

“Dimitrie Cantemir” Christian University
Faculty of Law Cluj-Napoca

INTERNATIONAL CONFERENCE
THE EFFICIENCY OF LEGAL NORMS

2nd Edition. From Theory to Practice

April 25th – 27th 2013, Cluj-Napoca, Romania

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The Romanian Institute for Human Rights Bucharest, Romania
Institute of Administrative Science Republic of Moldova Chisinau The
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CONFERENCE SCHEDULE

THURSDAY – APRIL, 25th, 2013

19.00 – 21.00 WELCOME COCKTAIL

„Granata” Restaurant, Str. Cometei No. 16-20, Cluj-Napoca 400493, România

FRIDAY – APRIL, 26th, 2013

9.00 – 9.30 REGISTRATION – Faculty of Law Cluj-Napoca, „Dimitrie Cantemir” University, , str. Burebista no. 2

9.30 – 11.00 OPENING OF THE CONFERENCE PROCEEDINGS

11.00 – 11.15 COFFEE BREAK

11.15 – 13.00 THE SECTIONS OF THE CONFERENCE PROCEEDINGS (PUBLIC LAW / PRIVATE LAW)

13.00 – 14.30 LUNCH – D.C.C.U. Faculty of Law Cluj-Napoca

14.30 – 16.00 THE SECTIONS OF THE CONFERENCE PROCEEDINGS (PUBLIC LAW / PRIVATE LAW)

16.00 – 16.15 COFFEE BREAK

16.15 – 17.45 THE SECTIONS OF THE CONFERENCE PROCEEDINGS (PUBLIC LAW / PRIVATE LAW)

16.15 – 17.45 WORKSHOP 1 - *Copyright. Limits and exceptions, Room 32*

Chairs: Professor VIOREL ROȘ, Researcher SILVIU TOTEECAN, Associate Professor PAUL POPOVICI

**16.15 – 17.45 WORKSHOP 2 - *The Individualization of
Punishment, Library Hall***

Chairs: Professor GEORGE ANTONIU, Professor IOANA
VASIU, Associate Professor SORINA SISERMAN, Associate
Professor CONSTANTIN DUVAC

19.30 - *FESTIVE DINNER*

„*Granata*” Restaurant, Str. Cometei No. 16-20, Cluj-Napoca 400493,
România

SATURDAY – APRIL, 27th, 2013

**9.00 – 10.00 THE SECTIONS OF THE CONFERENCE
PROCEEDINGS (PUBLIC LAW / PRIVATE LAW)**

10.00 - CONCLUSIONS. CONFERENCE CLOSING.

GUIDED TOUR: Turda Salt Mine and Turda History Museum.

LUNCH – „Buru” Chalet

FRIDAY

**9.30 – 11.00 OPENING OF THE CONFERENCE
PROCEEDINGS. PLENARY LECTURES – AULA**

CHAIR: ELENA MIHAELA FODOR

KEYNOTE SPEAKERS:

Irina Moroian-Zlătescu, THE REFORM OF THE EUROPEAN
COURT OF HUMAN RIGHTS FROM THEORY TO PRACTICE

Bruce Adamson, HUMAN RIGHTS NORMS IN EUROPE: HOW
INTERNATIONAL, REGIONAL AND NATIONAL HUMAN
RIGHTS MECHANISMS MAKE HUMAN RIGHTS A REALITY
IN EUROPE

Mircea Criste, LES VALENCES DÉMOCRATIQUES DU
RÉFÉRENDUM

11.00 – 11.15 COFFEE BREAK

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PROCEEDINGS**

Public Law (I) – ROOM 6

CHAIRS: MARIA ORLOV, PETRE LĂZĂROIU

Petre Lăzăroi, REGULATING PROPERTY THROUGH
ENGAGING THE GOVERNMENT'S RESPONSIBILITY

Elena Maria Minea, IMPROVING THE URBANISM LEGAL
FRAMEWORK – A DEFINITE MUST

Ion Rusu, CRITICAL ANALYSIS ON THE CONSIDERATIONS OF THE CONSTITUTIONAL COURT DECISION NO. 799/2011 CONCERNING THE DRAFT LAW AMENDING THE CONSTITUTION

Lucian-Sorin Stănescu, THE EFFICIENCY OF ROMANIAN CONSTITUTION FROM 1991 – AN EQUATION OF FUNCTIONALITY

Narcisa Stoicu, Anca Florina Morostes, THE REFERENDUM IN THE JURISPRUDENCE OF THE CONSTITUTIONAL COURT OF ROMANIA

