

INSTITUTE OF INTERDISCIPLINARY STUDIES IN HUMANITIES AND SOCIAL SCIENCES

Proceedings of the 2nd International Conference on Law and Social Order

> Constantza March 2⁻³, 2012

> > **VOLUME 1**

Mihnea Claudiu Drumea Arnaud Paturet Frank S. Ravitch (eds.)





INSTITUTE OF INTERDISCIPLINARY STUDIES IN HUMANITIES AND SOCIAL SCIENCES • NEW YORK

Proceedings of the 2nd International Conference on Law and Social Order

Constantza March 2–3, 2012

VOLUME 1

Mihnea Claudiu Drumea Arnaud Paturet Frank S. Ravitch (eds.)

ADDLETON ACADEMIC PUBLISHERS • NEW YORK



Addleton Academic Publishers

www.addletonacademicpublishers.com, editors@addletonacademicpublishers.com 30-18 50th Street, Woodside, New York, 11377

ISBN 978-1-935494-31-7

Library of Congress Control Number: 2012933542

© Addleton Academic Publishers 2012

Addleton Academic Publishers is an imprint of RIOTS, New York

Addleton Academic Publishers has no responsibility for the persistence or accuracy of urls for external or third-party internet websites referred to in this publication, and does not guarantee that any content on such websites is, or will remain, accurate or appropriate.

This volume is a direct offshoot of *The 2nd International Conference on Law and Social Order-Constantza* (March 2–3, 2012).

CSA Congresses are affiliated with the international peer-reviewed academic journals edited by Addleton Academic Publishers, New York.

INDEXING AND ABSTRACTING SERVICES

Academic Search Complete, Cabell's Management Directory, CEEOL, EBSCOhost, EBSCO Discovery Service, Gale, Index Islamicus, International Bibliography of the Social Sciences, HeinOnline, Legal Collection, ProQuest, Ulrich's Periodicals Directory, Universe Digital Library, Contemporary Science Association Databases.

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, without the prior permission in writing of Addleton Academic Publishers, or as expressly permitted by law, or under terms agreed with the appropriate reprographics rights organization. Enquiries concerning reproduction outside the scope of the above should be sent to the Rights Department, Addleton Academic Publishers, at the address above. You must not circulate this book in any other binding or cover and you must impose this same condition on any acquirer.

Produced in the United States of America

General Co-Chairs

Associate Professor Mihnea Claudiu Drumea, Spiru Haret University, Romania

Professor Frank S. Ravitch, Michigan State University, USA

International Advisory Board and Program Committee

Professor Bruce Bean, Michigan State University, USA

Professor Cécile Bertrand-Dagenbach, Université Nancy 2, France

Associate Professor Anna Babka, University of Viena, Austria

Professor Olga A. Burukina, Moscow State Linguistic University, Russia

Professor Theodor Damian, Metropolitan College of New York, USA

Associate Professor Gheorghe Dinu, Spiru Haret University, Romania

Adjunct Professor Meri Disoski, University of Viena, Austria

Professor Manuela Epure, Spiru Haret University, Romania

Professor Dr. Hab. Tatyana Fedulenkova, Moscow State Linguistic University, Russia

