



**INTERNATIONAL CONFERENCE:
“PERSPECTIVES OF BUSINESS LAW
IN THE THIRD MILLENIUM”**

www.businesslawconference.ro
- 15TH Edition, November 14, 2025 -



SECTION III.

**COUNCIL OF EUROPE'S MISSION AND CONVENTIONS.
EUROPEAN UNION LAW. INTERNATIONAL LAW**

Friday, November 14, 2025

ONLINE ON ZOOM

Conference organizers:

*UniSA/Adelaide University, Australia (ranked 151-200 in ARWU, 2025 edition),
University of Málaga, Spain (ranked 801-900 in ARWU, 2025 edition),
European Public Law Organization, Greece
Danubius International University of Galati, Romania
Society of Juridical and Administrative Sciences*

Moderator:

Lecturer Dana Volosevici, Petroleum-Gas University of Ploiesti, Romania

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



**INTERNATIONAL CONFERENCE:
“PERSPECTIVES OF BUSINESS LAW
IN THE THIRD MILLENNIUM”**

www.businesslawconference.ro
- 15TH Edition, November 14, 2025 -

XAT.COM

SCIENTIFIC PAPERS

IS CUSTOMARY LAW STILL A SOURCE OF INTERNATIONAL LAW?

Professor **Tomáš PERÁČEK**

Comenius University Bratislava, Faculty of Management, Slovakia

PhD. student **Michal KAŠŠAJ**

Comenius University Bratislava, Faculty of Management, Slovakia

Abstract

The main objective of our scientific study is to examine the justification for the existence of custom as a source of international law, as today's dynamic era is gradually pushing unwritten sources of law into the background. International custom is one of the last sources of international law, which is unwritten, general and therefore binding for all subjects of international law. Since it is an unwritten source of public international law, a number of questions arise in connection with the emergence, requirements and application of international custom. The focus of the research is the issue of international custom, pointing out application problems, statements of international judicial authorities as well as the mutual relationship between an international treaty and international custom. When examining this issue, we relied on the available relevant professional and scientific literature as well as case law using appropriate scientific research methods. The results of our study indicate that, despite suggestions to eliminate custom as a source of international law, legal custom has its irreplaceable place both in the sources of international law and in the decision-making activities of courts and other bodies.

REFORMING EU ECONOMIC GOVERNANCE: ASSESSING THE BALANCE BETWEEN FISCAL SUSTAINABILITY AND POLITICAL FLEXIBILITY

Associate professor **Rezarta TAHIRAJ**

University of Elbasan "Aleksandër Xhuvani", Albania

Abstract

The 2024 reform of European economic governance represents a pivotal development in the EU's fiscal framework, designed to strengthen debt sustainability and enhance the transparency of budgetary surveillance. This study investigates whether the introduction of net primary expenditure as the new operational indicator simplifies fiscal rules and improves compliance, while also assessing potential trade-offs between fiscal discipline, political flexibility, and economic growth. The primary objective is to evaluate the reform's impact on debt sustainability and Member States' ability to maintain deficits and expenditure within sustainable limits. Secondary objectives include examining the simplification of the framework, the institutional role of the European Commission and national fiscal councils, and the Italian case as a benchmark for highly indebted countries. Methodologically, the research combines comparative analysis of the new EU regulations (1263/2024, 1264/2024, 1265/2024) with case studies,



**INTERNATIONAL CONFERENCE:
“PERSPECTIVES OF BUSINESS LAW
IN THE THIRD MILLENNIUM”**

www.businesslawconference.ro
- 15TH Edition, November 14, 2025 -

complemented by qualitative evidence from institutional and expert sources. Results suggest that the reform simplifies monitoring and reinforces the credibility of fiscal policies, while granting greater flexibility. However, challenges remain concerning the discretionary power of the Commission and the adjustment difficulties faced by high-debt countries. These findings imply possible asymmetries among Member States, with significant consequences for EU political stability and cohesion.

**THE 2025 ECJ RULING ON IRAP: IMPLICATIONS FOR EU FISCAL NEUTRALITY
AND ITALIAN TAX LAW**

Associate professor **Rezarta TAHIRAJ**
University of Elbasan "Aleksandër Xhuvani", Albania

Abstract

The European Court of Justice's landmark ruling of 1 August 2025 has declared Italy's Regional Tax on Productive Activities (IRAP) incompatible with EU law due to its 50% taxation of dividends from subsidiaries in other Member States. This decision, stemming from the case brought by Banca Mediolanum against the Italian Revenue Agency, found that the IRAP exceeds the 5% limit established by the EU Parent-Subsidiary Directive (2011/96/EU) and violates the principle of fiscal neutrality. The objective of this study is to analyze the implications of the ruling for the Italian tax system and its alignment with EU law, assessing both legal and economic consequences. The research employs a doctrinal analysis of the judgment, a review of the relevant Italian legislation, and a comparative examination of the Parent-Subsidiary Directive provisions. Results indicate that Italian tax law will require substantial amendments to comply with EU standards, prevent discriminatory taxation, and uphold the principle of neutrality. The study further highlights the potential impact on cross-border investments and corporate strategies, emphasizing the need for coordinated legislative adjustments to ensure both legal conformity and economic stability.

