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SECTION I - PUBLIC LAW

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ONLINE ON ZOOM

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Moderator:

Associate professor Radu Ștefan Pătru, Faculty of Law, Bucharest University of Economic Studies

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SCIENTIFIC PAPERS

CLIMATE CHANGE, URBAN PLANNING AND ENVIRONMENTAL MIGRANTS

Associate professor **Raquel CARVALHO**
Faculty of Law, Universidade Católica Portuguesa, Portugal

Abstract

Climate change has emerged as a key driver of contemporary migratory movements, alongside traditional causes such as conflict, political persecution, and economic hardship. Unlike war-related or economic migration, climate-induced displacement is typically large-scale, involuntary, and permanent. Environmental migrants are often compelled to abandon their territories due to extreme drought, desertification, flooding, and climate-related diseases, with many relocating to urban centres already facing significant infrastructural and environmental pressures. The arrival of these populations exacerbates existing vulnerabilities, including the urban heat island effect, soil sealing, loss of biodiversity, and the overburdening of essential services such as healthcare, housing, food supply, and waste management. Furthermore, integrating culturally diverse, non-autochthonous groups poses additional challenges for social cohesion and governance. Methodologically, this paper is grounded in a theoretical framework and a systematic review of the relevant literature. The main strategy involved a structured search in two leading databases—WoS and Scopus—using the query “environmental migrants” AND “urban planning” AND “climate change.” Other sources were considered, but the focus on these databases reflects their quality and comprehensiveness. By explicitly combining the themes of environmental migration, climate change, and urban planning, this study offers a novel perspective, highlighting the urgent need for anticipatory, inclusive, and solidarity-based urban planning aligned with SDG 11, integrating migration risk mapping to ensure sustainable and just urban development.

DIGITAL GOVERNANCE AND FUNDAMENTAL RIGHTS: A CRITICAL ANALYSIS OF JORDAN'S DATA PROTECTION LAW

PhD. student **Rand Tuffaha AL-HUSSAINI**
Faculty of Law and Political Sciences, University of Szeged, Hungary

Abstract

This chapter analyzes Jordan's Personal Data Protection Law (PDPL) of 2023 and its enforcement via the compulsory Sanad digital identity system. The PDPL marks Jordan's initial effort to oversee personal data handling in a more digital society, arising from a backdrop of political opposition, public anxieties, and substantial uncertainty regarding the implications of regulation for government authority. This study uncovers considerable disparities between the protections outlined in the law and their actual implementation, based on legal analysis and fieldwork



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carried out in Amman in April 2025, which included observations of parliament and interviews with officials. The study examines the structural autonomy of the Personal Data Protection Council, which, due to its composition under ministerial control, raises issues regarding potential conflicts of interest and political meddling. The analysis reveals that mandatory biometric registration via Sanad establishes a techno-feudal system in which citizens are required to relinquish data rights to obtain vital government services. Although the PDPL includes clear consent clauses, extensive exemptions for public authorities and the coercive effects of digital exclusion weaken the law's ability to safeguard fundamental rights, especially for digitally illiterate groups in rural and tribal areas.

ARTIFICIAL INTELLIGENCE IS A NEW HUMAN RIGHTS GENERATION?

Professor Carlos RODRIGUES

University Fernando Pessoa, FP-I3ID, CEPESE, Porto, Portugal

Professor Ana CAMPINA

University Fernando Pessoa, FP-I3ID, CEPESE, Porto, Portugal

Abstract

There is a (re)new world that has emerged with the introduction of Artificial Intelligence – AI in all life features – from an abstract and distant idea to the life of humanity in all its dimensions. Artificial Intelligence has created a serious challenge, both in terms of exploiting its full potential and the serious threat it may pose. It is undeniable that Artificial Intelligence is not just a “simple” evolution, but a deep change in the paradigm of cyberspace, as it involves itself in all ‘real’ life, beyond the borders of states, as an unknown “world/life” that challenges human life in all its dimensions. Our research focuses on analyzing this context based on Karel Vasak's theory on Generations of Human Rights, and discussing, in an attempt to understand, whether with Artificial Intelligence we are experiencing a new generation of Human Rights in this unquestionable new reality for Human Beings, for States and Governments, for International Organizations from legal, political, economic, and social perspectives. The methodology followed in this research is qualitative, using the hypothetical-deductive method, as it starts from a phenomenological problem, namely the impact of Artificial Intelligence on generations of Human Rights, for which there are no absolutely comprehensive explanations. In the end, we conclude that AI has the power to greatly impact existing human rights, both economically, politically, and socially, but for now, given its state of development and application, it does not constitute an autonomous dimension of Human Rights.