Dr Atalay Gündüz, Ege University, Turkey

Associate Professor Alecu Gheorghe, Spiru Haret University, Romania

Professeur Jean-Louis Halpérin, ENS, France

Associate Professor Susanne Hochreiter, University of Vienna, Austria

Dr. Mihaela M. Johnson, University of Pennsylvania, USA

Dr. Danuta Kierzkowska, Poland

Professor Dr. Hab. Alexander Kozyrin, Moscow State University, Russia

Adjunct Professor Xi Lian, Peking University, China

Associate Professor Ramona Mihăilă, Spiru Haret University, Romania

Associate Professor Elena Maria Minea, Babes-Bolyai University, Romania

Professor Mircea Stefan Minea, Babes-Bolyai University, Romania

Professor Lavinia Nădrag, Ovidius University, Romania

Professeur Arnaud Paturet, ENS, France

Associate Professor Nicolae Puscas, Spiru Haret University, Romania

Professor Frank S. Ravitch, Michigan State University, USA

Professor Ana Rodica Stăiculescu, Ovidius University, Romania

Dr. Christopher Stringham, Arizona State University Researcher, USA

Professor Doru Tsaganea, Metropolitan College of New York, USA

Associate Professor Florin Tudor, Dunarea de Jos University, Romania

Associate Professor Ruxandra Vasilescu, Spiru Haret University, Romania

Professor Dr. Hab. Alexander Yalbulganov, Moscow State University, Russia

Conference Secretary

Luciana Bucur, Spiru Haret University, Romania

Program and Organizing Committee Chair

Dr. Onorina Botezat, Spiru Haret University, Romania

Organizing Committee Members

Dr. Ion M. Anghel, Spiru Haret University, Romania

Dr. Vasile Babu, Spiru Haret University, Romania

Dr. Mihnea Claudiu Drumea, Spiru Haret University, Romania

Dr. Tiberiu Duţu, Spiru Haret University, Romania

Dr. Patrick Lazăr, Spiru Haret University, Romania

Bogdan Barață Ph.D.c., Spiru Haret University, Romania

Radiță Corcheș Ph.D.c., Spiru Haret University, Romania

Georgiana Covrig Ph.D.c., Spiru Haret University, Romania

Bogdan Ghiţulescu Ph.D.c., Spiru Haret University, Romania

Raluca Lupu Ph.D.c., Spiru Haret University, Romania

Liliana Mănuc Ph.D.c., Spiru Haret University, Romania

Luminita Merei Ph.D.c., Spiru Haret University, Romania

Ingrid Nicolau Ph.D.c., Spiru Haret University, Romania

Raluca Rotaru Ph.D.c., Spiru Haret University, Romania

Anca Stoian Ph.D.c., Spiru Haret University, Romania

Ana Ţigănescu Ph.D.c., Spiru Haret University, Romania

CONTENTS

KEYNOTE PAPER

A BASIC INTRODUCTION TO CONSTITUTIONAL FREE EXERCISE OF RELIGION IN THE UNITED STATES AND JAPAN [7] FRANK S. RAVITCH

CIVIL LAW AND CIVIL PROCEDURE

CONSIDERATIONS ON CLASSIFICATION OF GOOD IN FUNGIBLE AND NON-FUNGIBLE [22]
CORNELIA MUNTEAN

DETERMINING THE TIME OF DEATH AND ITS IMPORTANCE IN THE INHERITANCE MATTER [29] PATRICK RARES I AZĂR

GUARANTEEING THE CARRIER'S CLAIMS: REGULATIONS IN THE CIVIL CODE AND SPECIAL LEGISLATION [35] ADINA LAURA PANDELE

THE INHERITANCE OPENING AND ITS LEGAL CONSEQUENCES IN LIGHT OF THE ENTRY INTO FORCE OF THE NEW CIVIL CODE [42] PATRICK RARES LAZĂR

THE DISSOLUTION OF A MARRIAGE ON THE TERRITORY
OF AN EU STATE, BETWEEN A ROMANIAN CITIZEN AND
THE CITIZEN OF THAT STATE. TERRITORIAL COMPETENCE [48]
MADALINA BOTINA
MARILENA MARIN

SPECIFIC FEATURES OF THE DISMISSAL OF PERSONAL ASSISTANTS OF DISABLED PERSONS. CASE STUDY [53] MARILENA MARIN MADALINA BOTINA

CONTRACT OF MANDATE IN THE NEW CIVIL CODE [61]
MIRELA LOREDANA STIOLICA
ROXANA GOGA-VIGARU
OANA GABRIEI A DUMITRACHE

RECOURSE IN LEGAL PURPOSES FROM THE PERSPECTIVE OF LAW 202/ 2010 REGARDING THE ACCELERATION OF TRIAL SETTLEMENT [68] GEORGE COCA

THE RIGHT TO SELF IMAGE: THE CONSENT GIVEN IN THE CASE OF REPRODUCTION OF A PERSON IN A PHOTOGRAPH, FILM, DRAWING, ON THE INTERNET [73] LILIANA MARILENA MĂNUC

EQUITY, FUNDAMENTAL PRINCIPLE OF LAW [77]

VARVARA COMAN LUCIANA BOBOC OCTAVIA STERIOPOL

THE RIGHT TO SELF IMAGE: THE CONSENT GIVEN TO CREATE OR USE A PERSON'S IMAGE IN THE NEW CIVIL CODE. GENERAL CONSIDERATIONS [85] LILIANA MARILENA MĂNUC

