**ROMANIA**
**MINISTRY OF NATIONAL DEFENCE**
**"CAROL I" NATIONAL DEFENCE UNIVERSITY**
**National Defence College**

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*Romania and the New Dynamics*
*of International Security*

**Convenors:**
        **Colonel Doina MUREŞAN, Ph.D.**
        **Associate Professor Alba-Iulia Catrinel POPESCU**

**June 25, 2021**
**BUCHAREST, ROMANIA**

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# ARGUMENT

**Colonel Professor Doina MUREŞAN, Ph.D.**
**Head of the National Defence College**

I am honored to write the introduction to these proceedings and I salute the meaningful efforts of all the participants, sponsors and organizers who made this conference and this volume possible.

The conference organized by the National Defence College – designed under the auspices of Strategies XXI – comes to life in a very difficult and challenging year, marked by the effects of the Covid -19 epidemics on all domains of human activity, reshaping the world as we knew it. In this context, the national and international status of the National Defence College designates us as an appropriate forum for setting the pace for the new national security agenda.

Our conference focuses on rethinking and strengthening security by identifying and analyzing the current threats, challenges and also prospects of the international environment.

Therefore, the conference encompasses two panels and, for this volume, four sections, each addressing topics of great interest for Romania in the new dynamics of the international security.

The first section is named *Security Studies and Good Governance* and focuses on the central idea of good governance as a way of building a more accurate and performant crises management and security system. We encouraged authors to analyze the theoretical changes in the domain, but also the challenges and case studies of international, regional and national practice of security. Papers referring to Romania's

position in regional and international relations and papers referring to national security sector reform were also encouraged.

The second chapter of the conference is titled *Geopolitics and geo-strategy* and starts from the assumption that it's hard to say what the future will look alike, but we should prepare for its effects. We encouraged authors to examine key regional dynamics, grand strategies, the future of the European security and to search possible scenarios for current conflicts and crises. Papers analyzing theoretical foundation of prognosis, foresight and strategic planning were also welcomed.

The third section, *Geoeconomy*, is particularly relevant for our times, when Covid-19 pandemic has created great tensions between multilateralism and national measures. The evolution of 2021 in the global economy will continue to be dominated by the pandemic and scrutinizing the current trends will help us understand what the post-pandemic world might look like. The articles in this sections try to envisage this future world, hopefully a more inclusive, resilient, and sustainable one.

Finally, our fourth section, *History*, also takes into consideration the past, which offers us numerous insights into the present and, of course, into the future. The contributors were invited to explore to what extent former and current strategists are using history lessons to guide their knowledge of the present and their prognosis of the future.

Looking forward to another rewarding cooperation, I kindly invite you to take part in the College conference debates that will be held next year, in 2022 and I thank again all the contributors to this volume.

# Prologue

# CONSIDERATIONS REGARDING THE ROMANIAN FLAG

## Academician Professor Răzvan THEODORESCU, Ph.D.[1]

Symbol of national sovereignty and with origins in the ancient military life, the flag holds a patriotic symbolism that goes as far as sacredness, the flag oath being everywhere a link of the soldier with the country he defends.

From a historical point of view, we know that our Dacian ancestors used in battle the symbol of the dragon with a wolf's head, that had a magical meaning about which much has been written, but it's only the other ancestors of the Romanians, the Romans, who systematized these military insignia. They had for pedestrians the so-called "vexillum", a cloth with zodiac signs for each legion, and the so-called "signum" which belonged to the cavalry. Starting from that, in the medieval era and the first modern age of the Romanians, the flag will appear, reserved for the infantry and the symbol of the cavalry.

Several such specimens have been preserved from ancient times; such is the flag of Voivode Ștefan cel Mare (1433-1504), on which the face of Saint. George, the patron saint of the Moldovan army, is embroidered - an exceptional piece of art, which, not long ago, was exhibited at the Louvre Museum in Paris.

Several other flags are acknowledged: the flag of Voivode Ieremia Movilă (1555-1606), a Moldavian bison; a white flag, of Voivode Mihai Viteazul (1558-1601), carrying the eagle of Wallachia, and a flag of voivode Șerban Vodă Cantacuzino (1640-1688).

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[1] Academician Professor Răzvan Theodorescu is Vice-President of the Romanian Academy.

Chromatically, the Romanian flags, all military, were red in Moldova and white in Wallachia. Then, in the modern era, following the Organic Regulations, Wallachia will receive the yellow-blue flag, and, Moldova, the blue-red flag.

During the reign of Alexandru Ghica (1796-1862), in 1834, Wallachia received the red, yellow and blue flag, while Moldova, under Mihail Sturdza (1794-1884), received a flag with symbols such as the ox and dolphins.

The next step was taken during the Union and the reign of Alexandru Ioan Cuza (1820-1873), when the three colors that had already appeared on the Wallachian flag became the features of the Romanian tricolor. Subsequently, the same flag bearing the coat of arms of royalty marked for decades the national symbol.

This coat of arms was removed and replaced in the totalitarian age with a "popular" one, which became our official coat of arms between 1948 and 1989, but afterwards the flag became again what it had been more than a century ago, namely a symbol of Romania and, in addition, a symbol of the Revolution and of the changes that have taken place over the last three decades.

Howdy!

# SECTION I:

# SECURITY STUDIES AND GOOD GOVERNANCE

CHAIRS:
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# ROMANIA'S DEFENCE CAPACITY, BETWEEN THE PROFESSIONAL ARMED FORCES AND THE TERRITORIAL FORCES

**General (r.) Ştefan DĂNILĂ, Ph.D.**[2]

*Abstract: Defense planning is a particularly important topic, which implies an analysis of the international situation, a realistic assessment of its own national security system, which involves medium- and long-term decisions. The allocation of resources should follow the defense policy established following a strategic analysis process, after the strategic objectives and level of ambition have been established. The construction of military capabilities is complex, is carried out over time and requires the allocation of financial resources and a predictable and coherent human resource policy. Discontinuous reforms, or the alteration of decisions with opportunistic, conjuncture solutions, adversely affect future programs and produce waste of financial and material resources, as well as social convulsions in human resources. The structure of forces on which the state's defense capacity is built must be increasingly professional to have a timely and effective responsiveness, and the resilience capacity for national defense should be based on the mental and armed resilience of the population in the case of temporary occupation of the national territory. Membership of NATO and the European Union increases resilience through the commitments of the two organizations to support the restoration of Romania's territorial integrity in the event of military aggression.*

*The increasingly technologically evolved human society requires a rethinking of the national mobilization system, both in terms of human resources and in terms of the involvement of the resources of the national economy. Maintaining the functioning of critical infrastructure, operationalizing industrial facilities and maintaining the capacity to provide the material and financial resources needed for the war effort are particularly important, and the workforce in these areas cannot be made available to complement military structures. Law enforcement and civil emergency forces will be engaged in the specific missions of each of them but may form bases of resistance in the case of national occupation. Participation in NATO and EU force structures must be in line with the force structure designed for national needs, renegotiated, realistically, in the medium and long term, with sustainable promises corresponding to common standards. Allocating a 2% defense budget is not the single and sufficient solution to achieving a credible and sustainable defense capability. Difficult, socially and politically impact corrective measures are needed, but any delay will produce increasing imbalances.*
*Keywords: Defense planning, national defense, NATO, Romania, European Union.*

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[2] Dr. Ştefan Dănilă is military pilot and retired general (four stars). General Dănilă has previously served as Chief of the General Staff of the Romanian Army (2011-2014), State Councillor and Head of the Defense Department at the Chancellery of the Prime Minister of Romania (2015-2016) and Military Adviser of the Minister of National Defense (2016-2017).

Defense planning, especially national defense capacity, is a delicate subject, difficult to discuss openly in many states, objectively and pragmatically, even in quite new NATO members from Eastern Europe. This results in inefficient expenditure, a continuous ambiguous state in assessing real operational capacity, opportunistic and often harmful commitments, and decisions. These weaknesses were revealed on several occasions by Professor Thomas-Durell Young in articles and analyses, some public, others less so[3].

In a discussion with the American professor, prior to his article on capability[4] planning, we looked at the circumstances and the main causes that negatively affected the efficient use of defense resources, citing both mentalities paying tribute to the education and personal development of leaders in the post-communist period, both political and military, but also quite large deficiencies in understanding the problem of national defense in a pragmatic context, on the "cost-effectiveness" model. The simplicity of Professor Young's arguments and their logic made my statement exceedingly difficult, but I was encouraged by his examples of similar situations in several states of the former communist bloc.

It is difficult to explain that, after decades in which the "five-year plans" had become scarecrows, but also opportunities for the exaltation of communism, after it had become a practice the lie of inflated results ("production per hectare", "five-year in four and a half years"), any discussion of multiannual planning is a dangerous subject. At the very least, it should be avoided in some communist states, especially in Romania, where any negative reporting meant loss of office, while the "swelling" of the results was the practice encouraged to obtain favorable assessments.

The entry into NATO was preceded by an objective assessment made by a group of experts from CUBIC (an organization backed by the US government), within the limits of access to certain information or the accuracy of that made available by the Romanian authorities. That assessment, or rather, those assessments, because studies have been made at the level of each service, even at the level of branches or mission needs, still exist in the archives and include clear recommendations for reconfiguring the organizational architecture and laying down the military bases needed for a minimum of credible and effective response.

Romania is a relatively young state on the world map, supported by the great Western powers, to counter the expansion of the Tsarist Empire, while the Ottoman Empire broke up in the second part of the 19th century. The wars in which

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[3] Thomas-Durell Young, *Anatomy of Post–Communist European Defense Institutions: The Mirage of Military Modernity,* London: Bloomsbury Academic, 2017,
Thomas-Durell Young, "Mission Command: Strategic Implications—Legacy Concepts: A Sociology of Command in Central and Eastern Europe," *Parameters,* 47, No. 1 (Spring 2017): 31–42, https://publications.armywarcollege.edu/pubs/3345.pdf,.

[4] Thomas-Durell Young, *Capabilities-Based "Confusion": Why Capabilities-Based Planning Systems Struggle,* The Korean *Journal* of *Defense Analysis,* Vol. 33, No. 1, March 2021, 95-118, https://doi.org/10.22883/kjda.2021.33.1.005

he subsequently participated, including the two world conflagrations, demonstrated the dependence of the Romanian state on the military support of other states, its own inability to defend itself or promote its interests. In fact, Romania's strategic interests have a relatively modest level of ambition, at the level of territorial integrity of a space populated by Romanians, in a unitary state, with declared independence, in which to manifest itself sovereign. Economic capacity, financial resources have not enabled the achievement of a significant military power that can deter any threat.

Status of NATO membership has been including participation in NATO's planning process, which involved taking on targets, which meant task force packages for certain missions, with a certain level of readiness, among one to six months. Apparently, simple obligations, since from what we had to contribute to the 'common basket' with a slice, established during a negotiation. After a far too generous offer, years followed in which the evaluation standards were discovered, the requirements for each package, the moment of truth being concrete in additional funds necessary to achieve the minimum requirements. Although these objectives had been significantly reduced even before the time of acceptance into the Alliance, the differences in approach and the superficiality with which the structure of the armed forces was built more prepared to contribute to the national economy, in particular heavy and unskilled work, became apparent. Morally worn-out equipment, many of them made on or under Soviet license, were hardly accepted by Allied planners (military forces of the other Member States) solely for temporary political reasons. The rationale was to familiarize ourselves with the process, to know our limitations and to build our new defense capacity in accordance with the NATO evaluation requirements already established.

It follows that a first step for future acquisitions was being taken, the operational requirements and technical specifications had a solid basis, namely the evaluation criteria. Moreover, it also seemed truly clear the number of equipment, derived from the objectives set. Here came the first reverse interpretation, in the logic of establishing the hypothesis with the result of the conclusion. The committed packages of forces were no longer part of a structure already set up for their own defense needs, they had become the main defense planning objectives at national level, without considering their need in a Strategic Defense Analysis.

The cut of the defense budget started in 2006 by around 30% from the previous budget (from 2.38 to 1.6), reaching as far as 1.3 of GDP at the end of the economic crisis of 2008-2012, while increasing its obligations for participation in abroad missions, called into question the obligations undertaken for NATO's packages of forces. Since 2011, 'force targets' have been transformed into 'capability targets', in substance the planning and evaluation standards being the same. Perhaps less lenient. Details of these forces cannot be presented in this paper because they are NATO classified information. For the same reasons, the results

of the evaluations carried out by the Alliance cannot be presented. What can be said is that these "capability targets" were maintained, for the most part, although the technique was changing, units were being disbanded, and some obligations had no corresponding in existence. Many of them have had and still have deadlines in the future and have even been postponed several times due to the lack of any major purchase of military equipment for a period of about 10 years, due to the reduced budget allocated. As Romania's contribution to Afghanistan was relatively high in terms of number of people, the results of the evaluations and the further postponement were accepted, even though the comments submitted were stinging.

The defense capacity of a country consists mainly of its armed forces, constituted in structures organized, equipped, equipped and trained for military action, of a violent nature (lethal), by the use of force, including their associated structures, supporting the main missions. In order to defend the country in the event of war, its territorial integrity, independence and sovereignty, the Romanian state has determined that all human, material and financial resources will be mobilized so that any aggression will be rejected. National defense capacity has been, and unfortunately, there is still a problem that only the Ministry of National Defense must solve. But there were also more difficult times, when the Ministry of Finance had a greater involvement, between 2006 and 2014, when the defense budget saw the dramatic cuts mentioned above. Although Romania had committed to purchase the necessary equipment to achieve the negotiated objectives, no major equipment was possible, except for C-27 SPARTAN transport aircraft and Piranha 3 transporters. The enlightening moment was when, at the Inter-Ministerial Council set up for military procurement, an undersecretary of the Ministry of Finance asked "how much would it cost us if the Air Police bought it from NATO?" That was all he understood from our membership in NATO.

After the end of the ISAF mission, with the reduction of forces in Afghanistan, but also amid the pressure of increasing the defense budget allocations of all NATO states to a minimum of 2% of GDP, the pressure to achieve the capability targets has become greater, especially as we have entered the deadlines due to many of them. Events in Ukraine, especially the Russian Federation's invasion of Crimea, have prompted NATO to adopt measures to re-ensure allies at the Eastern flank of the Alliance, followed by deterrence measures. In this context, Romania decided to advance an objective from the package of forces but requested support to operationalize a division multinational command. On the same time, other obligations followed the same path, postponed to another deadline.

In 2020, the long-awaited event, namely the Strategic Defense Analysis, was produced, a process initiated and validated at the level of National Defense Council. Although this process was carried out strictly at the level of the MoD,

involving some think tanks only in the first part, that of assessing the security environment and possible developments over the next 20 years. Moreover, the whole process was carried out in a serious constraint, that of the new National Defense Strategy of the country, developed by another collective. If a ten-year military modernization plan, previously approved by the same NDC, is added, confidence in the effectiveness of this analysis process decreases significantly. Distrust is accentuated by the lack of any revision of major procurement proposals previously submitted to Parliament and the Endowment Plan already approved by the same NDC. The presence of NATO planners for the renegotiation of "capability targets" earlier this year went unnoticed, with no surprises, the same approach, without any reference to the Strategic Defense Analysis process.

The main milestones for planning a sustainable defense capability should be, in the context of the above:

- Firstly, Romania does not have the capacity to defend itself against an aggression by a neighboring state with a higher military capacity (this state exists and high-level relations are blocked). Romania cannot defend itself in the face of aggression by two smaller states, with territorial claims towards Romania or even in the face of a single smaller state, supported by a regional power;
- Romania is part of the largest Political-Military Alliance, which provides security guarantees against an aggression by the Russian Federation, but also exposes it, as part of this Alliance, in the context of an open conflict between NATO and the Russian Federation;
- Romania is at a sufficiently short distance from the Russian Federation and can be hit with nuclear or conventional-laden missiles;
- Russian aviation can hit any target in Romania;
- Russian ships can block all sea routes of interest to Romania in the Black Sea, as well as all ports, in a relatively short time;
- Special forces of the Russian Federation can act in a short time in the area of the capital and ports on the Black Sea;
- Any kind of troop invasion is only possible from neighbors with territorial claims.

Romania must be able to react to the first air and missile strikes, as well as to attacks by special forces. Surveillance and research must enable any threat to be identified in the initial phase so that it can react. Since the use of the most advanced technologies in an armed confrontation is already a rule, anticipated by Bismarck, it is expected that in a confrontation with another state/alliance, high-precision drones, missiles and bombs, electromagnetic actions, cyber-attacks, at the same time as psychological attacks and diplomatic actions of denigration and prosecution of Romania. Therefore, Romania must have the capabilities with

which to counter these possible threats, even if the risk level of state aggression is quite low now.

The level of ambition can be limited to defending against aggression and limiting losses, without pursuing defeat of the enemy, when there is a strategic partnership with the US. Hence the military structures that Romania must carry out to have the necessary capabilities. Are they the same as the existing ones? What is the real operational capability of the current force structure? In the White Charter of Defense 2021 it was established that "in order to carry out the established missions and the level of ambition" the structure of forces for Romania's defense must have an "adequate response capacity, in line with plans drawn up at national and NATO level* ", which meet a number of 11 specific requirements.

*According to the level of combat capability, armed forces are organized into: forces ready for permanent action; high-level combat forces; low-level combat capability forces, ready for action after the completion/mobilization of the combat capacity has been increased; structures to be constituted for mobilization, intended for the generation/regeneration of forces, as well as for the implementation of the system of armed resistance on the national territory.*

Are the funds sufficient to achieve the new capabilities and maintain their operational capacity? Supplements may be necessary, in which direction? If they can be formed with less funds and contributions to joint projects of NATO or the EU, would it be right to maintain the current distribution of funds?

Does Romania aim for the ability to carry out preventive strikes when the attack / aggression is imminent? (just like Israel). At no point in its history did Romania have the military capability to defeat its enemy, except in 1919, when it was possible to take offensive actions to impose its will on the enemy, but the circumstances were favorable to these actions.

This is not apparent from the existing planning documents, and the funds needed for such a defense capability are huge given the possible opponents. In the White Charter of Defense 2021[5], the Prime Minister says that the document "took into account the conclusions resulting from the conduct *of the Strategic Defense Analysis,* being conceived in a new strategic paradigm, different from that of the last 20 years", the new paradigm starts from "the premise that in order to be effective we must be aware that the Armed Forces are being built in modernity, information, knowledge and new technologies"[6].

The waiver, the suspension of compulsory military service, has led to several disputes and continues to be the subject of discussion. The subject is still widely debated in several states, and the return to compulsory traineeship, even though for a period under the year has already been approved in some countries, including Germany.

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[5] *The White Charter of Defence*, *11.05.2021*, Official Monitor, Part I No. 499 of 13 May 2021, p.3.
[6] *Ibidem.*

What are the advantages of a mandatory minimum military traineeship? Firstly, the mass preparation of most men (in Israel and women) to carry out military actions, i.e., to use lethal weaponry effectively and appropriate tactics and procedures specific to defense missions. The living regime in this traineeship involves discipline, organized training, teamwork, proper nutrition, exercise and, last but not least, patriotic education.

Another advantage is the establishment of a reserve, a trained, able and registered human resource so that it can be relatively quickly reactivated for the basic missions, the defense of the country.

Also, a fact not to be neglected is to maintain a strong link between the Armed Forces and civil society, to maintain in the collective mind the institution's membership in the society which supports and defends it.

All these advantages, the question arises "why was this traineeship dropped?" The answer could be given by stating a few disadvantages, which can be seen as arguments for the professionalization of the Armed Forces. The evolution of technology makes it necessary to prepare staff for the use of modern equipment (according to the new paradigm, referred to in the White Charter 21), training that takes a long time and, above all, costs a lot. It is ineffective to give up the newly prepared staff to resume the process with others, which you will give up after another cycle. If we also add the fact that skills are necessary for the correct operation, which are formed over time, but which are lost relatively quickly if the activity is interrupted, we can infer that professionalism is preferable to superficial knowledge and the safety risks are lower. Another argument would be that of too large a number, of an oversized capacity with high support costs.

It could be inferred that the suspension of compulsory military service also led to a significant reduction in military structures and a new philosophy on the organization of the force structure. For the most part, these transformations were achieved, especially after 2007, with the approval of the Army Transformation Strategy. Many military units were disbanded, many facilities were made redundant, which constituted the necessary infrastructure for the operation of these units. The reduction of military structures meant, in a first reaction, the reduction of the defense budget, then the budget was reduced to reduce the structures. An increasingly dangerous game, which has affected national defense capacity to an alarming level, and this danger was explained in the National Defense Council of the country in 2012, being approved by an Operational Capacity Restoration Plan, starting in 2013.

The particularly important process of the Strategic Defense Analysis probably identified all the problems faced by the Armed Forces and identified solutions for the coming years. We can say that the current level of security, the highest for the Romanian state of all time, will last at least another four years and can be guaranteed until beyond 2030. After that, could be a very good time for a sustainable and efficient building of national defense capacity.

The financial resources are known, there is a minimum predictability, given the existence of the political agreement accepted by most political forces in the current Parliament, allocating 2% of GDP for defense, at the request of the President of Romania. Endowment programs are already approved for the next 10 years, and threats and risks have been carefully considered by military planners, in consultation with key think tanks with national security concerns.

Most likely, the new force structure, thought of as "Armed Forces 2024" or the future "Armed Forces 2040" will be different from hybrid structures specific to the period prior to the Analysis. Maintaining in the paradigm of "professional structure" involves the formation of operational military entities from peacetime structures, excluding completion with reservists (inefficient and too old concept), with sufficient framing to be able to respond to a high level of reaction appropriate to the security situation in the region. This structure probably has all the resources provided for the modernization of the equipment necessary for the mission and infrastructure, as well as those necessary for the training of personnel and maintenance of equipment. Of course, the remaining resources available will be directed to the mobilization cores, where territorial forces will be formed, which will be able to act as deep-sea resistance forces, in the unlikely situation at this time of invasion of national territory. These forces could be provided as a complementary structure, for the situation of aggression on Romania, their formation and training for the use of individual infantry armaments being possible in a relatively short period of up to six months.

Of course, the problem of mobilizing all the resources in the event of war is much more complex, but the Strategic Defense Analysis will identify solutions for modernizing the system, for its efficiency and sustainability. The complexity of possible aggressive actions, cyber vulnerabilities, critical infrastructure vulnerabilities make appropriate approaches to these situations necessary, maintaining and complementing personnel acting in these areas with non-firearms.

Compulsory military service could therefore be reactivated for a shorter period, in which most of the above-mentioned advantages, but at lower costs, are used for missions that can be performed by the reserve soldiers. This will also solve the problem of "volunteer reservists", more effectively than with the solutions so far.

However, a more effective solution could be to return to the principles and rules originally established for professional soldiers and gradations. The first condition would be to limit the maximum age as an active military for this category of military to 35 years, and to remain above this age in the category of reservists (a solution for the establishment of the operational reserve), or as an instructor, by passing into the category of non-commissioners, according to their selection and training process.

Mobilization, in the military sense, is a complex process of transforming a society to make a special effort, in a difficult situation, 'the state of mobilization is the totality of extraordinary measures which can be put in place, principally, in the political, economic, social, administrative, diplomatic, diplomatic, legal and military fields, planned and prepared in peacetime, as well as the actions carried out to implement them, according to the law, at the emergence or immunity of a serious threat which may affect the sovereignty, independence and unity of the State, the territorial integrity of the country and constitutional democracy'[7].

The entry into NATO generated a change/update of the national defense laws, so that new laws were approved, Law *No. 446/2006 on the preparation of the population for defense, Law No. 346/2006 on the organization and functioning of the Ministry of National Defense,* as well as *Law No. 355/2009 on the regime of partial or total mobilization of the armed forces and the state of war.* However, changes to the status of military personnel[8] and, in particular, to the status of soldiers and volunteer officers[9] have created an impossible situation, in which a force structure built on the principle of completion of mobilization does not have the minimum reserve prepared to be integrated into this structure.

The principles from which the law was drafted were established only by a few military personnel with experience in the field, specialized in the workplace, in the compartments, offices, wards or mobilization services, experience achieved by the application of laws, regulations and orders written long before, adapted and made-up, so as to correspond to the new situation, i.e. membership of the North Atlantic Alliance.

Reality is not in accordance with the law, arguments:

Compulsory military service is suspended[10] from 1 January 2007 and the operational reserve comprises only reservists. In reality, the states of organization at war are not enduring, as reservist soldiers from active service no longer exist. Successive changes to the status of soldiers and volunteer officers increased the maximum age for that service from 35 to 50 years.

Although the law states that "when declaring mobilization and the state of war or at the establishment of a state of siege, the performance of military service as a military officer within or concentrated/mobilized reservist becomes mandatory for men between the ages of 20 and 35 who meet the criteria to perform

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[7] *Law No. 355/2009 on the regime of the state of partial or total mobilization of the armed forces and the state of war*, Official Monitor, Part I no. 805 of 25 November 2009, art.1, apud https://lege5.ro/Gratuit/gezdsojsgy/legea-nr-355-2009-privind-regimul-starii-de-mobilizare-partiala-sau-totala-a-fortelor-armate-si-al-starii-de-razboi, accessed on 3rd May 2021.

[8] *Law No. 80/1995 on the status of military personnel*, published in the Official Monitor, Part I No 155 of 20 July 1995, https://lege5.ro/Gratuit/g44tsoi/legea-nr-80-1995-privind-statutul-cadrelor-militare.

[9] *Law No. 384/2006 on the status of soldiers and volunteer officers*, published in the Official Gazette, Part I No 868 of 24 October 2006, in force from 23 December 2006, being partially replaced by Law 270/2015, apud https://lege5.ro/Gratuit/geydamjqga/legea-nr-384-2006-privind-statutul-soldatilor-si-gradatilor-profesionisti.

[10] *Law No. 446/2006 on the preparation of the population for defence,* http://legislatie.just.ro/Public/DetaliiDocumentAfis/77597.

military service.", the mobilization records include those who have been active and retired (invoking Law 80/1990)[11].

It is not taken into account that many services for the institutions of the Armed Forces are outsourced, and in a war situation it is necessary to operate them at maximum parameters, in compliance with military regulations, not contracts for the provision of services.

Is it not clear the order of priorities for mobilization: the functioning of critical infrastructure, the transition of the economy to war production, with well-established goals, products and quantities in peacetime, the achievement of a defense capability adapted to the threat or simply the completion of staffed units, according to some organizational states?

The general reserve consists of incorporable who are largely not in the country. However, its training involves material and human resources, from infrastructure, specially constituted units (limited number, not most units), land and training ranges with a high level of protection against air strikes, equipment, and materials in sufficient stocks, updated and properly stored. Any comparison with the real situation can be dangerous.

Training of personnel to operate the current means of combat requires a relatively long time, plus tactical training, from group to battalion level (equivalent). Some weapons require a minimum of two years (pilots, divers, paratroopers, aircraft and helicopter mechanics, launch system operators, unmanned vehicle operators on board, computer scientists, air traffic controllers. The six months are insufficient, and it would be dangerous to bring under-prepared forces to fight.

If the first priority would be "the establishment of military structures", then there is a danger that some critical infrastructures inoperable, certain public services or even defense would be compromised, which would dangerously disrupt the entire social life, a danger as great as a direct blow from the potential enemy.

The priority of operationalizing the reception bases of allied forces and facilitating their transport are not envisaged, although Romania is part of a NATO Contingency Plan.

The construction of military structures is not correlated with available or available military technology and equipment.

The missions of law enforcement, police and emergency personnel are not clearly defined. To what extent can law enforcement be transferred for defensive kinetic missions under the conditions of hybrid warfare or total warfare?

Hospitals and public health facilities should be strictly regulated so as not to create confusion. Simply including them in the mobilization plans, without being established by law, can lead to dramatic situations.

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[11] *Ibidem,* Article 3, paragraph 1 shall be replaced by the following: (5).

Mobilization is no longer just about "taking the gun in your hand". Resistance formations may be organized for situations of strategic surprise (Lithuanian model), but this requires a different model of resource organization and even training of reservists.

The change in increasing the age limit for volunteering in active service to 50 has brought the greatest prejudice to the possibility of generating a credible reserve. At the same time isolated the Army from the rest of society, professionalization becoming a risk, insufficiently analyzed and controlled. Subsequently, under the military pensions law approved in 2015, the possibility of reducing the age limit for soldiers became null and void, with the right to a military pension. Therefore, a simple modification of a number had a negative effect on the entire defense capability. The voluntary reservist's law could not correct the situation, on the contrary, it made it even stranger. Thus, staff who opt to become a volunteer reservist must go through an instructional program (insufficiently substantiated), after which they will benefit from rights that those who have retired and are in the same situation in the mobilization states do not have.

Clarification of the objectives, missions and the organization of the active structure accordingly should be linked to the real possibilities for mobilization. Establishing a sustainable level of ambition with a capacity to respond to the real situation and with all the resources correctly assigned should help transform the military and prioritize resources. Whereas in the White Charter the government declares that "The ultimate goal is to strengthen the defense and deterrence posture, by developing those types of forces and capabilities that will allow us to fight back against any possible aggressor, regardless of the size of its force, in a manner that will make aggression against us too costly to be tried'[12].

The same defense planning document states that "in order to carry out its missions, the Romanian Army needs predictability and credibility. In this respect, the Romanian Army will size its structure of forces according to the level of ambition", which induces us the idea of a revision of the structure of forces in the sense of the ideas and principles stated, moreover, is mentioned a "program on the transformation of the Romanian Armed Forces until 2040 (Armed Forces 2040)[13]", which confirms our assumption.

A starting point could be the "Plan for the restoration of the operational capacity of the Romanian Armed Forces, approved by the NDC in 2013", but the drafting of new laws, including the status of military personnel, should involve generals and admirals, highly experienced officers at both national and international level, and "specialists" should contribute only to debates, by simulating and correcting projects to ensure their viability and efficiency.

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[12] *The White Charter of Defence, op.cit.*, p. 3.
[13] *Ibidem,* p. 25.

The verification of the functionality of the defense system shall begin with the active forces, in the order of reaction time, sized to the possible threat, continued from close to close to the level of action as "armed resistance" as a last mission.

Forces with high reaction capacity should be rotated in order to maintain this level of reaction for a maximum of one year. Forces for other missions (collective defense, peacekeeping or peace enforcing) should consist of forces other than those established for the defense of the country, with immediate reaction (24 hours).

The capacity of HNS' (Host Nation Support) is very important, should be achieved from peacetime and sustained to war. All necessary VJTF transport facilities must be properly identified, maintained and defended.

One document to leave could be the draft *Statute of Military Personnel-* a document submitted to parliamentary committees as early as 2017. For its approval, the constitutional court should be sought to accept professional soldiers as part of military personnel, thus solving other problems concerning this category of military personnel, not foreseen by those who drafted the Constitution, nor to its amendment.

The structure of forces must be reformed, with the establishment of viable units, consisting of peacetime and territorial units, to be formed to form armed resistance, provided only with cores for mobilization and training. The active structure requires specialization and training appropriate to new challenges, with the use of increasingly efficient equipment, in an environment that is increasingly difficult to protect, involving certified and authorized personnel, to follow continuous training programs. The level of ambition set out in White Charter 21 is extremely high and quite unclear. It is not sufficiently explicit what is the level of structure that must be ready to fight for the rejection of an aggression and which is the level which must act for "resilience" in the situation of enemy occupation of part of the national territory, territorial forces, capable of carrying out the resistance movement. Maintaining a force structure with insufficient framing, with the hope of completing by mobilization is not in line with the paradigm established by the Prime Minister.

The digitization of all economic capabilities, their integration into a single record-keeping system could enable the record, planning and efficient use of all available resources, as well as the necessary procurement, depending on the needs of the defense mission.

Mobilization in the workplace of those who maintain critical infrastructure should be a priority of the mobilization system, just as greater involvement by the Ministry of National Defense in defining critical infrastructure. The critical infrastructure that it should aim at is not only in the field of defense, but also in the other areas of social life, since in a war situation any syncope in social life, any deficiency can seriously affect the morale of the population.

In a symmetrical approach, any element of the defense capacity can be used in a civil crisis, in an emergency situation, if the equipment is useful and the personnel are prepared to use them, as the defense resources are national assets and must be used to save the life of the population and protect its assets.

Of course, effective reform also requires a less popular measure, difficult to implement, but without which the Armed Forces will not be able to maintain the necessary level of reaction. This measure involves reducing the age limit for lower-grade militiamen, especially soldiers and grads, to a maximum of 35 years. Over this age, if they opt to continue their work in the Armed Forces, they could undergo training instructors, petty officers or military masters (technical petty officers) and move into the category of petty officers. This could largely maintain the advantages of the compulsory traineeship. Of course, military activity will be reflected in pension rights when they reach retirement age.

Harnessing the opportunities of this period effectively represents the unique opportunity to build a credible and sustainable defense capability capable of giving Romania a secure, stable state position in the region, respected, and appreciated.

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# THE GLOBAL POLITICAL IMPACT
# OF THE CORONA-VIRUS PANDEMIC

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***Abstract:*** *The Coronavirus pandemic has put profound pressure on the democratic electoral system around the world. Many national and regional elections, as well as referendums were postponed, while others took place in a form adapted to the acute health crisis. The pandemic affected not only the actual conduct of election campaigns, which, due to health restrictions, used the online environment extensively, but also national public agendas. Issues such as public health, social and economic inequality, violations of individual rights and freedoms, as a result of measures to prevent the risk of infection with the SARS-CoV-2 virus, have come to the fore. The crisis has generated unpredictable and potentially disastrous results, from the collapse of mainstream (traditional) parties to the emergence of new leaders and new political parties, some with strong extremist orientations. How has the Coronavirus pandemic changed the perception of the electorate and how has this perception influenced voting in times of crisis?*
***Keywords:*** *pandemic; Coronavirus; crisis; democracy; elections; impact*

Ignited at the end of 2019 and declared a pandemic by the World Health Organization (WHO) in March 2020, COVID-19 has brought to the fore a number of broad challenges for democracy and human rights.

More than a threat to public health, in the absence of conclusive information on the contagiousness and predictability of the evolution of the infection with the new type of SARS virus, the pandemic has forced governments and state authorities around the world to take emergency measures in order to combat the health crisis consequences triggered by Coronavirus. These urgent measures were based on the restriction or limitation of rights and freedoms guaranteed by law (eg. internal and external movement, freedom of assembly and association, freedom of the press and of the justice), which often have been disproportionate compared to the gravity of the danger and have generated discriminatory effects, with a significant impact on democracy and freedom. Poor communication, lack of transparency in decisions and lack of arguments for the restrictive provisions adopted are common to both repressive regimes and open, democratic societies that have responded to the pandemic in ways which serve political interests rather than public health and individual freedoms.

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Pressures on basic rights and freedoms have been felt more sharply in states where the Coronavirus crisis has overlapped the election cycles. If, in some countries, the postponement of elections was imposed as a last resort, being supported by law and with a broad consensus between political forces and independent experts, in most states elections took place on time or national, regional elections and referendums have been rescheduled.

The transformations that have affected the democratic electoral systems concern not only the procedures of properly organizing the elections, from the way of conducting the electoral campaign to the way of exercising the right to vote, by each voter, but especially the national and international public agendas, with some nationalist, ultra-radical themes being overexposed and with the major, lasting affectation of the public perception.

This paper aims to examine how *pandemic democracy* influenced voting in times of crisis, given that many of the election results that took place in the new health context were unpredictable and with a potentially disastrous impact on values, democratic norms and principles.

For better understanding the effects of the pandemic on a democratic system, we deepened the analysis in a case study regarding the parliamentary elections that took place in Romania in December 2020, elections that conducted to the collapse of mainstream (traditional) parties and the emergence of new leaders and new political formations, some of them with strong extremist orientations.

## I. PANDEMIC DEMOCRACY AND VOTING UNDER CRISIS

Democratic elections are an expression of sovereignty, and their fairness is a necessary condition for democratic governance, according to the international organization National Democratic Institute (NDI).

The Coronavirus pandemic has called into question the ability of many countries to guarantee fair and transparent elections, as a result of the total or partial disruption, to the impact of COVID-19, of that legal and administrative framework that ensures a responsible, genuine, free and equal electoral process.

In fact, COVID-19 has brought with it not only a health and economic crisis, which many states have tried to deal with by declaring a state of emergency and taking measures to prevent the spread of the virus, but also a crisis of democracy and good governance[15], during which human rights have been undermined and freedoms eroded.

The crisis has revealed specific shortcomings in the performance of states, which were felt more strongly in the case of weak states, but also affected strong states. Functional gaps (the capacity of the authorities to provide security to all citizens, legitimate political institutions, efficient economic management and

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[15] Dobrescu, P., *Crisis after crisis. A world without compass and without hegemon*, Litera Publishing House, Kronika Collection, Bucharest, 2016.

basic social welfare) have been exacerbated and eroded the ability of states to govern themselves from an economically point of view (in the event of total quarantine or partial closure of different sectors of economic activity) and to provide essential services to the population (medical services, for example, after hospitals have been closed and transformed into support units for the treatment of COVID-19 patients).

In addition to the specific problems it has raised, the Coronavirus crisis has shaken governments around the world by inducing a derailment from the natural order, replacing the naturalness of governments with uncertainty, confusion and lack of control. All this can very quickly lead to the installation of a climate of insecurity, which tends to be correlated with voids of political and economic power[16]. During crises, including those triggered by epidemics, the problem of the weak state concerns a matter of capacity (resilience), rather than one of will. There is, therefore, a risk that the authorities will waste their energy and resources in a diffuse form, in a non-uniform and unfocused effort on eliminating the triggers of the crisis (for example, on the laborious purchase of protective equipment, instead of prompt initiation of procedures for mass testing).

Knowing that a crisis represents "the convergence of events whose combination produces a new set of circumstances"[17], and that control over events and their effects decreases in such circumstances[18], it is interesting to analyse how uncertainties related to the assessment of the situation and the alternatives at hand have been exploited, in the context in which urgency has often made information inadequate.

Opportunistic authoritarian governments have used COVID-19 as a means of preserving and expanding their executive power, to the detriment of the formal rule of law, legislative oversight and human rights. Thus, were adopted laws which increased the power of institutions with a decision-making role in the state and with powers to impose restrictive provisions, to the detriment of other institutions, the official purpose of the state being to limit the spread of the virus. On the other hand, the health crisis has been a pretext for some authorities to further restrict democratic approaches and to silence critical voices in their societies. Those in power have often been accused by the opposition and other critics of trying to shape the election calendar to their advantage, either by lifting restrictions too early to allow the resumption of the electoral process (for example, as in Serbia - the first European country to held parliamentary elections after the crisis) or the unnecessary prolongation of transitional situations (such as in Bolivia, which has an interim president). In fact, several countries have been

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[16] Stewart, P, *Weak states and global threats: fact or fiction?* "The Washington Quarterly", no. 29: 2, 2006, pp. 27-45.

[17] Wiener, A.J., Kahn, *On Escalation*, New York, Praeger, apud. Lagadec, P, *Prevention of Crisis Chaos - Strategies for Combating, Controlling and Limiting Damage,* London: McGraw - Hill Book Company, 2003, pg. 43.

[18] *Ibidem.*

caught in the Coronavirus crisis in a state of transition, with governments or interim presidents (e.g. Bolivia, Sri Lanka and Northern Macedonia), while in other states, such as Mali and Guinea, where elections have already been delayed long before the pandemic itself, making postponement even more problematic from a constitutional perspective.

Abuse of authority prevailed in countries where governments have decided to unequivocally cancel elections and without considering possible measures to mitigate the electoral risks of the pandemic, including postponing election dates and remote voting (by mail or electronically).

In other countries, the elections that were originally scheduled for 2020 have been postponed, supposing to take place either when the epidemiological situation was to improve and the number of cases of SARS-CoV-2 infection was to decrease, or in 2021.

Ideally, the postponement of elections should involve a responsible decision that takes into account both the democratic imperative, enshrined in international law and national constitutions, on the holding of regular elections, and the public health imperative, where meetings are severely restricted and physical contact is minimized.

From 21 February 2020 to 9 May 2021, at least 78 countries and territories around the world have decided to postpone national and regional elections because of COVID-19. Of these, at least 41 countries and territories have decided to postpone national elections and referendums, according to a report by the International Institute for Democracy and Electoral Assistance (IDEA). There are 26 states in Europe (including France, Great Britain, Spain, Sweden, Romania), 3 states in the Middle East (Iran, Syria and Oman), 14 states in Africa (including Libya, Tunisia, Botswana, South Africa), 18 countries in the Americas (including Canada, Colombia, Mexico, Argentina), 17 countries in the Asia-Pacific region (e.g. India, Pakistan, New Zealand, Papua New Guinea) - according to the tables in the Appendix.

On the other hand, at least 118 countries and territories have decided to hold national or regional elections, despite concerns about COVID-19, of which 97 have held national elections or referendums. At least 53 countries and territories held elections that were initially postponed due to the Coronavirus crisis, of which 28 held national elections or referendums. There are 35 European states (e.g. Germany, Poland, Lithuania), 4 from the Middle East (Jordan), 26 African states (Nigeria, Egypt, Kenya, Ghana, Algeria), 25 American states (USA, Peru, Venezuela), 28 states from the Asia-Pacific area (Myanmar, Mongolia, Kazakhstan).

Decisions to postpone national elections also had a significant impact on local and regional elections. For example, the Russian government postponed the vote on the Constitutional Referendum on April 22, 2020, as well as all elections originally scheduled from April 5 to June 23, 2020, with approximately 94 local

and regional electoral processes being suspended. The referendum later took place on July 1, 2020.

### 1.1. How pandemic elections were held

The rights of citizens to vote and to be elected in democratic elections are internationally recognized as human rights and are enshrined in national constitutions.

Moreover, there are numerous international and regional instruments stipulating that elections must take place regularly, by universal, equal and secret ballot. These instruments include the Universal Declaration of Human Rights - Article 21 (3), International Covenant on Civil and Political Rights (ICCPR) - Article 25, Protocol no. 1 to the European Convention on Human Rights (ECHR) on the right to free choice - Article 3, Document of the Copenhagen Meeting (1990) of the Conference on the Human Dimension and the Conference on Security and Cooperation in Europe (CSCE, now OSCE), American Convention on Human Rights - Article 23 (1.b), African Charter on Democracy, Elections and Governance - Article 3 and Declaration on Human Rights of the Association of Southeast Asian Nations (ASEAN).

However, international law does not exclude the possibility of restricting certain human rights, including political rights, in the event of an emergency. According to ICCPR, some basic rights cannot be derogated, do not allow any limitation, such as the right to life, release from torture, cruel, inhuman or degrading treatment or punishment, freedom from slavery or involuntary servitude, etc. Political rights, on the other hand, including the right to vote, may be restricted in emergency situations, including on public health grounds, but these restrictions must comply with the standards of legality, necessity, proportionality and temporality. Moreover, according to the Syracuse principles adopted by the UN Commission on Human Rights, it is the obligation of a state that imposes restrictions to demonstrate that these limitations do not affect the functioning of the democratic system.

Ensuring and respecting fundamental rights must be a priority when holding elections during the pandemic, as set out in the Venice Commission's report on "Respect for democracy, human rights and the rule of law during emergencies". Postponement of elections, notes the Venice Commission, involves political risks, and the loss of democratic control over representatives or governments, for a period of time, is a more problematic situation in countries already facing democratic slippage.

Undoubtedly, the Coronavirus crisis has brought to the forefront of international public debate an ethical conflict between the right to life, health and safety, which have been jeopardized by COVID-19, and the right to vote. To ensure that all these fundamental rights are properly respected, governments have been put in a position to find a stable balance between protecting the lives, health

and safety of the population and holding democratic elections that do not involve risks to participants. "There is a fine line between protecting our democracies and protecting public health. Both national and EU institutions must ensure that all Member States comply with the law and that our democracies will emerge stronger and not weaker after the end of the Covid-19 pandemic", a report by the European Union on Civil Liberties said in a statement and Greenpeace Europe[19].

In order to protect public health and, at the same time, the integrity of the electoral process, the general recommendations issued by the WHO aimed in particular at coordinating the planning and implementation by the authorities involved in organizing elections of all necessary measures for the conduct of electoral processes during public health crisis.

Given the different intensity, at international level, of the COVID-19 pandemic, the authorities had total autonomy to decide on the organization and conduct of elections, different countries standing out through the way they created and applied the legal provisions related to the pandemic context. Mainly, strict rules have been imposed for the prophylaxis, protection and prevention of the spread of the virus in polling stations: wearing masks and gloves, maintaining adequate physical distance, measuring body temperature, disinfecting hands and surfaces in polling stations, in booths vote, and other election materials (stamps). As for the voters infected with Coronavirus, they had the opportunity to express their political choice in the polling stations, only equipped with a protective mask, either during or after the closure of the official program, ensuring separate access corridors.

Specific measures were also needed for vulnerable groups (the elderly or people with certain health conditions or hospitalized people etc.), who were provided with adequate voting options, according to the electoral regulations. To reduce the risk of infection, people in these groups were encouraged to express themselves through alternative voting methods, even if the general population voted in person. For example, in South Korea, provisions have been extended for home voting for hospitalized persons, which have ensured the protection of vulnerable citizens. As a result, polling stations were relocated to the area close to communities and care units for the elderly. Alternatively, there were polling stations only for vulnerable groups.

With regard to the production and distribution of ballot papers, ballot boxes, seals and other supplies required during the electoral process, they were sometimes severely affected by the measures imposed to limit the spread of the virus. There were delays in their production and delivery, and all previous appointments were adjusted to the new conditions (for example, in the USA).

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[19] Drăghici, M., *Pandemic has eroded democracy and the rule of law in many EU countries, including Romania*, March 2021, available at: https://www.mediafax.ro/social/organizatie-pandemia-a-erodat-democratia-si-statul-de-drept-in-multe-tari-ue-inclusiv-in-romania-19950571, accessed on 17.05.2021.

Among those who held elections in times of crisis, South Korea stood out as a model for high-level organization of a successful electoral process (with the possibility of early voting), while protecting the health of its people. South Korea was, in fact, the first country to hold national elections amid the global outbreak of COVID-19 in April 2020. Voters were not only interested in the election, despite the risk of infection, but proved to be the most numerous in the last 28 years. South Korea has not reported any new cases of COVID-19 directly related to the April 15 elections, despite the fact that they took place at an early stage of the pandemic. Other countries, such as Burundi, have set a negative standard, completely ignoring health risks and endangering both the population and politicians. The election campaign in Burundi was unrestricted: numerous teams toured the country, political parties hosted events and rallies with thousands of supporters. Candidates did not wear masks and water and disinfectants were missing. All this, while neighbour countries such as Rwanda and the Democratic Republic of Congo considered full quarantine, due to the increased number of cases of infection.

In order to limit the effects of the spread of the virus that took the world by surprise, the governments of the states where the polls took place used the online environment during the elections organization, according to the WHO. Thus, measures were introduced such as online or e-mail registration of voters, virtual training of qualified staff in polling stations, online submission of ballots and online complaints about the electoral process, electronic resolution of electoral disputes. All this has left the traditional version of the polls, the offline one, somewhere in the past.

From this perspective, one can admit that, in addition to the negative effects of the crisis (millions of deaths, the collapse of health systems and the bankruptcy of many of the world's economies), COVID-19 has made a decisive contribution to speeding up the reform of electoral systems. Increasing the access to voting for vulnerable voters, through the wider use of the digital environment and new technologies, in addition to early voting by mail, is, however, only one side of the coin. The correctness, safety and integrity of the vote are the reverse. This is because remote voting, by e-mail or the Internet, involves not only technical risks, but also major risks of fraud, either from the authorities, or from hackers, or from hostile foreign factors that could have an interest in hijacking election results in certain states.

No less important is the fact that the Cyber Infrastructure Security Agency within the US Department of Homeland Security has repeatedly warned with the risks of e-mail voting, which entails significant security breaches in terms of both vote integrity and the confidentiality of voter data, as well as the secrecy of the ballot paper and the capacity of the voting system. Recent election history shows that electronic voting systems are more susceptible to fraud (for example, Russia's hacking campaign during the US election). The pandemic does not provide the

right context for online voting, as this type of voting requires a gradual, multi-round vote to improve system reliability and gain voter confidence, as evidenced by the experience of Estonia - the only country with large online voting.

We already see that the reform of electoral systems entails a significant dose of distrust on the part of voters, given that governments cannot guarantee the fairness and transparency of elections, nor the secrecy of the vote, as evidenced, for example, by controversies in several countries, around voting by mail. In the US elections (2020), significant losses of votes were revealed in the postal system, and many votes were no longer counted, due to the lack of ballot markings or failure of the voters' identification. In these circumstances, it is important the call made by the Carnegie Foundation, which pointed out that not only early voting and postal voting should be extended in the future, but new investments in voters' education are needed for the democratic electoral system to work.

The key word of a crisis is inevitability, and the inventory of potential events that could exacerbate these crises is very important in what constitutes an emergency management or what Bernard Dagenais calls "stake management", because any crisis contains both the seeds of success, as well as the roots of failure"[20].

### 1.2. Elections campaigns during pandemic

Probably one of the biggest challenges in conducting elections was, in the midst of the outbreaks of Coronavirus in 2020, the organization of election campaigns. These traditionally involve large gatherings of people and direct physical contact. The relocation of election campaigns to the digital space, following the WHO recommendations to limit the spread of the COVID-19 epidemic, turned out as a real paradigm shift: social contact, once vital in democratic elections, during which elections are won through dialogue and debate, has now been mediated mainly by new technologies.

Given that the meetings with supporters did not took place or were limited to a small number of participants, while maintaining their physical distance, the candidates and campaign teams had to rethink the communication bridges with potential voters. In addition to traditional media (TV, radio, print media, electronic media), social networks (Facebook, Twitter, Instagram, YouTube, WhatsApp) have become platforms for launching election messages, thus being the main digital interface between electoral competitors and the electorate.

The United States, known for the extensive vibrant campaigns for both Congress and presidential elections, is an eloquent example of a pandemic democratic compromise, with the mix of traditional and online campaigns imposed by COVID-19 restrictions being relevant for the adaptation of democracy to an emergency situation. Joe Biden, the Democratic candidate in the presidential election, very well speculated on the need to strengthen his presence in the press,

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[20] Larkin, J, Regester, M., *Crisis and Risk Management,* Bucharest: Comunicare.ro Publishing House, 2003, p. 61.

so he decided to use his own television studio, set up in his home. Large-scale election rallies provide the best place in the news bulletins, and Republican President Donald Trump understood this when he held his first big rally in Tulsa, Oklahoma, in a closed arena, despite serious risks to participants' health. Two weeks after the rally, Tulsa saw a significant increase in Coronavirus cases, but all participants in the event have already signed waivers in case of illness.

Donald Trump's rally was not the only negative exception, fierce electoral competition leading to large-scale events in other countries than the United States. In Malawi, for example, both presidential candidates met with voters at major election rallies, fully contributing to the rise in infections. The country has been in a political crisis since the Supreme Court annulled the May 2019 presidential election due to widespread irregularities. The election of June 23, 2020 brought a clear victory to the opposition candidate.

The limitation of face-to-face election campaigns has accentuated the already existing asymmetries between candidates in terms of access to the media. In this sector, the electoral games between the power and the opposition were to the advantage of the power, which had already taken over the media space through the themes of pandemic measures, new public policies and recurring messages, which appealed to everyone's responsibility. In Serbia, where large parts of the media landscape are controlled by the ruling party, incumbent President Aleksandar Vučić has taken advantage of his access to the media to promote himself through his achievements in the fight against Coronavirus and to criticize the opposition. The strategy was a winning one, with Vučić's party winning the first general election in Europe since the beginning of the pandemic. In the United States, too, President Trump has maximized the effect of daily reporting on Coronavirus, successfully replacing election rallies with laudatory statements about his policies and criticism of his competitors.

Moving election campaigns to the online environment also meant taking an enormous risk, difficult to anticipate and counteract, regarding the distribution of election messages. It is a well-known fact that the ferocity of "negative" social media users, who do not know ethical principles and who intentionally use the virtual space for their interests, reaches its peak during political campaigns. The most common attack techniques of these "negative" users are astroturfing and trolling[21]. Astroturfing is a very common behaviour in political communication and refers to the posting of false positive messages by partisan or paid users, being nothing more and nothing less than an artificial form of propaganda in support of a public, political or institutional agenda, in order to create the impression of a "rooted movement". Trolling refers to the posting of comments on personal sites (blogs and social networking accounts), the aim being to generate conflict and a negative climate towards the owner. During the Coronavirus crisis, electoral

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[21] Cismaru, D.M., Ciochina, R.S., *Public relations in the online environment,* Bucharest: comunicare.ro Publishing House, 2019, p. 135.

contestants took full advantage of the fact that, in the reality of social distancing, many activities moved to the online space, turning the electronic environment into an arena for electoral slogans and fake-news.

### 1.3. Public agenda during pandemics

Simultaneously with the messages distributed by traditional media, social networks have taken over and multiplied the themes imposed on the international public agenda by the COVID-19 pandemic, respectively health, economic and social issues, to the detriment of other topics of interest for preserving or revitalizing democracy in some states.

First, the decision to have referendums in times of crisis and moreover the election calendar have been the subject of hot disputes between governments and opposition parties in many countries. For democracy, the Coronavirus crisis was rather a "double-edged sword", as characterized in a report by the Belgian Egmont Institute for International Relations. On the one hand, this sword could be used as a powerful tool to postpone the elections, by a government regime that wanted to extend its mandate, or as an ally in the fight against political opponents, the harsh restrictions imposed limiting their ability to organize public gatherings and other campaign events. No less true is that some governments wanted to optimize their electoral capital, relying on extensive press campaigns highlighting the success of pandemic measures, before the socio-economic effects of the crisis became fully evident.

Secondly, the opposition parties speculated as much as possible any democratic slippage, starting with the legal measures that violated a number of fundamental individual rights and freedoms. Freedom of internal and external movement was restricted, for public health reason, with the introduction of full quarantine or at certain time intervals. Freedom of assembly and association was restricted by imposing regulations on the occupation of a certain space by a certain number of persons. Freedom of expression and freedom of the press have been suppressed under the pretext of combating misinformation, the activity of civil society organizations being also limited by measures against Coronavirus. Freedom of justice was also affected because the activity of the courts was significantly reduced during the state of emergency, with state-level non-uniform practices on the types of cases that were at trial during the pandemic.

We can admit that the COVID-19 pandemic has exacerbated trends towards democratic failure and authoritarian consolidation, if we only consider the fact that authoritarian regimes have taken advantage of the restrictions imposed to silence dissidents and stop protests. An example of this is Algeria, where weekly anti-government demonstrations have been cancelled for the first time in more than a year, to reduce the spread of Coronavirus. On the other hand, slow democratic progress could be undermined by the COVID-19 crisis, as in the case of Chile, where the Coronavirus postponed the Constitutional Referendum for the

adoption of the first democratic constitution in recent times. Amid the economic crisis, doubts have arisen in Chile about the feasibility of constitutional reform.

Social issues also appeared in the public spotlight after the Coronavirus pandemic fundamentally changed the world's economic landmarks. Thus, the strongly nationalist discourses returned in force, being accentuated by topics such as resilience, solidarity, cohesion, equity, the fight against poverty, the fight against social inequalities, the need to leave no one behind. Electoral contestants came to the polls either with programs aimed at turning the crisis into an opportunity for a solid and sustainable socio-economic reconstruction, or with nationalist and ultra-nationalist platforms, which claimed the right of the state to pursue exclusively its own interests, post-pandemic.

There have also been voices arguing that ethical issues related to the allocation of resources and the degree of risk to which some citizens are subjected during a pandemic impose the need to apply strict rules, which can sometimes be perceived as unfair. Other opinions (Moldovan, 2020) strongly argued that, for the successful management of this crisis, public policies must be anchored in rigorous scientific studies, in the principles of ethics and the rule of law[22].

In Romania, the topic of pandemic politicization was not a new one, the existence of this trend being noticed in more consolidated democracies and public spaces, where the subject was included in a larger one, regarding the geopolitization of the health crisis. Beyond being "the first pandemic of globalization, the first pandemic of the digital age, hyperconnection and information hyperinflation", it was also "the first politicized pandemic right in the middle of liberal democracies and the first geopolitical pandemic"[23].

The recurrence on the public agenda of issues such as the lack of capacity of the state to respond promptly and effectively to crisis situations (incidents in the overburdened medical system) has led to the loss of citizens' trust in public authorities and institutions, impossible to handle. Continuously maintained, the fear and insecurity of the people sought and found refuge in anti-system electoral rhetoric and in a true conspiracy rhetoric. In fact, the way in which these conspiracy theories emerged "suggests at least two themes for reflection: one concerns the instability of state-building, and the other concerns the susceptibility of a significant portion of the general public to these theories, despite their subterfuge"[24].

The authorities' approaches to manage the health crisis were either reactive (weak states) or proactive and interactive (strong states). However, there were some general strategic errors that, in James E. Lukaszewski's view, led to

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[22] Moldovan, R., Tolnai, T., Naumescu, V., *Crisis: ICDE voices during the pandemic*, Timisoara: Western University Publishing House, 2020, pp. 17 – 24.

[23] Bârgăoanu, A., *The hierarchy of sources of misinformation and the values of distrust*, in the Chronicles. Governance course. Corona - Zoom in on the EU lag. Nr. 93, March 2020, p. 7.

[24] Mihalache, A. S., Dulcan, D.C., *Pan-demon 2020 and Covid-19. A book-document about Spring 2020*, Iasi: Sedcom Libris Publishing House, 2020.

excessive responses, which made secondary crises much more difficult to manage. These responses are: hesitation (which has led to a public perception of confusion, insensitivity, incompetence, or lack of preparation), confusion (which has led to the perception of dishonesty and insensitivity), distortion or misunderstanding big problem, because nothing can replace the truth), dogmatization (which induces vulnerability, by resorting to an autocratic approach without actually managing the current problem), confrontation (which supplements the degree of visibility by maintaining the problem).

## 1.4. Case study – 2020 Parliamentary elections in Romania

Romania in 2020 is the typical scenario of a state in which the pandemic democracy had a significant impact on the results of the general elections, when people chose their representatives in the Senate and the Chamber of Deputies.

The parliamentary elections for the appointment of 136 senators and 329 deputies took place on December 6, 2020, after the elections for the local public administration authorities took place in June of the same year, this being the fourth electoral competition organized during 18 months. The initial proposal was for the parliamentary elections to take place in March 2021, but it was rejected by the government, which announced the election date only 3 months before the election. It is important to understand that the election took place in the conditions of official reports indicating over 5200 infected people / day and over 130 deaths / day.

The COVID-19 pandemic exacerbated structural problems in Romania, from the collapse of the public health system to the closure of several economic sectors affected by the health crisis, so that opposition parties frequently fed the public space with attacks and criticism of power. As a result, the power (the National Liberal Party) did its best to remain in the lead throughout the election campaign, making excessive use of government powers. Thus, in September 2020, the Government imposed to the Parliament the adoption of a series of amendments that targeted several laws related to elections. The main measures were to extend by 30 days the period for submitting the application for voting by mail, to extend the vote abroad for two days, to halve the number of signatures required for the registration of a candidate and the possibility of submitting them electronically. With regard to these changes, OSCE SEAM, which was invited and accredited to oversee the elections, noted that there were adopted "in a hasty manner and without public debate, contrary to international commitments and good practice"[25]. Also, Expertforum, a local CSO coalition that acted as an election observer, expressed concern about the timeliness of the changes.

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[25] *Report on preliminary findings and conclusions, International Election Observation, ODIHR Special Mission for Election Assessment, Romania – Parliamentary Elections, 6 December 2020,* Organisation for Security and Cooperation in Europe, https://www.osce.org/files/f/documents/c/d/472878_0.pdf, pp. 2-3.

The measures adopted by the Government made it unlikely to carry out a classic election campaign, with the restriction of gathering in closed spaces of more than 20 people, using a protective mask. In this situation, the parties that competed in the elections deployed their forces in the online space, where the election messages flooded personal pages, pages of organizations, social groups and even groups of small advertisements. There were also propaganda and fake-news tools, respectively astroturfing and trolling. The campaign was more dynamic on social networks than in the traditional media and focused on issues related to economic recovery, maintaining social benefits or anti-corruption, and the worsening health situation gave rise to serious allegations of corruption. Opposition leaders have sanctioned the power for abuses in the exercise of legal prerogatives during the campaign, contrary to international standards.

The hierarchy of misinformation sources, according to a Reuters questionnaire applied in Romania in June 2020, regarding reliable sources during the pandemic and public perception of misinformation sources, is as follows: some politicians (59%), ordinary people they do not know personally (51%), news organizations (49%), government (46%), ordinary people they know personally (41%), national health organizations (37%), global health organizations (36%) , scientists, doctors, other health experts (32%) - see Appendix Chart. What is certain is that, in Romania, "the battle in the communication space was not one between facts, but between interpretations and, especially, between previous beliefs and moods that marked those interpretations"[26]. Specifically, the online space was invaded by information about "the virus that does not exist", "the virus that exists only on TV", "the COVID masquerade" or the "planned pandemic", according to the report" COVID-19 infodemia in Romania. An analysis of misinformation in the digital space" (2020).

For the actual organization of the election, prevention and safety measures were adopted. Wearing a face mask was mandatory for all voters, except for the short period of time in which they had to be identified on the basis of the identity card, a social distance of at least 1 meter had to be observed and all polling stations were equipped with disinfectants. Upon arrival, the voter's temperature was measured at the entrance of the polling station, and the maximum number of people at the same time at a polling station was 15. At the entrance and exit, voters were forced to disinfect their hands. Voters mentioned in the electoral lists had the opportunity to vote in person during the elections day or were able to request the use of the mobile ballot box. Voters infected with Covid-19 or self-isolated voters voted either electronically or at home, after submitting a request to do so. These measures were generally followed, but OSCE noted that some polling stations were not spacious enough to respect social distancing.

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[26] The report *COVID-19 infodemia in Romania. An analysis of misinformation in the digital space*, Eurocomunicare, pg. 11, 2020, https://www.antifake.ro/infodemia-covid-19-in-romania/, accessed on 17.05.2021.

According to the electoral register, a total of 18,970,649 voters were registered in these elections. Turnout in the December 6 elections was lower than in the 2016 elections, from 39.49% to 34.81%. The final results of the parliamentary elections placed the main opposition party in Romania on first place, with 28.9% of the votes. The ruling party, PNL, obtained 25% of the total number of votes. USR-PLUS ended the election race with 15%, and AUR, an unknown party, non-existent in sociological research and visible only during the election campaign, with 9%. PMP, ALDE and Pro Romania did not enter the Parliament, although they succeeded in obtaining good scores in the local elections.

## II. CONCLUSIONS

As OSCE said, a genuine campaign and the real public debate are as important for democratic elections as the right to vote. The Coronavirus crisis has had a profound impact on the ability of states around the world to guarantee the provision of public services and electoral events that are an integral part of inclusive societies, while providing an ambiguous and opaque framework for democratic values and standards.

Faced with an extraordinary situation, such as responding promptly and effectively to an unknown pandemic, Governments have put pressure on democracy and the rule of law, and accentuated their authoritarian tendencies, by virtue of the desire of some leaders to strengthen control over power under the pretext of anti-pandemic restrictions. The Hungarian government, for example, has used anti-pandemic measures to disguise abuses and prevent access to verification of vaccine documentation by the medical staff. At the same time, Poland has restricted freedom of information and association in order to overturn protests against a controversial abortion law, according to the Civil Liberties Union for Europe, a human rights organization in the European Union.

On the other hand, the accelerated legislative procedures that have come as a result of anti-pandemic restrictions made it difficult for citizens to participate in the democratic public debate. The lack of transparency and the lack of consultation with the public and civil society on issues of national interest have also been visible in strongly strengthened democracies, such as Germany, Sweden and Ireland. All this, together with the disproportionate restrictions imposed on free movement and free expression, or those on the press and the judiciary system, have shown that a health crisis can jeopardize or even overthrow the efforts of decades of grind with democratic values and norms. Governments that systematically undermine justice and civil society (Hungary, Poland), as well as those that have persistent problems with the rule of law and the independence of justice (Bulgaria, Romania), also have the greatest vulnerabilities.

The different ways in which the Coronavirus pandemic has impacted democratic electoral systems around the world came as a result different meaning

that states give to the importance of democracy existence. More than being applied, democracy must be defended, a minimum core of electoral principles must be preserved, and this reveals a reality that is undeniable: the weaker and vulnerable a system is, including an electoral one, the greater the risk that that system will fall due to external factors (for example, a pandemic). We all are guardians of democracy, each one of us, as citizens who respect democratic values, norms and principles.

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# Appendix

Charts - Turnout in regional and national elections in the COVID-19 pandemic

VOTER TURNOUT TRENDS IN NATIONAL ELECTIONS AND REFERENDUMS HELD AMID COVID-19 PANDEMIC
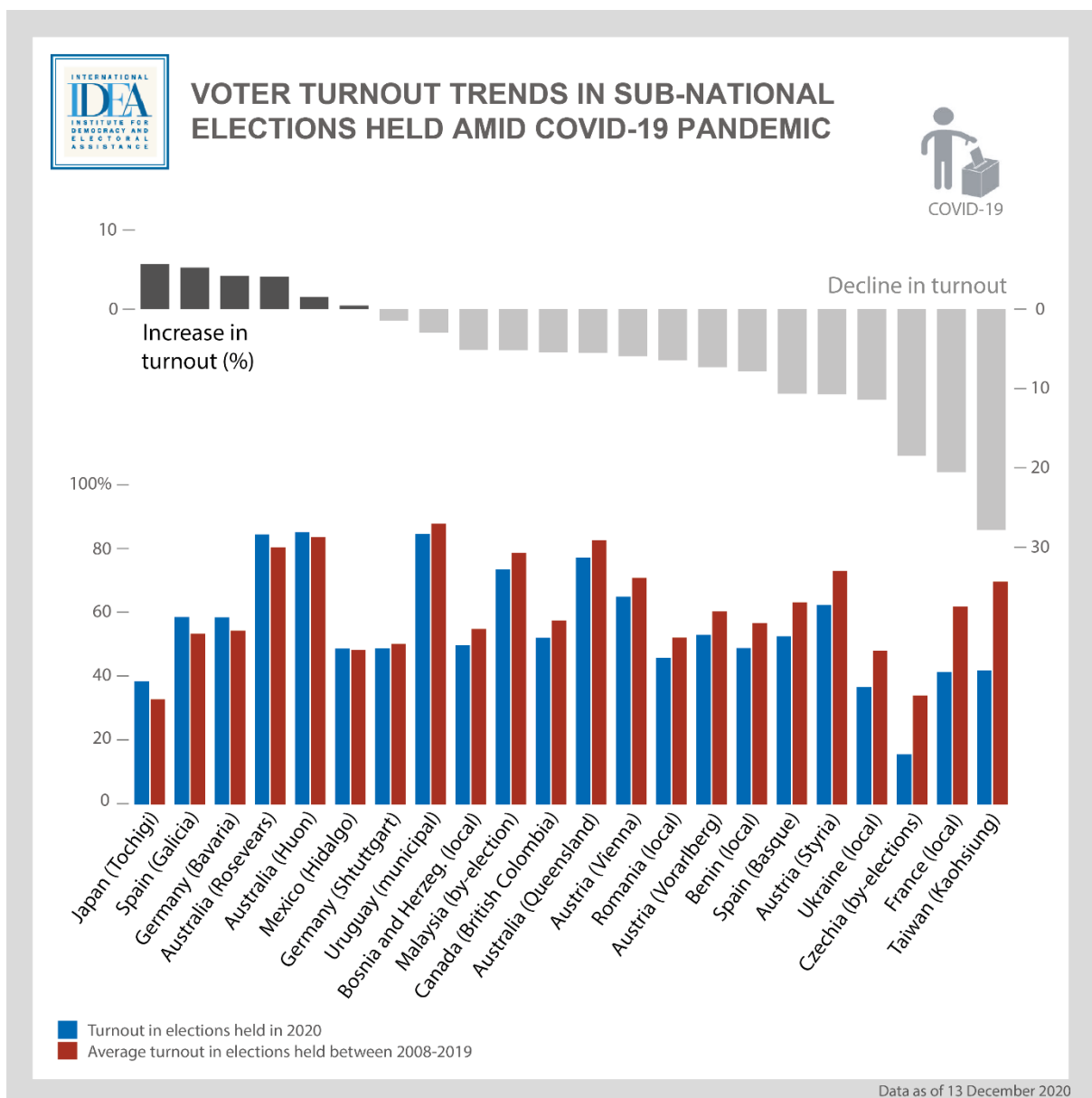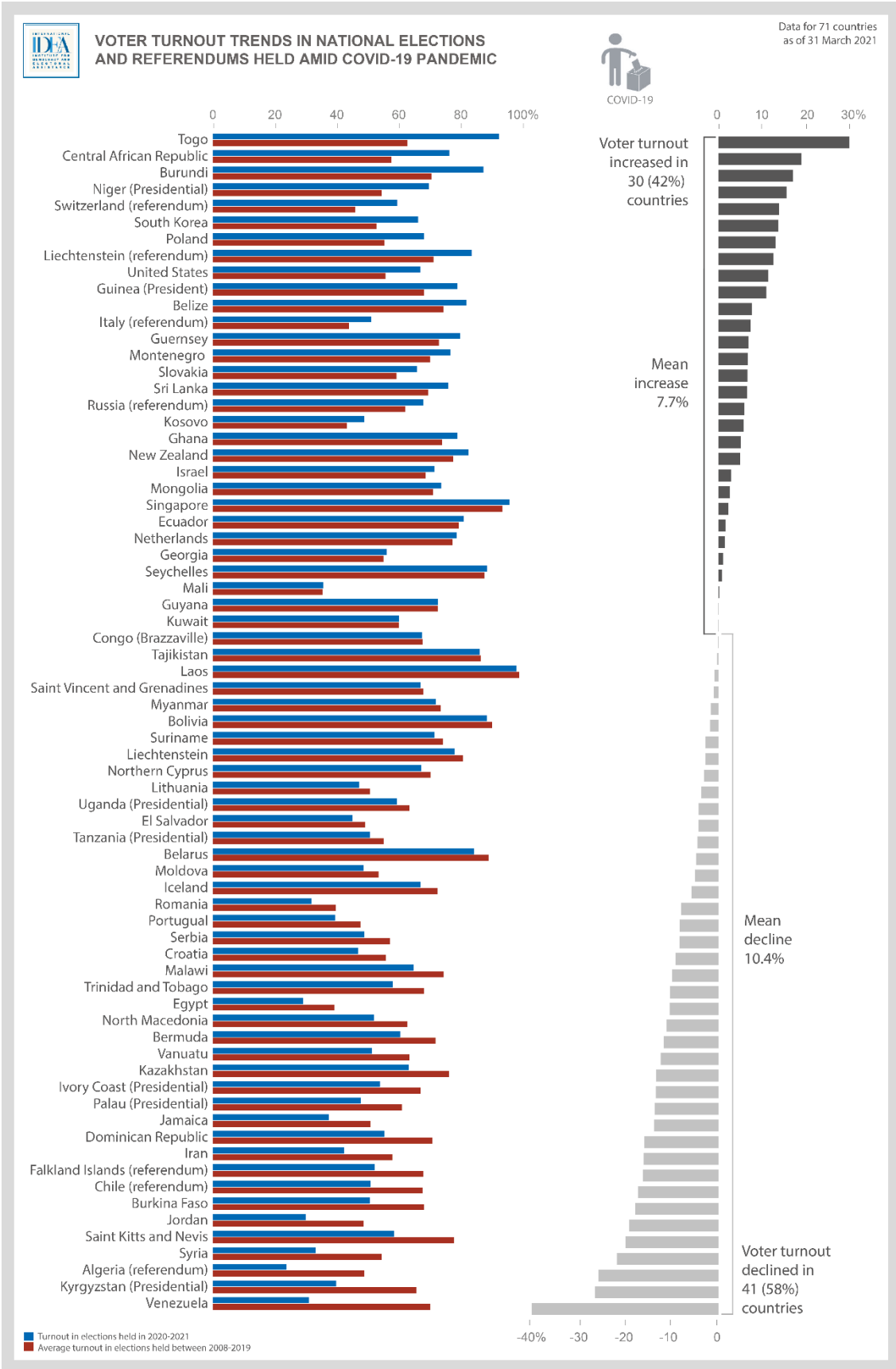
The hierarchy of disinformation sources in Romania and 6 other countries of the world



IERARHIA SURSELOR DE DEZINFORMARE ÎN ROMÂNIA ȘI ÎN ALTE 6 ȚĂRI DIN LUME
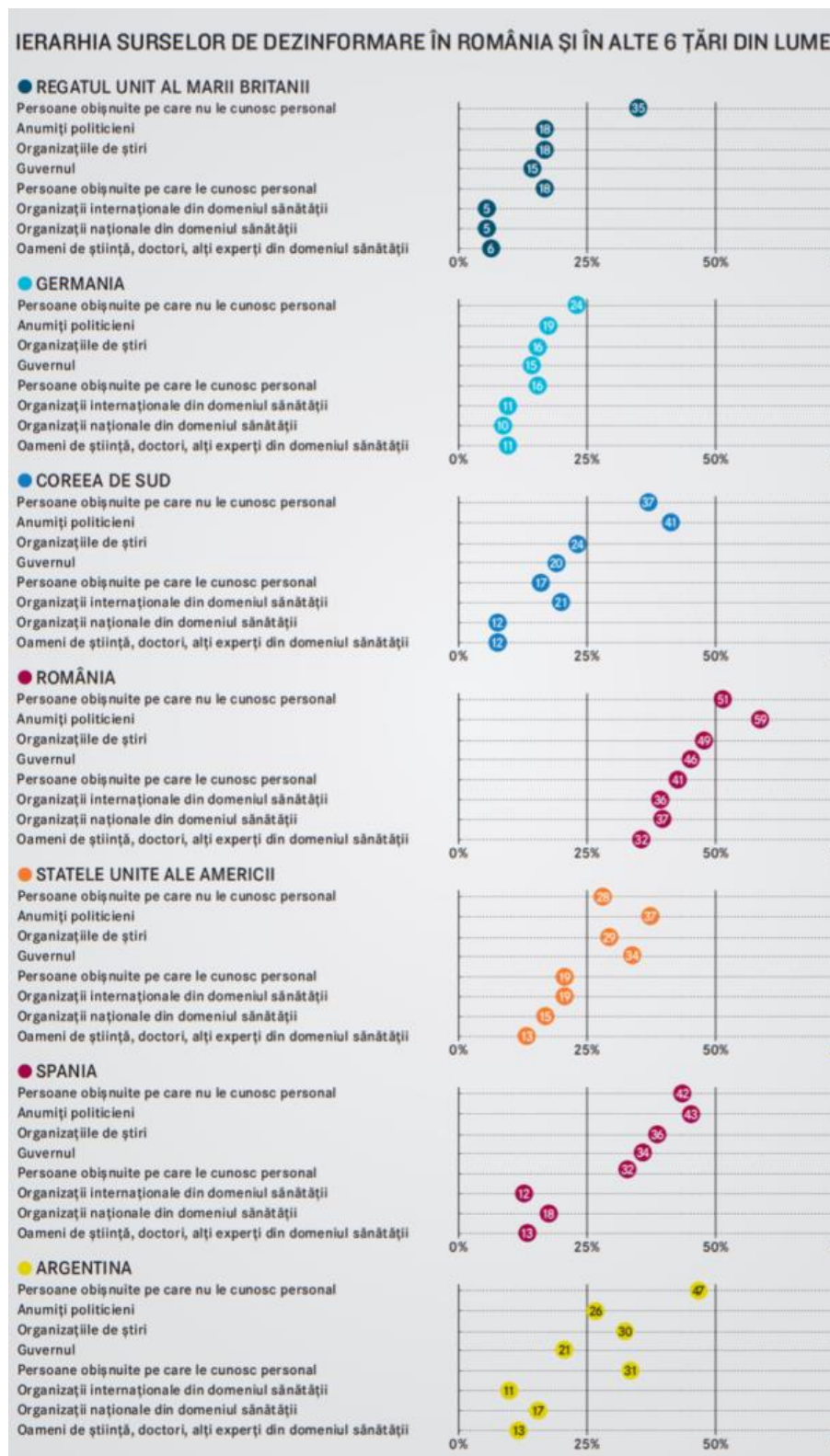
# CONCEPTUAL FRAMEWORK OF INTERNATIONAL COOPERATION TO COUNTER UNCONVENTIONAL THREATS

**Sergiu-Mihai IONIȚĂ**[27]

*Abstract: Unconventional threats to the security climate in South-Eastern Europe and, specifically oriented on states openly engaged in the fight against international terrorism, organized crime and the proliferation of WMD (weapons of mass destruction) will persist due to logistical disparities between states. Regarding common work, aimed at applying juridic international framework, in the field of fighting terrorism, in the field of countering crime, measures such as cutting terrorism financing, denying access of terrorist groups to biologic and chemical substances, devices or nuclear technologies, communication systems are a common necessity for all nowadays democratic countries.*
*In this paper, our research focuses on the analysis of the extended framework of international cooperation for counterting unconventional threats and on detailing the modalities of informative and police cooperation in the field of contemporary unconventional threats.*
*Keywords: security, cooperation, threats, terrorism, organized crime, prevention, countering.*

Within the European Union, different ways are available facilitating law enforcement cooperation between member states. This category includes cooperation protocols between Europol and Eurojust for instance, and other normative acts regarding the exchange of information, as well as those on the Joint Investigation Group establishment. All these regulations provide a solid basis giving the European Union powerful means to fight against organized crime.

It must be said, however, that effectiveness of legislative instruments is diminished by the lack of an overall framework and methodology to allow Member States to adopt a common working approach. The different approach between the Member States and the EU institutions can lead to an increase of efforts, to the inefficient use of the available cooperation means in providing the opportunity to solve - common priority issues. Analyzing these issues, the London Conference of 19-20 May 2005 on cooperation in the field of information, ended with the following **conclusions**:

- it admits the importance of improving knowledge and understanding of the concept of international threat in response to streamlining the law enforcement process;

- it acknowledges that a number of ways are available at EU level facilitating law enforcement cooperation between Member States, including

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interinstitutional protocols, legislative regulations and intergovernmental agreements that have created the framework for the exchange of information; analyses that the effective implementation of such modalities will be optimal by implementing a common framework and methodology which give strategic coherence to this type of cooperation;

- it supports the introduction of an European model, relying on the principles of the framework strategy on information, aiming to improve the efficiency of law enforcement cooperation in the EU;

- it acknowledges the fundamental importance of the elaboration of the EU Organised Crime & Threat Assessment to fight against Organized Crime (OCTA) by Europol and, as mentioned in the Hague Program, a mechanism to facilitate the elaboration of the OCTA will be adopted by the Justice and Home Affairs Committee and the collecting information process;

- it recognizes the potential of the European Union Law Enforcement Report to streamline information from member states and other European bodies to Europol aiming to develop OCTA and facilitating other Europol tasks to assist ministers in prioritizing after consulting the Working Party; work of European Police Chiefs;

- it admits the effectiveness of the coordination mechanism used by the Group of European Police Chiefs, including Europol, Migration and Customs, as well as other international bodies that have an important role to play in implementing the information framework strategy;

- the importance of effective judicial cooperation is recognized, especially that provided by Eurojust to support operational work; it calls on the United Kingdom and other future EU presidencies to make proposals on the European Crime Information Model, including the establishment of a working group of experts in the field.

In response to the challenge raised by the increasing number of cross-border crime, of organized crime in its extreme forms, in 1995 a program was launched so as to ensure political, military, economic and social stability in south-eastern Europe. It was based on consultations between the US Government and the EU, which ended with 8 programs covering various economic and social areas (transport; energy; environmental protection; commodity exchanges; small and medium enterprises). International analyses and documentation underlying this initiative have shown that, in most countries in the region, despite positive results in combating this scourge, difficulties in investigating and sanctioning such criminal acts, limited cooperation between agencies domestically and internationally, they have made the phenomenon increase in intensity and forms of manifestation.

The ever-expanding global market has made it possible to fully exploit the facilities of technological development and the benefit of the widening of national borders in the process of democratization and integration, providing a wide

framework for transnational criminal networks. At the same time, the ways authorities engaged in the fight against this scourge are far from overcoming the multitude of financial, legislative or linguistic barriers, given that the activities of law enforcement institutions are still the exclusive prerogatives of national governments.

The current level of development of organized crime as phenomenon has made it increasingly clear that national efforts to combat it fail to keep pace with the constant evolution, ingenuity, danger and the power of penetration deeper and more specialized that characterizes the activity of criminal networks as a whole.

In all these years, Romania has sought to align itself to efforts made by the international community, contributing actively to the policies pursued in this direction, noting the proposal it made at a meeting of the Agenda Committee of the Political, Economic and Economic Stability Program in South-Eastern Europe on a project entitled "Preventing and Combating Cross-Border Crime".

The project initiated by our country's delegation, entitled "Preventing and Combating Cross-Border Crime", was approved in Geneva by the Agenda Committee of the Regional Center for the South East European Cooperation Initiative (SECI) on 15 April 1998, considered as a component part of the Program on Trade and Transport Facilities, and subsequently the Cooperation Agreement for the Prevention and Combating of Cross-Border Crime was concluded, in Bucharest on May 26, 1999, and ratified by Romania by Law no. 208/1999.

Negotiations between the participating countries lasted more than a year with the assistance of a group of experts from the main actors (USA, ICPO-Interpol and the World Customs Organization (WMO)). These negotiations were finalized by a Framework Agreement called the "Agreement on Preventing and Combating Cross-Border Crime in South-Eastern Europe", in short, the "SECI Agreement" which entered into force on 1 February 2000.

The institutional framework, which would allow the functioning of the Regional Center of the Cooperation Initiative in South-Eastern Europe for combating cross-border crime, was created by O.U.G. no. 201/2000, as a natural continuation of the stages completed up to this date. Subsequently, this center, in short, the SECI Regional Center, was approved by Law no. 357/2001.

This international organization based in Bucharest (SECI Regional Center) brings together the representatives of the police and customs of the actors of this Agreement. The participants to the SECI Agreement are: Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Greece, Macedonia, Moldova, Romania, Serbia and Montenegro, Slovenia, Turkey, Hungary, and those with observer status: Austria, Azerbaijan, Belgium, Canada, France, Georgia, Germany, Italy, Japan, the Netherlands, Portugal, Spain, the United Kingdom and the United States.

The basic concept of the SECI Agreement was the creation of a legal framework that could easily achieve cooperation between the countries in order to: prevent and combat cross-border organized crime (through data exchanges,

technical assistance, cross experience, joint actions – "task force"); judicial cooperation in criminal matters (by increasing the flow of data, specific joint training and overcoming existing law enforcement issues in different states); providing assistance by the specialized agencies of the States involved in cross-border crime investigations; cooperation between bodies in the field of preventing and combating cross-border crime at both local and regional level, as well as at international level.

According to the provisions of the agreement, each member state shall set up a single contact point called the "national focal point". This process is perceptible in all fields of activity, it is appropriate with different forms of manifestation. It led to deep interactions between participants in the system of international relations, with direct and indirect effects, difficult to quantify and control, often falling outside the scope of a system of regulations, but also defined and generally accepted.

The successor to the South East Europe Cooperation Initiative (SECI) is the South East European Law Enforcement Center (SELEC), based in Bucharest. SELEC is an international organization whose main purpose is to intensify cooperation and coordination in preventing and combating cross-border crime, as well as providing support to member states.

„In 2006, a working group was set up to negotiate the draft Convention on the Establishment of the South-East European Law Enforcement Center - called the SELEC Convention. The text of the Convention was adopted in September 2009, in Thessaloniki, at the meeting of the Joint Cooperation Committee and signed at the meeting of the Bucharest Committee, December 2009. The SELEC Convention, which entered into force on October 7, 2011, is an international treaty ratified by all Member States". At the beginning of 2021, SELEC opens in Bucharest the new Operational Center equipped with state-of-the-art technology.

In our opinion, placing ourselves on the coordinates of an active observer, and restraining the evaluation strictly to the security issue, we can appreciate that the end of "Cold War" along with Soviet threat, the dynamics of international relations was marked by the transition from a bipolar world to a multipolar so-called "network world", characterized by the openness to cooperation and the extension of the fields of collaboration between the nuclei that make it and give consistency to the system. Proactive or reactive, the interdependence of the components of the international system requires the consolidation of new rules of "governance", which allow the evaluation, coordination and consensus of the activities of the subsystems that are manifested in their own formulas of expression on the international stage.

Consequently, nation-states must respond coherently to the security dilemma, which requires on the one hand securing the territory (implicitly closing it) and, on the other hand, formulating an adequate response to the problem of border permeability, a direct effect of the globalization process.

Whether it is terrorism, organized crime, trafficking of human beings and drugs, illegal migration or the proliferation of WMD, unconventional threats follow the same pattern of globalization, so that, for example, the terrorist phenomenon becomes difficult to dissociate from secured funding organized crime activities, drug trafficking, illegal migration or attempts to possess and disseminate WMD. The direct reporting to the mentioned evolutions shows that along with the system of international relations a parallel system outcome, difficult to quantify but manifest of "unconventional threats", with actors, objectives, strategies, means of action and its own resources.

The decoding of the ways this unprecedented system works as well as the causes that lead to its development, aim at "visibility of the opponent" a sine-qua-non condition, in the absence of which no response strategy can be designed coherently and risks not reaching objectives. Undoubtedly, in the effective fight against unconventional threats, there is a need to intensify international cooperation, cooperation managed and directed by managerial structures that develop viable long-term strategies, identify and eradicate causes of uncontrollable occurrence and evolution of these phenomena. Several initiatives are already included in this framework: the "Wider Middle East", the "Barcelona Process", the "Istanbul Cooperation Initiative", etc.

It must be emphasized that such cooperation strategies will have to lead to economic and political stabilization, a substantial reconfiguration of those areas, approached in terms of civilized entities and not geographical realities.

It goes without saying that identifying appropriate responses to this type of threat requires an extended framework of international and regional cooperation that attracts, together with the competent bodies, academia and civil society. This option will be able to lead to a better understanding of the factors responsible for the consequences of asymmetric threats, without focusing in a reductionist way on the negative effects that the later generate.

International cooperation must materialize both conceptually and practically. Thus, in our opinion, it will have to be finalized with the design of a new security architecture connected to the realities of the millennium beginning, taking into account the adaptable, diffuse and flexible nature of the new threats to international, regional and national security. The contribution of international bodies to the fight against terrorism is presented below.

**The League of Nations** (international body created during the Paris Peace Conference, by signing the Covenant of the League of Nation, on April 28, 1919) adopted:

**Convention for the Prevention and Punishment of Terrorism**, adopted on 16 November 1937, the first international legal instrument in this field. According to this convention, the following acts are considered acts of terrorism: acts committed intentionally, directed against life, body integrity, health or freedom of heads of state, those who exercise the prerogatives of the head of state,

hereditary or designated successors of heads of state; spouses of the aforesaid persons; to persons with public functions or tasks, when the deed committed was based on the functions or tasks that these persons exercise; the intentional act consisting in the deterioration or destruction of public goods or of goods intended for public use; the act intended to endanger human lives by creating a common danger; the attempt to commit offenses under the above provisions; the act of producing, procuring and possessing or the act of being a supplier of weapons, ammunition, explosive products or harmful substances for the purpose of committing in any other country a crime of those presented.

The convention also provided for the inclusion in the criminal law of states of the following acts, if they were committed under conditions identical to the above: the act of association or agreement with terrorist organizations in order to commit the acts presented above; instigation of terrorist acts, when this has been followed by effect; the willful participation in terrorist acts and accession to a terrorist organization; any knowingly given assistance in carrying out a terrorist act.

For the purposes of the same Convention, the category of acts of terrorism includes one of the following criminal acts, not considered as political offenses, related to a political offense or inspired by political motives, such as: offenses contained in the Convention on the Suppression of Unlawful Capture of Aircraft, Convention signed on 16 December 1970 in The Hague; offences covered by the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, Convention signed on 23 September 1971 in Montreal; serious crimes which are directed against the life, body integrity or liberty of persons having measures of international protection, including diplomatic agents; offences involving abduction, hostage-taking or unlawful seizure; offences involving the use of weapons and ammunition or other improvised explosive devices (letters, packages, etc.), if their use poses a threat to persons; attempting to commit one of the above offences or taking part as an accomplice in the commission of one of those offences.

**Convention for the establishment of an International Criminal Court**, an organization whose results are still visible today.

**The United Nations** (through the Charter of the United Nations, signed at the San Francisco Conference on June 26, 1945, entered into force on October 24, 1945), adopted:

**UN Convention on offences and certain other acts committed on aircraft** was signed on 14 September 1963 in Tokyo (Romania joined to this Convention at the end of 1973 by Decree No. 627/1973);

**Convention for the suppression of unlawful seizure of aircraft** was signed on December 16, 1970, in Hague (Romania ratified this convention on April 19, 1972, by Decree No. 149). This convention was signed following the multitude of terrorist attacks that took place in 1970, against civil aviation - the

most significant took place in Palestine (the concerted Palestinian attack), an attack that hijacked and destroyed 4 aircraft that belonged to several airlines.

According to the Convention, unlawful seizure of aircraft is a criminal offense committed by any person who boards an aircraft and in flight takes possession of that aircraft, exercises control over it or attempts to commit one of these acts, unlawfully and by violence or threat of violence or is the accomplice of a person trying to commit one of these acts.

**Convention for suppression of illegal acts against civil aviation**. This convention was signed on September 23, 1971, in Montreal, (Romania ratified this Convention on May 30, 1975, by Decree no. 66).

According to the convention, any person who unlawfully and intentionally commits an offence, such as: committing an act of violence against a person who is on an aircraft in flight, provided that the safety of the aircraft is endangered; the destruction and damage of an aircraft in service, causing damage to it and causing it to become unfit for flight, or damage to the safety of the aircraft; placing or contributing to the placement, by any means, of devices or substances on an aircraft in service, such devices or substances being capable of destroying or causing damage to the aircraft which is incapable of flight or is capable of endangering flight safety; destruction or damage to air navigation facilities or services or disruption of their operation if such acts are likely to endanger the safety of aircraft in flight; the transmission of information knowing that it is false, thus endangering the safety of aircraft in flight.

The same classification includes the one who tries to commit an act that represents one of the crimes presented above, if he is an accomplice in committing or attempting to commit one of these crimes.

On 24 February 1988, as a supplement to the Montreal Convention, was concluded the Protocol concerning the suppression of unlawful acts of violence at international civil aviation airports.

**Convention regarding the prevention and punishment of crimes against persons enjoying international protection, including diplomatic agents.** This convention was opened for signature on December 14, 1973, in New York. (Romania acceded to this convention in 1978, by Decree no. 254.) The category of such crimes includes the intentional act: murder, abduction or acts of any kind against the body integrity or liberty of persons benefiting from international protection; committing an attack, using violence, on official premises, personal residences or motor vehicles belonging to persons enjoying international protection and which by their nature may endanger their freedom and body integrity; threatening to commit this type of attack; attempting to commit such an attack; to be accomplice in such an attack.

*International convention against taking of hostages,* adopted in New York on December 17, 1979 (Romania acceded in 1990 by Decree-Law No. 11); According to the convention that regulates it, the taking of hostages is the act of

any person or group of persons who kidnaps or detains a person and threatens to kill and injure him, in order to coerce certain parties (state, international organization, group of people, official persons, etc.), to perform or not to perform an act, this being an explicit or implicit condition for the release of the hostage. Also, any person attempting to commit this act or is an accomplice of an individual who commits or attempts to commit such an act (as was the tragically case of the Lufthansa aircraft, in 1977, hijacked at the airport from Mogadishu; Iran's hostage crisis in 1979; also, perpetration an offense within the meaning of that Convention.

**UN Convention on the physical protection of nuclear material**, signed on 3 March 1980 in Vienna;

**UN Convention to combat illegal acts against the safety of maritime navigation**, signed March 10, 1988, in Rome;

**UN Convention on the marking of plastic explosives for detection**, signed on 1 March 1991 in Montreal;

**The International Convention for the Suppression of Terrorist Bombings**, signed on 15 December 1997;

**International Convention for the Suppression of the Financing of Terrorism**, adopted in New York on December 9, 1999 (signed also by Romania);

**Convention on the Blocking of any Support for Terrorist Networks, Financial and Logistical**, signed on 1 October 2001 in New York.

An important step in the fight against terrorism was the adoption by the UN General Assembly of Resolution no. 3034 of December 18, 1972,[28] entitled: "Measures for the prevention of international terrorism that endanger or destroy innocent human lives or that carry out fundamental freedoms and the study of the causes that generate forms of terrorism and acts of violence that originate in poverty, disappointment, dissatisfaction and despair and which causes some people to sacrifice human lives, including their own lives, in an attempt to bring about radical change" as well as UN Security Council Resolution no. 1373 of 2001, which refers to the fight against international terrorism.

**Euro-Atlantic (regional) organizations:**

**The Council of Europe**[29] adopted the European Convention on the Suppression of Terrorism in Strasbourg on 27 January 1977.

**NATO** – The Ministerial Meeting of the North Atlantic Council, which adopted the Declaration on NATO's Response to Terrorism in Brussels on 6 December 2001 (Prague Summit of 21-22 November 2002, adopting the Counter-Terrorism Action Plan of the Euro-Atlantic Partnership").[30]

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[28] https://unispal.un.org/DPA/DPR/unispal.nsf/85255db800470aa485255d8b004e349a/69cb600fbde9eddd852570840050c345?, valid at 06.06.2021.

[29] https://www.coe.int/en/web/portal, valid at 06.06.2021.

[30] https://www.nato.int/, valid at 06.06.2021.

**The OSCE** (regional organization to support Member States in implementing UN instruments)[31] adopted the following documents: the Helsinki Final Act and the Final Acts of the Madrid Meetings in 1983 and Vienna in 1998; Conference for Security and Co-operation in Europe, Paris Charter for a New Europe, Paris, 1990; Istanbul OSCE Summit, Charter for European Security, 1999; OSCE Ministerial Council, Action Plan to Combat Terrorism, held on 3-4 December 2001 in Bucharest.

**The Organization of American States** adopted the Convention on the Prevention and Punishment of Acts of Terrorism Representing Crimes Against Persons (Kidnapping, Murder, Assault, etc.), as well as acts of force related to such crimes when such acts have international repercussions, Washington, February 1971 (the first regional convention on this matter).

Perceived as a necessity, since 1994 with the launch of the Partnership for Peace, cooperation can be a viable solution, only insofar as the stage of theoretical questions is overcome, designing concrete measures to optimize the management of international cooperation, sound decisions on clear and realistic strategies. They must subsume concrete directions and modalities of cooperation that take into account the domino effect of globalization of international relations, in order to avoid the spread of negative implications of unconventional threats on regions that have demonstrated "relative immunity to various unconventional threats".

At the international community level, there is currently a consensus on how unconventional threats are perceived. Cooperation in combating these threats must be achieved, but there is consensus on how to respond (preventively or preemptively), as well as the legitimacy of retaliatory actions, given that, to date, the UN is the only authority in the field.

As such, from this perspective, the efficient management of cooperation implies the efficiency of the world organization, the use of the framework offered by it to lead to the constructive elimination of differences of opinion, the flexibility of existing structures, in the sense of connecting them to new security climate parameters and strengthening the universal vocation of the UN.

**In conclusion**, cooperation is all the more necessary as the multilateral approach requires coherence in the conception of strategies, streamlining existing security structures, therefore to eliminate the possibility of inefficient duplication or undesirable overlap and, implicitly and explicitly, inefficient consumption of resources. At the same time, depending on the skills and experience in the specific field of action of the actors involved in global security management, international cooperation will have to set concrete priorities and modalities at some point, anticipating trends that may manifest later.

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[31] https://www.osce.org/, valid at 06.06.2021.

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# ASPECTS REGARDING THE MANAGEMENT
# OF UNCONVENTIONAL THREATS

**Sergiu-Mihai IONIȚĂ**[32]

***Abstract:****Our research focuses on analysis of the extended international framework of cooperation for countering unconventional threats and on detailing the modalities of intelligence and police cooperation in the field of contemporary unconventional threats.*
***Keywords:*** *security; cooperation; threats; terrorism; organized crime; prevention; tackling.*

## INTRODUCTION

Unconventional threats that may affect the security climate of the south-eastern European countries, particularly those that fully engage in the active fight against terrorism, cross-border organized crime and other threats will continue to be active due to power differences between state actors operating in this area.

There is an important necessity for all democratic states of the contemporary world, to apply a common international legal framework in the fight against terrorism, against cross-border criminal organizations in particular, in order to block all terrorism financing sources or any access of extremist organizations to substances, devices and technologies that could seriously affect individual security.

The grounds of all measures to prevent and combat threats and dangers in the field of national security must hinge on certain modalities of action such as finding and eradicating the main causes that favor their emergence and manifestation.

## THE PREVENTIVE ACTIONS

In our opinion, prevention is achieved in several ways:

• prevention by law enforcement, which mainly involves detection and repression of crimes, a post-factum intervention as a warning sign for the future individuals prone to repeat violations of the law;

• prevention by establishing the actions and measures that can be put in the way of criminal activity, an aspect that is essentially related to an adequate strategy and tactics for prevention and combating, adapting in full knowledge of the determinations of the directions and moments of crime;

• prevention by preparing the victim / target for self-defense, by victim understanding both the person and the community, and also intrinsic values -

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institutions, objectives or goods in connection with which preventive tactics are prepared and applied;

• prevention through measures to improve community relations (socio-economic, political, ethnic, religious, cultural, etc.);

• prevention by promoting social justice.[33]

Preventive activity consists of measures and actions developed and applied in a logical succession that are able to initiate authentic causal processes, aimed to destroy, dissolve or cease the normal functioning of the potential contributing factors of the crime. Taking into account the aspects presented above, we can speak of two types of preventive actions.

The first type is the normative-formative action. This means a complex set of measures that act in the sense of shaping people and groups of people, the community, in the spirit of respect for the law, instructions, rules of conduct, respect for national, social, political, military values, etc.

The second type of preventive action is aimed at eliminating situations, facts that can influence a person or can be used by a person to commit crimes.

Inter-departmental cooperation in the fight against crime, drug trafficking and terrorism is the key or determining element. Every institution committed to combating these unconventional threats for national security must maintain full order in its own structure. The government needs to know what each one is doing and how the co-operation is being made between the parties of the system. Failure in this area can have significant international implications.

Modern criminals and terrorists no longer take into account national borders. They operate as an amalgam of foreigners and residents, always on the move, traveling across borders and continents. This reality frustrates, confuses and discourages jurisdictional institutions.

The role of law enforcement, security and military forces in combating unconventional threats to national security must be in support of the law. Gathering and exchanging information, joint training activities, taking part in the integrated development of exercises are elements of cooperation in security issues among the components of the national defense system.

Public order institutions, national security entities and the army must cooperate on security issues and support each other in the fight against strategic crime and its essential elements: organized crime, drug trafficking and terrorism.

The threats to security are currently manifested in complex and atypical forms, coming from multiple directions, which makes it difficult to prevent and exclude them.

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[33] Koppell Carla, Sharma Anita, Preventing the Next Wave of Conflict. Understanding Non-Traditional Threats to Global Stability Report of the Non-Traditional Threats. Working Group, Woodrow Wilson International Center for Scholars, Washington, D.C.
https://www.wilsoncenter.org/sites/default/files/media/documents/article/nontradthreat.pdf, valid at 06.06.2021.

All threats that follow the process of change must be taken into account when analyzing Romania's national security, perceived as a state of the nation that ensures the protection and defense of the national interest objectives.

New security challenges will require new approaches with reference to risk and threat management, a concept that must be proactive.

The analysis of threats must start from the fact that, under certain conditions, these can turn into real imminent dangers or even aggressions, and increase or decrease of the importance of each will depend on a set of circumstances determined by the evolution of Romania's geopolitical and geostrategic situation, as well as interests of the great powers for this area and the European security system.

Western experience shows that the change of meaning or the transition from a general reactive attitude (reducing the effects of an event that occurred) to a pro-active attitude (measures to prevent an event from occurring) is the result of reasoning aimed at reducing risk up to the level of accessibility in society. Application of specific risk management techniques in the development of national security and defense policies creates the conditions for detecting the most efficient ways of action for fulfilling the national interests and objectives from the perspective of confronting potential risks. A decision based on the assessment of a threat, in the absence of a hierarchy of national interests, may be considered an action with possible undesirable effects on national security.

Landmarks and threat analysis indices cannot exclude the permanent knowledge of the answers to the questions, such as: what are the most obvious threats to national security? Are the possibilities and measures for their current management sufficient? And if not, what other actions and measures should supplement them? What information flows can highlight the existence and evolution of certain threats? Is the state of national security properly investigated? Are the types of analysis appropriate? Do the analyses make it possible to measure the status of the security system at a given time? Can dysfunctional processes be identified through the analyses undertaken?

