

Facultatea de Drept, Universitatea de Stat din Moldova
în colaborare cu:
Facultatea de Drept și Administrare, Universitatea Varșovia (Polonia)
Facultatea de Drept și Științe Administrative,
Universitatea „Ovidius” din Constanța (România)
Facultatea de Drept, Universitatea din Vilnius, (Lituania)
Facultatea de Drept, Universitatea din Zaporojie (Ucraina)

Conferința științifică internațională

PREZENTUL ȘI VIITORUL ORDINII
JURIDICE ȘI A DREPTURILOR OMULUI.
DE LA PROVOCĂRI SOCIALE, ETICE ȘI
JURIDICE LA OPORTUNITĂȚI
DE DEZVOLTARE ȘI COOPERARE

17-18 iunie 2022



UNIVERSITY
OF WARSAW



Promo - LEX
Advancing democracy and human rights



**MOLDOVA STATE UNIVERSITY,
Law Faculty, The Scientific and Research Laboratory
„Compared Public Law and E-Government”
UNIVERSITY OF WARSAW (Poland)
Faculty of Law and Administrative Sciences,
`OVIDIUS` UNIVERSITY (Constanta, Romania)
Faculty of Law and Administrative Sciences
VILNIUS UNIVERSITY
Faculty of Law (Lithuania)
ZAPORIZHIA NATIONAL UNIVERSITY (Ukraine)
Faculty of Law
`YURIY FEDKOVYCH` CHERNIVTSI NATIONAL UNIVERSITY
(Ukraine)**

International scientific conference

**The present and the future of the legal order and human rights.
*From social, ethical and legal challenges to opportunities for
development and cooperation***

Conference programme

Chisinau, 17.06 -18.06.2022

PARTNERS

The current context of the processes that societies and states are going through is circumscribed to multiple challenges, which generate spectacular developments in certain areas, difficulties and confusion in others, as well as multiple interrogations about future developments. The international conference „***The Present and the Future of the Legal Order and Human Rights. From social, ethical and legal challenges to opportunities for development and cooperation***” proposes an academic platform for scientific debates in which representatives of the scientific and educational environment, state institutions, the diplomatic corps and non-governmental organizations, doctoral students, business environment, the wider public interested in the announced issue are invited to participate. There are multiple dimensions that require a multilateral and extensive approach, in carrying out the research project *Modernization of governance mechanisms focused on the protection of human rights*, which led to the organization of the conference.

The conference will discuss current issues for the scientific, socio-cultural, ethical, legal and political space.

The event is honoured by representatives of universities and research centres abroad, who are co-organizers of the international scientific-practical conference.

-  University of Warsaw (Poland)
-  `Ovidius` University of Constanta (Romania)
-  Zaporizhia National University (Ukraine)
-  `Yuriy Fedkovych` Chernivtsi National University (Ukraine)
-  Vilnius University (Lithuania)

This activity is realized in partnership and with the financial support of **Promo-LEX Association**



PROGRAM

Friday, June 17, 2022
room 119, Law Faculty,
Moldova State University

Meeting ID:

<https://us02web.zoom.us/j/84908340981?pwd=NDBlbk8reGdweHAoRzBBRWZYYjRqQTo9>

ID: 849 0834 0981

Key: 815754

10.30-11.00 Registration of participants / Înregistrarea participanților

11.00-11.30 – CONFERENCE OPENING / *Deschiderea conferinței*

Moderator: Rodica CIOBANU

OPENING GREETINGS / *CUVÂNT DE SALUT*

Igor ȘAROV / rector, Moldova State University

TURLUKOWSKI Jaroslaw / PhD, associate professor, Head of the Research Centre for Eastern Europe and Central Asia, Faculty of Law and Administration (Poland)

Tomas DAVULIS / PhD, Professor, Dean of the Faculty of Law, Vilnius University (Lithuania)

