INTERNATIONAL CONFERENCE:

CONTEMPORARY CHALLENGES IN ADMINISTRATIVE LAW FROM AN INTERDISCIPLINARY PERSPECTIVE

- 9th Edition. May 22, 2026 -

www.alpaconference.ro



Section II.

Challenges of Interdisciplinary Approach in Administrative Sciences in the 21st Century

Friday, May 22, 2026

Online on Zoom

Moderator:

Associate professor ***Cristina Elena POPA TACHE,*** *Faculty of Law and International Governance, Danubius International University, Galati, Romania*

! Each paper will be presented within 15 minutes

ALPA CONFERENCE

INTERNATIONAL CONFERENCE:
CONTEMPORARY CHALLENGES IN ADMINISTRATIVE LAW FROM AN INTERDISCIPLINARY PERSPECTIVE

- 9th Edition. May 22, 2026 -

www.alpaconference.ro

ADJURIS Society of Juridical and Administrative Sciences

SCIENTIFIC PAPERS

ADMINISTRATIVE GOVERNANCE OF WATER UTILITY SERVICES IN THE EUROPEAN UNION: BETWEEN PUBLIC CONTROL, COST RECOVERY, AND ENVIRONMENTAL OBLIGATIONS

PhD candidate **Ágota SZEKERES**
Deák Ferenc Doctoral School, Faculty of Law, University of Miskolc, Hungary

Abstract

Water utility services have increasingly become one of the most difficult areas of administrative governance, standing at the crossroads of environmental protection, public service obligations, economic regulation, and social policy. This paper examines the administrative governance of water utility services in the European Union, with particular attention to the relationship among public control, cost-recovery requirements, and environmental obligations under the Water Framework Directive. The objective of the study is to analyse how administrative and regulatory frameworks attempt to balance affordability, infrastructure financing, environmental sustainability, and the continuity of essential services. The research employs a comparative and functional method, primarily focusing on Hungary and Romania, and draws on selected Western European examples. The analysis demonstrates that the long-term sustainability of water utility services depends not simply on ownership models but on the quality of governance, regulatory coordination, and financing mechanisms. The paper argues that water governance increasingly reflects a broader transformation within administrative law, where environmental obligations and public service responsibilities are becoming deeply interconnected.

INCENTIVE EFFECT IN THE CASE OF STATE AID - EVOLUTION OF THE INTERPRETATION OF THE CONDITION THAT "NO AID CAN BE GRANTED AFTER A PROJECT HAS ALREADY STARTED"

PhD student **Livia-Daniela STURZA**
„Nicolae Titulescu" University of Bucharest, Romania

Abstract

It is true that a fundamental rule of State aid was until recently that no aid could be granted after a project had already started. This rule has been reiterated and repeated in every regulation or set of guidelines of the Commission. Aid for a project that has already started has no incentive effect and, as such, is a pure waste of public money. The notion of incentive effect has also been taken up in domestic legislation in the content of art. 10 para. (1) and (2) of the Act of 2023 State aid scheme with the objective of supporting investments in the development of electricity storage capacities (battery) of 20-Dec-2023 of the Ministry of Energy published in M. Of. 1191 , according to which the aid scheme applies only to aid that has an incentive effect. The definition of the incentive effect is given by the provisions of art. 4 letter (d). d) of the same domestic regulatory act according to which it has "an incentive effect occurs where the aid induces the beneficiary to change its behaviour, to engage in an additional economic activity or in an environmentally friendly economic activity, which, in the absence of the aid, it would not carry out or would carry out in a limited or different way. The aid must not support the costs of an activity that the beneficiary of the aid would have carried out anyway and must not compensate for the normal commercial risk of an economic activity.

Demonstrating an incentive effect requires identifying the factual scenario and the counterfactual scenario likely in the absence of the aid; (3) If the aid does not change the behaviour of the beneficiary by stimulating (additional) investment in the area concerned, it does not benefit from a positive effect. Therefore, the aid will not be considered compatible with the internal market if it is proven that the same investment would have been carried out even if the aid had not been granted. However, in December 2022, the Court of Justice surprised us when it ruled in Case C-470/20 Veejaam & Espo that aid for a project that had already been implemented could still have an incentive effect if, in the absence of the aid, the project would have been closed or abandoned.

