

## PN II „IDEF” ; ID\_1211

*The project: Optimizing the implementation capacities of the communitarian juridical order into national juridical order”*

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**Development Period:** October 2007- October 2010

**Period:** January – October 2010

**Objective:**

1. Configuration of a unified conceptual system as a premise of optimizing the penetration of the communitarian law in the internal juridical order.
2. Arranging a group of proposals regarding constitutional modifications, in order to facilitate a faster integration of the Romanian society within the European society.
3. Proposing some legislative measures of institutional reconfiguration within the state authorities, according with the project of the European Constitution.

**Activities:**

1. Analyzing the Romanian legislative and administrative politics regarding implementation and respecting the communitarian law.
2. Analyzing the fulfilling conditions of the Jai Program (the cooperation in the field of Justice and Internal Affairs).
3. Finalizing a package of measures regarding the harmonization of the Constitution and legislation with the European law.

## Year 2010

**Activities:**

1. **The International Conference** “*The relation between the national constitutional Courts and the law of European Union: two recent examples (the decision Bundesverfassungsgericht regarding the Lisbon Treaty and the decision of the Romanian Constitutional Court regarding the law of keeping the data)*” sustained on **4<sup>th</sup> of February 2010**. The purpose of the debate was realizing a point of view having as a starting point the key aspects pointed out within the Jurisprudence of the European Court of Justice and the derivate communitarian law. The jurisprudence of the constitutional Courts of the member states reveals, sometimes, the inherent tension that exists between the communitarian juridical order (presently, after the enforcing the Lisbon Treaty – “union” or “European”) and the national one. Such examples are the two constitutional decisions pronounced by Germany and Romania. That can be affirmed that the decision of the Romanian Constitutional Court represents the first episode of the “collision” between the national constitutional order and the law of European Union.
2. **The Conference** “*The achievements of the of the European Union Court within the first two decades of functioning and the perspectives of this Court*” that took place **on 12<sup>th</sup> of February 2010**. The debate had as purpose presenting the role of this Court and its mission in granting “the respect of the law in interpretation and application the European Union treaties” starting with the assigned competences, and mostly, presenting the contribution in the development of the juridical order. Both seminary-debates took place at the Institute of Juridical Research “Acad. Andrei Rădulescu” of the Romanian Academy, within the Center of European Law Studies, a structural component of the Institute, a result of this exploratory research project.
3. **The conference** “*Durability criteria in public acquisitions – are necessary harmonization norms at European level?*” That took place on **25<sup>th</sup> of March 2010**.

The debate had as purpose presenting the juridical difficulties encountered during the formulation of the durability criteria within the public acquisitions of the European member states, that had adopted strategies regarding public acquisitions of products and services with a high performance on protection the environment, and stimulate the market for ecological products, sustaining certain national/European social politics (like the equality between

men and women, stimulating the small and medium enterprises, reinsertion on the labor market of the unemployed etc) and also international politics, such as: protecting the human rights; protection for the small producers from the undeveloped states; respecting the norms formulated by the International Labor Organization.

In addition, it is drawn attention on the different purpose of these national initiatives that could lead to the apparition of some obstacles in the way of the free circulation within the internal market.

**Programmed activities:**

1. **The Conference** “*The Vienna Convention regarding the international goods selling – between the UNIDROIT principles of the international commercial contracts and the European principles of commercial contracts*”, **21<sup>st</sup> of April 2010** (postponed to take place at a later date).
2. **The Conference** “*Romania at the European Court of Human Rights (2005-2008)*”, 5<sup>th</sup> of May 2010.

**Achievements in 2010:**

**Prof. Emil Gheorghe Moroianu, Ph.D.**, was elected as a member in the international scientific committee of the Journal “Curentul Juridic” of the University “Petru Maior”, Tg. Mureş (journal of B<sup>+</sup> category), and in the international scientific committee of the Journal “*Acta Universitatis Danubius. Juridica*” (journal of B<sup>+</sup> category), edited by the Danubius University from Galati;

**Tudor Avrigeanu, Ph.D.**, published a book: “*Social danger, personal guilt and penal imputation*”, Bucharest, Publishing House Wolters Kluwer, 2010;

**Ion Ifrim**: “*Some reflections and the reability of states for international illicit acts*” article published in “Acta Universitatis Danubius Journal”, nr.1/2010 (edited by the Danubius University, Galati, (journal B<sup>+</sup>);

“Penal protection of the social and private life of the person”, article published in “Romanian Journal of Sociology”, no. 5-6/2010, (journal B<sup>+</sup>) journal edited by the Institute of Sociology of the Romanian Academy;

Participation at the International Conference of doctoral candidates from the central and eastern European Countries, 16<sup>th</sup> of April 2010, Timișoara, “Reflections regarding the concept of private life”, published in the volume of Conference’s studies “European juridical studies and researches”, vol. II, Public Law, Bucharest, Publishing House: Wolters Kluwer, p.344-347 ; He sustained an exam within the doctoral program in January 2010.

**Mihaela-Gabriela Berindei** : Participation at the International Conference of doctoral candidates from the central and eastern European Countries, 16<sup>th</sup> of April 2010, Timișoara. The paper presented “*Some considerations regarding the conditions of existence of the support as legal obligation*” published in the volume of Conference’s studies “European juridical studies and researches”, vol. I, Private Law, Publishing House: Wolters Kluwer, p.59-64 ; She sustained an exam within the doctoral program in May 2010.