Adrian STOICA / PhD, Professor, Dean of the Faculty of Law and Administrative Sciences (Romania)

Tetyana KOLOMOYETS / PhD, Professor, Dean of the Faculty of Law, Honoured Lawyer of Ukraine, Corresponding Member of the National Academy of Legal Sciences of Ukraine

Alexandru POSTICA / Strategy Development Advisor Promo LEX Association

Serghei BRÎNĂ / habilitated doctor of law, university professor, Dean of the Law Faculty (Republic of Moldova)

Reports/Rapoarte

Jaroslav TURLUKOWSKI, PhD, associate professor, Head of the Research Centre for Eastern Europe and Central Asia, Faculty of Law and Administration, University of Warsaw (Poland)
Science and education in Poland - searching for a new identity
[Știința și educația în Polonia - în căutarea unei noi identități]

Tomas DAVULIS, PhD, Professor, Dean of the Faculty of Law, Vilnius University (Lithuania)
La protection des droits fondamentaux par la Cour de Justice
[Protecția drepturilor fundamentale de către Curtea de Justiție]

Tetyana KOLOMOYETS, PhD, Professor, Dean of the Faculty of Law, Honoured Lawyer of Ukraine, Corresponding Member of the National Academy of Legal Sciences of Ukraine
Realization of the right to civil service in wartime conditions: the search for a relevant normative model (on the example of Ukraine).
[Realizarea dreptului la funcția publică în condiții de război: căutarea unui model normativ relevant (pe exemplul Ucrainei)]

Olha SUSHYK, PhD, Associate Professor, Educational and Scientific Institute of Law, „Taras Shevchenko” National University of Kyiv (Ukraine)
Issues relating to the transposition of EU climate law and policy into Ukrainian legislation in accordance with the EU-Ukraine Association Agreement in view of Ukraine's candidacy for EU membership
[Aspecte legate de transpunerea legislației și a politicii UE în materie de climă în legislația Ucrainei prin prisma Acordului de asociere UE-Ucraina, în perspectiva aderării Ucrainei la UE]

Rodica CIOBANU, habilitated doctor of law, associate professor, Moldova State University
Science and education in Moldova - searching for a new identity
[Știința și educația în Republica Moldova - în căutarea unei noi identități]

13.00-14.00 – Lunch / Prânz

Works in sections / Activități în secțiuni
14.00 - 16.00

Discussion panel I / Panel de discuții I
room 119, Law Faculty, Moldova State University

Moderators / Moderatori: **Natalia CRECIUN & Jacob CHOWANIEC**

Meeting ID:

<https://us02web.zoom.us/j/84908340981?pwd=NDBlbk8reGdweHAoRzBBRWZYYjRqQTo9>

ID: 849 0834 0981

Key: 815754

Report /Raport

Veronica MOCANU, PhD, associate professor (Moldova State University)

Societatea digitală – o nouă normalitate: cadru de reflecție pentru domeniul juridic

[Digital society – a new normal: framework of reflections for legal field]

Communications / Comunicări

Marilena MARIN, PhD, associate professor (Faculty of Law and Administrative Sciences (Romania))

Norma socială, obiceiul și legea în spațiul European din perspectivă istorico-juridică: provocări și consecințe

[The social norm, custom and the law in the European space from a historical-legal perspective: challenges and consequences]

Tadeusz ZEMBRZUSKI, professor (University of Warsaw, Poland)

The Remedies System in Polish Civil Proceedings in the Context of the Right to Fair Trial

[Sistemul căilor de atac în cadrul procedurilor civile poloneze în contextul dreptului la un proces echitabil]

Daria KREMOVA, PhD, Faculty of Law, Zaporizhia National University (Ukraine)

Обновлений доктринальний погляд на присягу як передумову реалізації права особи на державну службу

[Updated doctrinal view of the oath as a prerequisite for the realization of a person's right to public service]

Robert JASTRZEBSKI, professor (University of Warsaw, Poland)