Ludo Veny, UNITY IN DIVERSITY PROTECTION OF LINGUISTIC, RELIGIOUS AND PHILOSOPHICAL MINORITIES IN THE BELGIAN FEDERAL STATE

Alexandru Fărcaș, EFFICIENCY IN INTERNATIONAL HUMAN RIGHTS LAW. IMPACT OF THE NEW UNITED NATIONS HUMAN RIGHTS MONITORING AND REVIEW SYSTEM ON NATIONAL LEGISLATION IN EUROPEAN UNION MEMBER STATES

Public Law (II) – ROOM 14

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Belecciu Liliana, REFLECTING ON THE PRINCIPLE OF LOCAL AUTONOMY

Ana Mocanu-Suciu, NONEXISTENCE OF THE ADMINISTRATIVES PROVISIONS

Mircea Ursuța, THE EFFICIENCY, DE LEGE LATA, OF THE REGULATORY OF THE CONTRAVENTION SANCTION OF LIFTING ILLEGALLY PARKED CARS THROUGH THE DECISIONS OF THE LOCAL AUTHORITIES

Nadejda Vieru, INSTITUTIONAL REFORM OF THE PUBLIC PROSECUTOR SERVICE IN MOLDOVA

Liana Iulia Paul, THE PROCEDURE OF ESTABLISHING THE GOVERNING BODY'S LIABILITY

Anca Mihaela Georoceanu, CONSIDERATIONS ON REAL ESTATE TRANSFER TAX. DOCUMENTS ISSUED BY THE FINANCIAL GUARD FOLLOWING THE FAULTY IMPLEMENTATION OF ARTICLE 6 OF THE ACT ON TAX EVASION

Vladimir Vasilița, REFLECTIONS ON MEASURES TO OPTIMIZE FISCAL ADMINISTRATION IN THE REPUBLIC OF MOLDOVA

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CHAIRS: NARCISA COZEA, GRIGORE LABO

Dan Perju-Dumbravă, Ovidiu Chiroban, THE MEDICO-LEGAL INTERPRETATION OF LIFE ENDANGERING

Narcisa Cozea, Adrian Man, THE ATTRIBUTION COMPETENCE OF THE ARBITRATOR COURTS. SUBJECT OF PUBLIC LAW - CASE STUDY

Eugen Gh. Crișan, Ciprian Cosmin Negru, THE POLYGRAPH TECHNIQUE BETWEEN THE PROBATORY VALUE AND THE PRACTICE UTILITY

Grigore Labo, THE EVOLUTION OF HANDWRITING

Cosmin Cernat, OVERLAPPING OF FUNCTIONS IN THE CASE OF POLICEMAN

Dumitru Diaconu, APPLYING THE PUNISHMENT. A VIEW OF THE PAST AND FUTURE

Belecciu Ștefan, THE PRINCIPLES OF COMMUNITY POLICING IN THE NEW REFORM OF THE INTERNAL AFFAIRS MINISTRY OF THE MOLDAVIAN REPUBLIC

Private Law (I) – ROOM 11

CHAIRS: CARMEN DOMOCOȘ, LIVIU UNGUR

Alexandrina Marin, Liviu Ungur, SOME CONSIDERATIONS REGARDING THE CLAUSE DEEMD UNWRITTEN ESTABLISHED BY THE NEW ROMANIAN CIVIL CODE

Carmen Domocoș, APPLICATION IN TIME OF THE RULES FORM THE NEW CIVIL PROCEDURE CODE

Silviu Rațiu, DISCUSSIONS CONCERNING ADMINISTRATION OF JUDICIAL EVIDENCE BY LAWYERS

Maria Banciu, THE PATRIMONIAL CONSEQUENCES OF GUILT IN DIVORCE MATTERS WITHIN THE NEW CIVIL CODE

Gabriela Culda, Oana Racolța, THE EFFECTIVNESS OF THE LEGAL RULES GOVERNING THE LAWYER AND NOTARY PROFESSION WITHIN THE ROMANIAN LEGAL SYSTEM

Silviu Totelecan, LOCAL/PRIVATE UNDERSTANDINGS OF THE NATIONAL/PUBLIC NORMS: ALTERNATIVE READINGS OF THE JUDICIAL/INTERNATIONAL ERRORS REGULATING THE ACADEMIC COMPETITION