**VERIFICATION OF DISPUTED FACTS IN CRIMINAL PROCEEDINGS WITH
THE ASSISTANCE OF EXPERTS**

PhD. student **Ardit KRASHI**

South East European University, North Macedonia

Abstract

The process of proving in criminal proceedings, which always results in a court decision, occupies a central place in that procedure. The truth refers to the complete verification of all relevant legal facts on which the application of substantive criminal law depends by matching the verified factual situation with the actual event that has been deemed a criminal offense. In criminal proceedings, it is often almost impossible to verify important facts without the aid of technical means; hence, the criminal procedure is closely linked to criminalistics, forensic medicine, forensic psychology, forensic psychiatry, and other related fields. For example, today one can think of



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investigating criminal offences without the application of forensic techniques or the opinion of a forensic psychiatry expert, who is presented in cases where there is a need to verify the mental state of the perpetrator of the criminal offence, etc. All evidence that establishes the facts must be examined and verified at the trial. The court must verify the facts through questioning in court, through questioning the defendant, expert witnesses, etc. Thus, all evidence, including relevant evidence that serves as a basis for the judgment, must be presented orally at the trial.

**CRIMINAL MODELLING OF TECHNOLOGICAL OFFENCES: THE NEED TO RE-
CONCEPTUALIZE THE NOTIONS OF “CRIMINAL ACT” AND “AUTHORSHIP”**

Lecturer **Gentian KOÇI**
University 'Aleksandër Moisiu' (UAMD), Durrës, Albania

**COMPARATIVE LAW ASPECTS CONCERNING THE INTERPRETATION AND UNIFORM
APPLICATION OF THE LAW IN THE CRIMINAL PROCESS**

Professor Phd. Habil. **Anca-Lelia LORINCZ**
“Dunărea de Jos” University from Galați, Romania,
affiliated member of the Society of Juridical and Administrative Sciences

Abstract

Starting from the hypothesis that a non-uniform judicial practice creates the risk of a lack of trust among members of society in the stability of legal relations, this paper brings to attention some aspects of comparative law regarding the interpretation and uniform application of the law in criminal proceedings at the European level. This study addresses the need to unify judicial practice, as a requirement of legal certainty, presenting the mechanisms for ensuring a unitary jurisprudence in the Romanian legal system, in the context of a comparative analysis of the legislations of several European states. The research methods used are: documentation, interpretation, observation and scientific analysis, including comparative, of legal provisions, with reference also to the case law of the European Court of Human Rights, the Court of Justice of the European Union and the Constitutional Court of Romania. Finally, it is noted that, in terms of regulation regarding ensuring a unitary judicial practice, compared to other European states, Romania has well-defined legislation. The legal framework established by the Romanian legislator in this matter is also complemented by the steps of the supreme court in disseminating jurisprudential guidelines which, with a recommendatory nature, may lead to the unification of judicial practice.



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**THE EFFECTIVENESS OF CRIMINAL SANCTIONS IN COMBATING TAX EVASION:
BETWEEN PREVENTION, DETERRENCE AND RECOVERY OF BUDGETARY DAMAGE**

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Lecturer **Mihai ȘTEFĂNOAIA**
Faculty of Law and Administrative Sciences,
"Ștefan cel Mare" University of Suceava, Romania

Abstract

The paper provides a critical analysis of the effectiveness of criminal sanctions applied to tax evasion offenses in Romanian law, in correlation with the state's criminal and fiscal policy objectives. It aims to identify the extent to which the current sanctioning framework (Law No. 241/2005, the Criminal Code, and the Code of Criminal Procedure) fulfills the preventive and restorative functions of punishment, while also assessing its alignment with the principles of European criminal law. The research combines doctrinal analysis with an examination of recent judicial practice, focusing on the application of mitigating circumstances, the individualization of penalties, and the legal conditions for discontinuing criminal prosecution or postponing the execution of sentences in cases involving full recovery of the fiscal damage. Furthermore, the study explores the impact of legislative amendments introduced by Law No. 55/2021 and the ongoing debates surrounding the legal nature of the damage threshold required for criminal liability. Through this approach, the paper seeks to evaluate the coherence and efficiency of the Romanian criminal mechanisms in combating tax evasion, in light of the need to protect the state's financial interests while ensuring compliance with fundamental rights and the principles of fairness and proportionality in criminal justice.

