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**Actors, Mechanisms
and Levels of Influence
in the EU Decision-Making**

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Section I

EUROPEAN POLICIES FORMULATION PROCESS, BETWEEN THE EUROPEAN AND NATIONAL LEVELS: ACTORS, INTERACTIONS, MECHANISMS

A UNITED EUROPE FROM A DEFENSIVE PROSPECTIVE

George Gabriel BOLOGAN*

Abstract: *In the last decades, the European Union was challenged by many external and internal factors, on different levels. From a defensive point of view, the Ukraine crisis is unique for the present century because, even if Ukraine is an external actor on the international scale, the war that was discussed between it and Russia determined the aparition of many questions from EU states, most of all being linked with the concept of security. This paper analyze the visionary conception of the Italian statesman Alcide De Gasperi, in order to underline the need for unity from a defensive and security prospective in the Old Continent, of nowadays international and European context.*

Keywords: *defence, Alcide De Gasperi, unity, security, EU decision-making*

The European Union (EU), in the last decades, even if it was challenged by internal or external threats, it passed through peaceful times. The Old Continent, since the end of the Second World War, or moreover, the end of the Cold War, had it time to develop more or less his instruments in terms of soft skills and soft diplomacy, in relation with the other actors on the international scale. Since from the beginning of it, like an economic and political construction, the big thinkers and also the great statesmen of Europe, claimed for the need of an individual security system of the EU.

One of the most relevant figures in the history of the European Union, from the beginning of this political system, was the Italian statesman Alcide De Gasperi, who militated, during his life, for a united Europe, from an economic, political and defensive point of view. It is well konwn that the inspiration for De Gasperi came from Fr. Luigi Sturzo, a Catholic priest who tried to make a reconciliacion between the Christian religion, moreover the Catholic Church and the politics¹. This time not involving the Church, as an institution in politics, but involving the good Christians, the lay people in the public affairs, in order to have countries and why not, an entire continent, governed by people who have the Christian values and principles. This is the point where also De Gasperi started, in the first period of the last century, trying to create, at least from a theoretical and also political point of view. The best proof, in this sense, is his discourse in Strasbourg, on 10 December 1951, entitled *The passing opportunity*. In the heart of Europe and about the future of Europe, De Gasperi manages to synthesize as realistically as possible the current situation of the old continent from that period. The spatial indices used in the discourse refer mainly

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¹ Cf. Edgar Morin, *Pensare l'Europa*, tr. it. de R. Bertolazzi, Feltrinelli, Milano, 1988, p. 29.

to the European space, a space of major importance worldwide. Europe has the oldest sources and the most important traditions of civilization. On the other hand, the author of the speech simultaneously outlines the role of the North Atlantic Alliance, which covers a large part of the world. The two outlined spaces do not enter into opposition, in De Gasperi's speech, but at the same time cross the same path to security, peace and stability². The content of the discourse is very rich from a qualitative point of view. It is very clear that the Italian politician tried to design a united Europe from all the perspectives, but moreover, from a defensive point of view. In his mind, a threat would always be there, against the European peoples, and these peoples, united by the same interests, would be better to be united. NATO, from his point of view, it was a good instrument, but he also militated, in order to maintain the peace³. *What alternative do we have now, after the war? We all agree that we must defend our homes, our institutions, our own civilization in times of danger. But the new generations, who strive for a global and dynamic conception of life, are reluctant to make a choice that can decide their destiny: to resume the interrupted path of war and sown with vengeance and conflict inspired by an absolute ethical conception of the Nation, or to go to coordinate these forces, sometimes ideal and rational, sometimes instinctive and irrational, for greater expansion and more solidarity*⁴. The Italian politician saw, after the Second World War, the potential future crisis on this continent and, somehow, anticipated the need for a common political and defensive project among the peoples of Europe.

The question in this context would be if his theory is still available for the EU countries? Moreover, in the context in which NATO is more and more active, in the continent, since the Ukrainian war had started, there is still a need for a local army, customized by all the forces involved also in the EU project since 1950?