EUTHANASIA [89]

AMELIA MIHAELA DIACONESCU

EUROPEAN COMMUNITY LAW

THE PRINCIPLE OF DIRECT CONSEQUENCES AND EFFECT OF EU RULES ON NATIONAL COURTS [99] GHEORGHE DINU

THE INSERTION OF THE PRECAUTIONARY PRINCIPLE IN THE ENVIRONMENT PROTECTION AS A LEGAL NORM IN THE EUROPEAN UNION COUNTRIES [104]

FLORIN FAINISI MARIAN ILIE DIANA ANCA ARTENE

ASPECTS OF EUROPEAN COOPERATION IN THE FIGHT AGAINST CROSS-BORDER CRIME [124]

TACHE BOCĂNIALĂ ANDREI BOCĂNIALĂ

APPLICABILITY OF THE PRECAUTIONARY PRINCIPLE. EUROPEAN UNION CASE LAW – FRANCE MODEL [132]

ANGELICA COBZARU

THE VICTIM OUTSIDE THE TRIAL:
ILLEGAL IMMIGRATION AND THE RESIDENCE PERMIT [143]
MIHAELA AGHENITEI

THE RELATIONSHIP BETWEEN
THE ROMANIAN AND THE EUROPEAN CITIZENSHIPS [148]
FLORICA BRASOVEANU
ALEXANDRU PETRU LISIEVICI BREZEANU

THE ISSUE OF THE POLICE AND JUDICIAL COOPERATION IN THE EUROPEAN UNION [152]
CRISTINA FLORINA (POPESCU) PANAIT

PUBLIC LAW AND ECONOMICS

THE ACCOUNTING LAW AND THE MIXED LEGAL INSTITUTIONS SYSTEM IN TERMS OF PROMOTING DEVELOPMENT MECHANISMS [160] AURELIAN VIRGIL BĂLUTĂ

RISK ASSESSMENT AUDIT VERSUS WORK ACCIDENTS PREVENTION [167] LIANA ELEFTERIE

MONEY LAUNDERING DIRECTIVES AND CORRUPTION IN THE EUROPEAN UNION [177]

LUMINITA IONESCU

THE IMPLICATIONS OF THE ADOPTION OF THE EU ACQUIS ON THE ROMANIAN BANKING SECTOR [182] OCTAV NEGURITĂ

INTERNATIONAL COOPERATION IN THE STRUGGLE AGAINST TRANS-BORDER ORGANIZED CRIME AND MONEY LAUNDERING [190] GEORGE DORFL POPA

ASSIGNING BETTER TAX GOVERNANCE WITHIN THE EU THROUGH THE ACTIONS TO OVERCOME THE DEBT CRISIS AND ENHANCE THE ECONOMIC CONVERGENCE [194] FLORIN TUDOR

CRIMINAL LAW

THE STATUS OF ACTIVE SUBJECT OF BRIBE-TAKING [202]
GHEORGHE ALECU
CAMELIA DOINA MICU

CRIMINAL POLICY IN CONSTITUTIONAL DEMOCRACY. TERMINOLOGY AND CONCEPT [210] VASILE BABU

CRIMINAL POLICY AND CONSTITUTION. TERMINOLOGY AND CONCEPT [214]

GUILTY PLEA AGREEMENT [218]

TIBERIU DUTU

REQUIREMENTS FOR ENSURING UNIFORM LEGAL PRACTICE [222] TIBERIU DUTU

THE ACCESSORY PUNISHMENT ACCORDING TO THE NEW CRIMINAL CODE OF ROMANIA [227] GHEORGHE IVAN MARI-CLAUDIA IVAN

CUSTODY ON REMAND ACCORDING TO THE NEW CRIMINAL CODE OF ROMANIA [233] MARI-CLAUDIA IVAN GHEORGHE IVAN



INSTITUTE OF INTERDISCIPLINARY STUDIES IN HUMANITIES AND SOCIAL SCIENCES

Proceedings of the 2nd International Conference on Law and Social Order

> Constantza March 2–3, 2012

> > **VOLUME 2**

Mihnea Claudiu Drumea Arnaud Paturet Frank S. Ravitch (eds.)







INSTITUTE OF INTERDISCIPLINARY STUDIES IN HUMANITIES AND SOCIAL SCIENCES • NEW YORK

Proceedings of the 2nd International Conference on Law and Social Order

Constantza March 2–3, 2012

VOLUME 2

Mihnea Claudiu Drumea Arnaud Paturet Frank S. Ravitch (eds.)