Marius Mocanu, ACCES TO JUSTICE AND THE PERSONS WITH DISABILITIES

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CHAIRS: IOANA VASIU, SIDONIA CULDA

Bujorel Florea, SOME CONSIDERATIONS ABOUT SUBJECTS AND THE OBJECT OF THE PROTECTION OF THE TOPOGRAPHIES OF THE SEMICONDUCTOR PRODUCTS

Ioana Vasiu, CREATIVE PARTICIPATION IN DEVELOPING DIGITAL CONTENT: CONSIDERATIONS ON THE NEED FOR THE RIGHT LEGAL FRAMEWORK

George Trif, THE EFFICIENCY OF THE SANCTIONS IN THE INTELLECTUAL PROPERTY SYSTEM

Paul Popovici, COPYRIGHT AND THE SERMON. SOME OBSERVATION

Livia Florina Labo, CONTRACTUAL UNFAIR TERMS

Sidonia Culda, THE PROVISIONS OF EXTINCTIVE PRESCRIPTION IN THE CIVIL CODE - COMPARATIVE STUDY

Henrietta Ciutică, RESPONSABILITY OF THOSE WHO CAUSED THE INSOLVENCY OF THE DEBTOR

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Ahmad Nafees, THE EMERGING CONSTITUTIONALISM OF MINORITIES RIGHTS IN SOUTH ASIA: THE PARADOXES OF HUMAN RIGHTS THEORY AND PRACTICE

Camelia Reghini, THE PROVISIONING OF THE COMPLEMENTARY PUNISHMENTS IN THE NEW PENAL CODE

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Sorina Siserman, INDIVIDUALIZATION OF THE AMOUNT OF MORAL DAMAGES FOR INFRINGEMENTS THAT RESULTED IN PERSONAL INJURY OR IN A PERSON'S DEATH

Cristina Siserman, CIRCUMSTANCES PRECLUDING INDIVIDUAL CRIMINAL RESPONSABILITY: SELF-DEFENCE AND DURESS IN THE PRACTICE OF INTERNATIONAL CRIMINAL COURT

Nicolae Grofu, SOME REFLECTIONS ON FILING THE ORDINARY REMEDIES IN CRIMINAL TRIAL

Nicoleta-Elena Buzatu, DUAL-FACETED DRUG CONSUMER AND TRAFFICKER: VICTIM AND DOER

Constantin Duvac, ENFORCEMENT CIRMINAL OF THE MORE FAVORABLE LAW AND THE NEW CRIMINAL LEGISLATION

Vladimir Mătușan, PRACTICAL APPLICATION OF THE ROMANIAN CRIMINAL PROCEDURE CODE REMAND IN CRIMINAL PROCEEDINGS

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Tudor Oniga, CONSTITUTIONALIZATION OF THE RIGHT TO SOCIAL SECURITY: THE SOCIAL CHARACTER OF THE ROMANIAN STATE

Valentina Cornea, THE INSTITUTION OF PUBLIC ADMINISTRATOR WITHIN ROMANIAN ADMINISTRATIVE SYSTEM

Lucian Chiriac, THE LEGAL LIABILITY OF ADMINISTRATIVE OFFENSES AND THE ASSURANCE OF THE RIGHT TO DEFENSE

Narcisa-Rodica Petrescu, THE NEED FOR A CLEARER FORMULATION OF RULES AND REGULATIONS WITHIN ADMINISTRATIVE CONTRACTS

Maria Orloy, Gabriela Condurache, THE RESPONSABILITY OF THE PUBLIC ADMINISTRATION – COMPARATIVE VIEW BETWEEN MOLDAVIA REPUBLIC AND ROMANIA

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CHAIRS: SORINA DRĂGAN, CODRUȚA JUCAN

George Chiocar, INALIENABILITY CLAUSE – EXCEPTION FROM THE PRINCIPLE OF THE FREEDOM OF CIVIL TRANSACTIONS

Gheorghe Guțu, ACCENTS REGARDING THE RECORDING OF GOODS PUBLIC PROPERTY

Irina Gvelesiani, TERMINOLOGICAL PECULIARITIES OF SOME EUROPEAN MODIFICATIONS OF ”TRUST”