Codification and unification of the Polish law in the XX century

[Codificarea și unificarea dreptului polonez în secolul XX]

Żaneta GWARDZIŃSKA-CHOWANIEC, Akademia Ekonomiczno-Humanistyczna w Warszawie (University of Economics and Human Sciences in Warsaw)

Protection of the intangible heritage as the fundamental human rights

[Protecția patrimoniului imaterial în calitate de drept fundamental al omului]

Jakub CHOWANIEC (University of Warsaw, Poland)

The idea of a special tax for financial institutions - implementation of the principle of taxation fairness or the need to finance additional budgetary expenses?

[Ideea unei taxe speciale pentru instituțiile financiare - punerea în

aplicare a principiului echității fiscale sau nevoia de a acoperi cheltuieli bugetare suplimentare?]

Leyla SALIMOVA, PhD (Bacu State University)

Правовой анализ, принятого французским парламентом закона о признании «геноцида армян» и его несоответствие внутригосударственному законодательству Франции

[Legal analysis of the law adopted by the French Parliament on the recognition of the "Armenian genocide" and its inconsistency with the national legislation of France]

Natalia CRECIUN, PhD, (Moldova State University)

Zero creativity

[Zero creativitate]

Iordanca-Rodica IORDANOV, PhD, associate professor (Moldova State University)

Securitatea ecologică și impactul războiului asupra mediului și reglementările normative

[The environmental security and impact of war on the environmental and normative regulation]

14.00 - 16.00

Discussion panel II / Panel de discuții II

room 201, Law Faculty, Moldova State University

Moderators/Moderatori: Svetlana SLUSARENCO & Alexandru ARSENI

Meeting ID (Google meet): <https://meet.google.com/ecp-tstc-hpn>

Report/Raport

Valentin ROSCA, PhD, Irina PUNGA, EcoContact expert

Cadrul juridic internațional privind protecția „refugiaților ecologici” - realități și perspective

[The international legal framework on the protection of `environmentally friendly refugees` - realities and perspectives]

Communications / Comunicări

Ion GUCEAC, habilitated doctor of law, academician (Moldova State University)

Drepturile somatice. Concepte fundamentale

[Somatic rights. Fundamental concepts]

Gheorghe RENIȚĂ, PhD, Moldova State University

Confiscarea bunurilor nedeclarate la vamă

[Confiscation of undeclared goods at customs]

Svetlana SLUSARENCO, PhD, associate professor (Moldova State University)

Asigurarea conlucrării eficiente a serviciilor publice deconcentrate
[Ensuring the efficient cooperation of deconcentrated public services]

Vadim PRISĂCARI, PhD student, (The Academy of Economic Studies of Moldova)

Calificarea concursului ideal de infracțiuni
[Qualification of the ideal multiple offenses]

Arina ANTOCI, PhD, associate professor (State Agrarian University of Moldova)

Educația juridică pentru o societate deschisă
[Legal education for an open society]

Radu MOLDOVANU, PhD student (Moldova State University)

Exemple de practici în materie de revizuire constituțională, ca una din formele de manifestare a conflictelor între ramurile puterii în stat. Experiența Republicii Moldova
[Examples of practices in the field of constitutional revision, as one of the forms of manifestation of conflicts between branches of power in the state. The experience of the Republic of Moldova]

Irina ROȘCA, PhD student (Moldova State University)

Trecutul și prezentul necesităților mari cu acoperire deficitară a reglementărilor juridice a dreptului pacientului în paliative
[Past and present of the great needs with poor coverage of the legal regulations of the patient's right in palliation]

Radu DUBOLARI, PhD student (Moldova State University)

Perspectivile implementării licitației electronice în procedura de executare
[Prospects for the implementation of the electronic auction in the execution procedure]

Sergiu BALABAN, PhD student (Moldova State University)

