial reporting, accounting standards, fair value, accounting directives.

Abstract: The Phenomenon of Application of International Financial Reporting Standards (IFRS) is largely due to economic globalization. The need to have financial statements with comparable information at international level has increased over time in Romania, especially in certain categories of entities of public interest, but also in order to assess the performance in the business environment. The application of IFRSs is an activity with a high level of complexity requires the existence of sound professional knowledge in the field, but also the understanding appropriate accounting problems. In order to ensure full implementation of International Financial Reporting Standards, managers should not see this adoption of IFRS as merely a new model or as an obligation.

The transition to the international accounting standards represents a complex technical construction that involves significant resources, financial, as well as human, capable to face multiple changes. This article presents the way in which the international accounting standards were implemented in Romania, by reflecting the multiple changes made in the accounting regulation domain, with the purpose of outlining the advantages and disadvantages involved by this implementation. In the last ten years, in Romania, the transformations and the changes in the accounting system followed a direction that aimed, first of all, for the harmonization with the European accounting directives and international accounting standards (in the past), the conformity with the European accounting directives (in the present) and probably, the conformity with

international accounting standards (in the future). Thus, depending on how these standards are implemented, we can evaluate the success of their implementation, which influences the information content of the financial statements.

THE IMPORTANCE OF FORECAST FINANCIAL STATEMENTS TO ENSURE FUTURE FINANCIAL PERFORMANCE

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Keywords: expected financial statements, financial performance, future turnover, the financial development plan, financial forecast.

Abstract: The financial lives of companies everywhere have become extremely complicated at this time when financial resources are limited. In this context, the financial forecast expresses the firm's financial development plan based on the potential and opportunities available to it.

The forecasted financial statements represent the most accessible and comprehensive picture of future financial performance. In fact, we refer to a profit and loss account and a related balance sheet, extrapolated to future periods based on a set of assumptions. If the projected balance reflects the cumulative anticipated impact of management's decisions on the financial position, the forecasted profit and loss account represents an overall business estimate of the firm's business. Both statements, the balance sheet and the forecasted profit and loss account are carried out under the most recent assumptions and estimates of future business and the element-by-item prediction of the conditions and results assumed.

The most efficient and simple way to predict balance sheet items and profit and loss accounts is to relate them to future turnover as some of these elements are dependent to sales volume and others are independent, respectively have values determined by other factors.

PROGRAMMING TECHNIQUES IN THE ENERGY ANALYSIS OF INDUSTRIAL TECHNOLOGICAL PROCESSES

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Keywords: economical crisis, modeling processes, energy efficiency, energy indicators

Abstract: In this paper, the authors present theoretical and practical assessment of energy efficiency of industrial technological processes. In the same time, the main objectives taken into account are: modeling processes and the calculation of energy indicators and economic with the help of programming techniques.

EVOLUTION OF INTERNATIONAL MANAGEMENT ACCOUNTING ACCOUNT

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Keywords: management accounting, decisions, management control, information communication, stages, evolution, individual performance, comparative analysis.

Abstract: Analyzing management accounting systems at first sight strikes a similarity between them, but in a more nuanced manner in different countries, "formal" accounting information systems are undoubtedly less similar.

Nothing resembles a budget or analysis of budget deviations made by the British compared to the analysis of the French, German, Dutch or Spanish deviations, which leads us to conclude that management-specific tools are identical but not applies the same in practice.

The business environment seems to be less crushed every day because globalization is a process of continual change of integration and interaction between governments, people and companies.

EUROPEAN UNION AND THE REFUGEES. IS TRANSPARENT AND TIMELY COMMUNICATION ENOUGH TO SOLVE A CRISIS?

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Keywords: refugees, European Union, strategy.

Abstract: More than one million migrants and refugees have crossed into Europe Since early 2011, sparking a crisis as countries struggled to cope with the influx. The main reason for the spike in refugees has been the war in Syria, which has caused millions to flee their homes and seek shelter in Europe and in neighboring countries. But many refugees are also fleeing one of the 15 conflicts around the world that have erupted or reignited over the last five years, often situations of decades-old instability and conflict like those in Afghanistan, Somalia, Central America and elsewhere.

