9th INTERNATIONAL CONFERENCE
"EXPLORATION, EDUCATION AND PROGRESS IN THE THIRD MILLENNIUM"
5th May 2017

Organized by:

"DUNĂREA DE JOS" UNIVERSITY OF GALAŢI, ROMÂNIA
FACULTY OF JURIDICAL, SOCIAL AND POLITICAL SCIENCES
JURIDICAL, ADMINISTRATIVE, SOCIAL and POLITICAL RESEARCH CENTER

UNIVERSITE PARIS-EST CRÉTEIL, FRANCE
CENTRE D'ÉTUDES DU DÉVELOPPEMENT INTERNATIONAL DES TERRITOIRES (CEDITER)

THE STATE UNIVERSITY "BOGDAN PETRICEICU HAŞDEU"
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ROMANIAN CROSS-BORDER INSTITUTE FOR INTERNATIONAL STUDIES AND CRIMINAL JUSTICE SCIENCES

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GENERAL OVERVIEW

CONFERENCE'S PURPOSE: The conference will have as a purpose an interdisciplinary approach of various themes in the field of social and humanistic sciences: law, administrative sciences, regional studies, economics, psychology, sociology, theology and other interrelated domains.

CONFERENCE'S OBJECTIVES: The conference intends to bring together researchers and professionals in the above mentioned fields. The participants are expected to answer to the various questions related to and deriving from the thematic under debate by means of an innovative and accurate methodology.

The conference's coherence and originality will be ensured by the combination of two fundamental elements: on the one hand, special attention will be given to the classic aspects of the study of the social and humanistic sciences, and, on the other hand, the classical perspective will be complemented by the modern European and international approach of the topics under analysis.

PANELS:

- **LAW: PUBLIC LAW; PRIVATE LAW; CRIMINAL SCIENCES**
- **PUBLIC ADMINISTRATION AND REGIONAL STUDIES**

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Programme

Friday, May 5th 2017

10:00 AM: **Arrival and Registration** - Faculty Library – Venue AE 103
10:30 AM: **Welcoming Participants** (Dean's speech)

11:00 AM: **Session (Parallel Sessions)**

Panel 1 Discussions
Panel 2 Discussions

12:45 PM: **Debate; Conclusions**

14:30 PM: **End of Debate**

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.

PARALLEL SESSIONS

- **PANEL 1 - LAW: PUBLIC LAW; PRIVATE LAW; CRIMINAL SCIENCES**

President: Professor Ph.D. Mihai FLOROIU

- **PANEL 2 - PUBLIC ADMINISTRATION AND REGIONAL STUDIES**

President: Professor Ph.D. Florin TUDOR

PANEL 1 - LAW: PUBLIC LAW; PRIVATE LAW; CRIMINAL SCIENCES

President: Professor Ph.D. Mihai FLOROIU

PUBLIC LAW

European Union Fraud Detection

Mihaela AGHENIȚEI
Lecturer Ph.D., „Dunarea de Jos" University of Galati

Peacekeeping Operations – U.N.'S Most Effective Tool?

Mihai FLOROIU
Professor Ph.D., „Dunarea de Jos" University of Galati

The Strengthening of the Attorney-Client Relationship and of the Right to Defense Through Legal and Deontological Norms as set out in Law no. 25/2017 Regarding the Modification and Completion of Law no. 51/1995 for the Organization and Pursuit of the Profession of Lawyer

Ștefania Cristina MIRICĂ
Lecturer Ph.D., „Dunarea de Jos" University of Galati
Andreea Elena MATIC
Lecturer Ph.D., „Dunarea de Jos" University of Galati

Legal Liability for Environmental Damage in Romanian Law

Liliana NICULESCU
Assistant Professor Ph.D., „Dunarea de Jos" University of Galati

General considerations on the legal norm

Gabriela POPESCU
Lecturer Ph.D., „Dunarea de Jos" University of Galati

Legal Approaches to the Concept "Animal Welfare" in Ukrainian and Foreign Doctrine

Nadiia ZUBCHENKO
Ph.D., National University "Odessa Law Academy", Ukraine

PRIVATE LAW

PANEL 2 - PUBLIC ADMINISTRATION AND REGIONAL STUDIES

President: Professor Ph.D. Florin TUDOR

The Voivode's Two Bodies? Rethinking the Origins of Romanian Constitutional Ideas

Cristian APETREI
Associate Professor Ph.D., „Dunarea de Jos" University of Galati

The Role and Importance of the Internal Audit Report in the Proper Acting of Public Entities

Mădălina BELDIMAN
Lecturer Ph.D., „Dunarea de Jos" University of Galati

The Need to Reform the Territorial Organization of Public Power: Demographic Arguments

Sergiu CORNEA
Associate Professor „Bogdan Petriceicu Hasdeu" State University of Cahul, Republic of Moldova

Kitsch in the Public Local Administration - An Effect of Discretionary Power?

Valentina CORNEA
Lecturer Ph.D., „Dunarea de Jos" University of Galati

Regional Approach to Education across the European Union

Romeo-Victor IONESCU
Ph.D Professor, „Dunarea de Jos" University of Galati

The Influence of the Code of Conduct for Civil Servants to the Moral and Responsible Exercise of Their Professional Duties

Andreea Elena MATIC
Lecturer Ph.D., „Dunarea de Jos" University of Galati
Ștefania MIRICĂ
Lecturer Ph.D., „Dunarea de Jos" University of Galati

Actual Issues Specific to Urbanism Law

Mădălina MIHĂILESCU
Lecturer Ph.D., „Dunarea de Jos" University of Galati

PANEL 1

LAW: PUBLIC LAW; PRIVATE LAW; CRIMINAL SCIENCES

President:	Ph.D. Mihai FLOROIU
Rapporteur – Public Law	Ph.D. Stefania MIRICĂ
Rapporteur – Private Law	Ph.D. Mirela COSTACHE
Rapporteur – Criminal Sciences	Ph.D. Adriana STANCU

PARALLEL SESSIONS

Panel 1

Public Law - Venue AE 222
Private Law - Venue AE 104
Criminal Sciences - Venue AE 206

Panel 2 - Venue AE 103

Public Law

European Union Fraud Detection

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Abstract: Article 325 of the Treaty on the functioning of the European Union (TFEU) requires the Commission and the Member States to counter fraud and any illegal activities affecting the financial interests of the Union. Preventing and detecting fraud is therefore a general obligation for all Commission Services in the framework of their daily activities involving the use of resources. The motivation is simply to align all information that may be associated with a record of interest - insurance claim, buy, credit application - and to use this information to improve the predictive accuracy of the system of fraud detection. Fraud prevention and detection are at the core of the Commission's anti-fraud policies. However, other factors are equally important, namely effective and efficient investigation, swift recovery of money unduly paid from the EU budget, and deterrent sanctions.

Keywords: fraud detection, fraud prevention, European Union, EU budget

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Peacekeeping Operations – U.N.'S Most Effective Tool?

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Abstract: The main purpose of the United Nations is, in general, the maintenance of international peace and security through effective collective action to prevent and remove threats to peace and to repress any act of aggression or other breach of the peace, thus aiming at achieving international cooperation through pacific solving of international disputes and consequently the development of friendly relations between nations.

