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REALITIES AND PERSPECTIVES

Globalization and Cultural Diversity

Cultural-Linguistic Globalization in the European Space

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Abstract: Europe is a reality not only in economic and political terms mainly. The impact of globalization on contemporary European area is a contested subject in political debates, media or academically. Although occurring in the economic field with multiple meanings (the increase in economic interdependence of countries worldwide through increasing volume and variety of goods and services transactions across borders), in linguistics, globalization illustrates a particular facet of the relationship between the dynamics and needs of society communication. The impressive contemporary transformation processes triggered by globalization can be fully understood only if read in a cultural key, only if analyzed from a cultural perspective. At the same time, the multiple transformations modify the very structure of the cultural experience and affect the way we understand culture in the modern world. Globalization is the core of modern culture and cultural practices are the core of globalization.

Keywords: cultural dimension of globalization; language; identity; life style; European Union

A symbolic rendition of the world, a reading of existence, an interpretation of the world, a way to translate the experience into symbolic languages …it is a possible definition for the term "culture". (Lucian Blaga`s view in the paper *The Trilogy of Culture*).Globalization, as defined in dictionaries, is considering the determination or production on a global scale, meeting in an increasingly disparate elements, in whole or prosecution of a problem given the universal nature of things. Culture, on the other hand, represents all the material and spiritual values created by humankind and the institutions needed to communicate these values.When we speak of culture we think about meaning, value, norm. For over 10,000 years, mankind has left us an important legacy. If we adjust and animate this inheritance, we can benefit from the experience they treasure. A genuine culture leads to flourish true inner values, such as, inter alia, order, justice, truth, equality, honor and freedom, values of nature among individuals approaching them.

The man assumed the human condition when it was able to see things beyond appearances, to show imagination, to compare and create symbols. Faced with a crisis of identity that the individual lives of our century, culture creates new dimensions of social, moral, philosophical and spiritual and prepare younger generations to consciously build effective and what should be the XXI century. From the dream of total culture, the world awakens to the reality of multiculturalism, global culture without any cultural tradition. When we speak of culture we mean all the products of human activity and living for perfection.

Strict boundaries between countries have made to define them only in relation to themselves, without taking into account the issues and concepts beyond. So many cultures have appeared closed, only

returned to themselves. Nations have always stubbornly to keep the specifics, or better said, "cultural identity"; this phenomenon is becoming more varied threat of globalization, a phenomenon that will lead to cultural uniformity. At first (XX century) cultural uniformity occurred only at the continental level, we have heard such talk of European culture, the oriental and American culture.

The impressive contemporary transformation processes triggered by globalization can be fully understood only if read in a cultural key, only if analyzed from a cultural perspective. At the same time, these transformations modify the very structure of the cultural experience and affect the way we understand culture in the modern world. Globalization is the core of modern culture and cultural practices are the core of globalization. Globalization is a multi-dimensional phenomenon and culture can be regarded as a dimension of globalization.

The two concepts of globalization and respectively culture are closely interconnected. If we have in mind the cultural dimension of globalization we discover that globalization has a dialectic (two-way) character: globalization is not a uni-directional phenomenon within which events are determined and influenced by vast global structures; local cultural features and local intervention is also present in what is called globalization.

The relationship between globalization and culture is a very special one; it does not resemble the economic, political, social, etc aspects of globalization. While material exchanges tend to localize, political exchanges institutionalize, the cultural ones - which are symbolic exchanges – globalize. The result is that the globalization of the human society is conditioned by the extent to which cultural relationships have an effect in relation to economic and political arrangements. Political and economic processes tend to become global to the extent to which they are circumscribed to culture that is they are seen as symbolic processes. Due to their symbolic nature, cultural exchanges can occur anywhere and anytime as there are few constraints in terms of resources.

The cultural dimension of globalization is of the same importance as the political or economic aspects of globalization. The reasons of this importance are obvious: language, identity, life style are not abstractions but fundamental elements of our private and public existence. Where and how we live, who are those that influence us, why and how they influence us which are the vehicles of change in today's world, which are the values we believe in – all these are unavoidable questions for any reasoning inhabitant of the global village which our planet has become. In this context, one of the main issues raised by researchers is that of the existence, the emergence of a global culture.

To what extent the uniformization of the life style, the growing importance of the English language, the migration of the labour force, the imposing of technological and infrastructure standards allowing global interconnectivity ca determine, together, the emergence of a global culture?

We believe that at the level of the European Union globalization can be perceived in two different ways which do not exclude each other. On the one hand, the European Union can be perceived as a successful model of globalization. Culturally speaking it offers an original model of a space which has been trying to implement a common cultural legislation whose main purpose is to preserve cultural diversity, a space which has been trying to implement common linguistic guidelines while assuming and asserting the existence of 23 official languages. On the other hand, precisely due to regarding themselves as belonging to a mutual cultural space sharing main features, Europeans tend to resist globalization mainly conceived as Americanization.

Most Europeans believe that the European Union can protect them from the downsides of globalization - and they're right. Many Europeans decided to vote against the European constitution

draft which was in effect, a vote against globalization. While supporting European integration, these Europeans felt that the constitution did not sufficiently protect Europe and its workers against job losses due to globalization. This negative vote is just an example of what appears - on the surface, at least - to be a built-in European resistance to globalization. Whether in the form of populist political rhetoric, anti-globalization street protests, or the destruction of genetically-modified corn fields, this activity gives the impression of a continent determined to resist the integration of global markets and cultures.That impression, however, is wrong, or at least highly misleading. Many Europeans worry about globalization's effects on jobs, economic equality, European culture, or political independence vis-à-vis the United States. But the prominent anti-globalization movement is actually a small if vocal minority. In fact, a clear majority of Europeans accepts that increasing global economic, political, and cultural exchange can enrich their country and their lives. They believe that a strong European Union can help them take advantage of globalization's benefits while shielding them from its negative effects.

Howevere, globalization and economic liberalization bring greater challenges for Europe than for the United States. One reason is that the state plays a greater role in EU economies: State spending in the EU averages 48 percent of its Gross Domestic Product, compared with only around 36 percent in the United States; social expenditures average over 25 percent, compared with just 15 percent in the United States. Europeans are also more attached to equality and collective rights than are most Americans, who have a proud tradition of individualism. The problem is further complicated by relatively inflexible European labor markets. EU citizens are almost six times less likely than Americans to move from one region to another, and workers are less likely to accept wage or benefit cuts in order to preserve jobs threatened by trade. Finally, many Europeans fear that globalization - in the form of "Americanization" - will threaten their local culture.

The past 25 years certainly provide evidence of EU adaptation (versus resistance) to globalization. As late as 1980, the major European economies were still highly regulated, capital movements were restricted, and hundreds of non-tariff barriers prevented true economic integration even within the EU. Today, while much progress remains to be made, the internal EU market is complete, most industry has been privatized, and many state subsidies and obstacles to cross-border mergers and acquisitions have been removed. How does the EU play this role? First, by providing a large, single market, the EU allows its member states to take advantage of many of globalization's benefits among relatively like-minded countries at similar levels of economic development. Europeans find it easier to accept European integration than global integration because of their similar value systems and common commitment to generous social and environmental provisions.Second, Europeans count on the EU to protect them from the inequalities that globalization can create.

The generous provision of "structural funds" (aid to its poorest regions) and a social safety net make the Union safer for globalization. Third, by aggregating the separate member states' strength, the EU increases leverage in international negotiations - whether on trade, environment, food safety, international finance, foreign policy, or culture. None of the individual states could ever hope to stand up to the United States in any of these areas, but with economy and population comparable to the United States, the EU has increasingly done so.

Finally, Europeans turn to the EU to regulate certain sectors, such as agriculture or culture, that would be dramatically transformed by unregulated globalization. Without the EU's Common Agricultural Policy (CAP), for example, globalization would entail the destruction of much of European farming, especially small farms. From the standpoint of global efficiency and production, that would be a good thing. But Europeans (and not only the farmers) apparently would rather pay a significant price - including higher food prices - in order to maintain this aspect of their traditional culture. The EU will

eventually have to scale back its agricultural protection, but Europeans expect the EU to manage that process without causing the pain associated with living in an entirely unregulated world.

Many Europeans will, no doubt, continue to protest against globalization - and sometimes for good reason. Growing international interdependence challenges many basic aspects of traditionally European political and economic systems, threatens aspects of national cultures, and leaves the continent vulnerable to new and unprecedented hazards. But globalization also has many positives, including prosperity, development, and cultural diversity. Much of it, in any case, is inevitable. In the EU, Europeans have found a tool to help them manage these processes, taking advantage of their many benefits while protecting citizens from some of globalization's more negative effects. The EU remains a tool for managing globalization, but it is also an indispensable one. As far as the issue of linguistic globalization is concerned, it is given a deserved importance within the European Union. Linguistic globalization cannot be conceived without talking about the world-wide spread of English. In many member states of the European Union English has become (or is in the process of becoming) the most popular foreign language in terms of acquisition and in its use in many domains. Various sociolinguistic perspectives are adopted to account for how English has successfully consolidated its position as the chief language of interaction between speech communities that would not traditionally have employed it.

Although English is so widely used and nobody can deny its role as a globalizing factor and its role for global communication, Europe remains a privileged space of multi-culturalism and multi-linguism. It acknowledges the importance of language for preserving national identity and as a consequence, in Europe, linguistic globalization has come to have, in our opinion, a special and original form, that of interaction, of preservation of diversity, not of uniformization. Translations are an example of this special phenomenon.

The great importance given to the translation of communitary texts on the one hand, the cultural programmes created to support the translation of literary texts so that they could be accessible to the whole European space on the other hand contributed to the creation of what we could call a global cultural Europe.Globalization has created awareness of the variety increases the force of democracy, portraying an individual able to choose between more than possible alternatives. Also, this individual can defend handling, as has the possibility to identify. Globalization has a big role in our opinion, to annihilate the distance between cultures. The world becomes a single place, and we are all neighbors.We should never lose sight of a core truth, a truth of key importance – that first of all, before being an economic or a political whole, Europe is a cultural construction and while economically and politically Europe's age can be measured in decades, from the cultural point of view it is a centuries old reality.

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Organizational Culture Factors

that Can Influence Knowledge Transfer

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Abstract: The paper tries to establish the correlation that exists between the types of organizational culture and the factors that influence knowledge transfer. We started from the hypothesis that organizations which have high scores for cultural factors of openness to change and innovation as well as for task-oriented organizational growth will have the tendency of being favourable to knowledge transfer. Moreover, we started from the hypothesis that organizations that have high scores for bureaucracy and competition factors will have the tendency of being unfavourable to knowledge transfer. The research reached the conclusion that there seems to be a correlation between organizational culture and the factors that influence knowledge transfer.

Keywords: organizational culture; knowledge transfer; innovation; organizational growth

1 Introduction

Once with being aware of the importance of knowledge and education, organizations started to research the way in which they could increase organizational knowledge in order to achieve a strategic advantage. A special interest was given to knowledge transfer. There has been an increase in the interest given to the exploitation of knowledge transfer lately, as is offers a cheap alternative to the creation and codification of new knowledge. A practitioner said: "We used to say knowledge is power. Now we say that sharing it is power". The increasing share of knowledge can create the benefits of increasing organizational knowledge, without needing the energy and costs associated with the creation, codification or acquisition of additional knowledge. The increase in the quantity of knowledge transferred within an organization has the potential of saving the organization's funds, offering it, at the same time, a better position in order to deal with the future challenges; however, the organizational culture is a powerful force – one that can impede the implementation of knowledge management in an organization. Specifically, the organizational culture can affect the organization's ability to transfer knowledge, as that culture may encourage individuals either to be reluctant to search for and receive knowledge or to be reluctant to transfer the knowledge they possess. To the extent to which this statement is true, it is important for us to know what types of organizational cultures support knowledge transfer. In order to study this matter, the study aims to establish whether there is a correlation between the types of organizational culture and the factors influencing knowledge transfer.

2 The Factors Influencing Knowledge Transfer

In philosophy, the study of knowledge has its own name, epistemology. In epistemology, the traditionally accepted definition is that knowledge represents a justified true belief. According to more recent literature, knowledge is not information, nor is it data, but it is made of both categories. Data is, generally, defined as facts, devoid of structure or context, or free of the previously existing structure and context. Information is, generally, defined as data endowed with meaningful structures. Knowledge, on the other hand, represents information endowed with context. Therefore, knowledge, although consisting in data or information, is something more. Additionally, many definitions of knowledge add that it has to exist in the mind of a human being. In other words, whereas a computer can store and transmit data as well as information, only a human being can store and transmit knowledge. Another point of view on knowledge divides it into explicit and tacit. Explicit knowledge is knowledge that can be explained, whereas tacit knowledge cannot be explained. Knowledge can be explicit, tacit or a combination of the two types. Moreover, knowledge can become more explicit or more tacit as a person learns or is better able to utter what he thinks.

Finally, it is useful to understand the personal nature of knowledge. All knowledge is inertly personal, all knowledge having a tacit component when it is inside a person's mind. Therefore, when knowledge is transferred from one person to another it changes, in the sense that the other person has to interpret the knowledge in the context of his or her own person. Under these circumstances, one can state that the traditional philosophical definition of knowledge, as justified true belief, becomes irrelevant in practice because knowledge means different things to different people. Thus, a revised definition is necessary: knowledge is a dynamic human process of justifying personal belief towards the truth. There are three main components of knowledge management: knowledge creation, knowledge codification and coordination and knowledge transfer. Although knowledge transfer is just one of the three aspects of knowledge management, it is an extremely important one, as the widespread use of information that is already to be found within the organization can represent a very profitable use of resources. One of the phenomena related to knowledge is that, unlike material assets, which decrease as they are used, knowledge assets increase as they are used: ideas breed new ideas, and shared knowledge remains to the one offering it, but at the same time enriching the one who receives it. Therefore, knowledge transfer is a corollary of knowledge creation. Once knowledge is created, it behaves as an economy of scale when it is shared – on the one hand, because it can be used at the same time by various people, and on the other hand because shared knowledge stimulates the creation of new knowledge. Moreover, knowledge transfer seems to be reducing the overall organizational costs by preventing the fact that a second group of individuals repeating the mistakes of a first group of individuals. In fact, it seems that intensive knowledge transfer is as important as knowledge creation – maybe even more important, if we take into consideration the overall organizational costs

Four factors that seem to influence knowledge transfer have been discovered. These include: relational channels, partner similarity, organizational self-knowledge and divergence of interests. The quality of transferred knowledge (tacit or explicit) affects knowledge transfer. Specifically, the more tacit the knowledge, the more difficult it will be to transfer this knowledge. However, if all knowledge has a tacit component, then in order to transfer knowledge effectively, a sort of relational channel is necessary, defined broadly as a two-way individual to individual contact.An organization with many relational channels for knowledge transfer may expect more knowledge to be transferred than an organization which has fewer such channels. Relational channels provide the individual to individual connection necessary to support transfer of tacit knowledge. In this case, more relational channels will represent more and varied sources of shared information. For this reason, an organization which

promotes many relational channels for knowledge transfer can be considered a fertile organization in terms of knowledge transfer.

We can imagine that, similar to the tacit - explicit continuum, the complexity of knowledge that will be transferred influences the transfer. In fact, it is more likely that the similarity of individuals who make the transfer will influence the transfer. A recent study showed that partner similarity is a strong predictor of knowledge transfer between organizations – especially strategic similarity.An organization with many similar partners can expect more knowledge to be transferred than an organization which has fewer similar partners, because the first one reduces the complexity of achieving the understanding of the complex concepts. In an organization where all members have a similar training, level of education and experience, it is more likely that its members will understand a mission in the same way and share a strategic similarity. Strategic similarity among all members of an organization will reduce barriers to sharing and it will thus increase knowledge transfer. For these reasons, an organization which encourages attracting similar partners, strategic allies can be considered an organization favourable to knowledge transfer. The concept of organizational self-knowledge refers to the extent to which individuals are aware of what they know, as individuals, and what those around them know. This concept is a key premise for knowledge transfer, because without self-knowledge, it is very likely that the knowledge sender and receiver will never meet to make a transfer. An organization whose members possess organizational self-knowledge may expect more knowledge to be transferred than an organization whose members possess little organizational self-knowledge. Their shared understanding of what each of them knows and of what the others know facilitates the connections necessary for knowledge transfer. For this reason, an organization that encourages its members to keep and increase the level of organizational self-knowledge can be considered a fertile organization in terms of knowledge transfer.It is clear that any dysfunction on behalf of the knowledge sender or receiver in terms of the intention to transfer knowledge will impede the emergence of a knowledge transfer. It has been established that individuals' interests and those of the organization have the tendency of being divergent. Based on this reasoning, it is possible that the divergence of interests might have the tendency of inhibiting knowledge transfer.

An organization where the members' interests are divergent may expect less knowledge to be transferred than an organization whose members have convergent interests. A divergence of interest seems to increase the probability of common interest behaviours, to the detriment of the general organizational performance – because individuals either do not understand the way in which organizational performance brings them advantages or they do not care. For these reasons, an organization that does not encourage its members to acknowledge and to compensate for the costs of knowledge transfer can be considered an unfavourable organization to knowledge transfer. From an organizational point of view, the collective values and beliefs of the individual members of that organization represent what we call organizational culture. This is a pattern of basic assumptions belonging to the people in the organization, which is used for approaching adaptation and integration issues. A number of factors related to organizational culture have been identified. Four of these factors can be considered as types of organizational culture. The types of culture open to change/innovation contain the following concepts: humanist orientation, affiliation, achievement, self-updating, support in task accomplishment, innovation in task accomplishment, participative management. An organization that gets high scores on this factor can be considered friendly and open to change.

The types of organizational culture oriented towards task accomplishment include the following concepts: being the best, innovation, attention to details, quality orientation, profit orientation and shared philosophy. An organization that gets high scores on this factor can be considered task

oriented, as opposed to people oriented. The types of bureaucratic culture include the following concepts: approval, conventionalism, dependence, avoidance and lack of personal freedom. It is a formal culture with centralized decision making. An organization that gets high scores on this factor can be considered conservative or defensive. The types of competitive organizational culture contain the following concepts: oppositional orientation, power, competition and perfectionism. It is a culture in which perfectionism is the goal, and where individuals may have the tendency of reacting negatively to the ideas of others and/or being reluctant to new ideas. An organization that gets high scores on this factor can be considered a perfectionist organization. In a negative way of putting things, this organization can be named a dog eat dog organization. Having explored the organizational culture, the issue that arises is what particular types of organizational culture can be identified as favourable or unfavourable in terms of knowledge transfer.

Based on the factors that affect knowledge transfer and the types of organizational culture mentioned above, we can issue hypotheses on the fertility of knowledge transfer for each type of organizational culture. We will try to analyse each of the four types of organizational culture in terms of the probability that this supports each of the identified factors that affect knowledge transfer. An organizational culture that is open to change, innovation and achievement seems to be one where more relational channels are likely to exist, because this will support and promote human to human communication that creates relational channels. It will probably present also partner similarity, leading to reduced frictions in knowledge transfer. Such an organization will also probably present organizational self-knowledge, which will support the search and identification of those who possess knowledge worthy of being shared. Finally, such an organization is likely to have few divergences of interest, as openness and communication will probably promote the type of communication that leads to shared understanding and, therefore, to common goals. Such an organization is probably fertile for knowledge transfer. An organizational culture that seems interested in being the best and being innovative seems to be one that supports open relational channels, as a way of achieving excellence and innovation goals. Due to this fact, it is also likely to have partner similarities in the important field of shared goals and interests. Such an organization will probably promote organizational self-knowledge as a way of assuring a large understanding of the ways in which organizational excellence and innovation goals can be achieved. In the broad field of organizational goals, it is likely to have few divergences of interests; as such divergences will probably act against achieving the organizational goals. An organizational culture that is oriented towards task accomplishment can be considered, in this way, a fertile organizational culture in terms of knowledge transfer. An organizational culture that is bureaucratic seems to be one in which relational channels are not well developed. The wish for conventionalism and originality avoidance will act against the establishment of such channels. It may present little partner similarity, particularly in the important field of developing tacit knowledge. This development would act against conformity and lack of points of view organizational structure. Due to the fact that the focus is on conformity and following rules, there will be little support for development of organizational self-knowledge. Finally, there would probably be many divergences of interests, because personal interests would not play an important role in the organization's operations. Therefore, personal interests would be less important, and so there would be fewer reasons for communion to exist. Thus, such an organization will probably be relatively infertile in terms of knowledge transfer.

An organizational culture that is marked by competition and confrontation seems to be one where relational channels will be limited and protected, in order to protect individuals within the organization from the negative effects of competition and perfectionism. The partner similarity and organizational

self-knowledge will also be reduced for the same reason. Due to the need of such an organization to protect against the confrontational approach, there will be a lower development of the type of communication that develops partner similarity and organizational self-knowledge. In such an organizational culture, divergences of interests will probably be numerous, since each member of the organization will aim to achieve his personal goals within a competitive, perfectionist organization. Therefore, such an organizational culture will probably be infertile in terms of knowledge transfer.

Based on the discussions referring to the factors that affect knowledge transfer and the types of organizational culture we can create the following hypotheses:

1. Organizations that have an organizational culture with "openness to change/innovation" will have:

a) more relational channels;
b) higher partner similarity;
c) more organizational self-knowledge;
d) less divergences of interests than those that do not have an organizational culture with "openness to change/innovation".

2. Organizations that have an organizational culture of "organizational growth oriented towards task accomplishment" will have:

a) more relational channels;
b) higher partner similarity;
c) more organizational self-knowledge;
d) less divergences of interest than those that do not have an organizational culture of organizational growth oriented towards task accomplishment.

3. Organizations that have a "bureaucratic" organizational culture will have:

a) fewer relational channels;
b) lower partner similarity;
c) less organizational self-knowledge;
d) more divergences of interest than those that do not have a "bureaucratic" organizational culture.

4. Organizations that have a "competitive/confrontational" organizational culture will have:

a) fewer relational channels;
b) lower partner similarity;
c) less organizational self-knowledge;
d) more divergences of interest than those that do not have a competitive/confrontational organizational culture.

The research method was the cross-sectional questionnaire in order to measure the correlation between the four types of organizational culture taken into consideration in this research and the factors influencing knowledge transfer. In order to identify the four indicators of knowledge transfer, we used the indicators' description from the specialist literature. The initial questionnaire was made up of 90 items, using a five-point Likert scale. The five-point scale was chosen so as to keep the questionnaire in accordance with the FOCUS questionnaire, which uses a five-point Likert scale. The 90 items were randomly ordered to reduce any interaction between similar questions – reducing the respondent's ability to guess the expected answers based on the previous questions.

3 Results

The results we got reached the level of the confidence threshold. As it was assumed, hypothesis 1 (openness to change/innovation) and hypothesis 2 (organizational growth oriented towards task accomplishment) were strongly supported for relational channels and organizational self-knowledge and negatively for divergence of interests. Hypothesis 2 was supported for partner similarity, even though hypothesis 1 was not. Hypothesis 3 (bureaucracy) was not supported by any of the factors. Hypothesis 4 (competition/confrontation) was negatively supported for relational channels and positively for divergence of interests, but not for partner similarity. Although organizational self-knowledge, the result was close enough to suggest that this relationship needs to be exploited in more detail. After concluding this research, the answer to the study's question "is there a correlation between the types of organizational culture and the factors influencing knowledge transfer?" seems to be yes, there is a correlation between some types of organizational culture and some factors influencing knowledge transfer. After a correlation has been established between the types of organizational culture and the factors influencing knowledge transfer, this research suggests a research direction for the researchers who are interested in the interaction between organizational culture and other variables. It also establishes the basis for practitioners interested in the ways of increasing knowledge transfer in their organizations. Since constructs of organizational culture and knowledge transfer seem to be correlated, the trainee may try to measure one of the two constructs, and then to make calculated deductions on the state of the other construct in his organization. This method may reduce the time and costs of measuring these constructs, when the implementation of projects on knowledge management is wanted. This research seems to offer support to the warning of some trainees that organizational learning is a long term activity that will be a competitive advantage during time and one that requires attention, dedication and the management's constant effort. In other words, if there is a relationship between organizational culture and knowledge transfer, there cannot be rapid solutions for an organization which does not have a fertile culture for knowledge transfer. Although there is not a direct causal relationship between knowledge transfer and the organizational culture, one can argue that the change effort of management, aimed at changing the organizational culture, is a good start – with potential benefits in the field of knowledge transfer. Until the existence of such a causal relationship is proved, one can state that this is the best place to start.

However, organizational culture is sometimes difficult to manage and for this reason it is frequently neglected or not understood. Taking into consideration the long term consequences of the failure to properly manage an organizational culture, it is recommended to try this thing; however, any attempt to manage the organizational culture must begin with the management's entire dedication to spend time and effort in order to understand it. The problem of top management is not choosing the correct basic assumptions, but indentifying those which will promote successful organizational performance.

4 Conclusions

The study indicated the fact that there is a correlation between some types of organizational culture and some of the factors influencing knowledge transfer. The openness to change/innovation seems to have a positive relationship with relational channels and organizational self-knowledge and a negative one with divergence of interest. Organizational growth oriented towards task accomplishment seems to have a positive relationship with relational channels and self-organizational knowledge and a negative one with divergence of interests. Bureaucracy does not manifest any significant relationship with any of the four factors that may influence knowledge transfer. Finally, competition/confrontation

manifests a negative relationship with relational channels and possibly with organizational self-knowledge and a positive relationship with divergence of interests. On the one hand, this research seems to confirm what researchers and practitioners have stated about the importance of the fact of taking into consideration organizational culture when projects of knowledge management are implemented. On the other hand, the research asks new questions, such as: if organizational culture and knowledge transfer are related, what can a manager do to assure that organizational culture is taken into consideration when he suggests a knowledge management project? The answer to this question can turn out as important for both researchers and practitioners. A limitation of the correlation research is that it cannot prove causality. In this sense, although there seems to be a correlation between the types of organizational culture and the indicators of knowledge transfer, there are no empirical proofs to prove the fact that indicators of knowledge transfer anticipate in reality a significant level of knowledge transfer. Only future confirmation research can attempt to prove this essential connection between theory and reality.

This research suggests some fields for future research. First of all, a subsequent study could research the behaviours of the two constructs of organizational culture and knowledge transfer in a longitudinal study, in order to establish a precedent for the way of interpreting the correlation proved in this research, applied to a real organization. Secondly, a subsequent study can explore the two constructs of organizational culture and knowledge transfer in a qualitative study, in order to confirm the relationship between the measured constructs and the constructs of interest, on which a hypothesis was issued in this study. Such a study could review the constructs of bureaucracy and competition/confrontation in order to establish a clearer view of their correlations with knowledge transfer and it could also search a corresponding relationship between organizational culture and the construct of partner similarity.

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Migration and Economic Integration.

Romanian Immigrant Workers in Germany

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Abstract: Migration as factor mobility and migrants as a factor of production are of paramount importance in economics. Scientists, politicians and the general public are dealing with the issue of how immigrants fare in the host country especially in terms of their labor force participation and remmuneration. This article describes recent economic and ethnic diversity caused by international labor migration and their economic integration possibilities. It provides an analysis in understanding the ethnic identities, interaction, attitudes towards immigrants and the natives. While some immigrant groups are economically assimilated, most do not. In this paper I explore how immigrants identify with the culture of their home and received countries and if they have the right attitudes about natives. This article aims at drawing conclusions about implications of ethnic identity and multicultural attitudes for economic performance. Finally, the paper deals with economical and social-cultural integration of Romanian immigrant workers in Germany.

Keywords: cultural economics; ethnic identity; migrant integration; work

1. Introduction

Recent developments moved the issue of international migration into the policy agenda in many countries. There is a need for more in-depth consideration of integration policies and outcomes at national level. Migration can nevertheless play an important role in alleviating the adverse consequences of ageing populations together with other policies. Migrants are an integral part of the human development in a country and migration seen as factor of mobility and migrants as a factor of production is of paramount importantance. The growth of the immigrant population in many countries and resistance of natives to their concerns lead to many problems in their integration process. So the process of integartion has to face problems in the economic, social, cultural and political sphere not only at national level but also international. Policymakers are deeply interested in finding the best concept for solving the problems of international migration.

The subject how immigrants progress in the host countries in terms of their work and remuneration is significant because immigrants are always compared to natives. They are considered economically assimilated when they fare as well as natives. Interesting to notice is the fact if immigrants socialize and mix with the native or they create parallel societies. This paper deals with the issue of how immigrants fare in the host country in terms of economic integration possibilities. This is of paramount importance today in the European Union, where free movement of workes is a fundamental right in the EU (for Romania and Bulgaria in 2014). Even if Germany has insisted on continuing restrictions on workers, romanians are on the second place in statistics on seasonal work after polish workers.

2. Economic Integration of Migrants

The concept of "integration" is on one side the notion of economic and social convergence between the immigrant and native population regarding a number of statistical indicators such es unemployment rate, average earnings, educational achievement, participation in community organisations that implies any abandonment of home culture and beliefs, and on the other side the notion of integration as assimilation, that is acceptance of/ or behaviour in accordance with host country values and beliefs, including similarity of economic and social outcomes (OECD, 2007). Integration into the labour market means that overtime, step by step, immigrants tend to show the same range of labour market outcomes as the natives. Economic migrants are individuals who leave their country and in many case family to go to a new county for a job and other economic opportunities to better lives and their family lives (also known as foreign-born population). Economic integration into the labour market is not social integration, but is considered to be an important stept for immigrants as citizens in the host country and sustain the migration policy over the long term. Moreover, labour market integration is probably the most important thing that can be done to contribute to the integration of immigrants. The economic framework for analyse labour market integration issues was formulated by Chiswick. According to Chiswick hypothesis the earnings of immigrants are significantly lower than those of natives with the same economic and social characteristics. Most obvious element of country-specific human capital is knowledge of the natives language, but also incudes knowledge of cultural norms and behaviours, organisational structure and function. According to Chiswick theory, as immigrants gain information about the functioning of the new labour market and invest in human capital in the new country, can be seen an increase of their earnings so that they can reach the earnings of natives. The economic assimilation is achieved when the catching up of earnings occurs, meaning that immigrants and natives are identical in terms of their wages. But in practice, this model of human capital aquisition and reward for immigrants may not operate as in theory, because a number of factors affect labour market performance, such as age, educational attainment, labour force experience, sector and occupation, but also the economic downturn.

Many researchers explain the wage gap between immigrants and natives by considering labor market performance as a function of when an individual came, and not a function of the duration of residence. So in Germany, immigrants who arrived during the mid 1960s until the first economic recession should fare better than more recent immigrants, this shows that the business cycle of the host country plays an important role in the assimilation process. Moreover, the earnings of the self-employed immigrants are higher than those of immigrants in the paid employment sector. However, immigrants suffer a strong earnings penalty if they feel discriminated against (discrimination is not an insignificant impediment to employment in Germany) while they receive a premium if they are german educated. Employers do not seem to trust much in foreign educational qualifications and work experience, but the recognition of qualifications as equivalent to german ones appers to convey benefits.

3. Immigration in Germany

It is important to stress the german immigration history in order to understand the current situation of the labour market integration. After the Second World War until 1973 Germany recruited low-skilled foreign labour. It was the time of the so-called "Gastarbeiter"(en. guestworker) when many immigrants were joined by their families. After fall of the Iron Curtain in 1989 Germany received massive

immigrants from Eastern Europe, which was not only legal, fact that made Germany a country which has received the largest inflows of immigrants in Europe (until 2009 Spain was the first one). German statistic destinguish along nationality lines, but there is a clear need of assessment based on country of birth[1].

A large number of governmental and non-governmental actors are involved from the EU to the Federal and local level to find solutions on integration issue. Under the new Immigration Act from 2005 there is in force an uniform programme for all immigrants that focuses on language training. Reserchears fear that language training in Germany may not be effective as a means of labour market integration. In addition to language training, a multitude of projects are developed in order to succed in the integration process.

In an European comparison Germany remains an inportant destination country for immigrants. Migration situation in Germany has been marked for years by immigration from other European countries. In 2009 came almost 3/4 of immigrants (71,6%) from Europe, 20,4% from the old European Union member states (EU 14) and 36,4% from the 12 neu EU states.
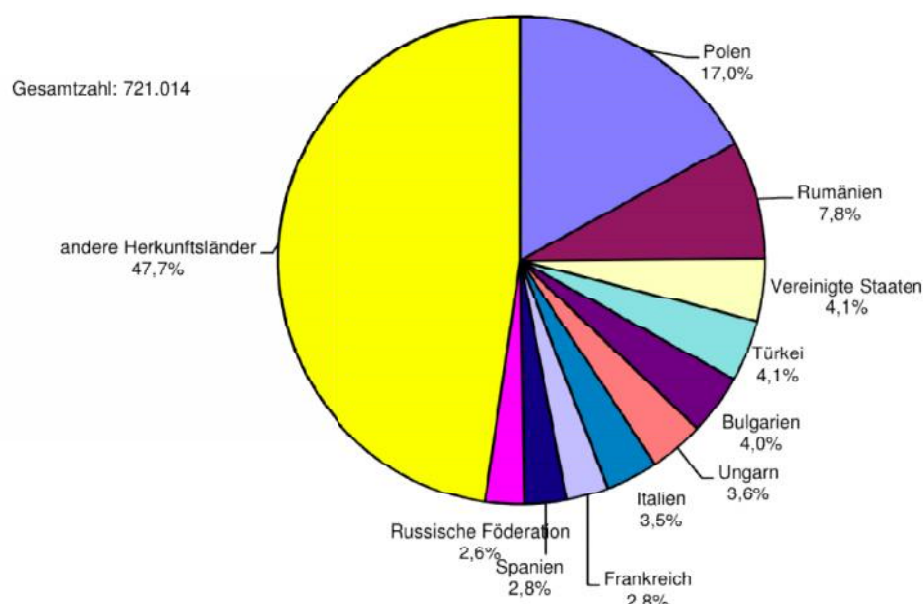

Figure 1. Immigrants in Germany by origin in 2009

Source: Statistisches Bundesamt

As it we can see in the picture above, quantitativ is Romania the second most important country of origin, in 2009 with 7,8% of migration (2008: 7,0%) with about 56.000 registered inflows to Germany. It was the third year after accession to EU a further rise in inflows from Romania reported (+ 18,4 % compared to last year). Other main countries were Bulgaria (4,0%) and Hungary (3,6%).

4. Romanian Workers in Germany

It is often said that immigrants are needed to do jobs natives will not do, native workers will not do the

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[1] the new migration Law moves away from the distinction between ethnic migrants and foreigners. In a recent study, the Federal Office for Migration and Refugees calls for more statistics on foreign-born (OECD)

three "D" jobs - the dirty, dangerous and difficult jobs (Chiswick, 2006).

In the field of labor migration in Germany has been recorded a slight decline of skilled workers from third countries due to economic crisis. The number of foreign IT Romanian workers who came to Germany has declined. Contrary to this trend was the group of seasonal workers that reported a continuous rise. It should be noted that Polish seasonal workers still make the largest group but their number decline since 2004. It contrast to this, the number of Romanian sesonal workers has almost tenfold in the last 10 years.

Regarding EU internal migration was noticed that Romanian and bulgarian workers continue to be a significant group of immigrants, in many cases, officially this is the case of a temporary stay. In the case of Romania, the number of inflows since joining the EU in 2007 has more than doubled, it was recorded a clear migration, fact that can be seen in the picture below.
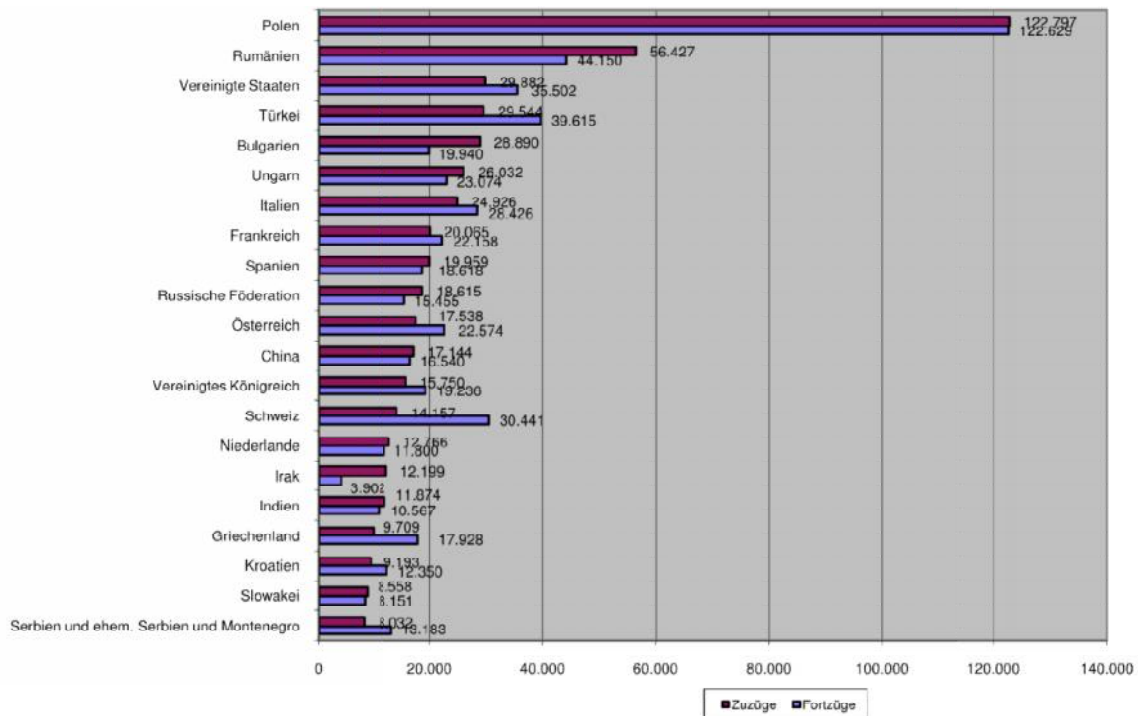

Figure 2. Migration flow by country of origin (2009)

Source: Statistisches Bundesamt

Important migration inflow in 2009 from Romania and Bulgaria increased strongly since EU enlargement (+12.277 registered in 2009 compared to +2989 in 2006, the year before accession).
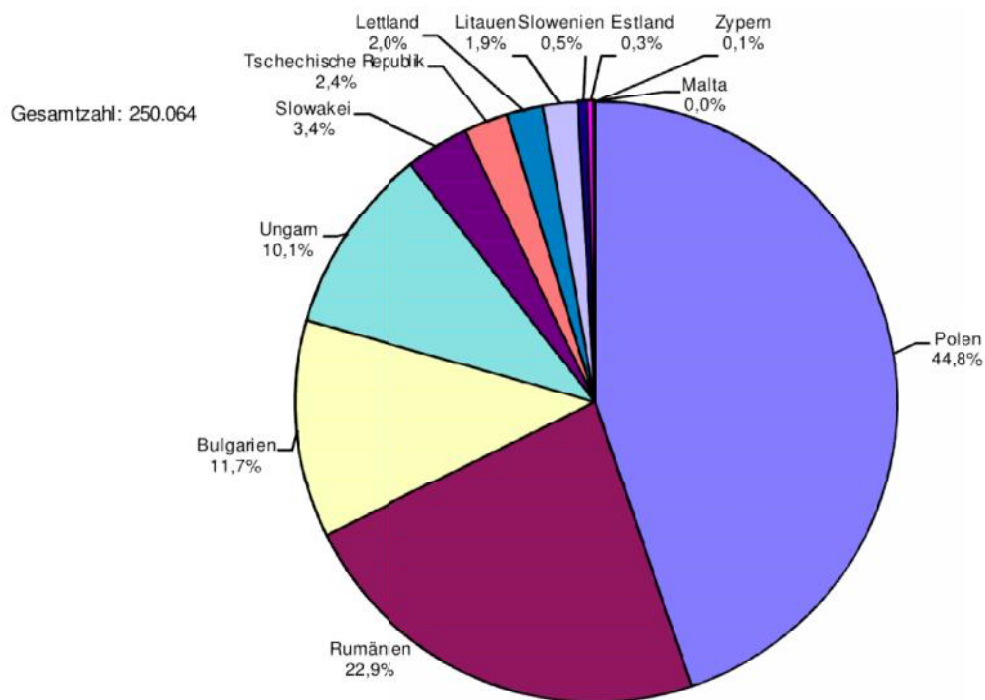
Figure 3. Immigrants in Germany from new EU members (EU-12) in 2009

Source: Statistisches Bundesamt

In 2009, according to the Federal Employment Agency around 90.000 work permits were issued to workers from new EU countries (excuding seasonal workers, assitants, helpers and contract workers), mainly to Polish EU citizens (45%) and Romanian citizens (23,5%). While the number of Polish workers since 2007 is declining, the number of Romanian ones increases (2008:21,3%). Also, the number of Romanian seasonal workers increases significant, it has almost sevenfold (about 31,7% from all sesonal workers in Germany).

Even if quantitative the number of seasonal workers continuously increase, their work conditions became worse. In the study on Romanian workers in agriculture I recorded an overworking of them, a clear exploitation. Even if they have work contracts with the german employers, the contracts are not respected. A simple example: in contract is 5Euro/hour set, but in fact that receive in the best case 3 Euro. Also the living conditions and food are far from the lowest sanitary standards. They sleep on dirty beds (if you can all this bed), a lot of people in one room with one shower for 100 people and receive a clear food for more that 7 hours work in agriculture. There is no Sunday, no Holiday, and the only rule is "if you don't subdue, you go". The seasonal workers must do this because they have a place to work, what they don't have in Romania. This is their point of view, better a place to work than no place to work.

5. Conclusions

This paper outlines the importance of economic integration of labor migrants in time of global economic crisis, and the case of Romanian workers in Germany, one of the most important group of seasonal workers. Migration is considered one of the defining global issues of the early twenty-first century, about 3% of the global population lives outside their place of birth. Research is needed to better unterstand and empirically validate potential use of human capital in the economy.
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Globalization and demographic changes leads to a higher level of permanent and temporary migration around the world, the movement of people will become more significant. Germany (and many other countries) is faced with an increasing lack of skilled workers and a growing tendency of unemployment among the low-skilled. Educational policy will not be the central political objective for the future, but recruitmet of high-skilled workers from international but especially european labor market, being known the fact that skilled labor increase well-being and reduce inequality. Germany has gone from neglecting the need for an integration policy to admit the beneficial contribution of immigrants to the economy and the society.

To avoid further economic decline, risk aversion and from this the negative attitudes toward immigration, European labor market require development of projects on this issue.

The case of Romanian sesonal workers in Germany point out how strong the migration flow can be in case of weak economies in Eastern states of the European Union. The question is, what can be done to minimize the economic disparities between developing and developed countries inside the EU and so to manage better the transnational migration.

Practitioners and policy makers need to develop a comprehensive undestanding of the multi-dimensional phenomenon of migration in order to manage it effectively. Also a comprehensive approach is required to deal with the migration pressure and this includes projects and programmes, more than this cooperation between governments to success in management of international migration.

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THE 6TH EDITION OF THE INTERNATIONAL CONFERENCE
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REALITIES AND PERSPECTIVES

From the "Fortress Europe" to a Democratic Confederation: Romanian Visions on the European Construction during the World War II[*]

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Abstract: The end of the First World War, with its dramatic changes, opens up the way for a fresh thing as regards Europe. From now on we will be dealing with a thinking balancing between two extremes. On one hand we will have the idea of a Confederation, a union of equals, free and democratic states. On the other side there is the vision of a united Europe under a totalitarian regime, a continent whose frontiers are gone due to the brute force of a totalitarian regime. The start of the Second World War will first favor the Nazis totalitarian ideas on the future of Europe. We will have then a united Europe under the German rule, with a dominant master race. On the opposite side the democratic speech on Europe tends to continue the Inter-war ideals. The Romanian thinkers are also influenced by the European ideas. If in the beginning their speech was influenced by the totalitarian influence, later on, as the tide of war changes they will go toward a more democratic version of the European construction. Europe must be united, the states must be equals and every European coordination mechanism must take into consideration the national sovereignty.

Keywords: democracy; european unity; totalitarian regimes

Le présent ouvrage fait partie d'une série d'études et de débats contemporains qui traitent la vie intellectuelle et politique de la Grande Roumanie, dans le contexte plus large de l'histoire européenne des idées. J'envisage de traiter ici l'historique des idées politiques, telles qu'elles étaient reflétées dans la Roumanie d'entre-deux-guerres. On a affaire à une pensée marquée au début par l'influence totalitaire, pour que le discours change ensuite vers une version plus démocratique de l'organisation européenne. La nouveauté de la recherche consiste dans l'analyse de la documentation historique existante (articles de presse, cours universitaires, analyses gouvernementales etc.). Cette méthode d'analyse me permet la reconstitution chronologique et la filiation des idées européennes dans la conscience politique et sociale roumaine pendant la période de la Deuxième Guerre Mondiale. Elles sont synchrones avec le mouvement des idées dans le reste de l'Europe, en s'encadrant dans le schéma général du trajet intellectuel de l'époque.

C'est une analyse historique et conceptuelle courante dans l'espace académique occidental, riche d'une littérature de spécialité de très bonne qualité, avec des ouvrages tels *The History of the Idea of Europe*, (1995) par Kevin WILSON et Jan van der DUSSEN. Chez nous on peut mentionner des ouvrages portant sur la période d'entre-deux-guerres comme l'ouvrage de Simion COSTEA Romania si Proiectul Briand de Uniunea Europeana, (2004).

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[*] Le présent ouvrage est fondé en partie et représente une version révisée d'une partie de l'ouvrage *Ideea de Europa în România interbelică. Idea of Europe in Inter-war Romania* de Mihai Sebe paru en novembre 2010 dans la collection Working Papers Series, de l'Institut Européen de Roumanie.

L'analyse tient compte du contexte politique extrêmement difficile et du fait que ces articles, conférences et ouvrages reflètent les prémisses intellectuelles et idéologiques de l'époque ainsi que les solutions politiques envisagées par rapport au « problème européen ». La méthodologie utilisée dans cet ouvrage est liée à la nature du sujet choisi, dans le sens où la recherche à comme sujet principal, mais pas unique, l'activité de presse de la période. Dans ces conditions la principale méthode de recherche consiste dans l'étude des publications de l'époque. La combinaison et la comparaison, en partant des articles, conférences publiques et finissant avec des travaux de spécialités a comme but d'éliminer les éventuels erreurs d'interprétation et de catalogage afin d'obtenir une meilleure représentation de ce qu'on a publiée. Par cette méthode je veux isoler et particulariser les diverses catégories de sources (articles, documents d'archive etc.). On envisage ainsi de connecter et de corréler les opinions roumaines aux autres évolutions de l'Europe de l'époque.

La fin de la Première Guerre Mondiale a ouvert la voie vers une reflection approfondie sur l'idée de l'Europe et l'unification du continent. Les analyses théoriques ainsi que l'évolution historique indiquaient deux solutions possibles:

a) l'union de l'Europe dans une sorte de confédération des États libres et égaux;

b) l'union de l'Europe par force, sous la domination d'un Empire qui a l'hégémonie en Europe.

On avait ainsi d'un côté le plan nazi de l'union de l'Europe dont le point de départ est représenté par les concepts de *race* et *peuple.* Seulement les peuples de la race supérieure peuvent construire un État, les autres en sont incapables. L'espace européen serait sous l'influence de quatre grands pouvoirs européens: l'Allemagne, l'Angleterre, la France et l'Italie, chacun avec son rôle spécifique, l'Allemagne ayant le rôle dominant du point de vue économique

L'économie devait devenir autarchique, avec une division du travail entre les États industrialisés et les États agraires, une monopolisation du commerce par l'Allemagne et avec la subordination des pays agraires de l'Europe Centrale et Orientale à l'industrie allemande.

Jacques de Launay synthétise très bien les idées d'organisation d'après guerre d'Adolf Hitler : « Au centre de l'Europe, le Grand Reich Allemand. Autour de lui, les peuples amis avec une autonomie limitée (les scandinaves, les hollandais, la population des Pays Baltes) et satellites (italiens, français et espagnols). A l'est, un destin très différent attendait les croates, les roumains, les hongrois et les grecs, aussi des peuples satellites ; de l'autre côté, les juifs, race inférieure, condamnée à l'extermination, et les slaves, peuple inférieur, qui doit être réduit au minimum » (DeLaunay, 1988, p. 232).

A ce plan totalitaire, s'opposent de l'autre côté les plans d'organisation européenne de la Résistance antifasciste. Le mouvement de la Résistance a, à son tour, proposé de solutions alternatives aux projets totalitaires d'organisation du continent. La réorganisation continentale envisageait d'éliminer les dangers d'un retour au totalitarisme et la possibilité d'une nouvelle guerre mondiale:

➢ on discutait la possibilité d'une union volontaire des peuples du continent dans une fédération démocratique

➢ les problèmes de la guerre et de la paix, les questions militaires et économiques devraient être dans la responsabilité des organismes sur nationaux

➢ la fédération européenne devrait devenir une partie composante d'une organisation mondiale destinée à assurer la paix

Le cas roumain

La Roumanie proclame sa neutralité au début de la Deuxième Guerre Mondiale Cela s'avère inutile care pendant l'année 1940 le pays est affaibli par des pertes territoriales massives en faveur de ses voisins. Suite à ces pertes le roi Carol II est forcé d'abdiquer et le trône revient à son fils Mihai.

Le pouvoir effectif est détenu quand même par le général et ensuite le maréchal Ion Antonescu qui instaure une dictature militaire définie comme un « Etat national totalitaire » caractérisé par le culte de la nation et de la collectivité et marqué par l'antisémitisme. « Le régime institué par Antonescu ne peut pas être caractérisé comme fasciste. Une description plus exacte serait celle de dictature militaire […] cela était dépourvue d'une idéologie, n'était pas soutenue par un parti de masse » (Barbulescu et al., 2005, p. 383). Le régime sera marqué en revanche par une politique antisémite intense, la population juive de la Bessarabie et Bucovine et pas seulement, après leur récupération de l'URSS, étant soumise à un régime d'extermination. On estime ainsi un nombre total entre 280 000 – 380 000 Juifs morts en Roumanie et dans les territoires sous le contrôle roumain (Wiesel et al, 2004, pp. 387-388).

L'alliance avec l'Allemagne nazie ainsi que le cours de la guerre vont influencer les reflections roumaines portant sur l'idée européenne et ses évolutions futures. Un ouvrage de référence reste celui de Georges Cumpănaşu, *Conditions de la Communauté Économique Européenne*, paru pour la première fois en 1943 au sein de la revue *Economia Română*. Afin de comprendre l'évolution future il faut tout d'abord réaliser que l'Europe traverse une crise profonde avec des racines historiques : « Pour pouvoir nous expliquer la crise déclanchée en 1939, il est nécessaire de jeter un regard en arrière bien avant 1919, bien avant 1871 et 1815, bien avant même 1789 » (Cumpanasu, 1944, p. 33).

On a à faire à une pensée politique fondée sur la menace et le danger, l'Europe devant faire face à de nouveaux centres de pouvoir comme l'Asie et l'URSS, qui s'ajoutent à la grande Bretagne et aux Etats-Unis. Pour résister il faut créer une Communauté Economique Européenne. La Communauté Européenne est tout d'abord une unité de l'esprit, qui la particularise à travers le monde: « L'Europe doit être investie d'une formule spirituelle qui précise sa position dans le monde » (Cumpanasu, 1944, p. 41), une telle formule peut être représentée par la foie chrétienne. La condition sine qua non de l'unité spirituelle est constituée par la libre circulation des idées, à laquelle s'ajoute une politique sociale adéquate: « Pour que les idées puissent circuler, il faut commencer par redresser le niveau de vie des peuples et des masses ouvrières» (Cumpanasu, 1944, p. 43). D'ailleurs l'Europe est la proie du beaucoup d'autres dangers tels que l'on peut identifier dans l'ouvrage de George Sofronie *Contribuţiuni juridico-diplomatice la „problema Europei"* paru en 1943. Il en identifie outre la crise économique la crise démographique. Selon lui l'Europe est la victime d'une crise profonde qui aboutira à la réduction du nombre de la population en faveur des autres continents (Sofronie, 1943).