The war in Ukraine, politicians and pundits agree, is the European Union's sudden birth as a serious military player. Germany has announced that it will dramatically increase its defense spending and is sending weapons to Ukraine - a previously unthinkable development. The European Union, heretofore mostly known as an outfit that voices concerns about military aggression but does nothing, has already sent Ukraine military aid worth more than half a billion dollars. But what exactly the EU's military role should be remains painfully unclear: Member states have widely different opinions on the matter, and the European security is of course already being looked after by NATO. What, exactly, can the EU do to grow its military muscle without causing affront to its Brussels neighbor? Severe crises below NATO's Article 5 threshold, in a way, pose an opportunity for the EU to make a real military contribution. Its Military Committee—composed of member states' defense chiefs - has the daunting task of mapping a course⁵.

It seems that the EU is more militarily stronger. This big impact made EU people to rethink their strategies, but moreover to increase their sense of

² Cf. Elisa Carillo, *Alcide De Gasperi: the Long Apprenticeship*, Notre Dame, 1965, p. 9.

³ Cf. Alcide De Gasperi, *Speech* given at the Council of Europe meeting, 10 December 1951, Strasbourg.

⁴ *Ibidem*.

⁵ Cf. Elisabeth Braw, „Is an EU army coming?“, in *Foreign Policy*, 20th of March 2022, <https://foreignpolicy.com/2022/03/20/is-an-eu-army-coming/>

responsability from a security prospective. EU is also more present than ever, in the international scale, and also more united than ever before its creation. This fact also influences the way in which the EU countries are able to manage this potential threat, but also can give clear answers according to the creation of a defense union as answer to this crisis. In this context, it can be underlined the development of an EU Rapid Deployment Capacity that would give to the EU peoples the chance to deploy a modular and multidomain force of up to 5,000 troops that can intervene in nonpermissive [hostile] environments⁶. This force will also have strategic enablers that have in the past normally been provided by the United States - for example, command and control structures, strategic airlift, strategic transport, intelligence surveillance and reconnaissance capabilities, cyberdefense, unmanned air vehicles, space communication assets, electronic warfare systems, anti-missile defense⁷. All these types of actions require more that the capacity of investment in weapons. The political will, the negotiations among the EU states, are the main requirements in order to strenghten the military capabilities of a potentian EU army. Then, the second step would be working together, the capacity of all these nations to work and train together in this sense, to involve the same, more or less, energies in order to be always ready for any threat. NATO, in this sense, represents a good exercise and a proof that there can be a common understanding among the EU states.

Conclusions

According to a survey made by Eurobarometer in 2017, more than a half of the EU contries would have a support over 50% for an EU Army⁸. Even if we speak about 5 years ago, the reality has changed and the context, too. The new reality requires a more deeper security insurance among the EU countries. It is clear that if this survey would repeat nowadays, the data in this sense would increase. Also, taking into consideration the public opinion in this sense, according to the last Standard Eurobarometer, made during the winter period between 2021 and 2022, Europeans support most strongly the free movement of EU citizens (85%), having a common defence and security policy (77%), as well as a common energy policy (75%)⁹.

Thus, the proposal for an EU army would be fesabile, and moreover the EU needs a more deeper security strategy made by itself. The political decidents and the elites are about to decide if the time has come for this big step that could bring the EU at a superior level in the international scale.

⁶ *Ibidem*.

⁷ *Ibidem*.

⁸ Cf. *Where support is highest for an EU Army?*, Eurobarometer 2017, 16.04.2022, <https://futureu.europa.eu/processes/EUInTheWorld/f/16/proposals/142?locale=en>

⁹ Cf. *Public Opinion in the European Union*, Standard Eurobarometer 96, 17.04.2022, Winter 2021-2022, file:///Users/Downloads/Standard_Eurobarometer_96_Winter_2021-2022_Infographic.pdf.

RULING AN UNRULY WORLD: A CRITICAL ASSESSMENT OF THE EUROPEAN UNION'S STRATEGIC COMPASS FOR SECURITY AND DEFENCE

Dacian DUNA*

Abstract: *Since the EU Security Strategy of 2003 (entitled “A Secure Europe in a Better World”) to the EU Global Strategy of 2016 (entitled “Shared Vision, Common Action: A Stronger Europe”), the European Union has overused and sometimes misused bold foreign and security policy statements to booster its relatively modest role in global politics. One can recall previous commitments, such as the Headline Goals (2003, 2010) that illustrate this. The EU has provided interesting pieces of rhetoric, but was it able to close the gap between ideals and reality? Now, literally under fire, the European External Action Service has produced another document that promises a lot. This article is assessing the validity of the ‘Strategic Compass’ under the current European geopolitical realities stemming from the Ukraine war that seem to confirm a tendency toward the return to power politics.*