Despite the fact that, at the end of the Second World War, international society had decided to put an end to all conflicts, those had not diminished. On the contrary, their nature had changed over the years, necessitating an intervention, within the limits of the UN Charter, of international forces in order to guarantee the respect of the principles of the Charter and the "maintenance of peace". Although the UN Charter was drawn up at a time when international society had barely emerged from a world conflict, it did not, *stricto sensu*, speak of the concept of "peacekeeping", the second Secretary General of the United Nations, Dag Hammarskjöld, had found a way to define it within the framework of the Charter, saying that "peacekeeping falls within the scope of "Chapter Six and a half" of the Charter, somewhere in-between conventional solutions of the peaceful settlement of disputes, governed by Chapter VI of the Charter and the less consent-oriented actions under Chapter VII of the Charter. Thus, since initially peacekeeping operations had been set up to deal with inter-State conflicts and henceforth they increasingly deal with intra-state conflicts and civil wars, these operations have evolved over time, representing today an exceptional and dynamic instrument developed by the Organization to help conflict-affected countries create conditions conducive to lasting peace.

Keywords: United Nations, peacekeeping operations, Security Council, pacific settlement of disputes

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The Strengthening of the Attorney-Client Relationship and of the Right to Defense Through Legal and Deontological Norms as set out in Law no. 25/2017 Regarding the Modification and Completion of Law no. 51/1995 for the Organization and Pursuit of the Profession of Lawyer

Ștefania Cristina MIRICĂ
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Abstract: The present paper consists of an analysis of the provisions of Law no. 25/2017 regarding the modification and completion of the Law no. 51/1995 for the organization and pursuit of the profession of lawyer. Through this law, the Romanian legislator intends to adapt the lawyer's specific activities to the requirements of the current internal and international legal system. The legislative changes introduced concern issues that are likely to strengthen the relationship of trust between the lawyer and his client and constitute, in our view, a more effective guarantee of the right of the defense, in the spirit in which that right is expressly enshrined in international treaties as well as in the internal law. In this respect, we mention the provisions of art. 35 para. (1^1) according to which the attorney's notes on the cause of a client cannot be confiscated and par. (3) that stipulates that the technical supervision of the communication between the lawyer and the client is forbidden unless "there is evidence that the lawyer is committing or is preparing to commit an offense referred to in rt. 139 par. (2) of the Code of Criminal Procedure "There are also measures established in order to protect the lawyer, which may terminate the legal assistance contract if there are indications that the client is carrying out criminal activities, although initially his activity appeared to be legal (article 40 paragraph (4)). On the other hand, the lawyer is not allowed to advise his client to commit crimes under article 40 paragraph (3). Some changes of the law concern the modification of the way in which lawyers have to carry out certain activities, such as document attestation, and we will also analyze these issues in this article.

Keywords: professional deontology, the guarantee of the right to defense, lawyer, client, law

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The Legal Liability for Environmental Damage in Romanian Law

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Abstract: The institution of legal liability for environmental damage in Romanian law is increasingly more present due to the impact of environmental damage both nationally and globally. Industrial development, application of high technologies and irrational exploitation of resources have caused environmental damage often difficult to quantify. In Romanian law environmental liability is based in Government Emergency Ordinance no. 195/2005 on environmental protection and in Government Emergency Ordinance no. 68/2007 which transposed Directive 2004/35/EC and Directive 2008/99/CE transposed in Romanian Law by Law no. 101/2001. Legal liability for environmental damage takes the form of civil liability, contravention liability and criminal liability.

Keywords: environmental damage, civil liability, contravention liability, criminal liability, Directive 2004/35/EC, Directive 2008/99/CE

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General Considerations on the Legal Norm

Gabriela POPESCU
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Abstract: In order to understand what the legal norm means, its essence, it is necessary to know the purpose it pursues. The purpose of the legal norm corresponds to the purpose of the law, namely to ensure social coexistence by orienting the behavior of persons in the direction of promoting and consolidating social relations according to the ideals and values that govern the respective society. Since people live in the community, they need rules of conduct. The state of anarchy, meaning the state in which there is no rule other than the good pleasure of each one, is, in itself, impossible for life. Whoever claims to know no rule would be excluded by himself from any human group. In society there is recognition or presumption of recognition of the intersubjective validity of the legal norm and the members of the social group have the right to expect a certain type of behavior, one from the other, in their interpersonal relations. Within this pattern of conduct, the rules are grounds for action. They reasonably motivate the acceptance of proposals for interpersonal relations. This required order, also named legal order, is ensured through legal norms.

Keywords: legal norm, social relation

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Legal Approaches to the Concept "Animal Welfare" in Ukrainian and Foreign Doctrine

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Abstract: Problems of international legal regulation of animal welfare and protection of them from cruelty in modern society is becoming increasingly important. Legal regulation of the animal welfare and their protection from cruelty needs improvement, international instruments on the treatment of animals should be implemented to the laws of Ukraine, it is necessary to raise awareness of ordinary citizens on the scope of the welfare of animals - all these questions urgently need to be resolved. A small number of studies devoted an attention to the problems of international legal regulation of animal welfare and protection from cruelty. However, it should be emphasized that scientists had paid attention to international law regulating the treatment of animals, while foreign researchers laid the foundations of theoretical research areas of animal welfare and protection from cruelty. Research topics animal welfare and protection of them from cruelty is fairly new to the Ukrainian school of international law. Only in the early 2000s began the first attempts of forming issues of animal welfare and protection of them from cruelty at former Soviet states as a scientific field.

Fundamental research on the status of animals held in criminal law science due to the fact that the domestic legal doctrine recognizes only the concept of protecting animals from cruelty. Humanization of international relations could not affect the formation of humane treatment of animals. But Ukraine, for example, has a number of issues of animal welfare and protection of them from cruelty, mistreatment of stray animals, abuse of animals in zoos, the movement of dog-hunters, problem of use of animals in experiments and so on. This problem creates a need to solve some problems in national legislation and practice. The current issue is also the convergence of Ukrainian national legislation with EU law.

Keywords: animal welfare, protection of animals from cruelty, international law, Ukraine, European Union

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Private Law

How Do We Qualify primarily he Concept of "Domicile" of the Individual in Romanian Private International Law?

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Abstract: In order to make the primary qualification of the concept of "domicile" in Romanian private international law it is necessary to take into account the scope of the concept of residence in Romanian domestic law.

This article aims to study and analyze the instrument of the institution "domicile"of of the following legislation: Article 86-Artcle 97 Civil Code; Chapter IV (art.26- 41) of the Emergency Ordinance no. 97/2005 on the records, domicile, residence and identity documents of Romanian citizens republished (2011); Government Decision no. 516/2009 amending Government Decision no. 839/2006 regarding the form and content IDs, the sticker on the book of their residence and property. Decision no. 516/2009; the provisions of Emergency Ordinance no. 194/2002 on foreigners in Romania republished (in 2011) and the provisions of Government Emergency Ordinance no. 102/2005 on the free movement of citizens of member states of the European Union and European Economic Area (republished in 2011) in order to derive the Romanian qualification of the notion "domicile of the individual".

Keywords: the domicile of the individual Romanian citizen, the domicile of the individual foreign citizen, the domicile of the individual foreign citizen in Romania, the "domicile" of the individual EU citizen.