Avant la guerre, l'espace européen était désorganisé, la Société des Nations était inefficace. Afin de créer une telle communauté il faut modifier le droit international public et privé selon des principes comme s'en suit:

« a) quels que soient le chiffre de leur population ; leur force et leur superficie ; tous les pays sont égaux devant la loi internationale et dans le cadre de l'organisation de la communauté européenne

b) le principe ethnique comme base de l'organisation de l'État;

c) la simplification de la procédure;

d) l'arbitrage ;

e) la codification d'un système juridique;

f) le problème des sanctions;

g) une procédure internationale unitaire pour les conflits et les litiges surgissant entre les citoyens des diverses nations. » (Cumpanasu, 1944, pp. 50 – 53).

On peut concevoir un ordre européen sans renoncer à la souveraineté nationale, un ordre qui ne soit pas fondé sur le modèle américain. Le nouvel ordre européen ne différencie plus entre les États grands et petits, mais il instaure un état d'égalité devant la loi: «principe d'égalité devant la loi européenne de tous les membres de la communauté européenne » (Cumpanasu, 1944, p. 61). La nouvelle construction européenne doit avoir un caractère collectif, l'organisme dirigeant doit être fondé sur l'équité. On rejette le modèle économique libéral fondé sur la libre concurrence, vue comme la cause des troubles – la raison et la science doivent donc se trouver à la base d'une économie dirigée, envisagée comme la seule solution possible. L'élément clef de l'économie, dans la vision roumaine de l'époque, c'est utilisation de l'instrument du *plan économique* d'une durée de 4-5 ans*,* divisé en deux parties :

a) le plan économique national – « devra être dressé de   manière à correspondre au plan économique international » ;

b) le plan économique international – « organisant, pour un   temps limité, l'activité économique internationale en coordonnant   les plans nationaux » (Cumpanasu, 1944, pp. 76-77).

Dans le débat public entre ainsi le concept *d'économie complète*, fondée sur la solidarité économique européenne et sur l'existence d'un organisme dirigeant sur le plan économique au niveau européen.

George Sofronie dans son ouvrage de 1943 *Contribuţiuni juridico-diplomatice la „problema Europei"* réalise à son tour une synthèse de la doctrine national-socialiste pourtant sur l'idée européenne et l'organisation économique et sociale de l'Europe dont les idées fondamentales sont la planification économique et l'absence de l'élément libéral de l'organisation économique. S'il sembre prêt à accepter le principe fédéraliste dans l'organisation politique il soumet ce modèle là aux critères de l'organisation sur des bases nationales. L'idée roumaine de l'Europe est donc fondée sur l'Etat national vu comme un Etat ethnique, la « frontière ethnique » étant le critère d'organisation de cette nouvelle structure politique (Sofronie, 1943, pp. 55 -56).

Les choses changent avec le cours de la guerre et on peut l'identifier dans l'évolution suivante des œuvres pourtant sur la construction européenne. L'unité européenne est influencée par la structure économique et sociale de l'Europe, c'est ça la conclusion de Mihail Ciocâlteu lorsqu'il analyse la relation entre la Roumanie et la réalisation de l'unité européenne.

Le point de départ de son analyse est constitué par la différence entre l'Europe occidentale, fortement industrialisée, et l'Europe orientale, ayant un caractère agraire : « En face de l'Europe A et fortement spécialisée et centralisée dans ses fonctions, uniformisée dans son aspect, l'Europe B (Orientale) apparaît comme un agglomérat d'entreprises autonomes et de groupements ethniques diversifiés, sans autre lien entre eux que la foi religieuse ou la contrainte d'une administration d'État, le plus souvent imposée du dehors » (Ciocalteu, 1944, pp. 156-166) .

Ces différences économiques et sociales ont mené à la guerre, une guerre à la fin de laquelle il faut trouver une solution qui va prévenir l'apparition d'un nouveau conflit. C'est ainsi l'occasion pour l'auteur de nous présenter la variante roumaine des principes fondatrices d'une future construction européenne :

a) le nationalisme

les frontières des États doivent être tracées en tenant compte du principe des nationalités: « Un État doit contenir ses nationaux – ses nationaux seuls évidemment, mais tous ses nationaux »

b) la souveraineté nationale

c) « chaque peuple et chaque État a droit à la vie. Aucun peuple ne doit en suffoquer un autre, n'a le droit de le faire. » (Ciocalteu, 1944, pp. 160-162).

L'économie sera une économie planifiée, où la libre concurrence n'existe pas. Tout sera réglementé par un organe économique pareil à l'organe politique et on imagine une économie européenne fondée sur un système d'échange entre l'Europe industrialisée et l'Europe agraire – en reprenant ainsi l'idée du plan économique dont parlait Georges Cumpănaşu.

Les idées roumaines portant sur la reconstruction européenne sont fortement influencées par les idées totalitaires de l'époque. On retient aussi des éléments favorables reprises du camp occidental (comme l'idée de l'autodétermination des peuples et le fait que l'ajustement des frontières doit être fait en tenant compte de la volonté des peuples – idées inspirées par la *Charte de l'Atlantique* (1941). L'accent est mis sur l'importance de la planification économique et politique et sur la nécessité d'un État national qui contienne la plupart de ses nationaux. Le débat sur la construction de l'Europe va prendre fin avec l'instauration du régime communiste en Roumanie.

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THE 6TH EDITION OF THE INTERNATIONAL CONFERENCE
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REALITIES AND PERSPECTIVES

Export Products and Services Quality Management

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Abstract: Quality became the management imperative in the last time and will continue to be the key to success in the future. We often see the words "quality first", and demands for quality invade every sphere of activity, from the motor vehicles we drive, to the domestic appliances we use, the food we eat and, of course, the products and services we import and export. Quality represents the goal of every business and it is focused on the customer. Satisfying the requirements of the customer is a dynamic activity: both customers and their needs are changing continuous and the suppliers have to recognize this. When it comes to international trade, no exporting country can afford to compromise on quality. The current global economic climate calls for export marketing and promotion efforts with assurances of superior and consistent quality in products and services, rather associated with lower prices.

Keywords: quality; management; foreign trade; efficiency; customer satisfaction

1. Introduction

In recent times profound changes have taken place in exporting and importing, even though internaţional trade has been going on for hundreds of years. Few products are produced nowadays from start to finish in a single country, and products obtain value added as they pass from one stage of production to the other from country to country (Chiţiba, 2010).

Furthermore, advances in information and transportation technology have pushed the global economy, and not only large sized companies, but also many SMEs in both developing and developed countries, even those with few employees, have gone global, with business interests in multiple countries, forming joint ventures, exporting products and services under competitive strategies for the global market place. In addition, the assurance of quality in design, production, performance, installation and servicing, as a totality, has emerged as an important aspect of international, trade. Many enterprises around the world use quality management systems and total quality management as a basis for running their operations as well as for their relationships with trading partners (WTO, 2010). The compelling reason for a company to adopt a quality management system may arise from competitive requirements which may make it necessary for it to focus on quality at the expense of profit margins.

2. Export Products and Services Quality

A product - which may be hardware, software, processed materials or assemblies or a service - results from a series of processes transforming inputs into outputs. Many factors influence product quality:

these normally cover the raw material, production machines and equipment, production processes, and the workers. For these reasons, it becomes difficult, if not impossible, to make two products identical in "quality". In practice, however, the process needs to be designed so that it results in products with small or acceptable variations in quality characteristics, resulting in a more uniform and stable quality level meeting the stated and implied needs of the customer. Product quality should normally meet the requirements of the market, as well as contractual and organizational demands, and these requirements should be expressed in functional parameters and documented. Among the contributors to product quality are the following:

• Continuous improvement or updating of the product to meet the evolving requirements of the market place.

• Building quality into the design of the product to meet the requirements and opportunities of the market place.

• Providing support throughout the life cycle of the product so as to maintain its design characteristics and value for the customer.

For certain products, reliability, maintainability and availability are important quality characteristics. In recent times, services have become the fastest-growing sector of the world economy. Excessive preoccupation with product quality and the difficulties inherent in defining roles, functions and quality characteristics in the services sector were responsible for the low priority given to the sector in the past. Another important reason for negligence was that customer complaints in the sector were taken lightly and were seen as an irritant rather than an opportunity for improvement; any investment in quality in the services sector was viewed by management as an unnecessary expense. Quality standards can be more easily established for goods than for services. Goods can be inspected and tested for conformity, defectives can be identified, corrective actions can be taken, provided performance levels have been established. Services are usually produced and consumed at the same time, and service deficiencies cannot be eliminated before delivery, services being personalized and subjective. In addition, service quality standards are difficult to establish because measurements are subjective, and customers will have their own expectations about what service quality is or should be. Furthermore, a service or service delivery characteristic may be quantitative or qualitative depending on the method of evaluation and who evaluates it, whether it is the service organization or the customer. When it comes to exports, it is not necessary to emphasize that there should be a programme for the continuous improvement of service quality.

This should identify changing market demands, any ineffective or insufficient quality system controls, and estimate and reduce costs. All possible means of getting customer feedback needs to be explored, with continuous evaluation of the customer's needs, requirements and perception of service quality, as these parameters and any corrective action they may require are important for profitability and competitive survival. Before looking at process quality, it is necessary to have a global view of the "business process" to enable the visualization of the overall flow of resources and activities and to determine the purpose and scope of the key processes.

The "core business process" is identified as the flow and interaction of activities concerned with meeting customer requirements and which convert market opportunity into actual revenue. In all businesses there are the so called "supporting processes": processes within the organization required to maintain the effectiveness of the "core business process". Keeping tight control of activities deemed critical for the business is essential.

3. A Business Imperative - Export Quality

Export promotion is vitally linked to economic development, and unless a country exports quality goods and services meeting customer requirements, there can be no steady economic growth. No enterprise can afford to compromise on quality if it is to establish a good image for its products and for its country. A single consignment of inferior quality can tarnish the good name of the exporter and the country as a whole. In the prevailing economic situation, large and small enterprises in developing and developed countries are discovering that the old ways of doing business do not work any more and that new approaches are called for (Chiţiba, 2010).

Companies are adopting new systems of management for both internal and external purposes. The use of Total Quality Management (TQM) principles and quality management systems in cooperating with other companies, entering into agreements, and developing, manufacturing and supplying the required products and services meeting customer expectations is becoming more and more a business imperative. All over the world, companies are growing increasingly conscious of the competitive potential of quality. The three main factors important to the customer, particularly the export customer, are quality cost and delivery.

Of these, quality stands out today as the single most important competitive instrument (Chiţiba, 2006). Total quality management (TQM), as is well known, is basically a business philosophy founded on "customer satisfaction". The business environment of today is such that managers must plan strategically to maintain a hold on the market by continuous improvement in the quality of their exports. It goes without saying that this is also true even for the internal market. TQM has thus become a way of life in many organizations whatever the sector, from manufacturing to hospitality services, and is an approach for improving the competitiveness, effectiveness, and flexibility of a whole organization. The responsibility for detecting problems is thereby shifted from the customer to the supplier. TQM is essentially a method of planning, organizing and understanding each activity, with the involvement of each individual at each level in the organization. Building a quality culture calls for a reversal of the fundamental assumptions about managing organizations. Instead of change within the system, the system itself is under scrutiny for change. In the past, all business organizations were oriented only to profit. In contrast, the TQM imperative is customer satisfaction; profits should then follow automatically.

Further, to be successful in promoting business efficiency and effectiveness, TQM must be truly organization-wide, starting at the top with the chief executive officer (CEO) accepting responsibility for the quality policy and believing wholeheartedly in TQM. TQM concepts and practices have evolved over the years as enterprises searched for methods to improve their products and services. TQM is not an abstract philosophy nor is there one method of implementing TQM. It is necessary to customize in each case to meet the requirements of a specific enterprise and in accordance with its culture and past history (WTO, 2009). Enterprises implementing TQM should focus on customers, seek continuous improvement of business processes, involve all staff members in quality improvement exercises, and create a quality culture with shared learning at all levels with the full commitment of top management. TQM is thus a demanding discipline and a method of managing an organization with the following objectives:

• Customer satisfaction and profitability based on the principle that quality is determined by the customer and the need to manage "quality in" as opposed to inspect "error out".

• To monitor performance and conformance to standards and specifications and to ensure that the organization is customer-centered, the customers being both internal and external to the organization.

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• To enhance the profitability of the enterprise while ensuring satisfaction down the customer chain.

• Continuous quality improvement in all processes, with a view to obtaining "fitness for use", "fitness to cost" and "fitness to latent requirements".

Economic studies point out that meeting quality, delivery and cost requirements is the only effective long-term method for success in the export trade. Furthermore, recent studies show that quality is a dynamic, ever-changing concept that has become the business imperative of the day for enterprises of all sizes in both their domestic and export markets. In the highly competitive international market of today, it is not always sufficient simply to propose meeting the customers' specified requirements. It is also necessary to satisfy their basic expectations which are easily overlooked, as consumers usually take for granted that their basic expectations will be automatically looked after. Customers may switch to a competitor if these basic expectations - together with further customer desires - are not understood and taken fully into account.

Some pleasant surprises and unexpected features of the products or services can turn a satisfied customer into a delighted one. Such pleasant surprises, which go beyond just basic satisfaction and desires, play a big role in expanding an exporter's market share. Quality management to achieve the objectives of the internal quality improvement and for meeting external customer demands requires a systematic, structured approach, an accurate understanding of the needs of the customer, adequate resources, and appropriate procedures for producing and delivering goods and services with a predictable level of quality.

The three major motivations for implementing a quality system are: customer requirements or pressure, the competitive advantage to be gained and improved internal operations. When it comes to export quality management, the external, market-driven forces are customer requirements and pressures and the competitive advantages to be obtained. If a major customer requires certification, the company may lose the business if it is not certified or if it fails to achieve the requirements for certification. If major customers do not insist on certification, a company can acquire certification on its own initiative, thereby gaining customer confidence and achieving an edge over its competitors WTO, 2008). For a company, especially for SMEs, any problem connected with the implementation of a quality management system is usually due to inadequate resources, the need to hire consultants to interpret the standard in terms of the SME's operations, and the cost of implementing and maintaining the quality system.

The investments of money, staff time, etc., have to be cost-effective, with appropriate returns in the form of improved internal efficiency and export market share. A company's initiative to introduce export quality management arises from market pressures or from a conviction that a marketing advantage will be gained from applying quality management concepts to the export cycle. Export quality requirements are normally laid down in standard specifications which serve as the basic quality criteria for trade negotiations and agreements, quality assurance and inspection. Standard test methods provide a basis for determining quality characteristics. The use of such standards is acknowledged as an important means of fomenting international trade, and standardization at the design stage is regarded as essential to building quality into a product. In recent years, an increasing number of regulations laying down safety and quality requirements for products and equipment have been issued by governments and semi-government authorities, thereby giving force of law to standards. These standards are usually adopted to ensure that both imports and domestic products do not endanger the safety and health of the population and the environment. Today, the development and acceptance of national and international standards play an important role in global trade and competitiveness. This is

acknowledged in the WTO - Agreement on Technical Barriers to Trade (TBT). To ensure that mandatory standards do not create a technical barrier to trade, the Agreement requires that they have be based on scientific information and, whenever possible, on international standards. For the sake of clarity, it is essential to note that the Agreement on TBT defines a "technical regulation" as a "document which lays down product characteristics or their related processes and production methods, including the applicable administrative provisions, with which compliance is mandatory". A "standard" on the other hand is a "document approved by a recognized body that provides, for common and repeated use, rules, guidelines or characteristics for products or related processes and production methods, with which compliance is not mandatory". The Agreement further clarifies that while standards as defined by ISO/IEC (in their Guide 2) may be mandatory and voluntary, standards under the Agreement are voluntary. Voluntary standards can have the same effect as mandatory standards if governments or semi-government purchasing agencies require products to conform to these standards. Reference to voluntary standards in legislation or regulations issued by government and semi-government organizations is on the increase, giving such standards a mandatory character. Statutes incorporating provisions from standards on quality levels and codes of practice also give the latter a mandatory character; here the obligation is imposed by an authorized agency or by mutual agreement between the standards organization and that authority (WTO, 2009).

 In the European Union, the standardizing bodies at the regional level include the European Committee for Standardization, the European Committee for Electrotechnical Standardization and the European Telecommunications Standards Institute. In addition to formulating their own voluntary European standards these bodies adopt standards issued by international standardizing bodies such as the ISO and IEC. Some standards are made mandatory throughout the European Union by Directives issued by the European Commission. No EU country may retain national legislation deviating from the Directives unless this deviation is justified under Article 30 of the EEC Treaty for reasons of consumer protection or protection of the environment, or under Article 36 on the grounds of public morality, public policy or public security, protection of health and life of humans, animals or plants, protection of national treasures, or the protection of industrial and commercial property.

While many governments - with a view to promoting trade - have thus directed their policies towards enforcing the minimum or acceptable quality requirements needed for quality improvement, significant national differences have become apparent in their ability to reach acceptable quality levels. Each has adapted its approach to quality policy formulation and implementation within regions to reflect different national economic situations, as well as different national traditions in government-industry relations. It will therefore be clear from the above that quality requirements for varying needs are the prime objective of a national or international standard. This applies whether it remains a voluntary standard for adoption by interested parties or it is of a mandatory, compulsory or regulatory nature, in the interests of society as a whole.

4. Conclusions

The basic principles of quality management are equally applicable to physical products and to service operations. One of the main differences between services and products is that services are intangible and invisible. Quality management and assessment of performance in the services sector are therefore difficult. Service performance is not easy to quantify. It is subjective: in effect, what the customer decides is equivalent to a judgment on the quality of the service. So, is compulsory to implement TQM in services in view to assure the total satisfaction of the client. The concepts and techniques of quality

management are the same for both large and small and medium-sized enterprises. While large manufacturing enterprises have been applying quality management techniques for many years, many SMEs are now beginning to realize that they, too, can benefit from the implementation of these techniques. Today, producing quality products or delivering quality services meeting customer requirements is the primary objective of any enterprise whether small, medium-sized or large. Higher customer satisfaction will improve one's market share, bringing in larger profits. In the international market of today, the rivalry focuses not on price but on quality where both consumers and suppliers everywhere are growing increasingly conscious of the competitive potential of quality.

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THE 6TH EDITION OF THE INTERNATIONAL CONFERENCE
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Highly Skilled Migration. A Romanian Perspective: 2000 - 2009

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Abstract: Highly skilled migration is a subject of strong debates in current times, when there are evident proofs that the quality of human factor is crucial in achieving technical and economic development. Even though brain drain phenomenon and its impact on the economic environment are intensively discussed, insufficient quantitative information regarding highly skilled migration is available at international level, so as to allow a comparative analysis of the real state of facts. Migration in and from Romania is not only a fashionable subject, but a problem that the nation has to face and that will have a strong impact on the country's long term development. The purpose of this paper is to locate Romania's position in the international highly skilled migration, as well as to understand the structure of migration having Romania as source and destination country. We have thus calculated an attractiveness index that helps identifying which are the countries with a higher impact on the highly skilled migration flows in relation with Romania.

Keywords: highly skilled migration; brain drain; human capital

1 Introduction

A central role in migration decision is the level of education of the individual. Experts have shown that there is a direct correlation between the education level and the likelihood of migration. This is partially because people are more prepared to identify more effectively the alternatives in the labor market, thereby reducing the costs of migration. It is also generally accepted that the alternatives for these individuals are more numerous and varied. Economic incentives are also higher for individuals with more thorough training. Knowledge about language barriers are easier to overcome for these categories that also show greater flexibility.

It was relatively obvious during the last decades that destination countries registered a clear benefit from highly skilled immigrants. Thus, beyond the removal of legislative barriers they have actually introduced incentive schemes of this phenomenon. This led to a steady stream of highly skilled Europeans to the USA and Canada after the Second World War. USA and Canada were the first countries to have paid particular attention to immigration policies; they structured a well-differentiated visa system depending on the degree of specialization. Awareness of this problem has led a number of developed countries in Europe to counter weight the phenomenon, by applying similar migration policies. Even though many countries have been continuously trying to understand and analyze the impact migration has on their economies and elaborated complex tools of dealing with this phenomenon, there is still a concerning lack of quantitative information that allows for international comparative analysis in terms of real highly skilled migration flows.

2 International Highly Skilled Flows

Although the phenomenon generally occurs in the exporting countries, most of them do not have many sources of information other than data collected by censuses or some institutions. The data are generally obtained from the countries of destination. However, information about the educational level of immigration flows is not available most of the times and refers mainly to the permanent migration tendency.

The most detailed database that relates to labor mobility is based on birthplace criterion. Data on birthplace stay at the foundation of the most detailed two databases related to migration of qualified persons: the OECD and the World Bank (Docquier, Marfouk, Lohest, 2005). In cases when data are available, these profiles can be subdivided, by place of birth, by period of arrival in the destination country, to allow an overview of the distribution of skills over time, taking into account the fact that these numbers represent survivors of previously incoming large groups. Both Canada and the U.S. Census provide information on their websites for groups coming from the same place of birth. However, information on return migration in countries of origin, or those related to future migration to a third destination, which significantly influences the number of survivors obtained from censuses are not normally available.

Latest data from the above sources refer to 2008 and examine the extent to which a country exports the skilled human capital, as a percentage of total migrants. The analysis is conducted on 199 countries, including Romania, which is a source of emigration to OECD countries (OECD, 2008). At the level of 2007-2008, as an absolute number of highly qualified immigrants in OECD countries, the largest suppliers with an excess of a million people are the UK (1,126 million) and India (1,039 million). The following places are occupied by the former Soviet Union countries (943,000), Philippines (902,000), Germany (884,000) and China (856,000). The next countries are having less than 500,000 emigrants. Romania's position in the top is 19, with about 230,000 emigrants. The above top changes when it comes to analyze the share of skilled migrants in the total migrants. Thus, the country with the highest rate of highly skilled migrants is Taiwan (61.7%), followed by Nigeria (54.7%), India (53.1%) and Malaysia (50.2%). These are nations where more than half of those who have migrated to OECD countries now have tertiary education. The following countries from the list, close as a percentage (between 47% and 50%) are, in descending order: Japan, Zambia, USA, Egypt, Lesotho and Namibia. In this ranking, Romania ranks 139, with a percentage of approximately 22.7%.

To be observed here is the dominant presence of African countries and India, which is the only country among the above that appears in top 5 both as a total number of skilled migrants, and their share of total migrants. It is thus understandable the major concern regarding this aspect, and the abundance of studies regarding the phenomenon of "brain drain" from African countries and India.

There are two main limits in the above statistics: quantifying the level of immigrants in OECD countries, on the one hand and defining when the persons have reached the level of qualification (before or after the time of emigration). However, the analysis provides at least some general information about the human potential of migrant population and their flow direction.

3 Highly Skilled Migration in and from Romania: Attractiveness Index

3.1 Migration Outflows

Up to 2008 Romania ranked 19th in the world as a provider of skilled (tertiary education) migration flows to OECD countries. Between 1990 and 2000, 176,393 people have left Romania according to statistics of skilled migration. These are accounts for about 12% of those who left UK, and about 0.7% of the total population of the country (taking into account only the working population). According to 2008 statistics, the percentage of those who left Romania and received tertiary education stands at 20% of those leaving UK, registering a positive development compared to the largest supplier of skilled labor. However, Romania does not fall within the top percentages of the rate of emigration of highly educated human resources. According to the National Institute of Statistics, the number of migrants between 2000-2009 decreased by almost 38% from the previous decade, up to 109,498 emigrants being registered in the last year.

The share of highly educated migrants in the total number of migrants recorded an average of 27% and varies between 23% and 36%, the peak being reached in 2009, probably due to the less encouraging economic and social policy at national and European level (most educated migrants take the path towards countries in Northern America). In terms of absolute numbers, as shown in the chart below, the number of migrants varies between 2,100 and 3,700, with peaks in 2004, 2006 and 2009, when the totals varied close to the threshold of 3,500.
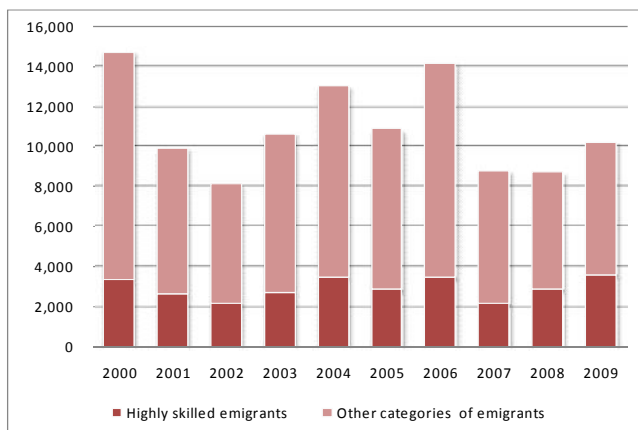

Figure 1 Migration out of Romania - evolution between 2000 and 2009 (based on data provided by the National Institute of Statistics, 2010)
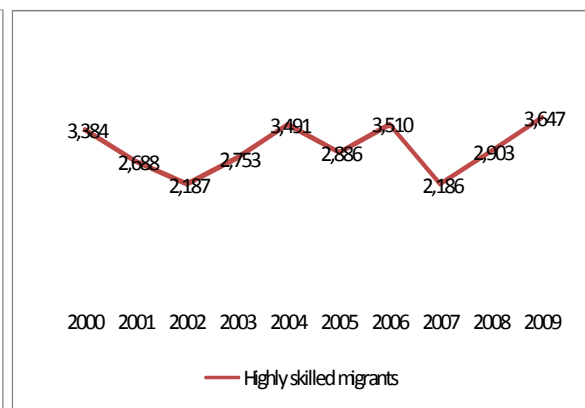
Figure 2 Highly skilled migrants - Romania outflows 2000-2009 (based on data provided by the National Institute of Statistics, 2010)

The following step was to analyze the attraction exerted by certain countries for migrants with higher education in Romania. We have thus calculated an index, which we have named index of attractiveness (I_a), which expresses the extent to which a country draws between those who emigrate from Romania, those with higher education.

Equation 1 Formula of calculation of the index of atractivness:

$$I_{ax}{}^y = \left\{ QUOTE \ \frac{\text{Number of migrants towards country X in year Y}}{\text{Total number of migrants towards country X in year Y}} * 100 \right\}$$

One can see below (Figure 3) the evolution that the index has for the top three Romanian highly skilled migrants:
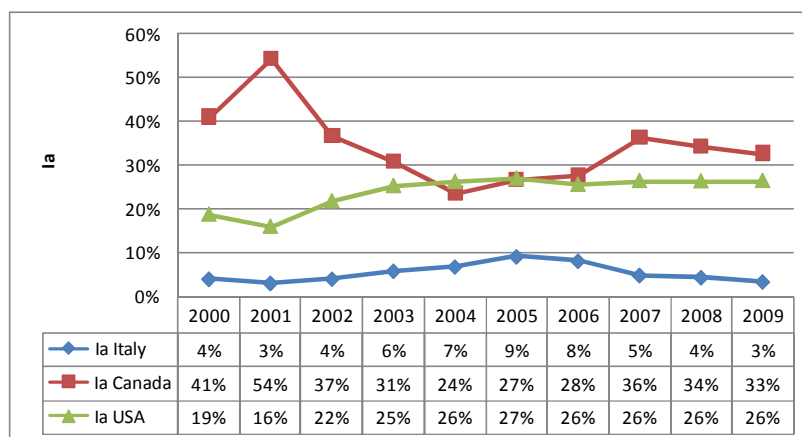
	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Ia Italy	4%	3%	4%	6%	7%	9%	8%	5%	4%	3%
Ia Canada	41%	54%	37%	31%	24%	27%	28%	36%	34%	33%
Ia USA	19%	16%	22%	25%	26%	27%	26%	26%	26%	26%

Figure 3 Ia evolution 2000-2009: Canada, SUA, Italia (based on data provided by the National Institute of Statistics, 2010)

The most important destination countries as concerns Romanian migration are Canada, United States, Germany and Italy. While migration to Germany has been closely linked to family connections between ethnic Germans from Romania and people in the country of destination, which affects the structure of the migrant population through highly subjective selection criteria, this characteristic is not valid when it comes tot Canada, USA and Italy. Thus, calculation Ia for all destination countries along 2000 - 2009, we found that, among countries that have a major impact on the flows of immigrants in our country, Canada and the United States of America registered the largest index of attractiveness accounting a cumulated index of attractiveness ranging between 50% and 70%. The smallest index of major destination countries belongs to Italy, whose attractiveness index ranges between 3% and 9%. Italy's situation should be accounted for, since it hosts between 10% and 25 % of the total Romanian migrants in the period under review.

Data analysis shows that countries that attract the most highly educated people in Romania are Canada and USA, with an emphasis on the first one. There are, in the author's view, three main factors which have a major impact on the decision to leave and also the acceptance of people with higher education as immigrants of these countries:

1) Promising economic conditions;

2) The policy of attracting qualified people in these countries by facilitating the visa obtaining process;

3) Reduced fear of qualified people when it comes to distance, language and cultural differences;

Similar factors have a an influence on the structure of migration to Italy, where it is known that people are looking for other types of qualification (nurses, workers, etc. ..) and barriers related to distance, culture and language are much lower.

3.2 Migration Inflows

Parallel to being a source country, Romania is also the destination of immigration to a comparable extent. According to the National Institute of Statistics between 2000 and 2009, Romania has been country of destination for about 74,000 persons, of which over 20,000 were university graduates. The percentage of highly qualified people out of all immigrants is similar to the ranges of emigrants, between 22% and 36%, reaching an average of 27% over the analyzed period. The weights balance is

equally divided between emigrants and immigrants with higher education, as follows: in 2000, 2005, 2008 and 2009, the share of immigrants with higher education was lower than that of emigrants, while the position changes in the remaining years.
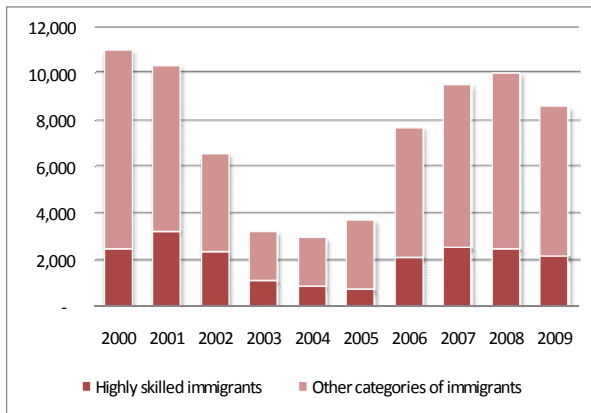

Figure 4 Immigration evolution in Romania between 2000 and 2009 (based on data provided by the National Institute of Statistics, 2010
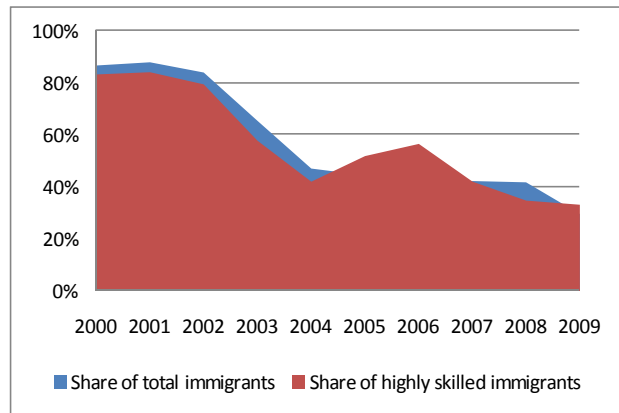
Figure 5. Share of Moldavian immigrants in Romania, out of total immigrants:2000-2009 (based on data provided by the National Institute of Statistics, 2010)

The peculiarity is represented, however, by the country of origin for immigrants in Romania. By simply looking at the data, one may notice the overwhelming weight of Moldova as migrant source country for Romania, especially at the beginning of the decade of analysis. It is obvious that more subjective factors facilitate the transit of persons, such as common language, culture and geographical proximity. A continuously decreasing trend can be observed, nevertheless, in the share of Moldovan migrants by 2009, although it is still the largest source country in the total immigration in Romania. In Fig.6 it can be noticed the trend in share of immigrants from Moldova to Romania, both as part of the total, and that participation in skilled immigration. As can be seen, the total share of these immigrants varied from a maximum of 87% in 2000 to a minimum of 30% in 2009. The decrease was not continuous, a slight increase (3%) recorded in 2007 and 2008 as compared to 2006.

The proportion of highly qualified human resources from Moldova in total skilled immigrants in Romania, is also to be observed. In 2000, 83% of the total flow of skilled migrants came from Moldova. Their weight decreased in parallel with a decrease in the total number of immigrants from this countr, at a faster pace until 2004, then more slowly in 2005 and 2006, where the overall share of the skilled migrants was 17% higher than the total.

As the share of Moldavian citizens in the structure of immigrants decreases, in 2007-2009, that of Italian citizens increases (it is likely here to face with a return migration from Italy). Moreover, other source countries are beginning to have a visible involvement in the phenomenon of emigration to Romania: China, Germany, the United States and Turkey. For the United States and Germany, there is a high chance for this to be a return migration, as well.

As far as the attractiveness index exercised by Romania is concerned, the highest, and constant value - without major changes - it is one related to immigrants from Canada. Thus, the index varies within the limits 49% -55%, slightly lower compared to the variation I_a of Canada in relation to Romanian immigrants (which runs between 44% and 63%). Thus, the balance of highly skilled migration share in relation to Canada is positive for Canada, except for 2007.

According to statistics, Romania has a relatively balanced migration position. Even though it is not a dominant source of skilled migrants, not being a strong destination country has a long term negative impact on the economy. The current situation might be adjusted in two successive steps. The first one is to develop a retention strategy, so as to motivate skilled professionals to stay in the country. The following step is to become attractive for foreign skilled human resources and to become a country of destination.

4 Conclusions

While most developed countries register a positive skilled migration balance, the statistical evolution of Romania's migration phenomenon, as well as it's structure in time (highly-skill other levels of qualification), is a clear indication of the current difficulties faced by Romania on the quality of education of most of its skilled human resources. Policies related to migration, the attraction of skilled workforce, quality schools and motivation tools are measures necessary in the retention process of human capital.

Nonetheless, we found that Romanian highly skilled human capital inflow/outflow balance is relatively even. Thus, we can consider the chance that a "brain gain" phenomenon can occur, as well. Moreover, even if on the short term out migration of qualified human resources have a negative effect, on the medium and long term the opportunities that education offers can encourage the growth in interest for a higher qualification within the country. Thus, out of the growing number of skilled people, only some will leave, the rest remaining in the source country to participate at the economic and social development.

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REALITIES AND PERSPECTIVES

Interactivity Leadership in a Global Economy

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Abstract: This paper aims to analyze the interaction of leadership more pronounced due to globalization, the business world, can no longer ignore the powerful cultural aspects of leadership. In other words, there are differences between leadership styles considered acceptable in a national culture or another. Looking at different models of leadership and differences between cultural norms, we find that in this increasingly globalized world, begin to crystallize several converging trends. Thus, "global leadership" that leaders who act in a multicultural environment would be useful following attributes and skills: charisma, aptitude for teamwork, openness to change, interest in political and socio-economic life of other countries; ability to retain good relations with people of other cultures, adaptability to new situations, ability to work in a multicultural team, etc. Foundation skills training exceptional global leadership is built from childhood through socialization experiences that influence cultural patterns, and also are influenced by them. Early managerial responsibilities and experience gained in international projects do not create skills for leadership in international environment, but they develop. Consequently, global leaders must create multicultural communities, creating a culture that goes over the differences between people and contains certain "guiding signals"-values and attitudes - which can be easily understood by employees from different cultural groups. Thus, global leadership development program does not focus exclusively on understanding and acceptance of cultural diversity, but goes further, making the people realize they need a common organizational culture. Globalization requires many changes in the economy, communication, political structures, in all areas of personal and organizational-among them such essential processes of cultural convergence and diversification.

Keywords: organization; leader; leadership; globalization; manager

Global Leaders

Although a highly effective leadership style in a country, can be extremely inconvenient to another, people are not always aware that there is any cultural difference.

Looking at different models of leadership and differences between cultural norms, we find that in this increasingly globalized world, begin to crystallize several converging trends.

Thus, "global leadership" that leaders who act in a multicultural environment would be useful following attributes and skills: charisma, aptitude for teamwork, openness to change, interest in political and socio-economic life of other countries; ability to retain good relations with people of other cultures, adaptability to new situations, ability to work in a multicultural team, etc.

But just as certain personal qualities increase the chances of a global leader, there is a set of organizational skills at the success of companies in the international market.

In general, an organization with great international success has the following features (Judge & Bono, 2001, pg. 80- 95): there are a large number of employees of other nationalities than the organization, major investments are made outside the country of origin, there is a broad decentralization of power among subsidiaries, foreign managers are well represented on the board of the organization, members of the executive have vast experience in overseas activities, the organization's members have convictions that international experience is essential in career, the organization is very open in terms of promoting the employees of other nationalities, etc. To test the skills of candidates for posts abroad proceed (formal or not) in most global organizations. Often candidates are selected based on their performance organization located in their country of origin after being declared to work in an international environment. Candidates elected then enter a training program where they are reared in the organizational culture prevalent - which, at best, act like a trampoline, giving them support and encouragement for their leading global career. The most important factor in their formation as the best global leaders for the international environment is one of five essential elements of leadership from abroad: tradition, travel, training, transfer and team spirit. To access these five elements, those aspiring to global leadership quality, should identify and remove a number of obstacles. Foundation skills training exceptional global leadership is built from childhood through socialization experiences that influence cultural patterns, and also are influenced by them. Early managerial responsibilities and experience gained in international projects do not create skills for leadership in international environment, but they develop. Thus, we could say that if an individual is deprived of this foundation formed in childhood, education and training that would receive the organization for a job abroad would be of little avail. Therefore, we believe that organizations should carefully investigate the earliest provenance and preparation of any potential global leader, and analyzing and experiences during childhood or school, not only career path and performance.

Community and culture is very important that your child is integrated. For example, children raised in a society oriented towards trust, egalitarianism and collectivism - a society characterized by interdependence and lack of any paranoid traits - were much more likely to become good leaders, able to build trust and to impart a sense of organizational community global (Peeling, 2008, p. 50). Were also more likely than leaders in an international environment people raised in a culture to "make", that is, merit-oriented and not a "being", i.e. to the innate rights. Consequently, global leaders must create multicultural communities, creating a culture that goes over the differences between people and contains certain "guiding signals"-values and attitudes - which can be easily understood by employees from different cultural groups.   Thus, global leadership development program does not focus exclusively on understanding and acceptance of cultural diversity, but goes further, making the people realize they need a common organizational culture. Paradigm-based management principles have been launched for the first time by Stephen R. Covey at the beginning of 1980, the Institute for principled leadership, the author was part (Slater, 2009, p. 15).

To eliminate confusion and correct understanding of the difference between principles and values, making a comparison Covey. He resembles the values with maps, not the territories themselves, but subjective attempts to describe them. When territories are but a permanent change, any map is soon overcome. Therefore, in such situations we need principles likened compasses that orient and guide us towards the desired direction. "A map based on values, can provide a useful description, but the compass in the center with the principles, provide vision and direction .... An accurate map is a good

administrative tool, but a compass fixed on the principles of true north is a management tool and acquisition of power". (Slater, 2009, p. 15).

Given the levels of leadership based on principles, the author mentioned above also establishes four levels: personal, interpersonal, managerial, organizational, each referring to essentially be the individual's relationship with himself or with others either on a series of needs experienced by individuals (need to work with others to prepare, organize, coordinate, etc.). Even if each of these levels is extremely important for success is absolutely necessary to work at all levels, not randomly, but based on principles. These are: quality of being worthy of trust (personally), trust (interpersonal level), empowerment (managerial level), alignment (within organizations). The first principle (quality of being worthy of trust) is based on the character and competence, that is what you know as a person and what you can do. The second principle (the trust) is Covey's opinion, "the actual bank account between two people which gives them the opportunity to have a working arrangement in which both win". (Slater, 2009, p. 22). The third principle (empowerment) refers to the ability to become a leader of support for subordinates, to involve them in solving tasks or in assessing the results obtained, you accountable, to enable them to judge themselves as "knowledge held them than any system of measurement " (Slater, 2009, p. 23). The last principle (alignment) is a corollary of the other way. If leaders trust the subordinates if surveillance place rigid control and self-control and self-supervision is taken, then it is very likely to show a common vision to be aligned with the strategy, style, structure or the existing organization desirable.

Effects of leadership based on principles are very numerous, essential are the following: safety (defined as a sense of value, identity, emotional stability, personal strength), orientation (to ensure that we receive direction and follow it in life); wisdom (suggest a sense of balance, a thorough understanding of the implementation of various elements and principles), power (the ability to act, the strength, the courage to meet, the vital energy of an option to take decisions) (Covey, 2001, p. 11). Theory based on principles of leadership is interesting and exciting: exciting, the author's ability to harvest, organize and then to frame a series of theoretical concepts, a wealth of observational data, even from personal experience, excited by the problems and question marks raised. You should not lose sight of the general intent of which deserves to be highlighted Covey, namely the need leadership's grounding principles, in other words, the regularities and regularities whose knowledge and intelligent application to establish one of the factors in organizational effectiveness.

In fact, leadership based on principles is opposed in the sense of Covey, management based on principles - principles are not practices "(Slater, 2001, p. 96). Management using the principles, unlike management practices using requires a different preparation, but the reward is more technical knowledge, more creativity and shared responsibility at all levels of organization (Slater, 2001, p. 110). Thus, leadership is based on principles, as we seemed a prerequisite for transformational leadership. Globalization requires many changes in the economy, communication, political structures, in all areas of personal and organizational, of them would be essential and diversification processes of cultural convergence. On the one hand, there is a universalization of cultural elements (such as language, communication channels), the values of some successful solutions (companies, ideas).

On the other hand, there is an adaptation of companies to specific elements of local or national cultures, which creates an interesting diversity within multinational firms. The global economy is one in which the rules of functioning of the organization are the same, only different environment. Compared to the national economy, the global economy is like building blocks in a provincial town to the skyscrapers of New York. Theoretically, there are more blocks, practically, from the 8th floor and floor 80 is a difference of perspective ... and the amount of oxygen available - so, some local

companies are choking or have "bad high" in a global economy. What changes is the type of problems as the size, magnitude. For a local firm, it is extremely difficult to resist the competition with a national producer of those products. Economy of scale makes national manufacturer to have a lower marginal cost and may require only local company with high quality, locally specific products, efficient management, creative entrepreneur etc. (Goleman, 2004, p. 64) Yet globalization is not only mergers, acquisitions, the disappearance of local firms but also processes of diversification and adaptation as well as money as a motivator, to adapt to the global economy does not necessarily great advantages, not sure of the success factor, but the lack of adaptation is certainly a path to failure.

More specifically, however, entails a modern organization and business leaders to adapt the **globalized economy?**

- Presence, visibility in the global economy, even for a local or regional organization.

This "fishing world," local or national companies require them to greater efforts to build strong brands and positive, greater transparency;

- Competitive prices and high quality and appropriate - the price / quality is essential and competition is fierce.

Each cost element is determined, because they often details make the difference. Each cost element is determined, because they often details make the difference. Reducing inventory and streamlining costs, for example, are obsessive concern in the global economy. The other element of the equation, quality, must be adapted not only to competitors but also to different beneficiaries. For example, going into the Asian market with products adapted to the Europeans or Americans, in most cases, a bankrupt strategy.

- Technology, efficiency, productivity - these are essentially determined by price.

Companies can no longer afford to produce expensive home or to purchase from incumbents components that produce them cheaper competitors in markets like China and India, we can say the same thing about manual versus automatic production output.

Outsourcing and industrialization are two highly visible processes which determine success.

- On an equal level of technological development, creativity is what makes the difference

Creative approach to technical problems, but management can be a decisive competitive advantage.

- Human resources quality, stable and adapted to the context, becomes a necessity especially for decision-making positions in multinational companies. Multicultural change the problem on human resources, change topics and approaches to marketing training and management.

Beyond these findings may give birth to concern, globalization involves not only threats to organizations, each potential hazard is also an opportunity for companies bold. Not to be easy, it is not impossible that a local or national company to extend or to recover quickly if a crisis by finding external customers, by identifying new markets, by outsourcing some activities (Preda, 2006, p. 160). But what will make companies in Romania in a global economy? Most private Romanian companies are still relatively "small" to exit the European competition in space.

In Romania, the only national mergers appear first and the first entry in the markets of neighboring countries. Former big public companies (Petrom, Sidex, Romtelecom, Dacia, BRD, BCR, etc.) already have "taught" some older players from abroad, which has positive consequences, but also involves significant risks. In addition, Romania has a clear and positive country brand for the benefit of

Romanian companies, we have no overarching strategy or economic sector. Globalization, as the most important stage of its integration into the European Union seem to be, for most of the Romanian organizations, shows that you passively watch TV, and no major trials, obstacles decisive for their future. Inertia, too many political role in economic and social life, which has generated uncertainty and constant change, and lack of competence and experience in planning managers, maintain strategic planning horizon for most of the Romanian organizations, a year from 5-20 years in the U.S. and more than Japanese. Continuation of these coordinates will be clearly bankrupt for many Romanian organizations. They must quickly invest in skilled human resources in market research and internal organizational analysis must learn from competitors, especially from the outside to avoid mistakes and, finally, to believe competitive advantage (Vlăsceanu, 1993, p. 56).

These competitive advantages for many Romanian companies must come from differentiation. We are not so powerful, so I have found niches in which specific products and price make a difference. Romanian organizational environmental advantages are obvious: significant natural resources, a certain exoticism, yet untainted purity of places and people, low prices of labor, a certain type of creativity that can be conducted in a positive direction, openness, tolerance towards foreigners and towards other cultures (Preda, 2006, p. 166). Organic products, cultural tourism, rural and spa, it is essential that the organizational environment is a development direction. Specific Foods appreciated opportunities to be "exported" to other cultures is another potential competitive advantage. Areas include creativity (IT research in biology, chemistry, technology) can also give birth to opportunities for Romanian organizations to become efficient in the global economy. Maybe these opportunities can be exploited best "at home". In order to become significant regional or global, Romanian organizations should require, first, at home, through hard work, perseverance and creativity - essential and universal elements of performance in organizations.

Conclusion

Globalization, leadership as the most important stage of its integration into the European Union seem to be, for most of the Romanian organizations, shows that you passively watch TV, and no major trials, obstacles decisive for their future. Inertia, too many political role in economic and social life, which has generated uncertainty and constant change, and lack of competence and experience in planning managers, maintain strategic planning horizon for most of the Romanian organizations, a year from 5-20 years compared to other European Union member states.

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THE 6TH EDITION OF THE INTERNATIONAL CONFERENCE
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REALITIES AND PERSPECTIVES

Entrepreneurship: a Source of Economic Growth in EU

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Abstract: As the global recession evolved, The European Union faced new difficulties mainly in the form of financial problems and access to capital, but an important negative effect of this crisis is the fact that hundred of thousands of jobs were lost and hundred of thousands of businesses bankrupt. So in this research we tried to show how boosting entrepreneurship can bring The EU into an economic growth premise, by creating new jobs and new business. Also we stated some key measures that can be adopted by EU authorities in order to develop and support entrepreneurship.

Key words: entrepreneurship; economic growth; European Union

JEL Classification: F59; M38; O10; O42

1. Introduction

The European Union is faced with a large amount of challenges in the near future, due to new market conditions emerged from both Global Crisis and the special European Context. Some challenges are: improving financial regulation, further EU enlargement, maintaining programs to join the Schengen area for present candidates, promoting economic recovery, restoring economic growth, developing economic and social integration strategies and policies that will help EU members reform their national public administration sector and converge to a European public administration criteria, and so on. In order to further develop some of these aspects of European integration and development, EU authorities must adopt strategies that have the ability to promote and sustain economic growth, business development, job creation, in short to promote and support entrepreneurial activity. By promoting entrepreneurial activity public authorities support: the creation of new business and new jobs, increase state budget revenues, economic growth, development of competition, the creating new products and services, the development of EU competitiveness, etc. By these alone we can see that entrepreneurship stands as a key factor in European economic recovery. So in this research we have examined the current situation of entrepreneurial activity in the EU, the evolution of the number of newly established enterprises and newly created jobs and what measures should be taken to stimulate entrepreneurship in the EU, both by EU authorities and national authorities of EU Member States. Our research focuses also on the state of entrepreneurship before and during the present European

Recession, on the economic downturn effects on entrepreneurship development in EU and on a comparison between the current situation of entrepreneurship in the EU, the USA and Asia, so we can find what strengths and weaknesses EU entrepreneurship has and what should be done to further develop entrepreneurship and competitiveness in the EU.

2. Entrepreneurship Survey and Facts in the EU

Entrepreneurship is a wide-spread concept that lacks a firm definition, because it states many aspects, such as: developing new business, implementing innovation, developing of new products and services, and so on. For a better understanding of the entrepreneurship concept we can state that generally it refers to the action taken by one or many parties in order to develop and implement a new thing or concept.

The importance of entrepreneurship to business and social life is very big because through entrepreneurship new business are created, new jobs appear, new products and services are developed, research and knowledge are stimulated, state budget revenues are improved, wealth is created, and so on. That is why EU authorities have declared entrepreneurship as one of the most important goals in European development and introduced it as a main point in the Lisbon European Council, in March 2000. And as a result The European Commission published in 2003 a Green Paper on "Entrepreneurship in Europe" that focuses on two main aspects: why do so few Europeans start their own business? And why are so few European business growing?[1]

So for a better image of how entrepreneurship is seen by Europeans and what do they think about entrepreneurs lets take a look at a quick survey.
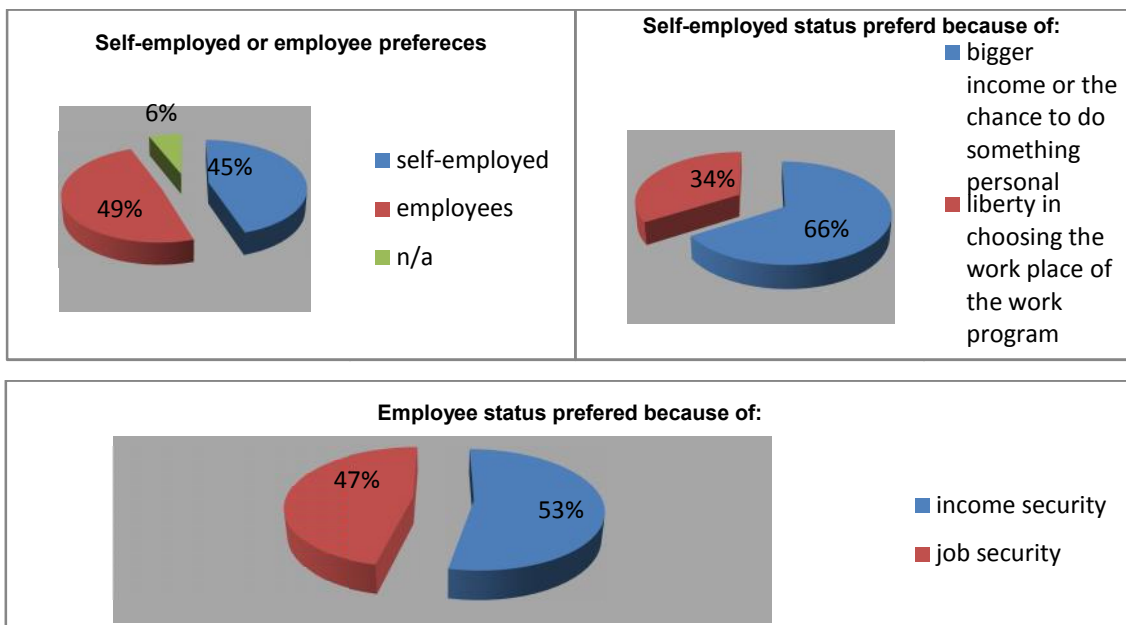

Figure 1. EU citizens opinios on self-employed vs employee status

Source: own processing, based on data form Flash EB No283-Entrepreneurship, December 2009, p. 5

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[1] Entrepreneurship in Europe and beyond, Analytical Report, Flash no.283 Eurobarometer, European Commission, December 2009

As we see in Fig.1 EU citizens in general prefer to be employees rather than self-employed, 49 % of them having this preference versus 45 % for self-employment. The difference is rather small between these statements so we can say that EU citizen are almost divided in half when it comes to this aspect of work status. The biggest stimulus for choosing self-employment is a bigger perspective regarding the level of income, 66 % of respondents, and for the employee status this is the relative high security of income, 53 % of respondents.

