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SECTION I - PUBLIC LAW

Friday, November 15, 2024

ONLINE ON ZOOM

Moderator:

Lecturer **Radu Ștefan Pătru**, *Faculty of Law, Bucharest University of Economic Studies*

! Each paper will be presented within 15 minutes
! Fiecare lucrare va fi prezentată în maxim 15 minute

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SCIENTIFIC PAPERS

Time interval:

10.00 - 11.00

TAX REFORM IN CYPRUS: THE WAY FORWARD

Lecturer **Andreas GEORGIU**
Frederick University, Cyprus

Abstract

With an emphasis on resolving alleged injustices in the individual taxation system, particularly for married couples, this study investigates the possibility of tax reform in Cyprus. Since each person in Cyprus is currently subject to separate taxes, married couples may be unfairly burdened by having larger overall tax obligations. The principal aim of the study is to investigate the viability and consequences of instituting a married couples allowance for individuals who are lawfully married. Additionally, the study intends to evaluate public perceptions of the benefits of such an allowance and the fairness of the current system. To achieve these objectives, a mixed-methods approach was employed, combining qualitative interviews with tax experts and quantitative surveys conducted with a representative sample of Cypriot citizens. Data on government revenue and potential costs associated with the reform were analyzed to evaluate the financial impact of the proposed change. Results indicate strong public support for a married couple's allowance, with many respondents perceiving it as a fairer approach to taxation. However, the financial implications for the government would require careful consideration, particularly regarding potential revenue shortfalls. The study concludes by discussing policy recommendations and the balance between tax equity and fiscal responsibility.

LEGAL REGULATION OF CRYPTO-ASSETS FROM THE PERSPECTIVE OF THE MICA REGULATION AND ITS APPLICATION IN THE TERRITORY OF THE SLOVAK REPUBLIC

Assistant professor **Yana DAUDRIKH**
Faculty of Law, Comenius University in Bratislava, Slovakia

Abstract

This article addresses the legal regulation of crypto assets in accordance with European Parliament and Council Regulation (EU) No. 2023/1114 on Markets in Crypto-Assets (MiCA) and its application within the territory of the Slovak Republic. It discusses the fundamental principles and requirements that the MiCA regulation imposes on entities operating in the crypto asset market, including providers of crypto asset-related services, and analyzes

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the impact of these regulations on the national law of the Slovak Republic. Special emphasis is placed on issues related to licensing, regulatory oversight, and the harmonization of rules within the EU single market.

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THE RIGHT TO BE FORGOTTEN: AN EMERGING LEGAL PARADIGM

PhD. Harsh PATHAK

Advocate at Supreme Court of India, Delhi, India

Abstract

The "Right to Be Forgotten" (RTBF) is an emerging legal concept allowing individuals to request the removal of personal data from the internet, particularly when it is outdated or irrelevant. This right, embedded in privacy and data protection laws, gained prominence through key judicial rulings in the EU, influencing global discourse. This paper explores the RTBF's evolution, its legal frameworks, case law, and implications, especially within the context of India.

**THE IMPORTANCE OF PROFESSIONAL LEGAL ETHICS FOR THE INDEPENDENCE
OF THE JUDICIARY**

Associate professor **Darina DIMITROVA**

"Legal Studies" Department at the University of Economics - Varna, Bulgaria

Abstract

The article examines one of the sources of "soft law" - the codes of ethics adopted by the Supreme Judicial Council and their significance for the legal system of the Republic of Bulgaria. The scientific aim of the study is to examine the independence of the judiciary in the light of professional legal ethics. In pursuit of the stated objective, the author has implemented two main research tasks: first, to analyze the meaning and possible manifestations of the principle of independence of the judiciary; and second, to examine the interrelation between law and morality in the light of professional ethics of persons working in the judiciary. The present work will, from a theoretical perspective, enrich the doctrine with an analysis of the legal nature of codes of professional ethics and, from a practical perspective, assist law enforcement authorities. The research was developed in the framework of the author's participation in the national scientific project NPI №57 of 2022 on the topic "Legal Relations and Status of Persons in the Judiciary in the Conditions of Digitalization".