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Discussions Regarding the Period for Suing a Decision of the Shareholders´ General Assembly of a Cooperative

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Abstract: According to art. 44 par. (3) of Law no. 1/2005 regarding the organization and functioning of cooperation, the decisions of the general assembly which are contrary to the law or to the constitutive act can be sued within a 15-day period from the publication in the Trade Register by any of the shareholders who took part in the general assembly and voted against or who did not take part in the general assembly.

The statutory period is debatable according to the nullity reasons that are invoked. In one opinion, the limitations period is generally applicable, regardless the reasons are for absolute or relative nullity. According to the contrary opinion, the statutory period is applicable strictly for cases of relative nullity reasons; as regards the absolute nullity reasons, these can be invoked anytime, according to art. 132 par. (3) of Law no.31/1990 on companies. Our study analyzes the arguments in favor of each of the two opinions.

Keywords: action for nullity reasons, statutory period, absolute nullity reasons, relative nullity reasons

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Current Fundamentals and Canonical-Legal Values of the Family Relation when Contracting Marriage

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Abstract: Marriage as a legal institution and of canonic law presents itself in terms of established rules of moral, social, legal, administrative and medical nature. On these lines, the kinship of the future spouses is an undoubtable barometer, a first selection marital criterion, closely linked to the notion of family, the bond of blood, of the eugenic considerations and knowing the religious complex valences, being non-regulated and legally sanctioned.

The issue under analysis is based on the idea of kinship as an impediment to contracting marriage, with aspects of comparative study, based on moral elements that are found in the legal basis of the issue, and in ordinances characterizing the canon law. The kinship impediment in the matrimonial domain raises also different sanctions from the canonical and legal point of view. During the current analysis, based on all the rules set by the competent legislative authority and the church, we have showed a chronology based on tradition and continuity criteria, and a current analysis of this negative condition in marriage, highlighting some characteristics specific to the canon law area.

Using the interpretation of the legal provisions in the matter, and the analysis of various sources of secular and ecclesiastical documentation, this study aims at identifying the contents of the above mentioned ideas, presenting a personal view.

Keywords: marriage, impediment, kinship, affinity, nullity

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Considerations on the Evolution of the Institution of Inheritance between the Biblical Text and the in Force Civil Code

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Abstract: Without establishing any equivalence between the two sources mentioned in the title, the research we bring to attention is aimed at assessing the institution of inheritance, as it is found in the Law of Moses and in the Civil Code in force in Romania. This article underlines the importance of the institution, its value given by society in the historical context of a certain period, as well as the evolution of the norm it governs.

The research is focused on and underlines regulatory similarities of the devolution of property on death, between the two sources, the biblical text and the in force Civil Code, thus proving the use of the institution and the procedural rules.

Keywords: inheritance, Bible, Civil Code, differences, similarities

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The Cause Condition in Contracting Matters between Tradition and Reform. Aspects of Comparative Law

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Abstract: The current provisions of the Civil Code reiterate an existing tradition in the matter of the valid conclusion of a contract, within the meaning of cumulative fulfillment of four fundamental conditions, in terms of the ability of the parties, the content of the will, the validity of the scope and of the illicit cause. Even if we have stated a classical theory regarding the listing of these conditions, the cause of the contract, there have been different exposures over time, pros and cons on keeping them as intentional base for signing a contract. Thus, at the conceptual level, both in an earlier stage, and in the light of new proposals of reform of the contracting matter, recently advanced in the French law, namely in 2016, there have been theories on suppressing this condition, but without derogating from the interference of the public rules and those of morality.

Based on the classic doctrinal theory of the abstract and the specific case, in the present paper we intend to analyze and argue the support of a similar approach in contractual matters of Romanian civil law, with reference to the contracting typology, a source of rights and civil obligations.

Keywords: contract concerned, public order, revocation, purpose

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Considerations Regarding the Judge's Active Role in Terms of Evidence in the Civil Trial

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Abstract: The entry into force of the new Civil Procedure Code on 15 February 2013 has brought, in addition to many new elements, a reform in the matter of evidence in the civil trial. Thus, while until the entry into force of the Civil Procedure Code, the governing provisions regarding evidence were that of the 1864 Civil Code, the legislative changes have brought these provisions into the scope of civil procedural law in order to be studied. This transposition seems to be fully justified, knowing that proof of the legal relationship is required when a conflict arises between the subjects, a conflict taking the form of a civil dispute before the courts.

On the other hand, the judge's active role in the civil trial is a procedural way of conduct of the same, which was also known in the 1865 Civil Procedure Code and the current regulation has only brought updates and improvements to the concept. As regards evidence, the judge can intervene to apply the principle of finding the truth, art. 22 of the Civil Procedure Code, so that the judgment to be delivered to be as close as possible to the real situation between the parties, a reality that only the parties really know.

However, the judge's interventionism through the active role, which is justified by the principle of truth, should manifest in a reserved way, being conditioned by the fact that the civil trial is a process of private interests, and the parties are the most interested to bring their contribution to the resolution of the case. In addition, through this active role, no imbalance of procedural equality between the parties should be reached, as the rules of civil procedural law are intended to create a unique, equal and egalitarian framework where parties can achieve their rights.

Keywords: evidence, active role, judge, civil trial

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Benchmarks Regarding Unjust Enrichment in the Modern Lawmaker's Opinion

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Abstract: Unjust enrichment is a praetorian creation that arose from the need for a legal basis for the situation where, by the same fact, a person becomes enriched to the detriment of another who becomes impoverished, without the possibility to order return of the increase in value to the impoverished by invoking the already established sources of obligations.

The 2009 Civil Code distinctly regulates – as a legislative novelty, in this respect – unjust enrichment among the sources of obligations. Prior to the new Civil Code, there was no text of principle dedicated to unjust enrichment, and only legal applications thereof were acknowledged.

Unjust enrichment opens for discussion only the legal ground of enrichment (the cause of obligation) and not the imputableness of increase in own assets. The basis of unjust enrichment has been placed differently over time, either in the area of equity that should govern civil law, or in the area of "abnormal business management", or among tort actions, or in the area of the risk of activities generating profit or of patrimonial balance.

In procedural terms, the *actio de in rem verso* can be filed every time there is no other legal basis that could be invoked in the action filed by the applicant.

Keywords: lawful legal act, enrichment-impoverishment correlation, absence of legal basis, good-faith of the enriched person, actio de in rem verso

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Practical Consequences of the Disinheritance

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Abstract: As is apparent from the provisions of Art. 1074 par. 1 of the Civil Code, disinheritance is the testamentary provision by which the testator removes one or more of his legal heirs from the inheritance in whole or in part. It can be noticed that disinheritance can be not only total but also partial, in the sense that the testator has the dishonest person, a legal heir with a concrete vocation, to receive a lower share than his legal quota. Also, according to art. 1074 par. 2 of the Civil Code, a distinction must also be drawn between direct disinheritance, which exists when the testator dispose of the inheritance of one or more legal heirs and the indirect disinheritance that exists when the testator establishes one or more legatees.

Based on these considerations, in the present study we will highlight the effects of disinheritance, taking into account the kind of disinheritance and the distinctions that can be made between different categories of heir.

Keywords: inheritance, disinheritance, legal heirs

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The Liability Conditions of a Commercial Company Administrator under Law no 85/2014 and Law no 207/2015

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Abstract: The administrator of a commercial company is empowered by law to perform all the necessary operations to fulfill the main object of activity of the company, under the restrictions mentioned in the constitutive act, based on the mandate entrusted by the associates reunited in the General Assembly. Thus, the administrator is responsible for the way the mandate is exercised, his responsibility taking the form of a civil, fiscal or even penal responsibility.