**VASP STATUS DURING MICA TRANSITION AND CONSEQUENCES OF
CASP LICENSE REFUSAL**

Assistant professor **Alexander KULT**
Czech Technical University in Prague, Czech Republic

Abstract

This paper analyzes the precarious legal status of Virtual Asset Service Providers (VASP) operating in the transitional period before the full implementation of the EU's Markets in Crypto-Assets Regulation (MiCA). During this time, the VASP, though an applicant for the new CASP license, remains fully bound by stringent AML obliged person duties (e.g., establishing a System of Internal Principles, ongoing due diligence, and suspicious transaction reporting). The paper focuses on the consequences of the CASP license application being rejected by the National Competent Authority. Such refusal immediately terminates the grandfathering period, forcing the VASP to cease all regulated activities and promptly initiate a wind-down process. This termination requires the VASP to terminate all client contracts and ensure the secure segregation and return of client assets (crypto-assets and funds). Failure to execute a proper wind-down, especially concerning asset segregation or timely transfer, exposes the impacted entity to potential liability for damages claimed by clients due to operational failures or lost opportunities. The regulatory



**INTERNATIONAL CONFERENCE:
“PERSPECTIVES OF BUSINESS LAW
IN THE THIRD MILLENNIUM”**

www.businesslawconference.ro
- 15TH Edition, November 14, 2025 -

transition thus highlights significant legal and operational risks for firms failing to meet the elevated MiCA standards.

BIOETHICS AS A SUPPLEMENTARY INSTRUMENT IN INTELLECTUAL PROPERTY LAW

PhD. Alexander YANKOV

South-West University "Neofit Rilsky" Blagoevgrad, Bulgaria

Abstract

*This paper explores the evolving role of bioethics as a supplementary framework within intellectual property (IP) law, particularly in the context of biotechnological innovation. Traditionally situated within medical and scientific domains, bioethics has increasingly permeated legal discourse, offering normative guidance on issues of human dignity, inventorship, and equitable benefit-sharing. The study examines how bioethical principles—often codified in soft law instruments—are progressively influencing formal legal structures, including civil and IP law. Through analysis of European legal instruments such as the Oviedo Convention and landmark cases adjudicated by the European Court of Human Rights and the Court of Justice of the European Union, including *Brüstle v. Greenpeace* and *International Stem Cell Corporation*, the paper demonstrates how ethical considerations are shaping the boundaries of patentability and legal interpretation. It argues that bioethics, while not traditionally embedded in IP law, provides a critical lens for assessing the moral legitimacy of technological exploitation and may serve as a conduit for integrating humanistic values into legal regulation.*

LABOR STANDARDS AND THE WTO: LEGAL AVENUES AND DISCURSIVE FRAMING

PhD. candidate Amira NAMOUCHI

Doctoral School of Law, University of Szeged, Hungary

Abstract

The evolving position of labor standards within the World Trade Organization raises fundamental questions about how multilateral trade manages the intersection of economic integration and social rights. The objective is to assess both the legal avenues available for incorporating labor-related measures under WTO law and the ways in which labor is discursively framed within the organization. A mixed qualitative design is employed, combining doctrinal analysis with critical discourse analysis of WTO annual reports from 2000 to 2024. Quantitative tools, including co-occurrence mapping and network visualization, complement the discourse analysis by identifying shifting thematic clusters in the WTO's treatment of labor. The results indicate that while WTO law offers limited and highly conditional pathways for regulating labor, the discursive positioning of it remains peripheral and instrumental, often subordinated to narratives of competitiveness and regulatory efficiency. These findings imply that the WTO's constrained legal design and persistent discursive marginalization of labor standards contribute to incoherence across the trade-labor nexus and limit the organization's ability to address the social consequences of trade liberalization.



**INTERNATIONAL CONFERENCE:
“PERSPECTIVES OF BUSINESS LAW
IN THE THIRD MILLENNIUM”**

www.businesslawconference.ro
- 15TH Edition, November 14, 2025 -

**BETWEEN COMPLIANCE AND CONFLICT: THE IMPACT OF SANCTIONS AND
COUNTER-SANCTIONS ON INTERNATIONAL BUSINESS LAW**

PhD. student **Alexandra KOVACS**

Deák Ferenc Doctoral School of Law, University of Miskolc, Hungary

Abstract

The increasing complexity of global economic relations has made international sanctions and corresponding counter-sanctions central to the evolution of international business law. The objectives of this study are to examine how conflicting sanctions regimes—such as those imposed by the United States and the European Union, and the counter-measures adopted by China and Russia—affect the legal framework governing multinational business activities. The research employs a comparative legal analysis and case-study method to identify areas where these regulations overlap or conflict, focusing on their implications for contract performance, investment security, and financial transactions. The results indicate that corporations face significant compliance challenges when navigating contradictory legal obligations, often leading to contractual uncertainty and increased transaction costs. The study further finds that legal instruments such as choice-of-law clauses, force majeure provisions, and investment protection mechanisms can partially mitigate these risks, though their effectiveness varies by jurisdiction. The implications of this research suggest that the current system of sanctions and counter-sanctions contributes to the fragmentation of the international economic order, highlighting the need for greater harmonization and clearer conflict-of-law solutions to maintain predictability and stability in global business relations.