**THE COOPERATION**

In this architecture of national security, intelligence services represent external and internal determinations of conditioning, created to ensure the existence of the Romanian state. The new types of threats that characterize any community, with a strong cross-border and transnational footprint, lead to the development of common, concrete and realistic strategies because, in fact, national and international collective security is threatened. This reality requires wide cooperation and participation in solving some aspects of interest of all information structures.

The cooperation agreements concluded by Romania with the Eastern European states in the field of prevention, combat, detection and investigation of

crimes related to organized crime provide for police cooperation with specialized bodies in these states in the fields of: illegal cultivation, production, manufacture and drug trafficking; illegal production, trade and use of chemicals essential for the illegal production of narcotics; trafficking in weapons, ammunition, explosives and other materials that can be used to make lethal artisanal means, as well as trafficking in toxic substances; illegal international economic activities and legalization of income obtained (money laundering) from illicit activities, suspicious economic and banking transactions and investment abuses; smuggling; illicit activities related to migration, illegal border crossings and illegal trafficking in human beings; sexual exploitation of women and minors or children; counterfeiting and forgery of banknotes, credit cards, documents, securities, as well as any identity document; crimes against human life and property; illicit trafficking in precious stones and metals, intellectual property and valuables from the cultural and historical heritage; corruption; ecological crimes; abduction and trade in human organs; maritime crime (maritime fraud, piracy); theft and illegal vehicle trafficking.[34]

These mutations were produced in the system for combating unconventional threats as a result of Romania's integration into the European Union. The integration in the European and Euro-Atlantic structures is a fundamental option of the Romanian state, a point of convergence of all political forces in Romania. Achieving the required levels of performance in order to meet the objectives of the common foreign and security policy requires our country to comply with a series of conditions regarding: coherent harmonization of technical structures, communication networks, information systems; harmonization and coherence of the operational structures involved; harmonization and coherence of legislation and regulation in full compatibility with the acquits and good practice of the European Union; achieving a level of functioning of computer data protection institutions and individual freedoms in full compatibility with the acquits and good practices of the European Union.

The National Strategy for Preventing and Combating Terrorism sets "benchmarks for a systematic approach to the terrorist phenomenon"[35]. Of course, in this case, the activities specific to organized crime and corruption related to terrorism are targeted and incriminated, directly or indirectly. The document defines terrorism as a type of social expression, classifies it according to several criteria (motivational tool, forces involved, area of manifestation), fixes the factors and mechanisms involved in the dynamics of the terrorist phenomenon and establishes the entities involved in terrorist issues and targets. After defining these concepts, the major objectives of the national action to prevent and combat terrorism are clearly set out, as follows:

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[34] https://www.europol.europa.eu/partners-agreements/member-states/romania, valid at 06.06.2021.
[35] *The National Strategy for Preventing and Combating Terrorism*, https://www.google.com/search?client=firefox-b-d&q=The+National+Strategy+for+Preventing+and+Combating+Terrorism+

a) identification, monitoring and constant assessment of all risks and threats, respectively of vulnerabilities on national security coordinates, engendered by concerns, intentions, actions and inactions, facts and both endogenous and exogenous phenomena that are or may be constituted in elements that contribute to the emergence, development and specific manifestation, outside and inside national borders, of terrorism, as well as to its fueling or favoring in any way;

b) the protection of the national territory (respectively of the local population and objectives, of the residents and foreign objectives) from the subsumed / associated activities of terrorism, through all the necessary categories of institutionalized activities aiming at: preventing the occurrence of international terrorism, in all possible forms of manifestation; reducing the risks to Romania's security, generated by the nuclei of international terrorism which, under various covers, could be implanted and act against targets on the country's territory, independently or in association with various other foreign and / or domestic entities;

c) the protection of the Romanian citizens and objectives from abroad from activities subsumed / associated with terrorism, regardless of their origin and forms of manifestation;

d) preventing the involvement of Romanian citizens and foreign residents in Romania in activities subsumed / associated with international terrorism, regardless of the area of development, their objectives or targets;

e) participation in international efforts to prevent and combat the terrorist phenomenon in various geographical areas, through: active contributions to bilateral / multilateral initiatives aimed at identifying and operationalizing the most effective political and diplomatic actions, regulations and other normative instruments, as well as international mechanisms inter-institutional cooperation meant to prevent the appearance, development and manifestation of the terrorist phenomenon, as well as to combat the activities subsumed / associated with it; the transposition in the national normative framework and in the current activities carried out by the Romanian state, internally and in the external relations, of the obligations assumed or incumbent on it according to the international agreements in such problems, to which our country is a party; exchanges of information and law enforcement cooperation on intentions, concerns and actions of a nature or with a possible terrorist purpose or which promote the emergence, development and manifestation of terrorism; participation with specialized armed forces in multinational military operations, carried out in accordance with UN resolutions, aimed at materializing the objectives of ensuring international security and stability in preventing and combating the terrorist phenomenon.

In order to materialize the objectives provided in the National Strategy for **Preventing and Combating Terrorism**, the **National System for Preventing and Combating Terrorism** was established as a "mechanism for ensuring,

organizing and conducting in a unitary vision, inter-institutional, cross - sectoral cooperation, categories of tasks subject to national action in the field of counter-terrorism", which operates on the basis of the General Protocol on the organization and functioning of the National System for **Preventing and Combating Terrorism** concluded among participants, under the strategic leadership of the Supreme Defense Council Romania and Romanian Intelligence Service.

The general and specific objectives of the content of the National Strategy for Combating Organized Crime[36] were established taking into account the provisions of normative acts in the field that Romania has ratified, as well as the programmatic documents on our country's accession to the European Union, observations, conclusions and recommendations following a careful analysis of this process.

In our opinion, the objectives are: achieving compatibility, from an institutional and functional point of view, at the level of European structures involved in combating cross-border organized crime by improving legislation and optimizing the activities carried out by these structures; inter-institutional cooperation to be achieved at the highest standards in order to combat unconventional threats effectively; the use of information technology in order to increase the efficiency of operational activities, to create and computerize databases and to interconnect specialized structures; combating drug trafficking and consumption, through actions that increase drug seizures and reduce drug demand; illegal trafficking in human beings and violent crimes should be kept to a declining level; increasing the level of actions taken to prevent the trafficking of strategic materials; establishing the necessary measures to prohibit money laundering by organized crime networks; reduction of counterfeiting in the financial and economic sector, as well as reduction of fraud committed by means of counterfeit payment instruments; reducing corruption.

Reducing actions to combat threats to the security of the country and allies only by using military-specific equipment and means is a great mistake. Among the measures needed to eliminate this major shortcoming are the harmonization of security policies in that segment and the implementation of a single early warning system involving all components of national security as part of a complex international system capable of eliminating the shortcomings existing nowadays.

The efficiency of this complex international system will be ensured by:

- the conceptual component - materialized through a set of documents related to the theories, tactics, techniques and procedures necessary to fulfill the mission, as well as their study, understanding and acquisition by the staff involved;

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[36] STRATEGIA NAȚIONALĂ de combatere a criminalității organizate în perioada 2004 2007 | Hotărâre 2209/2004, https://lege5.ro/Gratuit/guydqmjz/strategia-nationala-de-combatere-a-criminalitatii-organizate-in-perioada-2004-2007-hotarare-2209-2004?dp=geztonzyg44te.

- the action component - involves the realization of structural entities specific to these missions both within and outside the armed forces, equipping these structures with equipment, technology and materials appropriate to their missions and necessary for the integration of various components in early warning systems of alliances or coalitions preparing and conducting multinational operations;

- elaboration of the legislative and functional framework, specific to crisis management, focusing on both the provisions of international regulations and the experience gained during the last decades in resolving crises and non-military conflicts or those who did not know the stage of military conflict, precisely due to actions threat prevention.

The European Union has, in recent years, considerably strengthened its legal framework on the prevention of money laundering and terrorist financing, as follows:

- The 4th Directive (EU) 2015/849 on combating money laundering was adopted in May 2015 and was to be transposed by the Member States by June 2017. In the framework of the Action Plan to strengthen the fight against terrorist financing, adopted in February 2016, and in response to the April 2016 Panama Papers disclosures;

- The 5th Directive (EU) 2018/843 on combating money laundering was adopted in April 2018 and Member States must transpose it into national law by January 2020. This review increases the transparency of information on real beneficiaries, provides financial intelligence units with wider access to information, strengthens cooperation between supervisors and regulates virtual currencies and prepaid cards to better combat terrorist financing. With regard to the financial sector, the new rules on the exchange of information and the dissemination of information should significantly improve cooperation between prudential supervisors and the fight against money laundering / terrorist financing and strengthen the role of the European Banking Authority in enforcing EU rules; strengthening cooperation in the fight against money laundering and terrorist financing;

**CONCLUSIONS**

As an active partner in international relations in the field of the fight against terrorism, Romania has signed or ratified a series of documents (conventions, declarations, etc.) meant to legally sanction terrorism. Thereby, terrorism and its concrete forms of manifestation are inserted in several international legal documents, most of which have entered into force.

At national level, the prevention and combating of unconventional threats is carried out according to the provisions of the international conventions, to which Romania is a party.

Our opinion is that the current register of threats to national security has required the development of operational capacity for understanding, knowledge, prevention and counteracting, as well as its adaptation to the requirements of the foreseeable evolution of potential risk factors for national security.

There is no doubt that the priority in the fight against terrorism, cross-border organized crime and other forms of unconventional threats originates from the very constitutional need to defend the country's sovereignty and independence, territorial integrity, state unity, peace and security.

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# ROMANIAN`S SECURITY: EXPLAINING YOUNG CITIZENS' PERCEPTIONS ABOUT NATIONAL SECURITY

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*Abstract: In the last decades the issue of national security has become more transparent and a subject of interest for the common citizen. Much scholarly attention is paid to how people perceive national security and issues related to it. However, we know very little about what young citizens, members of generation Z, believe about this aspect. This paper addresses this gap in the literature and analyzes how young citizens perceive subjects related to national security. It uses Romania as a single-case study and semi-structured interviews conducted in January 2021-March 2021 with young citizens coming from different socio-demographic profiles, to explain the variation in how they understand national security. The paper seeks to test the explanatory power of several variables such as knowledge about contemporary events, media exposure and threat assessment. The paper also controls for several socio-demographic characteristics such as age, gender, education and medium of residence. The findings indicate that citizens' perceptions are influenced by a combination of general attitudes towards the political system and society, the education factor and specific attitudes about potential threats.*
*Keywords: Generation Z; security perception, Romania, national security.*

Each generation comes with a unique set of features and challenges. These characteristics are the result of an economical and historical context, various cultural events, technological evolutions that affect their personality, their way of thinking and their behavior. These characteristics also contribute to the way in which certain categories of citizens relate to security issues. The importance of understanding these perceptions is vital for the good creation of a performing society. In this logic, this article aims to analyze how the youngest generation, generation Z, perceives Romania's national security.

Researchers in the field of security studies have often analyzed how the population perceives national security. Despite innovative theoretical contributions of this topic, there is a lack of evidence on how those born between 1996-2010 understand what security is or what are the biggest threats to it. In this research, we offer an empirical contribution to understating young people`s perception on Romanian national security. The investigation departs from the following research question: What is the perception of members of generation Z about national

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security? To understand in depth, we interviewed 20 young people coming from different backgrounds and locations from Romania who shared their opinions on this topic.

The reminder of this paper is organized as follows: first we provide a framework in which we discuss the most important theoretical aspects about security perception and the main characteristics of generation Z, followed by a short discussion about the methodology and our main findings.

## THEORETICAL FRAMEWORK

In the last decades the issue of national security attracted the attention of the general public and scholars in a different way. If immediately after the Cold War this matter was mostly approached from a military perspective, later on, multiple perspectives emerged. For example, national security was split into specific sectors, each of it dealing with various threats, risks and vulnerabilities. Also, the referent objects multiplied and nowadays national security covers more than the traditional approach. Simultaneously, scholars tried to better explain and understand how people perceive national security and other matters connected to it. Politicians also started to care more about this topic, either motivated by the competition for public support or by the need to have a comprehensive view in shaping their position or support for different policies.

As Schneier[39] noted: "Security is both a feeling and a reality". Thus, individuals' perception of security is often different from the objective reality of security. This approach is also supported by Rosling[40] who claims that humans' perception can differ from the reality, especially when it comes to the current situation in the world, the perception of security, positive developments and evolution in general. He stated that "every group of people I ask thinks the world is more frightening, more violent, and more hopeless – in short, more dramatic – than it really is"[41]. Pinker[42] and Roser[43] are other scholars that support the same point of view. In addition, to understand and explain more deeply the individuals' perception of national security a closer look to the existing literature is needed. In the next section of this paper, we will analyze the previous work on the perception of security.

Overall, the existing literature shows that security is an inherently contested notion that might be approached and defined differently by individuals,

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[39] Bruce Schneier, *The Psychology of Security*, in "Progress in Cryptology – AFRICACRYPT 2008. Lecture Notes in Computer Science", ed. Serge Vaudenay, vol. 5023 (Berlin: Springer, 2008), 50–79.
[40] Hans Rosling, Ola Rosling, and Anna Rosling Ronnlund, *Factfulness: Ten Reasons We're Wrong About the World - and Why Things Are Better Than You Think* (New York: Flatiron Books, 2018).
[41] Rosling, Rosling, and Rosling Ronnlund, 9.
[42] Steven Pinker, *Better Angels of Our Nature* (New York: Harper Perennial, 2011).
[43] Max Roser, *Why Are We Working on Our World in Data?*, "Our World in Data", 2017, https://ourworldindata.org/why-are-we-working-on-our-world-in-data.

institutions or other actors[44]. Moreover, realists argue that security is the realm of the state, while supporters of human security claim the idea that security starts at individual level and extend upwards[45]. Besides this, there are those who assess security as a socially constructed notion and a product of social realities[46]. In this case, when it comes about the perception of security, a difference between various groups within a society should be made. If we discuss about national security, in a state where there is a cleavage between regions it is required to differently analyze the perceptions[47]. Moreover, the same approach should be made between generations.

In the last decades there were several factors affecting the perception of national security. The literature centered on threat perception argues that the public perception can influence the citizens' support for various political measures and reforms[48]. Other scholars discuss about the effects of major events, like 9/11 terrorist attacks, that are considered the trigger that generated a new world order in terms of threat perception. For example, Sibley, Wilson and Duckitt claim that the terrorist attacks "resulted in chronic changes to schematic representations of the social world as a dangerous and threatening place for many people"[49], raising a "new urgency to understanding the degree, origins, nature and consequences of threat"[50]. Moreover, the major shift represented by the expansion of security acceptance influenced the public perception. Nowadays, security is not only related to hard power and the threats and vulnerabilities are not considered only in term of military means. This change affects the public perception of threat and makes it more complex.

From psychological perspective, Marcus et al., Gibson and Gouws show that normative threat from disliked groups renders individuals both less tolerant and more responsive to information about threats[51]. Moreover, there are other who argue that there is a strong connection between threat and authoritarianism, which "stands about ten steps closer to the panic button than the rest of the population"[52].

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[44] Mohammed Ayoob, *Defining Security: A Subaltern Realist Perspective*, in "Critical Security Studies", ed. Keith Krause and Michael C. William (New York, 2002), 121–46.

[45] Roland Paris, *Human Security: Paradigm Shift or Hot Air?,* "International Security" 26, no. 2 (2001): 87–102.

[46] Thierry Balzacq, *Constructivism and Securitization Studies*, in "The Routledge Handbook of Security Studies*"*, ed. Myriam Dunn Cavelty and Victor Mauer (London: Routledge, 2009).

[47] Ian Brunton-Smith and Patrick Sturgis, *Do neighborhoods generate fear of crime? An empirical test using the British Crime Survey\**, "Criminology" 49, no. 2 (2011): 331–69.

[48] Brian Burke, Spee Kosloff, and Mark Landau, *Death Goes to the Polls: A Meta-Analysis of Mortality Salience Effects on Political Attitudes,* "Political Psychology*"* 34 (2013): 183–200.

[49] Chris G Sibley, Marc S Wilson, and John Duckitt, *Effects of Dangerous and Competitive Worldviews on Right-Wing Authoritarianism and Social Dominance Orientation over a Five-Month Period*, "Political Psychology" 28, no. 3 (2007): 368.

[50] Leonie Huddy et al., *The Consequences of Terrorism: Disentangling the Effects of Personal and National Threat*, "Political Psycholog*y*" 23, no. 3 (2002): 486.

[51] George E Marcus et al., *With Malice toward Some: How People Make Civil Liberties Judgments*, *Cambridge Studies in Public Opinion and Political Psychology* (Cambridge: Cambridge University Press, 1995); James Gibson and Amanda Gouws, *Overcoming Intolerance in South Africa: Experiments in Democratic Persuasion* (Cambridge: Cambridge University Press, 2003).

[52] Bob Altemeyer, *The Authoritarian Specter* (Cambridge: Harvard University Press, 1996), 100.

As such, all these can also be considered as factors affecting the perception of national security, both from internal and external perspective.

The individual's perception of national security can be influenced by personal, social and environmental variables. For example, Gutierrez et. all discuss about the presence of communities of immigrants and the risk of legitimizing a racist attitude among the citizens[53], while Sniderman, Hagendoorn and Priod find that perception of threats from immigration are directly linked to cultural identity[54]. The fear of crime can also be considered a factor. As noted by Miceli[55] it is influenced by the level of objective crime, physical or social uncivil behavior[56], issues related to urban life (density, social integration difficulty, aggressiveness of street life[57]), socio-demographic variables (especially gender and age) and psycho-social variables related to the perception of vulnerability and individual's capacity to confront various situations[58]. Moreover, Huddy et. all add to gender and age another important factor: education and race, that are linked to perception of threat which affects the general perception of security[59]. Finally, there are authors who argue that media exposure influences the perceptions of "modern" and "postmodern" threats[60]. Although it is questionable the extent in which these factors influence the citizen's perception of national security, they are clear contributors to how the environment is perceived.

For the purpose of this research, it is also important to observe the state-of-the-art research related to how generations perceive security. It is known that, usually, individuals are under the influence of what is called "the generational effect"[61]. In short, this effect represents the shared experience of living through a period of history. This leads to differences in how security is perceived by generations of the same society/community. Additionally, age is another important matter, because individuals tend to have different concerns specific to

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[53] Alexandra Gutierrez, Esteban Agullo Tomas, and Julion Suarez Rodriguez, *Discursos Juveniles Sobre Inmigración: Un Análisis Psicosociológico En Estudiantes de ESO*, "Psicothema" 16, no. 3 (2004): 384–90.

[54] Paul Sniderman, Louk Hagendoorn, and Markus Prior, *Predisposing Factors and Situational Triggers: Exclusionary Reactions to Immigrant Minorities*, "The American Political Science Review" 98, no. 1 (2004): 35-49.

[55] Renato Miceli, Michele Roccato, and Rosalba Rosato, *Fear of Crime in Italy: Spread and Determinants*, "Environment and Behavior" 36, no. 6 (2004): 776–89.

[56] Sebastian Roche, *Le Sentiment d'insécurité* (Paris: Presses Universitaires de France, 1993).

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[58] Gabriel Moser and Claude Levy-Leboyer, *Inadequate Environment and Situation Control: Is a Malfunctioning Phone Always an Occasion for Aggression?*, "Environment and Behavior" 17, no. 4 (1985): 520–33.

[59] Huddy et al., *The Consequences of Terrorism: Disentangling the Effects of Personal and National Threat*; Leonie Huddy et al., T*hreat, Anxiety, and Support of Antiterrorism Policies,* "American Journal of Political Science" 49, no. 3 (2005): 593–608.

[60] Travis N Ridout, Ashley C Grosse, and Andrew M Appleton, *News Media Use and Americans' Perceptions of Global Threa*t, "British Journal of Political Science" 38, no. 4 (2008): 575–93.

[61] P A de Winstanley and E L Bjork, *Processing Instructions and the Generation Effect: A Test of the Multifactor Transfer-Appropriate Processing Theory*, "Memory", no. 3 (1997): 401–21; Zachary A Rosner, Jeremy A Elman, and Arthur P Shimamura, *The Generation Effect: Activating Broad Neural Circuits during Memory Encoding,* "Cortex; a Journal Devoted to the Study of the Nervous System and Behavio*r*" 49, no. 7 (2013): 1901–9.

different ages (without a clear connection with the generation). For example, the youth might be more concerned about financial aspects of security like the minimum wage or purchasing power while the elders think more about retirement revenue or access to different facilities. In this regard, our research is concerned about the Z generation and, since there is no solid research on how its members perceive national security, our literature analysis will have a broader focus.

The existing literature discuss about the Z generation as being formed by those who were born after 1995[62], while other consider the year 2000 as the starting point of its development[63]. Overall, the persons who belong to this generation are extremely self-confident, have an optimistic view on the future professional life and tend to have entrepreneurial initiatives[64]. Moreover, if compared to Millennials, they put more of an emphasis on finding their dream job (which means are more oriented towards personal development and evolution) and follow their parents' influence[65]. Besides this, since they are known as "the internet generation"[66] or "digital natives"[67], the individuals are growing up in an interconnected world. This leads to a higher engagement with others, when it comes about sharing or debating different ideas, opinions or views. Generation Z is characterized by an extensive participation in social media and on-line networks, giving them a different identity and perception of reality. Since they interact more with "foreigners", they tend to show a higher level of tolerance and acceptance and contribute more to racial, ethnical and cultural diversity. It is unknown yet if there is a high level of flexibility when it comes about identity and the so called "grater good", specific to communities.

A study conducted by RAND Corporation in 2014 shows that there is a significant difference between how Millennials and Baby Boomers perceive national security. In this case, Millennials are not as concerned as the previous generation[68]. The same study explains that "the results might indicate less interest in security threats and policies and more concern for domestic priorities as more Millennials move into position of authority"[69]. Since, there are strong similarities between Millennials and Generation Z (as researched by Pew Research Center[70]),

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[62] Karen Bolser and Rachel Gosciej, *Millennials: Multi-Generational Leaders Staying Connected*, "Journal of Practical Consulting", no. 2 (2015): 1–9.

[63] James Bennett, Michael Pitt, and Samantha Price, *Understanding the Impact of Generational Issues in the Workplace*, "Facilities" 30, no. 7/8 (2012): 278–88.

[64] Adecco, *Millennials vs. Gen Z: Key Differences in The Workplace*, 2016, https://www.adeccousa.com/employers/resources/generation-z-vs-millennials-infographic/.

[65] Adecco.

[66] Mustafa Ozkan and Betul Solmaz, *The Changing Face of the Employees – Generation Z and Their Perceptions of Work (A Study Applied to University Students)*, "Procedia Economics and Finance" 26 (2015): 476–83.

[67] Mary Lou Addor, *Generation Z: What Is the Future of Stakeholder Engagement?*, Institute for EMERGING ISSUES - NC State University, 2011, https://iei.ncsu.edu/wpcontent/uploads/2013/01/GenZStakeholders2.pdf.

[68] Corporation RAND, *Millennials Worry Less About National Security Than Baby Boomers Do—for Now*, 2018, https://www.rand.org/blog/articles/2018/06/millennials-worry-less-about-national-security.html.

[69] RAND.

[70] Kim Parker, Nikki Graf, and Ruth Igielnik, *Generation Z Looks a Lot Like Millennials on Key Social and Political Issues*, 2019.

the existing literature shows that the two generations share similar social and political views.

In addition, the literature abounds of studies that discuss how mass media applies a strong influence on public opinion[71]. Moreover, the social media impacts political views and attitudes[72]. Since, the Generation Z is a high consumer of digital media, their perception is highly influenced by the content they access[73]. Besides this, considering their age, the impact is even higher than in the case of older generations. As shown by Huddy and her co-authors, there is a strong relation between media coverage of terrorism and perceptions of future risks[74] Similarly, Kushner found that increased level of media use can be associated with higher levels of threat perception that might generate greater support for interventionist military policies[75]. In this context, Generation Z is likely to shape their perception in accordance with the information they consume, which is not always checked and valid.

Overall, the existing literature does not clearly discuss how individuals of Generation Z shape their perception about national security. Moreover, the previous work analyzes the Generation Z' perception shaping in advanced democracies and not in social and political contexts specific to former communist countries, like Romania.

### DATA COLLECTION AND ANALYSIS

From a methodological perspective, our study is constructed using the semi structured interview method as primary data collection method. To find out how young citizens perceive subjects related to national security, we conducted 20 semi-structured interviews between January and March 2021. We selected Romania as a single case study because of its communist past that can still shape some perceptions that may have effect even in the way younger generations look at the security issues. Moreover, as in other countries, Romanian`s generation Z, are considerate the future generation of leaders and decisions makers and understanding their perception is relevant for other countries.

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[71] Shanto Iyengar, *Framing Responsibility for Political Issues*, "The Annals of the American Academy of Political and Social Science" 546 (1996): 59–70; Shanto Iyengar et al., T*he Origins and Consequences of Affective Polarization in the United States*, "Annual Review of Political Science" (Annual Reviews Inc., May 11, 2019), https://doi.org/10.1146/annurev-polisci-051117-073034.

[72] Nick Hajli, *A Study of the Impact of Social Media on Consumers*, "*International Journal of Market Research"* 56, no. 3 (2013): 387–404; Lisi Merkley, "How Social Media Impacts Political Views," The Daily Universe, 2020, https://universe.byu.edu/2020/08/06/social-media-use-impacts-political-views/.

[73] Virgil Hawkins, *The Other Side of the CNN Factor: The Media and Conflict*, "*Journalism Studies"* 3, no. 2 (2002): 225–40.

[74] Leonie Huddy et al., *Fear and Terrorism: Psychological Reactions to 9/11*, in "Framing Terrorism: The News Media, the Government and the Public", ed. Norris Pippa, Kern Montague, and Marion Just (New York, 2003), 255–78.

[75] Shana Kushner Gadarian, *The Politics of Threat: How Terrorism News Shapes Foreign Policy Attitudes*, "The Journal of Politics" 72, no. 2 (2010): 469–83.

We used the method of semi-structured interviews because the respondent`s point-of-view is the most salient concern for qualitative researchers[76] as this lets the researcher understand the phenomena they have encountered. Semi-structured interviews are more appropriate than structured interviews as they are more flexible.

The interviews we conducted had six questions through which we tried to find out, in depth, what is the citizens` opinion about the national security environment. We considered that this method offers us the opportunity to understand the complexity of opinions and views related to this topic. In terms of content, the interview aimed to understand how young citizens define security, what they consider to be the biggest threat to Romanian national security and their ideas about their role in the national security framework. (Appendix 1 presents the complete interview guide).

Our interview was applied to members of the general population whit variation on age, sex and location. Participants were identified by one simple criteria: persons who are born between 1995-2000. The profile of our respondents is diverse. We interacted with young people (age: 19- 25) that come from several parts of Romania (Cluj, Alba, Bucharest, Galati, Satu Mare, Suceava) who are students in various fields (Appendix 2 provides and overview of the participants). The data collected represents the views of females and males, with rates of 40% and 60% respectively. The interviews were applied by phone but also face to face. The answers we received help us explain the citizens` vision on with regard to several issue of national security.

The analysis of the data will be guided by an inductive approach. This requires understanding participants' views and experiences in the specific context of our study. As thematic analysis involves the implementation of codes and themes within the data. Table 1 presents three major themes identified in our interviews.

**Table 1. Major themes**

This qualitative outlook on young people perception about security matters makes way for an in-depth understanding of how they relate to important issues and, in a way, what is their level of security culture.

| Major themes | Codes/subthemes | Quotes |
|---|---|---|
| Biggest threat to Romania`s security | The governmental leadership/corruption | „The biggest danger to Romania is corruption (...). Romania does not lack competent people, Romania lacks people to assume responsibilities, without blaming each other." „In my opinion, the biggest danger to Romania's security is the government leadership" |

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[76] Alan Bryman, *Social Research Methods* (Oxford University Press, 2012).

| | Russian Federation | „From my point of view, the greatest danger to Romania is represented by the actions of the Russian Federation for carrying out military operations on the Black Sea, intimidation, misinformation and other hostile actions." |
|---|---|---|
| Ways to improve national security | Strong national strategies – strong army | „National security can be improved through a coherent and efficient national defense strategy with concrete solutions to ensure security." „National security could be improved through a rigorous development of the army, so that citizens can be sure that someone can defend them at any time." |
| | Cooperation | „I believe that the best solution for improving national security is cooperation and dialogue with other states in our area." |
| | Better decisions – internal reforms | „I believe that national security would begin to improve with the better decisions coming from leaders who deal with the insecurities the country is facing." „National security could be best improved by raising the living standards of the population." |
| Youth role in current society | Change, development and involvement | „Young people have an important role to play because change begins with them. They should know best that their future depends on them." |

## FINDINGS AND DISCUSSIONS

The analysis of the interviews we conducted reveals that the vast majority of those we interviewed are able to offer a clear definition for security. They refer to is as: „pace, the state of tranquility, safety, of being out of danger" (R1). Some of our respondents offered a more elaborate definition of the concept. The definitions we have received focus on several dimensions of this concept. In principle, young people studying in the field of security studies or political science are able to provide a much more complex definitions of the phenomenon:

„Security is the ability to be safe from any danger (internal or external) that may affect the state, the individuals or communities. Moreover, security also refers to the ability of the state to respond to threats, risks and vulnerabilities" (R3). Those who study, in other fields, like psychology refer to the concept of security through a slightly different filter: „security is a safety feeling that allows the individual to exist and evolve" (R9). The analysis of the answers to this question presents once again the subjective character of this concept.

One of the things we wanted to test was the young people's perception of the dangers facing national security. The analysis of the answers to question number two of our interview brings into discussion two great fears that young people have about Romania's security. One of these concerns is related to the internal situation with reference to the political element and the second is related to the external danger that may come from the Russian Federation.

The young people with interest in the field of biology, law, political sciences or IT brought into discussion the internal problems that Romania has and which could generate, according to them, national security problems. They refer to the incapacity of the political class to face risks and threats: „In my opinion, the biggest danger to Romania's security is represented by the government leadership, our politicians, because they are responsible with all the decisions. They are the ones who decide all the important things and, in my opinion, they don't seem to know how to do that." (R1) Other mention the widespread phenomenon of corruption: „the biggest danger to Romania's security is represented by the phenomenon of corruption which makes the state unable to have strong institutions, trained politicians and therefore to be able to ensure good governance." (R13) Similar to the existing literature, the answers confirm the fact that Generation Z' members are more concerned about issues related to internal politics and development that to matters concerning the international context.

Beyond the internal problems, several of our respondents also discussed the danger that may come from external actors. Most of them mentioned the external danger caused by the Russian Federation: „I believe that the biggest threat is the tense situation in the eastern part of Romania – mainly Russia" (R15), „From my point of view, the biggest danger to national security is that we are close to Russia. The unpredictability of this state does nothing but trigger the fear of a war, given the latest actions in Ukraine" (R6) In this case, the similarities between the Generation Z and Millennials is demonstrated by the fact that, when comes about external threats, the main concern is represented by Russia. If we consider that the respondents were born after the Cold War, their opinion might be shaped by to factors: the close interaction with family members (who lived during the communism and afterwards) and the social-media / mass-media. Also, education can play a central role in shaping their approach towards national security. Moreover, the respondents experienced the NATO accession and most of their existence is connected with European values.

Young people with interests in the field of security studies, but not only, also mentioned the problem of conflicts between states and those with concerns in the IT field mentioned the cyber dangers that Romania may face: „In a constantly changing society, in which technology has an important part in our daily life, I consider that a serious threat is represented by cyber-attacks" (R11).

Asked what would be the most effective means by which Romania's national security could be improved, our respondents had three categories of answers. A consistent part of them considers that through clear and efficient security strategies, Romania's security problems could be solved. Another category considers that only through cooperation and dialogue with other states and international organizations a security climate can be created while those who blamed the political element on Romania's security problems believe that security can be improved by making decisions and reforming the political element. In the case of this theme, like in the case of the others, there are no big variations between the ideas of our respondents. The educational background intervenes a little in the formulation of the perceptions they have on this subject.

Respondents with background in journalism, law, political science and security studies are prone to say that a good security strategy can be the key to better and stronger security for Romania. „National security can be improved through a coherent and efficient national defense strategy in which concrete solutions ensure security is provided." (R2) Following the same logic, some respondents consider the military component to be very important: „national security could be improved through rigorous military developments so that citizens can be assured that someone will defend them at all times." (R4) Others consider important to incorporate technological changes in the national security institutions while some address the issue of espionage: „elimination of all potential spies from the country" (R5). All these confirm the interest of Generation Z for living in a better social and political environment. Their opinions are stronger and more often expressed, even when related to important topics like military and security policing. Although they are not yet involved in the decision-making process, these attitudes show a higher voluntarily assumed responsibility.

Cooperation and dialogue with neighboring states and international institutions is a recurring theme for respondents with interests in the field of law, political science and psychology: „National security can be improved through dialogue with the great powers of the world and the great international organizations" (R12). Since the respondents are part of the most complex generation in terms of cultural, ethnic and religious identity, they better understand and accept that communication is a useful instrument to overcome all these challenges. So, cooperation is a key characteristic for this cohort. It is unclear if the same approach will be present in crisis situations.

Those respondents who considered that one of the biggest threats to national security is the political element, to the question related to the methods by which

the security of Romania can be improved, come with answers in the same logic. Some believe that better decisions are needed, others discuss compliance with the law: „the national security of the country can be improved by respecting the law and its correct application, but also by taking the best decisions regarding future actions" (R13), the elimination of abuses but also the increase of living standards: „national security can best be improved by raising the standard of living of the population, because a financially stable population is able to respond much more easily to any challenges that may arise" (R14).

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## Appendix 1
### Interview questions

How do you define security?

Which is, in your opinion, the biggest threat towards Romanian`s national security?

How can national security be improved?

Which is the role of young people in the contemporary society?
From where do you get your information related to the events happening in Romania?
Are you discussing politics or current events with your friends?

**Appendix 2**
**Overview of the participants**

| Interviewee | Age | Sex | Field of study | Location |
|---|---|---|---|---|
| R1 | 22 | Male | Biology | Satu Mare |
| R2 | 21 | Female | Psychology | Harghita |
| R3 | 22 | Male | Political Science | Cluj |
| R4 | 21 | Female | Security Studies | Suceava |
| R5 | 20 | Male | Technical Studies | Sibiu |
| R6 | 20 | Female | Security Studies | Galați |
| R7 | 24 | Male | Law | Maramureș |
| R8 | 19 | Male | IT | Hunedoara |
| R9 | 19 | Female | Psychology | Constanța |
| R10 | 19 | Female | Natural Sciences | Hunedoara |
| R11 | 25 | Female | IT | Cluj |
| R12 | 19 | Male | Law | Neamț |
| R13 | 22 | Female | Political Science | Constanța |
| R14 | 23 | Male | Political Science | Caraș-Severin |
| R15 | 23 | Male | Technical Studies | Sălaj |
| R16 | 23 | Female | Journalism | București |
| R17 | 20 | Male | Medicine | București |
| R19 | 23 | Female | Security Studies | Alba |
| R20 | 20 | Male | Chemistry | Brașov |

# RAILWAYS CONTRIBUTION TO NATIONAL SECURITY

**Lecturer Petrişor Gabriel PEIU, Ph.D.**[77]
**Lecturer Florin Codruţ NEMŢANU, Ph.D.**[78]

***Abstract:*** *The railways system has a tremendous influence to the national security. First of all, railways development is strongly pushing the GDP growth for any country, as being a very elaborate industry and having a very large in the railways supply industry (RSI). Second of all, the industries which are contributes to the RSI are the high end of the specific domains and all of the new systems in the network is often coming with very sophisticated and new products, having an important contribution to the research and development (R&D) departments. And, thirdly, railways and highways are creating a more cohesive EU and is creating a high level of connectivity for all the member states. Connectivity is the key feature for a better mobility for the humans' resources and for material resources. If the EU gains in connectivity any potential enemy of any member state will understand that the given member state could easily and timely benefit from the resources of all the member states. A better connectivity will also bring the US and UK military capabilities closer to any member state.*
***Keywords****: Railway, national security, mobility, connectivity, GDP growth, railway supply industry.*

## 1. NATIONAL SECURITY DEFINITION AND MAIN CONSTITUENTS

Despite the various way to define "national security", the concept is easy to understand. A broader definition might be considered the following: *"National security then is the ability to preserve the nation's physical integrity and territory; to maintain its economic relations with the rest of the world on reasonable terms; to preserve its nature, institution, and governance from disruption from outside; and to control its borders."* (Harold Brown, U.S. Secretary of Defence, 1977–1981)[79].

Obvious, the elements to contribute to the wider "national security" are the following:

- economic security;
- energy security;
- physical security;

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[78] Dr. Florin Codruţ Nemţanu, Ph.D. is Lecturer at the University `Politehnica`` from Bucharest, Department of Transport.

[79] Harold Brown (1983), *Thinking about national security: defense and foreign policy in a dangerous world,* as quoted in Watson, Cynthia Ann (2008), *U.S. national security: a reference handbook. Contemporary world issues* (2 (revised) ed.). ABC-CLIO. pp. 281. ISBN 978-1-59884-041-4, https://archive.org/details/usnationalsecuri0000wats, accessed at 01.05.2021.

- environmental security;
- food security;
- border security;
- cyber security.

All these dimensions of the security of a nation are closely correlate with the main components of the given nation`s power.

Railways are involved in the majority of these elements, such as economic security is enhanced by a good transportation network, which could improve the trade with other nations, particularly with its own allies. Also, the energy security is supported by a good freight network, in order to benefit from the primary energy resources abundance.

Railways brings more environmental security by being *"largely electrified and emits far less CO2 than equivalent travel by road or air. It accounts for only 0.4 % of greenhouse gas emissions from EU transport, while all EU transport accounts for 25% of the EU's total emissions. Plus, it is the only transport means that between 1990-2017 has consistently reduced its emissions and energy consumption, while increasingly using renewable energy sources"*[80].

While rail transport is generating only 0,4% of the greenhouse gas emissions of the EU transport sector (EU 27- 2018), the road transport is generating almost three fourths (71.8%) of the greenhouse gas emissions and one seventh (14.1%) of these emissions is produced by the waterborne transport and another one seventh (13.2%) by the civil aviation.
Food security is also increasingly dependent by rail transport, taking into consideration the huge quantities of agriculture commodities to be delivered by train.

However, national security in EU is not only "national". It is more EU-level security and NATO-level security. Member states are decisively relying on the EU level approach on issues related to security, including the military approach. Therefore, transport is one of the core pillars of the EU solidarity and is the base of European integration. Even if the aim of a EU common transport policy is to safeguard both competition and the freedom to provide services, the creation of a Single European Railway Area is creating a new and powerful instrument of the common security, strengthening the capability to transfer important amounts of resources (including military ones) to the member state in danger from enemies.

The fast and effective international rail transport of passengers brings additional solidarity between citizens of the member states and contributes to a global "European" feeling.
Particularly for the eastern countries (former socialist countries- which are basically free of US troops) the development of the rail corridors in Europe

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[80] *European Year of Rail,* European Commission, Directorate-General for Mobility and Transport, https://europa.eu/year-of-rail/why-rail_en, accessed at 01.05.2021.

generates reasonable expectations of support (in the case of any unfortunate event) from the American and British armies located in the west of the continent.

## 2. ECONOMIC AND SOCIAL FOOTPRINT OF THE RAILWAY INDUSTRY IN EU

In the year 2012, rail industry accounts for 1.06 million of persons direct and 1.21 million of persons indirect employed (EMPL). Rail industry creates in that year 66 billion Euro direct gross value added and 77 billion gross values added, which is, in total, over 4.2 % of the gross value added at EU level[81].
Rail transport creates more direct value added than air or water transport in the same year, 2012:

- 32 billion Euro for the water transport,
- 53 billion Euro for the air transport
- 66 billion Euro for the rail transport[82].

In that year, rail`s labour productivity has overtaken the economy-wide range into the EU market: over 60, 000 Euro/employed person in the rail industry vs. 50,000 Euro/employed person in the economy-wide range.
EU's railway supply industry (RSI) is the largest in the world and accounts for 27 billion Euro turn-over in 2012, which is about 20% of the global turnover of the RSI industry. The R&D intensity (4 - 10% of industry) is very high, more than double than for the economy-wide range.

## 3. RAIL TRANSPORT CONTRIBUTION TO ECONOMIC DEVELOPMENT

The map of EU countries by economic performance in the year 2019 is shown in the picture bellow (see map in Fig.1), as having the GDP/capita, PPS (purchasing parity standard) the global indicator for economic performance[83]:

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[81] *The Economic Footprint of Railway Transport in Europe,* Ecorys for Client: Community of European Railway and Infrastructure Companies (CER), Brussels, October 2014, https://www.cer.be/sites/default/files/publication/The_Economic_Footprint_-_web_-_final_final_30_Sept_0.pdf, accessed at 01.05.2021.
[82] *The Economic Footprint of Railway Transport in Europe, op.cit.*
[83] *Regional GDP per capita ranged from 32% to 260% of the EU average in 2019,* European Commission, Eurostat, 03/03/2021, https://ec.europa.eu/eurostat/web/products-eurostat-news/-/ddn-20210303-1, accessed at 01.05.2021.;
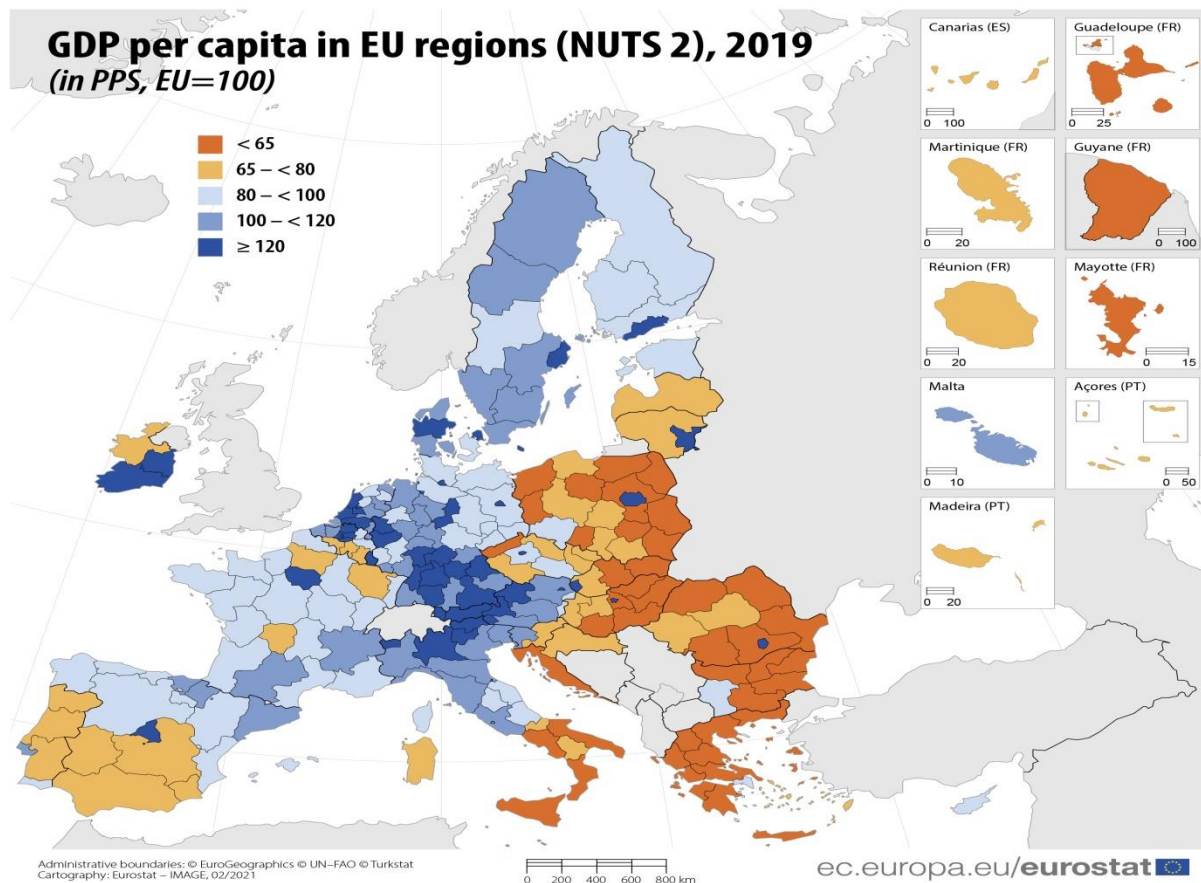
**Fig. 1:** GDP per capita in EU regions (NUTS 2), 201 - EUROSTAT9[84]

The best performers are the regions in the centre and in the north of the EU, in Germany, Netherlands, Belgium, Austria, Sweden, north of Italy, north of Spain and France. All these regions are enjoying a level of GDP/capita, PPS over 80% of the EU average. In the German Western lands, in the Netherlands, in Belgium, in Austria and in the Northern Italy and Southern France the level of GDP/capita, PPS is over the EU average and is increasing just in the core of this territory, across the line from the northern ports of Hamburg, Rotterdam and Antwerp to the Lombardy, Piedmont, Veneto and Tuscany.

The most intense the economy works, the most intense is the railway density (see map in Fig.2). The regions with highest economic performance are also the regions with highest railway density in the EU: Germany, Western France, Belgium, Netherlands, northern Italy and Austria. Plus, the most dynamic and developed economies in the Central and East Europe (CEE), Czech Republic and Poland[85]:

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[84] https://ec.europa.eu/eurostat/documents/4187653/11571499/GDP_per_capita_ver3-01.jpg, accessed at 01.05 2021.

[85] *Inland transport infrastructure at regional level,* Eurostat, Statistics Explained, https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Inland_transport_infrastructure_at_regional_level&oldid=482435#Railways, accessed at 01.05.2021.

Railway density, 2018
(km of railway track per 1 000 km², by NUTS 2 regions)

[Map of Europe showing railway density with legend:]
< 10
10 - < 25
25 - < 50
50 - < 100
≥ 100
Data not available

Administrative boundaries: © EuroGeographics © UN-FAO © Turkstat
Cartography: Eurostat — GISCO, 05/2020

0  200  400  600  800 km
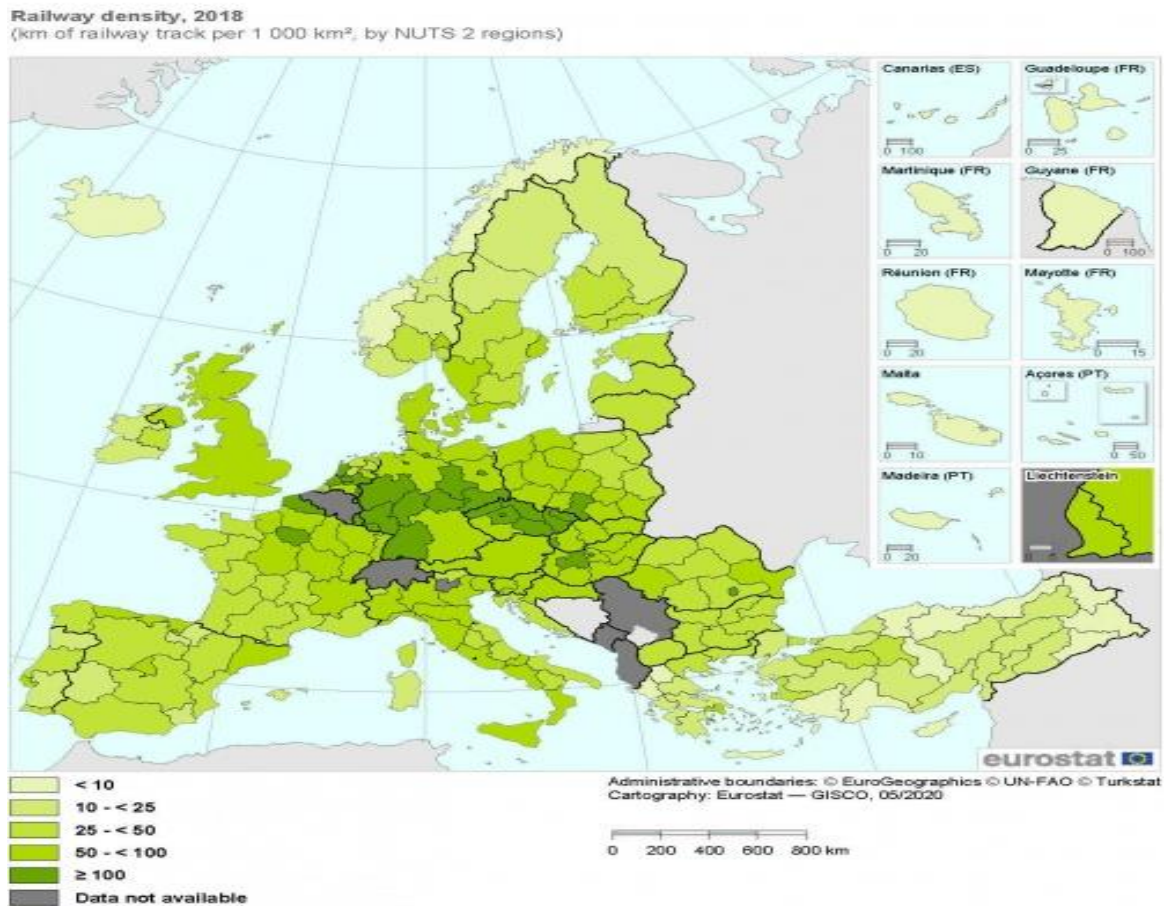
eurostat

Note: Germany and Makroregion Województwo Mazowieckie (PL9), NUTS 1 regions. Denmark, Lithuania, Austria and the United Kingdom: national data.
Source: Eurostat (online data codes: tran_r_net, rail_if_tracks and reg_area3)

**Fig. 2:** Railway density 2018 - EUROSTAT[86]

## 4. RAIL TRANSPORT CONTRIBUTION TO ENVIRONMENTAL SECURITY

Rail transport generates, in the year 2015, about 40 $gCO_2$/ passenger-km, much lower than the figures for the passenger car transport and air transport (both of them about 110 gCO2/ passenger-km. This shows the fact that rail transport is about three times less pollutant.

For the freight, the figures are more advantageous: the rail freight generates about 20gCO2/ tonne-km, three times lower than the barge freight (60 gCO2/ tonne-km) and about four times lower than the truck freight (about 80 gCO2/ tonne-km)[87].

[86]https://ec.europa.eu/eurostat/statistics-explained/images/e/eb/Railway_density%2C_2018_%28km_of_railway_lines_per_1_000_km%C2%B2%2C_by_NUTS_2_regions%29_RYB20.jpg , accessed at 01.05 2021.

[87] *Greenhouse gas emissions: a decisive asset for rail?,* https://www.climate-chance.org/wp-content/uploads/2019/03/new-greenhouse-gas-emissions-a-decisive-asset-for-rail.pdf, accessed at 01.05.2021.

The above mentioned figures indicates the performance of rail transport in terms of load/emissions ratios. This results encouraged many governments to bet on rail to try to meet the general objectives of reducing carbon emissions. The European Union includes in the Resilience and Recovery Mechanism a pillar related to green transition, which brings serious financial resources to the member states, in order to switch as much as possible, the traffic from road and airplane to rail. Therefore, rail is the ultimate bet of the governments for reducing carbon dioxide emissions. As an example, Romania introduced in its Recovery and Resilience National Plan, as investments in railway network, an amount of 4.5 billion Euro out of the total 29.2 billion Euro of national allocation. This made rail transport the biggest beneficiary of the Romanian Recovery and Resilience National Plan.

The entire EU is focused on the "big switch of the modes of transport", the objective being very ambitious:

- to increase the rail share in passenger transport (passenger-km) with 50% by 2030 compared with 2010, and with 100% by 2050;
- to increase the rail share in land freight (tonnes-km), in order to equalise the road freight by 2030 and to have 50% higher the rail share than the road share in freight by 2050.

## 5. RAIL TRANSPORT CONTRIBUTION TO FOOD SECURITY

EU is one of the biggest producers in the world for cereals, the oilseed complex and protein crops (COP). Therefore, it is highly important to have the capability to move such a big quantity of this commodities. Inland waterways and railways handle almost all long-distance COP tonnage (60-70% for inland waterways, 30-40% for railways) along the four main COP transportation corridors (Baltic-Adriatic, North Sea-Baltic, Rhine-Alpine and Rhine-Danube); truck transportation prevails in short-distance moves. A better performance, allows rail transportation to be more efficient than road transportation in long-haul moves. All over the continent, there are large quantities of COP crops shipped by block trains or unit trains without being split up on route. These trains consist of few ten wagons "TADS" type, "covered hopper", with a volume of 80 m$^3$ each[88].

The most important EU producers and exporters of COP are France, Germany, Poland, Romania, Italy and Spain. Therefore, the largest share of rail transport for the COP are in Poland, followed by Germany and Romania. France, Germany and Poland enjoyed better quality of the rail infrastructure and allows longer trains (up to 750 meters) than Romania and Italy, which allows trains with

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[88] *Study on storage capacities and logistical infrastructure for EU agricultural commodities trade*, Final Report, European Commission, Written by Areté s.r.l., November – 2017, https://ec.europa.eu/info/sites/default/files/food-farming-fisheries/plants_and_plant_products/documents/storage-capabilities-cop-report_nov2017_en.pdf, accessed at 01.05.2021.

maximum length of 650-700 meters. However, in order to export the COP`s, truck transport is used to cover the distance from farm to silo (few to tens of kilometers) and rail transport is used to cover the distance from silo to ports (tens to hundreds of kilometers).

The "top 25" international rail traffic flows of agricultural goods are illustrated in the map bellow as in the Fig.3:
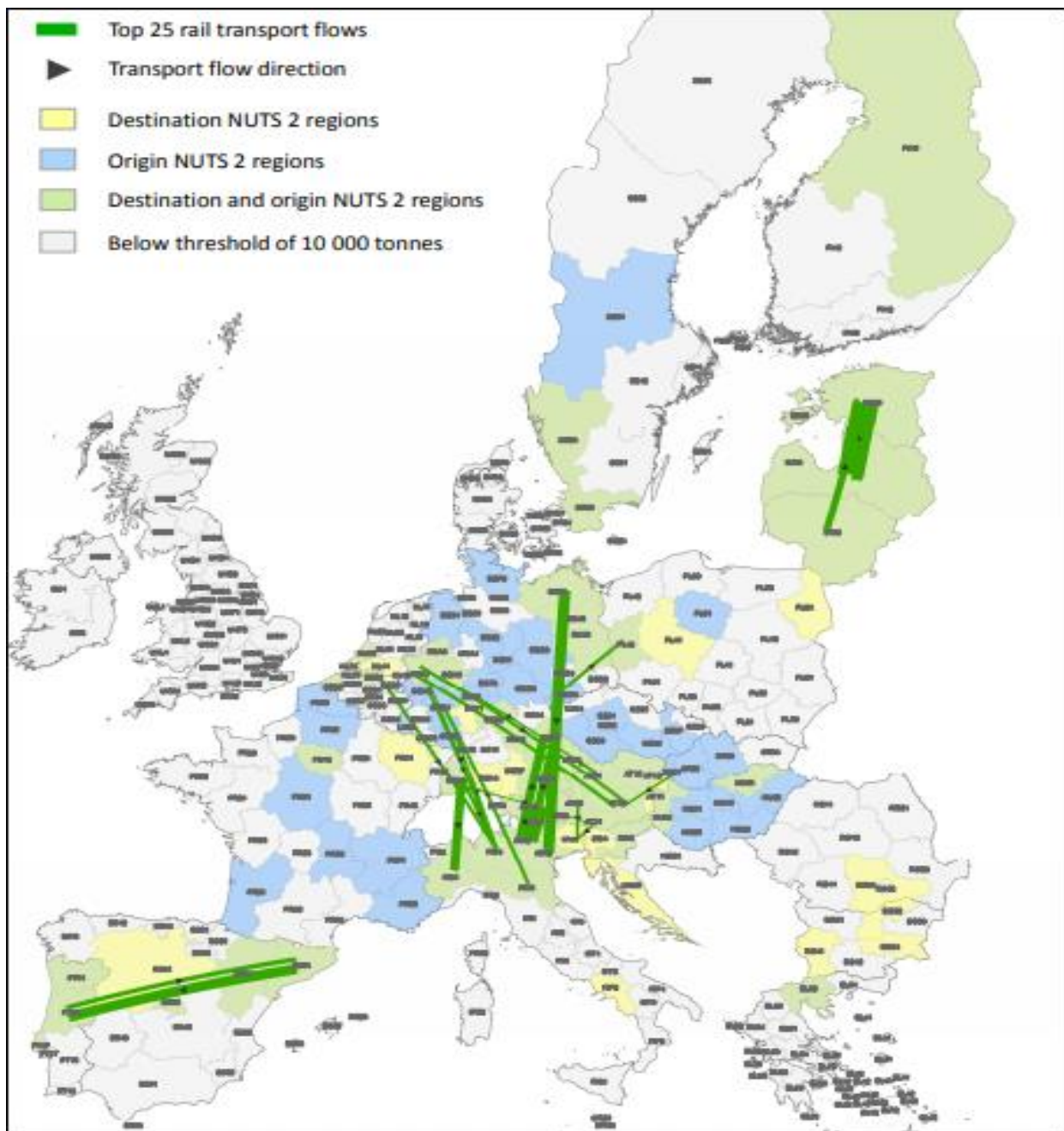


**Fig. 3:** Top 25 international rail transportation flows of agricultural goods in 2015,
Source: Study on storage capacities and logistical infrastructure for EU agricultural commodities trade,
Final Report, European Commission, Written by Areté s.r.l., November – 2017[89]

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[89] *Study on storage capacities and logistical infrastructure for EU agricultural commodities trade*, *op.cit.*

In the table below are listed the most intense rail transport flows for agricultural goods[90]:

| No. | Origin | NUTS 2 region | Destination | NUTS 2 region | Quantity in tonnes |
|-----|--------|---------------|-------------|---------------|--------------------|
| 1 | LV00 | Latvija | EE00 | Eesti | 1 221 798 |
| 2 | AT33 | Tirol | ITH2 | Trento | 677 982 |
| 3 | DE8D | Mecklenburg-Vorpommern | ITH3 | Veneto | 524 328 |
| 4 | ES51 | Cataluña | PT16 | Centro (P) | 506 330 |
| 5 | DE13 | Freiburg | ITC1 | Piemonte | 424 190 |
| 6 | ITH2 | Trento | DE23 | Oberpfalz | 420 286 |
| 7 | DE23 | Oberpfalz | ITH2 | Trento | 390 142 |
| 8 | LT00 | Lithuania | EE00 | Eesti | 342 459 |
| 9 | PT16 | Centro (P) | ES51 | Cataluña | 226 591 |
| 10 | DE13 | Freiburg | ITC4 | Lombardia | 196 872 |
| 11 | AT22 | Steiermark | DEA1 | Düsseldorf | 186 364 |
| 12 | ITH2 | Trento | AT33 | Tirol | 180 469 |
| 13 | DEA1 | Düsseldorf | AT22 | Steiermark | 176 424 |
| 14 | DEB1 | Koblenz | ITH5 | Emilia-Romagna | 172 946 |
| 15 | DED4 | Chemnitz | PL43 | Lubuskie | 164 252 |
| 16 | BE21 | Prov. Antwerpen | ITC4 | Lombardia | 162 610 |
| 17 | AT32 | Salzburg | ITH4 | Friuli-Venezia Giulia | 158 173 |
| 18 | DEA2 | Köln | ITC4 | Lombardia | 150 808 |
| 19 | DE22 | Niederbayern | AT31 | Oberösterreich | 149 784 |
| 20 | AT21 | Kärnten | ITH4 | Friuli-Venezia Giulia | 131 251 |
| 21 | DEB3 | Rheinhessen-Pfalz | ITC4 | Lombardia | 124 527 |
| 22 | SK01 | Bratislava region | AT22 | Steiermark | 124 475 |
| 23 | DEA1 | Düsseldorf | AT31 | Oberösterreich | 115 966 |
| 24 | AT21 | Kärnten | DE13 | Freiburg | 90 857 |
| 25 | DEA1 | Düsseldorf | ITC4 | Lombardia | 90 744 |
| Source: Areté elaboration based on EC JRC data | | | | | |

**Table 1**. Top 25 international rail transport flows of agricultural goods in 2015, Study on storage capacities and logistical infrastructure for EU agricultural commodities trade, Final Report, European Commission, Written by Areté s.r.l., November – 2017, pg. 83 [91]

Moving to the nation level, the "Top 100" national rail transportation flows of agricultural goods in 2015 shows a strong concentration of rail freight of COP in France, Sweden, Finland, Austria, Eastern Germany, Romania and Spain[92].

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[90] *Ibidem.*

[91] https://ec.europa.eu/info/sites/default/files/food-farming-fisheries/plants_and_plant_products/documents/storage-capabilities-cop-report_nov2017_en.pdf, accessed at 01.05.2021.

[92] *Study on storage capacities and logistical infrastructure for EU agricultural commodities trade*, *op.cit.*
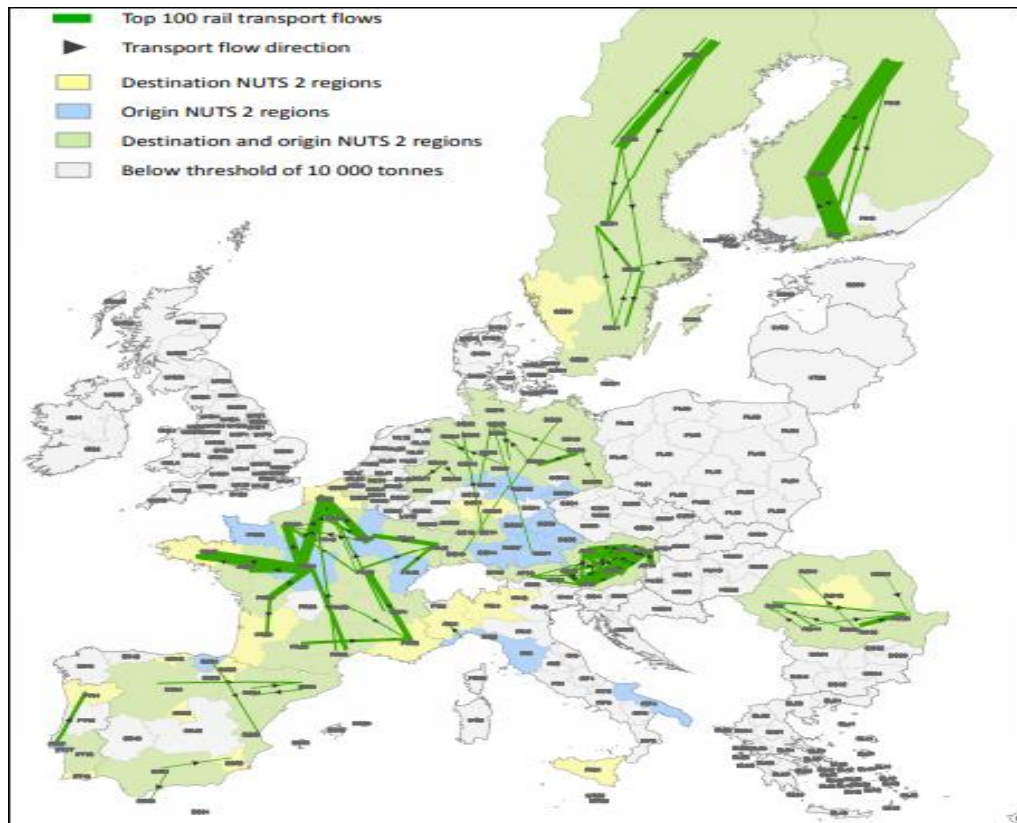
**Fig 4:** Top 100 national rail transportation flows of agricultural goods in 2015, Study on storage capacities and logistical infrastructure for EU agricultural commodities trade, Final Report, European Commission, Written by Areté s.r.l., November – 2017, pg. 84[93]

The biggest quantity of agricultural goods was transported in 2015 from Pahjois to Lansi-Suomi, in Finland (about 1 million tonnes), followed by the flow from Lansi-Suomi to Uusimaa (also Finland, 920,000 tonnes). The third largest quantity was delivered from Centre to Bretagne, in France (780,000 tonnes). Among the first 25 rail freight flows for agricultural goods, 3 are located in Finland, 9 are located in France, 11 are on the Austrian territory, 1 is on the Swedish soil and one is located in Romania (from Muntenia region to the South East region, about 300, 000 tonnes).

## 6. RAIL CONNECTIVITY INSIDE EU

EU rail transport policy is focused, among few other objectives, on the creation of a Single European Railway Area. Three packages and a recast were adopted in the last 20 years, starting the opening-up of the railway sector to competition in 2001. A fourth package, designed to complete the Single European Railway Area, was adopted in April 2016 (the technical pillar) and in December 2016 (the market pillar)[94].

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[93] *Ibidem.*

[94] Davide Pernice, Ariane Debyser, *Rail transport, Fact Sheets on the European Union,* https://www.europarl.europa.eu/factsheets/en/sheet/130/rail-transport, accessed at 01.05.2021.

Basically, the European unity is developed from the backbone of the common transport infrastructure. In order to promote the integration, EU member states agreed to create a number of transport corridors, by rail, by road and by water. The whole idea is to have some "big pipes" for the goods and people, to enhance mobility and connectivity. The task of the Single European Railway Area is the most difficult one for the transport objectives of the Union. Because the member states developed different technologies for electrification equipment, for rail stocks and for traffic management of its own networks. This implies a vast operation of harmonization and standardization for all national states. This consists, first of all in the harmonisation of technical, administrative and safety rules, which is essential to achieve interoperability between national rail systems. Environmental and consumer protection measures may also have to be harmonised to some extent in order to prevent distortions of competition[95].

The most important technical development which allows the national states to create an extended and performing rail network all over the EU is the so-called ERTMS, European Railway Traffic Management System, a major industrial project developed by eight UNIFE (Union des Industries Ferroviaires Européennes) members - Alstom Transport, AZD Praha, Bombardier Transportation, CAF, Hitachi Rail STS, Mermec, Siemens Mobility and Thales - in close cooperation with the European Union, railway stakeholders and the GSM-R industry. ERTMS consists in the joint presence of two components: ETCS, the European Train Control System, an automatic train protection system (ATP) to replace the existing national ATP-systems and the GSM-R standard, a radio system for providing voice and data communication between the track and the train, based on standard GSM using frequencies specifically reserved for rail application with certain specific and advanced functions. ERTMS is designed to replace 28 different national train control and command systems in Europe. The deployment of ERTMS supports the creation of a seamless European railway system and increase European coherence and consistency.

There are nine rail corridors designed by the member states to unify European railways and to create a performing rail infrastructure within EU:

- Rhine Alpine Corridor, which connects The Netherlands, Belgium, Germany, Switzerland, Italy;
- North Sea - Mediterranean Corridor, which connects The Netherlands, Belgium, France, Luxembourg, Ireland;
- Baltic - Adriatic Corridor, which connects Poland, Slovakia, Czech Republic, Austria, Slovenia, Italy;
- North Sea – Baltic Corridor, which connects The Netherlands, Belgium, Germany, Poland, Lithuania, Latvia, Estonia, Finland;
- Mediterranean Corridor, which connects Spain, France, Italy, Slovenia, Croatia, Hungary;

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[95] *Ibidem.*

- Orient - East Med Corridor, which connects Germany, Czech Republic, Slovakia, Austria, Hungary, Romania, Bulgaria, Greece, Cyprus;
- Scandinavian - Mediterranean Corridor, which connects Finland, Sweden, Norway, Denmark, Germany, Austria, Italy, Malta;
- Atlantic Corridor, which connects Spain, Portugal, France, Germany;
- Rhine Danube Corridor, which connects Bulgaria, Czech Republic, Germany, France, Hungary, Austria, Romania, Slovakia

The map seen in Fig.5 is showing how the nine corridors are connecting the EU countries: from the Atlantic Ocean to the German core of the continent, from the British islands to the Mediterranean beach of France, from the north of Poland to the north of Italy, from the Scandinavia to Sicily, from the German ports to the North Sea to the south of Greece and from the Rhine to the Black Sea[96].
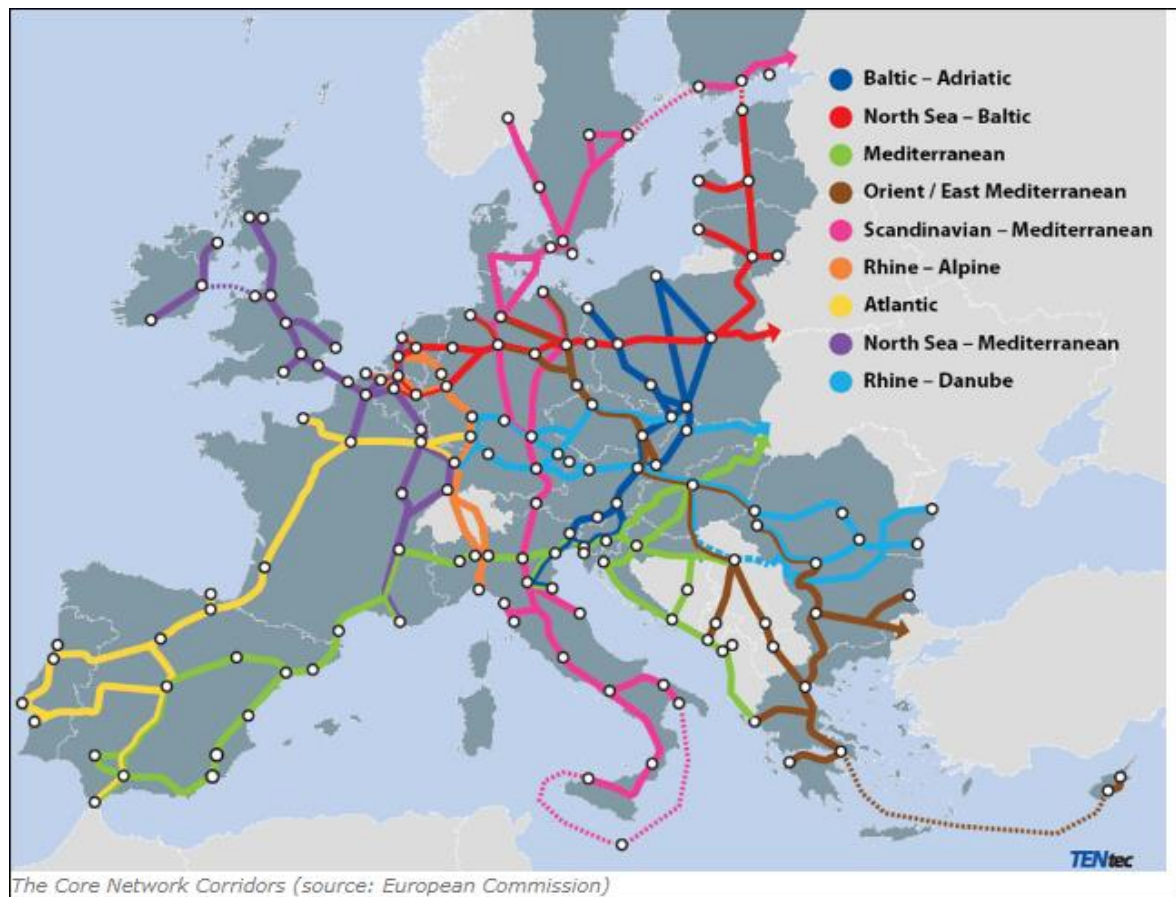


**Fig. 5:** The Core Network Corridors (source: European Commission), https://www.europeandatajournalism.eu/eng/News/Data-news/How-the-European-Rail-Traffic-Management-System-works-and-why-it-s-not-working[97]

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[96] *How the European Rail Traffic Management System works*, EDJNet - The European Data Journalism Network, https://www.europeandatajournalism.eu/eng/News/Data-news/How-the-European-Rail-Traffic-Management-System-works-and-why-it-s-not-working, accessed at 01.05.2021.
[97] https://www.europeandatajournalism.eu/eng/News/Data-news/How-the-European-Rail-Traffic-Management-System-works-and-why-it-s-not-working, accessed at 01.05.2021.

For the freight, EU planned rail freight corridors in order to obtain a clear improvement of the rail freight performance versus road freight performance:
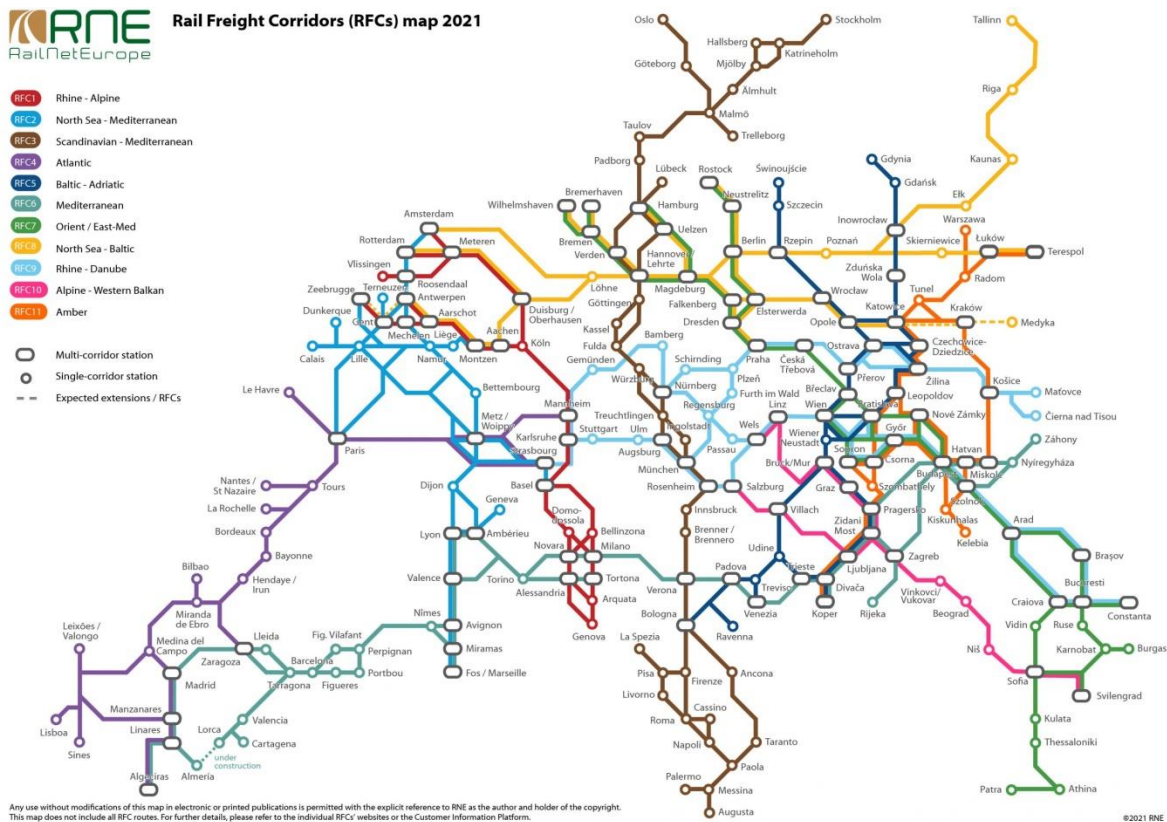


**Fig. 6**: Rail freight corridors, https://rne.eu/wp-content/uploads/
2021-04-23_RNE_RFC_Map-scaled.jpg [98]

Feeling the security more intense than the western nations, the eastern member states (former socialist countries) designed a special corridor, from the Baltic Sea to the Black Sea, to promote economic integration but also to create a way for the military supply if necessary. The new corridor, from the Polish port of Gdansk to the Romanian port of Constanta, as in the Fig. 7, was included in the output of the newly created "Three Seas Initiative", formed by the most loyal allies to the US in the East Europe: Poland, Romania and the former socialist countries[99]:

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[98] https://rne.eu/wp-content/uploads/2021-04-23_RNE_XFC_Map-scaled.jpg , accessed at 01.05.2021.
[99] *Rail-2-Sea- Modernization and development of railway line Gdansk (PL) – Constanţa (RO)*, https://projects.3seas.eu/projects/rail-2-sea-modernization-and-development-of-railway-line-gdansk(pl)-constanta-(ro), accessed 15.05.2021.
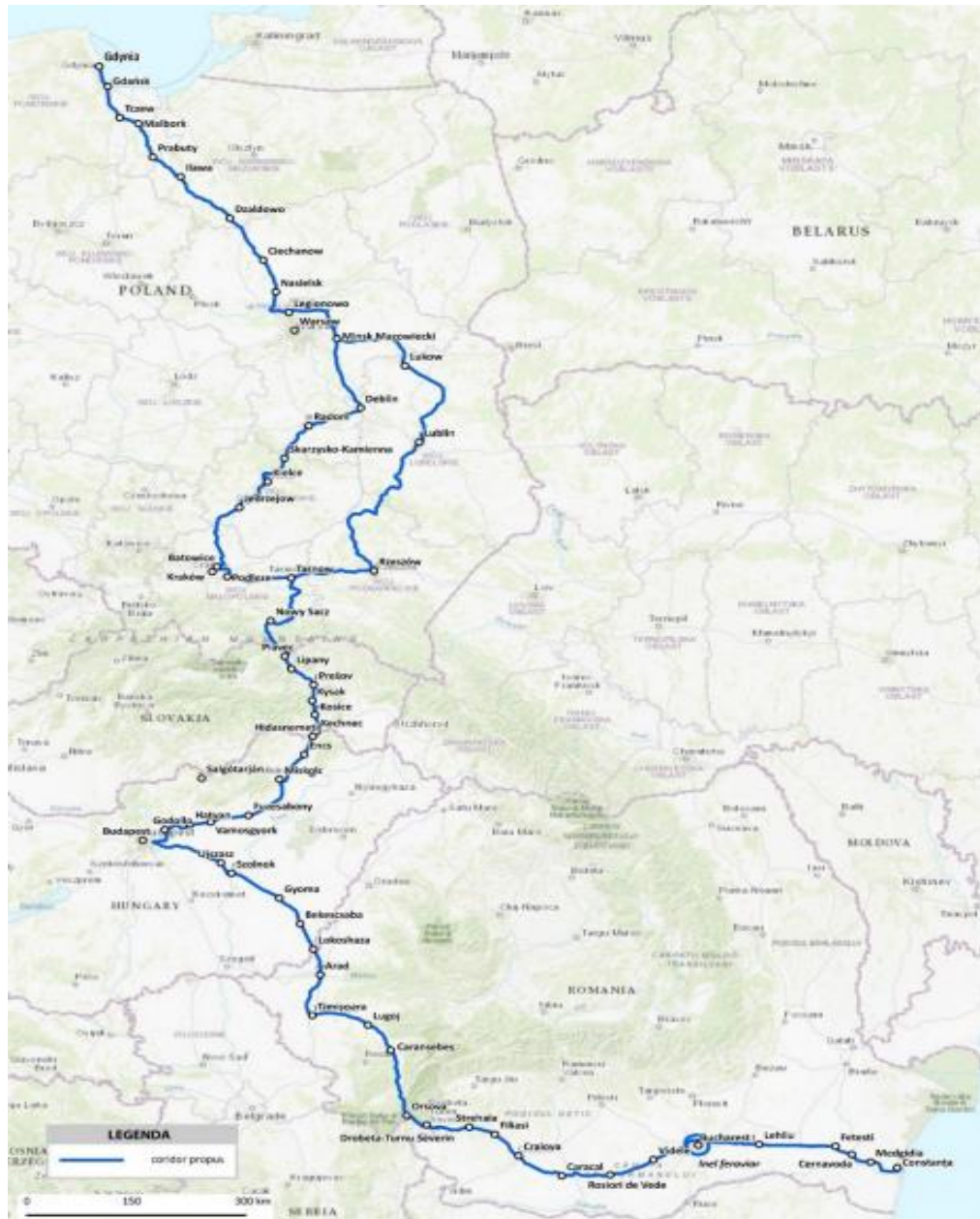
**Fig. 7:** Constanta-Gdansk rail corridor, https://irp-cdn.multiscreensite.com/
1805a6e8/files/uploaded/rail2sea%20Ro%20presentation%20ppt%20v6.pdf[100]

The construction of the railway line between port of Gdansk and port of Constanta crosses four countries: Republic of Poland, Slovak Republic, Hungary and Romania and the total necessary investment is estimated to be 13.832.36 billion. Euro, without VAT, out of which 5.873.13 billion Euro are secured. The project is funded from EU Cohesion Fund allocated through: Large Infrastructure Operational Programme, Connecting Europe Facility and from the State budget of Romania.

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[100]     https://irp-cdn.multiscreensite.com/1805a6e8/files/uploaded/rail2sea%20Ro%20presentation%20ppt%20v6.pdf, accessed at 01.05.2021.

**CONCLUSIONS**

Rail transport is the most promoted mode of transport today by the EU and by member states. Rail is seen now as a source of de-pollution of Europe, as a source of economic prosperity, as a powerful instrument for increasing European trading and also as a very effective way to enhance security. Security is offered through supply chain security for food, energy and other commodities. Security is granted by increasing the feeling of European identity for passengers which are traveling across the continent. Security is also an outcome for the surge in connectivity, which makes room for a very rapid deployment of joint defence resources to the in-danger member state.

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# THE EVOLUTION OF HYBRID WARFARE.
# CASE STUDY – THE CONFLICT IN UKRAINE.

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**Abstract**: *A brief foray into history shows us that hybrid warfare has been present since ancient times, through various forms of expression, in conflicts between states. Therefore, "hybrid warfare" is developing in multiple areas, being increasingly adopted at the level of some states that base their military doctrines or security strategies on methods and tools unconventional or unusual in the classical sense of war. So, hybrid warfare can be seen as a complex, integrated representation of classical warfare. But is such an approach a correct one?*
**Keywords:** *hybrid warfare, Ukraine, Russian Federation, Crimean Peninsula, NATO.*

Hybrid warfare can be seen as a complex, integrated representation of classical warfare. But is such an approach, a correct one?

The explanatory dictionary of the Romanian language provides, for the term "war" – "…(Lasting) armed conflict between two or more states, nations, human groups, for the realization of economic and political interests…".

The dictionary also includes the phrase "total war", which means "armed struggle in which the aggressor state uses all means of destruction, not only against the armed forces, but also against the entire population."

It is noted that the definition of the word "war" is strictly related to the term "armed".

For the term "hybrid" the explanation in the dictionary resides in "1. (About plants and animals) - Derived from the natural or artificial crossing, sexual or vegetative of two individuals of different species, varieties, races; 2. (About ideas, facts) Made up of inappropriate, disparate elements; without harmony".

The phrase "hybrid war" has not yet been enshrined in the explanatory dictionary. Moreover, the meaning in which that phrase is certainly not used can be obtained by formally considering the definitions of the terms in its composition.

## 1. THEORY&PRAXIS IN THE EVOLUTION OF HYBRID WARFARE

### 1.1. Short history

A brief foray into history shows us that hybrid warfare has been present since ancient times, through various forms of expression, in conflicts between states.

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Thus, the use of elephants (3rd century BC) by Hannibal's army against the Roman army was an element of absolute novelty on the battlefield. The psychological effect of the presence of enormous pachyderms was the real blow against the Roman army, far superior to the military (elephants could be assimilated to today's armor, providing maximum protection, mobility and force of impact).

The Carthaginian approach, by its unconventional nature, can be interpreted as a hybrid tool for waging war. Therefore, it can be appreciated that, since ancient times, actions and operations have been used / carried out with an unconventional, irregular nature or that were not usually part of the rules and customs of war.

Later, in the Middle Ages, the actions of pirates in the service of Queen Elizabeth I of Great Britain, against Spanish ships, were, in fact, hybrid methods of waging war.

In the same logic, of the use of unconventional tools for waging war, we can mention the collaborative actions of George Washington's army with local militias during the American War of Independence, from 1775 to 1783. Moreover, the contribution of local militias to the effort the war of the 13 colonies that declared independence from the British Crown was substantial, given that the regular U.S. military had only just been established and its operational capability was, for much of the War of Independence, at a high level. quite low.

Another example of the hybrid component of a war is the collaboration of the British regular army with the Spanish army and Spanish guerrilla forces in the fighting against the Napoleonic armies during the "Peninsular War" of 1807-1814.

In the First World War, at least two types of weapons that were used by the German army and that constituted a shock to the Entente can be considered from the category of hybrid arsenal: submarines and toxic gases (mustard gas). Thus, the fear and sentiment of inferiority to the British Naval Forces pushed the German military leadership to approach a more than cautious attitude in engaging the German Imperial Navy's War Fleet in large-scale battles with British enemies. As a result, the attention of the German admirals turned to the impetuous development of the submarine fleet and implicitly to the total submarine warfare, nothing more than a form of "unrestricted" warfare.

An example-rich and well-argued presentation on the use of hybrid methods in conflicts in history can be found in the work of the American military historian Peter R. Mansoor, entitled "Introduction Hybrid Warfare in History". Through this study, the author demonstrates that hybrid warfare has a long history, starting in ancient Greece and being present in many of the conflicts on various meridians. At the same time, the American historian points out that hybrid warfare has evolved substantially, becoming, in the 21st century, a complex manifestation by combining

different approaches to war, which essentially reflects strategic cultures, historical legacies, geographical realities and economic means of the protagonists[102].

Therefore, "hybrid warfare" is developing in multiple areas, being increasingly adopted at the level of some states that base their military doctrines or security strategies on methods and tools unconventional or unusual in the classical sense of war.

### 1.2. Fundamental elements of the concept

If we consider the "hybrid war", as the war of all possibilities or the war without restrictions, we can also establish those who, throughout history, have contributed to the foundation of the concept.

Thus, in "The Art of War", more than 2,500 years ago, Sun Tzu opens horizons for approaching war by other means and tools than those that are strictly military or that include only armed actions. Thus, at least the following citations may be submitted for example:

"He who fights for victory with the sword alone is not a good general."[103] Therefore, Sun Tzu expresses with the utmost clarity that a war is waged with other means, and even these are the recipe for success.

Then, with the quote "Attack where the opponent does not expect"[104] the great strategist invites to find any opportunity, even too little in the military field, to hit an opponent. Basically, it is not, stricto senso, about a place or a position but about identifying the vulnerabilities of the opponent.

Moreover, Sun Tzu states that "Those who are experts in the art of war subdue the enemy army without a fight."[105] Or "submission of the army without a fight", even if it seems to be a paradox, actually expresses the value and supreme force of other means and methods of conquest, but which are part of the game of war, battle and confrontation.

And last but not least, the quote "In war the best policy is to conquer the state intact; destroying it is the last resort."[106] It can be deduced that the main effort should not be the military one, on the contrary, this being the last solution. There must be a constant threat of military force, but victory must be achieved by other means and methods.

In an arc over the millennia, we find another famous expression of war or somehow a definition of it. General Carl von Clausewitz, in his famous work "On War", entitled a subchapter with the following phrase: "*War is only a continuation*

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[102] Peter R. Mansoor, *Introduction Hybrid Warfare in History*, in Williamson Murray, Peter R. Mansoor, eds., Hybrid Warfare: Fighting Complex Opponents from the Ancient World to the Present, Cambridge University Pres, 2012, https://assets.cambridge.org/97811070/26087/excerpt/9781107026087_excerpt.pdf, , accessed 15.05.2021.
[103] Sun Tzu, *Arta războiului*, cap. III Strategia ofensivă, pct. 6 pag. 23, Editura Antet XX Press, Regia Autonomă a Imprimeriilor, Imprimeria CORESI București.
[104] Sun Tzu, *op.cit.*, cap. I Evaluări, pct. 26, p. 13.
[105] Sun Tzu, *op.cit.*, cap. III Strategia ofensivă, pct. 10, p. 24.
[106] Sun Tzu, *op.cit.*, cap. III Strategia ofensivă, pct. 1, p. 22.

*of politics by other means*"[107]. The author develops the content of this title, which became famous over time, in the following form:

*"We see, therefore, that war is not a political act, but a real political instrument, a continuation of political relations, their realization by other means"[108].* With the clear and assumed mention that the quote should not be broken from the overall context of the paper and without entering into the almost philosophical complexity of the meanings and interpretations of the great military theorist's thought, the question can still be asked: What can be understood by *"other means" syntagma?* And it is clear that the answer does not refer only to strictly military means, but to all the forms, methods and actions that, in a war, can contribute to victory.

Continuing the approach regarding the theorists of the concept of "hybrid war" we will mention the contribution of the two Chinese officers, Colonel Qiao Liang and Colonel Wang Xiangsui, who in the work entitled "Unrestricted War", published in 1999 by PLA Literature and Arts, develops the subject of open thinking in order to discover new ways to fight with any opponents and against any abilities. The two theorists thus state the basic feature of hybrid warfare - war without rules and restrictions.

Chinese authors argue that "unrestricted warfare" means the execution of multiple attacks on the social, economic, political systems of the enemy, which, synchronized or interspersed with attacks specific to an irregular military war will weaken the opponent. It further states that unrestricted war *"ignores and transcends the boundaries of the battlefield and what does not represent the battlefield, between what is and what is not a weapon, between military and civilians, between state and non-state actors."[109]*
This theory develops to increase the chances of the weaker party participating in the conflict.

## 1.3. Contribution of the Russian School in defining the concept

Regarding the theorizing of hybrid / unconventional operations among Russian specialists, it can be stated that, over time, since the Second World War, there have been approaches and analyzes of actions and operations that fall into this paradigm.

Thus, the Russian military theorist Evgheni Messner (1891-1974), an officer in the tsarist army who emigrated from Russia after the victory of the Bolshevik forces against the white-guard troops, pointed out that the Bolsheviks

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[107] Carl von Clausewitz (gen.), *On War*, BOOK I. ON THE NATURE OF WAR, CHAPTER I. What is war?, para 24. WAR IS A MERE CONTINUATION OF POLICY BY OTHER MEANS, The Project Gutenberg EBook, online https://www.gutenberg.org/files/1946/1946-h/1946-h.htm, accessed 15.05.2021.
[108] Carl von Clausewitz (gen.), *op.cit.*
[109] Qiao Liang (col.), Wang Xiangsui (col.), *"Unrestricted Warfare" – Thoughts on War and Strategy in a Global Era*, Part I, Introduction, People s Liberation Army Arts Publishers, February 1999, Summary translation, https://fas.org/nuke/guide/china/doctrine/unresw1.htm, accessed 15.05.2021.

had devised a new type of war, the insurgency" or "insurrectionary war", in order to provoke and possibly defeat the West, without fear of triggering a direct military confrontation[110].

Describing this type of conflict, the Russian theorist points out the absence of the peace-war dichotomy and a classical front line, while noting the dominance of the psychological component. Evgheni Messner established that this type of conflict has as main attributes: the unconventional and unorthodox character, an ambitious strategic design, planned and executed with professionalism, extended and gradual, based on doctrines of war, but also on nihilistic principles.

The goal of "insurrectionary warfare" is to induce panic in the mind of the enemy, distrust of leaders, their own strengths, opinions, feelings, and demoralization of troops and the population.

After 1991, the works of Evgheni Messner, "Insurgency - the name of the Third World War" and "World Insurrectionary War" began to be studied in Russian military educational institutions, and many of his ideas were included. in the Russian hybrid warfare strategy, developed in 2012 by the Russian General Staff and presented, for the first time, by Valeri Gherasimov, in early 2013, during a meeting at the Academy of Military Sciences.

An important source of inspiration for Valeri Gherasimov is Gheorghi Samoilovich Isserson (1898-1976) - Soviet colonel, professor, one of the authors of the "theory of deep operation". In his work, entitled "New Forms of Combat", published in 1940, he talks about increasing the role of non-military methods of pressure on the enemy, through political, economic and humanitarian instruments and highlights the information component as the main activity in all stages of the conflict.[111]

Beyond the interest of Valeri Gerasimov, in the Russian space of the last years concerns have been identified for the presentation of the perspective on the hybrid war both in the military circles and in the reflection centers, the outlined ideas being found even in the official documents.

## 2. CASE STUDY – THE CONFLICT IN UKRAINE

### 2.1. Russia's actions in the conflict in Ukraine

The phrase "hybrid war" has been widely used in the pages of specialized publications and in the presentations of various concerns, especially after the occupation of the Crimean Peninsula by the Russian Federation in March 2014. What particularly characterized the Russian action in Crimea, apart from the total lack of legitimacy and legality?

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[110] Nicolescu, Florina Mihaela, *Războiul hibrid. Perspectiva conceptuală rusă*, "Intelligence în serviciul tău", 18 December 2017, https://intelligence.sri.ro/razboiul-hibrid-perspectiva-conceptuala-rusa, accessed 15.05.2021.
[111] Nicolescu, Florina Mihaela, *op.cit.*.

A combination of actions, tools and methods that proved tragic for Ukraine and successful for Russia.

In short, the actions, tools and methods developed and used by Russia for the occupation and subsequent annexation of the Crimean Peninsula consisted of: blocking Ukrainian forces in barracks and disarming them (or disabling them), triggering strong psychological actions of intimidation, blackmail, misinformation and propaganda media, the combined use of own forces and local collaborators, the leadership of forces through an integrated / unified information system, not necessarily hierarchical, but with ensuring a freedom of action for those involved in carrying out missions.

The analysis of the mode of action of the Russian forces involved in the occupation and annexation of the Crimean Peninsula resulted in the following aspects of interest:

a) the operation was planned down to the smallest details so that its development is executed according to the established terms and without any major defect in achieving the tasks and objectives;

b) the development environment was facilitated by the existence in the peninsula of a strong Russian-speaking ethnic component, over 58% of the population being of Russian ethnicity. It is thus used, according to the so-called "fifth column" hybrid warfare theory;

c) the knowledge and use of the Russian language both by the aggressor forces and by the Ukrainian military, local authorities and the population as a whole;

d) a significant part of the persons involved by the Russian side and who had various responsibilities for the implementation of the plan of occupation and annexation of the Crimean Peninsula were locally known figures. This fact explains, on the one hand the lack of reaction of the members of the other ethnic communities (Ukrainian and Tatar) and on the other hand, the full success of the political action of organizing, leading and executing the annexation (organizing and conducting the referendum, control). the activity of the population, the impeccable functioning of the propaganda apparatus, etc.);

e) a totally diluted will to action and response, even absent, both for the Ukrainian military forces, and especially for the local government authorities. The inaction of the main institutions / elements of state authority was determined by the occupation, in time, of some key positions, by persons of Russian origin who in fact became agents of the Russian espionage offices and acted, at the right time, in strict accordance with the instructions of the Moscow plant, whether it was the FSB, GRU or other Russian structures specializing in intelligence.
However, it remains a mystery the total lack of reaction of the Ukrainian armed forces deployed in Crimea, forces estimated at about 16,000 Ukrainian soldiers, to the actions of taking over the military barracks, means and equipment of combat

and last but not least taking over the main strategic points. and the headquarters of local government authorities.

It should be mentioned that the actions of taking over the barracks, military equipment, objectives of strategic importance were carried out by "green men" - paramilitary forces equipped in uniforms but without the recognition of any army / state, but also by military forces Russian troops deployed on the peninsula, in the military port of Sevastopol, as well as in other military facilities used by the Russians on the basis of agreements agreed with the Ukrainian state. Here can be highlighted the Russian naval units deployed in Crimea, the paratroopers (worth several battalions), as well as special forces units Spetsnaz.

A possible explanation for this situation could be found by revealing the discussions and debates that took place in the National Defense and Security Council on February 28, 2014.

The council, led by then-interim president Aleksandr Turchynov, was convened a week after President Viktor Yanukovych lost power and a day after Russian special operations forces took over/occupied government and local authorities. as well as the strategic objectives of Crimea.

Although interim President Aleksandr Turchynov has expressed a desire to declare a state of war immediately and to react accordingly, ministers and other politicians disagreed.

The politicians present at the meeting of the National Security and Defense Council emphasized, through their positions, that Ukraine cannot wage a war alone and that the West will not give it any help.

The eloquence in the sense of those presented was the intervention in the Council of the Ukrainian Minister of Defense, Ihor Tenyukh. According to Euobserver, he vehemently supported the following:

*"We are not prepared for a large-scale war. We need time. We need help. We need a strong reaction from the whole world, from the international community. I will speak openly. We don't have an army today. It was systematically destroyed by Yanukovych and his entourage."[112]*

At the same time, it can be seen that Russia's action in Donbass, following the de facto occupation and de facto and de jure annexation of the Crimean Peninsula, met with a much higher level of resistance from the Ukrainian central and local authorities, both militarily and of political, economic, social and administrative actions.

Although in several areas on the left bank of the Dnieper, the population of Russian origin has a significant share in relation to the total population in that area, the actions of force to take control of these areas (districts / oblast in eastern Ukraine) were successful. quite limited.

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[112] Rettman Andrew, *West told Ukraine to abandon Crimeea, document says*, "EUOBSERVER", 24 February 2016, https://euobserver.com/foreign/132425, accessed 15.05.2021.

Revolt actions organized by Russian-backed protesters / separatist groups in Dnepropetrovsk, Berdyansk, Kharkov, Slaviansk, Mariupol, but also in other localities were eliminated / controlled by Ukrainian state authorities, with pro-Russian forces gaining control only on the surface. relatively limited in the Donetsk and Luhansk districts on the eastern border of Ukraine.

It is important to note that for the occupation of the respective territories of Donetsk and Luhansk oblast, Russian-speaking paramilitary forces were heavily supported with heavy weapons (tanks, infantry fighting machines, self-propelled heavy cannons and howitzers, as well as the dreaded Grad projectile launchers). , Smerci and Hurricane), ammunition, fuel, specialized information and communications support.

At the same time were documented by the US and Ukrainian specialized media, the participation of Russian regular military forces in the fighting on Ukrainian territory, during 2014-2015, when the Ukrainian military forces were close to achieving results. decisive against pro-Russian separatist forces.

### 2.2. The actions of the Russian Army in the hybrid war in Ukraine

The Russian military forces participating in the battles on the territory of Ukraine were battalion and even brigade-level tactical groups that were, between August 2014 and March 2015, between 3,500 and 6,500 soldiers, reaching approximately 10,000 troops during the fighting in Debaltseve.[113]

To achieve this level of strong participation, the Russian Ministry of Defense created a rotating system, in which units from all armed armies and from all Russian military districts participated. Usually organized into battalion-level tactical groups, they were usually generated from a single division or brigade and deployed in the center of gravity, where they were used as shock troops alongside less trained separatist forces.[114] Tactical groups usually consisted of motorized or mechanized infantry, tanks and artillery, occasionally reinforced by specialized units, depending on the missions.

Separatist formations in eastern Ukraine were reinforced with so-called volunteers and supported by Russian military advisers, often with Spetsnaz operators or GRU agents intended, in particular, for conducting reconnaissance and sabotage missions.

In addition to the maneuvering units, a substantial number of Russian troops were concentrated and stationed on the Russian side of the border, in order to provide logistical support, training and to carry out cross-border artillery strikes in support of Russian armed forces operations on Ukrainian territory. and the separatists in Donbass.

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[113] Noorman Randy, *The Battle of Debaltseve: a Hybrid Army in a Classic Battle of Encirclement*, "SMALL WARS JOURNAL", 17.07.2020, online https://smallwarsjournal.com/jrnl/art/battle-debaltseve-hybrid-army-classic-battle-encirclement, accessed 15.05.2021.

[114] Noorman Randy, *op.cit.*.

In addition to training and advising separatist militias in Lugansk and Donetsk, Russia has also provided a large number of specialized military personnel to operate complex weapons systems (battlefield surveillance radars, counter-battery radars for locating Ukrainian artillery batteries, UAVs for research, reconnaissance, battlefield observation)[115].

Moreover, the conduct of military operations was and is carried out by a command composed of Russian military personnel, which is part of the assets of the Russian Army.

At the same time, a significant and varied number of electronic warfare (EW) systems were used, a specific aspect of Russian military operations.

Electronic warfare equipment was used in combination with UAVs in order to block Ukrainian communications, as well as to detect, identify, target and find targets for accurate artillery fire during combat operations.

Russia has used innovative methods to increase the fighting capabilities of separatist forces, while continuously denying Russian military involvement, although this denial has seen a sharp downward trend in credibility among international public opinion.

First of all, it ensured the increase in the number of available combatants, mainly through the integration of highly trained Russian military personnel and the transfer of sophisticated weapon systems.

Second, it has effectively integrated state-of-the-art technologies into regular tactical activities.

At the same time, it aimed to apply traditional Russian military features and tactics that have ensured the success of military operations over time, such as the massive use of artillery fire.

The effective entry into battle of Russian units led to the cessation of the offensive of the Ukrainian military forces and their pushing to the west of the two districts - Donetsk and Luhansk. In the end, the situation stabilized on the current contact alignment.