Given by law, the liability of the statutory manager for causing the state of insolvency of the company is controlled by both the insolvency law and the Fiscal Procedure Code. At first glance the two forms of misdemeanor civil liability overlap. The present study proposes a comparative analysis between the two variants of liability with the purpose of identifying the similarities and most of all, the differences regarding the appropriate and efficient reinforcement of the legal provisions.

Keywords: commercial company, the administrator liability, insolvency, fiscal procedure

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The Equivalence of Graduation or Graduation Diploma of Long-Up Superior Education in Some Particular Situations

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Abstract: Alin. (3) of art. 153 of the National Education Law no.1/2011 stipulates that the graduation or graduation diploma of the graduates of the long-term higher education (4-6 years) from the period preceding the application of the three Bologna cycles is equivalent to the master's degree diploma in the specialty. If there are no problems of interpretation, if the duration of the undergraduate studies is currently 3 years, the answer is not the same if the duration is 4 years (engineering sciences, legal sciences and pastoral theology), similar to the period Ante-Bologna.

Keywords: graduation, equivalence, Ante and Post-Bologna

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Critical Considerations on Some Rules in the Materials of Professional Training of Police Officers

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Abstract: Specific legislation applicable to police officers includes rules, which, in our opinion, are questionable. For example, according to art. 3 par. (2) of Annex 4 of the Order of the Minister of Internal Affairs no.140/2016 regarding the human resources management activity in the police units of the Ministry of Internal Affairs, "continuous training follows the initial training" and "is organized for the professional career development of the professional police officers, respectively those who have promoted the course for initiation in the career and probation period", thus violating the right to professional training, through an illegal norm, of the probationary period and probation policemen. As a consequence, we want to draw attention to existing shortcomings in this area and we propose improvements to the legislation.

Keywords: police officers, professional training, continuous training, illegal norm

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The Simulation of a Trading Company

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Abstract: In commercial law, simulation shows similarities with common law, yet, analyzing the particularities of special right, we notice that there are significant differences, which demand a special attention for creating a correct image regarding simulation in the two branches of right. In this study, we have tried to present and explain certain institutions by which the legislator manifests, on one side, a tolerant attitude regarding the possibility to save the trading company in case of some irregularities (action settlement) and on the other side, an exacting attitude (action in nullity), by which it does not allow the company to remain in being, in the situations when its existence and functionality are affected. We have also shown how the simulation of the trading company leads to sustaining some unlawful actions like money laundering, arms trafficking etc., however, the legislator does not remain passive regarding these and intervenes using some normative acts, assuring the liceity of this sort of legal person.

Keywords: trading company, simulation of a trading company, action settlement, action in nullity

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The Constitutional Right to Private Property Reflected in the Current Romanian Civil Law

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Abstract: Relating to the constitutional principles and values, ensuring individual's right to private property, as evidenced by the extensive deposition of article 44 of the Constitution, represents, according to the Romanian legislator, a duty of the State that must prevent and punish the unlawful interference and contrary to the public order and morality. This constitutional right is linked to broader stipulations of civil law, the theory and timeliness of the private property right being intrinsic to human nature. Due to specific conceptual system, the private property rights allow an interdisciplinary approach, something which we aim at in this study, having as a starting point the constitutional text. The article uses as a research method the analysis of these incident texts of the law, of the punctual interpretation of the constitutional content of this subjective right, but also the legal limits imposed in specific cases.

Keywords: fundamental law; proprietary right; private property; licit character

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On the Judge's Jurisdiction in cases of Child Abduction and Solving Cases

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Abstract: The idea of this paper came with the appearance in the media (TV, newspapers, radio), last year, of the news on the situation where the mother, a Romanian citizen, exposes to the public her situation, in order to raise public and/or court's awareness in order to detain in Romania her minor child, the result of a cohabitation or marriage with a foreigner, who resides abroad. In other words, it is about an alleged international child abduction, carried out in Romania as a result returning the mother with the child in Romania, without the father's consent, or because the child remains in Romania after the end of the visiting hours, established through a judgment or a notarial agreement. By her public actions, the mother wishes the child to remain in Romania, refusing to return the child to his father abroad.

We propose that based on the legislation (in particular the Council Regulation (EC) no. 2201/2003 of 27 November 2003 concerning the jurisdiction and the recognition and enforcement of judgments in matrimonial matters and matters of parental liability and the Hague Convention of 25 October 1980 on international child abduction) and the jurisprudence to analyze the issues related to competence in international child abduction and solutions that the Romanian judge has at hand.

Keywords: illegal removal, habitual residence, international abduction, the child's return

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The Legal Nature and the Content of Trademark

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Abstract: The inclusion of trademarks among the objects of the industrial and intellectual property default is controversial. Paul Roubier, a specialist for whom French lawyers have a real cult, speaks about the inclusion of trademarks in the category of objects protected by The Intellectual Property Laws in terms of "heresy" because, in his opinion, the choice for a specific brand or trademark does not require neither creativity, nor originality or novelty. Still, trademarks are the object of some important international conventions, even if a part of the doctrine is reserved with the matter.

Therefore, this paper attempts to explain the nature and content of the trademark in order to reveal the relationship between trademarks and the intellectual property. We would also try to emphasize the specific issues with trademark ownership, to find solutions for clarifying the legal nature of this right, having in view that the issue is currently a subject that acts discussions, as long as ideologists often have different opinions on this subject, and the legislature has avoided to expressly qualify this specific right. The existing laws state only about the holder exclusivity acquired in accordance with established procedures. Starting from the content of the trademark ownership and from the fact that the holder has the right to make benefit of an exclusive use and a priority right of trademark registration, we find features that qualifies trademark as an expression of ownership. Thus helping us identify the legal nature of the trademark ownership. The ownership on trademark is characterized by absolutism, perpetuity, accessority, and what is its specific, territoriality, the only character that makes trademark a particular expression of the Intellectual Property. The corect legal qualification of the right in case is to be established from corroborating legal aspects with specific features of trademark.

Keywords: trademark, ownership, absolute, exclusive, perpetual

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The Need to Regulate Annual Time of Rest for People Who Work under Mandate Contract in the Private Sector

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Abstract: Understanding the specificity of subordination in labour law is very important because it allows, on the one hand, to perceive the significant difference between dependent and independent labour and, on the other hand, it points to the similitudes between them and justifies, we believe, the existence of a 'professional law' which concerns all the legal relationships under which a person may perform a certain type of work.

An interesting similitude also appears from the perspective of the parallel between the mandate contract and the individual employment contract, given the recognition of a relative subordination for the former, which would bring into discussion the protection of all those who work by granting the annual time of rest. In this respect, we must note that the legislation applicable to managers who work in public institutions provides their right to an annual time of rest, similar to annual leave. Companies Law 31/1990 does not speak of such a right for directors. Although it may be established in the mandate contract, *de lege ferenda*, it should be expressly regulated.