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Time interval:

11.00 - 12.00

**THE INSPECTORATE TO THE SUPREME JUDICIAL COUNCIL AS BODY OF THE
JUDICIARY WITH CONTROL FUNCTIONS**

Chief assistant professor **Diana DIMITROVA**
"Legal Studies" Department at the University of Economics - Varna, Bulgaria

Abstract

The article examines the Inspectorate to the Supreme Judicial Council as body of the judiciary with control functions, namely to inspect the operation of the judicial authorities without affecting the independence of judges, jurors, prosecutors and investigating magistrates in the performance of their duties. The aim of the research is to analyze the control functions and their importance for assuring the access to justice and effective judicial protection of the rights and legitimate interests of the citizens. In order to achieve the set aim the author implements following tasks: to analyze the national legal framework related to the establishment of the Inspectorate to the SJC and its powers, to identify some problems in relation to the functions of the Inspectorate to the SJC and to make conclusions and summaries about the applicable legal framework. Comparative legal, dialectical, critical-analytical methods are used as the methodological basis of the study. The research was developed in the framework of the author's participation in the national scientific project NPI №57 of 2022 on the topic "Legal Relations and Status of Persons in the Judiciary in the Conditions of Digitalization".

**LEGAL FOUNDATIONS OF THE TRANSFORMATION OF ADMINISTRATIVE
PROCEEDINGS**

Professor **Vitalii GORDIEIEV**
Department of Procedural Law, Faculty of Law,
Yuriy Fedkovych Chernivtsi National University, Chernivtsi, Ukraine
Associate professor **Oksana MELENKO**
Department of Public Law, Faculty of Law,
Yuriy Fedkovych Chernivtsi National University, Chernivtsi, Ukraine
Associate professor **Oleg ORLOVSKIY**
Department of Private Law, Faculty of Law,
Yuriy Fedkovych Chernivtsi National University, Chernivtsi, Ukraine
Associate professor **Pavlo KRAINII**
Department of Public Law, Faculty of Law,
Yuriy Fedkovych Chernivtsi National University, Chernivtsi, Ukraine

Abstract

The digitalization of administrative justice is presented as a tool to reduce costs and speed up procedures, improve the quality of administrative justice, despite limited budgets. For litigants, it allows for better access to the

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law and jurisdiction, a possible general obligation to transfer a case to a judge for dematerialization and the development of videoconferencing may change the quality of justice for certain litigants. Digitalization also affects the operation of courts and the work of judges. Therefore, the evolution towards "administrative cyberjustice" will only guarantee quality if its implementation and consequences are carefully monitored. Digital tools seem to be particularly suited in law for a number of tasks, such as standardization and revision of certain acts, "advanced" legal research, client contact or dispute resolution through special platforms, or "quantitative" justice. All of these tools are aimed to increase the productivity of lawyers, just as spreadsheets made it possible for all professions to use numerical data. The issue of digital transformation in terms of online court hearings is poorly researched from a scientific point of view. Most aspects that reveal the mechanism of re-exercising the right to participate in court hearings online are covered in regulatory legal acts, namely laws, instructions, etc.

**A COMPARATIVE ANALYSIS OF ENVIRONMENTAL ACTIVISM IN ALBANIA, ROMANIA
AND SERBIA: LESSONS IN CIVIL SOCIETY ENFORCEMENT OF ADMINISTRATIVE LAW**

Lecturer **Bojana TODOROVIĆ**
Faculty of Law, University of Belgrade, Serbia

Abstract

Private enforcement mechanisms are gaining importance in contemporary administrative law, not least due to the insufficient capacity of public authorities to ensure compliance with a burgeoning body of legislation in an array of administrative domains. This is particularly prominent in the environmental realm, where civil society is recognized as the watchdog of environmental protection, holding public authorities and private investors accountable. Since access to justice in environmental matters is a prerequisite of sustainable development, environmental NGOs, grassroot movements and similar instances of environmental activism are an indispensable piece of the compliance puzzle. This paper explores the described phenomenon through the comparative analysis of three cases of environmental activism in the Balkans – the Roşia Montană movement in Romania, the movement against the construction of hydropower plants on the Vjosa River in Albania and the movement opposing the construction of a lithium mine in the Jadar Valley in Serbia. By relying on an interdisciplinary approach that combines the administrative legal logic with the methods of social movements and legal mobilization theories, the author aims to draw general conclusions on the role of civil society at the intersection of environmental and economic interests, and the underlying factors that prompt and/or hinder it.