Russian military forces have caused considerable losses to Ukrainian forces, with defeats suffered by the Ukrainian army at Debaltseve and Donetsk Airport being caused by the direct and destructive intervention of compact Russian military formations.

In the fighting on the territory of Ukraine, Russia has created and displayed a hybrid army, using a variety of methods and tools to operationalize and support separatist forces.

From an operational point of view, in Debaltseve the Russian army carried out a classic siege battle in which a significant Ukrainian force was imprisoned (between 5,000 and 8,000 Ukrainian soldiers were caught in the Debaltseve encirclement).[116]

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[115] *Ibidem.*
[116] *Ibidem.*

### 2.3. Russia's objectives in the conflict with Ukraine

However, there are some question marks compared to the ones presented.

The fact that the Russian Federation has planned in the smallest details and details, on multiple levels of approach and using unconventional methods and tools in preparing and carrying out the aggression against Ukraine is clear and unquestionable. The application of hybrid methods and actions was not something done in a hurry, in a hurry, it was not a momentary improvisation. It was the implementation of an entire theory of waging war with other "weapons" and "means", a theory that was carefully and patiently developed, being then put into practice by perfectly planned, coordinated and executed actions.

And now comes the question. Why did the Russian Federation choose to apply this type of war to Ukraine?

It is known that hybrid actions are the prerogative of the weakest in a conflict between two parties.

The conflicts between Israel and the fundamentalist organizations Hamas and Hezbollah are perhaps the most eloquent examples of the manifestation of hybrid warfare methods, in this sense being appreciated the actions of the two organizations (terrorist attacks, random missile attacks, strong anti-Israeli propaganda in all Arab media and beyond), organizing violent street demonstrations both in the West Bank and Gaza but also in Israeli towns with Arab population, etc.).

To decrypt the Kremlin leadership's option to apply the methods of hybrid warfare against Ukraine, we can start from the following assessment.

In any conflict, the aggressor, because, in general, one of the parties, regardless of the causes, can be considered an aggressor, establishes the objectives he seeks to achieve / fulfill.

Usually, maximum, minimum objectives / targets are set, but also mandatory objectives / targets.

Compulsory objective means that objective which represents the main purpose of the action, for the achievement / fulfillment of which the majority of resources are destined and which represents the main line of effort.

In addition to the mandatory target, the minimum and maximum targets are set, in the sense that in addition to the achievement of the main target, the other targets proposed for achievement between some minimum and maximum limits are added.

Returning to Russia's aggression against Ukraine, we can consider the following hypothesis regarding the content of the action planning directive:

- main objective - occupation and annexation of Crimea;
- minimum objectives - the establishment of a solid "bridgehead" on Ukrainian territory, in the Donetsk and Lugansk districts, the size of which would allow at least the creation of separatist territorial entities that could

withstand Ukrainian forces over time and ensure the permanence of a conflict zone on the territory of Ukraine.

In addition, in the situation of perpetuating the state of conflict, Russia ensures the maintenance of a buffer state, namely Ukraine, against the eastern borders of NATO. Moreover, it nullifies Ukraine's aspirations and chances of joining the North Atlantic Alliance.

- maximum objectives - "raising the fighting" of the entire Russian-speaking population on the left bank of the Dnieper (understood here from all districts on the left bank of the Dnieper where the Russian population has a significant share of over 30% of the population), declaration of independence of these districts / oblasts and their annexation to Russia. Thus, the Novorossiya project would have materialized, respectively the revival of what was the Novorossiya Governorate in the Tsarist Empire. In a small recourse to history, we will mention that the Novorossiya Governorate was founded in 1764 by Empress Catherine II, whose name it originally bore.

Because it was at that time an expansion of the Tsarist Empire, Catherine II changed the name of the province to Novorossiya (New Russia) to be in tune with Western European fashion in which the powers of the time christened their new conquests territories with names that kept the name of the mother state: New England, New France, New Spain.

It is important to note that, through territorial expansion, the Novorossiya Governorate has come to overlap, practically, on the current territory of Ukraine.

In support of the viability of the hypothesis that the ultimate objective was the restoration of the province of Novorossiya and its return to Russian sovereignty, at least two arguments based on actual facts can be put forward:

a) In an interview on April 17, 2014, shortly after the occupation and annexation of Crimea, the President of the Russian Federation, Vladimir Putin, stated that the districts of Kharkov, Luhansk, Donetsk, Kherson, Mykolaiv and Odessa were part of Novorossiya;

b) In May 2014, the self-proclaimed Donetsk and Luhansk People's Republics announced the establishment of the Novorossiya Confederation and declared their intention to expand into southern Ukraine. The political project was supported for a period of 1 year, until May 20, 2015, when the leaders of the self-proclaimed People's Republics Donetsk and Luhansk announced its freezing.

Following the hypothesis regarding the objectives set in the Kremlin for the "case" Ukraine, we consider the following statements to be important:

1. The goal of bringing Crimea back into the Russian Federation has been set at least since Vladimir Putin took power in the Kremlin.

President Putin is a representative example of the Russian national consciousness expressed in terms of the exceptionality of the Russian nation, the preservation of the Russian spirit of Russian history, tradition, power and

significance, the maintenance of territoriality at all costs (philosophy of Russia's gigantic surface area expansion and not cession of territories, regardless of the historical context).

The Crimean Peninsula, incorporated into the Tsarist Empire during the reign of Empress Catherine II, has a special historical significance for the Russians, in their entirety as a people. Thus, in the Crimean War (1853-1856), in the First World War as well as in the Second World War, the Crimean Peninsula was occupied by attacking forces, the loss, even temporary, of this territory, having a very strong psychological and emotional effect on the Russians.

The Crimean Peninsula is also of great importance to the Russian oligarchy, for which it is a pearl of tourism and relaxation (many Russian potentates own holiday properties in the Crimean Peninsula).

Last but not least, the special strategic role of the Crimean Peninsula should be emphasized (this was also the main reason for the occupation of the peninsula in the three wars mentioned above), this territory being the "unsinkable aircraft carrier" which gives an undeniable military advantage for Russia. Thus, Crimea was and became, after the occupation and annexation by Russia, the main air-naval base of Russia in the Black Sea, a place from which the Russians can project their forces to the Mediterranean.

2. Lack of feasibility of a maximum target to establish full control of Ukraine. Although this option, certainly analyzed in the Kremlin's laboratories, could be considered as a possibility with chances of success, it was at least postponed, if not abandoned. In support of this hypothesis, the following considerations can be highlighted:

a) achieving the objective by classical military action:

- even if the Ukrainian army had an extremely difficult operational situation, a total war for the occupation of Ukraine would have led to considerable losses for the Russian army, which was difficult for the Russians to justify, even if a huge propaganda apparatus was used to justify the action;
- for the military occupation of the entire Ukrainian territory, the Russian armed forces would have come dangerously close to the borders of NATO states, which would have led to a reaction of mobilization and movement to the borders of the armed forces of these states, and (almost certainly) of allied military forces. It must be borne in mind that there was no argument to show with certainty that Russian military forces would stop at the borders of Ukraine's neighboring states;
- the international reaction would probably have been much stronger than that recorded in relation to the course of action taken by the Kremlin in the crisis in Ukraine. In this context, there is the possibility, with a very high probability of being achieved, of applying particularly harsh economic and political sanctions that would have severely affected the Russian economy, which, even under normal conditions, is not performing well;

- the credibility of the Russian state in relation to other states, especially at European and transatlantic level, would have collapsed. The result would have been a real and strong long-term international political isolation;
- the de facto occupation of Ukraine would have placed an additional burden on the Russian economy, requiring substantial resources to be maintained for the functioning of the institutions and society in the occupied territory;
- the existence of strong Russo-phobic accents, especially in western Ukraine (both religiously from the Catholic population, quite large in this part of Ukraine, and of the Ukrainian population in general) would have created the conditions for manifesting hostile attitudes that are difficult to controlled;
  b) achieving the goal by using the methods of hybrid warfare
- the action of the "green men" would have had very little chance of success on the scale of the entire Ukrainian territory. As proof, it did not work even in the area of the oblast on the left bank of the Dnieper, although there were actions of these forces, especially in the south-eastern part of Ukraine, but they were not successful;
- the population of western Ukraine was, at least in the context of the Maidan Movement, totally against Russia and overwhelmingly pro-Western;
- a large part of the methods of hybrid warfare (propaganda, undermining state institutions, undermining the economy, information warfare) become effective and usually yield long-term results, especially as the objectives are more ambitious;
- the likelihood of a civil war on the entire Ukrainian territory would be particularly high, and its consequences, even if it led to the collapse of the state, would certainly have had major negative effects on Russia and its interests;
- the size of the objective, respectively the taking over of the control of the whole state, would have caused major difficulties in controlling the evolution of the situation, and a possible negative evolution in relation to the aggressor's intentions would have increased the involvement and the probability of degenerating;
- the hybrid actions would have become much clearer and more visible than those carried out in Crimea and eastern Ukraine, which would have led to much stronger international reactions and would have led to much harsher political and economic sanctions;
- a possible failure would have led to the loss of Russian confidence in Putin's leadership and would have severely eroded his position in the Kremlin ruling class;

- the loss of confidence would have manifested itself at the level of the former states of the composition of the Soviet Union that revolve around the orbit of Moscow.

## 3. PROS AND CONS FOR THE HYBRID WARFARE

### 3.1. Advantages of the Hybrid Warfare

Returning to the search for the answer that determined Moscow's option for a hybrid aggression to the detriment of a classic military action, in view and considering the hypothesis of the content of the planning directive as presented above we will evaluate and balance the arguments that were probably taken in consideration of the gray eminences of the Kremlin for choosing the optimal course of action.

Therefore, we will state the advantages and disadvantages of hybrid warfare compared to conventional warfare, also supporting the fact that this analysis benefits from knowing the result, in the sense that it is done post-factum.

To begin with, it must be borne in mind that, depending on the evolution of the situation, the builders of the scenario kept both options open or rather thought that the launch and execution of the hybrid operation could be supported, if necessary, by the purely military option.

At the same time, it can be stated with certainty that the Kremlin analysts and planners did not establish from the beginning that there may be two working options but identified the problem, set out in detail the elements of the existing situation or possibly develop, set the purpose and objectives. and detailed the actions needed to fulfill them, respectively developed the possible scenarios.

Finally, they analyzed the probability of success of each action.

Following the logic of the elements presented above, in support of the hybrid action approach, the following advantages can be identified quite easily:

a) the hybrid actions have an innovative character; they allow developments in any field in which vulnerabilities of the opponent are identified and own possibilities / resources of action;

b) the depth of the act of aggression depends more on the weakness of the opponent and less on his own ability to allocate resources;

c) aggressive actions on multiple levels, allow both a deeper penetration and a rapid retreat in case of encountering a strong resistance in the considered field;

d) hybrid actions can be prepared and triggered long enough before the occurrence of the open conflict state. In support of this argument, we will note the speed of taking over the Crimean barracks and public institutions, as well as the speed and effectiveness of organizing and validating the referendum on Russia;

e) even if they became visible shortly after the overthrow of power in Kiev and the aggressor was identified as Russia, the hybrid actions allow the use of a

strong communication strategy of denying involvement (which the Russian authorities did).

The perversion of the truth and / or the interpretation of actions / situations can be taken very far. The evidence is the quantities of weapons, combat equipment (ground) and ammunition sent across the border to the aid of separatist forces. Their origin has long been denied by the Russian authorities, their basic explanation being that Ukraine also owns such equipment and the separatists armed themselves from the Ukrainian army depots to defend themselves against "fascists who took power".

Moreover, even after being taken prisoner, proved to be part of the Russian Army, President Putin nonchalantly stated that yes, there is this possibility, but the military is fighting in Ukraine as ordinary Russian citizens to defend the blood brothers and they do not represent Russian armed forces. In addition, at the time of their detention on Ukrainian territory, they were on leave or on leave (ie they were in their spare time) and took part in combat operations on their own responsibility.

However, in this context, it is interesting to note that, although they participated with combat units consisting of Russian soldiers or they formed the hard cores of structures combined with separatist forces, Russia did not use aviation on Ukrainian territory. The application lies in the difficulty of concealing the origin of the aircraft;

f) hybrid actions, especially those based on information warfare, fake-news, propaganda, infiltration into institutions, key points in the economy (when possible, and in the case of Ukraine the infiltration ground was extremely favorable and permissive, including in the highest spheres of power, the army, the secret services, etc.) ensure the division of the population and the decrease of its morale and will to fight, the sharp decrease of confidence in the institutions and strength of the state, the enthronement of fear, etc.;

g) a major advantage of adopting hybrid methods is to ensure the possibility of withdrawal in case of failure, without assuming it. Failure to achieve the objective is not obvious and can easily be avoided or, if necessary, justified. This aspect is particularly important for one's own public opinion, on the support of which any political leader relies.

Thus, for the Russian leadership it was quite simple to induce to the Russian people the idea of obtaining a great victory (at least only by annexing Crimea and fixing a "bridgehead" in the Donbass), because the failure to achieve the ultimate goal of re-establishing Novorossiya Province (of course integrated into the Russian Federation) provided that:

- the hybrid actions took place "covered", the results obtained being clear and transparent, and the failures did not exist because the actions, to a large extent, were not visible;

▪ Even if the public expected more, knowing or intuiting that Russia supports the separatist forces, the explanation for the failure was simply guilty being the supporters who were unable or unwilling to value Russian support.

h) hybrid actions, especially in the situation when state entities are involved in the conflict, are predominantly offensive. Considering that if we consider the "offensive" strictly from a military point of view, we can say that the adoption of this form of combat is made in the situation of achieving, at least on the main offensive direction, a sufficient superiority of forces and means at least in theory, the conditions for success. Thus, for the hybrid action it is not so important how much resources are allocated but how they are prepared and how "they are put into battle"; in the present case it has allowed Russia to be able to create a vague, uninvolved image or one whose involvement is presumed, suspected but not proven;

j) hybrid actions can be used much more easily by an autocratic state. In the present case for Russia, led authoritatively by Vladimir Putin, there were no voices asking what the costs of such actions were, what Russia's involvement in the conflict was, why Russian soldiers were killed in the Donbass, how much it cost to support separatist forces and function. the two self-proclaimed people's republics of Donetsk and Luhansk, etc. Along the same lines, China, Iran and, why not, Turkey are in line with the realization of a substantial potential for hybrid actions.

### 3.2. Limitations and disadvantages of the Hybrid Warfare

Hybrid actions, normally, also have disadvantages.

Thus, in the specific case of the hybrid actions of Russia against Ukraine, the following disadvantages of this approach can be highlighted:

a) the need for a thorough, detailed and very precise preparation of the actions, as well as the very high level of expertise of those involved in the implementation of the action plans;

b) identification of ways and means of ensuring the masking, concealment and concealment of actions, both against the opposing party and against third state entities;

c) a long period of time for obtaining the results, which requires the preparation and development of actions long before the moment when the conflict is foreseen;

d) a special effort for the integration, management and follow-up of actions;

e) the long time necessary for the training of specialists in carrying out such actions;

f) the need to ensure maximum flexibility in conducting hybrid actions in order to identify opportunities, risks, limit failures, achieve rapid changes in the situation, etc .;

It follows, therefore, that hybrid warfare, even if it can be appreciated as the weapon of the "poor", is experiencing increasing development and application and is beginning to become the main form of action of some state entities, especially the authoritarian ones.

## 4. CONCLUSIONS

Hybrid warfare is increasingly a form of conflict today, regardless of its protagonists. The period of punctual or circumstantial application of methods specific to hybrid warfare has been exceeded. At present, the methods of hybrid warfare have become the main elements used in an aggression. In addition, the diversity of methods, their wide spectrum of use and the multitude of areas in which they manifest themselves, as well as the effects they generate, make hybrid warfare the most complex form of aggression.

An important feature of hybrid actions is that they tend to become a permanent and widespread presence, both at the state and non-state entities level.

Actions or rather hybrid aggressions are constantly diversified as a spectrum of manifestation and take place right outside the conflict areas / spaces. Moreover, through the actions from the informational, propagandistic and cyber spectrum, these actions transcend the characteristic of territorial proximity, manifesting itself on the whole world map.

Given the innovative nature of these aggressions, it is becoming increasingly difficult to control them, discover areas of manifestation and identify countermeasures.

The hybrid war waged by Russia in Ukraine continues even after 7 years since the occupation and annexation of Crimea and has been a very good school for the development and refinement of methods and tools for Russian specialized services that the Ukrainian conflict.

In the conflict in Ukraine, it is possible that Russia did not achieve the proposed maximum targets but achieved its mandatory targets and at least the minimum ones. In addition, by continuing hybrid aggression in Ukraine, it is on track to achieve new goals, which this time are much more ambitious and go beyond the current area of the conflict zone.

In the same framework of development, refinement and use of hybrid aggression methods, China was also involved, whose potential can be appreciated, without fear of error, as the most developed in this field, given the available resources, economic strength and military and last but not least the undemocratic character of the state leadership.

So, hybrid warfare cannot be seen just as a complex, integrated representation of classical warfare. It is an independent, highly disruptive and diverse form of total conflict.

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# THE LEGAL SYSTEM AND THE NATIONAL DEFENSE SYSTEM. REPORTS AND FUNCTIONALITY

**Colonel Marius POPESCU**[117]

***Abstract:*** *Within any legal system, implicitly also in the national one, the Constitution stands out as important, a fundamental law that represents the supreme system of political-legal norms. Article 118 para. 2 of the The Constitution of Romania states that "The structure of the national defense system, the preparation of the population, economy and territory for defense, as well as the status of military personnel, are established by organic law" and, in light of the above regulation, the headquarters of the matter regarding the national defense system is represented by Law no. 45/1994 of the national defense of Romania, with the subsequent modifications and completions, this being established, at art. 6, the fact that the national defense system includes: leadership, forces, resources and territorial infrastructure. On the other hand, collaboration with partners or allies within NATO or strategic partnerships is an essential component of national and regional security.*
*Thus, the participation of the armed forces in missions and operations outside the territory of the Romanian state, the entry, stationing, conduct of operations or transit of Romanian territory by foreign armed forces, or Romania's participation in the Missile Defense System, are legally substantiated issues. on a complex set of normative acts which, through their interpenetration, through the existing relations between them, manage to create a true pillar of the national and collective defense.*
***Keywords:*** *national defense system; Supreme Council of National Defense; defense planning.*

Globally, defense threats, challenges and risks, the dangers cause the states of the world to pay, as is natural, a special attention to national defense. It is easy to imagine that a state with a modest defense capacity is a state that is, so to speak, at the mercy of other states, terrorist organizations or other actors that are often not well-intentioned (e.g., transnational networks). who practice illicit trafficking, organized crime etc.),

Thus, in the case of medium-sized countries, in general none of them will be able to establish a lasting hegemony over all the others, largely because they will unite, forming alliances, against it. In other words, alliances arise from states' attempts to maintain a balance of power between them.

For example, the creation of alliances as a method of maintaining balance, as a way of maintaining peace, was adopted in fifteenth-century Italy and later

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extended to the whole of Europe. With the help of this system, the aim was to limit the two great dangers that threatened, at that time, the sovereignty of the states: the extension of the Ottoman domination and the increase of the power of the Habsburgs. In this way, in order to cope with the French invasion of Italy, the King of Spain, the Pope, Venice, Milan and Emperor Maximilian I united in the League of Venice.

Thucydides, in the fifth century BC, argued that nations entered into alliances to discourage or go to war out of "honor, fear, and interest."

In the contemporary era, in general, the existence of a threat to a state from a hostile power is a necessary (and, in most cases, sufficient) condition for the development of a security alliance. In this context, a military alliance is an international agreement on national security, in which the contracting parties agree on mutual protection and support in the event of a previously unidentified crisis. It is important to note that military alliances differ from coalitions, the latter being formed in order to resolve an already existing crisis. As is well known, the identity of common values, security interests, principles of state organization and functioning, a not very high level of economic and military power, limited availability of essential resources, or other elements important for the proper functioning of A state is a factor that facilitates, in turn, bringing states together, usually in regional alliances, for better and more integrated management of defense efforts.

The *Charter of the United Nations*, through Article 51, introduces the legitimacy of individual and / or collective defense: *"Nothing in this Charter shall affect the natural right of defense, individual or collective, where a member of the United Nations is the object of armed aggression, until the Security Council has taken the necessary measures to maintain international peace and security"*.

Subsequently, these provisions were supplemented. Thus, in art. 1 of *Resolution no. 3314/1974*, the circumstances necessary to define the right to self-defense of states were specified: "*Aggression is the use of force by a state against the sovereignty, territorial integrity or political independence of another state or in any manner incompatible with the Charter of the United Nations. of this definition"*. Legitimate collective defense consists in the right, for a state not directly attacked, to intervene on behalf of the defense agreements concluded with the attacked state. This principle was the basis for the formation of the international military coalition that launched, in March 2003, the military operation in Iraq, in which Romania also participated.[118]

According to this mechanism, also in the case of Romania, the efforts directed in the direction of national defense are made permanently considering that this can be achieved, in the optimal way, within the collective defense of

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[118] Dr. Constantin Moştoflei, dr. Petre Duţu, *Naţional şi colectiv în apărarea României,* Editura Universităţii Naţionale de Apărare „Carol I" Bucureşti, 2007.

NATO. In this sense, the adopted strategies, the endowment of the Romanian Army with means of combat and armament, the training and improvement of military and civilian personnel are made according to NATO standards and plans, as a politico-military institution within which it is conceived, organized and put into practice where necessary, the collective defense of the Member States.

## 1. GENERAL LEGISLATIVE FRAMEWORK OF THE NATIONAL DEFENSE SYSTEM

Within any legal system, the Constitution stands out as important, which represents the supreme system of politico-legal norms, the fundamental law of the state, having at the same time a superior legal force as a normative act, thus creating a hierarchy of normative acts: constitution, organic law, ordinary law, etc.

Through its legal norms, the legal system imposes itself on all social systems, disciplining them and imposing certain rules of operation on them; in this way, it contributes to the performance of the company's management function; he is, as has been well pointed out in the doctrine, the constitutive, main and most important element of the management of society.

Similarly, at the national level, the entire legal base of the matter regarding the national defense system is found in the *Constitution of Romania,* republished[119] which, at art. 118 para. 2, states that *"The structure of the national defense system, the preparation of the population, the economy and the territory for defense, as well as the status of military personnel, are established by organic law."*

Thus, in light of the above-mentioned regulation, *Law no. 45/1994 of the national defense of Romania*, with the subsequent modifications and completions, represents the main legislative act of the matter in the field subject to analysis, and it states, at art. 6, the fact that the national defense system includes: leadership, forces, resources and territorial infrastructure.

According to art. 7 of the same normative act *"the management of the national defense system is an exclusive and inalienable attribute of the constitutional authorities of the state and is achieved by: Parliament, President of Romania, Supreme Council of National Defense, Government of Romania, Ministry of National Defense and public administration authorities with responsibilities in the field of national defense."*

### 1.1. The National Defense of Romania

According to *Law no. 45/1994 of the national defense of Romania*, the national defense system includes: the leadership, the forces, the resources and the territorial infrastructure. The armed forces include the army, large units and units

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[119] *Constituţia României, republicată,* https://www.ccr.ro/wp-content/uploads/2020/03/Constitutia-2003.pdf, accessed 15.05.2021.

subordinated to the Ministry of Internal Affairs, those of the state intelligence services and other armed defense formations organized according to the law.

The army is subordinated exclusively to the will of the people. This subordination aims to guarantee the sovereignty, independence and unity of the state, the territorial integrity of the country, as well as constitutional democracy.

Defense planning and national defense strategy, as an attribute and essential component of defense policy, is a complex of activities and measures aimed at protecting and promoting national interests, defining and meeting Romania's national security objectives in this area.

Its legal basis is found in *Law no. 203/2015*, being defined as the process underlying the transformation and modernization in the field of defense, which includes all programs, actions and measures initiated by Romania to identify, develop and prepare military and non-military capabilities necessary to fulfill missions and objectives in the field of defense for:

a) the fulfillment of the obligations deriving from the Constitution of Romania, republished, and from the law, as well as from those incumbents on Romania in ensuring the security and collective defense within NATO;

c) ensuring Romania's participation in the European Union's Common Security and Defense Policy;

d) compliance with the commitments in the context of international cooperation in the field of defense with other states and the fulfillment of obligations assumed by participating in the activity of other international organizations or in other situations regulated by international law, in accordance with the law.

In order to fulfill its missions, objectives and commitments, Romania develops and maintains a unique set of capabilities, managed through an integrated defense planning mechanism. Coordination of the defense planning process is a basic element of the process of democratic civil control in the field of defense.

### 1.2. National Defense Strategy[120]

According to art. 4 of Law no. 203/2015, the National Defense Strategy of the Country (NDSC) is the basic document that substantiates the defense planning at national level.

The President of Romania, within maximum 6 months from the date of taking the oath, presents in the Parliament the National Strategy for the defense of the country which is debated and approved, by decision, in a joint meeting of the two Chambers.

Through its objectives and content, this document refers to the defense of the country and national security as a whole. The paradigm shifts regarding the

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[120] https://www.presidency.ro/files/userfiles/Documente/Strategia_Nationala_de_Aparare_a_Tarii_2020_2024.pdf, accessed at 8 May 2021, 19: 30.

concept of country defense and national security, related to the increasingly unpredictable dynamics of the security environment.

In general, the National Defense Strategy reflects the need to promote a concept of extended national security, based on constitutional democracy and mutual respect between citizens and the state, which aims at interests that converge to ensure national security, manifested in the following areas: defense (understood in double normative quality, national defense and collective defense), public order, information activity, counter-intelligence and security, education, health, economic, energy, financial, environment, critical infrastructures.

It has an integrative and multidimensional approach, in which the defense dimension merges and balances each other with a number of other dimensions: public order; the activity of information, counter-intelligence and security; diplomacy; managing their crisis situations; education, health and demography.

The need to extend the concept of national security is also motivated by ensuring convergence with European security principles, developed in the European Security Strategy and the European Union's Internal Security Strategy, in which security and development are placed in a directly proportional relationship.

In addition, the extension of the concept of national security aims to ensure greater resilience of state institutions and civil society in the face of possible crisis situations, fortuitous or persistent, in an unpredictable international security environment and in a complex security context.

### 1.3. White Paper of Defense[121]

This document is elaborated by the Ministry of National Defense for fulfilling the provisions of the National Strategy for National Defense and implementing the defense objectives established by the Government Program, in accordance with the provisions of Law no. 203/2015 on defense planning.

### 1.4. The Supreme Council of Defense of the Country

The existence of a politico-military body with responsibilities in the field of defense of the country represents a tradition that has its source in the period between the two world wars.

After the completion of the national unity on December 1, 1918, the Romanian unitary state underwent a period of profound and complex political transformations whose expression was found in the adoption of the Constitution of 1923, appreciated at that time, among the most modern in Europe. In this Constitution, at art. 122, it was provided that: "*A Superior Council of National Defense will be established which will take care, permanently, of the necessary measures for the organization of national defense*".

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[121] https://sgg.gov.ro/1/wp-content/uploads/2021/03/CARTA-ALBA-A-APARARII-.pdf, accesed at 8 May 2021, 20: 10.

Thus, on March 14, 1924, the *Law on the organization of the Superior Council of National Defense* was adopted, which was meant to "*examine, coordinate and solve all issues related to national defense.*" The decisions of this forum were binding after their acceptance by the Council of Ministers.

Under the communist regime, a decision to establish the Defense Council of the Socialist Republic of Romania was determined by the events in Czechoslovakia in August 1968.

In this context, the Great National Assembly adopted, on March 14, 1969, *Law no. 5 for the establishment, organization and functioning of the Defense Council of the Socialist Republic of Romania*.

Regarding the purpose of creating the Council, art. 1 stipulates: " *The Defense Council of the Socialist Republic of Romania is established, a deliberative body, which has the task of examining, coordinating and solving the main problems in the field of defending the country and ensuring state security both in time of peace and in time of war.*"

The Council shall be convened only by its chairman at least twice a year and shall decide by an open majority vote of its members. The new structure was not a legislative body. The Council discussed a series of decisions which were subsequently adopted, depending on the specifics, by: The President, the Council of Ministers or the Grand National Assembly.

After December 1989, the events that took place throughout 1990 forced the state institutions to re-establish, by *Law no. 39/1990*, a Defense Council under the name of the *Supreme Council of National Defense* - with broad attributions (which include provisions from both previous normative acts). However, this regulation appeared at a time when the new Constitution was not adopted.

*Law no. 415/2002*[122], developing the constitutional provisions, establishes over 28 attributions of the Supreme Council of National Defense, summarized in the annual reports of this body, on 12 main directions of action, as follows:

   • approval of documents of a political nature, of strategic importance (national security strategy, national defense strategy) and its activity reports;

   • coordinating the activity of the institutions of the national security system for consolidating Romania's role within the North Atlantic Alliance, the European Union and the other international organizations;

- supervising the activity of defense and public order (the fight against corruption, fraud and money laundering, prevention and combating of smuggling, illegal migration and trafficking in human beings, trafficking and illicit drug and drug use);

- unitary coordination of information, counter-intelligence and security activity. Measures to strengthen national security;

- approval of draft normative acts;

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[122] https://csat.presidency.ro/ro/prima-pagina/legea-de-organizare, accessed at 9 May 2021, 16: 10.

- ensuring the resources and infrastructure necessary for the defense of public order and national security;
- supervising the preparation of the economy and the mobilization reserve for defense;
- analysis of the protection of national, NATO and EU classified information, as well as those that are the subject of agreements;
- civil emergency management (global climate change, extreme weather events);
- ensuring energy security;
- appointments and promotion, participation in the exam for the rank of general, as well as some aspects of social protection of the military. The President of Romania fulfills within the Supreme Council of National Defense.

In the analysis of the phrase the Supreme Council of National Defense (autonomous administrative authority), the category of autonomous authority must be clarified first of all (neither the regulations in force nor the doctrine in the field have clarified this notion).

Thus, a first meaning concerns the autonomy (independence) of this authority from the state powers (if it is an autonomous administrative authority, the autonomy (independence) is manifested only towards the Government).

Another meaning, which refers only to the autonomous administrative authorities, refers to financial autonomy, the respective authority having the obligation to self-finance, but remaining under the subordination or direct coordination of the Government or a ministry.

However, the Supreme Council of National Defense cannot be included in any of these meanings. Also, although at a first evaluation of the directions of action of the Supreme Council of National Defense, it would seem that they have only an administrative character, analyzing the decisions of this forum, we find that most of them have a political character.

It could be said that the role of the Supreme Council of National Defense increases exponentially, depending on the aggravation of the situation, during exceptional situations. Thus, it can be said that starting with the establishment state of siege, the Supreme Council of National Defense practically shares power with the Government, under certain conditions.

According to the provisions of the approved mobilization plan, the Ministry of Public Finance elaborates the draft state budget for war, based on the proposals of the ministries and of the other institutions with attributions in case of mobilization or war. The implementation of the mobilization plan and the execution of the state budget for war is approved by the Parliament, based on the proposals of the Supreme Council of National Defense.

*Law no. 45/1994 on the national defense of Romania*, with subsequent amendments and completions, regulates, mainly, the actions carried out by the

decision-makers after the declaration of the state of war (the regime of requisitions, the establishment of the General Headquarters, directly subordinated to the Supreme Defense Council, the regime of obligatory provision of some services by the population, the regime of the county military commands, etc.).

In view of the arguments presented, we consider that the Supreme Council of National Defense is a public authority of the executive branch. In this context, the executive power, in the case of Romania, would be composed of: President, Government and the Supreme Council of National Defense.

The Supreme Council of National Defense[123] is a public authority and its secretariat, according to art. 11 of *Law no. 415/2002*, operates within the Presidential Administration, being coordinated by the secretary of the Supreme Council of National Defense.

The Supreme Council of National Defense does not have a permanent activity, as it has the institution of the head of state or the Government, but is convened by its president, quarterly or whenever necessary. It is true that the Government also meets weekly or whenever it is needed, but when it does not meet, the continuity of functioning is ensured by the Prime Minister and the specialized apparatus of the Government. In the case of the Supreme Council of National Defense (collegiate leadership structure) the prerogatives of the president can be manifested only in its plenary.

In the exercise of its attributions, the Supreme Council of National Defense issues decisions, according to the law, which are binding for the public administration authorities and the public institutions to which they refer. They are responsible, in accordance with the law, for the measures taken to implement them.

The decisions of the Supreme Council of National Defense are signed by its president and are communicated to the public administration authorities and public institutions to which they refer, in full or in extract, except for those for which it is decided otherwise. As a rule, these decisions (as in the formulas of the interwar constitutions or from the communist regime) must be validated by decisions of the Romanian Parliament or, as the case may be, implemented by Government decisions, in order to have legal force.

## 2. LEGAL ASPECTS REGARDING THE PRESENCE OF FOREIGN ARMED FORCES ON THE TERRITORY OF ROMANIA

### 2.1. General legal framework of the presence of foreign armed forces on the territory of Romania

The legal basis regarding the conditions under which the foreign armed forces may enter, station, carry out operations or transit the territory of Romania

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[123] https://csat.presidency.ro/ro/prima-pagina/componenta-csat, accessed at 9 May 2021, 17: 00.

is provided by *Law no. 291/2007 on the entry, stationing, conduct of operations or transit of foreign armed forces on the territory of Romania*.[124]

In accordance with art. 1 para. (2) of the mentioned law, its provisions shall be applied insofar as the treaties ratified by the Romanian Parliament do not provide otherwise. This provision resumes the thesis of art. 11 of the *Constitution of Romania* according to which *"The Romanian State undertakes to comply just as in good faith its obligations under the treaties to which it is a party. The treaties ratified by the Parliament, according to the law, are part of the internal law* ".

Adoption of *Law no. 291/2007* fulfilled a requirement of art. 118 paragraph 5 of *The Constitution of Romania*, according to which: "*On the territory of Romania may enter, station, carry out operations or pass foreign troops only under the conditions of the law or international treaties to which Romania is a party*".

This solution was imposed, first of all, due to the fact that the Romanian legislation in the matter, in force until the adoption of *Law no. 291/2007*, did not make a clear distinction between the legal status of forces belonging to NATO Member States or those participating in the PfP (status governed by the *NATO SOFA Agreement and the PfP SOFA Agreement, concluded in 1995) and the legal status of the armed forces of other states and, secondly, because,* although a member of the North Atlantic Alliance, Romania maintains its military relations with other states, relations that can materialize in the conduct of joint exercises on the territory of the Romanian state.

For this category of armed forces, the normative act provides minimum requirements that must be observed when entering, transiting or stationing on the territory of the Romanian state. On the basis of reciprocity, according to the technical agreements concluded by the Ministry of National Defense, certain facilities are provided to ensure the proper conduct of activities.

The provisions of the Treaties on the Status of Forces apply to the armed forces belonging to NATO member states or to the PfP, and in the situation where they do not have or refer to national legislation, the provisions of *Law no. 291/2007*.

On the other hand, the provisions of *Law no. 291/2007* also apply in cases where the agreements on the legal status of the armed forces belonging to NATO Member States or those participating in the PfP do not provide for certain situations or refer to the relevant national legislation. For the implementation of its provisions, as well as of the treaties regarding the status of the foreign armed forces on the Romanian territory, *Law no. 291/2007* provides for the establishment of an inter-ministerial commission for liaison with foreign armed forces. The Commission ensures the coordination of the activities of the

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[124]     https://dpap.mapn.ro/app/webroot/fileslib/upload/files/Cooperare%20militara%20-%20legi/Legea_291-2007.pdf, accessed at 12 May 2021, 17: 30.

Romanian public authorities in order to solve all the practical aspects that may be encountered in the relations with the foreign armed forces located on the Romanian territory. The Commission is usually composed of representatives of institutions whose fields of activity are in the field of stationing foreign armed forces in Romania, namely the Ministry of National Defense, the Ministry of Finance, the Ministry of Foreign Affairs, the Ministry of Internal Affairs, as well as representatives of other public institutions (depending on the situations submitted for analysis).

As a whole, Law no. 291/2007 contains provisions regarding:

- the procedure for approving the entry of foreign armed forces on the Romanian territory;
- conditions regarding the entry or exit of members of foreign armed forces in / from Romania;
- movement of vehicles, ships and aircraft;
- rules on weapons, equipment and combat equipment;
- establishing the general framework for regulating the activities regarding the electronic communications networks and services and the regime of authorization of these activities;
- public medical and health care;
- observance of the environmental protection rules by the members of the foreign armed forces during the presence on the Romanian territory;
- the conditions and modalities regarding the employment of the local labor force by the foreign armed forces;
- the procedure for settling the claims for damages caused by the members of the foreign armed forces during the presence on the Romanian territory;
- exercising the right of jurisdiction over the members of the foreign armed forces while they are on the Romanian territory.

Regarding the exercise of the right of jurisdiction over the members of the foreign armed forces, the provisions of *Law no. 291/2007* distinguish that, while they are on the territory of Romania, they are obliged to respect the Romanian legislation, as well as the generally recognized principles of international law.

### 2.2 Legal framework of the presence of the NATO member forces in Romania. NATO SOFA TREATY

Following the accession to the *North Atlantic Treaty* in 2004, in order to regulate both the status of the armed forces of the Member States during their activities on the territory of Romania and during their activities on the territory of another Member State, Romania acceded to the *NATO Agreement. SOFA by Law no. 362/2004.*

The NATO SOFA[125] agreement regulates the status, rights and obligations of the armed forces and the civilian component of a NATO state when operating in the territory of another NATO member state.

According to NATO SOFA[126], on the territory of the receiving state (the state where they are stationed or in transit), members of the armed forces, their civilian component and their family members are obliged to comply with the national law of that state and to refrain from any activities that could prejudice the purposes of the agreement.

Of particular importance in NATO SOFA is Article VII, which regulates the exercise of criminal and disciplinary jurisdiction over members of the force, the civilian component and their family members. Thus, the military authorities of the sending State shall exercise, in the territory of the receiving State, criminal and disciplinary jurisdiction over persons who are subject to the military laws of that State. On the other hand, the military authorities of the receiving State shall exercise jurisdiction for offenses committed by members of the armed forces of the sending State or its civilian component in respect of offenses committed in the territory of that State and criminal offenses under its criminal law and also for offenses committed by the members of their family.

Also, art. VII regulates in detail the rules applicable to the exercise of the exclusive right of jurisdiction of the sending State in the event of a competition of jurisdictions. The minimum rights and guarantees enjoyed by persons prosecuted before the courts of the receiving State shall be provided, as well as the cooperation between the two States in order to ensure the proper administration of justice.

Article VIII, in the same document, refers to the way of resolving claims resulting from damage to property of the contracting parties or third parties, respectively injury or death of persons, as a consequence of the activities of members of the force on the territory of the receiving State.

Thus, the conditions under which the receiving State waives any claims for damages caused to property used by its armed forces are regulated. The sending State shall also waive all claims on any other NATO Member State, resulting in the injury or death of any member of its armed forces, while such a member has acted in the performance of his official duties.

With regard to the claims of third parties determined by actions taken by members of the force or civilian component in the exercise of its official duties or by any other act or circumstance for which the force or civilian component is responsible, the receiving State is obliged to resolve according to its own law. Compensation due to a third party, regardless of whether they are agreed upon

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[125] https://dpap.mapn.ro/app/webroot/fileslib/upload/files/Cooperare%20militara%20-%20legi/Legea_362-2004.pdf, accessed at 14 May 2021, 18:30.

[126] Marian Drăguț, *Drept internațional. Statutul juridic al forțelor armate străine pe teritoriul României*, Editura C.H. Beck, București, 2009.

amicable or established by a court decision, are paid by the receiving state, and part of the amount of this compensation will be reimbursed by the responsible state or states.

Another category of claims is those caused by damages caused to other categories of goods, a situation in which the procedure for resolving claims by a sole arbitrator is provided.

The *NATO SOFA Agreement* also contains provisions on the documents on the basis of which the entry of forces into the territory of the receiving State, the procedure for purchasing goods and services on the territory of the receiving State, customs regulations, exemptions from taxes and duties granted to the force, civilian component and their members., including their family members. According to art. IX para. (1), members of a force or civilian component and their family members may purchase goods locally, which are necessary for their own consumption, and may use the services they need, under the same conditions as nationals of the receiving State. Also, according to para. (2), the goods on the local market necessary for the subsistence of a force or a civilian component will normally be purchased through the competent services which procure such goods for the armed forces of the receiving State. In order to avoid such acquisitions having a negative effect on the economy of the receiving State, the competent authorities of that State shall, where necessary, determine the goods the purchase of which must be restricted or prohibited.

Article XVI establishes the competence of the North Atlantic Council to intervene in the settlement of disputes concerning the interpretation and application of the Agreement, which could not be resolved through direct negotiations between the parties concerned.

### 2.3. Legal framework of the presence of the United States of America Forces in Romania

The right of stationing of US forces on the territory of our country was granted based on the *Agreement between Romania and the United States of America on the activities of United States forces stationed in Romania[127], signed in Bucharest on December 6, 2005*, ratified by *Law no. 268/2006* (DCA).

This document was concluded for an initial period of 10 years, and after the expiry of this period, the Agreement will remain in force for as long as neither Party notifies in writing, one year in advance, its intention to terminate it.

In accordance with Art. I of the DCA, Romania makes available to US forces certain facilities and areas on the national territory in order to carry out the activities approved by the Agreement.

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[127] https://dpap.mapn.ro/app/webroot/fileslib/upload/files/Cooperare%20militara%20-%20legi/Legea_268-2006.pdf, accessed at 14 May 2021, 18: 30.

The facilities and approved areas made available to US forces, as set out in Annex A to the DCA, are as follows:

- Smârdan training ground;
- Babadag training polygon and embarkation-disembarkation ramp;
- Mihail Kogălniceanu Air Base;
- Cincu training ground;
- The wider area of maneuvers includes areas in Constanţa and Tulcea counties and is delimited by the town of Babadag to the north, the Babadag polygon to the east, Tariverde to the south and the commune of Horia to the west,
- any other facilities and areas of public property that would be agreed later, by agreement of the parties.

According to art. II of the DCA, the US forces will not have military bases installed on the territory of Romania, but will use the facilities and areas provided by the Romanian state "*for the purpose of training, transit, support and related activities, refueling of aircraft, temporary maintenance of vehicles, ships and aircraft, accommodation of personnel, communications, stationing and deployment of forces and materials, prepositioning of defense equipment, goods and materials, and for other purposes that the designated parties or authorities may agree with them* ", in full compliance with Romanian legislation. "*Upon request, Romania shall assist in facilitating the temporary access of United States forces to publicly owned lands, including those controlled by municipalities, as well as to privately owned lands, for maneuvers and training of United States forces.*"

It should be mentioned that Romania retains its rights and property titles over the agreed facilities and areas made available to the US forces. In this regard, the United States forces will return to Romania any agreed facility or area, as well as any division thereof, once they are no longer needed.

Romania and the USA, through their designated authorities (United States Department of Defense and Romanian Ministry of National Defense) will consult on how to return any of the agreed facilities and areas, including possible compensation for construction or improvements performed.

The American forces deployed in Romania in the agreed facilities and areas are rotational forces, under the command of EUCOM.

In order to carry out the activities approved by the Agreement, Romania has the obligation, in accordance with art. III para. (1) of the DCA to provide the logistical support requested by US forces.

According to Annex B of the DCA, the following categories of logistical support are considered to be made available to US forces:

- accommodation;
- maintenance and repair services, including storage; drinking and non-potable water, including distribution and storage;

- food, perishable and non-perishable;
- fuel, including storage, distribution and quality control services; land, sea and air transport services;
- utilities and services, including energy and communications; - the need for civilian labor force;
- medical assistance and services;
- air services for aircraft and cargo;
- other appropriate forms of mutual assistance, as agreed.

### 2.4. Romania's participation in the Missile Defense System

Allied efforts to develop a NATO ballistic missile defense system (NATO BMD) are based on threats posed by the global proliferation of ballistic missiles.

Accelerating change in this area has led the Alliance to work to adapt and develop its position of deterrence and defense to cope with these developments. Thus, according to the Allied decision, the NATO BMD system is developed on two main components: a common command-control (C2) system, developed from common funds, and voluntary national contributions consisting of detection and interception systems, connected to the allied C2 system.

In 2012, missile defense gained a central position in NATO's revised deterrent and defense stance. The Allies pledged at the NATO Summit in Chicago to maintain an appropriate package of nuclear, conventional and anti-missile capabilities to fulfill NATO's core missions enshrined in the Strategic Concept.

Under these conditions, the BMD's capability has been defined as having a complementary role to deterring nuclear weapons, of a purely defensive nature, to deal with threats from outside the Euro-Atlantic area.

It was also stated on this occasion [128]that the NATO BMD system is not directed against Russia and does not have the capacity to undermine Russia's strategic arsenal of deterrence. At the same time, NATO declared BMD NATO's Interim Missile Defense Capability, bringing together individual contributions under the command and control of the Alliance.

At the NATO Summit in Warsaw (2016), the NATO BMD's Initial Operational Capability (IOC) was declared. This strategic moment was facilitated by the completion and operationalization of the second phase of the European Phased Adaptive Approach (EPAA) project, namely the activation of the Aegis Ashore system in Deveselu, thus offering a significant increase in the ability to cover and protect the Allied territory against possible attacks with ballistic missiles, from outside the Euro-Atlantic space.

At the Brussels Summit (2018), the political principles underlying the development of NATO BMD capability were reaffirmed, as well as the

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[128] *Participarea României la Sistemul de apărare antirachetă,* https://www.mae.ro/node/1517, accessed at 14 May 2021, 18: 30.

determination of allies to continue development in a rapid and efficient manner of the C2 system, on the completion of which depends achieving NATO's Full Operational Capability (FOC) of the BMD.

Through the EPAA, the United States makes the largest contribution to the NATO BMD. It is built with elements that can be integrated gradually, as it becomes operational.

As part of the voluntary national contributions, Romania participates, together with other allies (Poland, Spain and Turkey) in the development of the missile defense system in Europe, providing the location for hosting some of its essential components.

Thus, on September 13, 2011, Romania and the USA signed the Agreement on the location in Romania of the United States defense system against ballistic missiles (BMDA), ratified by *Law no. 290/2011*[129]. It entered into force on 23 December 2011.

The main construction works at the Anti-Missile Facility within the Deveselu Military Base started on October 28, 2013 and the completion of the BMDA implementation framework ended on July 29, 2014. On December 18, 2015, the Technical Capacity of the Anti-Missile Facility was declared.

## 2.5. Legal framework of the participation of the armed forces in missions and operations outside the territory of the Romanian State

The constitutional provisions regulate the possibility of the participation of the armed forces in collective defense in military alliance systems and in actions regarding the maintenance or restoration of peace, under the conditions of the law and of the international treaties to which Romania is a party.

Thus, the provisions of *Law no. 121/2011*[130], the participation of the armed forces in missions and operations outside the territory of the Romanian state, with the subsequent completions, regulates the conditions in which the armed forces of Romania participate in missions and operations outside the territory of the Romanian state.

According to the provisions of *Law no. 121/2011*, the missions and operations in which the armed forces participate outside the territory of the Romanian state are:

- collective defense within the North Atlantic Treaty Organization or ensuring the security of the Member States of the European Union;
- implementing allied security measures, advanced presence and deterrence, as well as other actions established by North Atlantic Council decisions to

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[129] https://dpap.mapn.ro/app/webroot/fileslib/upload/files/Cooperare%20militara%20-%20legi/Legea_290-2011.pdf, accessed at 14 May 2021, 18: 50.

[130] https://www.mapn.ro/legislatie/documente/L121.pdf, accessed at 16 May 2021,18: 50.

ensure security in the North Atlantic area, in accordance with the provisions of the North Atlantic Treaty signed in Washington, on April 4, 1949;

- crisis response;
- peace;
- humanitarian assistance.

Until the entry into force of *Law no. 121/2011*, the legal framework of the participation of the Romanian armed forces in military exercises and actions outside the territory of the Romanian state was provided in the *Law no. 45/1994 of the National Defense*. According to *Law no. 45/1994*, for each participation of Romania with soldiers in missions outside the national territory, regardless of the type or duration of the mission, the number of participants, the approval of the Parliament had to be requested, at the proposal of the President of Romania, a procedure lasting approximately two months.

According to current regulations, the sending of armed forces outside the territory of the Romanian state in missions and operations carried out under the mandate of the United Nations or the Organization for Security and Cooperation in Europe, under the leadership of the North Atlantic Treaty Organization or the European Union, in coalitions and according to the obligations assumed by Romania through treaties, it is approved, at the proposal of the Prime Minister, by the President of Romania, after consulting the Supreme Council of National Defense.

In this respect, at the proposal of the Ministry of National Defense, the Supreme Council of National Defense analyzes and decides, until June 30 of each year, the armed forces that can be made available in the following year. The proposal to participate in missions and operations outside the territory of the Romanian state also includes the estimation of the afferent costs.

If the sending of the armed forces outside the territory of the Romanian state is not done on the basis of an international treaty to which Romania is a party, as well as if the sending is made at the request of a state, the President of Romania requests the approval of the Parliament.

According to the provisions of *Law no. 121/2011*, the Minister of National Defense has the competence to send in individual mission outside the national territory observers/monitors, military advisers and instructors, staff and specialized personnel, after prior consultation of the Ministry of Foreign Affairs, without exceeding the numerical limits of the package of forces approved annually by the Supreme Council of National Defense.

Also, the Minister of National Defense is empowered by law to approve the sending of the armed forces to exercises, trainings, ceremonies and other related activities organized outside the territory of the Romanian state.

The detailed elements regarding the participation of the armed forces in missions and operations within some international forces or within some units of other states are established by the specialized structures of the Ministry of

National Defense by concluding technical agreements, according to the procedure of concluding technical agreements approved by *Decision Government no. 1374/2004*.

In the content of *Law no. 121/2011* other aspects are also established, such as:

- transfer of authority;
- selection, employment and some rights of staff;
- financial aspects regarding the participation of the armed forces in missions and operations outside the territory of the Romanian state;
- the acquisition of goods, works and services, outside the territory of the Romanian state, necessary for the fulfillment of missions and operations by the armed forces.

According to the provisions of art. 16 of *Law 121/2011*, the military and civilian personnel participating in missions and operations outside the territory of the Romanian state benefit, during their duration, from the following rights:

- an additional rest leave, of 2.5 days for each month of presence in the area of operations, with the possibility to be performed during the execution of the mission, in the country of deployment, in the deployment area or in Romania, depending on the security situation in the area;
- salary rights ensured according to the legal provisions in force;
- reimbursement of transport expenses for a trip to the country and back, every 6 months of participation in the mission or operation, except in cases where the expenses have been borne by the international bodies under whose auspices the mission or operation is performed.

The rights of daily allowance, accommodation, food, facilitating the connection with the family, recreation and transport of the military and civilian personnel participating in the missions and operations provided in Law no. 121/2011 are established by Government Decision no. 46/2020.

## 3. Legal System, National Defense System and exceptional states

According to art. 93 of the Constitution of Romania, the President "*establishes, according to the law, the state of siege or state of emergency in the whole country or in some administrative-territorial units and requests the Parliament to approve the adopted measure, within 5 days from its adoption*".

Also, if "*Parliament is not in session, it shall be convened by law no later than 48 hours after the establishment of the state of siege or the state of emergency and shall function throughout their duration*." This provision must be corroborated with the provisions of art. 100 of the Supreme Law, according to which in the exercise of his attributions, the President of Romania issues decrees that are published in the *Official Gazette of Romania*. Non-publication entails the non-existence of the decree. The decree must also be countersigned by the prime minister. It is interesting to note that neither the Constitution nor the Emergency

Ordinance no. 1/1999 on the state of siege and the state of emergency[131] does not expressly provide powers to the Government during either state.

At the same time, the mentioned provisions do not establish the circumstances in which the state of emergency and the state of siege can be established, the organic law having to regulate their regime.

During the establishment of the two states, the Parliament is to function, as specified in the constitutional text. In the doctrine there is a debate in the sense that the Parliament is convened only to give an approval or to actively intervene in the creation of the rule of law.

The prevailing view is that Parliament must continue to function as a guarantee against any abuse and excess.

### 3.1. Circumstances of the Emergency Ordinance No. 1/1999 on the regime of the state of siege and the regime of the state of emergency

The regime of these exceptional states represents areas to which the Constitution has given a special significance, ordering that it is regulated by organic law. However, *Emergency Ordinance no. 1/1999* was adopted by the Government in 1999. A particularly important normative act was adopted in one night, in the context of what has been called *"Mineriade"* since 1999. The protest of the miners in the Jiu Valley revealed the significance of the existence of legislation clear and coherent, in a very sensitive area.

#### *3.1.1 Military authorities and state of emergency or siege*

According to the *Emergency Ordinance no. 1/1999*, when establishing the state of siege or the state of emergency, some attributions of the specialized central public administration and of the local public administration fall within the competence of the military authorities and other public authorities, provided in the decree establishing the state of siege or expedite. At first sight, it is clear that the issue of the powers of the military and civilian authorities is confusing and imprecise, as there is a clear distinction between them, as set out below.

### 3.2. Responsibilities of military authorities during a state of emergency or siege

According to the provisions of the *Emergency Ordinance no. 1/1999*, as well as in the decree establishing the state of siege or the state of emergency, the military authorities, as well as the other public authorities provided in art. 7 para. (1) have the following attributions and responsibilities:

a) to draw up action plans and plans for the gradual lifting of combat capability, in accordance with its own orders and instructions;

b) to order the temporary deposit, at the police bodies within the county or of the Bucharest municipality, of the weapons, ammunition and explosive

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[131] http://legislatie.just.ro/Public/DetaliiDocument/16739, accessed at 16 May 2021, 19: 50.

materials found on the population and to proceed to the search of those not deposited within the established term, following the cessation of the exceptional measure returned to those entitled to own them; to order the temporary closure of companies trading in weapons and ammunition and to establish their security;

c) to limit or prohibit the movement of vehicles or persons in certain areas or between certain hours and to issue, in justified cases, permits for free movement;

d) to carry out controls on certain persons or places, when they are required;

e) to carry out raids;

f) to exercise exclusively the right to authorize the holding of public assemblies, demonstrations or marches;

g) to evacuate from the area subject to the state of siege or emergency the persons whose presence is not justified;

h) to direct the evacuated or refugee persons on the directions and in the established areas and to keep their records;

i) to protect military information intended to be communicated through the media; information on the state of siege or the state of emergency, with the exception of those relating to disasters, shall be made public only with the approval of the military authorities; the mass media, regardless of the nature and form of ownership, are obliged to transmit, with priority, the messages of the military authorities, at their request;

j) to order the temporary closure of some fuel distribution stations, of some restaurants, cafes, clubs, casinos, headquarters of the associations and of other public places;

k) to temporarily suspend the appearance or broadcasting of some publications or of some broadcasts of radio or television stations;

l) to ensure the military security of the water supply, energy, gas stations, of the headquarters of the public broadcasting and television stations, of the economic operators that have capacities of strategic importance at national level, as well as of the objectives of special importance for defense, by implementing the Plan for the mobilization of the national economy for defense; when the situation requires, order the temporary shutdown of the gas, energy and drinking water supply, as the case may be;

m) to order the rationalization of food and other products of strict necessity;

n) to issue military ordinances or orders, as the case may be;

o) to prohibit road, rail, sea, river and air traffic on different routes.

Consequently, when we study the responsibilities of the civilian authorities that are transmitted to the military authorities, except for those provided in let. a), i) and n) it can be concluded that all other attributions pass from the military authority to the civilian one.

### 3.3. Military ordinances[132]

The practice of military ordinances begins somewhere in Romania's past, the first normative act in which the possibility of using this legal instrument was identified, dating from 1864 in the *Law on the state of siege*.

We appreciate that, in the current era, given that military ordinances belong to a turbulent time, by law ferenda should be considered mechanisms to regulate such states (emergency and siege) more flexible, more adapted to the 3rd millennium, by to ensure legal order and efficiency.

Another inconvenience that we identify consists in the fact that the name of military ordinance is likely to create confusion, considering that, in *the Constitution of Romania*, other types of normative acts are regulated with the name of ordinances.

According to art. 73 of *the Constitution of Romania*, the two states (emergency and siege) are established by organic law. However, the Government issued in 1999 an emergency ordinance approved by the Parliament only in 2004, by *Law no. 453 approving the Emergency Ordinance no. 1/1999*.

Subsequent amendments to this normative act, especially those of *Law no. 453/2004*, also mitigated from the initial problems of the normative act. It was introduced, among others, a new paragraph (4) in art. 18.

The fact that it was provided in the *Emergency Ordinance no. 1/1999* that, in a state of emergency, the forces of the Ministry of National Defense may provide support to the forces of the Ministry of Internal Affairs, based on the approval of the Supreme Council of National Defense, within the limits and conditions established by it but only in missions for which they have the appropriate training and equipment, is likely to lead to the clarification of the situations in which the army can act and, at the same time, the possibility of intervening in public order missions, missions that are not specific to it, is far removed.

### 3.4. Conclusions about legislation regarding regulatory acts of exceptional states

The regulation of the state of emergency and the state of siege should set out in a concrete and detailed manner the tasks of the armed forces. Their attributions must be rigorously formulated and be exclusively limited to the relevant constitutional provisions. According to the provisions of *Law no. 346/2006 on the organization and functioning of the Ministry of National Defense*, this is the specialized body of the central public administration, which leads and carries out, according to the law, the activities in the field of defense of the country.

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[132] Art. 20 lit. n din Ordonanţa de urgenţă nr. 1/1999, http://legislatie.just.ro/Public/DetaliiDocument/16739, accessed at 16 Mai 2021, 18.50.

Therefore, the defense of the country is the fundamental duty of the Ministry of National Defense, meaning that, in fact, the training of the army is carried out. Carrying out public order missions or other types of missions that exceed its duties implies, among other things, that, if it acts, it will do so without having the necessary training and means, with all the implicit risks and shortcomings.

If the army deals with national defense, the Ministry of Internal Affairs, through various structures, has responsibilities aimed at public order.

According to *Law no. 218/2002 on the organization and functioning of the Romanian Police*, it "*is part of the Ministry of Internal Affairs and is the specialized institution of the state, which exercises attributions regarding the protection of rights and freedoms fundamental rights of the person, of private and public property, prevention and detection of crimes, observance of public order and tranquility*".

The Gendarmerie also plays an important role in defending fundamental values within the state. According to *Law no. 550/2004 on the organization and functioning of the Romanian Gendarmerie*, this is "*the specialized institution of the state, with military status, component of the Ministry of Administration and Interior, which exercises, under the law, its attributions regarding the defense of public order and peace, the fundamental rights and freedoms of citizens, public and private property, the prevention and detection of crime and other violations of the laws in force, as well as the protection of fundamental state institutions and the fight against acts of terrorism*".

Also, the Romanian Gendarmerie, through attributions, organization, training and territorial disposition, contributes to guaranteeing the sovereignty, independence, authority, unity and security of the state, constitutional democracy on the entire national territory both in peacetime and in crisis situations.

In the *Practical Guide for parliamentarians no. 5/2003*, in section II, Parliamentary control of the security sector, published by the Inter-Parliamentary Union and the Center for Democratic Control of the Armed Forces, Geneva, after emphasizing that it is not desirable for the army to be involved in maintaining public order, points out that, in principle, if there is no other solution, Parliament must ensure that the involvement of the armed forces in maintaining law and order is clearly defined, restricted and regulated by law, including:
• the circumstances in which the army may be used;
• the nature and limits of its involvement;
• duration of involvement;
• the types of units that may be involved in each case;
• the institutions empowered to make the decision to involve the army and to interrupt the involvement;
• competent jurisdiction in case of human rights violations.

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# MILITARY EDUCATION AND THE CONTRIBUTION OF COMPLEMENTARY VALUES IN ACHIEVING THE OBJECTIVES

**Dr. Răducu POPESCU, Ph.D.**[133]

***Abstract:*** *In Romania, the army as a social force, respects and promotes national values, simultaneously with the defense of national interest. The values and moral principles of the army's ethics are largely reflected in the process of education and training of children, these landmarks have always existed and represent models for many generations. The results of the current studies conducted among the school population, compared to the values collected 20 years ago, show us a significant decrease in the level of accumulation of appropriate motric luggage among students. This paper brings to attention the results of a study carried out with 85 subjects, 55 students and masters aged between 19 and 25years old. Communication of leaders at inter-ministerial level, can produce adaptations of the curricular contents of traditional education for the benefit of military education. Through the synergistic action of the leaders, an important contribution can be made to the complex approach of training the future specialists, in the context of the change of Romanian military realities.*
***Keywords:*** *communication, values, adaptation, realism, efficiency.*

Effective cooperation between the European Union and the Council of Europe materializes through collaboration and promotion of the common values of the rule of law, freedoms and fundamental human rights, as well as pluralistic democracy throughout Europe and its neighborhood. While keeping this spirit, we can expect a tangible result of the good cooperation between the Ministry of National Defence, the Ministry of Education, the Ministry of Finance and other ministries of the Romanian Government involved in the performance of the military education system. In the run-up to the First World War, pre-military gymnastics became increasingly present in schools and sports societies. A good gymnast was also a good soldier and a good citizen, as General Luigi Capello wrote in the Gymnastics Federation Magazine[134].

We continually accept that a democratically developed society can only exist by the adoption by the majority of citizens of a set of values and a considerable percentage of high school and university graduates. We hear around us, more and more often in recent years, various explanations or justifications of

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[133] Dr. Răducu Popescu Ph.D. is Visiting Professor at the Ovidius University, Constanța, România.
[134] Cattaneo, C., *La nouvelle loi sur l`enseignement public*, "Il Politecnico", 1860, VIII, pp.116-123.

situations that invoke the level of training or the degree of accumulation of skills that those who complete their high school or university studies should possess. There are many aspects that surround the theme of education through various ways of intervention. Among the most important are the curriculum, the teaching modalities, the importance of using advanced technical means, to list only a few, while we cannot ignore the existence of political visions in terms of education in general but also the various forms of education. The way in which all forms of education are carried out is regulated by laws drawn up by parliamentarians and implemented by the governors. Interventions in different forms and in different ways in education have an impact on all those involved: school principals, teachers, students, administrators but also on the entire population as a whole.

Since the 1800s, education and school have become important goals in society, decisively influencing people's lives, with a wide range of political or other issues remaining in secondary plans. In military schools at the beginning of the 19th century, sports activities were extremely important. The curriculum contained disciplines such as gymnastics, horse riding, swimming and shooting, as well as applicative paths. These disciplines were a very important component of the training of military personnel. The Copenhagen Military Gymnastics Institute (1804), the Central Royal Gymnastics Institute of Stockholm (1813), the Joinville-le-Pont Military School (1852), the Aldershot Military School (1861) and the Valentino Military School in Turin (1833), were the first training centers for civilians, due to the interest that such activity represented within the population of those times, other than future military personnel. The transmission of experiences was profitable, the activities being similar and equally useful for the population[135].

In Romania followed a period of time of major importance, because then there were faced various ideas that generated various orientations and that helped to shape our education system in what it is today. Finally, the various activities implemented are brought together in a single plan, rationally designed to meet the official objectives of the institution[136] . As a result of this, it was found that purchases acquired through education by a student are not only useful to him or her, but also to his/her family and other members of society. Progress through education and continuous training contributes to the well-being of others by promoting a stable and democratic system in society based on real values and skills.

The main objective in terms of military education in Romania, is to ensure a well-prepared professional resource capable to act independently or within the North Atlantic Alliance, both against possible unconventional and asymmetric

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[135] Teja, A., Tolleneer, J., *Sport in uniform. Fifty Years of History in Europe (1870-1914)* , „Proceedings of the International Congress of Studies on the History of Military Sport", CONI, Rome, 1998.
[136] Goffman, E., *Asylums; essays on the social situation of mental patients and other inmates*, Garden City, NY: Anchor Books, 1961.

threats, keeping the established framework in the strategic planning of modernization and continuous transformation of the Romanian Army. Military education in Romania in recent years must prioritize its efforts to continuously adapt its own architecture to NATO and European Union standards and strategy, linked to the dynamic and complex evolution of the international political and security environment.

Previous experiences in joint actions within the coalition have shown that interoperability between the forces participating in the exercise or actions is of particular importance in the final result. While historical interoperability has been seen primarily as a matter of technology, Steven Paget argues that cultural is also equally important, if not more significant[137]. Cultural cooperation can be developed in several ways, but international exchanges of students and teachers during the military education process have the potential to remedy negative stereotypes, strengthen strong existing links and enhance interoperability. As a considerable number of officers who have benefited from at least one international exchange in professional military education institutions progress to the highest ranks of their own armed forces, the potential long-term benefits are vast[138] (Steven Paget, 2016).

The instability caused by the multitude of factors and values with which they vary, a situation encountered in the missions or exercises in which students and graduates of military education institutions must participate, is very similar to the confrontations or various situations that a performance athlete has to solve in each confrontation with opponents on the ground or with himself. The change in the confrontational environment, from sports competition to theatre of military operations or vice versa, has an important, sometimes decisive, contribution to the one who has the necessary training and exercise to make the transfer of acquired skills, attitudes and skills. In both military confrontations of any kind and in the sports arena, there is only one constant, i.e. the continuous variability of all factors that act unpredictably.

The ability to adapt thinking and actions quickly to new conditions encountered in the field, when the context suddenly changes, is a characteristic found in both the lives of the military and those who struggle in sports arenas. Organized military education and training is the only way we can successfully reach the end. Traditionally, military education is able to provide military professionals with the necessary skills, specific mental models and professional operating procedures for training and learning in the workplace[139]. The value of a team is equal to the value of the least trained, trained, trained comrade or teammate. The permanent raising of the level of training is achieved by the individual acquisition of knowledge and skills, by initial training, before the start

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[137] Steven Paget, *Interoperability of the Mind*, The „RUSI" Journal, 2016, 161:4, 42-50.
[138] *Ibidem.*
[139] Paananen, S., Pulkka, A. T., *Processes and Practices in Military Training and Education*, 2019.

of studies and training periods in military schools, colleges, high schools or military academies.

## 1. COMMON VALUES. THE SOLDIER AND THE SPORTSMAN HAVE THE STRUCTURE BUILT ON THE SAME PILLARS.

In Romania, the army as a social force respects and promotes national values simultaneously with the defense of the national interest. The values and moral principles of the army's ethics are largely found in the training process of children in the vast majority of sports games. These landmarks have always existed and have been role models for many generations. Not infrequently, loyalty to both the colors of the flag and to Romania was conveyed emotionally when the state anthem was sung, both in the various events organized by the army or when a Romanian was on the highest step of the world or Olympic podium. No other discipline in the curriculum better cultivates this skill, namely, the performance of tasks received responsibly, following the rules, as happens in physical education classes. This appropriation is common to that of any military. Participation and understanding of the spirit of sports games, as well as the tasks that each team member has, builds in each child, young, student, a solid basis for the implementation of military values and the continuation of personal development.

The preservation of the overall objective of the team, of the group, before the personal one can be found only in military activity or in sports life and is cultivated from a young age, when character is formed and values are placed on the hierarchical scale. There is no other discipline in the world of sport in which the fight on the field is fiercer and in which physical contact and intelligence are equally represented, as happens in the game of rugby.

However, respect is one of the main characteristics of the rugby player, as is the case in the military situation, for whom respect is a defining and important value, as is courage. Courage is a characteristic feature of great importance in the life of the military and has countless implications and consequences. Linking the ability to analyze quickly and observe quickly, with taking on responsibilities with great courage, often makes the difference between failure and victory. Not infrequently, in the throes of confrontation and the unpredictable evolution of many factors, integrity produces a confrontation between petty interests, often, and the preservation of conduct based on real values. The preservation of integrity is sometimes achieved by giving up certain ephemeral benefits, but consistency in the preservation of values brings incomparably greater professional satisfaction. Last but not least, honor is a common value of the military and the athlete. Honor gives us strength in our most difficult confrontations. These values are common and their cultivation in school by the teacher, teachers and especially by the physical education teacher, builds a base that the child, student, young man and the military future bear and rely on in the most difficult confrontations. For

this reason, we believe that physical education classes can play a particularly important role in the future career of a young military man, but also for a future civilian adult who can thus understand the military culture, values and feelings that those in the Romanian Army share.

## 2. METHODOLOGY

In order to carry out this work, a number of specialized articles, press releases or expert statements relevant to the theme, theoretically based or other relevant research on the proposed theme, namely the importance of consensus and awareness of the importance of military education in state development, have been covered. The statistical data presented represent a segment of a study that started in early 2021 that was carried out on a sample of 75 subjects, pre-university teachers, 35 students from the first and second years of study, aged between 19 and 25 years and master's students from the last years of study, who were previously informed about the subject around which the questionnaire was formed. Responses provided by participants whose professional and personal experiences were able to statistically influence the outcome of our research were removed from the statistical analysis. Questions were sent via an app to the target group, with each participant only able to vote once.

The form in which the questionnaire was completed was based on one of the products in the format provided by The Mentimeter. In this form, the subjects received a link that they accessed, instantly received the question and all the proposed answers. Subjects chose a single answer, with the centralization of all responses and the provision of a graphic illustration by The Mentimeter.

## 3. RESULTS

In order to establish a good and representative selection base for all forms of military education, it is necessary that an increasing number of pupils in secondary or high school cycles can have the appropriate skills baggage and a high level of motor skills development. The fact that in the school curriculum these skills that we want to develop equally are not represented in correlation with the needs and the actual degree in which they are needed by the school population, influences less favorably the formation of a wide selection base for military schools of the Ministry of National Defense, but also those of the Ministry of Interior[140]. The answers to the questionnaire questions confirm the hypothesis of the paper and underline the need to achieve inter-ministerial connections leading to better communication and increase in the value and approach of the educational act by linking the curricular to the needs and new challenges faced by the young generation. A direct beneficiary of this possible approach is also the military education system, the selection base being thus much broader and with an increased initial level of training, which subsequently leads to higher level results.

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[140] http://oldsite.edu.ro/index.php/articles/6372, accessed 15.05.2021.

To the question: "*Do you consider it possible that at the end of your university studies you will attend a military educational institution?*", "Fig.1 ", a question that was asked of students in years II and III of "Ovidius" University in Constanta, the results analyzed provided a somewhat expected surprise. A percentage of 53%, composed of two variants of response favorable to military education, considers such a variant possible, attractive. Thus, for the answer option -very possible - they opted 35% and for the answer option -I want, but I'm not ready - 18%. On the other hand, we have a total of 47%, composed of the - impossible- response variant present in our survey with a percentage of 31% and for the response variant -probably - variant that we accumulated with the previous one and for which they voted 16%.
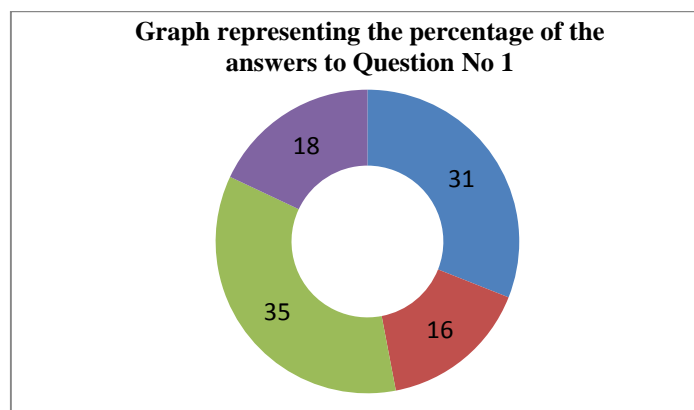


**Figure 1.** Answer to question number 1.

Although the subjects on the questionnaire follow a form of higher education, a significant percentage, i.e. 53%, considers it attractive to complete their studies by focusing on a form of military education. Another question, the second of the questionnaire applied, was trained every two weeks, after the students became familiar with the routes encountered in the entrance tests in military schools: "*Do you think that after familiarization and strengthening utilitarian skills, are you more interested in military education?*". This brings new arguments in support of our approach, in which the detailed and clear presentation of the conditions for admission, as well as the scale it must meet, are explained before the possible candidate completes the application path. Thus, 38%, was recorded by the group that opted for the answer - yes, I am interested - which proves that the lack of confidence in their own abilities, is caused by a poor level of preparation. Those who are not interested are present in our survey with 35%."Fig.2". The sum of the percentages of those who have a favorable position in relation to the forms of military education is 65% and is composed of the first answer presented and the last, respectively - I am interested, but I can`t - which has a percentage of 27%.
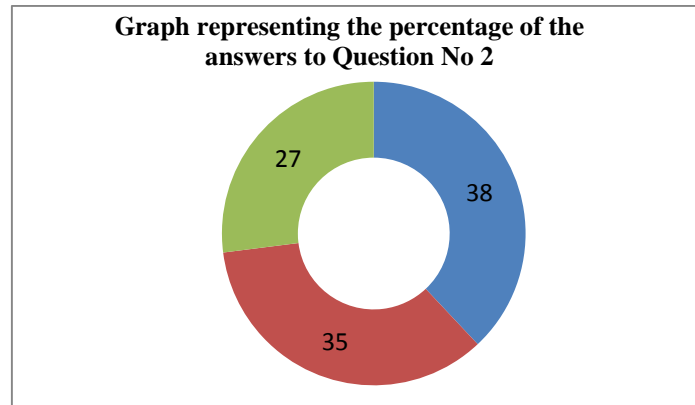
**Graph representing the percentage of the
answers to Question No 2**

27

38

35

**Figure 2.** Answer to question number 2.

Sport thus becomes a tool for aggregating ideas and people, but also for forming the future citizen who, by this means, builds his own identity.[141]

Question number three was: "*It is useful for admission to military education to have:*" the first option was - *a booklet* - 17%, which makes an argument in the continuation of the steps taken to promote military education and to make known the educational offer, the second option - *hours of physical education in which to prepare us for the elimination test* - 66%, shows us precisely and unequivocally where to intervene and what is the main barrier that students perceive as difficult. This percentage thus becomes the most important argument in the process of completing and adapting the curriculum to the physical education discipline. In the next variant of the answer, which was - *hours of preparation for the knowledge test*- voted 14% of the number who participated in the questionnaire, the last variant of the answer to this question was - *not necessary* - this variant being represented by 3%.

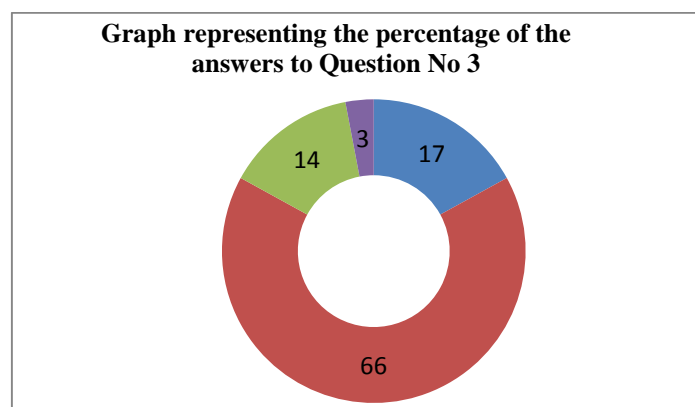**Graph representing the percentage of the
answers to Question No 3**

14

3

17

66

**Figure 3.** Answer to question number 3.

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[141] Teja, A., *Militaires et sportifs : une longue histoire*, „Confluences Méditerranée*"*, 2004, vol. 50, no. 3, , pp. 121-130.

The last question of the questionnaire was "*The following values: fairness, respect, honor and courage are the characteristics...*" Of the five variants of the answer, three did not meet any votes, namely, - *accountant* - 0%, - *architect* - 0% and – *economist* - 0%. We consider that all three occupations are absolutely honorable and we do not wish to make further assessments, the percentages recorded being largely predictable in terms of the delimitation of the two categories. The evolution of the result provided a surprise before the completion of the time allotted for the expression of the vote, for 70 minutes, the option – *military* - having 5 - 7 percent more than the answer – sportsman -variant, but at the end of the 120 minutes, the result in this question was 53% sporty and 47% military.

The fact that these two variants amounted to 100%, when five variants were presented, shows that the common values form a close link between the construction started in primary school and continued in military education. A properly constructed base, on solid pillars, leads to the achievement of high objectives, which can only be achieved by accepting these common values. Preparing children and young people for the future includes the transmission of these values by parents within the family and by trainers in the educational system. The fact that these two variants amounted to 100%, when five variants were presented, highlights those common values form a close link between education started in primary school and continued in military education. A properly constructed base, on solid pillars, leads to the achievement of high objectives, which can only be achieved by accepting these common values. Preparing children and young people for the future includes the transmission of these values by parents within the family and by trainers in the educational system.
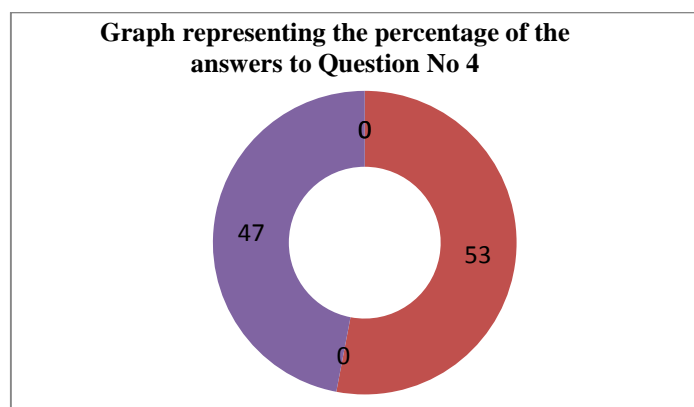


**Figure 4.** Answer to question number 4.

## 4. MOTIONS

In order to obtain better results at admission exams and during the first year of study in military education in Romania, we propose to complete the curricula of secondary and high school education in several disciplines, including physical

education discipline, with closer means and borrowed from purely military training, to acquire the foundations of life as a soldier, combat technique, military values. Keeping the focus, oriented towards the continuous adaptation of the study programs and their interdisciplinary correlation with the various capabilities of the partner armed forces, using the latest generation computing and communication techniques, leads to effective results in joint actions in complex simulations of real situations built as truthfully as possible in the virtual environment. The development and construction in the military schools of Romania of common systems within NATO, in which the multiple theoretical knowledge and various other training methods present in other military education systems, existing in the partner states, are interconnected and can make a contribution in the complex process of preparing future defense specialists.

## 5. CONCLUSIONS

In this paper we tried to highlight certain aspects that could provide proposals aimed to strengthen and improve some approaches in military education, as well as the importance of this form of education within the complex architecture of a modern European state, reliable partner, NATO member. We believe that a level of awareness of the decision-making factors in the legislative and executive areas of the state, equally achieved through specific means, can constantly strengthen the role of important vector of social development in the construction of a modern Romania. The pandemic about which much has been said and which has obviously affected all forms of education, has brought about many changes and imposed on us the introduction of new means and technologies for transmitting knowledge, imposing on teachers the use of creative and attractive methods so that they can achieve their proposed objectives. The capacity of the executive to support this adaptation effort made by military educational institutions, by completing and updating the material base, modernizing the logistical tools of modern didactic, can become an important factor in the complex process of training and training, which is expressed in all joint actions executed in exercises and theaters of action. The shared spirit of sport and military life is the guarantee of achieving any proposed objectives. It is related to personal experience, as well as acquiring disciplinary skills that result in understanding what, and why things are done[142]. Our wish, those of us who are not directly involved in military education, is to participate in the reorganization of priorities, so that military education to provide well-trained specialists with all the support realized by the national and European legislative framework, in the context of changing the Romanian military realities. Weapons can be given and withdrawn, but military education remains as long as man remains[143].

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[142] Boud, D., Hager. P., *Re-thinking continuing professional development through changing metaphors and location in professional practices, Studies in Continuing Education*, 2012, 34:1, 17-30.
[143] Cattaneo, C., *La nouvelle loi sur l`enseignement public*, "Il Politecnico", 1860, VIII, pp.116-123.

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- http://oldsite.edu.ro/index.php/articles/6372.

# THE POWER OF STATES AS THE BASIS FOR PROMOTING NATIONAL INTERESTS IN THE SYSTEM OF INTERNATIONAL RELATIONS

**Colonel Associate Professor Alexandru STOICA, Ph.D.**[144]

*Abstract: The exercise of national power by each state is an accepted reality of international relations. Its individual power and distribution is one of the major determinants of a state's behaviour in international relations. However, the unlimited use of power by states can be a source of war, anarchy and chaos in international relations. State power, its estimates and measurement tools have always been a matter of interest to political and military leaders, who needed fairly objective parameters to make decisions with fundamental implications for the evolution and behaviour of states in the system of international relations. These issues of state power are the focus of this article.*
*Keywords: power, elements of power, determinants of power, national interests, international relations, quantification of state power.*

Entering the 21st century, economic globalisation has not only accelerated the process of integration of the world economy, but also the competition between/among countries, especially between major powers. International competition manifests itself mainly in dynamic changes in the strategic resources of different countries and in open competition to promote national interests through instruments of power. These are often in conflict with each other and locked in dispute, and are, in a complex way, interdependent and interconnected. In the process of development, which is fairly balanced globally, some countries have increased their national power while others, relatively speaking, are losing it. These are the movements that have brought significant changes to the way the contemporary world is organised and functions. A country's status in the international community is essentially associated with the rise and fall of its national power, the rise and fall of its strategic resources[145].

National power generally means the sum total of a country's powers or strengths in its economy, military structures, science and technology, education and resources and influence. More abstractly, it refers to the combination of all sources of power held by a country for the survival and development of a

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[144] Colonel Associate Professor Alexandru Stoica Ph.D. is the Head of the Department of Security Studies and Leadership of the National College of Defense.
[145] https://archive.claws.in/images/journals_doc/1302263399_JSBajwa.pdf, accessed 15.05.2021, 20.30.

sovereign state, including material and ideological ethos as well as international influence.

Ashley Tellis[146] defines national power as a "product of the interaction of two components, one being a country's ability to drive its cycle of economic innovation at a given point in time and the second - the leadership power to shape effective military capabilities, which in turn will lead to the creation of a stable political environment, the enhancement of existing economic advantages, the provision of the basic conditions for maintaining its strategic advantages and the promotion within the international system of national interests". In short, a country's strength can be defined as its overall capabilities to achieve strategic objectives through action at the international level, and the basic factors of the concept are strategic resources, strategic capabilities and strategic results.

Strategic resources of states are defined as the actual and potential key resources available to achieve a country's strategic outcomes. They reflect a country's abilities to use all types of resources globally and also reflect the country's overall strength. Kenneth Waltz[147] defines powers as the distribution of all types of capabilities. In fact, national power is the distribution of a country's strategic resources that are mobilised and used to achieve its strategic objectives.

## ELEMENTS OF STATE POWER

The power of the nation state depends on several factors that are collectively called components or elements of national power. These factors are also called capability factors. Some scholars prefer to use the term "determinants of national power".

There are a number of elements of national power. Several political scientists have tried to classify them. While Hans Morgenthau[148] classified them as permanent and temporary elements, Abramo F.K. Organski[149] preferred to classify them into natural and social determinants - the former including geography, resources and population, the latter being economic development, political structures and national morale.

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[146] Ashley J. Tellis (PhD, University of Chicago), Advisor to the National Bureau of Asian Research, *China's Grand Strategy: A Framework Analysis,* p. 35, https://books.google.ro/books?id=hpneDwAA QBAJ&printsec=frontcover&hl=ro&source=gbs_ge_summary_r&cad=0#v=onepage&q&f=false, accessed 15.05.2021, 21.30.

[147] Kenneth Waltz - founder of the neo-realist movement in international relations, Angang Hu, *Economic and Social Transformation in China: Challenges and Opportunities*, p. 34, https://books.google.ro/ books?id=2a0y7zFnq2QC&printsec=frontcover&hl=ro&source=gbs_ge_summary_r&cad=0#v=onepage&q&f=f alse, accessed 15.05.2021, 10 p.m.

[148] Hans Joachim Morgenthau - American political scientist and jurist, theorist of international relations, one of the founders of realism in international relations theory.

[149] Abramo Fimo Kenneth Organski - professor of political science at the University of Michigan, founder of power transition theory.

Abdul Said[150], Theodore A. Couloumbis[151] and James H. Wolfe[152] classified these elements as tangible elements and intangible elements - the former category includes those elements, which can be evaluated in quantitative terms, and the latter are ideological and psychological elements and cannot be quantified. Geography, natural resources, population and technology are tangible elements, while ideology, morale, leadership, personality, organisational effectiveness and quality of diplomacy are intangible elements.

Thus, we can speak of the following elements of national power: geography, natural resources, population, economic development, industrial capacity (the power to produce goods), technology, combat capability (the structure, training and equipment of armed forces), ideology (the nation's philosophy in relation to other nations), leadership, organisation and quality of government, national character and morale, and diplomacy.

Among the elements of national power, *geography* is the most stable, tangible, permanent and natural element. Its importance as a factor of national power can be appreciated by the fact that geopolitical scholars regard geography as a determining factor in international politics. Essentially, a country's foreign policy is determined by its geography, without being an independent determinant of national power or national power itself. It is merely an element of national power.

No state can hope to be truly powerful unless its territory is deeply rooted in *natural resources*. Natural resources are indeed gifts of nature of established utility. A nation's industrial and military capabilities, as well as its economic well-being, are dependent on the existence of natural resources or the way it constructs its policies to gain access to them. A sufficiency in certain key resources can be a great source of a nation's strength. The US has been in a position to be a superpower in the world mainly because of sufficiency in several key natural resources. No nation can be strong without becoming an industrially developed nation, and the chances of becoming an industrialized nation are practically tied to the possession of natural resources, especially industrial raw materials and minerals. Natural resources, in the form of minerals, fertile soil, flora and fauna, through planned exploitation and use, always make a nation strong. Analysing the role of national resources as a factor of national strength, they can be divided into two categories: *raw materials* and *food*.

However, the existence of raw materials cannot automatically be a source of power. The ability to exploit and use raw materials is almost as important a factor as their existence. And this ability is directly related to the level of

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[150] Abdul Aziz Said - senior lecturer in international relations at the School of International Service at American University.

[151] Theodore A. Couloumbis - Professor Emeritus of International Relations at the University of Athens.

[152] James H. Wolfe - author of Modern International Law.

scientific, technological and industrial progress and the development vision of the country's leaders.

***Food*** is one of the important elements of national strength. Food determines policies at all levels. The existence of large stocks of grain and food is at the lifeblood of a nation. A food-deficit country can rarely become a major power. Food-producing countries are better off than food-importing countries. The acute food problem is a great source of weakness for states in international relations. They are dependent on developed countries with food surpluses or on countries that know how to develop truly competitive economic policies.

The food factor is inseparably linked to other factors, in particular population, science and technology. Food production depends on agricultural technology and industrial capacity (the capacity to process primary agricultural production). The human factor is vital to food production, as it can only be enhanced by human efforts and the application of advanced technology. This also refers to the capacity to exploit marine food products, which are also a source of national strength.

The worst is for countries that also have natural resources and the capacity to produce food, but do not know or do not have the necessary understanding to use for their own benefit what nature has abundantly given them.

Another basic element influencing national power is ***population***. The state with a large number of men and women fit for reproduction and fighting will be more capable of becoming a major power. Human resources continue to be a key factor determining a nation's industrial and military capabilities and its power status in international relations. In this age of artificial intelligence, machines have come to perform a large number of functions previously performed by humans. However, machines have failed to completely replace humans. Even today, the people behind the machines continue to be more important than the machines. Only humans can exploit natural resources and use them to meet their own needs. Geographical obstacles can only be overcome by humans, and scientific and industrial development cannot be achieved without the human factor.

In addition to the size of the population, its quality is a more valuable factor in the context of national power. Only a dedicated, disciplined, hard-working, healthy, educated and skilled human power can be a source of national strength. A country inhabited by people with no ideals, poor health, lazy, unskilled, illiterate and ignorant is doomed to be a weak and inactive power that is easily carried away in international relations.

Therefore, the assessment of population as a factor of national power must involve both quantitative and qualitative evaluation.

A very important indicator is life expectancy, which is a statistical measure of how long a person can live and is influenced by a multitude of factors, mainly demographic. There are many differences in life expectancy between people of the same sex from different regions and between people of different sexes from

the same region. Social and economic background, gender, a person's individual characteristics as well as genetics or environment play a key role in determining longevity.

Moreover, this indicator of life expectancy shows us the real level of development of the country. The more educated and healthier people live longer, the more you can invest and develop economically. Leaders need to take it into account and make decisions in terms of identifying and implementing the most appropriate policies to increase this indicator.
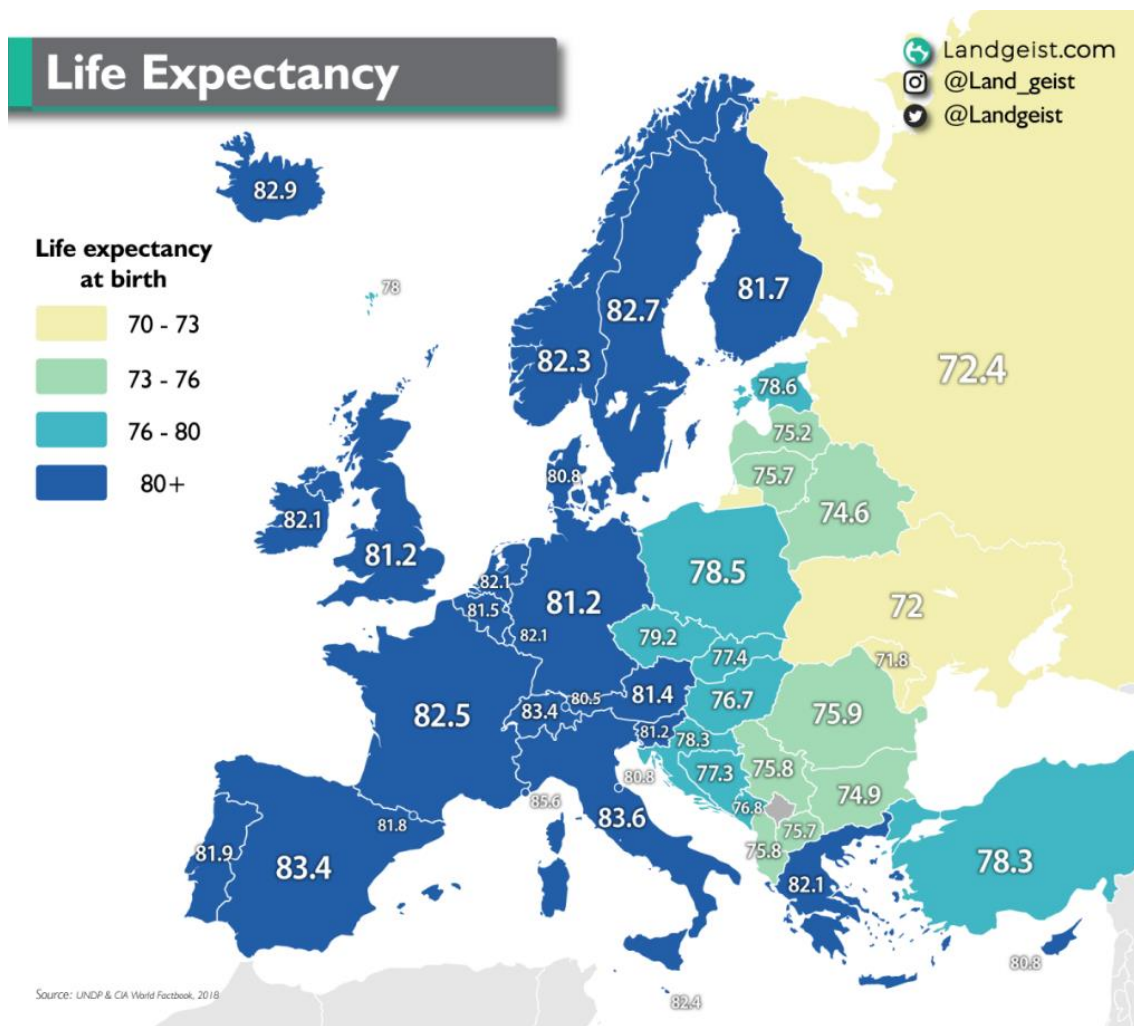


Life Expectancy in Europe[153]

***Economic power*** is a vital part of a nation's strength, as it is the core of military power and the basis of its people's well-being, prosperity and development. Only a state with a developed, healthy economy and a sustainable rate of growth can become a power that matters in regional or global politics.

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[153] https://landgeistdotcom.files.wordpress.com/2021/02/life-expectancy-europe.png, accessed on 14.05.2021, 16.30.

Effective economic organisation and planning are essential qualities of a strong nation. Poverty is always a source of limiting power. The importance of economic foreign policy instruments is a recognised fact of modern international relations. Only countries with advanced economies can use economic instruments: aid, loans, rewards, subsidies and the refusal of rewards or punishments, to achieve desired goals in international relations. Using economic means, a state seeks to exercise power in a productive and useful way. The level of economic well-being determines a nation's power.

The economic factor is closely linked to a nation's ***industrial capacity***. In this age of artificial intelligence, science, industrialisation and developed technology, only industrial capacity can be a source of sustainable and effective economic development. Only industrially advanced nations can become great powers. Today, the US, China, the UK, France, Japan and Germany are powerful countries because of their huge industrial capabilities. They have the capacity to process all kinds of raw materials, which allows them to control the world economy. So a nation's industrial capacity is an important factor of national strength. At the same time, industrial backwardness, despite the existence of many raw materials, can be a source of weakness for any nation, and especially for those aspiring to change their status in the system of international relations.

From an economic point of view, the situation in 2021 is shown in the following figure (The 50 countries with the largest gross domestic product (GDP) in 2020)[154]:

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[154] https://statisticstimes.com/economy/projected-world-gdp-ranking.php, accessed on 14.05.2021, 17.30.

| Country/Economy | GDP (Nominal) (billions of $) | | | | | | Growth (%) | GDP per capita (Nominal) ($) | |
|---|---|---|---|---|---|---|---|---|---|
| | 2020 | Rank | 2021 | Rank | Share (%) | diff | 2021 | 2021 | Rank |
| United States | 20,932.75 | 1 | 22,675.27 | 1 | 24.2 | - | 6.39 | 68,309 | 5 |
| China | 14,722.84 | 2 | 16,642.32 | 2 | 17.7 | 6,033 | 8.44 | 11,819 | 61 |
| Japan | 5,048.69 | 3 | 5,378.14 | 3 | 5.73 | 11,264 | 3.25 | 42,928 | 25 |
| Germany | 3,803.01 | 4 | 4,319.29 | 4 | 4.60 | 1,059 | 3.60 | 51,860 | 16 |
| United Kingdom | 2,710.97 | 5 | 3,124.65 | 5 | 3.33 | 1,195 | 5.34 | 46,344 | 23 |
| India | 2,708.77 | 6 | 3,049.70 | 6 | 3.25 | 75.0 | 12.55 | 2,191 | 144 |
| France | 2,598.91 | 7 | 2,938.27 | 7 | 3.13 | 111 | 5.81 | 44,995 | 24 |
| Italy | 1,884.94 | 8 | 2,106.29 | 8 | 2.24 | 832 | 4.15 | 34,997 | 27 |
| Canada | 1,643.41 | 9 | 1,883.49 | 9 | 2.01 | 223 | 5.05 | 49,222 | 19 |
| Korea | 1,630.87 | 10 | 1,806.71 | 10 | 1.92 | 76.8 | 3.59 | 34,866 | 28 |
| Russia | 1,473.58 | 11 | 1,710.73 | 11 | 1.82 | 96.0 | 3.76 | 11,654 | 64 |
| Australia | 1,359.33 | 13 | 1,617.54 | 12 | 1.72 | 93.2 | 4.54 | 62,724 | 9 |
| Brazil | 1,434.08 | 12 | 1,491.77 | 13 | 1.59 | 126 | 3.66 | 7,011 | 87 |
| Spain | 1,278.21 | 14 | 1,461.55 | 14 | 1.56 | 30.2 | 6.38 | 30,996 | 33 |
| Mexico | 1,076.16 | 15 | 1,192.48 | 15 | 1.27 | 269 | 5.00 | 9,246 | 73 |
| Indonesia | 1,059.64 | 16 | 1,158.78 | 16 | 1.23 | 33.7 | 4.30 | 4,256 | 110 |
| Netherlands | 909.50 | 17 | 1,012.60 | 17 | 1.08 | 146 | 3.50 | 58,003 | 13 |
| Switzerland | 747.43 | 18 | 824.73 | 18 | 0.879 | 188 | 3.49 | 94,696 | 2 |
| Saudi Arabia | 701.47 | 20 | 804.92 | 19 | 0.858 | 19.8 | 2.93 | 22,700 | 43 |
| Turkey | 719.54 | 19 | 794.53 | 20 | 0.846 | 10.4 | 6.04 | 9,327 | 72 |
| Taiwan Province of China | 668.51 | 21 | 759.10 | 21 | 0.809 | 35.4 | 4.75 | 32,123 | 31 |
| Islamic Republic of Iran | 635.72 | 22 | 682.86 | 22 | 0.727 | 76.2 | 2.54 | 8,034 | 82 |
| Poland | 594.18 | 23 | 642.12 | 23 | 0.684 | 40.7 | 3.47 | 16,930 | 49 |
| Sweden | 537.61 | 24 | 625.95 | 24 | 0.667 | 16.2 | 3.06 | 58,977 | 11 |
| Belgium | 513.09 | 25 | 579.00 | 25 | 0.617 | 47.0 | 4.04 | 50,103 | 17 |
| Thailand | 501.89 | 26 | 538.74 | 26 | 0.574 | 40.3 | 2.56 | 7,702 | 85 |
| Nigeria | 429.42 | 27 | 514.05 | 27 | 0.548 | 24.7 | 2.53 | 2,432 | 142 |
| Austria | 428.62 | 28 | 481.80 | 28 | 0.513 | 32.3 | 3.48 | 53,859 | 15 |
| Ireland | 418.72 | 29 | 476.66 | 29 | 0.508 | 5.13 | 4.23 | 94,556 | 3 |
| Israel | 402.64 | 30 | 446.71 | 30 | 0.476 | 30.0 | 4.99 | 47,602 | 21 |
| Norway | 362.01 | 33 | 444.52 | 31 | 0.474 | 2.19 | 3.86 | 81,995 | 4 |
| Argentina | 388.28 | 31 | 418.15 | 32 | 0.445 | 26.4 | 5.84 | 9,122 | 76 |
| Philippines | 362.24 | 32 | 402.64 | 33 | 0.429 | 15.5 | 6.89 | 3,646 | 124 |
| United Arab Emirates | 354.28 | 35 | 401.51 | 34 | 0.428 | 1.13 | 3.09 | 35,171 | 26 |
| Egypt | 361.85 | 34 | 394.28 | 35 | 0.420 | 7.23 | 2.47 | 3,832 | 118 |
| Denmark | 352.24 | 36 | 392.57 | 36 | 0.418 | 1.71 | 2.76 | 67,218 | 6 |
| Malaysia | 338.28 | 40 | 387.09 | 37 | 0.412 | 5.48 | 6.50 | 11,604 | 65 |
| Singapore | 339.98 | 39 | 374.39 | 38 | 0.399 | 12.7 | 5.20 | 64,103 | 8 |
| Hong Kong SAR | 349.45 | 37 | 368.63 | 39 | 0.393 | 5.76 | 4.29 | 49,036 | 20 |
| Vietnam | 340.82 | 38 | 354.87 | 40 | 0.378 | 13.8 | 6.50 | 3,609 | 127 |
| Bangladesh | 329.12 | 41 | 352.91 | 41 | 0.376 | 1.96 | 5.04 | 2,122 | 148 |
| South Africa | 302.11 | 42 | 329.53 | 42 | 0.351 | 23.4 | 3.10 | 5,444 | 96 |
| Chile | 252.76 | 46 | 307.94 | 43 | 0.328 | 21.6 | 6.17 | 15,617 | 55 |
| Finland | 270.64 | 44 | 300.48 | 44 | 0.320 | 7.45 | 2.28 | 54,330 | 14 |
| Colombia | 271.46 | 43 | 295.61 | 45 | 0.315 | 4.87 | 5.15 | 5,753 | 94 |
| Romania | 247.21 | 47 | 289.13 | 46 | 0.308 | 6.48 | 6.00 | 14,968 | 56 |
| Pakistan | 262.80 | 45 | 276.75 | 47 | 0.295 | 12.4 | 1.50 | 1,302 | 162 |
| Czech Republic | 241.46 | 48 | 276.11 | 48 | 0.294 | 0.64 | 4.22 | 25,732 | 38 |
| Portugal | 231.35 | 49 | 257.39 | 49 | 0.274 | 18.7 | 3.90 | 25,065 | 40 |
| New Zealand | 209.33 | 50 | 243.33 | 50 | 0.259 | 14.1 | 4.04 | 47,499 | 22 |
| World | 84,538 | | 93,864 | | | | 6.03 | 12,152 | |

According to the latest Global Economic Prospects report, the World Bank estimates that Romania will record a Gross Domestic Product (GDP) growth of 6% in 2021, 2.5% more than estimated in January, and next year will record a growth of 4.5%, 0.4 percentage points higher than previously estimated[155].