As we see Europeans are relative open to self-employment, but lets compare these data with how do EU citizens see entrepreneurs, as shown in Figure 2. Most EU citizen see in a bright light entrepreneurs, so as about 3 quarters of them think that entrepreneurs are job creators and new products and services developers, also 54 % of respondents argue that entrepreneurs don`t think only about their own gain. These facts tell us that EU citizens appreciate entrepreneurs and their activity, but if they have such a very positive image about them why aren`t they taking action in starting up their own business and being themselves entrepreneurs?
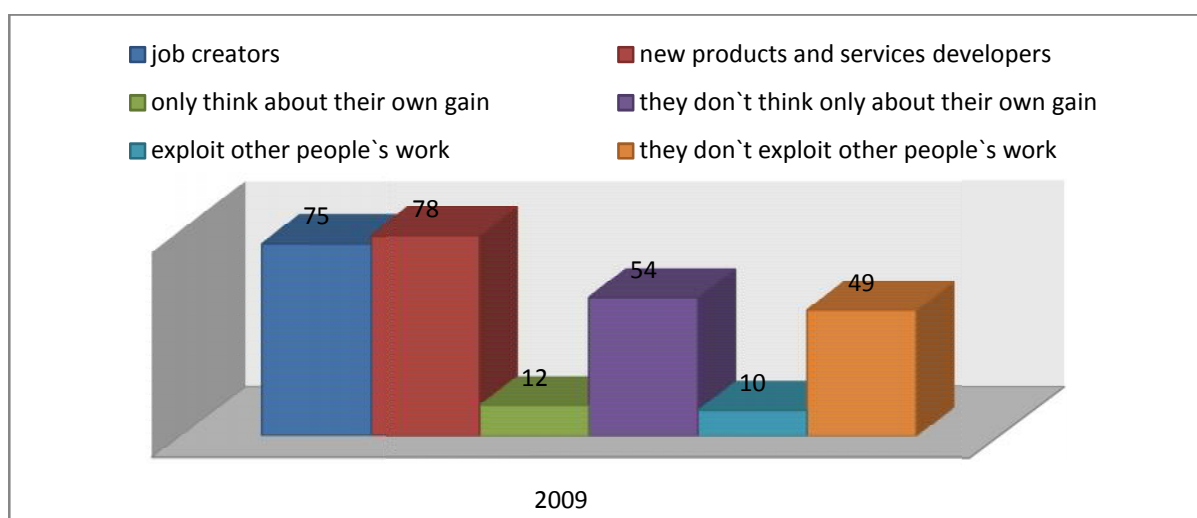
-percent-

Figure 2. How do EU citizens see entrepreneurs

Source: own processing, based on data form Flash EB No283-Entrepreneurship, December 2009

The answer to the previous question is very difficult to give, because is one thing to like entrepreneurs and business and another to get involved and support all the work and risk that entrepreneurship involves. We can see what EU citizens fear most when it comes to starting their own business in Figure 3. So 49 % of EU citizens fear bankruptcy the most and this is followed by the risk of loosing property (40%) and personal failure (37%). Form these facts we see that the main aspect which determines EU citizens not to enter into business is the money factor and the fact that they fear loosing and probably they think they don`t have enough knowledge of experience to manage their own business.

These are confirmed by data in Figure 4, where we can see that 50 % of EU citizens think that the most important thing in starting a business is how to finance that business and 51 % think that the "perfect" business idea is the most important fact in starting a business. Also we can see that 34 % of them say that the right business partner is a key in starting a new business.
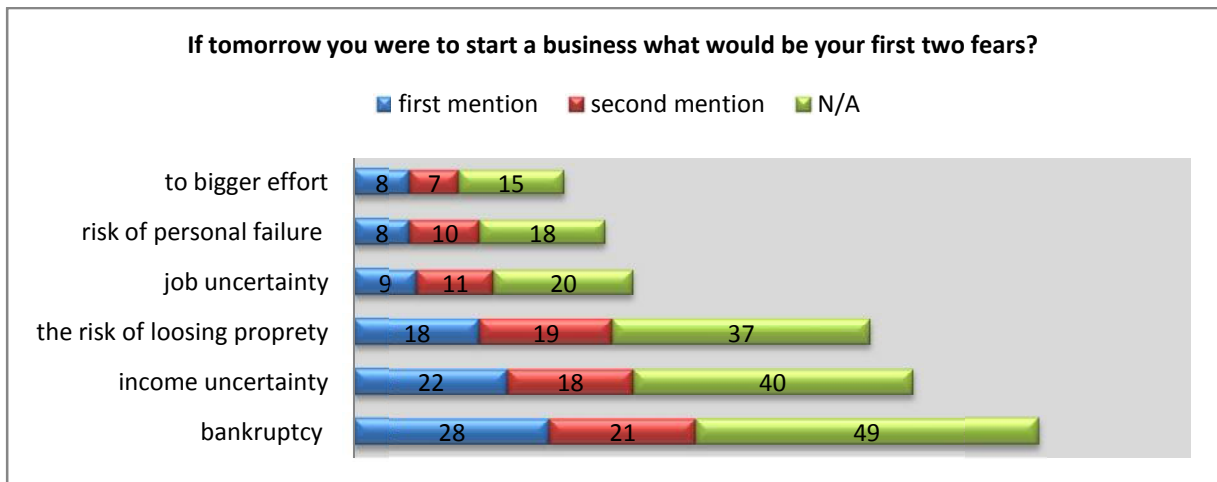
-percent-

If tomorrow you were to start a business what would be your first two fears?

■ first mention   ■ second mention   ■ N/A

	first	second	N/A
to bigger effort	8	7	15
risk of personal failure	8	10	18
job uncertainty	9	11	20
the risk of loosing proprety	18	19	37
income uncertainty	22	18	40
bankruptcy	28	21	49

Figure 3. Main fears regarding starting a new business

Source: own processing, based on data form Flash EB No283-Entrepreneurship, December 2009, p.70

-percent-

51 50 34 24 23 21

2009

■ the "perfect" business idea   ■ financing the business
■ the right business partner   ■ having a model in life/business
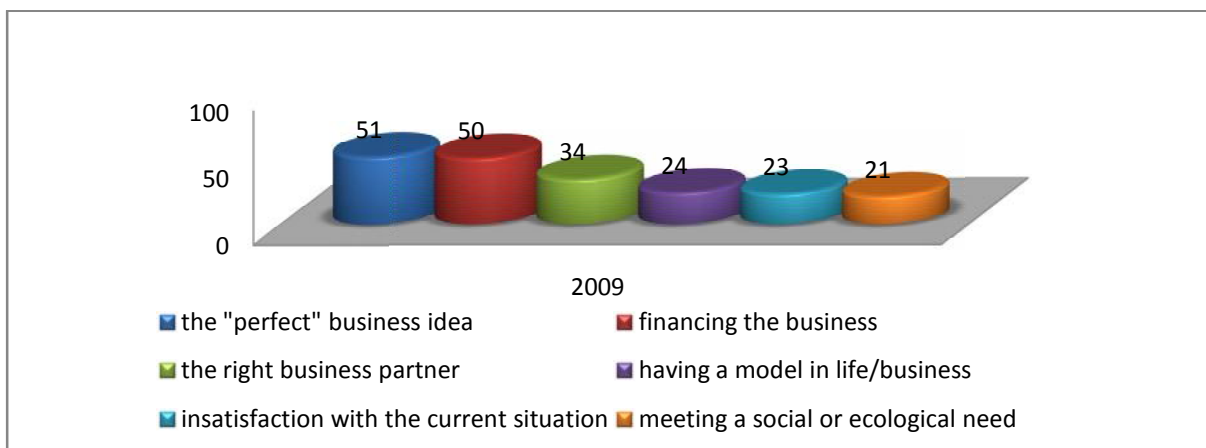■ insatisfaction with the current situation   ■ meeting a social or ecological need

Figure 4. The most important factors in starting a business for EU citizens

Source: own processing, based on data form Flash EB No283-Entrepreneurship, December 2009

In order to develop entrepreneurship and to get citizens to take action and involve in business, EU autorities need to study how to meet the main fears in starting a business, as felt by EU citizens, in colaboration with measures that stimulate entrepreneurial culture and promote business awareness and interest amoung EU citizens.

A situation regarding a 2009 statding in entrepreneurial development in The EU concludes that the largest percent of entrepreneurs (28%) sold or transfered their business in 2009, compared only 17 % taht were starting a business in 2009 and 13 % that started a business in 2006-2009, acording to Figure 5. This shows that the global recession affected badly European economies and entrepreneurial development in the region, as well as the fact that the process of expanding the number of businesses and jobs created was slowed.
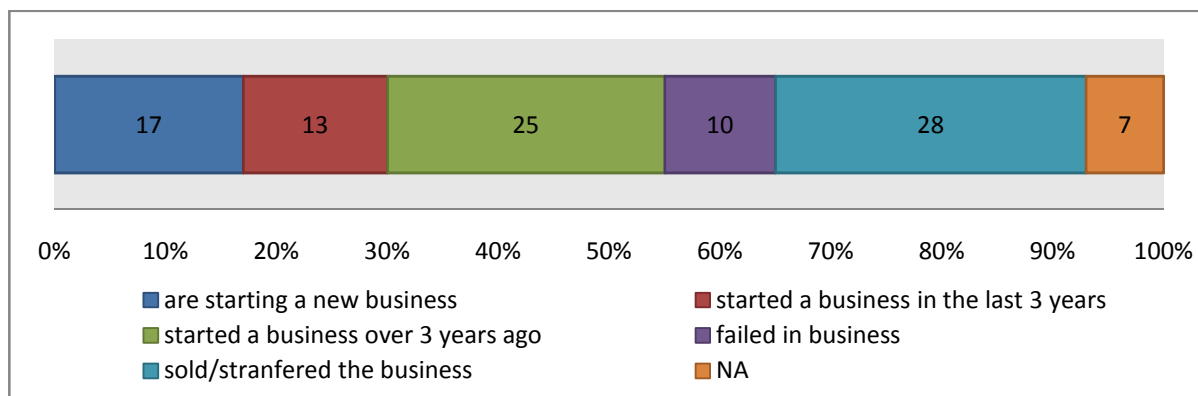
| 17 | 13 | 25 | 10 | 28 | 7 |

- are starting a new business
- started a business in the last 3 years
- started a business over 3 years ago
- failed in business
- sold/stranfered the business
- NA

Figure 5. **Experience in business or starting a business amoung EU-27 entrepreneurs in 2009**

Source: own processing, based on data form Flash EB No283-Entrepreneurship, December 2009

For a better image of this situation we can compare the data from Figure 5 with data form Figure 6 and see the difference between EU entrepreneurial activity and the one from other major economies in 2009. So we can see that in The US 26 % of entrepreneurs are starting a business in 2009 and in China 41 %, and these aspects show that The EU has been left behind and need to boost its entrepreneurial acivity in the near future in order to stand a chance at a healthy economic and social recovery. Another fact that support this idea is only in The US we can see the same precentage regarding businesses sold/tranfered and in other strong economies like China, Japan and Korea the percentage is smaller; in China for example the percentage of entrepreneurs that sold/tranfered their business in four times smaller than the percentage regarding entrepreneurs that are starting a business.
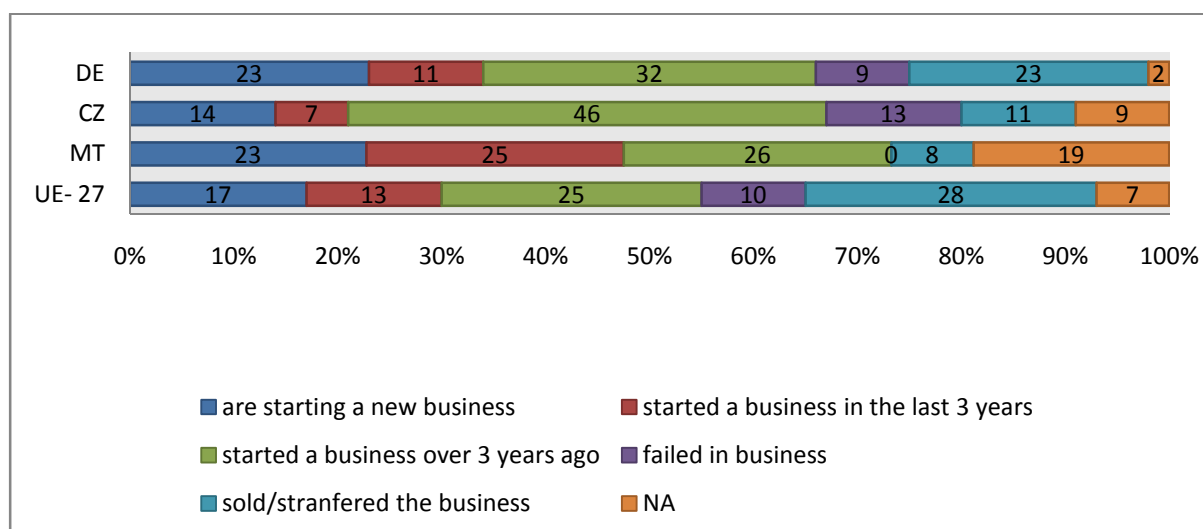

DE	23	11	32	9	23	2
CZ	14	7	46	13	11	9
MT	23	25	26	0	8	19
UE- 27	17	13	25	10	28	7

- are starting a new business
- started a business in the last 3 years
- started a business over 3 years ago
- failed in business
- sold/stranfered the business
- NA

Figure 5. **Experience in business or starting a business amoung US, China, Korea and Japan entrepreneurs in 2009**

Source: own processing, based on data form Flash EB No283-Entrepreneurship, December 2009, p.51

Based on the comparison of EU entrepreneurial activity and the one in the other four economies mentioned, we can conclude that EU authorities have a lot of work to do in order to develop entrepreneurship, especially faceing competition form China which is growing constantly and aggressivly.

So lets develop the image by considering data from Figure 6. We can see that Estern Europe & Central Asia are leaders in this chapter with 84 %, which is a welcoming fact for EU economies due to the fact that Easters European countries are either memners of The EU or they have strong economic relationships with EU countries. This aspect is olso important beacause it shows that contries in the EU made reforms in regulating business which is a mean of supporting entrepreneurship development.
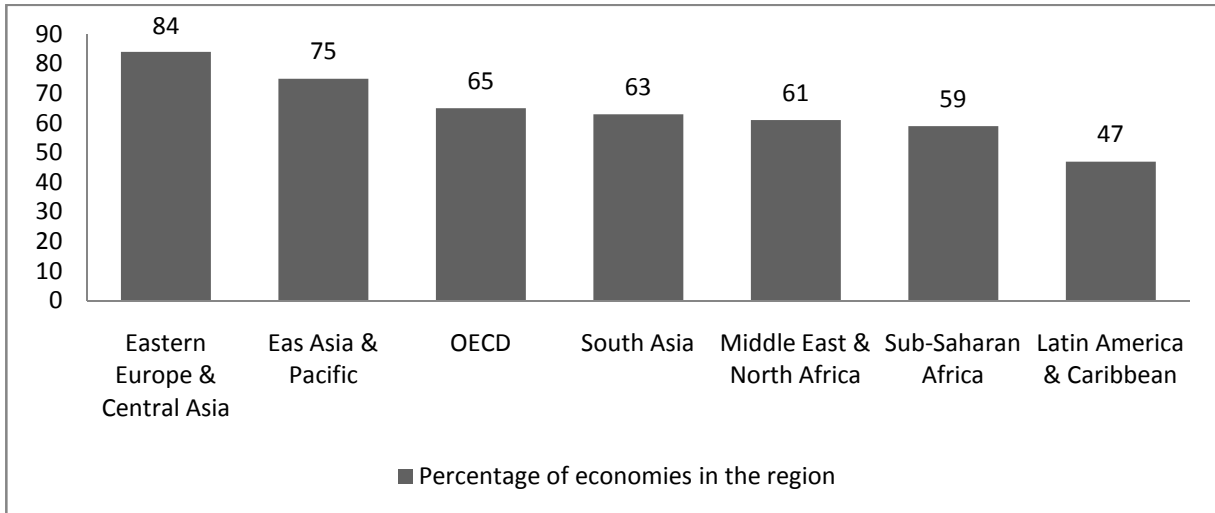

Figure 6. Percentage of economies that reformed business regulation in 2009-2010 by regions

Source: own processing, based on data form Doing Business Full Report 2011, The World Bank- International Financial Corporation, p.10

Also it is very important to metion that in the „Top Ten Countries that improved the most doing business and ease the process of starting a business" The EU is represented by only one country, Hungary, on the 7th place[1] and this fact is one that represent a lack of result at Eu level regarding stimulating entrepreneurship and business development.

Also, regarding the regions with the highest rank in business-friendly environment in doing business the situation is not so favorable for EU contries, because Eastern Europe & Central Asia scored only 72 points from 183 possible; the full ranking is showed in Figure 7. As we can see the regions with the most friendly environment are Sub-Saharan Africa and South Asia and it seems that the countries in these regions are more open to reform their way of doing business than EU economies, probably because in these regions most countries are emergent economies and in The EU most economies are either highly developed or have a higher level of development compared with countries in the two mentioned regions.

All of these aspects and facts show the position held by EU national economies and The EU as one economy in the process of developing entrepreneurship, business and creating a functional and business-friendly market in order to attract direct foreign investments.

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[1] Doing Business Full Report 2011, The World Bank- International Financial Corporation, p.13
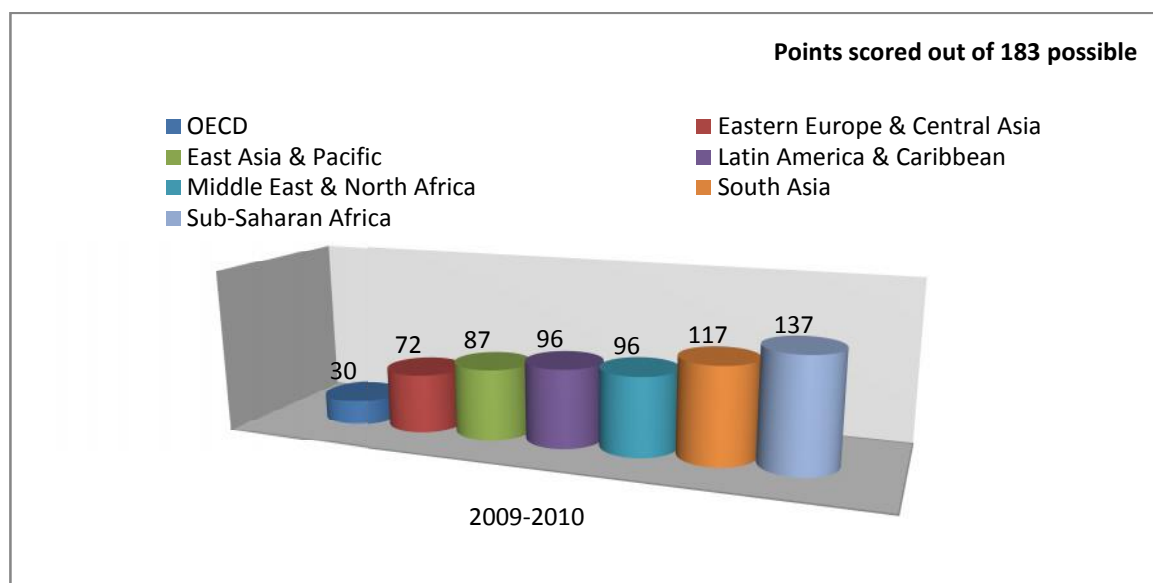
Figure 7. The regions that have the most business-friendly environments in 2009-2010

Source: own processing, based on data from Doing Business Full Report 2011, The World Bank- International Financial Corporation, p.11

Further more we can compare data form Figures 5, 6 and 7 with data form Table 1 so we can see how did foreign trade and GDP evolved in The EU, The US, China and Japan in 2009 compared with the entrepreneurial activity.

Table 1- Foreign trade and GDP in The EU, The US, China and Japan in 2009

-billion dollars-

Year	Country	Exports	Imports	GDP
2009	The US	1056	1605	14277
-	China	1202	1006	4985,4
-	Japan	581	552	4138,8
-	EU[1]	3619	3427	14085,4

Source: own processing based on statistics from the WTO, International Trade Statistics, Leading Traders section available at: http://www.wto.org/english/res_e/statis_e/statis_e.htm, http://www.tradingeconomics.com/Economics/GDP.aspx?Symbol=RUB;

Eurostat, http://epp.eurostat.ec.europa.eu/portal/page/portal/eurostat/home/; European Union Economy, Wikipedia, http://en.wikipedia.org/wiki/Economy_of_the_European_Union; CIA, The World FactBook, available at https://www.cia.gov/library/publications/the-world-factbook/geos/us.html; http://en.wikipedia.org/wiki/Economy_of_the_People's_Republic_of_China, http://en.wikipedia.org/wiki/List_of_countries_by_GDP_(nominal); CIA, The Word FactBook, available at www.cia.gov/library/publications/the-world-factbook/geos/ja.html

Form this comparison we can see a little paradox because The Eu is the leading economic power, it has the largest GDP and the larged volume of exports and imports in the global market, but it has only one country in the „Top Ten Countries that improved the most doing business and ease the process of starting a business", it has a low score on the most business-friendly economies and the percentage of

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[1] EU is not considered separately as one country by WTO`s Leading Traders Statistics.

entrepreneurs that are starting a business is smaller compared with the one in the other three countries mentioned.

Therefore, The EU is the economic leader of the world and it is one of the most unproductive areas regarding entrepreneurship development, so lets ask how would The EU economy look like if EU authorities will boost entrepreneurship development, implement wide-spread reforms regarding business regulation and will create a more business-friendly region?

To answer this question further studies have to be made by EU authorities, studies that could show, in figures, how entrepreneurship influences The EU GDP, its foreign trade and its economic development. All we can say for the moment is that developing entrepreneurship and creating a business-friendly environment in The EU is an untapped source for promoting and generating economic growth.

3. Conclusions

The EU stands on a big source of economic growth that has remained untapped, in the form of entrepreneurship, and EU authorities must take actions in order to support and develop entrepreneurial activity and create a more business-friendly environment, so that new business can be created and, with this, new jobs, increase in tax revenues, increase in the level of employment, economic growth and the premise to increase wealth and the standard of living in The European Union.

Measures that sould be taken by EU authorities to stimulate entrepreneurship include: stimulating the creating of new businesses by providing financial support and tax incentives, developing entrepreneurial culture and business awareness, creating European Authorities that act as free consultants for entrepreneurs, creating European Programs for entrepreneurship development, easing access to Structural Founds by creating an European Agency that will manage the access to Structural Founds and will replace national authorities in this area, stimulating corporations, multinationals and regional clusters to develop partnerships with SMEs and new-founded business in order to support entrepreneurship and innovation, creating European Entrepreneurship Academies and Competitions amoung EU students.

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THE 6TH EDITION OF THE INTERNATIONAL CONFERENCE
EUROPEAN INTEGRATION
REALITIES AND PERSPECTIVES

The Place of Culture in the Current International Relations

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Abstract: Culture and international relations easily appear to be mutually contradictory terms. To speak of "culture" is to invoke the creative capacities of human beings, to point, for example, to the constitutive role of values and visions, to the power of language and aesthetic expression, to communities great and small engaged in reconstructing normative aspirations and reshaping the possibilities for a decent way of life. To speak of "international relations," by contrast, is to draw upon an altogether bleaker account of the human condition, to refer to missiles and bombs, trade figures and debts, statesmanship and diplomacy, intrigue and force. It is to echo assertions about naked power and the sacrifice of cultural creativity and normative aspiration to the supposedly more enduring determinations of survival or supremacy. From the dark depths of international relations, the term culture takes on an aura of frivolity. It appears to refer to the idealistic and utopian, to the veneer of civilized decency that is always stripped away by the harsh realities of power politics and international conflict. This work aims at showing the contrary.

Face à cette tendance croissante de nier, de contester (parfois de la détester…) l'évidence, *id est* le rôle et l'importance de la culture, il ne faut plus tourner autour du pot ni y aller de main morte, de crainte de fâcher et contrarier les politiciens… qui ne sont que nos élus !

Eh bien, ces sieurs politiques, mot qu'on peut (et que l'on se doit de) décomposer comme suit : poly-tics, se découvrent un tic tout récent : la culture, un mot qui revient toujours plus souvent sur leurs lèvres et autour duquel ils tissent une vraie toile de Pénélope : de jour, ils en ont plein la bouche, ils en parlent avec d'apparentes délices, de nuit (dans la nuit de leur esprit) ils déchirent cette même toile, si vivement, car ils ont horreur de la culture, qu'il n'en reste plus rien, sinon un ou deux articles de presse ou une interview télévisée où l'on a fait semblant de prendre faits et gestes, voire de défendre bec et ongles la cause de la culture ! Ce qui se passe en réalité, ce qu'on nous donne en pâture sur les écrans des postes de Tv et sur les journaux/revues/magasines démontrent – si besoin il y avait – qu'ils n'y pensent même pas, que cela leur abhorre au plus haut point…

Un dernier tic des poly-tics roumains, c'est de muer en universitaires, absolument des Profs, s'il vous plaît, et non pas de simples Maîtres de conférences, tant s'en faut et Dieu (mais lequel ?) nous en garde ! On parle même d'un certain illettré (*nomina odiosa*) : ignorant et analphabète à la fois (tous horizons et azimuts confondus…) qui serait devenu Professeur d'université… Alors là, la culture et l'éducation sont-elles vraiment un tic ? Serait-ce pour cela qu'on veut, que l'on tient même à les éradiquer ?!

Nous ne buterons pas sur les plus de 160 sens de la culture trouvés par les anthropologues Alfred Kroeber et Clyde Kluckhohn il y a quelques décennies, ni sur les plus de 20 définitions que le

sociologue Armand Cuvillier donnait de ladite culture. Nous pensons, avec Razvan THEODORESCU, qu'il suffit de considérer la culture au sens cicéronien de *cultura mentis*, de culture intellectuelle donc, englobant les lettres, les arts, les croyances, la philosophie. Les recherches entreprises sur le rapport entre la culture et les relations internationales, ont été de deux sortes : celles qui mènent vers l'action culturelle des Etats, vers leur politique d'influence, de pouvoir, par la présence et la diplomatie culturelle et celles qui, dans les ouvrages de Michel Espagne et Michael Werner, traitent des transferts culturels d'une société à l'autre, sans passer nécessairement par une médiation statique. En septembre 2010 est paru le Rapport final du Centre pour la Stratégie et les Services d'évaluation (CSES) à la suite de l'adoption des recommandations du Conseil d'Europe. On y entreprend l'analyse du rôle de la culture dans le développement régional et local. Il est souligné que dans le dynamisme économique de l'Europe, l'un des facteurs principaux est le secteur culturel… Apparemment, tout se rapporte à l'économie et aux finances, et l'on fera tant et si bien que l'on fera économie de culture, des économies de bouts de chandelles…A preuve que 6 milliards euros ont été alloués aux développements culturels. Les principales conclusions de l'étude, sont les suivantes : a) la culture européenne et le secteur créatif connaissent un rythme de croissance plus important que dans d'autres secteurs, se constituant en une source majeure du dynamisme de l'économie européenne, génératrice de créativité et d'innovation ; b) les projets basés sur la culture aident au développement des régions moins développées ; c) procure des emplois.

Il en résulte que tant au niveau local que régional, il faudrait continuer cette approche stratégique à long terme, basée sur la culture. Car celle-ci se trouve au centre du projet européen et constitue la clé de voûte de l'unité dans la diversité de l'Union Européenne. Le respect de la diversité culturelle de pair avec la capacité de se réunir autour des valeurs communes ont constitué la garantie de la paix, de la prospérité et de la solidarité dont jouit l'UE. Au moment où l'on parle de la mondialisation, la culture peut apporter une contribution unique à une stratégie européenne en vue d'une croissance intelligente, écologique et favorable à l'inclusion, promouvant la stabilité, l'entente réciproque et la coopération dans tout le monde. Le 20 décembre 2010, l'Assemblée générale des Nations Unies a adopté une Résolution portant sur la Culture et le développement et souligne, en première, l'importante contribution de la culture au développement durable et à la réalisation des objectifs de développement nationaux et internationaux, dont les objectifs du Millénaire pour le développement (OMD). Le document précédent, adopté en septembre, insiste sur l'importance revêtue par la culture en tant que facteur du développement et encourage la coopération internationale dans le domaine culturel en vue de réaliser les objectifs de développement.

Pour revenir à l'UE, elle promeut la culture en tant qu'élément vital dans le cadre de ses relations internationales. En tant que part de la Convention UNESCO concernant la protection et la promotion de la diversité des expressions culturelles, l'UE s'est engagée à intégrer la dimension culturelle dans ses relations avec les pays et les régions partenaires. Une question considérée comme d'importance, mais qui a le don de nous agacer, nous autres hommes de culture, est que dans le cadre des relations commerciales, l'UE a continué à tenir compte de la double nature économique et culturelle du secteur audio-visuel considéré comme vecteur de communication de l'identité et des valeurs dans le cadre des négociations bilatérales et multilatérales afférentes. Cet important concept dans les affaires étrangères est difficile à définir, mais à un niveau de base, elle dignifie la part faite par l'homme, de l'environnement, qui peut être communiquée et qui pourvoit les patterns, les significations et les connaissances de l'activité humaine d'une manière sociale et en se rapportant au monde. Il est trois domaines où la culture est considérée comme utile dans les affaires étrangères : les cultures politiques, stratégique et organisationnelle. Les dirigeants qui incarnent ou symbolisent les croyances culturelles

d'une nation, sont confortés dans leurs efforts. Sur la scène politique du monde, il est important de relier les aspirations culturelles avec l'action politique. La culture stratégique concerne principalement les méthodes par lesquelles les nations ou d'autres groupes choisissent d'atteindre leurs buts, et les facteurs culturels qui affectent la manière dont ils envisagent la coopération ou la compétition. En temps de guerre ou de conflit intense, certaines tendances culturelles peuvent s'amplifier et devenir autrement importante pour la suite des événements. On accepte l'ide que les individus sont affectés dans une certaine mesure par les différences entre leurs sociétés, leurs expériences historiques les systèmes de valeurs et les structures du langage. Des questions surgissent, de toutes façons : Comment les différences culturelles conduisent les nations à des patterns prédictibles de relations internationales ? Sous quelles conditions devrait-on s'attendre à ce que la culture joue un rôle plus important dans les relations internationales ? Quelles sont les dynamiques des échanges culturels et comment peut-on les mesurer, comme l'impact sur les politiques étrangères ?

Cela fait longtemps que les gouvernements ont souvent tenté d'utiliser leur culture dans les affaires étrangères, en promouvant leur propre langage, musique, media et autres. On a ainsi été amenés à admettre qu'il y avait des régions de frontière/transition où les diverses cultures interagissent et où la diplomatie culturelle s'avère utile. Sans parler de la propagande et des batailles idéologiques. Par exemple, le Japon avait fait de la culture un des trois piliers de sa politique étrangère, avec la sécurité et les activités économiques. Mais quand la culture se fait dominante et il s'agit alors d'un impérialisme culturel, les choses empirent. C'est le cas, ces derniers temps, de l'américanisation, par l'intermédiaire des compagnies répandant dans tout le monde des produits culturels, mais qui disposent également de puissantes industries éducationnelles, de recherche, médias et de publicité. La solution ? La résistance passive, l'inertie, les protestations non violentes, les obstructions légales, la réadaptation créative du produit respectif, la violence populaire, ou le sabotage sélectif.

Après la fin de la Guerre froide, une forme nouvelle et dynamique d'internationalisme est apparue, qui a créé une sorte de culture humaine globale. Les recherches importantes et les efforts institutionnels ont commencé à établir un noyau de valeurs acceptées, pouvant servir de base au dialogue croisé, jouer un rôle dans les disputes internationales, voire contribuer davantage à la reconnaissance des droits de l'homme ; développer une meilleure compréhension à travers le monde des diverses cultures et sciences, évitant des gaffes inutiles en diplomatie, susceptibles d'aboutir à des conflits ouverts ; la reconnaissance de ce que la diversité culturelle peut compliquer tant les relations internationales que créer des tensions entre les Etats nationaux. Résultats de l'identité nationale, des divers groupes ethniques, des nationalismes, multiculturalismes et pluralismes, ces problèmes sont réels et deviennent un obstacles pour les Etats de grandes dimensions (E U d'A, Chine, Russie, France, Malaisie) ; la reconnaissance de la diversité culturelle comme une ressource globale et des efforts à entreprendre pour préserver et continuer cette diversité en tant qu'importante fondation globale. Tout cela peut être résumé par une question-clé : est-ce que la diversité culturelle et l'internationalisme culturel peuvent travailler ensemble pour assurer un ordre mondial stable. La culture est une force réelle dans les relations internationales, mais elle est loin d'être un remède magique en cas de conflits. Bien que son rôle sur la scène internationale continue de gagner en importance dans la consolidation de la sécurité et de la paix, contribuant ainsi à la naissance d'un monde nouveau dominé par les valeurs de coexistence, de tolérance, de dialogue des cultures et d'alliance des civilisations. La coopération culturelle mondiale offre d'énormes potentialités à la promotion des efforts déployés par la communauté internationale dans les domaines de la politique, de la diplomatie et de l'économie.

Il s'agit de consolider l'entente entre les peuples à l'intérieur et à l'extérieur des Etats, participer à l'instauration de la paix et de la sécurité dans le monde par tous les moyens possibles, surtout par

l'éducation, la science, la culture. Selon le principe d'interaction culturelle régionale et internationale, l'entente entre les peuples doit impérativement s'appuyer d'abord sur l'entente culturelle. Comme quoi, la culture constitue une force motrice qui doit encourager le processus de paix, mais aussi un élément essentiel à la mise en place de relations internationales équilibrées et cohérentes, capables de le préserver des facteurs subversifs. Conclusion : le renforcement de l'entente entre les peuples commence et finit par la culture ! D'autre part, la coopération culturelle internationale constitue un contrepoids à l'ordre mondial et une rationalisation de la politique internationale. Et pour cause, car la culture n'est pas une notion restreinte dont la portée et l'influence sont limitées, mais plutôt un concept global se distinguant par la profondeur de sa signification et de sa perspective : la culture influe sur la vie, sur les *modus vivendi, pensandi, amandi, facendi* etc. Le dialogue culturel représente une volonté politique justifiée par des motivations culturelles. La fusion entre diverses sciences et domaines du savoir cinfère à la culture une signification des plus profonde et à l'action culturelle une signification plus accomplie et un rôle plus efficient dans la vie de l'individu et de la communauté, ainsi que dans le renouvellement des relations internationales sur des bases plus solides.

C'est l'idéal, que l'on se devrait tous d'atteindre un jour. En réalité, malgré l'ubiquité de la culture dans les relations internationales, son importance n'est pas encore clairement reconnue. Elle continue d'être perçue comme un supplément, quelque chose d'additionnel, de complémentaire. , et non pas comme le noyau dur des relations internationales. Il n'y a pas de consensus quant aux buts et aux méthodes de la diplomatique publique. Joseph Nye's, professeur des Relations internationales à Harvard University, parle du soft power. Alors que le hard power signifie la capacité de coercition par des moyens militaires ou économiques, le soft power est le moyen d'attirer et de persuader. Pour la bonne raison que la diplomatie publique est basée sur les prémisses que l'image et la réputation d'un pays sont des biens publiques qui peuvent créer un environnement bénéfique ou non pour les transactions individuelles. Une évolution est visible entre la mission de la diplomatie publique qui n'est plus tant c elle de changer les perceptions, mais plutôt de changer les comportements, suivant les priorités du gouvernement respectif. Mark Leonard souligne quatre buts que la diplomatie devrait se donner au XXI –e siècle : l'accroissement de la familiarisation, *id est* faire les gens penser à votre pays et les déterminer à mettre à jour leurs image de votre pays ; l'accroissement de l'appréciation, *id est* créer des perceptions positives de votre pays et déterminer les autres à voir les résultats de votre propre point de vue ; engager les gens, *id est* engager les gens à visiter votre pays comme une attraction touristique et pour l'étude, les encourager à acheter vos produits et à souscrire à ses valeurs ; influencer le comportement des gens, *id est* déterminer les compagnies à investir, encourager le support public pour les positions politiques de votre pays et convaincre les politiciens à faire de votre pays un allié.

Pour ce faire, la diplomatie a besoin d'opérer à trois niveaux : la communication quotidienne des résultats, la communication stratégique et développer des relations qui durent. Les trois piliers de la diplomatie : le management de l'information, la communication stratégique et l'édification des relations aboutissent à l'ouverture réciproque des pays, plutôt qu'à projeter une image ou un message en vue de la consommation immédiate. C'est grâce à la culture que l'on trouve des points communs et des différences et les moyens de se comprendre l'un l'autre. Les expositions, les spectacles ou autres événements culturels nous déterminent à accepter le patrimoine d'autrui ainsi que sa culture vivante.

L'une des plus importantes contributions de la culture est sa capacité d'exposer une diversité de vues, perspectives et opinions, démolissant les anciens stéréotypes nationaux et partis pris et mettant à défi la perception que les leaders politiques d'un pays et leur politique sont identiques avec celles de leurs citoyens. C'est très important, quand un pays a subi une perte de réputation, comme ce fut le cas de la

Grande Bretagne et des Etats-Unis d'Amérique après l'invasion de l'Iraq en 2003. La culture offre des points de contact pour des expositions, explications, dialogue et débats. La réputation des institutions culturelles est maintenue par leur constante vigilance et leur continuelle renégociation. Les institutions culturelles nationales ne doivent pas être de statiques dépositaires d'artefacts culturels, mais être des participants actifs à l'articulation et la communication de notre spécifique, mais aussi du sens de l'identité de l'autre. La musique et les arts du spectacle peuvent renvoyer des images de créativité, vitalité et sensibilité. Par exemple, pendant la Guerre Froide, le Grand Ballet russe présentaient une face plus humaine et attrayante de l'Union Soviétique, comme de nos jours le Brésil est plus connu pour son Carnaval de Rio que pour sa politique. La culture a la capacité de s'adresser à un nombre substantiel d'individus, en faisant d'eux un medium idéal pour leur diplomatie publique. De ce point de vue, peut-être faudrait-il changer le dicton et dire que, lorsque les Muses parlent, la Guerre se tait… Quand les artistes prennent la parole, on n'a plus à cœur de faire la guerre ! Quand la culture vous enrichit, à quoi bon prendre les armes et tuer son prochain, en s'appauvrissant de la sorte soi-même ? Plus on est de fous, plus on rit, dit-on. Et si l'on disait un jour : Plus il y a des hommes de culture, des artistes, plus la paix est stable et durable, plus le monde va de l'avant. Et pour faire plaisir aux franglais, pourquoi ne pas faire un *tour cool* de la vie ? Certes, pour l'amour de dire que la culture pourrait être prononcée en franglais comme *cool tour*… Et cela ferait plaisir aux ados, à ces adorables ados qui font fi des traditions, coutumes, de la langue de leurs ancêtres pour embrasser, mais mal étreindre… Et pour faire *cool*, *id est* pour être à la page et faire branché, nous nous demandons : lorsque l'on vise la guerre et la souffrance qu'elle amène, voire la mort, est-ce qu'on pète plus haut ou plus bas que son *cul* ? Car ce mot peu gentil fait partie, qu'on le veuille ou non, du mot *cul*ture…

Pourquoi a-t-on de plus en plus souvent ces derniers temps que les politiciens déclarent tout haut une chose pour la mettre à bas le lendemain ? Pourquoi les entend-on grincer entre leurs dents : La culture, mon cul ! En signe d'abréviation, certes, en guise de sms, si l'on veut. Le fait est que le message est le même : Nous aimons la paix, mais lui préférons la guerre ! Nous aimons la culture, mais lui préférons l'ignorance (on peut se la mettre au cul, votre cul…ture), car les masses et les peuples seront plus facilement gouvernables s'ils ignorent tout de la culture, des arts, de la philosophie. On parle souvent de *modus vivendi*, de mode de vie, mais très rarement de philosophie de la vie… Comme si vivre signifiait attendre la vouivre…

Comment expliquer les émissions télé de plus en plus idiotes, sur toutes les chaînes des Etats-Unis jusqu'en Europe ou au Canada ou au Japon ? ¨Pourquoi la violence est de loin la préférée, voire la coqueluche des producteurs de films télévisuels ou en salle ? Pourquoi laisse-t-on mourir les théâtres, les Philarmoniques, pourquoi les salles de cinéma ferment-t-elles les unes après les autres ? Pourquoi la grande presse écrite est en danger de mort ? Le Monde et les autres grands journaux français, par exemples, se confrontent à des difficultés énormes, à cause aussi de ces pseudo-journaux gratuits, débordant de réclames idiotes, et qui n'avertissent plus les citoyens auxquels ils auront à se confronter ? Qui assumera le rôle formateur et informateur de la presse ?

Toutes ces questions nous font douter de l'élégance, du bien-fondé et des bonnes intentions des textes présentés, décrits et expliqués ici, car dire est une chose, faire est une autre… Vouloir c'est pourvoir, en effet, mais veut-on vraiment que la culture triomphe et constituent la base de notre évolution future, comme de nos relations internationales ? Il suffit de regarder ce qui se passe chez nous, pour en douter ! Puisse-t-il en être autrement ! Il ne nous reste qu'à former des vœux en ce sens… Ainsi soit-il !

THE 6TH EDITION OF THE INTERNATIONAL CONFERENCE
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REALITIES AND PERSPECTIVES

Management Strategies in Multinational
PricewaterhouseCoopers Romania

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Abstract: This paper presents and analyzes the key strategies that underpin multinational firms acting in this global environment. The paper underlines the importance of strategy, in the current economic context, for a complex company such as PriceWaterhouse Coopers. After a laborious documentation, theoretical and practical, the paper presents the main strategic options which ensure the business development in the context of globalization. Due to complexity of work carried out by PricewaterhouseCoopers, due to a developed organizational structure and the large number of employees , the need for the strategy is " vital " for achieve the desired performance . In the past 10 years, PriceWaterhouse Coopers turned its global work on expanding the network size and diversity of services offered. Challenges and opportunities of today require a new strategic vision. Therefore, PriceWaterhouse Coopers calls for integrating the concept of sustainability as a management philosophy. In this context, which shapes the economy based on knowledge, management is a science which, through instruments such as corporate social responsibility, coaching procces, attracting talents, can help businesses to develop, diversify or to survive. The research of this company that led to the application of these tools work in Romanian companies, depending on the particular circumstances.

Keywords: resources; social responsibility; organizational culture

1. Introduction

Most organizations seek to develop and implement strategies for long-term goals. Presentation of the organization's strategy, with its mission and objectives of the organization is a strategic plan. For the development and implementation of this strategy, strategic management has an important role. Strategic management is the process through which managers formulate and implement strategies to optimize the strategic point of view of reaching a target, in certain internal and external conditions. This theme shows a high importance because of the need for a well-defined path of future activities within an organization. There are always different ways one can describe a company's direction. Many managers know the general direction of the company they manage, but often, their vision is not clear.

In today's world, more crowded, the successful implementation of clear strategies is a key factor in further development. Achieving the desired vision requires much more than targets. It's about developing a comprehensive strategy. It's about prioritizing elements in achieving success. It is about

articulating vital concepts across the whole organization. And, most importantly, it is about quality services in a changing business environment.

2.   Presentation of the Consulting Company PricewaterhouseCoopers

PricewaterhouseCoopers (PwC) is the largest professional services, consultancy and auditing in the world and one of the largest private companies with a turnover of $ 60 billion in 2008 which has 766 offices in 151 countries. PricewaterhouseCoopers measures its success based on people, so every day more than 163,000 people in 151 countries go to work to help clients of this company. Good governance and transparency are the bedrock of leadership. The company provides services that are based on integrity, common sense and wise solutions to the problems facing businesses.

PricewaterhouseCoopers Romania is a company present in Romania since 1991, having as main activity business consulting services and management. PricewaterhouseCoopers Romania is part of PricewaterhouseCoopers regional network in Central and Eastern Europe, present in 29 countries in the region and with almost 7.000 professional services specialists and provide the highest quality services, based on a thorough knowledge of the local business environment, in multinational and Romanian companies. The company currently has a team of over 650 employees led by 18 partners, thus PwC was the first of the Big Four, which entered the market in Romania. The company operates in Romania and Moldova through a network of five offices: Bucharest, Cluj, Timisoara, Constanta and Chisinau. PricewaterhouseCoopers Romania offers a full range of consulting services to local and multinational companies and public institutions. The services provided by PwC Romania are: insurance services, business consulting, advisory services on law in Romania (litigation, international financial reporting standards - IFRS) and financial advisory services on structural funds. PricewaterhouseCoopers Romania firm's client portfolio includes companies from various economic sectors, mainly energy, telecommunications, automotive and financial services. Currently, over 50% of the portfolio company's audit clients in Romania are Romanian companies. Amall and medium entreprises segment is a priority: in recent years, small and medium entreprises have seen the highest growth of Romanian economy and are one of the most innovative and dynamic sectors. Having smaller size, these companies are very dynamic and rapidly evolving, which is why they need advice and professional support.

3. Strategic Options Adopted by Pwc and the Appropriate Action Programs

In economic environment of today's competitive market and the prospect of European integration, even large companies may have problems. Because of their managers are not always able to face serious problems through taking effective and timely measures, companies can not maintain the position they have in their field and reach a situation such as lack of liquidity, declining profits or excessive debt. "Sustainability: the perfect storm for change", is the way that PwC approached to overcome the current difficult times. Current economic context and technological progress have emphasized the importance of financial control and financial reporting, there is a balance between development objectives and financial sustainability of the company, the effect of decisions on financial and organizational processes optimizations. The company underscores the importance of the policies that underpin the good functioning and organization of an enterprise.

Increased focus on human resources. The HR department of PwC Romania directions, because of the global crisis, were responsible for the development of their human capital management, putting the

necessary processes and procedures and, last but not least, measuring and translating them into value-added information for top management .

Compliance with a specific cycle in terms of human resources. In this case the phases are: employment, professional development, supervision and guidance, and promotion.

Employment: It operates in strict hiring standards for both beginners and experienced ones, which include not only evaluation of the academic results, but also of each candidate interviews, reference and experience.

Professional Development: It begins from the moment of employment and continue throughout his career. Employees are participating in a variety of training courses outside the firm and are also continuously trained inside workplace.

Supervision and guidance: Each partner responsible for an audit must ensure that management and staff taking part in the project have the professional competence and experience.

Promotion: The partners and staff performance is evaluated annually through a process that includes colleagues, subordinates and superiors. Partners and qualified staff are recognized and rewarded for providing quality services.

An HR policy based on the principle of equal opportunities. The organization is encouraging balanced participation of women and men in all decision-making processes by priority "Participation in Decision Making". Thus, PwC is recognized for its policy of encouraging women to develop a successful career. Women represent 50% of workforce in PwC, and 15% of all partnerships, a number that grows every year.

The coaching process - organizational culture based on growth and success. The results of implementing this process at PwC organization are: improving and developing skills, better understanding of how each person influences its evolution, development knowledge and perspective to both personal and organizational level, focusing on behavioral issues and efficiency activity at the level of organization.

Through *"Practice Makes Perfect",* conducted for newly recruited graduates, PwC employee expectations contributes to the transformation of measurable performance. Through its systems, PwC provides a coach or mentor staff to experienced and new graduates recruited, giving them access to individual development tools.

Coaching program *"Let's grow together"* provides an opportunity for managers at all levels to have access to an experienced person who will devote time to guide them to achieve short and long term objectives. The process begins with an assessment of the current situation, which aims to determine, together with the coach, needs to develop the map and then actually start the coaching process that results in an action plan, developed together with coach.

Attracting young talent - the development direction of the organizational culture of PwC. The study "Millennium Generation at Work" is part of PwC's being called "management of new generation of human resources "and is based on the responses of over 4.200 graduates. People from 44 countries in which PwC activates, responded anonymously to questions about their expectations regarding work and careers. Most respondents are recent graduates who were about to start working for PwC. Study results show that although global opportunities and implement strong policies of corporate responsibility are essential for the Millennium Generation, its representatives are expected to work primarily in office, with regular working hours and not changing often the employer during its career.

The organization provides youth development programs in management. Training courses and professional development are for Millennium Generation the most appreciated advantages in the first five-year career, one third of respondents indicating them as the most important benefit (except salary). Management programs are addressed to students in their final year (III, IV or V) who are interested in PwC fields of work and covers a period from 4 to 18 months.

*Corporate Social Responsibility Strategy.*Many companies put increasing weight on actions that serve not only their own interests but those of society. This kind of thinking is mentioned as "corporate responsibility".

Among the various corporate responsibility activities, PWC pay special attention to education and climate change. In addition, through commercial services, PwC helped other organizations worldwide to strengthen their own accountability agenda. PwC has advised customers to ensure that their relations with stakeholders are based on common interests and objectives agreed. CSR policy covers several axes: local community, environment, employees, operating in the market.

Local's community. PwC believes that the company is responsible to provide strong support that these activities are present in various communities. This is achieved by: encouraging employees to participate in community activities, community involvement in dialogue on topics of local interest, promotion and adoption CSR practices within the general business community, purchase raw materials from local suppliers.

Environment. For PwC, environmental conservation, means to make the environmental strategy the center of its operations by committing a number of principles and actions including: efficient use of natural resources and reducing waste, attenuation climate change by reducing greenhouse gas emissions from energy consumption, transportation and daily processes, encouraging suppliers to reduce the environmental impact of materials provided.

Employees. Actions taken by the company in this regard include: establishing a culture where inclusion, diversity and flexible working practices are essential, Creating a work environment that supports health, safety and welfare of employees, promotion of corporate values that make employees feel proud to be part of the organization PwC.

The market activity. PwC recognizes the important function of the company's responsibility as providers of insurance, tax and advisory services to the business community. The company carefully chooses its customers, treating them with respect and strive to maintain the highest ethical standards. In the market, PwC strives to promote this objective by taking the following measures: provision of innovative services that can approach major challenges of society, understanding and monitoring of supply chains and related management risk, cooperation with governing authorities to ensure that that the public interest is known.

4. Conclusions

Strategic management is a modern form of leading an enterprise based on the anticipation of change, evaluation of the company's internal potential and making changes that are necessary to harmonize with the environment, to achieve the mission and objectives, to ensure survival.

In general, successful companies are inevitably following a strategy guide. This is the case of PricewaterhouseCoopers Romania, an organization that belongs to the great international group PricewaterhouseCooper, found in over 150 countries. Due to the complexity of work performed, the

organizational structure developed and the large number of employees, the need for the strategy is "vital" for developing and achieving the desired performance.

