

**INTERNATIONAL CONFERENCE:
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SECTION III.
EUROPEAN UNION LAW. INTERNATIONAL LAW

Friday, November 15, 2024

ONLINE ON ZOOM

Moderator:

Associate professor **Cristina Popa Tache**, „Andrei Șaguna” University of Constanta, Romania; Co-Convenor for ESIL IG International Business and Human Rights

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SCIENTIFIC PAPERS

**Time interval:
10.00 - 11.00**

THE NEW EU PRODUCT LIABILITY DIRECTIVE

Assistant professor **Dimitrios DEVETZIS**
Frederick University, Cyprus
Lecturer **Ioannis GIOKARIS**
Frederick University, Cyprus

Abstract

The main aim of this paper is to critically examine and elaborate on the new Product Liability Directive, which represents a significant shift in consumer protection law within the European Union. This legislative instrument is set to play a pivotal role in safeguarding consumers, especially in light of the fact that its predecessor, Directive 85/374/EEC, had been in force for nearly forty years. During this long period, many of its provisions became outdated and were unable to keep pace with rapid technological advancements. As the modern economy increasingly integrates digital technology, it became clear that the previous Directive could not address emerging issues related to digital products, software, and new manufacturing methods. This paper aims to analyze the broader scope of the new Directive, focusing on how it expands the definition of a product to include software, digital manufacturing files, and other digital services. Under the previous Directive, there was ambiguity about whether software was considered a product, leaving consumers and businesses uncertain about their rights and responsibilities. A key objective of this paper is to examine the comparative level of consumer protection offered by both the previous and the current Directive, particularly in relation to defective products. By exploring the ways in which the new Directive strengthens and clarifies protections for consumers, the paper will highlight the innovations brought about by this reform. Moreover, the paper will critically assess potential gaps or challenges that may still exist in the current Directive, with an emphasis on its application to the digital economy. By identifying these challenges, the paper seeks to propose practical solutions and further improvements that could lead to more effective consumer protection in the face of evolving product markets. In particular, the paper will consider the challenges posed by emerging technologies such as artificial intelligence (AI), the Internet of Things (IoT), and digital platforms. These developments have led to new types of products and services that may not neatly fit into the traditional legal frameworks that were originally designed for physical goods. The expansion of the definition of a product within the new Directive aims to address these gaps, but its effectiveness in practice remains an important area for analysis.

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Finally, this paper will explore the broader implications of the new Directive for the European Union's internal market and its relationship with international consumer protection standards. As global trade becomes more interconnected, aligning EU law with international frameworks is crucial for ensuring consistent and reliable protections for consumers. By providing a thorough examination of the new Product Liability Directive, this paper aims to contribute to the ongoing discourse on consumer rights and to offer recommendations for further legislative reforms that can help ensure that EU law keeps pace with technological innovation and continues to provide robust protections for consumers in an increasingly digital world.

**FAULT-BASED LIABILITY IN UNREGULATED PROFESSIONS:
THE NEBULOUS STANDARD OF CARE**

Lecturer **Paulina WILSON**
Queen's University Belfast, United Kingdom

Abstract

Adopting the perspective of the English law of negligence, this paper considers the standard of care required of a defendant professing to have a special skill in the absence of their profession being regulated. Focussing on language services provided in specialised settings, the paper begins by examining the occupational status of interpreters in order to establish whether the ordinary or the professional standard of care applies. The analysis then juxtaposes intercultural (communicative) and knowledge competence against the Common European Framework of Reference for Languages, arguing that only the highest level of competence will suffice for the interpreter to discharge their duty of care to the required standard, particularly in the legal or medical context. Nonetheless, it is noted that the subjective nature of communication coupled with variability in translation outputs on the one hand, and lack of the court's direct semantic/pragmatic insight into foreign languages on the other hand are likely to impede the application of the Bolam test and the Bolitho gloss, respectively, with the transient character of speech adding another layer of evidential difficulty. In contrast to other professions, language services thus appear to be an outlier, with the peculiarities of intercultural communication likely to present a challenge to adjudication on issues related to professional negligence.