**STATE OBLIGATIONS TO PROTECT CHILDREN’S RIGHTS UNDER THE EUROPEAN
CONVENTION ON HUMAN RIGHTS: THE CASE OF ALBANIA**

Assistant lecturer **Elda SHURDHI**

*Department of Justice, Faculty of Political and Legal Sciences,
University "Aleksandër Moisiu", Durres, Albania*

Abstract

This paper explores the scope and depth of state obligations in protecting children’s rights under the European Convention on Human Rights (ECHR), focusing on Albania as a case study. It examines the jurisprudence of the European Court of Human Rights (ECtHR) in defining positive obligations of states toward vulnerable groups, particularly minors, and assesses the degree to which these standards have influenced Albanian legislation and judicial practice. Through a historical-legal and comparative analysis, the study identifies gaps in national implementation, especially in areas such as access to justice, protection against abuse, and rehabilitation of juvenile offenders. The findings highlight the need for a coherent and human-rights-based approach in domestic policy and adjudication. By linking European jurisprudence with local legal reforms, the paper contributes to the broader discourse on harmonizing human rights protection in transition democracies.



**INTERNATIONAL CONFERENCE:
“PERSPECTIVES OF BUSINESS LAW
IN THE THIRD MILLENNIUM”**

www.businesslawconference.ro
- 15TH Edition, November 14, 2025 -

**THE EUROPEAN UNION’S POLICY FRAMEWORK ON CHILDREN’S RIGHTS AND ITS
INFLUENCE ON NATIONAL LEGAL REFORMS IN ALBANIA**

XAT.COM

Assistant lecturer **Elda SHURDHI**

Department of Justice, Faculty of Political and Legal Sciences,
University "Aleksandër Moisiu", Durres, Albania

Abstract

The European Union's policy framework for children's rights and its impact on national legal reforms in Albania is one of the main aspects analyzed in this paper through a detailed review of EU legal instruments and strategic documents, such as the Charter of Fundamental Rights of the European Union and the EU Strategy for the Rights of the Child (2021–2024). This paper aims to understand the ways in which these standards are reflected in Albanian legislation and public child protection policies through a combined qualitative and quantitative approach by analyzing legal acts, policy documents and statistical data for the period 2014–2022. As a result of this paper, a significant and significant increase in legal approximation with European standards, an increase in the budget for child protection and an improvement in reporting and institutional coordination mechanisms are verified, but all these positive elements are faced with problems and numerous difficulties in terms of practical implementation of laws as a result of insufficient financial resources and administrative capacity limitations. A very important factor is also the weak inter-institutional cooperation. So even though the European Union has a key role in promoting new legal reforms, many challenges remain in their sustainable implementation, highlighting the importance of strengthening institutions, continuous monitoring and raising public awareness of children's rights.

**UKRAINE'S INTERNATIONAL LEGAL OBLIGATIONS IN THE FIELD
OF HUMAN RIGHTS PROTECTION**

Professor **Vsevolod MITSIK**

Department of International Law, Taras Shevchenko National University of Kyiv, Ukraine

Associate professor **Albina BASYSTA**

Department of International Law, Taras Shevchenko National University of Kyiv, Ukraine

Professor **Ryšardas BURDA**

Faculty of Economics, Branch of the University of Białystok in Vilnius, Lithuania

Senior lecturer **Mykola TARANENKO**

Department of informational economic and administrative law, Faculty of Sociology and Law,
National Technical University of Ukraine "Igor Sikorsky Kyiv Polytechnical Institute", Ukraine

Lead researcher **Vladas TUMALAVIČIUS**

Turība University, Latvia

Abstract

The study analyzes Ukraine's international legal obligations in the field of human rights and compares them with the experience of Lithuania to identify effective mechanisms for implementing international standards in the national legislation of Ukraine. The study aims to analyze Ukraine's obligations in the field of international human rights protection and compare them with the relevant practice of Lithuania to identify effective approaches. The methodology is based on comparative legal analysis. The focus is on fundamental international documents (the European Convention on Human Rights, the International Covenant on Civil and Political Rights, and EU directives), decisions of the European Court of Human Rights, as well as national legislation and practices for



**INTERNATIONAL CONFERENCE:
“PERSPECTIVES OF BUSINESS LAW
IN THE THIRD MILLENNIUM”**

www.businesslawconference.ro
- 15TH Edition, November 14, 2025 -

implementing obligations. The findings showed that, despite the participation of both countries in similar treaties, the level of implementation in Lithuania is consistently higher due to integration into EU law, the presence of independent institutions, as well as the recognition of the priority of international law by the Constitutional Court. The conclusions underlined the feasibility of using Lithuanian experience to improve human rights protection mechanisms in Ukraine. This is especially important in legislative harmonization, institutional capacity, and legal education.