MONEY LAUNDERING AS A FORM OF ORGANIZED CRIME

Professor **Ismail ZEJNELI**
Faculty of Law, South East European University, Tetovo, Republic of North Macedonia

Abstract

Dirty money is considered all the money earned from illegal and criminal activities, the authors of which try, in different ways, to introduce the money earned in a criminal way, into the legal market. Such a thing is certainly not easy to do; however, the same has happened, and unfortunately, it still happens nowadays. There are many ways in which it happens, such as entering money into businesses that do not work with invoices but with cash, or investing in games of chance such as casinos, betting, etc. Criminal activities are considered those activities related to organized crime, such as criminal activities related to corruption, activities related to narcotics trafficking, activities

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related to weapon trade, activities related to human trafficking, activities related to money laundering, etc. Regarding this very dangerous phenomenon, the legal infrastructure must be changed and a new law for its prevention should be issued. Also, for the purpose of fighting money laundering, local and international specialists in the field must be consulted, as the same now has already become an international problem.

Time interval:
12.00 - 13.00

**THE LEGAL FRAMEWORK AND POTENTIAL OPPORTUNITIES OF PUBLIC
UNIVERSITIES IN ALBANIA TO PROVIDE SERVICES TO THIRD PARTIES**

Lecturer **Dorina GJIPALI**
Aleksandër Moisiu University, Durrës, Albania
Lecturer **Pranvera BEQIRAJ**
Aleksandër Moisiu University, Durrës, Albania

Abstract

Public universities in Albania play an important role in serving the community and in training professionals who contribute to the economic and social development of the country. Law no. 80/2015, dated 22.07.2015 "On higher education and scientific research in institutions of higher education in the Republic of Albania" describes universities as centers of knowledge and innovation, with the mission to guarantee equal opportunities in education and to promote social cohesion. Furthermore, these universities offer an environment where teaching is combined with scientific research, preparing students for the challenges of the global labor market and strengthening ties with the community. However, the legal framework of services for third parties from these institutions remains unclear and often unimplemented. This article will examine the legal framework and practical obstacles that public universities face when providing services to third parties, as well as the benefits of international cooperation. Analyzing successful international practices and proposing strategic improvements, the study suggests that improving the legal framework and incorporating effective strategies can help Albanian universities play a wider role in serving the community and secure sustainable financial resources. The methodology used in this study is based on descriptive and comparative methods.

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**PUBLIC SERVICE BETWEEN TRADITIONS AND MODERNITY:
THE IMPACT OF DIGITIZATION**

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Professor **Verginia VEDINAȘ**

Faculty of Law, University of Bucharest, Romania

Assistant professor **Ioan Laurențiu VEDINAȘ**

Faculty of Law, Vasile Goldiș University of Arad, Romania

Abstract

Through this study, we aim to make an exegesis of the public service, presenting the changes that occurred in the regime of this fundamental institution for public law, in general, and administrative law, in particular. Considered for centuries the uncrowned king of the administrative right, the public service maintains its virtues, but it has changed its forms of manifestation, the ways of achieving it, the rules that apply to it, and even the relationships with its users have changed their content. The Constitution enshrines provisions that determine the conclusion that the public service has acquired some constitutional foundations, based on which it can evolve normatively, institutionally, practically and jurisprudentially. The Administrative Code brings significant changes, creating a unitary regulatory framework for the public service, widowed, after 1990, by a normative act of this nature. This is achieved through Part VIII of the Administrative Code, which is called "public services" and which, in its four titles, regulates: specific principles applicable to public services, categories of public services, regulation and establishment method of public services, the management and, finally, the abolition of public services. The study aims to analyze the current normative framework, constitutional and legal, in equal measure, the constants and variables of the public service, with an emphasis on the impact that the era of digitization has on the public service.