In this paper, we will try to demonstrate that the EU has indeed adopted a strategy of transparency and consistency when it comes to communication. However, one of the questions we feel obliged to formulate an answer to is „Is this helpful? Is transparent

communication enough in order to solve or, at least, find a way to solve the problem? Or is there something missing from this strategy?”.

FOREIGN INVESTMENTS THROUGH TRANSNATIONAL CORPORATIONS - A THEORETICAL INTEGRATIVE APPROACH TO THE GLOBALIZATION PROCESS -

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Keywords: *globalization, direct investment, development, economic growth, stimulation.*

Abstract: The importance of the presence of transnational corporations for host countries extends beyond the volume of foreign direct investments made by them, and involves taking into account a variety of direct and indirect ways that these companies engage in international production.

The increasing importance of transnational corporations in the global economy is not only a result of recent developments in the direction of increased FDI. This adds to a radical shift in attitude towards transnational corporations - especially among developing countries but also in many developed countries - which has led to a more significant impact of these firms on economic growth.

Based on this change of attitude, there has also been a shift in the policy of the world's states in this area, which has as a central element the encouragement of foreign direct investments (including their penetration into previously closed sectors to foreign capital) in

order to obtain benefits for host country, and not controlling the work of transnational corporations

THE EUROPEAN INTEGRATION MODEL AND THE ROLE OF CULTURAL DIVERSITY IN THE DEVELOPMENT OF EUROPEAN INTEGRATION

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Keywords: globalization, cultural diversity, integration model, European integration.

Abstract: Cultural identity at both levels - national and international - remains one of the main psychological and spiritual needs. The inability to preserve their own identity automatically and naturally leads to conflicts within a society or within societies in a particular region. There is tolerance, but not sincere acceptance by peoples on a higher stage of technological and civilization advancement, the values of the new countries that have entered or will enter the European Union.

Harmonizing the different cultural systems within the European Union gives the European integration model itself a long-term perspective. This process involves knowledge and respect for cultures and awareness of the European and global interdependence phenomenon, based on the elements and specifics of cultural pluralism, excluding the imposition of a unique learning model while recognizing the importance of respect for the values of other cultures in the spirit of the cultivation of universal values, giving a greater role to international exchanges so that people can move to the European space.

Understanding the implications of cultural diversity is one of the challenges of the contemporary world, being one of the main objectives of a new orientation in the globalization process.

PERSPECTIVE PSYCHO SOCIO PROFESSIONAL OF SUICIDE

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Keywords: suicide, social, economic, professional.

Abstract: Suicide is a self-directed aggression against the beloved object, introjection and ambivalent; a retroflexed crime, an inverse homicide.

It becomes, from an operational-psychological point of view, a human act of ending in life, self-produced and with its own intent. Its meaning would be negation and catastrophe, as it implies a return to denial of the vital instinct at a time perceived as dramatic in the individual's existential pathway, which does not yet find another solution.

The most important factor is the pathogenic terrain of man, i.e. mental suffering. But there is no need to neglect other aspects:

- excessive demands at the workplace, imposed from the outside or even from the person's self, totally disproportionate to his or her psychic or physical potential;
- neglect of rest periods: rest leave, other free days, medical leave;
- low self-esteem, self-regulating mechanisms and attempts to compensate by effort or targets too high.

Always the cost of a suicide, of an attempt is very high; on the one hand, is the human aspect, the compassion for man and the family of those who go through these painful experiences; but there are also strictly economic costs: hospital recovery, psychotherapy, but also somewhat social: sometimes society is not totally prepared to reintegrate a man with these antecedents, although this is not always explicitly stated; there are stigma and unfortunately, prejudices about suicide still work.

Whether we approach the social, economic or psychological axis, it must be remembered that in any psychopathological disorder, it is necessary to inform the patient about the necessity of the treatment, correct and complete information on the therapeutic goal, the prognosis, as well as the possible adverse effects.