**SOURCES OF PRIVATE INTERNATIONAL LAW AND THEIR
INTERRELATION AN APPLICATION**

Professor **Tomáš PERÁČEK**
Faculty of Management, Comenius University Bratislava, Slovak Republic
PhD. student **Michal KAŠŠAJ**
Faculty of Management, Comenius University Bratislava, Slovak Republic

Abstract

The main objective of this scientific study is to analyze the issue of sources of private international law in the conditions of the Slovak Republic, which, despite being a national branch of law, is greatly influenced by globalization and international legal integration. It is the above mentioned reasons that make the sources of private international law no longer only at the national level, but transnational sources are coming to the fore. The fact that private international law is currently experiencing such a confluence of several sources of law makes it absolutely necessary to define the interrelationship between these sources. Several scientific methods of investigation have been

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used for the elaboration of our scientific study, such as, in particular, analysis, synthesis, comparison or historical interpretation. Our research has confirmed the primacy of international treaties as well as European law over national sources of law.

**EUROPEAN SUSTAINABILITY REPORTING STANDARDS IN
THE SLOVAK ACCOUNTING LEGISLATION**

Professor **Darina SAXUNOVA**

Faculty of Management, Comenius University, Bratislava, Slovakia

Professor **Daniela NOVACKOVA**

Faculty of Management, Comenius University, Bratislava, Slovakia

Assistant professor **Rita SZALAI**

Faculty of Management, Comenius University, Bratislava, Slovakia

Abstract

The European Green Agreement currently has an impact, among other things, on the business environment and the system of reporting information on the sustainability of businesses. In order to achieve the proper functioning of the common market, the institutions of the European Union adopt secondary acts that strengthen the competitiveness of the economy in the EU member states, strengthen the social market economy and the sustainable economic activities of companies. Secondary EU acts are an important tool for promoting common EU policies and activities. The objective of the scientific study, based on facts and legal logic, is to clarify the process of introducing EU regulation in the field of accounting with a view to improving the quality of reporting with a focus on the comparability and reliability of information in Slovakia. The research sample consists of annual reports of selected Slovak companies and also of selected international corporations for the purpose of comparing the reporting of assets and liabilities of the company. The object of the investigation is the new legal regulation from 2024 regarding the system of reporting information on the sustainability of enterprises, which enterprises are obliged to comply with. The contribution of the scientific study is to open the discourse on European Sustainability Reporting Standards and to identify problem matters.

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Time interval:

11.00 - 12.00

**SHAPING THE FUTURE OF SHIPPING: LEGAL AND POLICY IMPACTS OF EU
EMISSIONS TRADING AND FUEL EU MARITIME REGULATIONS**

PhD. candidate **Leonidas SOTIROPOULOS**
European University of Cyprus

Abstract

The shipping sector accounts for about 8% of total greenhouse gas emissions in the European Union (EU). To address this, the EU will include shipping in its Emissions Trading System (ETS) starting in 2024, aiming for climate neutrality by 2050. This article explores the legislative frameworks and strategies necessary for achieving this goal, focusing on the European Commission's "Fit for 55" package, the ETS, and the FuelEU Maritime Regulation. The central research question is: How can the shipping sector transition to climate neutrality while complying with emerging regulations? Using qualitative methodology, the article examines existing legislative measures, compliance obligations, and technological advancements in the maritime industry. Through qualitative dogmatic analysis, it evaluates the implications of recent regulations on emissions reduction. Part I discusses strategies for achieving climate neutrality, detailing the FuelEU Maritime regulations and the EU ETS, thus providing a comprehensive understanding of the regulatory landscape. Part II will further explore the role of the EU Taxonomy and IMO sustainability standards. The findings highlight industry challenges and opportunities, offering recommendations for policymakers and stakeholders to promote a sustainable maritime sector aligned with EU climate objectives.