PwC pleads for integrating the concept of sustainability as a management philosophy. PwC Strategy is now based on strengthening the company's position on the market and can be depicted as "Sustainability: the perfect storm for change". Human resource is usually the center of activity for multinational companies. This is the case with PwC. There are a number of policies that support professional development programs, which ensures high performance results, a known and respected organizational culture and a high diversity among people and therefore a diversity among solutions offered to the markets where the company operate.

Corporate social responsibility is a rising trend worldwide and is generally adopted by large companies. Thus, PwC has a strategy in this sense, the company beeing involved in four elements considered essential for Pwc: the local community, employees, environment and market in which it operates. Although many companies are focused only on economic matters, PwC Romania was aware that long-term results are achieved through a concise and coherent planning of all the defining elements of the company and the analysis of its business impact in general.

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Perspectives on Globalization - Aspects of Cultural Diversity, Integrating Practices and Events

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Abstract: This paper aims at presenting the various views of the experts and researchers who studied the phenomenon of globalization, focusing on cultural diversity. Also the study contributes to the understanding of the phenomenon itself, providing a responsible and open approach. Our contribution shows how globalization is perceived in the Romanian society and answers the questions about the ability of a young nation, from the democratic point of view, such as Romania, to face the challenges coming along with the new status of being an European Union member state. It is addressing to students, teachers, and to all the other persons interested in the aspects that the phenomenon of globalization implies.

Keywords: cultural integrity; intercultural communication; collective mindset; cultural values

1. Introduction

Most of the researchers who have approached the theme of globalization claim to have assumed the task of illuminating and not proselytising, in the sense that this significant issue needs to be deeply understood, and not accepted tacitly without the discernment needed to evaluate advantages and disadvantages. "The goal is to illuminate, not proselityze", is stated in the introduction of the work "Globalization – What's New", which, in 2005 already raised the issue of a dramatic change in "the shape of globalization" (Weinstein, 2005, p. 2) at the beginning of the third millennium. The classical theories of Canadian McLuhan, with the famous phrase "the Global Village" are surpassed in the latest years by the critical studies of those who researched the phenomenon of globalization, seen in all its contradictory complexity, analyzed and discussed from different perspectives, with a special focus on the issues involved by cultural diversity.

2. The Latest Points of View about Globalization Phenomenon

If in a previous work James H. Mittleman spoke about "The globalization syndrome" (Mittelman, 2000) pointing out that globalization and Americanization are not the same and went deeper into the transformations and resistance to global cohesion, in a later study the same author pulled an alarm signal by the offensive interrogation full of connotations: "who governs globalization?". For Mittelman the phenomenon of globalization pushes every nation towards involvement "in a dialectic,

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subject to increasing pressure from above, market forces and international organizations such as EU, and from below in the form of demands from civil society". (Mittelman, 2005, pp. 9 – 10) The author considers that we live in an era of "alter – globalization" (other– globalization, in which the only way to avoid the loss of control in managing autonomous institutions at the level of the nation is represented by "self – determination". (Mittelman, 2005, p. 94 – 95)

Thomas Friedman sees the globalization phenomenon as being strongly marked by the American influences at various levels: showbusiness and entertainment industries, addiction to fast-food (Big Mac and Coca Cola), high-technology. (Friedman, 2001). Resistance to cultural exchange leads to forms of stereotypy and prejudice (the fact that the Americans have tens of thousands of McDonalds' locations worldwide determined the Europeans to speak about "fast-food globalization" in depreciative terms, the same happening with the dressing conformity reduced to blue jeans; Chinese goods and services that have invaded international markets are stereotypically labelled as of poor quality. The last generalization proved to be superfluous in case of some traditional medicine practices or in the case of homeopathic products). The confined content of this paper does not allow an ample discussion about the profitable use of the so productive and cheap labour force by some renowned companies. There is a reversed sense of inclusion into the American culture of European or Asian influences such as "music crazes from Europe, passionate toy and game fads from Japan, medical interests from China and movie styles from India". (Stearns, 2010, p. 150)

The discussion about globalization also supposes common points with the cultural diversity subject. Cultural diversity is built on two axes intersecting only at the moment when nations in economic, political, social and cultural contact prove a maturity of the collective mindset. On one axis complex systems develop, encouraging and protecting the own culture, the ethos and identity roots. On the other axis certain mechanisms emerge, offering openness to the other cultures and creating a permissive environment for the acceptance of differences. Reciprocal respect and tolerance are the triggering factors of these mechanisms, which lead to a viable intercultural communication. Cultural diversity entails mutual aid, mutually profitable transactions at the political, economic and diplomatic level, conflict management, inviolability of citizen rights specific to each nation, sharing common values that do not impede on national identity values but which, on the contrary confer them better visibility. Cultures, perceived as living entities, are attracted to one another, they find points of convergence according to certain affinities. This is a cultural coherence mentioned by the authors of "Globalization and Diversity. Geography of a Changing World". (Rowntree, et alii., 2008, p. 433)

Globalization and implicitly, cultural diversity, does not mean herd conformity, homogenization and impersonality, consider those who do not perceive the phenomenon in question as a threat to own cultural integrity. For Peter N.Stearns, "contemporary globalization – or the contemporary phase, depending on how one views historical antecedents – involved two clearly novel elements: the global environmental impact and embryonic global protest – and a massive acceleration and expansion of more established patterns, notably in the areas of technology, language and culture". (Rowntree, et alii., 2008, p. 433) The same author invokes the disputes that can go on forever between the defenders and detractors of globalization, the latter circulating a bleak vision on what the phenomenon involves in itself, that is, the deterioration of a culture's defining particularities. Micheline Ray considers that "who says intercultural, starting from the plenary sense of the prefix *inter*-necessarily says interaction, exchange, openness, mutuality, objective solidarity". (Dasen, Perregaux & Ray, 1999, p. 166)

3. Aspects of Globalization in Romanian Space

If within the Anglo-Saxon academic environment the phrase "unequal world" (Armstrong & Anderson, 2007, p. 1.) is circulated, the Romanian academic world still hosts the question whether the scepticism with which Romanians were regarded by the other European states at the moment of accession has disappeared. Romanian Academician Dan Berindei, points out solutions to overcome an undervalued image which the Romanian people experience in front of other states. "We all have the feeling that we are not yet sharing the common table with equal rights, we still have roads to travel until we will no longer be the poor relatives. In order to achieve this new status we have to preserve our national consciousness, our dignity and pride and these can only be found in preserving and cultivating our national culture." (Berindei, 2011) Within the Romanian space, the phenomenon of globalization enjoys a major interest from the intellectual elite, divided, as in the case of foreign researchers, in pro and counter parties. Hostile arguments have a strong echo in the conditions in which they start from the assumption that everything becomes a show or some kind of goods, including tradition, moral principles and cultural values, in a process which burns stages, given the fact that not enough space for debate and time for analysis are offered to communities for assimilating the foreign offer. Once the privations and limitations imposed upon the Romanian society by the communism regime ceased and the new opportunities brought by the new form of democracy occurred the fear of the outside world took a new shape. If for the communists the west was a concern, now the problem seems to have roots in the phenomenon of globalization associated with the dissolution of identity. Mihai Goia sees in the "globalized or world man", a rudimentary individual, "centred only economically", subject to the risk of becoming the "atomized man living only for production and consumerism, emptied of culture, politics, sense, consciousness, religion and any sense of transcendence. Probably this is the last stage in the evolution of humanity, or "the last man"[1] Denigrating metaphor type titles of the most recent publications within the Romanian space, (Tiberiu Brăileanu, *Globalization. The No-name of Nothingness*, 2004; Paul Dobrescu, *Globalization Shrewdness*, 2010) show different scenarios about a future in which the states of the world will disappear and their place will be taken by the great corporations. Beyond the studies and researches undertaken in order to define it, globalization remains a real fact, developing under our eyes and getting us involved in its movement aimed at modernity.

Public opinion perceives the phenomenon of globalization as a profitable interaction for economic profit, but, in some cases, with less beneficial influences on the collective mindset. In the competition for conservation of certain privileges obtained following the integration into a complex structure, one example being the European Union, the Romanian nation might feel overwhelmed by its duties. A certain feeling of underestimation arises, in the sense of the pressure felt by the citizens who had to accept integration conditions sometimes difficult to meet. The standards imposed in the case of agricultural products (the precise weight or size stipulated by European norms), in the case of other sectors of economy, the financial obligations that created a dependence on the foreign trade were, nevertheless, concrete aspects that made Romanians aware and responsible and determined them to honor their duties very seriously. However globalization as a general phenomenon and EU inclusion in particular, configured certain positive common mental schemes. The exchange of information and goods, touristic openness, financial transactions at global level performed in a few seconds by complex information systems, represented for Romania spurs of discovering unsuspected abilities to be a consistent and trustful partner. One of the shortcomings was, however, the alert pace in which the

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[1] Goia, Mihai. Post-Cold War Globalization and Its Effects at the Humanitarian Level. http://www.arduph.ro, accesed on February 20, 2011.

stages of the globalization process came in turn for a nation with the experience of forty years of communism. This alert pace of the history in the last 20 years triggered the start of complex mechanisms of reclaiming the wasted time.

Moves have been made at the political, economic, cultural level for the openness towards the foreign space. Romanian diplomacy regained its true meaning, the economy knew other markets and trade was ensured both by import and by export, while cultural exchanges offered Romanians access to artistic values that were forbidden before 1989. After the integration in the European Union on January, 1st 2007, Romania becomes the country in which political leaders and members of numberless associations and non-governmental organizations focus, as a primary goal on their work agenda, on the promotion of intercultural dialogue, on the awareness of the importance our country can gain once the barriers are lifted - freedom of circulation, in the proper sense of the word, and connotatively, the opening of the local mindset for cultural diversity. According to the statements made by the researcher Gheorghe Popescu, in the context of globalization, "the process of preserving cultural identity has two important aspects: the danger of cultural homogeneity, the emergence or acknowledgement of a unique form of culture, the appearance of the cultural and psychological disintegration phenomenon, both for individuals and for societies." (Popescu, 2006) The speeding up of the globalization phenomenon is considered by analysts one of the causes for the negative transformations of Romania in the latest years: demographic decrease, incapacity of some professional categories to face high demands, the inefficiency of several sectors such as the educational sectors, migration of labour force with the highest potential, etc. It is obvious that the extremely fast pace of globalization had also negative influences in the Romanian space, having in view the fact that Romania's economy is considered to be very globalized.

4. Practices and Events which Lead to Integration in the Space of the Cultural Diversity

In Romania a population segment deeply involved in the promotion of cultural diversity is represented by young people who participate in and organize different events. In this sense, we mention projects such as "Youth for Cultural Diversity", "Cultural Diversity in the Library", and a lot of other events promoted by: the Committee for Cultural Diversity of the Association Cluj–Napoca – "The European Cultural Capital", by the School of Youth with Intercultural Initiative which organized in December 2010 in Bucharest "The Intercultural Coffee Shop". Youth foundations periodically organize events for the celebration of cultural diversity, such as the Foundation "Student Plus". Youth and student organizations promote discussions about cultural diversity in libraries, high schools and universities. Romanian youths participate in contests on themes about globalization and cultural diversity. We note here the National Campaign "Diversity – one more chance for the future", throughout the year 2008, within the programme "Fighting Prejudices and Intolerance by Cultural Dialogue". All these activities show the fact that Romania is open to intercultural dialogue, displaying in the public space proper methods of communication for diverse cultures.

The researcher Willem Mass studies the problems arising from what he calls "EU citizenship". He underlines the fact that "new actors" (European citizens) have been created". (Maas, 2007, p. 233)
These new actors on the global stage can express autonomously and can preserve their political and cultural identity only if governed by a number of multilateral agreements institutionalizing certain rights and obligations for an efficient cooperation. The studies realised each year by different specialised institutions in order to set up the international rank of globalization showed that our country was on the 36th place in 2007, out of 72 states. The indicators taken into consideration were:

economic integration, the individuals' contacts with other foreign citizens, technological development.[1] In 2008 Romania was one of the most affected countries by the globalization in E.U.[2]. In 2009 Romania was on the 39th place, out of 93 nations, and in 2010 was on the 30th in the Globalization Index.[3]

5. Conclusions

The study points out the idea that the concepts like "transnationalism", "cultural diversity", "globalization" enhanced their meanings especially over the last decade, having a particular configuration inside the Romanian space, because of our nation's special historical context. We refer to the totalitarian regime, which meant a period of four decades of socio-economic and cultural seclusion. This state of isolation left a long lasting mark on the collective mentality. In our country, the theorists and researches study the effects of globalization upon social life, with their important consequences in the economic and political domains.

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[1] http://www.9am.ro, accessed on January 10, 2011.
[2] http://www.ziare.com, accessed on January 10, 2011
[3] http://www.adevarul.ro, accessed on January, 10, 2011

THE 6TH EDITION OF THE INTERNATIONAL CONFERENCE
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The Implications of the Modernization of
International Transactions: INCOTERMS 2010

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Abstract: Over time, in the global trade relations were formed a few types of individual international sales, particularly in relation to how the obligations of the parties are defined. Collection and collation of commercial practices in international sale of goods found their first expression in a coded form in 1936 under the auspices of the International Chamber of Commerce in Paris as Trade Terms – Trade Terms. The paper was the result of laborious work of several trading experts, assembling in a Special Committee, constituted on the occasion of the first Congress of the International Chamber of Commerce, whose works were held in Paris in 1920. The significant development of international trade determined the elaboration by the International Chamber of Commerce of a new set of codified practices, known as Incoterms 2010, which applied from 1st January 2011. Since the last review in 2000, there have been many changes in global trade, which makes the current review to consider issues related to development of techniques used to secure the load and the need to replace paper documents with the electronic ones. The new terms of delivery clearly define the obligations of the parties and reduce the risk of legal complications.

Keywords: incoterms 2010; the seller's obligations; the buyer's obligations; legal implications

1. Introduction

The negotiation and conclusion of foreign trade contract of sale-purchase of goods has a great complexity of issues related to the orientation and guiding of the parties involved, for which requires a sound knowledge of the technique of negotiations, legislation and practices in foreign trade, international settlements, of expedition and customs international insurance, the profitability calculations and more. In this context, choice and inclusion in the trade contracts of the most favorable terms, at a certain moment, both the seller and the buyer, presents a particular importance, the relationships between them are governed by all the terms stipulated in the contract, some of them being specifically agreed and others chosen from among those used in current practice, integrated, of the international trade. (Rules and commercial usage, 2001)

In the practice of foreign trade were settled habits of a normative nature on the conclusion of contracts. The usages complete the contract between the parties and have a special significance because facilitate the negotiations between the contracting parties and accelerate the conclusion of contracts. (Ciobanu, 2008) Among general practices, the most important for the international trade are those that relate to the delivery conditions and international payments. (Costin & Deleanu Sergiu, 1997) The purpose of

"INCOTERMS rules" is to provide a set of international rules for interpretation of the most commonly used trade terms in foreign trade. Thus, the ambiguity of different interpretations of these conditions in different countries can be avoided or at least reduced to a considerable extent. Frequently, the contracting parties do not know the various current trade practices in the partner countries. This may cause misunderstandings, controversies and litigation, with all the waste of time and money they generate. It was therefore necessary to codify and standardize these trade conditions, activity which was the responsibility of the International Chamber of Commerce in Paris.

2. Brief history of INCOTERMS rules

To provide traders a set of international rules for interpreting trade conditions most commonly used in international trade and thereby contributing to the simplification of the negotiation of goods sale and the conclusion of commercial contract, since 1928 six delivery conditions or commercial terms have been prepared by International Chamber of Commerce in Paris, intended to establish rules for the interpretation of the principles of international sales, especially as they had a more uncertain and contradictory character. (Rules and commercial usage INCOTERMS 2000, 2001)

The first „INCOTERMS Rules"[1], complete with uniform rules of interpretation has been published by the International Chamber of Commerce in Paris (ICC-Paris)[2] in 1936. The 11th international commercial terms included in INCOTERMS 1936, also known as "terms of delivery", succeeded to define the seller's and the buyer's obligations better and more complete than the one from 1928 and Incoterms 1936 was accepted by the vast majority traders, with the exception of the British and Americans. (Caraiani, Mihai & Gearâp, 2001, p. 37)

As the world trade development, the changes that have occurred since implementation of international transport and modernization that characterized the evolutionary process of international economic life, "Working committee for trade practices" under ICC-Paris revised, completed and systematized in several occasions, namely in 1953, 1967, 1976, 1980, 1990, 2000 and the last edition of "INCOTERMS-2010", in force since the 1st of January 2011.[3]

The rules represent essentially the representatives positions (practices) of the main trends which shows in international trade: the new current "reformer", which aims to integrate (uniform) the global trade practices in order to achieve a wider opening to allow the participation of international exchange, in favorable terms of all states in the world and the "conservative" current in particular supported by some developed powerful countries, still trying to maintain some favorable practices, practices derived from the position of economic supremacy, which they have gained over time.

Compared with Incoterms 2000, Incoterms 2010 has undergone major changes both in form and content.

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[1] International Commercial TERMS.

[2] Non-governmental organization, founded in 1919, operating through the National Committees (in 66 countries), working Committees and liaison Offices (in addition to UN and other international organizations in New York and Hong Kong).

[3] Agreements concluded before this date, remain according to regulation of the earlier forms of INCOTERMS.
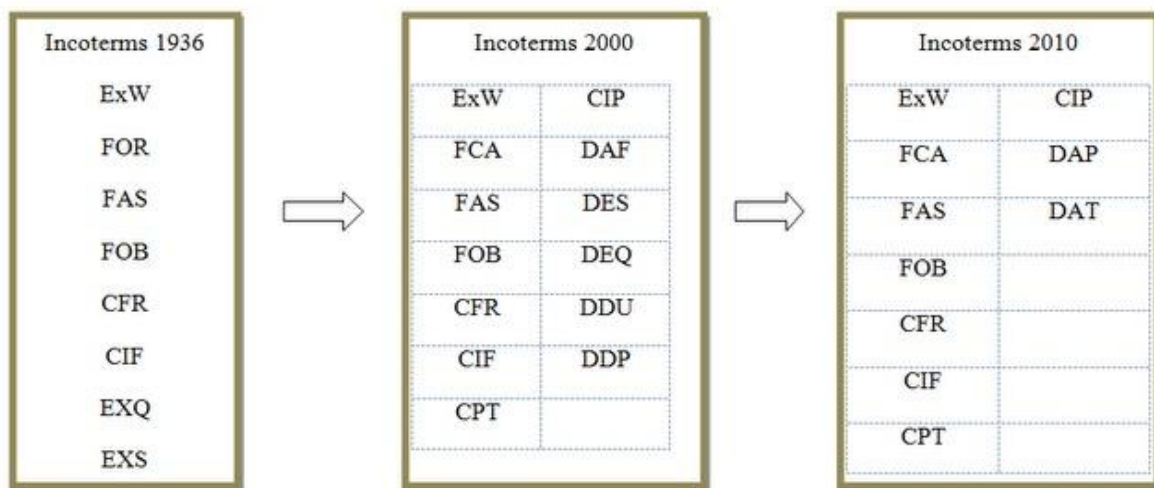
Schema 1 Evolutia clauzelor Incoterms 1936 - 2000 - 2010

Scheme 1 Terms evolution Incoterms 1936-2000-2010

The need to amend the terms of international trade in 2010 was due to the new reality of EU countries which have no borders to the movement of capital goods and persons. The intra-community trade is not international but "domestic". Another argument in favor of the new edition of Incoterms referred to the language and terms necessity to adapt to new realities of information technology. Thus, the new review takes into account the electronic commerce and electronic invoice system and data transfer (Electronic Data Interchange) thus preparing Incoterms 2010 to respond better to these realities increasingly ubiquitous. Changes in transport practices which were more and more combined, led to disputes and difficulties in interpreting the Incoterms 2000 clauses. Thus a new edition of these terms comes to remove these ambiguities. Terrorist attacks becoming more frequent condition a better security and monitoring of freight transport, Incoterms 2010 comes to conform better to this reality. To the arguments listed is added the usage argument. Thus many Incoterms 2000 clauses were not used in practice so in 2010 comes the time when these clauses are removed.

3. Content of INCOTERMS 2010 rules

The arguments listed above led to the current version of Incoterms 2010. Compared with Incoterms 2000 - Incoterms 2010 has undergone major changes both in form and content. We will present further on the regulated delivery conditions INCOTERMS 2010, following the classification of delivery Conditions applicable for all types of transport and delivery Conditions applicable to freight and land transport and then we will highlight the changes suffered by the previous version.

The delivery conditions applicable to all types of transport

EXW (EX WORKS)

It is the most convenient delivery condition for the seller who must provide packaged goods to the buyer, the latter being obliged to charge at his expense and risk.

The product and the risks are transferred to the buyer, including the transport payment and insurance incus from the seller's factory gate.

Where appropriate, the seller must provide at the request, at the expense and risk of the buyer assistance in getting his license, the export authorization or any other documents required to export goods.

FCA (Free Carrier)

The carrier Franco means that the seller fulfills his delivery obligation when the goods are handed over, if necessary, cleared for export, in care of the carrier or other person designated by the buyer at the agreed place or point. If the buyer does not indicate a precise point, the seller can choose the point from the place or territorial area mentioned where the carrier will take the cargo in his custody. If according to trade practices, it is necessary the support of the seller to close the contract with the carrier (such as in railway and air transport), the seller acts at the buyer's risk and expense.

CPT (Carriage Paid To)

The seller pays for transportation of goods to the agreed destination. The risk of loss or damage of the goods, and any other additional costs caused by events that took place after the goods have been delivered to the carrier passes from the seller to the buyer when the goods have been delivered to the carrier. If the transportation of goods uses successive carriers, the risks pass from the seller to the buyer when the goods have been delivered to the first carrier. CPT term requires the seller's obligation to clear the goods for export. This term may be used for all ways of transport including multimodal transport.

CIP (Carriage and Insurance Paid)

The seller has the same obligations as at the CPT term but in addition; he has to carry additional insurance coverage and risk of loss or damage to goods during transport. The seller closes the contract and pays the insurance premium. The buyer should note that in CIP case the seller is required to obtain insurance premium for minimum coverage. CIP term requires the seller's obligation to clear the goods for export. This term may be used for all ways of transport including multimodal transport.

DAT (Delivered at Terminal)

The seller delivers and unloads from the transport at the terminal (the port or place) set with the buyer. Terminal means any place, such as: breakwater, storage, street, cargo terminal, railway terminal. The seller covers all costs for delivery and unloading at the terminal set. It is recommended that the concept of Terminal to be well defined. DAT covers the export customs clearance formalities, but DOES NOT include the cost of import customs clearance formalities.

DAP (Delivered at Place)

Description: The seller delivers the goods in suitable transport at the place set with the buyer. The seller covers all costs for delivery and unloading at the terminal set with the buyer. It is recommended that the concept of terminal to be well defined. If the seller bears the costs of unloading the goods at destination, he is NOT entitled to re-invoice these costs to the buyer. It is recommended that the concept of PLACE to be well defined. DAP covers the export customs clearance formalities but DOES NOT include the cost of import customs clearance formalities.

DDP (Delivered Duty Paid)

The seller fulfills his delivery obligation when the goods have been provided to the buyer at the specified place in the importing country. The seller must bear all costs and risks of bringing goods in this place including customs duties, taxes and other official charges payable upon importation as well

as the costs and risks of compliance with formalities. This term may be used regardless of the way of transport.

Delivery conditions applicable to freight and land transport

FAS (Free Alongside Ship)

The seller fulfills his delivery obligation when the goods have been placed along the vessel on the breakwater or flat-boats, barges or ferry in the port of shipment set with the buyer. This means that all costs and risks of loss or damage to goods shall be borne by the buyer at that time. FAS term requires the buyer's obligation to clear the goods for export and should not be used if the buyer cannot meet directly or indirectly the export formalities. This term may be used only for freight or inland waterway transport.

FOB (Free On Board)

The seller fulfills his delivery obligation when the goods pass the ship's rail at the port of shipment set with the buyer. The costs and risks of loss and damage to goods shall be borne by the buyer at that time. FOB term requires the seller's obligation to clear the goods for export. This term may be used only for freight or inland waterway transport. If the ship's rail is not relevant, such as in the case of roll-on/roll-off traffic or container it is more appropriate to use the FCA term.

CFR (Cost & Freight)

The seller must pay the freight, and the necessary costs for bringing goods to the agreed port of destination but the risk of loss or damage of the goods, and any additional costs due to events occurring after the goods have been delivered on board is transferred from the seller to the buyer when the goods pass the ship's rail at the port of loading. CFR term requires the seller's obligation to clear the goods for export. If the ship's rail is not relevant, such as in the case of roll-on/roll-off traffic or container it is more appropriate to use the CPT term.

CIF (Cost, Insurance and Freight)

The seller has the same obligations as in the CFR term case, but in addition, he must perform maritime insurance to cover the buyer's risk of cargo lost or damage during shipping. The seller closes and pays the insurance contracts and pays the insurance premium. The seller should note that in CIF term case, the seller is required to obtain minimum insurance coverage. CIF term requires the seller's obligation to clear the goods for export. If the ship's rail is not relevant, such as in the case of roll-on/roll-off traffic or container it is more appropriate to use the CIP term.

Structural Changes

1.   The first structural change brought by Incoterms 2010 compared with Incoterms 2000 is to reduce the terms from 13 (Incoterms 2000), to 11 (Incoterms 2010)

2.   The next structural change takes place in Group D, which suffered the biggest changes. Replacing the terms DAF, DES, DEQ, DDU, with DAP (Delivered At Place) and DAT (Delivered at the Terminal).

3.   Another change that is at the intersection notions of structure and concept is to adjust the trade terms to the realities of technological progress. According to the new rules the electronic invoice or electronic signatures are recognized and can serve as evidence in settling disputes. Moreover Incoterms 2011 language itself seeks the usage of electronic interfaces in international trade.

Conceptual changes

1.   The first conceptual change is stated on the cover of the Incoterms 2010 guide published by the ICC. Incoterms are not clauses of international trade but also of "domestic" trade and that in order to adapt to new realities when different EU countries trade within the same free trade area.

2.   Another structural change is the division into groups and incoterms clauses. Thus, in accordance with Incoterms 2000 clauses were divided into 4 groups: group E, group F, group C and group D. In Incoterms 2010 the division of these classes is kept at the form level, but at the conceptual level is formed only 2 groups: group of clauses that can be applied to all ways of transport (ExW, FCA, CPT, CIP, DAP, DAT, DDP) and the group of clauses which may apply only for freight and inland waterway transport (FAS, FOB, CIF, CFR).

3.   The next conceptual change hanging over all the clauses of Incoterms 2010 is the seller's and / or the buyer's obligation to ensure security of goods shipped.

4.   A final conceptual change is the obvious tendency to simplify the trade terms so as to be more easier to interpret them without ambiguity and to facilitate the understanding of these terms for traders.

4. Conclusions

The primary intention in the interventions made in the INCOTERMS rules, was to clarify the issues at the outset, meaning from the phase of negotiation and conclusion of international sales contract, the contract is the one that actually triggers the conduct of all subsequent operations as: packing, individualization, transportation, insurance, customs clearance, document flow, payment, collection, etc. In this way, the INCOTERMS rules have managed to overcome all borders, representing a common language of business, regardless of the country (market) in which they are used, with direct implications on certain habits which make a discordant note in the trade relations between Europe – Eastern, Europe and the American Continent, American Continent and African Continent etc.

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THE 6TH EDITION OF THE INTERNATIONAL CONFERENCE
EUROPEAN INTEGRATION
REALITIES AND PERSPECTIVES

Construction of the European Neighborhood Policy. From a Regional Policy to a Local Approach: EUBAM to Moldova and Ukraine

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Abstract: The main purpose of this paper is to present the institutional dynamics of an international unique instrument which is the European Neighborhood Policy. This research is important in the field of European Construction because it studies the intercourse between the aims of this institution and it's practical accomplishments. Unlike other similar research, this paper wants to bring a deeper approach regarding the activity of the European Union Border Assistance Mission to Moldova and Ukraine. The method used was a case study of the ENP towards the Republic of Moldova. Through the systematization and interpretation of previous empirical studies and numerous press articles this work offers a clear image of the activity and results of the EUBAM to Moldova and Ukraine. This paper may elicit a more analytical interest for research groups interested in the efficiency of some entities that define the European construction but it can also be useful to European or local political decisional factors. The key contribution of this paper consists of emphasizing the interdependence between solving a specific neighboring policy in the East and ensuring energy needs of the EU, largely dependent on the Russian Federation.

Keywords: European Construction**;** European Neighbourhood Policy; Republic of Moldova; Transnistrian region

Introduction

The construction of the European Union after the fifth round of enlargement was completed on 1 January 2007. That makes it necessary to pay more attention to what is happening outside the borders of this major player on the international scene. Developing and reinforcing cooperation with its partners is a principal aim of the EU (Cannizzaro 2002, 298). The official statement of the EU in connexion with its external relations is that international cooperation is essential and meeting objectives will only be possible through joint multilateral efforts within international organisations. This in turn must be coupled with partnerships involving other key players[1].

When we are talking about the institutional level, the EU has developed a Common Foreign and Security Policy and also a European Security and Defense Policy (Eeckhout 2004, 141). This policies want to be concret, coherent and common action plans for all the member states. Because it has to respond to a the question of putting toghether the different tipes of relations, preferential or disputes for example, between UE states and nonUE states and also to the diferent perception of the 27 member

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[1]The official statement of the EU regarding it's external relations is: „The sheer size of the European Union in economic, trade and financial terms makes it a world player. The biggest trader and home to the world's second currency, the EU also spends over 7 billion euro a year on aid to developing countries. Its trade and partnership agreements cover most countries and regions." (www.europa.eu).

states of how this relations should work, is very hard for the Europen Union to reach consensus at the institutional level and to harmonize these difernt points of view.

The Philosophy of the European Neighbourhood Policy

A specific aproach of the EU to foreign relations is related with its own neighbours. It is a new overview in international relations, a new look at what borders represent because of the specific of the European Union, as a union of culturaly different states. This original policy, European Neighbourhood Policy[1] (ENP), is presented as carrying a deeper or wider set of intrinsic European characteristics and qualities (Ifersen& Kølvraa 2007, 3-5). It referes to the „outsiders" from the Est and from South and it wants to bring stability, security and welfare both in the EU and it's new neighbouring countries by increasing cooperation in the political, economical, social and cultural areas as well as on security issues[2]. Yet, it is obvious from the start that this policy in wich the EU should be surrounded by a „ring of friends"[3] is passive to a dihotomy that is: while it wants to increase confidence between EU members states and nonEU states by bringing them togher in a plan of good cohabitation, the EU borders are becoming more and more secure and rigid; countries that are now at the peripheria of the EU (as Romania) are beeing asked to stregthen security at the borders of the EU and to make it harder for citizen from the states included in the ENP that want to emigrate and live in the EU to cross the borders of the EU (Smith 2005, 758).

The origins of the ENP date only to early 2002, when the United Kingdom pushed for a substantive „wider Europe" initiative, to be aimed at Belarus, Moldova, Russia and Ukraine, but not the south-east European countries (already involved in the stabilization and association process) or the more distant western former Soviet republics, Armenia, Azerbaijan and Georgia. In December 2002 the Copenhagen European Council approved the idea in a political message to the countries now lying on the Union's new external borders, including the southern Mediterranean countries in the initiative, on the insistence of southern member states. In June 2004, after a lobby by the Caucasian republics (and the peaceful 'rose revolution' in Georgia), the Council extended it still further to Armenia, Azerbaijan and Georgia (Smith 2005, 760-62). Russia has declined participation, preferring to develop relations and cooperation with the EU on a more „equal" basis, developing four „common spaces" (economy; freedom, security and justice; external security; research and education) and has been granted special status as a „key partner of EU" (Comission 2004, 4).

The ENP expandes over a very large geographical area, and inglobes a wide diversity of countries. The ENP concentrates on developing „privileged" bilateral relations between the EU and individual neighbouring coutries (Bindi 2010, 113). The principal aim of the ENP is to bring stability in the area

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[1] The name of the initiative has been changed as many times as the list of neighbours included in it: from 'wider Europe' to 'proximity policy' to 'new neighbourhood policy', and finally to 'European Neighbourhood Policy'.

[2] „The European Neighbourhood Policy (ENP) was developed in 2004, with the objective of avoiding the emergence of new dividing lines between the enlarged EU and our neighbours and instead strengthening the prosperity, stability and security of all." (www.http://ec.europa.eu/world/enp/policy_en.htm).

[3] Strategy declared that 'building security in our neighbourhood' is one of three strategic objectives for the EU: 'Our task is to promote a ring of well governed countries to the East of the European Union and on the borders of the Mediterranean with whom we can enjoy close and cooperative relations.' (European Counsil, A secure Europe in a better world. European Security Strategy. European Security Strategy, Brusseles, 12 dec 2003, 8). The phrase „ring of friends" was first use by Romano Prodi in his speech (Romano Prodi, „A wider europe-a Proximity Policy as the key to stability", speech at the sixth ECSA-world Conference, December 5-6 2002).

and to create good economical relations[1]. It also supplements, though it does not replace, other frameworks for relations with the Union's neighbours: the Euro-Mediterranean partnership (also the related Euro-Mediterranean agreements and the MEDA assistance programme which is the principal financial instrument of the EU for the implementation of the Euro-Mediterranean partnership), and the Partnership and Cooperation Agreements (PCAs) and TACIS assistance programme with the former Soviet republics. Two ENP countries, Belarus and Libya, are not formally linked to the EU by an agreement and have in fact been the subject of EU sanctions. (http://diplomatie.belgium.be/en/policy/european_union/belgium_and_the_eu/external_relations/europe_and_the_world/european_neighbourhood_policy/index.jsp).

The European Neighbourhood Policy and the Republic of Moldova

In this picture a particular place is held by the states at the East border. These countries are very important for the economy, security and policy of the EU; they represent a possible space to enlarge, also a big sale market for the products comming from EU and an important security area (Popescu 2011, 4-6). So we can see from the begining that the European Union in it's Neighbourhood Policy has a different approach regarding the Est neighbouring countries from those of the South. Relations with the shore of the Mediterranean Sea are treated in the ENP most of all from a economical point of view while the neighbours from the East are, for the EU, possible future member states so the politics regarding them are made in this context[2].

In this framework a special place is taken by the EU politics towards the Republic of Moldova. The ENP towards this country is composed by this instuments: the mission of assistence to the moldo-ukrainian border EUBAM (European Border Assistence Mission), the Action Plan signed with this country, the EU Special Representative, European Commission delegation office, visa and trade facilitation and also from the participation of the EU as an observer in the negociesions of the transnistrian conflict.

With Romania's entrance into the European Union in 2007, the EU now shares a border with Moldova, „a weak state divided by conflict and plagued by corruption and organised crime"[3]. Moldova's leadership until the 2009 elections has declared many times its political program to join the EU, but its commitment to European values was suspect, and efforts to resolve the dispute with the breakaway region of Transnistria have failed to end a damaging deadloock that has persisted for so many years. The new leadership seams to be more dedicated to the aim of joining the European Union and embrassing european vlaues but, because of the political structure now existing in the moldovian parliament it does not have the necessary suport to take concrete actions. Young people have little confidence in theyr country's future and are leaving at an alarming rate twards the EU (*Moldova's Uncertain Future* 2006, 3).

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[1] "The objective of the ENP is to share the benefits of the 2004'enlargement with neighboring countries in strengthening stability, security and well-being for all concerned" in Commission of the European Communities, COM(2004) 373 final, "Communication from the Commision. European Neighborhood Policy. Policy Strategy Paper" (Brussels, May 12, 2004).
[2] „The European Union is open to any European country which is democratic, has a market economy and possesses the administrative capacity to handle the rights and obligations of membership. This means enlargement is an ongoing process." (http://europa.eu/pol/enlarg/index_en.htm) official statement of the EU regarding the enlargement process.
[3] This is the conclusion towards the situation in the Republic of Moldova that the International Crisis Group reached (*Moldova's Uncertain Future. Europe Report N*175*, august 2006, International Crisis Group, Brussels).

Moldova needs to become a stable part of the EU's neighbourhood policy and for that a much greater international engagement is needed, not only in conflict resolution but also in stimulating domestic reforms to help make the country more attractive to its citizen.

The EU has become more heavily engaged in Moldova since 2005 but relations between the two date since 1998 when the Partnership and Cooperation Agreement (PCA) was signed on 1 July. The PCA provides an institutional framework for political dialogue and for pursuing common objectives in various areas, including the establishment of good economic relations, sustainable development, cooperation in certain economic fields, and support for the democratic process in Moldova (www.eubam.org).

On 22 February 2005, on the occasion of a meeting of the General Affairs and External Relations Council, a three-year Action Plan – developed in the framework of the European Neighborhood Policy – was adopted. On 25 October 2007 the Cooperation Committee decided to extend the Action Plan for a further year as all the objectives had not yet been met. The main priorities of the EU-Moldova Action Plan are in the fields of: administrative and judicial systems, freedom of expression and freedom of media, economic policy and legislation, conflict resolution, border management, migration management, human trafficking, organised crime and money-laundering (http://diplomatie.belgium.be/en/policy/european_union/belgium_and_the_eu/external_relations/europ e_and_the_world/eastern_europe/#4).

EU has declared it's actively supports in conflict resolution process in Transnistria in full coordination with the OSCE. The EU wants to act as an observer in the in the mediation process and for that has set up, together with Moldova and Ukraine, an EU mission at the border between these two countries.

On 23 March 2005, the Council adopted a Common Action appointing an EU Special Representative for Moldova with the goal – next to other tasks – of strengthening the EU's contribution to solving the frozen conflict in Transnistria (in close coordination with the OSCE) and developing close contacts with the Moldovan authorities and other actors on the ground. (http://diplomatie.belgium.be/en/policy/european_union/belgium_and_the_eu/external_relations/europ e_and_the_world/eastern_europe/#4). On 1 March 2007, the first EU Special Representative, A. Jacobovits de Szeged, was succeeded in office by Kalman Mizsei (www.eubam.org).

 The Commission established a representation in Chisinau on 6 October 2005 which was turned into an EU delegation upon the entry into force of the Lisbon Treaty on 1 December 2009. On 25 April 2007, a Common Visa Application Centre – hosted by the Hungarian Embassy – was opened in Chisinau in the presence of Commissioner Frattini who, on the same occasion, signed a visa facilitation and readmission agreement. On 18 February 2008, the Council indicated its willingness to move beyond the current PCA and reach a new agreement with Moldova, subject to sustained progress in the implementation of the Action Plan. This willingness was again confirmed at the Cooperation Council meeting of 27 May 2008, following a positive evaluation of the reform process in the Commission's progress report of April 2008. On 5 December 2008, the Commission presented the Council with a proposal for a mandate to start negotiations on a new agreement. (http://diplomatie.belgium.be/en/policy/european_union/belgium_and_the_eu/external_relations/europ e_and_the_world/eastern_europe/#4).

 This are general actions that the EU did, in it's approach on it's eastern neighbor. All of these institutions that work in the Republic of Moldova are very important in bringing the European values forefront and in showing the support in developing the country. A special place between the policies

from ENP in Moldova is taken by the European Union Border Assistance Mission[1] to Moldova and Ukraine (EUBAM), a new tool in the hands of the EU to help in the process of establishing a secure border at the East. The European Commission launched EUBAM and argued that it would not be a crisis-management mission so much as a depoliticized technical-support mission (Kurowska & Tallis 2009, 49).

EUBAM and the Conflict of Transnistria

 Big actors on the international scene, like EU and Russian Federation, have interests towards the evolution of the „frozen conflict" of Transnistria. An important role in a future settling of the conflict is played also by the nearest neighbour of the disputed area wich is Ukraine. Former President of this country, Viktor Yushchenko, has made resolution of the Transnistrian conflict a foreign policy priority, at least in statements. In April 2005, he presented a peace plan that had unrealistic elements but signalled increased engagement of it's country. Two months later, he made a joint request with Moldavian President at the time,Vladimir Voronin, to the EU for help in monitoring the mealy Moldova-Ukraine border, across which the majority of Transdniestria's smuggling activities take place. This led to an EU Border Assistance Mission in November 2005, which has had a number of early successes (*Moldova's Uncertain Future* 2006, 6-7). The primary goal for the mission is to approximate the standars of the Moldovian/Ukrainian border and low enforcement authorities to it's own and to contribute to a peaceful resolution of the Transnistrian conflict (www.eubam.org).

Rusia did not remain imune at these actions and possibly in reaction to these developments, but also perhaps symptomatic of its newly assertive posture toward all the former Soviet republics, Russia has become much more openly supportive of Transnistria as it shows it's actions in 2005 to bann the import of some Moldovan foodstuff and in 2006 when it banned wine ex;lrts, the country's largest export, which was widely seen as a political move to punish Moldova for its more Western alignment. In January 2006, a new intimidation from Russia towars Moldova took place by cutting the gas supply for sixteen days and then negotiated a 100 per cent price increase for future supplies[2]. After the implementation of the new Ukraine-Moldova customs regime, Russia increased its economic aid to Transnistria and signed a cooperation protocol with the separatist leader, Igor Smirnov, which for the first time recognised him as "President of Transnistria"[3]. Russia has also continued to resist calls to withdraw its troops in line with past commitments[4]. Moscow is also believed to have increased support to pro-Russian organisations in Transnistria that propagate anti-Moldovan and anti-Western views, such as the youth movement Proriv ("Breakthrough"). With Moldova and Ukraine declaring their desire to join the EU, there are fears among the EU officials that the Kremlin intends to use Transnistria to maintain its influence in a region that it is not prepared to concede to the West. All indications are that the Kremlin has no intention of relaxing its position on Trasnistria in the foreseeable future (*Moldova's Uncertain Future* 2006, 8-12).

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[1] The creation of EUBAM is related not with the problems at the border of Moldova and Ukraine, but far away from these countries, in Aceh, Indonesia 2005 when the EU was invited to monitor a peace deal between rebels in Aceh region and the Indonesian government. See more in Pierre-Antoine Braud, Giovanni Grevi, *Institute for Security Studies* (Paris, France), European Union Institute for Security Studies, 2005, The European Union mission in Aceh.

[2] The price until 31 December 2005 was $80 per 1,000 cubicmeters. Russia and Moldova agreed on 16 January 2006 toraise this by 38 per cent to $ (dollars) 110; in July 2006, it was furtherraised to $ (dollars) 160.

[3] In the past, agreements had been signed, "For Transdniestria, I. N. Smirnov". The recent protocol was signed "President of Transdniestria, I. N. Smirnov".

[4] „Russia says troops to remain in Moldova's Dniester region till conflict settled", ITAR-TASS, Moscow, 31 May 2006.

However, progress is possible in a number of areas regardless of Russia's level of cooperation and EU knows this well. These include trade relations, customs procedures and democratisation and media freedom, as well as confidence building.

In 2004, the European Commission included Moldova among the sixteen states in its new European Neighbourhood Policy , designed to enhance relations with countries on the EU periphery. (www.eubam.org)

The launch of EUBAM on 30 November 2005 was received by Moldovan authorities as a major step toward resolving the conflict with Transnistria[1]. The mission's official purpose is to boost the capacities of the Moldovan and Ukrainian border guard and customs services to combat criminal activities such as trafficking people, smuggling, proliferation of weapons and customs fraud, as well as to play an important role in building preconditions for seeking a peaceful settlement of the Transnistrian conflict (European Commission press release, 29 November 2005).

The Mission does not intervene on a political level or play a direct role in any political process. It's role in an eventual settlement of the transnistrian conflict is rather indirect by it's technical/advisory support and it's confidence-building measures. The top priorities of the mission, as they were drawn at Brussels are: border surveillance; contraband; customs fraud; combat corruption and to promote the EU values[2]. As a respons for the aspirations of the EU members states for regional security, stability and prosperity, EU asks this mission to approximate the standards of the Moldovian-Ukrainian border and law enforcement authorities to it's own and also to contribute to a peaceful resolution of the Transnistrian conflict (www.eubam.org).

EUBAM in Action

Fully founded by the European Union within the context of the EU Neighbourhood Instument and with United Nations Development Programme as a implementing partner, EUBAM is a unique instrument that wants to encourage the movement of legitimate trade and travel and also to guarantee security for its citizens. The Memorandum of Understanding signed on 7 October 2005 by European Commision, the government of Moldova and the government of Ukraine is the legal basis for EUBAM. The mandate of the Mission has been extended twice (in 2007 and 2009). The current mandate expires on 30 november 2011 but is expected to be extended for another two years (www.eubam.org).

Its aproximately 200 staff members, led by Mr Udo Burkholder from Germany[3], are divided between Odessa headquarters, six field offices along the border (three along the Transnistrian segment[4]), a field office in Odessa covering the Ukrainian Black Sea ports of Odessa and Illichivsk, and a Chisinau field office that monitors the internal border between Transnistria and the rest of Moldova. EUBAM experts monitor how the Moldovan and Ukrainian border guards and customs services do document checks and vehicle inspections, accompany border guards on occasional patrols, observe customs clearance

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[1] The management structure was debated in Brussels for weeks,with many member states hoping it could be run by the EU Council as a formal European Security and Defence Policy (ESDP) mission and suspicious of the Commission's ambitions. However, even those who were most reluctant to see the Commission take charge now praise the mission's successes. Crisis Group interviews, EU member state diplomats, Brussels, September/October 2005 and March/April 2006.
[2] Promoting European values is the difficult task but the team of the Mission respounded by organising road shows and school presentations and by informing the population at the border on border-control issues and customs regimes using public information material.
[3] Until 2009 the head of the Mission was Hungarian Major General Dr. Ferenc Banfi.
[4] The Transdniestrian segment of the 1,200 km. Moldova- Ukraine border is approximately 470 km.

procedures, foster cooperation and information-sharing between the two sets of authorities. The big problem of this mission is that it has no executive powers and cannot itself inspect or investigate suspected traffickers, but instead it can observe and advise local authorities and request that individuals or cargo be re-inspected in its presence. An analytical cell in Odessa helps process and evaluate the information compiled by field offices (*Moldova's Uncertain Future* 2006, 11-13).

EUBAM's findings and reports suggest that Transdniestria is not the arms and drugs trafficking „black hole" critics have long contended. It has found no evidence of organised arms smuggling and only minor drug trafficking. What it has discovered is organised smuggling on a massive scale of basic consumer goods and foodstuffs, in particular frozen chicken: most of the chicken imported to Transnistria was illegally re-exported.Profits are estimated at millions of euros per year. (Crisis Group interview, EUBAM, Odessa, May 2006).

At the basis of the Joint Declaration signed on 30 December 2005 by Prime Ministers from Ukraine and Moldova, all exports from all regions of Moldova to or via Ukraine must have proper Moldavian documentation and stamps (www.eubam.org). This is a measure against the illegal imports and exports from Transnistria but also wants to connect more effinciently the transnistrian bussines enviroment to the authorities from Chisinau.

EUBAM has found serious management deficiencies on both sides of the border and has made a number of recommendations to the Moldavian and Ukrainian governments with a view to bringing standards up to those in the rest of Europe. These include: upgrading information technology and communications equipment; giving all border agencies investigatory powers, improving daily information exchange, developing risk analysis capabilities and decentralising authority. The reaction to EUBAM and assessment of its performance have been almost universally positive. Moldavian, Ukrainian, EU and United States officials have praised the speed with which it was deployed, its impact on the ground in countering smuggling and improving cross-border cooperation and its political impact. The mission is widely credited with having created the conditions, especialy technical ones, for the recent implementation by Ukraine of its new joint customs procedures with Moldova, long a goal of Moldova as well as the U.S. and EU so as to force Transnistrian businesses to cooperate with Chisinau. EUBAM also played a crucial role immediately after the new procedures were implemented in countering the Transnistrians' assertions that the Ukrainian action amounted to an economic blockade and had created a "humanitarian catastrophe". The political impact was thus felt almost immediately. The success of the counter-smuggling and training aspects of its mandate, however, is less clear-cut. There is some evidence that pressure on smuggling operations has increased, but there should be no illusions that the mission has ended the activity. The Moldova Ukraine border is 1,200 km. And topographically a smuggler's paradise. The terrain is flat, with houses and farms straddling a frontier which in some areas is not signposted and has numerous lakes and rivers with large reed beds that provide cover for smugglers (*Moldova's Uncertain Future* 2006, 20-25).

EUBAM has about100 experts from the EU member states (www.eubam.org) on the border, and they are concentrated in a few teams that spend most of their time at checkpoints. Also worrying is that 95 per cent of goods that enter and exit Transnistrian border checkpoints do so by train (Crisis Group interview, EUBAM, Odessa, May 2006) EUBAM is at two of these transit points, but only Kuchurgan has equipment and facilities to inspect train cargo, and this is rarely done. Although EUBAM has not found evidence of arms trafficking, it cannot assert with confidence that it is not taking place.

EUBAM does not claim to be a physical deterrent to smugglers. Rather it works to improve the capacities of Moldova and Ukraine to protect the border themselves, including through risk analysis: You can't control the border physically unless you build a Berlin Wall along it, so you need risk analysis to be able to predict suspicious movements of goods. For this risk analysis to work, you need effective information exchange between the Moldavians and Ukrainians (Crisis Group interview, European official, June 2006). By all accounts, information exchange has improved remarkably since EUBAM's arrival but has a considerable distance to go. If cooperation between agencies within Moldova and Ukraine is anything to go by, this will remain a challange long after EUBAM has departed. Relations between the Ukrainian border guards and police, for example, are atrocious so we are dealing here with a lack of interagency cooperation (*Moldova's Uncertain Future* 2006, 26).

The border agencies lack of investigatory powers is another serious obstacle to effective risk analysis. Of the four services (Moldovan and Ukrainian border and customs services respectively), only the Moldovan customs service has the power to investigate serious criminal violations. Such crimes are generally handled by the interior and state security ministries. The other services are authorised to deal only with low-level administrative violations. Personnel have little incentive to pursue organised crime, as cases are likely to be forwarded to another agency.

The problem is also one of attitude, experts say: there appears to be a reluctancy to get at the roots of the problem. It's easier to just do the basics and ignore the wider picture. Under the present system, border guards stop smugglers on a minor illegal crossing charge that guarantees one or two days in prison instead of following them and trying to learn more about and possibly bust a smuggling operation[1] (Crisis Group interview, Kuchurgan, May 2006).

 An issue EUBAM has raised with Kiev is that of smugglers obtaining advance knowledge of Ukrainian border patrols. Each border unit submits a weekly report to headquarters with a patrol plan for the next week from which it does not deviate so Kiev knows where every border patrol is in the country at any one time (Crisis Group interview, Kuchurgan, May 2006). This is information smugglers would gladly pay for. EUBAM has recommended delegating more power to field personnel to patrol based on daily intelligence rather than a pre-set schedule. But the problem of corruption goes far beyond patrol schedules; it pervades the border agencies of both countries. One reason frontline agents lack initiative is that they often do not know how high up in their own agency the corruption goes. EUBAM is working hard to overcome these obstacles but its resources are limited. Training is mostly just ad hoc, on-the-job advice in such areas as vehicle inspection and spotting false identification, with only a small classroom component for more senior officials. Since many border guards in both Ukraine and Moldova are military conscripts who spend only a year or two in the service, much of this training is quickly lost. Ukraine and Moldova are working toward phasing out conscript border guards and moving to fully civilian agencies but this will likely take several years. EUBAM has reportedly been a catalyst for this process (*Moldova's Uncertain Future* 2006, 17).

Changing the mentality of the border guards and customs services may require decades as well as increased training, financial aid and external pressure. Only with a long-term commitment will it be possible to crack down on the array of smuggling schemes that the Transnistrians (and their business partners elsewhere) have perfected over the past decade and a half.