The World Bank's global forecast also shows growth this year of 1.5 percentage points to 5.6%, which means the world economy will record its strongest growth in 80 years[156].

"While there are encouraging signs of global recovery, the pandemic continues to cause pandemics and inequalities for populations in developing countries around the world," says World Bank President David Malpass[157].

The International Monetary Fund forecasts a strong economic recovery in Romania in 2021, with real Gross Domestic Product growth of 7 percent, while the European Commission forecast shows Romania's economy growing by 5.1 percent in 2021 and 4.9 percent in 2022[158].

***Technology*** applies the knowledge gained in different and multiple fields of science and uses inventions to increase people's well-being. Progress in engineering and industrial production is directly related to the nature and level of technology. Advanced technologies have contributed greatly to the prosperity and power of developed countries. In fact, the level of technical progress determines the status of a country's power. Only a country that relies on advanced technologies can be recognised as a developed nation. The US and other developed countries are technologically advanced countries and this has been a major source of their power.

The ability of a state to develop is largely related to its ability to advance in various fields. Industrial development, the development of means of transport and communication networks, combat capability, economic and social development can only really be possible when a country has access to advanced technologies. The ability to achieve this through its own efforts is a greater source of strength than the ability to import know-how. The inability to develop makes a state dependent on technologically advanced states, which limits its power and opportunities to promote its interests in international relations.

Many developing or underdeveloped countries have not been able to make full use of their natural resources because of the low level of technological development. The role of technology as a factor of national power can be judged by the fact that today technical aid, technological assistance, weapons technology, nuclear technology, information technology, communications technology, dual-use technology and space technology are elements of international relations and all of them influence the foreign policies of both developed and underdeveloped

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[155]    https://www.forbes.ro/banca-mondiala-estimeaza-ca-romania-va-inregistra-acest-un-avans-al-pib-ului-de-6-217989, accessed 01.06.2021, 20.00.
[156] *Ibidem.*
[157] *Ibidem.*
[158] *Ibidem.*

countries. In this respect, it should be noted that the importance of this factor is linked to other elements such as scientific and industrial potential, raw materials, government policies and, last but not least, the education of the population.

***Military power (combat capability)*** is a vital part of a state's national strength. The importance of the military factor as an element of national power can be judged by the fact that many people consider these two notions to be synonymous. Military power is not the whole of national power, but an important part of it, contributing force and effectiveness to the promotion of national interests.

Combat capability is a basic factor in the success of a foreign policy and is a tangible factor capable of supporting foreign policy and promoting vital national interests. It influences the level of success of foreign policy. All the superpowers and great powers of our age are also great military powers. Three factors are taken into account in assessing combat capability as an element of national power: military technologies and military innovation; military leadership; and the number and quality of military personnel.

Military technologies refer to the nature and type of weapons systems in a state's armed forces. Modern warfare is technologically sophisticated warfare. The quantity and technology of weapons and military equipment is a major factor determining the level of a nation's military strength, and advanced military technologies are always a source of strength and strategic advantage.

Warfare technologies are an important factor, but they can only be fully exploited when supported by effective planning and systematic and efficient use. This highlights the role of military leadership. Military planning is a valuable factor of military action in a military conflict, but only skilful, trained, experienced, loyal, dedicated, energetic and disciplined military leadership can make the best use of weapons, equipment and human resources. Victory is only possible with effective and efficient military leadership.

In an armed conflict, weapons and equipment play an essential role, but their role and effectiveness depend on the number and quality of the fighters. The military equipment and weapons system is important, but not as important as the soldiers who use these weapons and equipment. Their numbers, skill, training, discipline, dedication and morale are the essential factors that can make the effective and successful use of military weapons and technology possible.

We must consider these three factors in order to characterise combat capability as an element of national power. But in addition to the factors listed, combat capability depends on other factors such as technology, industrial capacity, economic development, the state of the economy, government policies and strategic factors. Therefore, combat capability is not an independent determinant of national power.

In terms of military manpower in 2021, a partial but relevant situation is shown in the following figure (Ranking the total available active military manpower by country, from highest to lowest)[159]:

| # | Country | PwrIndx Score | # | Country | PwrIndx Score |
|---|---------|---------------|---|---------|---------------|
| 1 | United States | 0.0718 | 31 | Sweden | 0.5345 |
| 2 | Russia | 0.0791 | 32 | South Africa | 0.5665 |
| 3 | China | 0.0854 | 33 | Norway | 0.5717 |
| 4 | India | 0.1207 | 34 | Czechia | 0.6204 |
| 5 | Japan | 0.1599 | 35 | Nigeria | 0.6241 |
| 6 | South Korea | 0.1612 | 36 | United Arab Emirates | 0.6249 |
| 7 | France | 0.1681 | 37 | Netherlands | 0.6391 |
| 8 | United Kingdom | 0.1997 | 38 | Myanmar | 0.6521 |
| 9 | Brazil | 0.2026 | 39 | Colombia | 0.6841 |
| 10 | Pakistan | 0.2073 | 40 | Singapore | 0.6931 |
| 11 | Turkey | 0.2109 | 41 | Romania | 0.6953 |

The finalized Global Firepower ranking uses over 50 individual factors to determine a given nation's PowerIndex ('PwrIndx') score with categories ranging from military might and financials to logistical capability and geography.

***Ideology (a nation's philosophy in relation to other nations, assumed or imposed)*** is an intangible element of national power. It can be a source of friendship and enmity in international relations, depending on who you relate to. Ideas and ideologies are elements of a state's power. The pen is mightier than the sword, or at least it has a power that can be a source of strength for a nation. The

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[159] https://www.globalfirepower.com/countries-listing.php, accessed on 22.05.2021, 20.05.

ideology that a government upholds can be a source of unity and support for nations within or outside state borders.

In assessing the role of ideology as an element of national power, we must also consider the means that a state has at its disposal to propagate its ideology. The means of propaganda and publicity available to a state also act as a factor of national power.

***The leadership*** of a nation is an important human element of national power. The use of human resources, natural resources, raw materials, technology, industrial capacity, military power and ideology to strengthen the national power of a state depends on the qualities of the people who lead the government of a state. Civil and military planning is a function of political leaders. It is the leadership, and in particular the decision-makers of the state, who are responsible for the formulation and implementation of foreign policy. National power is basically the ability of leaders, statesmen and diplomats to have a strong position in international relations. The quality of leadership determines the nature and character of the power a nation can use to defend and promote its national interests. Visionary, effective, committed, loyal and rational leadership can be a source of national power and its operational effectiveness. National power is inextricably linked to the capacity of national leaders and decision-makers.

***Organisation and quality of governance***. Mere possession of material and human resources cannot lead to national power unless the government of the state in question is well organised, efficient and effective. The government's mission is to coordinate and control human and material resources in such a way that state power ensures the achievement of national interests.

For a nation to become strong, the effectiveness, functionality and organisation of state government and administration is very important.

***National character and morale***. An important and intangible element of national power is national character. National character is a collective name that refers to the traits of people, their attitude and aptitude towards national work and needs. National character undoubtedly influences national power because it manifests the qualities of people in their actual behaviour.

Scholars tell us that the Russians are known for their endurance, elemental strength and persistence, the Americans for their resourcefulness, initiative and spirit of adventure, the British for their reason and dogmatic common sense, the Germans for their discipline and strength, the Japanese for their nationalism, Indians for their tolerance, idealism and belief in traditions, Chinese for their patience and patriotism, and Romanians for their high potential cognitive/emotional intelligence, creativity and unvalued learning, often defensive personality, behaviour that does not easily obey rules and regulations. National character traits certainly influence the national strength of a state.

Alongside character, morale is also an element of national power. National morale, in the context of national power, refers to the degree of determination with

which a nation supports its government's foreign policy in peace and war. Morale permeates all the activities of a nation, agriculture, industrial production, military institutions, diplomatic services, etc. High morale means a healthy disposition, which is characterized by dedication and fidelity to the cause. It depends both on the circumstances of the moment and on the quality of leadership and can be subject to frequent, even sometimes sudden, fluctuations.

National character and morale are elements of national power, but their role can be both positive and negative. In addition, their assessment as factors of national power must be made taking into account human and material factors. The intangibility of these factors, in particular national character, must also be taken into account.

*Diplomacy* is another important element of national power. Hans J. Morgenthau considers it the most important, albeit unstable, element of national power. Diplomacy is the means of foreign policy and, as such, helps it to achieve better results through hard work and persuasion in international relations. The success of a nation's foreign policy depends to a large extent on the quality of diplomacy that is transferred to foreign capitals. High-quality diplomacy can harmonise the aims and means of foreign policy with the resources of national power. Diplomacy can uncover the hidden sources of national power and turn them fully into political reality.

British diplomacy has been instrumental in projecting Britain as a major power in world politics, even after the loss of its imperial status. In the interwar period, the US was very strong politically and militarily, but played a minor role in world politics because of its weak diplomacy.

The role of diplomacy, as an element of national power, has undergone a great change in contemporary times. The emergence of new types of diplomacy - open diplomacy and conference diplomacy - has limited its role as a factor of national power somewhat. However, we cannot deny that diplomacy is an important factor of national power, and high quality diplomacy can contribute to the effective and successful exercise of national power.

All elements of national power are important. Those listed above are regarded as major elements of national power. In addition to these, some experts refer to several other elements, such as: the country's reputation in the system of international relations, in response to the challenges of history; external support and ties, i.e. the nature of alliances, treaties, agreements a nation has with other nations; unforeseen events and the nation's reaction to them - in the form of natural calamities or technological breakdowns, which can be described as a source of weakness, versus an unexpected discovery of vital raw materials, which can be a source of strength.

We must consider all these tangible and intangible elements in assessing a nation's national strength. However, we must bear in mind that these factors do not individually determine a nation's national strength. Only when material factors

are combined with the right kind of human factors do they become factors of national strength. Moreover, their importance and role are constantly changing, depending on the type of interests the state is promoting at any given time.

## QUANTIFYING NATIONAL POWER

A nation with developed technology, surplus food, high industrial production, healthy and developed economy, good natural resources - especially oil, uranium, natural gas, etc., can exercise more power over other nations. Thus, by measuring the volume of a nation's resources and capabilities, we can measure the volume of its power.

There are three variables that are used to measure a nation's national power: area of power; range of power; scope of power.

Quantifying power is a difficult task because it involves the task of quantitatively and qualitatively measuring and analysing a large number of tangible and intangible elements of national power. The need to analyse the actual and potential power of a nation makes the task difficult. However, Karl Deutsch[160] and other political scientists advocate measuring national power by the three variables listed.

*Area of national power*. Karl Deutsch defines area as the totality of people whose behaviour is significantly altered by the application of power[161]. He divides the area into internal and external area. The internal area consists of the territory and population of a country. The external area includes those territories and populations outside the nation state that belong to its "sphere of influence". The internal area can be measured in terms of population, surface area and gross national product. The external area can be analysed in terms of its sphere of influence, alliances, dependencies and the degree of penetration into the political processes of other countries. For example, the external area of the USA can be measured in terms of the alliances and organisations to which it belongs, the number of its military bases outside its national territory, and its areas of influence in different parts of the world.

However, measuring area is a difficult task. Areas of influence and degree of penetration cannot be measured empirically. The quality of alliance relationships cannot be measured. NATO in recent decades has been expanding, but recent statements suggest that it would be less effective and less useful. We cannot determine exactly how much influence the US has over France, Germany or Russia, because measuring the extent of power can only be done in a limited way.

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[160] Karl Wolfgang Deutsch - social and political scientist, Stanfield Professor of International Peace at Harvard University.

[161] *National Conference on Elements of National Power*, https://www.pc.gov.pk/uploads/pub/4th-CPEC-Paper-Conference-on-EoNP-2.pdf, accessed on 16.05.2021, 21.30.

***The range of national power***. Karl Deutsch defines the range of power as the difference between the greatest reward and the heaviest punishment that a wielder of power can bestow or inflict on people under his management[162]. Range is the intensity of power exercised over others. Internal range or intensity of power can be measured by taking into account the use of force and coercion/punishment as well as reward or value distribution for the exercise of power over people. A democratic government uses influence, persuasion and rewards, while a tyrant or dictator uses force and punishment to secure obedience to its policies and laws. The external range or intensity of power can be measured by the means a state uses or can use to secure its desired goals and policies. The number of economic rewards (aid, grants, loans) a nation receives or can receive can indicate the range of power it has in international relations.

However, there is no precise way of measuring the range of a nation's power. We can look at a lot of data to judge "intensity", but we cannot be sure of the real impact of the exercise of power by a strong nation on a weaker nation. The US is the world's largest aid donor and most developed country, but we cannot accurately measure the intensity of its power over other nations, we can only guess.

***The scope of national power***. The scope of national power means, as Karl Deutsch writes, the totality of all classes of behaviour, relations and affairs that are subordinated to governmental power[163]. The scope of national power consists of all government activities, internal and external. External activities consist in the demonstration of power for the materialization of its own interests. Karl Deutsch's attempt to measure power on the basis of the three variables can only give us some information but not a complete picture of the power of a state. With these we can quantify, to some extent, the national power of a nation, but this cannot help us to determine the national power that a state can exercise over other states. The power of states cannot be measured completely because intangibles and quality factors can never be measured. One way of assessing national power is to evaluate its elements and components. The strength of a state depends on certain tangible and intangible, tangible and intangible, stable and non-stable factors that can be assessed.

## ASSESSING THE POWER OF STATES

By assessing geography, population, natural resources, technology, industrial capacity, military preparedness, diplomacy, government organisation, national character, national morale, leadership and a few other elements, we can have a fairly good assessment of the power of states. However, the assessment of these factors must be made with the utmost care and objectivity. In order to do this, the following factors and characteristics must be taken into account and must

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[162] *Ibidem.*
[163] *Ibidem.*

guide every assessment of state power: the relative and comparative nature of power; the dynamic nature of the elements; the interdependence of all factors; the quantitative and qualitative assessment of factors; the ability to use resources; the level of combat readiness; the need to measure both actual and potential power.

### Relative and comparative nature of power

All elements of national power must be assessed in relation to those of other states, especially neighbours and competitors, rivals and adversaries. An independent and isolated assessment of a nation's national power will never be realistic, and may even be suicidal.

### The dynamic nature of national power

The relative importance of the elements of national power is always changing. In our times of rapid technological change, the relative importance of various elements has been constantly changing. Oil has replaced coal as the main fuel source and may soon be replaced by other types of energy. Uranium may lose its value if solar energy is used and developed to cause atomic fusion. Military technology is also a rapidly changing technology. A powerful weapon may become obsolete after a few years. We must therefore take into account the dynamic nature of the various elements, assessing their role as elements of state power.

### Interdependence of all factors

Most importantly, no single element of national power is or can be a determinant of national power. No nation can dream of power if it lacks some elements. All factors of national power are interdependent and they must be assessed as a single group.

### Quantitative and qualitative assessment of factors

Assessing the elements of national power must involve both quantitative and qualitative analysis. Simple numbers are meaningless. For example, a large territory and a large population without ideological qualities can never be a source of power. The number of aircraft is important, but alongside this, the range, speed, weapons systems, payload and operational role, training and commitment of pilots are equally important and must be taken into account.

### Ability to use resources

The existence of certain elements does not condition national power. Only when the nation has the ability to effectively use the elements that lead to national power will it evolve.

### Level of combat readiness

Combat readiness should not be neglected in assessing the role of elements of national power. A distinction must be made between trained active soldiers and those to be mobilised. In the age of modern technologies, combat readiness has become a vitally important factor of national power. Modern warfare has virtually become a war of time, as the ability to strike first and the ability to respond to the first blow can together be a determining factor in the outcome of war.

### *The actual and potential importance of power elements*

Analysis of the various elements should not be limited to the available data about the present or the near past. The analysis must include an estimate of trends in both the elements of power that are currently considered important and those that will become important in the future. Both the current and potential positions of the various elements should be analysed to assess their present and future role as elements of national power. All these features must determine the analysis of national power factors. Without attention to them, conclusions about the assessment of national power are wrong and misleading. Assessing national power is indeed a difficult and complex task. But to be successful, objectivity must be maintained and possible errors eliminated. In addition, the assessment must be continuous and systematically repeated.

## CONCLUSIONS

The exercise of national power by individual states is an accepted reality of international relations. Individual power and its distribution is one of the major determinants of a state's behaviour in international relations. However, the unlimited use of power by states can be a source of war, anarchy and chaos in international relations. Humanity is fully aware of the dangers of unregulated use of national power by individual states. Today, states themselves realise their major interdependence and the need to restrict the use of power. In the nuclear age, the danger resulting from unrestricted use of power implies the possibility of total destruction of mankind through nuclear war. The new need for sustainable development at all levels has again forced all nations to accept the need to control and regulate the use of power by all states in the interests of preventing war and anarchy in international relations.

At present, the pandemic that began in 2021 is arguably the most important challenge of the 21st century. In fact, it has triggered many comments that it will bring with it a transformation on a global scale. The most notable of these comments predict a change in the world order. Many experts suggest that a new world order will emerge, insisting that the current order will face pressures. Of course, there is no doubt that we are entering a new period on a global scale. However, it cannot be said that the world order will undergo a radical change after the coronavirus epidemic and that this is inevitable.

When we look at world politics over the last five centuries from the perspective of the world order specific to each era, we see that three basic elements come to the fore: power distribution, economics and international norms/rules. While the distribution of power determines the basic course of competition between (great) powers, the economy determines the rules of the system, and international rules directly determine international processes and partly the behaviour of state actors. In a system where the distribution of power is shared between more than three states, the world order is multipolar/polycentric, when it

is shared between two powers, it is bipolar, and when there is only one actor, it is unipolar.

Throughout history, major wars have caused a new balance in the existing distribution of power, with the world order being reconstructed after each war on the basis of a new paradigm. The economic system and rules that form the core of this paradigm determine the positions, roles and modes of action of states on a global scale. States either adapt to the system, resist it or strive to be included in the system in order to take advantage of it.

For the post-Pandemic COVID-19 world order to be replaced by a new one, the coronavirus epidemic must bring about a change in the current distribution of power, in parallel with which the economic structure and the actor or actors that will control it must carry out structural reforms that will bring about changes in the mechanisms of the system's functioning and be able to create new global regimes along the lines of the new rules. But this is unlikely to happen.

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# "OLD METHODS IN THE NEW FRAMEWORK". STRATEGY OF GREY ZONES IN HYBRID WARFARE

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*Abstract: The concept of waging conflict in Grey Zones was adopted in the US community of international security analysts several years ago. It refers to the use of primarily non-military instruments to create spaces of deep conflict at multiple social, political, cultural, religious and economic levels. These conflicts take place below the threshold of war. One of the first concepts that we can consider as the genesis of this type of strategy is the concept of rebel wars created in the 1960s, by the Russian strategist, Colonel Yevgeny Messner. This new type of war was to be characterised by the predominance of civilian combat, the key importance of psychological impact and the decisive importance of the use of troops and special services. Messner also pointed to the growing role of terror in the conduct of military operations. Another important feature of the new concept was the "denationalisation of war". Fighting social groups, military and paramilitary sub-units were to be deprived of recognition marks.*
*Keywords: insurgency wars, asymmetric conflicts, hybrid wars, Yevgeny Messner, grey zones.*

The concept of hybrid warfare has not usually become fashionable in the world of international security studies, both in Western countries and in the Russian Federation after the latter's annexation of the Crimean Peninsula in 2014. Hybrid warfare combines the concept of classical military action with actions below the threshold of war. It therefore includes psychological and informational operations, sabotage and diversionary activities, economic pressure, etc. Its objective is the destruction of the enemy. In hybrid conflicts, governmental structures, the economy, the information and cultural-ideological sphere, the critical infrastructure of the state and its power structures are attacked covertly, without a formal declaration of war, the morale of the population and its confidence in the structures of its own state are lowered. In subsequent stages, diversionary activities are carried out with the participation of local rebels and sent mercenaries, private military companies. Local oligarchs, organised crime groups, radical religious activists and revolted ethnic groups are used. A significant dimension of hybrid warfare is action designed to economically exhaust an enemy state, drawing it into excessive military spending.   Also

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important is social destabilisation, which is the result of deep internal polarisation of society, supported by information and psychological operations carried out by secret services[165] .

## THE CONCEPT OF GREY ZONES

The concept of conducting conflict in Grey Zones was adopted in the US international security analyst community several years ago. One of the most popular definitions of this type of conflict was introduced by the US Special Operations Command (SOCOM): *gray zone challenges are defined as competitive interactions among and within state and non-state actors that fall between the traditional war and peace duality. They are characterized by ambiguity about the nature of the conflict, opacity of the parties involved, or uncertainty about the relevant policy and legal frameworks*[166] .

The grey-zone strategy involves the phased pursuit of strategic objectives. Its aim is to implement a number of integrated operations, where each of them is characterised by low intensity and small scale (below the threshold of war). The essence is the synergy effect of all these operations, which is to allow the creation of a new strategic reality. This concept implies the achievement of strategic objectives primarily through non-military methods. The main feature of grey-zone operations is that they require the use of instruments that go beyond classical international relations. We are dealing with the space between classical diplomacy and commercial activities in the field of diplomacy (including public diplomacy) and open military conflict. By the Grey Zone we mean the space of the accumulation of various conflicts below the threshold of war, which lead filially to the destabilisation of a given state[167] .

The main techniques used in the Grey Zone strategy include psychological and informational operations aimed at weakening the resistance of the hostile society and its political elites. In addition to operations in cyberspace, information operations in real space are used, employing the tool of propaganda, often in support of other hybrid instruments. For this purpose, the activities of intelligence institutions are widely used, conducting covert operations in the field of classical espionage, agent of influence, sabotage and diversionary activities. An important element of the implementation of operations in grey areas are the activities of special forces and subordinate groups that do not have the status of soldiers (official members of the armed forces). In addition to direct operations, extensive support is used for separatist, terrorist movements, extremist political groups and religious movements. The secret services also recruit members of organised crime

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[165] F. G. Hoffman, J. N. Mattis, Future Warfare: The Rise of Hybrid Wars, "Proceedings" 2005, Vol. 131, No. 11, November 2005, pp. 18-19; F. Hoffman, *Conflict in the 21st Century: The Rise of Hybrid Wars*, Arlington 2007.
[166] U.S. Special Operations Command, *The Gray Zone,* September 9 2015, pg. 1, available at: https://info.publicintelligence.net/USSOCOM-GrayZones.pdf.
[167] J. Antulio Echevarria II, *Operating in the Gray Zone: An Alternative Paradigm for U.S. Military Strategy,* U.S. Army War College Press, Carlisle 2016.

groups for such operations. Assistance to irregular military and paramilitary forces. Also included in the category of Grey Zone operations are all kinds of economic activities that go beyond standard operations and normal competition[168].

US analysts cite the actions of the Russian Federation in Ukraine (annexation of the Crimean Peninsula, creation of the Donetsk People's Republic and the Lugansk People's Republic in the east of that country) as examples of activities in the Grey Zones; The People's Republic of China in the South China Sea and East China Sea (demonstrations of military power, construction of artificial islands, methods of accomplished facts); Iran in Syria and elsewhere in the Middle East (support for groups considered terrorist by the US and activities calculated to exploit ethnic and religious divisions in order to change the balance of power in the region) [169].

New forms of conflict, including the Grey Zone strategy, are conditioned by the increasing role of new technologies (including artificial intelligence), the increasing role of cyberspace (including social media) in shaping the international security architecture, and the increasing role of non-state actors in shaping the international balance of power and interests. Asymmetric conflicts create situations in which there are no perfect allies and there is often ambiguity about intentions, capacity for real action and even who is on whose side. It is worth noting, however, that in conceptual terms this strategy has its clear prototype in the form of the concept of rebel wars, created by Yevgeny Messner in the 1960s.

## ORIGIN OF ASYMMETRIC CONFLICT STRATEGIES

The Russian strategist Colonel Yevgeny Messner (1891-1974) in the 1960s and 1970s, writing in exile in Buenos Aires, formulated a new concept of warfare, which he called rebel warfare. It was a theory that was the prototype for the concepts of asymmetric conflicts and hybrid wars as we know them from the second half of the 1990s and the beginning of the present century. Messner's concept was widely developed by officers of the armed forces and special services of the world's most important powers during the Cold War, and it has experienced a renaissance since the beginning of the 21st century.

Yevgeny Messner pointed to the process of blurring the distinction between a state of peace and a state of war, just as the boundary between regular and irregular military subdivisions, paramilitary formations (police, border guards, intelligence, etc.), stateless military formations, or revolted and ad hoc armed social groups (trade unions, criminal groups, armed formations of enterprises, party militias, political and social organisations, etc.) was blurring. The Russian

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[168] N. P. Freier (ed.), *Outplayed: Regaining Strategic Initiative in the Gray Zone. A Report Sponsored by the Army Capabilities Integration Center in Coordination with Joint Staff J-39. Strategic Multi-Layer Assessment Branch*; https://publicintelligence.net/us-army-outplayed (14.04.2020).

[169] W. G. Pierce, D. G. Douds, M A. Marra, *Countering Gray Zone Wars: Understanding Coercive Gradualism*, "Parameters" 2015, Vol. 45, No. 3, pp. 52-53.

strategist stressed that the basic form of combat in rebel wars was *irregular* action. Messner included in them: diversion, terror, partisanship, insurrection. As a classic example of the use of irregular actions, the author of the concept of rebel wars cited Poland in the years 1939-1945, with the Warsaw Uprising at the forefront[170].

The concept of using the revolted masses of society in order to destabilise a given state, as well as possibly using its territory for proxy wars, is a topic widely present in international strategic discourse. By proxy war we mean a type of armed conflict in which the conflicting parties fight on the territory of a third state. The form of military involvement may be open - official intervention - or covert (participation of formations without state markings, or "under a foreign flag"). Examples of such conflicts were the Spanish Civil War of 1936-1939, the Korean War of 1950-1953 or the war in Angola (1975-1991)[171] .

Not only the actions of the Russian Federation in Ukraine, but also the events referred to as the Arab Spring or the so-called 'colour revolutions' bear traces of practical use of the concept of rebel wars, enriched with the achievements of new technologies of the information era. The old concept of Colonel Messner has been enriched with new solutions called network wars, the latest achievements of information warfare technology (the use of the Internet - Web 2.0 among others), network-centric systems of conducting military operations and everything that constitutes the definition of asymmetric conflicts and hybrid wars[172] .

### MUTINOUS WAR

Yevgeny Messner considered war an inseparable part of human life. He wrote, among other things, *war is one form of struggle for existence. As long as it is not destroyed by other forms, it will be tolerated by the Laws of Life*. He pointed out that the industrial revolution and the emergence of geopolitics as a scientific but also practical means of political analysis resulted in the emergence of new military strategies. In the understanding of the Russian officer, modern war can have a limited coalition character or an unlimited coalition character, i.e. global. At the same time, each side of the conflict has its overt and covert participants. Messner gave the example of, among others, the war on the Korean Peninsula, in which the North Koreans were overtly supported by China and covertly by the USSR. Due to the large number of participants, this kind of war blurs the objectives of the conflict[173].

The traditional enemy – hostile armed forces – Is thus blurred, the enemy becomes society, the nation. The importance of the traditional understanding of space is diminishing in favour of mental space, the sphere of people's

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[170] *Khochesh' mira, pobedi myatezhevoynu. Tvorcheskoye naslediye Y. E. Messner,* Moskva 2005, pp. 90-91.
[171] Cf. P. Towle, *The strategy of war by proxy*, 'The RUSI Journal' 1981, vol. 126, issue 1, pp. 21-26.
[172] M. Kaldor, *New & Old Wars: Organized Violence in a Global Era,* Stanford 2001.
[173] *Khochesh' mira...*, pp. 60, 67, 75.

consciousness and their ideas about space. Messner predicted an increase in the importance of the 'electronic brain' and modern technologies that allow the number of staffers to be reduced, even as the number of participants in conflicts and the number of fighting soldiers/combatants/insurgents increases.

In rebel wars, the distinction between lawful, from the point of view of international law, armed action and unlawful means of fighting is blurred. This is due, among other things, to the blurring of the distinction between the military and society. In rebel wars, irregular armies, composed of disaffected members of social groups (e.g. armed trade union members), constitute a viable force in urban areas. This blurring of the distinction between regular and irregular armies, also degrades the ethics of war. Messner stressed that the new character of war resulted in staffs concentrating on the development of: strategy, operational activities and tactics of terror, deception and betrayal [174].

Messner listed four types of warfare: war, semi-war, aggression-diplomacy (otherwise known as "cold war" or "hot diplomacy") and diplomacy. He stressed that the line between a formal state of peace and war was becoming blurred. It is possible to remain in a state of war without taking any action, even in the absence of public awareness of this fact. An example is the state of war between Andorra and Germany, which began in 1916 and ended only in 1958. This fact was also overlooked in the signing of the Treaty of Versailles, where Andorra was left out. In contrast, an example of a modern state of war without hostilities is the conflict between North and South Korea. There have been cases of a declaration of war that was not accepted by the other side and no hostilities took place. An example of such a situation is the declaration of war by the Polish government against Japan in 1941. There are also numerous conflicts in which war was not officially declared but bloody battles were or are being fought, such as the aggression of the Third Reich, Slovakia and the USSR against Poland in 1939, or more contemporary examples: the Russian-Georgian war of 2008 or the Russian-Ukrainian war of 2014. (as of August 2014)[175] .

One of the basic principles of rebel wars is the violation of Article 1 of the Hague Convention III of 1907: *The Contracting Powers recognize that hostilities between them shall not commence without prior and unambiguous notice, which shall take the form either of a reasoned declaration of war or of an ultimatum with conditional declaration of war*[176].

By mutinous war Messner meant a conflict in which armed action by civilians predominates. In doing so, he quoted Mao Zedong, who said that war is not an extension of politics by other means, but a form of politics. The main factor

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[174] *Khochesh' mira...*, p. 70; Y. Messner, *Vsemirnaya myatezhevoyna*, Moskva 2004, c. 134-138.

[175] A. Lamb, *Ethics and the Laws of War. The Moral Justification of Legal Norms,* London 2013; E. Месснер, *Всемирная...*, с. 165-190.

[176] *The Contracting Powers recognize that hostilities between themselves must not commence without previous and explicit warning, in the form either of a reasoned declaration of war or of an ultimatum with conditional declaration of war*, http://avalon.law.yale.edu/20th_century/hague03.asp [03.03.2014].

influencing the course of such conflicts are psychological and informational activities. The Russian strategist believed that the most important task in a war of rebellion is first and foremost to unite one's own people and to draw some of the people of the enemy state to one's side. For the main element of rebel war is "psychological processing" of society. It is important to provoke feelings of fear in the hostile society, up to the level of panic. One of the most important elements of psychological operations is to undermine trust and respect for state power and faith in the strength of one's own country and nation, including its defensive capabilities. As a Russian colonel wrote: *rebel war is a war of all against all, where the enemy may be a compatriot and the ally a foreigner*[177] .

### REBEL WARFARE AND THE GREY ZONE

In the preparation of actions characteristic of a rebel war, the most crucial element is good intelligence reconnaissance, focused both on the political (surveillance of political circles, proper identification of social moods), economic and military direction. The development of rebel war plans includes both ideological (information) diversion and classic diversion and sabotage. Hence, it is important to properly identify the enem"s early warning and crisis response systems. In addition to information about the state's financial system and its defence system, collecting detailed information on critical infrastructure remains an important element.

The more important elements here are: the state's ICT systems, the transport system, the energy supply system (gas pipelines, oil pipelines, thermal power plants), deposits of energy resources and fuels, food and water supply systems, the health care system[178].

The conduct of rebel warfare is based on a network structure, a system of formally unconnected social groups, organisations. It uses the strategy of *Leaderless Resistance,* in which there is no central managerial centre controlling all organisational links. Individual groups have a high degree of autonomy of action. Additionally, in indirect actions (e.g. street fights, riots in cities) and direct actions (lowering trust in the state) disgruntled social groups of a given state are used, mostly unconsciously. This is intended to create the impression of chaos and lack of control over events. The groups exploited come from different backgrounds: marginalised politicians, radical political and social groups, national and ethnic minorities, registered and unregistered NGOs, trade unions, entrepreneurs and their associations, sectoral organisations, any discriminated groups and even charities[179].

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[177] *Khochesh' mira...*, p. 110.
[178] Y. Messner, op. cit, pp. 210-214.
[179] Y. Messner, op. cit, pp. 216-228*;* J. Tomasiewicz, *Strategy of unguided resistance in asymmetric war*, "Geopolitical Review" 2009, vol. 1, pp. 161-190.

In the field of interest of the group preparing political and military actions using the *modus operandi of* J. Messner's concept, the key element is to bring about dissatisfaction of large social groups, quarrelsome political elites, then economic problems, provoking social riots and, finally, wiped-out military actions conducted, among others, by specially prepared subunits of special forces as well as functionaries and soldiers of secret services. The effectiveness of rebel warfare depends largely on the effectiveness of information warfare. Both the informational impact on the enemy society and international opinion are important here. An important element is the lowering of the reputation of the state which is the target of the attack. The optimal result of such actions is the political isolation of such a country [180].

The use of Messner's concept implies above all the avoidance of official state involvement in formal war. Diversionary groups taking part in activities may not have any identifying marks and their members, under international law, cannot be treated as members of the armed forces.

This allows for the possibility of an official dissociation from this type of action by the initiating state in the event of strong resistance from the victim. Formally, therefore, there is a "de-nationalisation" of armed groups, and of the conflict itself, which from the outside can resemble civil war and internal chaos. All the more so as the main burden of fighting is shifted to urban areas, which is one of the characteristic factors of Messer's concept[181] .

In a rebel war there is a lack of front lines. The rebellion may start inside the state far from the national border. An important element is the use of clusters of national and ethnic minorities, which can become a good base, not only for initiating social discontent and possible riots, but also play an important role as a logistical base. A separate issue in preparing a rebel war is inspiring and financing the development of radical and extremist groups (e.g. political or religious) in hostile states and developing them on the basis of the strategy of leaderless resistance, as mentioned above. That is why it is so important to skilfully use intelligence capabilities and effectively conduct information warfare, which makes it possible to transform the battlefield into a battlespace, encompassing primarily mental space (noosphere), as well as cyberspace. Decisive here are long-term psychological and informational activities.

The waging of rebel wars is facilitated by the emergence of small and weak states and the increasing role in international relations of the role of unrecognised and dysfunctional (failed) states. At the beginning of the 1970s Yevgeny Messner predicted the growing role of terror, along with possible over-terror, e.g. point hits with nuclear tactical charges, or the use of so-called dirty bombs to achieve a psychological effect. Of particular importance in this type of action is the morale

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[180] Y. Messner, *op. cit,* pp. 232-246.
[181] *Ibidem,* pp. 266-274.

of the population and the ability of state structures to contain public fear in such a way that it does not reach the level of panic[182] .

**CONCLUSIONS**

Today, classical geopolitics is changing into information geopolitics. Its three main factors are understood differently: power (might), time and space. The main determinant of a country's power is no longer population, territory or even economic strength. The most important factor is social morale, the identity integrity of societies and nations and the ability to impose one's vision of the political order on other societies. Public diplomacy (including cultural diplomacy) is becoming more important than classical[183] diplomacy. The leading form of achieving political goals is information warfare, understood as a mass impact on the sphere of consciousness of entire societies, aimed at changing their views in a particular area of life.

The concept of Grey Zones, which has its genesis in the strategy of rebel wars developed since the 1960s, enriched with new technologies and the experience of many asymmetric conflicts of the last three decades, shows what direction future armed conflicts may take. What, characteristically, is the low cost of this type of action in relation to traditional wars. States no longer have to be the initiators of war. The strategy of unguided resistance and the extensive possibilities offered by modern information technology make it possible to have a global impact with relatively few resources.

The effectiveness of these concepts could be seen in early 2014 during the so-called Crimean crisis and the operation of the Russian services for the bloodless seizure of the Crimean Peninsula. The social background played a key role there. For many years, the Russian media had conducted an information campaign targeting the Russian minority on the peninsula. The military operation itself was carried out in an exemplary manner.

An important element in countering the creation of Grey Zones and the threat of asymmetric/hybrid conflicts is information activities aimed at shaping public opinion. The aim is to create a shaped perception both in one's own society and in other states. A separate issue is broad intelligence activities, which also include obtaining information in cooperation with wide circles of experts, including, among others, academic centres, business circles or non-governmental organisations. One of the most important elements here is the identification of weak points in critical infrastructure systems (energy systems, financial systems, governmental communications, etc.).

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[182] *Khochesh' mira...*, pp. 674-676.
[183]  M. Leonard, V. Alakson, *Going Public. Diplomacy for the Information Society*, London, 2000.

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# THE EDUCATION SYSTEM IN ROMANIA TODAY

Anca ŞTEFĂNESCU[184]

*Motto: Education is the most powerful weapon you can use to change the world* (Nelson Mandela)

*Abstract: Romanian education is a great system that carries out a complex but extremely important process for our society. It seems to work but there is a lot to change even where things are seemingly going well. A complete analysis brings to our attention a tumultuous picture of the problems faced by education in Romania in an attempt to fully fulfill the social objective it has assumed. Education is changing with the evolution of technologies, society is changing every day, the global economy needs other skills and the world now needs much more complex things than 20 years ago.*
*The question is, how can education be changed quickly and effectively? In general, the change in education is very difficult, but in order to complete such a process, a real and concrete analysis of what we have now is needed.*
*Keywords: Romania, education, sistem, skills ,economy, educational reforms, Bologna Process, academic mobility, institutional autonomy*

## 1. BRIEF HISTORY OF ROMANIAN EDUCATION

In the 19th century well-known pedagogues of the period - Pestalozzi and Froebel - were concerned with the practical and theoretical aspects of the education system and Froebel (1782-1852), the first German theorist of preschool education, believed that children are born with creative skills innate, and schools have a role to play in enhancing these native creative skills. These pedagogical theories also influenced the development of the Romanian school system. The education system in Romania was punctuated by major educational reforms that marked its evolution and can be structured in distinct periods of convergence (late eighteenth century - pre-World War II, 1968-1969 and 1989-present) and divergence (mostly of the communist regime) with and from the educational system from Western Europe.

Education experts in the twentieth century continued the changes produced in the nineteenth century in Romania. I would mention here some of the great contributors to the modernization of the Romanian education system in the 20th century: Constantin Dumitrescu Iași (1849-1923) and Spiru Haret (1851-1923). It

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[184] "Alexandru cel Bun" Military Academy – Chișinău, Doctoral school.

is well known that Iasi and Haret laid the foundations of the modern Romanian educational system. The former, educated at the Sorbonne University, where he received his doctorate in mathematics, Minister of Education in three different stages (1897-1899; 1901-1904; 1907-1910), adopted educational reforms for the primary, secondary and tertiary levels. Spiru Haret adopted the Education Law of 1868, which established the basis of vocational schools and reorganized the secondary education system and Constantin Dumitrescu Iasi, together with Spiru Haret reorganized the university education system and they also divided high schools, or high schools, into specialties such as realistic, modern, and classical high schools, or high-profile, modern, and classic high schools[185].

The essential features of communist-era education were "extreme centralization with a single basic and manual curriculum, excessive politicization, and emphasis on the abstract and the theoretical in method and teaching."[186] After the collapse of the communist regime, the higher education system oscillated between centralism and autonomy, now finding itself in a stage with a special emphasis on institutional autonomy, quality assurance and the social dimension.

The social, political and economic transformations in Romania registered after 1989, to which are added the pressures for a rapid and major transformation of the society, led to a reform of the educational system which was characterized in 1999 as bearing "traces of 18th century romanticism 19th century, positivism of the 19th century, Eastern European socialism and disorganized efforts to bring about change after 1989 ".[187]

Since 1999, the Romanian education system has adopted the reforms in Bologna that produced a small "revolution" by drafting new legislation in the field of education, legislation designed to adapt to the changes brought by the ministerial meetings of the Bologna Process. The objective of creating a higher education policy at EU level and a field of dialogue materialized in 1999, when the Bologna Declaration was signed and the reforms set out here aim at creating a knowledge-based economy and an informed workforce. "The transition to an educational model oriented towards the needs of the free market was observed after the adoption of the Bologna Process".[188]

A new wave of changes at university level was brought about by the Bologna reforms that began in 2004 when the Romanian Parliament adopted the Law on the structure of university studies when the three-tier system replaced the two-tier system originally mandated by the Bologna Declaration of 1999.

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[185] Ion Gh. Stanciu, *Romanian pedagogy in the 20th century,* Didactic and Pedagogical Publishing House, Bucharest, 1981. p. 194.

[186] Nedelcu, I. *Fundamentals of intercultural education. Diversity, minorities, equity,* Polirom Publishing House, 2008, p. 101.

[187] Marga, A. - *Education in transition,* Dacia-Bucharest Publishing House, 1999, p. 131.

[188] Dobbins M., *Higher Education Policies in Central and Eastern Europe. Convergence towards a Common Model,* Basingstoke 2011:Pallgrave Macmillan, p. 249.

A new law with a special impact on the modernization of education in Romania was adopted in February 2011 and aims to diversify the mission of universities.

We can say that the evolution of education in Romania has brought the system to a legislative convergence and principles with what is currently developing in the European Union and now we are in a time of great social transformations with major effects on education and its objectives.

## 2. MAIN CHARACTERISTICS OF THE EDUCATIONAL SYSTEM IN ROMANIA

Romania is one of the countries with rapid economic growth. It has made significant progress in strengthening its democratic processes, in adapting economically to the principles of the European Union and in developing and adapting socially to the unprecedented technological development we are going through at this stage. There has also been great progress in modernizing its education system and increasing the level of learning of students.

However, the results obtained at the end of each educational cycle indicate that many Romanian children do not reach their potential to allow them to develop fully in accordance with current requirements. Many young Romanians *leave education much too early* and without mastering the basic skills for life and work.

Another part of those who go through the educational stages *are deprived of the skills they need in a fast economy,* under the impact of developments in technology, robotics, vertical agriculture or artificial intelligence. We can say that all these bring with them a profound transformation of the number, types and characteristics of jobs for which Romanian education graduates must be prepared.

The Romanian education system is structured horizontally and vertically and *all responsibilities for the strategy, policy and implementation of education are concentrated within the Ministry of National Education.* Of course, there are a number of external organizations that advise the ministry, but they play a very small role in the design and implementation of educational policies. The Ministry of National Education directly leads and monitors the implementation of national policies at the local level through the County School Inspectorates. And this is because the ministry is responsible for establishing the overall strategy of the education system and national policies, from pre-school and compulsory education to education and training and higher education.

The Ministry of National Education is responsible *for the national evaluation system o*rganized at the system level but the policy evaluation is done by specialized public bodies that are affiliated to the ministry or are in its coordination. For example, the technical expertise provided by the Institute of Long-Term Education Sciences (IES) is embodied in educational research and analyzes of the performances of the Romanian education system. IES also coordinates the development of Romania's new curriculum.

If we refer to the National Center for Assessment and Examinations (NCAE) it ***designs and manages national examinations and assessments of students,*** establishes examinations for permanent teacher certification (finalized) and teacher tenure (tenure) and organizes the evaluation process of textbooks.

We can say that ***the presence of a separate examination and evaluation agency***, an educational research institute and an external school inspectorate are elements that support an independent analysis of the field to support the continuous modernization of Romanian education. However, these bodies remain subordinate to the Ministry of Education.

The exceptions could be ARACIP[189] and ARACIS[190], structures that set their own strategies, work schedules and operating budgets. But even in their case, the government and the ministry make decisions about the structure and functioning model of the organization, which limits their ability to develop their professional independence.

In conclusion we can say that the Ministry of National Education organizes and leads the national system of education, training, scientific research, technological development and innovation and has as partners subordinate institutions and coordinated institutions.

The education system in Romania includes pre-university, university education and postgraduate studies. ***Pre-university education*** is an integral part of the national education set up as a system and brings together state, private and denominational education units, authorized or accredited. In Romania, there are public or private schools, in a system of educational alternative, which complete the classical education system, opening new perspectives of didactic and pedagogical approach to learning. The forms of organization of pre-university education are full-time education and part-time education.

Higher education is organized in universities, study academies, institutes, higher education schools that have obtained temporary operation authorization or accreditation. Higher education institutions can be state, private or denominational.

Bachelor's degree programs represent the first cycle of university studies and correspond to a minimum of 180 and a maximum of 240 transferable study credits, master's degree programs represent the second cycle of university studies and correspond to a minimum number of credits transferable studies, between 60 and 120 and doctoral studies represent the third cycle of university studies. The

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[189] Romanian Agency for Quality Assurance in Pre-University Education - performs external evaluation of the quality of education provided by pre-university education institutions and other organizations providing education, as well as authorization, accreditation and periodic evaluation of pre-university education units, https://www.edu.ro/ARACIP, accessed at 05 June 2021.

[190] *Romanian Agency for Quality Assurance in Higher Education - carried out external evaluation of the quality of education offered by higher education institutions and other organizations providing curricula specific to higher education, operating in Romania. She is a full member of the European Association for Quality Assurance in Higher Education - ENQA and is registered in the European Register for Quality Assurance in Higher Education – EQAR,* https://www.edu.ro/ARACIP available at 05June 2021, accessed at 05 June 2021.

postgraduate programs are structured in postdoctoral programs of advanced research, postgraduate programs of training and continuous professional development and postgraduate programs of improvement **Romania's public expenditures for education.**

The development and modernization of education has led to an increase in the resources allocated to it in all countries. Their growth is due to the combined action of several factors such as ***population growth*** - which naturally led to an increase in the school population, ***economic development*** - which required a medium and higher skilled workforce, ***school policy, the principles considered by governments in setting educational policies, the level of compulsory education,*** etc. The financing of education is made according to its structure and the education systems are different from one country to another depending on tradition, economic and social needs.

The education system mobilizes considerable material and human resources and thus financial resources. These resources are provided in most cases to educational institutions ***by public authorities, but also by families, communities, companies and cooperation agencies***. Sources of funding for education spending are diverse but the state budget which is the main source of funding for education in all countries of the world. In developed countries, education expenditures represent between 11% - 29% of total socio-cultural expenditures. In relation to total public spending, "education spending is between 7% in the UK and 18% in the US and in developing countries between 14% in the Czech Republic and 19% Philippines."[191]

The highest percentage of ***government spending*** on education was in Sweden and Denmark, 6.8% and 6.5%, respectively. Romania is part of a group of 6 states with expenditures below 4% of GDP, consisting of Greece, Italy, Slovakia, Bulgaria and Ireland, being the last in this group and in the European Union. The year 2017 is the most recent for which there are data in Eurostat statistics. In 2018, education had funds of 29.3 billion lei, representing 3.1% of GDP, and in 2019, the allocation, after budget rectification, was 38.2 billion lei, ie 3.6% of GDP.[192]

If we study the Monitor of education and training 2019- ROMANIA we notice that the investments in education in Romania ***are constantly lower than the average registered in the European Union***. If we study the Monitor of education and training 2019- ROMANIA we notice that the investments in education are constantly lower than the average registered in the European Union. It turns out that public spending on education, analyzed as a percentage of GDP, is 3.8% in 2009 compared to 5.2% in the EU. Later, in 2018, spending in Romania

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[191] Info administration, https://administrare.info/11-domenii/economie/17304-cheltuieli-publice-pentru-%C3%AEnv%C4%83%C5%A3%C4%83m%C3%A2nt accessed at 25.05. 2021

[192] *Eurostat:* Romania has the lowest government expenditure on Education in the European Union, https://www.google.com/search?client=firefox-b-d&q=Eurostat%3A+Romania+has+the+lowest+ government+expenditure+on+Education+in+the+European+Union accessed in 25.05.2021.

stands at 2.8% (€ 2094) compared to 4.6% (€ 6,111), a percentage that we find at the EU average.[193]

In the period 2014-2020, approximately EUR 350 million was allocated from the European Regional Development Fund for investments in educational infrastructure in Romania, so it can be stated that *EU Funds have constantly supported the modernization of educational infrastructure.*

The financing of education in Romania is regulated by the National Education Law no. 1/2011, with subsequent amendments and completions. The financing from public funds of state higher education institutions is made from the budget of the Ministry of Education and has 3 main directions: *basic, additional and complementary financing.* All funds for basic and additional funding of state universities are considered own revenues.

The financing of state higher education institutions is made on the basis of a contract concluded between the Ministry of Education and the respective higher education institution and the rectors of state universities are directly responsible for the allocation of the institution's resources.

## 3. CONCLUSIONS

We analyzed at an extremely wide level the education in Romania today and we determined some of its most obvious characteristics.What needs to be added is the fact that education is changing with the development of technologies that today have an extremely fast pace of evolution.

Now the world needs much more complex things than 20 years ago and adapting education to these requirements must be done as quickly as society transforms.

If in the past, success was given by those things that you could easily teach and test now, they are taken over by computers. The key to success in such a society lies in the ability to think complexly. and this is the fundamental challenge for education in Romania. Now you need to educate different skills through appropriate methods. However, change needs high-caliber teachers, who not only convey the generally recognized thinking of the moment, but also encourage young people to question it, to create and use new technologies in other ways of analysis.

But to improve the teaching profession means, on the one hand, to attract very good people to it and, on the other hand, to change and improve the performance of those who already work in the field. And this is because the enthusiasm of teachers is decisive in the way young people perceive their lives and school.

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[193] Education and training monitor 2019, Education and training Romania, https://ec.europa.eu/education/sites/default/files/document-library-docs/et-monitor-report-2019-romania_ro.pdf, accessed at 25.05. 2021.

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# HUMAN SECURITY, TERRORISM AND ORGANIZED CRIME IN THE WESTERN BALKANS

**Ms. Cristina TĂRTEAŢĂ**[194]

***Abstract:*** *In this study we have analyzed the paradigm of Human Security and how it differs from the more known idea of global security in the context of war, terrorism and organized crime in the Western Balkans. To emphasize this, we have presented the main terrorist threats and attacks that have occurred in countries like: Bosnia and Herzegovina, Croatia, North Macedonia and the Kosovo province, also presenting the complexity of factors that have contributed to the present geopolitical climate. Also, we have compared the number of organized crime groups in these countries and how they contribute to the state of corruption that leads to violence, poverty and inequality. In the end of this paper, we have proposed a series of potential solutions to merge both human and global security in order to create a safer Balkan community in the context of the European Union.*
***Keywords:*** *Human Security, terrorism, organized crime, Western Balkans, European Union.*

## HUMAN SECURITY AS A CONCEPT IN THE CONTEXT OF TERRORISM AND BORDER CRIMINALITY

Human security is an emergent concept in the global security culture from multidisciplinary perspective which considers the security of individual as priority oppositeto that of state. This concept is multidisciplinary relying on an extended concept of security, borrowing elements from international relations, human development, strategic studies etc. This approach considers that global security may exist only when the individual has the possibility to possess a proper life standard and when does not feel threatened of potential military conflicts or terrorism acts. Also, the impact that the actions of individual have on the world are deemed threats for human security, for instance, this category can include global warming and climate changes[195].

As a concept, "Human security" is one of the most significant terms that emerged from the period of the Cold War. The logic behind its introduction and proliferations was clear: the realist, "state-centric paradigm of security that championed the primacy of territorial integrity over that of the individual, seemed

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[195] Kaldor, Mary (1999) New and Old Wars: Organized Violence in a Global Era, Cambridge: Polity Press.1999, p. 6.

increasingly anachronistic in a world where states no longer faced the existential threat that nuclear stand-off had perpetuated"[196].

In this regard, the focus changed towards the individual as a entity of security, as a center from which all other adjacent concepts can be derived. This change was due to the fact that inter-state wars were now in most part obsolete but military concept still existed between certain groups of people. This new type of conflicts, resembling classical wars, can be seen to a high degree as an outcome that derives from the process globalization and the emergence of "intransigent nationalisms – destroyed infrastructure, involved the intentional targeting of non-combatants, further worsened and proliferated conditions of poverty, and promoted and drove criminal activities and illegal economies"[3].

Although there is not much consensus on the definition of Human Security the basis of this concept arises from the United Nations Development Program's (UNDP) 1994 Human Development Report. In this document, in the chapter titled as the 'New Dimensions of Human Security', characterizing the term trough the expression "a child who did not die, a disease that did not spread, a job that was not cut, an ethnic tension that did not explode in violence, a dissident who was not silenced"[4]. In this sense, the universality of human security was stated, based on interdependent elements that focused more on prevention than on reactive measure. At its center, this concept was designed to touch upon two values stated in the 1945 UN Charter that encompassed freedoms from want and fear.

From other perspective, considering the importance and argumentation of this kind of security, there are critics that consider the general character of this paradigm as limiting exponentially the efficiency of implementation of such methods[5]. In this respect, the critics consider that human security, in the absence of a structural pattern, becomes a tool for all kinds of activists who want to promote their causes relying on such concept and less on the field of search which emphasizes the benefits of different kinds of security.

We must outline that this kind of security has nothing to do with military security or national safety, however, ideologically, it approaches on a much more complex level the issue of human being in the context of both. Therefore, human security criticizes and emphasizes the manner how the current security strategies and external politics influences negatively the individual, creating inequality, fair and sacrificing the fundamental rights of human being for a so-called state of geopolitical balance.

According to FRONTEX, Cross-border crime is defined as any criminal activity that is in conjuncture with what can be defined as a state's external borders and can infringe upon the security of individuals or sometimes upon countries' security elements. Some examples of this type of crime include, but are not limited to, drugs, tabaco, alcohol, human and weapon trafficking, smuggling

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[196] Roland Paris, "Human Security Paradigm Shift or Hot Air", 2001, p.87, http://aix1.uottawa.ca/~rparis/Paris.2001.IS.Human%20Security.pdf

certain dangerous materials or even wildlife trafficking.[197] In this sense, we can see that transnational crimes in time have grown as a threat as a concept due to criminal organizations that have now began to extend their network as a result of globalization and some humanitarian crises (eg: the migration waves in Europe) and also due to a certain improvement in technology and communication that facilitates a easier way for criminals to outgrow their dark business operations.

Organized crime as a concept can be defined as a category of criminality done by transnational, national, or sometimes small area groups of individuals that are organized and structured in order to profit of illegal enterprises. One of the main factors that is specific to this category is the quality of this type of organization to structure itself internally as an organization in order to improve upon the operations and to structure complex networks of influence in society. As motivations, most organized crime groups such as the Italian Mafia or the Japanese Yakuza are interested in money and power, unlike other criminal organizations such as terrorist groups which are most likely motivated by religious ideology.[198] In this sense, terrorism, which per se doesn't have a definition that is widely accepted by al state actors, can be understood as any criminal activity that is designed to induce or provoke state of panic (terror) at a large level, based on motivations that touch upon certain ideological principles, religious or otherwise.[199] This type of criminality has proven to be one of the most challenging threats in the last decades, due to the increasing complexity of terrorist's methods and resources.

## TERRORISM AND ORGANIZED CRIME IN WEST BALKANS

In the current context of dynamics of power in West Balkans, where the states in the area face the dilemma of aligning the national policies to those of European Union in the context of a potential adhesion and definition of own identity, the individual, being a victim of some systems that have not entirely passed to democracy and capitalism, being constantly threatened by the incidence of terrorism and organized crime.

The Western Balkans, conceptually, is often used in political science to define the territory that encompasses the Albanian state and the territories that used to belong to the Yugoslavian state with the exception of Slovenia. These states are: Albania, Bosnia and Herzegovina, Montenegro, North Macedonia, Serbia and the province of Kosovo. The relevance of this geo-political area is that it includes countries that are not part of the European Union but that are

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[197] Frontex, Cross-Border-Crime, accessed on 10.05.2021 https://frontex.europa.eu/we-support/cross-border-crime/

[198] United Nations General Assembly (December 9, 1994). "49/60: Measures to Eliminate International Terrorism".UN Doc. A/Res/60/49.

[199] Fact Sheets of the European Union, accessed on 10.05.2021, https://www.europarl.europa.eu/factsheets/ en/ sheet/168/the-western-balkans.

considered to be the next step for further UE expansion, one of this states, Croatia, joining the EU on July 1st 2013.[200]

From a social-cultural perspective, Balkan Peninsula is marked by a strong and influent Muslim community with power of decision in several states of peninsula. Definitely,this is generally a favoring factor and does not necessarily trigger terrorist phenomena. Despite all this, since 1990 up to present, it has been noticed an advance of radical Islamic and related actions. We shall analyze in this chapter the incidence and acts of militantism of this kind in the main states affected from West Balkan.

In Bosnia and Herzegovina, the incidence of terrorism is rather high, this phenomenon considerably developing during Bosnian War between 1992 and 1995. In this conflict, an important role belonged to Muslim community which represents the majority in this area (approx. 44%). The military conflict was developed in three camps, each receivingexternal support. The Muslim Bosnians were financially supported and with troops of militaries and voluntaries from Iran and Saudi Arabia, the Serbians were supported by orthodox countries and the Croatians were supported by catholic countries. The number of Islamic radical voluntaries called *El- Mudžahid*, is still debated as being between 300 and 6000. On 13th August 1993, the Bosnian Army created Kateebat al-Mujahidin (Fighting Saints Battalion) in order to control the mujahidin phenomenon who had come to fight for Islamic jihad against Christian forces. Although, at the beginning of conflict, they began withsupport missions, with the intensification of war, they fought with military forces of Bosnia.

The president of Bosnia and Herzegovina during the war, Alija Izetbegović was accused form breaching the law offering citizenship to such foreign worriors. Starting with2007, the current government of Bosnia created a commission that reviewed and analyzed 1000 individuals, recalling the citizenship of 420 of them up to present[201]. Analyzing this situation and the report of USA State Department pursuant to Peace Agreement of Dayton from 1995 which compels Bosnia to expel the radical militants, currently, around 200 mujahidin are living in Bosnia[202].

Several terrorist attempts occurred on the territory of this state after this period. For instance, in 1997, an attempt with trap car occurred in the town of Mostar wounding 29 individuals and causing significant financial damages. The bombers were members of *El Mudžahid* operating with the support of *SHC (Saudi High Commission).* They were capturedpursuant to the attempts of 11th September and imprisoned in Guantanamo Bay. Another member of SHC Organization, Saber Lahman, was captured for organizing attempts against USA Embassy in

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[200] Pyes, Craig; Meyer, Josh, "Bosnia Seen as Hospitable Base and Sanctuary for Terrorists". Los AngelesTimes. October 07, 2001.
[201] BBC News, "Bosnia fighters face uncertain fate". BBC. May 10, 2007.
[202] Kroeger, Alex, "Mujahidin fight Bosnia evictions", Los Angeles Times, July 18, 2007.

Sarajevo on behalf of al-Qaeda and after a long process, he was also imprisoned in Guantanamo Bay. This attempt was followed by other, for instance, the one from 25th October 2002 where a Wahhabi militant killed three persons or the one of 29th October 2011 when another Wahhabi militant fired on USA Embassy[203] in Sarajevo killing a policeman. In 2014 the police of Bosnia arrested an important representative of Islam as he was recruiting warrior for ISIS[204].

We therefore notice a progression of terror actions with Islamic influence in this area of Europe. Currently, in this geo-politic space, two militant groups are operating: Al- Qaeda in Bosnia and Herzegovina and Bosnian mujahidin's.

In the province of Kosovo, the organization called the Salvation Army of Kosovo represented one of the strongest paramilitary organizations. Its objective was the separation from Yugoslavia and creation of Big Albania. Due to its actions during the war in the province of Kosovo between 1998 and 1999, 800 000 Albanians were forced to abandon their homes. A significant financing of this organization was provided for by drug traffic, attested as well by USA State Department that in 1998 included this group in the category of terrorist organizations, showing as well the manner how they were coordinating the heroin traffic[205].

This army force was joined by a significant number of volunteers in Albania, Turkey and North Africa, the majority being Islamic and coordinated by European Islamic leaders affiliated to al-Qaeda[206]. For instance, over 175 mujahidin of Yemen joined the case of the province of Kosovo in May 1998.

On 11th August 2014, the police of the province of Kosovo arrested 20 citizens suspected of connections with terrorist organizations, several weapons and explosives being encountered at their homes[207]. According to a report of April 2015, over 230 individuals joined ISIS crisis, going to Syria to fight with the terrorists.

In North Macedonia, one of the most successful military operations were the,, Mountains Storm Operations", from 7th November 2007 by Special Police Forces of Macedonia Republic against an armed Albanese ethnic group from the region of Tetovo which was maintaining connections with paramilitary groups of the province Kosovo. Pursuant to such operations, 13 combatants were captured and another 6 killed.

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[203] Robert Mackey, Rick Gladstone, "Gunman Fires at U.S. Embassy in Sarajevo", The New York Times, October 28, 2011, http://www.nytimes.com/2011/10/29/world/europe/gunman-fires-at-us-embassy-in-sarajevo.html?_r=0.

[204] Haaretz, "Middle East Updates Bosnian Imam on Trial for Recruiting ISIS Fighters", Feb 11, 2015, Http://www.haaretz.com/middle-east-news/1.641980.

[205] Committee on the judiciary house of representatives, "Threat posed by the convergence of organized crime, drug trafficking, and terrorism", December 13 2000, http://commdocs.house.gov/committees/judiciary/hju68324.000/hju68324_0f.htm, p. 43.

[206] Yossef Bodansky, "Bin Laden: The Man Who Declared War on America", Prima Lifestyles; 2nd edition, September 21, 2001, p. 398.

[207] Laurence Norman, "Kosovo Arrests 40 Suspected Islamist Militants", The wall street journal, Updated Aug. 11, 2014, http://www.wsj.com/articles/kosovo-arrest-40-suspected-islamist-militants-1407754434.

Five years after such operation, on 12th April 2012, five Macedonian ethnic citizens were shot and killed by Albanese ethnic individuals in the locality of Smilkovci near Skopje. The five bombers were captured and imprisoned for life on 30th June 2014[208]. Pursuant to such attempt, North Macedonia organized the „Monster Operation” on 1st May 2012 searching 26 properties and arresting 20 Islamic fundamentalists, most of them fighting previously in Pakistan and Afghanistan.

Croatia faced terrorist attempts as well, therefore, in 1995 in Rijeka a member of a fundamentalist Islamic organization used a trap car to destroy a police section. The number of victims reached 27, however, besides the bomber, there was not deceased. Pursuant to an investigation organized by the representatives of Croatia and CIA, one concluded that the attempt was organized by a Bosnian named Hassan al-Sharif Mahmud Saad who was planning another attack against NATO forces for December the same year.

On the 14th of December 2020, UNODC has published an extensive analysis of organized crime in the Western Balkans, that states that between 2012 and 2018 the number of court convictions for organized crime activity has risen by 12%. In this sense, it has been shown that for most part that illegal activity like people smuggling, drug and weapon trafficking are usually committed by small networks of individual, rather than complex organizations with a high degree of centralized command. This data is relevant due to the fact that it sheds light on the efforts that law enforcement and intelligence agencies have to put in to fight against a large number of decentralized groups, in opposition to opposing fewer complex and more organized groups. On the other hand, the trend of higher conviction is also an indicator of the improvement of the security process in the Western Balkans.[209]

From the perspective of human security, we may notice that West Balkan area is highly problematic in the light of ethnic and religious tensions. In the absence of real solutions, the Albanese ethnic population is trying to acquire political and religious monopole in the area. Although European Union and mainly the United Nations, on a best effort basis, tries to normalize the diplomatic relations and reduce the sources of ethnic conflict, an increasing number of militants of al-Qaeda and ISIS profit by local political misbalance to promote a fundamentalist agenda by terrorism. The prior examples indicate that the current governments of Balkan countries, by military and police operations are advancing in destroying such networks and punishing the terrorists. This may be an indicator of increase of individual safety of citizens.

Besides the terrorism, the organized crime represents a significant problem

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[208] Shanghai daily, *Macedonian court sentences 6 men to life imprisonment for lakeside killings*, Jul 01, 2014, http://www.shanghaidaily.com/article/article_xinhua.aspx?id=227320.

[209] UNODC, *Measuring Organized Crime in the Balkans,* p. 97, https://www.unodc.org/documents/data-and-analysis/OC/Measuring-OC-in-WB.pdf.

in the West Balkan area, but not in all states. For instance, since Croatia was not subject to any embargo, it does not face such problem as the neighboring countries. The experts estimate that the number of organized crime groups in Croatian Republic ranges between 1 and 10, although, considering their internal structure, they cannot be deemed „organized" as there isno internal hierarchy[210].

On the opposite pole of Croatian Republic, we find Bosnia and Herzegovina where organized crime represents a serious problem both for economic development and security of citizen. The largest networks of this kind were created during the war a structured on ethnic criteria although, when needed, such organizations were collaborating. Also, due to the embargo, Serbia faces 50 organized crime networks[211]. The province of Kosovo is in a similar situation, the Albanese factions controlling the routes of drugs and persons trafficbetween Turkey and Europe.

### CONCLUSIONS

In the area of West Balkan, the human condition of individual and implicitly human security are essential issues with no solutions encountered during the last two decades. Evenat the end of the tragic military conflicts in the area, currently, there is the same high level of uncertainty and vulnerability. This area is also threatened by the incidence of terrorist groups of al-Qaeda and ISIS, as well as by the rests of totalitarian governments in the area were they allowed the development of organized crime groups.

The problem of regional security in the Western Balkan can be considerd an European priority due to the fact that security risks have increased in that region due to a more noticeable terrorist presence and also an increase in transnational crime. The states that form this territory are part of the UE vision for enlargement and any delay in increasing regional security can present serious consequences for extending European stability. On the other hand, the rapports mentioned in this paper show a cautiously optimistic development and progress in the ability of these countries to address these threats proportional and for now they are aligned with the UE policy timeframe.

In our opinion, we consider that a strategic approach which may include the principles of human security could generate a climate where military solutions fall on the second position, focusing more on the needs of individuals living in this geo-political area. Indeed,in the West Balkan, there were several terrorist attempts needing tough security measures, however, the essence of regional conflicts appears pursuant to historical disagreements between the ethnic groups.

From another perspective, we consider that the issue of security in Balkan

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[210] Věra Stojarová, *Organized Crime in the Western Balkans,* "HUMSEC Journal", Issue 1, p. 93.

[211] Transcrime, *The Contribution of Data Exchange Systems to the Fight against Organized Crime in the SEE Countries*, "Final Report for the Office of the Special Coordinator of the Stability Pact for SEE", pp. 258- 259.

states must be integrated and aligned to the Policy of Common Security of European Union since the great majority of states in this area are candidates or potential candidates for UE adhesion and geopolitically, they must aspire to reach the same objectives of human security.

Although the situation in this region is not currently a guarantee for human security due to several terrorist attempts and presence of a high number of organized crime groups operating in these territories, we may consider that there are optimistic perspectives to create a stronger Europe able to fight with West Balkan states for human security against internal and external strong threats.

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# SECTION II:

# GEOPOLITICS AND GEO-STRATEGY

CHAIRS:
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# COMBINING SOFT POWER WITH THE GEOPOLITICAL APPROACH - HOW DIFFICULT IS FOR THE EU TO CHANGE ITS ATTITUDE?

**Professor Radu CARP, Ph.D.**[212]

***Abstract:*** *After gradually evolving from an economic project to a political one, European Union leaders declare nowadays that it is time to go forward and to build a geopolitical actor on the international stage. This paper does make an account on the current stage of relevant geopolitical actors and how they view EU. In order to address this issue, EU have to focus more on its soft power instruments, like multilateralism and the promotion of democracy, rule of law and human rights, and also climate change, apart from hard power instruments like trade, security and defense, cybersecurity and data privacy.*
***Keywords:*** *democracy, European Union, geopolitics, human rights, multilateralism, rule of law, soft power.*

New European leaders entered into office in the last months of 2019, after the European elections and a long process of negotiating the top positions. Not surprisingly, they underlined the need of the EU to act as a geopolitical player. Ursula von der Leyen spoke about the need to use the language of power[213], Josep Borrell discuss about the geopolitical approach[214]. National leaders as Emmanuel Macron are discussing more in favor of Europe as a key actor on the international arena.

To focus or not on geopolitics is an issue that is widely discussed across key policy - makers since the emergence of the European Communities. The Founding Fathers chose to create and consolidate a single market, but the idea of acting in a powerful way in the international arena was never abandoned. In the 1990s and after 2000 the Yugoslav wars and the US intervention in Iraq have created new premises in order to restart the whole discussion on solid ground.

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[212] Professor Radu Carp is Head of the Department of Public Policies, International Relations and Security Studies at the University of Bucharest, Romania, and National Director / EMA Director on behalf of the University of Bucharest of the European Masters Programme in Human Rights and Democratization, Venice, Italy. Dr. Carp previously served as General Director of the Romanian Diplomatic Institute.

[213] See Etienne Bassot, *The von der Leyen Commission's priorities for 2019 - 2024*, https://www.europarl.europa.eu/RegData/etudes/BRIE/2020/646148/EPRS_BRI(2020)646148_EN.pdf. In her statements to the European Parliament in July and November 2019, as candidate for European Commission President and President-elect respectively, Ursula von der Leyen outlined the six political priorities that would shape the working program of the European Commission. She has pledged to lead a "geopolitical Commission".

[214] Josep Borrell wrote that *"to avoid being the losers in today's US-China competition, we must relearn the language of power and conceive of Europe as a top-tier geostrategic actor"* (*Embracing Europe's power*, www.neweurope.eu).

The first step towards the purpose of the EU to act as a geopolitical actor was made with the adoption of the European Security Strategy in 2003[215]. EU have been confronted since them with a lot of external challenges, from the war in Georgia in 2008, the Crimea issue in 2014, the global financial crisis, the migration crisis and the long-term international consequences of Brexit. For not many of these events, EU was not prepared. The instruments were not really fit to the purpose. Meanwhile, US, China, Russia but also emergent powers like Turkey and Iran realized that they have to be more involved in terms of power on the international arena and all of them increasingly sees EU not as a partner but as a competitor.

In order to achieve its geopolitical ambitions, EU have to choose the right way forward. It can act through economic instruments, like imposing its own product standards, be active in the WTO or impose more restrictive rules on competition policy to private entities registered in third countries willing to have access to the European market. The second way is to act as a multilateral organization that emphasize its soft power in order to address key international issues.

However, there is one very important, decisive prerequisite in order to act as a geopolitical actor: the willingness of the EU Member States to abandon their traditional national way of doing diplomacy. A single, strong foreign policy promoted by the EU means a step forward towards federalism and not all the Member States are prepared to accept such an outcome.

The perception of other international actors is that the EU is missing from the international arena. Many of the authors that wrote about the role of the EU discuss the need to counterbalance the influence of the US and there is a clear demand for a more assertive approach. The pandemics crisis has shown that, when it is confronted with a global crisis, the EU may react in an appropriate way, better than other international actors but nevertheless it takes time to find the best way.

But what exactly is understood by the need of more Europe? Russia wants a powerful EU because it hopes that the EU will abandon its alignment with the US and it will therefore weaken the transatlantic cooperation. This is a wrong perception, since in terms of human rights the EU is even more willing to show a strong stance towards Russia than the US. The recent Navalny affairs show that the EU acts in a paradoxical way: it can go forward with economic projects where Russia is a partner but meanwhile it will defend in a standard way the respect of human rights by Russia[216].

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[215] About this document, see Alison J.K. BAYLES, *The European Security Strategy: An Evolutionary History*, SIPRI Policy Paper, No. 190/2005.

[216] How to deal with Navalny affair is a matter of public debate in Germany. Angela Merkel is facing growing pressure to toughen her stance toward Russia to abandon the Nord Stream 2 project, an underwater Baltic Sea pipeline nearing completion that would bring gas from Russia to Germany. See *Pressure Grows For Merkel To Reconsider Germany-Russia Pipeline After Navalny Poisoning*, https://www.rferl.org/a/west-mulls-response-after-germany-says-nerve-agent-used-to-poison-russian-opposition-leader-aleksei-navalny/30818079.html.

This paradoxical way of acting is of course subject to many controversies inside the EU itself but it is a good indicator on how the EU will act in the near future as a geopolitical player: combining both perspectives that we have described, economic and political. China wants a stronger EU for a different reason, in order to react to the aggressive US trade policy. For China, with the EU issues like climate change, 5G networks or fighting the consequences of the pandemics are more easily to discuss with the EU than with the US. The strong commitment of the EU as regards human rights is not in the interest of China. As with Russia, EU is building its relationship with China in a paradoxical way: while completely dedicated to the respect of human rights in China, the EU is building strong economic ties with China.

The relationship with the US is the most complicated in this international puzzle: about this relationship there is a strong internal divide in the US. The current Trump administration is looking at Europe as a competitor in solving international issues like Iran, Middle East or, more recently Kosovo, while it maintains a strong relationship with some EU Member States that are considered to put US first in their own strategy than the fact of belonging to the EU. On the other hand, there are clear signs of a EU willingness to emancipate from the US, in order to build itself the geopolitical capacities. Nevertheless, the common values of democracy and respect of human rights are stronger than the differences of approaches in some major international issues.

In order to become a key international actor that use geopolitics, EU have to rely on a key value - multilateralism[217]. This is the best way EU has acted until now on the international arena and some key developments were made. Of course, the bilateral stance is still widely used by the Member States bu in most of the cases it does not contradict what the EU decided to take as a multilateral approach. Member States undermining what the EU is doing in terms of foreign policy is still a practice but it constantly decreased from the moment when they realized the advantage of a common action. In many circumstances, Member States are waiting sometimes for a decision in Brussels and only then they are building their own decisions back home.

Is it multilateralism outdated? We see a lot of international organizations unable to engage in international conflicts (Syria) or somehow irrelevant and not meeting the high expectations of states (WHO since the start of the pandemics). If we take into account how all the international organizations have reacted to some crisis around the world, we can conclude that the EU have reacted in the best way, as compared to these organizations. Therefore, multilateralism does not need to be criticized only because some organizations are behaving better than others. Multilateralism is an advantage that the EU need to emphasize better. It

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[217] The European Council promotes multilateralism in the external action as an official policy since it adopted in June 2019 a document called *EU action to strengthen rules-based multilateralism*, Brussels. 10341/19, https://data.consilium.europa.eu/doc/document/ST-10341-2019-INIT/en/pdf.

depends a lot on the success of its current and future involvements. Multilateralism is a clear strength of the EU. By increasing this way of acting, the EU will become a stronger actor on the international arena.

EU is behaving like an international actor based on democracy, rule of law and human rights. The standards that the EU is using in these areas are higher than any other international standards used by other international actors, including the US. This is the result of a long bilateral involvement of some Member States. Denmark and Sweden are leading the way in promoting financial assistance worldwide based on human rights. EU borrowed this experience and have developed its own instruments. Humanitarian assistance is provided by Member States, by using the framework and guidelines of the EU. Rule of law mechanisms were tested within the framework of Association Agreements with third countries[218] and the EU does have right now the most complex system in the world in order to assess rule of law. EU is providing assistance in terms of conflict resolution, mediation, transition to democracy in many parts of the world. By far, EU is the international actor that is the most involved in these issues. This soft power can be used as an argument to increase its capacity as an international actor. Important questions could be raised in this context. Do the EU will succeed in order to impose its own model of good governance, or third countries will still see democracy requirements as technical issues that can be adapted without a broad discussion in their societies? How far the Western model in general can be imposed without a major change that would affect its nature? As a soft power, EU can address all these challenges.

Climate change is another important indicator for determining if EU is or could be a global actor[219]. The current European Commission is very determined to invest in order to tackle climate change. Member States do cooperate very strong in this area. China, Russia and the US does not seem to take into account very much climate change as an issue that could reinforce their status in the world and do not see it as a strategic advantage. It is very clear that the EU cannot tackle climate change on its own. For that purpose, it is necessary to have international cooperation. The EU does have the legitimacy to act in this area, to propose and impose specific standards, based on Member States best practices.

To transform itself into a global actor, EU shall use better its role in the global trade. US is not willing to engage as it does in this area, therefore it could be the EU opportunity to replace it. There are however big challenges that the EU will confront if it chose to engage more on this path. EU Member States have

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[218] For an analysis on the impact of rule of law requirements in the relationship with the Eastern Partnership countries, see Corina Rebegea, *Rule of law after a decade of Eastern Partnership. Let's talk political change!*, https://www.global-focus.eu/2019/08/rule-law-decade-eastern-partnership-lets-talk-political-change/.

[219] On climate change policy as part of EU actions, see Andrew Jordan, Dave Huitema, Harro van Asselt, Tim Rayner, Frans Berkhout (eds.), *Climate change policy in the European Union. Confronting the Dilemmas of Mitigation and Adaptation?*, Cambridge University Press, Cambridge, 2010.

divided opinions about the Belt and Road Initiative of China[220]. There is no single perspective on this issue in Brussels - in fact, this infrastructure initiative has as purpose not only to show the financial strength of China but also its capacity to act as a global actor and to win the battles with other global actors. The same with NordStream 2 project, where there is no consensus among Member States - this project is designed by Russia not only as an economic project but also to show that a global actor like the EU is dependent, at least in part to another global actor that is Russia. As regards global trade, EU have to work with clear and democratic accountable standards and to negotiate with other global actors based exclusively on these standards.

Another area of intervention for the EU as a global actor is security and defense. In terms of hard security, EU is lagging behind other global actors. European defense is still relying on NATO capabilities. Important steps were made in order to increase the EU profile in terms of security and defense matters. France vision for the EU emphasize the need to increase the profile as a hard power. Apart from increasing the budget dedicated to defense and security, EU can be further involved in a lot of issues thar could increase its profile. US retired in 2019 from the Intermediate - Range Nuclear Forces (INF) Treaty, but no other global actor shown its intention to replace it. The EU could address this issue in a more determined way, arguing why is important to have a role in this matter[221].

There is also a need to adapt its strategy doctrine to the expectations of a global actor. Right now, having a strategy is a very important step forward but it is necessary to think more about adapting the content to how a global actor shall act.

Another area of acting like a global actor is cybersecurity and data privacy. It is an area where the EU does also have a strategic advantage. The General Data Protection Directive[222] and the Network and Information Systems Directive are imposing very high standards. Other states around the globe have to adapt their behavior if they wish to be on the EU internal market. The current situation is nevertheless not seen as an advantage of acting like a global actor. The EU have to explain why this level of protection could be in the benefit of other global actors and it shall start to provide technology for the states that might be interested. There is a vulnerability in terms of hard power, as few countries have national security agencies dealing with cybersecurity.

For its partners on the international arena, EU is still too complicate to understand. Its complex mechanisms and decision - making processes are

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[220] For a detailed account on how the EU reacted to this initiative, see, Svante E. Cornell, Niklas Swanström, *Compatible Interests? The EU and China's Belt and Road Initiative*, SIPRI Report No. 1/2020.

[221] There was no EU reaction to the demise of the INF Treaty. See Nick Witney, *Nothing to see here. Europe and the INF Treaty*, 5.08.2019, www.ecfr.eu.

[222] About GDPR, see Chris Jay Hoofnagle, Bart van der Sloot, Frederik Zudervaen Borgesius, *The EU general data protection regulation: what is and what it means*, Information & Communicatons Technology Law Journal, vol. 28/2019, issue 1, 65 - 98.

considered to be a challenge for the actors that use hierarchical of power in internal and external affairs. This is the reason why the actors that are competing with the EU prefer to address individual Member States. Taking into account this context, Member States shall be more confident in the EU common foreign policy, even if sometimes they don't see the advantages of supporting and implementing Brussels decisions. EU shall explain more to the Member States the need of changing the paradigm and turn into a geopolitical player.

EU have to improve its strategic vision and it have to be more engaged in the current discussions about the future of its relationship with NATO, the current crisis in Belarus, the future of the Middle East or the Balkans, etc. Together with the Member States, EU have to develop a strategic vision that can be used in any context on the international stage.

The EU Global Strategy of 2016 is an important step in the process of transforming EU into a global actor. It is time to go forward. Promoting multilateralism and improving the use of democracy, human rights and rule of law every time a dialogue with a geopolitical actor is engaged are the key elements in order to achieve this result.

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# CHINESE ENGAGEMENT IN LATIN AMERICA AND EUROPE: INSIGHTS FOR ROMANIA

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*Abstract: This paper examines Chinese commercial, political, and security engagement with Latin America and the Caribbean, comparing it with similar engagement in Europe. It finds evidence that PRC engagement globally is driven by a strategy focused on re-orienting the world to the economic benefit of the PRC, with nonetheless important political, institutional, and security engagement in support of these objectives and the consequences of their pursuit. It finds common elements in China's pursuit of secure sources of supply, markets and technology across regions, its use of the PRC government supporting roles, with differences reflecting the governance and political structure of each partner, the economic opportunities available, and the imperatives of geography. It finds that PRC "soft power" over political and business elites in both regions is significant, based more in the expectation of benefit than an alignment of values, and thus can coexist with mistrust of the PRC. It finds that Europe can not only gain insights from examining Chinese engagement in Latin America, but that engagement impacts Europe directly through the roles of its companies as both competitors and partners of European ones in the region, and through intraregional supply chains and the flows of funds through mergers and acquisitions by China of stakes in European companies.*
*Keywords: PRC, China, Latin America, Belt and Road, BRI, Infrastructure, Security Engagement.*

In recent months, the government of Romania has notably pushed back against political and economic courtship from the People's Republic of China (PRC), in turning away from the PRC for a badly needed nuclear energy project, 5G telecommunications network, and participation in the 2021 Europe-wide "17+1" forum with the PRC. Romania's experience calls attention to patterns of Chinese courtship and resistance to it that are common both across Europe, and also in other parts of the globe.

From the perspective of Washington, PRC engagement with Europe is often analyzed in very different terms than Chinese activities in Latin America, and by very different groups of scholars. Analysis of China-Europe engagement in the US most frequently focuses on the EU and PRC interest in its markets and technology. China-Latin America engagement, by contrast, frequently

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emphasizes PRC pursuit of commodities and influence in the U.S. "backyard"[224.] While both perspectives are partially valid, comparing PRC engagement with Europe versus Latin America yields both unexpected parallels, as well as useful insights from both the contrasts between Chinese engagement in the two regions, and the interdependencies between them in their China relationships. Such analysis also highlights important differences in China's engagement between subregions, individual states, and sectors, as well as commonalities across them. It thus calls attention to elements of China's strategy and style that transcend region, and factors that influence the PRC approach in both regions, including partner nation economic structure and governance, historic experience with China, and geographic strategic position. In short, such comparative analysis thus provides important insights both into patterns of China's global engagement, as well as promising ideas in the formulation of policy by the US and partners in both regions in response.

The present work examines patterns of PRC engagement across Europe, versus in Latin America, with attention to both commonalities in China's goals in each, how their pursuit and the associated results vary, and why.

### PRC GLOBAL OBJECTIVES, IMPERATIVES, AND ENGAGEMENT STYLE

The PRC's overarching objectives for its global engagement is arguably the restoration of China as a civilizational power, wealthy, modern and strong, with the Chinese Communist Party in an unquestioned position of governance over that Chinese state. While achieving these goals has military, societal control, and political components, the focus of China's global strategy for doing so is principally economic: restructuring of the global order to support the PRC accumulation of wealth and associated power[225]. In doing so, China uses its State-Owned companies as a key instrument, positioning them to capture as much as possible of value added in economic activities from extracting commodities to selling high-end goods and services to building and operating the multidimensional infrastructure that connects the global economy.

The path the PRC has chosen to build its wealth within the interdependent world order, generates four imperatives: reliable access to commodities, foodstuffs to feed the 1.4 billion Chinese people, markets for Chinese goods and services (particularly in strategically valued sectors), and access to associated technologies.

The PRC engagement style in both Latin America and Europe, and elsewhere is marked by certain general characteristics. These include leveraging

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[224] Don Giolzetti, "China's Front Door to America's Backyard," *The Diplomat*, June 28, 2019, https://thediplomat.com/2019/06/chinas-front-door-to-americas-backyard/.

[225] See R. Evan Ellis, "Why China's Advance in Latin America Matters," *National Defense,* January 27, 2021, https://www.realcleardefense.com/2021/01/27/why_chinas_advance_in_latin_america_matters_658054.html.

of the attractiveness of the large PRC market, its financial resources, and the appeal of Chinese companies as local partners. It also includes a significant role for the PRC government in coordinating large multi-sectoral deals that are more difficult for governments of free market economies. It includes using the Chinese government's domestic regulatory powers for implicit or explicit bargains to support the efforts of its companies in their negotiations abroad[226].

At the firm level, similarities in the PRC approach to different regions are supported by the fact that the same PRC-headquartered SOEs, with imperatives and style stemming from those Chinese roots, are engaging in multiple parts of the world.

While the PRC government supports the advance of its state owned enterprises (SOEs) as the repository of wealth, commercial and technological capability in advancing the Chinese cause, it often "guides from behind", setting general policy direction, allowing its SOEs to take the initiative, then getting behind them, or making corrections, as it becomes apparent what works and what causes problems.

With respect to these SOEs and other Chinese businesses, PRC-based companies in both Europe and Latin America are advancing in their learning through participation as stakeholders "on the ground" where they operate, acquiring key capabilities through internal processes, partnerships, and strategic acquisitions where necessary. Sometimes the advance involves acquiring minority shares rather than a majority stake of a targeted firm, affording the opportunity to learn in a less politically exposed way before proceeding to majority ownership. In Latin America, this can be seen with acquisition by Chinese firms of minority stakes in firms such as Perenco[227], Galp[228], CBMM[229] and SQM[230].

Chinese companies are further evolving in how they engage, moving from buying companies with proven commodity reserves in sectors such as petroleum and mining, to merely extract resources, to participating in the riskier and more technically complex process of exploring and developing those fields. Similarly, PRC-based companies are transitioning from merely building physical infrastructure such as roads, railroads and bridges, to operating it often through Public-Private Partnership contracts. The latter implies a more intensive, longer-

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[226] For a more detailed discussion, see R. Evan Ellis, "China's Diplomatic and Political Approach in Latin America and the Caribbean," Testimony before the US-China Economic and Security Review Commission, May 20, 2021, https://www.uscc.gov/sites/default/files/2021-05/Evan_Ellis_Testimony.pdf.

[227] Jeff Fick, "Perenco's Brazil Unit to Sell 10% Stake in Offshore Blocks to Sinochem," *The Wall Street Journal,* January 8, 2012, https://www.wsj.com/articles/SB10001424052970204257504577148443070091790.

[228] Judy Hua, Wan Xu, and Ken Wills, "Sinopec signs $3.5 billion deal for Galp's Brazil oil asset," *Reuters,* November 11, 2011, https://www.reuters.com/article/us-galp-brazil-sale/sinopec-signs-3-5-billion-deal-for-galps-brazil-oil-asset-idUSTRE7AA0ZF20111111.

[229] Diana Kinch, "Chinese Steelmakers Buy Into Brazil's CBMM," *The Wall Street Journal,* September 2, 2011, https://www.wsj.com/articles/SB10001424053111904583204576546890451706256.

[230] Antonio de la Jara, "Tianqi buys stake in lithium miner SQM from Nutrien for $4.1 billion," *Reuters,* December 3, 2018, https://www.reuters.com/article/us-chile-tianqi-lithium-idUSKBN1O217F.

term relationship with local governments, labor forces and communities, creating expanded opportunities for learning, influence, and conflict.

In general, as this work will show, the most significant variations in China's pattern of engagement are not between regions such as Europe versus Latin America, per se, but between parts of each region possessing different characteristics, such as factor endowments, markets, technological level and sophistication of local companies and historical legacies.

On one hand, in parts of both Latin America and Europe, particularly in Eastern and Central Europe, weaknesses in institutions and commitments to transparency, democracy and institutional processes, combined with urgent need for development assistance, has given the PRC and its companies important openings for business and political influence.

On the other hand, the negative historical legacy of domination by an external communist power which suppressed individual liberties freedom of discourse, has arguably made some Eastern European countries such as Romania more sensitive than their Latin American counterparts to PRC authoritarian practices at home and abroad.  Compounding the effect of such sensitivity, the perceived security threat from Russia in much of Eastern and Central Europe has arguably made its government more open to aligning themselves with the US and its caution regarding the PRC, working through those governments' interest in leveraging the US and NATO in balancing the Russian threat.

## PRC ENGAGEMENT SEEKING COMMODITIES
## AND FOODSTUFFS

In Latin America and the Caribbean Chinese companies have played an important role as purchasers of the region's petroleum, minerals and agricultural products[231]. Particularly after 2010 PRC-based companies expanded their position on the ground in the petroleum and mining sectors, including not only Venezuelan oil, but also expanded participation in the petroleum industry in Argentina, Brazil, Ecuador, Peru, Guyana, and Mexico, among others.

PRC Chinese mining participation includes purchases of Chilean copper and potassium nitrate, $15 billion worth of mining investments in Peru[232], mining investments in southern Ecuador, Argentina, Brazil, and bauxite mining in the Caribbean basin.  In strategic minerals, it includes a significant Chinese presence in lithium, including Tianqi's 25% share of the *Sociedad Quimica y Minera* (SQM) lithium operation in the north of Chile, Gangfeng's operation of the

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[231] R. Evan Ellis, "Chinese Engagement in Latin America in the Context of Strategic Competition with the United States," Testimony to the U.S.-China Economic and Security Review Commission, June 24, 2020, https://www.uscc.gov/sites/default/files/2020-06/Ellis_Testimony.pdf.

[232] See, for example, R. Evan Ellis, "Peru's Multidimensional Challenge – Part 3: engagement with China," *Global Americans*, November 20, 2020, https://theglobalamericans.org/2020/11/perus-multidimensional-challenge-part-3-engagement-with-china/.

Cauchari-Olaroz project in Argentina[233], Gangfeng's assumption of majority control of the Bacanora mine in Mexico's Sonora desert[234], and Xinjiang TBEA's activities in the Uyuni salt flats in the south of Bolivia[235]. Through a minority stake in the company *Companhia Brasileira de Metalurgia e Mineração* (CBMM), Chinese investors also have a role in the extraction of niobium in Brazil[236], one of the few locations outside the PRC where it is commercially viable.

In agriculture, the PRC is the largest export market for Brazilian soybeans and Argentine beef, and an increasingly important market for Ecuador's shrimp, and sugar from El Salvador and the Caribbean basin. Since 2014, PRC-owned companies Nidera and Noble have leveraged the purchasing power of parent company China National Cereals, Oils and Foodstuffs Corp (COFCO) to advance their position in the sector. PRC-based fishing companies are active in Peru, off both the Pacific and Atlantic coasts of South America, and are key users of ports in Uruguay. PRC-based forestry companies such as China Greenheart and Bai Shan Lin are active in the interior of Guyana and Suriname, and more recently, in Uruguay.

Within Europe, like Latin America, PRC interest in the region as a supplier of commodities and foodstuffs varies between more technologically developed Western European countries and he rest. On one hand, wealthy Chinese consumers have become a key source of demand for European brand-name luxury products. By contrast, newer EU entrants and Non-EU states generally sell the PRC far less, with a much greater focus on the export of lower value added goods. As examples, 94% of Montenegro's exports to the PRC were mining products, as were 60% of North Macedonia's, and 70% of Bulgaria's. Serbia's exports to the PRC were dominated by agricultural products. Latvia's exports to China represent a mix of agricultural products and metals. In Eastern Europe, as in Latin America, there are exceptions to the pattern. Croatia exports transport vehicles to China,

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[233] Dalilia Ouerghi, "China's Ganfeng completes majority stake acquisition in Argentina lithium project," *Metals Bulletin*, August 28, 2020, https://www.metalbulletin.com/Article/3948479/Chinas-Ganfeng-completes-majority-stake-acquisition-in-Argentina-lithium-project.html.

[234] "Ganfeng Lithium increases stake in Bacanora's Sonora project to 50%," *Reuters,* November 13, 2020, https://www.reuters.com/article/bacanora-lithium-ganfeng/ganfeng-lithium-increases-stake-in-bacanoras-sonora-project-to-50-idUSL8N2HZ54S.

[235] Miriam Telma Jemio, "Bolivia rethinks how to industrialize its lithium amid political transition," *Dialogo Chino*,
May 19, 2020, https://dialogochino.net/en/extractive-industries/35423-bolivia-rethinks-how-to-industrialize-its-lithium-amid-political-transition/.

[236] Jake Spring, "Hands off Brazil's niobium: Bolsonaro sees China as threat to utopian vision," *Reuters,* October 25, 2018, https://www.reuters.com/article/us-brazil-election-china-niobium/hands-off-brazils-niobium-bolsonaro-sees-china-as-threat-to-utopian-vision-idUSKCN1MZ1JN.

while Romania exports industrial machinery, optical and medical apparatuses, electrical machinery, and vehicle parts and components[237].

Beyond the issue of the composition of exports to China, the overall level of such exports to China from the less wealth countries of Europe are lower than their greater physical proximity to China (vis-à-vis Latin America) would predict[238]. Reflecting such dynamics, Eastern Europe's push for greater Chinese purchases of its agricultural goods becoming a particular theme at the February 2021 17+1 summit[239].

In both Europe and Latin America, the PRC has used its considerable financial resources to buy interest in Western suppliers with key technologies and valued brands. With the brand name companies from Western Europe, however, the PRC hosts more stores within the PRC itself, as well as copying their brand-name products. In other parts of Europe, however, as in Latin America, the focus of PRC investment is more on secure source of commodity supply. In Romania, for example, Chinese companies are acquiring local agricultural firms, particularly those involved with grains[240].

### MARKETS

In Latin America, the significant number of middle-income countries and populated urban centers have made it increasingly important as a market for Chinese goods, as PRC-based companies have diversified beyond selling to the US and the higher income countries of Western Europe and Asia[241]. Latin American states, like many Eastern European ones, are thus attractive to Chinese companies as a market for entry-level goods competing on the basis of price, including autos, consumer electronics, and household goods. This also includes cell phones and other telecommunication devices and consumer electronics, as well as clean energy technology, such as electric cars and buses, which the Chinese have sold from Chile to Brazil and Uruguay and beyond.

Western Europe, by contrast, has long been a market for PRC consumer goods as its companies incorporated new technologies and capabilities and moved up the value chain. Indeed, a study by the Hungary-based think tank CEECAS estimates that within Europe, the nations of the EU have received the greatest portion of Chinese investment, driven by the attractiveness of their markets and

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[237] "Empty Shell No More: China's Growing Footprint In Central and Eastern Europe," *China Observers in Central and Eastern Europe* (CHOICE), Ivana Karásková, Ed., April 2020, https://chinaobservers.eu/new-publication-empty-shell-no-more-chinas-growing-footprint-in-central-and-eastern-europe/.

[238] "Empty Shell No More," 2020.

[239] Stuart Lau, "China's Eastern Europe strategy gets the cold shoulder," *Politico,* February 9, 2021, https://www.politico.eu/article/china-xi-jinping-eastern-europe-trade-agriculture-strategy-gets-the-cold-shoulder/.

[240] "Chinese investment fund expands into Romanian agriculture," *Romania Insider,* September 27, 2019, https://www.romania-insider.com/chinese-fund-romanian-agriculture.

[241] Ellis, "Chinese Engagement in Latin America…" 2020.

technologies.[242] For Western Europe, however, such investments have been blocked, to a degree, by government strategic investment screening mechanisms.

The non-EU states of Eastern Europe, on the other hand, arguably resemble Latin America with respect to China's interest in their potential as middle income markets, open to products competing on price.

### INFRASTRUCTURE ORIENTATION

In Latin America, the PRC orientation toward "connectivity" as a central tool for its advance can be seen in the 19 countries from the region that have joined the Belt and Road project since it was extended to the Western hemisphere with Panama's membership in 2018. Within that focus on connectivity, however, Chinese companies have evolved from building roads, railroads and other land infrastructure (often through loans to politically sympathetic populist governments), to pursuing contracts in more advanced, strongly institutionalized countries such as Colombia and Chile, often through vehicles such as public private partnerships that allow Chinese companies to capitalize on their financial contributions to the project, although correspondingly increasing their level of project risk.[243]

In recent years the PRC has won important public-private partnership (PPP) projects in Colombia such as the highway from Medellin to the Gulf of Uraba, and more recently, the $4.5 billion Bogota metro.[244] In Chile, in April 2021, a Chinese company was awarded a PPP contract to upgrade a segment of Chile's important Highway 5 from Talca to Chillin.[245]

In the port sector Chinese activities in Latin America include six Hutcherson Port operations in Mexico, three in the Bahamas, three in Panama, and one in Argentina.[246] China Merchant port owns the Port of Kingston Jamaica.[247] In Ecuador, PRC-based China Harbour is subcontracted to port operator DP World to build the port of Posorja,[248] intended as the country's new commercial gateway to the Pacific. PRC-based companies are involved in the operation and expansion of four major Brazilian ports, including a major

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[242] Tamás Matura, "Chinese Investment in Central and Eastern Europe: A reality check," *CEECAS,* April 21, 2021, https://www.china-cee-investment.org/.

[243] Ellis, "Chinese Engagement in Latin America…" 2020.

[244] Jorge Valencia, "By building Bogotá metro, China makes a new breakthrough in Latin America," *PRI,* November 5, 2020, https://www.pri.org/stories/2020-11-05/building-bogot-metro-china-makes-new-break through-latin-america.

[245] David Arminas, "Chile awards CRCC major Talca-Chillán upgrade," *World Highways,* April 14, 2021, https://www.worldhighways.com/wh12/news/chile-awards-crcc-major-talca-chillan-upgrade.

[246] Hutchinson Ports, Official Website, Accessed June 3, 2021, https://hutchisonports.com/ports/americas/.

[247] "Chinese firm takes over Kingston Freeport management company," *Stabroek News,* April 25, 2020, https://www.stabroeknews.com/2020/04/25/news/regional/jamaica/chinese-firm-takes-over-kingston-freeport-management-company/.

[248] Michele Labrut, "DP World launches construction of deepwater port in Posorja, Ecuador," *Seatrade Maritime News*, September 28, 2017, https://www.seatrade-maritime.com/americas/dp-world-launches-construction-deepwater-port-posorja-ecuador.

multimodal agricultural port project in the port of São Luis.[249] China Minmetals is similarly leading a Chinese consortium to build the $3 billion Chancay minerals port or Peru's Pacific coast.[250] Chinese consortiums have further proposed major multimodal ports and free trade zone facilities in El Salvador, and in Manzanillo, in the Dominican Republic.

With respect to riverine infrastructure, the China Communications Construction Company (CCCC) subsidiary China Harbour is dredging an important river route in the Peruvian amazon, while CCCC subsidiary Shanghai Dredging is deepening a strategic corridor of the Paraguay and Parana River[251] which serves as the riverine access point for five South American countries, even while it works other dredging contracts across the same river in neighboring Uruguay.

In the electricity sector, PRC-based companies have made significant advances in generation, transmission and distribution infrastructure across the region. In generation, they have worked a large number of projects in the renewables area. Among these are building and supplying components and financing for wind and solar farms, including Latin America's biggest photovoltaic complex, Cauchari, in the North of Argentina,[252] and a proposed new 1.1-gigawatt facility in Açu, Brazil[253]. Chinese firms have also built numerous hydroelectric facilities in the region, including six projects in Ecuador, three Bolivia, two in Argentina[254], two in Peru[255], and two attempts in Honduras. China National Nuclear Corporation is also building its Hualong-1 nuclear reactor in Argentina's Atucha complex[256], and is interested in building a reactor in Brazil's Angra facility.

With respect to transmission, Chinese firms have particularly focused on high-voltage long-distance lines, with Chinese firms installing transmission

[249] Marcela Ayres, "China to announce billion-dollar investment in Brazilian port of Sao Luis: sources," *Reuters,* November 13, 2019, https://www.reuters.com/article/us-brazil-brics-china-investment/china-to-announce-billion-dollar-investment-in-brazilian-port-of-sao-luis-sources-idUSKBN1XN2NM.

[250] "Cosco sees 2020 construction start for US$3bn Chancay port," *BNAmericas,* June 26, 2019, https://www.bnamericas.com/en/news/cosco-sees-2020-construction-start-for-us3bn-chancay-port.

[251] "China competes in the dredging of Paraguay/Parana Waterway which handles 90 million tons of grains," *Mercopress,* November 25, 2020, https://en.mercopress.com/2020/11/25/china-competes-in-the-dredging-of-paraguay-parana-waterway-which-handles-90-million-tons-of-grains#:~:text=A%20Chinese%20company%20entered%20the,river%20course%20beginning%20in%202021.

[251] Ellis, "China's Bid to Dominate Electrical Connectivity in the Americas," 2021.