**LEGAL HERITAGE AS A BASIS FOR THE PROTECTION OF FREEDOM AND EQUALITY.
EXAMPLE OF THE KARAITES**

Associate professor **Liliana TYMCHENKO**
European Humanities University, Vilnius, Lithuania

Abstract

The article offers a vision of the problem of protection of freedom and equality through the study of the legal heritage of the Karaite people. The totality of legal traditions, the orientation of the life of Karaites to the strengthening of historical and legal values are studied. The starting point of the discussion is three approaches to the question of the origin of the Karaite people. Particular attention is paid to the totality of values reflected in the religious and political culture of Karaites. The author used the literary heritage of the Karaite people, referring to the lines of the poetic work of Simonas Firkovicius, journalistic generalizations of the Karaite magazines "Karaite Word" ("Karaimskoye Slovo") and "Karaite Thought" ("Mysl Karaimska"), as well as scientific works of modern scholars. It is shown how the concepts of "freedom" and "equality" were enshrined in the legal heritage of Karaites, the formation of which took place under the influence of Jewish and Muslim philosophers. Legends about Anan Ben David and Abu Hanifa are given. Based on the materials of the study, it becomes obvious that the Grand Duchy of Lithuania, Rus and Semigotia tolerated different religions and cultures. This tradition is closely integrated into the

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modern Lithuanian legal culture. However, there are still numerous questions about the boundaries and subjects of such a tolerant attitude. This is due to the fact that there are contradictions in approaches to the study, restoration and interpretation of historical events and facts. As a result, they complicate the reconstruction of legal history. The sources of the legal history of Karaites are extremely limited and require further research and interpretation. The author of the article substantiates the hypothesis that one of the best approaches to promoting democracy in the state is to protect the most vulnerable categories of the population. It is then that cultures mutually enrich each other and contribute not only to cultural but also to economic development. The historical example of the relationship between Karaites and the Lithuanian-Ruthenian-Semigothic society is a clear example of how a minority, without assimilation, becomes an active part of the state.

**INTERNATIONAL LAW: ON THE EDGE OF A DREAM?
REFLECTIONS ON THE MIDDLE EAST WARS**

Associate professor **Paulo DE BRITO**
Universidade Lusófona, Centro Universitário do Porto, Portugal

Abstract

The worsening of the crisis in the Middle East, following the Hamas attack within Israel's borders, on October 7, 2023, and the subsequent invasion of the Gaza Strip by Israeli troops, with the expansion of the conflict to South Lebanon, dominated by Hezbollah forces, create new challenges to international law, imposing at each step the revision of concepts and the considered analysis of the facts that occur in the theater of war, trying to subsume them to the abstract norms enshrined in the international legal order. The very existence and subsistence of such mandatory and binding international legal norms is not in question. What is at stake is the possibility of its violation by the parties to the conflict and the consequences of such violation. The susceptibility of the respective violation is what precisely characterizes the essence of a legal norm, as a norm postulating an order that, unlike the natural order, is not pre-established. And the eventuality that the violation may not be followed by any sanction – a circumstance that can also occur in domestic law – in no way changes the legal nature of international norms. The indispensable force for the coactivity of the norm is not part of its essence nor is it a condition of its validity. We propose, in this essay, to try to place in their historical and legal context the latest developments in the current confrontation in the Middle East, notably the recent attack by the Israeli defense forces (IDF) on the troops of the UN peacekeeping operation in Lebanon (UNIFIL), the launch of drones by Iran over Israeli territory and its response.