**CONTEMPORARY ECONOMIC IDEOLOGICAL CURRENTS AND THEIR INFLUENCE ON
THE EVOLUTION OF LAW: FROM NEOLIBERALISM TO SUSTAINABILITY**

Lecturer **Cornelia Beatrice Gabriela ENE-DINU**

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

Abstract

The study analyzes the impact of various current economic ideologies on business law regulations, focusing on ideologies such as neoliberalism, green economy, circular economy, and social economy. The main objective is to explore how these approaches influence legislation and policies in various economic and business sectors. The research employs a mixed methodology, including comparative legal analysis and case studies from different jurisdictions to highlight the variations in the implementation of these ideologies in legislation. Additionally, interviews with experts in the legal and economic fields, as well as an analysis of relevant legislative documents for each ideological current, are used. The results of the study show that neoliberalism promotes deregulation and reduces state intervention in business, which influences the legal framework in favor of a more flexible and competitive business environment. In contrast, the green and circular economies impose strict regulations on sustainability, forcing companies to adopt environmentally responsible business practices. The social economy introduces new norms in business law, emphasizing social responsibility and equity. The implications of this study suggest that the evolution of business law will continue to be deeply influenced by these economic currents, forcing a constant adjustment of regulations to address the new economic and social realities.

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ISSUES RELATED TO "QUASI CONTRACTS" IN THE MATTER OF ADMINISTRATIVE AND CIVIL CONTRACTS - BRIEF CONSIDERATIONS REGARDING BUSINESS MANAGEMENT, RESTITUTION OF UNPAID PAYMENT AND UNJUST ENRICHMENT

Professor PhD. Habil. **Iulian NEDELCU**
Constantin Brâncoveanu University of Pitești, Romania

Abstract

In the matter of administrative contracts, some problems arise related to what is known as "quasi contracts" in civil law, namely business management, restitution of unpaid payments and unjust enrichment. In such cases, as a rule, the corresponding provisions of the Civil Code are invoked. In administrative law, the provisions of the Civil Code regarding business management found a weak application. Instead, those regarding the restitution of the unpaid payment were constantly validated. As for unjust enrichment, this could occur when certain works were executed or services were performed based on a contract that was ultimately not concluded, that was struck by nullity, that reached its term. It was only in 1961 that its validity was recognized, qualifying it as a "general principle applicable, even in the absence of a text, in the matter of public works".

**Time interval:
13.00 - 14.00**

IS PRESIDENTIAL IMMUNITY AN INDISPENSABLE CONSTITUTIONAL GUARANTEE FOR THE EXERCISING THE POWERS OF THE HEAD OF STATE OR IS IT A POLITICAL-LEGAL PRIVILEGE THAT CAN DISTORT THE RULES OF DEMOCRACY AND THE FUNCTIONING OF THE RULE OF LAW? (COMPARATIVE CASE STUDY USA VS. ROMANIA)

PhD. student **Andrei IACUBA**
Doctoral School of Law, Bucharest University of Economic Studies, Romania

Abstract

Constitutional democracies are based on the principles of legal equality of all citizens and the supremacy of the law, as foundations and specific manifestations of the principle of rule of law. Especially in the case of republics, the head of state is only primus inter pares, not having an elevated position in relation to the rest of the citizens, but instead being in their service. Even in the Age of the Empire in the history of ancient Rome, the word used for the head of state did not have the meaning of monarch, but, at least maintaining the illusion of the Republic, it was that

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of princeps, the first among citizens. What, then, are the reasons and grounds that made numerous constitutions grant the president a special legal immunity, inaccessible to the rest of the citizens and even the rest of the dignitaries of the respective state, and how to explain it being often an absolute immunity, even if not in all cases also a general one? Is presidential immunity indispensable for the proper exercise of the president's powers or even maybe a tool to isolate his position from the usual political struggle or can it become just an unjustified privilege, likely to open the way of arbitrary and abuse of power for the head of state? And, to the extent that we recognize the necessity of regulating a form of presidential immunity, the question arises of the legislative level at which it must be then put into law – should it be at constitutional level or the infra-constitutional one may be enough - and of the circumstance whether such a regulation may only be an express one or, on the contrary, the immunity may be "inferred" the general equation which one constitution uses to prescribe the functioning of the state. If the latter option is the accepted one, as the relatively recent decision of the US Supreme Court in the case of Trump vs. United States may confirm, it is essential to analyze the level of "creativity" that a constitutional court can resort to in interpreting the fundamental law, so that it still keeps itself within the limits of the Constitution's supremacy. The comparative study of the legal institution of presidential immunity within two fundamentally different constitutional republics - one presidential (and at the same time federal) - the United States of America -, the other usually qualified as "an attenuated semi-presidential regime" (within a unitary state) - Romania - allows us, in addition to identifying the possible answers to the above questions, to analyze the mechanism of how to establish the limits of presidential immunity and whether there is a correspondence between them and the actual powers exercised by the president within the respective state.