**VAT FRAUD - A CRIME AGAINST THE FINANCIAL INTERESTS OF
THE EUROPEAN UNION?**

Professor **Norel NEAGU**
Romanian-American University of Bucharest, Romania

Abstract

This study aims to provide a comparative and systematic analysis of Romanian and European legislation criminalising VAT fraud (the PIF Convention and Directive, the Tax Evasion Law), as well as the case law of the Court of Justice of the European Union in the field, determining their applicability at national level, the degree of implementation of European legislation, and the way forward.



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THE ROLE OF PSYCHOLOGY IN LAW

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Associate professor **Lăcrămioara MOCANU**

Danubius International University of Galați, Romania

Professor **Ancuța Loredana CĂRĂUȘ**

Sanity Post-Secondary Sanitary School of Bacău, Romania

Professor **Carolina CERNEI**

Sanity Post-Secondary Sanitary School of Bacău, Romania

Abstract

This article provides a broad analysis of the role of psychology in the contemporary legal system. The study addresses the connections of forensic psychology with general psychology and explores the objectives of forensic psychology. Personality is examined as the central object of study in forensic psychology, with an emphasis on the model of orientations and behaviors of the personality of the offender. It also highlights the methods used in forensic psychology. The study highlights Pinatel's fundamental contributions to the field for understanding criminal behavior, and through interdisciplinary analysis, it is demonstrated that the integration of psychological knowledge into legal practice not only improves the accuracy of judicial decisions, but also contributes to the development of a more humane and efficient justice system.

**A LEAP INTO THE FUTURE: THE AI AND THE IMPERATIVE NEED TO PROTECT
FUNDAMENTAL HUMAN RIGHTS**

Associate professor **Elena Emilia ȘTEFAN**

„Nicolae Titulescu” University of Bucharest, Romania

Abstract

The unprecedented technological developments we have witnessed in recent years give us the opportunity to be constantly curious to discover the enormous potential they offer, as they can improve quality of life. Step by step, the use of AI systems, increasingly prevalent in all areas of social life, is becoming commonplace. Notwithstanding, human interaction with AI can generate risks and affect human rights. In this background, the scope of the study is to document how the legislator relates to decision-making based exclusively on automated processing. In order to achieve this goal, important legislative acts such as the AI Act and the General Data Protection Regulation will be examined, as well as recent CJEU case law, with a focus on automated decision-making, by using research methods specific to law. The subject is very topical and of utmost interest to the business community, state authorities, but also ordinary people. The results of the research suggest that the integration of modern technologies into social dynamics requires a solid legal framework containing clear standards and ethical principles, so that AI can be used safely while protecting fundamental human rights.



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**PRACTICAL GUIDELINES FOR THE APPLICATION OF ARTIFICIAL INTELLIGENCE
SYSTEMS AND THE GUARANTEES INHERENT
TO THEIR EFFECTIVENESS**

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Assistant professor **Constantin-Claudiu ULARIU**
„Nicolae Titulescu” University of Bucharest, Romania

Abstract

This article presents a structural analysis of the application of artificial intelligence systems, by emphasizing the diverse ways in which these technologies are being actualized across essential branches of democratic society, as well as identifying integrated axioms aimed at ensuring the protection of fundamental rights and freedoms of citizens, correlating with the implementation of various artificial intelligence tools in everyday activities. This study considers not only the practical applications of artificial intelligence tools, but also the range of legal and judicial safeguards designed to guarantee the fairness and lawfulness of the incidence of these new technologies in the daily lives of citizen. We conclude our study by analyzing the correlation between Romania's national legislation and the European vision in this field, which itself reveals a number of conceptual shortcomings. This article contributes to highlighting the particularities of a new legal institution that is underexplored in current legal doctrine, despite the undeniable relevance of this field in modern societal life.