STUDY CASE ON FACTORS AFFECTING THE PERFORMANCE OF THE NATIONAL RURAL DEVELOPMENT PROGRAM 2014-2020 (NRDP)

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Keywords: agricultural holdings, competitiveness, local development, farms, financial allocation.

Abstract: The National Rural Development Program 2014 - 2020 (NRDP) - program that grants grants from the European Union and the Government of Romania for the economic and social development of rural areas in Romania. The NRDP responds to 3 of the development challenges set out in the Partnership Agreement: competitiveness and local development, people and society, resources.

Through the NRDP 14 rural development measures are financed with a financial allocation of 9.363 billion Euro, of which 8.015 billion EAFRD and 1.347 billion national contribution. The NRDP (funded by the European Agricultural Fund for Rural Development) supports the strategic development of the rural area through the strategic approach of the following objectives:

- OS1 Restructuring and increasing the viability of agricultural holdings
- OS2 Sustainable management of natural resources and combating climate change

- OS3 Diversification of economic activities, job creation, improvement of infrastructure and services to improve the quality of life in rural areas (P6).

THE HUMAN RESOURCE IN THE HIGHER EDUCATION AND THE EVALUATION WAY OF THIS

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Keywords: human resources; higher education; professional performance; teaching staff; evaluation methods

Abstract: The evaluation of the professional performances of an organization staff is a concern of the human resources management with the multiple implications for all other activities of the organization, influencing in a large extent the organizational climate, because with the help of this it is possible to determine the degree to which the employees perform their assigned responsibilities.

The studies which are carried out in the institutions from the university environment confirm the importance that these attach to the human resources and their professional performances, having the implemented well-structured systems, in which they manage the specific evaluation methods and techniques.

The evaluation of the results of the academic body activity is a continuous process which starts from the employment and continues with the advancement on teaching positions, taking into account the professional performances and the motivation basing on the achieved results.

Through this paper, we will try to highlight the importance of the professional performances evaluation, as this is a very important activity in the knowledge-based economy, especially in the universities which are the trainers of highly skilled workforce.

SESSION III

Advanced Studies in Legal and Administrative Sciences

Coordinator: PhD. Professor Gheorghe BICĂ

VEHICLE REGULATIONS IN FRENCH TRANSPORT LAW

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Keywords: European Commission, commercial vehicles, road Code.

Abstract: Commercial vehicles must, at the time of their design and construction, meet the standards imposed by public authorities for reasons of road safety and the environment.

These standards refer to all the characteristics of the vehicles and we can form an idea of their extension and accuracy by consulting the synthesis sheets / cards developed by the European Commission; these cards are related to engine power, steering and vehicle braking, direction indicator lamps, parking lamps, front fog lamps, rear fog lamps, etc., and there must be a directive in each of these areas (Guidance), generally amended several times.

There can be no question of invoking even all of these rules, but it is necessary to present the rules adopted in two of the most important areas: the weight and dimensions of the vehicles on the one hand and polluting emissions on the other hand.

Vehicle rules are also relevant to their use. We will not resume issues related to the provisions of the Road Code that apply to heavy goods. However, reference should be made to the Regulation on speed limits and prohibitions on movement.

THEORETICAL CONSIDERATIONS ON THE CRIMINAL LIABILITY OF THE LEGAL PERSON

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Keywords: legal person, criminal liability.

Abstract: The entry into force of Law no. 278/2006 marked the effective establishment of the criminal liability of the legal person in Romanian law. From the chronology of the regulations in the field, Law no. 278/2006 is not the first normative act regarding the criminal liability of the legal person adopted by the Romanian legislator.

Law no. 299/2004 on criminal liability of legal persons for counterfeiting of coins or other values entered into force as early as 2004 but could never be applied in the absence of appropriate procedural provisions. Therefore, it can be stated that only from the date of entering into force of the provisions of the Law no. 278/2006 there exists, for the first time in our law, a real criminal liability of the legal person.