Realizarea ordinii juridice și a drepturilor omului - prerogativa de bază a instanțelor de judecată
[Achieving the legal order and human rights - the basic prerogative of the courts]

Valentina DONI, PhD student (Moldova State University)
Dreptul la respectarea vieții private și familiale în contextul neînapoierii copilului în statul reședinței sale obișnuite
[The right to respect for private and family life in the context of the child's non-return to the state of his/her habitual residence]
16.00-16.30

Coffee break / Pauză de cafea

16.30-17.30

Continuation of the work in panel/
Continuarea activității în panel

Book presentation/*Prezentare de carte*

17.30 – 18.00

Concluding remarks / *Concluzii generale*

14.00 - 16.00

Discussion panel III / Panel de discuții III
room 202, Law Faculty, Moldova State University

Moderators / Moderatori: Ianuș ERHAN & Cristina POPOVICI

Meeting ID:

<https://us02web.zoom.us/j/88649916022?pwd=UUhOWFVrelIoY2RJVU9SNVBDUnRUQTog>

ID: 886 4991 6022

Key: 825743

Report/Raport

Valentin MĂRGINEANU, assistant lecturer (Moldova State University)
Argumente privind consolidarea fundamentelor raționale a dreptului. O perspectivă doctrinară
[Arguments for strengthening the rational foundations of law. A doctrinal perspective]

Communications / Comunicări

Ianuș ERHAN, PhD, associate professor (Moldova State University)
Respectarea și protecția drepturilor omului în procesul menținerii și asigurării ordinii publice
[Respect and protection of human rights in the process of maintaining and ensuring public order]

Jurgita PAUŽAITĖ-KULVINSKIENĖ, PhD, professor for administrative justice (Vilnius University)
Actual challenges for administrative courts protecting human rights in Europe
[Provocări actuale pentru instanțele administrative care protejează drepturile omului în Europa]

Adrian BORDIANU, PhD student (Moldova State University)
Interpretarea constituțională a legii penale
[Constitutional interpretation of criminal law]

Gheorghe BOSII, PhD student (Moldova State University)
Dreptul la educație și dreptul la muncă a persoanelor cu dizabilități. Cazuistica Consiliului de Egalitate din Republica Moldova
[The right to education and the right to work of persons with disabilities. Case law of the Equality Council of the Republic of Moldova]

Victor SAMOILENCO, PhD student (Moldova State University)
Procesele subculturale - factor represiv al drepturilor omului în penitenciare
[Subcultural processes - repressive factor of human rights in prisons]

Victoria SAMOILENCO, PhD student (Moldova State University)
Drepturile omului în situații postinfracționale
[Human rights in post-crime situations]

Aurica CAMENSCIC, PhD student (Moldova State University)
Teoria și practica medierii în litigii de muncă
[Theory and practice of mediation in labour dispute]

Veronica POZNEACOVA, student (Moldova State University)
Analiza hotărârilor CtEDO de constatare a încălcării de către Republica Moldova a articolului 3 în perioada 2019-2022
[Analysis of ECtHR judgments finding violation of Article 3 by the Republic of Moldova in the period 2019-2022]

Vera LUPAȘCO, PhD student (University of European Studies of Moldova)
Respectarea drepturilor omului - imperativ pe fundalul provocărilor sociale, etice, juridice și economice
[Respect for human rights - imperative against social, ethical, legal and economic challenges]

Cristina POPOVICI, university lecturer, Moldova State University
Principiile de organizare și funcționare a Consiliului Superior al Magistraturii
[Principles of organisation and functioning of the Supreme Council of Magistracy]

16.00-16.30

Coffee break / Pauză de cafea

16.30-17.30

Continuation of the work in panel/
Continuarea activității în panel
Book presentation/*Prezentare de carte*

17.30 – 18.00

Concluding remarks / *Concluzii generale*

14.00 - 16.00

Discussion panel IV / Panel de discuții IV
room 102, Law Faculty, Moldova State University