**DOES HEZBOLLAH REMAIN A COMPETITOR FOR SOVEREIGNTY WITHIN
THE LEBANESE REPUBLIC?**

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

Abstract

The confessional distribution of power was created as a mechanism for stabilizing and guaranteeing access to power among the main religious communities, and the Taif Agreement contained elements interpreted as steps toward reducing the exclusively confessional nature of institutions. In fact, the abolition of political confessionalism is also a national goal, as it is included in the preamble to the Lebanese constitution. Hezbollah, a political and paramilitary organization that claims to represent an important part of the Shiite community, is sometimes described as a "state within a state," which has given it characteristics of a competitor to the sovereign powers of the Lebanese state. After a long period of presidential vacuum, the parliament managed to elect a new president, following intense political negotiations both internally and under external pressure. Proposals have been made, and official discussions have taken place on the creation of a plan to centralise weapons and disarm Hezbollah, but the parties involved, and Hezbollah's firm stance make effective implementation unclear. This article aims to shed constitutional light on these new developments and attempt to answer the question of whether Hezbollah remains a competitor to sovereignty within the Lebanese state and whether, in this context, the seeds of abolishing sectarian power distribution are emerging.



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**ENVIRONMENTAL LAW LITIGATION – BRIEF CONSIDERATIONS ON THE
DELEGATION OF MANAGEMENT OF THE PUBLIC WATER SUPPLY SERVICE AND THE
CORRELATION WITH THE RIGHT TO A HEALTHY ENVIRONMENT**

Associate professor **Raluca Laura DORNEAN PĂUNESCU**
Faculty of Law, „Drăgan” European University of Lugoj, Romania,
affiliated member of the Society of Juridical and Administrative Sciences

Abstract

The study aims to observe the legal regime of contraventional liability in the field of community public utilities services, a field regulated by the Law on Community Public Utilities Services No. 51/2006, respectively to highlight: 1. the essential utility needs and general public interest of a social nature of local communities; 2. types of legal entities that provide/render public utilities services (public utility service operators and regional operators); 3. the management method of public utility services under the responsibility of local public administration authorities (direct or entrusted/delegated management). Regarding the delegation of the management of the public water supply service, the study briefly presents the definition of the contract for the delegation of the management of the public service, the legal nature of the contract, types of contract for the delegation of the management of public utilities services (service concession contract or public service procurement contract). The study continues with details regarding the public water supply service regulated by the Law on Water Supply and Sewerage Service No. 241/2006 and the contraventional liability regulated by the special law and the framework law, culminating in the analysis of a recent case, all under the aegis of the right to a healthy environment in order to respect the principle of sustainable development.

**CONTROVERSIES REGARDING THE APPLICATION OF DECISION NO. 8/2025 OF THE HIGH
COURT OF CASSATION AND JUSTICE OF ROMANIA**

Lecturer **Remus IONESCU**
Faculty of Law and Economic Sciences in Târgu Jiu
“Titu Maiorescu” University, Romania,
President of the Criminal Division – Gorj Tribunal, Romania

Abstract

The decision referenced in the title of this article constitutes a jurisprudential reversal in the field and represents a continuation of the trajectory established by the Romanian Constitutional Court (CCR), beginning in 2017, through Decision No. 674/2016. That ruling determined that officers of the General Anticorruption Directorate may carry out acts of criminal investigation only within the strictly defined scope of Article 1 paragraph (2) of Government Emergency Ordinance No. 120/2005, and solely in relation to a specific category of offences committed exclusively by personnel employed within the Ministry of Internal Affairs. In the practical implementation of this decision, divergent opinions have already emerged. However, judicial practice has consistently identified appropriate solutions that respect the constitutional and legal framework in the field, thereby ensuring the effectiveness of the fundamental principles of legality and loyalty in the administration of evidence, as an expression of the right to a fair trial. Our scientific approach aims to identify solutions for the implementation of the cited decision from a practitioner’s perspective, without neglecting doctrinal considerations that reinforce the arguments



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presented, particularly those concerning the institution of nullity as a criminal procedural sanction and the concept of delegation, by reference to the jurisprudence of the Constitutional Court and the High Court of Cassation and Justice over time.