ARTIFICIAL INTELLIGENCE AND CIVIL JUSTICE

Associate professor **Konstantinos KOUROUPIS**
Frederick University, Cyprus
PhD. candidate **George CHRISTOFIDES**
Frederick University, Cyprus

Abstract

The integration of artificial intelligence (AI) into various sectors has revolutionized traditional practices, and the justice system is no exception. This paper examines the integration of artificial intelligence (AI) within the justice system, highlighting its applications, implications, and the evolving legal frameworks that govern its use. The

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study employs a dogmatic methodology that includes a comprehensive review of current literature, case law analysis, and comparative studies across jurisdictions such as the USA, UK, Canada, and Australia. The primary research question guiding this investigation is: How does the implementation of AI technologies in legal processes enhance efficiency while navigating ethical and procedural challenges? By exploring specific instances of AI applications, including e-discovery and predictive coding, the paper elucidates both the benefits and potential pitfalls of AI in legal contexts. The structure of the paper is organized into key sections detailing various AI applications, relevant case law, the forecasting of judicial decisions, and the acceptance of AI as evidence in court proceedings. Ultimately, the paper discusses institutional reactions to AI advancements and concludes with recommendations for future legal frameworks to ensure the ethical and effective use of AI in the judiciary, fostering a balanced approach to technological integration in the legal landscape.



Time interval:
12.00 - 13.00

ENVIRONMENTAL RESPONSIBILITIES IN THE GLOBAL CONTEXT

Professor Cristina **ARAGAO SEIA**
Faculty of Law, Lusíada University, Porto, Portugal

Abstract

Environmental responsibility refers to the duty of individuals, companies, governments and organisations to protect the environment, namely by reducing pollution levels, conserving natural resources and promoting sustainable practices. This concept has become increasingly relevant as the impact of human activity on the planet, boosted by globalisation, becomes more and more evident, particularly regarding the loss of biodiversity, the degradation of ecosystems and climate change. Consequently, individuals and companies have a crucial role to play in adopting sustainable practices. By incorporating sustainability into their decisions and activities, individuals and companies can collectively contribute to mitigating global environmental problems. This paper aims to point out some concrete solutions in terms of the role of individuals and companies, technological innovation and sustainable solutions, and responsibilities of governments and public policies, which will make it possible to mitigate the effects of human action and face the environmental challenges of the future, promoting the respect of the planet's limits and a fairer and more balanced economic model.

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**THE IMPACT OF LEGAL MIGRATION REGULATIONS FOR NON-EUROPEAN CITIZENS
ON THE BUSINESS ENVIRONMENT: A COMPARATIVE LEGAL ANALYSIS
WITHIN THE EUROPEAN UNION LEGISLATION**

Lecturer **Cristina Marilena PARASCHIV**

Faculty of Administration and Business, University of Bucharest, Romania

Abstract

The study examines the impact of legal migration regulations for non-European citizens on the business environment within the European Union. The research objectives are to identify the legal and bureaucratic challenges companies face when recruiting international talent and to propose solutions for improving the efficiency of immigration processes. The methodology is based on a comparative analysis of EU regulations and national policies in a selection of member states, using data from sources such as Eurostat and the OECD. The results highlight major differences between member states, with Germany having more efficient procedures for highly skilled workers, while France enforces stricter regulations. These variations create challenges for businesses, particularly SMEs, in accessing international labor, affecting competitiveness due to bureaucracy and high costs. On the other hand, countries like Estonia, which have adopted digitized systems, report increased productivity and innovation. The study's implications suggest the need for harmonizing EU legislation and digitizing administrative processes to reduce barriers and support companies in attracting international talent. These measures could stimulate economic growth and improve business performance.

**EQUAL TREATMENT AND DISCRIMINATION. EQUAL TREATMENT IN
PUBLIC PROCUREMENT LAW**

PhD. student **Adriana Iulia ONICA**

Doctoral School of Socio-Human Sciences, "Dunărea de Jos" University of Galati, Romania

Abstract

In this study we propose an overall analysis of equal treatment highlighting fundamental rights, including the context of positive discrimination with an approach ranging from legislative, doctrinal and jurisprudential perspective, a critical approach to discrimination on criteria not specifically stipulated in the European Convention on Human Rights as well as the legal implications that this generates. Another aim of the study is to draw a brief parallel between equal treatment in general and this principle in public procurement law and the legislative and doctrinal analysis of the categorization of the latter as being included or not among the rights protected by the European Convention on Human Rights. The method will be observational, qualitative, based on the analysis of legislation in the field and on the collection and interpretation of doctrinal sources. It is intended that the results and conclusions of the study will eventually form the basis of future research through the novel elements that they could contribute to the academic debate in Romania, but also through their own analytical contents.