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[1] See also Crisis Group interview, Iurie Pintea, UNDP, Chisinau, May 2006.

Analysis of Results

The idea of a policy towards it's neighbours is a new one and it has it's origins within the decision of the fifth wave of enlargement. This new approach in international relations at what borders should represent and what kind of relations must be between a new entity with great economical potential (UE) and it's close vicinity has crystalized in a short period, from the proposal of Great Britain in 2002 to the entry of the Caucasian republics in ENP in 2004. Even from the initial phase, the European Neighbourhood Policy had a very clear structure and concrete aims that were implemented in the sixteen country participating using the instrument of the Action Plans.

Regarding the Republic of Moldova and Ukraine, ENP has developed a unique instrument that is the European Union Border Assistance Mission that has carried a activity whose results can not be denied. Besides reducing the smuggling at the border of Moldova and Ukraine, another important achievement of EUBAM, maybe the most important, is that it has reached a deep knowledge of the sources of insecurity in this area, especially those of economic nature. The negative factors that had been reached by ENP should have made the object for some improoved efforts of eliminating them. The big problem of ENP and EUBAM in Moldova is that this logical operation couldn't be completed. The reasons of this attitude appear to consist in the priority given to the economical relations between EU and Russian Federation that ensures the european energy security. So it is clear that the results of EUBAM or of other similar instruments depend on the harmonization of the two, now different, views (UE and RF) over the economical and political future of some countries of Eastern Europe. Until a consensus will be reached, the EU will play a very important role, using pawns like EUBAM in promoting the european values and in bringing it's institutional models close to those of it's neighbouring countries.

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THE 6TH EDITION OF THE INTERNATIONAL CONFERENCE
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International Public Relations in the EU: Development Cooperation Public Opinion and Public Policies

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Abstract: In the context of the growing importance of the cooperation for development in the European Union and the appearance of a common growing public opinion agreement supporting this kind of initiatives, it is necessary to understand if we can talk today about a true common European consensus. Still covered on intergovernmental level and considered to be a part of the national foreign policies, EU development aid is still far from reaching the maximum of its efficiency. In this paper we try to introduce a new evaluation method of the cooperation for development policies and interpretation of the degree of communitarisation of the national policies that will enable us to appreciate the stages that have to be completed by the member countries but also by the EU to realize a completely uniform European assistance strategy and of the activities, so necessary for raising the efficiency of the funds allocated by the EU, but also in the perspective of achieving the Millennium Development Goals.

Keywords: developing countries; Europeanization; public opinion; international public relations; development aid

1. Introduction

Development aid has become in the last few years a key issue in the EU foreign policy being pushed forward by the increasingly constructed awareness of the Europeans on their role in the world. Even if ten years ago it would have been difficult to think about a common European policy on the developing countries because of the different perspectives and interests, it becomes more and more necessary for the EU states and institutions to try to build a common cooperation for development policy.

This new reality is in fact determined by the increasing support that development aid benefits all over Europe even if the economical and social struggles of the common European citizen should have made him more self-centered. In fact if we look at the European opinion pools we see almost the same levels of supports independent of the economical development of the EU states: for example 89% of the Slovakians and 82% of the French and Romanians believe that development aid is a very important issue.

Furthermore we see building all over Europe more and more NGOs supporting development cooperation that are building national and European wide networks to try to promote even more the

aid issues. Today some are even talking about a development civil society with their own media, objectives, meetings and perspective on the social role of NGOs. Our paper will try to have a European wide perspective on the construction of the development aid issue and show the common as well as the different features existing in Europe. The objective is to see if we can talk about a common European agenda-setting campaign and determine the structural framework on which it has been built.

The promotion of democracy, the respect for human rights, the rule of law and the international laws constitute, without any means, the principle guidelines of the European Union and one of the main basic elements of the identity of the European society mentioned even at the beginning of the Treaty of the European Union (articles 6 and 7). Moreover the existence of expressed sanctions indicate the logical desire of the European Union to export its values after the Cold War, by pushing more and more of its partners to follow the democratic path. In the domain of foreign affairs, article 11 mentions the fact that "development and the consolidation of democracy and the rule of law, as well as the respect of the human rights and the fundamental liberties constitute objectives of the European Common Foreign and Security Policy". Several disposals of the constitutive treaties sustain this objective inside the different pillars. Therefore, articles 177 and 181 (Title XX Cooperation for development) place the promotion of the respect of the human rights and the fundamental liberties as objectives of development aid and any other form of cooperation with third party states. The articles 179 and 308 give a legal frame for all external actions in terms of human rights and democratization. The Lisbon treaty consolidates even more this trend, by confirming the desire of the Union to develop in the next few years its own individual action in favor of the promotion of its values in the world.

Nevertheless, in front of the proliferation of these instruments, several authors didn't miss the chance to question its efficiency and often arriving to mixed conclusions (Helly, 2005). The Commission has realized the same thing, presenting even a communication about the role of the European Union in the promotion of the human rights and democracy in third party states, by underlining the necessity of the redefinition of a new coherent strategy in the field designed to include the preoccupation of the human rights in all the components of the external actions (COM, 2001). Unfortunately from the strategy to the implementation of the policies there is a huge gap due mostly to the fact that the cooperation for development is still a field dependent on the intergovernmental European decision making so therefore influenced by national interests. Nevertheless the EU has fixed some key principles that should be respected by the EU member states when establishing and fixing their own national cooperation for development policies: the cooperation for development should be preferentially accorded to the weakest and poorest states in the world with a special attention given to the Sub-Saharan Africa, the funds have to be conditioned by democracy principles and not by economic interests or products restrictions, the member states should present open policy strategies and evaluation papers for the beneficiary countries, the implication of the NGOs in the policy formation and implementation should rise, and finally the cooperation between the national agencies is considered to be highly desired and supported.

But can we really say today that the EU member states policies on the cooperation for development converge to a uniform interpretation of the domain and a true European common policy? To answer this basic question we have analyzed the elaboration and the implementation of the development aid policies in three member states of the EU: France, Slovakia and Romania. These countries have been chosen because the period during which they have belonged to the EU is representative of the different existing degrees of inclusion within the European structures and moreover their level of communitarisation of the legislation and practices in the field of development aid is different. Furthermore, the three states chosen for the study have a different experience in terms of cooperation

for development, and these exact differences will enable us to illustrate the relation between the European policy and the national practice. This structural perspective will enable us to discover if the EU member states implement the European initiatives and recommendations in the field in the national measures plan and if we can considerate the cooperation for development policies as being communitarised.

2. Common European Public Opinion and Development Aid Policies Influenced by the National Interests

If we start by putting in relation the evolution of the development aid funds allocated by the European Commission and the evolution of the public opinion we manage to establish clear tendencies and relations that point out the influence of the European public opinion in the development of the cooperation for development policies. Firstly, we notice the fact that the degree of information of the population regarding development aid has doubled from 2003 to 2009, and this thing has enabled the public support for this kind of policies to grow from a low 75% in 2003, to values close to 90% of the European population. Moreover these rising tendencies are also influencing the dimension of the ODA funds that rise in similar terms during the same period. The ODA funds allocated by the European Commission have therefore raised from 7.173 millions in 2003, to almost double in 2009, more exactly 13.444 milion dollars. The important role played by the European Union is also reflected in the support that the EU benefits from the population. In 2010, not less that 76% of the population consider that development aid has to communautarized but, contrary to opinions, the EU is not seen or desired to be the main operator of development funds. More exactly, on European level, in the context of the economic crisis, but also of euroscepticism, more and more people that sustain the European cooperation see in the national control a mechanism threw which their personal and national interests are kept.

Table 1 The European public opinion and development aid

	1983	1987	1996	1999	2003	2005	2009	2010
1. Population support of development aid policies	82%	88%	82%	76%	75%	91%	88%	89%
2. The degree of information of the population regarding development cooperation	-	-	-	-	10%	12%	24%	-
3. Population support for the communitarisation of the development aid policies	-	-	-	-	-	56%	61%	76%
4. Support for the EU as main operator of development funds	9%	3%	7%	45%	45%	-	26%	17%
European Commission funds (ODA funds in millions of euro - source OCDE)	-	-	-	-	7173	9390	13444	-

Nevertheless a rigorous analysis of the national cooperation for development policies of the countries used in our study indicates the influence of the national interests in the implementation of the strategies in the field.

The first notable result is the way that the donor countries establish the list of main beneficiary countries. If we monitories the process of establishment of the priority beneficiary countries of the Romanian development aid policies we can observe that the defining criteria correspond to a clear national interest. More exactly, Romania's priority countries are the Republic of Moldavia, Ukraine and Serbia because of the important Romanian communities living in those countries. This desire to help Romanian abroad minority is explicitly mentioned in the Romanian ODA strategy which clearly differentiates the national Romanian policy from the true values of development aid. In the same time, the presence on the axe of priority countries of states like Georgia, Afghanistan or Iraq in the Romanian strategy can be clearly classified on the level of the geo-strategic and military interests that Romania has as a NATO State member but mostly as a partner of the United States in the different conflicts emerged in the area. The importance given to Georgia and Ukraine can be considered as a result of the expressed interests of Romania in the Black Sea region, but this is still a geopolitical interest. It's interesting to underline the fact that Romania justifies the implication in this area by the comparative advantages that the country has in the terms of democratization process, even if in practice, the majority of the funds are allocated threw international institutions, the Romanian know-how not being transmitted directly.

The same phenomenon happens also in the case of Slovakia that has chosen from the beginning to give a special importance to the Slovakian minority living in Serbia and to supporting the democratization and Euro-Atlantic integration of this country. Slovakia goes even further by conditioning the funds given on the respect of the rights of minorities and associating therefore to the development aid, explicit national interests. The fact that recently Afghanistan has been included on the Slovakian list of priorities only underlines the same geo-strategic interests expressed by Romania, as they are both two countries of the "new Europe" clearly concentrated in supporting United States interests. Another manifestation of the national interests can be noticed by the fact that one of the priority domains of Slovakia is the allocation for the states in the region of development assistance designed to help them integrate in international organization and the EU. This thing expresses the explicit desire of Slovakia to construct itself as a small EU states with good influence networks that will represent an important advantage for the country after the integration of those states in the European community. Nevertheless, we have to remark the fact that Slovakia clearly desires to comply with the EU line by including in the last years Kenya and other poor areas of Africa in the priority beneficiary countries of the Slovakian development aid strategy.

When we come to analyze the French development strategy we notice the massive presence between the beneficiary countries of the former French colonies and the Outre-Mer territories, illustrating by this the sources of the French development policies established since the decolonization process. It's interesting to mention as well the fact that the Secretary of State responsible for cooperation also deals with the French speaking community cooperation, associating in this sense the linguistic community to the assistance at least in organizational terms. Moreover, the presence of some states like China and Turkey between the biggest beneficiaries of the French assistance indicates complementarities between the French foreign politics and the development aid policy. More exactly, the presence of France in China corresponds to the French intentions to develop a special partnership with this State in permanent expansion and beneficiate from their economic development. The relation with Turkey is also due to the fact that this State, as an EU membership candidate, can represent after a possible integration one of the biggest states inside the European community, but also because Turkey represents a door of negotiation with the Muslim world for the West.

Besides the clear influence of the national interests in the French assistance policy, we remark nevertheless the high importance given by France to the poorest states in Africa and also the special partnership that the EU has with South Africa by offering to this State important funds. Contrary to Romania and Slovakia that concentrate on action sectors based on assistance for democratization and the consolidation of the rule of law, the French aid is based upon investment in development supporting the productive activities and the urban and infrastructure development.

It's important to note that, the French Agency for Development is conceived contrary to the Slovakian agency and the Romanian development structures, as an investment bank that registers each year profits from the investments realized in development. We can therefore consider that France favors the financing perspective on cooperation, instead of that humanitarian. Moreover, the French development strategy gives an increasing importance to bilateral assistance that confers more visibility to the Donor State. France gives no less than 55% of its assistance for development by bilateral means whereas Slovakia, that has fixed for itself the objective to increase the level of bilateral assistance, gives a little bit more that 10%, whereas Romania hasn't created yet its own bilateral assistance mechanisms, the amount given by these means being insignificant. The absence of clear criteria for the establishment of the priority states places the development strategies in the wagon of the national foreign policies of the donor states. The absence of democratic conditioning for the assistance, like it has been defined by the EU, the reduced number of poorest states in the list of priority countries of the ODA policies, the priority given to the bilateral cooperation instead of the multinational or European aid, the specialization of assistance in domains other than those considered as being priority by the EU, the preponderance of the national criteria in establishing the beneficiary states, are only a few of the characteristics that indicate the strong incidence of national interests in the establishment of the national development aid policies. In this context, it is necessary to evaluate the degree of communitarisation of the EU national policies by establishing transparent evaluation criteria.

3. The Degree of Communitarisation of the National Cooperation for Development Policies

Starting from the analysis of the national cooperation for development policies indicating the important influence of the national interests in the elaboration of the national strategies, we considered necessary to concentrate on the quantification of the degree of communitarisation of the national assistance for development policies.

In order to realize this evaluation, we established a barometer of analysis which goes from -3 to 3 quantifying the intensity of the criteria established for the evaluation of the communitarisation, 3 indicating a positive attitude towards communitarisation and -3 a negative attitude. The criteria are based on three categories and the different notations given to each state are based upon our personal analysis of the national policies and by consulting experts working in the field of development aid in those countries. In total 7 French experts, 3 Slovakians and 5 Romanian specialists in cooperation for development have participated at our evaluation.

The first category concentrates on the conditions and the norms imposed by the EU in relations with the assisted partners: 1. The democratic conditionality in allocating funds; 2. The realization of analysis documents of the beneficiary countries (country-paper); 3. The share of the poorest countries in the total of allocated funds; 4. The respect the key sectors established by the EU and the UN Millennium Goals.

If we refer to the democratic conditionality, we remark that all three states register a lack of explicit democratic conditions in allocating funds. Knowing that Romania's funds are given threw international organisms, we consider that Romania doesn't really impose any democratic criteria on its own, but the organisms do impose the majority of these norms, therefore we can give a 0 in this case for Romania. France and Slovakia don't have explicit conditions but impose by the realization of country-papers the respect of democratic norms. In the case of Slovakia we can consider the respect of minorities as a democratic norm imposed for the signature of the assistance partnership. France has on the other hand a very differentiated perspective, by ending any kind of cooperation with Haiti when the country was facing political problems that contravened to the democratic principles, but developing in the same time relations with communist countries like China or Vietnam, or non democratic regimes like Libya, that openly disrespects the human rights. Another custom, imposed by the EU, is the realization of analysis and impact documents on the development aid in beneficiary countries to quantify the effectiveness of the cooperation projects and the progresses made by those states. France has a long tradition in realizing documentations by doing this since the beginning and stipulating the existence of these documents in the juridical functioning norms of the ODA policies. Slovakia has imposed recently this system but it's still in adaptation process with the EU demands, whereas Romania has realized preliminary analysis documents without taking into account the criteria prevailed by the European custom.

Regarding the share level of the poorest countries in the total funds allocated, a norm specifically mentioned in the European initiatives, we remark that the country which has given the biggest interest was France, with important funds given to Sub-Saharan Africa, followed by Slovakia that has maid efforts to get involved in African countries like Kenya. Romania has neglected this aspect, not even a single Romanian priority country being from Africa, and the only one classified as being poor is Afghanistan, the others being considered intermediary. The priority sectors of the European Union are concentrated on the Millennium for Development Goals that France has assumed and wants to respect in totality even if it has a certain preference for the renewable investments. Slovakia has also assumed explicitly these objectives and wants to realize them threw its assistance policies, whereas Romania even if it assumes these principles in declaration, tends to realize them in a weaker proportion.

The second category concentrates on criteria of funds allocation because in these sense we can perceive if the resources are integrated in a European context. The elements of classification are: 1. funds allocated by collaborating with other European partners; 2. the dimension of funds allocated bilaterally; 3. if at the level of funds allocation we find subjective criteria like the presence of certain important national minorities or linguistic communities in beneficiary states; 4. in what extend the funds are more allocated threw international organization that threw the EU; 5. the existence of a profitability objective in the funds allocation; 6. the implication of NGOs, of local collectivities and of companies in the cooperation for development policy. Referring to the allocation of funds by collaboration with European partners, we can say that the EU stimulates the project creation and common programs of development agencies in EU member countries and supports the intra-European collaboration seen as a method of expression of the Union itself. At this chapter the French Development Agency excels with important partnerships with the agencies from Germany, England, Spain or Italy. Slovakia has also managed to realize a series of partnerships with agencies from Austria and Holland but this process is still at a formation stage. Romania hasn't presented yet any other contract or important financial association in ODA projects with other EU member states.

Also at the level of funds allocation, we remark the fact that France excels in granting bilateral funds, and Slovakia tends towards this objective, whereas Romania hesitates in following this direction by

lack of capacities and resources. Bilateral funds are evaluated with a negative appreciation because this aspect signifies a nationalization of assistance policies and a distance from the ODA financial mechanisms of the EU. But when it comes to appreciate the funds allocation, it's also important to evaluate the incidence of certain interests in their distribution. Therefore Romania and Slovakia grants more of their funds based on the criteria of the presence of the national minorities in the beneficiary states, whereas France even if it allocates a greater importance to the French speaking countries or to former colonies, doesn't privileges them in relations to others. On the level of allocation of funds threw international organizations more than threw the EU, Romania is negatively quoted because it grants without any control the majority of the funds threw international organizations like the UN Program for Development, in detrimental of other projects with European partners. On the other hand, France and Slovakia, even know they work with international partners keep the control on these resources or even influence the allocation ways so it corresponds to the EU or national objectives. In relation to the funds allocation, the profit desire is visible only in the case of France, whose Development Agency realizes financial reports, business plans and distributes dividends to the State from the funds earned. Slovakia and Romania doesn't impose this kind of condition even if an analysis of the economic advantages indicates a winning in terms of prestige and commercial and economic relations with beneficiary states.

The European Union supports the implication efforts of nongovernmental organizations, of the local collectivities and of companies in the assistance for development policies. France has the highest implication level of the local collectivities in the assistance policy, a good level of implication of the companies but has some deficiencies at the level of NGOs. On the contrary, Slovakia has extremely positive results at the NGO level for a newly integrated country in the EU, by accessing already more European funds in the field, but remaining deficient on the level of local collectivities and companies not used with the domain. In exchange Romania doesn't have firm and direct collaborations on ODA projects with the local civil society, by preferring foreign partnerships, clearly preferred also by the public opinion. The third category of information for appreciating the degree of communitarisation is the public perception and the support given to the development assistance. The components in the analysis of the perception in relation with the communitarisation are: 1. the support of the assistance policies by the population; 2. the degree of information of the population regarding the assistance; 3. the support of the local communities to the communitarisation and the perspective on the role of the EU in the field; 4. the support of the EU as main operator of the assistance funds. We based our results on the conclusions of the EU barometer from June 2009 by comparing the results of these states to the European average (European barometer, 2009). The support of the assistance policies represents an advantage in the process of understanding this domain promoted by the EU. Therefore the EU barometer indicates the fact that 89% of the Slovaks consider that the assistance for development is very important or sufficiently important, placing this country on the first places in the European rankings. The Romanians and the French with 82%, respectively 86% of support, find themselves at an intermediary level of support, under the average of 88%. We can also mention that in France the total favorability share is bigger than that of Romania.

On the level of the information degree we studied the knowledge of the Millennium for Development Goals, the European average being of 24% of the respondents. Surprisingly only 13% of the French and 17% of Romanians have heard of the objectives against 37% of the Slovakians.

The public support for the communitarisation and the EU implication in the development cooperation policy are an important index to illustrate the tendency towards the Europeanization of the domain. 60% of the French consider that the European perspective represents an added value to the

international development assistance, 52% of Romanians sustain the European perspective, whereas 66% of the Slovaks consider that the EU implication is positive. We mention that the European average has 61% of favorability. To better understand the way that the EU role is perceived, it is necessary to comparatively analyze the support that the Union benefits from in relation with other internationals actors and with assistance policies conducted on national level. We observe that Romania, with 47%, finds itself between the firsts supporters of the EU role as main assistance operators. Only 1% considers that this has to develop on national level. Over the European average of support of the EU as main actor of 26%, we also find France with 27% of support level in comparison to only 5% of support given to the national initiative. The Slovakian support for the role of the EU is also above the average (27%), the Slovakians considering nevertheless that the United Nations should be the main assistance operator with 52% of support. The Slovakians reject the implication of the national State in the ODA policy, only 1% supporting its implication. It's interesting to see how these statistics contravene to the realities of the policies and the national strategies of these countries, because in Romania the majority of the funds are allocated threw UNDP, in Slovakia the EU is given an important attention whereas in France the national policy is priority in development assistance.

Table 2 The analysis of the degree of communitarisation of national cooperation for development policies

DEGREE OF COMMUNITARISATION OF NATIONAL POLICIES	FRANCE	SLOVAKIA	ROMANIA	TOTAL
I. CONDITIONS AND NORMS IMPOSED BY THE EU IN RELATIONS TO ASSISTED PARTNERS				
1. Democratic conditionality in funds allocation	1	1	0	0,66
2. Country-paper: analysis documents of the beneficiary countries	3	2	0	1,66
3. The share of the poorest countries in the total of the allocated funds	2	1	- 2	0,33
4. The respect of the key sectors established by the EU – Millennium Goals	3	2	1	2
TOTAL I	**2,25**	**2**	**- 0,33**	**1,16**
II. FUNDS ALLOCATION CRITERIA				
1. Funds allocated threw the collaboration with European partners	2	1	- 2	0,33
2. Funds allocated threw bilateral aid	- 2	- 1	3	0
3. Important national minorities or linguistic communities in beneficiary states	0	- 2	- 2	0
4. The funds allocated threw other international organizations than the EU	2	2	- 2	0,66
5. Profitability objectives in funds allocation	- 2	1	1	0
6. NGO implication / local collectivities / assistance companies	2	1	- 2	0,33
TOTAL II	**0,33**	**0,33**	**- 0,66**	**0**
III. PUBLIC SUPPORT FOR ASSISTANCE POLICIES				
1. The support for the development assistance policies by the population	0	2	- 1	0,33
2. Information degree of the	- 1	2	- 1	0

population regarding the assistance for development				
3. Support of the local population of the communitarisation of the development assistance policies	1	2	- 1	0,66
4. EU support as main operation of assistance funds	1	- 1	2	0,66
TOTAL III	**0,25**	**1,25**	**- 0,25**	**0,41**
Degree of communitarisation	**1,02** **34%**	**1,19** **39,6%**	**- 0,41** **- 13,6%**	**0,52** **17,33%**

The final results of the quantification process of the communitarisation degree of assistance policies for development from France, Slovakia and Romania illustrates the different level of Europeanization of national policies, deficiencies and similarities between national and European policies.

More exactly, when we refer to the respect by the national policies of the conditions and norms imposed by the European Union in relations with assisted partners, we remark the fact that France, with an average score of 2.25, respects the most the European principles, followed by Slovakia with an average score of 2 points. Romania, nevertheless, has deficiencies of operating with the European norms even if with some effort it can achieve without problems the necessary level. When we examine the allocation of assistance funds we observe that France and Slovakia respects the European provisions, even if the process is still far from perfection with an average score of only 0.33 points. In the case of funds allocation, Romania doesn't respect the European principles being deficient at several chapters with an average score of -0.66 points. Finally, when we analyze the public support for assistance for development projects and the EU implication in these projects, Slovakia proves to be a true promoter of these domains and the European role in the field, with a 1.25 point average. France registers some visible deficiencies in the case of the EU barometer with only 0.25 points. Romania doesn't manage to reach the average and has deficiencies at this chapter also with an average score of -0.25 points. In conclusion, the degree of communitarisation of the European policies from the three countries studied is 0.52 points from the 3 points possible, more exactly a positive degree of communitarisation of only 17.33%. Individually, Slovakia has the most communitarised assistance for development policy with a score of 1.19 points, equivalent to 39.6% positive communitarisation, followed by France with 1.02 points, equivalent to 34% positive communitarisation. Romania has a negative sore with -0,41% points, with a negative communitarisation of -13.6%.

The graphic representation illustrates how the communitarisation of the national policies has been performed in the studied countries.
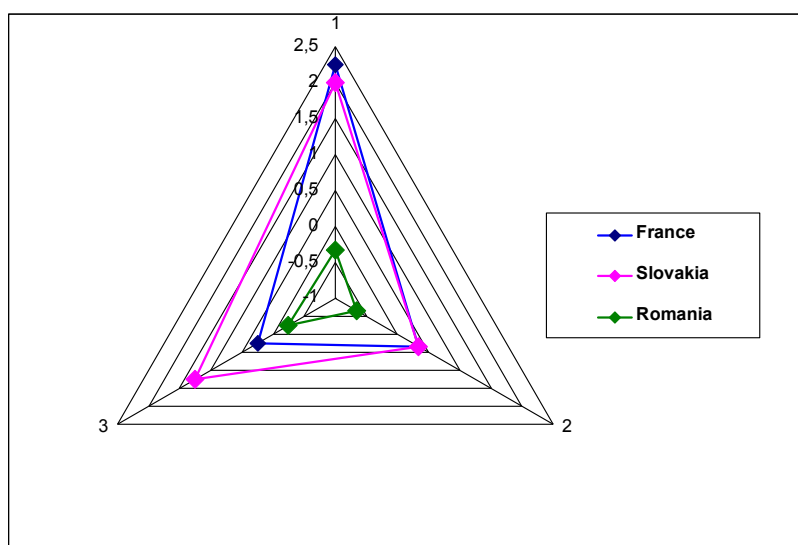
Figure 1 The pyramid of the communitarisation of the national cooperation for development policies

From these results we conclude that the Europeanization process of the development assistance policies is far from being achieved by the three countries and consequently we can consider that the communitarisation of the cooperation for development has still several stages to achieve. Furthermore, the degree of communitarisation doesn't correspond to the time spent by the country in the European space. The results indicate that a new EU member State, like Slovakia, can have a more Europeanized assistance policy than France, and old EU member State. We can't nevertheless ignore that the slowness of the European mechanisms, especially when it comes to making foreign policy decision, can represent set-back for a country like France that considers itself as being a medium sized power and a promoter of democracy and humanitarism on international level.

4. Perspectives for the Cooperation for Development Policies

The evolution of European cooperation for development policies in the last fifty years has represented the desire to give an answer to the development problems but nevertheless there is still a big gap between the political and institutional capacities of European and the tasks that it has to realize. Based on specific intergovernmental mechanisms, the European assistance for development policy has passed from escorting the decolonization to the concept of association based on the European model, by integrating successively new methods like the project based aid, the preferential commercial policy, the promotion of human rights and democracy policy (1990), the support to the regional integration process, the crisis management generated by debt and budgetary support, the political dialogue between the State leaders (Cairo Summit in April 2000) and finally the conflict prevention (2001), going to the military crisis management (2003) (Debrat, 2006).

If the financing objectives fixed by the Council of Europe in 2005 will be respected, the development aid will pass from 10 to not less than 20 billion euros, and afterwards to 46 billion euros. The year 2005 has also represented the elaboration of two fundamental papers, the proposition for a common declaration of the Commission, Council and the European Parliament referring to the development aid policy of the EU, and the communication realized by the Commission regarding the EU strategy for Africa. This European consensus indicates the desire from the member states to have a common vision

on the development policies understood threw the complementary perspective that associates to this concept the commercial, environmental and security dimensions as well as the programming and the adaptation by countries.

The desire for compromise has created minuses from the point of view of the clarities and the power of the common European decisions in the domain. The cooperation policy is on several aspects thought to be as a foreign policy proposed to the Southern partners starting from the global agenda for the fight against poverty. Financing growth is only the forth priority objective and is perceived as a form of reform imposed by the donor State to the beneficiary State. Furthermore the problems of the developing countries aren't hierarchically established. The European values are forcedly diffused on unilateral level based on this partnership even if this kind of partnership should have meant after a European model a dialogue of cultures and principles. Even more, issues like migration or the fragile states governance are managed in a defensive way by concentrating on the problem perspective that this supposes for Europe.

From the organization point of view, the document doesn't clarify the relations between European policies and the assistance for development national agencies, by promoting only on a rhetoric level a tight intra-European cooperation in this field. The EU doesn't seem adapted to the apparition on the development aid scene of other states like Brazil, China or India, and seems incapable of using the resources of some of the European states with an international ODA policy and strategy (Germany, Great Britain, France or Holland). Even if it gives priority to the cooperation with Africa, the EU doesn't manage to establish a hierarchy of the different regions of the world. Furthermore, the Millennium Development Goals are considered a priority for the European finances ignoring in this sense the necessity for an economic development that can give a complementary support to the realization of these objectives. This is just one of the series of deficiencies existing on the level of the European cooperation institutional device operation. For example, on the level of the international decision instances each EU member State can express its position separately, and the Union is not even represented most often as an entity, maintaining in this sense the competence on national level. Even more, from an administrative point of view, the process is getting more difficult because of the different responsibilities of the General Directions on the different assistance aspects. This thing is also happening on the decision level, the Council, the Commission and the High Official for Foreign Affairs of the Union share the authority on the development issues. To this we add the fact that three commissioners are sharing the attributions on development and each State, on the Council's level, supports its own geographic and sartorial interests.

The administrative problems also affect the funds allocation, the access modalities of the funds based on strict European rules being very difficult for the operators in the developing States. This dispersal is also visible on the level of research, Europe being overcome by the American universities, that financed by the World Bank and several companies and foundations, have developed several new research domains and have imposed their own definitions and interpretations on development.

The lack of complementarity or specification regarding development aid in other complementarity domains, like the commercial, agricultural, migration, formation and work policies, makes difficult to realize many of the European objectives. For example, it's difficult to imagine a development of the exports of the countries in development if the EU maintains the commercial barriers for the Southern products. The European Union has to arrive to a new consensus to establish a geopolitical sense, a regional strategy and a doctrine of the aid to coordinate on European level the development activity. The experience of the Marshall plan has shown that it's needed a massive and concentrated effort to achieve the economic rise of certain geographic areas. An intra-European network can also be created

composed of actors and European development agencies that will coordinate on themes and action areas. A solution can be the creation of a consultative council on development issues that will include national and civil society actors and will also deal with the financing given by the Commission to projects also supported by the other European national partners. In this sense, for a better efficiency of the cooperation it is necessary to have a better dialogue with the beneficiary countries and a bigger concentration of the activities on the creation of local capacities and the development of financing methods on European level. These difficulties and the limits of the European cooperation for development policies in relations to the national interests and also the efficiency problems of the EU conduct us to sustain the point of view expressed by a report of the Overseas Development Institute that presents four possible development scenarios of the cooperation for development policies in the direction either of segmentation, integration, inclusion or individualization (Maxwell, 2009).
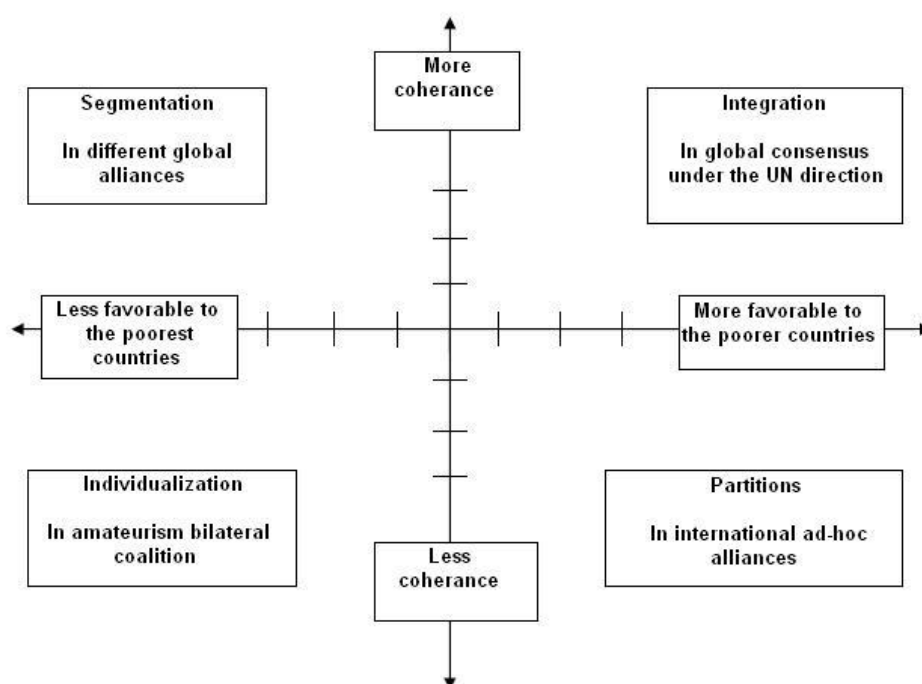

Figure 2 The cooperation for development at the horizon of the year 2010: four scenarios

This table indicates two axes that direct us to four scenarios or hypothesis for the future:

a. The right wing superior quadrant: a scenario in which the foreign policy of the EU are better coordinated and more coherent and where the engagement towards poverty reduction is bigger (in fact). In this graph, the scenario is entitled Integration

b. The right wing inferior quadrant: a bigger engagement towards poverty reduction associated to a smaller engagement towards European coordination and policy coherence. This thing conducts the member states to accentuate the bilateral ad-hoc actions. This is what we call Partitioning.

c. The left wing superior quadrant: a bigger engagement towards the European coordination and foreign policy coherence associated to a weaker engagement towards poverty reduction. This is called Segmentation, because of the effects on the consensus regarding the global development policies.

d. The left wing inferior quadrant, illustrates the situation in which a weaker engagement towards European coordination and foreign policy coherence associates to a weak engagement towards the

global development objectives and poverty reduction. We arrive to bilateral amateurism, what is called Individualization.

In the case of the integration scenario we can consider that Europe will have a more coherent voice on the foreign policy and development policies level. A bigger part of the assistance budgets will pass threw the EU and a bigger complementarity is searched between the international development programs of the EU and the member states. The external relations differentiate on the regions and the aid is explicitly dedicated to the poorest countries and regions.

The partition supposes a passage to a lighter and less enthusiastic foreign policy. Advances from the point of view of assistance centralization and of the commercial negotiation exist, but they aren't very important. The segmentation supposes that important national interests still exist and the aid flows go in their large majority towards countries with an average income. The commercial negotiations turn off and the agreements turn regional. The individualization supposes only a shown interest for European development cooperation and the finances don't follow the way to the EU. The member states discuss about a renationalization of the humanitarian assistance and the commercial negations are replaced by bilateral agreements.

An adaptation of these results to the degree of communitarisation would indicate that there is a tendency towards integration expressed mainly in the final results of France and Slovakia but to confirm this trend we need to do a European wide analysis of all the national ODA policies and reclassify the communitarisation indexes on the axes proposed by this analysis.

5. Conclusions

The European Union has realized important advancements in the domain of development cooperation, from its origins appeared in the middle of the decolonization process to the existence of policies and coherent objectives for the social and economic development of beneficiary countries. Today, the effort and the desire of the public opinion to find a way to support the poorest countries, has found a part of its answer in the manifested desire of member countries to establish and European consensus regarding development assistance.

Nevertheless, the decision making process remains intergovernmental and very difficult because of the excessive bureaucracy generated by the absence of a unique competent authority and by the lack of complementarity with the other policies of the EU. In this context, the EU member countries tend to maximize the benefits from the elaboration of the development cooperation policies. Some of the states that claim the position of medium sized powers, like France, Germany or Great Britain will continue to search a way to develop their own global assistance system, whereas the new EU member states, still not very familiar with this field, like Slovakia or Romania, still explore for the opportunities offered by this field. The limited funds that they can direct to this field, conduct these countries to the European perspective because of the funds existing on the EU level. The reality is that the diversity and the specificity of the different forms given to the organization method of the ODA policies constitute not only the main difficulty but also a powerful advantage in developing coherent policies on European level.

The opportunity of an objective evaluation of the communitarisation degree of the national assistance policies for development becomes interesting in the context of the manifested desire of the European Commission to raise its implication in the foreign affairs of the member states. This kind of analysis will enable us in the future to appreciate the stages that have to be completed by the member countries

but also by the EU to realize a completely uniform European assistance strategy and of the activities, so necessary for raising the efficiency of the funds allocated by the EU, but also in the perspective of achieving the Millennium Development Goals. In conclusion the strong public support pushed forward the development aid topic within the foreign policy priorities of the EU and the member countries but the diversity of the European population and the national interests limits the true Europeanization of the cooperation for development policies.

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THE 6TH EDITION OF THE INTERNATIONAL CONFERENCE
EUROPEAN INTEGRATION
REALITIES AND PERSPECTIVES

The Political European Leadership and the
Current System of International Relations

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Abstract: Transforming an economic community in an international political single actor represented an objective both for the theorist of the European unification process and for the founder father of the actual European Union. Nevertheless, the European entity created in 1950 was a particular economic corpus, where the national political leaders had some particular views on the future of their countries inside the European community. On the other part, the leaders of the European community had every time some political objectives for the new created entity, and the progressive accomplishment of these determined the coagulation of a particular type of political leadership, that of the actual European Union. Sometimes debated, other times denied or at least considered as incomplete, the European political leadership is a concept which could be considered as a new one. This originality is given but by the way to act of the new international actor, the European Union, and by the instruments used in the international action.

Keywords: economic community; international political single actor; European unification process

1 Introduction

Le problème du rôle international du continent européen et de l'entité communautaire européenne a été entrevu même à partir du début du processus d'intégration. La déclaration de Robert Schuman commence en invoquant la « paix mondiale » et la contribution à celle-ci « d'une Europe organisée » (éventuellement *fédérale*) et le Traité de Paris (1951) reprend ces mots (sauf le concept de *fédération*) et les principales idées, tout en établissant le fondement normatif des premiers pas vers les objectifs prévus. Toutefois, l'Europe, « organisée » et munie d'institutions communes tardait d'apparaître, même si le problème de la décision et de l'action politique commune a été soulevé plusieurs fois à partir du sommet de Hague de 1969 (Fonseca-Wollheim, 1981) et en dépit du fait que toute décision communautaire, même économique, comportait une « conditionnalité politique » (Buchet de Neuilly, 1999, p. 130)[1] et finalement l'accord politique des membres. Il sera à peine l'Acte unique européen le document qui a considère l'unité européenne encore inachevée au-delà de tout progrès en ce qui concerne l'action politique commune dans le domaine de la politique étrangère et contient un chapitre distinctif (Titre III) concernant ce domaine. L'effondrement du bloc communiste, avec tous les effets que la disparition du bipolarisme a déterminé pour le système de relations internationales, et l'évolution du conflit de l'ancienne Yougoslavie ont bien pressé, probablement, la transformation des institutions

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[1] L'auteur donne l'exemple du soutien financière accordé par l'Union européenne au Monténégro, le 1998, avec l'objectif d'influencer la réélection du président monténégrin Djukanovic. *Ibidem*, p. 141.

européennes et, en dépit de toutes les opinions négatives, la coagulation d'un système politique qu'on peut l'appeler comme « européen » ou « commun ».

Le problème qui se pose ensuite est : est-il devenu possible d'en discuter d'un leadership politique européen au niveau international ? Quel est le niveau d'asymétrie d'entre le leadership politique européen et celui des États membres et à la faveur de qui fonctionne cette asymétrie ? Ils sont des questions soulevées même par des personnes directement impliquées dans le processus décisionnel européen, spécialement quand l'Union perd les occasions d'intervenir dans les événements internationaux[1]. Le dynamique des relations internationales ne rend pas du tout très facile à emmètre des opinions dans ce domaine, mais c'est le même dynamique également qui impose l'analyse. Toutefois, cet article restera à la surface des choses, démontrant uniquement par un exposé partiel des normes et partiellement par une étude de cas le fait que l'Union européenne peut être considérée comme un leadership politique atypique dans le système de relations internationales.

2 Evolution du système décisionnel européen dans le domaine de la politique extérieure commune

Ce qui aujourd'hui nous apparait comme un système décisionnel assez bien structuré, a commencé à se réaliser, en fait, à partir du sommet de Haye de 1969[2], quand les pays membres de la Communauté économique européenne, réunis au niveau de chefs d'État et de gouvernement, ont convenu sur la nécessité d'un renforcement du processus de la construction européenne par la voie de la coopération diplomatique et ont décidé de « préparer les voies d'une Europe unie en mesure d'assumer ses responsabilités dans le monde de demain », tout en chargeant « les Ministres des Affaires étrangères d'étudier la meilleure manière de réaliser des progrès dans le domaine de l'unification politique ». (« Communiqué final… », 1970, p. 12) Les États membres ont décidé de « coopérer en matière de politique étrangère », coopération qui devra se réaliser par information et consultations réciproques régulières ; d'organiser des réunions ministérielles chaque trois mois et, pour les cas plus graves, réunions des chefs d'États ou des gouvernements ; la création d'un Comité politique muni de taches de documentation et d'organisation des réunions ministérielles ou gouvernementales ; d'organiser des réunions semestrielles des ministres et des membres de la Commission politique de l'Assemblée parlementaire européenne. (« Rapport des ministres… », 1970, passim) Ainsi, ayant comme modèle le Plan Fouchet, une nouvelle initiative française, ayant comme fondement une rencontre proposée par le Président George Pompidou, a été lancé le processus de « Coopération politique européenne » (CPE), l'instrument dont la réalisation était considérée la collaboration permanente d'entre les ministères des affaires étrangères des pays communautaires, donc entre les diplomaties nationales, la création de nouvelles institutions communautaires dans cette direction n'étant pas prévue. (Quermonne, 2010, p. 89-90 ; Fonseca-Wollheim, 1981) Deux ans après, un autre rapport, suivi au sommet de Paris d'octobre 1972, considérait comme « satisfaisant » le début de la CPE et établissait l'accroissement des rencontres annuels des ministres des affaires étrangères et la formulation des positions communes des États membres sur les problèmes internationaux. (« Déclaration du sommet de Paris », 1972, p. 16) L'année

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[1] C'est le cas, par exemple, de la députée française Catherine Lalumière, qui mise en question l'incapacité de l'Union d'intervenir dans le conflit du monde arabe et parle « du drame qui se joue entre les pays arabes en révolte et l'Union européenne, concernée mais hésitante et déchirée » et pose la question du leadership politique « improbable » de Lady Ashton, la personne qui devra être « capable d'incarner les valeurs de l'Europe, son idéal et le rôle de l'Europe dans le monde à venir ». (Lalumière, 2011) Toutefois, on doit rappeler que le rôle du Haut Représentant est prépondérant technique, administratif, par comparaison avec celui du Président du Conseil européen, qui revient au M. Herman Van Rompuy.
[2] Et suite à deux échecs à la mesure de l'objectif : la création de la Communauté européenne de la défense et, d'autre part, la création de la Communauté politique européenne. (Quermonne, 2010, p. 89-91)

suivante, un autre rapport (« Deuxième rapport… », 1973, passim) établissait l'obligation de chaque État membre de consulter les autres avant toute décision définitive de politique extérieure, la consultation de la Commission, la participation des membres de la commission politique de l'Assemblée parlementaire européenne aux quatre réunions annuels et l'information du Conseil sur les conclusions résulté du processus de coopération politique.

Toutefois, en dépit de la création, en 1974, du Conseil européen, institution réunissant les chefs des gouvernements et d'États et recevant, parmi d'autres, le rôle de renforcer la coopération politique (« Réunion des chefs… », 1974, p. 7-8), et en dépit de l'analyse parfois très critique du Rapport Tindemans (« Rapport sur l'Union européenne », 1976, passim), en 1976, sur l'évolution politique de l'Europe unie, la période suivante, jusqu'à l'adoption de l'Acte unique européen, est considérée comme une de stagnation dans ce domaine, situation qui peut être bien décelée de certains documents du Parlement européen. Ainsi, en 1978, une Résolution du Parlement européen constatait des « lacunes qui subsistent dans la coordination des positions et des actions des neuf Etats membres de la Communauté, notamment sur certaines questions à l'Assemblée générale des Nations Unies et dans le cadre des autres forums internationaux » (Parlement européen, 1978, p. 59-60) et demandait que le Parlement soit constamment informé sur les décisions de politique étrangère prises par les États membres et ses orientations dans le domaine de la politique étrangère soient considérées dans le processus de coopération politique développé par les ministres des affaires étrangères, et proposait l'augmentation du rôle représentatif devant les tiers pour la Commission des communautés européennes. En 1981 la députée britannique Diane Elles a présenté un rapport détaillé (« Rapport… », 1981) sur l'évolution de la CPE et le rôle du Parlement, avec l'accent sur la nécessité de l'élaboration d'une politique de sécurité commune. Plus important, ce rapport met en évidence les déficiences du processus de CPE, à savoir : « une carence à réagir rapidement, l'absence d'un mécanisme de consultation, la limitation de la matière à discuter, l'absence de liens entre les considérations d'ordre politique, économique et commercial, l'absence d'engagements communs et peut-être plus important que tout le reste, l'absence d'un objectif commun pour la Communauté toute entière » (*Ibidem*). Ces carences sont bien compréhensibles si on rappelle que le seul instrument de la CPE était la *déclaration commune*. Tel que les insuffisances invoquées par Diane Elles, les arguments utilisés à l'appui d'une tel critique (parmi d'autres, la réaction de la Communauté vers l'invasion soviétique en Afghanistan) peuvent être considérés comme très semblables pour la réaction de l'Union européenne à certaines situations actuelles (la crise yougoslave ou l'intervention en Iraq).

En 1987, l'Acte unique européen a renforcé le processus de la CPE, tout en reconnaissant le Conseil européen et associant la Commission et le Parlement européen aux travaux de la coopération politique (Titre III, art. 3b, 4), soit par la participation aux débats soit par l'information et les consultations régulières. L'effondrement du bloc communiste offrira le fondement d'un nouvel commencement pour l'évolution du leadership politique européen, concrétisé dans un premier moment dans le Traité de Maastricht. Le préambule de ce document annonce clairement une nouvelle étape dans l'évolution du processus de l'intégration politique européenne, les signataires étaient « Résolus à mettre en œuvre une politique étrangère et de sécurité commune, y compris la définition à terme d'une politique de défense commune qui pourrait conduire, le moment venu, à une défense commune, renforçant ainsi l'identité de l'Europe et son indépendance afin de promouvoir la paix, la sécurité et le progrès en Europe et dans le monde » (« Traité… », 1992). Au niveau du concept de la Politique étrangère et de sécurité commune (PESC) le Traité de Maastricht peut être et est considéré comme essentiel (sinon révolutionnaire) pour l'évolution internationale de la future Union européenne, une réussite du mécanisme de l'engrenage (*spillover*) et du fonctionnalisme européen dans la direction de la « communauté pluraliste de sécurité »

de Karl Deutsch, à savoir une union d'États où les membres gardaient leurs souverainetés politiques et militaires[1]. (Bussy ; Serre ; Delorme, 1971, p. 621-2) Grâce à ce Traité les institutions européennes ont reçu des fonctions importantes dans le processus décisionnel concernant la PESC, même si les États membres, les anciens héritiers de la CPE, nostalgiques, dans la vision de Yves Buchet de Neuilly, pour leurs anciennes positions internationales, auront encore un rôle et une implication très importantes[2] dans l'adoption et plutôt dans la non-adoption des décisions communautaires dans le domaine de la PESC, par les biais du COREPER et du Comité politique (Buchet de Neuilly, 1999, p. 142-6). En dépit de ce poids du national dans COREPER, dans le Comité politique et dans le Conseil de l'UE spécialement[3], le niveau de la représentativité extérieure de l'Union s'est vraiment amélioré. Ainsi, conformément à l'article J5 du Traité, l'Union est représentée, au niveau de PESC, par sa Présidence, qui est aussi responsable de présenter aux tiers la position commune de l'Union en matière de PESC et de mettre en œuvre les actions communes, les instruments de l'application de la PESC.

Entre les Traités de Maastricht, Amsterdam et Nice n'existent pas des changements majeurs en ce qui concerne les fonctions générales des institutions européennes regardant la PESC, ni au niveau des rôles ni à celui de l'application des décisions, qui revenait toujours à la Présidence de l'Union. Toutefois, le Traité d'Amsterdam a mis le fondement du rapprochement d'entre l'UE et l'Union de l'Europe occidentale[4] (UEO) et a imposé de nouveaux acteurs, comme le Secrétaire Général/le Haut Représentant, qui assiste la Présidence et le Conseil, pendant que le Traité de Nice a transformé le Comité Politique dans le Comité Politique et de Sécurité, a initié un Comité militaire et d'un État major permanent de l'UE. (Quermonne, 2010, p. 93-5) Plus tard, et avec certains difficultés, le Traité de Lisbonne a établit la fonction de Haut Représentant de l'Union européenne pour Affaires Extérieures et la Politique de Sécurité et celle de Président du Conseil européen, ayant également le rôle de Président de l'Union européenne. Les deux fonctions sont destinées à améliorer et à rénover la représentativité de l'Union au niveau international, mais aussi de faciliter le processus décisionnel européen et d'appliquer la politique extérieure commune et de sécurité de l'Union. (*Ibidem*, p. 95)

Toute cette évolution au niveau de la représentativité extérieure de l'Union peut être considérée une évolution du leadership politique européen, une évolution du leadership politique collectif vers un leadership politique de plus en plus individuel, même si non de la même nature que celui des États membres.

3. Le leadership politique européen : quelques éléments d'un concept

Les recherches sur le problème du leadership politique sont assez nouvelles dans les sciences politiques, même si les leaders (politiques ou d'opinion) ont été l'objet des plusieurs approches dans le domaine de l'histoire (d'habitude étroitement lié au concept de charisme[5]) (Bennis&Goldsmith, 1997, p. 21-2) et en

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[1] Même si Karl Deutsch considérait cette étape comme spécifique pour les premières vingt années de l'existence de la Communauté européenne, on peut considérer que les caractéristiques de la communauté pluraliste de sécurité persistent encore, même après l'adoption du Traité de Lisbonne, parce qu'ils sont plusieurs les questions internationales envers lesquelles les États membres des l'Union préfèrent de garder leur souveraineté, leur action indépendante de la position commune, européenne (si elle existe, bien sûr).

[2] Rôle et implication soumis à un changement continuel, tel comme le rôle et l'implication des institutions communautaires qui, grâce à la procédure de la codécision initiée par le Traité de Maastricht, sont devenues parties à ce processus décisionnel.

[3] Conformément à l'article J8(2), l'institution de la décision finale, qui doit veiller « à l'unité, à la cohérence et à l'efficacité de l'action de l'Union ». (« Traité… », 1992)

[4] Une organisation qui devient responsable avec les missions humanitaires et du maintien de la paix hors de l'espace de l'OTAN.

[5] Les tomes sur le leadership politique coordonnés par Th. Wren, D.A. Hicks et T.L. Price sont la preuve excellente de l'intérêt de toujours pour les leaders et ce qu'on appelle aujourd'hui « l'environnement du leadership ».

dépit du fait que de point de vue étymologique la notion de *leader* est mentionnée dans la Bible et certaines écrits chrétiens, et plus tard (environ 1300) dans le *Oxford English Dictionnary*[1] (Rost, 1993, p. 38). Toutefois, cette approche théorique de comportement humain, qui met l'accent sur les leaders-personnes, n'est plus suffisante à partir les années '60, quand les leaders ont commencé à être étudiés dans le contexte général dans lequel ils développent leurs activités (Rîlea, 2006, p. 11-2). Quant aux définitions du leadership politique individuel, ceux-ci comportent des différences dans des périodes différentes. Le choix d'une définition plus générale et actuelle que possible peut impliquer certaines difficultés, mais celle offerte par George Blondel, qui considère le leader « quelqu'un qui a la capacité d'influencer un group, indifféremment s'il a ou non un rôle formel dans ce group là » (Blondel, 1989, p. 13), peut être considérée comme satisfaisante, cette capacité devant être démontrée à travers le temps et non pas occasionnellement. Le même auteur considère le leadership politique « un type spécial du pouvoir, exercé sur un grand nombre de sujets et problèmes », le plus large et le plus spécial type du pouvoir (*Ibidem*, p. 15), dont les parties composantes sont considérées « **la diagnose** », « **l'établissement de l'action nécessaire** » et « **la mobilisation** » et dont la manière de réagir dépends de « **l'environnement du leadership** », à savoir les conditions particulières dans lesquelles se développe le processus décisionnel (*Ibidem*, p. 17-9).