Sorina Drăgan, SOME ASPECTS REGARDING THE LEGISLATION OF THE CHILD PROTECTION

Marius Andreescu, PRINCIPLES OF LAW. PHILOSOPHICAL APPROACH

Florina Morozan, ASPECTS REGARDING THE LEGAL PROTECTION OF CHILDREN IN THE NEW ROMANIAN CIVIL CODE

Călin Costin, THE BEST EFFORTS CLAUSE IN INTERNATIONAL COMMERCIAL CONTRACTS

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Dan Perju-Dumbravă, Ioana Mic, Horea Matei, THE LIMITS OF DNA TESTING USED AS AN EVIDENCE IN COURT. A REPORT BASED ON THE PRACTICE OF THE CLUJ-NAPOCA INSTITUTE OF LEGAL MEDICINE

Ioana Sasu-Bolba, LAW AS AN INTERDISCIPLINARY SCIENCE LAW AND LITERATURE (III)

Elena Damian, FROM THE FRENCH HISTORY OF LAW:
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Maria Aluș, BIOETHICS AND LAW: HOW TO REGULATE
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Mihnea Dan Radu, THE LEGAL ACTIONS AND THE
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THE ROMAN LAW

Mihai Cucu, THEORETICAL AND PRACTICAL
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CHAIRS: CORINA BUZDUGAN, MARIUS ANDREESCU

Corina Buzdugan, THE CORELATION BETWEEN LEGAL
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Nicolae Roș, CONSTITUTIONALISATION OF THE RIGHT TO
SOCIAL SECURITY. THE SOCIAL CHARACTER OF THE
ROMANIAN STATE

Ionița Cochintu, THE EFFICIENCY OF CONSTITUTIONAL
JUSTICE

Codruța-Ștefania Jucan, PUNISHMENT IN ROMANIAN PENAL
LAW BEFORE 1864

Daniela Valea, THE RIGHT TO DECENT LIVING IN THE VIEW OF THE CONSTITUTIONAL COURT OF ROMANIA

Horea Crişan, THE INFLUENCE OF PRINCIPLE OF SUBSIDIARITY IN CONSTITUTIONAL LAW

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Dana Vulpaşu, ADMINISTRATIVE REGULATION

Eugenia Iovănaş, SUSPENDING THE EXECUTION OF AN ORDER TO CEASE WORK REPORTS FOR A PUBLIC OFFICIAL

Elena Mihaela Fodor, THE EFFICIENCY OF LEGAL NORMS IN THE ACTIVITY OF PUBLIC ADMINISTRATION

Cătălina Ivănuş, THE INSTITUTIONAL FRAMEWORK ON EQUAL TREATMENT BETWEEN WOMEN AND MEN IN ROMANIA

Alexandrina Pleşea-Creţan, THE EFFICIENCY OF THE FISCAL RULES IN THE EUROPEAN CONTEXT

Neliana Rodean, EFFECTIVENESS OF THE ECHR INTO ITALIAN LEGAL ORDER: CONTEXT AND SCOPE OF THE DISAPPLICABILITY OF DOMESTIC RULES

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CHAIRS: ILIE URS, SORIN FILDAN

Elisabeta Zirnstein, EFFECTIVENESS OF REGULATION OF EMPLOYEE INNOVATIONS – FROM THEORY TO PRACTICE

Gyuris Arpad, ISSUES OF CONSUMER REGULATION IN HUNGARIAN LAW, WITH SPECIAL ATTENTION TO CHOICE OF TERMINOLOGY

Cosmina Codrescu, SEARCH ENGINES – FROM ABSOLUTE FREEDOM TO RESPONSABILITY THROUGH REGULATION

Liviu Titus Paveliu, THE LEGAL REGIME OF GOOD FAITH IN THE MAIN LEGAL SYSTEMS OF THE EUROPEAN UNION

Ilie Urs, Bogdan-Alexandru Urs, SOME SPECIAL ASPECTS OF REPRESENTATION INHERITANCE ON THE NEW CIVIL CODE

Dan Ţop, CHANGES ON THE LABOR JURISDICTION BROUGHT BY THE LAW NO. 2/2013 ON MEASURES TO RELIEVE COURTS AND ALSO FOR THE PREPARATION OF THE IMPLEMENTATION OF LAW NO. 134-2010 ON THE CODE OF CIVIL PROCEDURE

Sorin Fildan, Ştefan Lucaciuc, EFFICIENCY AND INTERPRETATION IN THE APPLICATION OF CIVIL LEGAL NORMS