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THE RIGHT NOT TO BE PUBLICLY EXPOSED

Associate professor **Andreea Elena MATIC**
„Dunărea de Jos” University of Galați, Romania
Lecturer **Mihaela AGHENIȚEI**
„Dunărea de Jos” University of Galați, Romania

Abstract

Objectives: General Data Protection Regulation (official Regulation (EU) 2016/679 of the European Parliament and of the Council of April 27, 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and the repeal of Directive 95/46/CE (General Data Protection Regulation), abbreviated RGPD or GDPR) is a regulation of the European Union for the protection of personal data that entered into force on May 25, 2018. Proposals and methodology: The article analyzes the right not to be exposed publicly (the right to delete personal data) from the perspective of legal regulations, situations encountered in court practice and implications in the online environment, indicating the cases, the way of exercise and the exceptions that validates a refusal from the operators of personal data. Results and implications: The processing of personal data involves a series of correlative rights and obligations for the parties involved (operator, processor, data subject). Among these, the right not to be exposed publicly, benefits from increased attention in practice from legal subjects, both in terms of the online and the physical environment.

**Time interval:
13.00 - 14.00**

**THE PRINCIPLE OF SOLIDARITY IN EUROPEAN UNION LAW.
SOLIDARITY AND ENERGY SECURITY**

Associate professor PhD. Habil. **Gabriel Liviu ISPAS**
Faculty of Administration and Business, University of Bucharest, Romania

Abstract

Among the fundamental principles of European Union law is the principle of solidarity, even if its approach was a marginal one. The economic, social and political realities of the last decade have, however, highlighted the importance of this principle for the Union but also for the states. The principle of solidarity has been highlighted starting from the immigrant crisis, the medical crisis caused by the COVID pandemic and up to the energy crisis, and the Court of Justice has ruled on this principle. The present study analyzes the importance of the CJEU ruling in the OPAL case, but also how energy policy can be exposed, in the broader context of economic competitiveness, considering the Letta and Draghi reports. The study highlights the energy strategy of the Union, but also the regulatory developments in domestic law, both regarding energy solidarity, and especially in the vast field of energy

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security. The study also presents how Romania has positioned itself in various cases before the Court of Justice, which have as their object energy security or the application of the principle of energy solidarity.

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**INFORMED CONSENT FOR TREATMENT, AS AN INSTRUMENT FOR
PROTECTING THE RIGHT TO DIGNITY**

PhD. Candidate **Stefan-Antonio SANDU**
„Titu Maiorescu” University of Bucharest, Romania

Abstract

Informed consent appears in bioethics and medical law doctrine both as a process of informing the patient and making a decision regarding the therapeutic approach or the research they will be part of, and as an administrative tool - form or set of forms - with the value of a unilateral legal act to justify the patient's agreement and exculpate the doctor for potential harm. Study objectives: Identifying discrepancies regarding the procedures for obtaining informed consent in Romania, compared to international practice in the field. Research methods: The specifics of informed consent for therapy in various Romanian medical institutions were analyzed from the perspective of legal sociology and human rights theory. Results: Consent forms represent more of an administrative act rather than the result of implementing a process of informing the patient and deliberation on their part. Implications: Informed consent is a particular form of consent, by which the subject consents to an intervention upon themselves, which temporarily restricts the exercise of a right considered by the individual to have a higher value.

