

## **JOURNAL QUAESTIO IURIS**

### **EDITORIAL FOR VOL. 13-3 (2020)**

The Journal Quaestio Iuris, indexed on the Web of Science, quarterly, in this volume 13, number 02, 2020, is pleased to inform all its readers that the article by OLIVEIRA, DAJM., The new latin american constitutionalism: paradigms and contradictions, published in Journal Quaestio Iuris, v. 6, n. 2, 2013, available at: <https://www.e-publicacoes.uerj.br/index.php/quaestioiuris/article/view/11775>; was cited in the article “From Mariana to Brumadinho: a new contour of the State civil liability from an ecocentric perspective” by Antônio Lucas dos Santos da Mata, in the Journal Derecho y Cambio Social, Lima, Peru. Derecho Y Cambio Social is a publication of professors from the Faculty of Law and Political Sciences of the National University of Cajamarca (Peru - South America) and is sponsored by the Circle of Jus Philosophical Studies UNIDAD, based in the city of Lima - Peru.

The journal is also pleased to publish the article “The access to equitable work conditions in gender perspective: analysis of the legislative changes in the European Union”, by Dora Resende Alves, Assistant Professor at the Law Department of Universidade Portucalense (UPT) and Deputy editor of the journal Revista Jurídica Portucalense, by Daniela Serra Castilhos, PhD in Law and Assistant Professor at Universidade Portucalense. Module Coordinator Jean Monnet The European Union as a global protagonist of Democracy and Fundamental Rights. Associate Coordinator of the International Research Group Dimensions of Human Rights at Instituto Jurídico Portucalense (IJP), and Isabela Mello Botelho, Assistant Researcher at Instituto Jurídico Portucalense (IJP). Universidade Portucalense Infante D. Henrique (UPT), Department of Law, Porto, Portugal.

The article “The access to equitable work conditions in gender perspective: analysis of the legislative changes in the European Union” seeks to discuss gender equality in the labor market, which is enshrined in the International Covenant on Economic, Social and Cultural Rights, in its article 3, among others, together with international protection of second generation right reaffirmed in the Convention for the Elimination of All Forms of Discrimination against Women (article 11), and which, unfortunately, is still a delicate and time-consuming issue within the European Union. The article argues that, in 2012, there was a proposal for a directive on improving the balance between men and women in the position of non-executive director of companies listed on the stock exchange. However, analyzing the evolution of its legislative process, it appears that, since 2013, it has been in the first reading phase, with some amendments

being introduced by the European Parliament, and that it is still undergoing discussions in the Council, following the order of the ordinary legislative process of analysis in parallel. In this respect, the article analyzes the reinforcement of the entry of women in the labor market during the European economic development and the disparities in wages and representativeness in the most diverse high and medium positions that exist, and how this history affects Europe today, to conclude that, as far as possible, the European Union should be swift in terms of adopting a final directive to keep it up to date with the problem of gender equality.

In the same way as in the previous numbers, in the current volume 13, number 03, 2020, we publish 15 (fifteen) unpublished articles, 05 (five) of which are foreign articles: the aforementioned “The access to equitable work conditions in gender perspective: analysis of the legislative changes in the European Union”, by Dora Resende Alves, Assistant Professor in the Law Department of Universidade Portucalense (UPT) and Deputy Editor of the journal *Revista Jurídica Portucalense*, by Daniela Serra Castilhos, PhD in Law and Assistant Professor at Universidade Portucalense. Module Coordinator Jean Monnet The European Union as a global protagonist of Democracy and Fundamental Rights. Coordinator of the International Research Group Dimensions of Human Rights at Instituto Jurídico Portucalense (IJP), and Isabela Mello Botelho, Assistant Researcher at Instituto Jurídico Portucalense (IJP). Universidade Portucalense Infante D. Henrique (UPT), Department of Law, Porto, Portugal; "Some reflections on Ecological Citizenship and its Legislation in Mexico" by Jesús Hurtado, Professor of the School of Accounting and Administration (FCA) at the Autonomous University of Queretaro, Mexico; “Post mortem insemination and embryo transfer, best interests and the child's rights: a review of portuguese law and public policy”, by Eva Dias Costa, PhD in Tax Law. Assistant Professor at the Department of Law and the Department of Economics, Management and Informatics at Universidade Portucalense, Integrated Researcher at Instituto Jurídico Portucalense (Science and Technology Foundation), Adjunct Editor of the journal *Revista Jurídica Portucalense*, Porto, Portugal; “The analogy of law in civil law practice”, by Viktor Mikryukov, Assistant Professor in the Department of Business and Corporate Law at Kutafin Moscow State Law University (MSAL), Russia; and “Administrative and legal aspects of management risks in the economic sphere”, by Alexander G. Gurinovich, Professor at the Moscow State Institute of International Relations (MGIMO University), Russia, by Marina A. Lapina, at the Government Finance University of Russian Federation, Russia, and Andrey V. Lapin, of the Market Economics Institute (MEI RAS), Russia.

We also published in our Monographs Section a study called “Human development in cyberculture: the importance of thinking about a resilient right”, by Luis Gustavo Gomes Flores,

Professor of postgraduate studies in the Master in Law at UNIJUÍ - Master in Human Rights, Rio Grande do Sul.

The monograph discusses the importance of the concept of resilience of law to think about Human development in face of the challenges brought by the set of trends called cyberculture by Pierre Levy . To this end, the monograph sought to answer the research problem that asks: what are the challenges of complex society and cyberculture for the improvement of the law and for human development? It is a reflective critical work that has as its general objective, to demonstrate the needs to think new possibilities of observation that takes into account the importance of innovation in law to face the social complexity, strongly marked by cyberculture. For that, the systemic constructivist method was used, which presupposes the use of assumptions and categories of the theory of autopoietic social systems and radical constructivism, as a way of observing and approaching the respective theme, as well as the use of bibliographic research. The conclusion resulting from the reading of the monograph is the possibility of observing new perspectives to be considered, from a potential not yet explored. Thus, considering the contributions of the resilience of the law, new possibilities are opened to think about human development from a systemic perspective.

In our Essays Section, we published 04 (four) essays, 02 (two) essays on different aspects of the dignity of the human person: “The (In)compatibility of the thesis established by the STJ in 692 about the repeatability of the social benefits received in good in faith in provisory care with the human dignity ”and “ Mothers in prison: wishes and wounded words”.

In this issue of the journal, we maintained our body of our referees / reviewers, from countless states in the country and foreign professors, in a total of more than 650 (six hundred and fifty) reviewers. We also publish, for the immediate consultation of readers, the links to the various national and international indexes of journals and periodicals where our Journal Quaestio Iuris is indexed. We thank, as always, all readers, authors, reviewers and collaborators for their collaboration and trust and for the always excellent work done. We always remember that submissions to Journal Quaestio Iuris are permanent and must be made through the system, directly on the journal's page.

Good reading to all!

**Mauricio Mota**  
**Editor of Journal Quaestio Iuris**