**FUNCTION, AUTONOMY, OR MERE LEGAL INSTRUMENTS? REVISITING THE
PARADIGM OF INTERNATIONAL ORGANIZATIONS THROUGH THE LENS
OF THE ILC'S RECENT WORK**

PhD. candidate Mgr. **Martina COXOVÁ**
Faculty of Law, Charles University, Czech Republic

Abstract

Traditional functionalist approaches in international law tend to define international organizations as state-created entities with narrowly defined mandates, acting at the behest of member states. This paper argues that such views no longer accurately reflect the legal and operational realities of contemporary international organizations, which increasingly exercise autonomous decision-making and engage in complex normative and operational activities. Building on recent developments, in particular the International Law Commission's (ILC) work on the settlement of disputes involving international organizations, this paper reviews doctrinal and theoretical definitions that portray these entities as derivative actors. Methodologically, it combines doctrinal analysis with an empirical examination of hybrid and atypical organizations to explore whether a reframed definition based on autonomy and functional authority would better capture institutional practice. The analysis underscores the diversity of institutional models, suggesting that redefining international organizations in functional terms may enhance alignment on such issues as immunity, accountability and access to justice. It concludes that further research is needed to clarify these boundaries and their implications for accountability in international institutional law. Ultimately, the paper aims to contribute to the dialogue on institutional accountability and encourage reflection on how definitional precision may reduce fragmentation and strengthen accountability within international law.

REFLECTIONS ON THE LEGALITY OF TRUMP'S TARIFFS

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

Abstract

After a federal appeals court decided the International Emergency Economic Powers Act (IEEPA) invoked by Trump could not legally justify the imposition of tariffs, the case is now in the hands of the supreme court of the US (SCOTUS). In the US constitutional history taxes have traditionally belonged to Congress for consideration. In this paper I will address the legal arguments which are at stake and some possible implications for the current trade war.



**INTERNATIONAL CONFERENCE:
“PERSPECTIVES OF BUSINESS LAW
IN THE THIRD MILLENIUM”**

www.businesslawconference.ro
- 15TH Edition, November 14, 2025 -

**SOME OBSTACLES TO THE EXTRADITION OF THE PERSONS WANTED
FOR COMMITTING A CRIMINAL OFFENCE**

XAT.COM

PhD. candidate **Majlinda RRECAJ**

Faculty of Law, South East European University, North Mcedonia

Abstract

Extradition is a form of international cooperation between states that involves the surrender of a person to a foreign state for the purpose of serving a prison sentence or conducting criminal proceedings for a criminal offence committed in that state. In order to allow extradition from one state to another, the content of the extradition request must first be examined, and it must be verified whether a bilateral agreement has been signed with the requesting state. The conditions for extradition are provided for in the criminal legislation of the states, specifically in the Code of Criminal Procedure. However, the European Convention on Extradition and the state's criminal-procedural legislation require the handing over of the requested person to outline several conditions that must be met beforehand for the requesting state's extradition request to be fulfilled. The extradition of a person from one state to another will not be allowed if there are several legal obstacles. The legal obstacles to extradition, as provided for in the extradition convention and in the criminal procedural legislation of the states, refer to the criminal offence committed and the person who must be extradited.

**EUROPEAN CONVENTION ON THE PROTECTION OF THE LEGAL PROFESSIONALS -
ISSUES AND CHALLENGES**

Master student **Anastazja DRAPATA**

Faculty of Law and Administration, University of Warsaw, Poland

Abstract

The European Convention on the Protection of the Legal Profession provides a number of requirements for states regarding the safeguarding of the independence of the legal profession. In addition, it introduces a mechanism that enables responses to violations of the rights arising from it by the states that are parties to the Convention. This implements the demands of bar associations, which had called for the introduction of a mechanism to react to breaches of the independence of legal professions. States are regularly assessed for their compliance with lawyers' rights by the bodies designated under the Convention. The traditional methods of interpretation were used in particular literal and systemic interpretation to draw conclusions arising from the European Convention on the Protection of Legal Professionals.



**INTERNATIONAL CONFERENCE:
“PERSPECTIVES OF BUSINESS LAW
IN THE THIRD MILLENNIUM”**

www.businesslawconference.ro
- 15TH Edition, November 14, 2025 -

**THE EU AI ACT'S “CLASH OF ERAS” PROBLEM AND AUTONOMOUS VEHICLE
LIABILITY IN ROAD TRAFFIC IN THE BALTIC STATES**

XAT.COM

PhD. candidate **VALERIJS JAKUŠEVŠ**
Riga Stradins University, Latvija

Abstract

This scientific article is dedicated to a comparative analysis of the impact of the EU AI Act on liability for the operation of autonomous vehicles within the Baltic states: Estonia, Latvia, and Lithuania. The article examines existing legal acts, draft legislation, practical applications (case law), and aspects of harmonization regarding the implementation of the EU AI Act. Particular attention is paid to how the Act is being integrated into such disparate legal systems, considering that in Estonia it builds upon fertile ground, whereas in Latvia it enters a legal vacuum.