Keywords: *European Union, Russia, Ukraine, security, strategy, geopolitics, war*

Introduction

The European Union (EU) is navigating through the very turbulent waters of this decade without any sense of relief. A cascade of crises has already tested the resilience of this odd-looking international actor, from BREXIT to COVID-19, from refugee crisis to the energy crisis, and finally, the war in Ukraine¹. Sometimes seeming to be on the edge of disaster, keeping its breath during some national elections in an important Member State, or getting a fragile consensus when no one seems to believe in it anymore – these are becoming business as usual for the Union. With all this tragic atmosphere, the EU remains nothing short of a miraculous promise land for countries like Ukraine, Moldova or Georgia, which hope for accession. One can say that the EU looks like a lonely neoliberal actor in a world of geopolitical predators. Will this improbable utopia succeed in surviving and reshaping “a better world” together with its like-minded friends? I think that the answer depends on a huge list of variables. Some depend on the willingness of Europeans to (re)define their manifest destiny, and hence their own identity in world affairs. Some depend on the willingness of the rest of the world to recognize, confirm, reconfirm, or challenge the new European *raison d'être*.

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¹ I decided to use this expression “war in Ukraine”, not “Russian special operation” or “Russian invasion” to identify the period 2014-2022 which involves several stages of Russian aggression against the Ukrainian people: the annexation of Crimea, the war in Donbass, and the current Russian invasion.

The Strategic Compass for Security and Defence of the EU (which will be called for simplicity reasons the Strategic Compass from this point on) pretends to be more than a new bold statement about Europe's strategic commitments. We witnessed how the Headlines Goals had failed in the past. In December 1999, the European Council established the first one, the Helsinki Headline Goal, defined as "the autonomous ability to deploy 60,000 troops in 60 days for an operation lasting as long as one year to conduct the 'Petersberg Tasks' of humanitarian intervention, peacekeeping, and peacemaking". Then it came the Headline Goal 2010 approved by General Affairs and External Relations Council on 17 May 2004 and endorsed by the European Council of 17 and 18 June 2004. It set the goal to establish the EU Battlegroups for rapid response within the ESDP framework. The EU Security Strategy of 2003 produced some of the most impressive rhetorical arguments for the European Union to set on its path toward becoming a global strategic player. The Global Strategy of 2016 was a step forward in that matter. It first described brilliantly the dark atmosphere of recent years (marked by the Ukrainian crisis, terrorist attacks in France or the BREXIT). It set security as the top priority for EU external action. Moreover, it supported the change of the current international system, which is an unlikely approach for a supposedly status quo actor and made the case of moving from vision to action. Yet, the steps made by the European Union toward strengthening the Common Security and Defence Policy have been weak so far. Why?

There have been a lot of reasons for the EU to advance itself toward a geopolitically mature actor. Almost the entire previous decade plus the first two years of the 2020s have been marked by an almost unprecedented level of instability, conflict, and war. Starting with the Arab Spring, the Wider Middle East has exploded with repercussions for the security of the European continent as well. The revolutions and wars taking place in places like Egypt, Libya, Syria, Yemen, plus the already war-stricken Iraq, Afghanistan etc. have induced a refugee crisis unprecedented since the Second World War. The other global players (particularly Russia, China, and India, but also the US during Trump Administration) have become increasingly revisionist. Russia had already exploded the bomb of the first Donbass war and the annexation of Crimea. The European Union did mostly react by issuing political and diplomatic statements. The reason is related to a paradox: *globalization and interdependence had promised and kept the promise of prosperity for European citizens. They have been instrumental for the EU Member States and the EU institutions. The Europeans had hoped (together with the US) that such a level of global market integration will make actors like China and Russia be tempted to follow the dream of democracy and liberal society. Unfortunately, the promise proved to be illusory. Embracing Russia was particularly dangerous for the European Union without making it aware of the danger of embracing "the bear". While the Europeans accepted the "Russian pipeline", they have become increasingly dependent on the Russian Federation for its oil and natural gases, as well as other raw materials to the extent that they were supporting, without necessarily acknowledging, an increasingly autocratic regime in Russia. At the same*

time, the functioning of the European Union had continued to be at the mercy of its Member States, the “guardians of the treaties”. While they enjoyed the benefits of globalization and interdependence, they seemed not to be aware of the dangers of supporting Putin’s regime. They failed to see the need for a common strategic approach. The warnings, sometimes issued even by EU institutions, officials, or European leaders, not to mention Allied intelligence² have frequently been dismissed as Cassandra’s prophecies.