SIMILARITIES AND DIFFERENCES BETWEEN ADMINISTRATIVE LAW AND CRIMINAL PROCEDURAL LAW FROM THE PERSPECTIVE OF INCOMPATIBILITIES

PhD candidate **Aurelian Gheorghe MOCAN**
"Nicolae Titulescu" University of Bucharest, Romania

Abstract

This study aims to comparatively analyze aspects of incompatibility related to regulatory solutions and the terminology used by the legislator in both branches of law, concerning incompatibilities with regard to the legal regime and the adoption of decisions with legal consequences. The objectives of the study are connected to the nature of legal liability for acts committed in situations of incompatibility, in both administrative law and criminal procedural law — an aspect that is particularly relevant in the context of probation management and the assessment of the substantive conditions of liability. The study primarily involves an analysis of legislation, as well as an examination of case law and legal doctrine related to the subject under consideration. The results and implications of the study highlight the need to sanction forms of incompatibility across all public authorities, as well as the necessity for the legislator to adopt terminological consistency that does not jeopardize uniform judicial practice.

DIGITALIZATION OF PUBLIC ADMINISTRATION BETWEEN ADMINISTRATIVE EFFICIENCY AND THE PROTECTION OF FUNDAMENTAL RIGHTS

Lecturer **Mihai ȘTEFĂNOAIA**
„Stefan cel Mare” University of Suceava, Romania

Abstract

The process of digitalizing public administration represents one of the most significant transformations of contemporary society, aiming to increase administrative efficiency, simplify procedures, and improve the relationship between public authorities and citizens. The implementation of digital technologies, electronic platforms, and automated data-processing systems contributes to reducing bureaucracy, accelerating administrative procedures, and enhancing institutional transparency. However, the expansion of digital administration also generates numerous legal challenges regarding the protection of fundamental rights. This paper analyzes the relationship between the need to modernize public administration and the State's obligation to guarantee the protection of fundamental rights, such as the right to privacy, the protection of personal data, equal access to public services, and the right to fair administrative proceedings. The study highlights the risks associated with the use of algorithms and automated administrative decision-making systems, particularly in the context of limited transparency and the possibility of digital discrimination. At the same time, the research examines the impact of European regulations concerning data protection and artificial intelligence on the activity of public administration, emphasizing the need to maintain a balance between administrative efficiency and the effective protection of fundamental rights within a democratic rule-of-law state.

ALPA CONFERENCE

INTERNATIONAL CONFERENCE:
CONTEMPORARY CHALLENGES IN ADMINISTRATIVE LAW FROM AN INTERDISCIPLINARY PERSPECTIVE

- 9th Edition. May 22, 2026 -

www.alpaconference.ro

ADJURIS Society of Juridical and Administrative Sciences

PRISON LABOUR IN THE ROMANIAN PENITENTIARY SYSTEM THEORETICAL AND PRACTICAL COMPLIANCE WITH INTERNATIONAL AND EUROPEAN STANDARDS

PhD. student **Adrian Cristian PALEA**
Doctoral School of Law, Faculty of Law,
Bucharest University of Economic Studies, Romania

Abstract

The labour of inmates during the execution of prison sentences is regulated through a complex framework of international and European standards. While these standards primarily aim to reconcile the prohibition of forced labour with the recognition of work as a legitimate component of imprisonment, as a rehabilitative process, the manner in which national systems implement these principles varies in practice. This article examines the regime of prison labour in the Romanian penitentiary system through an analysis of the level of compliance with international and European standards and through the study of the practical institutional approach to the organisation and implementation of prison labour. This study examines not only the formal compliance, but also the institutional realities that shape the implementation of prison labour. The results indicate that the Romanian legal framework is largely aligned with international and European standards, while the practical organisation of prison labour reflects a multi-functional institutional approach, in which work serves economic, managerial and social purposes alongside its rehabilitative role.

TARIFF EVASION IN CONFLICT AREAS: FRAUD AND ADMINISTRATIVE VULNERABILITIES IN THE STRAIT OF HORMUZ

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

Abstract

In recent decades, some of the maritime routes and corridors have supported international trade in energy products and ensured the stability of the supply chains of the global economy. The analysis is structured on the hypothesis that regional instability and open conflicts can reduce trade flows, favor the emergence of mechanisms to circumvent tariff regimes, and significantly reduce administrative control capacity, with an increased risk of the development of fraudulent means of international tax evasion. The paper is located at the intersection of administrative governance and transnational economic crime. The study has as its reference point the Strait of Hormuz, an important maritime corridor, an essential crossing point for supplying global markets, mainly with petroleum products and liquefied gas, where major political tensions converge against a backdrop of unprecedented international sanctions. The research results highlight that this conflict zone is a true multiplier of administrative vulnerabilities with the most serious consequences affecting trade flows, but also the ability of states to ensure the supply of their logistics chains. The conclusions of the study consist of identifying solutions for the efficient management of trade risks by using more adaptive administrative mechanisms in conflict zones.