**PROPOSING AN 'AUGMENTED JUDICIARY MODEL' FOR ETHICAL HUMAN-AI
INTERACTION IN JUDICIAL DECISION-MAKING BEYOND THE 'BLACK BOX' VS.
'HUMAN BIAS'**

PhD. candidate **VALERIJS JAKUŠEVŠ**
Riga Stradins University, Latvija

THE ECTHR'S ARTICLE 3 JURISPRUDENCE ON MIGRATION AND ASYLUM

PhD. student **Andra Bianca IACOB**
Faculty of Law, „Lucian Blaga” University of Sibiu, Romania

Abstract

*Article traces the evolution of Article 3 of the European Convention on Human Rights in the context of migration and asylum, focusing on the European Court of Human Rights' jurisprudential policy. It examines four core principles that structure the Court's approach: non-refoulement, understood as an extension of Article 3 where removal exposes individuals to a real risk of inhuman or degrading treatment; the prohibition of collective expulsions and the correlative duty to conduct rigorous individual assessments; minimum standards for reception and administrative detention, with heightened safeguards for children and families; and the reach of State obligations at borders and in transit settings, including extraterritorial operations. Landmark judgments such as *Hirsi Jamaa v. Italy* and *M.S.S. v. Belgium and Greece* have consolidated a coherent protective architecture for migrants and asylum seekers, shaping national administrative practice and informing broader debates on the operation of the Dublin system within Europe's human-rights framework. Building on Court materials and syntheses, the article systematizes positive and negative State duties—procedural screening, adequate material conditions, child-sensitive measures, effective remedies, and accountability over outsourced or extraterritorial actions—offering a practical compliance matrix for authorities operating in Greece, Spain, and other high-pressure transit zones.*



**INTERNATIONAL CONFERENCE:
“PERSPECTIVES OF BUSINESS LAW
IN THE THIRD MILLENNIUM”**

www.businesslawconference.ro
- 15TH Edition, November 14, 2025 -

THE ROLE OF THE COUNCIL OF EUROPE IN HUMAN SECURITY

XAT.COM

Professor **Filofteia REPEZ**

Danubius International University of Galați, Romania

Abstract

The concept of human security shifts the focus from state-centered military defense to a people-centered approach that includes human rights and human development. At the same time, it represents a new way of thinking about the various challenges the world faces in this century and about how the international community should respond to them through different actions and normative acts, among others. In this regard, international and regional organizations promote human security by using various frameworks and initiatives. Among these organizations, the Council of Europe, which includes 46 member states, stands out as one that, since its establishment, has aspired to be a guarantor of human rights. Based on these arguments, this article aims to highlight the important role of the Council of Europe in ensuring and maintaining human security, with an emphasis on the promotion of human rights, by showcasing the organization's activities and some of its normative acts. Starting from a critical analysis of bibliographic resources, through its content and conclusions, the article may serve as a relevant bibliographic source for the field of human security.

**CHALLENGES AND POTENTIAL OF HARMONIZING INSOLVENCY LEGISLATION
WITHIN THE EUROPEAN FRAMEWORK**

Lecturer **Luiza Cristina GAVRILESCU**

Faculty of Law, „Alexandru Ioan Cuza” University of Iași, Romania

Abstract

The functional development of business relations requires the existence of a predictable and coherent legal framework that reduces legal uncertainty. The need to eliminate disparities in insolvency regulations among Member States' legislations has prompted an effort to harmonize the existing rules so that they comply with minimum standards. The previous Directive (EU) 2019/1023 harmonized only aspects related to pre-insolvency restructuring and debt discharge after insolvency, but not the essential characteristics of the insolvency procedure itself. The main areas targeted by Proposal for a Directive COM (2022)702 to improve insolvency rules are: enhancing the efficiency of procedures by reducing their costs and duration; increasing the recovery rate of assets and improving their traceability; and ensuring a predictable and equitable distribution of the recovered value among creditors. These objectives can be achieved by adjusting the rules concerning: strengthening the duties and liability of directors; reinforcing the role of creditors' committees; selling the debtor's business through pre-pack procedures; the regime governing actions for the annulment of prejudicial prior acts; asset tracking and granting insolvency practitioners direct access to bank account registers and information on beneficial owners; interconnecting electronic auction systems for asset sales; increasing transparency through the preparation of a standardized information sheet.