Même si très utiles comme instrument de recherche, les définitions antérieures du leadership politique ne sont pas suffisantes pour analyser le leadership politique communautaire. C'est pour cette raison qu'on fait appel à une autre source, qu'on peut considérée comme plus actuelle mais également plus institutionnelle, à savoir le « Rapport on Global Neighborhood » élaboré par la Commission on Global Governance de l'ONU. Ainsi, si les approches de G. Blondel sont nécessaires pour dépister certaines caractéristiques *classiques* du leadership politique[2] dans le leadership politique « atypique » pratiqué par l'Union européenne, la dimension prospective du Rapport mentionné est aussi très importante pour la connaissance des principes normatifs que l'ONU considère appropriés pour le leadership politique contemporain. Ainsi, les leaders doivent devenir « strong by vision, sustained by ethics, and revealed by political courage that looks beyond the next election », en offrant ainsi un fondement sain pour la gouvernance globale, où on a besoin d'un leadership « that is proactive, not simply reactive, that is inspired, not simply functional, that looks to the longer term and future generations for whom the present is held in trust. (...) It must reach beyond country, race, religion, culture, language, life-style. It must embrace a wider human constituency, be infused with a sense of caring for others, a sense of responsibility to the global neighbourhood. (...) By leadership we do not mean only people at the highest national and international levels. We mean enlightenment at every level--in local and national groups, in parliaments and in the professions, among scientists and writers, in small community groups and large national NGOs, in international bodies of every description, in the religious community and among teachers, in political parties and citizens' movements, in the private sector and among the large transnational corporations, and particularly in the media. NGOs can be of crucial importance in developing support and new ideas for important international goals. » (Commission…, 1995).

Ce type de leadership, celui des communautés et non uniquement des leaders, un leadership des consciences et non des manipulateurs, peut être considéré bien comme utopique, ou au moins peu probable à être réalisé, pour certains analystes qui sont les adeptes du réalisme ou pour les eurosceptiques. Ce qui est spécifique pour l'Union européenne c'est le fait que l'approche du problème

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[1] De point de vue éthimologiqe,on considère que le mot leadership viens du vieil anglais, à savoirdes mots *leden* où *loedan*, qui signifiait "to make go," "to guide," ou "to show the way. (Rost, 1993, p. 38)
[2] Caractéristiques qui nous avons soulignées en gros plus haut.

du leadership politique peut se concentrer soit sur le leadership politique individuel[1] que sur le leadership politique collectif, à savoir celui des institutions qui décident suite à plusieurs délibérations et, bien sur, suite à la réalisation des analyses et des diagnoses, les actions à mener, les instruments et les ressources à mobiliser afin de mettre en œuvre, au niveau domestique (régions ou pays de l'Union) ou international, les décisions ainsi adoptées. De cette manière, au moins dans le dernier cas l'Union européenne devient le sujet du « leadership politique international », un nouveau concept qui « [it] is a quality easy to identify by its presence or its absence, but extraordinarily difficult to define, and even more difficult to guarantee » et qui peut être mis en œuvre tant par les leaders individuels que par les leaders collectifs (États, organisations internationales ou supranationales – et on considère que l'Union européenne en est une organisation supranationale) (*Ibidem*, Ch. 7). Les limites de cette approche sont données du fait que l'Union européenne n'agit pas de la manière classique, réaliste ou même néoréaliste, dans les problèmes des relations internationales, ce qui détermine une certaine ignorance des médias et également du public concernant les actions politiques de l'UE. L'intervention internationale de l'UE est considérée d'avoir comme fondement les principes de la théorie constructiviste, qui prévoit qu'ils sont les agents et les structures, et non les États, les actants du système de relations internationales (Telò, 2009, p. 119-20) Ainsi, ils existent des opinions qui considèrent que le leadership politique européen est moins visible parce qu'il n'existe pas. Les questions qui se soulèvent sont les suivantes : Doit-il, le leadership politique européen, être jugé, catalogué, hiérarchisé, comparé avec le leadership politique d'autres décisionnaires uniquement de la perspective de l'action ou la non action, ou aussi (ou spécialement ?) de la perspective des principes utilisés à l'occasion de ces actions ou même pour les cas de non action ? Est-il, le leadership politique européen, considéré comme inexistant parce qu'il est confondu avec l'intervention armée d'autres types d'acteurs politiques internationaux (États, particulièrement) dans les conflits internationaux, ce qui semble d'être toujours « raté » par l'Union européenne (pas toujours par ses États membres) ? Est-il ainsi, le leadership politique européen, moins visible parce qu'il est moins combatif ? Est-il le leadership politique européen « éclipsé » par le leadership politique individuel ou collectif des États membres ? Est-il, le leadership politique européen, l'élément de nouveauté encore non accepté par la vision traditionaliste encore persistante (parmi les décideurs politiques, les analystes et les médias également) en ce qui concerne le domaine de la politique extérieure et la manière d'arrêter et d'intervenir dans les événements internationaux ? Quelques réponses et/ou tentatives de réponses peuvent être trouvées en ce qui suive.

4. L'Union européenne et ses actions extérieures, l'expression du leadership politique ?

Si on reprend les définitions du leader et du leadership politique de G. Blondel il est facile à observer que l'auteur s'est concentré plutôt sur la dimension personnelle, individuelle du leadership politique (un leadership politique qui pour les niveaux nationaux peut être considéré comme « vertical »), pendant que dans le Rapport de la Commission des Nations Unies l'accent est mis sur le leadership politique individuel, mais enserré dans une dimension institutionnelle également, un leadership politique « à l'horizontale », marqué d'une très large dimension civique et même par la sagesse et attitude humaine.

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[1] Il est généralement accepté aujourd'hui que l'évolution de l'Union européenne est le résultat de la volonté politique de plusieurs décideurs et leaders politiques, mais aussi le résultat de l'action, de la volonté et de la personnalité des leaders politiques nationaux et européens comme Robert Schuman, Konrad Adenauer, Alcide De Gasperi, Altiero Spinelli, Jacques Delors, Bronisław Geremek etc. Une analyse concernant le poids de deux types de leadership politique européen (individuel et collectif) dans les différentes périodes de l'évolution de l'Union peut être extrêmement intéressante et utile, mais cet article se concentrera sur un autre aspect du leadership politique européen, celui de la simple existence et reconnaissance au niveau international du leadership politique européen dans sa dimension la plus générale.

Toutefois, pour les deux approches l'objectif du leadership est la **persuasion**, **l'action** et finalement la **transformation** de l'Europe et (pourquoi pas ?) du monde, compte tenant des spécificités de chaque niveau (local, national ou international). Pour exemplifier nous considérons suffisant de remémorer certains principes stipulés dans le Traité de Lisbonne, le dernier document normatif à caractère général élaboré au niveau de l'Union. Conformément à ce traité, le leadership politique individuel de l'UE est matérialisé à un double niveau, institutionnel et individuel, par l'introduction ou la permanentisation de certaines fonctionnes à valeur institutionnelle : celle du Président du Conseil européen, qui « assure la représentation extérieure de l'Union pour les matières relevant de la politique étrangère et de sécurité commune » (art. 15(6d)) ; la permanentisation de la fonction de Ministre des Affaires étrangères, qui emportera les attributions du Commissaire pour les relations extérieures et du Haut Représentant pour la PESC, et qui peut être comparé, au niveau de ses attributions administratives, avec le Secrétaire d'État aux États-Unis. La Constitution européenne échouée et le Traité de Lisbonne ont été des tentatives d'améliorer le leadership politique européen, mais s'il est bien acceptable que les nouvelles institutions seront capables de contribuer à cette amélioration, en ce qui concerne les individualités qui occuperont les fonctions représentatives, chacune d'elle aura, très probablement, sa contribution spécifique à cette évolution. Ainsi, si les nouvelles institutions sont extrêmement importantes pour la visibilité de l'UE au niveau extérieur, les personnalités impliquées dans tout le processus décisionnel auront également un rôle décisif, même si bien différent de celui des leaders politiques nationaux.

Au-delà de toute évolution normative, qui peut être acceptée ou/et également contestée en tant que fondement du leadership politique, la présence internationale de l'Union peut bien être la preuve de l'existence au moins d'un certain début politique de l'Union. Le problème qui se soulève dans ce point c'est quel type de présence internationale qu'on peut invoquer pour l'UE, en tant que la comparaison[1] est fait, automatiquement, avec l'ONU et l'OTAN. Des quelques possibilités[2] qu'on peut choisir pour cette analyse, on a décidé de proposer comme exemple de l'implication internationale de l'UE la Mission de Surveillance en ex-Yougoslavie (EUMM[3]), une mission qui est commencé en juillet 1991[4] et finalisée en décembre 2007, et la même mission en Géorgie (commencée le 2008), afin de réaliser une comparaison concernant l'évolution du leadership politique communautaire. Il faut toutefois faire la précision que cette approche n'est pas du tout une exhaustive, qu'on a mis en évidence uniquement un des aspects et des sources du leadership politique européen, peut-être moins connu que les autres, mais non moins important.

EUMM est démarrée comme une action coordonnée par l'exécutif[5] européen, la Commission, avec l'objectif de surveiller les frontières et les relations ethniques, les flux des réfugiés, la sécurité et l'évolution politique dans l'ancien Yougoslavie. Conformément à Remy Landry, les spécificités de l'EUMM en ex-Yougoslavie étaient : caractère multinational et multifonctionnel[6], diplomatique et non armés ; agissement uniquement avec le soutien et l'approbation de chaque État où a développées des activités ; l'uniforme et les voitures blancs ; le rôle assumé (surveiller la mise en œuvre des accords de

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[1] Même si intéressante, cette comparaison ne fait pas l'objet de cette recherche.
[2] Comme exemples on peut mentionner les soit-dites *Missions de Petersberg*, et spécialement ceux dédiées au maintien de la paix : Mission de police de l'Union européenne en Bosnie-Herzégovine (2003-7) ; opérations Concordia (2003), EUPOL PROXIMA (2003-4), EUPAT (2005-6), toutes développées dans l'ancienne République yougoslave de Macédoine; EUFOR-ALTHEA (2004-présent), pour la Bosnie-Herzegovine. A raison d'espace, on a rappelé uniquement les missions de Balkans, mais on peut ajoutes également les missions développées en Afrique ou en Asie. La Documentation Française « L'Union européenne et le maintien de la paix », http://www.ladocumentationfrancaise.fr/dossiers/maintien-paix/ueacteur.shtml#operations ; « Principales opérations multinationales », www.ifri.org/downloads/ramses03carte5.pdf
[3] ECMM au début (European Community Monitory Mission).
[4] Plus que six mois avant que forces de l'ONU (UNPROFOR) soient présentes dans l'ancienne Yougoslavie.
[5] Comme toute action étrangère initiée par les niveaux nationaux.
[6] EUMM était composée de forces militaires, diplômés et fonctionnaires communautaires également.

cessez le feu et le retrait des troupes, au début ; actions de diplomatie préventive et de la reconstruction des relations entre les parties en conflit, création des lignes de communication directe entre les parties belligérantes, actions de maintenance pendant les crises, suivi des échanges des prisonniers de guerre et aide humanitaire ensuite). D'autre part, tous les bureaux régionaux et les membres de l'EUMM étaient logés, pendant leurs missions, même à l'intérieur des communautés (s'exposant aux mêmes risques et conditions de vie) et maintenaient le contact avec les représentants de tous les ethnies de la région, d'où un plus de crédibilité.

La mission de Géorgie est commencée le 01 octobre 2008[1], avec le mandat de veiller à la « stabilisation, normalisation et la reconstruction de la confidence » après le conflit d'août avec la Russie et de « prévenir le renouvellement du conflit armé »[2]. Comme la même mission en ex-Yougoslavie, celle de Géorgie est également une mission civile, qui s'appui sur l'approbation de deux États concernés, Géorgie et Russie. La nouveauté de cette mission réside dans les instruments d'action proposés : d'un part le Mémorandum d'entente entre EUMM et les Ministres de la Défense et des Affaires Intérieures, qui a aidé à la stabilisation de la situation, et, d'autre part, le *Incident Prevention and Response Mechanism*, une série de débats sur les différents événements et problèmes concernant la sécurité de la région, débats auxquelles toutes les parti concernées (Russie, Géorgie, régions séparatistes) pouvaient participer. Parmi les résultats du Mémorandum d'entente, sont mentionnés : l'amélioration de la transparence concernant les actions de la police géorgienne ; a limité l'installation des forces armées géorgiennes dans la zone de la frontière administrative et l'utilisation de la force de la part géorgienne. D'autre part, le *Incident Prevention and Response Mechanism*, par les réunions régulières des tous les acteurs impliqués dans le conflit, ont été résolus les problèmes de la confidence réciproque et de la coopération, étant utilisé inclusivement une ligne téléphonique directe entre les opposants, afin de mieux comprendre et résoudre, en temps réel, les situations tendues (Cf. EUMM)

En dépit de toute évaluation officielle (évidement positive) de cette présence communautaire dans les deux régions des conflits, c'est qui est encore difficile d'évaluer sont les résultats de ces missions, et non parce qu'ils n'ont pas existé, mais parce que ces résultats sont très difficiles à quantifier. Il ne serait pas honnête d'affirmer que le déroulement des (certains) évènements dans les zones de conflits mentionnées a été influencé uniquement par la présence de l'EUMM. Les résultats des actions de l'OTAN ou de l'ONU ont eu leur rôle extrêmement important, mais d'une autre nature : ils ont été obtenus par la force des armes ou par la présence des forces militaires, tandis que l'EUMM a utilisé la force des négociations, la force des projets dédiés aux communautés souffrant à cause des conflits.

Même si les exemples donnés n'ont été pas très détaillés, on peut déceler, dans la manière d'intervention extérieure de l'UE, la nouvelle approche sur le leadership politique, proposée dans le « Rapport on Global Neighborhood » : l'éthique de l'intervention (l'objectif n'est pas de soutenir une partie ou une autre, mais de déterminer une entente entre ceux-ci) ; le caractère proactif, au début dans le sens de l'approche de toutes les communautés traînées dans un conflit, et plus récemment dans le sens de la prévention du conflit ; le caractère responsable, donné par l'intérêt pour toute communauté, indifféremment de ses dimensions et composition ethnique, et par la dispersion de la décision au niveau le plus bas que possible, source de la création de communautés responsables. Cette approche est loin d'être considérée une réaliste, mais constructiviste, qui est à la recherche non uniquement d'une solution pour le présent, mais aussi pour le futur, pour les générations à venir. A notre avis, ce leadership à

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[1] Même si initiée pour une année, la mission continuera jusqu'à 14 septembre 2011.
[2] Un objectif inimaginable à assumer, de la part de l'UE, pour l'ancienne Yougoslavie. Toutefois, il est difficile d'évaluer dans quelle mesure le conflit n'est pas escaladé à cause de l'intervention européenne ou parce que la Russie est décidée d'arrêter son agression.

l'horizontale peut être encore difficile à comprendre et à accepter, mais ses effets sont à voir à long terme.

Le leadership politique international de l'UE est fondé sur consens, c'est réellement un leadership contractualiste, et les deux exemples d'implication dans une crise internationale de l'UE peuvent la démontrer. Même si à l'intérieur de l'UE les débats sur la typologie du régime politique communautaire sont assez mordant parfois[1], en ce qui concerne le leadership politique extérieure de l'Union celui-ci est soit né, soit traité comme quelque chose pas encore achevé. La source de presque tout débat sur le leadership politique européen est la comparaison avec les acteurs décisionnels des différents niveaux nationaux ou d'entre la manière d'intervention extérieure des États. Toutefois, nous considérons incorrecte[2] cette comparaison aussi longtemps que nous parlons de l'originalité du projet européen, originalité qui n'est et ne doit être uniquement économique, mais également politique. Le leadership politique « classique », exercé (encore) par les États membres peut être uniquement une source d'inspiration, tant pour les actions positives (à continuer) que négatives (à éviter), et non un modèle achevé. Et, au niveau de l'action extérieure, les États ne sont pas du tout le modèle du contractualisme, du tranzactionisme, du constructivisme, que l'Union a adopté pour ses actions extérieures, mais plutôt les adeptes du réalisme.

5. Conclusions

Au delà de tout débat sur l'existence ou non d'un leadership politique européen, on a observé qu'ils existent certaines actions de l'Union qui nous donnent la dimension de l'évolution de la présence de l'UE dans l'espace international. En synthétisant, on peut bien distinguer quelques dimensions de cette évolution : celle normative et celle pratique. Même si la tendance est de ne considérer pas le fait que le leadership politique communautaire est devenu de plus en plus évident existe bien, les arguments à la faveur de l'existence du leadership politique communautaire existent aussi et ils ne sont pas du tout négligeables. Une certaine hiérarchie des ces arguments peut être la suivante :

-Au niveau de la représentativité supranationale : l'Union peut conclure des accords internationaux (qui deviennent obligatoires pour les États membres), ce qui peut être interprété comme une acceptation du rôle d'acteur politique individuel de l'Union, au moins pour certains domaines[3] ;

-Au niveau de l'action internationale : la collaboration des États membres dans les différentes institutions européennes et l'adoption commune des décisions pour des plus en plus de domaines, inclusivement la politique étrangère et de sécurité ou de la défense, a déterminé la pacification d'une région conflictuelle et l'intégration de quelques anciens combattants encore (les cas de Slovénie) même si le processus n'est pas encore achevé (les provocations des Balkans sont épisodiquement très « actuelles »).

-Au niveau des citoyens, de groups d'opinion ou même de fonctionnaires européens : par ses différentes voix, l'Europe met en question son leadership politique, ses capacités concernant le leadership politique,

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[1] Le leadership politique intérieur est bien important, c'est la condition de l'existence du leadership politique extérieur. Les leaderships politiques des États (membres et spécialement non-membre de l'UE) ont besoin de contester le nouveau type de leadership politique pratiqué par l'UE afin de se maintenir leur *statu quo*. En ce qui concerne les citoyens, peut-être qu'ils accepteraient facilement le nouveau type de leadership politique s'ils comprendraient ses bénéfices.
[2] Paul Magnette considère qu' « en termes politiques classiques, l'Union européenne est, à proprement parler, inconcevable ». (Magnette, 2009, p. 21)
[3] A ceux qui veulent protester en invoquant le fait que, régulièrement, ces accords entre l'UE et les tiers sont spécialement de nature économique, on peut les rappeler qu'au niveau des États les accords économiques cadre sont conclus au niveau bilatérale et central également.

ce qui peut être considéré comme une « action » pour la construction d'un tel leadership, un intérêt pour la typologie de ce leadership[1].

Ces arguments peuvent être considérés la démonstration du fait que, toutefois, en dépit de toutes les contestations, c'est qui est devenue évidence est le fait que l'UE, par la manière de se rapporter aux situations conflictuelles internationales, a réussi la réalisation d'une nouvelle approche, celle constructiviste. Ainsi, l'Union est devenue le principal pratiquant de cette nouvelle théorie des relations internationales, dans le contexte dans lequel la longue approche réaliste, utilisant presque toujours le même type d'actions extérieures d'après la Deuxième Guerre Mondiale, est encore préférée et utilisée par les États-Unis d'Amérique, le principal acteur international d'après l'effondrement du block communiste.

Cette dichotomie n'est, toutefois, complète, si on rende compte qu'après 2001 l'UE utilise, elle aussi, la force militaire afin de gérer les situations conflictuelles, même si l'utilisation européenne de la force militaire a des caractéristiques particulaires qui ouvre une autre discussion, concernant le leadership militaire de l'Union. Il est bien évident le fait que le leadership politique européen n'est pas encore achevé, mais ni les acteurs classiques (les États) ne sont pas toujours immobiles en ce qui concerne l'invention de nouvelles méthodes et fondements concernant l'intervention dans l'espace international.

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[1] Et l'article de Catherine Lalumière, même si insuffisant pour la démonstration, est assez relevant.

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THE 6TH EDITION OF THE INTERNATIONAL CONFERENCE
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REALITIES AND PERSPECTIVES

Moral Virtues of Human Freedom to the Crossing Between Religious Tradition and Civil Law

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Abstract: In Europe increasingly dominated by voices denouncing secularism stands sacred survival, especially of Christianity, under the folds of morality, even forgetting or denying that it has organized the project of reconstruction of the world just based on the principle of equality between people in front of God. In a profane view, Christian moral codification in civil law means in fact legitimacy of some unacceptable things of some members of society. We can extend that value judgment even in the area of justice. More specifically, we refer to the arbitrary nature of law which is not accepted by everyone. Even if most people do not know only a small piece of Christian doctrine or the civil law of a democratic country, it is hard to imagine life without law or morality. The relation between canonical law and civil law is obvious and this leads to find support for human freedom in both the „divine history" and the „human history".

Keywords: freedom; Christianity; justice; morals; law; dignity; humanity

> *"God did not want to show Himself on His comforting throne*
> *defeating the bitter ones' stubbornness, but because so many*
> *people turned out to be unworthy of His indulgence, He wanted*
> *to abandon them depriving them of the good they do not want"*
>
> *(Blaise Pascal)*

1. Introduction

The Book of Genesis places man on the top of divine creation as a king and priest of this (Crihălmeanu, 2009, 40-41; Heidel, 1963, 89-97; Smith, 2002, 144; Davies & Rogerson, 2005, 116; Louth & Conti, 2001, 27-28; McGrath, 2006, 484; Kvam & Schearing & Ziegler, 1999, 208; Velkley, 2007, 13-14). The cosmic harmony dissolves when he abandons the privileged position he used to occupy, being attracted more by the hypostasis of king than the one of priest. When he does not come to the level of his calling and he forgets his responsibility to the world he has been placed in, man transforms the divine blessing in curse (Semen, 1997, 25-26)[1]. He is not aware of the fact that Knowledge Tree

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[1] Conformable to Festeu, 2009, 7-8, n. 9-10. On line at: http://www.scribd.com/doc/16381754/Terapie-prin-creatieconsideratii-ecoteologice-despre-natura-si-psihic.

represents in essence a border between the human nature and the divine nature, border that shows him clearly that he cannot be equal to God, although he is his "image" (Zetea, 2009, 45-47; *Genesis* 1, 26; cf. Constantin Aslam, 2006, 132; Machiela, 2009, 91; Erickson & Hustad, 2001, 110; Brueggemann, 2003, 36-37; Bartholomew & Goheen, 2004, 35). He does not understand he cannot change his nature, and his only freedom is that of knowing his limits and to subdue to the Creator. He despises the free will he is gifted with and he does not put importance on the fact that his choice depends on "keeping the received grace" (meaning "morality"/ "immortality") or the collapse from "this condition" (Larchet, 2006, 8).

Denying his condition as a creature and abusing of freedom given to him by God, the man wishes to "kill" Him to conquer the "mother nature". Because he has no more the true perspective on the reality, he sees in nature just "a simple object for his pleasures" (Zetea, 2009, 45-47). The consequences of the sin are disastrous for him, because death "imprint to the world a dimension of violence" (Zetea, 2009, 53). Man is so forced to kill for surviving, reality that does not happen in paradise. Going out from the cosmic-edenic dimension, man clothes temporarily "the skin clothes", which are the equivalent of material degradation (biological death) (Zetea, 2009, 53). Death, the daughter of the sin, "gives birth to the sin" (Larchet, 2006, 13) moving man away from the divine grace and from the salvation. "The sin is from now on like a clothing of misery, a distinguishing mark which man can hardly remove" (Zetea, 2009, 54). He should not complain because it is a "freely chosen condition, although to the influence of an external force, namely turning his back on God to submit towards the creatures" (Zetea, 2009, 54; Russell, 1987, 125). It is very important to mention that in this context man's **freedom** is not taken away from him after he disobeys the divine will, and he can anytime use his free will[1], precious quality of the soul/mind (St Augustine, 2004, 194; Stent, 2002, 138-141; Butler & Cheng, 1997, 59-62; Vassányi, 2010, 201-204; Cram, 2004, 5; McIntosh, 1998, 229; Cosgrove, 2005, 221-222; McGrade & Kilcullen, 2001, 527), to hold a dialogue with God, with the fellow creatures and with nature. This means that **the free will implies the existence of the freedom.** Moreover, the possibility of restoring the human nature by the coming of a divine savior is also foreseen. This means that death which is dominated by devil would be finally defeated (*Apoc.*, cap. 20; Jean-Claude Larchet, 2006, 13-17; Zetea, 2009, 54).

Starting from this formal context, we wish to highlight three aspects: 1. close connection between the right to liberty and church doctrine on the creation of human status, 2. human ability to build its own destiny in a world under the sign of social transformation, 3. human freedom and the limits imposed by religious and civil law tradition.

2. Freedom, Divine Gift

The will is not only the center of the human being, for most of the equals, but also the embodiment of the freedom. Conferring the freedom attribute, they forget that this is subdued to the various influences from the intellect area, from the feelings area, from the nature or passions. They are unaccustomed to the theological reading of to religious practice and they have the false impression that God feels to refer to "something" or "someone", as they do, to feel free, when we deal with an obvious practicing of the divine will which is just a "loving" will. In other words, God's freedom is not alike with the man's one, which is changeable, "capable of choosing the bad". Modern people, dominated by the spirit of the age, overlook the religious tradition which teaches that God created the world "from freedom" and not "from

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[1] The free will or the ability of choosing between the possibilities he is offered.

necessity" (Stăniloae & Barringer, 2002, 44-45; Grenz, 2000, 99; Craig, 1991, 222-224; Plantinga, 1974, 60-63)[1]. To understand better the things we think it is necessary to review the way "the image of God into human" is seen by the Fathers.

The patristic theology presents the existence of man relying on "three coordinates" useful to "explain the creation in God's image*": the reason (λογικόν), the free will (ἀυτεζουσίον) and the sovereignity (ἀρχικόν)* (Câteia, 2007, 124). "The three atributes of human personality represent the synoptic revision of the way of human existence as an alterity towards the nature and as a personal alterity" – states Adrian Câteia (Câteia, 2007, 124). The model of the Holy Trinity offers to Christians the image of love as "freedom fact". "The perihoretic connection between the Persons of the Holy Trinity, the act of hypostatization means communion of freedom and personal love, dynamic connection and indestructibleunion of love" (Câteia, 2007, 124).

The Church is "an icon of the Holy Trinity; it comes from the Trinity, it is structured in Its image, it goes towards It. The eternal communion between the divine Persons, distinct and one being, constitutes, thus, the ground, the inexhaustible spring, the model and the power to continue towards our eternal communion with God and with the others"[2]. Starting from this model we are able to understand why "The man of the patristic tradition is not one of some sins and juridical-moralistic interpreted virtues, but of the most cotradictory tendencies, of the greatness and of the modesty, of the dynamism and of the freedom"[3]. (Costache, 2002, p. 228) "If man, described by The Holy Fathers, intensely lives the duplicity of his own degenerate condition, he is not left fatally divided between good and bad, because he is able accomplish the union of his tendencies in good, to transfigure his actions from irrational passions to virtues concordant to the model of perfetc humanity, the Christic archetype – he is able to perfect his existence and entire life into Christ" (Costache, 2002, p. 228).

Saint Basil the Great, having as an "Absolute Model" the Holy Trinity, sees the "image" as "free will, self-determination, constraints liberation, freedom" (Câteia, Târgovişte, 91). Because of its origin and its resemblance to God, the soul is not only "a sort of demonstration of Him", but also a "mirror" in which the divinity is reflected[4]. We shall see what the great capadocian says: "The intimte union of The Holy Spirit with the soul (does not consist) in nearness in space, because how is it possible the bodily to get near the unbodily? -, but abstaining from the sins, which added subsequently to the soul, due to the love for the body, alienated it from God's intimicy. Therefore, when someone would clean himself from the shame he catched from the badness and he would return to the natural beauty and he would reflect through the cleaning, as in a imperial mirror, the old image, only then he would get near by the Paraclet"[5].

Origen relates the freedom and the reason, stating that "the freedom is asked by the normality" (Țepelea, 2004, 87.). In alexandrian Theologian's opinion "Any rational soul is gifted with free will and and will" (Origen, *Periarchon,* I, 5; cf. Țepelea, 2004, 87, n. 130), First "the reason precedes in the action of the soul which has free will, then the freedom comes, and finally, man's will makes the distinction between good and bad". Within this framework of the discussion is also called upon the man's "pedagogical

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[1] Pruteanu, 2009, *passim.* On line at*: www.teologie.net/?file=PP_ antropologia-staniloae... - Republica Moldova.
[2] See Freedom and responsibility in the Church. The speech of The All-Happy Father Daniel, The Patriarch of The Romanian Orthodox Church, made with the occasion of the ceremony of receiving the title of Doctor Honoris Causa of The Institute of Orthodox Theology Saint Serge from Paris, 9th of July. On line at: http://www.patriarhia.ro/_ layouts/images/File/Franta2009/Cuvant%20Saint%20Serge.pd.
[3] On line at: http://www.scribd.com/doc/914350/Doru-Costache-Antropocentrismul.
[4] Semen, Petcu , 2009, *passim.* On line at: http://www.scribd.com/doc/36612338/Parintii-Capadocieni-Extras.
[5] Saint Basil The Great, 1988, 39. On line at: http://www.scribd.com/doc/32155642/PSB-12-Sfantul-Vasile-Cel-Mare-Scrieri-III-Despre-Sfantul-Duh-Corespondenta-Epistole.

education", which can transform the most rigid and libertine citizens in true models of Christian moderation and experience" (Origen, *Periarchon,* III, 1, 35; cf. Ţepelea, 2004, 87, n. 131.). With the only difference that the one who wishes to get near to God and to serve Him has to be ready to face the temptation[1]. Otherwise, "man, gifted with reason, is also capable for praise and for punishment, relying on the way he uses the reason to make the good or the bad" (Origen, *Periarchon,* I, 5, 1; cf. Ţepelea, 2004, 79, n. 110.).

For Gregory of Nyssa the freedom is "the result of the resemblance of the man with God, an ontological freedom, resulted from the sum of the Christian virtues" (Câteia, 2007, *passim*). It is important for man to reflect to the real meaning of his existence. The choice is simple but in the same time difficult: to remain slave for the world and his senses or to become free into God and liberated by untruth (Semen, Petcu, 2009, 321)[2]. We must hold the St. Augustine's conception regarding the connection between the free will and grace (Câteia, 2007, 113; Strong, Forgotten Books, 876-877)[3]. The word "*libertas*" loses its initial aptitudes, anterior to the fall. The Adamic freedom has the power for not committing sin. The post-Adamic freedom names the state of that who is *liberatus,* who has received the grace for doing good. Therefore, the free will is the power to want, and the freedom, synonymous with the will, has the power to make" (Câteia, 2007, 114). His conception would profoundly influence the Western theology, which never could come off "the empire of the reason"[4].

 Out of any details, we must consider that while the byzantine theology has been an "organic continuity of the patristic one" (Moş, 2011, *passim*; Taliaferro, Griffiths, 2003, 511), the scholasticism elaborated a doctrine of th freedom of choice (*libertas electionis)* separated by the free will (*libertas indifferentiae*). Among the representatives of the scholasticism we mention just Toma D'Aquino, who states that the free is obedience to the Absolute Truth, which it released a man to death. The opposite is Calvin denies man's freedom to choose. Acordinf to the doctrine of predestination, not every people are saved, some of them are chosen by God for salvation, while some other are incessantly sentenced regardless their merits (Kretzmann, 1988, 70-71; Thijssen, 1998, 90-91; Juan de Ulloa, 1719, p. 32; Massoulié, Thomas (de Aquino), 1692, 337-338)[5] .

Besides these aspects we have to make some important specification. First, the Christian anthropology in contrast to "the theories of the metempsychosis" (Mead, 2002, 144; Gordon, 2006, 307; Edmonds, 2004, 97; Lehtipuu, 2007, 65; van den Broek & Seeger, 1971, 134; Ruderman, 1988, 135; Quinn & Taliaferro, 1999, 575), that include the predestination and the souls pre-existence, both limiting the man's freedom (Larchet, 2006, 93-94), brings the discussion about "the simultaneous coming to existence of the soul and the body", through which the person's identity is kept (Larchet, 2006, 93-94). Second, according to the Christian conception about virtues, man descovers, with the help of the divine grace, "themeaning of the sin", "the idea of salvation" and of "free will". More precisely, the virtue brings to this the true freedom, helping him to escape from the slavery of the sin and passions (Ţepelea, 2004, 79.). From this perspective we can talk about various forms of the freedom as the ecumenical

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[1] Origen, 1981, p. 256. On line at: http://www.orthoblog.ro/ media/books/06-origen.pdf.
[2] Through disobedience man "changed the freedom of self-mastery, to slavery to sin and instead chose a fellow-imitators of God by the power transient oppression torment" - Grigorie de Nyssa, On the Lord's Prayer, în PSB, 29, 1982, *passim*. On line at: http://www.orthoblog.ro/2007/08/17/coleca_355_ia_parina_ 355_i_a_351_i_scrii**.**
[3] See also Augustin, 1985, 225-227. On line at http://www.orthoblog.ro/media/books/64-augustin.pdf; St. Augustine, 2004, 204-205, passim. On line at: http://www.scribd.com/doc/4034119/Sfantul-Augustin-De-libero-arbitrio.
[4] Grigore-Dinu Moş, 2011. On line at:http://doctorat.ubbcluj.ro/sustinerea_publica/rezumate/2011/teologie/mos _grigore_dinu%20_ro.pdf.
[5]See also Funkenstein, 1998, 42-43, 45-46, 114-115, *passim*. On line at: http://filosofia.at.ua/_ld/0/12_ 6712921-Amos-Fu.pdf; Aştelian, 2007, *passim*. On line at: http://www.literatura comparata.ro/acta _site/articole/acta5/acta5_astelian.pdf; Ioan Mitrofan, 2005, *passim*. On line at: http://istorie.uab. ro/publicatii/colectia _auash/annales_ 9bis/ 13%20ioan_mitrofan.pdf.

vocation of the Church, the estrangement – xeniteia (1.the pilgrimage in the world; 2. the isolation in a close space), *the mime of the madness, the sacrifice* („of the intellect and of the heart"), *the faith, the misionarism and the martyrdom* (Câteia, 2007, 7, *passim*)[1]. Third, in Church conception, the freedom is the freedom ao a „holy people", while "the *numinuous* character" of this imposes "the rediscussion of the report between predestination and free will" (Adriana Claudia Câteia, 2007, 144-145.). More, the Christian freedom appeals to the meekness, meaning its acceptance as a *divine gift* by man, consciously and and in close co-operation with the grace (Câteia, 2007, 8). It is not confused with the free will, but it is "the end of a road formed by words-values as *kenosis, hypogramos, apotage, tapeinos, monotropy*, etc., hard to understand, and even harder to assume"(Câteia, 2007, 8).

Considering what we have told till now it results that the freedom is fundametal in the plan of human salvation. The divinity does not infringe man's right to freedom, but offers him in a disinterested way, all "the instruments" necessary for the salvation. Man himself is the one who restrict man's access to freedom. Finally, we also consider that "Christ's freedom as a communion freedom is the base of the Christian's freedom"[2]

3. From „Divine Freedom" to "Civil Freedom"

Adriana Câteia states: " the Christian philosophy redefined the natural right by triple exigency *honeste vivere, neminem laedere, suum cuique tribuere* become divine direction. The classic right "hadn't attacked the law in the limits of the human spirit, but as an eternal giving, that rules the world. The Roman mentality imposed the utility as a measure of all things, the supreme law being the good of the public (*salus populi, suprema lex*). Christian conception, the idea of public good was replaced by the universal salvation doctrine. The reference system moved from the human citadel to the Divine Citadel" (Câteia, 2007, 31).

For Augustine *the faith* becomes a "characteristic of the state", and *the right* "the instrument necessary for social peace: *opus justitiae – pax",* the unjust laws are not part of the last one ("*lex injusta non est lex*") (Câteia, 2007, 32). "Circumscribing the positive right to the justice, Augustine report it to morals, proving that the right as *lex temporalis* does not punish the sin, but only the non-observance of the order and the peace" (Câteia, 2007, 32). In this context the "eternal right (*lex aeterna*)" has the obligation to save the sou, which "constitutes the base of the morals" (Câteia, 2007, 32). On the other side, "the opposition *lex temporalis – lex aeterna* confers to the Church an severe indirect power to the byzantine state, and to the state a severe direct power to the ecclesiastic institutions" (Câteia, 2007, 32)[3]. In a different way, the canonical law influences the civil one and conversely.

In Irina Moroianu Zlătescu's opinion "the ideas of tolerance, charity, equality, mutual assistance, determined a deep revolution of the customs of the people's entire life and in the same time determined also the desacralization of the state to reduce it to e temporal institution. St. Augustine (354-430), in *De civitate Dei,* the justice with the concord, which, in this way, as we could see, corresponds to the

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[1] See the New Testimony texts regarding faith : God's gift (Romans: 12, 3; Ephesians: 2, 8; Philippians: 1, 29; 2 Peter 1, 1); God's actions: (Acts: 11, 21; 1 Corinthians: 2, 5; Ephesians: 1, 19; Colossians: 2, 12; 2 Thessalonians: 1, 11; 1 Timothy 1, 14); the Holy Spirit's gift: (1 Corinthians: 12, 9; Galatians: 5, 22), relation will-faith (Matthew 8, 13; 9, 22; Mark 5, 34; 10, 52; Luke 7, 50; 17, 19; 18, 42; cf. Constantin Aslam, 2006, 92, n. 195.

[2] See Freedom and responsibility in the Church. The speech of The All-Happy Father Daniel, The Patriarch of The Romanian Orthodox Church, made with the occasion of the ceremony of receiving the title of Doctor Honoris Causa of The Institute of Orthodox Theology Saint Serge from Paris, 9th of July. On line at: http://www.patriarhia.ro/ _layouts/images/File/Franta2009/Cuvant%20Saint%20Serge.pd.

[3] See also Kuhn, 2007, 74-76. On line at: http://www2.units.it/etica/2007_2/KUHN.pdf.

modern difference between rights from a judicial point of view and rigts from a moral point of view. In St. Thomas d'Aquino's *Suma theologiae* (1225-1274)*,* the natural right derives from the reason and the state found the justification of its existence in the fact that it is in people's service; any public authority derives from the people and the laws should be made directly by the people or through its representatives. From here the idea that the justice appears as a social virtue, because human person cannot develop only in its natural place of existence, in society"[1].

Between the XVIIth and XVIIIth centuries the association "between Christianity and rationalism" had been promoted "through the intellectual speech of the Western elite"[2]. The renunciation to "the trinitarian and christological models" became a necessity for the rationalists (Costache, 2002, 219), who hurried to relace them with the human's individual rights doctrine. They pointed out the natural right theory, defined as an "eternal right" and they separated from the divine order (Heidegger, 2005, 1-4; Gearon, 2006, 147; Vile, 2010, 4-5)[3]. The connection between right and morals disturbs, and Rousseauy and Locke hurry to separate them stating that "the citizens will not be forced to be loyal if the state does not respect the pact entered into, which guarantees the citizens' freedom, safety and property"[4]. At the end of this evolution we see as alongside with the renunciation to the above mentioned models, the "Christian ideal of personal perfection in the interpersonal communion, vertically (with God) and horizontally (with the fellow creatures and the world)" (Costache, 2002, 219). Abandoning the "slavery of the grace", the modern man passed with arms and luggage in "the slavery of the state and laws".

The French Revolution has its merit to lay the foundations of the *political humanism.* The acknowledgement of the individual's peculiarities and freedom provoke a changing as part of the collective mind (Ionescu, Turza, 2003, 8)[5]. According to some commentaries "man replaces the nature", meaning that natural laws with the human rights. Governed by reason he becomes "a source of values", fact that "transforms the modern right in a sort of sujective right" (Ionescu, Turza, 2003, 8). This is the moment when it starts the "differentiation between the private, selfish individual, attached to his opinions and especially to his economical statute and the the citizen leveled up to the statute of legislator, who has a concern the common interest, which finally represents each individual's interest" (Ionescu, Turza, 2003, 8). The changing of mentality makes like "tolerance to gain new dimension, after it has been functioning for a long time in the most total hypocrisy" (Ionescu, Turza, 2003, 8). The last statement is surprising and exaggerated, in our opinion, because the hypocrisy, hidden under the pleats of the human rights, manifests also in the revolutionary and post-revolutionary changings era. So, we shall see which the manifestations of the tolerance without hypocrisy are. We will stop only upon one aspect, respectively the limits of the tolerance promoted by occasional ideologies.

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[1] Moroianu Zlătescu, 2007, 11. On line at: www.irdo.ro/file.php?fisiere_id=175&fmt=pdf.
[2] *Boca, 2009, 39,* passim. *On line at: www.litere.usv.ro/anale/anale%202009/literatura/.../03.doc.*
[3] With this occasion we remind the *Declaration of Independence of the USA*(14th of July 1779), that proclaimed that "it is known the truth that all the people are born equal and the Creator gives them some certain inalienable rights, and that through these are the work for life, freedom and happiness; regarding these rights people institute Governments that gain the legal power by those governed agreement; that, if anytime, any sort of Government endangers these purposes, the people has the power to overturn it and form new one". Still influenced by the theory of the natural right and the theory of the social contract the *Declaration of the human and citizen's rights* (26th of August 1789), was adopted during the French Revolution – Cordoş, 2007, *passim.* On line at: http://www.uab.ro/reviste_recunoscute/reviste_ drept/annales_ 10_2007/cordos_ro.pdf. Charles Louis de Montesquieu shows that "the political freedom does not consist in doing whatever you want. Within a stat, in a society in which there are laws, the freedom consists only in doing what you have to want and not to be constrainted to do what you should not want. The freedom is the right to do what the laws permit, and if a citizen could do what they forbid, he wouldn't be free anymore,because the others could do the same". Kant defines the concept of freedom by " freedom to consciously respect the laws, that derives from the reason,or freedom of self-determination" - Albescu, 2010. On line at: http://www.sferapoliticii.ro/sfera /150/art10-albescu.html.
[4] Dănisor, 2009. On line at: *h*ttp://drept.ucv.ro/RSJ/Articole/2009/RSJ4/A02DanisorGheorghe.pdf.
[5] Ionescu, Turza, 2003, p. 8. On line at: http://www.scribd.com/doc/8593497/Democratie-Vis-Si-Realitate.

From the start we agree those who state that the trials of the "modern","autonomist" and "secularist" anthropologies to define man „through a funtion of him – reason (through Descartes and Kant), will (through Marx and Nietzche), instinct (through Freud)" (Costache, 2002, 222), slided "towards reductionist ideologies, disastrously reverberated in various plans, through the destabilization of the human being, through racism, through social conflicts and through the man's subjugating towards the economical systems" (Costache, 2002, 222). Despite the obvious failure, these anthropologie "managed to justify all the possible abuses towards the human nature (Costache, 2002, 222). In contrast with the church decrees (Sachelarie, 1996, 108; Trofin, 2005, passim)[1] it was accepted with serenity the ideea of lucid or rational suicide as a reflex of the individual's choice freedom[2], and the eugeny became a way of purification of the race[3]. Obviously in this last case we confront with a limitation of the human freedom.

Sorin Antohi ans Marius Turda, the authors of the article *Eugenism and biopolitic,* consider that the human right, individual, formulated and adopted durig the Great French Revolution, were "gradually collectivized, then 'ethno-nationalized' according Herder and Nations' Spring"[4]. They more and more were connected to "a land, to a race (besides the complex historical semantics of the word "race", a so-called racial elemet, racist in some case, it is found in all the cases), to a blood" (Antohi, Turda, 2008). It went from "the historical argument of the existence and collective rights" to "the culturalist argument of the equivalence people-culture-state, then to a sort of "ontological argument" (if we parody Anselm from Canterbury, more respectfully than Borges did with his "ornithological argument"), to reach finally in the tragic interwar period, to the biological argument"(Antohi, Turda, 2008). Amazingly, "all that couldn't be demonstrated and explained regarding the collective self, all the unconvincing answers to the question: "Comment peut-on tre Persan?", all the doubts and (auto)identitary anguishes, absolutely all these were getting a doubtless replay though serology, craniology and so on" (Antohi, Turda, 2008). While "the ethnic onthologies and political religions were rather occupied with the symbolic corps, glorious, "without organs", of the ethno-nation, the new sciences were occupied with the political corps in its most literal meaning. The Utopia of the perfect ethno-nation, that pre-occupied even those who believed or declared that their people is perfect, could be finally realised through a sort of combination of thaumaturgy, therapy, squaring and clonation" (Antohi, Turda, 2008). Sad but true!

3. The Judicial Value of the Freedom. The Limitation of the Freedom

The freedom is the man's natural condition, it is given out of the borders of any agreement. People simply receive freedom by birth, without being asked whether they want it or not. But they have to wonder what they shall do with this freedom. We are able to practice this freedom all together or individual, it is necessary to delegate this freedom, to "lease" it to someone regarding its limitation. If I lease my freedom can I trust that this renunciation, meaning the limitation of my freedom, does not return against my freedom?

*"So that the liberties not to mutually annul themselves...it is necessary like a part of each of us freedom to be declined. The delegtion of the feedom is the gravitational form of the freedom in the field of the crossing of the freedom of the many and the everybody's freedom" (*Liiceanu, 1994, 125*).*

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[1] See see also Christian reaction media on suicide - *Judges* IX, 54 - 57 – suicide of Abimelec; *1 Kings* XXXI, 4- 6 – suicide of Saul; *2 Samuel* XVII,23 – suicide of Ahitofel; *1 Kings* XVI, 18 – suicide of Zimri; *Matthew XXVII, 5 and Acts* I, 18 – sucide of Iuda); cf. Victor Mihalachi, T*he suicidea – the hopeless road towards the Crying Valley.* On line at: http://www.ortodoxia.md/piedici-in-calea-mintuirii/1415-sinuciderea-drumul-fara-speranta-catre-valea-plingerii.
[2] Cordoş, 2007, *passim.* . On line at: http://www.uab.ro/reviste_recunoscute/reviste_drept/annales_ 10_2007/cordos_ro.pdf.
[3] On line at: http://wwwold.umfiasi.ro/atdoc/bEtica_Eutanasia.pdf.
[4] Antohi, Turda, 2008. On line at: http://www.romaniaculturala.ro/articol.php?cod=11317.

"The delegation of the freedom is made into a resort account, and this resort which takes over the delegated freedom and reaches to decide about us is the law, meaning the right. **The law is the limit of each of us"** (Liiceanu, 1994, 125).

Every epoque one of the essential elements of the state has to be the limitation of the freedom for the general interest. But the limitation is also an obligation of the state or of the person for not violate the rights and the liberties of another person. The limitation can be interpretated also as a modification of the content or of the volume of the action of the judicial rule, when it appears as a necessity to co-ordinate the person's diverging interests with those of the state, of the society in general (Coca, 2009, 196).

According to the modern legistation, the individual's freedom ends there where the "other's" freedom starts. This limitation of the freedom is written in The Human and Citizen's rights Declaration (1789), where it is clearly stipulated that *"the freedom considered to be able to do all that does not injure to another: thus, the exercise of the natural rights of every man has no limit, but those which ensure the use of the same rights to the other members of te society. These limits can only be determined by law"* (Dănisor, 2009; Gearon, 2003, 10-12). The invocation of the law shows that "the limitation of the rights is strictly controlled (by the judge), made on the ground of the law" (Dănisor, 2009). It is interesting the secification according to which "the freedom is independent compared to the arbitrary will of another" (Dănisor, 2009). What means this thing? Starting with the Rousseau's conception, Gheorghe Dănişor considers that "*the freedom has two acceptions: a negative one, meaning that the freedom presumes the absence of every restriction or constraint from other people and a positive one which presumes our intervention in choosing the circumstances of thinking and action*" (Dănisor, 2009). He continues and show that the limitation of the freedom – coercion - , implies not only the abuse of an individual against another, but also that being part of the political power. Analizing this aspect of the Declaration, Gheorghe Dănişor states that *" the two spheres which are in an intrinsic connection are already visible: on one side, the individual with the sphere of his intangible rights, circumscribed in the rivate sphere and, on the other side, the political power invested with the power to constaint. From this perspective, it is created a contradiction between individual freedom and political power, because the freedom is in a connection of exclusion with thw power which limites by constraint this freedom. To life together, it is necessary like the power of coercion to be, also, limited"* (Dănisor, 2009).

The things are clear until now. What do we do when as part of a democratic regime the abusive interpretation of the law interferes? At least in case of the non-democratic regimes the things are clear: the individual is crushed under the burden of the olitical factor interest, which has the control upon the justice. But what could an individul do in a democratic society, where the justice answers to the political order, and the authorities of the state and in disolution? Does he call the CEDO in his desperate tril to make justice? From this point of view Romania is an eloquent case. We gain a first prize at the gategory of those who violate the human rights and liberties[1]. *The Utopian freedom and no morals is severely damages the society.* It is obvious that we urgently need a moral reclamation of the society, in general, and of the act of justice, in particular.

The one subject's freedom cannot violate the another's freedom, each of them can do only what the others can freely do. The limitation can be considered as a civilized way to regulate the person's freedom in society. In certain extraordinary situations, the limitation can be done depending on the

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[1] Romania is on the second place in the top of the countries whose citizens complained for the inobservance of the human rights, according to the Euroean Convention regarding the Human. See also : On line at: http://www.cdep.ro/pls/steno/ steno.stenograma?ids=6840&idm=1&idl=1; http://www.financiarul.com/articol_54723/romania-locul-3-pe-lista-plangerilor-la-cedo-condamnari-de-12-mil--euro-.html.

observation of the way of realization and insurance of the corresponding obligation (Aramă 2006,14-16).

According to the Professor R. Dworkin's opinion (Dworkin, 1998, 189), the state through judicial norm can limit the definition of a right if it could demostrate:

- That the values protected by that right are not involved in the particular case or if are involved in an attenuted form;

- That when the respective is defined so that includes the particular case, then a certain rival right would be violated;

- That if the right so defined, the cost for the society would not be simply proportional, but it would be bigger than the cost paid to accept the initial right, big enough to justify any touch brought to the dignity or to the equality which could be implied.

The restriction of the man's rights and liberties should not be done by the authorities of the state when it does not clearly serve the general interest, the public good or it is totally disproportionate compared to the served interest. The limit of valuation of the states in restaring the rights can be accepted if:

- The restriction has a legitimate purpose;

- It respects the principle of the proportionality;

- It does not operate so that to undermine the essence of the right itself.

The space of the responsibility co-exists with that of the freedom, and us, as the owners of the freedom, we have to answer towards the other, respectively towards the state, society, etc. We answer in front of the society and of the state, when we use the freedom with bad intentions, receiving a disciplinary, contraventional, civil or penal punishment, depending on the case, by omitting the freedom certain situations. Therefore, within a democratic society, in which the legislation centres on the guarantee and the respecting of the individual's fundamental rights and liberties, the person's judicial protection regarding the insurance of the necessary optimum of the report between the society and the person, the state is forced to regulate the co-report between freedom-limitation-responsibility (Coca, 2009, 198).

In his work About limit, Gabriel Liiceanu underlines the fact that freedom has meaning only the conditions of the limit, because it has to depend on something to manifest itself, to circumscribe to some co-ordinates. *The human freedom is interpreted in am bunch of limits which are the condition of its exercise.* (Liiceanu, 1994, 136-137)

The internal and international regulations guarantee the human rights, but they do not exclude the possibility to limit them, because the existence of some unreserved rights cannot be admitted within a democratic constitutional system. If the limit misses, and the conditioning of the exercise stipulated by the law (national and international judicial regulations) in the case of fundamental rights and liberties, then it can be reached the right abuse.