ALPA CONFERENCE

INTERNATIONAL CONFERENCE:
CONTEMPORARY CHALLENGES IN ADMINISTRATIVE LAW FROM AN INTERDISCIPLINARY PERSPECTIVE

- 9th Edition. May 22, 2026 -

www.alpaconference.ro

ADJURIS Society of Juridical and Administrative Sciences

THE SPANISH JUDICIAL SYSTEM

Lecturer **Ovidiu–Horia MAICAN**
Faculty of Law, Bucharest University of Economic Studies, Romania

Abstract

The Spanish legal framework is classified as a civil law system that relies chiefly on detailed legal codes and statutes, integrated under the Spanish Constitution established in 1978, which outlines the basis for democratic leadership .It differentiates between public law, which governs the relationships involving the state, and private law, which pertains to the interactions among individuals, based on the principles of legal equality, autonomy of the judiciary, and the organization of justice across territories. The Spanish legal framework is an intricate system that regulates the legal landscape in Spain. For anyone wanting to understand the application and interpretation of laws in this nation, grasping its fundamental aspects and key features is crucial. This framework draws from multiple legal sources and is shaped by its historical background and ties to international law. The laws are compiled into a set of legal codes, facilitating easier access and comprehension of legal requirements. The essential legal sources in Spain comprise the Spanish Constitution, enacted laws, administrative regulations, and judicial decisions. Among these, the Spanish Constitution holds the highest authority, and all other laws and regulations are required to align with it.

MODERN TRENDS IN COMBATING DISCRIMINATION AS A PHENOMENON EXACERBATED BY MIGRATION PROCESSES IN EUROPE

Lecturer **Constantin-Claudiu ULARIU**
„Nicolae Titulescu" University of Bucharest, Romania

Abstract

In a contemporary world marked by numerous challenges and dilemmas, including those capable of calling into question the preservation of fundamental and inalienable human values, the need to protect citizens of Member States against various and, at times, difficult-to-identify acts of discrimination committed by administrative authorities or even by private individuals taking advantage of the indecision or lack of intervention of State institutions has become increasingly necessary, if not indispensable, for safeguarding the values inherent in the concept of the European community. In this regard, the Court of Justice of the European Union, the European Court of Human Rights, and the national courts have been entrusted with the task of intervening in various specific cases with a view to identifying and defining a series of structured legal concepts in the field of combating discrimination, concepts which are indispensable for the protection of European citizens, as well as migrants, against the increasingly widespread scourge of racism within the European area, particularly in the context of increasingly intensified State policies aimed at combating migratory phenomena in Europe. The present article seeks to identify, in a holistic manner, both the overarching mechanisms for defining and individualising the concept of discrimination manifested in the form of racism, and, more importantly, to conduct a comprehensive analysis of individual cases concerning the establishment of legislative and jurisprudential safeguards aimed at combating this particularly dangerous phenomenon affecting the exercise of fundamental human rights and freedoms. Particular attention will be devoted to the institutional obligations incumbent upon the State in relation to combating instances of discrimination generated even by the conduct of administrative actors within State structures and justified by the alleged necessity of protecting the "national identity", a phenomenon that has manifested itself with increasing aggressiveness over the last decade. The principal questions arising in the field of protection against discrimination, to which the present study seeks to provide answers, are the following: Does illegal migration constitute a cause for the escalation of discriminatory practices within the European area? Have European States established a coherent,

balanced, and effective legislative and jurisprudential framework aimed at reducing racism as a dimension of discriminatory conduct affecting the fundamental rights recognised, including those of migrants? What are the most effective methods for combating discrimination in this field? What are the future prospects in relation to combating this global scourge? What deterrent sanctions may be imposed upon individuals displaying racist tendencies? The research methodology includes a thorough case-law analysis of various disputes in which issues of discrimination arose, influenced or motivated by considerations relating to the prevention of migratory phenomena in Europe. Furthermore, the study employs instruments of logical induction and deduction in order to reveal the internal mechanisms of the concept of "discrimination", the means by which such discriminatory practices may be identified, as well as the manner in which these legal protection mechanisms against discrimination have been reflected in the jurisprudence of the European courts in this field. The preliminary findings of the present study aim to outline the recurrent pattern of manifestations of racism motivated by migratory phenomena and to provide jurisprudential and doctrinal solutions for combating discrimination in all its forms of manifestation within the context of illegal migration.