[252] Luis Colqui, "Jujuy. Cauchari: el parque solar más grande de América Latina comenzó a vender energía al país," *La Nacion*, September 26, 2020, https://www.lanacion.com.ar/economia/jujuy-cauchari-parque-solar-mas-grande-america-nid2461924/

[253] "Chinese duo to build 1.1-GW solar power plant in Brazil," *Renewables Now,* April 29, 2021, https://renewablesnow.com/news/chinese-duo-to-build-11-gw-solar-power-plant-in-brazil-739550/.

[254] R. Evan Ellis, "New Directions in the Deepening of China-Argentine Engagement," *Global Americans,* February 11, 2021, https://theglobalamericans.org/2021/02/new-directions-in-the-deepening-chinese-argentine-engagement/.

[255] "China's SGCC offers to construct HidroAysen power line," *Global Transmission Report,* January 4, 2012, https://www.globaltransmission.info/archive.php?id=10056.

[256] Sofia Diamante, "La energía nuclear, una herencia a resolver con China," *La Nacion*, January 22, 2020, https://www.lanacion.com.ar/economia/la-energia-nuclear-una-herencia-a-resolver-con-china-nid2326138/.

infrastructure from connecting the Belo Monte hydroelectric facility to the south of Brazil, to a $191 million high-voltage connection completing Uruguay's power distribution ring[257]. Since 2010, Chinese firms have invested tens of billions of dollars to buy electricity transmission assets in Brazil[258]. In Peru, through Yangtze Power's 2019 $3.6 billion acquisition of Luz del Sur[259], PRC-based firms have acquired approximately half of the energy infrastructure of the greater Lima area. Most recently, through five successive acquisitions in Chile (Transelec, Atiaia, Pacific Hydro, Chilquinta, and State Grid's purchase of Compañía General de Electricidad (CGE) from Spain's Naturgy)[260], PRC-based companies have obtained control over 57% of Chile's entire power grid[261].

In the telecommunications sector in Latin America, the PRC-based companies Huawei and ZTE have become major suppliers to Latin America's commercial providers and government entities, and are positioned to play a significant role in 5G[262]. China's position is important not only as a strategic, high-value added technology and a source of leverage as a type of infrastructure, but also because, pursuant to the PRC 2017 National Security Law, the PRC government has delegated itself the authority to confiscate data of Latin American or other global users to advance its commercial and other strategic interests.

During the Covid-19 pandemic, the PRC overcame obstacles placed against the inclusion of Huawei in 5G auctions by Brazil and the Dominican Republic, among others, through linking expedited access to Covid-19 vaccines to those countries' abandonment of commitments to exclude Huawei from their 5G networks.

In e-commerce, the Chinese rideshare company DiDi Chuxung is active in multiple countries across the region, including Brazil, Columbia, Chile, Panama, the Dominican Republic, and Argentina, among others. For a modest investment, the company provides employment to thousands across the region as drivers, while also collecting sensitive data on them, and the travel of their passengers.

In a similar fashion, the Chinese company Alibaba is a growing competitor to Amazon, MercadoLibre and other firms for the dominance of Ecommerce and

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[257] "UTE firmó contrato para el cierre del anillo de transmisión del norte, obra clave en el período," *El Pais,* May 31, 2021, https://negocios.elpais.com.uy/ute-firmo-contrato-cierre-anillo-transmision-norte-obra-clave-periodo.html

[258] R. Evan Ellis, "China's Bid to Dominate Electrical Connectivity in Latin America," *China Brief*, Vol. 21, Issue 10, May 21, 2021, https://jamestown.org/program/chinas-bid-to-dominate-electrical-connectivity-in-latin-america/.

[259] "China Yangtze Power completed its acquisition of Peruvian power company, Luz Del Sur," *BN Americas,* April 24, 2020, https://www.bnamericas.com/en/news/china-yangtze-power-completed-its-acquisition-of-peruvian-power-company-luz-del-sur.

[260] "Regulador chileno aprueba sin condiciones compra de eléctrica CGE por china State Grid," *Reuters,* March 31, 2021, https://www.infobae.com/america/agencias/2021/03/31/regulador-chileno-aprueba-sin-condiciones-compra-de-electrica-cge-por-china-state-grid-2/.

[261] Ellis, "China's Bid to Dominate Electrical Connectivity in the Americas," 2021.

[262] "Brazil's Bolsonaro to allow China's Huawei in 5G auctions: newspaper," *Reuters,* January 16, 2021, https://www.reuters.com/article/us-brazil-huawei-tech-idUSKBN29L0JM.

the supply of consumer demand in Latin America and elsewhere, including door-to-door delivery in the region.

Turning to Europe, the location of the region as the original Western anchor of China's Belt and Road Initiative has made China's focus on connectivity in the region even more directly relevant than that in more distant Latin America.

In Europe, as with its pursuit of other markets, the PRC has arguably had more success in winning infrastructure projects in the less strongly institutionalized countries principally outside the EU. With the help of acquisitions, despite increasing concern and pushback from the EU, China has advanced across the region. Signature cases include the acquisition of the Greek port of Piraeus by PRC-based shipping company COSCO, followed by efforts to transform it into the biggest port in Europe[263]. Indeed, the PRC now has a presence in 13 ports in the region[264] including the key European maritime hub of Rotterdam[265].

In Europe, as in Latin America, only a small fraction of announced PRC infrastructure projects proposed have actually gone forward. Indeed, the European think tank MERICS estimates that only $715 million in Chinese projects have been completed in the region to date, with $3 billion more in projects in progress[266]. Among the major infrastructure projects announced, there has been a significant variation in which countries have received them. They have generally gone more toward populist regimes, with Hungary receiving $3.6 billion in Chinese projects in 2020, while others such as Latvia have received almost none.[267]

With respect to the specifics of project financing, while China has "bought into" the EU through acquisitions, its loan-based projects tied to the use of Chinese companies and workers have gone to populist regimes outside the EU who, like leftist populists and smaller states in Latin America, do not have better options.[268] Indeed, as in Latin America, China has set up an "investment fund" in addition to the Belt and Road's Asia Infrastructure Investment Bank (AIIB) for

[263] Silvia Amaro, "China bought most of Greece's main port and now it wants to make it the biggest in Europe," *CNBC,* November 15, 2019, https://www.cnbc.com/2019/11/15/china-wants-to-turn-greece-piraeus-port-into-europe-biggest.html.
[264] Joanna Kakissis, "Chinese Firms Now Hold Stakes In Over A Dozen European Ports," *NPR,* October 9, 2018, https://www.npr.org/2018/10/09/642587456/chinese-firms-now-hold-stakes-in-over-a-dozen-european-ports.
[265] "China is making substantial investment in ports and pipelines worldwide," *The Economist,* February 6, 2020, https://www.economist.com/special-report/2020/02/06/china-is-making-substantial-investment-in-ports-and-pipelines-worldwide.
[266] "Belt and Road reality check: How to assess China's investment in Eastern Europe," *MERICS,* July 10, 2019, https://merics.org/en/analysis/belt-and-road-reality-check-how-assess-chinas-investment-eastern-europe.
[267] "Eastern Europe ends love fest with China amid Beijing-EU rift," *Nikkei Asia,* May 28, 2021, https://asia.nikkei.com/Politics/International-relations/Eastern-Europe-ends-love-fest-with-China-amid-Beijing-EU-rift.
[268] Tomasz Bieliński, Magdalena Markiewicz, and Ewa Oziewicz, "Do Central and Eastern Europe Countries Play a Role in the Belt and Road Initiative? The Case of Chinese OFDI into the CEE–16," *Comparative Economic Research, Central and Eastern Europe*, Volume 22, Number 2, 2019, http://doi.org/10.2478/cer-2019-0009.

the nations of Eastern Europe to turn to Chinese companies for their projects.[269] The Eastern Europe-based think tank CEECAS estimates that 75-85% of projects are financed by Chinese loans, and such loans may reach 8% of the GDP in Montenegro, 12% in Serbia, 10% in Bosnia-Herzegovina and 7% in North-Macedonia.[270]

Such financing has also become increasingly problematic for the countries incurring it. Montenegro, for example, is facing serious fiscal constraints due in part to an expensive loan-financed contract for an economically questionable road connecting its coast at Bar to neighboring Serbia.[271] As seen in Latin America, but for different reasons, the Montenegrin government is reportedly now considering turning to a PPP contract structure to complete the project, which would, in turn, give the PRC a more extended presence in the country as operator of the critical infrastructure as a toll road.[272]

Eastern European countries have also increasingly began pushing back on PRC participation in major infrastructure projects. Romania, for example, chose to exclude Chinese companies from participation in key physical infrastructure projects over a lack of EU-style credentials indicating their ability to successfully perform the project work.[273]

In the electricity sector, in Europe like Latin America, Chinese companies are actively pursuing wind and solar[274] generation and transmission projects.[275] In Europe, by contrast to Latin America, however, nuclear power plays a far greater role, with projects being actively pursued by the Chinese. Nonetheless, in nuclear energy, Eastern European countries have begun to push back. In January 2021, Czechia excluded China National Nuclear Corporation (CNNC) from a nuclear reactor project.[276] Romania similarly reversed a prior decision to contract CNNC for $8 billion[277] to build two nuclear reactors at its Cernavodă[278], after a European consortium had pulled out.[279]

With respect to telecom infrastructure, while PRC companies Huawei and ZTE have an important role across the region, their role in 5G across Europe has

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[269] "China-Central and Eastern Europe Investment Cooperation Fund, Official Website, Accessed June 3, 2021, http://china-ceefund.com/.

[270] Matura, 2021.

[271] Noah Barkin and Aleksandar Vasovic, "Chinese 'highway to nowhere' haunts Montenegro," Reuters, July 16, 2018, https://www.reuters.com/article/us-china-silkroad-europe-montenegro-insi-idUSKBN1K60QX.

[272] Barkin and Vasovic, 2018.

[273] "Romania reveals the limits of China's reach in Europe," *Politico,* May 3, 2021, https://www.politico.eu/article/romania-recoils-from-china-aggressive-diplomacy/.

[274] See, for example, "Chinese Solar Company Expanding to Eastern Europe," *Eastern Europe Business News,* February 16, 2018, http://www.eebusiness.net/chinese-solar-company-expanding-to-eastern-europe.

[275] "China-Central and Eastern Europe Investment Cooperation Fund, 2021.

[276] Robert Muller, "China sidelined for Czech nuclear tender, Russia still in play," *Reuters*, January 27, 2021, https://www.reuters.com/world/china/china-sidelined-czech-nuclear-tender-russia-still-play-2021-01-27/.

[277] Andreea Brînză, "How the US-China Competition Is Playing out in Romania," *The Diplomat,* November 1, 2019, https://thediplomat.com/2019/11/how-the-us-china-competition-is-playing-out-in-romania/.

[278] "Romania reveals the limits of China's reach in Europe," 2021.

[279] Brînză, 2019.

been mixed, with Great Britain temporarily seeking to exclude Huawei from its 5G rollout, prompting the PRC to defund major British infrastructure projects there.[280] Most Eastern European countries as well have signed onto Washington's "Clean Networks" initiative, excluding Chinese companies such as Huawei from 5G.[281] Romania was one of the countries to exclude Huawei from its networks, including 5G, over security concerns.[282]

### MILITARY ENGAGEMENT

In the military realm, PRC engagement with Latin America is arguably both more cautious, and more extensive than its engagement with Europe.

In Latin America, Chinese arms companies such as NORINCO have leveraged political alignment with anti-US populist governments such as Venezuela, Bolivia, Argentina, and (previously) Ecuador to sell a significant quantity of military end items to the region. [283] These have included providing radars, K-8 fighters, and Y-8 and Y-12 small military transport aircraft to Venezuela, radars, military trucks and assault rifles to Ecuador, K-8 fighters, Z-9 helicopters, and armored vehicles to Bolivia, and armored vehicles to Argentina.[284] Currently, the PRC is further in talks with Argentina to sell that populist regime its FC-1 fighter, which would be the most sophisticated Chinese military end item sold in the region to date.[285]

Beyond Latin America's populist leftist regimes, the PRC has also sold a more limited quantity of military goods to other countries in the region. These include providing an offshore patrol vessel (OPV) to Trinidad and Tobago,[286] and a truck-mounted multiple launch rocket system to Peru.[287] In order to build its goodwill and market position, the PRC has also regularly donated, rather than selling, limited quantities of military trucks, construction equipment, police cars, motorcycles and other equipment to a broad range of other security forces in the region.[288]

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[280] Hadas Gold, "UK bans Huawei from its 5G network in rapid about-face," *CNN,* July 14, 2020, https://www.cnn.com/2020/07/14/tech/huawei-uk-ban/index.html.

[281] Andreea Brînză, "How China's 17+1 Became a Zombie Mechanism," *The Diplomat,* February 10, 2021, https://thediplomat.com/2021/02/how-chinas-171-became-a-zombie-mechanism/.

[282] "Romania reveals the limits of China's reach in Europe," 2021.

[283] For a detailed discussion of such sales and other relationships, see R. Evan Ellis, "Chinese Security Engagement in Latin America," *Center for Strategic and International Studies*, November 2020, https://www.csis.org/analysis/chinese-security-engagement-latin-america. See also Ellis, "The Evolution of Chinese Security Engagement in Latin America," 2021.

[284] Allan Nixon, "China's Growing Arms Sales to Latin America," *The Diplomat,* August 24, 2016, https://thediplomat.com/2016/08/chinas-growing-arms-sales-to-latin-america/.

[285] Ellis, "New Directions in the Deepening of China-Argentine Engagement," 2021.

[286] "Chinese vessel coming to Trinidad," *Jamaica Observer,* February 25, 2014, https://www.jamaicaobserver.com/news/Chinese-vessel-coming-to-Trinidad.

[287] "Peru selecciona el sistema táctico de lanzacohetes múltiples Norinco tipo 90B," *Infodefensa,* October 1, 2014, https://www.infodefensa.com/latam/2014/01/10/noticia-selecciona-sistema-tactico-lanzacohetes-multiples-norinco.html.

[288] Ellis, "Chinese Security Engagement…", 2020.

The states of Western Europe, with their own highly regulated and protected arms industries, and with their associations with the North Atlantic Treaty Organization (NATO), generally have not bought Chinese equipment, although several populist Eastern European countries have, to some degree, paralleled the Latin American experience through purchasing limited quantities of equipment from the PRC and accepting some donations for their security forces. In 2020, for example, Serbia purchased 6 CH-92A Chinese combat drones and an unspecified number of Chinese FK-3 surface to air missiles[289], as well as receiving Covid-19 related military donations.[290]

Beyond equipment, in Latin America, virtually all of the region's militaries have sent personnel to training and professional military education courses in the PRC, including short courses at its National Defense University in Beijing, and longer Command and General Staff courses at its Army and Navy mid-level military schools in and outside Nanjing. Similarly, Latin American PME and other institutions at all levels have sent delegations to the PRC for professional exchanges, and some Latin American institutions have hosted and trained small numbers of Chinese People's Liberation Army (PLA) personnel. These include close US ally Colombia, which hosted PLA personnel in its Lanceros special forces course in Tolemaida.[291] It also includes Brazil, which hosted PLA members at its respected jungle warfare school[292] as well as at its peacekeeping institute, CCOPAB.

Beyond training, education and institutional visits, the PRC has also sent its military ships to the region for port calls, including three separate missions by its hospital ship "Peace Arc" to the region (in 2011, 2015 and 2018-2019), sent PLA peacekeeping forces to Haiti from 2004 through 2012, and has conducted limited military exercises in the region with Chile and Peru, among other activities.[293] China has notably not, to date, sought to establish anti-US military alliances in the region, or military bases as it has done in Djibouti, in Africa. Its restraint in Latin America likely reflects PRC deference of the proximity of Latin America to the United States, and the desire to avoid both the provocative effect and expense of a base that the People's Liberation Army (PLA) is not yet in a position to use.

In Europe, Non-EU states in Europe, and to a lesser extent, those of the EU, have followed the Latin American pattern in sending personnel to Chinese

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[289] "Serbian purchase of missile defence system shows ties deepening with China," *Reuters,* August 3, 2020, https://www.reuters.com/article/us-serbia-arms-china-idUSKBN24Z171.

[290] Aljosa Milenkovic, "China and Serbia strengthening military ties," *CGTN,* March 27, 2021, https://newseu.cgtn.com/news/2021-03-27/China-and-Serbia-strengthening-military-ties-YYwwasXdCM/index.html.

[291] "Integrantes del Ejército Chino se entrenan en Colombia como Tiradores de Alta Precisión," *FuerzasMilitares*, October 23, 2016, http://www.fuerzasmilitares.org/notas/colombia/ejercito-nacional/7145-tap-50.html.

[292] Eben Blake, "Chinese Military Seeks Jungle Warfare Training From Brazil," *International Business Times*, August 10, 2015, https://www.ibtimes.com/chinesemilitary-seeks-jungle-warfare-training-brazil-2046473.

[293] Ellis, "Chinese Security Engagement…", 2020.

schools, and conducted institutional visits, although the EU has arguably placed more emphasis on the later. Serbia, among others, has agreed to send its personnel to programs in the PRC, and to work with it to set up a school of traditional Chinese medicine within the Serbian Armed Forces.[294]

As in Latin America, and as with arms sales, China-Eastern Europe military institutional cooperation and visits has arguably been more extensive with more populist regimes, such as that of Viktor Orban in Hungary, which in March 2021, hosted China's Defense Minister Wei Fenghe to strengthen bilateral military ties.[295]

As in Latin America, the PLA has not sought to establish a base in or near Europe, likely for the same reasons. As with the US in Latin America, the PRC wishes to avoid the provocative effect that establishing a base in the region would have on its business partners, as well as the expense of a facility that the PRC is not yet in a position to use.

## POLITICAL ENGAGEMENT AND SOFT POWER

In Latin America, the PRC has arguably used political engagement to support its economic objectives. Although leftist populist regimes such as Venezuela, Ecuador, Bolivia and Argentina have generally been more receptive than others to PRC government-to-government proposals, security cooperation and other sensitive areas, the PRC has been careful not to develop alliances with those nations that could be perceived a threatening to the West.

Across Latin America, as elsewhere, the PRC has used the lure of access to its markets and the attractiveness of partnering with PRC-based firms, to induce governments and businesses to censor themselves in order to avoid undercutting loans and investment from and business with Chinese companies.[296]

China's people to people diplomacy have also influenced its position with political and economic elites, and populations in Latin America. The PRC's 39 Confucius Institutes and 18 Confucius Classrooms in the region have arguably become centers of recruitment for identifying future Latin American leaders with a strong interest in China studies and an aptitude for learning the difficult Mandarin Chinese language and the Chinese character set. Through the Hanban relationship with the Confucius Institutes, thus, the PRC government offers the most promising of the region's Asia-facing young scholars the opportunity for language and university study in the PRC. They return, inherently grateful to the Chinese government for its role in enabling their careers, and assume come to

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[294] Milenkovic, "China and Serbia strengthening military ties," 2021.

[295] "China, Hungary to strengthen military cooperation," *CGTN*, March 25, 2021, https://newseu.cgtn.com/news/2021-03-25/China-s-Defense-Minister-visits-Budapest-for-official-talks-YU5IRPv8NG/index.html.

[296] See, for example, R. Evan Ellis, "The Evolution of Chinese Soft Power in Latin America," in *Soft Power with Chinese Characteristics*, Kingsley Edney, Stan Rosen, and Ying Zhu, Eds. (Milton Park, England: Routledge, 2020).

dominate the limited number of positions in China-facing parts of their government's bureaucracies, or the local business elite, or the scholarly community with sufficient knowledge to speak with authority and shape the discourse about the PRC in their countries.

Beyond Confucius Institutes and academic programs, the PRC uses the International Liaison Department (ILD) of the Chinese Communist Party to bring Latin American political party and other government representatives to China on goodwill-building missions. Other quasi-governmental affiliated organizations bring journalists, and think tank personnel to the PRC. While such trips may not convert the recipients of such generosity into pro PRC propagandists, it does subtly pressure them to self-censure their more critical comments about the PRC and its system, or at least to refrain from actively working to resist PRC activities in the Americas, lest the comments or activities of such Latin Americans offend the Chinese government and businesses, and thus undermine the ongoing access or other benefits from the PRC which is important to those invited, for their ongoing career success.

Beyond trips, the PRC often purchases advertising supplements in Latin American media, such as in the Chilean newspaper *La Tercera.*[297] Chinese media often also provides state-produced video feeds free of cost to television and internet news services in the region, which are too often accepted uncritically by regional news services not as PRC-crafted propaganda, but as objective news, shaping the way in which the PRC and its leaders are presented in images.

The collective impact of self-censorship by hundreds key individuals and institutions across the region, combined with the distortion of news coverage over the long run is to undermine Latin America's ability to clearly define and effectively mobilize against objectionable PRC behaviors, or to position the region to bargain effectively with the PRC to secure the country or region's own best interests from that engagement.

Such truncation of debate also extends to expression of disapproval by Latin American governments and elites over PRC actions in its own territory, or in its Asian neighborhood more broadly, including PRC repression of Uighurs in Xinjian, elimination of self-rule and repression of democracy in Hong Kong, or PRC construction and militarization of artificial islands in the South and East China Seas.

Latin America's seeming readiness to avoid speaking ill of the PRC when business with China or other benefits are potentially at stake, arguably reflects the region's historic detachment from the activities of states in other parts of the world that did not directly affect the region.

Turning to Europe, in its own bilateral political engagement with the PRC, the region parallels Latin America in its broad range of orientations toward the

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[297] R. Evan Ellis, "Chinese Advances in Chile," *Global Americans,* March 2, 2021, https://theglobal americans.org/2021/03/chinese-advances-in-chile/.

PRC, both within and beyond the EU. Leaders such as Serbia's Aleksander Vucic and Hungary's Viktor Orban have paralleled Latin American populists such as Hugo Chavez or Evo Morales in their relative embrace of China.[298] Nor is such receptivity to the PRC exclusively a characteristic of non-EU states. Within the EU, Greece has shown a particularly positive orientation toward the PRC, joining the Belt and Road Initiative in 2019.[299] Czechia's Miloš Zeman has also showed a very positive orientation toward China, as has Germany's Angela Merkel, who has visited the PRC 12 times since 2005, in the context of numerous major German companies focused on the China market, possessing Chinese stakeholders, or both.[300]

In general, the nature of PRC influence in non-Western Europe resembles that of Latin America, driven by hopes for Chinese loans, investment projects, or hooking up with a Chinese partner for to do business in the region. The EU, however, specifically contrasts with Latin America in that their Chinese influence is arguably more influenced by access to the Chinese market, and Chinese stakeholders in European companies. Nonetheless, the effect of PRC limitation of discourse is the same.

Another contrast between the two regions, in the specifics of the lure of China, is the role of tourism as an economic attractor. For Europe, particularly in the less wealthy states of Central and Eastern Europe, the potential importance of attracting Chinese tourists is arguably greater than Latin America, particularly given the relatively smaller distances between China and the region. Currently, in addition to the customary European tourist destinations attractive to China of the United Kingdom, France, and Germany, Chinese are increasingly traveling to Croatia, Estonia and Hungary, among other destinations.[301]

In educational affairs, Central and Eastern Europe parallel Latin America with a modest number of Confucius Institutes which play an important role in recruiting the region's youth for studies in China through Hanban scholarships. Approximately 250 persons from each of the Baltic states, for example, are estimated to have been brought to the PRC on such scholarships in recent years.[302]

As with Latin America, the relative limited funding for China studies programs in Central and Eastern Europe create the risk that China-funded programs and China-trained scholars dominate the discourse in these countries regarding the nature of China.[303]

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[298] David Hutt and Richard Q. Turcsányi, "No, China Has Not Bought Central and Eastern Europe," *Foreign Policy*, May 27, 2020, https://foreignpolicy.com/2020/05/27/china-has-not-bought-central-eastern-europe/.

[299] "Greece 'Appreciates' Joining China's Belt and Road Initiative," *TeleSur,* May 16, 2019, https://www.telesurenglish.net/news/Greece-Appreciates-Joining-Chinas-Belt-and-Road-Initiative-20190515-0022.html#:~:text=The%20Greek%20economy%20has%20benefited%20from%20joining%20China%E2%80%99s,the%20few%20EU%20countries%20to%20join%20the%20movement

[300] Hutt and Turcsányi, 2020.

[301] "Empty Shell No More," 2020.

[302] "Empty Shell No More," 2020.

[303] "Empty Shell No More," 2020.

Europe lists 132 Confucius Institutes, more than three times as many as Latin America, although these are disproportionately in Western Europe. In general, like Latin America, most Central and Eastern European States have one or two Confucius Institutes. China-friendly Hungary has five, although Belarus has six, but China-friendly Serbia has only two.[304] There is a regional Confucius Center in Hungary[305], paralleling the one for South America in Chile.

Within Europe, Western European countries generally have many more Institutes per country, including Spain with eight, Italy with 12, Germany with 19, and the United Kingdom with 30.[306] Nonetheless, in recent years, attitudes toward Confucius Institutes and their activities in Western European countries has become more critical.

As with Latin America, beyond Confucius Institutes, China's People-to-people engagement with Europe includes outreach to political leaders and think tank professionals, including Chinese Communist Party International Liaison Department programs such as "Bridge for the Future" and the "China-CEEC Young Political Leaders' Forum.[307]

With respect to Chinese media influence in Europe, as in Latin America, the PRC invites reporters (principally from non-Western European countries) to the PRC for educational trips. Such as transporting Baltic State reporters to Tibet. As in Latin America, the Chinese in Europe also purchase advertising supplements in local media, with one example being the centrist Polish paper Rzeczpospolita. As in Latin America, but in a bolder fashion, the PRC has even purchased media outlets themselves, as seen in Czechia.[308]

By contrast to Latin America, Western Europe's protectionism, pride in its own historical legacy, and the strength of its environmental and human rights interests has arguably caused it to take a more aggressive stance regarding PRC activities, including the recent suspension of the China EU free trade deal over Chinese activities in Xinjian.[309]

As part of Europe's unique historically legacy, particularly among the nations of the East, concern over the influence of Russia (a factor largely absent in Latin America), incentivizes individual states to seek close relationships with the US, distancing themselves from engagement with the PRC that Washington might find of concern.[310]

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[304] "Confucius Institutes Around the World," *Dig Mandarin,* Accessed June 3, 2021, https://www.digmandarin.com/confucius-institutes-around-the-world.html.
[305] "Central and Eastern European Regional Center of Confucius Institute," Official Website, Accessed June 3, 2021, http://confucius-institutes.eu/index.php?r=site/about.
[306] "Confucius Institutes Around the World," 2021.
[307] "Empty Shell No More," 2020.
[308] "Empty Shell No More," 2020.
[309] "Eastern Europe ends love fest with China amid Beijing-EU rift," 2021.
[310] Brînză, 2021.

## MULTILATERAL ENGAGEMENT

In multilateral diplomacy, the PRC plays an active role in a range of Latin America-facing institutions, including the United Nations Economic Commission on Latin America and the Caribbean (ECLAC) and the Inter-American Development Bank (IADB). Effectively, China works to ensure that the intellectual products of these institutions are not critical of PRC interests, and where possible, seeks projects within the organizations such as joint loan funds with the IADB in support of PRC agendas.[311] Indeed, in May 2021, the head of the IADB, Mauricio Claver Carone, expressed concern regarding PRC exercise of influence within the institution.[312]

With respect to regional political bodies, China's tool of choice has been the Community of Latin American and Caribbean States (CELAC). Although the PRC has been an observer in the Organization of American States (OAS) since 2004, it has preferred to make CELAC its primary multilateral instrument for engagement with the region, as it has done with FOCAC in Africa and the 17+1 forum in Europe. For China, a key benefit of CELAC is that it lacks standing institutions, making it easier for the PRC to broadcast its agenda through the body, rather than having to negotiate with an entity more able to advance a collective Latin American position.

By comparison to Chinese engagement in Latin America, the European Union brings an inherent level of coordination as a multinational entity in facing the PRC. Arguably for this reason, paralleling Latin America, since 2012, the PRC has tried to use the 16+1 mechanism (expanded with Greece 17+1), with its CELAC-like lack of permanent institutional representation, to engage with a less coherent entity.[313] As with China-CELAC engagement, the European think tank CHOICE characterizes the 17+1 as a "hub and spoke approach to "multinational bilateralism"[314].

In recognition of China's attempt to use 17+1 to "divide and conquer" Europe, the governments of the region have arguably begun to push back. In the February 2021 17+1 meeting, six members sent their Foreign Ministers rather than heads of State, despite heavy PRC lobbying to send their top executive.[315]

For Romania, within Eastern Europe, the political relationship with the PRC has been complex, with governments both courting it as an economic partner, while also pushing back. Romania's consciousness of the long-term threat from the PRC is arguably fueled by its own experience with dominance by an external Communist government, the nation's forced integration into a foreign economic

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[311] "IDB, China Eximbank further advance in the creation of equity investment platform for Latin America and the Caribbean," Interamerican Development Bank, March 19, 2012, https://www.iadb.org/en/news/news-releases/2012-03-19/china-latin-america-equity-investment-fund,9894.html.

[312] "Beijing faces scrutiny over clout at Latin American development bank," *Financial Times,* May 27, 2021, https://www.ft.com/content/e4bae811-8452-4f63-a1df-5baea103eaaf.

[313] Brînză, 2021.

[314] "Empty Shell No More," 2020.

[315] "Eastern Europe ends love fest with China amid Beijing-EU rift," 2021.

system, and the suppression of discourse during the Communist period. As with other parts of Eastern Europe, that historical experience arguably has facilitated Romania's recognition of subtle PRC pressures, including the decision by Romanian President Klaus Iohannis not to personally attend the 2021 17+1 summit, despite considerable PRC pressures to do so.[316]

Complimenting Romania's recognition of the China threat, its government's attention to the renewed threat posed by Russia, as discussed previously, arguably helps make Romania and other East European states more receptive to the desires of the United States, due to its desire to maintain a strong bond with NATO. Indeed, Romania's hosting of a US base and an anti-ballistic missile shield against Russia further strengthens its incentives to maintain alignment with Washington, particularly on uses that impact its security partnership such as keeping its networks free of potentially compromising Chinese systems[317], considerations not as directly relevant in the security calculations of most Latin American governments.

## EUROPE-LATIN AMERICA SYNERGIES REGARDING THE PRC

Beyond the comparisons that can be made between Chinese engagement in Latin America and Europe, the dynamics of both are influenced by the economic and other interdependencies between the two regions as each engages the PRC. EU-based companies, for example, have a substantial position in Latin America, in sectors from petroleum to electricity transmission to manufacturing to logistics, and are thus impacted adversely by China's advance. They are also impacted positively by that advance, as partners in joint ventures with PRC-based companies, and beneficiaries where the Chinese have purchased stakes in those ventures from European firms.

European auto manufacturers such as Volkswagen and Mercedes, even while partnering with the Chinese elsewhere, are impacted by the advance of Chinese cars in competition for the Latin American market. Such competition includes numerous sectors, such as petroleum with Eni, Total and Shell, to telecommunications with Erikson and Telefonica (although both use Chinese equipment), to maritime logistics with Hapag-Lloyd and Maersk (including Hamburg Süd, which it has owned since May 2019). Competition between Chinese and European firms in Latin America also include Shanghai Dredging's displacement of Belgian firm Jan do Nul for a strategic contract to dredge the Paraguay-Paraguana river corridor.[318] In banking in the region, Chinese firms such as China Construction Bank and ICBC compete to a degree with established European banks such as Spain's BBVA and Santander. European and Chinese firms also compete for the Latin American market in satellite development and

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[316] "Romania reveals the limits of China's reach in Europe," 2021.
[317] Brînză, 2019.
[318] "China competes in the dredging…" 2020.

space launch, including Thales vying with Great Wall Industries Corporation (GWIC) to provide satellite launch services for countries such as Argentina and Chile.

Examples of partnerships between Chinese and European firms in Latin America, in the midst of such competition, include Sinopec's investment in Repsol's activities in the Brazilian petroleum sector, Sinochem's purchase of a $3.1 billion stake in the Brazilian holdings of the Norwegian company Statoil[319], State Grid's purchase of electricity transmission assets of AES in Brazil, and more recently its purchase of the Spanish company Naturgy's holdings in Chile. In construction, collaboration includes China Communications Construction Corporation's (CCCC) purchase of a 30% stake in the Portuguese company Mota Engil, with multiple operations in Latin America.[320]

## CONCLUSIONS

This work's examination of and comparison of Chinese engagement in Latin America and Europe holds lessons for Romania, even while Romanian engagement with the PRC presents insights for the rest of Europe, Latin America, and the US as it seeks to respond to China's global activities.

For Romania, the patterns discussed in this paper suggest that PRC pursuit of Romanian agricultural goods and markets for strategic sectors such as 5G and nuclear energy are consistent with China's behavior globally.

The patterns of Chinese engagement beyond Romania, in both Latin America and Europe, suggests that PRC influence, through the lure of its loans, investments, purchasing power and partnerships, and augmented by the role of the Chinese government in putting together cross sector deals, heightens the importance of those countries to engage with the PRC and its companies through a framework of transparency, national planning, strong institutions, and enforcement of national laws.

The experience of Latin America and Europe further suggests that the long-run danger of generally economically-oriented PRC influence goes beyond the accumulation of benefit to PRC-based SOEs and other Chinese actors over domestic ones with respect to who gets the biggest part of the value added from economic activities. This study suggests a danger, found in both regions to varying degrees, to the long-term freedom of expression domestically and internationally. It similarly suggests a long-term tendency from engagement with the PRC toward corruption, the erosion of democratic institutions, and the consolidation of power by authoritarian governments aligned with the PRC.

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[319] "Sinochem to become 40% partner of Statoil in Peregrino Oil Field in Brazil," Sinochem official website, May 22, 2010, http://www.sinochem.com/en/s/1569-5518-17446.html.
[320] Mat Youkee, "Chinese expansion with a Portuguese face," *Dialogo Chino*, November 20, 2020, https://dialogochino.net/en/infrastructure/38445-cccc-mota-engil-chinese-expansion-with-a-portuguese-face/.

For Latin America and other parts of Europe, Romania's push back against the PRC in both specific projects and political engagements and expressions, emphasizes the importance of a shared understanding within the society and the country's political leadership and economic elites, regarding the subtle, but very real risks of compromising seemingly abstract principles of a society's political and economic system for the short-term benefits offered by China. For countries across both Latin America and Europe, in the context of immediate economic need, holding true to abstract ideals such as transparency, good governance, a level playing field, the rule of law and free expression can seem frivolous and idealistic.

For the states of Latin America and Western Europe, without as palpable a history of past repression and immediate security threats, the sacrifices that help stop the erosion of a nation's economic and political fabric are hard to defend. For the rest of Europe, Latin America, and the global community, it is important to continue to explore and articulate Romania's perspective toward the PRC, even while continuing to be a good partner to Romania itself. Doing so is fundamental to ensure that, despite Romania's caution and resistance to the corrosive effects of PRC engagement, the country is not ultimately compromised by it.

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# BLACK SEA SECURITY AND ASYMMETRIC MILITARY THREATS IN THE 21ST CENTURY: NEW TRENDS AND NEW CHALLENGES

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*Abstract: The Black Sea region is increasingly becoming a priority on the international agenda. In fact, a regional approach is emerging as actors understand that common problems need to be addressed jointly. Nevertheless, cooperation efforts are hampered by a number of factors, such as uneven economic and political development within and among countries, nationalist forces, and longstanding animosities between regional players. In this context, it is imperative to foster sound policies aimed at strengthening dialogue and cooperation so as to contain and ultimately resolve conflicts with peaceful means. However, there is little policy-oriented research on the challenges and opportunities for cooperation in the Black Sea region. The purpose of this paper is to assess the impact of terrorism and its dangers towards the Black Sea region. The work also describes the significance of international terrorism and its general definitions. Besides, the result and findings are based on theoretical studies and assumptions and the result of the analysis of the "Case Study" of the Black Sea region. Case study examines how the Black Sea region influences the spread of terrorism and what threats it poses for this region. Furthermore, the aspects of what makes the region important on international arena are analyzed and the existent and potential security issues are examined, as well as strategic importance of the region for the EU and NATO is analyzed even from academic framework – "Securitization" theory[322]. The theory is based on security studies conceptual background and the background spectrum includes: the Copenhagen School and Critical security studies as the type[323].*
*Keywords: Black Sea region, Copenhagen School, Critical security studies, Securitization, NATO, EU, Georgia's national security.*

The Black Sea Region is one of the main factors in the make-up of security and stability in Europe and Asia. In addition to the numerous other issues in the region, ethnic conflicts, ongoing state-building processes, the presence of vast natural resources, and strategic transport and energy corridors mean that the region is an extremely important and sensitive area.

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[322] Buzan B., Waever O. and De Wilde J., *Security, A New Framework For Analysis*, Lynne Reinner Publishers, London, 1998, pp.17-24.

[323] Robert Ondrejcsak, *Introduction to Security Studies*, Centre for European and North Atlantic Affairs (CENAA), Bratislava, 2014, p.25.

In geographical terms it is difficult to specify the boundaries of the Black Sea Region, since there are numerous regional and sub-regional structures. In the post-Cold War period there has been a large measure of openness to several neighboring areas, such as the Mediterranean, the Balkans, and the Caspian region. This kind of openness makes it difficult to define both the nature of the region and its borders. It is reflected in terms such as "Black-Caspian Seas Region" and "Black-Mediterranean Seas Region". Some analysts have even argued that the Black Sea Region is simply an intellectual invention. In order to avoid confusion, this policy report is based on the definition adopted by the Organization of the Black Sea Economic Cooperation (BSEC). The Black Sea Region is one of the main factors in the make-up of security and stability in Europe and Asia. In addition to the numerous other issues in the region, ethnic conflicts, ongoing state-building processes, the presence of vast natural resources, and strategic transport and energy corridors mean that the region is an extremely important and sensitive area.

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At the end of the Cold War, the states around the Black Sea regained their freedom and escaped from a bipolar conceptual straitjacket. This historical event not only marked the start of a move towards independence, democracy and market economy, but also unleashed hitherto suppressed ethnic, national and territorial conflicts, and even terrorism. From the early 1990s onwards, the region witnessed armed conflicts and an increase in political tension. Political and territorial disagreements such as border disputes and clashes between both peoples and states are the main reason why the prospects for regional security cooperation are rather bleak. The Black Sea basin was of secondary importance for the Euro-Atlantic community during the 1990s as it focused on stabilizing and integrating central and eastern European countries from the Baltic to the Black Sea. However, in the 21st century the changing global and regional balances created new political and security dilemmas for the Black Sea Region. The global and regional powers increasingly supported competing political and security agendas which, although they occasionally contradicted each other, were clearly interlinked.

After September 11, 2001, the US increased its involvement in the region, for example with new programs in Georgia and Ukraine. This went hand in hand

with the European Union (EU) and North Atlantic Treaty Organization (NATO) enlargement processes and global political developments. The differing approaches to the creation of security and stability in the region led to tension and rivalry between the regional actors.

In the post-Cold War period, the Black Sea Region failed to develop a cooperative security vision or structure in which the regional actors would have been the principal stakeholders. The Russian-Georgian War in August 2008 showed quite clearly that the initiatives designed to pacify the region had not produced a security system capable of preventing or containing internal and interstate conflicts. One lesson that can be learned from the August 2008 crisis is that the interplay of regional and global forces will continue to dominate future political and military issues in the region. It remains to be seen whether the war in August 2008 will lead to a new cooperative security environment in the Black Sea Region. Finally, all kinds of security issues ranging from energy security to environmental degradation and from terrorism to illegal trafficking in arms, human beings and drugs continue to be unresolved as a result of international rivalry.

Another important issue is energy security. The need to achieve energy supply diversity on the one hand and the risks associated with energy dependency on Russia on the other show the importance of gas and oil from other sources being piped to the European markets through the region. The energy dispute between Russia and Ukraine in late 2008 and early 2009 clearly illustrated the importance of energy security for the region and the EU. In addition to exploration, production and transport-related problems, oil and natural gas have become one of the main security issues in the Black Sea Region, which as the principal energy transit route, is also a testing ground for the interaction between producer, consumer and transit countries. This means that the region is not only a potential hub. There are also numerous rivalries.

Finally, a number of problems associated with soft security issues which range from environmental concerns to the potential for social unrest and economic collapse need to be analyzed, especially if there is a likelihood that they will disrupt political stability and security in the region. Potential destabilizing threats such as the global financial crisis also need to be kept under review, as does the impact of the crisis on the countries in the region or on the redefinition of the roles of the regional powers, and the opportunities arising from a redefinition of the global economic environment.

By and large, the Black Sea region is also increasing of geo-economic importance especially with regard to developing energy security provisions in aegis of the European Union via the import and providing transit opportunities from the Caspian Basin, Middle East and Central Asia and becoming some kind of energy gateway that is so important for providing and fostering security and stability implications in the Pan-European Area. It is interesting to underpin that

energy security in Wider Black Sea region is defined by the concrete scientific and academic analytical school approaches reflected in international relations, like interdependence theory[324].

### GEOPOLITICAL CLASSIFICATION OF THE BLACK SEA REGION – WIDER BLACK SEA IMPLICATION FOR THE WORLD POLITICS

In above mentioned passage was depicted geographical implications for the Black Sea region but due to the geopolitical transmission and transformation after bipolar system demolition in contemporary international relations the regional security is being increased steadily. There are several indications why the region has become so important and unique not only in Cold War period but mostly afterwards. Here is to mention first of all very unique geopolitical implication of the region. The region is applicable with primary accessibility to "Three Oceans" line (Nord, Atlantic and Indian Oceans – see Map#1) via gateways Black Sea Basin, Persian Gulf and Central Eurasia. Moreover, concrete geopolitical determinants of importance of the region is considered with three main criteria having pure geopolitical meaning.



The Caucasus – Caspian Region Applications Toward The World Occeans
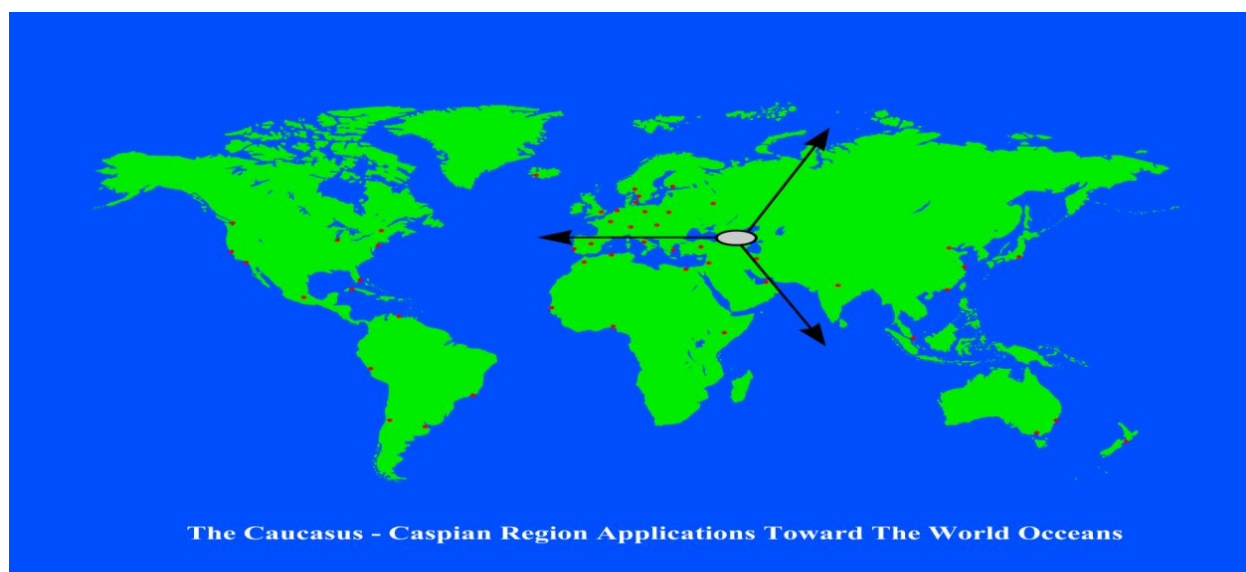
**Map#1:** The Black Sea Region applicability toward "Three Oceans" line

These unique geopolitical indications are sought to be as following:

**Combination of three concepts: Talasokratia+Telurokratia+Montekratia**
**"Eurasian Balkan" acronym for spurring new asymmetric challenges**
**Key international energy gateway providing unlimited delivery of energy resources to international markets**

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[324] Iulian Chifu, Andriana Sauliuc, Bogdan Nedea, *Energy Security Strategies in the Wider Black Sea Region,* Editura Curtea Veche, Bucharest, 2010, p.9.

Nevertheless, the geopolitical implication is only so-called "macro" level of analysis and is fitted to Pan-regional classification and global political relevance of the region. In order to provide so-called "micro" level of analysis and importance of the region in aegis of the regional and local implications there are some approaches to make classification of the Black Sea region. The classification is based on classical geopolitical identification similar that of British geopolitical school founder Professor Helford Mackinder's "Heartland Theory". According to his theory Mackinder defined the global geopolitical system into three main territorial areas: "Pivot Area" (or another way "Heartland"), "Inner or Marginal Crescent" and "Lands of the Outer or Insular Crescent"[325]. *Even* Mackinder endorsed simplistic dictum upon based on which he identified then world order:

"*Who rules East Europe commands the Heartland:*
*Who rules the Heartland commands the World-Island:*
*Who rules the World-Island commands the World[326]*".

In this respect, based on the classical geopolitical methodology is possible to define geopolitical identification of the Black Sea region. Having considered the above-mentioned passage is necessary to figure out the following possible configuration. The configuration is clearly identified regional geopolitical architecture in three concrete circles, similar of British classical geopolitical school approach:

**Black Sea Basin –** *"Inner Core" Ring* – namely six littoral states of the Black Sea itself (Bulgaria, Turkey, Ukraine, Georgia, Russian Federation);

**Black Sea Region –** *"Outer Core Ring"* – the land and seascape from the Balkans to the Caucasus and fro Ukrainian and Russian steppe to Anatolia;

**Wider Black Sea Region (Area) –** *"Close Outer" Ring* – the territory encompasses the following geopolitical spaces MENA, Caspian Basin, South and Eastern Europe.

Considering the geopolitical classification is important to clarify the dispositional characteristics of the regional "circles". The scheme means demonstrating true geopolitical content each of the "circles" – for instance, ***Black Sea Basin*** associated with "Talassokratia[327]" geopolitics, ***Black Sea Region -*** associated with "Montecracy[328]" geopolitics and ***Wider Black Sea Area (Region)*** – associated with "Telurokratia[329]" geopolitics.

Roughly this is geopolitical modality of the Black Sea region and follow up the British geopolitical school founder Mackinder's dictum is very possible to

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[325] Gearoid O Tuathail, *Critical Geopolitics: The Politics of Writing Global Space*, Routledge Publishing House, London, 1996, p.33.
[326] Robert D. Kaplan, *The Revenge of Geography,* Random House Trade Paperbacks, New York, 2013, p.74
[327] Talassokratia – geopolitical means sea power domain in politics.
[328] Montecracy - geopolitical jargon implies influence of mountainous geographic terrain on foreign political and military strategic decisions.
[329] Telurokratia – geopolitical jargon means land power domain in politics.

create the same version for the regional dimension and if the dictum exists, the one is to be as follow:

*"Who rules Black Sea Basin commands the Eurasia (Post-Soviet Space):*
*Who rules Black Sea Region commands the Pan-Europe:*
*Who rules Wider Black Sea Region commands the World Politics".*

This interesting approach is really containing historical provisions detrimental influenced the regional geopolitics. The most important and critical challenge is the fact that there are a large number of actors and clashing interests within the Black Sea Region. In security terms the region suffers from several historical legacies. The Black Sea Region used to be treated as a 'passive area' and analyzed as the periphery of more significant geographical units.

Thus, the Black Sea basin has been variously described as the backyard of the Ottoman and Russian Empires, as an extension of Soviet zone of influence, as the frontier of Europe, and, finally, as the extension of the Mediterranean world. Moreover, the existence of several distinct sub-regions within the Black Sea Region, i.e. the Caucasus, the Balkans and to a certain extent the Mediterranean, Eastern Europe and the Middle East, is another factor that destabilizes the area. Time and again sub-regional identities have prevented the emergence of a Black Sea identity, created instability, and impeded the establishment of a comprehensive regional security framework. There are both regional and non-regional actors in the Black Sea Region, and three principal actors exert varying degrees of influence on the available security policy options (*reflection of the passage is below*).

At present time, The Black Sea region is becoming very important one to world markets because it has large oil and gas reserves that are only now bargaining to be fully developed (taking in consideration of energy resources of Azerbaijan, the Ukraine, Romania, Russia, transit potency of Georgia, Bulgaria, Turkey and very closed disposition toward the Caspian Basin). Developing these resources has resulted in competition both between companies to get the contracts to develop this potential, and between nations to determine the final export routes. According to experts of the RAND Corporation the Caspian oil potential today is 2% of the world's total (Venezuela has one-fourth of such reserves; Iraq, one-seventh; and Saudi Arabia, one-seventeenth).

Therefore, the Caspian Sea region's oil and gas potential and the Black Sea region's transition ability have attracted much attention since the breakup of the Soviet Union. Due to the unique geopolitical location, the Black Sea region interlines four very important areas: the Middle East, the Central Europe, the Central Asia and Western Europe thus more raising political status of the region for the international society. The nations in the Black Sea region and nearby "gateways" (term used by the American scientist Saul B. Cohen[330] and in this context means geographical one for key passages of the Black Sea for shipping of

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[330] David Minix, Samuel Hawley "Global Politics", Wadsworth Publishing Company, New York, 1998, pp.50-51.

oil and gas)-the Caucasus - Azerbaijan, Georgia, Ukraine, Turkey, Romania, Russia, Bulgaria are already major energy producers and exporters, and production will increase with additional investment, technology, and the development of new export outlets.

The Caspian Sea is 700 miles long and contains 6 separate hydrocarbon basins. However, the Caspian Sea strategic reserves importance is difficult to consider by exclusion of the South-East Europe and the South Caucasus regions. The South Caucasus' strategic importance cannot be overestimated: it is a link between the North and the South (Russia and the Persian Gulf), it is a source of oil and gas for the European and Pacific markets[331]. Besides one should perceive the regional geopolitical perspective. The Caucasus has an important geopolitical role to play as a link between the North and the South (Central Eurasia, which is Russia, and the Middle East) and the West and the East (Western Europe-the Balkans-the Caucasus-Central Asia-Southeast Asia-the Far East). The true mechanism of managing the "resources" distribution requires stable and cohesive political stability and basement. It drives all nations to engage into a new relationship mechanism and by joint effort to build democracy, free-minded society and rigid statehood. Otherwise, to say the broader *Black Sea-Caspian-Central Asian* dimension, bringing in all countries of the Black Sea and Caspian Sea, would be based on the existing mechanism of the Organization for the Black Sea Economic Cooperation (BSEC) of which the countries of the Caucasus and the South-East Europe are members. The BSEC organization itself would be upgraded in operationally, with full membership now appropriate for the EU in view of the status of Bulgaria, Romania and Turkey as accession candidates, and possible association links with the South Caucasus as well as their membership in the NATO. The institutionalization might be laying foundation for further development of the Black Sea reserves exploitation to benefit all participated nations and societies. This is a real chance for the regionalization success achievement and integrative negotiation ends.

## ASYMMETRIC THREATS IN A BLACK SEA REGION - MILITARY STRATEGICALLY AND OPERATIONAL LEVELS

Demonstrate the nature of asymmetric warfare the example of the Black Sea region reflects well what kind of forces Actors have. In a broad sense, we can see it as a match of interests and there is also self-interest in the game. The existence of asymmetric threats in the Black Sea region give rise to this region is a strategically important corridor for trade, transport and energy routes between Asia and Europe and has a very specific role for Europe, USA, Russia, Turkey and other countries. The Black Sea has coastlines in six countries, including the EU member states Bulgaria and Romania and NATO member countries Romania,

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[331] Vakhtang Maisaia "The Caucasus-Caspian Regional and Energy Security Agendas – Past, Contemporary and Future Geopolitics: View from Georgia", second edition, IREX, Brussels, 2007, pp.15-17.

Bulgaria and Turkey. Until the 20th century there was the Black Sea *mare nostrum* for Empires (Byzantine, Ottomans, and Russia). The Soviet had its own interests. During the Cold War Black Sea was divided with blocks and after all, Turkey wanted to build a south-east European geostrategic area. The Black Sea can become the main transport and energy transit corridor and also the route for the transfer of Central Asian resources to Europe. This dimension comes in correlation with 21st Century challenge[332]. Current challenge is energy and energy routes, e.g. Europe need the Black Sea to diversify its transit routes: to the Caspian Sea to Central Asia, to Iran and maybe at some point to Iraq. Ukraine is working closely with Azerbaijan and Georgia to develop such routes. The Black Sea region is geopolitical place for three large dimensions: US, EU, Russia.

The term "asymmetry", "asymmetrical threat" or "asymmetrical warfare" is used very often, nowadays the term "asymmetric warfare" is understood as employing terrorist methods.

In Modern Warfare Klaus-Peter Lehmann defines asymmetry as a lack of symmetry, i.e. the existence of an imbalance. This imbalance can be expressed in a number of ways[333]. He identifies five basic asymmetries:

- the classic imbalance of forces,
- the different determination or motivation,
- the different legitimation or statehood (i.e. non-state Opponents are usually not on a legitimate, rule of law Base),
- a discrepancy in the methods used,
- the different quality of the resources.

In this sense, a conflict is always asymmetrical when there are significant differences in terms of the forces, means and methods used, but also in terms of the motivation and morality of the opponents.[334] "The terms Asymmetric Warfare and Asymmetric Threats are used for the type of security threat that is directed against political, strategic, military and economic structures in a form that does not correspond to the typical conventional threat scenarios. Asymmetry always exists when one of the conflicting parties behaves unexpectedly differently, for example through a new form of tactic, with an unexpected use or a different use of existing weapons, or through attacks against, other targets"."[335] Asymmetries of strength arise from the fact that one side gains a lead over its opponents through permanent innovations in military organization and weapons technology, which

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[332] Vakhtang Maisaia and Magdana Beselia, *Asymmetrical Warfare Strategy and Its Implications to the Black Sea Regional Security in 21ˢᵗ Century: Non-State Aggressive Actors and Terrorism*, in "Ante Portas – Security Studies"#2(15), Poland, 2020, p.74-75.

[333] *Ibidem*, p.75.

[334] Klaus-Peter Lohmann, *Zur Entwicklung der modernen Kriegführung. Grundlegende Asymmetrien und eine mögliche Strategie*, In: Josef Schröfl, Thomas Pankratz, (Hg.), *Asymmetrische Kriegsführung – ein neues Phänomen der Internationalen Politik?* Nomos-Verlagsgesellschaft, Baden-Baden 2004, S. 57-62.

[335] Friedrich Korkisch, *Die amerikanische Sicht: Asymmetric Warfare*. In: Josef Schröfl, Thomas Pankratz, (Hg.). Asymmetrische Kriegsführung – ein neues Phänomen der Internationalen Politik? Nomos-Verlagsgesellschaft, Baden-Baden 2004, S. 145.

can no longer be made up within a foreseeable period of time. Tried doing it the superior side of shooting up new spheres and new spaces for the purposes of warfare, into which the other side cannot follow to technological inferiority[336]. These threats are deriving from the conceptual and practical activities performed by the Armed Forces units of the Russian Federation.

This is good case to define what it means jargon "Asymmetric Threat". Hence, there is one of the definitions, upon to which, "Asymmetric Threat – irregular threat of using power as source of the threat to define purpose of attack as well as means and capabilities causing serious harm to a state»[337]. Asymmetry of strength is opposed to the asymmetry from weakness, where the loser tries to evade the superior side with the help of creative strategies and tactic. A classic form of strategic asymmetry out of weakness is the partisan war, the aim of which is not to reveal oneself, to evade open combat, and to act from behind the scenes, attack like a raid and then go into hiding again. The asymmetry based on the idea that the fighters tend to be unrecognizable. The aim is to extend the war over space and time, and to wear down the superior enemy. Partisan war was considered the prevailing asymmetric Strategy to offer resistance to a technologically and organizationally superior opponent, very often the central goal of the partisan struggle was to become a state actor and thus to achieve rebalancing. The most important difference between partisan struggle and terrorism is that partisan struggle is basically of a defensive nature, while the terrorism strategy also offers offensive options for the defeated opponent.[338]

Today there is no longer any doubt that the line between war and peace is becoming increasingly mixed and it is being purposely obscured for strategic reasons - states are destabilized from inside, for example by inciting minorities, perhaps that Indicate - that, the hybrid warfare has begun to achieve political goals. The hybrid warfare indicates Flexible mixed form of the open and covertly applied, regular and irregular, symmetrical and asymmetrical, military and non-military means of conflict with the purpose of blurring the threshold between the binary states of war and peace, particularly under international law.

In hybrid wars are on three different fronts action:

- *on conventional battlefields;*
- *with the public and the population of the attacked country;*
- *among the home population and the international public.*

Hybrid wars are therefore carried out by both state and non-state actors. These multimodal activities are generally operationally and tactically geared towards achieving synergy effects in the physical and psychological dimensions

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[336]Bernhard Richter, *Irreguläre Kriegsführung am Beispiel des Libanonkrieges im Sommer 2006,* ARMIS ET LITTERIS 18. Wien, 2006, p 171.

[337] В.Н. Конышев, А.А. Сергунин «Современная военная стратегия», учебное пособие, издательство «Аспект Пресс», Москва, 2014, стр.15.

[338] Herfried Münkler: Der Wandel des Krieges – Von der Symmetrie zur Asymmetrie. Verlag Velbrück Wissenschaft, Weilerswist 2006, S. 148.

of the conflict[339]. This means that hybrid warfare can be achieved through the use of both conventional and irregular combat modes, not characterized only in the military but also in the economic sense and by the intensive use of the media to wage an information war.

Becomes Hybrid warfare the "dark side" of globalization and new technologies? - That is the question, but the fact is, that Globalization and new technologies (Cyberspace) act as a catalyst for hybrid methods of warfare. In the 21st century, the decisive characteristic for security policy is asymmetrical threats or warfare they arise in many forms. Some of these forms of asymmetrical threats or warfare can be conventional we speak of robbery, ambush, surprise, deception, subversion, the appearance of irregular forces, hacker attacks from cyberspace against the ICT infrastructure, etc.[340] The prospective get demonstrate, if terrorism will become the central threat in the 21st century, but at the instant after September 9/11 2001, terrorism has moved to the center of threat perception as almost the most important asymmetrical threat or form of asymmetrical warfare, and it can be assumed that this perception will continue.

According to some academic sources, there are many different definitions of the doctrine, but one of them: ***Asymmetric Warfare*** *– is war between belligerents whose relative military power differs significantly from or whose strategy or tactics differ significantly[341]*. This is contrast to symmetric warfare, where two powers have similar military power and resources and rely on strategy that are similar overall, differing only in details and execution[342].

A popularity of new war theory in strategic studies, labeled as "hybrid war" is being determined by the importance of globalization effect on global security and contemporary international relations system. Here is to be considered hybrid war phenomenon. Having considered several assumptions, it is possible to identify definition of the hybrid war - ***hybrid war*** *is primarily based on the ability to target distant objects and processes through non-traditional military means, particularly those critical to state and military functions[343]*.

It is important to admit that hybrid war is waging mainly between state and non-state opponents (including terrorists, like "Taliban", DAESH, etc.) that is

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[339] Hoffmann, Frank G., *Conflict in the 21st Century: The Rise of Hybrid Wars,* (Potomac Institute for Policy Studies), Arlington 2007.

[340] Friedrich Korkisch, *Die amerikanische Sicht: Asymmetric Warfare*. In: Josef Schröfl, Thomas Pankratz, (Hg.): Asymmetrische Kriegsführung – ein neues Phänomen der Internationalen Politik?, Nomos-Verlagsgesellschaft, Baden-Baden 2004, S. 147.

[341] Peter Bator, *International Conflict Management – Crisis, War and Peace* in "Introduction to Security Studies", Centre for European and North Atlantic Affairs (CENAA), Bratislava, Slovakia, 2014, p.42.

[342] Arrenguin-Toft I., *How to Weak Win Wars: A Theory of Asymmetric Conflict,* in "International Security", Vol.26, 2001, c. 1, s. 93-128.

[343] Yuriy Danyk, Tamara Maliarchuk and Chad Briggs, *Hybrid War: High-tech, Information and Cyber Conflicts,* in "Connections" The Quarterly Journal, Partnership for Peace Consortium of Defense Academies and Security Studies Institutes, Vol.16, no.2, Germany, Spring 2017, p.6.

fully corresponded to realms of fourth war generation[344]. Herewith is being interested to present the author's view on identification of hybrid war. ***Hybrid War Concept – *** *method of waging combat operations by coercive power elements with non-military means and with insurgency tactical components pursuing goal of destroying and demoralizing excessive enemy forces and subverting their will for further resistance.* Hence, hybrid war is indispensable component of the Fourth War generation concept aiming at destructed enemies political will and culture for continuous further resistance. The tendency of threats and challenges getting evolved into asymmetric warfare doctrine are being developed at regional levels and these ones are disseminating in aegis of the Black Sea Regional Security System.

**CONCLUSION**

The Black Sea regional geopolitics is still actual and very relevant from theoretical framework of international relations and security studies and from realpolitik perspective. However, this achievement would be made fragile, as the Black Sea region has become one of the world's most tragic humanitarian, political and economic disaster zones. The region enters the 21-st century still drinking the deadly cocktail of 19th century nationalism and great power rivalry. The insecurity of the region also blocks the development of the wider **Black Sea-Caspian-Central Asian** economic axis. New dangerous challenges - terrorism and low intensity conflicts can subvert the Security System of the region. These might be considering as "external" but little aware political constraints that curb and grave all prosperous dreams of the nations. Hence, the regional system in the Black Sea area is very dual fold and prone toward instability but with opportunity for enhancing security provisions in nearest future. Moreover, the Black Sea regional security and geopolitics are to be reviewed and scrutinized in several modalities in aegis of the Securitization theory, like military and economic sectors. In addition to that the Black Sea Region has to contend with numerous threats of a conventional and non-conventional kind. These hard and soft security problems make the region volatile, insecure and unstable. That is why the region is very vital for inter-governmental organizations, dealing with military security (NATO case) and local actors in case of Georgia's national security.

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# TRANSATLANTIC RELATIONS AND GEOPOLITICAL FRAGILITY IN THE EASTERN MEDITERRANEAN REGION

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***Abstract:*** *The landmasses of the USA and EU which are on the opposing sides of the Atlantic Ocean have come into focus once again, socially and culturally linked ideals, such as democracy and human rights were always the backbone in the transatlantic relationship along with the joint commitments for free-market capitalism which were entrenched within the interests of the two major partners. The transatlantic relationship is reportedly plagued by difficulties. Since the establishment of NATO in 1949, transatlantic relationship has been at the centre of discussions for the United States and Europe. It keeps the two regions working together to combat the challenges in the world where there are conflicts. Common Institutions and Shared Identity are the core principles which unites the two regions. From relations with Russia and China to the policies on Iran and Syria's weapons control and climate change, transatlantic relations have arisen on world affairs today. On the other hand the geopolitical dynamics with the recent discoveries of significant natural gas deposits in the East Mediterranean region in the offshores of Cyprus, Egypt, Greece, Israel has become a hot spot for energy extraction. With the discovery of Eastern Mediterranean's natural gas fields like Tamar, Leviathan, Zohr and Aphrodite, and it has made transformative effect on the region. Energy is going to be crucial for future economic development in the Eastern Mediterranean region. The recent gas discoveries have been anticipated as offering an impetus for new levels of energy cooperation, as well as generating space for a larger power base and solidifying stability in the region.*
***Keywords:*** *EU, USA, NATO, East-Mediterranean Sea, Russia, China, Energy, Security.*

It is presumed that there will be a more hopeful and fruitful process for transatlantic ties under the new administration of President Joe Biden. The biggest challenge to the transatlantic relationship is creating a mutually beneficial agenda that is more than just expanding the trade links established between the two continents in the past and being more specific about what can be done in the future. Predictable collaboration between the United States and European Union holds key intersections in the fields of environment, human rights, intelligence, and

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trade which has diminished over the years. Nevertheless, there are notable amounts of future opportunities in the areas such as economic development, foreign policy, security, and defence.

The way the world events are unfolding in the backdrop of the global pandemic, the United States and Europe are experiencing several common challenges; these include combatting the pandemic; infusing the economic growth and reinvigorating the trade ties constrained by the frequent lockdowns; strategies to counter the economic growth, military expansion and rising global dominance of the dragon country, China; responding to the geopolitical fragility in the East Mediterranean Region due to the energy resources found on the onset of 21$^{st}$ Century and the claims of the countries in this region over the Exclusive Economic Zones; Gaza imbroglio that may turn into a major conflict between Israel and West Asian countries; apart from the common concerns over the climatic changes, immigrants issues, health care and inequality. The People's Republic of China has become the focus of international attention because of being the trigger for the global pandemic. China's growing political and economic clout worldwide and hegemonic inclinations that have the potential to drastically diminish the dominance of the USA and EU in global economic and political affairs is a cause of concern for both the US and EU.

The landmasses of the USA and EU on the opposing sides of the Atlantic Ocean have come into focus once again after Joe Biden has taken his seat at the office as the 46$^{th}$ President of the United States, which may result in the shifts in the way the US deals with the regional and global affairs and may lead to different perspectives on the major issues cross-cutting the priorities - combatting COVID 19, reviving the economy, opposing views and responses towards climate change, re-orienting military and foreign policies and finding solutions to racial equity. Military and economic might will continue to be important factors for the US, but soft power will become more dominant. Similarly, for the EU, the priorities will be to combat COVID 19, vaccinating the population, minimizing the virus surges; redress the stressed economy; fighting the migrants' issues; energy security, and playing a much wider role in global political and economic affairs.

Add to this, the geopolitical dynamics with the recent discoveries of significant natural gas deposits in the East Mediterranean region in the foreshores of Cyprus, Egypt, Greece, and Israel. The Eastern Mediterranean region has become a hot spot for energy extraction and thus has become a distinct geographic area of great interest, concern and anxiety to regional countries and another fresh energy resource for energy-hungry countries globally. The region thus may become a flashpoint of grave concern in the future. Though there are several challenges, first, most of the resources are in deep waters, thus making it expensive to extract and second, the conflict between countries over the Exclusive Economic Zones (EEZ). Since the discovery of offshore natural gas reserves in the Eastern Mediterranean Region in the early 2000s, Turkey has challenged its

neighbours with regard to the delimitation of their EEZ and destabilised the whole region through its illegal exploration and military interventions, in violation of international law. ***It is extremely significant for Greece and Cyprus to sign EEZ agreement as soon as possible in the near future***. Inadequate infrastructure, limited local economies, and geopolitical uncertainties exacerbate these difficulties as well. The creation of the Eastern Mediterranean Gas Forum (EMGF) in the wake of growing conflicting issues responds to the need for a regionally organised initiative to fully realise the potential of the Eastern Mediterranean's offshore gas resources.

The first section of the paper discusses the history and the relationship between the transatlantic regions, how important it is to the transatlantic communities and about the latest developments in Transatlantic Trade and Investment Partnership. The second section explains in brief the geopolitical and economic shifts that may be caused due to the tensions in the Eastern Mediterranean region and the issues of Energy Security in this region including the formation and purpose of EMGF. The analysis draws the convergence between the two issues and the way ahead.

## TRANSATLANTIC RELATIONSHIP BETWEEN
## THE USA & THE EUROPEAN NATIONS

Since World War I, the USA and European nations across the Atlantic Ocean had been cooperating in the areas of politics, security, economics and culture. Socially and culturally linked ideals, such as democracy and human rights were always the backbone in the transatlantic relationship along with the joint commitments for free-market capitalism which were entrenched within the interests of the two major partners. The two sides of the Atlantic used this partnership to bond with each other, which included contribution of time and effort to work together and support each other actively. Over the past seven decades, the United States has been the major force behind the transatlantic partnership, feeling that it is of utmost importance to the national security to garner maximum support from European countries as well as essential in terms of the country's economic well-being.

Transatlantic relations grew manifolds with the formation of the North Atlantic Treaty Organization (NATO) post World War II in April 1949 with firmly and formally sealing the alliance between the USA, Canada and ten European countries at that time based on the common motive to safeguard the freedom and security of all its members by political and military means. Collective defence was at the heart of this alliance fostering the spirit of solidarity and cohesion among its members.

The NATO was expanded to include states from Central and Eastern Europe in December 1991 and January 1994, respectively, through the North Atlantic Cooperation Council (NACC) and the Partnership for Peace (PfP)

initiatives. In the beginning, NATO was founded to secure Europe, help protect the US soil and the Atlantic Treaty allies in the world. The post-World War II transatlantic partnership, which the United States dominated, was built on alliances with like-minded democratic countries and a joint commitment by the United States and Europe for a free economy and an inclusive international trading system. The United States has contributed to the EU's progress and development since the early 1950s, supporting the unification process of European integration. It was a means to enhance national cohesion, spur growth, and foster democratic institutions and free-market economics. Over the period of time, European countries joined NATO bringing 30 member countries into its ambit.[347]

When the United States became engulfed in the crisis of Afghanistan and Iraq, transatlantic ties and dialogue started waning. United States always believed that NATO and European integration would hold power to counter the Soviet army. The financial crash of 2008-11 and the Obama presidency signalled a reinvigoration of the ideology and laws of multilateral procedure in the United States. Obama's demands for European countries to hold power in front and handle the crisis of its neighbours and for more equitable responsibility in Afghanistan sparked debate. Europeans have often questioned the transatlantic alliance's potential to provide greater stability and peace. Obama's frequent portrayal of himself as uninterested in European matters had only contributed to the general feeling of scepticism and disillusionment.

The transatlantic relationship is reportedly plagued by difficulties. During Trump's presidency, he and his administration criticised NATO's strategic importance and the EU and its multilateral trading mechanism. He also called the EU as the "biggest foes"[348] and Germany as "stupid".[349] He portrayed that the EU trade policies were unfair to U.S. workers and businesses[350]. On the other hand, since its establishment in 1949, NATO has been at the centre of discussions for the United States and Europe. It keeps the two regions working together to combat the challenges in the world where there are conflicts.

The Atlantic Community was instrumental in creating the international multilateral system that grew out of the Second World War. The establishment of the United Nations and Bretton Woods System were the two organisations that gave the reflection for multilateral world order. The West since the inter-war period holds the responsibility for maintaining global peace, prosperity, and

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[347] https://www.nato.int/cps/en/natohq/topics_52044.htm, accessed on 01.05.2021.
[348] Contiguglia, Cat., *Trump: EU Is One of United States' Biggest* Foes, "Politico", July 15, 2018. Online at: https://www.politico.eu/article/donald-trump-putin-russia-europe-one-of-united-states-biggest-foes/, accessed on 01.05.2021.
[349] Bloch Agneska and James Goldgeier, *Reviving the Transatlantic Relationship*, Brookings-Robert Bosch Foundation Transatlantic Initiative. November 2020, https://www.bosch-stiftung.de/en/story/reviving-transatlantic-relationship, accessed on 01.05.2021.
[350] Archick K., Akhtar, S. I., Belkin P. and Mix Derek. E. (2020), *"Transatlantic Relations: U.S Interests and Key Issues"*, Congressional Research Service, https://fas.org/sgp/crs/row/R45745.pdf, accessed on 01.05.2021.

stability around the word. The term Transatlantic Security Community has three characteristics: Interdependence, Common Institutions and Shared Identity.[351] They believe themselves to be equal partners. For one thing, violence isn't really an option for both the U.S and European Union; their solidarity, their interdependence on political decisions, trade and economic relations, belief in democracy and human rights shows the correlation between the two lands across the Atlantic. From relations with Russia and China to the policies on Iran and Syria's weapons control and climate change, transatlantic relations have arisen on world affairs today.

The post-cold war period for transatlantic relations was important for the development both from economics and military point of view. Over the years, cumulatively the Purchasing Power Parity (PPP) and Foreign Direct Investments (FDI) of both the US and EU rose to extreme heights. The defence budget for NATO was much higher compared to Russia, China, or Brazil. NATO as an organisation evolved from territorial defence-based alliance into a security actor specializing in crisis management.[352] Following the end of the Cold War, the focus of Western nations was on globalisation; as an advantage for development rather than a threat or challenge.[353] Thus, globalisation resulted into a worldwide practise more specially for the United States, through the development of technology, social democracy, economic interdependence, and free market economy. For European Union countries, their agenda was to integrate and build strong interconnections between the Union countries. Therefore, the dissemination of globalisation spanned across oceanic borders, exhibiting the substantial intercultural relations and activities of the transatlantic community.

The escalation in China's position on the global economy ladder was much less drastic than the United States' invasion on Iraq in 2003 which had repercussion on the transatlantic relationship. Previous incidents of transatlantic conflict that dealt with such issues, such as the Suez Crisis and the Iraq war, are now being served as case studies for researchers in this field of study. During the tenure of Trump as the President, the allies of United States and amongst those, the Western European allies suffered severely. He criticized the European Union and its strong integration. President Joe Biden has made economic growth a top priority in the wake of the global pandemic "COVID-19", which has struck the world hard. He also wants to put a stop to the continuing trade war or the so-called artificial trade war between the US and Europe.[354]

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[351] Risse, Thomas (2003), *Beyond Iraq: Challenges to the Transatlantic Security Community,* Washington, D.C, American Institute for Contemporary German Studies at the Johns Hopkins University.

[352] Goldgeier, James M (1999), *Not Whether but When. The U.S Decision to Enlarge NATO,* Washington, Brookings Institution Press.

[353] *The New Transatlantic Agenda* (1995), https://eeas.europa.eu/archives/docs/us/docs/new_ transatlantic_agenda_en.pdf , accessed on 01.05.2021.

[354] Bloch Agneska and Goldgeier James (2020), *Reviving the Transatlantic Relationship,* Brookings-Robert Bosch Foundation Transatlantic Initiative, https://www.bosh-stiftung.de/en/story/reviving-transatlantic-relationship, accessed on 01.05.2021.

According to Samuel Huntington's, The Third Wave - Democratization in the late twentieth Century,[355] western ideas of liberal democracy and supply-side economics began to reach Europe and NATO through enlargements and since then has gradually expanded to include other areas of the world through financial donor contributions from countries as well as International Financial Institutions (IFIs). In the international arena, Europeans and Americans remained largely dependent on one another, paradoxically attesting to the continuing importance of an Atlantic culture.

Since the beginning of 21st century, there has been a shift of power in the global order. John J. Mearsheimer in his book, 'The Tragedy of Great Power Politics' mentions that the world has shifted from bipolar world to multipolar world after the cold war.[356] The transatlantic partnership has been influenced not only by systemic developments on a global scale, but also by actor-level shifts within the United States and Europe. Also, the 2008 financial crisis shifted the course of transatlantic relationship. Domestic politics, economy, and social structure have built the inter-connectedness between the European nations. With the strong integration of the European Union, the nations have become more dependent on each other leading to stronger cohesion and simultaneously diluting the US-EU ties. The annual EU-US summits used to showcase the common agendas and shared vision in their relationships. For some years, their packed agendas, which included policies and programmes ranging from banana tariffs to cyber-security and Kosovo independence, reflect the multifaceted nature of today's transatlantic ties.

Officials in Europe express concern about dwindling and delayed consultations on foreign policy and security matters that could lead to a gap in relations between the US and Europe. These concerns include the withdrawal of US troops from the international coalition battling the Islamic State terrorist group in Syria in 2019 and the death of an Iranian military officer by a US drone attack in early 2020, which exacerbated the situation in the Persian Gulf.

The United Kingdom's withdrawal from the EU (popularly known as "Brexit"), the negative economic consequences of the COVID-19 pandemic, a persistent terrorist challenge, Russia's rise, and a dynamic China are only a few of the reasons why the relationship between the US and the EU in 2021 has changed, and many questions have been posed about the future and their position on the global stage. The waning and downturn in cooperation between the U.S. and U.K. may signify a significant shift in how transatlantic ties have been managed since World War II, which has been changed with the Brexit deal. The historical and cultural affinity between the two has suffered because the Britain has always served as the U.S. gateway of entry into the EU in the past. The United States

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[355] Huntinggton, Samuel P. (1991), *"The Third Wave. Democratization in the Late Twentieth Century",* Norman, University of Oklahoma Press.
[356] Mearsheimer John J. (2001), *The Tragedy of Great Power Politics,* New York, Norton.

must manage the relations with both U.K and Franco-German axis from European Union side. There's a firm conviction that Britain will continue to be a close partner regardless of whether it is a member of EU, it will still contribute to the European security as well as be a key member of NATO.

Both the United States and the EU member states will have to move together in diplomatic collaboration, with respect to separate EU foreign policy initiatives, such as Common Foreign and Security Policy (CFSP) and Common Security and Defence Policy (CSDP). Intelligence cooperation is the most important weapon in the battle to contain the new threats (biological warfare, CBRNE, radical extremism and organized crime, money-laundering) in the 21st centuries. As Prof John M Nomikos, RIEAS director has pointed out that the European Commission needs to establish a European Union Intelligence Agency (EUIA) in order to create a "European Intelligence Culture" and coordinate actions on intelligence issues among the 27 EU member-states.

In the world arena, the United Kingdom has consistently stood shoulder - to - shoulder with America and its allies. Following Brexit, the US has accelerated its bilateral relations with Germany, the EU's dominant economic power. As the EU's second and third-largest economies, France and Italy have significant roles to play in transatlantic relations.

Transatlantic Trade and Investment Partnership (TTIP) is an agreement between the U.S and EU, a barrier free trade agreement. It was established in the year 2013. The agreement aimed at establishing the most extensive free trade zone in the world, spanning over the North Atlantic region. Over the period of time, it has created trade-related jobs, has provided the consumers to buy products at a lower price, expanded the economic integration and activity and has led the two regions to comply with the areas of food safety, energy security, environmental protection, and banking regulations. The primary goal of TTIP is to reduce tariff barriers between the United States and the European Union, which are used to regulate cross-border trade, to zero. The trading system has delivered great benefits over the past 75 years, billions of people have been lifted out of poverty, sickness, and despair, largely by export-oriented growth strategies.[357]

Trade relations, such as the availability of natural resources and other economic progress and sustainable growth, will benefit both regions. Noting the improvements currently irrespective of the few issues with Trump's trade policies earlier, there is a bright future for both the regions irrespective of the problems that have existed between the United States and Europe for years. International NGOs and businesses may also help to foster shared understanding among countries and communities, influencing mutual perspectives.

Both sides of the Atlantic are keen to restore the US-EU relationship. Among other agendas, energy conservation, security and cooperation could play

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[357] https://www.wilsoncenter.org/article/enhancing-transatlantic-trade-and-investment-relationship, accessed on 01.05.2021.

a key role in reviving the relationship under Joe Biden's administration. There is a possibility that United States will be returning to multilateral global climate change agreements under the terms established in the Paris Agreement (2015), taking a critical step towards restoring faith with its transatlantic allies. Before leading on climate issues in a global arena, the United States must re-enter the Paris Agreement with modesty and prioritise limiting greenhouse gases and carbon emissions at home. The previous president of the United States overlooked the importance of the US-EU Energy Council, now its President Joe Biden's responsibility to make the council function and he should hold a larger role in global climate and energy work. It is critical that climate policy be incorporated into all fields of EU and US collaboration as it affects everything on the two of these three levels of politics, economics, and social concerns. However, well-designed trade strategies will help move the energy transition forward towards the way the international community has set out with long-term sustainable development goals, including those agreed to in Paris. A ramped-up US engagement in global forums, such as the Clean Energy Ministerial and Mission Innovation will reinforce the efforts of the US-EU Energy Council.[358] More effort should be put into the renewable energy programmes.

The EU's proposed Carbon Border Adjustment Mechanism (CBAM), a key component of the European Green Deal, will have significant implication on the US-EU relationship as the EU moves to impose a tax on imported goods based on their attributed carbon emissions.[359] Energy is essential since the two different governing bodies, the US and the European Union, have different laws. Steps must be taken to ensure that the execution of policies fully complies with World Trade Organisation. While new, environmentally friendly developments are essential for stability, they are inevitably related to an increase in dependency on oil, hence making energy security a priority for both regions. US-EU must comply with robust and effective multilateral/ multinational collaboration with the expansion of transatlantic cooperation on the development of technologies is needed to ensure long-term security, availability and affordability of energy sources for the future generation. The United States and the European Union should maintain their role in the Three Seas Initiative and their place in the East Mediterranean Gas Pipeline Organization, also known as East Med. In relation to the sanctions on Iran, as well as on Venezuela, there should be cooperation; the penalties/sanctions should be implemented simultaneously with the consultation.

Over the years post-cold war after the breakup of Soviet Union and ushering of the digital world with paradigm shifts in the way the businesses happen and economies prosper, there have been dilutions in the spirit of the alliance and

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[358] Morningstar, R. (2021), *"Prospects for Transatlantic Climate and Energy Cooperation",* Wilson Centre, https://www.wilsoncenter.org/article/prospects-transatlantic-climate-and-energy-cooperation, accessed on 01.05.2021.
[359] *Ibidem* 9.

diminishing of its trade, military and cultural ties and there have been voices within the US Congress who have protested the size of US military contributions to Europe into the NATO organisation and the much lesser involvement of European Nations towards the common causes. However, with changeover of the government in US, the Biden-Harris setup may lift the declining spirits of the alliance between US and EU and find common grounds and shared vision to carve a path of prosperity and stability.

## GEOPOLITICAL FRAGILITY EMANATING FROM NEWLY FOUND ENERGY RESOURCES IN EASTERN MEDITERRANEAN REGION

The traditional sources of friction including protection of national sovereign, disputes over the territorial waters and strife between the different faiths in the East Mediterranean region among Greece, Cyprus, Israel, Egypt, Turkey and other nations are coupled now with the another set of interlocking geopolitical tensions and energy disputes in this region. Not only has the number of countries involved in the crisis grown, but also its scope has widened to embrace the new issue about recent energy discoveries in the Eastern Mediterranean region, that in, in turn, have qualitatively changed the nature of the crisis. Hinging upon the newfound energy resources are the expectations of nations of this region, and energy hungry USA and EU apart from other developing countries.

According to International Energy Agency's definition, energy security is the uninterrupted availability of energy sources at affordable prices.[360] Energy security may seem like an abstract concern, but certainly it is important, yet vague, and a little hard to pin down (*Yergin, 2011, pp.267*). Energy security encompasses not just the vast spectrum of supply of energy, availability, acceptability, and affordability, but also the relationships between nations, how they interact with one another, and how energy influences their wider national security issues. Affordable and sustainable access to energy resources has been one of the key challenges for all the countries around the world. In today's time for the countries, energy security has become vital in terms of the control of transportation routes and to protect critical infrastructure and key energy assets, this is more so important for those countries which depend on import of energy resources (*Ebel and Menon, 2000*). Energy and politics are part and parcel of one another and must not be split. It is an inextricable component of policies; it is often intertwined with developments, which is why states make it a part of their foreign and national security strategies (*Yergin, 2006*).

The Mediterranean Sea is located at the crossroads of Europe, Asia, and Africa; it encompasses major international sea routes and straits such as the Straits of Gibraltar, the Bosporus, the Dardanelles, and the Suez Canal; and it has oil and

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[360] *International Energy Agency Homepage*, http://www.iea.org/topics/energysecurity/, accessed on 01.05.2021.

natural gas reserves.[361] The discovery of energy resources in the Eastern Mediterranean region has led to important geopolitical dynamics on sea and closest lands. It has also led towards instability in the region which thus has disrupted the balance of power in the region. The stability and changes in the balance of power in this region is dependent on factors such as optimally tapping oil resources, distributing to energy-hungry EU and other countries for economic growth, and maintaining it by alliances and diplomacy, for which infrastructure construction in the form of pipelines and infrastructure are critical. It is also believed, it triggered "bonanza"[362] among the countries to grab the opportunity of signing deals with the East Med countries for their profit.

The discovery thus has led to tensions between Israel, Turkey, Greece, Cyprus, and Egypt.[363] The deposits in the Eastern Mediterranean could provide energy to the region's nations as well as external consumers such as energy-starved Europe. It is estimated that the Eastern Mediterranean region, extending from Cyprus to Lebanon and from Israel to Egypt, hosts probably more than 340 trillion cubic feet (tcf) of natural gas (*Lo 2017; Lavinder 2018*). The exploration of new oil supplies provides an opportunity for energy-producing countries to reduce regional reliance on electricity while increasing economic growth. Greece and Cyprus are EU member states, and any potential EU-Eastern Mediterranean trade in energy supplies will expand their influence and jurisdiction through EU decision-making bodies' negotiations.

The Natural gas field across the countries in the Eastern Mediterranean has become a subject on which the countries' domestic and foreign policies co-determine. Regional gas governance systems with their traditional trade and pricing patterns have, therefore, begun to slowly crack, giving way to more globalized forms of gas trade. [364]

A plethora of potential export markets, as well as new cooperation possibilities, have arisen, allowing for greater coordination on the growth of the international gas industry. This figure increases the geostrategic importance of the Eastern Mediterranean and increases rivalry among states for hydrocarbon reserves. Supply disruption, for example, has often been used as an 'energy tool' by the generating state or transit states that dominate pipelines or transportation routes in order to compel the consuming state or coalition of consumer states to

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[361] Sharma, R., (2021), *"Energy Security in the Eastern Mediterranean Region: Challenges in 21ˢᵗ Century",* RIEAS, Available at: https://rieas.gr/researchareas/editorial/4609-energy-security-in-eastern-mediterranean-region-challenges-in-the-21st-century, accessed on 01.05.2021.

[362] Energy Post, (2019), *East Mediterranean Gas Finds: EU energy Bonanza or geopolitical headache?,* https://energypost.eu/east-mediterranean-gas-finds-eu-energy-bonanza-or-geopolitical-headache/, accessed on 01.05.2021.

[363] Mamedov, R. (2020), *The Energy Sector, Competition and Security in the Eastern Mediterranean,* Russian International Affairs Council, https://russiancouncil.ru/en/analytics-and-comments/analytics/the-energy-sector-competition-and-security-in-the-eastern-mediterranean/, accessed on 01.05.2021.

[364] Hulbert, M. & Goldthatu, A. (2013), *Natural Gas going Global? Potential and Pitfalls,* "Handbook of Global Energy Policy", London, pp. 98-112.

modify their behaviour in the manner desired by the adversary. Few scholars argue that high levels of securitization within nations are needed for peaceful political ties between nation-states, and most accept that lower levels of securitization are more prevalent in the East Mediterranean region. As there are numerous questions to be answered about energy protection in the Eastern Mediterranean region, the challenge is complex.

The interest shown by the US Company Noble Energy and the French company Total E&P in the area became apparent since 2010. The offshores of Israel and Cyprus and their exclusive economic zones, or maritime zones, the corporations discovered a total of 3.4 tcf of recoverable gas and 1.7 billion barrels of recoverable oil reserves. Given the latest estimates of Zohr's capacity after the discovery of the giant gas field in the Egyptian offshore in 2015 (Nile Delta Basin) and the assumed 2-4 tcf feet of untapped natural gas and 1.5 billion of oil in the Aegean Sea specifically in Greek waters south of Crete, the total natural gas reserves in the Eastern Mediterranean could overcome 10 tcf (*Indeo, 2016*). For the U.S, the region has been the central focal point since the cold war era. *The current rivalry between Greece and Turkey has alarmed the U.S and E.U regarding the recent developments and the conflicts happening in the region.*

The discovery of natural gas fields such as Tamar, Leviathan, Zohr, and Aphrodite in the Eastern Mediterranean was a promising indication, and it had a profound impact in the region. It demonstrated a symbol of stability and unity in the area, but it has been unable to hold tensions between states. When discussing stability, especially the regionalization of the Eastern Mediterranean, it is important to remember a few constructs that have become political discourses in international relations studies, these narratives are as follows: exclusive economic territories, LNG ports, deep-sea water tunnels, and the UNCLOS. In other words, energy has the power to alter not just the geographic scope of an area, but also the practises and policies that govern it.

From a historical point of view, the ability to move energy across borders has been a source of savings and security and a basis for foreign commercial and diplomatic relations.[365] Because of the region's turbulent terrain, building a pipeline is a difficult challenge. A series of discussions have taken place in Eastern Mediterranean countries over the construction of an 'EastMed' pipeline. The plans to build a pipeline to Europe have not been implemented yet; however, on 2 January 2020, Greece, Cyprus, and Israel signed a treaty to construct the 1,900-kilometre East Med gas pipeline.[366]

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[365] Verrastro, F. and Ladislaw, S. (2007), *Providing energy security in an interdependent world*, "The Washington Quarterly", Vol. 30, pp.95–104.
[366] Mamedov, R. (2020), *The Energy Sector Competition and Security in the Eastern Mediterranean,* "Modern Diplomacy", https://moderndiplomacy.eu/2020/12/20/the-energy-sector-competition-and-security-in-the-eastern-mediterranean/, accessed on 01.05.2021.

The Eastern Mediterranean Gas Forum (EMGF) was established in 2019, headquartered in Cairo, Egypt, in collaboration with French and Italian energy companies, to coordinate gas trade, set prices, align energy policies, merge infrastructures and thereby secure energy supply.[367] The EMGF will serve as a platform to foster cooperation and initiate a structured and systematic policy dialogue on natural gas, potentially leading to the development of a sustainable regional gas market.[368] The forum includes Cyprus, Egypt, Greece, Israel, Italy, Jordan, and Palestine as member countries, but Turkey is not part of this forum. The exploration of gas deposits in the Eastern Mediterranean brought another dimension of dispute apart from decades-old conflicts amongst the countries regarding the exclusive economic zones (EEZs) and bilateral conflicts. The establishment of the EMGF responds to the need for a regionally coordinated effort to unlock the full potential of Eastern Mediterranean offshore gas wealth.[369] The Eastern Mediterranean has been an effective pathway for EU oil and natural gas imports, with around 35% of EU natural gas and 50% of EU oil consumption trafficked within the region (Szoke, 2016). EMFG is trying to create energy routes to Europe with the initiation of pipelines or liquified natural gas terminals.

The East Med pipeline, under the forum which is sponsored by the EU, was signed by Greece, Cyprus, and Israel, with the aim of connecting the EU to the grid. The East-Med pipeline, which will connect Israel's fields to the Greek island of Crete, will need to face the illegal Turkish-Libya economic zone. Turkey is contentious and against this project, as earlier Turkey was the key transporting country for Russia's energy resources to European countries. This move explains that the East-Med Pipeline questions and rewrites the region's coastal and maritime borders. However, as a result of COVID-19, growth has halted and countries' economies have suffered. The region's energy consumption has been falling, and this has spread regionally and internationally as quickly as the virus. Nations such as the United States and Russia, as well as supranational Europe, have taken different approaches for obtaining resources from newly discovered gas fields, resulting in competition.

**CONCLUDING REMARKS**

The transatlantic relations between US and European nations historically share the common vision of peace and stability amongst themselves as also in the world as a whole. These goals and shared vision can only be achieved through

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[367] Wolfrum, S. (2020), *Pipelines to Swords: How COVID-19 Shifted Focus from Energy Cooperation to Securitization in the Eastern Mediterranean*, Observer Research Foundation, https://www.orfonline.org/expert-speak/pipelines-swords-how-covid19-shifted-focus-energy-cooperation-securitisation-eastern-mediterranean/, accessed on 01.05.2021.

[368] Press Release, (2019), *Cairo Declaration establishing the East Mediterranean Gas Forum,* Cairo, Available at: www.pio.gov. cy/en/press-releases-article.html?id=5590#flat, accessed on 01.05.2021.

[369] Sukkarieh, M. (2021), *The East Mediterranean Gas Form: Regional Cooperation Amid Conflicting Interests,* Natural Resource Governance Institute, https://resourcegovernance.org/analysis-tools/publications/east-mediterranean-gas-forum-regional-cooperation-amid-conflicting, accessed on 01.05.2021

strong economic and military ties. However, the mutual trust factor has been on decline over the years. Most damage to the ties has been during the Trump era. The US and EU must create improved collaboration opportunities for evolving the relationship. The challenges of the 21st century are so diverse and unparalleled that no one country, neither the US or EU alone can adequately address these. On part of US, Biden-Harris administration has re-kindled the hopes for stronger ties by taking positive steps to rebuild this trust by highlighting the importance of the transatlantic relationship at the Munich Security Conference and selecting committed transatlantic experts for key foreign-policy posts. Likewise, European leaders are thinking through concrete ways to improve transatlantic ties. NATO must review the need for new strategic concepts, which would redefine the alliance's priorities in the pandemic-stricken world and the current security landscape. Ending the COVID-19 pandemic, reinvigorating transatlantic security, and reconciling US and European policies on technology should be the new touchstones. And to deal with these new touchstones, will require investments of time, resources, and political capital and will on part of both.

Russia tends to use an advanced toolkit that combines cyber, misinformation, malign banking, economic exploitation, and extremist help to destabilise the relationship between the transatlantic countries. China on the other hand is increasing its economic footprints in almost every continent. To combat the global dominance of China and rise of Russia, NATO and the European Union need to develop better strategies. Transatlantic ties are expected to develop into a network of various partnerships and agreements, creating an incentive for increased collaborations between Europe and the United States. Transatlantic partners must join hands to enact and firmly implement common laws to govern financial flows, ownership transparency, and information exchange, rather than just lip service to these issues.

Energy is going to be crucial for future economic development in the Eastern Mediterranean region. Several countries hope to create a unified energy market and expand energy networks, but due to COVID-19, the cooperation between the countries to build energy projects has been put on hold. There has been a notable shift in global oil markets, which has caused many policy makers and private investors to rethink the feasibility of cost-intensive energy projects due to which Eastern Mediterranean countries' approaches are now focused on security partnerships to combat competitions and threats. The recent gas discoveries have been anticipated as offering an impetus for new levels of energy cooperation, as well as generating space for a larger power base and solidifying stability in the region.

Europe is one of the largest consumers of gas, and East Med fields are located within almost thousand kilometers of the European shores. And hence, Europe's interests in this energy rich region are genuine. For USA, the energy is the single most important factor to have interest in East Mediterranean region. It

has supported the formation of EMGF and has strengthened bilateral and multi-lateral relations with the nations in this region. US and EU, both have interests in this region primarily to tap the energy as also to counter any other countries' potential dominance in the region. Hence, US and EU are likely to work together in this region to utilize its energy resources as also put up a geo-economic counter weight to Russia's or China's designs.

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# "THE SILENT THREAT" – CHINA'S GEOPOLITICAL "GAME" IN THE BLACK SEA REGION

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*Abstract: Since the 2000s, China has become an increasingly visible presence in Europe. In the last 20 years, China has signed an extended strategic partnership with the European Union, developed the 17 + 1 platform, of strategic cooperation with the Eastern European corridor states, invested heavily in the European economy and diversified its soft-power means of action. In this context, the states of the Black Sea region are implicitly targeted by China's interests and actions. How large is China's presence in the Black Sea region? What are the objectives of China's geopolitical game in the Black Sea region? Do they belong to an independent game? Or are they part of a much more complex strategy, which aims at a major reconfiguration of global spheres of influence?*
*Keywords: Black Sea region, China, 17 + 1 format, Belt and Road Initiative, Ukraine, Georgia, Danube estuary, Chinese "belt" of the Black Sea.*

> *Motto: „Lions mainly move in silence, although their roar can be heard over 5 miles away"* – African saying

For centuries, domination of the Black Sea region was disputed between Tsarist Russia and Ottoman Turkey, imperial powers interested in gaining control of the "gates of the East." The mirage of access to the warm seas and the privileged status of master of the straits that unite the Black Sea with the Mediterranean Sea, strained relations between the two regional hegemons, as evidenced being the long series of bilateral wars, which marked the history of this region since the eighteenth century. If, initially, after the conquest of the Crimean Khanate by the Russians (in 1783), the dispute involved exclusively the two great riparian powers, starting with the 19th century, the confrontation began to internationalize, by attracting European players to the region, especially France, Austria and Germany. The hegemonic wars and geopolitical reconfigurations of the twentieth century added new players, whether state or non-state, whose positions basically respected the fault lines between the two military blocs intersected in this region: Eastern, Soviet, and Western, of Turkey and its European and American allies.

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The new world order, following the implosion of the Soviet Empire, reconfigured the Black Sea region, making it one of the most valuable political geographies areas of Eurasia. If, in the second half of the twentieth century, the geopolitical partition of this area was structured on the north-south axis, between the Soviet-dominated north and the western-dominated south, after 1991, the partition returned to the east-west axis; thus, Russia is losing much of its sphere of European influence, with Kremlin leaders being forced to resort to the entire arsenal of hybrid warfare to avoid the region turning into a predominantly Western space.

Thus, one by one, the former Soviet states bordering the Black Sea, Georgia, Moldova, Ukraine, as well as also the other two extremely valuable geostrategic states in the Caucasian neighborhood, Armenia and Azerbaijan, became hybrid theaters of war, reflecting longstanding disputes, vulnerable to conflicts orchestrated by the Russian Federation.

The paradigm shift in the region's geopolitics, amplified by the accession of the Western flank states, Romania and Bulgaria, to the Euro-Atlantic formats, the North Atlantic Treaty Organization (NATO) and the European Union (EU), has greatly diminished the register of effective *soft power* instruments which Moscow could apply in the region, forcing it to *hard-power* actions, effective in the short term, but harmful in the long term, through the historical tensions and animosities reawakened by their use.

In this mosaic of active geostrategic players, regional powers and non-state actors, in the second half of the last century, another player has emerged. A silent but very tenacious one – China. A player which, in the last three decades, has intensified his political and economic actions in the Pontic area, implementing a regional strategy that belongs to the much bigger frame of his Grand Strategy of transformation into the hegemon of the Afro-Eurasian continental mass.

*How large is China's presence in the Black Sea region? What are the objectives of China's geopolitical game in the Black Sea region? Do they belong to an independent game? Or are they part of a much more complex strategy, which aims at a major reconfiguration of global spheres of influence?*

## 1. CHINA'S POLITICAL, CULTURAL AND MILITARY PRESENCE IN THE BLACK SEA REGION

China "played" in the Pontic space even before 1991, the year of the dismemberment of the Soviet Empire. High-level political relations, economic, academic, scientific cooperation, etc. between the Eastern bloc states, Romania and Bulgaria, and China are well-known. But although the bilateral relations between the two Pontic states and China were flourishing, they were limited by their adherence to Communist ideology, the associated political framework imposed by Moscow, and, above all, Soviet restrictions and control. Therefore, even though it was present in the region, China was only a secondary player.

The same level of presence was registered with respect to the relationship with Turkey, whose relationship with China was similarly subordinated to its role in NATO in bipolar competition with the Soviet Union. The collapse of the Eastern hegemony, thus, was an opportunity exploited by strategists in Beijing who recognized the sovereignty of the new ex-Soviet states, opened an opportunity for diplomatic relations with them, with accompanying new forms of regional cooperation. Thus, in the 90s and especially after 2000, China's presence in the Black Sea region intensified to the point where it became an active geostrategic player, directly involved in the competition for regional domination.

## 1.1. China-Georgia bilateral relationship

Due to its geographical position as a Caucasian state, bordering the Black Sea, located in the South-Eastern extremity of the Ponto-Baltic Isthmus, on the corridor that connects the Black Sea with the Caspian Sea and Central Asia, Georgia has an exceptional geostrategic and geo-economic value. Geo-strategically, Georgia is a *pivot* with potential strategic transformation into a *bridgehead*. Geo-economically, Georgia is a logistic *hub* and a *nexus* between transcontinental transport corridors and communication networks and the regional geopolitical game.

On June 9th, 1992, China and Georgia established permanent diplomatic relations at the embassy level, opening the "gates" of bilateral cooperation on multiple levels. From 1992 to the present, the economic cooperation between the two states has steadily increased, to the point where today China is Georgia's main export partner, with a volume of 476.3 million dollars, representing 14.3% of total Georgian exports.[371] Just in the decade between 2010 and 2019, Georgian exports to the Chinese market increased by 700%[372]. The total volume of trade transactions, over $1.18 billion in 2020, places China in third place among Georgia's trading partners, after Turkey, with $1.59 billion, and Russia, with $1.32 billion[373].

The first Chinese investors entered the Georgian market in 2002[374]. In 2015, Georgia became member of the *Belt and Road Initiative (BRI)*, linking China and EU markets, in May 2017, the two states ratified the *China-Georgia Free Trade Agreement (FTA)* and, in January 2018, they signed an agreement on the creation of free trade zones. It should be noted that prior to FTA ratification, Georgia had become a member of the *World Trade Organization* (WTO), signed an *Association Agreement* (AA) with the EU to join the *Deep and Comprehensive*

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[371] *2020 data: China is Georgia's top trading partner by exports*, 20.01.2021, https://agenda.ge/en/news/2021/145, accessed on 01.05.2021.