**INTERNATIONAL CONFERENCE:
“PERSPECTIVES OF BUSINESS LAW
IN THE THIRD MILLENNIUM”**

www.businesslawconference.ro
- 15TH Edition, November 14, 2025 -

**THE MAIN REGULATORY STANDARDS IMPOSED BY THE UNION LEGISLATIVE
FRAMEWORK ON CONSUMER CREDIT CONTRACTS**

XAT.COM

Lecturer **Luiza Cristina GAVRILESCU**

Faculty of Law, „Alexandru Ioan Cuza” University of Iași, Romania

Abstract

Achieving a high level of consumer protection in credit agreements has required the establishment of a harmonized European legal framework, aimed at aligning Member States' legislation with a minimum standard of effectiveness. Directive (EU) 2023/2225 on consumer credit agreements represents a unified and coherent legislative benchmark, enabling a more flexible transposition into national legal systems. The requirements set forth by the Union legislative instrument aim at the adoption, within Member States' legal frameworks, of measures designed to ensure that credit agreements are concluded under conditions of transparency and security. These measures involve monitoring the advertising of credit products, ensuring that applicants receive adequate information and counselling to enable informed decision-making regarding the associated costs, as well as conducting a thorough assessment of repayment capacity to prevent consumer over-indebtedness. It is worth noting the diversification of the legally recognized means of terminating credit agreements, including the right of withdrawal, the right of termination, and the right to early repayment. In this context, the deadline granted to Member States for adopting transposition measures for the new Directive is November 2025, with their application scheduled to commence one year later, starting on 20 November 2026.

TRANSPORT DOCUMENTS IN INTERNATIONAL MARITIME CONVENTIONS

Assistant professor **Oana ADĂSCĂLIȚEI**
Maritime University of Constanta, Romania

Abstract

This article aims to give an overview of the transport documents covered by the main international maritime conventions. The legal analysis emphasises the significance of electronic transport documents for enhancing international maritime trade. An analytical approach is employed to pinpoint legal solutions for the use of electronic transportation documents. The Rotterdam Rules 2008 set out the main rules on electronic transport documents, building on the CMI Rules on Electronic Bills of Lading, the UNCITRAL Model Law on Electronic Commerce 1996, and the UNCITRAL Model Law on Electronic Signatures (2001). The Rotterdam Rules provide for the alternative use of both transport documents and electronic transport records. The 2008 Rotterdam Rules address the issue of the negotiability of electronic transport records by establishing the conditions under which electronic systems can fulfil this function. From this perspective, the rules establish the principle of singularity, meaning that, concerning electronic documents, only one individual may possess them and exercise the rights associated with them. The other fundamental principle, known as the principle of equivalence in maritime e-commerce, establishes that both paper transport documents and electronic transport records possess equal legal value. The principle is demonstrated through the provisions regarding the issuance of electronic transport records, the inclusion of reservations in the contract particulars, and the evidentiary value of these contract particulars or the electronic signature. The provisions of the Rotterdam Rules 2008 concerning transport documents,



**INTERNATIONAL CONFERENCE:
“PERSPECTIVES OF BUSINESS LAW
IN THE THIRD MILLENIUM”**

www.businesslawconference.ro
- 15TH Edition, November 14, 2025 -

including those in electronic format, are examined in relation to the provisions of the Hague-Visby Rules 1968 and the Hamburg Rules 1978.

XAT.COM

**A CRITICAL ANALYSIS OF LABOUR RIGHTS IN EUROPEAN UNION
FOR MIGRANT WORKERS**

Assistant professor **Oana ADĂSCĂLIȚEI**
Maritime University of Constanta, Romania

Abstract

This article aims to analyse the rights and limitations of migrant workers' rights to work in the EU. The legal interpretation is based on the provisions of the Charter of Fundamental Rights, the relevant Directives, and the case law of the Court of Justice of the European Union (CJEU). From a legal and practical perspective, a number of gaps in the protection of migrant workers are highlighted. Text analysis relies on the analytic method. EU directives detailing the provisions of the Charter of Fundamental Rights are often ambiguous regarding the scope of social rights for migrant workers in irregular situations. The rights of non-EU migrant workers in irregular situations are guaranteed by: Employer Sanctions Directive 2009/52/EC, Seasonal Workers Directive 2014/36/EU, Single Permit Directive (EU) 2024/1233 and Reception Conditions Directive (EU) 2024/1346. The institutional framework represented by specific EU legislation is potentially altered by the implementation of provisions through the national legislation of Member States. One related issue is the legal gaps that result from how national laws and immigration controls interact. Migrant workers in irregular situations may face discrimination in comparison to national workers, a situation exacerbated by EU immigration policies and the powers of individual states regarding immigration. The practical aspects seek to elucidate the factors influencing the employment of irregular migrant workers, including exploitative practices associated with recruitment and employment agencies, as well as the institutional framework that governs employment in host countries.