4. Instead of Conclusions...

The exercise of the fundamental rights and liberties must not opposes the the existant order in the society. The co-existence of the rights and social protection are two commandments which are base for the limits edicted to the positive right. Actually, the difficulty consists in finding adequate solutions to harmonize the general interest with the particular one and to guarantee all the fundamental rights and liberties in situations that could limit or restrict their exercise.

It is very important like the constitutional and legal provisions to achieve an equilibrium between citizens and public authorities.

This way the limits imposed to the fundamental rights and liberties must be adequate to an legitimate purpose, this being the protection of the society, of the social, economical and political order, of the order of the right or the others' right protection. **The limits must not miss from the content of the rights itself, but to guarantee their exercise in such situations.**

The limitations, the derogations and the restrictions must be proportional and to represent the guarantee to realise an equilibrium between individual interests and public interest or between various private interests which correspond to the subjective fundamental rights constitutionaly recognized and guaranteed.

Regarding the man's attitude towards the sacred or the idea of religion, we can state that the issues are more nuanced. Chasing God from the history, modern people did not become better than those who were living under the "grace slavery" and they, at least, had the perspective of Absolute. Their liberation passed under the auspices of the social, political or industrial revolutions did not brought them the most wanted peace and material wellness they languish after. So that, they wished to find in the modern "idols" (reason, science, TV, internet, drugs,etc.) those references once proposed by the divine model which they so easily renounced to. This should be clear: it is not about a return to the religious values, because they implies the man's responsibility to his proper gestures and actions, and this thing wakes or some anxieties, of boredom.

That the results that people gained did not rise to the expentations is an undisputed reality, because they are not part of a natural logic of the society evolution. Then, are they wondering that the "amputation of the sacred memory"[1] generates rather "monsters" than "rescuer"? Would not be easier to renounce to their Utopian ideals and to cultivate the true values? Of course. But for this they should recognize that they were wrong, they failed, and this thing is humiliating and painful. Because of this **the assuming of the responsibilities is further on part of an horizon of expectations.**

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THE 6TH EDITION OF THE INTERNATIONAL CONFERENCE
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REALITIES AND PERSPECTIVES

The Rise of the New Country –

The South Sudan, and the Relation with the EU

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Abstract: The aim of this article is to present the reason which determined the 99% of the Southern Sudanese to vote for the secession of the largest country in Africa in a plebiscite that breaks the status quo of the borders designed by colonial powers in Africa and the EU interest in the region. Under the supervision of the EU and US the North and South have yet to sit at the table to decide on two points that raise blisters: border demarcation and division of oil revenues. Despite the clear direction taken by the vote in Southern Sudan, the European political class recommended to keep a low profile and not celebrate the breakup of the country until the final results are announced by the United Nation. A qualitative approach is used and the main method used is the observation and a case study about the modalities haw Europe is trying also to prevent the repetition of the Yugoslavian situations, by moderating the confrontation between the Dinka (southern tribe) and the Misseria (nomadic Arabs of the north) produced over land and grazing rights for their livestock..

Keywords: secession; oil revenues; plebiscite; human rights; globalization

1 Introduction

The Universal Declaration of Human Rights from December 1948 has a pioneering role because every human person was presented under the protection of the international laws. One of the main principles of the Declaration consists in the next affirmation,, the recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world" (Preamble, The universal Declaration of Human Rights). Considering as a guarantor for freedom the UN Declaration, 9 million of persons (animist and Christian people) from the Southern part of the Republic of Sudan, have been decided in January 2011, after a plebiscite, to declare their independence from the north of the country (predominantly Muslim).

This break away tendency is not a singular one after the World War II, many other countries were separate taking into account the race, the history ,the religions or the political preferences of the leaders.

Since the 1990 emerged the following changes on the World map:

- Germany divided after the World War II, was reunited after the fall of the Berlin Wall in 1989.

- Namibia on March 21, 1990 separated from South Africa who administered that former German colony immediately after the First World War.

- Yemen, the North and the South were reunited in 1990 after two decades of hostility.

- Soviet Union, 15 countries have gained independence since 1991.

- Yugoslavia, after a civil war (1991-1995) seceded in 7 countries, including Kosovo.

- Czechoslovakia, both states seceded peacefully in 1993.

- Eritrea obtained its independence after 30 years of conflict with Somalia.

- East Timor, a former Portuguese colony gained the independence in 2002, after 20 years of Indonesian occupation.

Even the South Sudan independence will be officially recognized by all the United Nation countries, including his north neighbor, the Republic of Sudan, the universalism of the Human Rights proclaimed in the UN Declaration seems very difficult to achieve. The UN Declaration is the expression of the occidental history constitution and his values are not always understood by the people with a different cultural background. "This facts are confirmed by The Islamic Declarations, The African Book of Human rights, The Tunis Declaration from 1992, The Bangkok Declaration from 1993, all of these brink to life the basis of Islamic rights, respectively the relations with the African tradition, the criteria and the values of each people, and finally the historical and religious frame within the rights are design" (Gherardi R., 2009, pp.62-63), all of these being different from the western vision.

The aim of this article is to a brave history of Sudan, the 2011 plebiscite and his consequences, and UE positions concerning the South Sudan.

2 Geography, Economy and Common History

The South Sudan and the Republic of Sudan are situated in the South East Africa bordering with: Egypt, Red Sea, Ethiopia, Kenya, Congo, Central African Republic, Chad and Libya. The population was until January 2010 about 39 millions habitants, but starting with this date 9 million will be part of the youngest country from the earth. The official language is the Arab and the most part of the population is concentrated in the Central Plane and along the River Nile. The main cults are: the Islam (70%), Christians, especially Catholics (16,7%), and the Animism of the natives (11,9%). The clime is Wet Tropical in the South becoming more arid in the North with large daily temperature oscillations. In the center is a plain that ascend to the Kordofanian Plateau, the South is a tropical fenland, and in the north provinces prevails the desert. The main watercourse is the River Nile, which forms at Khartoum by the confluence of the White Nile (Bahr el Abyad) coming from Uganda with the Blue Nile coming from the highlands of Ethiopia (Horia C.M. et alli, 2005, p. 456). In the ancient history the territory of Sudan was known as the Kush Country or Nubia, and starting with the second millennium B.C., the country is influenced by the Egyptian civilizations.

In the eight century B.C. appears the Ethiopian Kingdom with the capital of Napata who ruled the Egypt during the 25-th dynasty. In the 6-th and 7-th century the Christianity spread along the country and starting with the 8-th century appear Bedouin Arab tribes imposing the Sunni Islam in the North. The Sultan of Egypt, Muhammad Ali Pacha, starts in 1820 the conquest of Sudan, and in the 1863 the British Baker and Gordon were appointed governors of the country submitting for the Egypt all the territory till the borders of Uganda.

In 1898 Anglo-Egyptian condominium is formed after the battle of Ormundan, and this type of organizations lasted until 1955 when the southern Sudanese entered on the First Sudanese Civil War.

Since the independence from the United Kingdom many Islamic military regimes have dominated the national politics. In September 1983, the President Jaffar al-Numeiry created a federal state including three states in Southern Sudan. But he later introduced sharia law and dissolved the three states of the south, which caused the Second Sudanese Civil War. This second civil war displaced over four million inhabitants of the south. Some fled into the southern cities, including Yuba, others migrated to the north cities, like the capital Khartoum, and even to other neighboring countries. In 1989 the general Omar el Bashir became president, prime minister and leader of the armed forces.

In January 2005 an agreement guaranteed the autonomy for the rebels for 6 years, followed by a referendum. A separate conflict erupted in Darfur region, where almost 200 000 of black population was exterminated. In 2011 a referendum was voted in order to stop the ethnic and territorial problems. The country will be split into two national entities, a Muslim and pro-Arab in the north and in the south a traditional and animistic nation (Luca G. et al, 2007, p.195). In all this time, the economy of Sudan has been working with the IMF to implement macroeconomic reforms. A new currency, the Sudanese Pound, was introduced in January 2007 at an initial exchange rate of 1$ equals 2 Sudanese Pounds. Sudan began exporting crude oil in the last quarter of 1999 and the economy grow up on the back of increases in oil production, high oil prices and significant inflows of foreign direct investment until the second half of 2008. The Darfur conflict, the two decades of civil war in the south, the lack of basis infrastructure in large areas, and a reliance by much of the populations on subsistence agriculture ensure much of the populations will remain at or below the poverty line. While the oil sector continues to grow, services and utilities play an increasingly important role in the economy with agriculture production remaining important as it employs 80% of the work force and contributes a third of GDP. After the referendum of southern secession, Sudan saw its currency depreciate considerably and the Central Bank of Sudan intervened strongly in the market. Until the segregation the GDP of Sudan was about 66 billions $ (2010), and per capita 2 200 $ (CIA, The World Factbook, Sudan).

In such circumstances a common management based on the economical issues is recommended between the two countries. „The need of a management increases, as the countries become more and more interdependent. If the interdependence is really very close each state is forced to treat the actions of other states as if they would be events that occur inside their own borders. The reciprocity of the dependence determines each state to survey the others with precaution and suspicion" (Waltz K. N., 2006, p. 279).

3 The Plebiscite and his Consequences in the South Sudan

In 2011 the boxes have decided between 9 and 15 January the destiny for up to 4 million southern Sudanese, who were called to vote if they remain united with the great Sudan, or becomes the youngest state of the planet. More than 2000 polling stations were spread over an area almost as large as the Iberian Peninsula. For the most of the voters the referendum was the second of their lives after the Sudanese general election from 2010. The majority of the residents have a high level of illiteracy but in our opinion they do not have demonstrated ignorance managing the crucial change of the Sudanese borders. From the four million, over 60.000 people live abroad (USA, Canada, Kenya, Egypt etc) and they certainly contribute to the emergence of the new state. Three days after the start of voting, the Sudan People's Liberation Movement has officially announced that they already obtained a 60% more than enough to declare independence. The final result, released in February, was in an unexpectedly high proportion (98%) in favour of the independence for an area who for 40 years has been dominated by war and international marginalization (EFE Agency, 7 February 2010).

As a symbolic act the new country will proclaim the independence on July 9, 2011 even six years after the signing of the Comprehensive Peace Agreement, which meant the end of the second Sudanese Civil War. In front of the international public opinion the North said it would be the first to recognize the new state. The South Sudan has already chosen the flag and the anthem, and as the currency it will continue to use the Sudanese pound (El Mundo, Sudan del Sur concluye el referendum para decidir su futuro).

But the obstacles appear from now and it seems that it will take some time until this state could be able to organize their government and institutions. Even the president of Sudan, Omar al Bashir said that he will respect the election results, no one yet knows who will be the new state's borders. In the South Sudan there are 85% of oil reserves, but its processing facilities are located in the North. According to the declaration of the Chief Prosecutor of the International Criminal Court, Luis Moreno Ocampo, the president Bashir would deposited in UK private accounts over 6.800 millions euro coming from oil revenues (El Mundo, Sudan del Sur, Nuevo estado en Africa).

The historical process has been overshadowed by the tribal clashes that took place around the border of the town of Abydei and its border regions (people of the area is one that must decide whether it will unite with North or South). Lacking the consensus, the referendum was postponed sin die at Abydei with the hope that will be signed at the end of this year. Both capital city, Yuba and Khartoum, enjoy strong allies among the tribal communities: Dinka (animist tribes in the south) and misseriya (Arab nomads from the north) who are fighting for land, pasture and livestock, their daily necessities of life. For the Arabic tribes misseriya and bagarra the land of Abydei are an ideal place for the dry season. The arab nomand are for the native Dinka just guests, they can graze but have no right on the land. The Dinka who represent 10% of the Sudanese population are the oldest inhabitants of these lands. „ Protected by the wetlands and the water of the Nile, they were affected by the civil war emerged in 1983. This war caused more than 500.000 victims among them (because of fighting, starvation and drought) and pushed into neighboring countries hundreds of thousands of people (LAROUSSE, People Enciclopedy, 2006, p.145). According to the Carter Center the referendum has reached, international standards in terms of organizations and freedom of expression of the voters" (Carter Center: Advanced Human Rights and Alleviating Sufering).

4 General Consideration about South Sudan

The South Sudan is an autonomous region comprising 10 states with the capital in the city of Yuba. The Sudanese government allowed the autonomy of the region by the Peace Agreement signed on January 9, 2005 with the People's Liberation Army in Sudan, giving end to the Second Sudanese Civil War. Southern Sudan has an area of approximately 619.745 square km. (excluding the claims over other territories) and is bordered with Ethiopia in the East, Kenya, Uganda and Congo in the South and the Central African Republic in the West. In the North it is an Arab and Muslim Region who is under the control of the central government of Sudan. The interim Constitution of Southern Sudan was adopted on December 2005, and a plebiscite for the independence took place from 9 to 15 January 2011. The official results showed a 98,83% support for the independence who will be proclaimed on July 9, 2011(El Pais, Sudan del Sur se enfrenta a un reto istorico) „.

Together with the Interim National Constitution of the Republic of Sudan, the Interim Constitution of Southern Sudan is the supreme law in the new country (The Interim Constitution of Southern Sudan,2005). Southern Sudan has its own government, cabinet ministers, unicameral parliament, and a supreme court. The President is Head of State, Head of Government and Commander in chief of the

SPLA Army. The legislative power resides temporarily in the government and the unicameral parliament called the Legislative Assembly of Southern Sudan (170 members elected by popular vote).

The South Sudan has a population of about 9 million people. These are mainly people who are dedicated to rural life and are devoted to a subsistence economy. The autonomous region has been hit hard by the war, with the exception of 10 years of calm since Sudan's independence in 1956. This resulted in a failure of infrastructure development, destruction and displacement: more than 2 million people died and more than 4 million have been displaced or are refugees from civil war and its consequences. The Dinka, whose population is estimated at about three million people are the most numerous communities in the South Sudan.

The South Sudan has many more tribal languages than in the north zone. The language of education and government business is English which was approved as an official language from the south part of Sudan since 1928. The distinctive Juba Arabic dialect was developed in the nineteenth century among descendants of Sudanese soldiers, originating mainly from the Bari tribe, is a lingua franca widely used in the South Sudan. However the English is used as an official language in areas where Juba Arabic is not spoken. Moreover are widely used the African languages Dinka (3.000.000 speakers) and Nuer (1.400.000 speakers). According to the legislation of the region, English, Juba Arabic and all the tribal languages are official (Sudan del Sur, Wikipedia.es). After the long periods of war, poverty and hunger spread among the population. The South Sudan has mineral resources, especially oil and according to the peace agreement from 2005 participates in the profits of these. According to a World Bank study about oil revenues that accumulate, the government could reduce poverty and improve living conditions for the people of South of Sudan. According to Tehran Times, South Sudan has 85% of the country's oil reserves. Oil revenues in accordance with the Comprehensive Peace Agreement, signed in 2005, split in equal parts over the period of the agreement.

The southern Sudanese practice predominantly the traditional beliefs and Christianity (which include the Episcopal Church of Sudan and the Roman Catholic Church). In South Sudan are very popular many traditional and modern games especially wrestling and simulations battles. The traditional sports are practiced especially after the harvest season to celebrate the end of the agricultural seasons. The games attracted a large number of spectators who sang, play drums and danced in support of their favourite wrestlers.

5 UE Position Concerning the Situation in the South Sudan

Even we cannot speak officially about the recognition of South Sudan until July 2011, UE always have had a special interest in the region. Because of the increase of the Islamic religious fanaticism, appeared since the second half of the nineteenth century in the recent 50 years this area has been abandoned to the specificity of regional believes and traditions.

A change of vision occurred after the terrorist attacks on September 11, 2001 when EU officials realized that they should get involved by financing regional projects in Sudan to improve a very poor social environment which at any moment can metamorphose into a breeding ground for terrorism. The security and stability of the area from a geographical and humanitarian point of view, especially after the independence, are strong reasons that lead the UE to support this country through various means and programs. We believe that the division of Sudan have created a new geopolitical environment in the region and the European Union will certainly give priority to support the new independent state to reorganize its economic, social and administrative structures.

In the context of globalization it is very important that the EU should continue to develop and reinforce its values on the African continent. The continuous presence of the EU in the area must defend its security by preventing terrorism, illegal migration, human trafficking and organized crime. We consider that the European message should be after the independence very coherent and to provide a strong support for this country. With all due respect for the African culture we affirm with conviction that the security issues in South Sudan and the tension that have already emerged with the northern neighbour make us to believe that the problem of security in the region cannot be resolved without external support or without the contribution of an international organization such as the UN.

Particularly important for the European diplomacy should be to prevent in Sudan an identical situation with the Yugoslavian conflict. The concern arises if we take into account that the internal factors are somewhat similar between two areas (religious and linguistic differences, different ethnic groups, desire for secession). Learning from the mistakes made in the Balkan War, EU could engage in the crisis management in the region of the South Sudan and could suggest various strategies in different fields (political, economic, social etc). In order to avoid a new Kosovo, UE officially asked from the Republic of Sudan to stop any kind of political repression until the new state's independence and to determine a common understanding with his new neighbour from the South about the region of Abydei. Foreign ministers from the 27 European countries have recommended to Khartoum that the whole separation process to be conducted with maximum transparency. The Council is concerned about the increasing political repression in the region and the damage to the civil rights, the 27 reported in a press conference. Freedom of expression and release of media journalists arrested is also an area where progresses need to be done. In this sense UE demanded to the peace missions of the United Nations and African Union in Darfur to intensify their efforts to achieve a political solution in the region.

As a general conclusion UE was satisfied with the current statues of the creation of the new state asking to Khartoum not to intervene with force in the south territory. For Europeans the attack on civilians and UN personnel are war crimes and the seizure of persons is unacceptable. Extremely important is also considered the UN missions in the area the efforts to increase women's presence in public life and supporting NGOs that deal with refugee's problems. The last requirement to Khartoum refers to the fulfilment of the Naivasha peace agreement from 2005 who proposed the restoration of a civilian government to rule the Republic of Sudan. Since the current territory of the South Sudan has become a second Persian Gulf due to massive oil reserves Europe's attention has been even more intensified because ensuring energy security is closely linked to global security. From 2007 when the Russian Federation temporarily interrupted the Ukrainian access to its resources, UE decided to intensify the process of finding new energy resources to ensure a partial independence from natural gas and oil by eastern origin. Even before the secession of Sudan in 2007 the EU has realized the need of concluding various agreements on the energy field and the development of an Africa –Europe partnership. Currently EU cannot achieve its economic goals only from its own resources therefore the new state reserves will certainly attract the attention of European companies. Lately the topic of energy security is increasingly debated in all G8 summits. USA and China are the most important rivals for the Sudanese oil.

6 Conclusion

The South Sudan is an autonomous region comprising 10 states with the capital in the city of Yuba. The Sudanese government allowed the autonomy of the region by the Peace Agreement signed on January 9, 2005 with the People's Liberation Army in Sudan, giving end to the Second Sudanese Civil War. In February 2011, after a plebiscite the South Sudan becomes the youngest state of the planet. The security issues in South Sudan and the tension that have already emerged with the northern neighbour make us to believe that the problem of security in the region cannot be resolved without external support or without the contribution of an international organization such as the UN. In the case of Sudan in the last two decade it has been shown that economic and military issues are closely interconnected. In this country the economic failure is linked to political problems and violent armed conflicts. The main international approach for the South Sudan is the principle of 'bottom-up', the decision on the type to be adapted, the unity of an intervention and the used modalities should take into account the basic needs of the people suffering from inefficiency and insecurity (Profiroiu M.et alli, 2008, p. 457). The current threats to this country have become global (terrorism, regional conflicts, organized crimes, the proliferations of weapons of mass destructions etc) and in these circumstances international cooperation has become a necessity.

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Levels and Patterns in the Analysis
of the Organizational Culture

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Abstract: Knowledge and analysis of the component elements of the organizational culture helps us greatly understand the respective culture, establish the main guidelines of the company values and understand the behaviours and attitudes of the employees. **M. Thevenet** indentifies two levels at which the culture manifests itself: the **external level** – the outside culture (which refers to local, regional or national culture), and **the inner level** –the internal culture (including organizational culture, professional culture, the culture of a group). Starting from this assumption, one can identify the main components of the organizational culture: founders, the organization's history, values, beliefs and symbols, the way of thinking, the standards of behaviour etc. Some of these are **visible**, forming a cultural foundation surface, while others create a less visible foundation of culture – the **hidden** level. Kotter and Heskett agree that these two levels of analysis are very connected and influence each other. Considering their importance, other authors identify three, four or more levels of culture (Denison, Hofstede, Shein), bringing forth first the values then the rituals, heroes and symbols. Different models of culture analysis help us explain the elements of culture and understand its importance by providing for the researchers a starting point in explaining specific aspects related to the organizational culture and the organizational behaviour. By understanding the organizational culture, the members of an organization are able to shape their behaviour, can recognize their rights and obligations inside the company and the style of internal communication. They can determine the style of clothing and the dominant attitude inside the company, the way in which the management defines and implements its decisions and the staff policy.

Keywords: organisational culture; the visible level of culture; the hidden level of culture; analytical models

1. Defining Elements of the Organizational Culture

The concept of organizational culture is essential to explain certain phenomena, as the creation of hierarchy of values on which depend the strategic directions of the system, the establishment of the paradigm of the human relations, the interpretation of time and space, the configuration of the informational system, or the determination of the attitude towards the internal or external organizational environment.

Every organization, irrespective of size and scope, has its own culture, rooted in its history, in the way they carry out activities and the managerial system.

Organizational culture, similar to national culture, is rooted in history, including myths, heroes and symbols, which are growing up around the values inherited by the organization from the past

generations, and create a type of collective subconscious which has an influence on the power of changing a system.

E. Schein (1992) addresses the organizational culture in a functional manner. He perceives it as a model of learning basic assumptions discovered or developed by a particular group, a particular community, in the learning process, how to successfully solve the problems of external adaptation and internal integration, that operated well enough for a certain period to be validated, which is to be transmitted to the new members as the correct way to perceive, think and feel vis-à-vis to those issues. He also discussed the possibilities of analysis and intervention in changing the organizational culture. J. Garrry (1999, 277), defines the organizational culture as "beliefs, values and shared hypotheses that exist within an organization".

Peters and Waterman (1982), which address the culture in a rational manner, consider it "as a consistent and dominant set of shared values, transmitted by symbolic means such as tales, myths, legends, slogans, anecdotes, little stories".

G. Hofstede (1996, p.17), one of the most important representatives of research into national and international culture, defines culture as a "collective mental programming which distinguishes the members of a particular group or social category by the members of other groups or social categories". He points out that the thinking of common people inside of organization will be particularly influenced by the practices adopted and not necessarily by the values of the founders or managers". Promoter of the intercultural approach, he distinguished between a narrow sense of culture, "refinement of the mind" and a wide sense corresponding to the concept of cultural anthropology.

Hofstede recognizes the limited nature of the definition, but believes that it achieves the purpose: to reflect the systems of values. The organizational culture, in his vision, is a holistic one (is more than sum of its parts), historically determined (reflects the evolution of the organization), connected to anthropological elements (symbols, rituals, rites), basic social (it is created and maintained by the group who founded the organization), and hard to change (Hofstede, 1996, pp. 207-208).

Trompenaars F. Director of the Center for International Business Studies (CIBS) from Holand sees in the culture'' the way that people solve their problems'' (Trompenaars, *apud* Popa & Filip 1999, p.22).

Nica P. defines the organizational culture as "the specific way of action, thinking, feeling that people have learned, as a result of the combinations of procedures developed by the managers, but also of the influence of the social environment in which they lived and were formed (Nica & Iftimescu, 2008, p.47).

2. Levels and Patterns of Analysis of the Elements in the Organizational Culture

2.1 The Main Manifestation of the Organizational Culture

The knowledge and the analysis of the component elements from an organizational culture greatly helps at knowing that culture, at establishing the main guidelines of the company and employees, at the knowledge of attitudes and behavior of the employees, the motivation system, performance criteria, management style and the way of life in the organization etc. The analysis of these elements can provide important information about weaknesses and strengths of an organizational culture, in a context of a cultural diagnosis; on the basis of these elements we can differentiate the organizational cultures, determine the specific features etc. Knowing the basic elements of a culture, the members of an organization can guide their behavior, may deduct their respective rights and duties within the

organization, the style and mode of internal communication, style of dress, the managerial decision, the degree of internal formality, the personnel policy or the level of creativity in the organizational culture etc. In a synthesis made by A. Burciu (A. Burciu *et. Alii, 2008* p.128), on the main components of the organizational culture, this includes the next elements: slogans, symbols, artifacts (furniture, clothing, tools etc.), the language used in the company, myths and heroes from the past or recent history of the company, the rituals periodically present in the company activities, the values, the business relationship with the environment and the socialization of the employees deriving from formal/informal relations (which are built over time within the various teams and working groups).

Three manifestation levels of the organizational culture are identified, the first two are the fundamental assumptions and the values (considered as a part of a hidden culture of the organization) and the last level, the material culture (representing the visible area of the culture).

E. Shein included the next elements (cognitive, affective and normative) that occur at both level of the culture (visible and invisible).

1. Behavioral regularities in human interactions -language, customs, traditions, rituals and relationships applied in specific situations.

2. Group norms - standards and values working in group activities (reward according to work performance).

3. Exhibited values, principles and values made expressly for the members of the organizations (the focus is on quality or competitive prices).

4. Formal philosophy- political and ideological principles that guide the actions of the organizations members in relations with clients and beneficiaries of the products.

5. Institutional rules, formal and informal- define membership in an organization and management and regulatory relations.

6. Social-moral climate and the space architecture in the organizations – state of spirit, emotionality, spatial organization, furniture, cleaning etc.

7. Personal skills – specific skills that are expected to be applied by the members of the organizations during their activities and in the relationships with the outsiders of the organizations.

8. Metaphors and symbols – set of ideas, feelings, experiences, personal pictures or about certain events occurring within the organization.

9. Activated significances – the kind of understanding of the everyday events or the work tasks.

10. Models of thinking, mental models and paradigm of language- cognitive framework guiding the perceptions, thoughts, approaches, communications.

The table below gives a summary of the main components of organizational culture on two levels: visible and invisible. M. Thevenet (1993, pp. 54-56) believes that culture arises at two levels, namely: the external level- external culture (which refers to national, regional or local culture), the inner level- inside culture (which includes organizational culture, professional culture).

Starting from this assumption that the culture of an organization is regarded as having the main components: the founders (which come with a series of personal data, social background, and fundamental principles), organization's history (human history, structures and environment),

occupations (related to reality, appearance, the manner of implementation, etc.), values (declared, operational and manifested in attitudes), signs, symbols and beliefs, assumptions (against: external behavior, space, time use, language, rituals, etc.).

2.2 The Visible and Invisible Cultural Manifestation of an Organization

Schein (1985), Hofstede (1980), Denison (1990), Hall (1989), believes that cultural space preserves and hides the operational fundamental elements, rather than reveals them. It creates a cultural foundation of the hidden culture (generally accepted standards, common elements of the collective subconscious, beliefs) and one of surface as a base for expression of the culture.

Therefore, the culture of any organization is a culture of surface (language, legal regulations, of material elements) and a hidden culture (generally accepted norms and rules, beliefs and assumptions, models of behavior, etc.

Supporting this theory, Kotter şi Heskett (1992) describe two cultural levels that influence themselves mutually, on the one hand the invisible level, hard to change, that includes values shared by all members of the organization and who tends to model the collective behavior and a visible one easy to change, which refers to the rules of behavior which are transmitted to new employees correlated with a system of rewards and sanctions accepted by all the members of the organization.

Another supporter of this theory Denison (1990) identifies four levels of culture presented at the most visible element of culture to the most hidden.

He begins with material culture (verbal and behavioral elements, physical elements), perspectives (rules and regulations applicable and considered solutions to everyday problems and routine behavior of an organization, etc.),values (the basis of the evaluation and trial of situations, actions and people, reflecting the goals and ideals of the organization and how to handle the problems), assumptions or predictive models (tacit beliefs about the organization's members, about human relationships at this level, about management system or about the processes and activities that take place in the organization, forming a kind of collective "subconscious".

Table. 1. **The grouping of the elements of organizational culture at visible and invisible level**

Visible level of organizational culture and elements of organizational culture that manifests on this level	Invisible level of organizational culture and elements of organizational culture that manifests on this level
-components of physical nature (material manifestation of the culture): symbols, buildings, offices, office, uniform, furniture	-common values shared by all members of the organization or employee socialization, taken and transmitted symbols for organization members, etc.
-verbal components: the language used in business, myths, metaphors that are part of folklore and through which the organization ensures circulation of messages concerning company values.	-the accepted norms of behavior by members of the organization, which derive from the values shared by the company
-behavioral components such as: habits, rituals, ceremonies, which help the organization at the manifestation of identity and provides members with a feeling of belonging to the group	-beliefs, the basic concepts, a certain ideology of the senior management capacity, coordination, foresight, training and control concentrated in knowledge, motivation and satisfaction of those members

Adapted from: B. Bacanu (2006, p. 156).

Hofstede (1995, p. 23-26), speaks about the culture manifestations on deep levels proposing an analysis based on the values that create rules, then continuing with the rituals (religious or social ceremonies, meetings and business meetings, etc..), heroes (people who serve as a model of conduct) and ending with the symbols (the most visible part consisting of words, gestures, faces, objects with shared only with the members of a certain cultures, etc..).

2.3 Analysis Models for the Elements of the Organizational Culture

Kotter and Heskett (1992) describe the visible and the invisible level of the culture as being correlated and constantly influencing each other.

 Shein (1985) identifies three levels of the organization's expression of culture; firstly, the fundamental assumptions and values are considered as part of the hidden, invisible culture of the organization, and last level - material culture, representing the visible surface of the culture. Finally he analyzes all elements of culture on two levels: visible and invisible.

Hall (apud M. Elias, 2008, pp.19-20) proposes a three-dimensional model of culture, referring to the existence of the three levels simultaneously present in the cultural context of any organization:

1. formal level, which involves learning how to conduct formal activities;

2. informal level, using the change of elements of the culture through new behavioral patterns even if it breach formalities are proving their worth;

3. technical level.

Hofstede's theory (1995), follower of the multidimensional model, illustrates a central level of expression of the culture, focused on values and other peripheral levels, including rituals, heroes, symbols (summarized under the term of practice, identified by external observation). Like Schreder and Trompenaars, Hofstede tries to explain and analyze the culture by analogy with the analysis of an onion. He put it in "onion core" values and on the following layers - rituals, heroes, symbols. The table below synthetically illustrates the main models of analysis of the organizational culture elements we have previously talked about, as well as the main adepts of these models.

Table 2. Analysis models for the elements of the organizational culture

Analysis models of the culture	Mode of grouping of the elements	Adepts of the model
Bidimensional model	Divides cultural elements in visible and invisible	Shein, Kotter şi Heskett
Tridimensional model	Divides elements of culture into three categories: formal, informal and technical level	Hall
Multidimensional model	Consider each element of organizational culture as having a certain degree of permeability / visibility seeking an explanation of the culture through an analogy with the analysis of an onion.	Handy, Trompenaars, Hofstede, Luthans.

Adapted M. Ilie (2008, pp.19-20)

3. Conclusions

The models mentioned above help analyze and proper understand the organizational culture. They consider the elements of organizational culture, which they grouped into different categories even if they are based on the same principle - the degree of visibility that the cultural elements have.

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THE 6TH EDITION OF THE INTERNATIONAL CONFERENCE
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REALITIES AND PERSPECTIVES

Black Sea Energy Security - Present and Future

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Abstract: We chose this theme to highlight the need for continuous and sustained human society to secure energy resources needed to survive, needs reflected increasingly along the recent years in the strategies adopted at the level of international organizations and states. Achieving security and stability in the wider Black Sea area has been among the priorities of each country's interests in this region. In this context, state and non-state actors were being called to come up with new solutions to achieve those interests. Certainly not in all cases the negotiations were completed or not yet found a generally accepted formula for others to apply, but most of them show off their values. The main environmental threats to security environment in the Black Sea region are represented by ethnic conflicts and territorial secessionism. A significant contribution to the security environment of the Black Sea region has the phenomenon of globalization, which in this region is manifested by a steady increase in traffic and volume of shipping passage of communication, which largely affects the security in the region. Globalization and the need for energy resources in the Black Sea was an important area not only as energy transport route, but as a potential supplier of material energy (oil and natural gas). Black Sea Basin can be stabilized and secured only by the will and input from all States and interested international organizations in pragmatic and effective institutional frameworks, meant to promote and protect the common interests of countries decided to participate in actions aimed at ensuring a stable environment security.

Keywords: Energy Security; Black Sea; NATO

Some Conceptual Considerations

Considering that the geographical position of Romania and its regional connections, its interests in the Black Sea area represents the democratization, economic development, stability, and orientation towards European integration. Romania is interested to have as neighbors stable, democratic and prosperous states, because in this way there can be maintained the peace and harmony among the states.

In the Black Sea area, Romania together with other riverside states promotes the idea of a Euro-Atlantic Strategy for the Black Sea region. The NATO-EU cooperation in South-Eastern Europe could favor the democratic growth of states, preventing and solving the risks and threats, tensions and disputes.

The European security could be approached from a perspective which refers to both the news degree, and the importance of this issue for the European Union countries.

The context in which we intend to analyze the concept of European security is given by the adoption and entering into force of the Treaty of Lisbon. We consider it necessary to mention the importance of the European security system, policies, mechanisms, and capabilities in the version proposed at Lisbon. After this moment, the EU has become in a more obvious way a visible and effective security provider.

Although for a long time, the EU has been only a "civil power", it has always remained, in terms of ensuring its own security counting on NATO (North Atlantic Treaty Organization). The EU was more concerned about the economic progress and the eastward expansion, neglecting, though not deliberately, the appearance of its own security. "*The EU, although it succeeded to secure peace within, it does not exercise this function sufficiently in the final implementation of the peace in the entire European continent, especially in the vicinity. The achievements so far should serve to preserve what has proved to be positive, but also to correct what was wrong or the completion of what has been proved to be incomplete*." (Bărbulescu, 2007, p. 96)

By the end of 2007, the representatives of EU Member States signed the Treaty of Lisbon[1] amending the previous Treaties establishing the European Community and the EU. Treaty of Lisbon was also known as the Reform Treaty. The treaty of Lisbon came into force in December 2009, aiming at increasing coherence and EU capability as security actor in the current global environment. By this Treaty it is strengthened the role of the High Representative for Foreign Policy and Common Security. According to the new Treaty, the ESDP becomes "The Common Security and Defense Policy (CSDP). CFSP / CSDP, by the Lisbon Treaty, it is determined the legal personality of the European Union, which means that the EU will be able to conclude, on their behalf, the international agreements (Article 47 of TL) and it will establish the position of Chairman of the Board European.

By the Lisbon Treaty, the European security, at the European Union level had two changes. The first amendment refers to the general harmonization of the institutional framework for crisis management, while the second refers to strengthening the EU's international role, by improving the CFSP and CSDP.

The Implication of NATO in the Wider Area of the Black Sea

Through NATO, it is achieved an important cooperation in the area, although, by its involvement, it has not yet identified a specific regional role. After the Cold War, the Black Sea area has become an area of interest of NATO, especially from a logistics intervention standpoint for the Central Asia, Southeast Europe and the Middle East. There is still potential for developing the regional cooperation under the NATO umbrella. It is based on the long-term security concept developed by NATO, focusing on democracy and good governance. The fact that the NATO has combined this concept with emphasis on the Balkans, can be viewed as an example in terms of future involvement in a torn region, as the Black Sea.

However, it is unlikely and somewhat inappropriate to NATO, to develop alone such a policy of involving the regional states in a reform process. Open door policy and the approach of cost and benefits serve at the completion of other organizations, such as the EU and the OSCE, having as intention to reshape the regional political and economic landscape. In terms of attractiveness for the enlargement process of NATO, including Towards Accession Action Plan (MAP), it is obvious and has demonstrated the power change as a tool for inducing internal states of Eastern Europe, whose experience can be easily reproduced for the Black Sea area states. When talking about NATO's role in the Black Sea region, referring mainly to issues related to energy security. Thus, in terms of interests and objectives of NATO in this region, the Foreign Ministry said in a statement that "it will continue the consultations on the most powerful risks to energy security, NATO will be involved in the following areas: information sharing and fusion, design stability, fostering international cooperation and regional support with its consequences, support for protection of vital energy infrastructure."

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[1] www.europa.eu

At Starsbourg-Kehl, NATO it was agreed that issues such as "ensuring secure and stable energy supply, diversification of routes, suppliers and energy sources, energy networks interconnectivity remain critical, stating, at the same time the continuous support for the efforts designed to promote the security of energy infrastructure."[1]

Referring to the Bucharest summit, we must mention that NATO countries consider progress as, on one hand, strengthening multilateral cooperation and further development of the cooperation and dialogue between countries of the region and on the other hand, strengthening the same aspects between these countries and the North Atlantic Aliance. In terms of "*energy security, NATO summit participants agreed on the fact that we need to focus on a number of aspects of this situation, and including information and intelligence sharing, promoting cooperation international and regional issues and also support in terms of energy infrastructure protection.* "

Geopolitical and Geostrategic Coordinates

The notion of *"Great Basin of the Black Sea"* appeared in the mid 90s when Zbigniew Brzezinski, in his famous work "The Grand Chessboard", he called this region "*Eurasian Balkans*" but, along with the Caucasus and the Balkans itself, included also a part of South Asia and the Persian Gulf and Middle East regions.

"The sea is of vital importance for humanity, because of economic and legal issues and also military and political ones. The Seas and oceans of the world, inland international communications, are increasingly essential for the global economy to carry oil, ore, general and special cargos. In addition, they also represent a source of wealth so that it is the capital stake within the interests of world nations." (Atanasiu, Zemba, Grad, Cornel, & Marin, 1998, p. 86) Vulnerabilities in the contemporary security environment are identified in relation to the existing material resources, environmental conditions, with various aspects of nature and behavior of state and non-state actors. The environmental threats to security are determined by the negative consequences of the economic globalization, resulting in the impoverishment of millions of people, the proliferation of weapons of mass destruction, international terrorism, plus the networks of organized crime that threaten the global stability, the local and national conflicts, interreligious and interethnic ones. (Neagoe, 2005) The developments in Black Sea area have changed the nature of the risks and threats to security in the European area, having negative influence on the regional security. Being a space that connects three important areas from the geopolitical and geostrategic point of view- Southern Europe, Eastern Europe and the Middle East – the Black Sea region was transformed after 1990 into a zone of instability, marked by political, military and economic disputes between the riverside states, but also the concern of other states to reconsider their interests in this area.

The "key positions" in the Black Sea area are positions that customize and records special meanings, but, above all, they contribute decisively to the geostrategic value and importance of this area. (The major status of navy forces, 2005). They are the following:

The Straits System (Bosporus, Dardanelles - linked by the Marmara Sea) enables and provides navigation form a "closed" sea to the Water World. Turkey controls the straits, which are the only strong artery for external shipping, which is available to all riverside states, from the economic point of view and with permanent prospects. The control of the straits gives Turkey a privileged status.

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[1] www.nato.mae.ro

Crimea Peninsula - a real aircraft carrier, "well anchored", with numerous facilities, surrounded by sufficient naval forces, always ready to act. Mouths of the Danube (the maritime Danube) - the movement of ships through the Sulina complex of navigation is done entirely in Romania, which represents an element of power for Romania.

The Continental Plateau of the Romanian coast, containing important elements, determined the problem of delimiting the continental plateau of the exclusive economic zone between Romania and Ukraine to "boil" for many years.

Snake Island - has been "*rediscovered*" in the recent years and placed in the issue of international diplomacy. [1]

According to the new geopolitical configuration of the Black Sea, dominated to the West and the South by Romania, Bulgaria and Turkey, countries of NATO, along with Moldova, Ukraine, Russia and Georgia on the north and east cost, it has acquired a new identity which requires a different approach to the specific problems of the entire region, including the elaboration of strategies and programs. In this context we can not exclude Georgia, Armenia and Azerbaijan, the three South Caucasus countries, because they represent parts of the Euro-Asian energy corridor linking the Euro-Atlantic system of energy resources in the Caspian area and the Central Asian states.

Over time, the Russian Federation secured its interests in the Black Sea area, reiterating its status of dominant power not only in Caucasus, but across the Black Sea region.

Ukraine is another state with problem in the Black Sea area. The gas crisis in early 2009 once again demonstrated a reduced ability of Kiev to establish itself as regional player in the Black Sea. Ukraine still has strong historical, economic, and ethnic links with Russia. We mention here the situation in Crimea, a region with mostly Russian neighbors, as it is, in fact, most of eastern Ukraine, it could become as dangerous as that of South Ossetia.

Ukraine, by its geographical position, can benefit from the Russian Federation and European Union using the Odessa-Brodii, becoming a sort of regional oil dispatcher. Bear in mind that while the Russian Federation was trying to block the access to Caspian oil on this pipeline, the EU allocated funds for this pipeline' extension to the Baltic Sea. At the same time, the transport on the pipelines connecting Ukraine to Romania and Bulgaria depends on the Kiev's position. (Bahnareanu, 2010)

European Union Energy Policy

According to the Lisbon Treaty and Europe Strategy 2020, EU legislation has adapted its own legislation to the new realities of the 21st century. The Lisbon Treaty,[2] entered into force on 1st December 2009, brought substantive amendments to the Treaty on European Union and the Treaty on establishing the European Community and the Treaty establishing the European Atomic Energy Community, providing to the Union the legal framework and instruments necessary to face future challenges and to formulate a response to citizens' expectations.

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[1] Simona Frolu, *Securitate prin democratizare in zona Marii Negre/Security through democratization in Black Sea Area*, www.generatiaeuropeana.ro
[2] Treaty of Lisbon amending the Treaty on European Union and the Treaty on establishing the European Community, Lisbon, 13 December 2007, www.consilium.europa.eu.

In Article 194 of the Consolidated Version of the Treaty on European Union[1] stipulates that the EU energy policy in a spirit of solidarity between Member States, aiming at: ensuring the functioning of energy; ensuring security energy supplying the EU; promoting energetic efficiency and economy energy, but also the development of a new source of energy and renewable energy; promoting energy networks interconnection.

In Article 122 of the same treaty[2] says that, without prejudice to any other provided procedure, the Council, at the Commission's proposal, has the right to decide, in the spirit of solidarity between Member States the adoption of the appropriate measures in the economic situation, particularly if there are serious difficulties in supplying certain products, especially energy.

When it was found that the Lisbon Strategy[3] has not achieved its main strategic goal – the EU ought to become by 2010 the most competitive and dynamic economy in the world, based on knowledge - Brussels officials have started a consultation process for a new economic strategy, a strategy that was launched by the European Commission in early March 2010 and approved by the European Council in June 2010.

Europe Strategy 2020[4] defines the objective of preparing the European Union social market economy for the next decade, for escaping from the economic and financial crisis, as well as by transforming it into an inclusive social economy, intelligent and sustainable.

The European energy policy in the last decade adapted to new geopolitical, geo-economical, and geostrategic realities and sought to ensure, in a more integrated way, the supply of affordable energy, respecting the market mechanisms, promoting energy efficiency and environmental protection. Thus, since 2000, there were promoted a series of documents, such as the Green Paper „*Towards a European Strategy for the security of energy supply*" in the 2000, the Green Paper on energy efficiency "*Doing more with less*"[5] in 2005, Green Paper "*A European Strategy for Sustainable, Competitive and Secure Energy*" in 2006.[6]

In the autumn of 2007, the European Union has pledged by 2020 to carry out the plan target "20/20/20." *In the second Strategic Energy Policy Review,* the Commission proposes a European Union action plan for energy security and solidarity, focusing on five main elements:

- promoting essential infrastructure for community energy needs;
- developing external relations in the energy domain;
- improve oil and natural gas stocks and response mechanisms to crisis situations;
- increasing energy efficiency;
- better capitalization of the EU's internal energy resources, including the renewable ones.[7]

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[1] Council of the European Union, Consolidated version of the Treaty on European Union and the Treaty on functionning the European Union, Brussels, 28 May 2010, p. 177, www.consilium.europa.eu
[2] Ibidem, p. 131
[3] Lisbon European Council, Presidency Conclusions, 23-24 March 2000, www.europarl.europa.eu şi European Commission, Working together for growth and jobs. A new start for the Lisbon Strategy, Communication to the Spring European Council, 2 February 2005, www.eurlex.europa.eu
[4] European Commission, Europe 2020: A strategy for smart, ecological and favorable growth to inclusion, Brussels, March 3, 2010, www.ec.europa.eu
[5] European Commission, "*Doing more with less. Green Paper on energy efficiency*", 22 June 2005, www.ec.europa.eu/energy
[6] European Commission, Green Paper „*A European Strategy for Sustainable, Competitive and Secure Energy*", 8 March 2006, www.eur-lex.europa.eu
[7] European Commission, *Second Strategic Energy Review: An EU Energy Security and Solidarity Action Plan*, 13 November 2008, www.eur-lex.europa.eu

Energy Balance in Black Sea Region - Actors and Energy Interests

The actors in the Black Sea area are connected to energy channels between East and West. They are big producers, such as Russia, and consumers or important intermediaries of energy resources. The Black Sea Region is a major junction of supplying routes of Europe with Russian hydrocarbons, the Caspian Basin and other producing countries in the East, probably the shortest. The Black Sea littoral states, except Russia, have built their energy strategies so as to secure the energy security and defense, economic development and welfare of the population, environmental protection. However, the dependence on Russian hydrocarbons make them vulnerable to some energy games under the form of reduction / cessation of supplies, increasing prices and developing alternative transport routes.

Energy Potential

The energy potential is the hydrocarbon flows that conveys through that area, as well as many sea areas rich in energy resources. According to the achieved research, the Black Sea would be about 10 billion barrels reserves of oil and 1500 billion m3 of natural gas. (Kardas, May 26, 2009) However, the depth at which these reserves are found are not easily exploited. In terms of energy, Russia is by far the most important reservoir, manufacturer, and exporter of the region.

The States of the Black Sea region can be grouped into three categories:

- independent countries of external energy resources - have significant reserves of oil and natural gas. In this category it is only the Russian Federation, a country rich in hydrocarbons and one of the greatest exporting country;

- partially dependent countries - have limited energy resources and fills in its needs through imports or keep their resources as they are, for example, Ukraine, Romania and Turkey;

- countries totally dependent on external energy resources, whose resources are crucial for the economy in order to function and develop. Bulgaria and Georgia are states that are almost totally dependent of foreign hydrocarbons. (Ioan, May-June 2008, p. 19)

Romania's Energy Strategy

Romania's Energy Strategy was developed in 2007. Ensuring national security, according to Romania's National Security Strategy (SSNR) (Romania Presidency, 2007, p. 46) it can not be achieved without ensuring Romania's energy security by optimizing operational adapting structure of primary energy consumption and increasing energy efficiency. In line with the requirement made in SSNR – the reconfiguration of Romania's energy security strategy in line with EU energy strategy (Romania Presidency, 2007, p. 18) - the government prepared and approved a new energy strategy[1] for 2007-2020.

The purpose of the Energy Strategy is to ensure the energy independence, in terms of sustainable development of Romania and the European Union.

The Romania's energy security does not depend only on its own resources, its economic potential, or its national power. This security goals and objectives must be negotiated at the level of European Union with the most important leading producers and social consumers.

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[1] Romanian Government Decision on the approval of Romania's energy strategy for 2007-2020, the Official Monitor of Romania, Part I, no. 781, 19 November 2007.

The issue of Energy security in Romania has been specifically increased in 2007. According to the *National Security Strategy* (SSNR), (Romania Presidency, 2007, p. 46) the national security is directly determined by the energy security. To do this, Romania had to take urgent measures to optimize the structure of primary energy consumption. Security requirements involve reconfiguring the Romania's energy security strategy, in close liaison with the European Union's energy strategy. (Romania Presidency, 2007, p. 18) Through this strategy, Romania has aligned with the main aims and objectives of the European Union's energy. In this respect, the Government prepared and approved a new energy strategy for 2007-2020, a document that mentions the EU energy objectives outlined in the *"European Strategy for Sustainable, Competitive and Secure Energy"* and the new *"Energy Policy for Europe"*.

Through this strategy, Romania takes an active role within the EU and, in particular, in the eastern and south-east area of the continent. Romania has, in accordance with the European energy policies, a number of priorities in terms of energy security:

- ensuring competitiveness;
- diversification of energy supply sources;
- environmental protection;
- ensuring investments for increasing production and development capacity.

Romania must have a range of skills that allows it to express the status of stability exporter. Its own security is a key element in the context of which Romania is acting regionally. "*Another element that illustrates the competitiveness of a given society is how it manages to use available resources in order to minimize the threats, risks, and vulnerabilities to which it is subject. The energy security of a state has become again one the main elements of concern, given the security implications of both security society members and their prosperity. The recent events have demonstrated the need for the NATO and EU states to treat their problem of ensuring security energy as one of the priorities of governance[1]*"

Ensuring stability and security zones to the Black Sea represents a major objective in Romania. *"Romania - dynamic vector of democratic security, economic stability, and prosperity - is a key strategic interest to the wider region of the Black Sea to be a stable, democratic and prosperous one, close connected to the European and Euro-Atlantic structures. Subordinated to this interest, our country's strategic goal is to stimulate a greater and a more productive European and Euro-Atlantic involvement in this region.*"

According to the National Security Strategy *"Romania actively promotes the necessity of a Euro-Atlantic strategy for the Black Sea region, taking into account the experience of a NATO-EU concerted stabilization process in South-east and apt to favor the need of a democratic option states, to prevent worsening the risk and threats and to contribute effectively to solve conflicts and tensions.*" (Romania Presidency, 2007)

The increased interest in the wider Black Sea area is due to the fact that it is located at the confluence of three major areas - Europe, Middle East and Central Asia, such as a *"significant transit area of energy resources and also an important place of manifestation of asymmetrical risks and outbreaks of conflict, with a substantial impact on Euro-Atlantic security."* (Romania Presidency, 2007)

In the near future it was stipulated that the Black Sea could be a source of energy that is consumed in Europe. Moreover, this determines, in terms of security, both risks and threats to international security.

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[1] National Defense Strategy - For a Romania, which guarantees the security and prosperity of future generations, Project 2010, p. 6.

Thus, we can mention: "*a faithful mirror of the new risks and threats and a virtually dangerous potential for their experimentation. Among those we mention: the international terrorism; proliferation of weapons of mass destruction and their means of delivery; local conflicts; illegal trafficking of arms; ammunition and explosives; drug trafficking; illegal migration and human trafficking; ineffective government, undermined by endemic corruption and organized crime.*" (Romania Presidency, 2007)

Romania, together with other countries in the Black Sea, has responsibilities in dealing with such risks and threats, it can be achieved, if they agree to "*develop national policies, foreign and security policies able to neutralize the negative phenomena within their own borders and refrain from supporting in any way, the separatist movements, extremist or terrorist organizations, criminal activities.*" (Romania Presidency, 2007) Also on this line of regional cooperation, we should mention that Romania contributes to the institutionalization of the Black Sea Forum for Dialogue and Partnership.