There are some arguments which we will discuss in this paper in support of our proposition, including about the fact that directors' remuneration obtained under the mandate contract is similar to salary in terms of the obligations incumbent upon the director and the company deriving from the law of public insurance. Then, if the whole point of insurance concerns social risks which refer, essentially, to the protection of labour force/health, this should also be achieved annually by grating the time of rest, similar to annual leave. In deed, although unlike employees, directors organise their own work and act, generally, as they deem fit for the fulfilment of the mandate, however, under many other aspects, they comply with some rigours which wear their force of work in a relatively subordinate regime.

Keywords: company directors, mandate contract, annual time of rest, annual leave, relative subordination

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About the Time Allotted to *Labour and Social Security Law* in the Bachelor of Laws Programme

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Abstract: Given that *Labour and Social Security Law* has been taken up as a semester subject at the Faculty of Legal, Social and Political Sciences of Dunărea de Jos University, Galați, as part of the Bachelor of Laws programme, we would like to emphasise its amplitude and to propose, naturally, its restoration to the statute of year subject.

First of all, these are two distinct and extremely vast branches of law – *labour land* and *social security law*, reunited under the term above, synonym with that of *social law*. Reunited as such, given the 'economy of the situation', they can be studied even over one whole year, essentially from the perspective of employment, an important part of social law which concerns other categories of assisted or insured persons remaining uncovered. The Labour Code stipulates that it applies to employment relationships, either founded or not on an individual employment agreement, such as work relations or those concerning the magistrates, as it results from the 'employees' table', already illustrated in legal literature, comprehensively and analytically, along with the applicable regulation 'packages'. If legal institutions have remained, basically, the same, however, along the years, their content has grown substantially. Only the special individual employment agreements (and we speak of the basic ones) in relation to the 'standard' one have increased such that at present there are twelve of them. These must be understood as part of the 'system' and in connection with the system of regulatory documents applicable to a certain relation, among which a special place is held by the subsystem of regulatory documents elaborated by the employer.

These are some arguments which, along with others, invite to reflection, to make sure that the persons in charge with the structure of the syllabus are in the know.

Keywords: labour and social security law, vast interdisciplinary area, year subject, semester subject, Bachelor of Laws programme

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The Notary Activity - Differences and similarities between the notary systems in Romania and Republic of Moldova

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Abstract: The notary law consists in the entirety of the law regulations characterizing the notary activity. The legislation in force, the conduct rules and the practical activities represent the legal framework which the notary system activity is based on, both in our country and in the neighboring country, the Republic of Moldova. The notary system in Romania and the Republic of Moldova is funded on principles, being similar in both systems, such as the principle of legality, the principle of confidentiality, the principle of equal treatment and the principle of impartiality.

The notary system core is the human factor, the notary public being the central element. Both in Romania and in the Republic of Moldova, notary public can become the person who has full legal capacity, who is a graduate of the Faculty of Law, who has no criminal record, who enjoys a good reputation, who has performed the internship required and who has an impeccable reputation. The only difference in this regard is that, according to Law no. 36/1995 applicable in Romania, it is expressly provided that the person who wishes to become a notary public should be medically, physically and psychologically fit for performing the function.

The necessary internship – the trainee period – is different between the two states; accordingly, the internship period is 2 years in Romania while in the Republic of Moldova is only 1 year. Also, a person can become notary public in Romania in case it has fulfilled a legal specialty position for at least 6 years and has passed the admission test to the notary public position. The notary public is bound to comply with the duties provided by the deontological code of the profession and its behavior worthy of the position it fulfills and of its social statute. Generally speaking, the notary law of the two states does not present many differences, due to the fact that the bases are common and the morality, lawfulness and good will are applicable everywhere.

Keywords: notary law, legality, confidentiality, the principle of equal treatment

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Criminal Sciences

The Concept of Bad Faith in the Case of Family Abandonment Offense

Abstract: As regards the offense of family abandonment provided for in Article 378 1 lit.c Criminal Code, non-payment for 3 months of the maintenance pension established by court is sanctioned when committed in bad faith. Thus, the subjective side of the offense presupposes the direct intention, which is established by examining the possibilities of the maintenance agent to fulfill its obligations. Judicial practice has, over time, provided different milestones in identifying the criteria to be taken into account in order to retain the form of guilt required for this crime and has seen changes in its approach to current economic realities.

Keywords: family abandonment, maintenance, direct intention

Practical Remarks on the Appeal in Annulment in the Field of Criminal Procedural Law

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Abstract: In the current Code of Criminal Procedure, as an extraordinary remedy, the appeal for annulment did not undergo any substantive changes to the provisions of the Previous Criminal Procedure Code, in view of the cases in which it can be invoked. However, in view of the changes made to the other procedural provisions, the verification of their observance presupposed the examination of the validity of the previous jurisprudence, with the appearance and new interpretations, including by the jurisprudence of the Constitutional Court.

Keywords: appeal in annulment, extraordinary appeal, cases

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The Possibility to Exclude the Evidence in the Romanian Criminal Proceedings

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Abstract: The evidence within the criminal proceedings represents the way the truth is revealed. It practically represents the support of this legal system aiming at good winning the fight between good and evil and the latter to be diminished, or removed if possible. The evidence, this reality which helps us finding the truth regarding the existence or non-existence of an offence, identifying its real author and the circumstances absolutely necessary for the accurate solving of the penal case, is found through a range of means provided by law and which are named "pieces of evidence". These pieces of evidence can be obtained from the competent judicial bodies by appealing to a series of evidence proceedings. Within the criminal proceedings, the evidence can be used only to the extent to which they have been obtained through pieces of evidence acknowledged and allowed by law; on the contrary, at least one of the fundamental principles of the criminal proceedings is breached, i.e. the procedural lawfulness principle. As a matter of fact, one of the functions a criminal proceeding must fulfill is the one of justice, correctness and errors prevention guarantee.

The provisions of the actual Criminal Procedure Code acknowledge indubitably all these realities and principles of the criminal justice. Moreover, having as purpose answering to the needs to accelerate and reduce the criminal procedures duration and to be in accordance with the judiciary practice of the European Court of Human Rights, as it is expressly mentioned in the memorandum of reasons of the Project of the law on the actual Criminal Procedure Code, the legislator has introduced also institutions with novelty character in the criminal procedure. Such a category of totally new provisions have created, unfortunately, confusion and different opinions in the specialty doctrine. The aim of this study is to deal with these confusions and different opinions. These provisions deal with using the pieces of evidence in the criminal proceedings. Starting from the legal provisions in force, the study analyses the opinions delineated in the doctrine and in the end, it is also presented the author's opinion on the way the legal provisions analyzed are interpreted and put to application, regarding the possibility to exclude the illegally obtained evidence.

Keywords: the principle of loyalty, criminal proceedings

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Outrage between Incrimination and Social Reality

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Abstract: The reality today revealed that the crime was especially committed the criminal acts that require great expertise. In this context, the police response must be as. Unfortunately, in many cases, members of law enforcement actions fall victim to aggressive, violent, targeting the very life of workers. These situations must have a strong reaction from enforcement bodies and public order.

Keywords: outrage, victim, police forces, policeman

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The Real Principle in Criminal Law as the Modernity of International Relations

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Abstract: Action of national law is made in its characteristic fields –time, space. Our research deals with the action of criminal law in space, due to the fact that is most important in terms of international and domestic criminal law. In recent years, demand the active fight against crime has increased, aimed at resolving the country's law and order and protect the rights and interests of citizens, as well as the needs of further development and study the largest and most complex theoretical issues in criminal law.