**RELIGION, POLITICS AND HUMAN RIGHTS. A CHRISTIAN PERSPECTIVE
ON HUMAN RIGHTS**

PhD. **Nelu GHEORGHITA**
Faculty of Law and International Governance,
Danubius International University of Galati, Romania

Abstract

Human rights have their roots in liberalism and have become increasingly important in international relations over the past seventy to eighty years. Religious individuals and movements have become much more active in social and political life during the same period, but especially in the last 35 years. Religion now plays an active role in society in many countries and is a determining factor in international relations. Today, it is impossible to ignore religion as a factor in political life, whether it takes the form of religious terrorism, religious freedom, or religious movements. The study explores the relationship between religion, politics, and human rights from a Christian perspective. It emphasizes that Christian teaching promotes values such as love, equality, and respect for life, thereby supporting the rights and dignity of every individual. Throughout history, the Church and Christian movements have played an important role in promoting civil rights and social justice, contributing to the affirmation of fundamental freedoms. At the same time, the text analyzes the tensions and challenges that have arisen between



**INTERNATIONAL CONFERENCE:
“PERSPECTIVES OF BUSINESS LAW
IN THE THIRD MILLENNIUM”**

www.businesslawconference.ro
- 15TH Edition, November 14, 2025 -

religious interpretations and human rights principles, as well as the role of the state in maintaining a balance between them. In the context of the 21st century, Christianity continues to address new global challenges, promoting interreligious and ecumenical dialogue for the respect of universal human values. Finally, it highlights the importance of collaboration between religion and politics to support and protect human rights in a harmonious way.

**INSOLVENCY – A TAX REFORM TOOL IN ROMANIA.
BETWEEN UNION HARMONISATION AND NATIONAL LEGISLATIVE BACKSLIDING**

Professor PhD. **Ionel DIDEA**

Faculty of Economics and Law, Pitesti University Center,
Politehnica National University of Science and Technology of Bucharest, Romania

Assistant professor **Diana Maria ILIE**

Faculty of Economics and Law, Pitesti University Center,
Politehnica National University of Science and Technology of Bucharest, Romania

Abstract

As we are “on the edge of the economic abyss” but also close to experiencing a new national legislative backsliding in the field of insolvency, a field that was strongly “shaken” in 2018 by the Emergency Ordinance no. 88 for the modification and completion of some normative acts in the field of insolvency, and also because we are deeply attached to the evolution of this field through the constant concern and research carried out, we intend to pass through the filter of reality and analyze the new national tax reform that aims to transform insolvency from a recovery mechanism into a coercive fiscal instrument. While the European Union is taking important steps towards legislative convergence in the field of insolvency, Romania seems to be following the opposite direction, marked by a predominantly fiscal, budgetary approach. As we know, at European Union level, the concern to improve insolvency law is effervescent and accelerating, with the need to address shortcomings and divergences between Member States’ insolvency frameworks being repeatedly stressed, with legislative harmonisation potentially leading to improved certainty for investors, reduced costs and facilitated cross-border investments, while increasing the attractiveness and accessibility of venture capital for businesses. At the moment, at the level of the two EU co-legislators, the Council of the European Union and the European Parliament, the Proposal for a Directive of the European Parliament and of the Council harmonising certain aspects of insolvency law is at the stage of the trilogues. Contrary to a unitary Union and international vision, the fiscal-budgetary pressure has brought insolvency to the center of the state’s strategies. The National Budgetary-Structural Plan 2025–2031 explicitly mentions the update of the insolvency legislation as a measure to reduce the VAT gap and improve the collection of budget revenues. The national draft law for the recovery and efficiency of public resources outlines a vision that treats insolvency as an instrument for the recovery of budgetary debts, not as a mechanism for restructuring and economic recovery. This orientation contravenes and changes the direction of national insolvency law in an abrupt and brutal way, visibly distancing itself from the spirit of the Union acquis, which promotes prevention and early negotiation between the debtor and creditors, which promotes rescue culture and second chance, and not sanction and coercion. Definitely, our research is under the magnifying glass of transdisciplinarity, a method that involves a legal thinking opposed to the rigidity specific to traditional disciplinarity, becoming a sine qua non approach to a “chameleonic” and dynamic field such as insolvency. In fact, the picture of the socio-economic reality is taking shape in a context of globalization and the evolution of artificial intelligence in an accelerated way, which has triggered a remodeling of the way the business environment works and a deep international interconnection.



**INTERNATIONAL CONFERENCE:
“PERSPECTIVES OF BUSINESS LAW
IN THE THIRD MILLENNIUM”**

www.businesslawconference.ro
- 15TH Edition, November 14, 2025 -

**INTERNATIONAL ARBITRATION ASSISTED BY ARTIFICIAL INTELLIGENCE:
BETWEEN THE IMPERATIVE OF EFFICIENCY AND THE REQUIREMENTS OF
PROCEDURAL GUARANTEES**

XAT.COM

Lecturer **Georgeta-Bianca SPÎRCHEZ**

Faculty of Law, Transilvania University of Braşov, Romania

Abstract

Given the fundamental role of arbitration, as a form of alternative justice capable of responding to the increasingly complex needs arising from contemporary commercial relations, we consider it useful to reflect on how current technological transformations are influencing this mechanism. Thus, this article explores the impact of artificial intelligence on arbitration proceedings, analyzing the opportunities offered by the application of advanced technologies -mainly those related to efficiency - as well as the inherent challenges regarding professional ethics and compliance with the fundamental principles governing this procedure. Taking a balanced approach, we believe that efficiency should not prevail at the expense of fairness, an aspect also confirmed by the standards/guidelines developed by international arbitration institutions, which support the idea that artificial intelligence should remain, at least for the time being, an assistance tool, not a complete substitute for human decision-makers. Along these lines, the role of the human factor must remain essential, as only human intervention can identify and assess, in a nuanced manner, the particular circumstances that may justify a deviation from previous practice -something that is difficult for an algorithm based exclusively on pre-existing data and models to grasp.