Black Sea Forum for Dialogue and Partnership is an initiative dedicated to promoting democracy and economic development, energy security, trust, consolidating stability, peace, and security. For affirming true security in the wider Black Sea region, Romania with other countries in this area must participate in a process of economic consolidation, development of energy and transport infrastructure. This will be achieved in order to make the connection from the economic and commercial point of view of the space at the Black Sea to the Euro-Atlantic community.[1]

Also, *"there would be also monitored the development of special programs that will enhance the national and regional monitoring capabilities and rapid intervention in order to prevent and counter the security risks coming from the maritime area. There will be supported, at the same time, the initiatives on enhancing the regional capacity to respond to crises and to deal with asymmetric threats, and those though which it will be favorable for increasing the legal framework conducting to increasing the confidence between states in the area and others interested states in the security area.*" (Romania Presidency, 2007)

When Bulgaria and Romania's adhered to EU, Benita Ferrero-Waldner, the Commissioner for External Relations and Neighboring Policy, said the following on the relation between the European Union - Romania - Black Sea: "*the EU has become part of the Black Sea region. Today, we accomplished a promise made last December, that is to develop a regional dimension within ENP. It is the time to politically focus on the regional level and invigorate the ongoing cooperation processes, providing a space for cooperation with Russia, Turkey and our eastern partners of the ENP (European Neighboring Policy).*"[2]

In this context not only the European Union manifested a special interest in the Black Sea area, but alos the United States of America which believes that: "*The Black Sea region has a strategic importance for the United States. We have in that area three NATO allies - Turkey, Romania, and Bulgaria. (...) The Black Sea region is at the heart of the debate on security energy.*"[3]

Romania to the European Union's Eastern Borders and the North-Atlantic Alliance

By the accession of Romania and Bulgaria to the EU in 2007, the Black Sea has become a direct neighbor of the European Union. Romania has become, over time, the most active member of the EU *in promoting the strategic importance of the Black Sea and the need for an increased role of the EU* in this

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[1] For these objectives to be achieved, our country will work with Black Sea riparian countries, namely Bulgaria, Georgia, Russian Federation, Turkey and Ukraine and the other 35 member states of the Euro-Atlantic community.
[2] www.europa.md
[3] www.mediafax.ro

area, in the spirit of a strategic approach. An important support in this regard came from other member states, mainly Greece, Bulgaria, and Germany, which had, at that time, the EU Presidency. The cooperation with these countries has contributed substantially to the success of this approach, under the form of the Black Sea Synergy and the process initiated by it. The importance of the region has been highlighted clearer in many policies and instruments of the European Union by its eastern neighborhood, including the Eastern Partnership, launched in 2009.[1]

Through its membership to NATO and the EU, Romania has an active part in the "wider region" of the Black Sea, on the coordinates pursued by NATO and the EU. Located West of the Black Sea and at the Mouths of the Danube, Romania is a head for the transatlantic community, but also for the EU to the Black Sea area and, as a country of contact between the Euro-Atlantic and Euro-Asian, it has the benefit of the intersection of six axes of strategic importance. (Pestrescu, 2005) Romania has been involved in supporting efforts that, though the CFSP instruments, have led to inviting neighbors from the east and south to share peace, stability and prosperity, of which all the Member States enjoy.

At the same time, Romania plays an important role in Southeastern Europe, along with its allies in NATO and EU in the fight against terrorism. Located at the NATO border and on the eastern flank of the EU, Romania has much to offer to its neighbors, based on its own experience.

The major objectives of the Romanian Black Sea, as defined by the relevant *National Strategy* (2006) refers to building, near east, a stable, democratic and prosperous area, in consonance with the opening of the Black Sea towards the European and Euro-Atlantic values and processes. Also, the difficult process of eastward expansion should have as support a model of cooperation to reinforce the EU force.

During 2009-2013, the Romanian foreign policy in this area will focus on balancing the balance between resources and objectives and a rigorous selection of approaches and initiatives in regional cooperation domain. (Pestrescu, 2005)

Brief Conclusions

The energy resources continue to be both a plea for cooperation, but also one of confrontation and disputes between the actors of the international system, the struggle for increasingly shaping the economy and also the security, foreign policy and states' priorities.

- In the Black Sea area, Romania together with other littoral states promote the idea of a Euro-Atlantic Strategy for the Black Sea region;

- NATO-EU cooperation in South-Eastern Europe could encourage the democratic growth of states, preventing and solving risks and threats, tensions and disputes. Through its membership to NATO and EU, Romania has an active part in the "wide region" of the Black Sea, on the coordinates of the directions pursued by NATO and the EU;

- Black Sea region is an area of production and distribution of a strategic importance for EU energy security, with its natural resources, and having a strategic position at the junction of Europe, Central Asia and the Middle East;

- Romania's energy security depends not only on its own resources, its economic potential, and its national power. Security goals and objectives of the European Union have to be negotiated with the leading producers and social consumers;

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[1] www.mae.ro

- During 2009-2013, Romania's foreign policy on energy security will focus on balancing the balance between resources and objectives and on a rigorous selection of the approaches and initiatives in the regional cooperation area.

Romania, as a member country of the European Union and NATO, but also very important actor in the Black Sea, depends to a considerable degree of, not only economic cooperation but also of the development of a strategic and stable energy partnership in the area.

Blioghraphy

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REALITIES AND PERSPECTIVES

How Does Globalization Affect the National Security?

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Abstract: Globalization as a process of integration of national economies has led to the creation of a single world economic system. The signs of globalization have appeared before the First World War, in fact, globalization is produced not only on the economic aspect, but also the cultural one (it tends to interweave and even standardize the material and spiritual culture of mankind) and informational one caused by the Internet. The globalization is the most dynamic and broader geopolitical process in the contemporary world. Among its most visible effects it includes the gradual erosion of the pivotal concepts of geopolitics, such as border, territoriality or sphere of influence, increasing the role of international policy actors - international organizations and transnational companies - to the detriment of states; these phenomena are accompanied also by the revision of ideas concerning sovereignty, nation-state and nation. Within just two decades, "the world order" has undergone considerable changes. The bipolar international system during the Cold War has become one pole with the collapse of the Soviet Union. But here, now, the world is again changing. New powers are rising, including Russia which is in a recovery of form, an emerging multipolar world is increasingly visible. All these mutations did not remain without effect on the geopolitical framework. The powers redefine their areas of influence, new geopolitical objectives gain priority on the states' agenda. We therefore consider that it is necessary a deep analysis on how the new challenges arising from globalization tend to crystallize in the international security environment, in general, and in Romania in particular. Along with Romania, both NATO and the European Union become a regional dimension in the area of influence of Romania.

Keywords: globalization; concepts of geopolitics; geopolitical framework; European Union

1. Conceptual Considerations

Within only two decades, the "world order" has undergone considerable changes. Bipolar international system of the Cold War has become unipolar with the collapse of the Soviet Union. But, now, the world is again changing. New powers are rising, including Russia which is in a recovery of form, a multi-polar world is emerging more clearly. All these mutations have effects from the geopolitical point of view. The Great Powers redefine their areas of influence, new geopolitical objectives gain high priority on the states' agenda. Therefore we consider appropriate an analysis on how the new challenges arising from globalization process tend to crystallize in the international security environment in general and in Romania in particular. With Romania, both NATO and the European Union take a regional dimension in the area of influence of Romania.

The National Security should be seen as being related organically to the state, as distinct political and administrative entity. When we analyze the concept of national security we should start with the links that are between the internal and international dynamics of the state, because the way in which the state relates to the two functions is performed and it depends on the security of the state in question.

In the specialized literature, in defining the state, most views converge to a state model defining which has three components: *the idea of state, the physical basis of the state and the institutional expression of the state*. What we need to emphasize is that each of the three components represent, individually, security objectives. Meanwhile, their connections represent another main research direction for national security.

The national security remains, even in the context of early XXIst century, an essential attribute of national state, with extensive connections in sub-regional, regional and international environment. Intrinsic links between the national security and other types of security result also from the fact that the threats and challenges of the XXIst century no longer address only to the national segment, but to the entire international community, which causes the appearance of some security structures at all levels in order to manage the crises that arise at some point in the international domain.

The globalization – integration process of national economies - leads to the creation of a single world economic system. The signs of globalization have already appeared before the First World War. In fact, the globalization does not occur only at the economic level, but also the cultural (intertwining tendency and even standardizing the material and spiritual culture of mankind) and the information one, as well as the one caused by the Internet. The globalization is the most dynamic and broader geopolitical process in the contemporary world. Among its most visible effects include gradual erosion of the pivotal concepts of geopolitics, such as borders, territoriality or sphere of influence, increase of the role of international policy actors - international organizations and transnational companies - to the detriment of states, phenomena accompanied by the revision of ideas on sovereignty, the nation-state and nation. (Oleg, 2006, p. 110)

2. Globalization - Theoretical and Practical Interpretations

What is globalization? If we want to define globalization as its extent or scope of development we could say that it resembles to a process of change (increase). In this way the local, national or regional processes (activities) increase, therefore they become global. Thus we are witnessing a phenomenon of large-scale due to which the human society is united and works as one community. As globalization process, it involves the union of societies based on rules pertaining to economic, trade, investment, financial aspects, capital movements, labor migration, especially the "brain" of underdeveloped countries to industrialized countries. In a new context, as the beginning of XXIst century, the globalization process takes on special meanings. In terms of geo-strategic changes we are witnessing some essential changes. Although the term *globalization* is not new in specialized literature, it has acquired new dimensions in the current geostrategic context.

We will try, without being excessive in the many approaches, to define globalization as a global contemporary process from several points of view. Thus, a first sense, "*by this term we can understand the global financial markets development, the growth of transnational corporations, and their increasing domination over the national economies*". (Frunzeti, 2009, p. 122) In his work "Geostrategy", Teodor Frunzeti shows that the IMF sense, globalization represents "*the increasing international integration of markets, for goods, services and capital.*"

Other authors consider that globalization is "*one of the major political achievements of the late twentieth century, having as movement forces the costs that continuously decrease of communication and transport, transforming into producers and consumers billions of inhabitants of the planet, but also the tendency to adopt the principles of market economy all over the world. But in spite of low cost*

communications and access to information, nothing would have taken place without the globalization of economic liberalism that took place over the past 30 years." (Bonciu & Baicu, 2010, p. 47)

The authors Ioan și Sergiu Geantă, in their work, "Globalization - implications on national security" on page 9, assessing that "*the term - globalization - a process described multi-casual, which results in the events that take place in some parts of the globe has increasingly large repercussions on societies and issues from any part of the world. Globalization is the modern term used to describe the changes in society and in the global economy; it describes the growth of trade and investments due to the fall of barriers and interdependence between states. In the economic context it is often defined as the almost exclusive reference to the effects of trade and especially trade liberalization or free trade. Globalization is a system or a complex phenomenon, sometimes ambivalent, even contradictory, which was viewed and analyzed differently by those who have assumed this risk or this responsibility.*" (Geantă & Geantă, 2009, p. 9) Geantă, in the same paper, presents globalization as a very commonly used term to which we assign many meanings. By this we may understand the development of global financial markets, the growth of transnational corporations and their increasing domination over the national economies. Most problems that people associate with globalization, including market values penetration in those areas to which they traditionally do not belong, they can be attributed to these phenomena.

Also, globalization, "*can also be defined as a set of structures and economic, social, technological, political and cultural processes that arise from the changing nature of production, consumption and trade of goods. There have been many changes in the global economy, otherwise we may consider globalization as a result of the creation of the world market.*" (Frunzeti, 2009, p. 122)

At the same time globalization "*is the intensification process of connecting world markets and affairs. This process has accelerated dramatically in the last two decades as technological progress makes easier moving people, communication, and international affairs. The two major guiding forces of globalization are the progress of communications and Internet development. Globalization reduces the relevance of borders between states, at least in terms of economic processes, in particular trade.*" (Geantă & Geantă, 2009, p. 13) The reality demonstrates that transnational companies are the main factor of globalization of world economy. "*In an attempt to synthesize the impact of transnational corporations (TNCs) on the world economy, we can mention the following:*

- two thirds of world trade is carried out through the top 500 TNCs; therefore, it remains only a third of world trade that should be conducted according to the classical theories of trade, at market prices;

- 40% of world trade that TNCs controls is, in fact, the intra-firm trade;

- The income of the top 200 corporations in the world amounts to 31.2% of world GDP;

- TNCs have 90% of worldwide technology licensing;

- Among the top world 100 economies, 51 are transnational corporations;

- The cumulative revenues of General Motors, and Ford exceed the aggregate GDP of all countries in sub-Saharan Africa; the income of the first six Japanese corporations equals the combined GDP of Latin America, the top 10 corporations in the world have higher incomes than the less developed 100 countries put together." (Voinea, 2007, p. 21)

Professor Liviu Voinea in one of his papers, "*Transnational corporations and the global capitalism*", concerning the aggregate value of assets, shows that at the level of the most important transnational corporations 100 is of 8,000 billion dollars, half of which are assets abroad (outside the country of origin). Cumulative annual sales volume of these 100 corporations is of 5,500 billion (for comparison

this is 60 times higher than Romania's GDP per year), out of which more than half (3,000 billion) are sales abroad. Also, the 100 largest transnational corporations have together 14.6 million employees, of which almost half (7.2 million) are abroad. The same author says that among the most powerful corporations around the world, four are American, four are European, one is mixed and one is Japanese. The top 100 corporations, 50 are European and 25 American. The largest corporation in the world works in electrical and electronic equipment industry, but in the top 10, 4 are in oil industry and 3 are corporations in the automotive industry. Among the top 100 corporations, 11 are in the automotive industry, 10 in the oil industry and of 9 are in the electrical and electronic equipment industry. It is also remarkable, the rise of transnational corporations in the recently privatized services such as telecommunications, utilities, and postal services - which together represent almost 20% of the top of 100 transnational corporations. Interesting examples that come to demonstrate, whether it was the case, how widespread the phenomenon of globalization has become today.

3. Romania in the Context of Globalization

Currently one can see that the globalization process in Romania has several consequences, namely: *positive consequences* referring to the geopolitical and strategic position that Romania has taken at the EU borders, in the Northern Balkan Peninsula, in Southeastern Central Europe, in the Wider Black Sea Area. As a positive consequence it must be noticed also the need for foreign capital, Romania being unable to produce this capital from internal sources. The globalization process in Romania has also negative consequences, that we may call them also risks. The Romania's role in the context of NATO member country, involves those risks that any member of an Alliance assumes when it fights against terrorism. There are other economic risks, which involve a struggle between business partners extremely powerful and skilful, on one hand, and on the other the states that have just embarked on the path of European integration. Globalization imposes a series of changes in the life of nations. We witness the dismantling of borders (Schengen space countries), new management supra-state structures such as the European Parliament, the European Council. Also, we more often encounter, right now in Romania, as the role of national financial institutions is taken more often by the IMF and World Bank. Still the globalization is "to blame" in Europe for the abolition of national currencies and the euro changeover (see the countries in Euro Area).

An important role can be attributed to globalization in reducing the role of national armies in favor of NATO. You should not comprehend that the national security elements of every state will disappear. But certainly they will resize towards a decrease, taking also into account the advantage of a collective military organization, it is more efficient and easier to support financially. Gathered together, these effects of the current process of globalization come to show us gradually that the nation state loses the role to which we were accustomed. Our lives, slowly but surely, will change as the world that we live in. Our country will suffer major changes. Romania will have to fight hard to impose its compelling values, such as language, culture, traditions, history for centuries. Note a very important aspect, namely that the cultural resistance of a state is not *anti-globalization*. The resistance through culture of a state means its fight for *denationalization*. From this viewpoint we have many examples in Europe: UK, Germany and especially France.

Willy-nilly, Romania entered in a process of modernization. Integration in Europe is certainly a long process. Some experts in the field "see" Romania as a curtain of globalization. It is almost certain that, in case the country fails to evolve rapidly in all areas, it will remain in an area that it increasingly takes shape. This is an area which is increasingly spoken of, a lower class area, much different from the

Western Europe countries. It is rightly said that globalization makes the strong stronger and the weak weaker.

Globalization can be compared with gravity – it should be accepted as a "physical" phenomenon that it is pointless to try to repeal or avoid: but you have to necessarily understand it, in terms of causes and effects in alike. And to use it without letting it destroy you. Especially for small nations, as it is the case of Romania, understanding this phenomenon and the action in the meaning of "aikido" - use his power and do not let it crush you – it will make the difference between losers and winners. (Chirovici, 2001, p. 125) Currently, Romania and its areas of interest face about the same political, economic, social and military risks and threats, capable of endangering national security of Romania: the regional instability, proliferation of weapons of mass destruction, international terrorism structured in cross-border networks, dissemination of mass destruction weapons and related production technologies; transnational organized crime, ineffective governance. In this context, although the danger of a major direct armed confrontation has disappeared, in the national security equation there are maintained sufficiently other traditional security risks, such as ethnic conflicts that erupted in the ex-Yugoslav area and there have appeared a number of political, economic or other nature difficulties generated by the transition or crisis process that occurs globally. Terrorist acts at the most individualistic level to an advanced organizational level, similar to a military organization, brought mankind, and therefore the security environment, in a particular dangerous state. The terrorism, organized in cross-border networks are a particularly serious threat to the international life, forcing the entire world to face an unprecedented situation: its splitting, thus weakening the global stability. These phenomena and processes have increased the complexity of the relationship between internal and external problems, which further complicates the way to identify the causes and methods of "treatment" of negative developments in the security environment. (Stan, 2008, pp. 28-29)

For the coming 20-25 years the threats sources to security, as areas of endeavor, will maintain their currency, but they will have a more complex nature. Characteristic to their evolution it will be, along with the already known forms of endeavor, there will be new ones, as a result of the changes in the security environment that will take place on the economic, social, political, military, etc. background, throughout the world. Romania must face these challenges as well, which, by its geopolitical position, can cause significant changes in the expression of regional and international security organizations. We agree with the idea that in the current year the risks, threats, and vulnerabilities to security have a different degree of awareness in the world countries, in the very same area. There are sensibilities generated by the open historical issues, the level if economic development, military power, hegemonic ambitions, basic national interests, the membership quality or not a functional military alliance give perceptions new national or group meanings, nuances and particularities.[1] Thus, the national security can be provided either by reducing vulnerability or by preventing or reducing threats. This determines the orientation of national security strategy, which can focus inward, trying to reduce the vulnerabilities of state or outward, allocating forces and means to act directly on the sources of threat.

4. Global Measurements on Regional Security, Threats, and Causes

Globalization as a process of worldwide level has taken proportions, with all the advantages and disadvantages. It takes the form of dispatch in areas directly or indirectly linked of the evolution of human society in general and each individual in particular. Do we actually know who are the ones that

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[1] According to http://cssas.unap.ro/ro/pdf_studii/amenintari_la_adresa_securitatii.pdf

win and who lose from and because of globalization? The gain may be that by extending this process, barriers and limitations of traffic rights between countries and continents disappear, thus the movement of people is much easier. The losses due to globalization we might register as follows: a massive increase of serious disease; the lack of controls in different countries and continents have caused the high level of international crime; the risk existence of infiltration of those that form hidden cells infiltration of world terrorism; making vulnerable the security environment, due to different social manifestations.

We consider it appropriate to treat globalization and its influence on state security, especially at the global level of the society. The interdependence of states in the military domain comes as long distance networks, involving the threat or use of force pledge. With the end of Cold War we see an intensification of contacts and complex interconnections between groups which were previously hostile nations. Some treaties / alliances disappear (Warsaw Treaty); new ones form or others expand during the Cold War (NATO). New alliances are formed, the old ones reshape, all in order to face the new challenges and threats to the national security or world peace, in the new environment created by the growing interdependence among nations. The states adopt new measures, they re-establish their security policies towards the formation of alliances, shifting towards integration into new or restructured old alliance to counter the new threats of the globalization era, which no longer are exclusively and can be addressed individually by each country. A very eloquent example, which supports the above statement, is the role that has played Al-Qaida Organisation in the events of 11 September 2001 and its influence on the global security policies. Globally, the military / security dimension is supported by the existence of satellites to gather strategic information and intercontinental missiles. It is increasingly used the integration concept of national armies in a regional or international structure. A specialized common vocabulary emerged, the notion of interoperability between the armed forces that form multinational, regional or international army manpower.

Globalization, as world integrator process, offers a new dimension of security through cooperation. This dimension refers to the desire/need for states to join together to seek peaceful solutions to old problems of war and peace. The examples in this regard are the UN or OSCE. These bodies have failed to fulfill their promises, although at the organizational, security policy and cooperation level they were quite well. Because of this, today they are trying to revive the concept of cooperative security, a redefinition of a security system in which all nations and all security organizations - be they sub-regional, regional, international or global - coordinate their efforts. They are called upon to cooperate more closely to achieve the same common goals - *world peace*, understood not just as a lack of war but as an environment of economic and social development. Another advantage that globalization brings in the security layers, but also globally, is the savings that can be achieved by a multinational approach of the national and international security. The economic benefits by reducing public expenditure for defense and by opening the access to world trade would be in the benefit smaller countries that can not ensure their own security needs. A global defense strategy would have as principle the idea that defending the national territory is the only legitimate objective of national military forces. Security through cooperation, in a global context, would have as central objective preventing states to acquire or use means for an offensive against another the state. Sanctions against states that fail to comply will include the non-military sanctions, particularly economic, and the use of force will be used only as a last resort.

Cooperative security system has the advantage that it can lead to lower costs while increasing its effectiveness.

5. Global Security Implications on the National Security of Romania

Globalization describes a new era that stands on the ruins of the old Cold War era. It is rooted in a world economy in course of becoming global under the pressure of accelerated technology development, especially the computer, telecommunications, and transcontinental transports. Globalization makes it increasingly difficult for states to live in isolation. It quickly erodes the boundary between external and internal policy as that of the economy and security. Globalization has many benefits, like cheaper access to communications and intercontinental transport, but also inconveniences, at this point it is was registered an intensification of transnational organized crime activities. Countries with democratic governments may make the policies more flexible, that can adapt more easily to globalization, becoming the beneficiary of this phenomenon, while countries with authoritarian or dictatorial regimes, being more rigid, they quickly become victims of it. The Federal Republic of Yugoslavia or the former Iraqi regime imposed by Saddam Hussein are now classic examples. For the world states and especially NATO and EU member states the main challenge is how to seize the opportunities that globalization offers, while minimizing the potential risks. An appropriate response to such a challenge requires a better understanding of the globalization and its effects. It also requires a holistic integrated approach, in all areas of national security. Globalization is not a static but a very dynamic process. It is presented in several forms, of which only one is economic. The central elements of globalization *are the increasingly fast cross-border flows goods, services, labor, money, technology, information, ideas, cultures, organized crime, and weapons.*

As a result of the increasingly transnational feature of the main risks, especially terrorism and organized crime, the security increasingly relies more on cooperation, hence the fulminating evolution of the concept of cooperative security. In terms of national security policies, globalization requires states to integrate military and non-military elements of power. The key to such effort is close coordination of political military, economic, public policy, information services, culture, science, and technical domains. Politicians as well as military and civilian strategy must take into account more the historical, cultural, technological, religious, environmental aspects, that occur in the management of new security issues. The globalization produces more than restructuring of economy and communications but it redefines the nature of world politics and security issues. Globalization nourishes the major tensions that affect the international relations: integration-fragmentation, internationalization-localization, centralization-decentralization.

In the field of power, globalization favours the emergence of new centres of power among them the best known are *the transnational companies and international non-governmental organizations*. These new international actors make full use of information era benefits, in order to ensure the fulfilment of their objectives and for asserting and consolidating its presence in the new global game of power. Finally, the alliances and allies are essential to manage the security aspects of globalization and to ensure both the success of their efforts at the lowest price.

The positive effects of globalization are that it will lead to the integration of the states' economies in the global context of international market. This integrating aspect of globalization makes possible the accession of countries which are smaller or have less developed economies to wider markets, to a greater variety of products and goods, to a movement of capital and labour.

Removing trade barriers leads to an increase of exports and it attracts investment, thereby increasing the international competitiveness, determining the melioration of productivity and increasing exports, thus improving the level of economic development and integration of the trade and economy of a country. The global competition leads to global cooperation, and trade liberalization exchanges, it implies a

"greater division of labour between societies." At the same time, the advanced technology provides a communication forum for organizations and individuals who, generally, are ignored. Offering these organizations and individuals the possibility of speech, the technology increases the chances that their preoccupations are known and maybe analyzed.

The negative effects of globalization refer to those aspects which show a non-uniform or homogeneous distribution of benefits, which we have noted above, that the phenomenon of globalization could bring. It appears that the countries included in these growing phenomenon record economic indicators, hence poverty reduction, while those that are not integrated in this process are subjects to a deepening of poverty. We believe that globalization is ultimately a zero sum process. Rich countries become richer while the poor sink further into poverty.

The global financial markets can undermine a country's currency value, forcing its government to change its national economic policy and to adopt the desirable measures and decisions at global level, but sometimes undesirable at national or local level. Furthermore, because of the interdependence created by the globalization, an economic crisis occurred anywhere in the international economy, can be felt by the all other economies, sometimes with devastating effects on the national economies (see the current global financial crisis). Multinational corporations, international financial markets, transnational communications systems (such as Internet or satellite television) and transnational organizations (intergovernmental, such as the European Union or non governmental), operate outside the control of nation states and yet have a profound influence on what happens inside. Thus, the power that exists outside of nation-states, in the context of globalization, tends to restrict the activities and limit the power of national governments. As we can see, opinions are divided on the benefits or disadvantages of globalization. From a cultural perspective, one can say that globalization has both negative and positive consequences.

Socially, it limits and increases income differences between and within nations and, politically, it increases and reduces economic and political power and it mixes and / or augments cultural identities. The challenges of globalization can be frightening for some. There is no doubt that globalization will force world citizens to participate or to attend to the profound changes of perspective as well, sometimes painful, in the normal way of life. But if the changes are deep and great, there could be opportunities it as well. Globalization is positive or negative depending on where and how a country relates to it. (Zulean, 2003, pp. 106-121)

The main agents of globalization were originally soldiers, merchants, preachers and adventurers, whose attempts have been known since antiquity, both in the writings of historians and by the great epics bequeathed by great authors of world literature. *Today, the most powerful force that can spread the democracy ideas and human rights throughout the world is in the information technology revolution, which began in the second half of the last century and whose instruments are composed of mobile telephone, TV and Internet.* . In real time, innovations such as satellite television connect human emotions on different continents, bringing them to tears at the same events from two different sides of the ocean. Free access to information also helps to achieve emotional and political ties at the same time: as the tragic events of 11 September 2001 created an instant wave of compassion in support of American nation, as the devastating tsunami at the end 2004, which destroyed much of the coastal area of the South-East Asia, has also produced a response of human solidarity across the world, hard to imagine not long before.

International Monetary Fund has defined globalization as "the growing international integration of markets for both goods and services, and capital." The term "globalization" is used to explain and give

meaning to the content specific to modern capitalism, although not all processes that are component parts of globalization are new. A special attention is paid, in the context of globalization, to the application of great technologies (mostly using the gains of information revolution) in the production process, but also the changes that occur simultaneously, in organizing, management and communication at the level of economic units, state, its institutes and its entire society in general. (Frunzeti, 2006, pp. 12-13)

6. Military Globalization – A Part of Globalization

Globalization is present, as an integrating global phenomenon, also in the international security. In the military organizations, at the national level, there have been noticed a strong and influential presence of a networking process with other similar organizations in neighbouring state or from a larger region of the world. Because human and material resources, infrastructure, communications, computer system in general and their security are becoming increasingly invoked as vital for the "global society", the phenomenon of globalization covers highly visible the security area. It is important then for all states to protect their interests, individually or cooperating with other states under the protective umbrella of a global or regional organization. Today's military strategies set as the objective of military missions not their destruction, but to determine the acceptance of peace and cooperation. Therefore, when selecting the means, methods and forms of armed struggle, the strategy must limit, wherever possible, their loss and destruction, precisely because the states are in a state of growing interdependence among them. This is why the army requires the research and industry to produce new types of non-lethal weapons that cause limited and selective damage, to have long-range and act in real time[1] (Klimenko, 2002). Therefore, it can be concluded, that globalization is not a recent phenomenon. It is a protracted, stable, objective, dynamic and fast growing process, that falls within the international community's development patterns and that no policymaker or military can afford to ignore. Some analysts concluded, referring to these issues, that NATO itself is a globalization manifestation of military affairs - with global missions, action and partners[2] (Nazemroaya, 2007). If we take into account NATO's commitment to ensure energy security for its members, it becomes obvious the militarization of the vital centres of the world, mainly the oil and gas pipelines, international waters and maritime corridors used by oil tankers. In conclusion, it can be said that the effect of globalization on the state security and military affairs as a whole, is a very obvious one.

7. Conclusions

The main conclusions are the following:

- *Military globalization* can be perceived as a network which is in constant development of military ties and relationships on a global scale;

- In a period in which states have ceased to be the only important actors in the international arena, there is the tendency for some to dominate others which is maintained and intensified, *the war for resourc*es is still valid and the competition for power and supremacy is increasingly more fierce;

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[1] Klimenko, A. F, *Globalization and its impact on military politics and military strategy,* Military Thought, findarticles.com/p/articles/mi_m0JAP/is_3_11/ai_94329285/pg_3?tag=artBody.
[2] Nazemroaya, M. D., *The globalization of military power: NATO expansion. NATO and the broader network of US sponsored military alliances*, Global Research, www.globalresearch.ca/index.php?context=va&aid=5677.

- While the dynamics of international relations favours the efforts to promote the construction of a new international balance, it is imperative that there is a *system for managing issues of insecurity and for timely warning* about the materialization of indicators that portend threats and risks, exacerbated by the existing vulnerabilities at national, regional and global level;

- Just as, or globalization did not happen overnight, most likely *it will not solve the current economic crisis* with all the consequences that generate vulnerabilities on the international security, it will find its resolution instantly;

- The psychological factor of insecurity and mistrust has seized each man, creating a state of total confusion. What is particularly important until then is *providing a general, economic, social and especially political equilibrium* that would prevent the emergence of a disastrous effects spark at the national level of different countries or even for all mankind;

- Clear separation between the *developments in domestic and international environment* is increasingly difficult, in the context of conjugated action and interlocking some processes which can create favourable conditions for the predictable and unpredictable emergence of some risks to national security;

- Because the globalization is a surprising global process, which does not wait, Romania will have to integrate as quickly as possible and favourably on the international markets of goods, services and capital, which can decisively influence the Romanian security;

- The use of political ability of Romania to *the possibilities offered by globalization* in order to promote national interests (economic and security).

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THE 6TH EDITION OF THE INTERNATIONAL CONFERENCE
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Lobbying in the European Union: Practices and Challenges

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Abstract: The aim of this paper is to present the concept of lobby activities and its regulatory methods in the European Union with a main focus on Belgium. Lobbying is a worldwide practice that can provide policy makers with invaluable insight and data for more informed decision making. However, lobbying is often perceived negatively, as giving special advantages to vocal vested interests. Concerns that negotiations carried out behind closed doors could override the interests of the whole community push lobbying to the political agenda in many societies. To maintain trust in government and in public decision making, many EU countries are considering developing or updating regulations to shed more public light on lobbying. Lobby activities represent a democratic mechanism for those actors who are involved and participate in the decision making process. The main objective of this paper is to analyze the reasons why civil society, institutions and companies have a special interest for developing lobby activities. The paper also presents the case of the largest lobbying association in Brussels which emphasize several reasons confirming the necessity and the efficiency of lobby activities. Based on lessons learned from EU lobby practices, the paper highlights the reasons why in Romania the legislative framework concerning lobby activities is absent.

Keywords: interest groups; NGOs; lobbying; globalization; EU public-policy making

Lobbying is a worldwide phenomenon and globalization has established similar lobbying techniques, standards and procedures for enhancing transparency across continents. Lobbying is a reality in government decision making. But some concerns in many societies are pushing lobbying onto the political agenda. Lobbying is often perceived negatively, as giving special advantages to „vocal vested interests" and with negotiations carried on behind closed doors, overriding the „wishes of the whole community" in public decision making. When lobbying reaches the political agenda, policy makers and legislators face the challenge of determining whether to develop standards and procedures for enhancing transparency in lobbying. If the response is yes, a further challenge is how to choose from available options, such as legislation, regulation ‑ voluntary or mandatory ‑ or a policy that is balanced, fair to all parties, enforceable and adequately addresses concerns within their own socio-political and

administrative context. The globalization has established similar methods of lobbying reason why actual lobbying practices are deeply embedded in a country's democratic and constitutional setting. That is why the legislation cannot simply be copied from one jurisdiction to another, as they are interrelated with constitutional traditions and rights, for example to petition government, and mechanisms for interest representation and consultation mechanisms, such as "social partnerships". Lobby practices are aimed at influencing the governmental decision-making, rather than simply at raising awareness and the advocacy is a constant component of lobbying without necessarily implying lobbying. If it is exercised properly, lobbying can strengthen accountability in government and the participation of citizens in policymaking. But if lobbying becomes an excessively elite profession, exclusively serving well-financed special interests, it can become quite damaging to the citizen's perception concerning the political legitimacy. Public authorities have a principal task to establish standards of conduct for public officials who are the target of lobbying. Public officials are responsible for ensuring that their contacts with lobbyists are conducted in accordance with relevant principles, rules and procedures, in particular to ensure impartiality, providing authorized information, enhancing transparency and avoiding conflict of interest.

Lobbying represents an effort to influence different levels of government (local, national, regional or transnational) or different branches of government (judicial, legislative or executive). It can be carried on by many different actors with very different objectives, such as corporate lobbyists, contract lobbyists, not-for-profit lobbyists, public relations professionals and even governments attempting to influence each other. Some lobbyists may carry out lobbying activities as incidental to other activities, such as lawyers pursuing the legal interests of their clients or political activists attempting to influence elections. Lobbying can take the form of "direct lobbying" contacts with government officials or as indirect appeals to the general public to influence governmental decisions, generally known as "grassroots lobbying." Lobbying serves a governmental function and its entire purpose is to influence public policy. In a democratic society, governmental functions need to be transparent for gaining legitimacy. A definition of "lobbying" provided by the Public Relations Institute of Ireland, Chartered Institute of Public Relations and the Public Relations Consultants Association reveals the specific efforts to influence public decision making either by pressing for change in policy or seeking to prevent such change. It consists of representations to any public officeholder on any aspect of policy, or any measure implementing that policy, or any matter being considered, or which is likely to be considered by a public body. This is an adequate definition for self-regulatory regimes of the profession, since self-regulation essentially relies on voluntary decisions to join a professional lobbying association or to voluntarily register as a lobbyist with any other entity. In a broad view, the term "lobbying" is used when speaking about the creation of an opinion trend favorable to changes. In a narrower view, lobbying is defined as the totality of actions developed by groups of interest or by their representatives through legal and legit methods, actions undertook in order to influence the drafting of policies and the decision making process in public institutions. This definition is also used by the European Commission, when defining the activity of interests' representation at the level of European institutions: "the interests' representation designates the activities developed with the purpose to influence the drafting of policies and the decision making processes of European institutions". The lobbying activity is complex and multidisciplinary. It includes substantial economical, juridical, sociological and political analysis as well as communication and public relations strategies. A part of this activity is the representational one; that refers to the direct contact between the factors of decision regarding specific issues having the purpose to influence the adoption and change of legislation, to introduce new legislative proposals or to influence the draft of public politics; all the above in the spirit of public interest.

Lobbying is a practice of attempting to influence legislation. Lobbying is performed by agents, called lobbyists, of a particular interested group, known as the lobby. The lobbyist may request votes either for or against pending legislation. The term derives from the way in which these agents formerly confronted legislators in the lobby or hallways directly outside a legislative chamber. Lobbyists may represent such varied interests as agriculture, transport, professions such as medicine and the law, or such groups as women voters or conservationists. The concept of lobbying goes back many centuries. The essence of lobbying involves solicited communication, oral or written, with a public official to influence legislation, policy or administrative decisions. Although lobbying most often focuses on the legislative branch, it does also occur within the executive and sub-national governments as well, for example by influencing the design of development projects and the award of contracts. Although lobbying is considered a legitimate activity *per se* across many EU countries, it has still various negative connotations in some societies. In order to combat outright abuses, countries have already established criminal provisions against illicit influencing of public decision making, such as trading in influence, bribery and other forms of corruption. Merely penalizing illicit influencing of public officials, however, may not be sufficient to maintain trust in public decision making. There is a growing recognition that regulations, policies and practices which require disclosure of information on key aspects of the communication between public officials and lobbyists have become vital aspects of transparency in 21st century democracies to empower citizens in exercising their right to public scrutiny. Measures promoting a culture of integrity are also an integral part of the "good governance" approach, particularly those that clarify expected standards of conduct in lobbying for both public officials and lobbyists. In any European society, a complex and fruitful interaction is constantly happening between public office holders and various stakeholders. Lobbyists can contribute to more enlightened decisions by public office holders since they provide, on behalf of stakeholders, an informed point of view which may merit consideration. Lobbying is an intricate part of this interaction between public office holders and the multifarious vested interests or interests groups that compose European civil societies. Due to this context of globalization, lobbyists even attempt to reach and to influence governments from outside their national boundaries.

Public officials should conduct their communication with lobbyists in a way that bears the closest public scrutiny, in particular:

- ensuring impartiality - by avoiding preferential treatment, providing balanced opportunities for various interest groups to make representations, and by ensuring that information provided to one interest group is also available to all other interest groups.

- providing authorised information - by avoiding the leak of "confidential information" that is not available to the public, such as classified government information (*e.g.* on policy intention).

- enhancing transparency - in public decision-making processes by disclosing information on communication with lobbyists and information received.

- avoiding conflict of interest - by disclosing relevant private interests, such as relationships, business interests, investments, outside employment negotiations or job offers that may create actual, potential or apparent conflict-of-interest situations in the decision-making process.

The first attempts to regulate lobbying in the USA were made in the early 20th Century. In 1946, the first normative act was endorsed, modified half a century later in the "*Lobbying Disclosure Act*" (1995). The Law defines lobbying as *any oral or written communication addressing any official in the legislative or executive powers*. It must be done on behalf of a client and seeks the drawing up, modification or enactment of a particular federal legislation or regulation, executive order, political programme or

position of the US Government. Lobbyists must be registered with the Senate and Chamber of Representatives administrative offices and they are submitting activity reports every six months.

The European and American lobby models have background differences due to the political systems. The existence of a lobby law in USA is explained by the over 100 years tradition of this activity allowing the development of well structured legal framework. The European lobby model is not based on a lobby law. In the European Union, especially in Brussels, such a law is not wanted, since there are other ways of maintaining a legitimate activity framework in the lobby field. In January 1997, European Commission (EC) published a catalogue of the groups of interests operating at a European level, after defining guidelines for EU lobbying in 1996. In exchange for the Parliament access permit, lobbyists are bound to register and sign a code of conduct similar to the American one. Nowadays there are more than 15,000 lobbyists in Europe's political capital, Brussels to promote private interests. As such, it comes second after Washington DC, where 25,000 lobbyists are known to lobby the Congress. There are only 6,500 Commission officials involved in policy making and they are the prime target of lobbyists. Out of the total number of lobbyists, only 40% (approx. 5,000) are accredited lobbyists to the European Parliament. The largest number of accredited lobbyists are Germans (approx. 640 accredited lobbyists) followed by English (approx. 350 accredited lobbyists), the French and the Italians (approx. 290 accredited lobbyists) and the Spanish (approx. 170 accredited lobbyists). The European Parliament acknowledges groups of interests as a positive fact in itself, and generally supports appeals to bind such groups to make public data on their activity. But certain voices in Parliament complain over the weakness generated by the heavy dependence on lobby group recommendations, and support, on the contrary, the employment of additional staff in expert committees.

The lobbyists as professionals go to great lengths to get close to the lawmakers. From invitations to dining in fancy restaurants to setting up television screens in the Parliament's long corridors in order to supply information displays are just some of the tricks of the job. The most important asset for lobbyists is the Contact book. A successful lobbyist spends years building up contacts and knowledge of the system. The key to good lobbying in Brussels is to build up strong relationships with bureaucrats, some of whom stay in office for decades. The decisive factor is not how big you are, but how influential you are. In the world of contacts, it is not the number of people that you know that counts, but who you know. More than half of the laws enacted by European national Parliaments now originate in Brussels. In areas such as environment, areas having a huge impact on business, the proportion can be 70% or higher, according to Enrique Tufet Opi, director at Weber Shandwick, leading communications consultancy. The institutions need lobbyists to provide them with an insight into the impact of EU policies on the real world. According to Michel Burrell, Vice-Chairman Edelman Europe, there is a mutual respect between the lobbyists and the decision-makers: "to be an effective lobbyist you need to build long-term relationships and this is possible if your interlocutor trusts you and acknowledges that you are operating to a set of appropriate ethical standards."

The European Commission spends over EUR 1 billion a year on developing the expertise of non-governmental organizations (NGOs) and on encouraging them to participate in the European decision-making (e.g. in the healthcare or environment sector) to make up for the much discussed *information shortage* in the European decision-making process. NGOs are a major feature of the Brussels networking environment and play an important role in the formation of policy at EU level. The NGOs further the democratic process and making the EU more accountable by allowing issues of concern to citizens to be put forward. Since Dutch and French voters rejected the EU constitutional treaty in 2005 this process of including civil society in EU decision-making is seen as even more important. But critics see some of these NGOs as seeking to influence policy at EU level to further their own ideological

views. Two areas where NGOs are both numerous and vociferous are international development and the environment. In some areas of development policy the European Commission has set up an elaborate process of consultation where NGOs can submit opinions on Commission initiatives, meet officials and commissioners. Since 1998 the Commission's Directorate-General (DG) for Trade has organized regular meetings with NGOs through the "civil society dialogue" aimed at involving all stakeholders in important trade negotiations and making the process more transparent. On some issues where NGOs are known to have a particular expertise, their views are welcomed and taken on board. This is mostly seen in the area of humanitarian assistance where the Commission does not deliver assistance itself but funds organizations such as the United Nations, Oxfam and Médecins Sans Frontières to decide what aid should be provided and how.

The European Parliament is also a sympathetic ear for NGOs and regularly launches joint campaigns to fight off unwanted policy moves by the Commission and member states. One example was a campaign by the Parliament's development committee with NGOs over the Commission's "development co-operation instrument" which sought to alter the way development money would be spent and reduce the need for consultation with the Parliament. Environmental NGOs appear to have had more success than development NGOs. Apart from running effective campaigns, a consensus has built up around the environment agenda which is broadly supported by the EU institutions. Successive environment commissioners have also been close to the environmental lobby groups and have been effective in batting off corporate interest groups which can be opposed to environment-friendly policies. Part of the reason for the success of the environmental NGOs in Brussels is the power that the Commission has to draft and enforce laws in this area and the fact that European citizens often see the EU as a watchdog against their own governments on environmental issues. Eighty percent of environmental laws are drafted by the EU. As consensus across EU governments is growing to address this problem further, environmental NGOs can expect continued success in the future.

The EU is a dynamic system under constant change due to its historical reasons, structural reasons, etc, having outstanding features such as a multi-layer structure and the combination of supra-national and inter-governmental elements in the decision-making. During the policy making cycle, responsibilities and competences shift and, with them, actor constellations and the rules of the game. Agenda-setting and policy-formulation are EU's prerogatives, whereas implementation is the sole responsibility of the Member States. Depending on the subject-matter, decision-making powers are distributed between Community institutions in different ways, which all add up to a highly complex system of governance. The European Parliament acknowledges groups of interests as a positive fact in itself, and generally supports appeals to bind such groups to make public data on their activity. But certain voices in Parliament complain over the weakness generated by the heavy dependence on lobby group recommendations, and support, on the contrary, the employment of additional staff in expert committees. The European inter-institutional approach is fragmented. Thus, the invitation to register and to accept the Code of Conduct applies for interest representatives in their dealings with the European Commission only. The voice of any group of interests should however be channeled in EU trough an inter-institutional one-stop-shop register and code. A closer cooperation in this area is expected from the Commission, the European Parliament, the Committee of the Regions and the Economic and Social Committee. The influence goes with an interest group's capacity to provide what is most needed: technical expert knowledge, assessment of political response and support in implementing chosen policies.

Society of European Affairs Professionals

The Society of European Affairs Professionals (SEAP) has been in existence for more than a decade. It is the largest lobbying association in Brussels with more than 260 individual members, and focuses on developing professional standards for lobbying the European Union institutions. Though SEAP offers some educational events and training seminars, its emphasis is on developing cooperative relationships between the lobbying community and members and staff of the European Parliament, European Commission and European Council. SEAP works with members and staff of the European Union institutions (EU) advising on proper procedures governing access to the premises and governmental officials. It also provides the networks making that access much easier.

To promote standards of professionalism within its ranks, SEAP has adopted its own SEAP Code of Conduct. The code was first adopted in 1997 and modified in 2009. Recent changes to the Code include creating a procedure to discipline members for violations and, importantly, mandating that all members take a 90-minute training seminar on the content of the code. The ethics code is succinct and non-prescriptive. It lays down general principles of behavior rather than an exhaustive list of do's and don'ts. The code requires that lobbyists disclose their identities and the identities of whom they represent. It also prohibits lobbyists from offering any financial inducements to staff, officials or members of the EU institutions, which includes a ban on employing current EU officers. Former EU personnel may be employed by a lobbying firm if in compliance with the rules of the EU institution. SEAP lobbied extensively on the European Transparency Initiative, a legislative campaign in the European Commission to establish a lobbyist registry. SEAP opposed a mandatory registry, but was comfortable with a voluntary system of lobbyist registration. The association opposed financial disclosure for lobbyists and the imposition of an ethics code by the government. The final registry of the European Commission conformed to much of what SEAP lobbied. Registration is voluntary and lobbyist names are not reported. Only total expenditures of a lobbying entity, such as a corporation, firm or organization, are disclosed and associations may follow their own codes of ethics rather than the code suggested by the European Commission.

Brussels is a "kind of village" and, as in a village, people need to be well plugged into the gossip that they need to know. The most effective lobbying is the one that is made in the early stage, early in the decision-making process. Good lobbying is based on in-depth knowledge of the subject and a clear understanding of how the institutions work. This is how the best client-consultancy relationships function with the client providing the facts from the front line and the consultant adding an appreciation of how those facts can most effectively be deployed. Clients can also benefit from the objectivity that their consultants can bring and their ability and willingness to convey unpalatable feedback. The interests promoted are primarily related to the European trade federations (35%), trade consultants (15%), private companies (13%), NGOs in healthcare, environment or human rights areas (13%), private business and trade union sectors (10%), regional representatives (8%), international organizations (5%) and think-tanks (1%). Adding to these are the official delegations of another 150 national governments, plus national lobby platforms (e.g. Dutch European Affairs Platform, Czech House).

European public policies swing between two poles of interest: national versus European and public versus private. Decision-making vectors emerge from specific national public or private interests who may be broadened to a European public or private level and vice-versa. While companies in the European Union recognize the importance of lobbying at the European and national level only a few have their own representation office in Brussels. Yet companies need to be compliant in many sectors

e.g. consumer protection and producer liability, work safety, product certification, technical regulations, standards, food quality and safety, environmental protection, rules of competition, labels, trademarks, patents without talking about the new legislation that is bound to affect their business. More than 70% of national commercial law is based on decisions taken in Brussels. Companies are finding more and more that their markets are shaped by regulations established in Brussels. Today's business strategy must therefore be based on the legal instruments that the EU is likely to introduce. Companies that understand and work to impact the EU legislative and regulatory arenas deliver great rewards to their shareholders. On the other hand those that ignore Brussels miss opportunities and are often left behind by policy-makers and more active stakeholders. For internationally oriented firms the EU legal and political framework is crucial for the development of their international operations and having a permanent representation in Brussels allows them to stay in direct contact with politicians and officials at the EU level. The prime purpose of the Brussels office is to promote and ensure the influence of the company in European policy and decision-making on both European and international issues that affect the company's business. The Brussels office allows a better coordination of the lobbying strategy, monitoring policy developments, building contacts with relevant MEPs and Commission officials and taking care of the company's senior officials when they come to Brussels for meetings. In view of the increasing number of European legislation as well as regulations this task is of increasing importance. For a company's long term strategy it is essential to be well informed about developments in the EU. The Brussels office facilitates swift and efficient cooperation with the institutions. In short, the Brussels office serves as the ears and the eyes of the company by monitoring and forwarding information to headquarter as well as the voice and the feet of the company on the Brussels playing field by fine-tuning the efforts to lobby the EU process. Of course the opening of a Brussels office does not mean that companies will stop using the services of law firms, consultancies and leave the industry associations that represent them.

On the contrary companies want to be represented through all channels at the same time to maximize contact and coverage of the EU institutions and their regulations. The open structure of the supranational institutions and the complexity of the decision-making processes have created a multitude of opportunities, and challenges, to influence the decision-making process. The typically elitist nature of the system of interest representation at the EU level, having the timely access to the right information and being able to influence in the decision-making process, requires a strong presence in Brussels and insider knowledge of how to play the "Brussels game". Having a permanent office in Brussels with knowledgeable and skilled staff allows a company to further its interests and ensures a better profile of their organization within the EU bodies and it facilitates access to crucial information regarding opportunities and threats to a sector's interests. The lobby regulation is both a normative, and an institutional matter. At a normative level, we may choose between legislating on lobbying activities and registration of interest groups with a distinction between advocacy and lobbying. At an institutional level, the monitoring of actors in the lobby arena may be entrusted to a self-regulation committee (an ethics committee, as requested by certain civil society organizations). The committee activity should be regulated so as to clarify aspects related to the registration, investigation and disciplinary procedures available to the committee, to ensure its financial autonomy, its independence, objectivity etc.

The issue of legislation on lobbying has also reached for political support in many European countries from Italy to Central European countries. In Central and Eastern Europe only Georgia (1998), Lithuania (2001) and Poland (2005) have regulations for the lobbying as a distinct law. The experience of Poland reveals how the scope of draft legislation moved from the original repressive criminal approach to a good governance approach to promote transparency and accountability in the law-making process.

At the present Romanian has no active voice within the European institutions. The number of Romanian experts working within the European Council, the Commission and the Parliament is to increase from 150 to 1500 persons. Since January 1st, 2007, Romanian local and county authorities have the opportunity to take part in EU consultation mechanisms and to promote their interests in the European arena. But this unfamiliar situation for us requires the existence of specialized structures to facilitate the access to the European decision making as efficiently as possible. Representatives of Romanian counties and cities are thus seeking ways to promote their projects, using their own means or jointly with other agencies. The representation of sub-national interests is entrusted to county authorities, most large-scale projects as well as the EU regional policy strategy focus on the eight development regions. In Romania's case, the eight development regions currently lack legal personality and, as such, international representation rights. Notwithstanding this particular situation, counties have learned that they must work together, both as regards the contact with European authorities, and in accessing major project funding. Lobby is and must remain an activity that has nothing to do with the stipulations of the Penal Code due to its structured and professional form of addressing the decision makers. Lobby is much more than a persuasive action: it is a strategically analysis of the entire decision making process and of the political systems. It is an activity which the professionals conduct in the most transparent way, through specific means. In June 2010 was founded The Romanian Lobbying Registry Association (RLRA) with the purpose of contributing to the popularization and promotion of the lobby activity, viewed as a multidisciplinary activity, which requires juridical, economical, sociological and communication knowledge. In order to achieve the proposed goal, RLRA has elaborated and adopted the common principles and values of its members as well as the ethics code which governs the lobby activity. RLRA encourages all the organizations and persons that represent interest groups in front of public authorities to adhere to the Association. Non-governmental organizations, professional associations, think-tank organizations, lawyers, lobby and public affairs agencies are also welcome to participate in the demythisation of the lobby and advocacy activity by creating a climate of transparency and adhering to a self regulation system. Also, in order to promote the transparency in this kind of activity, RLRA launched The Registry of the Representatives of Interest Groups in Romania, available to all persons with lobby activities. The Registry is organized following the model of The Registry founded by the European Commission. The registration is independent to the quality of member of the Association but mandatory for the members of the Association.

All these explained and sustained issues, backed up by an active initiative for the transparency of the decision making factors, will lead to high standards of lobby practice in Romania.

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