THE LEGAL NATURE OF THE ROMANIAN SEAFARER'S EMPLOYMENT CONTRACT

Lecturer **Lucian GHEORGHE**
Ovidius University of Constanta, Romania

Abstract

Objectives of the study: every Romanian seafarer has the right to a safe and hazard-free job that respects the right to fair employment conditions, decent life on board ships, medical care and other forms of social protection, as provided for in the Maritime Labour Convention (MLC 2006) and its 2014 amendments, as well as in the Agreement concluded between the European Community Shipowners' Association (ECSA) and the European Transport Workers' Federation (ETF). According to Emergency Ordinance no. 50/2022, seafarers of Romanian nationality who work on board ships flying the Romanian or foreign flag must have a seafarers' employment contract signed by both the seafarer and the shipowner or a representative of the shipowner. Research methods used: in this paper we have used the analytical method and the synthesis method. Results and implications of the study: if the length of service, as regulated by the Labor Code, can now also be proven by Romanian seafarers through this regulation introduced by GEO no. 50/2022, the seniority in the specialty for seafarers is not regulated in our country. This omission by the legislator has a negative impact for this category of employees because they cannot hire, on land, a suitable position when this condition of seniority in the specialty is imposed.

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**JUDICIAL INDEPENDENCE AND UNITARY JUDICIAL PRACTICE – WHEN THEY
BECOME IRRECONCILABLE? AN ANALYSIS IN THE LIGHT OF THE HANN-INVEST
JUDGMENT OF THE COURT OF JUSTICE OF THE EUROPEAN UNION**

Lecturer **Anamaria GROZA**
Faculty of Law, University of Craiova, Romania

Abstract

The Hann-Invest judgment, delivered by the CJEU on July 11, 2024, offers an excellent opportunity to capture the limits to which the mechanisms for unifying judicial practice can go, from the perspective of the independence of judges. National measures to remedy the non-unitary practice must comply with the requirements stemming from the principle of judicial independence. In this article, we aim to analyze the compatibility with the rules established by the CJEU, of three of the national civil procedural mechanisms regarding the unification of practice, respectively the effects of cassation decisions, the evaluation criterion of judges consisting of decisions modified/abolished/quashed for imputable reasons and non-unitary practice hearings of the courts. The research carried out is descriptive, explanatory, accompanied by critical and comparative analysis. Both the independence of judges and the reduction of non-unitary judicial practice are necessary objectives. The Romanian legal system offers a balancing solution, although apparently not very effective, to achieve both goals. The non-unitary meetings of the courts, as well as the quarterly meetings of the courts of appeal also concerning judicial practice, lead to the adoption of documents which, although not expressly binding on judges, exert an important influence in practice. The judges will most likely tend to align their practice with those held on the occasion of joint hearings, but nothing hinders their independence.

Time interval:

14.00 - 15.00

**RES JUDICATA AND THE PRINCIPLE OF EFFECTIVENESS OF EUROPEAN LAW: A
(SOMETIMES) DIFFICULT ENCOUNTER?**

Lecturer **Anamaria GROZA**
Faculty of Law, University of Craiova, Romania

Abstract

The force of res judicata produced by court decisions in EU Member States has sometimes been called into question by the CJEU, in order to ensure the effectiveness of EU law. The judgment in *Energotehnica* delivered by the Court following the reference for a preliminary ruling made by the *Curtea de Apel Braşov* must be understood from that perspective. The Court's reasoning is interesting because it expresses the fine balance between compliance with the effects of a final judicial decision of national courts and the effectiveness of EU law, helping to understand the Court's view on the interaction of the two principles. On that occasion, the CJEU recalled the rule laid down in its previous judgments regarding the obligation of the court seised of it to apply the interpretation of the Court, even

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if the fulfilment of this obligation would be tantamount to disapplying a national rule which obliges the referring court to comply with the decisions of a higher court, including constitutional ones. Although the CJEU tends to generalise the principle of the effectiveness of EU law as a derogation from *res judicata*, the Luxembourg court is also concerned with reducing the negative impact on the scope of *res judicata* domestically, by setting out assessment criteria left to the discretion of the national courts. We aim to discover these criteria, based on descriptive and explanatory research, accompanied by relevant case law.