ADDLETON ACADEMIC PUBLISHERS • NEW YORK



Addleton Academic Publishers

www.addletonacademicpublishers.com, editors@addletonacademicpublishers.com 30-18 50th Street, Woodside, New York, 11377

ISBN 978-1-935494-32-4

Library of Congress Control Number: 2012933542

© Addleton Academic Publishers 2012

Addleton Academic Publishers is an imprint of RIOTS, New York

Addleton Academic Publishers has no responsibility for the persistence or accuracy of urls for external or third-party internet websites referred to in this publication, and does not guarantee that any content on such websites is, or will remain, accurate or appropriate.

This volume is a direct offshoot of *The 2nd International Conference on Law and Social Order-Constantza* (March 2–3, 2012).

CSA Congresses are affiliated with the international peer-reviewed academic journals edited by Addleton Academic Publishers, New York.

INDEXING AND ABSTRACTING SERVICES

Academic Search Complete, Cabell's Management Directory, CEEOL, EBSCOhost, EBSCO Discovery Service, Gale, Index Islamicus, International Bibliography of the Social Sciences, HeinOnline, Legal Collection, ProQuest, Ulrich's Periodicals Directory, Universe Digital Library, Contemporary Science Association Databases.

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, without the prior permission in writing of Addleton Academic Publishers, or as expressly permitted by law, or under terms agreed with the appropriate reprographics rights organization. Enquiries concerning reproduction outside the scope of the above should be sent to the Rights Department, Addleton Academic Publishers, at the address above. You must not circulate this book in any other binding or cover and you must impose this same condition on any acquirer.

Produced in the United States of America

General Co-Chairs

Associate Professor Mihnea Claudiu Drumea, Spiru Haret University, Romania

Professor Frank S. Ravitch, Michigan State University, USA

International Advisory Board and Program Committee

Professor Bruce Bean, Michigan State University, USA

Professor Cécile Bertrand-Dagenbach, Université Nancy 2, France

Associate Professor Anna Babka, University of Viena, Austria

Professor Olga A. Burukina, Moscow State Linguistic University, Russia

Professor Theodor Damian, Metropolitan College of New York, USA

Associate Professor Gheorghe Dinu, Spiru Haret University, Romania

Adjunct Professor Meri Disoski, University of Viena, Austria

Professor Manuela Epure, Spiru Haret University, Romania

Professor Dr. Hab. Tatyana Fedulenkova, Moscow State Linguistic University, Russia