The real principle is a means to eliminate the drawbacks of the territorial and national principles, which can not fully ensure the protection of interests of the state and its citizens against attacks on them from abroad and beyond. The presence of real principle of the criminal law provides protection for objects located within the country and abroad. The real principle (principle of security) of criminal law in space enhances its extraterritorial application in order to protect the interests of a state and its citizens. According to this principle, the State is entitled to impose criminal liability of any person, regardless of the crime, but on condition that it will be in its jurisdiction. A real principle of criminal law in space is largely solves the problem of the criminal responsibility of foreigners and stateless persons committed grave or especially grave crimes against the interests of state and its citizens.

The analysis of the existing legislation in this area found a series of contradictions, which in practice can cause problems in qualifying of acts committed outside Ukraine, and in bringing of perpetrators to criminal responsibility.

Keywords: real principle of criminal law, exterritoriality, action of law in space

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Alternative Explanations of Crime: Labeling, Conflict and Radical Theories

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Abstract: Each era of social and political turmoil has produced profound changes in people's lives. Perhaps no such era was as significant of criminology as the 1960s. A society with conservative values was shaken out of its complacency when young people, blacks, women, and other disadvantaged groups demanded a part in the shaping of national policy. Their saw the gaps between philosophical political demands and reality: blacks had little opportunity to advance, women were kept in an inferior status, old politicians made wars in which the young had to die. Rebellion broke out, and some criminologists joined it. These criminologists turned away from theories that explained crime by characteristics of the offender or of the social structure, they set out to demonstrate that individuals become criminals because of what people wither power, especially those in the criminal justice system, do. Their alternative explanations largely reject the consensus model of crime, on which all earlier theories rested. The new theories not only question the traditional explanations of the creation and enforcement of criminal law but blame that law for the making of criminal. It may not sound so radical to assert that unless an act is made criminal by law, no person who performs that act can be adjudicated a criminal. The exponents of contemporary alternative explanations of crime grant that much. But they also ask: Who makes these laws in the fist place? And why? Is breaking such laws the most important criterion for being a criminal? Are all people who break taws criminals? Do all members of society agree that those singled out by the criminal law to be called „criminals" are criminals and that others are not?

Keywords: criminal justice system, consensus model of crime, contemporary alternative explanations of crime

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Recovery of the Damage Caused by Offenses in Relation to the Importance and Role of the Main Punishments

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Abstract: Hundreds millions of euro are waiting to be executed, according to the court orders, from offenders - with or without political support - convicted in last year's. Under the pressure of international reports and the CVM`s assessments, a document of the European Commission that indicates difficulties in the asset recovery the Romanian state is trying to optimize its procedures with a view to increase the level of recovery of the damages found by the courts.

This is so much more that Justice has lately recorded more convictions in high-profile cases. The legal way through which the conflict of law is brought to justice is called legal action/court proceeding. The injured right prefigures in legal terms a person's relationship to a certain social value protected by law and at the same time the position of that person towards his fellow citizens, towards certain goods or state of fact. The mechanism for granting monetary compensation is mostly an attachment to criminal action, because the offense is the one that produces changes in the outside world and therefore the cause of harm, which is a natural thing.

The present essay highlights the role of recovering the damages caused by crimes in relation to the importance of the main punishments in the context in which it has been increasingly discussed lately the necessity of adopting normative acts of mercy (amnesty, reprieve).

Keywords: penal trial, crime, damage, conditionally freed, main punishments

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Crime Prevention - Essential Component of the Penal Policy

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Abstract: The social response to crime, or the fight against crime, includes two essential components: fighting and preventing.

If in the fight against crime, as a set of criminal-law measures taken by the state bodies to suppress the phenomenon in question, it can be appreciated that they are of a judicial nature, the prevention involves extrajudicial activities aiming at narrowing the action of the generating and favoring factors of crime. Fighting generally involves quite high costs, without completely eliminating the risks to life, physical integrity, health, property, and other social values. Prevention, although under certain circumstances may entail costs comparable to those of combating, largely excludes the risks of crime.

From this perspective, the paper addresses the importance and usefulness of prevention, as well as some ways to approach the concept, form of social reaction against crime.

Keywords: crime prevention - component of the penal policy

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The Development of the Doctrine of Non-Verbal Information in Theory of Criminalistics

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Abstract: Criminalistic information is an epistemological activity to identify, uncover, investigate and prevent criminal acts aimed at understanding the circumstances of a crime, by procedural and non-procedural way by identifying, fixing, accumulating, analyzing and using information that reflects the sides of the event. Information about the crime can be obtained in the following areas: 1. Verbal - evidence of persons participating in the investigation process; 2. Nonverbal - the scene, objects, documents, participants in the investigation process. The possibility and necessity of obtaining indicative data by studying non-verbal information is noted by many scientists in the field of criminalistics. The scientific definition of the concept of nonverbal information is the idea of the connection between the external and internal features of a person, which manifests itself in the fact that "morphological and functional features are form and content of the human body, which differ quantitatively and qualitatively according to their biochemical, physiological and psychological reactions. As part of the interrogation, non-verbal information can play a significant role already at its initial stage, helping in solving the problem of recognizing the true image of the interrogated. Nonverbal communication as an integral part of information interaction at the investigation has never been the subject of independent research. Separate recommendations on using the possibilities of non-verbal communication in the investigation of crimes are encountered in some works; however, the scientific developments close to them on the subject far from exhaust all the questions of non-verbal communication in criminalistic practice, which once again underscores the need for a deeper study of this problem.

Keywords: criminalistics, non-verbal information, non-verbal communication, criminal procedure

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PANEL 2

LAW: PUBLIC ADMINISTRATION AND REGIONAL STUDIES

President:	Ph.D. Florin TUDOR
Rapporteur:	Ph.D. Romeo-Victor IONESCU

PANEL 2 - PUBLIC ADMINISTRATION AND REGIONAL STUDIES

President: Professor Ph.D. Florin TUDOR

The Voivode's Two Bodies? Rethinking the Origins of Romanian Constitutional Ideas

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Abstract: According to some historians, the birth of constitutional ideas in the Romanian principalities was conditioned by the Ottoman suzerainty. In short, the native princes' rulership started to be conceived as a fiction of perpetual power only as a result of tribute payments imposed by the Ottoman Empire. The present paper brings to discussion some old and new evidence to challenge such conclusion; they rather speak in favor of an earlier idea of perpetual power, therefore not related with tribute paying liability. Most likely, its origins lay in the king's two bodies theory and it is the close contact with the Byzantine ideology of power that permitted Romanian political milieu to become acquainted with it. Hence the Ottoman suzerainty was not actually a *primum movens*, but a catalyst in the evolution of constitutional Romanian ideas.

Keywords: Romanian Principalities, constitutional ideas, public debt, king's two bodies theory, Ottoman suzerainty

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The Role and Importance of the Internal Audit Report in the Proper Acting of Public Entities

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Abstract: The practical pursuit of Internal Auditing is designed and carried out after a series of rules, some more severe than others, in order to ensure immediate results, the difficulty of the audit engagement being generated by the methodological restrictions and professional skills of auditors performing internal audit mission. It is necessary to clarify that the audit is not a check to indicate whether an objective is actually carried out and it complies to the conditions of legality, but more important, to reveal us whether it could be accomplished better, if it was necessary, economical and what corrective decisions are to be taken by management to remedy deficiencies and improve running of activities.