THE RULE OF LAW IN THE DIGITAL AGE

PhD. student **Claudia Ana Maria STANCIU**
Doctoral School of Law,
Bucharest University of Economics Studies, Romania

Abstract

This paper explores how the rule of law is being redefined in light of changes driven by digitalization and new technologies, focusing on the challenges they bring to the democratic and legal structures of the state. Its main goal is to examine the tension between the legal form and democratic essence of the rule of law, emphasizing the risk that digitalization could become merely a formal modernization, lacking genuine normative value, which may weaken the protection of citizens' rights. The research method used combines doctrinal and conceptual analysis, correlating the constitutional principles of legality, proportionality, and separation of powers in the state with the new realities of digital governance. The findings emphasize that digitalization should go beyond simply automating processes, requiring a reconfiguration of citizen protection mechanisms and a coherent integration of digital rights and freedoms into the constitutional framework in order to strengthen the rule of law and democracy in the virtual space.

MIGRANT TRAFFICKING

PhD. student **Anca-Diana MAFTEI**
State University of Moldova, Republic of Moldova

Abstract

Migrant trafficking remains a topical topic of today's reality, being one of the most serious transnational criminal threats faced by Central and Eastern Europe, because according to the United Nations Organization for Drugs and Crime (UNODC) thousands of migrants are trafficked through networks operating both on the territory of Romania and on that of the Republic of Moldova, that extend their routes to the Member States of the European Union, respectively that are part of Schengen1. This phenomenon is distinguished by the high, sophisticated level of organisation of criminal networks and their ability to exploit social and economic vulnerabilities, especially among populations with limited resources and limited access to education, Migration poses challenges that education can help turn into opportunities with approaches rooted in the fundamental values of the European Union (EU) of human dignity, human rights, freedom, democracy and equality"-Pasat Aurel Octavian. UNODC has also recognized the educational dimension of the phenomenon at international level, and although the legal literature frequently addresses issues related to migration and crime, the issue of migrant trafficking remains relatively little analyzed from a comparative perspective between Romania and the Republic of Moldova.



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**JURISPRUDENTIAL AND COMPARATIVE LAW ASPECTS REGARDING THE CRIME
OF VOTER CORRUPTION**

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Lecturer **Maria Gabriela ZOANĂ-CRĂCIUNESCU**
National University of Science and Technology Politehnica Bucharest, Romania

Abstract

The integrity and transparency of the electoral process constitute the cornerstone of any democratic state. The reference points of the present study are recent European trends in combating corruption with electoral implications and the relevant national jurisprudence regarding the offence of the voter corruption. Influencing voting behaviour through the offering or giving of money, goods or other benefits remains a relatively frequent practice within the dynamics of electoral competition, yet one that continues to be insufficiently sanctioned. Consequently, the criminal incidence of electoral corruption remains at a high level. The material trading of the electoral option requires an analysis of the size of the benefits (pecuniary or non-pecuniary), the establishment of a threshold value for the amount of symbolic goods or the express nomination of these goods. The study also raises the possibility of introducing a symmetrical framework of incrimination, analogous to the offences of bribe-taking and bribe-giving, in order to ensure a balanced and coherent protection of the freedom of voting. The study aims to contribute to a broader debate on safeguarding electoral integrity and increasing the efficiency of criminal law mechanisms within the democratic process. The study proposes as topics for reflection the adaptation of criminal legislation on voter corruption to the risks generated by digital manipulation and the creation of a unified European legal framework on electoral offences, in the context of joint elections to the European Parliament.

MANAGEMENT OF THE HEALTH CRISIS CAUSED BY COVID-19 IN TURKEY

PhD. student **Adina GHIDURA (NICĂ)**
Doctoral School of Law,
Bucharest University of Economics Studies, Romania

Abstract

In order to manage the health crisis caused by COVID-19 quickly and effectively, states resorted to the available legal mechanisms, taking into account implications for human rights. In Turkey, a member of the Council of Europe since 1950 and a candidate for the European Union since 1999, the Constitution allows for the declaration of a state of emergency in the event of an epidemic. However, authorities did not declare such an exceptional state, even though measures were taken to manage the crisis that restricted the exercise of certain human rights. This study forms part of a broader research concerning legal order during the exceptional states and it aims to present how the state of emergency is regulated in Turkey, to describe the way the pandemic was addressed, particularly from the perspective of human rights, and to assess the implications and limits of restricting the exercise of these rights. To achieve these objectives, historical, analytical, and comparative research methods were used. The results of the study highlight that Turkey chose to manage the crisis by implementing measures specific to a state of emergency, without formally declaring one, even though a state of emergency is not an uncommon phenomenon for this country.