The EU Member States failed in achieving some common goals due, sometimes, to their own colliding national interests. The domestic level collided with the community level, leading also to events that prevented the EU in advancing further its political integration. The BREXIT was a clear example. The global level also collided with the community level leading to priorities that downplayed the need for strengthening the CSDP to address the challenges from the neighborhood. This was the case of the COVID-19 pandemic. This is, of course, a prosaic description of a rather more complex process. There is always a domestic/national agenda for the same stakeholders that represent the community. Leaders of the Member States must regularly face national elections that do not coincide with European leadership cycles or with European agendas. One of the most important issues here is that they frequently face (at least in the last years) Euro-skeptical, sovereigntist, if not total anti-European opposition leaders. This thing cannot be underestimated since such forces have already wounded the European Union by successfully directing the BREXIT.

Naturally, one could ask if the Strategic Compass of 2022 may have what it takes for the European Union to go past its earlier failed commitments and become a geopolitically mature actor in world affairs. At a first glimpse, it seems that the document falls short of expectations for the same reasons already stated above. Yet, one needs to remember that democracy maybe slower than authoritarian regimes in responding to threats, but gradually mounting its resolve to the extent that it becomes better equipped and decisive in dealing with them. However, the success of the Compass will be measured in the ability of the Member States and EU institutions to implement it in an effective manner.

The Strategic Compass – General overview

The 2022 Strategic Compass has many things in common with a security strategy. In fact, it does seem to update and complete the Global Strategy of 2016 with which it shares some important ideas. Its structure is familiar with such security documents, but it is much more ambitious and detailed. It can easily be described as having the ambitions of a *Grand Strategy* under development.

Any document is as good as its writers. Though one can pinpoint to the excellent job in developing a European strategic language, there is a problem that

² Even CIA tried to warn the European Community during the Reagan administration in a famous memo entitled “USSR - Western Europe: implications of the Siberia-to-Europe gas pipeline”. See Hiroko Tabuchi, “How Europe got hooked on russian gas despite Reagan’s warnings”, *New York Times*, March 23, 2022. Available at: <https://www.nytimes.com/2022/03/23/climate/europe-russia-gas-reagan.html>

prevents the EU from claiming strategic initiative in world affairs: the lengthy process of analysis and deliberation using the community tools. The Strategic Compass involved as predictable the Member States, the guardians of the treaties, in its drafting (they were invited for feedback in a set of online workshops)³. Unfortunately, global events do not wait for the European Union democratic ideal of having everybody on board when releasing strategic documents. The EU policy is understandable from the point of view of European politicking, which need support and (re)assurances from everybody, but this process leaves a mark on the final product. A strategic document written by everybody may have less authority than one drafted by somebody...

What is very interesting is that the Strategic Compass uses the word “geopolitics” and its derivatives at least 16 times, “power” for 19 times, “threat” and its derivatives for more than 100 times, “strategy” and its derivatives almost 200 times, “defence” for more than 200 times, and “security” and its derivatives for at least 300 times. It never directly uses the expression “foreign policy”. It uses “cooperation” for only 92 times, and “coordination” and its derivatives for 45. It makes no reference to positive words like friends, friendship, or allies. Yet, it uses frequently the term partners and its derivatives (133 times). Semantically speaking, the Strategic Compass is a long way from the traditional European documents which are usually imbued and seasoned with liberal concepts. It is more like a Real-Politik strategic concept. From this point of view, we can agree with Mr. HR, Josep Borrell, that this is a call for Europe’s geopolitical awakening. But we are not sure how much time will this awakening take.

Geopolitical awakening?

A simple insertion into the search engines of the expression “geopolitical awakening” will instantly bring articles on the EU’s Strategic Compass and what it tries to accomplish. It was the expression used by HR/VP Josep Borrell that raised some eyebrows in Europe and elsewhere. You can also find another expression that illustrates the same idea: “geopolitical Europe”. A list of roundtables, conferences and workshops around these expressions have already taken place in the short period following the adoption of the Strategic Compass.

