

Panel context: Project with international participation “PUBLIC SECURITY AND THE NEED FOR HIGH SOCIAL CAPITAL”, edition a VII-a, <https://ccdsara.ro/conference-pshsc-2025/> with the theme "LAW IN THE ERA OF ADVANCED TECHNOLOGIES: PRESENT AND PROSPECTS"/ "DREPTUL ÎN ERA TEHNOLOGIILOR AVANSATE: PREZENT ȘI PERSPECTIVE "

PANEL: ENSURING WORKERS' RIGHTS TO ASSOCIATION AND COLLECTIVE BARGAINING IS A RELIABLE WAY TO SAFEGUARD THEIR DIGNITY AT WORK.

Education and professional training

Obtained a bachelor's degree in Law (1993) at the University of Bucharest; the title of PhD in LAW, with MAGNA CUM LAUDE honours (2008) at University of Bucharest, Faculty of Law; Master's Degree, European Public Affairs Management at Bucharest Academy of Economic Studies; Postgraduate International Law, Faculty of Law, University of Bucharest;

Certificate of completion of the courses “Key Essentials: The Sustainable Development Goals and the Law” organized through the “Democratising Education for Global Sustainability and Justice” University of Cambridge, United Kingdom

Academic activities

Associate Professor PhD, Dean of Faculty of Economic Sciences and Law, National University of Science and Technology Politehnica Bucharest.

Professional associations:

Member of European Committee of Social Rights, Council of Europe, Strasbourg, France

Member of the European Institut of Law (ELI) Austria
General Secretary of Society of Labour Law and Social Security, Romanian Section, member of the International Society of Labour Law and Social Security (ISLSSL), Geneva;

Member of International Labour and Employment Relations Association (ILERA) Geneva

Member of Court of Arbitration attached to the Argeş Chamber of Commerce and Industry

Lawyer, member of the Argeş Bar Association

Research areas in the field of law (Labour and Social Security Law)

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**Moderator/ Coordinating/
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Carmen-Constantina NENU**



Participation in grants or research projects/teams: 18 projects as member of the implementation team, Author/coauthor of 9 specialized books, of which 2 published abroad; Articles in Web of Sciences 2; Articles in internationally-circulated journals, indexed in international data bases recognized in the field of legal sciences: 25; Publications in conference volumes: 28; Prize: 1; Distinction:2.

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Presentation Panel:

The main legal instruments at international and regional level are the Conventions and Recommendations of the International Labour Organization, the European Social Charter and the Charter of Fundamental Rights of the European Union.

The International Labour Organization promotes social justice and the international recognition of human rights and labour law, develops policies and programs aimed at improving working conditions and employment opportunities, while also setting international labour standards used in all countries of the world.

The European Social Charter is the most important international treaty at the Council of Europe level in the field of economic and social rights. It establishes rights and freedoms and the monitoring procedures, guaranteeing their respect by the Member States. The revised European Social Charter of 1996 entered into force in 1999 and gradually replaces the 1961 treaty. Freedom of association, and more specifically, the right to form and join trade unions, is also recognized at the level of the normative action of the European Convention on Human Rights.

Likewise, freedom of association, and more specifically, to form and join trade unions, is also recognized at the level of the normative action of the European Convention on Human Rights.

At the level of the European Union, the Charter of Fundamental Rights of the European Union enshrines in Chapter IV, “Solidarity”, *inter alia*, the right of workers to information and consultation within the enterprise, the right to collective bargaining and action, fair and just working conditions.

In recent decades, the international community has recognized the indivisible nature of human rights, by including social, economic, cultural rights alongside civil and political rights. The social and economic rights were included in the category of fundamental rights with the adoption of the Universal Declaration of Human Rights in 1948, by the General Assembly of the United Nations.

The qualification of social rights as fundamental human rights is relevant in terms of the legal regime of guarantees to ensure the effectiveness of these rights and, especially, through the prism of creating the necessary means to ensure their observance, in particular, by putting them into execution. In this regard, and especially in relation to the possibility of putting them into execution, it has been argued that social and economic rights, unlike civil and political rights, lack what the specialized literature calls "justiciability". Justiciability is an attribute of civil and economic rights, which takes into account: The possibility of individuals claiming violation of a right to file a complaint with this object before an impartial and independent body.

In this ideological context, we specify that social rights, as fundamental human rights, aim to ensure respect (regulation by law) and protection (guarantee of effectiveness - access to justice and sanction) of fundamental values, such as human dignity, non-discrimination, equity.

From the fundamental principle that work is not a commodity, other rights also arise, such as the right to rest, the right to social security, the right to professional development.

The principle that “limiting freedom of association and expression is an indispensable condition for sustained progress”, in fact enshrines the right to association in trade unions as well as in employers' associations.

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In view of these guiding ideas of international law, the labour law of each state must necessarily regulate fundamental principles such as freedom of labour, non-discrimination in employment and occupation, collective bargaining and fair remuneration.

In the context of these principles governing the right of association and collective bargaining, the analysis of atypical forms of work provision is necessary in order to identify the extent of protection of these rights for special categories of workers. Thus, we will analyse the status of platform workers, migrant workers, transporters, but also those professional categories to which these rights are restricted or limited.