**EARLY EDUCATION, THE FOUNDATION OF PREVENTING
CRIMINAL PHENOMENON**

Associate professor **Gheorghe COSTACHE**

Faculty of Legal, Economic and Administrative Sciences of Craiova
Spiru Haret University, Romania

Police inspector **Adrian COSTACHE**

Police inspector at Bucharest-Jilava Penitentiary, Romania

Abstract

The development of society and the evolution of the sciences are fundamental factors in the overall progress and future well-being of people at global, regional and local levels. This development is in line with the practice accumulated over time and with an explosion in crime at all levels, with the crimes committed not infrequently taking precedence over the development of a legislative system to protect the population and the general interest of society. Preventing the commission of anti-social offences is a lengthy, cumbersome process which requires specialists in the field to anticipate possible shortcomings which can be used by those interested in circumventing the rules governing the whole of social life.

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THE SEPARATION OF POWERS AS A UNIFYING FACTOR OF THE NATION

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PhD. student **Georgian-Ionuț STAN**
Doctoral School of Law, Bucharest University of Economic Studies, Romania

Abstract

When we reflect about the separation of powers in the state, even along with the check and balance component, we mainly find the justification for the existence of this principle in preventing the arbitrariness of power. Thus, the monolithic power is fragmented and between the three emerging powers there are mechanisms of control that support stop one power from becoming oppressive. Finally, we can say that the central role of this constitutional principle is to protect individual freedom, because it is impossible for the individual to fight against a unitary power that can become oppressive. Of course, this brief explanation is valid wherever we encounter constitutional democracies, but there is at least one political regime where this principle does not stop at this central role, but perhaps even more important than this role is to de-tension certain sectarian tensions and coagulate the nation. The Lebanese political regime presents unique particularities regarding the separation of powers in the state, also carried out on confessional bases, worthy of a brief but courageous analysis.

**LOOKING TO THE FUTURE WITH CONFIDENCE:
TOWARDS THE "AI ACT" IMPLEMENTATION**

Associate professor **Elena Emilia ȘTEFAN**
„Nicolae Titulescu” University of Bucharest, Romania

Abstract

The development of modern society brings to the forefront new challenges for the legislator, namely to be constantly in touch with the society's needs and to create new legal rules. We are currently witnessing the unprecedented expansion of modern technology involving artificial intelligence. At the European level, the Artificial Intelligence Act was adopted in the summer of 2024, by representing a normative act that will have an impact on society in the near future in ways that we cannot predict at the moment, but the implications of which will be felt by both economic operators and state administration. From this perspective, this paper will explore what business environment and public authorities need to know about the European legislation in order to comply with it. The proposed scope is to know as much as possible about the Artificial Intelligence Act and to find out how our country is prepared to implement this European act. The results of the research show that while the huge potential that artificial intelligence brings to everyday work cannot be denied, caution is required in the use of modern technologies, with public authorities constantly having to assess their impact on fundamental rights and freedoms in order to avoid harming individuals.

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Time interval:

14.00 - 15.00

**COMPARATIVE ASPECTS REGARDING THE EFFICIENCY OF ANGLO-SAXON AND
ROMANO-GERMANIC LEGAL SYSTEMS IN ADOPTING ARTIFICIAL INTELLIGENCE IN
THE ERA OF ARTIFICIAL INTELLIGENCE**

Associate professor **Iulia BOGHIRNEA**
National Polytechnic University of Science and Technology from Bucharest, Romania

Abstract

The Anglo-Saxon legal system continues to surprise with its topicality. The increasingly fierce presence of Artificial Intelligence in social life poses a big question mark: Which of the two legal systems, the Romano-Germanic and the Anglo-Saxon, can manage to adapt more quickly to the recent and disturbing transformations in the invaded society by Artificial Intelligence? In the present article, an attempt is made to bring this theme of legal systems up to date, which is researched comparatively, from this perspective.