Unlike other systems of law in which the legal consecration of criminal liability of the legal person was preceded by extensive doctrinal debates about the opportunity, utility and compliance with the fundamental principles of the criminal law of this institution, the Romanian doctrine seemed less interested in this subject.

Therefore, it is harder to say if the legislative intervention devoted to this responsibility intervenes on a favorable doctrinal background or hostile to the idea. However, with the adoption of Law No.278, scientific approaches to corporate criminal responsibility must necessarily change the subject, abandoning, or at least moving into second place, the arguments to support or combat this form of liability in favor of a complete understanding of how it will function effectively, based on existing regulation.

THE PRINCIPLE OF ENVIRONMENTAL DEGRADATION PREVENTION – FUNDAMENTAL PRINCIPLE OF EUROPEAN UNION ENVIRONMENTAL LAW

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Keywords: pollution, industrial activities, risk, protection, damages, environment.

Abstract: Under environmental law principles, there is a risk of environmental damage and whether it is a certain risk or an uncertain risk. By establishing certainty or uncertainty, it can be determined which principle applies: prevention or precaution. The precaution principle deals with uncertain risks and the prevention deals with certain risks. Risk foresight is a managerial problem because risk is embedded in the system structure.

In the broad sense, risk is defined as a relationship between hazard and protection. Between them, there is an inversely proportional ratio, the higher the protection, the less likely the hazard will be and the risk will be lower. If, on the contrary, the protection is lower, the hazard will be more likely, and hence the risk will also be greater.

The design of the protection will always be done by taking into account the extent of the hazard that may occur at the installation and the risk represented by the respective technological process. The hazard consists of probable events, which are usually referred to as possible scenarios in risk analysis.

Protection is a set of managerial and technical measures capable of diminishing or eliminating the degree of total or partial damage to the system under consideration. The calculation of the risks and consequences related to the occurrence of the risk event raises legal issues in connection with the repair of the damages caused to the persons and goods, as well as the natural anthropic factors of the environment.

GENERAL ASPECTS OF THE ROMANIAN CRIMINAL EXECUTION SYSTEM

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Keywords: custodial sentence; rights; decent life.

Abstract: The assurance of the execution of custodial sentences by those against whom a final court decision has been pronounced is an exclusive attribute of the state.

The role of the custodial sentence is to re-educate the person who committed an antisocial deed and not to dehumanize or "re-qualify" him or her for the commission of new offenses.

The achievement of the essential objective of the custodial sentence can only be done in compliance with the domestic and international legal norms.

THE HUMANITARIAN LAW OF ENVIRONMENT

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Keywords: environment, fundamental rights, social phenomenon, military conflict.

Abstract: From many points of view, the era we live in today is a historical transition one, strongly marked by the crisis of the human kind's traditional values and the imperatives of a future we can still not figure out precisely. One of the most stringent issues which proves the aforementioned statement is the one of the defiance the man shows to himself through the risks he poses to the natural environment where he is free but also obliged to live. Closer or farther from us, there are phenomena occurring that are seriously harming the man-nature relationship. We have acknowledged some of them so far: desertification, air pollution, water or earth pollution, atmospheric pollution, the disappearance of forests and animal species; the destruction of the genetic patrimony; the disappearance of the ozone layer and the greenhouse effect. Some others we have not acknowledged yet, but they are creeping up. All these phenomena can only prove the necessity to urgently take measures to protect the environment both locally and regionally or globally.

THE LEGAL PROTECTION OF INDIVIDUALS AGAINST BREACHES OF EUROPEAN ENVIRONMENTAL LAW BEFORE THE COURT OF JUSTICE THROUGH THE ANNULMENT APPEAL AND THE PRELIMINARY RULING PROCEDURE

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Keywords: preliminary ruling, annulment appeal, legal protection, secondary legislation, individuals, environmental.

Abstract: The subject of the article is an important aspect of the legal protection of individuals against the breaches of European environmental law that affect their interests or legal rights.

Mainly, when legal rights of individuals are affected by breaches committed by public authorities or even of other individuals the legal protection is achieved through intern procedures before the national courts, by the means of the direct effect doctrine, consistent interpretation and state liability.