[372] Vakhtang Charaia, Mariam Lashkhi, *Georgia and China: The Economic Ties that Could One Day Bind*, „A Sea Change?: China's Role in the Black Sea", Frontier Europe Initiative, November 2020, https://mei.edu/sites/default/files/2020-11/A%20Sea%20Change%3F-China%27s%20Role%20in%20the%20Black%20Sea.pdf, accessed on 01.05.2021, p.33.

[373] *2020 data: China is Georgia's top trading partner by exports*, *op.cit.*

[374] Vakhtang Charaia, Mariam Lashkhi, *op.cit.*, p.31.

*Free Trade Area* (DCFTA), it had signed free trade agreements with Turkey[375], Japan, Canada, the USA, the Commonwealth of Independent States (CIS)[376], a status shared by only three other countries: Israel, Iceland and Switzerland.

According to Ji Yanchi, Extraordinary and Plenipotentiary Ambassador of the People's Republic of China to Georgia in 2017, *"the Chinese-built Khadori hydropower plant was the first power plant built and the first large-scale foreign investment since Georgia's independence. Chinese companies have built 82.1 kilometers of roads, 40.6 kilometers of railways and offered technical solutions for modernizing Georgian railways. In the process, Chinese companies have created an estimated 5,000 jobs for Georgians. China has also provided $60 million in free aid to support Georgia's social and economic development"*[377]. " There are currently 222 Chinese companies operating in Georgia, of which only 12 have mixed Sino-Georgian capital[378]. One of these companies, *Hualing Group*, is one of the largest investors in the Georgian market. Two of the mega-projects managed by this company are the *Kutaisi Free Industrial Zone*, the second largest city in Georgia, and the largest residential and commercial complex in the capital, Tbilisi[379].

China is also the second largest export market for Georgian wines[380]- the main export product of the Caucasian state. Reflecting the increasing importance of trade between China and Georgia and the rest of the region, on October 4th, 2020 the Danish transport company *Maersk* inaugurated a railway line linking Chinese city Xi'an with Georgia's capital, Tbilisi[381].

At the same time, China was one of the participants in the tender for the construction project of a deep-sea port and a 600-hectare free industrial area in Anaklia, the *Anaklia Black Sea Deep Water Port Project*. The tender was won by a Danish company, but canceled, with the case presently pending before the arbitration court of the *International Center for Settlement of Investment Disputes* (ICSID)[382]. Undoubtedly, if the project materializes, this unique deep-sea port in Georgia could turn the small Caucasian state into a logistics hub on the Black Sea,

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[375] *Georgia*, Republic of Turkey Ministry of Trade, https://www.trade.gov.tr/free-trade-agreements/georgia, accessed on 01.05.2021.

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[378] Vakhtang Charaia, Mariam Lashkhi, *op.cit.,* p.32.

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[382] Maximilian Hess, Maia Otarashvili, *Georgia's Doomed Deep-Sea Port Ambitions: Geopolitics of the Cancelled Anaklia Project*, Foreign Policy Research Institute, 02.10.2020, https://www.fpri.org/article/2020/10/georgias-doomed-deep-sea-port-ambitions-geopolitics-of-the-cancelled-anaklia-project/, accessed on 01.05.2021.

with very important strategic value. Investors and operators in the future port of Anaklia could gain huge capital of influence over the Tbilisi authorities.

The importance of the project must also be understood in conjunction with Rusia's trans-Eurasian, *Razvitie*, and China's *BRI* transport master plans. China, through *CEFC China Energy Company Limited*, owns 75% of the shares of the *Poti Free Industrial Zone*, with an area of 300 hectares, located next to the seaport of the same name where a new depth terminal is currently being built[383].

In terms of security, China has refused to recognize Abkhazia and South Ossetia, which claimed independence from Georgia in August 2008. China continues to recognize Georgia's sovereignty over the two territories. Indeed, as the leader of the *Shanghai Cooperation Organization* (SCO), China played an important role in drafting the *Dushanbe Declaration*, which called on the parties to the conflict to resolve "*existing issues*" exclusively through diplomatic[384] instruments. For its part, Georgia reciprocated by recognizing a "single China", rejecting diplomatic relations with Taiwan.

A very strong cultural and academic relationship has developed between China and Georgia. According to China's ambassador to Georgia, Ji Yanchi, in 2017, the Confucius Institute within the Free University of Tbilisi has organized "*Chinese language courses in 26 universities and high schools in Georgia. Each year, 25 Georgian students have continued their studies at Chinese universities supported by scholarships offered by the Chinese government through its cultural promotion organization Hanban. Each year, 20 Chinese language teachers and volunteers came to Georgia to help teach the Chinese language and culture. Georgia already has over a thousand local Chinese-speaking students. In 2016, more than 10,000 Chinese tourists visited Georgia, an increase of 46%*"[385]comparing with the previous year. And on February 15th, 2019, the governments of the two countries signed an agreement to support the process of teaching Chinese in secondary schools in Georgia[386].

### 1.2. China - Ukraine bilateral relationship

Ukraine belongs to the Ponto-Baltic Isthmus, a pivotal space with exceptional geostrategic value, located between the German West and the Russian East. In addition, Ukraine is very attractive as a transit logistics hub within the BRI and, very importantly, it is a granary of Europe.

Ukraine and China established permanent diplomatic relations at embassy level in 1992. In 2011 the two states signed the *Joint Declaration on the*

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[383] *Free Industrial Zone in the city of Poti, Georgia*, 12.03.2021, https://georgiawealth.info/en/free-industrial-zone-in-the-city-of-poti-georgia/, accessed on 01.05.2021.

[384] *Dushanbe Declaration of Heads of SCO Member States*, President of Russia, 27.08.2008, http://www.en.kremlin.ru/supplement/287, accessed on 01.05.2021.

[385] *China-Georgia Friendship Celebrates the 25th Anniversary of Diplomatic Relations, op.cit.*

[386] *Georgia, China sign deal on Chinese language popularization*, 19.02.2019, https://agenda.ge/en/news/2019/475, accessed on 01.05.2021.

*Establishment and Development of the Strategic Partnership between Ukraine and China*. In 2013 and 2018, they signed and ratified the *Treaty of Friendship and Cooperation between Ukraine and China, the Joint Declaration for the Further Deepening of the Strategic Partnership* and the *Program for the Development of the Strategic Partnership between Ukraine and China in 2014-2018 years*[387]. In 2017, Ukraine became a member of the BRI and declared itself interested in the 17 + 1 Format developed by China with Central and Eastern European countries.

At present, China is Ukraine's main state trade partner, with increased Chinese demand for its agricultural goods bolstered by China's rising living standards, as well as its trade war with the United States. $Exports of maize originating in Ukraine to the Chinese market increased from $26 million in 2013 to $896 million in 2019, in parallel with the decline in US exports to the same market from $847 in 2013 to $75 million in 2019[388]. China's importance as a trade partner was also increased by the Ukraine's conflict with the Russian Federation that generated a decrease of over 76.5% in Ukraine-Russia bilateral trade, from $31 billion in 2013 to 7.3 billion in 2020[389].

Despite the growing trade relationship, as a result of Ukraine's risky and unfavorable investment climate, Chinese direct investment in Ukraine remained low, reaching less than $18 million in 2018. The majority of these investments, 39.6%, targeted the agricultural sector, 19.4% the industrial sector and 11% transport and communications[390]. The majority of these investments, 39.6%, targeted the agricultural sector, 19.4% the industrial sector and 11% transport and communications[391]. However, China is Ukraine's largest "hidden" creditor through unconditional low-interest loans, with no requirements regarding good governance practices and fiscal stability rules. Such practices have been amplified by the endemic corruption in Ukraine. As in Georgia, China is investing in Ukraine's port facilities. Through *China Harbor Engineering Company Ltd*. has already completed the first stage of the renovation project of the seaport Pivdennyi

[387] All three documents have been signed in the 5th of December 2013. See: *Legal Basis of Ukraine and China*, Embassy of Ukraine in the People's Republic of China, 27.10.2020, https://china.mfa.gov.ua/en/partnership/184-dogovirno-pravova-baza-mizh-ukrajinoju-ta-kitajem, accessed on 01.05.2021.

[388] Maxim Samorukov Temur Umarov, *China's Relations with Ukraine, Belarus, and Moldova: Less Than Meets the Eye*, 31.12.2020, https://carnegie.ru/commentary/83538, accessed on 01.05.2021.

[389] *Russia is among top three trade partners of Ukraine in 2020, customs service says*, Tass, 12.01.2021, https://tass.com/economy/1244021, accessed on 01.05.2021.

[390] Lilia Ukrainets, *Chinese FDI to Ukraine in the context of road and belt initiative*, iunie 2019, https://www.researchgate.net/figure/Chinese-FDI-into-the-Ukrainian-economy-by-types-of-economic-activity-as-of-01012019-p_fig1_335679930, accessed on 01.05.2021.

[391] Lilia Ukrainets, *Chinese FDI to Ukraine in the context of road and belt initiative*, iunie 2019, https://www.researchgate.net/figure/Chinese-FDI-into-the-Ukrainian-economy-by-types-of-economic-activity-as-of-01012019-p_fig1_335679930, accessed on 01.05.2021.

(Yuzhny), the largest port in the country[392], and completed the dredging works of the seaport Chornomorsk[393].

The most interesting cooperation between the two states is in the military field, in which Ukraine has become a provider of technical documentation for the Chinese military industry. Not coincidentally, eight of the 20 Chinese companies listed by the Pentagon as being controlled by the Chinese Army are present in key sectors of the Ukrainian economy, including the military field[394].

The bilateral military relationship has been initiated in the '90s by China's purchase of Ukrainian military goods, based on Ukraine's position in the military industrial complex of the former Soviet Union, which has helped China to modernize its own armed forces and overcome key technical hurdles. In 1998, China bought the Soviet-made Ukrainian aircraft carrier *Varyag*. China later upgraded it, renamed it *Liaoning*, and used it as a prototype in the construction of Shandong, the first aircraft carrier produced entirely by Chinese industry. China has purchased 10 UGT 25000 gas turbine engines from Ukraine, along with complete technical documentation. Chinese industry used these purchases to produce QC 280 gas turbines on its own, which equip the new type 055 destroyers, *Nanchan* class. The same happened with the *Bizon* amphibious assault ships bought by China, together with the complete technical documentation; the last two ships in the class were built in a Chinese shipyard, probably with Ukrainian technical assistance[395].

As with the Uranian shipbuilding industry, AI-322 and AI-222-25 aircraft engines manufactured by the Ukrainian giant *Motor Sich* were bought by China for use in its L-15[396] combat training aircraft. Moreover, in early 2015, Motor Sich, the engine manufacturer for the world's largest transport aircraft, the An-225 Mriya, and the Chinese company *Beijing Skyrizon Aviation* signed an agreement that included some technology transfers from Ukraine to China. In exchange for the agreement, the Ukrainian company was to receive a $100 million loan from the state-owned *China Development Bank* for a period of 10 years. In 2016, a new sales agreement was signed, by which the Chinese acquired control of the company, although in 2017, Skyrizon's majority stake was frozen by the *Security Service of Ukraine* (SBU), pending an investigation. The Chinese side has filed a $3.6 billion arbitration lawsuit against Ukraine for unjustified blocking the

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[392] *Chinese projects in Ukraine*, Kyiv Post, 14.09.2018, https://www.kyivpost.com/business-focus/chinese-projects-in-ukraine.html, accessed on 01.05.2021.
[393] *China Harbor Engineering Company completes dredging in port of Chornomorsk*, 21.06.2019, PortSEurope, https://www.portseurope.com/china-harbor-engineering-company-completes-dredging-in-port-of-chornomorsk/, accessed on 01.05.2021.
[394] Richard Kraemer, *Beijing's military industry on the move in Ukraine*, 10.09.2020, https://www.mei.edu/publications/beijings-military-industry-move-ukraine, accessed on 01.05.2021.
[395] Richard Kraemer, *op.cit.*
[396] Yurii Poita, *Why Ukraine is Reassessing its Defense Cooperation with China*, CHOICE, https://chinaobservers.eu/why-ukraine-is-reassessing-its-defense-cooperation-with-china/, accessed on 01.05.2021.

transaction. In December 2019, the Ukrainian state defense concern, *Ukroboronprom*, confirmed the sale of over 50% of Motor Sich shares to the Chinese[397]. This acquisition provided China with access to the company's prototypes, technical documentation and research projects. In March 2021, Oleksiy Danilov, head of *Ukraine's National Security and Defense Council*, said that in the near future, Motor Sich "*will be returned to the ownership of the Ukrainian state in a legal and constitutional manner*", without making any further additions[398].

In addition, China is Ukraine's main export partner in the field of weapons and military equipment, which in 2020 involved $15.42 billion in sales[399], including collaboration by the two states to improve the engine characteristics of fifth-generation Chinese fighter jets, at construction of marine radars and ship engines, developed by the Ukrainian company *Zorya - Mashproekt*[400].

## 1.3. China - Moldova bilateral relationship

Former Romanian territory occupied and annexed by the USSR in 1940, the Republic of Moldova declared its independence in March 1992. Although it is an enclave state, Moldova is effectively a riparian of the Black Sea, accessing it through the river port Giurgiuleşti.

Located in the pivotal space of the Ponto-Baltic Isthmus, between Ukraine and Romania, Moldova was the subject of an internal conflict, generated in 1992 by the Russian Federation, through which the districts on the left bank of the Dniester came out of Chişinău, proclaimed themselves the Dniester Republic of Moldova, known as Transnistria, becoming a Russian bridgehead in the immediate vicinity of the mouth of the Danube. As a result of this frozen conflict, Moldova was thrown into the "gray" zone of the "buffer" states, like the other ex-Soviet states bordering the Black Sea.

Moldova and China established permanent diplomatic relations at the embassy level in 1992. In July 2010, China and Moldova signed a memorandum of understanding (MoU) through which Moldova received a $1 billion loan from China, representing one-tenth of GDP of the country. Subsequently, the Chinese presence in Moldova grew through an increasing volume of trade, with China becoming one of the main importers of Moldovan wine. China is also exploring three megaprojects in Moldova:

[397] *Ukrainian Motor Sich to Sell 50% Stake to Turkish Firm*, Defense World, 15.04.2021, https://www.defenseworld.net/news/29352/Ukrainian_Motor_Sich_to_Sell_50__Stake_to_Turkish_Firm, accessed on 01.05.2021.
[398] Tomoyo Ogawa, *Ukraine blocks Chinese takeover of jet engine maker on US urging*, 18.03.2021, https://asia.nikkei.com/Business/Business-deals/Ukraine-blocks-Chinese-takeover-of-jet-engine-maker-on-US-urging, accessed on 01.05.2021.
[399] *Ukraine, China discusses development of bilateral cooperation*, UKRINFORM, 16.04.2021, https://www.ukrinform.net/rubric-polytics/3228957-ukraine-china-discuss-development-of-bilateral-cooperation.html, accessed on 01.05.2021.
[400] Yurii Poita, *op.cit.*

In 2015, by signing a terminal services agreement with a local Moldovan operator, *China Shipping Container Lines* launched container shipping services in the Free International Port of Giurgiuleşti. The Chinese plan to develop a business park in the surrounding areas for Chinese companies, to facilitate their access to the EU and CIS markets[401];

In 2017, the two states launched negotiations to establish a Free Trade Agreement[402];

In 2019, Moldova began negotiations for an infrastructure agreement with two Chinese contractors, *China Highway Group* and *China Railway Group Limited*, to build the capital's ring road, Chişinău, as well as two highways, one of which will connect the northern districts of country with Ukraine. Construction is expected to be completed by 2022[403].

In recent years, the Chişinău authorities have clearly stated Moldova's intention to participate in the BRI megaproject. In the context of the coronavirus crisis, the Chinese authorities have announced that service on the debts of 77 countries, including Moldova, have been temporarily suspended. For Moldova, this gesture is mostly symbolic, since its largest creditor is Romania[404]. Even so, China's presence in Moldova is still far below its potential, compared to other former riparian Soviet states.

## 1.4. Bilateral relationship with Romania

Positioned in the southwest of the Ponto-Baltic Isthmus, at the mouth of the Danube in the Black Sea, Romania has an exceptional geostrategic value, as a pivot and bridgehead at the Black Sea. The mouths of the Danube River connect the shipping lines from the Caspian Sea to the Atlantic Ocean. This, in combination with other rivers with navigable potential, give Romania a natural status of regional geo-economic and geopolitical hub and nexus. Further adding to Romania's geostrategic importance is the deep-sea port of Constanta, the largest port on the Black Sea, as well as the Dobrogea peninsula, the Danube's "Iron Gates", the Carpathian Arch and the riches of the soil and subsoil. With such strengths, Romania, as a NATO and EU member state, is an important focus of China's strategy in the region.

Reflecting its importance, Romania has one of the longest political and diplomatic relations with China, dating from 1880, when, in Paris, the Romanian diplomat and statesman Mihail Kogălniceanu (1817-1891) and the representative

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[401] *China Shipping Container Lines isi extinde serviciile in Portul International Liber Giugiulesti*, 25.06.2015, http://eba.md/rom/news-from-members/china-shipping-container-lines-ii-extinde-serviciile-in-portul-internaional-liber-giurgiuleti, accessed on 01.05.2021.

[402] *China, Moldova Kick Off Free Trade Agreement Talks*, Yicai Global, 29.12.2017, https://www.yicai global.com/news/china-moldova-kick-off-free-trade-agreement-talks, accessed on 01.05.2021.

[403] Eugénie Davi, *Moldova's Unexpected Opening to China,* CHOICE, 22.09.2020, https://china observers.eu/moldovas-unexpected-opening-to-china/, accessed on 01.05.2021.

[404] Adnan Akfirat, *China suspends debt payments for 77 poor countries,* United World, 17.06.2020, https://uwidata.com/11850-china-suspends-debt-payments-for-77-poor-countries/, accessed on 01.05.2021.

of China, the diplomat Zeng Jize (1839-1890) established the first official contacts between the two states[405]. On October 5th, 1949, Romania was the third country to recognize the sovereignty of the PRC, after the USSR (October 3rd, 1949) and Bulgaria and established permanent diplomatic relations at embassy level. Since then, the relationship between the two states has been particularly strong in the political-diplomatic arena. Even in recent times, there have been high-level contacts between the two states, starting with the state visit of the Chinese President Hu Jintao to Romania, when the *Joint Declaration of Romania and the People's Republic of China on the Establishment of a Broad Partnership for Friendship and Cooperation* was signed, continuing with the visits of the President of Romania to the PRC in 2003, 2006 and 2008 and the bilateral meeting in New York on the sidelines of the UN General Assembly, from September 26th, 2015, between the President of Romania and the President of the People's Republic of China[406].



**Fig.1:** 17+1 Format (Source: https://www.oboreurope.com/wp-content/uploads/2019/04/171-greece.jpg, accessed on 01.05.2021).

Politically and economically, Romania is a member of the *17 + 1 Cooperation Format between China and the countries of Europe* (see the map in Fig. 1), established in 2012, designed to promote the BRI and strengthen cooperation in the areas of transport infrastructure, logistics, trade and investment[407]. But, with the exception of the meetings at the level of heads of government in November 2013 (Bucharest), December 2014 (Belgrade), November 2016 (Riga), July 2018 (Sofia) and April 2019 (Dubrovnik), within the mentioned format, the political relationship between the two states has not translated into a significant economic one. Even in 2013, when the Romanian government signed a MoU with Chinese companies, it adopted a neutral position regarding the broader role of the BRI as a transcontinental "economic bridge." Consequently, Romania is located outside the regional BRI master plans within the 17 + 1, including the transport corridor (illustrated in the map in Fig. 1) that would to unite Budapest with the Greek port of Piraeus - that country's largest

[405] Radu Sava, *Reflecții asupra relațiilor româno-chineze la 70 de ani de raporturi diplomatice: Convorbiri cu Excelența Sa ambasadorul Romulus Ioan Budura*, Editura Universității „Lucian Blaga" din Sibiu, 2020, p. 14.

[406] *Republica Populară CHINEZĂ*, Ministerul Afacerilor Externe, http://www.mae.ro/bilateral-relations/3121, accessed on 01.05.2021.

[407] *'16+1' mechanism set to bolster China-Europe ties,* 10.07.2018, http://www.china-ceec.org/eng/zdogjhz_1/t1575579.htm, accessed on 01.05.2021.

port, whose majority stake was acquired in 2016 by the Chinese company *COSCO*[408]. In addition, the Romanian government rejected a series of investment proposals from Beijing regarding the construction of highways[409], the development of the *Huawei* 5G[410] network and the construction of reactors 3 and 4 of the Cernavodă nuclear power plant[411].

China's direct investments in Romania, as in Moldova, are far below potential. Except for the grain terminal purchased in the Port of Constanta by *COFCO*, which is the largest grain trader in China and one of the largest in the world, the acquisition of a local shipping[412] company, three large grain silos in the South of the country[413] and some companies specialized in trade, the PRC is not active with respect to large infrastructure projects or other investments in Romania[414]. In terms of the economic trade, the trade balance is much in favor of China, in 2020 the Romanian exports to the Chinese market, although growing, reached only $942.93 million[415], while Chinese imports to the Romanian market reached a record value of $5.74 billion[416]!

## 1.5. Bilateral relationship with Bulgaria

Bulgaria belongs to the Ponto-Baltic Isthmus, the Balkan area and the river Danube and the Black Sea region. It is a pivotal state, with a great geostrategic value due to its location on the trajectory of the terrestrial geo-economic corridors that unite the Levant of Central and Eastern Europe and with the potential to transform into a regional hub.

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[408] *Parlamentul de la Atena a ratificat vânzarea portului Pireu firmei chineze Cosco*, 01.07.2016, Economica.net, https://www.economica.net/parlamentul-de-la-atena-a-ratificat-vanzarea-portului-pireu-firmei-chineze-cosco_121994.html, accessed on 01.05.2021.

[409] Victor Cozmei, *Drulă, despre interzicerea companiilor din China să participe la licitațiile de autostrăzi și căi ferate: „E momentul să facem o alegere strategică",* Hotnews, 02.02.2021, https://monitorizari.hotnews.ro/stiri-infrastructura_articole-24578766-drula-transporturi-companii-din-china-interzise-licitatii-autostrazi-cai-ferate-proiecte-memorandum-guvern.htm, accessed on 01.05.2021.

[410] Adrian Vasilache, *Mizele lobby-ului Huawei împotriva Legii 5G: Un studiu comandat de compania chineză arată că aceasta va avea pierderi de miliarde de euro dacă va fi exclusă din România*, 11.05.2021, https://economie.hotnews.ro/stiri-telecom-24791422-excluderea-huawei-din-retelele-5g-din-romania-pierderi-miliarde-euro-pentru-compania-chineza-dar-pentru-industria-telecom-huawei-putea-cere-daune-tribunale-arbitraj-international-studiu.htm, accessed on 01.05.2021.

[411] *Chinezii, eliminați din proiectul reactoarelor de la Cernavodă la cererea ministerului Economiei,* Radio Europa Liberă, 12.06.2020, https://romania.europalibera.org/a/chinezii-elimina%C8%9Bi-din-proiectul-reactoarelor-de-la-cernavod%C4%83-/30667951.html, accesat la data de 01.05.2021.

[412] Alexandru Pop, *Cum a preluat China controlul unei părți importante din Portul Constanța*, Newsweek Romania, 02.06.2020, https://newsweek.ro/investigatii/cum-a-preluat-china-controlul-unei-parti-importante-din-portul-constanta, accessed on 01.05.2021.

[413] Andreea Brînză, *Strategic competitors in search of China: The story of Romania and Bulgaria*, MEI, 17.06.2020, https://www.mei.edu/publications/strategic-competitors-search-china-story-romania-and-bulgaria, accessed on 01.05.2021.

[414] Andrei Chirileasa, *RO Govt. prepares to ban Chinese companies from big infrastructure projects*, 04.03.2021, https://www.romania-insider.com/ro-govt-ban-chineese-companies-march-2021, accessed on 01.05.2021.

[415] *Romania exports to China*, Trading Economics, https://tradingeconomics.com/romania/exports/china, accessed on 01.05.2021.

[416] *Romania imports from China*, Trading Economics, https://tradingeconomics.com/romania/imports/china, accessed on 01.05.2021.

Bulgaria recognized the sovereignty of the PRC and established permanent diplomatic relations at the embassy level with this state on October 4th, 1949. Like Romania, during the communist period it developed bilateral relations with the Chinese state under the direct monitoring of the Soviet Empire. And, like Romania, Bulgaria is a member state of NATO and the EU. After 1990, Bulgaria renewed relations with China, both politically and economically.

A member state of the 17 + 1 Format, Bulgaria is much more receptive than Romania to the Chinese economic presence. In 2015, Bulgaria was one of the first countries in Central and Eastern Europe to sign the BRI intergovernmental cooperation agreement with China. In 2018, during the Bulgarian presidency of the EU Council, Bulgarian Prime Minister, Boïko Borissov, proposed the establishment of a global partnership center between China and the countries of the Format[417] in Sofia. In 2019, a strategic partnership[418] was established between the two states. In January 2020, the *China-Bulgaria Business Forum* was held in Beijing, with the participation of about 80 companies from both countries. On this occasion, Bulgarian Deputy Prime Minister, Mariyana Nikolov, stated Bulgaria's desire to become "*a gateway and a bridge for the Chinese companies in the EU market"*[419]. In the same year 2020, China was also the second largest foreign market for the Bulgarian products, after Europe.

The Sino-Bulgarian strategic partnership has created favorable conditions for the development of corporate investments, collaboration in the field of digital technology and media as well as cultural activities. In 2019, within the BRI, *China Machinery Engineering Corporation* (CMEC) signed a 120 million Euro contract with the joint-stock company Logistical Center-Varna for the joint development of the infrastructure of the largest Bulgarian seaport, Varna. Also, the Chinese investments of over $20 million turn the port of Burgas into a logistics hub designed to facilitate the transit of Central Asian goods to Piraeus[420]. *China National Nuclear Corporation* (CNNC) has expressed interest in building the Belene nuclear power plant in cooperation with the Russian company *Rosatom* and the Korean company *Korea Hydro & Nuclear Power Co,*. The Chinese firm *Huawei* ranks 2nd in the top of the Bulgarian mobile phone retail market. In addition, the Chinese newspaper *China Today* entered the Bulgarian newspaper market, being produced by the same Publishing House as *Russia Today*. In addition, the cultural, academic and scientific cooperation between the two states is flourishing[421].

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[417] Rumena Filipova, *Chinese Influence in Bulgaria: Knocking on a Wide Open Door?*, CHOICE, 08.09.2019, https://chinaobservers.eu/chinese-influence-in-bulgaria-knocking-on-a-wide-open-door/, accessed on 01.05.2021.
[418] *China, Bulgaria lift ties to strategic partnership*, Xinhuanet, 04.07.2019, http://www.xinhuanet.com/english/2019-07/04/c_138196385.htm, accessed on 01.05.2021.
[419] Liu Hongcai, *Bulgaria calls for cooperation with China in auto industry, telecommunications*, CGTN, 16.01.20202, https://news.cgtn.com/news/2020-01-16/China-Bulgaria-strengthen-cooperation-in-various-industries-NiLKdXSRby/index.html, accessed on 01.05.2021.
[420] Andreea Brînză, *op.cit.*
[421] Rumena Filipova, *op.cit.*

As Romanian analyst Andreea Brînză has remarked in an article published on the MEI website, "*although China-Romania and China-Bulgaria relations seem positive, the Chinese investments are low in both Romania and Bulgaria, compared to the Western countries. According to the German think tank MERICS, Romania attracted $1.3 billion in Chinese foreign direct investment between 2000 and 2019, compared to $0.45 billion in Bulgaria. By comparison, Germany attracted $25 billion in foreign direct investment in China in the same period, and the United States received $149.9 billion*"[422].

### 1.6. Bilateral relationship with Turkey

The political ties between Ottoman Turkey and Imperial China are very old. In contemporary times, permanent diplomatic ties at the embassy level between the two states were established on August 5th, 1971, when the Republic of Turkey recognized the PRC as the sole representative of China. During the Cold War, the two states were in different spheres of influence, never ending up in a confrontational situation. In 1982, President Kenan Evren (1917-2015) visited China. After 1991, the bilateral relations continued to improve. In April 2000, PRC President Jiang Zemin paid a state visit to Turkey, and in June 2009, Turkish President Abdullah Gül paid an official visit to China. On this occasion, Gül met with his counterpart, Hu Jintao, participated in a Turkey-China business forum and visited Ürümqi, the capital of the Uyghur Autonomous Region of Xinjiang[423]. Most importantly, the visit resulted in a $800 million line of credit granted by the *Export-Import Bank of China* to several Turkish banks to finance the bilateral trade[424]. One year later, on 7th of October 2010, China and Turkey signed eight cooperation agreements in the field of trade, cultural and technical exchanges, maritime cooperation, etc[425].

In 2017, China's ambassador to Turkey, Yu Hongyang, said China is ready to discuss the conditions for Turkey's accession to the *Shanghai Cooperation Organization*[426]. In July 2019, Turkish President Reçep Tayyip Erdoğan paid an official visit to China. On this occasion, in the context of growing international criticism of PRC treatment of the Uighur population in Xinjian, he stated that "*it is a reality that people of all ethnicities in Xinjiang lead a happy life amid China's development and prosperity*" and that "*Turkey does not allow anyone to incite*

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[422] Andreea Brînză, *op.cit.*

[423] *Turkish president concludes China visit,* 29.06.2009, http://tr.china-embassy.org/eng/ztgx/t572762.htm, accessed on 01.05.2021.

[424] Richard Weitz, *Turkey and China Establish Strategic Partnership*, „The Turkey Analyst", vol. 3, no. 18, 25.10.2010, https://www.turkeyanalyst.org/publications/turkey-analyst-articles/item/230-turkey-and-china-establish-strategic-partnership.html, accessed on 01.05.2021.

[425] *China, Turkey to establish strategic cooperative relationship*, Xinhua, 08.10.2010, https://www.chinadaily.com.cn/china/2010-10/08/content_11386689.htm, accesat la data de 01.05.2021.

[426] Jan Gaspers, *Turkey's SCO Ambitions Challenge EU and United States,* GMF, 14.07.2017, https://www.gmfus.org/blog/2017/07/14/turkeys-sco-ambitions-challenge-eu-and-united-states, accessed on 01.05.2021.

*disharmony in the Turkey-China relationship. Turkey strongly opposes extremism and is willing to increase mutual political trust with China and strengthen security cooperation*"[427]. It was an unexpected statement from a supporter of Islamic tradition and unity. It did not, however, stop China's criticism of Turkish military interventions in North-Eastern Syria[428].

In economic terms, the China-Turkey bilateral relationship has increased significantly. Turkey is a member state of the BRI, with the status of hub for freight and energy transport infrastructure networks linking East and West, with the potential to become an active global center of international trade, leader of the "*Middle Corridor*" of the Silk Economic Road. China is Turkey's main trading partner, ahead of Russia and Germany, with a total trade volume in 2020 of more than $24 billion. A railway that runs from Istanbul and covers a distance of 8,693 kilometers passing through Turkey, Georgia, Azerbaijan, the Caspian Sea and Kazakhstan, to the Chinese city of Xi'an, has been operational since the end of 2020[429]. In 2015, China's two largest port operators, *Cosco Pacific* and *China Merchants Holdings (International)* and a third investor paid nearly $1 billion for a controlling stake in the Turkish container terminal Kumport of the Ambarli port complex on the European shore of Istanbul, near the Dardanelles Strait[430].

In September 2019, the authorities of the two states announced the start of the construction of the Honotlu thermal power plant in the Turkish state of Adana, the largest Chinese investment in Turkey, worth $1.7 billion[431]. In June 2019, the *People's Bank of China* transferred $1 billion in funds to the Turkish economy plus a $3.6 billion package to the energy sector[432], aid to strengthen the ruling party's power, the AKP[433], domestically and internationally. The $2.7 billion bridge over the Bosporus, *Yavuz Sultan Selim Bridge* - one of the highest in the world - was financed by China as a result of the insolvency of the Turkish buyer and was sold to Chinese investors for $688 million. Turkey's largest e-commerce platform, *Trendyol*, with 2 million active buyers and 25 million members, was

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[427] *China says Turkey President offered support over restive Xinjiang*, Reuters, 02.07.2019, https://www.reuters.com/article/us-china-turkey/china-says-turkey-president-offered-support-over-restive-xinjiang-idUSKCN1TX1L7, accessed on 01.05.2021.

[428] Catherine Wong, *China calls on Turkey to halt military incursion in Syria and 'return to right track'*, South China Morning Post, 15.10.2019, https://www.scmp.com/news/china/diplomacy/article/3033066/china-calls-turkey-halt-military-incursion-syria-and-return, accessed on 01.05.2021.

[429] *Economic Watch: Turkey-China commerce moves forward despite pandemic*, Xinhua, 12.05.2021.http://www.xinhuanet.com/english/2021-05/12/c_139941399.htm, accessed on 20.05.2021.

[430] Greg Knowler, China port giants pour $1 billion into Turkish terminal, JOC, 17.09.2015, https://www.joc.com/port-news/china-port-giants-pour-1-billion-turkish-terminal_20150917.html, accessed on 20.05.2021.

[431] *China's Largest Investment In Turkey,* 30.09.2019, https://www.imtilak.net/en/articles/chinese-investments-in-turkey, accessed on 20.05.2021.

[432] Ilan Berman*, Erdogan's Chinese Gamble: Turkish President Recep Tayyip Erdogan is betting big on China*, The Diplomat, 04.10.2019, https://thediplomat.com/2019/10/erdogans-chinese-gamble/, accessed on 20.05.2021.

[433] Acronym of *Al Adalet ve Kalkınma Partisi – Justice and Development Party.*

bought for $750 million by Chinese operator *Alibaba*[434]. In 2019, 8,000 Chinese workers were active in Turkey and the total volume of Chinese direct investment in Turkey exceeded $15 billion[435].

Bilateral political-economic collaboration is complemented by cultural, academic, journalistic and military interaction. At the military level, cooperation began in the 1990s, in the context of the failure of negotiations with the United States of America to produce, with technology transfer, the M-270 MLRS multi-launch missile system. Consequently, since 1997, Turkey has licensed the Chinese missiles WS-1 302mm and TR-3000, under the name Kasîrga. Since 1998, it has licensed the B-611 SRBM short-range surface-to-surface missiles[436] and subsequently, in 2007, the Yıldîrîm J-600T tactical ballistic missiles. In 2017, it licensed China's Bora-1 ballistic missiles[437]. Also, against the background of the American decision makers' refusal to sell F-35 fighter aircraft to Turkey, in 2019 Ankara announced its intention to buy Shenyang J-31 planes from China[438]. And, last but not least, we must mention the intense military cooperation relationship between Turkey and Ukraine, which also targets the *Motor Sich* company. In the midst of the scandal over *Skyrizon'*s acquisition of a majority stake in the company, in April 2021, Turkey said it was interested in acquiring 50% of the Ukrainian "giant's" stake[439].

## 1.7. Bilateral relationship with Russian Federation

China's relationship with Russia is complex. Its course is shaped by the intersection of the interests of the three global players: the USA, China and the Russian Federation (Russian Fed.).

In fact, the bilateral relationship, China – Russian Federation, is dominated by structural tensions.

While "the overpopulated Chinese state" is demographically the largest power in the world, the Russian Federation is the state with the largest territory. The later, however, faces, a real demographic challenge, given its population decline, driven in part by Russia's high mortality rate and diseases generated by lifestyle there.

While the Chinese state faces a shortage of energy resources, the Russian Federation is competing with the U.S. the status of the largest player in the global

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[434] George Marshall Lerner, *China to the Rescue in Turkey?*, The Diplomat, 03.07.2020, https://thediplomat.com/2020/07/china-to-the-rescue-in-turkey/, accessed on 20.05.2021.
[435] *China's Largest Investment in Turkey, op.cit.*
[436] Richard Weitz, *op.cit.*
[437] Paul Iddon, *How China is heavily contributing to Middle East drone and missile proliferation*, The New Arab, 04.07.2019, https://english.alaraby.co.uk/analysis/china-heavily-contributing-middle-east-drone-proliferation, accessed on 20.05.2021.
[438] Liu Xuanzun, *Intl interest in China's FC-31 stealth fighter jet grows*, Global Times, 11.06.2019, https://www.globaltimes.cn/content/1153844.shtml, accessed on 20.05.2021.
[439] *Ukrainian Motor Sich to Sell 50% Stake to Turkish Firm, op.cit.*

energy market, being the owner of the largest natural gas resources in the world"[440] and about 30% of the world's underground resources.

"Such competition is an inexhaustible source of suspicion in Moscow. A suspicion fueled by the BRI, China's pan-continental strategic project, complemented by a *Polar Silk Road* that overlaps Russian Federation's "internal security ring" and may lead to a complete containment of her. Suspicion is also fueled by China's ambitious military and space research programs, which increase China's military and technological potential and seal its transformation into a hegemon (see map in Fig. 2).
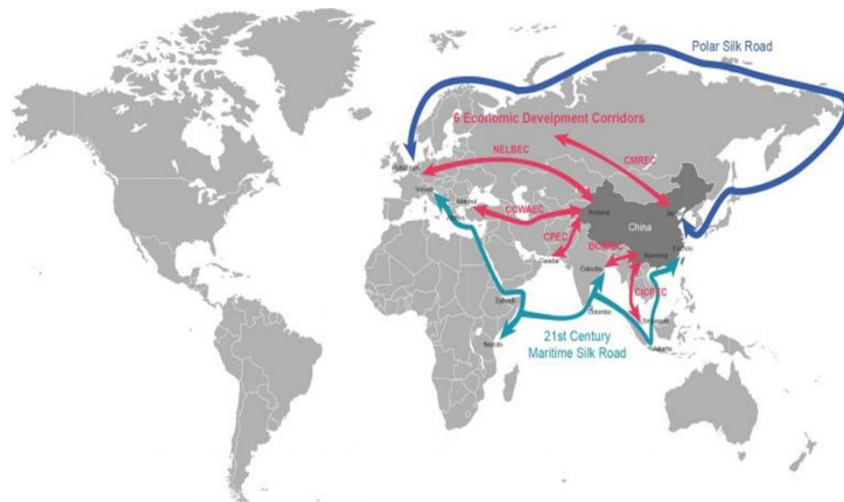


**Fig. 2:** BRI[441]

Indications of a growing Chinese strategic challenge to Russia were strengthened in 2015, when the Chinese company General Nice took over the project to exploit the Isua iron deposit in Greenland, marking China's entry among mine owners in the Arctic[442]. This growing interest from China in the Arctic region could become an important factor of tension in the bilateral relationship, as well as potentially an opportunity for rapprochement between Russia and the United States.

Despite such tensions, in the tradition of "maskirovka"[443], the Russian Federation maintains "cordial" relations with China, one of its main partners in multipolar organizations such as the BRICS[444] and the Shanghai Cooperation Organization. It is a strategy by which the Russian Federation seeks to maximize

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[440] Alba Iulia Catrinel Popescu, *Analize incomode,* Editura Militară, Bucureşti, 2020, p.62.
[441] https://www.beltroad-initiative.com/wp-content/uploads/2018/05/World-Map-Basis_sRGB.jpg, accessed on 05.05.2020.
[442] Lucy Hornby, Richard Milne, James Wilson, *London Chinese group General Nice takes over Greenland mine,* FINANCIAL TIMES, https://www.ft.com/content/22842e82-9979-11e4-a3d7-00144feabdc0, accessed on 01.10.2016.
[443] Russian military doctrine of disinformation and deception of the opponent.
[444] Organization of emerging powers whose name is an acronym for the initials of the Member States: Brazil, Russia, India, China, South Africa.

its benefits using its status seemingly neutral to the confrontation between the other two powers of the trilateral.

The Chinese government is well aware of Moscow's suspicions. This is arguably why it has avoided to amplify its presence in both the region of the Danish Straits, vital to the Russian Federation, the only maritime chokepoint where China has not expanded his influence, and in Iran, where it ceded to India the concession of the strategic port of Chabahar, near the Strait of Hormuz.

The two powers are also cooperating on issues favorable to both, such as *the Chinese-led 17 + 1 forum, which* overlaps the *US-backed Three Seas Initiative (East-European North – South Corridor)*, in which China has wooed Balkan states regarded as part of the Russian sphere of influence[445]. A Format completely relieved of the energy transport projects, so problematic for Russia.

Another issue is the close bilateral cooperation during the Syrian conflict, when both states helped militarily, economically and politically the regime of Bashar al-Assad. Another issue is the common front in the United Nations Security Council in mutually beneficial cases, the common attempts to de-dollarize the international market by imposing the Yuan as an exchange currency for oil sells[446] etc »[447].

And, last but not least, we must mention the common naval maneuvers in the Mediterranean Sea or the presence in the Black Sea, in May 2015, of the Chinese class 54A frigates carrying missiles, *Linyi* (574) and *Weifang* (547). The two frigates anchored at Novorossiysk Naval Base before Chinese President Xi Jinping's visit to Moscow, occasioned by the celebration of the Allied Victory in World War II[448].

## 2. CHINA'S GEOPOLITICAL "GAME" IN THE BLACK SEA REGION

The domination of the Black Sea region is arguably just one component or phase in the Grand Strategy behind the "China's Dream". China's Grand Strategy was arguably conceived in the "century of humiliation" (1839-1949) and then implemented, step by step, by all the governments that have administered the Chinese state. In this Grand Strategy the Chinese state seeks to become the undisputed hegemon of the Afro-Eurasian continental mass, with the World returning to an East – West bipolarity. Such a "dream" would end only with the complete rebirth of the "Celestial Empire" in which China is transformed into the Master of the World, through its unipolarity.

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[445] Alba Iulia Catrinel Popescu, *op.cit.,* p. 253.
[446] Kvantor V., *The World Trends Toward De-Dollarization*, 05.09.2018, https://medium.com/@kvantorcom/the-world-trends-toward-de-dollarization-d282fc97fb8f, accessed on 05.05.2020.
[447] Alba Iulia Catrinel Popescu, *Geopolitică şi pandemie*, Editura Top Form, Bucureşti, 2020, pp.80-84.
[448] Andrei Popescu, *China trimite fregate în Marea Neagră*, Epoch Times, 07.05.2015, https://epochtimes-romania.com/news/china-trimite-fregate-in-marea-neagra---233169, accessed on 05.05.2020.

This is a "dream" which was imagined in the Imperial period and implemented in the Communist period, in full accordance with the objectives of the Communist ideology, of establishing a global, multilaterally developed Socialist society. An atheist global Socialist society, ordered and disciplined on Confucian principles, focused on work, productivity, efficiency.

Obviously, on a global scale, the Black Sea region is just a "piece" of a "huge geopolitical puzzle". But the geostrategic value of this particular "piece" makes it extremely important for the Chinese masterplan.

In ancient times, the Pontic region along with the Baltic were considered the *de facto* **borders of Europe**. This thesis, formulated by the great Greek astronomer and geographer Ptolemy (87-165), was later taken over by other geographers who located the European border near the Isthmus that connects the Southern shore of the Baltic Sea with the Northern shore of the Black Sea. Therefore, the Black Sea region is located in a **geographical transition zone between Asia and Europe**.

The geopolitical complex of the Black Sea region is a **buffer zone**, part of the *Ponto-Baltic limes*, which separates the Germanic West from the Russian East. It is a confluence of two great civilizations: Orthodox Christianity and Sunni Islam.

Geo-strategically, the Ponto-Baltic limes is a **pivotal area of exceptional value**, **the "gemstone" of the "security ring" of the Russian Federation**, which extends South with the exceptionally valuable Turkish pivotal zone, through which Europe unites with Asia and the Black Sea joins the Mediterranean Sea. The pivotal character of the Pontic area is completed by the presence of one of the seven global maritime chokepoints, the Turkish Straits, and by the mouths of navigable rivers that connect the Pontic region with:

- the Caspian region, through the Volga-Don River Corridor;
- the Central European region, through the river corridor of the Danube - and in perspective with Western Europe, through the Danube-Elbe-Oder, Danube-Main-Rhine corridors;
- the Baltic region through the river corridors of the Dniester, Dnieper and Bug.

Geo-economically, the Black Sea region is a hub of economic corridors linking Western Europe to Central Asia and Northern Europe to the Levant, a nexus of Mediterranean, Levantine, Caspian, Central and Eastern European geopolitical and geoeconomic interests, a market of over 400 million consumers, who are generally less demanding in terms of brand and quality than their Western counterparts. It is also a cheap and educated labor market (very attractive for any investor interested in producing quality goods with less expenses).

With these attributes, it becomes obvious why the states of the region have been important in different ways, for the Chinese masterplan through the BRI. It similarly helps to explain why Turkey is "courted" by the Chinese to become an

active global center of international trade, seen as leader of "The Middle Corridor" of the Silk Economic Road. Or why China is becoming the main trading partner of Georgia, Bulgaria and Ukraine.

For the same reasons, we can say that the loss of control of this pivotal zone by the Maritime and Euro-Atlantic powers in favor of the Russian-Chinese bloc would have a geopolitical impact of equal magnitude with the loss of Iran from the Western sphere of influence, in 1979. This situation must be analyzed in the context of the Russian domination of Eurasia, the Northern pivot zone, and of the Chinese domination of sub-Saharan Africa, the Southern pivot zone[449].

Of course, looking at the extent of China's presence in the Pontic region, it is important to understand how China was able to get so easily into such a sensitive area for the security of the Russian Federation? This poses the question of whether *China's regional geopolitical "game" is an independent one, or rather, part of a much more complex strategy, which targets a major reconfiguration of global spheres of influence?*

Certainly, China's regional game in the Black Sea region cannot be an independent one. In a region considered by Russia as her greatest strategic vulnerability, China would not have been able to enter without her knowledge and her acceptance - because, alongside the Baltic Sea region, the Black Sea region is the only open area, with no natural borders, of Russia's internal "security ring". The explanation for this concession is in part a function of the recent history of this area. Mainly because of Russophobia fueled by the Soviet period, which has been amplified after 1991, following the hybrid war launched by the Russian Federation mainly in the former Soviet riparian states, in order to block the Westernization of the region.

As a result, the range of soft-power instruments available for Russia has been greatly narrowed. Subsequently, there was the huge risk that the riparian states, crushed by frozen conflicts generated by Moscow and located in a gray zone, *will unconditionally slip towards the West*.

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[449] More about Sub-Saharan Southern pivot zone in Alba Iulia Catrinel Popescu, *Jucătorul din umbră – Caracterul pivotal al Africii Subsahariene şi implicaţiile acestuia asupra securităţii euro-atlantice*, Editura Militară, Bucureşti, 2017.

**Fig. 3:** Galaţi – Gdansk Corridor[450]

In this context, China has emerged in the regional equation and has begun extracting from the potential Western sphere of influence those states where Russia either:

- had triggered frozen conflicts (Georgia, Ukraine, Moldova),
- had lost the political control at some point (Bulgaria),
- or is an economic player, but cannot have the necessary force for generating a radical change of geopolitical orientation (Turkey).

The only state that has resisted and resists the assault of both the two *de facto, conjunctural or not,* major powers in the region is Romania.

What is occurring is a clear delimitation of the camps on the regional and European "chessboard". On the one hand, there are the partners of the new Eastern Sino-Russian bloc of the *Shanghai Cooperation Organization*, and on the other hand, the allies of the Euro-Atlantic format. Allies engaged, at the regional level, in the masterplan of the North-South, East-European Corridor, of the *Three Seas Initiative* and the *Bucharest-9 Format*, which acquires in this context a huge strategic importance.

Any concession in favor of the two Eastern powers such as any postponement on the implementation of the North-South, Eastern-European Corridor and, especially, a diminished involvement of Romania in the 3SI format, is a step forward for the regional Russian-Chinese strategy. *In this context, the Eastern transport corridor, Galaţi-Gdansk, connecting the Romanian Danube port of Galaţi, going along the Prut, Siret and Vistula rivers to the seaport of*

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[450] *CANALUL DUNARE - SIRET - MAREA NORDULUI,* 08.08.2015, http://politici.weebly.com/transporturi/canalul-dunare-siret-marea-nordului, accessed on 05.05.2020.

*Gdansk, in Poland, becomes vital for maintaining the Black Sea region in the Western sphere of influence* (see map in Fig.3)!

In addition, it is becoming increasingly clear that the international system is slipping into bipolarity. A bipolarity that will be generated by Russia's policy of alliances within the current trilateral of the international system's leading powers. It is threatened, on the one hand, by the emergence of the Chinese hegemony on her Southern border and by Beijing's masterplans in Eurasia and the Arctic region, and, on the other hand, by the cold, competitive relations with the USA, which have described her as the main threat to their own national security, Russia is forced to juggle between the two partners of the global strategic trilateral. A threesome game in which Russia will have to choose a lesser "evil", relying on her technological research in the military field and her huge nuclear arsenal, which she will parade it whenever she will feel threatened by any of them.

But there are some other aspects worth to be mentioned. While China comes with the economic instrument of hard power, the US uses the other, the military one. While China, with Russia's agreement, has largely assigned its Southern pivot zone of sub-Saharan Africa as an area for expansion and development, lowering demographic pressure at the common border, the US is asserting its role as superpower in Europe and comes into direct competition with Russian interests. A competition that is gaining "hot" accents in the Black Sea region, where:

- Turkey is playing her own geopolitical game, as if it is detached from Euro-Atlantic commitments,
- Bulgaria becomes China's strategic partner and deepens her strategic partnership with Russia in the energy field[451],
- Former Soviet states, faced with frozen conflicts, are looking for survival formulas for state and economy in collaboration with China.

Between the military and the economic threat, what will be Russia's choice? It seems that, so far, Russia (at least at the tactical level) is leaning towards the second option, the two Eastern powers playing in tandem, both within international institutions and at the regional level, in sub-Saharan Africa, South Asia and South America, in the Mediterranean Sea or in the Black Sea region. But there could be another calculation in this choice. More and more voices are contesting China's true financial power, saying that it is built on shifting "sands", while US military power is as real as possible. In these circumstances, the Russian-Chinese bloc would be nothing more than another Russian "maskirovka", meant to move away the competitive zone from her security "ring" of Central Asia, Caucasus, Ponto-Baltic Isthmus.

But even so, the Chinese Black Sea "economic belt" associated with Russia's military domination of the region risks to remove the Western influence

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[451] *Bulgarian Head of State: Bulgaria Can Deepen its Strategic Partnership with Russia in the Field of Energy, 04.03.2019, novinite.com,* https://www.novinite.com/articles/195563/Bulgarian+Head+of+State%3A+Bulgaria+Can+Deepen+its+Strategic+Partnership+with+Russia+in+the+Field+of+Energy, accessed on 01.05.2021.

from the Southern component of the Ponto-Baltic Isthmus - Eurasia's most geo-strategically valuable space - and to lower the "iron curtain" over this area again. A "curtain" that could act on both, the East - West axis and the North - South axis, automatically transforming Romania into a bridgehead of the Atlantic influence and guardian of the mouths of the Danube - a strategic objective targeted by Russian expansionist plans since the times of Tsar Peter the Great (1672-1725). An objective increasingly targeted by the Chinese presence in Ukrainian and Moldovan ports. It is a target that should also be seen in the context of Sino-Ukrainian military cooperation. A "curtain" supported by the current decline of the Chinese presence in Europe[452].

Therefore, Romania must be supported militarily and economically by her Euro-Atlantic allies and must be interconnected with Poland, the other state of the Eastern flank, but also with the other Central and Southern European states within the 3SI strategic corridor. Georgia and Moldova should also be supported economically and militarily by Western allies and interconnected in Ponto-Caucasian security formats, all the more so as the two Pontic states have not developed military partnerships with China. And last but not least, a formula for a diplomatic solution of the conflict in Ukraine, of which ultimately benefits China and Russia, should be sought.

All the more so as China's geopolitical and geoeconomic game in the Pontic region, that has turned into a real "silent threat" to Euro-Atlantic interests, serves and announces potential reconfigurations of regional and global spheres of influence.

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[452] Xue Qing, *How China is losing Europe*, The Diplomat, 25.05.2021, https://thediplomat.com/2021/05/how-china-is-losing-europe/, accessed on 01.05.2021.

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# NUCLEAR ENERGY AND ITS IMPORTANCE IN ROMANIA'S ENERGY IDENTITY

**Ms. Luminița-Stela PETROVICI**[453]

***Abstract:*** *Uncertainties caused by energy dependencies affect the energy security of the states in the region, and implicitly their national security. Romania is in a relatively unique position between the states in the region and those in the EU, given the energy potential. In the next period, taking into account the commitments assumed at the European level, but also the need to revive the National Energy System, Romania will define its energy identity. In this equation, a topic of interest at the moment is the question of nuclear energy, and whether the current historical logic still brings relevance to this way of producing energy, considering also the appropriate security implications. This paper deals with the issue first in terms of defining the place of the nuclear sector in the energy identity of Romania, then pointing out some aspects related to security. Finally, the conclusions are presented in the form of development perspectives.*
***Keywords:*** *Romania; EU; nuclear energy; energy identity; security.*

The energy sector contributes substantially to Romania's development, with a direct impact on the economy, the environment, and the daily life of its citizens[454]. In line with current EU carbon footprint reduction requirements, Romania's energy sector seeks to become even more economically important, more technologically advanced, and less polluting. Overall, it can be said, in other words, that Romania is transitioning to a better energy efficiency figure.

Romania's energy policy aims at harmonizing with the European policies assumed for 2030, being oriented on three main directions: competitiveness, sustainable development, and last but not least security[455]. In light of these three pillars, Romania's Energy Strategy 2016-2030, but also the one planned for 2020-2030, with 2050 perspective, identifies the need to transform the energy system through investments in priority sectors and develop the necessary infrastructure, which is the substance of this national strategic project. Assumed in this project as an important part is the sustainable development in the field of nuclear energy.

In the context of European energy and climate change policies, in force since 2007, energy policy aims to take into account the energy and environmental objectives adopted by the European Council for 2030, as well as the initiatives

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[454] Ministerul Economiei, Energiei şi Mediului de Afaceri, *Strategia energetică a României 2020-2030, cu perspectiva anului 2050 (proiect), http://www.mmediu.ro/app/webroot/uploads/files/ Strategia% 20Energetica% 20a%20Romaniei_aug%202020.pdf,* p.4.
[455] *Ibidem*, pp.8, 21-25.

launched by the European Commission to promote the Clean Energy Package. Nuclear energy, as a source of energy with a small footprint in terms of greenhouse gas emissions, in this case, carbon, also has a significant share of total Romanian electricity production - about 18%, is one of the main routes for Romania to it also achieves the commitments made at European level, but also the consolidation of energy independence - which, fundamentally, contributes to increasing the national energy identity. National nuclear energy is also supported by internal resources and infrastructure for the entire nuclear circuit - from fuel to moderators, to operating infrastructure, to the generation and regeneration of material and human resources, to experience in the field of more than three decades; practically, Romania has a high degree of independence in the field of nuclear energy[456].
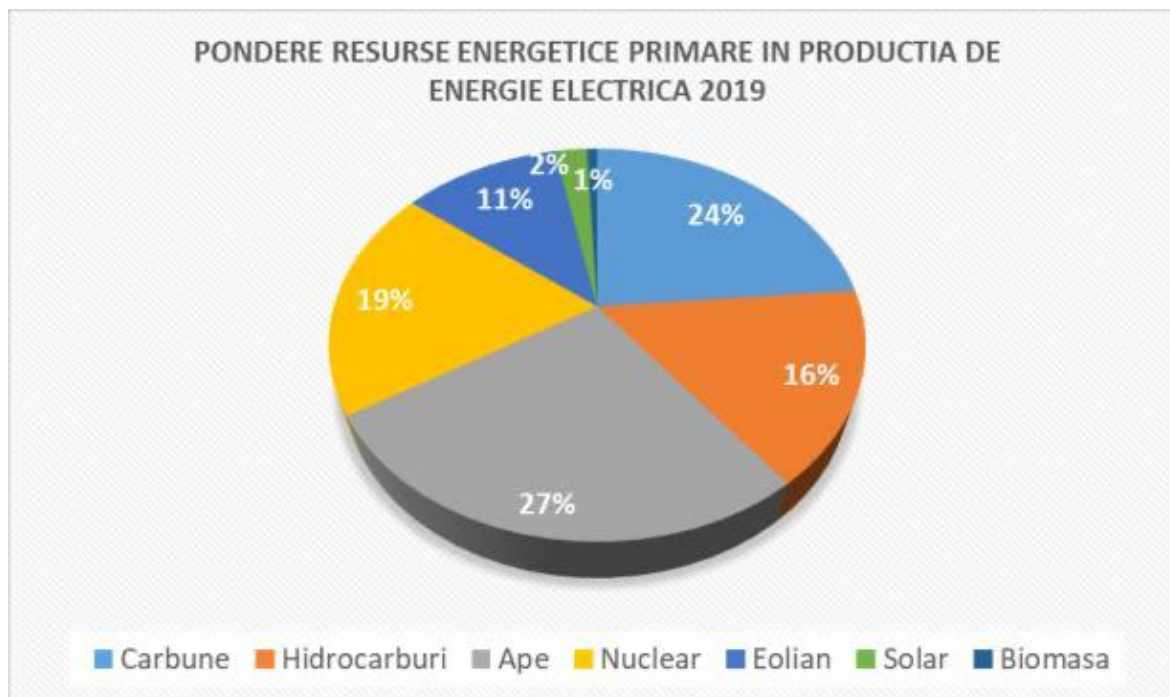
Romania has all the ingredients to become one of the countries in the world with a strong nuclear profile in the country's energy portfolio, but this brings with it several challenges, including, last but not least, the issue of nuclear security, in the sense including nuclear safety.

## 1. THE CURRENT STATE AND NEED OF THE NUCLEAR ENERGY SECTOR IN ROMANIA

In an attempt to develop a national energy identity that is characterized, first and foremost, by attributes such as security, efficiency, and independence, Romania has encouraged the development of the energy sector in a formula that brings together energy resources based on fossil fuels and renewable resources, green. In 2017, the composition of this mix had as its first resource used, from a quantitative point of view, crude oil - with a percentage of 32.6% of total energy, natural gas - with 27% of the total, renewable and low polluting energies, including energy nuclear - 15.2%, coal - with a percentage of 15%, and, also, 8.7% percent from imported petroleum products[457]. Of the total resources used, the ratio between domestic and imported products is 2:1. The use of all available resources, an essential beneficial thing, brings with it the obligation of responsibility for damage caused to the environment, especially in the European context, but also in terms of quality of life, in terms of citizens' health, in the narrowest form of this responsibility, until the conservation of non-renewable resources and the environment for future generations, the preservation of the environment as unaltered as possible and the maximum efficient use of green and/or renewable energies, in the most comprehensive sense.

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[456] *Ibidem,* p.17.

[457] National Institute of Statistics, citat în *Strategia energetică a României 2020-2030, cu perspectiva anului 2050,* pp. 28-29.

PONDERE RESURSE ENERGETICE PRIMARE IN PRODUCTIA DE
ENERGIE ELECTRICA 2019

2% 1%
11%
24%
19%
16%
27%

Carbune ■ Hidrocarburi ■ Ape ■ Nuclear ■ Eolian ■ Solar ■ Biomasa

Of this national energy total, a significant part is capitalized in the form of electricity, necessary to cover electricity consumption at the national level, but also for energy exports. Of the total electricity produced, 40% comes from burning fossil fuels - especially coal (24%), followed by hydrocarbons (16%). Most nationally produced electricity, therefore, comes from low or no polluting sources, including hydropower accounting for 27% of total production, nuclear energy 19%, wind energy 11%, and solar energy (2%), and biomass (1%) are underrepresented[458].

From the point of view of the generation infrastructure, a significant part of it is older than 30 years, which leads to the need to review the processes and re-evaluate the number of operating hours remaining until the expiration of the technical duration of the operation. Repairs and maintenance are activities that currently require a higher frequency of decommissioning of the various components of electricity production and distribution. Moreover, some of the older energy groups are already in conservation. Although this state of affairs is not necessarily gratifying, at first glance, analysis beyond the surface shows that the category of these older groups includes those components of the National Energy System (SEN) that use non-renewable energy resources, in addition to those in the field of hydropower and nuclear energy. It is therefore gratifying that green, renewable technologies, to a significant extent, are relatively new, on the one hand, and on the other, the current state of hydropower and nuclear energy allows future investments to target these carbon footprint sectors. And negative effects on the environment and reduced human life. Moreover, Romania plans to

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[458] *Strategia energetică a României 2020-2030, cu perspectiva anului 2050*, p.38.

increase the percentages of renewable or low-polluting energy from the total, following the responsibilities assumed at the European and national level, both to increase energy efficiency and to reduce greenhouse gas emissions[459].

Given the objectives of efficiency and reduction of environmental pollution, it becomes clear that, in the long run, the development of new energy production capacity (even electricity) based on fossil fuels will be counterbalanced by the associated costs, possible additional payments incubated by the use of polluting technologies, the need to build a strategic reserve for SEN safety, the performance of the system and the need to cover energy demand in the internal market. In defining the energy identity of SEN, renewable/green energies will therefore occupy an increasingly important place. However, the preservation of a compositional diversity allows maintaining the resilience of SEN, especially to overcome moments of extreme stress caused by adverse weather for hydropower, wind, or solar energy - the absence of wind, high degree of cloud cover, increasingly extreme temperatures more common, lower water levels. As a result, „SEN is subject to vulnerabilities in ensuring full coverage of energy demand for both domestic consumption and exports if neighboring states face the same situation"[460].

In such conditions, it is necessary to have production capacities independent of environmental factors, which is why Romania has decided not only to maintain its option to use nuclear energy but even to develop this capacity, so that it can ensure a percentage higher of the total electricity consumed, coupled with the disconnection of several non-green production facilities. At present, in addition to units 1 and 2, both using Canadian technology and CANDU 6, second-generation reactors[461], it is desired to develop two more production units, which is why it is estimated that the percentage covered by electricity produced at Cernavoda will rise to 28% of the total, for the year 2035[462].

In 2019, in September, the Romanian state signed a Memorandum of Understanding with the government in Washington, to strengthen the bilateral relationship in the area of civilian capability development (essentially, a treaty for the development of cooperation in the field of nuclear energy). Thus, Romania seeks to develop its experience in the field of nuclear energy, an area that „is deeply rooted in mutual national security and strategic interests and supports our energy security objectives"[463]. This memorandum was further used in October

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[459] *Planul Naţional Integrat în domeniul Energiei şi Schimbărilor Climatice 2021-2030,* April 2020, pp. 45-60.

[460] *Strategia energetică a României 2020-2030, cu perspectiva anului 2050*, p.38.

[461] Nuclearelectrica. CANDU 6 type nuclear reactors, installed in units 1 and 2, with 700 MW of installed capacity, operate with natural uranium, and heavy water as moderator and coolant - CANDU (Canadian Deuterium Uranium). The nuclear fuel plant in Piteşti (located more precisely in Mioveni, AG) provides the nuclear fuel necessary for the operation of Cernavoda NPP, the uranium ore coming from the mines from Crucea, SV, operated by the National Uranium Company.

[462] *Strategia energetică a României 2020-2030, cu perspectiva anului 2050,* p.38.

[463] US Department of State, *U.S. and Romania Sign Nuclear Cooperation Memorandum of Understanding,* 25 september 2019.

2020, following the announcement of an initial agreement on cooperation for the development of modernization and expansion projects at the Cernavoda Nuclear Power Plant, which aims, among other things, to upgrade unit 1, but especially the development of units 3, respectively 4[464]. The development of the nuclear energy sector is therefore closely linked to the ideas of energy security and independence, fundamental issues for national security, and the prosperity of a state. The possibility of achieving energy production that, on the one hand, ensures the need for domestic consumption and not only, and on the other hand, is generated by non- or low-polluting technologies, in the context of current climate change and the responsibilities assumed at European level on reducing the carbon footprint, are sufficient reasons to generate traction to create an energy identity in which nuclear energy maintains a significant place.

## 2. SECURITY AND THE NUCLEAR SECTOR – BENEFITS AND RESPONSIBILITIES

The presence of the nuclear sector in the Romanian energy landscape brings to the fore the issue of security, from two perspectives, both depending on the referent. First of all, as discussed above, the retention of the possibilities to exploit nuclear technologies substantially advances the idea of energy independence in Romania, given the possibility of a complete circuit from generating fissile fuel to use, by using national resources existing infrastructure. Energy security, therefore, derives from the country's fundamental strategic objectives. Defined, in short, by „a country's ability to ensure its energy needs continuously and at affordable prices, energy security is a major concern in South-Eastern Europe"[465] when looking at the map of energy relations in the region. Romania will, of course, want to maintain its status as a small energy importer[466], for several reasons, one being this distribution of geopolitical relations caused by energy dependencies. „The natural endowment with varied energy resources and the industrial tradition in multiple branches of the energy sector is reflected in a diversified and balanced energy mix"[467]. Nuclear exploitation is therefore based on this line of Romania's independence and energy security in the next period.

Viewed in a top-down manner, or rather, from outside the sector itself, nuclear energy brings a considerable plus to increasing Romania's energy security. The benefits of operating nuclear technologies become apparent quite quickly when looking at the figures for electricity production in the national total (18% at present, with 1400 MW of combined installed capacity for the two units).

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[464] US Department of Energy, *U.S. and Romania Announce Initial Agreement on Cooperation for the Cernavoda Nuclear Power Projects and Civil Nuclear Power Sector in Romania.*
[465] *Strategia energetică a României 2016-2030, cu perspectiva anului 2050*, p.33.
[466] *Eurostat. Energy dependency rate (%).* Romania still maintains a country profile with minimal dependence on energy imports, with approximately 22% of energy needs being from abroad in 2018, one of the lowest percentages, well below the EU27 average.
[467] *Ibidem.*

Equally complex is the issue of the security of the nuclear sector itself; in other words, when the issue of security is viewed from the bottom up, or from within the sector itself. The presence of a nuclear power plant in the state, as well as the related infrastructure for fuel generation (mines, nuclear fuel plant, warehouses, etc.), as well as for the safe use of the units, brings with it distinct challenges. The security of this whole area becomes an existential issue. We must not forget the major disasters caused by various deficiencies or errors in operation at nuclear power plants over time and the destructive capacity of these units, especially due to ionizing radiation[468]. Moreover, given the destructive potential of radioactive materials, in terms of the development of nuclear weapons, a matter of great concern is their safety.

The Kozloduy Nuclear Power Plant (NPP), Bulgaria also has 2 WWER-1000 reactors (No. 5 and No. 6, put into operation in 1987 and 1991) with a total capacity of 2,000 MW, out of a total of 6. Reactors numbered 1-4 were shut down during 2002-2006. Luminiţa Simoiu states that NPP Kozloduy operates illegally in violation of international conventions, reactors 5 and 6 have been shut down seven times in the last 18 months, due to "serious technical deficiencies", as a SALTO (Safe Long-Term Operation) technical commission found. To the danger generated by the Kozloduy Power Plant is added the one produced by the construction of a landfill of 350,000 tons of radioactive waste in Radiana, Bulgaria, in the perimeter of Kozloduy, on the border with Romania, a warehouse that obtained a favorable opinion from the Dolj Environment Agency.[469]

On January 24, 2018, Austria warned that it intends to sue the European Commission (EC) for permission granted to Hungary to expand its Paks nuclear power plant. Austrian Minister for Sustainability, Agriculture and Tourism Elisabeth Koestinger wrote in a Twitter message that Austria will take action against the use of nuclear power plants and that there are sufficient reasons to sue Paks II.

The anti-Kozloduy civic platform - constituted by the Action for the Renaissance of Craiova (ARC), the Civic Association for Life (AcpV), the Pro-Democracy Club Craiova Association, and the CRONO Association - proposes similar approaches, at the Romanian level, with those initiated by Austria in the fight against dangers represented by nuclear energy. The project to build the mega deposit of low and medium radioactive waste dates from 2011. By 2075, up to 345,500 tons of such waste will be stored near the Kozloduy plant.[470]

In 2013, the Austrian Environment Agency prepared a report on the Environmental Impact Assessment (EIA) prepared by the Bulgarian Ministry. It examined whether the EIA Report allows serious conclusions to be drawn about

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[468] Chernobyl - April 26, 1986, Fukushima Daiichi - March 11, 2011.

[469] *Interview with Luminiţa Simoiu*, https://www.agerpres.ro/politica/2021/02/05/simoiu-partidul-verde-frecventa-cu-care-se-opresc-reactoarele-de-la-kozloduy-alarmanta-trebuie-eliminat-acest-pericol--656160.

[470] *Pericol nuclear la granita României*, https://www.digi24.ro/stiri/actualitate/pericolul-nuclear-de-granita-romaniei-cu-bulgaria-subiectul-controversat-al-centralei-kozlodui-readus-in-discutie-la-craiova-880938.

a potential cross-border impact on Austria. The report considers well-founded the Bulgarian conclusion that the Kozloduy Nuclear Power Plant is flood-protected and that the seismic risk is low (but points out that it is necessary to renew the seismic risk study since it was done 20 years ago). At the same time, they highlighted some unfounded conclusions and mistakes of the Bulgarian EIA report, including:

- shortcomings in reactor safety analyses, including neglect of the lessons, learned from the Fukushima accident and the use of the concept of practical disposal[471];
- serious gaps in the assessment of the impact of external events caused by man, for example, accidents, leaks[472];
- contrary to the provisions of the International Atomic Energy Agency, the EIA report does not contain considerations on the formation of shock waves and their potential impact on the buildings of nuclear units in the event of explosions outside the perimeter of the plant[473];
- there is no intelligible technical basis for assessing accidents caused by design errors[474];
- only three typical sets (scenarios) of weather conditions were used to assess the cross-border impact on Austria, without addressing the possibility of extreme weather conditions[475].

Romania has assumed the responsibilities arising from the use of nuclear technologies with the civil application, both by forming an institutional apparatus to regulate the activity, but especially by transparent participation in various international bodies with responsibilities in the field, especially within the IAEA - International Agency for Atomic Energy, since its establishment in 1957[476]. At the national level, the National Commission for the Control of Nuclear Activities aims to comply with the measures contained in the National Strategy for Nuclear Safety and Security, the main programmatic document whose aim is to „achieve the general framework nuclear"[477]. The comprehensive approach to nuclear safety aims to reduce the risk of manifestation or exploitation of several specific vulnerabilities and threats, namely the risks of accidental exposure to ionizing radiation of the population, environmental contamination, damage to nuclear or radiological installations, such as due to internal or external events, accidental or intentional, of illicit use of nuclear or radioactive materials, including the risk of

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[471] Andrea Waller, Helmut Hirsch, Adhipati Y. Indradinigrat, Oda Becker, Matthias Brenner, *Expert Statement to the Environmental Impact Assesment Report*, Wien 2013, pp.60-61.
[472] *Ibidem,* pp.72-73.
[473] *Ibidem,* p.73.
[474] *Ibidem,* p.84.
[475] *Ibidem,* p.20.
[476] International Atomic Energy Agency (IAEA). *List of Member States.*
[477] Comisia Națională pentru Controlul Activităților Nucleare (CNCAN), *Strategia națională de securitate și siguranță nucleară,* 23 July 2014, http://www.cncan.ro/assets/Informatii-Publice/Strategii-Planuri-Programe/Strategia-de-securitate-nucleara/HG-Strategie-2014.pdf, p.1.

proliferation of nuclear weapons and other improvised nuclear devices or radiological dispersal devices[478].

Romania adopted a series of measures to prevent these risks, a series of prophylactic measures, aimed at drastically controlling the entire circuit of production, use, and storage of radioactive materials, preparation and planning of the response to nuclear and radiological emergencies, protection of insolation, and equipment, in particular in the light of its classification as critical infrastructure and the application of measures accordingly, the alignment of national legislation with that of international law, and its ongoing review, for relevance. Last but not least, the signing of the initial agreement with the USA on the expansion of the energy production capacity at CEN Cernavoda and the cancellation of the previous agreement with China is part of this line of securing the Romanian critical nuclear infrastructure.

## 3. PERSPECTIVES – INSTEAD OF CONCLUSIONS

Speaking about the development of the nuclear energy sector in the coming period, the focus of the discussion is on the future, which is why a current perspective takes the place of a conclusion, more than relevant. Considering that „(1) the energy sector has a high capital intensity, [...] a long investment cycle so that a large part of investment decisions [...] will continue to take effect in 2050; and (2) EU energy and environmental policies [...] are built around the goal [...] of achieving a "zero-zero" emission level by 2050"[479], Romania's energy identity will continue to it also has a strong nuclear energy sector, estimated for 2030 at over a quarter of domestic electricity production. Moreover, technological developments, the tendency to adopt electricity transmission on a large scale, and the increase in electricity demand, coupled with the two requirements listed above, produce a cascading effect on how Romania's energy infrastructure will develop. It can be said, without much debate, that the nuclear sector will develop in the coming years, and the issue of its security will continue to be an open topic on the decision-making table.

At the same time, the same uncertainty that now affects the geopolitical space of Eastern and South-Eastern Europe, regarding the power relations established through energy dependencies, will most likely remain fundamental for drawing up energy policies in the region. Romania is in a favorable situation not only to get rid of such obligations, moreover but also to become itself an island of energy stability through the potential export of energy, implying a judicious development of this field. A greater contribution to the production of electricity through nuclear technologies can only be auspicious.

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[478] *Ibidem*, p.2-3.
[479] *Strategia energetică a României 2016-2030, cu perspectiva anulai 2050*, p. 64.

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- US Department of State, U.*S. and Romania Sign Nuclear Cooperation Memorandum of Understanding,* 25 September 2019, https://www.state.gov/u-s-and-romania-sign-nuclear-cooperation-memorandum-of-understanding/;
- Waller A., Hirsch H., Indradinigrat A.I., Becker O., Brenner M., *Expert Statement to the Environmental Impact Assesment Report*, Wien 2013, https://web.archive.org/web/20140227170407/http://www.umweltbundesamt.at/fileadmin/site/umweltthemen/umweltpolitische/ESPOOverfahren/UVP_kozloduy7/REP0449_Kozloduy7_FSN_Kern_final.pdf.

**Appendix 1**

| The situation of the installed capacity at SEN level from 01.05.2021 | | | | | |
|---|---|---|---|---|---|
| **Fuel** | **Groups** | **Pi ANRE license (MW)** | **Net P (MW)** | **Pr (MW)** | **Ap (MW)** |
| Coal | 26,00 | 4.787,20 | 3.469,30 | 982,00 | 3.831,00 |
| Hydrocarbs | 139,00 | 2.839,99 | 2.191,04 | 484,41 | 2.370,04 |
| Water | 881,00 | 6.642,89 | 6.310,98 | 270,24 | 6.379,88 |
| Nuclear | 2,00 | 1.413,00 | 1.300,00 | - | 1.413,00 |
| Aeolian | 114,00 | 3.012,91 | 2.964,54 | 24,63 | 2.995,68 |
| Biomass/Biogas/Others | 57,00 | 137,48 | 125,39 | 4,91 | 132,41 |
| Solar | 629,00 | 1.392,96 | 1.307,36 | 71,70 | 1.326,49 |
| Geothermal | 1,00 | 0,05 | - | 0,05 | - |
| Total | | 20.226,48 | 17.668,62 | 1.837,94 | 18.448,49 |

**DEFINITIONS:**
**Power installed from the ANRE license (Pi ANRE license)** – the installed electric power indicated in the specific conditions associated with the ANRE license.

**Net Power (Net P)** – is the power that the generator can deliver to the network for marketing purposes and is equal to the gross available power minus: power consumed in own services (CSI), the share of consumption of general services (Csg), power losses in the transformer block (PTB).
Net P = GrossAP - (Csi + Csg + PTB)

**Permanent reductions (Pr)** – the difference between the installed power of the power plants and their available power, if this power reduction cannot be eliminated in a shorter term than 1 year. In the case of groups in conservation, the permanent reductions will be equal to the installed power.
**Available Power (Ap)** – the maximum gross active power, of duration, that a generating group can give, respecting the mechanical and electrical safety conditions. For operating groups, the calculation formula is:  GrossAP = Pi – Pr

Compared to 2019, the percentage of electricity from burning fossil fuels fell from 40% to below 38% in the first quarter of 2021. The level of electricity produced from hydropower rose almost 33%, approaching the distance low percentage of energy from fossil fuels. Another significant increase was also registered by wind energy, which is approaching the threshold of 15%, 4% more than in 2019. An increase of 4% is also found in the case of energy from solar sources and biomass, these representing 7% of the total. According to the data provided on the TransElectrica website, the contribution of nuclear energy in the SEN system has decreased to 7%, a loss of 12% when compared to 2019. Furthermore, most of the electricity produced nationally comes from little or no polluting sources, which are registering an increase of 2%, compared to 2019, concerning fossil fuel-produced energy.

# ROMANIA IN THE GAME OF THE RUSSIAN FEDERATION[480]

**Colonel (r.) Vasile SIMILEANU, Ph.D.**[481]

*Abstract: The new geostrategic architecture and the redesign of geopolitical spaces have reopened the "Pandora's box" of Eastern Europe, crushed by political, ethno-confessional and territorial interests, giving free rein to the manifestation of incredible and unrealistic scenarios regarding the "new regional order". This space, former theater of war in the two world wars, remained a space of dispute between East and West, which reactivated the imperial claims of some state actors with interests for the states in the region. Currently, a new Cold War or the continuation of the old one is foreshadowed...*
*The new options open to the "escaped" states from the communist camp were those of democracy and free will, after more than five decades of imposing ideologies foreign to the spirit of these nations.*
*The election of new strategic partners, after the torture of a communist dictatorship, led to the generation of essential policies on national interests, but not sufficiently understood by decision-makers in these Eastern European states, manifestations that "planted" distrust of social segments in the new values democratic and market economy. Indeed, revolutions and the "sleep of reason" have given birth to "monsters"... in all states...*
*Keywords: EU, Russian Federation, Germany, NATO, Romania.*

## 1. EUROPE - A DIVERSIFIED AREA

Leaving the communist "corset" generated the rebirth of a nation's ideals, and the lack of political experience led to reorientations, some of them uninspired. These "elections" of some states, especially those generated by the disintegration of the USSR, led to states of collapse and led to security vulnerabilities, manifested by the emergence of local conflicts and frozen conflicts, with regional impact.

With the generation of the initial European construction, it was found that the European space, although unique, is diverse. This diversity is given by:

- central axis - consisting of component areas in Switzerland, Germany and Belgium;

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- integrated periphery - consisting of component areas of Spain, France, Great Britain, Italy, the Netherlands, Denmark, Sweden, Finland and Austria;
- the dominant Southern periphery - consisting of areas belonging to Ireland, Portugal and Spain;
- peripheries in transition - consisting of Latvia, Estonia, Lithuania, Poland, the former territory of East Germany, the Czech Republic, Slovakia, Slovenia and Croatia;
- the underpopulated Northern periphery comprising Scotland, Northern Ireland, areas of Ireland, areas of Sweden and areas of Finland;
- peripheries generated by globalization: areas in Italy, Corsica, Sicily, Greece, Rhodes, Cyprus;
- Schengen candidate countries: Romania and Bulgaria.

An important role for the European construction is played by the poles of attraction constituted by:

- metropolises with a global role, such as: Paris, London and Stockholm;
- major metropolises consisting of the capitals of European states, capitals and dynamic regions (according to the following map);
- decision-making centers for the EU - Strasbourg;
- the main European axes, on the West-East and South-North directions, which extend to the Eurasian space, the Middle East and North Africa.

Regarding the European role of Romania, it is determined by the following geopolitical aspects:

- it is a commercial and energy gateway to the Black Sea, in relation to the Asian space;
- is a security donor in the Black Sea and Eastern Europe area;
- is a member of the Eastern Partnership and can generate strategies for the future developments of the Republic of Moldova, Ukraine, Georgia, Armenia and Azerbaijan;
- is Turkey's economic impact partner, which it can support in joining the EU;
- regarding the Danube axis, it can generate strategies with Bulgaria, Hungary, Serbia, Austria and Germany, in order to activate trade and achieve connectivity on the Constanta - Rotterdam axis.

We talked about the important role of geographical space in geopolitical research. I would like to say, rightly, that the EU is a necessary construction, determined by the disposition of European states at the intersection of the geopolitical axes determined by the two great powers: Germany and Russia. The vast majority of European states are "fragile" constructions, which have been

disputed by the great empires that have manifested themselves, in different historical periods, in the European arena. The Central-South-Eastern European area is considered to be a space with a strategic security with many gaps, covered - to a large extent - after the accession to the Euratom Atlantic area. However, this area is vulnerable to the challenges posed by the fluidity of borders and the effects of frozen Eurasian conflicts, as new state constructions are unconsolidated and are often affected by Russia's Eurasian strategies and the evolution of external constraints on them.

Complex geopolitical contexts often hamper national strategies - insufficiently strong compared to those promoted on the Berlin-Moscow axis - cooperation between Eurasian state actors being superficial or even non-existent. Most of the time, the EU or CIS member states are stopped by the Germany-Russia relationship, the value of individual strategies generating divergent agendas that impose restrictions on individual national interests. These restrictions, imposed by the European poles of power on the Member States, diminish or even block the general interest in achieving a stable and prosperous area. The strategies of some EU member-states do not manifest themselves intensely in order to eliminate the blockages imposed by the German-Russian relationship and cannot generate a collective security of the Central-Eastern European region.

In this context, it is important to highlight the key role that the US plays in maintaining balance and the special relationship with the United Kingdom - as a member of the European Troika. At the same time, Franco-German relations and the security umbrella imposed by NATO partnerships, which stop - to some extent - Russia's interference in the EU's internal affairs, should not be neglected. We can rightly say that the privileged relations of the USA with some European states counterbalance the Franco-German strategies in the relations with Russia. However, the EU must understand that changes in the global balance of power, as well as the rise of emerging states - especially the People's Republic of China - call for a re-analysis of Euro-Atlantic collective security strategies in order to prevent East.

The new Europe is "obliged" to adapt as it goes to the internal challenges of adjacent regions as well as to global ones. These "derived" challenges, as a result of geopolitical and geostrategic transformations, which act on the national, zonal, regional and global security environment, require large-scale reconfigurations of the European Union, with discharges to the Central-Southeast European area.

Developments in this area represent a "target" for competitors of state and non-state actors (NGOs, TNCs, concern and global financial-banking organizations) for new institutional reconfigurations. The acceleration of these processes, above the level of adaptation of the states in this area, determines the appearance of vulnerabilities and risks, which exceed the forecasts of the

specialists. Among them are the threats and risks to national and, implicitly, regional security, which require the adaptation of the policies of regional and global actors according to the reaction of state actors.

## 2. WHAT DOES RUSSIA WANT?

The installation of Vladimir Putin, immediately after the collapse of Boris Yeltsin's policy, reawakened Russian imperial nostalgia and activated the dynamics of Russian strategies to return to the place he "rightfully has" at the great world chess table[482]. Some tensions with the EU and NATO have been generated, in particular, by Russia's monopoly on energy resources in Europe. From this point of view, the Euro-Atlantic states are vulnerable to Russia, and Vladimir Putin sought to exploit this security breach by attracting Germany as the sole dialogue partner on this level.

Under the guise of ensuring energy security, Russia has concealed its political, economic and military dimensions. As Russia draws its main source of energy for the national budget from the export of energy resources to the EU and China - as the main beneficiaries - the Kremlin is aware that if it does not take the decisive step, now is the time, Russian imperial tendencies promoted by Eurasianism, the single Eurasian customs area, pan-Slavicism and pan-Orthodoxy will not find an end. At the same time, Russia will have to take advantage of the vulnerabilities of areas of strategic interest to the West, such as Ukraine, Georgia, Belarus, the Baltic States or some areas of Central Asia, by activating political, diplomatic or military conflicts.

Russia's actions and Germany's silence have a well-defined cause: both state actors fear a major destabilization in the Eurasian space, in the event of other "orange revolutions" or "roses" in Tbilisi or other Euromaidans, such as the one in Kiev, in the former union republics holding energy resources.

On the other hand, Russia's confinement in its former sphere of influence - much diminished by Eurasian strategies and Chinese pressure – doe--s not allow the Kremlin to occupy the Planetary Ocean and disturbs Vladimir Putin's 2025-2030 strategies. At the same time, there is a fear of a "spring" (typical of the Arab one), which would destabilize the interests of the Russian political-economic-oligarchic and military conglomerate[483] within the BRICS and the Shanghai Treaty, with the main target being the Central Asian states. Although Russia "wants" the construction of a multipolar world, declaratively, the manifestations are rather the dethronement of the USA and the occupation of the hegemonic place.

While the EU is a postmodern regional player, a unique construction being completed on the world stage - as an entity that promotes democracy and

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[482] Barry Buzan, Ole Waever, *Regions and powers*, pp. 356-364.
[483] Vladimir Putin, *Prepared Remarks at the 43rd Munich Conference on Security Policy,* 10 February 2007 http://www.washingtonpost.com/wp-dyn/content/article/2007 /02/12/AR2007021200555.html.

democratic freedoms and a free market - Russian neo-imperialism - triggered with the establishment of the Eurasian Customs Union - is grafted on the use of force in the promotion of external interests, which defies the principles promoted by the Euro-Atlantic states. Unfortunately, at the moment, the EU is not a fully coagulated structure, as Brussels is an advocate and decisions are often made at odds with the national strategies or ideologies of some political parties, with an impact within the European organization. On the other hand, the different strategic areas are fragmented by the interests of supranational economic or political structures. All this has been accounted for and exploited on important strategic relations by Russia, China and the USA. What is certain is that, even if these manifestations are present, the decisions taken by the EU have demonstrated the visible and real European identity.

Situations of cooperation or divergence between the EU and Russia in terms of energy strategy have been in constant swing, currently talking about a strong energy partnership between Russia and Germany and an ambiguous one between the other EU countries and Russia[484].

Vladimir Putin's mandates gave him the necessary respite to develop an international impact policy, constantly crediting the vision that the CIS structure - as a close foreigner - is a priority for Moscow, and the Russian Federation is a great power and a unique player internationally. This position reawakened nineteenth-century Russian imperial ancestry and nationalism[485].

Russia's energy strategy is tough for its partners and is the main "weapon" in holding Russian supremacy (only until 2025!), With Russia making special efforts to own transport infrastructure[486]. In this game, the Ukrainian space is vital in relations with Europe.

EU - Russia structural divergences (even if relations with the European Union remain a priority) do not affect Germany-Russia (GeRussia) special relations, but largely affect NATO interests, especially the Member States' energy network, which will involve military action, collective defense in accordance with the provisions of Article 5[487].

### 3. WHAT ARE RUSSIA'S STRATEGIES?

Like Germany, Russia has secured its eastern and southern fronts, and is now seeking to impose itself militarily on the western front. In this sense, he consolidated his economic power by carrying out the North Stream project, he tried to assimilate NATO military equipment, through the favorable / unfavorable contract to France, regarding the acquisition of two Mistral class ships (which

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[484] Viatcheslav Mozorov, *Energy Dialogue*, p. 45.

[485] Christian Thorum, *Explaining Change in Russian Foreign Policy: the Role of Ideas in Post Soviet Russsia's Conduct Towards the West*, Palgrave Macmillan, Hampshire, 2009.

[486] Evert Faber van der Meulen, „Gas Supply and the EU - Russia Relations", *Europe Asia Studies*, 61;5, 2009.

[487] *Joint Report EU - Russia Energy Dialogue 2000-2010: Opportunities for our future Energy Partenership* (Bruxelles, Moscova: 2010), pp. 7-12.

would have transferred high technology to NATO potential enemy, at least declaratively), strengthened its power in the Black Sea (being a high risk factor for Romania, Bulgaria, Georgia, the Republic of Moldova and Ukraine) and the Baltic Sea (threatening the security of Poland, Ukraine, the Baltic States, Sweden and Finland), concluded a security partnership on the Black Sea (with Turkey and Ukraine - which he violated in relations with this state), strengthened the Eurasian Customs Union: all in order to return to the imperial borders! At the same time, Russia, through its new security strategy, has exposed its hostility towards the member states of the North Atlantic Treaty, considering the location of the elements of the anti-missile shield in Turkey, Romania and Poland as an act of hostility against it.

The actions of the Russian oligarchies inside the Euratom Atlantic security space, subtly coordinated by the Russian secret services, aim at removing the "siege of Russia" and reconfiguring European and American political conceptions. Yeltsin's Russia has lost strategic territories such as the Baltic States and Ukraine. In this regard, Russia wants to bring to power in these pro-Moscow governments - grafted against the background of mass dissatisfaction with the austerity measures adopted by the EU - to bring these areas in the sphere of interest of Moscow in order to clearly pursue the interests Russia's strategic goals.

By triggering the conflict in Ukraine, Russia wants to regain possession of "Kiev Russia" and control Ukraine's access to the Black Sea, perhaps even to integrate this state into Russian territory, of course after a democratic referendum in which the population will recognize its membership. Russia's strategies on the Black Sea are disturbed by the rise of Turkey and Romania, which is hampering Moscow's supremacy and the transformation of the Black Sea into a "Russian lake". Turkey's strategic interests are undermining Russia's actions and strategies vis-à-vis Syria, but Turkey may be vulnerable by influencing the Tatar population - located on the northern coast of the Turkish state - and the Kurdish population, which could destabilize Ankara. and would end the European path of this state. At the same time, Russia could strike in the fragile democracies of the Turkic-speaking states of Central Asia, in order to destroy the strategic partnerships of energy resources developed towards the Eurasian space. In this dangerous game, promoted by Russia, Moscow will take full advantage of the cooling of relations between Turkey and Israel and will seek to strengthen ties with Tehran. On the other hand, Russia may have a problem with the Turkish peoples inside Russia and here we refer to the Khazan and Crimea areas, from nearby abroad, respectively with Azerbaijan, Turkmenistan and Uzbekistan (Azerbaijan having common strategies with Turkey, challenging Russia's influence in the areas South Caucasus, Caspian Sea and Central Asia). If Russia integrates the Nagorno-Karabakh enclave unilaterally, regardless of negotiations between Armenia and Azerbaijan, Russia could face opposition from Turkish-speaking populations that could lead to damage to the Eurasian pipeline supply.

To keep the area under pressure, Russia has drawn Armenia into Moscow's political sphere, and on the border with Georgia it is facing atypical developments - which are causing great discomfort to Moscow - over Chechnya, Dagestan, Ingushetia and North Ossetia. Russia still has a long way to go to solve the problem of ethnic Russians in independent republics and frozen conflict areas.

Strategically, Russia has to counter the intrusions and strategies of the People's Republic of China in the European Union, but also in Siberia - where it seems that the phenomenon of Chinese migration has been out of control. Even though Russia and China are partners in the Shanghai Economic Cooperation Treaty, China has adopted US measures, having an "open but cautious" partnership with the US, as China is dependent on the principle of "domination and influence", while Russian expansion it has as its mentality "control by domination". In addition, we are dealing with the trend of global supremacy of both states, a supremacy that is antagonistic and generating tensions within the BRICS and the Shanghai Treaty.

China's private investment initiatives in Central and Southeast European countries are counteracting Russia's strategy to halt Euro-Atlantic expansion. From this point of view, the contradictions between Moscow and Beijing may be exacerbated, especially since the joint strategies and high-level visits between the US and China are viewed with caution by Russia, its strategies in the Eurasian space being perceived by Russian strategists as interference, in the sphere of Russian historical influence. However, China sees its interest and generates investment strategies with Poland, Bulgaria, Hungary, the United Kingdom - with which it has an equal and indispensable partnership - and Germany - which is the main partner. In the next period, China will invest in the Republic of Moldova and some partnerships with Romania will materialize, which will bother Russia even more, which sees the interests of its sphere of influence dethroned by the interference of some states.

China, the EU and the US (which follow the balance of power model, but at a higher level than pure passivity) are disturbed by the formation of the Eurasian Economic Union - which is seen as an updated form of the USSR - and which will impose numerous trade restrictions. Russia's control report in the organization. In fact, Russia has not shied away from using force and putting pressure - and on some NATO and EU member states[488] - in carrying out this controversial project by the international community. Russia's imposition of power relations in the former Soviet space is seen as a threat by the vast majority of independent states, which could inflame the Eurasian space, creating discomfort or even security problems for the EU and NATO[489], especially for the Baltic States, Poland,

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[488] The Russian Federation "advocates a quantified strengthening of the mechanisms of interaction with the European Union, including the consistent formation of common spaces in the spheres of economy, domestic and international security, education, science, culture."

[489] Assigning global functions to the North Atlantic Alliance is another subject of discontent and discord between the Kremlin and the West.

Romania, Turkey and Bulgaria. Although the EU is not prepared to face Russian aggression, growing pressure from a united Europe and the United States, with the tacit support of China - which will strengthen its position as a multipolar player - could lead to cracks in the Kremlin leader's policy and there is the possibility of witnessing Russia's political instability, for which "energy is a strategic asset."[490] For us it is a consumer good, an economic necessity. So, we have an unequal relationship between Russia's energy interests and European energy policies." Here we are back to the "Anaconda Strategy" during the Cold War. In the new international context, generated by the Kremlin, are the conceptual theses of the Russian security strategy - which are based on fundamental interdependencies between the National Strategy of the Russian Federation - 2020[491] and the Concept of Socio-Economic Development of the Russian Federation[492] still viable? It is normal to ask this question, because these strategies[493] had to materialize in a mobilizing factor of stability and not of instability!

In the National Security Strategy of the Russian Federation - 2020, directions are provided, some with direct impact on the Romanian strategic space, such as:

- the existing security architecture at the global level does not provide equal guarantees to all nations - as can be seen, it is a direct attack on the USA - as a hegemonic state -, NATO and the states that make up this organization;

- Russia is facing an increased military threat from several directions, and one of the main external threats, in the Kremlin's view, is given by the attempt to expand NATO, which is thus getting closer and closer to Russia's borders;

- the deployment of foreign military contingents on the territories neighboring Russia or its allies, the development and use of missile defense systems, which undermine global stability and disrupt the strategic balance of power, the militarization of space and the deployment of strategic nuclear weapons are just as many reasons of concern to the politico-military elite of the Russian Federation;

- The Russian Federation reserves the right to use nuclear weapons, in response to an attack on it or its allies, carried out with nuclear weapons or other weapons of mass destruction, or in response to an aggression with the use of conventional weapons;

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[490] Rolf Fucks, director of the Heinrich Boll Foundation.

[491] N. Patrushev: *Russia's plans to advance the Alliance's military infrastructure to Russia's borders remain an unacceptable factor for relations with NATO.*

[492] According to the security vision, Russia will place greater emphasis on increasing the interaction of multilateral partnerships, such as: G8 (7 + 1), G20, RIC (Russia, India, China), BRICS (Brazil, Russia, India, China, South Africa). South), but also through the use of other non-formal international institutes.

[493] "Strategic containment involves the development and systemic implementation of a complex of interdependent measures of a political, diplomatic, military, economic, informational, etc., aimed at preventing or mitigating the threats of destructive actions by the aggressor state (coalitions of states)".

- The Russian Federation could use precision weapons as a deterrent or send troops abroad to protect its national interests or those of its citizens, in accordance with the rules of international law, international agreements and applicable federal law;
- the main tasks of the Armed Forces of the Russian Federation during a certain type of war are to repel any type of aggression that would target Russia and its allies, to defeat the aggressor and to force him to interrupt military actions;
- The Kremlin, through pressure from the OSCE, wants to implement the Russian initiative in the Common European Security Agreement;
- Vladimir Putin has publicly expressed, on countless occasions, the vision of the building of the Eurasian Empire - the Customs Union being a first step -, which should include all the territories lost by Tsarist Russia even after the dismantling of the USSR;
- through a joint dialogue with Germany, Russia has developed partnerships such as the EU - Russia Committee, which promotes the new European security architecture at ministerial level.

In the field of energy, Russia pursues an offensive policy, seeking to attract major Western concerns into its sphere of action. In this regard, it has signed partnerships between Gazprom and BP and Gasunie, in order to build branches of North Stream (which supplies Germany and already has interconnections with the Czech Republic and Slovakia) to the United Kingdom and the Netherlands (according to Stratfor analysis taken by Natural Gas Europe), the target being the energy-dependent states of Central and Northern Europe. From this point of view, Russia - in order to have energy supremacy in its relations with the EU - has to counteract the European projects developed with the Asian and North African states, as well as the US initiatives to implement American technologies on the European shale gas market. Simultaneously with these challenges, Russia wants to expand its oil and gas exports to East Asia, where the Chinese market is very attractive for Gazprom and Rosneft.

In this complex international and national context, we naturally ask ourselves what will be the politico-military evolution of the Russian Federation? How will international relations evolve and what will be Moscow's priorities in the coming years? Why these questions? Because the new trends are highlighted by:

- aggressive and brutal relations with "neighboring" states, in particular Poland, Romania, Turkey and the Republic of Moldova;
- restoring and increasing influence in areas of geopolitical importance, such as the Black Sea, the Baltic Sea and the Middle East, which are considered strategic for national security;

- the suppression of national movements in countries with a predominantly Muslim population (Tatarstan, Bashkiristan, Chechnya and the Kabardino-Balkan Republic, Ingushetia), which want the right to autonomy and independence from the Federation. We are no longer talking about military interventions in Georgia, Ukraine and Crimea;

- further, the Russian strategies failed to prevent the manifestations of the internal crises and the depreciation of the ruble, accentuated by the decrease of the price per barrel of oil; with all the efforts of the Kremlin, through the political and military strategies developed at the central and local levels, Moscow is unable to establish a rule of law;

- the "rebel" republics, which want to defederate the space of the Russian Federation, have received in response the imposition of alignment with the Eurasian Customs Union, in which a number of former USSR states have so far been attracted;

- although a quarter of a century has passed since the legal dissolution of the USSR, Russia has not given up maintaining military bases in Russian-speaking enclaves (considered Russian historical-traditional areas), in states that have gained independence, maintaining "constructions" unilaterally recognized (Transnistria, Abkhazia, Ossetia, etc.);

- Russia, by adopting "Putin-ism", is escalating geopolitical and geostrategic risk factors that may lead to the establishment of an authoritarian-dictatorial regime and the tendency to trigger military conflicts in the ex-Soviet space, which may have the effect of throwing global balance into a new "Cold War" type manifestation, but in other dimensions, because the Euro-Atlantic space has increased in size and economic and military capacity.

That is why Russia is seeking to make the EU link vulnerable, Russia will promote, in the future, strategies for "extracting" from the sphere of Euro-Atlantic influence some spaces - which it considers to belong de jure, after the Second World War - by promoting Moldovanism and belonging to the pan-Slavic spaces and pan-Orthodoxism, will continue the accusations against the American anti-missile shield, attracting in diplomatic, cultural, political and even military conflicts Turkey, Poland and Romania, creating conflicts or participating in them, in the areas bordering these states: Syria, Republic of Moldova, Ukraine and Baltic States,

Russia will continue to ban international monitoring of exposed areas: Transnistria, Donetsk - Lugansk, Ossetia and Abkhazia, for the purpose of full control of conflict zones.

We must recognize that Russia is no longer the USSR, even if it has some reminiscences of a foreign policy approach.

Moscow should ask itself why relations with some states have cooled. It is their fault that they had, perhaps for the first time in history, the right to have their

own options not imposed by other powers or it is an error of the foreign policy of the elitist state towards the states in one of the geopolitical circles mentioned above. Can it still be an open and constructive dialogue with the neighbors when, behind the closed doors of the Kremlin, the dialogue takes on other forms of manifestation?

How many more "Euro-Maidans" are needed to understand the real role of dialogue in counterbalancing propaganda, manipulation and misinformation?

All these manifestations of mutual distrust have shown that Romania will have to find other reliable partners, which will be a real geopolitical and geostrategic support, even if it will pay special attention to the eastern neighbor.

Romania, as a Euro-Atlantic state, will have to have approaches in the context of the West's interest in Russia, which could resume cooperation with this state, given the role that Moscow plays in the international arena, because:

- Russia, as a permanent member of the UN Security Council, can exercise its right of "veto", thus blocking some actions with effects on regional, Euro-Atlantic and global security strategies;
- Russia, as a major player in the world market for energy resources - oil, gas, nuclear fuel, with the supremacy of transport infrastructure in the Eurasian space and investments in nuclear power plants in Europe and the Middle East - can intervene and block Western strategies in these areas;
- as a nuclear and military power - being a major exporter of conventional weapons - Russia will impose its views in international conflicts, often defying the agreements to which it is a party and intervening in areas it considers to be covered by Moscow;
- Russia will play an incisive role in creating and maintaining competing EU and NATO organizations, such as the already existing formats, BRICS, Shanghai Economic Cooperation Organization, Eurasian Economic Union, Asian Bank for Infrastructure and Investment, etc., which they will disturb Western strategies.