Dr Atalay Gündüz, Ege University, Turkey

Associate Professor Alecu Gheorghe, Spiru Haret University, Romania

Professeur Jean-Louis Halpérin, ENS, France

Associate Professor Susanne Hochreiter, University of Vienna, Austria

Dr. Mihaela M. Johnson, University of Pennsylvania, USA

Dr. Danuta Kierzkowska, Poland

Professor Dr. Hab. Alexander Kozyrin, Moscow State University, Russia

Adjunct Professor Xi Lian, Peking University, China

Associate Professor Ramona Mihăilă, Spiru Haret University, Romania

Associate Professor Elena Maria Minea, Babes-Bolyai University, Romania

Professor Mircea Stefan Minea, Babes-Bolyai University, Romania

Professor Lavinia Nădrag, Ovidius University, Romania

Professeur Arnaud Paturet, ENS, France

Associate Professor Nicolae Puscas, Spiru Haret University, Romania

Professor Frank S. Ravitch, Michigan State University, USA

Professor Ana Rodica Stăiculescu, Ovidius University, Romania

Dr. Christopher Stringham, Arizona State University Researcher, USA

Professor Doru Tsaganea, Metropolitan College of New York, USA

Associate Professor Florin Tudor, Dunarea de Jos University, Romania

Associate Professor Ruxandra Vasilescu, Spiru Haret University, Romania

Professor Dr. Hab. Alexander Yalbulganov, Moscow State University, Russia

Conference Secretary

Luciana Bucur, Spiru Haret University, Romania

Program and Organizing Committee Chair

Dr. Onorina Botezat, Spiru Haret University, Romania

Organizing Committee Members

Dr. Ion M. Anghel, Spiru Haret University, Romania

Dr. Vasile Babu, Spiru Haret University, Romania

Dr. Mihnea Claudiu Drumea, Spiru Haret University, Romania

Dr. Tiberiu Duţu, Spiru Haret University, Romania

Dr. Patrick Lazăr, Spiru Haret University, Romania

Bogdan Barață Ph.D.c., Spiru Haret University, Romania

Radiță Corcheș Ph.D.c., Spiru Haret University, Romania

Georgiana Covrig Ph.D.c., Spiru Haret University, Romania

Bogdan Ghiţulescu Ph.D.c., Spiru Haret University, Romania

Raluca Lupu Ph.D.c., Spiru Haret University, Romania

Liliana Mănuc Ph.D.c., Spiru Haret University, Romania

Luminita Merei Ph.D.c., Spiru Haret University, Romania

Ingrid Nicolau Ph.D.c., Spiru Haret University, Romania

Raluca Rotaru Ph.D.c., Spiru Haret University, Romania

Anca Stoian Ph.D.c., Spiru Haret University, Romania

Ana Ţigănescu Ph.D.c., Spiru Haret University, Romania

CONTENTS

HISTORY OF LAW

DROIT ET ORDRE SOCIAL DANS L'ANTIQUITE ROMAINE : MORCEAUX CHOISIS [7]

ARNAUD PATURET

THE ORGANIZATION OF PRISONS IN THE ROMANIAN PRINCIPALITIES (1831–1862) [31]
LUMINITA ELENI MEREI

FORMS OF MEDIEVAL JUDICIAL PROCEDURE OF THE ROMANIAN PEOPLE [38] ION M. ANGHEL

THE WORK IN PRISON AT THE BEGINNING OF MODERN ROMANIA [44] LUMINITA ELENI MEREI

THE JUDICIAL ORGANIZATION IN PROVINCES RETURNED TO THE COUNTRY OR OUTSIDE ITS BORDERS DURING THE SECOND HALF OF THE NINETEENTH AND THE BEGINNING OF THE TWENTIETH CENTURY [52] BOGDAN GHIŢULESCU

FORMS OF MEDIEVAL JUDICIAL PROCEDURE TO THE ROMANIAN PEOPLE (9TH-16TH CENTURY) [58]
ION M. ANGHEL

THE JUDICIAL ORGANIZATION IN ROMANIAN PRINCIPALITIES DURING THE SECOND HALF OF THE NINETEENTH AND THE BEGINNING OF THE TWENTIETH CENTURY [65] BOGDAN GHITULESCU

LAW NO. 221/2009 ON CONVICTIONS WITH POLITICAL CHARACTER AND ADMINISTRATIVE MEASURES RELATED, SENTENCED BETWEEN MARCH 6, 1945 AND DECEMBER 22, 1989.

GROUNDS FOR THE LAW AND ITS APPLICABILITY [73]

RALUCA ROTARU

JEWS' RIGHTS IN FRANCE AFTER 1789 REVOLUTION [79] INGRID NICOLAU RALUCA LUPU

LEGAL ENGLISH

LEGAL LANGUAGE: A REALM OF CONTRADICTIONS [86]
OI GA BURUKINA

LEGAL TRANSLATION THROUGH THE DISTORTED LENS OF CULTURE: AN ENGLISH-ROMANIAN CASE STUDY [102]

LAVINIA NADRAG ALINA BUZARNA-TIHENEA (GALBEAZA) ALINA STAN

TERMCOORD AND IATE'S ROLES IN
THE AGE OF COMPUTER-ASSISTED TRANSLATION TOOLS [113]
ADINA RĂDUI ESCU

E-LEARNING - THE ULTIMATE EDUCATIONAL TOOL [120]
FILIP BACALU

A CORPUS-BASED ANALYSIS OF DEONTIC AND EPISTEMIC VALUES OF THE MODAL SHALL IN LEGAL TEXTS [130]
ROXANA GOGA-VIGARU

EDUCATION, PSYCHOLOGY, SOCIOLOGY

IMPLEMENTATION OF MARKETING PRINCIPLES – A NECESSITY IN PRIMARY SCHOOL EDUCATION [142]