Keywords: internal audit mission, internal audit report, recommendations tracking sheet.

JEL Classifications: H83

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The Need to Reform the Territorial Organization of Public Power: Demographic Arguments

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Abstract: A plausible argument in favour of reforming the territorial organization of public power is the demographic situation of the Republic of Moldova. Currently, the Republic of Moldova is faced with a number of demographic problems that leave their mark on many processes that occur. I mean the natural movement of population, the migration, the population ageing and pauperisation. Closely related to these processes there are, also other phenomena: depopulation, de-urbanization and ruralisation of urban settlements in Moldova.

These tendencies and phenomena occurring in the Republic of Moldova require a fundamentally new approach of the territorial organization of public power. Under the new created circumstances, the population of local communities is in permanent decreasing, it doesn't have sufficient means to finance the activity of local public authorities that not having sufficient means due to restricted taxable basis cannot provide quality public services.

Keywords: reform, depopulation, migration, population ageing, de-urbanization

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Kitsch in the Public Local Administration - An Effect of Discretionary Power?

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Abstract: Administrative practices of local authorities, legitimate and legal by dint of recognizing the discretionary power are likely to be captured by kitsch. In aesthetic sciences the vast space of kitsch lies between art and conformism. In public administration the vast area of kitsch is stretching between law (the obligation to implement the laws) and the discretionary power at its disposal. Inadequacy, crowding, mediocrity are the main manifestations of kitsch in administration and it is often confused with modernization. Replacing the aesthetic ideal of "beautiful" to that of "pleasure" or "attractiveness", the phenomenon leads to making populist decisions to the detriment of those with social utility. Aesthetic judgment increases the probability of finding available reasons and solutions, appropriate in the process of discussion and decision making.

Keywords: administration, kitsch, opportunity, ophelimity, social utility

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Regional Approach to Education across the European Union

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Abstract: The paper points out the great disparities between EU Member States related to education. The analysis covers NUTS1 and NUTS2 regions and uses the latest official statistical data. This analysis is focused on seven representative indicators: pupils and students in all levels of education; participation rate of 4-years-old in education; pupils and students in upper secondary and post-secondary non-tertiary education; students in tertiary education; tertiary educational attainment; pupils in primary and lower secondary education; and early leavers from education and training. The scientific approach is built on two levels: a comparative analysis and a regression analysis, in order to quantify trends, levels and disparities in education. A distinct part of the paper deals with Romanian educational system. The main conclusion of the paper is that the educational system supports the regional disparities across the EU. Unfortunately, there are not solutions in decreasing these disparities on short and medium terms.

Keywords: regional educational system; regional disparities; leavers from education and training.

JEL Classification: R10, R19, R59

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The Influence of the Code of Conduct for Civil Servants to the Moral and Responsible Exercise of Their Professional Duties

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Abstract: The moral dimension of the human being must be cultivated both individually and collectively in order for the members of society to cohabitate in the most amiable manner. The professional activity of the civil servant implies his contribution, according to the occupied post, to the achievement of a purpose of public interest. The community's well-being, at the state level as well as at the local public administration level, implies the accountability of civil servants in fulfilling their duties with respect to moral values such as loyalty, honesty, integrity, kindness, politeness, tolerance etc. Acquiring and obeying the rules that expressly establish this moral conduct ensures a high professionalism in the exercise of the public servant profession and contributes to settling and eliminating conflicts. Showing respect for others and understanding the inherent differences (of religion, gender, political beliefs, etc.) between the members of the community creates a positive atmosphere and ensures a civilized climate in which people are able to exercise their rights and conduct their activities.

In this paper we intend to analyze the ethical and deontological norms established by Law no. 7/2004 on the Code of Conduct of the Civil Servant (and other similar internal or international laws) by relating them to moral and legal norms of society and the fact that the human mind is designed to act morally, to feel emotions or use articulated language. The compliance with these ethical norms and the moral accountability of civil servants aim at harmonizing the social life of individuals and the effective exercise of fundamental human rights and freedoms.

Keywords: professional deontology, public servant, moral values, public good, Code of Conduct for Civil Servants, human rights, morality.

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Actual Issues Specific to Urbanism Law

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Abstract: The rapid evolution of contemporary society has led to the emergence of many problems in the field of urban planning, having as a background the expansion of real estate interests. What apparently constituted, for the first time, a benefit for the investors in the field, especially for those interested in the purchase of real estate, it became the source of major conflicts, due to the illegal construction of buildings. Implicitly, this phenomenon overcrowded the civil and contentious courts with various, urgent causes based on urbanism problems.

The issuance of building permits under questionable conditions, the lack of certain necessary permits for issuance of permits (especially the one coming from the Emergency Situations Inspectorate), the lack of consent of the neighbors, when required, according to the provisions of Annex no 1 of the Law no. 50/1991, or the legislative vacuums in drawing up the minutes of contravention in cases related to the illegal edification of different buildings, are constant issues that have been discussed by the courts and which we want to review in our study.

Keywords: building, building approval, abolition, illegality, administrative litigation

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Strategies for Reducing the Bureaucratic Dysfunction of Public Service in Romania

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Abstract: Since the analysis of the reform process in the domain of the public service in Romania has not been explored often enough, the present paper aims to identify various types of bureaucratic dysfunctions of public service with special focus on the causes of these dysfunctions. The paper also points out the strategies and mechanisms proposed by the government to reform the public service, an area of crucial importance for the activity of public administration. For a better understanding of the causes of bureaucratic dysfunctions, the article makes a brief comparative analysis of the solutions of reform applied by other European states in order to find possible ideas or models that could be also efficient for the Romanian public administrative system.

Keywords: public service, reform, bureaucratic

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Power Transition versus Balance of Power: Comprehending the Power Dynamics in the 21st Century

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Abstract: Lately, the power transition theory has witnessed a certain revival, becoming a popular perspective for scholars and officials alike, especially as far as the U.S.-China relationship is concerned. Firstly, as the power transition theory was originally developed as an alternative to balance of power arguments, the paper reviews the concept of balance of power. Secondly, it presents the main features and tenets of the power transition theory. Thirdly, it comparatively assesses the key differences between the power transition and balance of power theories. The paper suggests that in order to adequately comprehend the power dynamics in the 21st century, one might selectively adopt aspects of the power transition theory, but not entirely doing away with the notion of balance of power, as the latter designates, among other things, the multipolar distribution of power, which would likely be the future configuration of it.

Keywords: power transition theory, balance of power, emerging powers, Sino-American relations

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The Cultural Tourism – Urban Development Nexus: The Case of Bucharest

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Abstract: Cultural tourism is a special kind of tourism and illustrates one of the best represented forms of urban tourism. Cultural tourism contributes to the cultural education and spiritual fulfillment of people who are seeking artistic and cultural inspiration. Cultural heritage and historical sites, dancing, music and theatre performances, art galleries, museums, exhibitions, religious and worship sites, as well as ethnic traditions represent Bucharest main attractions for tourists.

Bucharest cultural tourism potential is the outcome of a long urban development of the city especially since it has become the permanent capital city of Wallachia in mid-seventeenth century. The spatial organization of the city and its historical phases of development have let to the extension or overlay of several architectonic and artistic styles that make together a unique combination of tourist attractions. Calea Victoriei is one of the oldest roads in Bucharest and, for quite some time, even its main road. It attracts tourists with its old aristocratic houses, churches, inns, hotels, luxury shops, and important state institutions which are still there, despite of some demolitions ordered by late Communist leader Nicolae Ceausescu. The paper aims at emphasizing the cultural tourism potential of the Romanian capital city in correlation with its urban development.