THE LEGAL REGIME OF COMPETITION IN SPAIN

Lecturer Ovidiu-Horia MAICAN

Faculty of Law, Bucharest University of Economic Studies, Romania

Abstract

Two models for the objectives of competition law are typically proposed. The first is considering competition law as being solely concerned with economic efficiency. The second is viewing the objective of the law to maximise the "public interest". The public interest is defined as including economic efficiency, consumer welfare, a balanced development of the economy and perhaps maintaining employment, technical progress and exports. The main difference is between the law having multiple objectives (broad public interest) or a single objective such as maintaining the efficient operation of markets (or free competitive markets). Arguments exist for each model. Experience of many economies says that the culture and legal forms of each individual economy will determine the institutions and institutional structure that work best in each situation.

**THE POWER OF SCALE: HOW EUROPEAN LARGE CORPORATIONS' HR
PRACTICES DRIVE GLOBAL WORKFORCE STANDARDS**

Lecturer Dana VOLOSEVICI

Petroleum-Gas University of Ploiești, Romania

Abstract

The study aims to examine the potential of major European corporations to establish a global minimum standard for employee rights, thereby enhancing employee protection and promoting European values concerning labor protection and human rights. In the first stage, the research identifies the primary axes of employee protection in line with European legislation and policies, focusing on the principal applicable provisions. The second stage involves analyzing the sustainability reports of major European corporations, highlighting the global actions undertaken by these entities, particularly through the establishment of minimum employee protection standards, irrespective of the national legal frameworks applicable to these employees. The findings derived from comparing these two stages allow for an evaluation of these corporations' impact in promoting essential rights globally. Through the implementation of corporate social responsibility and sustainability practices, European corporations contribute not only to creating a safer and more equitable work environment but also to aligning employee rights with European values, such as respect for human dignity, equity, and transparency.

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**COMPLIANCE WITH THE PRINCIPLES OF LEGAL SECURITY AND RECIPROCITY IN
THE APPLICATION OF THE PROVISIONS RELATING TO INTERNATIONAL JUDICIAL
COOPERATION IN CRIMINAL MATTERS**

Professor PhD. Habil. **Anca-Lelia LORINCZ**
"Dunărea de Jos" University from Galați, Romania

Abstract

Starting from two jurisprudential solutions (one of the Constitutional Court of Romania and another of the Court of Justice of the European Union), the present study addresses some aspects related to the implementation of some provisions that regulate international judicial cooperation in criminal matters. The paper brings to attention the need to ensure the predictability of internal provisions in the field of international judicial cooperation in criminal matters, from the perspective of meeting the requirement of legality, as an expression of legal security. Also, the study brings into discussion the concepts of reciprocity and loyal cooperation of states regarding the application of community provisions in this field. The research methods used are: documentation, observation, scientific analysis and interpretation of both legal provisions and national and community judicial practice solutions. Finally, the importance of respecting both the principle of legal security and the principle of mutual trust in the context of cross-border judicial cooperation, in order to combat the criminal phenomenon at the European and international level, is emphasized.

Time interval:
15.00 - 16.00

**THE LEGAL FRAMEWORK OF ARTIFICIAL INTELLIGENCE IN
THE EUROPEAN UNION CYBERSPACE**

PhD. **Constantin-Marius ARĂDAN**
„Aurel Vlaicu” University of Arad, Romania

Abstract

The new challenges of Artificial Intelligence legal framework in the European Union cyberspace the galloping rise of Artificial Intelligence technologies have created a large variety of opportunities across all of industries and sectors, and also, it is going to reshape the European Union cyberspace. On the other hand, it has raised significant challenges in the context of legal framework, doctrine and jurisprudence, beginning with the concepts of accountability and liability, data privacy to cybersecurity. This paper analyzes and makes *lex ferenda* proposals for the suitable legal solutions according to these new challenges. The EU's approach to AI legal framework will need to be more proactive, comprehensive, multi-faceted and balanced in the context of this dynamic landscape of evolving the cyberspace. One of the biggest challenges analyzed in this paper is the methods to create a solid framework in order to ensure respecting the human and fundamental rights according to the European and international treaties and conventions and also, to guarantee that AI using is safe, uphold the rule of law, ethical

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and aligned with European principles and values. Finally, the innovation of this paper consists in how the EU regulators should adapt to the new paradigm of evolving Artificial Intelligence in the new shape of EU cyberspace.