In the following, we will seek to decode the geostrategic aspects that led to the modification of the 2020 Strategy. In this sense, Russia's general priorities will have the following strategic directions, as follows:

- the national security of the Russian Federation will protect the Russian citizen and state against internal and external threats, in accordance with the human rights and constitutional freedoms of the citizens of the Russian Federation;
- special attention will be paid to creating the legal framework for decent quality of life and living standards;
- an important role in ensuring Russia's security will be to ensure the sovereignty, independence and territorial integrity, as well as the economic and social development of the Russian Federation;

- the national interests of the Russian Federation involve objective protection and sustainable development;
- The Russian Federation will pay close attention to national security threats that may affect national interests;
- all central national organizations, in collaboration with civil society, political formations, military structures, institutional ones, socio-economic organizations, as well as those in the fields of Intelligence, legal and information will develop measures to counter threats to national security and satisfaction of Russian national interests;
- the system of national security represents the sum of the objectives, necessary to be fulfilled, for the realization and implementation of the Kremlin's policy.

In the new regional and global geostrategic and geopolitical context, Russia relies on the following priority directions:

- Russian state policy on national security and socio-economic development will be necessary to contribute to the achievement of national strategic priorities and the effective protection of national interests, by creating a stable basis for expanding economic, political, military and spiritual potential, in order to determine to bring the Russian Federation back to the international arena of the polycentric world, which is currently taking shape;
- Russia will develop your military, political and diplomatic capabilities in order to ensure national sovereignty, independence and integrity;
- Moscow will be politically, militarily and diplomatically involved in resolving major international issues, as well as in resolving military conflicts, maintaining strategic stability in international relations;
- Russian strategies will promote the traditional spiritual and moral rebirth of Russia, militating for the consolidation of civil society in maintaining statehood, freedoms and independence. In this regard, special attention will be paid to interethnic relations, religious traditions and the promotion of patriotism;
- the strengthening of Russian policies will be based on new geostrategic threats with complex interdependencies, by actively promoting Moscow's dominance in world affairs, relaunching Russian foreign policy, independent of the United States and its allies, using economic, military and intelligence resources;
- Russia considers that the process of forming a new model of polycentric world order is accompanied by increasing global and regional instability;

- in international relations, Russia will use the policy of "force", developing and modernizing offensive weapons, creating and implementing new strategies to weaken the global security system, especially in the Eurasian geopolitical areas, Asia-Pacific and those in the vicinity close to Russia;

- Russia will promote strategies against NATO, as it considers the North Atlantic Organization to have global functions, which have affected Russian strategies - by continuing the process of enlargement near Russian borders -, actions that pose a threat to Russian national security;

- At the same time, Moscow considers that Western interventions in Europe, Asia-Pacific and the Middle East, the construction of the "missile shield" and the implementation of strategic systems and precision weapons, as well as the development of military facilities in space, significantly limit Russia's power;

- The new strategy presented by Vladimir Putin emphasizes the impossibility of European strategies to deal with migration flows from Africa and the Middle East;

- Russia will oppose Western strategies on the processes of Euro-Atlantic integration of states in the sphere of influence of the USSR and will create foci of instability, which will keep Eurasia in the sphere of influence of the Kremlin;

- Russia considers that the situation in Ukraine is a consequence of the unconstitutional "coup d'etat" of the EU and the USA, which "caused a deep rupture in Ukrainian society and the emergence of an armed conflict" on Russia's borders;

- the terrorist risk has increased as a result of the overthrow of legitimate political regimes, "causing internal instability and conflict" in regions such as the Middle East, Africa, South Asia, the Korean Peninsula, and "the emergence of a terrorist organization, self-proclaimed Islamic state, against the background double standards" that some geopolitical actors promote in the fight against terrorism.

Regarding "geo-Intelligence", the Russian Federation will have the following approaches:

- Virtual space and Intelligence will be key concerns for Russia's regional and global strategies for achieving geopolitical goals, including by manipulating public opinion and falsifying history;

- Russia will use new forms of illegal activities, especially with the use of information, communication and high technology, especially in the field of threats posed by "*uncontrolled and illegal migration, trafficking in human beings, drug trafficking and manifestations of organized crime*", specific to the type of hybrid warfare;

- economic manipulation through the use of financial, trade, economic instruments, in order to influence geopolitical issues and weaken the system of international economic relations, to create structural imbalances in the world economy and the global financial system, but also to exacerbate economic crises and large-scale financial adoption of new forms of information warfare, with new technologies.

In the areas of national interests and national strategic priorities, Russia will determine long-term strategies, adopting the following national strategic priorities:

- national defense;
- state and public security;
- improving the quality of life of Russian citizens;
- economic growth;
- science, technology and education;
- health care;
- culture;
- ecology of living and environmental management systems;
- strategic stability and equitable strategic partnership.

The national defense strategy will focus on the following levels:

- creating the conditions for achieving the strategic objectives of national defense, with a view to the socio-economic development necessary to promote military interests;
- Russia will make use of strategic deterrence and prevention of military conflicts, improve military organization, develop new forms and methods of conducting combat actions, establish new categories of military forces, create military formations for special actions, improve preparedness, mobilization and availability of civil defense forces;
- in order to discourage strategic and prevent military conflicts, political, technological, diplomatic, economic and intelligence strategies will be developed to ensure the defense of Russia's sovereignty and territorial integrity;
- strategic deterrence and the prevention of military conflicts will make use of nuclear deterrence;
- early detection of existing and future military dangers and military threats, balanced development of force categories, increase of defense potential, endowment of military forces with new technologies, innovative development of the military-industrial complex of the Russian Federation;
- Russia will adopt non-military, diplomatic methods and means, as well as the use of international legal instruments.

At the borders, Russia will build multifunctional complexes, equipped with state-of-the-art technologies and systems.

Russia will achieve strategic stability by promoting the following principles:

- involvement in maintaining the stability of the international legal system, preventing its fragmentation, relaxation and selective application, which would have the effect, in Moscow's view, of instability and conflict in international relations;

- interventions in international bodies for the revision of international treaties and agreements, as well as influencing these fora in concluding new agreements that meet Russia's national interests;

- although declaring itself to resume negotiations on the reduction of nuclear potential, Russia is promoting limited nuclear strikes against potential enemies in its defense strategy;

- although it promotes the strengthening of regional stability by participating in the process of reducing and limiting conventional armed forces, as well as the development and implementation of confidence-building measures in the military field, Russia considers the Euratom area to be the main enemy.

## 4. WHAT ARE THE EFFECTS ON ROMANIA?

Following the outbreak of the conflict with Ukraine, Poland and Lithuania were included by Moscow in the fighters of the "new cold war" because they openly expressed their opposition to Russia's current expansionist policy. Also in this context, Germany, France, Italy and Spain were considered by the Kremlin as "strategic partners" of Russia, and Austria, Belgium, Bulgaria, Finland, Hungary, Luxembourg, Malta, Slovakia, Slovenia and Portugal received the status of partners. "Friendly pragmatists." As we see Romania together with the United Kingdom, the Czech Republic, Denmark, Estonia, Ireland, Latvia, the Netherlands and Sweden are considered "distant pragmatic partners" or hostile to Moscow.

From this point of view, in the bilateral relations Bucharest - Moscow, the following aspects should not be overlooked:

- annulment of the Ribentropp-Molotov Pact, requested countless times by Romanian diplomacy;

- restitution of the treasure;

- the interest related to the future of the Republic of Moldova and of the rights of the Romanian minority in the Russian Federation;

- the location of the anti-missile shield elements on the Romanian territory;

- promoting a negative image regarding the economic aspects and promoting in the Russian media an "economic collapse" in Romania, in order to attract pro-Russian Romanians from the Republic of Moldova;
- Bucharest's interpretation of relations with Moscow, following statements by Kremlin leaders;
- Romania's place and role as a result of the reset of EU relations with Russia;
- the Russian strategy to take advantage of the launch in the international environment of the "impression that its relations with one country or another are tense" (Vladimir Socor);
- Russia's concern to subordinate the EU energetically, through the promoted projects;
- the divergent interests between Romania and Russia on security in Eastern Europe, the lack of transparency and legitimacy in the management of frozen conflicts - especially in Transnistria;
- the distrust granted to Russia regarding the construction of a pragmatic relationship, although in the relations with Romania there are historical partnerships, which did not have subversive provisions;
- promoting in the Russian media an extreme anti-Romanian attitude;
- Russia sees in Romania a geopolitical and geostrategic actor whose importance is on the rise, which contradicts the Russian strategic interests for Eastern Europe and the states bordering the Black Sea, Bucharest being the closest ally for the Euro-Atlantic states;
- differences over the removal of Ukraine, Georgia and Azerbaijan from Kremlin influence;
- Romania's tendency to stabilize and strengthen its relations with Poland and Turkey;
- Romania's promotion of energy projects that ignore Russia;
- low dependence on energy resources from the Russian Federation;
- countering the Russian-German strategies - which aim to increase Moscow's influence in the immediate vicinity of Romania's state borders - regarding the Transnistrian conflict and promoting a proactive policy on the place and role of the Republic of Moldova in the Euratom Atlantic area;
- Romania's opposition to the Russian strategy of federalization of the Republic of Moldova, which would make possible the rise to Chisinau of a pro-Russian government, of communist bill (after repeated elections, resignations and elections without a reasonable end).

With the deepening of the EU accession process, the process of settling European geopolitical theories and strategies has begun. In this context, United

Europe must be seen as a complex system, with zonal geopolitical mechanisms, which form the gears of the political-economic conglomerate - in the first instance - and the realization of the military - in the medium term.

Romania's situation in the German geosystem is beneficial for the future evolutions of our country and brings us very close to the strategies developed at V4 + and the Weimar Trilateral.

At the same time, Romania can be a generator of European and Euro-Atlantic strategies for the Balkan and Eurasian geosystems. The impact of the Romanian strategies within the Eurasian system can materialize through economic projects of impact in the field of energy resources, developed especially with the Republic of Azerbaijan, Georgia and Turkey, especially on the dedicated AGRI projects and the gas pipeline that will follow the route Bulgaria - Romania - Hungary - Austria which can also be a starting point, when the geopolitical realities will allow, for the completion of the NABUCCO project, in its new form Turkish Stream.

At the same time, Romania can become part of the EU TAP project, which would interconnect Turkmenistan - Georgia - Azerbaijan - Bulgaria - Romania - Hungary and Austria.

Another project developed in the Eurasian geosystem would be TCP, which would interconnect, through the Trans-Caspian Gas Pipeline, Azerbaijan and Turkey from Romania.

From an economic point of view, Romania and Turkey could relaunch the Black Sea Economic Cooperation Area and increase the importance of the port of Constanta within the Eurasian, Balkan and German geosystems by reactivating the Danube axis.

The trilateral formats have a very important role in ensuring the geostrategic security, the most important being the Poland-Romania-Turkey Trilateral.

**CONCLUSIONS**

In the current geopolitical context, relations with Romania may have the following developments:

- Russia will be incisive in its relations with Romania, in order to impose itself through strategies hostile to the Euratom Atlantic space, in order to counteract the promotion and support of EU and NATO strategies and projects for Eastern Europe;

- Russia will be involved in disturbing Romania in countering the hostile actions developed by Moscow, regarding the attraction of the Republic of Moldova and Ukraine in the Eurasian sphere of attraction;

- Russia will reduce the complexity of sustainable projects and political, economic and social initiatives in support of the Republic of Moldova, developed by Romania;

- through its actions, Moscow will get involved in the Black Sea region, in order to stop the energy projects developed by our country together with Turkey, Ukraine, Bulgaria and Georgia, in order to maintain the Russian monopoly in the Black Sea;

- through some Western and Russian trading companies, Russia will promote strategic projects on the Romanian market in order to maintain the Russian monopoly on the Romanian market;

- Russia will exert pressure on the political, economic, religious, cultural and social circles in Romania and some Eastern European states;

- Moscow will continue to promote a hostile propaganda to Romania, in order to denigrate the Euro-Atlantic reforms in Romania and to destabilize our state politically, economically and socially;

- Romania will have to be much more active, in the current geostrategic context, on the Ponto-Baltic isthmus, in order to counteract the military initiatives promoted by Moscow in the Black Sea region and the mouths of the Danube.

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# THE UNEXPLOITED POTENTIAL OF RELATIONS WITH INDONESIA, A LONG-TERM GEOSTRATEGIC PARTNERSHIP

**Mr. Dragoş Andrei SÎRBU**[494]

*Abstract: Trade and investment exchanges between Romania and Indonesia are almost non-existent. However, Indonesia, the largest economy within the Association of Southeast Asian Nations (ASEAN) and also a country on a gradually rise, consolidated and visible on the global stage, being considered the sixth emerging economy in the world, represents the premises for the exploitation of the special economic potential that can outline a geostrategic construction of the Romanian-Indonesian bilateral relations.*
*Keywords: EU, Indonesia, Romania, ASEAN, trade, bilateral relations, strategic partnership.*

## 1. INDONESIA, OVERVIEW

### 1.1. Location, population, administrative division, resources

Indonesia lies in Southeast Asia, being located equatorially between the Indian Ocean and the Pacific Ocean, between the Australian and Asian continents. It is the largest archipelago in the world, consisting of 17,508 islands, of which about 6,000 are inhabited, with an area of 1,904,569 km². The country is predominantly mountainous, with peaks over 4,000 m, including over 400 volcanoes, among of which about 100 are active. The Republic of Indonesia is considered a country at high risk of natural disasters, being located on the Ring of Fire on the Pacific, a region where earthquakes occur with the intensities and the magnitudes of the highest in the world.[495]

It has an estimated population of 275,122,131, ranking fourth place worldwide and consists of: Javanese (40.1%), Sundanese (15.5%), Malay (3.7%), Batak (3.6%), Madurese (3%).

From a religious point of view, the Indonesian community is represented by Muslims (87.2%), Protestants (7%), Roman Catholics (2.9%), Hindus (1.7%).

The official language is Indonesian (Bahasa Indonesia), and other languages spoken are: English, Dutch and local dialects (about 700).

The country is divided into 7 geographical areas comprising 34 provinces, of which 5 have special status: Aceh, Jakarta, Yogyakarta, Papua, West Papua.

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[495] https://www.cia.gov/the-world-factbook/countries/indonesia/ [Site accesed last time in april 2021].

The capital of Indonesia is Jakarta, with a population of 10.915 million (acc. to 2021) and other important cities are: Surabaya, Semarang, Bandung, Yogyakarta, Cirebon and Bogor (in Java), Palembang, Medan and Banda Aceh (in Sumatra), Banjarmasin and Pontianak (in Kalimantan) and Palu (in Sulawesi)[496].

Indonesia is one of the richest countries in raw materials in Southeast Asia, with significant reserves of crude oil, coal, natural gas, tin, nickel, bauxite, gold, silver, iron, copper and uranium. Among the soil resources, it is mentioned: natural rubber, palm oil, coffee, spices and tropical wood. Traditionally, production has focused on bauxite, silver and tin, but it expands to copper, nickel, gold and coal, resources meant for export.

### 1.2.  Short history. State structure

Independence was proclaimed on August 17, 1945, by the creation of a republic in the islands of Java and Sumatra, by the leader of the liberation movement, Soekarno. The war of colonial liberation took place between 1945 and 1949 and the Netherlands recognized Indonesia's independence on December 27, 1949. The Republic of Indonesia was proclaimed in August 1950.[497]

On September 30, 1965, the Communist Party organized a coup attempt. It failed, and President Soekarno's prerogatives were severely restricted. General Soeharto led the country from March 1966 to May 1998.[498] Following his resignation, Bacharuddin Yusuf Habibie, the incumbent vice-president, took over the supreme position until the holding of early elections, held on June 7, 1999. Abdurrahman Wahid (Gus Dur), leader of the National Awakening Party was President of Indonesia between 20 October 1999 and 23 July 2001. Following his resignation, the Vice President, Megawati Soekarnoputri, took over the presidency, which he held until the July 2004 presidential elections, which were won by the tandem general in reserve: Susilo Bambang Yudhoyono, President and Jusuf Kalla, vice president. Following the July 2014 elections, there were elected Joko Widodo (the former governor of the capital Jakarta), President and Jusuf Kalla, vice president. Joko Widodo won a second term in the April 2019 presidential elections, running alongside Ma'ruf Amin (deputy head of Indonesia's largest Muslim organization, Nahdlatul Ulama), against the team consisting of Prabowo Subianto (from Gerindra, the largest opposition party) and Sandiaga Uno, former deputy governor of the capital Jakarta.

Indonesia's form of government is a Republic.

The state bodies are: the People's Consultative Assembly: composed of the People's Representative Council and the Council of Regional Representatives;

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[496] https://www.cia.gov/the-world-factbook/countries/indonesia/ [Site accesed last time in april 2021].
[497] Dumitru Tanasă, *Indonezia, unitate in diversitate*, 2001, p. 34.
[498] Dumitru Tanasă, *op.cit.,* p. 40.

The Presidency: President - Joko Widodo starting with 20 October 2014; The Supreme Court; The State Audit and The Constitutional Court.

The executive is led by the President of the state (there is no position of prime minister), who also has the quality of Supreme Commander of the Armed Forces. He is seconded by a vice-president and he appoints ministers. The president and vice president are elected for 5 years, and may have a second term.

The Legislature, respectively the Indonesian Parliament or the People's Consultative Assembly has two components: the People's Representative Council (575 members for the 2019-2024 term) and the Council of Regional Representatives (136 members for the 2019-2024 term).

Indonesia's judicial system, along with the Supreme Court, includes general, military, administrative, religious and commercial courts.

## 2. ROMANIA-INDONESIA BILATERAL RELATIONS

On February 18, 1950, the Government of Romania recognized the Republic of Indonesia as an independent state, and on July 5, 1958, the Romanian and Indonesian governments agreed to open diplomatic missions at the rank of legation.

On April 14, 1960, the level of diplomatic relations was raised to the rank of the embassy. Romania's diplomatic mission in Indonesia was opened in 1959, and in 1961, the first Indonesian ambassador to Romania presented his credentials.

On April 22, 2009, the Romanian Ambassador to the Republic of Indonesia was also appointed the Romanian Ambassador to ASEAN, an organization headquartered in Jakarta.

After 1989, both countries expressed their will to relaunch and amplify bilateral relations of cooperation in all fields, this materialized through state visits made by the presidents of the two countries in Jakarta (July 1997 and February 2004), respectively Bucharest (April 2003). The presidents of the two states also met on the sidelines of international meetings in Tokyo (November 1990), New York (September 1995) and Johannesburg (September 2002).

There is an active exchange of visits at the level of the Parliaments of the two countries, materialized through the parliamentary friendship groups, which are active in the two legislative forums.

The foreign ministers of the two countries paid visits to each other, the last being of the Romanian foreign minister in Jakarta in 2016. Political consultations on issues of regional and international interest are very important, the last round at the level of the Secretary of State MFA taking place on September 2017, in Jakarta.

There is also a good cooperation between Romania and the Republic of Indonesia, in the EU-ASEAN (Association of Southeast Asian Nations) dialogue, as well as in the ASEM (Asia-Europe Meeting). The Republic of Indonesia is, at

the same time, an important partner for the European Union, which is keen to support our state, including through a strong partnership. In November 2009, the European Union and the Republic of Indonesia signed the Partnership and Cooperation Agreement. Negotiations for an ongoing EU-Republic of Indonesia Free Trade Agreement were launched on 18 July 2016.

## 3. EU-INDONESIA RELATIONS. INDONESIA, A POTENTIAL EU STRATEGIC PARTNER

The EU has gradually expanded its list of countries with its "strategic partners" status, so that it currently consists of: the USA, Japan, Canada, Russia, China, India, the Republic of South Africa, Brazil, Mexico and South Korea[499].

Including Indonesia on the list of strategic partners would be equivalent to recognizing the EU's role on the global stage and, at the same time, raising the cooperation relationship to a higher level[500].

In Asia, the EU also concluded negotiations for a Free Trade Agreement with Singapore in December 2012 (to be ratified after filling in the technical procedures) and is effectively engaged in trade negotiations with India (since June 2007), Malaysia (since October 2010), Vietnam (since June 2012), Thailand and Japan (since March 2013) [501].

Although the EU does not yet engage in trade negotiations with Indonesia, it is considered that this country corresponds to the "profile" of a priority partner, taking into account: its size (as GDP, population, area), the richness and variety of natural resources, its geopolitical importance, position its geographical relationship between China and India, its membership of the G-20, its active participation in the Asia-Pacific Economic Cooperation (APEC) Forum and its key role in ASEAN. Its intense involvement on the international stage is also highlighted by its membership in: the Cairns Group (of countries with competitive agriculture), the World Trade Organization, the Organization for Islamic Cooperation (being, by the way, the country with the largest Muslim population in the world)[502].

Indonesia accounts for about 40% of ASEAN's population and GDP, but it is only the fourth largest EU trading partner in the group, after Singapore, Malaysia and Thailand. ASEAN, as a whole, is the fifth non-EU partner, behind the USA, China, Russia and Switzerland[503]. Trade in goods between the EU and ASEAN's largest economy totaled € 25 billion in 2012 - only half of the EU's trade in goods with Singapore[504]. Therefore, there is a significant gap between the

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[499] Oehler-Şincai, 2013.
[500] Loewen, Spandler, 2013, p. 52.
[501] European Commission, 2014.
[502] Newby, 2004, p. 101, Weissmann, p. 11.
[503] DG Trade, 2013.
[504] DG Trade, 2014.

potential and expectations of the EU-Indonesia relationship, which can be capitalized on in the next period.

It is worth mentioning the intensification of Indonesia's relations with Australia, India, Japan, Kazakhstan, Myanmar, Papua New Guinea, Solomon Islands, East Timor in Asia, with Saudi Arabia in the Middle East, Liberia and Nigeria in Africa, Poland, Sweden, the Russian Federation and Belarus, Germany, the Netherlands, France in Europe, Argentina, Mexico and Peru in Latin America, especially during 2013. At the regional level, Indonesia has been actively involved in launching consultations between ASEAN and China on the Code of Conduct in the South China Sea. Under the chairmanship of the APEC Forum, Indonesia has introduced two new priorities on the APEC agenda: sustainable and equitable economic growth and promoting connectivity between APEC countries, not only through regional economic integration but also through intercultural connections[505].

According to a recent study, Indonesia's poorly developed infrastructure is the main factor preventing the achievement of a potential rate of economic growth of 8% nationally and this also reflects on inflation[506]. Despite legislative progress, international experts appreciate that the discrepancy between legislation and customs is appreciable and that cohesion of regulations between different regions of the country and the removal of obstacles to inter-regional projects are needed[507].

In this context, it should be emphasized that Indonesia cannot achieve the ambitious goals mentioned above in the absence of substantial financial resources (from exports, FDI), public-private partnerships and access to new technologies. Thus, it becomes obvious the role that the EU and its member states can play in the process of modernization and innovation of Indonesia, as in the case of other emerging economies[508].

Certainly, Indonesia alone cannot achieve its ambitious goal of becoming one of the world's top ten economies by 2025. Its bold economic, social, and environmental goals cannot be achieved without significant financial resources and access to new technologies. The fact that the EU is ready to intensify bilateral relations is demonstrated by political statements since 2011[509]. Its motivation to strengthen bilateral relations is found in the very development potential of this young democratic state, which is booming on the path of sustainable growth.

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[505] The Jakarta Post, 2014, RSIS, 2013.
[506] Standard Chartered, 2011, p. 2.
[507] Indonesia Investment, 2013.
[508] Oehler-Șincai, 2012.
[509] European Commission, 2011.

## 4. ROMANIAN-INDONESIAN RELATIONS, PARTNERSHIP FOR THE FUTURE

In recent years, bilateral meetings at embassy level have intensified, on which occasions officials have reaffirmed their desire to contribute to the development of relations between the two states, especially the intensification of cooperation relations in areas of common interest, such as health, education, energy, digital governance, climate change and sustainable development.

The foreign ministers appreciated the positive evolutions registered in the Romanian-Indonesian relations, marked in the last years by frequent contacts at parliamentary and governmental level. They highlighted the prospects of maintaining this dynamic in the next period, including through high-level visits, in the context of the constant efforts of both states to promote their bilateral relations, with emphasis on intensifying the economic and trade component of their relations.

The chambers of commerce and industry of the two states have an important role in the significant potential for consolidating and diversifying the Romanian-Indonesian economic relations, in sectors such as agriculture, renewable energy, railways and IT, as well as for the interest shown by the business community in both states, in capitalizing on existing opportunities.

In the last years Romania was one of the top partners of trade from the Eastern Europe. In 2020 the total trade was in the sum of 153 milion $ with an increase of 0.79 % compared to last year (Tabel 1).

| Tabel 1 - Balance of Trade between Indonesia and Romania (In thousands US$) | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| Descrip-tion | 2016 | 2017 | 2018 | 2019 | 2020 | Trend (%) 16-20 | Jan-Mar 2020-2021 | | Mod. (%) 21/20 |
| TOTAL Trade | 134,555.3 | 172,067.8 | 144,778.1 | 152,214.4 | 153,428.4 | 1,41 | 58,6 27.5 | 44,035.5 | -24,89 |
| Export - Indonezia -Romania | 92,479.5 | 125,041.5 | 107,369.5 | 128,006.2 | 108,985.5 | 3,58 | 36,1 55.9 | 34,959.2 | -3,31 |
| Import Indonezia -Romania | 42,075.9 | 47,026.3 | 37,408.6 | 24,208.2 | 44,442.9 | -5,39 | 22,4 71.6 | 9,076.3 | -59,61 |
| Balance of Trade | 50,403.6 | 78,015.1 | 69,960.9 | 103,798.0 | 64,542.6 | 8,11 | 13,6 84.4 | 25,882.9 | 89,14 |

https://statistik.kemendag.go.id/balance-of-trade-with-trade-partner-country[510]

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[510] https://statistik.kemendag.go.id/balance-of-trade-with-trade-partner-country [Site accesed last time in april 2021].

The signing ceremony of the inter-harbor collaboration between PT Pelindo II and CN APM SA Constanța took place on February 18, 2020 in Constanța. The bilateral agreement becomes the first of its kind in Eastern Europe and marks 70 years of bilateral relations between Indonesia and Romania. Both signatory parties are the most important harbor operators in Indonesia and Romania. The parties also agreed that the harbor of Constanța would become a 'hub' through which goods from Indonesia could reach more easily the markets in Central and Eastern Europe, as well as Central Asia. On the other hand, Tanjung Priuk, the largest harbor in Indonesia, should be a 'hub' for Romanian goods to reach Southeast Asian markets.

The Memorandum of Agreement includes 6 areas: environment, investments, information exchange, modernization and improvement of multi-modal transport, market research, training and staff exchanges.

The harbor of Constanța is open for outbound investments in Indonesia. The Romanian side emphasized the importance of the Danube River and the harbor of Constanța as a more efficient and economical way to transport goods, compared to land transport. They also proposed to the Indonesian side to participate in the opening of a specialized terminal for fertilizers and vegetable oils. It was also discussed the possibility for Romanian businessmen to import coal with a low sulfur composition for thermal power plants in Romania.

Given the existing opportunities, the Indonesian Embassy in Bucharest will work with other stakeholders to identify other goods that can be exported to Russia, Eastern and Central Europe, as well as to Central Asian markets.

The list of products exported to Indonesia included: gas and oil pipelines, cast iron, iron or steel products, replacement parts for railways, machine tools and replacement parts, 6 x 6 truck components, cauldrons and boilers, parts and equipment for the petroleum industry, marble and granite products, wood or articles thereof, chemicals, base metals, textiles.

Romania imported from Indonesia: plastics, natural rubber, coffee, electrical and electronic equipment, toys, rattan furniture, palm oil, sweets and various fabrics.

**CONCLUSIONS**

Indonesia is one of the countries in the world with the most robust economic growth in recent times, which has managed to counteract most of the effects of the global financial and economic crisis. Indonesia ranks 4th in the world in terms of population and 15th and 16th in terms of area and nominal GDP, respectively. Its active population is projected at 60% of the total population by 2030, and its middle class may double by 2020.

Although the EU is not yet engaged in trade negotiations with Indonesia, it is believed that this country corresponds to the "profile" of the Union's priority partner, taking into account not only its size (as GDP, population, area), but also

the richness and variety of natural resources, its geopolitical importance, its geographical position between China and India, its membership of the G-20, its active participation in the Asia-Pacific Economic Cooperation (APEC) Forum and its key role in ASEAN. Moreover, the historical ties between Indonesia and the Netherlands are an asset for the latter in EU-Indonesia relations[511].

Indonesia accounts for about 40% of ASEAN's population and GDP, but it is only the fourth-largest EU trading partner in the group, after Singapore, Malaysia and Thailand. This fact shows a significant gap between the potential and expectations of the EU – Indonesia relationship, which can be capitalized in the next period.

As recent studies show [512], a possible Free Trade Agreement with the EU should take into account all the weaknesses of the Indonesian economy and help reduce them. Only in this way can Indonesia achieve its economic, social and environmental goals.

As infrastructure develops and businesses costs in / with Indonesia decrease, trade, investment, technology flow between Indonesia and EU member states (Romania), as well as other economies, both developed and emerging, which will intensify[513].

Indonesia's willingness to enter the list of the world's top ten economies by 2025 should not be seen as a threat, but as a factor of stability and development in Asia and, implicitly, globally.

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[511] Ohler-Şincai, 2014.
[512] Chandra et al., 2010.
[513] Ohler -Şincai, 2014.

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# CONSIDERATIONS ON THE POLICIES OF THE RUSSIAN FEDERATION TO ACHIEVE NATIONAL INTERESTS IN ITS NEAR ABROAD

**Colonel Sergiu ȘARAMET**[514]

***Abstract:*** *The policies of the Russian Federation in its near abroad have been constantly changing. Taking into account this consideration, it is important to know what were the determining factors that influenced the policy orientation of the Russian Federation in the pursuit of national interests in those areas. In this context, are analyzed the policies through which the Russian Federation projects national interests in its near abroad such as "hard power", which include military operations (the involvement of Russian troops as "peacekeeping forces" in the Republic of Moldova, Georgia and Tajikistan; stationing of large units and units on the territory of the former union republics; economic sanctions, etc.). In tandem with "hard power" policies, the Russian Federation also uses "soft power" policies (promoting the Russian language and culture, strengthening the presence of the Russian Federation in the information space, supporting the Russian diaspora).*
***Keywords:*** *policies, national interests, "hard power", "soft power", economic sanctions, military operations.*

The declaration of independence by the Soviet republics led to the establishment of 15 new states, located in different areas, with different cultures, different degrees of economic development and different dependencies on the Russian Federation, the real successor of the USSR. Thus, we witnessed the development of a new international "security architecture", with new state actors, in a new geopolitical space where they will perform their political, economic, and military interests / influences.

The new "security architecture" in the former Soviet space, generated a new compartmentalization of the geographical space. In the style of the "big brother, the Russian people", in order to define in its international relations, the geographical area of the new ex-soviet states, proclaimed on the territory of the former USSR, the Russian Federation adopted the term "near abroad" to define this geographical area.

The term "near abroad" emerged in the lexicon of Russian diplomats in the early 1990s, yet in the process of solving the personnel issue of the Russian

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Ministry of Foreign Affairs[515] and promptly found its reflection in the scientific environment[516]. Subsequently, this term was taken over by scientific institutions and periodicals that analysed the situation in the countries of the former Soviet space.

Through the perception of "near abroad", the Russian Federation sent the message that the newly formed ex-soviet states are not really foreign, they have become national minorities and are no longer members of a nation - leader as they were in the Soviet era[517].

The new actor, Russian Federation, as the dominant power of the USSR was going to influence differently the developments of the former union republics, positioning them in time at different degrees of dependence and interdependence on the policies pursued in its near abroad.

By 1999, due to the lack of coherence in domestic and foreign policies, the Russian Federation suffered a series of geopolitical and geostrategic losses. Due to the change of leadership of the Russian Federation in the early 2000s, the Russian Federation revises the priority of its spheres of influence and its geopolitical and geostrategic objectives, by adopting pragmatic policy documents with clear objectives.

Thereafter, the Russian Federation aggressively starts to use the tools of national policies in its near abroad in *hard* or *soft* forms.

## 1. DECISIVE FACTORS IN THE ORIENTATION OF THE RUSSIAN FEDERATION'S POLICIES TO ACHIEVE NATIONAL INTERESTS IN ITS NEAR ABROAD

In our opinion, two decisive factors stay at the foundation of the Russian Federation's policies to achieve national interests in its near abroad: The consequences of strategic failures to the detriment of the national interests of the Russian Federation made by President Yeltsin during his two terms of office and Ukraine's Orange Revolution on 22 November 2004.

President Yeltsin's period is mainly associated with crisis and chaos, with strategic failures to the detriment of national interests of the Russian Federation. For example, his meetings with the former leaders of the Soviet states recalled the Political Bureau meetings of the Communist Party of the Soviet Union, where the new leaders of sovereign states showed praise and respect for Yeltsin and received "material benefits" such as gas at prices below European markets, and other diplomatic, economic and military concessions[518].

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[515] Ю. В. ДУБИНИН, *Дипломатический марафон. Записки руководителя Государственной делегации Российской Федерации на переговорах с Украиной в 1992 – 1999 гг.* - Москва: Колос. 2009, с. 7.

[516] *«Ближнее зарубежье хочет быть дальним»,* Независимая газета. 1992. 9 июня. № 108 (278).

[517] Oxana SHEVEL, *Russia and the Near Abroad*. https://www.researchgate.net/publication/274385776, accessed at 15 March 2021, 15: 40.

[518] Д. ТРЕНИН, *Post-imperium: евразийская история*, Москва: Российская политическая энциклопедия (РОССПЭН), 2012, с. 72, 73.

For example, Boris Yeltsin at the time of signing the so-called Belaya Veja Agreements on 8 December 1991 with the Presidents of Ukraine (Leonid Kravciuk) and Belarus (Stanislav Suschevich), de facto recognized, without prior consultation with representatives from the government/armed forces of the Russian Federation, the current borders of all republics as those at the time of the disintegration of the USSR. This fact generated the issue of Crimea, which was incorporated in Ukraine in 1954, Transnistria, Northern Bukovina, southern Bessarabia, etc.

Also in 1991, Yeltsin decided not to insist on the return of the Crimean Peninsula to the Russian Federation in exchange for Ukraine's renouncement of Soviet nuclear weapons stationed on its territory[519]. In 1993, Russia's Supreme Soviet, which was in conflict with Yeltsin, made complaints to the president about Sevastopol, arguing that due to the city's special administrative status in the Soviet era, it had not been transferred to Ukraine along with Crimea. This time, too, Yeltsin did not take into consideration the recommendations of the Supreme Soviet of the Russian Federation. Tensions were reduced to zero - in October 1993, Yeltsin dissolved the Supreme Soviet, and in December 1994 the military campaign against separatists in Chechnya began[520].

Disagreements between Ukraine and the Russian Federation over the Crimean Peninsula and the Black Sea Fleet lasted until 1997. In 1997, the Russian Federation signed an agreement with Ukraine on the mutual recognition by the Russian Federation of borders as they existed at the time of the disintegration of the USSR, thus confirming the Crimea Peninsula as part of Ukraine.

The concessions of President Yeltsin have aroused great dissatisfaction in the military circles of the Russian Federation. In this regard, in early 1992, disturbing debates took place in the offices of the General Staff, according to which the decisions taken in December in Belaya Veja were full of serious threats to the security of the Russian Federation, since they were not calculated in advance and in detail the political, economic and military consequences of the "triple alliance" pact initiated by Yeltsin. General Staff assessed the main military-strategic losses for the Russian Federation: Kiev suddenly obtained three military districts with all intangible storages of food, materials and equipment. Almost all strategic transportation and bombing aviation, and tanker aircrafts. Also, they stand to take the entire Black Sea Fleet[521].

Thus, General Staff concluded that the Armed Forces of the Russian Federation (with the exception of the Strategic Missile Forces), previously able to guarantee the protection of the Russian Federation, were practically destroyed by Yeltsin policies and existed as structures only on the paper. This, of course, was

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[519] S. GREENE, *Engaging History: The Problems and Politics of Memory in Russia and the Post-Soviet Space*, Carnegie Moscow Center, Moscow, 2010. (Working Paper; iss. 2).
[520] *Ibidem*, p.78.
[521] В.Н. БАРАНЕЦ, *Генштаб без тайн*, Москва: Вагриус, 1999, с. 129.

facilitated not only by the violent disintegration of the USSR, but also by the long stay of the Russian Federation in an amorphous state due to the fact that Yeltsin and his entourage did not know what to do, how to use the power, becoming "sovereign" and "independent". Anarchy and total chaos prevailed throughout the country. Former CIA director R. Gates said at the time that "the United States, of course, sought the collapse of the USSR, but no one could have imagined that it would be such a nightmare".[522]

Meanwhile, the Russian elites became rich with extraordinary rapidity, its representatives began to strive for an international status corresponding to their political and economic domination in the country. For these people, the damage perceived by surrenders to the West and the former union republics from the dismemberment of the empire became painful. Instead to tray to build a completely new state on the agile basis of "Yeltsinist" democracy, the Russian elite chose for it a more reliable objective - a return to the superpower status of the Russian Federation[523]. When V. Putin was invested as President, he carried steps to gain this support from the Russian elite in order to retrieve the status of superpower of the Russian Federation and he succeed at all levels of power. This joint effort of Putin and Russian elite will determine the way of *Hard Power* policies of Russian Federation in its near abroad.

The second decisive point in changing the course of the Russian Federation's policy in its near abroad was Ukraine's Orange Revolution on 22 November 2004. Putin saw the Ukrainian fiasco as his worst defeat in foreign policy. Medvedev spoke ominously about the disastrous consequences of events in Ukraine for the Russian Federation. In his opinion, there was a threat to disintegrate the country as a result of the division of the elite according to the "orange" scenario. The "Orange Revolution" was presented by Russian official propaganda as a special CIA operation using the "export of democracy" doctrine as a pretext to accomplish US geopolitical objectives. These objectives at least wanted to put the Russian Federation out of its near abroad and weaken its influence[524].

Regarding Ukraine's desire to join NATO, Russian official circles and influential experts have expressed a number of counter-arguments, from extremely emotional to purely practical, as follows:

- Russia's "historical space" border will be violated;
- Ukraine will turn against Russia
- Ukraine will break away from the Russian Orthodox Church;

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[522] В. И. ВАРЕННИКОВ, *Неповторимое, часть IX. Трагедия отечества 1985-2000 гг.*, Москва: Советский писатель, 2001, http://militera.lib.ru/memo/russian/varennikov_vi01/index.html, accessed at 15 April 2021, 18:40.

[523] Е. М. ПРИМАКОВ, *Международные отношения накануне XXI века: проблемы и перспективы*, Междунар. Жизнь, 1996, № 10, с. 3-13.

[524] Д. ТРЕНИН, *Post-imperium: евразийская история*, Москва: Российская политическая энциклопедия, 2012, с. 133 -135.

- the Russian-Ukrainian border will turn into a demarcation line similar to that of the "Cold War"
- the Russian Federation will have to stop cooperation with the military-industrial complex of Ukraine;
- the US Armed Forces will expel Russian forces from the Black Sea region[525].

We can remark that at that time the leadership of the Russian Federation estimated what could be the consequences for Russia the Ukraine's national desire to join NATO and the US penetration of the Ukrainian space. The Russian Federation also realized that "Ukraine is a geopolitical centre, because its very existence as an independent state helps to transform Russia. Without Ukraine, Russia is prevented to become a Eurasian empire"[526]. After this event, the Russian Federation started the development of *Soft Power* policies according to the US model. The difference is that the USA uses *Soft Power* policies as complementary means to diplomatic, informational, etc., while the Russian Federation will use them as separate diplomatic tools to accomplish its strategic objectives. We would like to mention that geopolitical, economic, ideological and military involvement by the USA, EU and NATO in the post-Soviet space led to open confrontations with the policies of the Russian Federation in its near abroad. In most of the cases, the governments of states from near abroad did not properly manage the situation "between the hammer and the nail", and as a result they lost to some extent the sovereignty of their states, and the worst, civil societies due to East-West influences were divided into antagonistic camps.

As a result of the non-sanctioning of the Russian Federation by international organizations for the promoted policies in the ex-soviet states, these policies got a major impact on global security architecture by February 2014, changing in this way the security paradigm. Next, we intend to analyse the more prominent methods used to project the national interests of the Russian Federation in its near abroad.

## 2. THE RUSSIAN FEDERATION'S *HARD POWER* POLICIES TOWARD ITS NEAR ABROAD IN ORDER TO ACHIEVE NATIONAL INTERESTS

In this chapter will be assessed the more important procedures used to project the national interests of the Russian Federation in its near abroad.

After the dissolution of the USSR and the distribution of its economic, military and territorial assets, the Russian Federation, under the influence of the military establishment and nationalist circles, has used *hard power* policies to achieve its strategic objectives throughout the former USSR.

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[525] *Ibidem,* p. 36.
[526] Збигнев БЖЕЗИНСКИЙ, Великая шахматная доска, Издательский дом: Международные отношения, 1998, с. 61.

The *hard power* policies have been applied since the declaration of independence by the former soviet republics in early 90's, when the USSR was not officially disintegrated. The *hard power* policies were projected in two ways: the involvement of Russian troops as "peacekeeping forces" in conflicts caused by ethnical and territorial disputes in such republics as Moldova, Georgia and the stationary of large Russian military units on the territory of the former Union republics.

The Russian Federation has used and still uses *Hard Power* since 1988 (the generation of separatism on territorial disputes began in 1988 in Nagorno-Karabakh and in 1989 in the Transnistrian region of the MSSR). Since the 1990s, the Russian Federation has deployed its armed forces in the conflicts in Moldova (Transnistria) and Georgia (Abkhazia, South Ossetia) without respecting the OSCE's neutrality mandates or the consent of all parties to the conflict. In this context, the Russian Federation is currently conducting four peacekeeping operations: on the territory of the Republic of Moldova (Transnistrian Region since 1992), Georgia (South Ossetia since 1992 and Abkhazia since 1994) and Tajikistan (since 1993)).

The common pattern of the conflicts in the Republic of Moldova and Georgia is that the Russian Federation overtly supported the separatist forces with military personnel and equipment and had an aggressive involvement in the internal affairs of these states. The Russian Federation has turned these conflicts into "frozen conflicts" in order to maintain a state of stagnation in the initial form that preceded the active phase of hostilities. The development of the situation in the zones of the conflicts proves that behind these conflicts are scenarios deliberately planned by the Russian Federation to activate or deactivate these conflicts, depending on pursued strategic objectives.

Policies in this context have been developed to facilitate the Russian Federation in maintaining its presence in near abroad in the form of "peacekeeping troops" to use additional levers to gain long-term geopolitical advantages, to generate and maintain such eruption of latent tension in order to control the "whole" (sovereign states or areas of strategic interest) or by establishing control over a side which is usually the conflict zone[527].

In this regard, the Russian Federation is not interested in solving these conflicts, because it uses them as levers of influence over the governments of these states when they make decisions that do not outfit the interests of the Russian Federation, especially when it comes to the pro-European aspirations of those states.

In the same manner, the Russian Federation has operated to gain geopolitical advantages from the conflict between Armenia and Azerbaijan over

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[527] Cristian BÎZU Gheorghe MATEI, *Conflictele înghețate: instrument de putere al Kremlinului în regiunea extinsă a Mării Negre*, INFOSFERA, Anul XII nr. 1/2020 Revistă de studii de securitate și informații pentru apărare, p. 52, 53.

the Nagorno-Karabakh region, which was reactivated in September 2020 (prior to the reactivation of the conflict, the Russian Federation sold weapons to both Armenia and Azerbaijan and has always insisted that both countries are its partners). After the end of the active phase of military conflict, Azerbaijan and Armenia signed an agreement under the tutelage of the Russian Federation to end hostilities in the Nagorno-Karabakh conflict. According to the agreement, the Russian military returns to the area "to protect the 5 km corridor that will remain open and connect Armenia with the area that remained under its control in Nagorno-Karabakh" [528]. Therefore, after the armed conflict that lasted six weeks, the Russian Federation strengthened its position in the area. All the indicators show a war and this time there will be no simple solution.

The shift to a new phase of Russian *hard power* projection in its near abroad was the military intervention in Georgia in August 2008. For the first time since the end of the Cold War, the Russian Federation conducted an interstate war to ensure its claim to regional hegemony and drew the red lines for Western actors. Hence, through this war, the Russian Federation sent to the West and Georgia the message that the former soviet republics were within the sphere of Russian Federation influence. Furthermore, that NATO enlargement in these states is not without risk. *A strong message was sent to Ukraine, as well as to other former soviet republics with Russian minorities on their territory, for which the Russian Federation will take measures to protect them and could use them as a means to expand its influence and control within the region.*

First, in terms of the campaign's military objectives, the Russian Federation wanted to gain control of the two separatist regions of South Ossetia and Abkhazia. Secondly, the Russian Federation wanted to demonstrate the weak authority of the Georgian Government and Georgia's economic dependence on Russian cooperation, shaking and humiliating the Georgian Government through a war and demonstrating that the Russian Federation could influence Georgia's economy at its own convenience[529].

In our opinion the above-mentioned messages of the Russian Federation concerning the former soviet republics were not taken into account by most of these republics, especially by Ukraine and Moldova and by NATO (USA), which continued the cooperation policies with Moldova, Georgia and Ukraine. As a result of the West and the ex-soviet republics disregarding of the Russian Federation's messages and the lack of analysis of its strategies/policies in its near abroad, the Russian Federation annexes Crimea in March 2014. It is worth mentioning that the preparation phase for the Crimea's annexation was initiated long before. The Russian Federation has identified the strategic, political,

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[528] *Ce animă conflictul din Nagorno-Karabah?,* https://www.dw.com/ro/ce-anim%C4%83-conflictul-din-nagorno-karabah/a-55092763, accessed at 18 April 2021, 21: 40.

[529] George T. DONOVAN, Jr., *Russian Operational Art in the Russo-Georgian War Of 2008*, USAWC CLASS OF 2009, p.14-15.

economic, social and infrastructure vulnerabilities of Ukraine and has established the means to engage them. Those means included identifying organizations loyal to the Russian Federation, gaining economic influence over the media, supporting separatist movements and other anti - government actions to exert pressure on Ukraine. As a preliminary phase to the annexation was the modelling of the pro-Russian population in the eastern districts of Ukraine to trigger separatist movements following the pattern used in Transnistria. With this pattern, the Russian Federation has used the *hard power* policies to support the separatists' operations in the Donbas and Lugansk regions against Ukraine's constitutional forces. During the military campaign, Ukraine received lethal and non-lethal equipment from the United States.

In March 2021, after 7 years of conflict, the situation in the conflict zone aggravated, and by April 1, 2021 the Russian Federation concentrated 100 000 of troops along the western border with Ukraine[530]. The troop disposition along the border enables Russians to conduct offensive operations against Ukrainian army. By 24 April Russia moves back its troops from Ukraine border. Iven the Russian Federation declared the troop retreatment, close to 80 000, Russian troops remained near various strips of the country's border with Ukraine, still the biggest force Russia has amassed there since Moscow annexed Crimea in 2014[531]. We will probably witness a renew of the Georgian scenario.

Hence, the annexation of Crimea will have implications for global security: "Ukraine, Moldova and Georgia will become battlefield for influence of the USA and Russia. A number of other countries and territories, including Armenia, Belarus, Kazakhstan, the Russian North Caucasus, Crimea and the Baltic States, may also be affected by this competition[532].

The second procedure of *hard power* policies is the stationary of large Russian military units on the territory of the former soviet republics. After the collapse of the USSR, many Russian military bases suddenly found themselves on the territory of the new independent countries: Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Tajikistan, Ukraine and Uzbekistan. Despite the domestic economic problems, the Russian Federation has undertaken efforts to maintain these bases, whether it has had to recourse to renting (in Kazakhstan), military action (in Moldova and Georgia), economic and political pressure (Belarus and Armenia) or territorial annexation (Ukraine). From the ten former Soviet republics in which the Russian Federation had military bases,

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[530] *Rusia a anunţat retragerea trupelor - ce înseamnă asta pentru Ucraina?*, https://www.dw.com/ro/rusia-a-anun%C5%A3at-retragerea-trupelor-ce-%C3%AEnseamn%C4%83-asta-pentru-ucraina/a-57322586, accessed at 06 May 2021, 14: 11.
[531] *80,000 Russian Troops Remain at Ukraine Border as U.S. and NATO Hold Exercises,* https://www.nytimes.com/2021/05/05/us/politics/biden-putin-russia-ukraine.html, accessed at 06 May 2021, 14: 31.
[532] Dmitri TRENIN, *The Ukraine crisis and the resumption of great-power rivalry*, Carnegie Moscow Center. 2014, p. 2, https://carnegieendowment.org/files/ukraine_great_power_rivalry2014.pdf, accessed at 20 April 2021, 22: 17.

Moscow "lost" only two of them, Azerbaijan (Baku and Moscow failed to negotiate the continuation of the lease of the Gabala radar station, which expired at the end of 2012) and Uzbekistan (since 2012, after Uzbekistan left the Collective Security Treaty Organization, Karshi Kanabad Air Base has been used exclusively by the Uzbek army).

Belarus currently hosts two Russian military bases, both of them are technical facilities. Communication Centre number 43 Vileyka (Minsk region) of the Russian Navy has been operating since 1964. It provides the Navy General Staff communications with the strategic nuclear submarines of the Russian Federation in the Atlantic, Indian and partly Pacific Oceans. The Vileyka base also conducts radio electronic warfare and radio technical information. The second military base, the Volga radio unit, is located near Baranavichy (Brest region). It is a missile attack warning system, capable to detect missiles and space objectives up to 4 800 kilometres range and also to track the movements of NATO submarines[533].

The stationing of troops on the territory of the former Soviet republics considerably increases the capacity of the Russian Federation to project military power in these areas and ensures an important role in influencing relations with these states. The ability to project power will determine the role of the Russian Federation as a regional or global actor.

Another element of *hard power* policy used by the Russian Federation is the economic one, in the form of natural gas and oil. After the fall of the USSR, the Russian Federation sustained to supply the former Soviet republics with cheap energy. The Russian Federation offers advantageous conditions for gas and oil supplies, which allows it to develop a relationship of dependency with the former republics and increase its market share. Once it has established a relationship of reliance, the Russian Federation is able to take economic and political advantages from these states. A preferable manner to do this, is by adjusting the prices of gas contracts. When the interests of a country are contrary to the Russian Federation, prices are revised and can be increased, and vice versa, if the state is loyal to the Russian Federation the prices for natural gas can decrease. The Russian Federation claims that the former soviet republics are in its sphere of influence and use energy resources to make this influence observable. The Russian Federation establish different prices for different countries. Often, these price differences cannot be explained only from an economic perspective, such as the distance and volume of gas delivered[534]. One example of this would be the development of the Russian Federation's economic relations with Central Asian

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[533] Vasile ROTARU, *Adapting the military strategy. Russian hard power presence in the former soviet space after 2008*, p.132, 133, https://www.researchgate.net/publication/311397039, accessed at 18 March 2021, 22: 40.

[534] *Energy as a tool of foreign policy of authoritarian states, in particular Russia*, Policy Department for External Relations, Directorate General for External Policies of the Union, PE 603.868 - April 2018, p. 16, https://www.europarl.europa.eu/RegData/etudes/STUD/2018/603868/EXPO_STU(2018)603868_EN.pdf, accessed at 18 March 2021, 20: 40.

States. The Russian Federation instead to support the economic development of the region, it controls the economy through domination of export routes. The Russian Federation has been against building new pipelines which bypass its territory. However, there is a strong economic interdependence between the Russian Federation and Kazakhstan, Uzbekistan and Turkmenistan. These three countries depend on Russian pipelines to export oil and natural gas, and the Russian Federation as their main economic partner, is using imported resources to increase its export to Europe, which it could not be supported from domestic production alone. This was proved by Gazprom's attitude to Turkmenistan's call for re-negotiation of the price of natural gas. After a three-month resistance to the Turkmenistan government's demands, Gazprom suddenly agreed to raise the price from $65 to $100 per thousand cubic meters[535].

The establishment of embargoes are another the *Hard Power* policies that the Russian Federation projects in its near abroad. Since 2006, the Russian Federation has banned the imports of Moldovan and Georgian wines, thus creating a diplomatic conflict between the Republic of Moldova, Georgia, on the one hand, and the Russian Federation on the other[536]. In 2009, we also witnessed the "milk war" with Belarus, sanctions imposed for Belarus which do not recognized the independence of Abkhazia and South Ossetia. Prior to the signing by Chisinau of the Association Agreement with the EU and the Deep and Comprehensive Free Trade Agreement (DCFTA), the Russian Federation in 2013 established a new embargo against Moldovan wines. As Lithuania held the EU presidency and was one of the most active in the Eastern Partnership (Moldova-EU Association Agreement was signed in Vilnius), the Russian Federation also imposed an embargo on dairy products in Lithuania[537].

We note that these measures are taken by the Russian Federation in case of non-subordination or attempt of states to promote their national interests without taking into account the policies of the Russian Federation.

## 3. THE RUSSIAN FEDERATION'S *SOFT POWER* POLICIES TOWARD ITS NEAR ABROAD IN ORDER TO ACHIEVE NATIONAL INTERESTS

For the first time, the term *Soft Power* was legally adopted by the Russian Federation in the Concept of Foreign Policy, approved by the President of the Russian Federation V. Putin on February 12, 2013. In the concept was specified the position of *Soft Power* in the foreign policy, as well as the definition of this

[535]Anamaria Elena GHEORGHE, *Politica externă a Rusiei față de republicile din Asia centrală în timpul președinției lui Vladimir Putin*, P.3-10, https://heinonline.org/HOL/LandingPage?handle=hein.journals/rescito3&div=5&id=&page=, accessed at 20 March 2021, 21: 00.
[536] *Russian wine move draws protests*, http://news.bbc.co.uk/2/hi/europe/4860454.stm, accessed at 20 March 2021, 20: 40.
[537] *Putin, protecționismul și standardele duble,* https://sic.md/de-cind-a-inceput-sa-i-placa-lui-putin-comertul-liber/, accessed18 March 2021, 20: 50.

term. Article 20 has been entirely devoted to this issue. Thus, the *Soft Power* was defined as "an integral part of modern foreign policy" and introduced the official definition of this term – "a comprehensive set of tools for solving foreign policy problems based on the civil society's capabilities: information – communication, humanitarian and other alternative methods and technologies to the classical diplomacy[538]". In this regard, the Russian Federation's government has developed a wide range of public diplomacy institutions whose objective are to coordinate the use of *Soft Power* tools in Russian foreign policy.

The main institution of the Russian *Soft Power* is the Federal Agency for the Commonwealth of Independent States Affairs, Compatriots Living Abroad and International Humanitarian Cooperation (Rossotrudnichestvo), which was established by decree of the President of the Russian Federation from 09/06/2008 on the basis of the Russian Foreign Centre (Roszarubezhtsentr). As a result, a number of non - profit organizations have recently been established in the Russian Federation, which have been unofficially called upon to become leaders of Russian *Soft Power*. These are: "The Russian World Foundation" (Russkiy Mir), the movement "World without Nazism", "The Foundation for the Support and Protection of the Rights of Compatriots Living Abroad" and "The Foundation for Cooperation in the Russian-Language Press". The main areas of activity of these non-profit organizations are: dissemination and popularization of the Russian language and culture, support for compatriots living abroad, assistance in disseminating objective information about the modern Russian Federation, support for the export of Russian educational services[539].

In addition, for the expansion of the Russian *Soft Power* work the expert platforms and thinktanks such as: The World Public Forum "Dialogue of Civilizations", the International Discussion Club "Valdai", the Fund for Public Diplomacy A.M. Gorchakov, Council for Foreign and Defence Policy, Institute for Democracy and Cooperation, Russian Council on International Affairs. The leadership of the Russian Federation has also performed a great effort to strengthen the presence of the Russian Federation in the global information space: was created the international news channel Russia Today (2005), was activated the international broadcasting of the renewed agencies Russia Segodnya and was launched Sputnik multimedia hub[540].

The case of Republic of Moldova is one of best example which can prove how the Russian Federation managed to influence the population in its near abroad through the levers of *Soft Power* policies. Thus, Moldavian television audience

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[538] *Концепция внешней политики Российской Федерации от 12.02.2013*, http://archive.mid.ru/brp_4.nsf/0/6D84DDEDEDBF7DA644257B160051BF7F, accessed at 27 March 2021, 20:50.

[539] Вера Дмитриевна АГЕЕВА, *Роль инструментов «Мягкой Силы» во внешней политике Российской Федерации в контексте глобализации*, Санкт-Петербург, 2016, с.131-133.

[540] Mihai-Cristian STANCU, *Războiul informațional. Studiu de caz: Rolul „Russia Today" pentru acoperirea misiunii executate de către Federația Rusă în estul Ucrainei, în perioada mai 2014 - februarie 2015*, Buletinul Universității Naționale de Apărare „Carol I", Decembrie, 2019, p. 52.

mainly watch Russian broadcasts, which have already overwhelmed the popularity of local media. Channel I of the Russian Federation's Central TV had become the most popular TV channel in Moldova and has the highest audience. So, the information domination of the Russian Federation is best demonstrated by the fact that in March 2009 in the opinion polls in the Republic of Moldavia, Putin and Medvedev were the most popular politicians, surpassing the Moldovan politicians[541].

Through the media, the Russian Federation managed to ensure its presence on the Moldovan political stage, replacing Ukraine as the closest virtual neighbor of Moldova. The Russian Federation was also criticized for seeking in 2000-2008 to use various *Soft Power* levers in the Baltic States. These *Soft Power* levers targeted ethnic Russians living in these republics, carrying out information operations and propaganda, representing the Baltic leadership as neo-fascists and Russophobes, as well as the exercise of political pressure[542].

Another tool of *Soft Power* is digital diplomacy. Through digital diplomacy Russia is communicating with its near abroad by promoting a state narrative about its foreign policy. Thus, in 2011 was launched an updated, more modern version of the official website of the Ministry of Foreign Affairs. Also, where established social networks (Vkontakte, Facebook, Twitter) and was activated digital diplomacy of top officials (the account of Deputy Minister G. Gatilov on Twitter, page of the press secretary of the Ministry of Foreign Affairs M. Zakharova on Facebook). As a result, out of 252 institutions of Ministry of Foreign Affairs, 143 have Facebook pages, 157 have Twitter accounts, and 24 have YouTube channels, 4 institutions have Instagram accounts[543].

Of course, his positive dynamics undoubtedly increased the expansion of the Russian presence in the its near abroad information space. In this manner Russia has proven capable of impacting ex-soviet republic politics by exploiting provocative and inflammatory information.

As *Soft Power* policies are used the Russian Federation government's so-called peace initiatives to solve frozen conflicts. Thus, Russian Deputy Prime Minister Dmitry Kozak is the author of the well-known memorandum of 2003 ("Kozak plan"), which proposed for the settlement of the Transnistrian dispute "federalizing the Republic of Moldova" and "stationing Russian troops until 2023". At that time, Chisinau officials refused to sign this agreement, which resulted in the first economic embargo imposed by Moscow for the export of Moldovan wines (*Hard Power* policy toward Moldova). Many experts said that

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[541] Juhan Kivirähk, Nerijus Maliukevičius, *The "humanitarian dimension" of Russian Foreign Policy Toward Georgia, Moldova, Ukraine and the Baltic States*, Center for East European Policy Studies, The 2nd, supplementary edition, Riga, 2010, p. 239.

[542] Agnia GRIGAS, *Legacies, Coercion and Soft Power: Russian Influence in the Baltic States*, P.5, https://www.chathamhouse.org/sites/default/files/public/Research/Russia%20and%20Eurasia/0812bp_grigas.pdf , accessed at 18 March 2021, 21: 50.

[543] Вера Дмитриевна АГЕЕВА, *Роль инструментов «Мягкой Силы» во внешней политике Российской Федерации в контексте глобализации,* Санкт-Петербург, 2016, с.168-169.

Moldova would have disappeared as a state if in 2003 the authorities had signed the so-called "Kozak plan"[544]. Actually, following the same pattern, the Russian leadership is recommending the federalization of Ukraine as a solution for "Ukrainian problem"[545].

The Russian Orthodox Church (ROC) is considered to be one of the effective *Soft Power* tool for spreading Russian interests in countries that Moscow believes would fall within its sphere of influence. In the Republic of Moldova, for example ROC has a great influence, because the majority of the population is Christian-Orthodox, the Metropolitan Church of Moldova is under the canonical jurisdiction of the Moscow Patriarchate, and the Church enjoys a high degree of trust from Moldovans[546].

It is important to remark that the *Soft Power* policies of the Russian Federation are used jointly with *Hard Power* policies. Thus, for example, in preparation for the annexation of Crimea and the launching of separatist military operations in the eastern regions of Ukraine, these measures included activities such as:

- Encouraging the dissatisfaction of the Russian diaspora with the central authorities by using political, diplomatic and media instruments;
- Reinforcement of local separatist movements and increase of ethnic, religious and social tensions;
- Dynamic use of information measures against the Ukrainian government and state;
- Recruitment of politicians, local administration officials, Armed Forces officers and attracting them on the side of the Russian Federation;
- Establishing contacts with oligarchs and businessmen, submitting them offers from the Russian Federation;
- Establishing contacts with local criminal groups, etc.

After lesson learned from Crimean annexation it become more evident the Russian Federation involvement in internal affairs of its neighbour states. For example, this is proved in the investigation of the centre "Досье" (File): "How the Kremlin interferes in the internal politics of neighboring countries. Kremlin Mamalyga"[547]. Officially, in the Russian president administration is one

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[544] *Ce prevede aşa-numitul plan Kozak. Mai mulţi politicieni l-au considerat catastrofal pentru Moldova*, https://www.publika.md/ce-prevede-asa-numitul-plan-kozak-mai-multi-politicieni-l-au-considerat-catastrofal-pentru-moldova_3044580.html, accessed at 05 May 2021, 17: 16.

[545] *Путин назвал условия решения "украинской проблемы"*,https://tsn.ua/ru/politika/federalizaciya-i-otkaz-ot-nato-putin-nazval-usloviya-resheniya-ukrainskoy-problemy-1166283.html, accessed at 11 May 2021, 20: 31.

[546] *Evoluţia politicii externe a Republicii Moldova (1998-2008)*, Ch.: Cartdidact, 2009, p. 86, http://www.ape.md/wp-content/uploads/public/publications/987156_md_studiu___politi.pdf, accessed at 05 May 2021, 16: 55.

[547] *Как Кремль вмешивается во внутреннюю политику соседних стран, Часть пятая: «Кремлевская мамалыга»*,
https://dossier.center/mld/?fbclid=IwAR2MChv2s5uvj2s4ELR2oqCMyQdw6GnC66Qw4ext6kjZsSHMhj4La69 g-e0, accessed at 05 May 2021, 14:10.

directorate called "The President's Office for Interregional and Cultural Relations with Foreign Countries" [548]. But it doesn't smell of any "cultural" connections, and among the employees there are only former people from the Foreign Intelligence Service (SVR).[549]

However, working documents of the head of The President's Office for Interregional and Cultural Relations with Foreign Countries, suggest the opposite: the Kremlin has not only created an extensive network of agents of influence in the former soviet countries, but also actively intervenes in the parliamentary elections in Georgia, lures the opposition and recruits politicians, public figures and journalists in Armenia, Azerbaijan[550] and in Moldova holds some political circles under the strong influence of the Kremlin, especially when it comes to the foreign policy steps of Chisinau[551]. The same investigations reveals that the Military Academy of the General Staff of the Russian Federation, developed a methodological reference for Moldova titled "Prospects for the use of "soft power" by the Russian Federation in relation to the Republic of Moldova", specifying that there are broad opportunities for influencing the situation in the country.

Actually, the *Soft Power* of Russian Federation goes behind the definition stated in the Concept of Foreign Policy. Officially, Russian Federation declare that it does not interfere in neighbor countries affairs, but in reality, he Kremlin, obsessed with the fear of the orange revolutions and the struggle against the West, is constantly meddling in the internal affairs of its neighbors. This is not a matter of Russian interests. The Kremlin is trying to influence the internal politics of countries whose independence do not respect and whom it considers as subordinates. For Russia, as a country, such interference is not valuable. As a result, Russia has no allies but enemies.

**CONCLUSIONS**

In order to project its national interests in the near abroad, the Russian Federation embrace a broad spectrum of policies: from the use of *Hard* to *Soft* policies.

After the USSR collapse, the Russian Federation continues to keep the inherited military arsenal deployed on the territory of the neighboring States. This

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[548] *Подразделения Администрации Президента*, http://www.kremlin.ru/structure/administration/departments, accessed at 05 May 2021, ora 14:30.

[549] *Михаил Ходорковский*, https://www.facebook.com/permalink.php?story_fbid=3395352297179595&id =107335412647983, accessed at 05 May 2021, 14: 50.

[550] *Как Кремль вмешивается во внутреннюю политику соседних стран, Часть пятая: «Кремлевская мамалыга»*, https://dossier.center/mld/?fbclid=IwAR2MChv2s5uvj2s4ELR2oqCMyQdw6GnC66Qw4ext6kjZ sSHMhj4La69g-e0, accessed at 05 May 2021, 14: 30.

[551] *Центр «Досье» рассказал о кремлевских кураторах президента Молдовы Игоря Додона и «молдавском отделе» АП РФ*, https://cyprus-daily.news/tsentr-dose-rasskazal-o-kremlevskih-kuratorah-prezidenta-moldovy-igorya-dodona-i-moldavskom-otdele-ap-rf/, accessed at 05 May 2021, 15: 00.

enables the development/promotion of external policies using the *Hard Power* procedures.

The policies of the Russian Federation intent to disintegrate the former Soviet republics, recognized as sovereign at international level (Republic of Moldova, Georgia and Ukraine) by using the *Hard Power* policies violating repeatedly the provisions of international law (and not sanctioned by the UN or International Community).

The Russian Federation also uses the "energy weapon" and economic instruments to promote its foreign policy interests in near abroad.

The influence of the *Soft Power* policies of the Russian Federation is very difficult to be measured. They are associated with intangible resources such as culture, language or ideology, as well as the ability to use them skillfully to win allies by attraction rather than coercion. Although the Russian Federation has influential channels of soft power in former soviet states, such as access to its labor market, language proximity, a common culture and huge energy resources, it has not been able to substantially increase its attractiveness among the neighboring countries.

The *Hard Power* and *Soft Power* policies of the Russian Federation against the former Soviet republics led to chronic economic crises, the partition of civil societies into pro-east and pro-west camps, the antagonistic activation of Russian minorities in these areas.

The Russian Federation adopts *Hard* and *Soft* policies to maintain its military and economic influence in its near abroad and to prevent the influence of the US, NATO and EU in these areas, tagging them as a threat to its own national security.

The main effort of the Russian Federation in this respect is to maintain strategic positions in its near abroad.

The *Hard* and *Soft* power policies of the Russian Federation in its near abroad areas after the annexation of Crimea in February 2014 and recently in April 2021, demonstrate to international community that they have also generated effects outside these areas with an impact on global security.

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# SECTION III:

# GEO-ECONOMY

CHAIRS:
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# A VISION OF THE POST-PANDEMIC ECONOMY

## Professor Mircea COŞEA, Ph.D.[552]

*Abstract: Coronavirus has generated changes and mutations not only in the conduct of our daily lives, but also in the organization and functioning of the economic mechanism at national and global level.*

*The rapid changes and shifts that are taking place in the economy are for the moment the result of the political mainstream, especially the governmental one, and of the system of international financial institutions.*

*What is visible and certain is the elimination of some limits in giving up ideological principles and established rules of the functioning of the economic mechanism. Thus, the neoclassical ideology, the foundation of the whole scaffolding of the global economic policies, easily compromises by admitting that in the current conditions state interventionism has a more important role than free market laws in counteracting the effects of the pandemic on the economy. This process easily went beyond the regulations of the liberalization of trade in goods, returning to protectionism with nationalist accents as well as to bans on food and medicine exports. The principle of European solidarity is being threatened by unilateral decisions taken by Member States, or by the abandonment of European agreements in order to replace them by national decisions.*

*Globalization was based on the imperative to produce, sell and buy, move, circulate, move on. Its ideology of progress is based on the idea that the economy must definitely replace politics. The essence of the system was the abolishment of limits: more trade, more and more goods, more and more profits to allow money to circulate and turn into capital. This whole concept of development has ceased to be the guiding principle of economic growth and development, the current trend being the return to national borders, if not in a strictly territorial sense, at least in an economic sense.*

*That is why one of the important changes of recent months is the emergence of policies designed to change the meaning of supply chains.*

*Rethinking supply chains is a consequence of border closures or of the sudden closure of transport. It is a critical point of pressure that weighs mainly on car manufacturers and capital goods. As a result, there will be a trend of relocating production to European or Maghreb countries where wages remain lower than the European average.*

*Another quick and important change is the one related to the role of the state in the economy, neoliberalism successfully promoting throughout the global economy the idea of the need for the limited role of state decision and state interventionism in the economy.*

*The current change consists precisely in reversing the role of the state from passivity to activity, considered as the only one capable of ensuring an efficient system for managing the pandemic and restarting the economy.*

*For many analysts, the coronavirus crisis could lead to a profound change in the global economic model and in the individual economic behavior.*

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*This is an extremely important issue also from the perspective of Romania's future. We are at a turning point and will have to make quick and complex decisions, because Romania risks entering a post-crisis period in an economic stagnation difficult to overcome, due to the lack of productivity, innovation and modern management. The gaps between Romania and the vast majority of European countries will be maintained, condemning us to occupy a marginal and lower place in the hierarchy of the European economy, characterized by a high and dangerous degree of dependence on the evolution and dynamics of markets in the strong states of the European Union. The explanation of this situation lies in the type and functioning of the structure of the Romanian economy. The current structure of the Romanian economy lies on the last concentric circle of European integration, if its center is considered the western core of the EU.*

*There is no doubt about this inevitability. The crisis caused by the pandemic already exists and despite the optimism of some international financial institutions it will profoundly affect the state of the world economy and the life of the citizens. There will be not only major changes in the paradigm of the neoliberal model of the global economy but also changes in the balance of power between the world's major economic and political actors. The trade war between the USA and China is also beginning to have important political aspects, as the fight for world leadership between these two superpowers is generating tensions over the entire world. These tensions will surely have many "collateral victims" through the direct and indirect damage that many national economies, even the European Union, will suffer, as a result of the economic and political consequences of the US and China entering a state that some Western analysts define as " a cold war but with a tendency to warm up".*

*These elements will aggravate the pressure that the pandemic crisis will put on the state of the world economy, determining the extent and depth of the effects of the crisis not only on the economic field but also on the balance and stability of international relations.*

***Keywords:*** *coronavirus crisis; value chains; multilateralism-unilateralism; protectionism, neoliberal global economic model.*

## THERE IS ECONOMY EVEN IN THE PANDEMIC

We live in a period that thoughts we would not have imagined we would go through even in our darkest. In just a few weeks, everything we thought was eternal collapsed, what we thought would never happen happened.

Coronavirus has generated changes and mutations not only in the conduct of our daily lives, but also in the organization and functioning of the economic mechanism at national and global level.

Experts have talked about the paradigm shift in the current global neoliberal model since the Great Depression of 2007-2010, with some outbursts of intensity brought by the rise of sovereign currents, Brexit, the Yellow Vest movement or the promotion of neo-Marxist ideas supported by the works of Thomas Piketty and the CADTM Manifesto Committee on the Abolition of Illegal Debts "ReCommonsEurope: Manifesto for a New Popular Internationalism in Europe".

Immediately after the onset of the coronavirus crisis, Thomas Piketty has advanced the idea of the need to change the current order and economic system, because the pandemic would be just a curtain that hides the real situation characterized by a deeper crisis of the European capitalist system. On March 15,

2020, Thomas Piketty stated: The coronavirus crisis is nothing but the tree that hides the forest ... It is not enough to say "We need to change the economic system", we need to describe what other economic system needs to be created ... The Covid-19 pandemic health crisis must lead us to define new decision-making criteria for global economic governance ... it is not enough to say "We need to change the economic system", we need to describe how the other economic system and the other organization of property would look like, who should hold power in companies, what other decision criteria we should have.

We could start a fascinating debate on how, in the context of the pandemic crisis, supporters of changing the neoliberal model influence and act in the direction of moving to another model, but this would mean stopping only at the level of discussion, because in practice, at least for now, the ideas of such changes remain at the declarative level.

The rapid changes and shifts that are taking place in the economy are for the moment the result of the political mainstream, especially the governmental one, and of the system of international financial institutions.

More than two months after the outbreak of the Covid-19 crisis, the changes, sometimes even unexpected and shocking in their originality, do not reveal an action plan or at least an idea of what should be done. They look more like some sort of improvisation in the context of the fright that overwhelmed the entire category of Western policy makers.

What is visible and certain is the elimination of some limits in giving up ideological principles and established rules of the functioning of the economic mechanism. Thus, the neoclassical ideology, the foundation of the whole scaffolding of the global economic policies, easily compromises by admitting that in the current conditions state interventionism has a more important role than free market laws in counteracting the effects of the pandemic on the economy.

The rules for the liberalization of trade in goods were easily overstepped, returning to a protectionism with nationalist accents as well as to bans on food and medicine exports. The principle of European solidarity is threatened by unilateral decisions by Member States, or by the abandonment of European agreements in order to liberalize national decisions. A first step in this direction was taken when the new European Commissioner for Economic Affairs, Paolo Gentiloni, stated that the European Union must consider relaxing its strict budgetary rules, such as respecting a structural deficit of 3% of GDP and a public debt of 60% of GDP.

However, aware of the difference between the current and previous crises by focusing on blocking the productive system of the real economy and not on blocking the banking financial system, governments have tried to envisage exceptional measures since mid-March. For example, such measures were formulated in France by the well-known Think Tank "Le Cercle des economistes" led by Jean-Hervé Lorenzi, consisting of 30 professors of economics. In their

presentation of the proposals, the authors mentioned that these were exceptional and that economic history had so far not known such measures in the conditions of the normal functioning of the European economy.

Here is a list of measures, together with the consequences they could have:

- Public over-indebtedness to subsidize corporate losses due to social isolation measures;

- This over-indebtedness could lead to a technical default on Italian and Spanish debts, while also jeopardizing the French debt;

- A European agreement, aimed at reforming the objectives and operations of the European Central Bank, can lead to a more or less direct absorption of public debt by the ECB;

- Saving businesses and injecting cash will be urgent, and the targeting criteria are unlikely to be optimal, leading to distortions if poor companies previously receive too much funding, while stable businesses receive little funding;

- More or less temporary nationalizations of companies, especially those that are too large (mainly airlines);

- The level of public and private debt will lead to an increase in interest rates, neutralizing the banking instrument for controlling debtors' risk;

- The economy will restart with much more liquidity available than before. Banks will increase credit from a much larger base. As a result, wealth inequalities will tend to expand through rescue intervention and not through the "market";

- The inflationary risk in consumer markets may increase sharply;

- Structural distortions will accumulate because of liquidity injections and massive credit stimuli; a new, larger crisis will take place at the next trigger;

- The worst structural consequences and distortions can be avoided if the government takes advantage of central bank subsidies to rebalance its budget, reform its taxation, relax its bureaucracy and adopt strict fiscal responsibility rules.

The above measures obviously have theoretical elegance, but the inability to name exactly the action to be taken also has quite dangerous consequences, especially since the population's resentment towards "house arrest" can lead to a terrible period of economic uncertainty and especially since this money created from nothing will have to be paid. Indeed, it must be borne in mind that an episode of excessive debt necessarily ends in a debt offsetting that can take many forms: austerity policies to which southern Europe has already paid a heavy price; massive non-payment, debts that are not repaid, reduced or canceled; aggressive inflation. In this climate of uncertainty and exploration, there are proposals that

would have been unthinkable before the pandemic, especially when they are supported by prominent personalities of the economic world. Former European Central Bank governor Mario Draghi announced in a March 25 column in the Financial Times that some private debt could be canceled.

Who will take these decisions? Who will lose and who will win? Will it be possible to save banks as in 2008?

Because of the scarcity of arrangements developed in the form of rapid response strategies to the problems that the pandemic has generated in an extremely short period, measures appeared that no one would have had the courage to implement before, being considered contrary to the European norms and values, as well as to the globalized economy.

Thus, after the World Trade Organization and the main economic actors of the global market campaigned for the disappearance of borders and of tariff obstacles, with the outbreak of the pandemic, national and trade borders have reappeared.

Globalization was based on the imperative to produce, sell and buy, move, circulate, move on. Its ideology of progress is based on the idea that the economy must definitely replace politics. The essence of the system was the abolishment of limits: more trade, more and more goods, more and more profits to allow money to circulate and turn into capital. This whole concept of development has ceased to be the guiding principle of economic growth and development, the current trend being the return to national borders, if not in a strictly territorial sense, at least in an economic sense.

That is why one of the important changes of recent months is the emergence of policies designed to change the meaning of supply chains.

Rethinking supply chains is a consequence of border closures or of the sudden closure of transport. It is a critical point of pressure that weighs mainly on car manufacturers and capital goods. As a result, there will be a trend of relocating production to European or Maghreb countries where wages remain lower than the European average.

Another quick and important change is the one related to the role of the state in the economy, neoliberalism successfully promoting throughout the global economy the idea of the need for the limited role of state decision and state interventionism in the economy.

The current change consists precisely in reversing the role of the state from passivity to activity, considered as the only one capable of ensuring an efficient system for managing the pandemic and restarting the economy.

There is an important debate in this regard in the main Western European countries. The opinion leader is the "spoiled child" of American universities, probably a future Nobel Prize winner, Mariana Mazzucato.

Here is her opinion, published in La Repubblica on 6/04/2020:

*"Since the 1980s, the state has been told to sit in the back seat and leave the wheel in the hands of companies so that they can create wealth. ... As a result, governments are poor when it comes to crisis management, such as Covid-19 or climate change crisis. The dominant role of the private economy in public life has also led to a loss of confidence in the state's ability to initiate change. ... The current crisis is an opportunity for us to reinvent the relationship between the state and companies. Instead of simply correcting market failures when they occur, the state should actively work to model and create markets that can produce sustainable growth without excluding anyone".*

For some time now, the coronavirus crisis has entered a new stage. The new stage marks a change in concept and methods in Western European countries regarding the relationship between the pandemic crisis and its economic consequences.

Robert Boyer, the director of EHESS (Ecole des Hautes Etudes en Sciences Sociales), shares a similar perspective to emphasize the role of the state, as stated in Le Monde:

*"It is high time that the state, through a coherent system of economic circuit planning, dealt efficiently and quickly with the urgency of health. ... To think that the market is coming out of the crisis would be making proof of a guilty naiveté".*

It is increasingly common in the current Western analysis to think that the moment of "untimely changes through political DIY measures is coming to an end, followed by a period of resettlement and possible return to old principles and customs", as a result of awareness of the inability to exit from the crisis by absolutizing the rules of fighting the pandemic to the detriment of the economy[553].

For some time now, the coronavirus crisis has entered a new stage. This new stage marks a change in the concept and methods in Western European countries regarding the relationship between the pandemic crisis and its economic consequences.

The onset of this change coincides with the findings of several studies conducted by the National Center for Scientific Research in France. On April 2 2020, Yves Gaudin, the head of this Center, told Frace Info: the virus will continue to circulate in the world, and humanity will have to live with the SARS-CoV-2 virus ("We must prepare to live with this virus"), which means that a clear dividing line is being drawn between the current policy - "we don't have a vaccine, so stay home and keep the isolation"- and the new policy: "even if we don't have a vaccine, learn to live with the virus".

This new interpretation has determined almost immediately the most important Western European countries to move to gradual relaxation measures

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[553] John Cassidy, *The Coronavirus is Transforming Politics and Economics,* 03.04.2020.

and allow free movement, the opening of trade and services, even the reopening of schools[554].

The attempt to return to normalcy maybe a consequence of this new approach which would admit the inability of our economic model to survive during a period in which a simple virus cannot be controlled.

Of course, we can't help asking ourselves questions. First: were these disorganized changes and mutations, which no one expected, proof of the lack of vision and of the inability of the current global political establishment to devise coherent strategies and policies of crisis management? Second: is accepting the risk of relaxation, given that the pandemic is not yet under control, proof of the inability of contemporary science to protect humanity from misallocation of resources in favor of an over-technical humanity and to the detriment of improving the health and living conditions of the human kind?

For many analysts, the coronavirus crisis could lead to a profound change in the global economic model and in the individual economic behavior.

This is an extremely important issue also from the perspective of Romania's future. We are at a turning point and will have to make quick and complex decisions, because Romania it risks entering a post-crisis period in an economic stagnation difficult to overcome, due to the lack of productivity, innovation and modern management. The gaps between Romania and the vast majority of European countries will be maintained, condemning us to occupy a marginal and lower place in the hierarchy of the European economy, characterized by a high and dangerous degree of dependence on the evolution and dynamics of markets in the strong states of the European Union. The explanation of this situation lies in the type and functioning of the structure of the Romanian economy. The current structure of the Romanian economy lies on the last concentric circle of European integration, if its center is considered the western core of the EU.

This structure was achieved by exclusively external influences, by the chaotic infusion of foreign capital through relocations, due to the fact that there was no long-term national strategy to define structural priorities based on the analysis of national factors of comparative advantage. The Romanian economy has been transformed into a subcontractor specialized in the production of spare parts, subassemblies and "lohn" products for the western markets. It is a structure that transformed the Romanian economy into an import-dependent market and led to a process of involution of the level of industrial development. As a result of the combined effects of the lack of strategy and the chaotic infusion of foreign capital, the "assembly manufacturing" economy has developed to the detriment of the "innovation and research" economy.

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[554] "Coronavirus: the statement of the President Frenchman Emmanuel Macron 12/03/2020" https://www.youtube.com/watch?v=U_qD7OliGjw; Ursula von der Leyen, "The European Union's requirements for deconfining", 16.04.2020.

This direction must be changed in order to be able to hope not only for a recovery of the economy after the coronavirus crisis, but also for a better positioning on the European and global competitive scale.

As a member of the European Union, Romania must take into account its economic strategy guidelines, according to which the financial recovery package to counteract the effects of COVID-19 on economies and to promote the recovery and transformation of European economies must be based on two pillars. The two pillars of such a recovery - the green transition and the digital transformation - together with a strong and deep single market, will promote new forms of growth, will stimulate cohesion and convergence and strengthen the EU's resilience. The COVID-19 pandemic highlighted the need to accelerate the digital transition in Europe. Taking advantage of the opportunities of this transition is essential to strengthen the economic base, strengthen competitiveness, facilitate the green transition, creating jobs and improving the lives of citizens.

Romania cannot avoid these European strategic orientations, and certainly cannot afford postponements or delays. Economic policies aimed at modernizing and streamlining the economy through the rapid transition to digitalization must find their place and importance right now, at a time when the effects of the pandemic have not yet been removed.

A parallel action is needed to control both the effects of the pandemic and the reorientation and updating of the economy in the direction of the new trends of the fourth stage of the industrial revolution, because *there is an economy even in the pandemic*.

## FROM PROTECTIONISM TO MULTILATERALISM OR ONLY TO MINI-MULTILATERALISM

One of the questions that the international economic environment asked itself with the change of leadership of the United States of America was that of the direction that the new president, Mr. Joe Biden, will give to foreign economic relations.

Will the protectionism established and practiced by the Donald Trump Administration continue or not?

Although immediately after the inauguration the new president reiterated his predecessor's rigid position towards China, the general orientation seems to be more "flexible", especially regarding the European Union. Traditional transatlantic relations and a return to the negotiating table on COP26 are being envisaged.

But how far can that "flexibility" go?

There are however some doubts about this perspective.

On February 2, 2021, the editorial of the prestigious "Le Monde" underlined the following fact: " Far from breaking with the protectionism of his predecessor, the new president of the United States intends to strengthen it, with the risk of

weakening multilateralism and the transatlantic relationship, without any benefit for the American employees. On January 25, five days after the inauguration, Joe Biden signed a presidential executive order to force the administration to buy more American products. Now, for a product to be considered "made in the USA", more than 50% of its components will have to come from American companies. In addition, a US company can be selected in a competitive bidding process, even if it is 20% more expensive than a foreign competitor.

First of all, "Buy American" had an exorbitant cost to the American taxpayer by significantly increasing the price of public procurement, according to a recent study conducted by Peterson Institute for International Economics[555]. Each job kept through these protectionist measures costs a quarter of a million dollars.

Second, import duties have led to an additional cost for the US consumer, with no dramatic effect on relocations. Over the past four years, the US trade deficit has continued to grow, reaching a peak.

By imitating Donald Trump, Joe Biden has every chance of getting the same result. If the ambition to protect American jobs is legitimate, it must go through the return of the United States to trade multilateralism whose previous administration has self-excluded. Instead of turning to an unfortunate protectionism, the United States would benefit from supporting reciprocity rules that would facilitate its access to new markets abroad. "

What is meant today by trade multilateralism and to what extent can it still be considered a central pillar of the international trade?

Multilateralism is a theory of solving international problems through collective remedies based on "liberalization, equality and reciprocity between a plurality of states or between all states". This thesis has been dominant since 1945. Indeed, in order to reach agreements accepted by the entire international community, it is necessary to involve as many countries as possible on an equal basis. Ever since 1945, the stated and claimed goal of Western countries has been to create a multilateral regime of trade participation so that economies evolve in such a way as to be mutually subordinated, which would discourage the states that make up this framework to implement force policies because they are in a relationship with trade allies.

J.M. Keynes' definition of multilateralism has remained famous: "*The natural effect of trade is to bring peace. Two nations negotiating together become interdependent: if one has an interest in buying, the other has an interest in selling; and all agreements are based on mutual needs*"[556].

However, one must also take into account the not always linear and logical evolution of international economic relations against the neoliberal model of the global economy.

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[555] *US-China phase one tracker: China's purchases of US goods*, 27.01.2021.
[556] "Statement by Lord Keynes on the proposed Bank for Reconstruction and Development" 1944.

After decades of relative economic stability, international trade has seen its dynamics disrupted by the Covid-19 epidemic. Many believe that this disruption will not be short-lived. Leading analysts and trade experts believe it will lead to months or years of economic instability. The contribution "The Economist Intelligence Unit" for 2019, written in partnership with Basware, highlights the factors that will have an impact on international trade, trade transactions and supply chains from 2021 and that would influence the balance or imbalance between protectionist policies and multilateralism. The following five factors have been identified as having the greatest impact on world trade in 2020 and beyond:

- Covid-19 crisis;
- US-China trade policy;
- Trade policy between the United States and the European Union;
- Increasing non-tariff protectionism;
- Digital trade taxation.

World trade, which has already slowed since the 2007-2008 financial crisis and has been weakened by the US unilateral protectionist measures and trade tensions, is expected to have a historic collapse in 2020 as a result of the covid-19 pandemic. The multilateral trading system, already affected, is now being destabilized by the US trade policy, but the crisis of the system also has much deeper causes, structural causes.

While its rules were negotiated almost 30 years ago, under American auspices, international trade has changed profoundly with China's entry into the WTO and its growth, the globalization of value chains, the growth of services, e-commerce.

The management of international trade is suffering from a crisis of leadership and needs new rules more than ever. In this context, marked by the rivalry between the United States and China and the tensions that could be exacerbated by the severe economic crisis triggered by the pandemic, the European Union, historically dedicated to multilateralism, must find the right strategy to continue to exist on the international stage and to influence trade negotiations. All the more so as it is facing another major shock, Brexit.

Since the election of Donald Trump, US trade policy has contrasted with the G20's call to reject protectionism in the face of the crisis of late 2008 and of its free trade messages in the years to come. Although the United States has made a significant contribution to the liberalization of multilateral trade, it has not hesitated to use protectionist measures when it comes to defending the American economic interests, for example under Reagan or Obama.

The destabilizing character of these policies is due to the nature of the instruments used but also to the messages that accompany them. This is a profound discontinuity with the standards on which the multilateral trading system is based, of which the United States has historically been the architect and leader.

Thus, the protectionist measures clearly motivated by economic concerns were justified by the national security argument (increasing tariffs on steel and aluminum imports in 2018), which places them de facto outside the scope of the multilateral trading system.

The United States considers that WTO rules are no longer satisfactory. The most recent were negotiated during the Uruguay Round between 1986 and 1993, at a time when today's major emerging economies, especially China, were still secondary players in international trade, and rich countries had a strong comparative advantage in most sectors of heavy industry because developing countries were generally focused on agriculture, textiles and clothing. The upheavals of the comparative advantage structure that accompanied the new phase of globalization have upset this balance.

Rich countries are no longer in a dominant position in the heavy industry production sectors, although they retain considerable advantages. A significant part of their comparative advantage now lies in the services, patents and technologies of multinationals. The case of the United States is particularly striking (the European situation is more balanced): in 2018, their trade in goods had a deficit of $ 891 billion, but the trade in services was in excess of $ 269 billion, and their net income of foreign investment was $ 258 billion[557].

Therefore, the agreements that once seemed balanced for the Americans, now seem unfavorable to them, and the failure of all major multilateral trade negotiations since then means that they have not been significantly updated.

Unfortunately, the pandemic is likely to lead to a lasting economic crisis. Crises are generally a source of trade tensions, as they sharpen the constraints on each country, leaving less room for compromise acceptable to all. In addition, in this case, the very important support policies implemented by the states risk igniting these tensions, as their objectives will often be in opposition to each other, each trying to maintain its productive apparatus and market share at all costs.

The World Trade Organization is now weakened by an institutional and legitimacy crisis. Multilateral trade agreements now compete with bilateral or regional agreements that have multiplied over the past two decades. At the same time, the questioning of the rules on which the trading system is based is visible in protests against liberal globalization, especially in the United States and Europe. In such a tense situation, there is more need than ever for an exchange scheme based on unanimously accepted rules. In particular, WTO agreements need to be reformed to make the rules governing the use of industrial subsidies more operational and to redefine the special and differential treatment of developing countries so as to better reflect their heterogeneity.

Obviously, protectionism cannot solve the particularly complex and difficult problems posed by the effects of the Covid- 19 crisis on the international economy. It is necessary to achieve, as one can see from the increasingly alarming

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[557] Sebastian Jean - Director of CEPII. Paris: "The World Economy 2020".

accentuation of the political and economic contradictions between the two great power actors of the world, the USA and China, a reorientation towards multilateralism trade policies. The priority should be to reach a political agreement between the major trading powers on a coordinated response to the crisis. It could be based on strengthening the principles of transparency and deliberation, maintaining clarity and dialogue, common principles for adapting the trade rules to the health imperatives and on establishing red lines, such as avoiding the use of export restrictions and limiting the use of protectionist measures. The challenge will be to define a coherent package that can be considered favorable to all stakeholders, by avoiding disturbances and limiting uncertainty.

Unfortunately, we are still far from such a trend and political decision. The expression of this "distance" is the emergence of the term "mini-multilateralism", which would mean "a selective multilateralism"[558].

Mini-multilateralism is, in reality, a disguised protectionism that practices the same criteria of non-tariff obstruction of political protectionism but tries to give the impression that "selectivity" would be a consequence of the obligations triggered by participating in an integrated economic structure with its own operating laws, such as the European Union.

The document: "European Council: Multilateral Cooperation for a Global Recovery", states:

"Multilateralism is not just a diplomatic technique, among other things, to address these issues. It shapes a world order, a very special way of organizing international relations, based on cooperation, the rule of law, collective action and common principles. Instead of pitting civilizations and values against each other, we need to build a more inclusive multilateralism that respects our common differences and values enshrined in the Universal Declaration of Human Rights"[559].

## THE EMERGENCE OF NON-PANDEMIC CRISES IN ROMANIA

Even if the forecasts of the International Monetary Fund regarding Romania's economic growth in 2021 are extremely optimistic, no one is convinced that this year will be an easy one. Government programs to support the economy have many shortcomings in implementation, the number of unemployed could not be reduced, measures are expected to reduce public wages, the leu depreciates, the percentage of indebtedness and current account balance increases, especially the trade deficit. HoReCa is still blocked and the much-announced investments are still expected.

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[558] AH de Nicolay, *Le multilateralisme comme levier du protectionnisme, Universite* Catolique de Louvain, https://dial.uclouvain.be/memoire/ucl/fr/object/thesis%3A1767/datastream/PDF_01/view.
[559] *European Council: Multilateral Cooperation for a Global Recovery*, Press release, 3.02.2020.

The economic crisis generated by the pandemic has become an accepted truism both at the level of government chancelleries, companies but also for the ordinary citizen. Everyone is waiting for this crisis, which is considered inevitable, and is taking steps to alleviate it. A lot of money has been pumped into the economies of developed countries, extremely ambitious investment programs have been created such as "Build Back Better" by President Joe Biden or "Tous anti-Covid" by President Emmanuel Macron.

The last period has brought new elements, of an extra-pandemic nature, able to lead us to a completely different analysis of the inevitable economic crisis.

There is no doubt about this inevitability. The crisis caused by the pandemic already exists and despite the optimism of some international financial institutions it will profoundly affect the state of the world economy and the life of the citizens. There will be not only major changes in the paradigm of the neoliberal model of the global economy but also changes in the balance of power between the world's major economic and political actors. The trade war between the USA and China is also beginning to have important political aspects, as the fight for world leadership between these two superpowers is generating tensions over the entire world. These tensions will surely have many "collateral victims" through the direct and indirect damage that many national economies, even the European Union, will suffer, as a result of the economic and political consequences of the US and China entering a state that some Western analysts define as "a cold war but with a tendency to warm up"[560].

These elements will aggravate the pressure that the pandemic crisis will put on the state of the world economy, determining the extent and depth of the effects of the crisis not only on the economic field but also on the balance and stability of international relations. It is obvious that this process is manifested more intensely by the rapid inflammation of some problems that seemed to be if not solved, at least calmed or postponed.

We can see the worsening political and military situation in the Black Sea through the conflict between Ukraine and Russia, the tense situation in the China Sea, the Israel - Hamas conflict as well as the Iranian nuclear issue and the acceleration of North Korea's nuclear weapons.

The probability of an armed conflict raises an extremely sensitive issue for Romania because it has signed a military treaty with Ukraine. As a consequence, Romania could be drawn militarily into this conflict, which would be a national catastrophe by entering, de facto, into war with Russia, a destructive military power.

We do not take into account this lethal possibility for the Romanian nation, hoping that it will not reach casus belli, but neither can we hope for a calming of the spirits in the short term.

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[560] Yves Montenay, *China: the new war has begun*, "Counterpoints", 04.04.2021.

One of these situations has great chances to become an extremely important factor in triggering a crisis, other than the pandemic one, with more than dramatic effects on Romania. It is the factor determined by the situation in the Black Sea, namely the direct effect that the Ukrainian – Russian conflict may have on the Romanian economy.

According to Western military analysis, the tension in the Black Sea will be lasting, as Russia's interests in this area are geopolitical, much more strategically important than a "fight" with Ukraine in the Donbass area. Some experts think that Russia is using the conflict with Ukraine as a pretext to strengthen its long-term influence and military power in the Black Sea as a counterweight to the growing presence of NATO (Turkey, Romania, Bulgaria). Extremely important for Romania is the fact that the inflammation of the military situation in the immediate vicinity of its borders places us in a risky, unsafe, unpredictable and even dangerous position in terms of capital and foreign investment. The history of the economy shows that in such situations when a country is included, *volens - nolens*, in a region with real potential for military conflict, its economy loses any interest from foreign investors and becomes subject to a type of "economic quarantine" pending a possible resolution of the conflict. Referring to this type of situation, Zbigniew Brzezinski, a former special adviser on national security in the administration of President Jimmy Carter, said that the region was entering a very dangerous state of "economic lethargy"[561]. The state of war will also annihilate the chance of gas exploitation in the Black Sea.

Another factor that can precipitate Romanian economy into a crisis, even harder than the pandemic one, is the fact that since the agreement between the European leaders in July 2020, the incentive package is not yet in force. The project has stalled following a complaint to the German Constitutional Court.

Already criticized for its slow implementation, the European Union is now facing a stalemate from Germany, where the Constitutional Court suspended on March 25, 2021 the process of ratifying the "Next Generation EU" plan at the national level.

Adopted by the European Council of Heads of State in June 2020, this package worth 750 billion euros (390 billion in grants and 360 billion in loans) provides for the first time for the European Commission to borrow from the financial markets on behalf of the 27 Member States. However, there are still some technical formalities that need to be completed. In order to borrow this amount, the Commission needs all national parliaments to approve a ratification law, by which each Member State officially authorizes Europe to increase its own resources ceiling, which corresponds to an increase equivalent to 0.6 points of its gross national income, the ceiling increasing from 1.4% to 2% under the incentive package.

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[561] Zbigniew Brzezinski, *Out of control*, 1993.

This increase should serve as a guarantee for loans made in the markets and ensure that Europe will be able to maintain a balanced budget.

The new element that has intervened and that can block this whole plan is the emergence of a complaint coordinated by Bernard Lucwe, former founder of the far-right party Alternative for Germany, which was filed in the German Constitutional Court against this ratification law. The applicants' reasons are twofold.

First, the complaint highlights the inadequacy of the recovery plan with the German constitutional law. "EU debt means the Bundestag no longer controls its budgetary rights," says Lucwe. As the loan granted by the Commission is in the name of the 27 states, if one or more countries fail, Germany will be obliged to pay the difference.

Second, the applicants claim that the recovery plan is incompatible with the European law. On the one hand, they argue, the use of debt is a breach of the European treaties which require a balanced budget. In this case, can a debt be considered a real resource? On the other hand, the legal basis of the incentive package is being challenged. The latter is structured around Article 122 of the Treaty on the Functioning of the EU (TFEU), which essentially allows for the establishment of solidarity mechanisms between Member States in the event of an exceptional situation, a category in which the pandemic can fall. But the question is whether the economic stimulus measures are really only intended to overcome the immediate consequences of Covid, as they consist mainly of investments in energy and the digital transition.

The answers to these legal questions with serious consequences for the Union are now in the hands of the German Constitutional Court.

A date has not yet been set for the decision of the German Constitutional Court. But one thing is sure, this obstacle is slowing down the implementation of the European recovery plan and of the first payments, which were not already planned by summer. And which Europe, mired in an economic and health crisis, would need as soon as possible.

In the post-pandemic period, two elements are vital for the relaunch of the Romanian economy: first, the increasingly active participation with an increase in competitiveness on the world and European market by attracting foreign capital for investments, job creation and access to specific modern technologies needed for phase 4.0 of the industrial revolution; secondly, the rapid and efficient attraction of European funds through the National Recovery and Resilience Plan.

Without these two structural and financial inputs, Romania cannot cope with the crisis without an even more dangerous increase in the debt ratio.

The position of the country in the Black Sea conflict area and the delay or even loss of PNRR funds can trigger a much stronger crisis than the one generated by the pandemic.

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# FORECASTS OF ECONOMIC RECOVERY IN THE POST-PANDEMIC PERIOD

**Colonel Professor Doina MUREŞAN, Ph.D.**[562]

***Abstract:*** *The globalized system brings with it global problems, solvable through solutions applied worldwide, with the involvement of global and regional actors. The COVID-19 pandemic that humanity has gone through has led to an integrative process of managerial policies and practices, through which competing states, and not only, that have so far developed on the idea of adversity, have become functionally compatible. This proves that the fundamental advantage at the end of the global pandemic can be determined, which is the ability of organizations to generate models, solutions and directions relevant to overcoming crises.*
*Organizations have had to respond to a sudden, unforeseen crisis, the rapidly changing nature of which shows that organizational readiness depends on the ability to make use of human strengths, such as decision-making and adaptability, not just during a one-time crisis, but on a regular basis. It means constantly cultivating resilience, courage, judgment and flexibility to navigate a dynamic reality.*
***Keywords:*** *digital economy, pandemic crisis, economic recovery.*

## INTRODUCTION

We can say that there is no way to accurately calculate a figure that indicates the damage caused by the SARS CoV-2 virus in the global economy, because it covers all political, economic and social areas. However, there was a major negative impact especially on national economies, distinct economic branches such as tourism[563], passenger and freight transport, regression in energy markets which led to a major decline in crude oil prices. Thus, on February 8, 2021, the OPEC basket amounted to US $ 59.58 per barrel, compared to US $ 60.56 for Brent oil and US $ 57.97 for WTI oil[564]. Also, the global automotive industry is quite affected by the outbreak of COVID-19 in all major markets and experts believe that in the worst case, the gross value added of the industry decreased by 10.6% in 2020.[565]

Early estimates assumed that most major economies will lose at least 2.9 percent of their gross domestic product (GDP) in 2020. This forecast has now

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[562] Head of the National Defence College, Bucharest.
[563] Revenue figures for the travel and tourism industry are from the following segments: cruises, hotels, vacation packages and vacation rentals.
[564] Brent oil in Europe, WTI oil in the USA and the OPEC benchmark are three of the most important benchmarks used by traders as a reference for oil and petrol prices.
[565] Economy & Politics›Economy, Impact of the coronavirus pandemic on the global economy - Statistics & Facts, Published by M. Szmigiera, Jun 11, 2021, https://www.statista.com/topics/6139/covid-19-impact-on-the-global-economy/ accesat la 21.06.2021.

been updated to a loss of 4.5 percent of global GDP[566]. However, there are branches of the global economy that have grown and are compensating for the aforementioned damage, and we can call here e-commerce and online activities such as working from home, retailing food. Of course, the medical field cannot be excluded, which, in addition to its decisive role in preventing the spread of the pandemic, has had considerable economic growth. To this we add IT solution providers that have also increased their market shares.