**THE METAMORPHOSIS OF THE FREE ACCESS TO JUSTICE: BALANCING EFFICIENCY
AND EQUITY IN ONLINE DISPUTE RESOLUTION**

PhD. student **Ruxandra Andreea LĂPĂDAT**
Doctoral School of Law, Bucharest University of Economic Studies, Romania

Abstract

Balancing between becoming an essential expression of free access to justice and an effective supplement in the sphere of the right to a fair trial, alternative dispute resolution (ODR) has become an increasingly commonplace in the digital era. However, this evolution encounters a paradox: on one hand, it bolsters faster access to justice, supporting the celerity component in the conflict solving, on the other, it complicates the access for vulnerable groups who do not use technology and cannot skillfully command its variances within the context of ADR. The paper calls for maintaining a balanced ecosystem in the virtual use of ADR, where efficiency does not erode the essence of equity. Furthermore, it aims to achieve the future goal of keeping technology as a mere means to achieve justice in any form, traditional or alternative, without digital justice branching off as a distinct entity. The article's conclusions seek to outline an answer to whether the technological use of ADR remains a facilitator of access to justice. Does it also encapsulate a realistic solution to the challenges concerning potential new rights, such as the right to be present online or the right to be served justice by a human being?

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DEPOSIT-RETURN SYSTEM – 1 YEAR OF OPERATION

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Associate professor **Marta-Claudia CLIZA**
„Nicolae Titulescu” University of Bucharest, Romania

Abstract

A clean environment in which you can breathe and enjoy all that nature has to offer is, on the one hand, a quality of life standard and, on the other hand, a necessity of the utmost importance for both economic operators and the authorities. Pollution, on the other hand, is a problem that both the state and the business community need to address and work together in order to solve it. In this background, one way of taking action to reduce pollution, at state level, is the organized collection and disposal of municipal packaging abandoned in public spaces. One of the means that the legislator has made available to society for this purpose is the deposit-return system for non-reusable primary packaging. Therefore, the scope of this paper is to analyze the progress made by our country but also to identify how the collection and return of these packages works, one year after the actual implementation of the deposit-return system in Romania. The results of the research show that the issue of pollution reduction is a matter of public interest that can only be solved by involving all of us in the community. From this perspective, the issue is topical and important for society as a whole.

**IS THE EXCLUSION FROM THE LEGAL PROFESSION OF THE CRIMINALLY
CONVICTED LAWYER A CRIMINAL, CIVIL OR AN ADMINISTRATIVE SANCTION?**

Associate professor **Carmen Adriana DOMOCOȘ**
Faculty of Law, University of Oradea, Romania

Abstract

One of the consequences that the criminal conviction of a lawyer has on the right to exercise the profession of lawyer is that, depending on the nature of the crime committed and the penalty applied, he may be excluded from the profession of lawyer, as a result of the conviction for prison sentence, according to the law. Since it is a case of indignity that derives from the conviction, but which is analysed and ordered by the (non-final) decision of the bar council of which the convicted lawyer is a member, the sanction of exclusion from the legal profession involves assessments not only on the meeting of the legal conditions that attract this sanction with an uncertain legal nature, but also on the application in time of the civil or criminal law that governs it, considering the considerable time interval that (may) elapse from the moment of the commission of the intentional crime that would attract the indignity of the lawyer until the moment of the definitive stay of the decision of the UNBR council that definitively applies the sanction, resolving the appeal filed by the lawyer excluded from the profession against the decision of the bar council. Moreover, the legal nature of this sanction, which derives from the lawyer's criminal conviction to imprisonment, but which is not applied by the criminal court, but by an administrative collegial body, is uncertain, its qualification as a criminal, civil sanction or administrative having different consequences regarding the application of the law over time, all the more so as the institution in question raised issues of unconstitutionality assessed as such by the constitutional court, which identified constitutional two times defects both regarding the conditions for finding indignity the lawyer, as well as on the legal text concerned in its entirety. In this material, we have tried to clarify the legal nature of the sanction of exclusion from the legal profession for indignity and we have identified possible solutions that can be given regarding the applicable law for checking the state of indignity of the lawyer.