In those cases, when the breach concerns the substance of the European environmental law itself, there are almost no means available at national level for a remedy as the national courts are not competent to rule concerning the validity of European environmental law.

The Treaty does not confer individuals any form of direct legal protection for such circumstances, so the solution resides in referring a preliminary ruling procedure set out in Article 234 and refer the matter to the European Court of Justice concerning the validity of secondary legislation. The annulment of a binding European act can be accomplished by the means of the annulment appeal in such cases.

HUMAN FUNDAMENTAL RIGHTS AND FIGHT AGAINST TERRORISM

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Dana TITĂ

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Keywords: fundamental human rights, moral, terrorism, fundamentalism, democracy.

Abstract: Human rights have emerged in history as a reaction to monarchical absolutism. Their content is not fixed, but changes with the changes of society. Historically, human rights have evolved on the basis of ideas expressed since antiquity, the middle Ages, and then the Renaissance, which have given them the form known today. Morality is the one within which fundamental human rights are circumscribed, because all men are equal, and the American and French revolutions have for the first time enshrined in the history of humanity the principles of equality before the law, freedom of thought and human dignity. After the fall of the totalitarian states of Eastern Europe, human rights began to gain in the former Communist countries an increasingly important value for society, with efforts being made to break the standards of states with stable and old democracies in the West of Europe.

However, after the disappearance of totalitarian regimes, another threat concerns the exercise of fundamental rights: terrorism. This profoundly negative phenomenon of today has arisen as a result of the collision of the two major civilizations of the Earth: the Oriental, predominantly Muslim and Western, predominantly Christian. The prophets of Islam preach the return to obsolete values, ignoring the direction of the development of global society, and the imposition of these values is done through aggression. The response to this

terrorist aggression is the international instruments to fight terrorism, through which certain fundamental human rights are restricted and sometimes despondent in the name of security. The current struggle is between the freedom and the security of the individual, this emerging in response to acts of terrorism carried out in the name of religious beliefs.

A SYSTEMIC VISION REGARDING THE POLICY OF EUROPEAN UNION IN THE FIELD OF COMPETITION, AND ITS INTEFERENCE WITH OTHER POLICIES OF THE UNION

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Keywords: commercial competition, interference, integrated policies, European economic market.

Abstract: The main goal of European Union policy in competition is to ensure free and fair competition in the internal market, aspect that helps maximize consumer welfare, promoting economic efficiency, create new jobs, market integration, and economic development of member countries.

The aspects on all other European Union policies will be taken into account when formulating policy on commercial competition; it is therefore required dialogue and cooperation between competition authorities and authorities responsible for implementing other European policies, to achieve integrated policies.



SESSON IV

Advanced Studies in Legal and Administrative Sciences

Coordinator: Ph.D. Lecturer Adrian-Cristian MOISE

SOME COMMENTS ON THE FORENSIC EXPERTISE ACTS

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Keywords: forensic expertise, forensic expertise acts, legal medicine, forensic expert, Romanian legislation.

Abstract: Starting from the normative framework governing the legal medicine activity in Romania and from the general principles regarding the preparation of the forensic acts, the article presents and analyzes the forensic expertise acts from the Romanian legislation.

The forensic expertise acts are as follows: the forensic certificate; the forensic ascertaining report; the report of forensic expertise; the analysis bulletin; the forensic notification.

COMPARATIVE STUDY ON THE ROMANIAN AND EUROPEAN ADMINISTRATIVE SYSTEM

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Keywords: administration, public administration, system, romanian administrative system, european administrative system.

Abstract: The article aims to carry out a comparative study on the Romanian and European administrative system in the light of the new regulations. Thus, the main components of the Romanian and European administrative system are highlighted, while emphasizing the similarities and differences between the two systems.

Analyzing the process of establishing the Romanian administration, it was found that it was a long one, and at different moments of its existence, the administration and state structures were marked by the models of great powers.