SORIN SFERLE DANIEL ADRIAN GÂRDAN SIMONA CORINA GUDEI IULIANA PETRONELA GEANGU

IDENTITY IN CONFLICT: A CASE STUDY OF VIOLENCE [152]
ANA RODICA STĂICULESCU
ALINA STAN

EDUCATIONAL APPROACH AND COUNSELING IN YOUNGSTER'S AGGRESSIVITY [164] MARILENA TICUSAN

STRATEGIES FOR CONTROLLING CHILDREN'S CRIMES [171]
DIANA-ELENA ARHIRE

LE TOTEM DE LA PSYCHANALYSE ET LE TABOU DE LA DIVERSITE CULTURELLE DANS LE SCENARIO DE L'ORIGINAIRE SOCIALE [178] MATEI GEORGESCU

PSYCHOLOGICAL ASPECT OF LIBERTY DEPRIVATION AND CUSTODIAL ENVIRONMENT [187] MIHAELA RUS

GRUNDNORM. THE CONTROVERSIAL SUPPORTING POINT OF THE KELSENIAN POSITIVIST SYSTEM [198] BOGDAN CRISTIAN TRANDAFIRESCU

TRANSITION ENTRE L'ESPACE ET LE TEMPS CHEZ PROUST [204] BRÎNDUŞA ORĂŞANU

THE CONATIVE FUNCTION OF LANGUAGE AND MEDIA SEMIOTICS [216] SILVIU ŞERBAN

TITU MAIORESCU: ONE OF THE GREATEST ROMANIAN CULTURE TRIUMPHS OR THE FAILURE OF A POSSIBLE SUCCESSFUL ROMANIAN LAWYER? [226] OANA STANCULESCU-ILIE



INSTITUTE OF INTERDISCIPLINARY STUDIES IN HUMANITIES AND SOCIAL SCIENCES

Proceedings of the 2nd International Conference on Law and Social Order

> Constantza March 2⁻³, 2012

> > **VOLUME 3**

Mihnea Claudiu Drumea Arnaud Paturet Frank S. Ravitch (eds.)





INSTITUTE OF INTERDISCIPLINARY STUDIES IN HUMANITIES AND SOCIAL SCIENCES • NEW YORK

Proceedings of the 2nd International Conference on Law and Social Order

Constantza March 2–3, 2012

VOLUME 3

Mihnea Claudiu Drumea Arnaud Paturet Frank S. Ravitch (eds.)

ADDLETON ACADEMIC PUBLISHERS • NEW YORK



Addleton Academic Publishers

www.addletonacademicpublishers.com, editors@addletonacademicpublishers.com 30-18 50th Street, Woodside, New York, 11377

ISBN 978-1-935494-33-1

Library of Congress Control Number: 2012933542

© Addleton Academic Publishers 2012

Addleton Academic Publishers is an imprint of RIOTS, New York

Addleton Academic Publishers has no responsibility for the persistence or accuracy of urls for external or third-party internet websites referred to in this publication, and does not guarantee that any content on such websites is, or will remain, accurate or appropriate.

This volume is a direct offshoot of *The 2nd International Conference on Law and Social Order-Constantza* (March 2–3, 2012).

CSA Congresses are affiliated with the international peer-reviewed academic journals edited by Addleton Academic Publishers, New York.

INDEXING AND ABSTRACTING SERVICES

Academic Search Complete, Cabell's Management Directory, CEEOL, EBSCOhost, EBSCO Discovery Service, Gale, Index Islamicus, International Bibliography of the Social Sciences, HeinOnline, Legal Collection, ProQuest, Ulrich's Periodicals Directory, Universe Digital Library, Contemporary Science Association Databases.

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, without the prior permission in writing of Addleton Academic Publishers, or as expressly permitted by law, or under terms agreed with the appropriate reprographics rights organization. Enquiries concerning reproduction outside the scope of the above should be sent to the Rights Department, Addleton Academic Publishers, at the address above. You must not circulate this book in any other binding or cover and you must impose this same condition on any acquirer.