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Time interval:

15.00 - 16.00

**A CAREER FOR PRISON EDUCATORS: THE PERSPECTIVE OF PROFESSIONALIZATION
IN THE ROMANIAN PRISON SYSTEM**

PhD. student **Adrian Cristian PALEA**

Doctoral School of Law, Bucharest University of Economic Studies, Romania

Abstract

This article analyzes, from the perspective of interdisciplinary approach, the status of the educator – a public servant with special status in the Romanian prison system, as well as the opportunity for career development through the professionalization of the occupation of prison educator. The research employs a systemic method for the structured approach to the topic, as well as for the analysis of principles of administrative law and criminal execution law. The logical method serves as the foundation for identifying reasoning and legal benchmarks both domestically and internationally. Furthermore, the analysis highlighted in this article aims to raise awareness of the need for career development for educators within the Romanian prison system and to build a legal and social framework conducive to adopting the professional status of the educator – a public servant with special status in the Romanian prison system.

**BEYOND PHYSICAL VIOLENCE: RECOGNITION AND FIGHTING COERCIVE CONTROL
AS A FORM OF ABUSE**

Lecturer **Aurel Octavian PASAT**

„Dunarea de Jos” University of Galati, Romania

Abstract

Coercive control is a subtle but extremely dangerous form of abuse in couple relationships, characterized by systematic behavior of intimidation, manipulation and isolation, exercised by the abuser to dominate and control the life of the victim. This form of abuse includes restriction of personal freedom, social isolation, financial abuse and constant monitoring, with serious effects on the physical and mental health of victims. Despite its high prevalence, coercive control is often overlooked in legal systems because it does not necessarily involve overt physical violence. This article explores the definition, mechanisms and consequences of coercive control, highlighting the importance of including this form of abuse in anti-domestic violence legislation. Prevention and intervention strategies are also discussed, including educational measures, legal support and victim protection, to prevent escalation to serious violence and to ensure victims' rights and safety. The study supports the need for an integrated approach that recognizes and sanctions coercive control as a distinct crime, helping to protect human rights and promote gender equality.

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THE DARK TRIAD OF PERSONALITY AND WHITE-COLLAR CRIME

XAT.COM

Professor **Ion DUVAC**

Faculty of Law, Bucharest University of Economic Studies, Romania

Abstract

This study examines the relationship between the Dark Triad of personality traits — Machiavellianism, Narcissism, and Psychopathy — and white-collar crime. The main objective is to understand how these personality traits contribute to unethical and criminal behaviors in corporate settings. The study is based on a meta-analysis of 50 relevant scientific articles, selected according to rigorous inclusion and exclusion criteria. The methodology involves a mixed-effects analysis and an assessment of heterogeneity among studies to obtain reliable statistical results. Findings reveal a significant correlation between the Dark Triad and criminal behavior, particularly with psychopathy showing the strongest influence. The study's implications underscore the importance of psychological assessments and ethical organizational culture in preventing corporate criminality. This research contributes to the field by suggesting future research directions and preventive strategies.

**THE LIMITS OF CONFIDENTIALITY IN JUDICIAL AND EXTRAJUDICIAL
PSYCHOLOGICAL ASSESSMENTS**

Professor **Ion DUVAC**

Faculty of Law, Bucharest University of Economic Studies, Romania

Abstract

This study examines the limits of confidentiality within judicial and extrajudicial psychological assessments, emphasizing the circumstances under which confidentiality of psychological acts is suspended. The main objective is to clarify the ethical and legal aspects of confidentiality in the assessment process, including mandatory audio-video recordings of psychological and expert interviews, as well as the attachment of psychological test results to final reports. The research method is theoretical, relying on an analysis of current legal regulations and ethical standards. Findings reveal that, in order to provide a comprehensive and objective evaluation, confidentiality is limited through the submission of reports to requesting authorities, following specific legal procedures. The study's implications highlight the need to clarify confidentiality boundaries in these assessments and the impact on the therapeutic relationship and individual rights within the legal context.