**THE ENLARGEMENT OF THE EUROPEAN UNION, BETWEEN PROCEDURAL LIMITS
AND THE NEEDS OF CANDIDATE STATES**

Professor PhD. Habil. **Gabriel Liviu ISPAS**

Faculty of Administration and Business, University of Bucharest, Romania

Abstract

The enlargement of the European Union is not only a manifestation of the desire to unite the European continent, but also an expression of the expansion of the internal market and the needs that the candidate states feel, for increased economic competitiveness, for the well-being of citizens and for the security of belonging to common values. The study will analyze, in an analytical and comparative manner, the integration process, emphasizing the procedures and stages that the states must go through, but, at the same time, it will focus on the situation of the candidate states and the specific issues, especially regarding Moldova and Ukraine. The study will try to assess whether a quick, short cut procedure is possible, or whether the Union is prepared, in a not-so-good period of its existence, to integrate the candidate states.



**INTERNATIONAL CONFERENCE:
“PERSPECTIVES OF BUSINESS LAW
IN THE THIRD MILLENIUM”**

www.businesslawconference.ro
- 15TH Edition, November 14, 2025 -

**THE EVOLUTION OF THE INTERNATIONAL JUSTICE IN AN
INTERNATIONAL (DIS)ORDER**

XAT.COM

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

Abstract

The international legal order was a basic concept of international society after the end of the Second World War. However, in a world of globalization, in which the UN seems to have lost its compass of representativeness, polarization tends to be the new way of international representation. In this context, in which the aggressor is reprimanded and the aggressor is protected from criminal liability, we ask ourselves what is the role of international justice? The study will critically analyze the international situation, the positioning towards the present aggressions, trying to analyze what are the limits of international justice, focusing mainly on its efficiency. The study will analyze the existing situations, trying to answer the question: are we in a stage of the force of law, or in a manifestation of the law of force?

**BEYOND COMPLIANCE: HOW ORGANIZATIONAL PRACTICES CHALLENGE THE
EFFECTIVENESS OF EU WORKER PROTECTION DIRECTIVES**

Lecturer **Dana VOLOSEVICI**
Petroleum-Gas University of Ploiesti, Romania

Abstract

This article addresses a critical enforcement gap in European labor law: how organizational culture undermines worker protection directives without formal non-compliance, generating psychosocial risks that evade legal remedy. Despite robust obligations under Directives 89/391/EEC (health and safety), 2002/14/EC (information and consultation), 2019/1152 (transparent working conditions), and 2019/1158 (work-life balance), these protections are systematically circumvented through cultural rather than coercive mechanisms. Integrating doctrinal analysis with critical sociology of work (Linhart, de Funès, Dejours), this research demonstrates how specific managerial practices generate documented psychosocial risks while evading enforcement. These practices, consisting of intense emotional engagement, encroachment on private time, values-based communication, and expectations of constant availability, operate through ostensibly voluntary participation rather than overt coercion, circumventing labor law's traditional focus on explicit hierarchical authority. The article identifies this structural lacuna and poses a fundamental question: can labor law effectively protect workers when managerial power operates through cultivated consent rather than command? The analysis reveals inadequacies in current EU regulatory frameworks and argues for reconceptualizing worker protection to address subordination achieved through emotional mobilization rather than hierarchical control.



**INTERNATIONAL CONFERENCE:
“PERSPECTIVES OF BUSINESS LAW
IN THE THIRD MILLENNIUM”**

www.businesslawconference.ro
- 15TH Edition, November 14, 2025 -

**RIVER CABOTAGE AND ECONOMIC SOVEREIGNTY ON THE DANUBE: EUROPEAN
REGULATION AND THE PROTECTION OF NATIONAL INTEREST**

XAT.COM

Professor **Florin TUDOR**
„Dunărea de Jos” University of Galați, Romania

Abstract

The study investigates river cabotage on inland waterways from the perspective of the interaction among European law, fiscal policy, and the strategic interests of each Member State. The analysis starts with Regulation (EC) No. 1356/96 on transport between Member States and explores the interpretation of the notion of "transport of a temporary nature". The economic and fiscal implications of cabotage activities carried out by EU and non-EU operators, as well as competitiveness and competitive imbalances, are highlighted. The study also assesses the internal legislative gaps and the impact on Romanian operators, proposing a regulatory reform that would clearly define the notion of temporary activity and establish a balanced mechanism between the freedom to provide services and the protection of the internal market. The conclusion supports the need for a coherent policy to protect the Romanian fleet, compatible with EU law, but anchored in national economic and strategic objectives.