KINGMAKERS OR KINGBREAKERS?: CONSTITUTIONAL COURTS BETWEEN THE "IMPERIAL REPUBLIC" AND THE "ORIGINAL DEMOCRACY" (PRESIDENTIALISM, SEMI-PRESIDENTIALISM, AND THE DYNAMICS OF THE LEGITIMACY OF POWER)

PhD student **Andrei IACUBA**
Doctoral School of Law, Faculty of Law,
Bucharest University of Economic Studies, Romania

Abstract

On a different occasion, we posited that the instances wherein this process becomes most pronounced are situations of profound crisis (hybrid warfare, pandemic, acute political crisis, the rise of political extremism, social polarization, etc.), the overarching rationale of constitutional courts for acting outside their own constitutional framework — thereby redefining it in the process — being the survival of the constitutional order they are called upon to defend and enforce. In the present research, we shall analyze whether constitutional courts are the sole entities proceeding in such a manner and what their reaction is when another entity within the constitutional space attempts to evolve in a similar fashion, through the lens of the most probable "suspect" for this process of power aggrandizement — the Executive. Leaving aside the system of the parliamentary republic, which is less relevant to the object of the current analysis, we shall employ as reference systems two models formally situated at the opposite poles of presidential power — the American model and the mitigated semi-presidentialism prescribed by the Constitution of Romania — and we shall evaluate whether the formal differences are reflected in an equally pronounced practical and concrete distinction between the two systems. We will briefly examine the manner in which the power of American presidents has evolved towards the "imperial presidency" spoken of today, notably through the use of the executive order institution, viewed through the lens of a case study that may be considered the apex of this process (Barbara v. Trump) and the manner in which the US Supreme Court has responded to this process of consolidating presidentialism. We will subsequently address the question of whether this process is unidirectional, whether it is invariably directed towards limiting the excesses of a branch of state power, or whether, on the contrary, it can also function in a positive sense, consolidating the role and power of such an institution, by analyzing the ambiguities of the Romanian "original democracy". Ultimately, drawing upon the two models, we shall examine one of the essential characteristics that bestows upon constitutional courts the power to be "kingmakers" or, conversely, "kingbreakers" within the constitutional equation.

INTERNATIONAL CONFERENCE:
CONTEMPORARY CHALLENGES IN ADMINISTRATIVE LAW FROM AN INTERDISCIPLINARY PERSPECTIVE
- 9th Edition. May 22, 2026 -
www.alpaconference.ro

DIGITALIZATION OF PUBLIC ADMINISTRATION AND THE INTERDISCIPLINARY CHALLENGES OF DIGITAL GOVERNANCE

Associate lecturer **Elena Roxana VIȘAN**
Faculty of Letters and Sciences, Petroleum-Gas University of Ploiești, Romania

Abstract

The digital transformation of public administration represents one of the most important directions of institutional modernization in contemporary society, driven by technological developments, the need to increase the efficiency of public services, and the increasingly demanding requirements regarding the transparency and accessibility of administrative action. This paper analyzes the impact of digitalization on public administration, highlighting both the benefits of implementing electronic services — such as reducing bureaucracy, increasing administrative efficiency, and facilitating interaction between citizens and public authorities — as well as the main challenges generated by this process. In this context, the paper examines issues related to the legality of the electronic administrative act, the protection of personal data, decision-making transparency, the security of digital infrastructures, and the risks associated with the use of automated systems and artificial intelligence in the administrative process. All these elements emphasize an interdisciplinary approach to the scientific endeavor, with fundamental implications for shaping the process of digital governance, as relevant aspects of administrative law intersect with information technology, public management, cybersecurity, and the protection of fundamental rights. Therefore, the research proposes an integrated perspective on digital governance, underlining the importance of balancing technological innovation with the guarantee of fundamental rights. The conclusions of the paper support the idea that the development of an efficient digital public administration requires not only the implementation of modern technological solutions, but also the adaptation of the legal and institutional framework to the new realities of the digital society, through an interdisciplinary approach capable of addressing the challenges of the 21st century.