Produced in the United States of America

General Co-Chairs

Associate Professor Mihnea Claudiu Drumea, Spiru Haret University, Romania

Professor Frank S. Ravitch, Michigan State University, USA

International Advisory Board and Program Committee

Professor Bruce Bean, Michigan State University, USA

Professor Cécile Bertrand-Dagenbach, Université Nancy 2, France

Associate Professor Anna Babka, University of Viena, Austria

Professor Olga A. Burukina, Moscow State Linguistic University, Russia

Professor Theodor Damian, Metropolitan College of New York, USA

Associate Professor Gheorghe Dinu, Spiru Haret University, Romania

Adjunct Professor Meri Disoski, University of Viena, Austria

Professor Manuela Epure, Spiru Haret University, Romania

Professor Dr. Hab. Tatyana Fedulenkova, Moscow State Linguistic University, Russia

Dr Atalay Gündüz, Ege University, Turkey

Associate Professor Alecu Gheorghe, Spiru Haret University, Romania

Professeur Jean-Louis Halpérin, ENS, France

Associate Professor Susanne Hochreiter, University of Vienna, Austria

Dr. Mihaela M. Johnson, University of Pennsylvania, USA

Dr. Danuta Kierzkowska, Poland

Professor Dr. Hab. Alexander Kozyrin, Moscow State University, Russia

Adjunct Professor Xi Lian, Peking University, China

Associate Professor Ramona Mihăilă, Spiru Haret University, Romania

Associate Professor Elena Maria Minea, Babes-Bolyai University, Romania

Professor Mircea Stefan Minea, Babes-Bolyai University, Romania

Professor Lavinia Nădrag, Ovidius University, Romania

Professeur Arnaud Paturet, ENS, France

Associate Professor Nicolae Puscas, Spiru Haret University, Romania

Professor Frank S. Ravitch, Michigan State University, USA

Professor Ana Rodica Stăiculescu, Ovidius University, Romania

Dr. Christopher Stringham, Arizona State University Researcher, USA

Professor Doru Tsaganea, Metropolitan College of New York, USA

Associate Professor Florin Tudor, Dunarea de Jos University, Romania

Associate Professor Ruxandra Vasilescu, Spiru Haret University, Romania

Professor Dr. Hab. Alexander Yalbulganov, Moscow State University, Russia

Conference Secretary

Luciana Bucur, Spiru Haret University, Romania

Program and Organizing Committee Chair

Dr. Onorina Botezat, Spiru Haret University, Romania

Organizing Committee Members

Dr. Ion M. Anghel, Spiru Haret University, Romania

Dr. Vasile Babu, Spiru Haret University, Romania

Dr. Mihnea Claudiu Drumea, Spiru Haret University, Romania

Dr. Tiberiu Duţu, Spiru Haret University, Romania

Dr. Patrick Lazăr, Spiru Haret University, Romania

Bogdan Barață Ph.D.c., Spiru Haret University, Romania

Radiță Corcheș Ph.D.c., Spiru Haret University, Romania

Georgiana Covrig Ph.D.c., Spiru Haret University, Romania

Bogdan Ghitulescu Ph.D.c., Spiru Haret University, Romania

Raluca Lupu Ph.D.c., Spiru Haret University, Romania

Liliana Mănuc Ph.D.c., Spiru Haret University, Romania

Luminita Merei Ph.D.c., Spiru Haret University, Romania

Ingrid Nicolau Ph.D.c., Spiru Haret University, Romania

Raluca Rotaru Ph.D.c., Spiru Haret University, Romania

Anca Stoian Ph.D.c., Spiru Haret University, Romania

Ana Ţigănescu Ph.D.c., Spiru Haret University, Romania

CONTENTS

INTELLECTUAL PROPERTY AND TRANSPORTATION LAW

A CONTEMPORARY OBSERVATION ON INTERNATIONAL PROTECTION OF CULTURAL PROPERTY [7] XI LIAN

INTELLECTUAL CREATION IN THE LIGHT OF THE CONVENTION ESTABLISHING THE WORLD INTELLECTUAL PROPERTY ORGANIZATION –
THE WIPO ORGANIZATION [18]
CONSTANTIN ANE CHITOAE

INTELLECTUAL PROPERTY RIGHTS THOUGH THE LENS OF THE AGREEMENT ON TRADE-RELATED ASPECTS OF INTELLECTUAL PROPERTY RIGHTS, CONCLUDED IN MARRAKESH [22]

CONSTANTIN ANECHITOAE

TRADING VESSELS [28] CORNEL GRIGORUT

THE STATUS OF SCIENTIFIC RESEARCH IN THE FIELD OF LEGAL RELATIONS OF THE CREW PERSONNEL WORKING ON MERCHANT SHIPS [32]
BOGDAN MARIAN MITRIC