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**OPPORTUNITIES OF DIGITAL TRANSFORMATION IN LOCAL GOVERNMENT:
EXAMPLES OF SUCCESS AND LESSONS LEARNED**

Professor **Cristian DUMITRESCU**
Hyperion University of Bucharest, Romania

Abstract

Digital transformation in local autonomy comes with promising opportunities, but also with challenges related to adaptation, education and security. Success in digitization requires a complex approach based on collaboration, investment and a long-term oriented vision. Local authorities that have embraced these changes and learned from the experience of other administrations have been able to bring significant benefits to their communities. The objectives of the study are: to analyze the opportunities created by digital transformation at the local level, to evaluate examples of success in digital governance at the local level, to identify the challenges and limits of the implementation of technology in local autonomy, to draw lessons learned from digital governance practices, to formulate recommendations for public policies and investments in local digitization. The research will begin with a literature review and government documents, case studies and annual reports of local authorities that have adopted digital governance solutions. The aim is to understand the theoretical foundations and practical examples of digital transformation. The results and implications of the study will aim at: improving efficiency in local public administration, increasing transparency and citizen participation, local economic development, increasing data security and confidentiality, obstacles in the implementation of digitization.

**FROM BUREAUCRACY TO INNOVATION: HOW PUBLIC SERVANTS
CAN MODERNIZE ADMINISTRATION**

Professor **Cristian DUMITRESCU**
Hyperion University of Bucharest, Romania

Abstract

Civil servants can play an important role in identifying the needs and challenges facing public administration and citizens. Through feedback and interaction with citizens and other stakeholders, they can identify existing problems and propose innovative solutions. The study provides a comprehensive framework for understanding and applying innovation in public administration, focusing on the transformation of bureaucracy into a flexible and citizen-centered system. The objectives of the study are: identifying the principles of innovation in public administration, studying the role of civil servants in the modernization process, analyzing the obstacles encountered in the transformation process, evaluating the impact of technology and digitalization on the efficiency of the administration. The research will begin with a literature review, academic articles and government reports on innovation in public administration. This will include previous studies, successful models of administrative reform, and theoretical frameworks on bureaucratic transformation. The results and implications of the study lead to:

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identifying effective strategies for modernizing the administration, increasing awareness of the role of civil servants as agents of change, and highlighting the role of technology in reducing bureaucracy. By promoting innovation strategies, the public administration will be able to respond more quickly and efficiently to the needs of citizens, reducing bureaucracy and improving the quality of public services.

**PERSPECTIVES AND CHALLENGES IN THE EVOLUTION OF INTERNATIONAL
ADMINISTRATIVE LITIGATION**

Associate professor PhD. Habil. **Cătălin-Silviu SĂRARU**
Faculty of Law, Bucharest University of Economic Studies, Romania
Associate member in Academy of Romanian Scientists

Abstract

Since the creation of the Universal Postal Union in 1874 as the first form of international public service, it has been recognized that within international organizations there is a consistent administrative dimension that ensures the operation and achievement of their objectives. The international administrative law outlined within these organizations has given rise over time to a rich contentious activity. About the principles of administrative litigation developed by international organizations, Paul Negulescu will write for the first time in his course "Principes du Droit International Administratif" published in 1935 under the auspices of the Academy of International Law in The Hague. International administrative litigation has evolved over time from the establishment by international treaties of exceptional tribunals or commissions with jurisdictional powers that functioned temporarily in order to resolve legal situations between states, born of wars or revolutions, up to the current creation of tribunals administrative bodies that are competent to judge disputes between international organizations and their own officials.

**A STUDY ON THE REGULATION OF THE CRIME OF USURY IN THE VIEW OF THE
CURRENT CRIMINAL CODE**

Associate professor **Andrada NOUR**
Hyperion University of Bucharest, Romania

Abstract

The dramatic evolution of the Romanian society in the socio-economic field in recent decades has determined a fulminant expansion of the forms of organized crime, including usury, an activity that is part of the sphere of contemporary slavery, using as a method the subjugation of the burdened with the obligation to pay interest rates that reach exorbitant levels. Certainly, in order to discourage such practices, a strong criminal policy is needed first of all, but at the same time, the effective cooperation of the state authorities is also necessary. Although the crime of usury is characterized by a high degree of complexity in terms of the fact that its commission has multiple consequences both economically and financially, as well as psychosociologically (especially through the deception of trust), the criminalization formula fails to fully render this complexity. Also, the ways of committing this crime are extremely diversified and, for this reason, the current reality makes it practically inappropriate to attribute the generic name of usury to such extremely serious activities, contrary to the rule of law. Judicial practice has shown that people who engage in such activities are not satisfied only with the interest collected, even if they exceed several times the legal interest. The classic forms of usury find their expression in the present times only extremely rarely, their degree of danger being minor, as a rule, with limited implications in the tax field, in the form of evasion.