Keywords: cultural tourism, urban development, historical sites, tourist attractions, Bucharest

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Silver Tourism – a Possible Engine of Regional and Urban Development in South-east Region of Romania

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Abstract: As a result of the growing ageing, senior tourists will become a powerful group in the near tourism future. According to this statement, our research asses that the silver tourism could represent a real instrument for the regional development in the next years. The paper has two parts. The first one presents some theoretical issues related to the new syntagma „silver economy&silver tourism" and their evolution in the European context. Seeking into Romanian context, public agenda and research areas, we discovered that these terms are extremely rare. The second part focus on the south-eastern region of Romania – considered to be the most representative among eight regions, in terms of touristic potential. On the other hand, this region is not among the most developed in Romania. The aim of our study is to highlight the opportunity of capitalizing the aging phenomenon by the administrative institutions and local tour operators that might regenerate economically the southeast region. Methodologically, we used two different types of studies. The first one, which was previously done, revealing the region's tourist potential. The second one consists of a survey based on a questionnaire applied to a group of seniors enrolled at the „university of third age" Galati city. For now, this type of structure is unique in Romania. It provides a valuable dimension of touristic perspective be cause their relevant demographic characteristics - 160 respondents aged between 55 and 85 years. The questionnaire applied was adopted by the National Institute for Research-Development in Tourism, as part of the European project consortium EUROSEN. The results reveals the connections existing between the main options of elderly and the forms of tourism developed at regional level. Related to this aspect, our study highlights how small is the distance between regional tourism potential and touristic demand, on the one hand, and how weak is the attention to this segment, on the other hand, respectively why the institutions should pay more attention to this factor.

Keywords: silver tourism, trends, south-east region

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The Danube Strategy – History and Geopolitical Topicality

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Abstract: The collapse of Communism in Europe generated a need for the reformation of the Danube regime. Since November 2003, representatives of the 11 signatories of the Belgrade Convention (August 18th, 1948) have gathered to discuss the practical aspects of navigation in terms of adapting its legal system to the new political and economic realities in Europe. The intention was to attune the Danubian navigation regime with the regulations of the other major artery of European riverine transport – the Rhine, as well as with the European Community legislation, given that through the new accessions of 2004 and 2007 the Danube almost became an internal river of the European Union. After 2007, the need for cooperation between the states along the river`s basin has taken the form of a Danube Strategy (officially from 2011), taking after a model of cooperation developed through the European Union`s Strategy for the Rhine and the Baltic Sea. The strategy is structured around four main objectives for the Danube region: connecting it; protecting the environment; building up prosperity; strengthening it. What is less known in current historiography is that we can also find these four main objectives in the suggestions made by George Kiss in April 1947, and that they could undoubtedly be considered as a preamble to the Marshall Plan. In essence, he proposed cooperation between Danubian states, their opening towards technical innovations from the West, and not least the settling of an international regime for the Danube, through which this space to be connected to international trade routes. Our study aims to highlight a historical continuity between older and newer initiatives on the Danube regime, and also to reconcile and identify that favourable ratio between national sovereignty of riverine countries on their own sector and the international character of interior navigational waterways.

Keywords: Danube Regime, Danubian basin cooperation, Danube Commission, Marshall Plan, European Union

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Shorts Considerations on Combating Organized Crime through the Border Management Risk of Fraud

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Abstract: The dynamics of international trade liberalization and the complexity of customs tariffs have extended the mandate of government authorities called upon to fight fraudulent manipulations that have lately maximized the profits of organized crime networks to the detriment of concrete threats to the security and welfare of nations. The OECD's solution to complicate customs tariffs at a maximum level does not provide sufficient safeguards to prevent identify and punish fraud. The present study proposes a set of operational risk management solutions in the context of international cooperation at the eastern border of the EU without, however, diminishing the active role of European norms.

Keywords: risk management, organized crime, customs tariffs, frauds

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The Analysis of Tourist Activity in South East Development Region

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Abstract: The author proposes to do a synthetic analysis of tourist resources and tourist traffic last period. South East region, with Braila, Buzau, Constanta, Galati, Tulcea and Vrancea is an area of contrasts. South East version is situated in the south-east of Romania, covering 35 762 square kilometers or 15% of a country's area, a region is the second of 8 regions of Romania The South East region includes most of all landforms: the Danube Valley, Baragan Plain, Plateau Dobrogea, Macin Mountains,and the North-West region part includes of Carpathians Subcarpathians curvatures. The whole region is crossed by the Danube, The Danube Delta and is bordered in the east by the entire Romanian Black Sea coast. But it is mainly the plain relief, with continental specific coastline influences in the east part. In South East region are practiced almost all forms of tourism such as coastline tourism, mountain tourism and balneal. The tourism for leisure, tourism knowledge (itinerant) practiced individual or by through organized trips exploring the diverse landscape wild, mixing boating channels scenic hiking along the canals or fluvial and marine, specialized tourism - scientific (for specialists, researchers, students), rural tourism finds more followers.

The South East region is characterized by high and varied tourism potential. Rich heritage of natural resources and cultural heritage encourages the practice of many types of tourism such as coastal tourism, mountain, cruise, rural ecological tourism, cultural tourism and religious tourism. Although it is a region rich in tourism resources exist counties of it that cannot attract a crowd of tourists. South East region contains 2016 version, about 20% of total tourist accommodation structures.

Keywords: tourism, regional development, tourism resources, tourist traffic

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The Analysis of the Legal Framework of Food Safety and Security

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Abstract: The food safety and security is a hot issue in the modern food safety and security assurance systems and it is the core theme of major actual academic and regulatory developments. The last period is characterized by the orientation on customer satisfaction and this approach is reflected in the evolution of the legal framework, too. The aim of this research is to introduce the traceability systems for food, including the definitions and concepts from the literature, the legal framework and its impact on the implementation of the traceability systems in the food industry.

Keywords: food safety, food industry

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The Periurban - A Concept of High Relevance. A Case Study of Kechida – Africa

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Abstract: La présente contribution cherche à lire et comprendre les modalités de production de l'espace périurbain du quartier de Kechida, situé au Nord-Ouest de la ville de Batna, en Algérie. C'est un espace bien singulier, il demeure difficile à définir et n'a de cesse de s'étendre, en l'absence de politiques et de mécanismes institutionnels cohérents, suite au désengagement des autorités publiques des opérations d'aménagement, notamment lorsqu'elles étaient préoccupées par la double crise économique et sécuritaire qu'a traversée le pays. À travers cette recherche, nous avons tenté de répondre à la question suivante : *qui et comment se fait l'espace périurbain de Kechida* ? Nous avons mis en exergue le processus de fabrication de l'espace périurbain de Kechida, tout en privilégiant l'approche morphologique, dont l'avantage est d'élucider, à priori, la typologie d'urbanisme considérée. De même, et afin d'être plus interprétatifs que descriptifs, l'étude est consolidée par une enquête auprès des habitants, afin de décrypter les modes de perception et d'appropriation de l'espace.

Mot-clefs: autorités publiques, l'espace périurbain

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