THE FREIGHT MARKET [41]
CORNEL GRIGORUT

SINGLE CONSIGNMENT NOTE CIM / SMGS IN INTERNATIONAL RAIL FREIGHT TRANSPORT [45] FMILIAN NEAGLI

THE LEASE CONTRACT [50]
CLAUDIU IULIAN LESNI

PUBLIC ADMINISTRATION

STUDY ON ADMINISTRATIVE CONTRACTS [55] ADRIANA MAGDALENA SANDU MARIA SOFIA PAGARIN

DIFFERENT PROCEDURES TO ACQUIRE THE PUBLIC DOMAIN [63]
ADRIANA MAGDALENA SANDU

THE RIGHT TO GOOD ADMINISTRATION [71]

NICOLAE PAVEL

LEGAL ASPECTS REGARDING WATERS ADMINISTRATION, USE AND MANAGEMENT IN ROMANIA [86]

ANA-MARIA ŢIGĂNESCU

LIABILITY OF THE PUBLIC ROAD MANAGER WHO MANAGES COUNTY ROADS SECTORS LOCATED WITHIN BUILT URBAN AREAS, UNDER PROVISIONS OF GOVERNMENT ORDINANCE NO. 43/1997 ON ROADS CONDITIONS, REPUBLISHED AND UPDATED [94] AUREL ZAHARIA

OFFENSES CONCERNING THE ROAD FACTOR BY NOT COMPLYING WITH CONDITIONS OF THE CONSTRUCTION AUTHORIZATION ISSUED UNDER THE LAW, TO PROVIDE ACCESS TO THE PUBLIC ROAD, IF CONSTRUCTIONS ARE SITUATED ON THE ROAD [99]

AUREL ZAHARIA

LE STATUS DE LA PROFESSION DE L'HUISSIER DE JUSTICE DANS LE MONDE CONTEMPORAINE : RÉALITÉE ET PERSPECTIVE [103] ADRIAN STOICA

HUMAN RIGHTS AND HEALTH POLICIES

CONSIDERATIONS ON HEALTH POLICY [117] LUCIANA BOBOC VARVARA COMAN LILIANA PAVEI

THE RIGHT TO LIFE AS A SUPREME VALUE AND GUARANTEEING THE RIGHT TO LIFE [122] NICOLAE PAVEL

KEY FACTORS THAT INFLUENCE BEHAVIOR OF HEALTH CARE CONSUMER, THE BASIS OF HEALTH CARE STRATEGIES [144] VIOLETA RĂDULESCU IULIANA CETINĂ GHEORGHE ORZAN

COMMUNITY SERVICE [154] NICOLAE GRĂDINARU

ABUSE OF RIGHTS [162] NICOLAE GRĂDINARU

NEW PROVISIONS OF THE 2011 ROMANIAN LABOR CODE: ARTICLES 1 TO 31 [168]

MIHNEA CLAUDIU DRUMEA

THE RELATIONS BETWEEN INTERNATIONAL CONVENTIONS ON INTERNATIONAL TRADE CONTRACTS [172]

BOGDAN CRISTIAN TRANDAFIRESCU

THE IMPACT OF THE NEW INFORMATIONAL ERA ON LAW [180]

ANCA-IULIA STOIAN

VIEWS ON THE PROCESS OF GLOBALIZATION AND ITS EFFECTS ON HUMAN BEINGS [186]

OANA GĂLĂTEANU

THE TRAFIC OF HUMAN BEINGS IS INHUMAN [192]

OCTAVIA STERIOPOL LUCIANA BOBOC VARVARA COMAN

CONDITIONS FOR LEGAL LIABILITY FOR ENVIRONMENTAL DAMAGE [200]

FLORICA BRASOVEANU ALEXANDRU PETRU LISIEVICI BREZEANU

JUVENILE DELINQUENCY - SECURITY THREATS IN THE EXTENDED BLACK SEA REGION [206]

GHEORGHE CALOPĂREANU FILOFTEIA REPEZ MIHAELA POSTOLACHE

ASPECTS REFERRING TO THE INTERNATIONAL COOPERATION ON THE PROTECTION OF THE BLACK SEA AGAINST POLLUTION [213] ANA-MARIA TIGĂNESCU

MINING, FORESTRY AND HUMAN RIGHTS GOVERNANCE – RESTORING THE LOST BALANCE [219]

CHOUDHURI SALMOLI