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**THE PRINCIPLE OF GOOD ADMINISTRATION IN EUROPEAN ADMINISTRATIVE LAW
AND ITS INFLUENCE ON ROMANIA**

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Professor **Cristian DUMITRESCU**
Faculty of Legal Sciences,
Hyperion University of Bucharest, Romania

Abstract

This paper analyses the principle of good administration as the foundation of European administrative law and its influence on the evolution of public administration in Romania. Based on the case law of the Court of Justice of the European Union, the article examines how this principle has been consolidated as a general standard of legality and fairness in the work of administrative authorities. The study highlights the convergence between European Union law and Romanian administrative law, in particular through the Administrative Code and the Administrative Litigation Law No. 554/2004, which enshrines the right of individuals to transparent, impartial and fair administration. At the same time, the implications of European standards on transparency, public ethics and administrative cooperation between Member States are analysed, with a focus on sensitive areas such as taxation and environmental protection. The article highlights the importance of effective legal protection against administrative abuse and of guaranteeing the right to a fair trial, in accordance with the combined case law of the CJEU and the ECHR. The conclusions point to the ongoing need to adapt Romanian administrative law to the requirements of good European administration, as a prerequisite for strengthening the rule of law and citizens' trust in public institutions.

**REFORM AND MODERNISATION OF THE ROMANIAN PUBLIC ADMINISTRATION IN
THE CONTEXT OF THE NATIONAL RECOVERY AND RESILIENCE PLAN (NRRP)**

Professor **Cristian DUMITRESCU**
Faculty of Legal Sciences,
Hyperion University of Bucharest, Romania

Abstract

The study aims to analyse, from a legal and administrative perspective, the processes of reform and modernisation of Romanian public administration in the context of the National Recovery and Resilience Plan (NRRP), considered the main instrument of institutional transformation after accession to the European Union. The overall objective is to assess the extent to which the measures undertaken through the NRRP – in particular the digitisation of public services, the professionalisation of the civil service and the strengthening of administrative accountability – have had a real impact on administrative practice. The research uses analytical-comparative and interpretative-normative methods, based on an analysis of the legislative framework (Government Emergency Ordinance No. 57/2019 on the Administrative Code), strategic government documents and recent case law of national and European courts. The results show visible progress towards making public administration more efficient, but also the persistence of systemic deficiencies regarding procedural deadlines and the application of the principle of good administration provided for in Article 41 of the Charter of Fundamental Rights of the European Union. The implications of the study point to the need to consolidate a coherent administrative model focused on digitisation, transparency, performance and institutional continuity.



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**FROM LEGAL CODES TO ALGORITHMIC CODES: AUTHORITY, NORM
AND GOVERNANCE IN THE DIGITAL AGE**

Associate professor **Corneliu Andy PUSCA**
Danubius International University of Galați, Romania

Abstract

In an era shaped by algorithmic decision-making, blockchain infrastructure and artificial intelligence, the concept of “code” demands a reconceptualization at the intersection of law, technology and governance. This paper explores the evolution of the code — from ancient juridical instruments such as Hammurabi’s Code and Roman Law, through modern civil codifications, to today’s algorithmic systems that regulate digital transactions and corporate behavior. The argument is that we are witnessing a normative transformation: legal authority is increasingly mediated by technical code — including protocols, smart contracts and automated compliance systems. Drawing on legal philosophy, digital ethics and symbolic interpretations of normativity, the paper proposes a critical framework to understand how normative legitimacy, legal responsibility and business governance are being redefined in a hybrid legal-technical environment. The paper concludes with a call for a renewed legal theory capable of integrating algorithmic normativity into ethical, human-centered digital governance.