The specific activity of the public administration is carried out through a multitude of institutional forms that constitute an institutional gear, whose organizational principles vary depending on the problems, external pressures and own concerns, but which presupposes its integration into the social, political environment and economics with multiple differences in space and time. At the same time, a comprehensive and complex approach to the various public administration systems in the European Union countries is being attempted in this study, which raises numerous problems of public law, both constitutionally and administratively. This approach must be done in the context of the fundamental laws governing those societies, including their state, and through the existing democratic political regimes exercising their powers of power in harmony with fundamental civil rights and freedoms.

TAX SYSTEM IN ROMANIA - ORGANIZATION AND EVOLUTION

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Keywords: tax system, taxes, contributions, tax unit, tax mechanism.

Abstract: This article aims to address a topical issue, namely, to analyze the concept of tax system in Romania, in the light of new regulations. Thus, outlined the main components of Romanian tax system constituted and organized in three independent components: taxes and contributions as state revenues, fiscal and tax system mechanism. At the same time, they are highlighted in this study, the features and functions of the tax system. What distinguishes a country in progress one in decline is largely the preference shown building the future, and this preference is measured through taxes, loans and interest rates.

THE HUMANITARIAN PROTECTION DURING ARMED CONFLICT CIVIL POPULATION AND CIVIL PERSONS

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Keywords: international humanitarian law, armed conflict, fundamental guarantees, civil population, victims' protection.

Abstract: The peaceful coexistence of the states, maintaining the peace and the security of the human collectivities are important values for the entire international community and for each one of its members. Moreover, the private individual and even his goods, affected by the hostilities among states require elevated protection measures. The preoccupation for the protection of these values was difficult to impose and it took place late, under the shape of juridical norms, namely rules of conduct that would create obligations, not only for the states but also for the parties involved in the hostilities. The international humanitarian law represents an assembly of rules which, due to humanitarian reasons, aims at limiting the effects of an armed conflict. The international humanitarian law protects those persons that do not participate or no longer participate to the hostilities and restricts the war means and methods. Over the time, the rules referring to the law of armed conflicts referred especially to aspects regarding the protection of the victims of the armed conflicts and the protection of the cultural goods in case an armed conflict takes place.

THE AFRICAN HUMAN RIGHTS SYSTEM. LEGAL SOURCES, INSTITUTIONS, PROCEDURES

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Keywords: human rights systems; Organization of African Unity; African Charter on Human and Peoples'; African Commission on Human and Peoples' Rights; African Court on Human and Peoples' Rights.

Abstract: The African system is the youngest of the three judicial or quasi-judicial regional human rights systems, and was created under the auspices of the African Union. The regional African human rights system is based on the African Charter on Human and Peoples' Rights (the Banjul Charter), which entered into force on October 21, 1986, upon ratification by a simple majority of member states of the Organization of African Unity (OAU). In June 1998, the OAU adopted the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights. The African Human Rights Court is intended to complement the African Commission on Human and Peoples' Rights, the body that has exercised continental oversight over human rights since 1987. The Protocol suggests that the African Human Rights Court will make the promotion and the protection of human rights within the regional system more effective. But the mere addition of a court, although a significant development, is unlikely by itself to address sufficiently the normative and structural weaknesses that have plagued the African human rights system since its inception.

SPECIAL SURVEILLANCE METHODS - NECESSITY AND EFFICIENCY OR THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

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Keywords: criminal organizations, special methods of surveillance, freedom of the person, interception of communications, access to information systems.

Abstract: In the current context of the development of modern civilization, the way of organizing and structuring the new world, another world is increasingly present in the gray or even black area of society, a world that often has no name, face, or elements that could characterize it as identifiable, a world of petty interests, an avid power and influence, the obvious and sometimes even declared goal, being the rush of enrichment at all costs.

This world knows no territorial boundaries, does not stop to act only in certain areas or to limit itself only to a certain period of time. It does not adopt standard mechanisms and means of action or at least repetitive. It is a world of white-collar individuals who, however, act by methods that do not take into account rules that refer to morality, faith or respect for human values.