Moderators /Moderatori: Oleg PANTEA & Elena ARAMĂ

Meeting ID (Google meet): <https://meet.google.com/gua-zfqq-ads>

Report/Raport

Octavian CAZAC, PhD (Moldova State University)
The Capacity to Inherit of a Child Conceived Posthumously
[Capacitatea de a moșteni a unui copil conceput postum]

Communications / Comunicări

Mariana TOMA, PhD, associate professor,
Lesya GUSAR, PhD, associate professor,
Yuri Fedkovich Chernivtsi National University (Ukraine)
Bullying-ul cibernetic în Ucraina: aspecte juridice
[Cyberbullying in Ukraine: legal aspects]

Elena ARAMA, habilitated doctor of law, university professor (Moldova State University)
Interpretarea dreptului – act de cunoastere sau de voință?
[Interpretation of law - an act of knowledge or of will?]

Oleg PANTEA, PhD, associate professor (Moldova State University)
Sinopsă privind comisiile locale împuternicite să examineze faptele ilicite cu un grad de pericol social redus – studiu de caz
[Synopsis on local commissions empowered to examine illicit acts with a low degree of social danger - case study]

Stela BOTNARU, PhD, associate professor (Moldova State University)
Aspecte doctrinare și normative cu referire la drepturile fundamentale ale omului și cetățeanului protejate în legislația penală a Republicii Moldova

[The doctrinal and normative aspects with reference to the fundamental rights of human beings and citizens protected in the criminal legislation of the Republic of Moldova]

Vitalie MEȘTER, PhD student (Moldova State University)

Dreptul la reexaminarea pensiei a persoanelor cu dizabilități titulari ai pensiei de dizabilitate

[The right to re-examine the pension of persons with disabilities holding a disability pension]

Irina PAVEL-GUZUN, PhD student (Moldova State University)

Unele considerente privind utilizarea declarațiilor martorilor în procedurile sumare

[Some considerations regarding the use of witness statements in summary proceedings]

Maria PÎSLARUC, PhD student (Moldova State University)

Libertatea de conștiință, religie și gândire a salariaților

[Freedom of conscience, religion and thinking of employees]

Dănut-Gheorghită CAIA, PhD student (Moldova State University)

Incestul - aspecte legale și etice

[Incest - legal and ethical issues]

Dumitru CUCU, PhD student (Moldova State University)

Acțiunile de urmărire penală la investigarea infracțiunii de contrabandă cu valută străină

[Prosecutions for the investigation of the crime of smuggling in foreign currency]

Tatiana ECHIM, environmental expert, EcoContact

Impactul de mediu al fluxului de refugiați din Ucraina asupra comunităților de frontieră: Studiu de caz: Satul Palanca (Ștefan Vodă)

[Environmental Impact of the Refugee Flow from Ukraine on Border Communities: A Case Study: Palanca Village (Ștefan Vodă)]

16.00-16.30

Coffee break / *Pauză de cafea*

16.30-17.30

Continuation of the work in panel/

Continuarea activității în panel

Book presentation/Prezentare de carte

17.30 – 18.00

Concluding remarks / *Concluzii generale*

PROGRAM
Saturday, June 18, 2022

**The Scientific and Research Laboratory „Compared Public Law and E-Government”, Law Faculty, Moldova State University /
*Laboratorul de Cercetări Științifice „Drept Public Comparat și E-Guvernare”***

9.00-9.30

Registration of participants /
Înregistrarea participanților

9.30-10.00

Moderators/Moderatori: Jaroslaw TURLUKOWSKI &
Rodica CIOBANU

Partners presentation /
Prezentarea partenerilor din cadrul societății civile
Promo-LEX & EcoContact

Presentation of the project team
"Modernization of governance mechanisms focused on the
protection of human rights" /
Prezentarea echipei proiectului de cercetare
*„Modernizarea mecanismelor de guvernare axate pe protecția
drepturilor omului”*