OFFENCES AGAINST ROAD TRAFFIC SAFETY IN ROMANIAN LAW

Professor **Ion RUSU**
Faculty of Law and International Governance,
Danubius International University of Galați, Romania
Assistant professor **Ioana RUSU**
Faculty of Legal and Administrative Sciences,
"Dimitrie Cantemir" Christian University of Bucharest, Romania

Abstract

In this study, we present a concise analysis of the group of offences that protect the most important social values within the public road transport system, as provided in a distinct chapter of the Romanian Criminal Code. These social values, specific to the road transport system, are identified with traffic safety in road transport, the life, bodily integrity, and health of individuals, and, not least, the property of natural or legal persons involved in such events. Based on the conclusions and proposals of other state institutions during the legislative process, the legislator adopted the criminal provisions from the framework normative act. However, in an attempt to simplify the process of establishing offences, one of the incrimination texts was formulated with numerous deficiencies. We have previously criticized these provisions, as they caused certain dysfunctions in judicial practice; however, only after the intervention of the Constitutional Court were these deficiencies remedied. Under these circumstances, in addition to providing a general overview of the offences within this group and the importance of criminalizing such acts, this study also focuses on the amendments and additions made by the legislator to the legal content of some of these offences after the entry into force of the current Criminal Code. The study may be useful for law students, master’s and doctoral students who study offences specific to the road transport system. Furthermore, it may serve as a useful resource for legal practitioners and, not least, for legislators who intend to introduce amendments and additions to some of these provisions. It should be noted that this study represents a continuation of the analysis of offences against road traffic safety, previous analyses having materialized in the drafting of a university course that includes



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these offences, as well as in other studies published in specialized journals or in the proceedings of national and international conferences.

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**BALANCING LAW, DATA, AND ARTIFICIAL INTELLIGENCE: THE STRATEGIC ROLE
OF HIGHER EDUCATION INSTITUTIONS IN THE DIGITAL SOCIETY OF
THE THIRD MILLENNIUM**

PhD. Alexandru GEORGESCU

Legal Counsel, Danubius International University of Galati, Romania

Abstract

Contemporary society is undergoing one of the most rapid transformations in its history, the digital transformation. This phenomenon is amplified by data-driven technologies and artificial intelligence, which generate legal, ethical, and educational challenges in an interconnected society. The study analyzes the strategic role of education providers (with a focus on higher education institutions) in promoting a fair balance between law, data protection and artificial intelligence governance. It argues that universities are both education providers with an active role in supporting lifelong learning and in developing the digital skills needed for the data-driven economy. By integrating data protection principles (as set out in the GDPR) with the free movement of data (as set out in the Data Regulation) and legal standards associated with the use of artificial intelligence (the AI Regulation), the academic environment is at the forefront of the process of responsible implementation of technological innovation. The study also focuses on the institutional responsibilities of education providers in ensuring data security and compliance with ethical standards in both the provision of educational programs and academic research. Last but not least, it highlights the need for an educational framework that connects technological progress with the legal and ethical regulations of the current European legal system, actively responding to the current challenges regarding the need to adapt and strengthen skills, including professional retraining within a data-driven European economy.

**DIGITAL CONSTITUTION: IS THE EXPLICIT RECOGNITION OF DIGITAL RIGHTS IN
CONSTITUTIONAL TEXTS NECESSARY?**

Lecturer Iulian SAVENCO

*Faculty of Law and International Governance,
Danubius International University of Galati, Romania*

Abstract

The transition towards a digital society has shifted the exercise of fundamental rights into the virtual space, where traditional constitutional protection encounters structural and conceptual limits. Today, many constitutions implicitly safeguard rights such as privacy, freedom of expression, or access to information, yet these were drafted for analogue realities and are insufficient for the protection of data, algorithmic control, digital identity, or the individual's sovereignty over their own information. The article analyses the necessity of explicitly recognising digital rights in contemporary constitutional texts, within the landscape of transformations generated by technology, digital platforms, and artificial intelligence. By evaluating existing models, including recent initiatives such as the "Digital Constitution" proposed in certain European and Latin American states, the study discusses the possibility of explicitly integrating digital rights and its effects on strengthening legal foreseeability, as well as whether this process would limit arbitrariness in the management of personal data by states and private actors. The results show



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that constitutional recognition would allow for constitutional review adapted to phenomena such as digital surveillance, algorithmic decision-making, and online moderation. The conclusion stresses that protecting digital rights as a legislative option is the constitutional necessity of our time — and even more so of the future — in order to maintain the rule of law in an era dominated by automation, artificial intelligence, and the private concentration of informational power.