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**TOWARDS A PUBLIC DOMAIN OF CYBERNETIC SPACE-TIME AS A
CHALLENGE FOR INTERNATIONAL LAW**

Associate professor **Cristina Elena POPA TACHE**
Faculty of Psychology, Behavioural and Legal Sciences of the
‘Andrei Șaguna’ University in Constanța, Romania,
Co-Convenor for ESIL IG International Business and Human Rights

Abstract

The expansion of cyberspace as a global, interconnected network has introduced novel dimensions and complexities for international law, demanding a reconceptualisation of territorial, jurisdictional, and temporal boundaries. This study examines the viability and implications of establishing a ‘public domain’ within cyberspace, where legal norms can operate universally to uphold transparency, inclusivity, and equitable access. Such a framework could enable cyberspace to function as a collective resource, bridging gaps in current international regulation and aligning with the principles underpinning other public domains, like outer space and the high seas. The fluidity of cyberspace presents unique challenges to traditional legal structures that have typically relied on fixed, physical boundaries and sequential time. To explore this paradigm, the study investigates key theoretical models of the public domain, from Hardin’s ‘tragedy of the commons’ to Ostrom’s ‘governance of common-pool resources’. These models are applied to cyberspace to identify legal mechanisms that could facilitate shared governance without infringing on state sovereignty or individual rights. Additionally, the temporal dimension of cyberspace – characterised by immediacy and perpetual access – poses critical challenges for standard legal timeframes, requiring adaptive legal interpretations and protections that can respond to continuous digital presence and threats. The role of artificial intelligence and blockchain technology is also examined as potential tools for achieving transparency and accountability in cyberspace, supporting a framework that is both resilient and adaptive to evolving technological contexts. Ultimately, this study argues that an internationally recognised public domain of cyberspace state for equitable access, security, and sovereignty in the digital age. It advocates for international cooperation to establish guidelines that reflect the unique characteristics of digital environments, while proposing that such a domain could function as an extension of existing global commons doctrines. By advancing these principles, the study aims to contribute to a future of cyberspace governance that balances innovation with legal accountability, creating a sustainable and inclusive cyberspace aligned with global interests.

**UNION TRADE POLICY FOR 2024 - RESPONDING TO A GLOBALIZED ECONOMY.
TRADE DEFENCE INSTRUMENTS**

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Abstract

The European Union has always promoted trade both at the level of its member states by removing trade barriers between them but also by supporting trade between the EU and third countries, being one of the three major

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global trade actors alongside the USA and China. In the new international context marked by globalization, the need to respond to sustainability and durability requirements, but also by conflicts in Eastern Europe and the Near East, the decision-making institutions of the European Union promote protectionist trade policies, the main instruments for their implementation being at the level of 2024, international agreements with countries outside the EU, the anti-coercion instrument, anti-dumping policy, and the restriction of foreign public subsidies. Therefore, this study proposes an approach to the main mechanisms for protecting trade, so that in a first part of it, the author will analyze to what extent trade agreements satisfy contextual needs by opening new markets and implicitly by increasing trade opportunities for EU companies. To the same extent, the study highlights the importance of the anti-coercion instrument as the European Union's new method of fighting economic threats and unfair trade restrictions from non-EU states. At the same time, the paper will analyze the anti-dumping mechanism in the context of its presentation as a trade protection instrument that the EU uses against unfair trade practices precisely as a counterbalance to ensure free trade.