10-00 -12.00 Discussions on / *Discuții cu privire la*

Legal education and skills for the future. Beneficiaries' vision /
Educația juridică și competențe de viitor. Viziunea beneficiarilor

Registered participants / *Participanți înregistrați*

- ✓ SAMOIL Alexia
- ✓ COLESNIC Igori
- ✓ TUMANOV Dmitri
- ✓ CRIGAN Tudor
- ✓ LEPADATU Dumitru
- ✓ BAZATIN Andrei
- ✓ BARBUROS Nadina
- ✓ DOMENCO Irina
- ✓ POZNEACOVA Veronica
- ✓ BOGDAN Irina
- ✓ PANAGHIU Andrei
- ✓ TROCIN Ludmila
- ✓ CLIMOVICI Victoria
- ✓ NAIDINA Natalia
- ✓ ATAMAN Viorica
- ✓ ZAIM Olga
- ✓ GHEORGHITĂ Gheorghe
- ✓ CALANCEA Daniela
- ✓ BANCU Irina
- ✓ PROCA Victoria
- ✓ BÎRCA Eugeniu
- ✓ FETESCU Andrian

12.00-13.00 Q&A session / Sesiune de întrebări și răspunsuri

13.00 – 13.30 Concluding remarks / *Concluzii*

SCIENTIFIC BOARD

- ARAMA Elena, habilitated doctor of law, university professor(Moldova State University)
- BOTNARU Stela, PhD, associate professor, vice dean of the Law Faculty (Moldova State University)
- BRÂNZA Serghei, habilitated doctor of law, university professor,Dean of the Law Faculty (Moldova State University)
- CIOBANU Rodica, habilitated doctor of law, associate professor (Moldova State University)
- DAVULIS Tomas, PhD, Professor, Dean of the Faculty of Law, Vilnius University
- GUCEAC Ion, habilitated doctor of law, academician (Moldova State University)
- HANGANU Aurelia, habilitated doctor of philology, associate professor, vice-rector (Moldova State University)
- KOLOMOYETS Tetyana, PhD, Professor, Dean of the Faculty of Law, Honoured Lawyer of Ukraine, Corresponding Member of the National Academy of Legal Sciences of Ukraine (Zaporizhia National University, Ukraine)
- MOCANU Veronica, PhD, associate professor, Vice dean of the Law Faculty (Moldova State University)
- NEGRU Andrei, habilitated doctor of law, university professor (Moldova State University)
- STOICA Adrian, PhD, Professor, Dean of the Faculty of Law and Administrative Sciences (`Ovidius` University of Constanta, Romania)
- TURLUKOWSKI Jaroslaw, PhD, associate professor, Faculty of Law and Administration, Institute of Civil Law (University of Warsaw, Poland)

ORGANIZING COMMITTEE

CHOWANIEC Jakub, associate professor, University of Warsaw

CIOBANU Rodica, habilitated doctor of law, associate professor
(Moldova State University)

BRÂNZA Serghei, habilitated doctor of law, university professor, Dean of
the Law Faculty (Moldova State University)

BOTNARU Stela, PhD, associate professor, vice dean of the Law Faculty
(Moldova State University)

COLTENIUC Anotolie, PhD student, Doctoral School of Legal Sciences
(Moldova State University)

CRECIUN Natalia, PhD, scientific researcher (Moldova State University)

ECHIM Tatiana, expert, EcoContact

ERHAN Ianus, PhD, associate professor (Moldova State University)

MOCANU Veronica, PhD, associate professor, Vice dean of the Law
Faculty (Moldova State University)

PANTEA Oleg, PhD, associate professor (Moldova State University)

RUS Mihaela, PhD, university professor (`Ovidius` University of
Constanta, Romania)

SLUSARENCO Svetlana, PhD, associate professor (Moldova State
University)

POPOVICI Cristina, PhD, vice dean of the Law Faculty (Moldova
State University)