19.30 *FESTIVE DINNER*

„*Granata*” Restaurant, Str. Cometei No. 16-20, Cluj-Napoca 400493, România

SATURDAY

09.00 – 10.00 *THE SECTIONS OF THE CONFERENCE PROCEEDINGS*

Private Law (VI) – ROOM 11

CHAIRS: MIHNEA DAN RADU, ILIE URS

Cristina Nicolescu, FLEXIBILITY OF LEGAL NORMS IN MATRIMONIAL FIELD IN THE ROMANIAN CIVIL CODE – PREMISE

Diana Hogaș, DOES "MIRACLE" ARBITRATION CLAUSES REALLY EXIST?

Miruna Tudorașcu, ELECTRONIC COMMERCE – VARIETY OF SALE?

Diana-Cristina Dumbrăveanu, SOME REMARKS ON THE CONCEPT OF BUSINESS WARRANTIES

Timilsina Shiva Hari, CHILDREN IN NEPAL: ISSUES AND CHALLENGES

Private Law (VII) – ROOM 12

CHAIRS: CODRUȚA ȘTEFANIA JUCAN, SIDONIA CULDA

Olena Uvarova, THE PRINCIPLES OF LAW ROLE IN LAW APPLYING

Elena Polishchuck, PRIVATE BASICS OF CRIMINAL LAW

Cristina Boldureanu, SPECIAL REPORT ON THE ETHICS AND THE LAW

Shyam Kaushik, EFFICIENCY OF LEGAL NORMS – SOME THEORETICAL OUTLINES AND PRACTICAL SUGGESTIONS

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Versavia Brutaru, THE PROCEDURE OF PLEA BARGAINING IN ROMANIA, A NEGOTIATION OR JUST A FORMAL INSTITUTION? THE COMMON LAW SYSTEM

Eugene Polyansky, NOTION OF ACTUS REUS IN U.S. CRIMINAL LAW DOCTRINE: CONTRADICTORY APPROACHES TOWARDS DEFINITION AND CONCEPTUALIZATION

Nataliya Dromina-Voloc, IMPERATIVIZATION OF THE INTERNATIONAL LAW: THE RULE OF FUNDAMENTAL VALUES OF HUMAN EQUALITY OVER THE WILL OF STATES

Sergii Iaremenko, PROPERTIES OF INFORMATION IN TERMS OF THE CORPUS DELICTI CONCEPT

Elena Botnari, PRINCIPLES OF LAWMAKING IN LIGHT OF LAW NO. 780-XV/2001 AND LAW NO. 317-XV/2003 OF THE REPUBLIC OF MOLDOVA

Mohamed Ahmad Abdelhadi, THE INTEGRATION AND THE ROLE OF THE EU IN THE SYRIAN CONFLICT

Andra Roxana Ilie, Gorazd Mesko, Katja Eman, Gleb Bogush, LEGAL CYNICISM IN ROMANIA, SLOVENIA AND RUSSIA / A COMPARATIVE APPROACH ON CRIME RELATED VARIABLES

Public Law (VIII) – ROOM 14

CHAIRS: GORDANA GASMI, IOANA VIDA

Ioana Vida, THE ROMANIAN CONSTITUTIONAL COURT'S RELATIONSHIP TO PRESIDENT OF ROMANIA

Antal Visegrady, LEGAL CULTURES AND EFFECTIVNESS OF LAW

Mihaela Pop, EFFICIENCY OF CURRENT REGULATORY IN THE DISCIPLINARY REHABILITATION

Marius Soos, THERE WAS A DOUBLE INCRIMINATION IN SOME CASE OF TRAFFIC OFFENSES?

Adrian Crasnobaev, THE SUPERVISION OF THE ACTIVITY OF PUBLIC ADMINISTRATION, MECHANISM TO ENSURE THE CONSTITUTIONAL RIGHT TO A HEALTHY ENVIROMENT

Gordana Gasmi, Maria Kostic, EUROPEAN LEGAL STANDARDS ON GENDER EQUALITY – SITUATION IN SERBIA

Mihail Şandru, ABOUT TRANSLATIONS EUROPEAN COURT OF HUMAN RIGHTS: THE PARADOX OF ACCESSIBILITY

10.00 - CONCLUSIONS. CONFERENCE CLOSING.

GUIDED TOUR: Turda Salt Mine and Turda History Museum.

LUNCH – „Burn” Chalet

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