And to fight against such a fierce and unscrupulous organization, it is necessary for society as a whole to create effective and modern mechanisms to combat the machinations invented or adapted by individuals as well. Under these circumstances, it is imperative that the levers created and used by states, including the judicial mechanisms, be adapted to the evolution of so disturbing times, sometimes even at the cost of restraining human rights and fundamental freedoms.

CONSIDERATIONS REGARDING THE ETHICAL RESPONSIBILITY OF CIVIL SERVANTS

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Keywords: democratic society, ethical behavior, ethical dilemmas.

Abstract: The morality of a democratic society can be analyzed first and foremost through the ethical behavior of the civil servants who must serve citizens' interests. The most common objections to the identification of valid ethical principles within public administration are the role of individuals, their ability to make moral judgments and, at the same time, to make them accountable to the moral judgments.

The modern government practices have been implemented along a number of new concepts such as privatization, decentralization, administrative deconcentration, etc., leading to the emergence of dilemmas, which augmented the interest in public ethics.

By concentrating their efforts on solving these problems, the scientific researchers have found that the fundamental principles underlying research into the understanding of ethical dilemmas in public administration lie in the assumption of democratic values, legality and rule of law, professional integrity and receptiveness to civil society.

HUMAN RIGHTS AND TOTALITARIAN STATE

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Keywords: fundamental human rights, democracy, totalitarianism, national minorities, stateless.

Abstract: The idea of fundamental human rights is based on the concept of natural law, which emerged in antiquity, which, in turn, claims itself from the concepts of ethics and equity. Throughout history, the disciples of the School of Natural Law have been able to impose human rights in the continuous struggle between monarchic absolutism and individual, the latter gaining with the incorporation of these rights into the Constitution. After a fast-paced period for the individual, totalitarian political systems have emerged in Europe that have limited or even abolished the exercise of fundamental rights, placing the interest of the collectivity above that of the individuals who make up it. Step by step the rights and freedoms were denied, the individual being totally serviced by the state.

The two major systems of totalitarian law in Europe, Nazism and Communism, had many common points, even though, apparently, the two doctrines were different. In essence, both totalitarian systems have raised the interest of the collectivity above that of the individual and declared the destruction of social classes and the creation of a new man. The thinking and doctrine of the two totalitarian systems have been imposed on all elements of life, from the legislative and judiciary system to education and culture, destroying all the scales of a democratic state. State institutions are controlled not by the law, but by the discretionary power that the state creates itself by ignoring the legal norm and the principles of the rule of law. The ignorance by

the individual of the totalitarian rule leads to the annihilation of the rebel through concentration camps or in Gulag, depending on the totalitarian system in which the individual lives.

THE CONSIDERATION OF AN ACTION FOR ANNULMENT BROUGHT BEFORE THE COURT OF JUSTICE OF THE EUROPEAN UNION

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Keywords: object of action, active subjects, passive subjects, legal bases, effects

Abstract: The action for annulment is one of the most important actions that the European Union makes available to certain categories of subjects. Its importance lies in the fact that this application can be challenged before the Court of Justice of the European Union by legislative acts issued by the Union institutions, but only those which produce binding legal effects vis-à-vis third parties. Thus, recommendations and opinions cannot be the subject of this action. This action may also cover the legality of acts issued by the Union's bodies, offices and agencies.

An action for annulment may be brought by: any Member State, the Parliament, the Council, the Commission, the Court of Auditors, the European Central Bank and the Committee of the Regions, but also by natural or legal persons if certain conditions are met.

Passive subjects of this request may be the Union institutions which issued the contested acts, namely the Parliament, the Council, the Commission, the European Central Bank, the European Council.

Attacking acts issued by the Union institutions through an action for annulment concerns only certain aspects: lack of competence, breach of fundamental procedural rules, breach of the Treaties or

other rules of law applicable to the application of the Treaties and abuse of power.

This article aims to analyze certain aspects of the procedure for formulating this type of action, highlighting the special importance and specificity of this, which results precisely from the regulatory way, from the quality of the active and passive subjects, but also from the significance of the effects of the decision to admit action for annulment.