

## **THE THIRD EDITION OF THE INTERNATIONAL CONFERENCE „THE EFFICIENCY OF LEGAL NORMS”**

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The theme “Efficiency of Legal Norms” proved a matter of interest, the papers presented in the first two editions of the international conference covering numerous and various issues.

The current decade presents many challenges of economic, social and political nature. In Romania, the new civil and criminal codes have entered into force, expressing the need of legislative change. Issues regarding environmental protection and administrative organization, as well as the will to revise the Constitution raised many law controversies. Many countries have faced a prolonged recession and connected issues like the anti-migration wave. In the European Union, solutions had to balance the internal view with the European rules.

At a global level, political phenomena like “Arab Spring”, environmental issues, global criminality, revelations about gathering information programs conducted at state level, or protection of personal data evidenced the need for international regulation; action had to be taken, solutions still have to be found.

In such context, individuals have to be aware of their rights and means to protect them. In 2014 the second phase of the World Programme for Human Rights Education, initiated by the Human Rights Council of the United Nations, will be completed.

As this decade presents many issues for the national legal systems and for international law, we have decided that the theme of this year’s conference, held in May 15th-17th 2014, should be the “Challenges of the current decade”.

As in the case of the previous editions, the Conference was organised in cooperation with *The Department of Social and Humanistic Research of the “George Barițiu” Institute of History - Cluj Branch of the Romanian Academy, the Romanian Institute for Human Rights, the Romanian Association of Penal Sciences, Institute of Administrative Science of Moldova, the Intellectual Property Rights Scientific Association and the Romanian Society of Authors and Publishers of Scientific Works, The Romanian Supervisory Authority For Personal Data Processing.*

The cooperation with the Romanian Institute for Human Rights lead to a meeting held prior to the opening of the Conference, about the 20<sup>th</sup> celebration of the National Romanian Family Day, that was instituted under a Government Decision adopted on proposal by the Romanian Institute for Human Rights and endorsed by the Patriarchate of the Romanian Orthodox Church, following the United Nations Organization Resolution 47/2371/1993 that proclaimed the World Family Day in 1993. At the opening session, the Director of the Romanian Institute for Human

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Rights, Ph.D Professor Irina Moroianu Zlătescu, member of the International Academy of Comparative Law, presented a very interesting perspective in her presentation “Promoting the Human Rights Education in Higher Education”. Emphasising the need for education on the subject of human rights the keynote speaker presented the educational activities organised by the Romanian Institute for Human Rights for both students and teachers. The World Programme for Human Rights Education developed by the UN High Commissioner for Human Rights in collaboration with UNESCO, on the basis of UN documents and tools, represents a continuation of the Action Plan of the first phase. If the first phase focused on primary and secondary education, the second phase which will be completed this year addresses the human rights education at the higher education level, targeting the training of officials, of those responsible for law enforcement and of utilitarian personnel. In this context, higher legal education has an essential role to play.

Looking for the balance between the efficiency of justice and the non-accountability of the members of the Parliament and of the Government, Ph.D. Professor Mircea Criste, from the West University of Timișoara, pointed out that that the liability of those who hold a seat of power is concerned not so much with the conditions of accountability, but rather with the circumstances of non-accountability. It is a form of liability closely linked to the mandate, which aims to protect a public authority or its representative from those actions likely to disrupt the proper exercise of a public service. The analysis of the keynote speaker focused upon the conditions under which is incurred the liability of members of Parliament and ministers in the Romanian constitutional system, underlying the fact that its ultimate goal is protecting the exercise of a mandate and of a state function.

Keynote speaker Gordana Gasmi, Expert of the Council of Europe for Human Rights, Ph.D. Professor at the Faculty of Media and Communications, Belgrade and Senior Research Fellow at the Institute of Comparative Law, Belgrade, presented a case study of Serbia and comparative legal review regarding the “Efficiency of Legal Norms in the Context of Suppressing the Misuse of Narcotics”. The study was conducted together with Dragana Petrović, Professor and Senior Research Fellow, Institute of Comparative Law, Belgrade. It was underlined that negative consequences of use of narcotics as well as of crimes connected to them, and particularly organized crime, are spreading around the globe assuming disastrous dimensions. In spite of the fact that the international community has reacted to the situation with a determined strategy applying coordinated instruments in the struggle against the misuse of narcotics, the negative trend still continues. Special attention was paid to the explanation, i.e. monitoring and evaluation of appropriate modalities in preventing and suppressing that negative phenomenon, especially comparing repressive and liberal methods.

Professor Ludo Veny, from the University of Gent, presented the audience with the question: “Law and Ethics. The Belgian Law on Euthanasia... Even a Bridge to Far for the Current Decade?”. A most interesting presentation of the research conducted together with Pieter Goes, from the same university, was given by the keynote speaker. What is the connection between law and ethics regarding euthanasia,

especially in the case of minors, or how the legislator should connect to ethics, were subsequent questions that lead to a lot of discussions.

A very hot topic, "Privacy Aspects in the Context of Social Networking", was presented by Ioana Vasiu, Ph.D. Professor at the "Babeş-Bolyai" University from Cluj-Napoca. The vast work of the keynote speaker in the area, lead to a very interesting presentation, aiming to the awareness of the audience on the dangers regarding the protection of personal data, when using the social networks.

The presentation of Ph.D. Associated Professor Maria Orlov, from the State University "A. Russo", Chişinău, President of the Institute of Administrative Sciences Republic of Moldova, underlined the role of civil society in strengthening statehood and democracy, with examples from her country.

Other presentations were grouped into two sections: "Public Law" and "Private Law". Presentations regarding public law were focused on the new Criminal Code and the new Criminal Procedure Code of Romania, the administration of justice in connection with human rights, rights of the personality, personal data protection, the right to silence, recent cases of money laundering in Romanian football, EU legislation, civil procedure law, administrative procedures and administrative law, constitutional law.

In the private law section, topics regarded tort, labour legislation, general principles of private law, history of law, civil regulation regarding the medical procedures, family law, civil law acts, EU regulations regarding civil law.

A large number of participants attended the workshops: "Special Techniques of Surveillance and Research", moderated by Ph. D. Prof. Ioana Vasiu together with Ph. D. Assoc. Prof. Sorina Siserman and "Current Trends of Juridical Education", moderated by Ph. D. Sc. Researcher II Silviu Totelecan together with Ph. D. Lecturer Mihnea Dan Radu. During the first workshop, practitioners and researchers pointed out the challenges brought by the new criminal codes. The latter workshop created the opportunity of a vivid discussion between students, graduates that are working in different juridical professions and teachers, regarding the legislation in higher education. New teaching techniques and the accordance between the courses and the needs of the juridical professions were discussed. The lack of flexibility allowed by the current legislation and standards of the National Agency for Quality in Higher Education, in creating personalized curricula that would define each university, or each faculty of law, was also debated.

The high number of participants (over eighty, from six countries) and the topics discussed proved once again that the efficiency of legal norms is a subject of constant interest in all areas regulated by law and permanently connected to other social rules. This volume of our review contains a selection of the papers presented at the conference. The editors are grateful to all authors for their contributions to this publication and peer reviewers for their valuable contributions to the improvement of draft papers.