Eventually the crisis may end and all restrictions will be lifted, a situation that could allow the global economy to experience a sharp return to the level and characteristics of what it was in 2019. But, as we shall see below, there are many variables that could affect such an economic recovery.

### CURRENT FEATURES

Globalization imposes new concepts and actions - phenomena such as "digital divide", "digital inequality", "ethnic divide" - and the changes registered lead to the rapid development of the electronics industry, IT&C and to the construction of virtual activities and structures. We are talking here about a new type of office, a team formed mainly virtually, an organization that develops new relationships with employees and operates with other rules and principles (e-commerce, e-banking, e-government, Internet-shopping, e-education, Intranet-Internet, etc.), a different type of work and profitable virtual business. The world, as we know it, is no longer the same and one of the fundamental factors is the digital transformation. The global economy is going through such a transformation right now and it is happening at a dizzying speed.

The digital economy is taking shape and undermining conventional notions of how business is structured, how companies interact, and how consumers get services, information, and goods. Professor Walter Brenner of the University of St. Gallen from Switzerland states: "Aggressive use of data transforms business models, facilitates new products and services, creates new processes, generates greater utility and introduces a new management culture." As an example, "Uber, the largest taxi company in the world, does not own vehicles. Facebook, the world's most popular media owner, does not create content. Alibaba, the most valuable retailer, has no inventory. And Airbnb, the world's largest hosting provider, doesn't own any real estate... Something interesting is happening.[567]"

Now that the physical workplace has changed (tele shuttle, virtual office, tele-work, etc.) we all expect the emergence of a new, flexible, global enterprise

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[566] Economy & Politics›Economy, Impact of the coronavirus pandemic on the global economy - Statistics & Facts, Published by M. Szmigiera, Jun 11, 2021, https://www.statista.com/topics/6139/covid-19-impact-on-the-global-economy/ accesat la 21.06.2021. To put this number into perspective, global GDP has been estimated at approx. 87.55 trillion US dollars in 2019 - which means that a 4.5% decrease in economic growth results in the loss of economic production of almost 3.94 trillion US dollars.

[567] TechCrunch, an online magazine reporting on technology opinions, news, and analysis, https://www.crunchbase.com/organization/techcrunch, accessed at 20.06.2021.

that carries out e-activities (virtual community, tele-centers, cyber- marketing, tele-Education, tele-Shopping, tele-Medicine), online transactions, software-firmware products, generalizable computer program products. The digital economy contains different types of integrated systems at different levels (company, local, county, departmental, national, continental, global), of which the significant ones are national networks of computerized services, e-Conference, "Cyber Centers", data funds and digital libraries, information dissemination computer services, multimedia access centers, modernization of management processes. This society needs human resources ready to manage a dynamic ecosystem and enable next-generation digital businesses that are proving to be efficient, even when distributed in different places and time zones. This foreshadows the future of work and, why not, of education.

The 2020 pandemic has accelerated this transition in some respects, at least in the short term, and has also shown the need for organizations to take a more open and interactive path for long-term digital activities and for the adaptation of workforce to this new evolution. This proves that we are on the threshold of an era in which everything can be connected - people, companies, devices and processes, the physical and digital worlds.

"Work, labor and jobs respond to the development of technology at an exponential rate. Therefore, a strategy is needed to reformulate the aspects related to labor management - recruitment, employment, training, reward, knowledge level and employment relationships - which leads to a reconsideration of the human resources function from a support function as delimited so far to a structure that drives the digital transformations of the workforce in organizations.[568]" The basic principle specific to the digital economy emphasizes the generally valid principles of the development of the economy: accessibility, availability, persuasion, adequacy and the existence of human resources. All these transformations are based on the production and further sale of goods to be traded through the stated systems.

**ECONOMIC RECOVERY**

Economists are now analyzing the changes that have taken place in the global economy during 2020 and predict possible recovery patterns following the reduction and cessation of restrictions. A first option is considered to be the V-shaped recovery which involves a rapid return to the economic normalcy before the pandemic once all restrictions are lifted. Of course, it is a possible option, but given the directions already implemented by companies to manage the crisis,

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[568]Adrian Mamo - Senior Manager, leads the Human Capital service line at Deloitte Consulting., The social enterprise in a world disrupted. 2021 DELOITTE GLOBAL HUMAN CAPITAL TRENDS, https://ilanz.org/resources/in-house-insider-articles/deloitte-global-human-capital-trends-2021-the-social-enterprise-in-a-world-disrupted/ accesat la 20.06.2021.

security measures, closed borders and fear, we believe that the world will not return so quickly and linearly to the economic scenario before the pandemic.

Dhara Ranasinghe, Ritvik Carvalho (2020) explained that the V-shaped recovery model is the best result. Similarly, a rapid recovery is accompanied by a collapse in production. "The April-June GDP contraction will likely be on a scale not seen for decades. But fiscal and monetary stimulus - over $10 trillion and counting - could aid an equally swift rebound..[569]"

A second option is the U-shaped economic recovery which envisages a slower return to the economic process that took place before the pandemic because this crisis has not yet ended and both its development and the state of economy prior to the beginning of this recovery are unpredictable. It is based on the theory of progressive opening with a different situation from the one before the appearance of the coronavirus. Ranashighe and Carvalho (2020) argued that "because economies have suffered a faster and deeper contraction than in 2008-09, this may be the likeliest outcome.[570]" However, there are also experts who warn that the impact of the blockades will last for a while after they are lifted. Accroding to Brzeski, "looking beyond the pace of the immediate recovery, sustainable growth seems to be more dependent on digitalisation due to the crisis. This means that countries that have an edge in terms of digitalisation are even more likely to have a stronger structural growth path."[571].
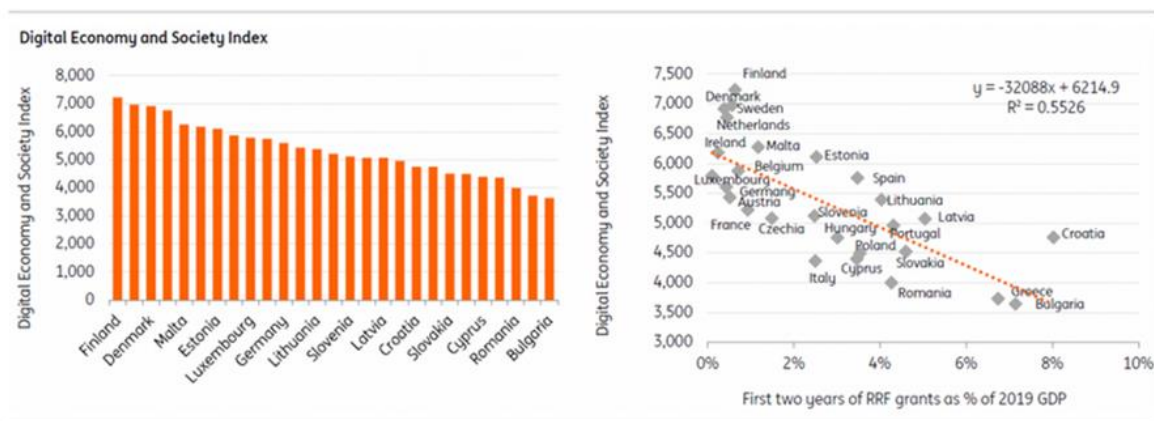


**Figure 1:** Digital Economy and Society Index[572]

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[569] Dhrara Ranasinghe, Ritvik Carvalho, (2020)"Alphabet soup: How will post-virus economic recovery shape up?" Accessed on June 1,2020. Available at: https://uk.reuters.com/article/uk-health-coronavirus-economy-graphic/alphabet-soup-how-will-post-virus-economic-recovery-shape-up-idUKKCN21R25J?il=0

[570] Dhrara Ranasinghe, Ritvik Carvalho, (2020)"Alphabet soup: How will post-virus economic recovery shape up? "Accessed on June 1,2020. Available at: https://uk.reuters.com/article/uk-health-coronavirus-economy-graphic/alphabet-soup-how-will-post-virus-economic-recovery-shape-up-idUKKCN21R25J?il=0.

[571] Carsten Brzeski: The eurozone in 2021/ 17 November 2020, Available at https://think.ing.com/articles/global-macro-outlook-eurozone-digital-fiscal-and-monetary-changes

[572] https://think.ing.com/uploads/charts/_w1200/Digitalization.PNG, accessed on June 1, 2020.

It should also be noted that there is an advantage in Europe - the Recovery and Resilience Fund, which involves investing in digitalization as a requirement for disbursement of grants. Investing in the digital economy could be a game-changer in 2021.

We should also pay attention to the variant of W-shaped or double recovery, which has as a fundamental feature: the appearance of a new fall after a slight recovery and this will follow the evolution of the pandemic crisis in a scenario in which it returns. According to Ranasinghe and Carvalho (2020), " if the easing of lockdown restrictions initially boosts activity but the effects of unemployment and corporate bankruptcies then start to filter through".

Finally, the last variant is L-shaped, which means that the global economy will recover at a slow pace and will involve strong economic and social changes, specific to major economic collapses. Consequently, Ranasinghe and Carvalho explained: " L-shaped outcomes may be a risk for those emerging markets less able to engage big stimulus and often rely on commodity exports [573]".

The analysis refers to the global economy, knowing that the regional and national ones are strongly connected and interdependent with the global one.

## CONCLUSIONS

Accelerating digitization, as a requirement of the EU recovery and resilience plan, puts pressure on employment in this area. As far as industry is concerned, pressures are on supply chains - sales, rising prices and declining demand for goods.

The digital compass sets goals for achieving the EU's vision for the digital future. It uses the four points of the compass to identify the main goals to be achieved in the next decade: a digitally qualified population and highly qualified digital professionals, secure and substantial digital infrastructure, digital business transformation and digitalization of public sectors.

I emphasize that these directions will be valid only in the conditions of resumption of production and sale of material goods both by classical methods but especially by introducing robotics, artificial intelligence and digitization in the production process. Particular attention must be paid to the continuous correction and upgrading of the solutions adopted for overcoming the crisis.

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[573]Ibidem 9

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# SECTION IV:

# HISTORY

CHAIRS:
  Colonel Professor Doina MUREŞAN, Ph.D.
  Associate Professor Alba-Iulia Catrinel POPESCU, Ph.D.

# HMONG. THE SECRET ARMY

## George BIZADEA[574]

*Abstract: This article aims to analyze the role of the Hmong population in the Indochina conflict. US President Dwight D. Eisenhower considered Laos a buffer state according to the Dominion Theory and as such much more strategically important than Vietnam. To avoid the fall of Laos under communism and thus the spread of communism in the region, Eisenhower turned to the services of the C.I.A., because he could not intervene officially in Laos without violating the Geneva Convention.*
*Keywords: Indochina; Laos; Vietnam; war; United States of America; Hmong, Central Intelligence Agency.*

The first bomb was dropped from a flying machine in 1911. More precisely, in the Libyan desert area, a hand grenade was thrown from a biplane on an oasis without causing any damage or material damage. Just 34 years later, the United States dropped the Hiroshima bomb, which leveled an entire city, killing more than 100,000 people. Just 19 years after the Hiroshima disaster, the United States was launching a bombing campaign on Laos, which would prove to be the most violent in history. From 1964 to 1973, the United States dropped more than 2,000,000 tons of bombs on Laos (more than on Nazi Germany and Japan in World War II). According to military analysts, a bomb was dropped on Laos every 8 minutes for 9 years, making it the most bombed nation in history.[575]

After the end of the Second World War, global geopolitics took on a completely different dimension. We could observe in that period the radical transformation of the world chessboard and its evolution towards a world characterized by an ideological bipolarity. Thus, we could observe a current oriented towards independence, a current that spread rapidly in the colonial territories of Great Britain and France. The Southeast Asia area was no exception to this paradigm.[576]

After 1945 Ho Chi Minh along with three Laotian princes (Hoang Than Phetsarath, HT Souvanna Phouma, HT Souphanouvong) laid the foundations of a current national liberation, which was expected to include all Southeast Asian states. In their efforts to ensure the independence of Laos, a situation complicated

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[574] Mr. George Bizadea is manager and representative of the civil society.
[575] Martin Stuart, *Fox, History of Laos*, Cambridge University Press, 1997, p.132.
[576] Robert Kaplan, *Asia's Cauldron:The South China Sea and the End of a Stable Pacific*, Random House Trade, 2015.

by the diversity of existing ethnic groups in the country (over 50 ethnic groups), these three princes have created three political factions as follows;

- communist faction (pro-Vietnam and supported by the Soviet Union);
- neutralist faction (supported by the USA);
- conservative royalist faction (supported by the USA).[577]

To create a strong communist faction in Laos, Prince Souphanouvong joined the Indochinese Communist Movement. In 1950, Prince Souphanouvong organized the first congress of the Laotian Liberation Front (better known as Pathet Lao).

All of these power games inside Indochina have caused concern in Washington, fueling fears of North Americans as North Vietnamese troops enter Laos.

The country of the 1000 elephants, also called Laos, was declared a neutral state in 1954. On March 23, 1961, American President J.F. Kennedy said the security of Southeast Asia would be in jeopardy if Laos lost its neutrality. Officially, both Kennedy and Nikita Khrushchev stated that Laos should not become a theater of war.

In 1954 the ICC (International Control Commission) was established. This commission was tasked with monitoring compliance with Laos' neutrality under the Geneva Convention. The Laos commission delegation consisted of diplomats and military personnel from Poland, Canada, and India. In the beginning, the commission played an active role, until the moment when they found out about the massive movements of the troops belonging to North Vietnam on the territory of Laos. Trying to document this violation of the Geneva Convention, they traveled by air (helicopter) to the area and were attacked by Vietnamese troops, managing to escape at the last minute. Since then, the commission has not operated inside Laos, limiting itself to a sterile presence in the capital Vientiane.[578]

Moreover, the work of the commission was hampered by bureaucracy within it and later boycotted by the Polish delegation (they were playing the games of the Soviet Union and North Vietnam). NBC News journalist Ted Yates, who was in Vientiane at the time, described in a video report the situation in the capital, where he observed the presence of all three armies involved in the conflict (the communist army Pathet Lao, the neutralist army, and the royalist army), a bizarre mutual acceptance. Paraphrasing it, he said, "Alice in Wonderland fast feeling."

At the Geneva Convention of 23 July 1962, Laos's neutrality was reconfirmed. Among other things, the agreement stipulated that no foreign power was allowed to use the territory of Laos to attack any of the neighboring countries and forced the withdrawal of all foreign troops from its territory. Thus, in 1963, a

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[577] Lee Vang, Jaime Meyer, *Hmong! The CIA's Secret Army*, Great American History Theatre, 1999, p.45.
[578] Michael H. Hunt, *A Vietnam War Reader*, University of North Carolina Press, p.134.

government of national unity was formed and the United States officially withdrew its military advisers from Laos.

US President Dwight D. Eisenhower considered Laos a buffer state according to the Dominion Theory and as such much more strategically important than Vietnam. To avoid the fall of Laos under communism and thus the spread of communism in the region, Eisenhower turned to the services of the C.I.A., because he could not intervene officially in Laos without violating the Geneva Convention.[579]

The Agency tasked Bill Lair (James William Lair) with assessing the situation and creating a battle plan. Bill Lair, a CIA officer with extensive experience in the Indochina area who had successfully operated for more than ten years in Thailand, was given the mission to stop the Vietnamese and those in Pathet Lao in their attempt to turn Laos into a communist state. He came up with the idea of using the Hmong tribes (Hmong in translation = free people). The Hmong people seemed the right choice because it was a population oppressed by the Vietnamese and Pathet Lao. Originally from Mongolia, the Hmong (mountain people) tribes were ideal for guerrilla warfare. The military advisers of the C.I.A. were reintroduced to Laos under diplomatic immunity, under the disguise, as military attachés at the US embassy in Vientiane.

The leader of the Hmong people, General Vang Pao, a ruthless commander, saw an opportunity in the alliance with Bill Lair in his attempt to save the Hmong people from annihilation. General Vang Pao was a commander more than prepared for guerrilla warfare, with extensive military experience in theaters of operations, and a veteran of the French Army, with whom he had fought together against the Japanese invasion of World War II.

Thus, the most appropriate scenario to follow, under the name of "Operation Momentum", took shape. In the first phase of the operation, 1,000 Hmong fighters were armed with weapons from the World War II surplus. Knowing that from the moment of parachuting the weapons to the Vietnamese counterattack, attracted by them, Vang Pao has a respite of about four days, he set up with Bill Lair a lightning training program for the 1000 soldiers for only three days. Using Lair's tactics, the Hmong army was immediately successful against the North Vietnamese army. Fueled by these successes, US partners sent more and more weapons and advisers to the area, making it possible to arm more than 15,000 Hmong fighters in six months. In time, General Vang Pao's army numbered grew to 40,000 soldiers. Later Hmong fighters were equipped with artillery batteries, mortars, anti-tank weapons, and modern infantry weapons (M16, M60 etc). C.I.A. in addition to equipping the fighters with all the logistics needed to wage a war (weapons, ammunition, military equipment, medicine, food), also offered them a salary of $ 3 a month, even if they had not demanded payment.[580] Vang Pao being aware of

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[579] Tim Weiner, *O istorie a C.I.A.,* Editura Litera, București, 2019, p.252.
[580] https://www.cia.gov/readingroom/collection/vietnam-collection, accessed on June 1, 2020.

corruption in the Laotian army, insisted that the sums of money from the C.I.A. reach him directly; to make sure the money gets to his troops. The aggressiveness of the Hmong fighters was so great that the North Vietnamese army was forced to wage a counterinsurgency war.[581]

In addition to the Hmong fighters, C.I.A. also hired volunteer fighters (mercenaries) from Thailand (about 8000 people) to help the war effort.

The importance of creating a strong Hmong army in Laos had two main objectives:

1. Attempt to prevent Laos from falling under communism (countering Pathet Lao)

2. Disruption and destruction of the North Vietnam supply network to South Vietnam via Laos (an integral and indispensable part of the Ho Chi Minh Trail).[582]

James R. Lilley (US Ambassador to China in 1989), when he was CIA's deputy in Laos, said the political climate in Laos was deeply corrupt. Mr. Lilley said the massive US infusion of capital into Laos ($ 550 million), the influence of the political climate towards a democratic path, the attempt to create local elections, the creation of a constitution only increased the level of corruption, because, the country was not prepared for such radical changes, as there was no real political will and an adequate degree of popular understanding.[583]

In addition to supporting ground troops, Langley advisers quickly understood the need to create a Hmong air force to be able to provide CAS (close air support) to field fighters. As a result, they trained a group of Hmong aviators in Thailand, which they equipped with T-28 aircraft, giving rise to the Royal Lao Air Force (RLAF). Initially equipped with only 8 T28 aircraft, their number soon reaches 40 T28 aircraft. Hmong aviators were so dedicated to their cause those American instructors were impressed by their devotion and skills. In a short time, Hmong aviators reached the amazing performance of being able to perform an average of 8-11 missions a day. For their courage, Hmong pilots were rewarded with the US $ 1,500 a month, and in addition, they received $ 1.5 for each mission.[584] In 1964, CIA advisers along with USAF Brigadier General Harry C, Aderholt (Heinie Aderholt), commander of Special Air Operations in Southeast Asia, understood the strategic importance of flight controllers marking targets for Hmong aviation and soon after the FAC - Raven (Raven Forward Air Controller) body was created. These controllers were secretly recruited from the US Air Force where they resigned and were employed as civilian personnel, under false identities, to carry out FAC missions (locating and marking enemy targets). Of the 200 controllers, 23 died in Laos. Because they operated as civilian personnel, Raven's controllers in the case of capture were not under the protection of the

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[581] Lee Vang, Jaime Meyer, *op.cit,* pp.65-68.
[582] Davies Peter E, *Ho Chi Min Trail 1964-1973, Steel Tiger, Barrel Roll and the secret air wars in Vietnam and Laos,* Osprey Publishing, 2020, p.35.
[583] John Lewis Gaddis, *The Cold War- The Deals. The Spies. The Lies. The Truth*, Penguin Books Ltd, 2007, p.254.
[584] Lee Vang, Jaime Meyer, *op.cit.* p.71.

Geneva Convention on prisoners of war. In 1973, the FAC mission ended. According to Brigadier General Heinie Aderholt, the FAC mission and all the secret war in Laos blocked 10 Vietnamese divisions.

To keep the Laotian side of the Ho Chi Minh Trail functional, the North Vietnamese army increased its numbers to about 75,000 soldiers. Of these, 50,000 were used for the Ho Chi Minh Trail, and the remaining 25,000 were used alongside the Pathet Lao Army on offensive missions against the Hmong Army.

To support the Hmong Army's war effort, the C.I.A. was forced by circumstances to find viable solutions for its supply. Because this army operated in the mountainous areas of Laos, all the necessary equipment had to be brought by air. To maintain the strict secrecy of operations, the C.I.A. used 3 "private" airlines for 11 years, as a screen, as follows:

- Continental Air Service Inc (C.A.S.I.);
- BirdAir;
- Air America[585].

## "THE WORST THING BESIDES FLYING TO LAOS IS LANDING IN LAOS"

This popular saying among American pilots employed by the above-mentioned companies best paraphrases the state of mind in that period. These pilots were constantly exposed to the firing of enemy anti-aircraft artillery, being forced to fly in extreme weather conditions, slaloming through mountain ridges, and trying to land on makeshift runways from the ground under the firing of enemy mortars and infantry weapons. In most cases, they did not stop the aircraft engines, unloaded the cargo at the highest speed, and took off immediately. Another risk to which they were exposed was that of "unfriendly runways", sometimes finding out only after landing that the runways were in the hands of the enemy. The pilots came from the ranks of retired military pilots, the vast majority of World War II veterans. The average age of the pilots was 43 years. Despite the experience, many of them did not return home, the mortality rate is about 20%. Along with the risk came benefits, the salary of a pilot rising to a colossal value for that period (over 3000 USD / month).

Air America alone, as a case study, carries about 120,000 tons of cargo and more than 10,000 people a month. It performed about 900 flights a day and operated on about 400 runways. Air America uses large aircraft (C123, C130, DC-3 Dakota, etc.), small aircraft (Pilatus PC6, U-10D, etc.), and helicopters (UH1, Bell 47, etc.). The official annual spending budget, for Air America alone, was $ 11,000,000.

All this monumental war effort had as its main base, the airbase at Long Tieng (also known as the base at Long Chen or Spook Haven = spy paradise). The

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[585] John Lewis Gaddis, *op.cit*., p.175.

base code name was LS-20 (Lima Site 20). Large transport planes landed at this base. From here, war materials were loaded into smaller planes or helicopters and distributed to other bases. Excluding the other two airlines, the survival of more than 120,000 Hmong people depended on Air America alone. The Long Chen base was also used by T-28 aircraft belonging to the Laotian Air Force. Due to the special concentration of forces, Long Chen became the second urban agglomeration in Laos. Composed of Hmong fighters, their families, Thai mercenaries, American pilots, and spies. The Chen Chen base operated an average of 400 flights a day.[586]

Of similar importance to that of the LS-20 (Lima Site 20) for US military strategists was the LS-85 base (Lima Site 85), a vital base for the ROLLING THUNDER campaign (North Vietnam bombing campaign). Located on Phou Pha Thi Mountain, the secret base TACV (Tactical Air Navigation), codenamed LS-85 took shape in 1965 when construction began on radar installations and the necessary infrastructure. The technicians of this top-secret base were USAF (United States Air Force) soldiers detached from the SAC (Strategic Air Command), with false identities, disguised as Lockheed civilian contractors. The security of the American personnel and implicitly of the installations was ensured by elements of the Hmong army (about 1300 soldiers). Since 1967, thanks to the secret TACV LS-85 base, American aviation has been able to engage targets in North Vietnam day and night, in any weather. 20% of all North Vietnam bombing missions were directed from this base. Pathet Lao troops along with their Vietnamese allies launched numerous ground offenses without success.[587]

On January 12, 1968, two AN-2 biplanes belonging to the North Vietnamese air force bombed the base but without causing material damage or human casualties. Pilot Ted Moore and his co-pilot Ted Woods were flying near the base, onboard their UH-1B Huey helicopter, spotted the two enemy biplanes, and attacked them with the only weapon on board (one AK-47). They engaged one of the two enemy targets and managed to shoot it down, recording the first air victory in the history of a helicopter against a plane.

Plain of Jars, a magnificent place of great importance for the history of mankind. About 3,000 years old, this archeological site is considered to be one of the most important in Southeast Asia. After US Secretary of State Henry Kissinger authorized the bombing campaign on Laos, the Plain of Jars and the Ho Chi Minh Trail (the part that passed through Laos) became the most bombed areas in Laos. Following the data provided by, U.S. Department of Defense, U.S. airplanes carried out 520,000 bombing missions in Laos (peaking at 1,300 missions/month), making it the most bombed country in history per capita. The situation was so complicated that American planes that had bombing missions in North Vietnam

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[586] Lee Vang, Jaime Meyer, *op.cit.* p.74.
[587] Martin Stuart, *op.cit,* p.158.

and for various reasons could not drop bombs on the targets, were forced to drop the cargo on the Plain of Jars.

Until the retreat in 1975, the Hmong army, due to the losses suffered in so many years of war, had become composed mainly of children aged 11-12.

Two weeks after the fall of Saigon, in mid-May 1975, Pathet Lao took power in Laos. The CIA hastily evacuated the secret base of Long Chen (LS-20), taking with them 300 ethnic Hmong. The remaining few thousand were left behind and continued the fight with the communist regime Pathet Lao. In September 2008, 8,000 ethnics Hmongs were still in the armed struggle against the communist regime, the remnants of the CIA's secret army.[588]

After the war, Vang Pao left Laos and settled in the United States, where he became the leader of the Hmong community. Currently, 250,000 ethnic Hmong live in the United States.

The result of the CIA's secret war in Laos can be said to have been a negative one. Laos and Vietnam fell under the rule of communism. One-third of Laos's population perished in this terrible war. Even in 2021, its negative effects on Laos are obvious. Farmers cannot do mechanized farming because of unexploded bombs. Almost 50 years after the bombing stopped, about 150 people (especially children) are killed annually by unexploded ordnance. Experts estimate that 30% of aviation bombs dropped on Laos did not explode on impact (the most dangerous being cluster bombs).[589]

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[588] André Fontaine, *Istoria Războiului Rece,* Editura Militară, București, 1994, p.258.
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# COURTS MARTIAL AND THE CODE OF MILITARY JUSTICE OF THE ROMANIAN ARMY IN WORLD WAR ONE

**Colonel Liviu CORCIU**[590]

**Abstract:** *The century that passed over the memories of the Great War, as it was called in the era, should allow all of us, no matter what side we had chosen at that time, to think on all aspects of the day-by-day life in the frontline. And to admit as well, that not all the soldiers and officers who had taken part in, were heroes. They were normal people, with hearts and feelings, trapped in an abnormal environment, fighting for their side of "King and Country" against all destructive means of the industrial war. So, it was of great importance to maintain a proper discipline among those troops which were sent day after day in slaughter attacks. And for this reason, was used the military justice and the Code of military justice, named differently by country, but having the same role: to support the war effort. One of the supportive elements was the preemptive effect, the deterrence of any potential act of breaking the discipline. Equally counted the way this contribution came into effect.*

**Keywords:** *military justice; discipline; court martial; world war; war effort.*

When referring to the relationship between military discipline and justice within the British army, British Manual of Military Law[591] stated: "The object of military law is to maintain discipline among the troops", definition depicting maintenance of discipline amongst troops as the primordial goal, whereas the proper justiciary act, about which there was no reference falling on the secondary place[592].

Besides every other definition of the term, the urgent need of assurance and maintenance of order and discipline in times of war, which was directly related to army combat capacity and inherently with every country's defense capacity, has caused legislative bodies from most belligerent countries, to adopt judicial norms, specifically coercive instruments, supporting the command act and often (much) too available.

Whether military regulations are involved or specific legislation adopted in critical situations, such as in Romanian legislation 2nd Additional Title to Code of military justice, there is a common feature, namely the harshness of punishments and treatments ready to be applied to those bold enough to cross the line.

Everything in an unhindered attempt of maintaining combat morale and

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[591] *Manual of Military Law (1914),* H.M. Stationery Office, Imperial House, Kingsway, London, 1914, p.6.

[592] Steven R. Welch, *Military justice*, https://encyclopedia.1914-1918-online.net/article/military_justice, accesed on 25.04.2021.

spirit, of discouraging any potential criminal acts, not only in the operational area, but also behind the front.

According to some authors[593], between August 1914 and March 1920, approximately 3000 militaries within the British Imperial Army had been sentenced to death by courts martial, especially for acts such as desertion, cowardice in front of the enemy, murder, espionage, rebellion, or hitting a superior rank. Although in 90% of cases, the sentences had been commuted to imprisonment or hard labor, over 300 of the sentenced had been confirmed, regardless of circumstances, the fact they voluntarily joined the army or that they were a couple of years' underages for soldiering.

In Great Britain, for instance, all the files concerning death sentences had been classified[594] ever since their enactment, and public access to the information contained within, restricted for 75 years, had been granted only in 1993. Subsequently, in 2006, all militaries of the armies belonging to the countries which had been part of the British Empire, and who had been sentenced to death and executed during World War One, were rehabilitated post-mortem as a redeeming measure.

In our country, according to annex 2 from *„Monografia Justiţiei Militare, în timpul războiului nostru"*[595] which we shall analyze in the 5th chapter of the current paper, death sentences had been confirmed in 101 cases, and had been applied to 4 officers, 2 sergeants, 9 corporals and 86 soldiers, according to the provisions of the same Code of military justice.

However, the amendments undergone by the Code of military justice had not been singular, but part of an entire legislative package regarding army, which proves prince Carol's constant preoccupation concerning the military institution, which was familiarized with[596].

Therefore, approximately in the same period, the following laws were passed: *The Law of armed power* (1872), through which an enhanced importance was given to the permanent army, *The Law regarding organization of military headquarters* (1882), *The Law regarding the General Staff* (1883), through which the main missions had been planned and which relied on the similar French law of 1880, considered to be the most modern of that time.

Certainly, the entire reign of Carol, but especially between 1871-1876 can be identified as the transformation of the Romanian army in a modern army when it comes to military organization, legislation, doctrine and strategy.

The Code of military justice is deemed as a step forward towards Romanian

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[593] Julian Putkowski, Julian Sykes, *Shot at Dawn, Executions in World War One by Authority of the British Army Act,* Pen &Sword Books Ltd, Barnsley, 2017, p.11.

[594] Anthony Babington, *For the sake of example. Capital courts martial, 1914-1920,* Penguin Books, London, 2002, foreword.

[595] *The Monography of the Military Justice, during World War One*, in Romanian National Military Archives, fond "Colecții Registre Istorice și Jurnale de Operații II", folder 330, ff.1-12.

[596] Liviu Corciu, *Codicele (Codul) de justiție militară și modificările sale în perioada premergătoare Războiului de Întregire,* in "Buletinul Universității Naționale de Apărare < Carol I >", no.1/2021, p.22.

modernization of military justice[597], being successively amended and completed in 1881, 1894, 1905, 1906, 1916, 1917, in accordance with social, economic, legislative changes, but also with the attempt of being up-to-date regarding the ever-changing reality of the battlefield, in the unrestful period Europe had been through at the end of 19th century and the beginning of the 20th century.

## 1. MILITARY JUSTICE IN ROMANIA, A BRIEF HISTORY

Even though the beginning of military justice in the Romanian Principalities, institutionally organized, stems from the Organic Regulations' period, courts martial are 20th century military justice specific structures, which existed only during the two World Wars Romania had been through, as well as after World War I had ended, in the areas, where, by law, besiegement had been declared.

The first and foremost references to military justice were comprised in chapter IX of The Organic Regulation of Wallachia, entitled "*Aşezământul ostăşesc pentru streaja pămîntenească a Valahiei*"[598], comprised in part IV "*Aşezământul judecătoresc şi disţiplinesc*"[599], which entailed 141 articles, grouped in two sections.

This valuable code of military laws entered into full force on January 1st 1832 until July 1852, when the Army Criminal Register was adopted, unified for both historical provinces during prince Alexandru Ioan Cuza's reign (1859-1866).

The Army Criminal Register had also an "*Supliment pentru starea de împresurare*"[600], inspired by the French, more exactly by *The Law of besiegement*[601] of July 10th, 1791, which was handling the instauration of besiegement status as a consequence to some disruptions or interruptions of means of communication, being the very first judicial norm, which approached this issue in our country.

The Code of military justice was adopted in 1873, during prince Carol's reign, which relied on the French code of military justice of 1857.

## 2. ABOUT THE CODE OF MILITARY JUSTICE

The legislative framework for the adoption of the Code of military justice had been created by the Constitution[602] of 1866, which paved the way for country modernization and army reorganization process, which was seen, according to military justice, as a fundamental institution of the military body.

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[597] Petrache Zidaru, *Tribunalele militare, un secol şi jumătate de jurisprudenţă (1852-2000),* Editura Univers Juridic, Bucureşti, 2006, p.34.
[598] The military settlement for the territorial land defense of Wallachia.
[599] The Judicial and Disciplinary Settlement.
[600] Addendum for besiegement.
[601] Floarea Şerban, *Starea de asediu, starea de urgenţă - regim juridic, doctrină, legislaţie, drept comparat*, Editura Militară, Bucureşti, 2005, p. 13.
[602] *Monitorul - Jurnal Oficial al României,* nr. 142/1/13th of June 1866.

The Code of military justice[603] was neither an original creation of the national law school, nor a sum of experiences generated by the participation of the young Romanian army to different military conflicts, but a copy[604] of the 1857 French Code of military justice, and entered into force in October, same year.

Since its adoption in 1873, the Code of military justice had undergone a series of legislative amendments successively adopted until 1916, the year Romania entered World War One.

The first amendment occurred in 1881, when 94 out of 270 articles had been essentially amended, and the Code of military justice had been republished, the articles being numerated differently, which determined some opinions according to which we might face a new code of military justice[605].

One of the most significant amendments of the Code of military justice was the provision that in times of war, the right to recourse may be suspended, measure implemented by the supreme army interest which, in those circumstances would have caused promptness and a tough repression[606]of any disciplinary crimes.

Besides, the suspension of the right to recourse under the High Royal Decree[607] no. 2930 of 16th/ 29th September 1916, had been considered one of the most important, and certainly, one of the most controversial measures adopted when it came to military justice It supposed that once the sentenced had been given, it was mandatory to be performed, inherently in cases of death sentence.

In 1884, the Code of military justice had been amended once more, being completed with the Special Code for the Navy, as a consequence for acquiring Dobruja after the Treaty of San Stefano, enshrined by the Treaty of Berlin (1878).

Attaining direct exit to the sea, as well as the development the commercial navy was undergoing, enlarging naval and fluvial borders to over 1000 km[608], were the main reasons which naturally led to the development of the Navy.

In 1894, under Law[609] no.1304/24th of March 1894, the First Additional Title was added to the Code of military justice and referred to the establishment of disciplinary councils within regiments.

The disciplinary councils were inspired by the Germans[610], did not correspond at all to the French model of the Code of military justice of 1873, and it was amended in a practical manner, seeking to relieve permanent councils of war, organized within large echelons, from judging misdemeanors, which were numerous within smaller echelons[611].

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[603] Law no. 828/5 April 1873, in Monitorul Oastei, no. 13/12 th of May 1873.

[604] Petrache Zidaru, *Tribunalele militare, un secol şi jumătate de jurisprudenţă (1852-2000)*, p.34.

[605] Dumitru Popescu, *Privire istorică asupra Justiţiei Militare din România,* Editura Militară, Bucureşti, 1977, p.70.

[606] Viorel Siserman, *Justiţia Militară în România.Tradiţie şi actualitate*, Editura Militară, Bucureşti, 2004, p.99.

[607] Monitorul Oficial, no.135/17th of September 1916, p.6266.

[608] *Istoria militară a poporului roman*, vol. V, Editura Militară, Bucureşti, 1988, p.97.

[609] Monitorul Oficial, no.290/25th of December 1894.

[610] Petrache Zidaru, *Tribunalele militare, un secol şi jumătate de jurisprudenţă (1852-2000)*, p.35.

[611] Dumitru Popescu, *Privire istorică asupra Justiţiei Militare din România,* p.72.

In 1905, the Code of military justice was amended once more, under Law[612] no. 2667/ 12th of April 1905, regarding establishment of disciplinary councils within Light Infantry Battalions and Navy, measure deemed as a redeeming act towards the two military entities with a strongly developed corps spirit and specifically distinguished among other troops.

These new amendments had been introduced due to constant increase of the number of these units within the army structure, as well as enhancement of their numbers, therefore, implicitly, there was an increase in indiscipline cases.

The latter significant amendment, according to our analysis criteria of the Code of military justice, occurred under Law[613] no. 1025, entitled: *"Law regarding amendment of articles: 26, 70, 99, 216, 237, 241 and 256 from the Code of military justice, of article 10 of additional title same code, and the addition in that code of article 224bis".*

In the new text, *"hard labor during limited time"* and *"confinement"*, punitive measures established in the old text for the act committed in the simple version, respectively, affected by aggravating circumstances, have been replaced by *"imprisonment"*.

## 3. CRIMES, DELICTS, AND PUNISHMENT IN THE ROMANIAN ARMY

In the Criminal Code[614] of 1864, which it has been in force since 1st of May 1865 until 17th of March 1936, the acts were classified in three categories: crimes, delicts and minor offences, and punishment comprised *hard labor*, *detainment*, *confinement* and *civic demotion* for crimes, and also *correctional imprisonment*, *withdrawal of some civilian, political and family rights*, as well as *fines* starting from 25 lei for delicts, respectively, *police imprisonment* and *fines* for minor offences.

The Code of military justice classified acts in two categories: crimes (when speaking about offences, a.m.) and delicts, and the punitive measures were *death sentence*, *hard labor*, *confinement*, *detainment* and *military demotion* for offences, respectively, *dismissal*, *public labor*, *imprisonment* and *fines* for delicts.

The way *hard labor* was performed, lifelong or for a certain period of time, was directed by art.10 and according to the Criminal Code, in salt or coal mines owned by the state or in penitentiary facilities, in a harsh working conditions and detainment, "chained", according to the law, meaning that it was mandatory for the culprit to be permanently chained and cuffed, including during the night.

Moreover, during the entire performance of the sentence, the condemned were not allowed by the judicial system to have access to their goods or properties

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[612] Monitorul Oficial, no. 12/1905.
[613] Monitorul Oficial, no.271/9th of March 1906.
[614] *The Criminal Code of Romania (1864),* published in "Monitorul Oficial", no.240/30th of October 1864; It was later amended in 1874, 1882, 1893, 1894 and 1895. See also: C. Hamangiu, *Codul general al României*, Editura Librăriei Leon Alcalay, București, 1907.

they used to own, and they were also subjected to "civic demotion" during this entire period.

*Civic demotion* was, generally speaking, an auxiliary punishment, but could be also pronounced as a main punishment, and entailed the dismissal and exclusion of the condemned from every public office, withdrawal of the right to vote, as well as the right to be employed within public educational institutions, or, more importantly, to serve the Romanian army.

In a descending order regarding importance, the next punishment applied by the Code of military justice for offences was *confinement*, regulated by article no.15 provisions and the following from the Criminal Code, which entailed that the condemned was to perform mandatory labor, which was less severe than hard labor.

He was to be locked in a "labor house" and was to be given certain tasks for which in return he would receive payment, which was to be divided between the state and the condemned. However, unlike the regime imposed for hard labor punishment, *confinement* allowed that half of payment be given to the condemned during serving of sentence, in order to enhance his stay, whilst the other half was to be granted upon release.

Similarly, to hard labor, upon confinement, the condemned was cuffed and devoid from all civil rights enlisted above.

The next is *detainment*, regulated by art.20 and the following from the Criminal Code, which did not impose labor as mandatory, the condemned although being detained was allowed to communicate with the outer world, without wearing attire specific to inmates and free to eat whatever he desired, depending on his income.

According to art.182 of the Code of military justice, *hard labor*, *confinement* or *detainment* were applied according to the Criminal Code and were invariably attached to the auxiliary punishment of military demotion.

Military demotion was not regulated by the Criminal Code of then, but by art.183 and art.184 of the Code of military justice, being known, at least in Wallachia ever since the reign of Neagoe Basarab, who, in his teachings towards his son, Teodosie[615], was talking about military demotion as a punishment *established for being drunk*.

As civic demotion, military demotion could be established also as auxiliary punishment, attached to the main punishment, save for death sentence, could be also main punishment, but, unlike the former, it took always place in front of the troop gathered "at arms", and obviously seeking, besides the spectacular show, public humiliation, sometimes right before former subordinates.

After the decision of the council of war had been read, the commander selected the condemned, speaking loudly: *"You're unworthy to bear the arms; In*

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[615] Gheorghe Cosneanu, *Magistratura militară, trecut prezent şi viitor*, Editura Centrului Tehnic Editorial al Armatei, Bucureşti, 2013, p.20.

*the name of the King, we are demoting you"* and all his military insignias and decorations were ripped off, and were he an officer, his sword would be broken, then tossed aside.

Military demotion ensued loss of rank, right to bear military insignias, decorations and uniform, as well as the absolute incapacity to serve the army, together with all incapacities provided under art.22 of the Criminal Code, previously presented for civic demotion. Above all these, the loss of right to pension followed as well as the right to benefit from any other means of payment for previous acts.

The first and foremost punishment established by the Code of military justice for delicts was *dismissal*, regulated under art.185, which ensued loss of rank or office, as well as the right of the condemned to wear uniform. According to this domain's jurisprudence[616], the dismissed officer could not attain any other reward for his previous services, not even pension, even though the sentence was not specifically mentioning[617] it.

## 4. LEGAL FRAMEWORK OF THE COURTS MARTIAL

Due to the fact that the Code of military justice was no longer responding to the requirements imposed by mobilization and war stance within the modern war context, ever since February 1916, during the office as premier and ministry of war of liberal Ion I.C. Brătianu, the Minister of War had adopted and submitted to the Parliament a bill, subsequently adopted under Law no. 3245 of December 21st 1916, regarding the repeal, amendments and addenda to be done to the Code of military justice in times of mobilization and war[618].

The amendment of the Code of military justice through which 2nd Additional Title had been added, was, probably one of the most important legal measures adopted back then, a document which judicially was fundamentally relying on elements regarding military psychology[619]. The entire special theory concerning military justice had been modified, taking into account to its enactment the requirements of urgent suppression of some facts, based on the principle stating that organization of military justice has a crucial role when strengthening and developing military discipline.

The adoption of 2nd Additional Title to Code of military justice caused the abolition of the institution of the disciplinary council, functioning within regiments, Light Infantry Battalions and warships, as well as of councils of war, functioning within army corps and divisions and replacing them with the courts martial, it has also extended territorial competences, as well as competences towards individuals which fell under its jurisdiction.

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[616] Decision no.279/1893 of the 2nd Section of the Cassation Court, published in „Dreptul", no.63/1893.
[617] Nicolae Homoriceanu, *Codul Justiţiei Militare adnotat, ediţia a II-a,* Tipografia profesională Dim. C. Ionescu, Bucureşti, 1916, p.144.
[618] *Monitorul Oficial*, no.224/28th of December 1916, pp.7529-7530.
[619] Petrache Zidaru, *Tribunalele militare, un secol şi jumătate de jurisprudenţă (1852-2000),* p.70.

An entire body of provisions had been added, adequate to the requirements of that time, which was named 2nd Additional Title in order to make a sound distinction with Additional Title I added to the Code of military justice in 1894, dealing with the establishment of disciplinary councils within regiments.

2nd Additional Title comprised five chapters, first four being dedicated to the new judicial institution established herein, whilst the fifth entailed aggravating circumstances of the acts incriminated by criminal law in times of war, as well as the punitive measures associated.

The adoption of 2nd Additional Title has created the legal framework of sanctioning new offences, such as treason, espionage, self-infliction of wounds, spreading panic, creating or spreading false news, etc.; and led to harsher punishments, seeking a swift and outstanding repression.

Therefore, these acts, which the Criminal Code, the Code of Military Justice, or other provisions of some special laws used to sanction by confinement, or lifelong hard labor or hard labor for a certain amount of time, could, in times of war, be sanctioned by capital punishment, depending on the gravity of the committed act and the circumstances of their commitment.

There were targeted acts such as those that could jeopardize state security, like *treason*, *espionage*, *instigation towards desertion and joining enemy forces*, as well as those that could jeopardize unfolding of military operations, such as *disobedience within conscripting or mobilization*, *desertion, etc.* For a clear picture, for this last deed, during the besiegement or wartime, the Code of Military Justice initially set up 2 up to 5 years imprisonment.

Within the same context, the initial provision regarding *self-infliction of wounds* had been modified, which was not previously provided under the Code of military justice, with all amendments and addenda made until Law no. 3245, but was introduced under 2nd Additional Title.

Since within parliamentary debates regarding Law no.3245, even the deputies had requested aggravation of punishment provided initially, considering it being *"a very grave act of shame"*[620], under art. 55, in times of war, the capital punishment had been provided both for self- infliction of wounds but also for the infliction of wounds affecting another military, with his own will, as well as for willing aggravation of one's own wounds or another military's.

So much for the court martial denomination, it was not inspired by the French army which kept the original institutional denomination - *conseil de guerre*- during the entire war, but rather by the British, in order to *"be more adequate when it comes to the capital sentences they may pronounce"*[621].

The institution differed from the old council of war by the way it was composed, by where it was functioning, by the individuals' subject to judgment,

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[620] Library of Defence Staff, III/0124/1, *Codul de justiție militară, cu modificările și adăugirile până la 15 septembrie 1917*, p.78.
[621] Library of Defence Staff, S.III 124, *Instrucțiuni în ce privește curțile marțiale*, p.164.

by the acts that were being judged and by the trial procedures.

The competence of the court martial had been originally assigned by the Code of Military Justice to the council of war, more exactly, according to art.51, it could judge any individual who had been recruited to the army, or was under any other kind of employment.

Under Law no.3245 the competences over individuals had been enhanced, having been added every individual serving the army in every way, under any circumstance, denomination and task, as well as the clerks, craftsmen and the entire personnel of every industrial or commercial settlement, commandeered by the army, or which had entered under the control of military authorities.

Courts martial also comprised those everyone who followed the army, as well as everyone who found themselves near army units under an authorization.

Chapter III from 2nd Additional Title, regulated in turn another newly-established judicial institution, namely the Superior Court of Military Justice, which replaced the old Permanent Council of Revision, and was deemed as unique for the entire army.

Unlike its successor, the new institution comprised two distinct entities, specifically similar, which in fact were fulfilling the role of the High Court of Cassation for all the judicial authorities of the military criminal courts: was judging the recourse to court martial decisions, were this right wasn`t suspended yet.

Also, the two Superior Courts of Military Justice had different competences regarding territoriality: the former was functioning in the vicinity of the General Headquarters being competent for the entire operational area, whilst the second was functioning in Iasi[622], being competent for the internal area.

Consequently, the appointment of the members of both superior courts were different; appointments for the one functioning in the vicinity of the General Headquarters were made by the King or by the Chief of the General Headquarters, whilst appointments for the one competent for the internal area were made by the head of the War Office.

Regarding the provisions of Chapter IV from 2nd Additional Title, concerning judiciary police, we need to emphasize that it was not regulating a new institution, such as in the other chapters, but it was just changing, in times of war, the competences regarding exertion of attributions of the military judiciary police. This term did not represent a structure within the army, such as the way it is today, for instance, or a distinct specialty, but an abstract institution, perceived concretely as legally empowered to judge ex officio some causes, crimes (offences) or delicts (minor offences).

According to provisions under art.77 of The Code of Military Justice, in times of peace, military judiciary police had the attribution to pursue crimes or delicts, to gather evidence and to facilitate the sending of the accused before the councils of war.

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[622] Based on *High Royal Decree*, no. 48/1917, in *Monitorul Oficial,* no. 235/10 January 1917, p.7598.

Modifications regarding attribution exertion by military judiciary police in times of mobilization or war were substantial. The new provisions were attributing the competence to distribute the certain authority to commanders of large units where the offence might have been committed, the fact might have been discovered or the culprit, accomplice or the one keeping the offence secret might have been caught.

The commander of the certain large unit had the right to delegate the exertion authority of military judiciary police attributions to lower echelons, royal commissioners and their substitutes, who in times of peace had exclusive attributions concerning flagrant delicts, to praetors, when being in a territory with no gendarmes or police chiefs, considered common law judiciary police officers, to garrison commanders and their subordinates.

Attributions of military judiciary police officers could be also exerted by a special delegate, assigned for the operational army by the Commander-in-Chief, who was the king himself, while, for the internal area, the special delegate had to be assigned by the head of War Office.

In the closing lines of 2nd Additional Title, Chapter V established aggrieving circumstances for the acts and punishments applicable in times of mobilization or war, enhancing their limits towards those provided in times of peace under the Criminal Code, including those concerning capital punishment.

Although harsh in wording, capital punishments had been rarely applied in the Romanian Principalities, last death sentence by hanging having been performed[623]in Moldavia in 1847.

In *Wallachia*, though appearing in 1850 in Barbu Ştirbey's Criminal Code, death sentence had been rarely used in practice maybe also due to lack of an executioner[624] and had been abolished once with the implementation of the Criminal Code of 1864 and repeated once again with the adoption of the 1866 Constitution, save for cases provided under the Code of military justice.

On the date when Romania joined the First World War, the Code of Military Justice was the only judicial norm within Romanian society which provided death penalty for not less than 24 military offences.

Within this context, capital punishment was perceived as an indispensable instrument, providing a swift solution and a guaranteed effect, unlike imprisonment which could have encouraged soldiers to commit disciplinary offences, only to escape the horrors of the front line. Article 181 of the Code of military justice provided*: "Every individual sentenced to death by a council of war, shall be shot"*[625], an important detail considering that from all the methods of performing this sentence, hanging was traditionally reserved to thieves[626].

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[623] Iulian Poenaru, *Pedeapsa cu moartea, <pro> sau <contra>?,* Editura Lumina Lex, Bucureşti, 1994, p.62.
[624] Iulian Poenaru*, op.cit.,* p.63.
[625] Nicolae Homoriceanu, *Codul Justiţiei Militare adnotat,* ediţia a II-a, Tipografia profesională Dim. C. Ionescu, Bucureşti, 1916, p.214.
[626] Dan Horia Mazilu, *Lege şi fărădelege în lumea românească veche*, Editura Polirom, Iaşi, 2006, p.513.

## 5. THE ACTIVITY OF THE MARTIAL COURTS IN ROMANIAN MILITARY IN WORLD WAR ONE

The activity of martial courts during 1916-1918 campaign was synthesized in: "The Monography of Military Justice, during World War One", previously mentioned, enacted by general Gheorghe Cereşeanu, the Chief of the Military Justice Service of the General Headquarters.

The paperwork had been submitted to the *Commission of war monographies* from 3rd Section, 3rd Historic Bureau of the General Staff, the predecessor of the actual Romanian National Military Archives, and is a highly valuable source comprising essential information regarding the stance of military discipline, military justice organization, and last but not least, the proportions of the military criminal phenomenon.

Based on the data recorded in the *Monography* annex, named *Statistical and Numerical Panel of Inmates sentenced by Courts martial and Councils of War in the vicinity of the operational army, during the 1916-1918 campaign, until June 1st 1918*, we may conclude that the most common offence punished by the Code of military justice during this period was *desertion*, with 2732 sentences having been pronounced[627].

Out of these, 282 sentences were given by the court martial of 6th Infantry Division, standing for 10,32% and most of the analyzed structures. Coming up next, in a descending order, 10th Infantry Division court martial with 250 sentences given, counting 9.15% and the court martial embedded to the General Headquarters, having given 223 sentences, which means 8.16%.

As far as can be noticed the sentences given by the three courts martial of the structures sum up 27.62% which is more than a quarter of the total sentences that had been given. According to the analysis of the evolution of the two divisions, we learn that both had been involved in battles ever since the beginning of the 1916 campaign, 6th Infantry Division battling near Sfântu Gheorghe and Brasov, and subsequently in Mărăşti, whilst 10th Infantry Division had participated in the battles of Mărăşeşti.

As far as the other analyzed offence is being concerned, *desertion to enemy* and *capitulation*, we need to specify that this criterion can be found inserted within the Statistical Panel, being in fact a sum of two offences condemned by the Code of Military Justice: *desertion to enemy*, provided under art.232, respectively, *capitulation*, provided under art. 202 and art. 203, Code of Military Justice.

1592 sentences had been registered[628], as being pronounced for desertion to enemy and capitulation, of which the most, 296 were given by the court martial of 15th Infantry Division, counting as 18.59%. Coming up next in descending order is court martial of 12th Infantry Division, with 190 sentences, counting as 11.93% and court martial of 5th Infantry Division, with 127 sentences, counting as 7.97%.

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[627] Romanian Miltary National Archives, fond "Colecții Registre Istorice şi Jurnale de Operații II", dosar 330, f.7.
[628] Romanian Miltary National Archives.

Although the sentences pronounced by the courts martial of the three structures equal 38.40%, which is more than a third of the total number of sentences for these acts, this percentage can't be found when it comes to death sentences followed up by performance, pronounced for the same act, by the same courts martial.

Within this context, we need to emphasize the fact that art.202, art.203, and art. 232 under The Code of Military Justice which regulated these established a single punishment, the capital one.

Returning to the percentage of sentences given for desertion to enemy, respectively capitulation, offences sanctioned, as we mentioned, by capital punishment, the number of sentences followed by their performance is substantially lower.

Therefore, the court martial embedded to the General Headquarters pronounced two sentences followed by executions, the Martial Court of 10th Infantry Division pronounced one sentence followed by its execution, whereas court martial of 6th Infantry division pronounced none. Calculating the sentences pronounced for desertion from the three structures, the result is 775 sentences, out of which four had been performed, which is 0.31%.

A possible explanation may be that most of these sentences had been pronounced within contumacy, after the guilty person had already deserted to the enemy, and this assertion was in fact the least the military authorities could do.

We found this practice in the documents concerning 6th Infantry Division, which recorded in *"The Operational Log"* that on March 29th 1917, within the first meeting since its establishment, the court martial has judged in contumacy 13 Romanian militaries and 39 Jewish militaries, for *desertion to the enemy* and *abandonment of their posts*, ensuing that after cessation of war the cases were to be judged one more time *"when those sentenced to death would be able to prove innocent through documents and testimonials"*[629].

The regulation concerning re-judgment had been introduced under Law no. 3245 of 21st of December 1916, regarding suppressions, amendments and addenda to be done to the Code of Military Justice in times of mobilization and war[630], which added 2nd Additional Title to the Code of Military Justice. Moreover, 2nd Additional Title tried to solve the issue of Romanian soldiers fallen as POWs, establishing the courts martial had the competence to judge them after cessation of hostilities, when previously to capitulation they could have committed an act incriminated by criminal law.

It's worth mentioning that, under the provisions of the Royal High Decree[631]no. 783 of March 5th/18th 1918 for the application of art. 65 of 2nd

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[629] Horia Dumitrescu (coord.), *Divizia a VI-a Infanterie, jurnal de operaţiuni*, vol.I (14 august 1916-14 mai 1918), Editura Pallas, Focşani, 2017, p.297.
[630] Monitorul Oficial, nr.224/28 December 1916, pp.7529-7530.
[631] Monitorul Oastei, partea regulamentară, no.70/9 April 1918, pp.167-170.

Additional Title of the Code of Military Justice, regarding verification of causes of surrendering to enemy of those retrieved from captivity, after peace had been declared, classification commissions were created, one for each army corps.

For generals, these commissions comprised the commander of the army corps and the two subordinated division commanders, whilst, for those who at the moment they had been captured were brigade, troop corps commanders or service chiefs, no matter their rank was, the commission comprised the division commander and two of the brigade commanders, for officers returning from captivity ranked until colonel, whilst for lower ranks verification of causes was made by the chief of the corps they were part of.

To those guilty for acts committed in times of mobilization or war, punishments during war were applied, save for death penalty, which was switched to lifelong hard labor.

Another offence analyzed is *abandonment of post* for which 239 sentences had been pronounced[632], out of which the most, 48, had been pronounced by the court martial of 15th Infantry Division, summing up 20%. Coming up next, in descending order is the court martial of 10th Infantry Division, 22, summing up 9.2% and the council of war and court martial of Army I, with 22, respectively 16 sentences, together summing up 15.8%.

Adding up the sentences pronounced for abandonment of post of the three structures, the result is a total of 108 sentences, which is 45.18%, almost half of the total sentences pronounced for this act. Regulated under art.205 of the Code of military justice, the abandonment of post would have been sanctioned by capital punishment were to had been committed within the presence of the enemy, 28 militaries having been sentenced and executed[633], 2 officers and 26 troop members.

Therefore, as far as the two officers are concerned, their sentences had been pronounced by the council of war of 1st Army, respectively by the court martial of the 2nd Army, and regarding the troop members, generic denomination for lower ranks and non-commissioned officers, sentences had been pronounced, in a descending order, by the court martial of 7th Infantry Division, 12 sentences, council of war of 1st Army, 6 sentences, respectively council of war of 3rd Army Corps, 2 sentences.

Although sentences pronounced by the three structured add up to 45.34%, the percentage report cannot be found when it comes to death sentences followed by execution of the condemned, pronounced for the same act, by the same courts martial or councils of war. Adding up sentences regarding abandonment of post from the three structures, the result is a total of 108 sentences, from which 28 followed up as executions, which stands for 25.92%.

It's worth noticing that this is one of the highest percentages concerning the military offences analyzed so far, fact which may be interpreted as a reassuring

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[632] Romanian Military National Archives, fond "Colecții Registre Istorice și Jurnale de Operații II", dosar 330, f.7.
[633] Romanian Miltary National Archives, fond "Colecții Registre Istorice și Jurnale de Operații II", dosar 330, f.8.

measure of military authority, but also as an acknowledgement of the danger represented by the act itself.

Another remarkable aspect is that the most sentences pronounced for this act had been executed within the first part of the campaign, when military justice was instrumented by councils of war. As mentioned above, no later than January 1917, once with the adoption of Law no. 3245 of December 21st 1916, the legislative framework was modified, opportunity with which councils of war had been abolished and replaced by courts martial.

**CONCLUSIONS**

The adoption of coercive measures concerning military justice was not a perfect process. It was even a subject to enough criticism related to the analysis of the legal character of the so created military judiciary system, as well as the legislative steps adopted, most of them subsequently ratified by Parliament.

Other criticism concerns the way itself which military justice was done, following the courts of juror's model, the judges fulfilling the role of jurors and also the role of judges, as well as the fact that military court decisions were not grounded, aspect which could have concealed the arbitrary, removing any possibility of verification.

There has also been criticism regarding lack of judicial instruction of the personnel summoned to perform the act of justice, aspect as real as possible since no sooner than art.74 under The *Law about the promotion of army officers*[634], provided that they could be recruited only if they had an university degree in law, and, last but not least, regarding lack of experience and knowledge of law of the officers that had to defend the accused.

It's obvious that military justice during World War I had a prominent rigid character, and we must remind here that the General Headquarters, and not the Ministry of Justice, had to fulfill the measures provided under 2nd Additional Title, through which the courts martial were established[635].

This fact thus outlines one of the basic elements through which military justice had contributed to support the war effort, namely the dissuasive effect, of preventing any potential act of breaching military discipline[636].

This principle gained consistency towards the end of 1916, once with the worsening of the situation on the two fronts where the Romanian army was engaged and was poised at providing a corresponding climate for the leading and recovery of military combat capacity.

Although in the synthesis entitled *"The Monography of Military Justice during World War One"*, a lot of statistical data is provided in order to form an

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[634] "Monitorul Oastei", no.56/25th of December 1911.
[635] Dan Prisăcaru, Petre Otu, Marius Iorgulescu, (coord.), "Contribuția Armatei României și a elitelor la apărarea și recunoașterea internațională a Marii Uniri (1919-1920)", Editura Militară, București, 2020, p.417.
[636] Dan Prisăcaru, Petre Otu, Marius Iorgulescu, (coord.), "Contribuția Armatei României și a elitelor la apărarea și recunoașterea internațională a Marii Uniri (1919-1920)", Editura Militară, București, 2020, p.416.

opinion regarding the phenomenon of military justice between 1916-1918, the approach is not chronological, following phases, months or years, according to which the researcher may tell the evolution of the disciplinary phenomenon related to the military and political events on the Romanian front.

For instance, to be able to analyze the evolution of the phenomenon at the end of the 1916 campaign, before or after the military actions of 1917 or, for instance, how the proclamation from Răcăciuni influenced the disciplinary stance of the troops, when king Ferdinand bolstered the morale of the peasant-soldiers promising them the land at the cost of their blood.

However, we can conclude that the coercive measures applied by councils of war, and subsequently by courts martial, aimed to discourage any potential act of indiscipline, by any means at disposal.

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# US-ROMANIAN STRATEGIC PARTNERSHIP – PAST, PRESENT AND FUTURE

**Captain Alexandru CRISTIAN, Ph.D.**[637]

*Abstract: Based on 140 years of diplomatic relations made permanent and on almost 180 years of trade agreements, the US-Romanian relations evolved depending on the historical circumstances. Relations have grown stronger and more complex, to become permanent and eventually instrumentalized. The emergence of new diplomatic cooperation tools meant the professionalization and institutionalization of US-Romanian bilateral relations. July 11, 1997 – the launching date of the Strategic Partnership – is a historical turning point in the relations of the two countries, which has been beneficial for both stakeholders.*
*Keywords: Strategic Partnership; United States of America; Romania; bilateral relations; pillars; trust; loyalty; cooperation.*

## 1. EVOLUTION OF THE US-ROMANIAN BILATERAL RELATIONS – A BRIEF LOOK

Based on 140 years of diplomatic relations made permanent and on almost 180 years of trade agreements, the US-Romanian relations evolved depending on the historical circumstances.

We can state that both time and history left marks on the development of the US-American bilateral relations. These relations can be considered according to several periods in line with the historical circumstances of those times. Some chronological classification can highlight the historical trend of US-American relations.

The first or *early* period can be considered between 1843 and 1880. 1843 is the year when a first American commercial ship reached the Romanian harbor of Galați. Back in those times, the Unite States were undergoing territorial and economic spread to the fullest, while trade was a fundamental pillar in the progress of the American state. The conquest of the Rocky Mountains meant the rise of a new nation[638].

The second period can be placed between 1880 and 1940 – the period when the US-American relations got *official* and *expanded*. There are two years of utmost importance during this period: 1880, when the bilateral relations became official by appointing the first American diplomatic representative to Romania, and 1918, when the Romanian Legation was established in Washington D.C. We

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[638] Dumitru Vitcu, *Relațiile Româno-Americane timpurii*, Editura Albatros, București, 2000, pp.44-46.

must emphasize that during the World War One, Romania and the United States of America were allies without being bound by any official legal deed, such a treaty or a pact. We were *Allies without Alliance,* according to historian Ion Stanciu.

1940 marked the interruption of the bilateral relations because of the state of war. The relations were suspended until the communist regime reopened the Romanian legation in the United States and acknowledged communist Romania by appointing a diplomatic representative on 28 July 1947 – Rudolf E. Schoenfeld.

The third period (1947-1989) was marked by the most **significant challenges** for the bilateral relations. In 1964, both states upgraded their legations to be embassies. The relations between communist Romania and the United States were regarded as a paradox, a state in the shadow of Moscow having a normal, pretty good relation with the latter's great enemy. Both researchers called the 1967-1975 period an adultery in the communist family. Those years were symbolized by the outstanding activity carried out by Ambassador Corneliu Bogdan.[639]

After the fall of the communist regime, our country wanted to erase the past and took a big step towards the future, which seems to give realistic hopes to the Romanian population. We had a **historical chance** to join the Euro-Atlantic area. The 1995 Snagov Declaration was a historical milestone as all politicians federated around a national ideal, which is having the country accepted in the Euro-Atlantic area.

The period subsequent to the December 1989 revolution of the US-Romanian bilateral relations was marked by goals such as trust-winning and setting more effective cooperation. 1997 is a symbol for the Romanian foreign politics after 1989. The Strategic Partnership between the United States and Romania was signed on 11 July 1997. An event to mark the entire history of US-American bilateral relations. Our countries have been allies with no alliance, had complex relations during the communist era, but with the launch of this Strategic Partnership we officially became partners and established cooperation at various levels.

The Joint Declaration of the Strategic Partnership for the 21st century between Romania and the Unites States of America was signed on 13 September 2011. A legal binding document to cement the bilateral relation by undertaking cooperation fields between the two countries in the 21st century. Moreover, the Joint Statement of the Implementation of the Strategic Partnership for the 21st century between Romania and the United States was launched on 26 September 2016 in Washington D.C.

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[639] Mircea Răceanu, *O cronologie comentată a relațiilor româno-americane*, Editura Silex, Bucureşti, 2005, p.110.

US-Romanian relations have been evolving according to historical time. As unexpected as it is, full of uncertainty, history sometimes had (the first and last) word to say in these countries' bilateral relations.

## 2. THE EVOLUTION OF THE US-ROMANIAN STRATEGIC PARTNERSHIP

How can the Strategic Partnership be defined? A generic abstract definition would be that the partnership is a foreign politics deed, a paper of intent with no legal grounds as it is the case with treaties or pacts. A partnership is the intention of some states to strengthen bilateral relations in certain fields, which are provided in the document in most cases. The emergence of strategic partnerships is a factor rendering foreign politics more technical, like a niche document, provided a treaty is a broader and more general a strategic partnership based upon certain fields.

The Strategic Partnership emerged as a sequel to the Romanian foreign politics subsequent to 1989. We must state our country was the first Eastern-European country to sign the Peace Partnership on 26 January 1994.[640]

After the Madrid Statement and the US president Bill Clinton's visit which emphasized the emergence of the Strategic Partnership, the deputy Secretary of State of the United States, M. Grossman, established the fields of interest of the partnership the following year. [641]

From 1997 until 2011, the Strategic Partnership was characterized by the development and deepening of the bilateral relations. We divided this period into two because the Joint Statement on the Strategic Partnership is to be signed in 2011. Our country joined NATO in 2004.

The Strategic Partnership was developed around military cooperation, regional security cooperation, and developing joint mechanisms regarding non-conventional threats and risks. The Strategic Partnership also meant the emergence of new institutions and mechanisms in Romania. I mean the establishment of the National Anticorruption Prosecutor's Office (currently named the National Anticorruption Directorate), the establishment of the National Terrorism Prevention and Fighting System, the national authority of which is the Romanian Intelligence Service, according to the Law no. 535/2004. The Status of Force agreement or the Access Agreement was signed in 2005, allowing to settle American military contingents on the territory of the country. In 2006 Romania was the first East-European country to sign an agreement to receive an American

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[640] Alexandru Marian Crengăniş, *Parteneriatul Strategic România- S.U.A, scurt istoric şi evoluţie*, online https://www.casamariinegre.ro/studii/geopolitica/182/parteneriatul-strategic-romania-sua-scurt-istoric-si-evolutie, accessed on 10.05.2021, 11:30.

[641] See Nicolae Toboşaru, *Parteneriatul Strategic dintre România şi Statele Unite ale Americii, Fragmente de istorie în interviuri,* Editura Presa Universitară Clujeană, Cluj-Napoca, 2009.

military contingent on Romanian soil. Another bilateral agreement was the one in the field of international criminal justice.[642]

We also have to mention the Agreement concluded between Romania and the United States regarding the activities of the US forces sent on the territory of Romania, an agreement signed on 6 December 2005.[643]

A Partnership Committee for Strategic Partnership was also established during the years 1997-2011, a structure managed by the Ministry of Foreign Affairs and by the Department of State.

During the first years, the Partnership grew, but was not institutionalized and it was not marked by tight cooperation in other fields such as the economic, social, or economic one.[644]

The US democratic administration started in 2009 wished to revive the US strategic partnerships worldwide, and initiated talks to strengthen the Strategic Partnership between Romania and the United States. The geopolitical and geostrategic purpose was to locate an air defense system against ballistic missiles in Europe. Such purposes were determined by the worldwide war against terrorism, and by the momentum gained by the Russian Federation as a power. Geopolitics and geography brought both states even closer to each other.

## 3. THE JOINT STATEMENT ON THE US-ROMANIAN STRATEGIC PARTNERSHIP FOR THE 21ST CENTURY

The emergence of the Joint Statement was boosted by external objective historical factors and by the intrinsic American geopolitical thinking, besides Romania's need for strategic security. The statement arose around the willingness to develop some complex defense system against ballistic missiles in Eastern Europe.

Installing US contingents at the Mihail Kogălniceanu base in Constanța was the start of this complex military and security cooperation.

The Joint Statement was signed on 13 September, in 2011. This document has in view several goals to deepen bilateral cooperation.

The agreement signed by Romania and the United States to install a US defense system against ballistic missiles in Romania is a legal deed which helped build and render the military base in Deveselu, Olt county operational. This agreement, signed in 2016, was concluded for an unlimited period, and was followed by more technical agreements pertaining to military cooperation. The military base was built between 2011 and 2016, to become operational in 2016 as the Military Base no. 99 in Deveselu. The Base thus became a key stage in the

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[642] Alexandru Cristian, *Enciclopedia Relaţiilor Româno-Americane*, baza de date online, https://www.usro.ro/10-ani-de-la-declaratia-comuna-privind-parteneriatul-strategic-pentru-secolul-xxi-intre-romania-si-statele-unite-ale-americii/, accessed at 10.05.2021 11:35.

[643] *Ibidem.*

[644] Nicolae Toboşaru, *The Romanian-US Strategic Partnership: History and Geopolitical Importance*, Kindle Edition, Amazon, 2016, pp. 195-200.

development of the US anti-missile defense system on the European soil, called the European Phased Adaptive Approach.[645]

The military base in Deveselu was included in the N.A.T.O. Strategy on developing a defense system against ballistic missiles. This base, along with the facilities in Mihail Kogălniceanu, is a new fundamental pillar in preserving security in the Wider Black Sea Area. The Joint Statement also provides the establishment of a Task Force aimed at strengthening cooperation in fields such as economy, energetic security, the visa issue, and other social and economic matters.

The Joint Statement on Implementing the US-Romanian Strategic Partnership for the 21st century was signed on 26 September 2016 in Washington D.C. The new directions of action contemplated by the Romanian counterpart are developing some sound economic cooperation, and eliminating visas for Romanian citizens. As far as access to the Visa Waiver programme is concerned, the US expressed their support for Romania, yet the issue raised was developing an effective counterterrorism system at the national level, and reducing the refusal rate for providing visas for Romanian citizens. Such issues are not impossible to overcome.

The Strategic Partnership is one of the three pillars of the foreign policy of our country, as well as its status of European Union and NATO member. The Strategic Partnership is an effective foreign politics tool, which is sustainable and aimed towards a crucial, important field, i.e. the military and national security dimension of both states. Because the Strategic Partnership strengthens, at various levels, the national security of Romania and of the Unite States. More than two decades of military and security cooperation have passed, which made our bilateral relation stronger, but it should be taken to the next level. Institutionalizing the Strategic Partnership in a legal deed or a foreign politics tool must be seriously analyzed and taken into account.[646]

## 4. PILLARS OF STRATEGIC PARTNERSHIP –
## NEW DIMENSIONS OF COOPERATION

Throughout the human history, the nations have collaborated, cooperated, and collided. History books teach us the underlying mechanisms which allowed all this to happen. There are several answers, varying from resources to the thirst for power and influence.

The Romanian and the American nations were established on absolute, unattackable values, such as the wish to be free and to accomplish the fate of their nation. Of course, history, geography, social and cultural factors underlay

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[645] Cristian Alexandru, *Enciclopedia Relațiilor Româno-Americane*, https://www.usro.ro/10-ani-de-la-declaratia-comuna-privind-parteneriatul-strategic-pentru-secolul-xxi-intre-romania-si-statele-unite-ale-americii/, accessed at 10.05.2021 11:35.

[646] *The National Defense Strategy for the period 2020-24,* issued by the Presidential Administration, approved by the Supreme Council of National Defense on May 27, 2020, by the Parliament on July 1, 2020.

different, yet mostly similar evolution. As a matter of fact, any group of people wants to have an identity which evolves and turns into a people, and ultimately into a nation endowed with historical and meta-historical conscience.

The US-Romanian Strategic Partnership was a geopolitical time which deeply marked the evolution of both peoples, as well as that of Europe as a whole. Europe has always been related to the US; History is a witness in this respect. The shift occurring at that point meant so much for our nation, and it has an impact difficult to quantify at the present. The wish to be present in a universe only known from written documents helped the American people dearly accept this basically geopolitical idea.

The 141-year bilateral relations (counting 117 years at that time, on 11 July 1997), have evolved and culminated in 1997. Due to this Partnership, our country was finally placed on the map of the democratic world. A country extremely well placed from a geographical standpoint, having significant resources, as well as a particularly interesting social dynamism.

For this Partnership to resist and to evolve towards institutionalization, by signing an alliance treaty it needs to rely on a few fundamental pillars. We identified three pillars difficult to measure and to evaluate, yet which underlie every human relation in general, and good relations between states in particular.[647]

**Trust**
**Loyalty**
**Cooperation**

**Trust** as a first definition means trusting someone's honesty, relying on someone, according to the Romanian Language Dictionary. In English, **trust** means believing that someone is good and honest to you, and does not hurt you, as the Cambridge dictionary of the English Language shows to us. Both states need to rely on each other and have mutually beneficial relations so that the purpose is reached in a holistic and fully realistic way. We must trust the US; the US must trust us. Any kind of relation between nations and countries falls apart without trust. Trust is the first step to build and strengthen any bond.

**Loyalty** is defined as the existence of sincerity in a relation. Being honest, telling what one believes, feels, and knows in all trust. In English, **loyalty** means being steady in one's friendship, and not changing this feature depending on other unpredictable events or other factors getting involved in one's direct relation. Any bilateral relation needs to be characterized by loyalty as well, which means a high level of friendship and trust. We need to be loyal to the United States, while the United States need to be loyal to us. Thus, we can overcome any challenge together, depending on the historical time. The pandemic gave us an important proof of loyalty when our two countries supported and helped each other.

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[647] Alexandru Cristian, *op.cit.*

**Cooperation** means working along – team work, both being grounded on the same values and norms, according to the Romanian Language Dictionary. **Cooperation** in English means acting or working together to reach a common goal or to help someone who requires this from one. Cooperation needs to be sincere, honest, and rely on trust and loyalty – the only way for the goal to be reached. In the US-Romanian Strategic Partnership, cooperation in the field of national security has been excellent, even outstanding. Cooperation must be also pursued in the economic, cultural, and scientific fields.[648]

These three pillars must be the starting point for strengthening the Strategic Partnership between Romania and the United States for it to get more in-depth, to be institutionalized, and turn into an alliance treaty between the two countries. Why do we need this Partnership and why do we need an alliance? History has already answered these questions: nobody can survive alone in this world. Any country needs to get closer to states sharing their own values.[649]

## 5. FROM PARTNERSHIP TO A STATEMENT, TO A TREATY? LOOKING TO THE FUTURE

Relations between countries evolve themselves alongside those of the nations. The evolution of the bilateral US-Romanian relations shows us that we can have excellent relations without formalizing such relations as official legal deeds.

Cooperation in the field of intelligence, as well as terrorism, was extremely beneficial to our country and it was another solid pillar of the Strategic Partnership. It is necessary to enlarge the Strategic Partnership to other fields of cooperation (economic, cultural, scientific, and social) to develop our country and enhance its strategic capacity. It is also core to strengthening the national security of our country, and to designing some steady climate in the Enlarged Black Sea Area, named the Enlarged Black Sea Region by other authors.

We have had trading agreements, we set our bilateral relations on a permanent route, we have been allies without an alliance (according to Ion Stanciu's definition) during the First World War[650], we had smooth relations during the communist era, and everything reached a peak with the Strategic Partnership. Subsequent to the Strategic Partnership was signed the Joint Statement, which made our Partnership even stronger. The historical event rationale shows us we are heading towards another stage of our cooperation, i.e. that of formalizing and institutionalizing the Strategic Partnership. At the present, almost a quarter of a century later, and a decade after the Joint Statement, I strongly believe the US-Romanian bilateral relations should take the form of negotiation, signing, and ratifying a treaty.

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[648] *Ibidem.*

[649] *Ibidem.*

[650] Ion Stanciu, *Aliaţi fără Alianţă*, Editura Cetatea de Scaun, Târgovişte, 2000.

A sound cooperation and alliance treaty between the US and Romania would be paramount for the good bilateral relations, as well as a persuasive message for our partners in the European Union and the North Atlantic Treaty Organization. While the Russian Federation developed A2AD (Anti-Access/Area Denial) mechanisms by building strong capabilities in the Black Sea, our country cannot respond but by making the US-Romanian bilateral relation stronger, and by respecting its commitments within the EU and N.A.T.O.

A cooperation and alliance treaty to formalize cooperation and exchange in fields such as education, research, ecology, tourism, and entrepreneurship, along excellent military and strategic relations between the two countries. Of course, it takes much time and effort to accomplish this, which in my opinion, is possible and is the outcome of the commitment of the entire administrative apparatus of our country, as well as by the US administration.

This is neither prognosis, nor a forecast. This is an analysis taking into account the event-related rationale of History which can be overturned by unpredictable events.



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# NICOLAE TITULESCU: THE LINK BETWEEN THE EUROPEAN SECURITY AND THE INTERNATIONAL SECURITY. THE HERITAGE OF A POLITICAL VISION AND CONSTRUCTION.

**Ambassador Professor Dumitru PREDA, Ph.D.**[651]

***Abstract:*** *The author evokes Nicolae Titulescu' personality, thought and actions in favor of strengthening the multilateral cooperation for peace and security during the interwar period. To him – a profound democratic and visionary spirit with a solid legal, philosophical, and political background, and a considerable international experience – the long-lasting Peace means nothing if not built on the only foundation suited to support it – Security. But in his view, security has always been closely linked to the manifestation of sovereignty of independent states and national identity. In  conclusion, Titulescu's political stance, his remarkable diplomatic work aiming at setting up a solid European and international security system able to deter the aggressor, bring peace and raise trust among nations, continue to be a stimulative example and an appeal still valid in its fundamental nature for the necessary and constructive steps to be taken in order to give meaning and continuity to our lives in the Third Millennium when we have to face so many crucial existential challenges.*
***Keywords:*** *Nicolae Titulescu, Romania, Europe, Great Powers, Latin America, League of Nations, peace, European and International Security, alliances, The Little Entente, The Balkan Pact.*

„TI-TU-LES-CU! The four syllables of his sonorous name filled up the diplomatic history after the War (the Great War) – that is what Raymond Carter, a famous journalist, wrote in *L'Époque*, on June 6, 1939. He added: *"He was also one of Romania's greatest men, one of the Little Entente's greatest men, one of Geneva's greatest men* [the League of Nations] *and, to sum it up, one of Europe's greatest men. Ten times minster, eight of them as minister of Foreign Affairs. He had a tenure of ten years of ambassadorship* [Plenipotentiary Ministry] *in London but continued to be the inspiration, the engine of the Romanian diplomacy. He was the most brilliant and dynamic one of all who wanted to build a new Europe,*

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*based on the equity of powers and the respect of treaties* […] *Openly admired and overly criticized, he was in the eye of the hurricane, of the battle…"*[652].

There is no doubt that the prominent personality of this Statesmen and Politician – who passed away 80 years ago – his vast political al diplomatic work caught the interest of his contemporaries and continues to be a model and an inspiration for the current and future generations[653]. That is why, despite the passage of time, more and more studies, books, or collections of documents pertaining to his work are still being published. They highlight the facts and the features of a prodigious activity, his personal and impressive style always put in the service of his Country and his people's needs.

His admirable and consistent views on peace and security policy in Europe and in the world, on the necessity of economic and intellectual cooperation in favor of the progress of humanity, but mostly his noble example of work and action for the defense of the independence and integrity of the Romanian unitary state (to whose consolidation he had contributed during the First World War and at the Paris Peace Conference in 1919-1920), his intuitive vision regarding Romania's integration in the European architecture but, at the same time, maintaining its distinct role and specific national identity, all these are authentic arguments that make the meaning of his complex work extremely actual[654].

*"I am Romanian, born of Romanian parents, raised in the spirit of the principles of Take Ionescu and Vintilă Brătianu* – wrote Titulescu in 1936, in a letter addressed, in his capacity of Minister of Foreign Affairs, to the President of

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[652] Cf. *Pro şi Contra Titulescu*, ed. George G. Potra, Editura Enciplopedică, Bucureşti, 2002, p. 87.

[653] Ion M. Oprea, *Nicolae Titulescu*, Editura Ştiinţifică, Bucharest, 1966; *Nicolae Titulescu. Discursuri*, ed. Robert Deutsch, Editura Ştiinţifică, Bucharest, 1967; Nicolae Titulescu, *Documente diplomatice*, ed. George Macovescu, Dinu C. Giurescu, Gheorghe Ploeşteanu, George G. Potra, Constantin I. Turcu, Editura Politică, Bucharest, 1967 (Second edition, coord. Dumitru Preda, Editura Fundaţiei Europene Titulescu, Bucharest, 2021); Ion Grecescu, *Nicolae Titulescu*, Editura Politică, Bucharest, 1980; Idem, *Nicolae Titulescu. Concepţie juridică şi diplomatică*, Editura Scrisul Românesc, Craiova, 1982; *Titulescu şi strategia păcii*, coord. Gheorghe Buzatu, Editura Junimea, Iaşi, 1982; Constantin I. Turcu, Ion Voicu, *Nicolae Titulescu în universul diplomaţiei păcii*, Editura Politică, Bucharest, 1984; Milan Vanku, *Nicolae Titulescu, promotor al politicii de pace şi colaborare în Balcani 1920-1936*, Editura Politică, Bucharest, 1986; Ion Grecescu, *Nicolae Titulescu. Documente confidenţiale*, Editura Academiei Române, Bucharest, 1992; Adrian Năstase, *Nicolae Titulescu, contemporanul nostru/Notre contemporain*, Editura Metropol, Bucharest, 1995 (Second edition reviewed, RA Monitorul Oficial, Bucharest, 2002; Ion Grecescu, Vasile Popa, *Gândirea juridico-diplomatică a lui Nicolae Titulescu*, Chişinău, 1997; George G. Potra, *Titulescu. Spre Ţara Dreptilor*, Slatina, 2001; Titulescu, *Un mare Român, un mare European, un mare Contemporan*, O restituire foto-documentară by George G. Potra, Cristina Păiuşan, Dumitru Preda; Foreword by Adrian Năstase, Fundaţia Europeană Titulescu, Bucharest, 2002; Nicolae Titulescu, *Opera politico-diplomatică (iulie 1927–iulie 1928)*, vol. I-II, ed. George G. Potra, Costică Prodan, Foreword by Adrian Năstase, Fundaţia Europeană Titulescu, Bucharest, 2003; Nicolae Titulescu, *Opera politico-diplomatică. Corespondenţă*, vol. I *(1921-1931)*, ed. George G. Potra, Foreword by Adrian Năstase, Fundaţia Europeană Titulescu, Bucharest, 2004; Nicolae Titulescu, *Opera politico-diplomatică (1 ianuarie 1937-31 decembrie 1937)*, I-III, ed. George G. Potra; Foreword by Adrian Năstase, Fundaţia Europeană Titulescu, Bucharest, 2007 Adrian Năstase, George G. Potra, *Titulescu – Ziditor de mari idealuri*, Fundaţia Europeană Titulescu, Bucharest, 2007; *Pro şi Contra Titulescu*, Second edition reviewed, ed. George G. Potra, vol. I-III, Fundaţia Europeană Titulescu, Bucharest, 2012; Nicolae Titulescu, *Opera politico-diplomatică. Corespondenţă (1920-1939)*, ed. George G. Potra, vol. II, Fundaţia Europeană Titulescu, Bucharest, 2013.

[654] See also the review "Perspective" (Titulescu European Foundation), nº 1 (3)/2021, coord. Dumitru Preda, number dedicated to Nicolae Titulescu.

the Council of Ministers, Gheorghe Tătărescu – *and therefore, to me, the Romanian nationalism is a creed I exercised abroad and inside my country. For this reason, I demand that no foreigner interfere in our domestic issues and the guiding lines of our national policy remain purely Romanian"*[655]. These were the key coordinates of his foreign policy.

His talent, his skills and his legal, political, and financial knowledge founded on a remarkable erudition and a practical experience he had acquired in extremely tensed international circumstances, his unmistakable eloquence, and his ability to manage different issues, his intelligence, his flexibility, and his courage based on a thorough groundwork and balanced decision making, Nicolae Titulescu knew how to use them all to defend the key interests of the Romanian State.

As a fine observer of the political, economic, social, and cultural evolutions of his time that he would pass through the filter of his insightful spirit and confident judgment so much acknowledged and appreciated by his contemporaries, his collaborators, or his opponents, Titulescu closely followed, between 1918-1920, the international developments, the stances and the reactions of the Great Powers after the Great War – either victorious or defeated – within the context of the changes that occurred in the new geopolitical European architecture and the world's balance of forces. This was a dynamic process generated by conflicting interests and obvious contradictions in the fight for resources and domination of large areas outside Europe, both being amplified – as historical analysis revealed later on – by a staggering narrow-mindedness of the Western governments in the face of the right-wing, fascist currents and revisionist actions, mostly in the 1930's. Preserving and consolidating balance (the *statu-quo* after 1920) and peace would become the central axis of Titulescu's political thought and assiduous political action. It was, in his view, the only way to preserve the unity of the national State that had been earned with the sacrifice of over a million Romanians, as the sole guarantee of the democratic development of the Romanian society.

Nicolae Titulescu proved, in accordance with this vision and without ignoring the lessons of history that had been so painful to Romanians or other small and medium size Powers, a realistic and pragmatic view[656]. By identifying

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[655] Nicolae Titulescu, *Politica externă a României/Romania's Foreign Policy/ (1937)*, ed. George G. Potra, Constantin I. Turcu, Ion M. Oprea, Editura Enciplopedică, Bucharest, 1994, p. 38. Cf. Idem, *La politique extérieure de la Roumanie (1937)*, IIᵉ édition, Foreword by Adrian Năstase, Editura Muzeul Literaturii Române, Bucharest, 2018, p. 36.

[656] Constantin Hlihor, *Nicolae Titulescu şi arhitectura de securitate a Europei. Între idealism wilsonian şi realism politic* [Nicolae Titulescu and the security architecture of Europe. Between Wilsonian idealism and political realism], in "Perspective", nº 1 (3)/2021, p. 73-98. In a conference held in the German Reichstag, on May 6, 1929 (*Die Dynamik des Friedens*), Titulescu stated that people are not only divided between realists and idealists, and that there is a third category, namely that of "idealistic producers, or more precisely, of the idealists who want, who try to achieve (*doers*)". (Full text in Nicolae Titulescu, *Discursuri* [Speeches], Editura Ştiinţifică, Bucharest, 1967, pp. 317-335; see also *Nicolae Titulescu. Pledoarii pentru pace* [Plea for peace], ed. George G. Potra, *Constantin* I. Turcu, Editura Enciplopedică, Bucharest, 1996, pp. 149-172; 174-200, in German).

the threats to his country, he undertook progressive actions to create a defensive system of alliances based on the international legal instruments of the Statute of the League of Nations from 1919: the Little Entente – the first regional organization created in 1920-1921 and reformed in 1933[657], the Balkan Pact from 1934, the Non-Aggression Pact from 1933 signed with the USSR etc. The same Titulescu would state: *"I never grounded Romania's security exclusively on the Pact of the League of Nations"*[658].

At the same time, by promoting and signing essential diplomatic documents which would strengthen Romania's status and relations with countries from other continents, he acted in favor of an active multilateral cooperation that would build trust and give hope to peace, security, and stability of international relations.

As the researchers of Nicolae Titulescu's political and diplomatic work emphasized, the Romanian Statesman and Diplomat always envisioned the situation and the destiny of his country as part of Europe, but he never made the distinction between Eastern and Western Europe, considering the Old Continent as a unitary space where Romanians and Romania must have a well-defined and respected place. When he understood the frailty of the peace treaties and the conflicting situations that occurred once they had been concluded, Titulescu broadened his action in favor of security and disarmament as pillars of peace beyond Europe, thereby establishing a direct link between Europe's and world's security.

He permanently aimed, from the rostrum of the League of Nations as Minister of Foreign Affairs, at implementing this vision by supporting regional initiatives not only in Europe, but on other continents as well[659]. Collective security meant, in his view, removing the force and the threat of recourse to force as "legal instrument" for the resolution of conflicts between states, as well as setting up those international legal instruments ensuring the respect of norms and principles of the international law among world's nations, regardless of their size or economic and military capabilities.

As he constantly used to stress out, the foreign policy he promoted was founded on collective security and undivided peace and aimed at "creating a united front of potential victims of an aggression against the united front of potential aggressors". It was an innovative and constructive approach in an unsettled world dominated by numerous contradictions and violent manifestations of militarism and fascism against the background of the world economic crisis (1929-1933). Besides his appeal in favor of a new model of security, he also drew the attention on the unequivocal responsibility of the Great Powers to identify ways and carry out concrete actions in favor of peace.

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[657] Nicolae Titulescu, *Documente diplomatice* [Diplomatic Documents], doc. 274 (pp. 474-483).
[658] Idem, *Discursuri* [Speeches], p. 537.
[659] George G. Potra, *Studiu introductiv* [Introductory study], in *Nicolae Titulescu. Pledoarii pentru pace* [Plea for peace], pp. 60-61.

*"Peace is an absolute necessity for the whole Europe"* – said the Romanian Minister of Foreign Affairs in an interview given to the press in Belgrade, after the Little Entente's reunion, in June 1928. *"This necessity is perfectly understood by all nations that are aware of the transformations caused by the war and its consequences; our imperative need is to always be prepared to resist a damaging situation to all of us, through a permanent work of reconstruction […] There cannot be a real peace* – he added – *without a complete trust, shared by everyone, in the stability of the existing agreements"*[660].

*"The treaties in force* – Titulescu also stated – *may seem imperfect to many. But even so, there should be no surprise because treaties are made by us, humans".* Stating that *"to us, the intangibility of borders is not a doctrine born out of national selfishness, unawareness or narrow-mindedness"*, he clearly pointed out: *"The intangibility of treaties is in the best interest of all, not in the specific interest of some, it is the* sine qua non *condition for peace safeguarding"*[661].

We would also like to note his metaphorical view pertaining to the aim of the Romanian-Yugoslav-Czechoslovakian alliance in international affairs and the strengthening of European security: *"I see The Little Entente as an embankment of a huge harbor […] The protected harbor is Europe and the sea whose stillness it is trying to maintain is Europe's peace"*[662].

Given the shifting *ratio* of the Peace-War equation, under the influence of the heterogenous social and political factors (such as the rise of Bolshevik and anarchic movements against the above-mentioned world economic crisis) and the more and more enhanced revisionist states' reactions after 1930, Nicolae Titulescu would demonstrate once again his geopolitical realism by initiating and subsequently signing the Balkan Pact (by Turkey, Yugoslavia, Greece and Romania) aiming at enhancing collective security and deterring threats in South-Eastern and Central Europe and in Eastern Mediterranean[663].

*"The idea that guide us, the creators of the Balkan Pact, is simple* – stated the Romanian Minister in his speech at the official dinner hosted by the Greek Government. *We are eager for peace. But I know that the real peace is based on trust and trust is based on stability. The first solid pillar a State is seeking out for, not out of selfishness but in the best interest of all, is the stability of its borders. […] The Athens Treaty is, above all, an action required by the survival instinct*

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[660] „Dimineața" [The Morning, Bucharest], June 17, 1928, in *Nicolae Titulescu. Opera politico-diplomatică, iulie 1927-iulie 1928* [Political and Diplomatic Work, July 1927-July 1928], Part II, doc. 350 (p. 890).
[661] *Ibidem.*
[662] *Ibidem* (p. 891). About alliance concerned, see the classic work of Eliza Campus, *Mica Înțelegere* [The Little Entente], Editura Științifică și Enciplopedică, Bucharest, 1968; Second edition, Editura Academiei Române, Bucharest, 1997.
[663] Cristian Popișteanu, *România și Antanta Balcanică* [Romania and the Balkan Entente], Editura Politică, Bucharest, 1968 (Second edition, 1971). Cf. Eliza Campus, *Înțelegerea Balcanică* [The Balkan Entente], Editura Academiei, Bucharest, 1972; see also Alexandru Oșca, *Managementul crizelor regionale. Modelul balcanic interbelic* [Regional Crisis Management. The interwar Balkan model], Editura AISM, Bucharest, 2003.

[…]*, a work of political realism in the service of peace* […]*, a work of justice respecting the rights of the others and inviting all interested parties in joining the legal framework designed by the signatory states* […]. *That is why we are ready to carry out, together with all those who will definitively and loyally acknowledge our borders, an extensive work of economic and political cooperation* […] *Security, good understanding, association, and integration, these are the four pillars of the temple we have built to peace today…"*[664].

Romania and Yugoslavia having joined the Little Entente, the collective security system consequently became considerably consolidated and extended which would cause annoyance to the group of the revisionist states (Germany, Italy, Hungary, and Bulgaria). Those would soon act to undermine the system[665].

Nicolae Titulescu had paid a special attention to the political developments in South and Central America and, both in Geneva at the League of Nations and as Minister of Foreign Affairs, he had showed a clear readiness to build relationships with the respective countries. He had a good communication and personal connections with important Latin American diplomats and jurists. He also inaugurated the first diplomatic missions in Brazil (1927), Argentina (1928), Mexico, Chile, and Uruguay (1935) and Venezuela (1936)[666]. In 1934, Nicolae Titulescu would initiate the process of accession of the Little Entente's member states to *The Anti-war Treaty of Non-aggression and Conciliation* (also known as *Saavedra Lamas Treaty*) signed in Rio de Janeiro a year before, on October 10, 1933[667]. In this respect, on December 12, 1934, he addressed a note to the Argentinian ambassador in Rome, José María Cantilo, in which "*he conditioned – as revealed by the cable sent to Bucharest two days later – the accession* […] *by the remaining in force, without any change, of the previous commitments, such as the Pact of the League of Nations, the alliance treaties ...* […]. **The Balkan Pact** – he concluded – **will send an identical note**"[668] (author's highlight).

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[664] Nicolae Titulescu, *Documente diplomatice* [Diplomatic Documents], doc. 307 (pp. 546-547).

[665] On the geo-political developments of these years, see at Eliza Campus, *Din politica externă a României* [From Romania's Foreign Policy] *1913-1947*, Editura Politică, Bucharest, 1980; Mihai Retegan, *În balanţa forţelor: alianţa militare româneşti interbelice* [In the balance of forces: interwar Romanian military alliances], Editura Semne, Bucharest, 1997, passim; Em. Bold, I. Ciupercă, *Europa în derivă* [Europe drifting] *(1918-1940). Din istoria relaţiilor internaţionale* [From the history of international relations], Casa Editorială Demiurg, Iaşi, 2001 (Second edition, 2010).

[666] Dr. Juan Mariátegui, *Ministrul de Externe român Nicolae Titulescu şi America Latină* [Romanian Foreign Minister Nicolae Titulescu and Latin America], in „Revista de ştiinţe juridice" [Journal of Legal Sciences], Craiova, nᵒˢ 1-2/2005, pp. 156-161; Doru Bratu, *Istoria relaţiilor României cu ţările Americii Latine* [History of Romania's relations with Latin American countries] *(1866-2000)*, Editura Fundaţiei România de Mâine, Bucharest, 2004, passim. Cf. Constantin Buşe, *Între Panama şi San Francisco. America Latină în lume* [Between Panama and San Francisco. Latin America in the world], Editura Ştiinţifică, Bucharest, 1991, pp. 334-335.

[667] The treaty, which supplemented the provisions of the Briand-Kellogg Pact of 1928, had been proposed by Carlos Saavedra Lamas, the Argentine Minister of Foreign Affairs (1932-1938), and was signed by the governments of Argentina, Brazil, the United States, Mexico, and Paraguay. Uruguay and Chile. The pact called for the organization of a permanent system of conciliation on the issue of international conflicts, leading to the prevention of war, and the aim was to broaden the foundations of cooperation in the peacekeeping effort between Latin American, European and American states.

[668] Nicolae Titulescu, *Documente diplomatice* [Diplomatic Documents], doc. 339 (pp. 589-590).

"The delegates from South America – would write down Titulescu in his book *Romania's Foreign Policy* – come to Geneva with an ideal, the collective security. Where the debates and the resolutions adopted in Geneva stop advancing, the South American countries fulfill the work of organizing the peace by concluding treaties tailored to suit their needs, such as *The Saavedra Lamas Treaty* and the Pan-American Pacts[669]. The presence of Latin-Americans to the League of Nations makes the organization universal"[670].

Evoking the personality and actions of Nicolae Titulescu in favor of strengthening the multilateral cooperation with the Latin-American states, Adrian Năstase, the young Romanian Minister of Foreign Affairs at that time stated, in a speech delivered on July 10, 1991, at the National Academy of Venezuela: "The accession of our country, along with 32 other states, to The Anti-war Treaty of Non-aggression and Conciliation Saavedra Lamas would have allowed – had the other America, from the North, joined it – a more courageous reaction from the Western democracies in the face of the aggressive forces, would have prevented the Second World War and imposed the core principles of Titulescu's political model: a complete establishment of the democratic rule of law at the national level and a full compliance with the international legal instruments"[671].

Nicolae Titulescu constantly condemned, along with his Latin-American colleagues, the aggressive actions from 1935 against the independence and the sovereignty of Abyssinia (Ethiopia), the occupation of the demilitarized zone of Rhineland in 1936, and later on, in 1937, Japan's aggression in China.

To him – a profound democratic and visionary spirit with a solid legal, philosophical, and political background, and a considerable international experience – **the long-lasting Peace** means nothing if not built on the only foundation suited to support it – **Security**. But in his view, security has always been closely linked to the manifestation of sovereignty of independent states and national identity: *"To envisage the abolition of sovereignty as a solution for long-lasting peace* – he noted in the well-known *Dictionnaire diplomatique* published by A.F. Frangulis – *means not only to envisage an impossible solution but also – if going down this road – to throw the world into chaos and anarchy* [...] *To envisage the abolition of the national identity as a solution for long-lasting peace is not only impossible, but it would deprive the human being of the very essence of its current individuality"*[672].

Titulescu's political stance, his remarkable diplomatic work aiming at setting up a solid European and international security system able to deter the

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[669] Reference to the *Treaty for the Elimination or Prevention of Conflicts between American States* (Gondra Treaty), signed at Santiago de Chile (May 3, 1923); The General Inter-American Arbitration Treaty, signed in Washington (January 5, 1929), as well as The General Convention on Inter-American Conciliation (Washington, January 5, 1929).
[670] Nicolae Titulescu, *Politica externă a României/Romania's Foreign Policy*, p. 204.
[671] Adrian Năstase, *Nicolae Titulescu. Contemporanul nostru* [Nicolae Titulescu. Our Contemporary], pp. 71-72.
[672] Nicolae Titulescu, *Documente diplomatice* [Diplomatic Documents], doc. 491 (p. 845).

aggressor, bring peace and raise trust among nations, continue to be a stimulative example and an appeal still valid in its fundamental nature for the necessary and constructive steps to be taken in order to give meaning and continuity to our lives in the Third Millennium when we have to face so many crucial existential challenges.

We need Titulescu, his bright philosophy, his intuitive authority, and the determination he proved while fighting for the greater and lasting interests of his Country. Therefore, we repeat what Professor Nicolae Basilescu, the Dean of the Faculty of Law of Bucharest, said almost 90 years ago: **Nicolae Titulescu is a national treasure**[...] ***Nolli eum tangere!***[673]

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[673] *Pro şi Contra Titulescu* [Pro and Against Titulescu], pp. 42-43. „ ***Don't touch Me!*** (John, 20, 17). Words that Jesus Christ would have addressed to Mary Magdalene on the morning of the Resurrection. Their meaning is: *Do not touch this man* or thing.

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