These expressions also imply that Europe has forgotten the old ways of geopolitical thinking, which is a reality for the post-Cold War era, if not even earlier. Geopolitics and geostrategy have been used and even overused during the Cold War and even before, during the first half of the 20th century, by the Great Powers, which were nation-states not supranational entities. They have always been related to power politics and balance-of-power. They have always been used to justify grand strategies of self-aggrandizement at the expense of smaller and weaker nations. But the European Union is a neoliberal project based on totally different assumptions.

³ Daniel Fiott and Gustav Lindstrom, “EUISS Support for the Strategic Compass Process”, in Daniel Fiott and Gustav Lindstrom, „Strategic Compass: New Bearings for EU security and defence”, *Chaillot Paper 171*, EU Institute for Security Studies, Paris, December 2021. Available at: https://www.iss.europa.eu/sites/default/files/EUISSFiles/CP_171_0.pdf

Such entities, like the international institutions and regimes, were supposed to tame anarchy, make cooperation possible and desirable among states and create a more peaceful world. International security regimes were particularly supposed to increase the costs of defection and build confidence among global players, even among former enemies⁴. However, even using something like the law of large numbers one can challenge these assumption⁵. Unfortunately, with all the benefits of globalization and interdependence (geoeconomics), with all the huge numbers of cooperation instances which easily outweigh those of defection and conflict, it was always a matter of time for countering forces to resurface. The emergence or reemergence of revisionist powers like Russia and China puts geopolitics back in the business. This is a very distant reality from the optimism of the early 1990s in which geoeconomics was seen as replacing geopolitics as the only game in town.

Geopolitics was described as a Nazi discipline in the West following the Second World War. Indeed, it was much better developed in Germany, even before Nazi came to power, in the Weimar Republic. It was used to create a new national project based on ideas such as *volk* (people), *blut* (blood or race), culture (*kultur*), or vital space (*lebensraum*). These concepts developed by General Haushofer and the Munich school of geostrategy were later instrumental for Adolf Hitler and the Nazis in their quest of world domination. The West has immediately dismissed such ideas as nonsensical, which they were from a rational point of view, and they were reluctant to explore the abyss of geopolitics. However, the tragic outcome was the most haunting conflict in history, the Second World War, with deaths exceeding 40 million people⁶. At least, the United States of America have finally understood the need for geopolitical reasoning, this being one of the lessons of the war. Yet, in the aftermath of the Second World War and particularly after the Suez crisis of 1956⁷, the Europeans have gradually “forgotten” the concept and its meaning. They focused on economy and society leaving strategy to their powerful ally, America.

Due to the Cold War geopolitics and especially the branch of geostrategy that continued to being developed and practiced particularly in the US (under the label of political geography) and almost certainly in the Soviet Union. However, Western Europe has almost lost interest in developing the “Nazi” discipline until late 1970s, when critical geopolitics emerged in France under the influence of Yves Lacoste. In

⁴ See Robert O. Keohane, “The Demand for International Regimes”, in *International Organization*, Vol. 36, No. 2, International Regimes (Spring, 1982), pp. 325-355; Robert Jervis, “Security Regimes”, in *International Organization*, Vol. 36, No. 2, International Regimes (Spring, 1982), pp. 357-378; Janice Gross Stein, “Detection and Defection: Security 'Régimes' and the Management of International Conflict”, in *International Journal*, Vol. 40, No. 4, Managing Conflict (Autumn, 1985), pp. 599- 627.

⁵ One can assume that the more international transactions occur that apparently create opportunities to cooperate between states, the more chances will be for incidences of failed cooperation or defection to be created.

⁶ Britannica, The Editors of Encyclopaedia. "How many people died during World War II?". *Encyclopedia Britannica*, 15 May. 2021. Available at: <https://www.britannica.com/question/How-many-people-died-during-World-War-II>. [Accessed 20 June 2022].

⁷ The Suez Crisis was perceived by many as one of the last geopolitical games played by the old powers, France and Britain, but disclosed and defeated by the new superpowers, the US and the USSR.

the practical field, one can clearly say that the Europeans had lost their geopolitical scrutiny, a fact demonstrated by their lack of willingness and capability to solve crises occurring no farther than their own neighborhood after the Cold War without calling for US help. Even the American allies had frequently deplored the lack of burden sharing within the NATO alliance.

The most important element that apparently escaped Western observation is that the processes of enlargement, both in the cases of NATO and the European Union, have not been perceived everywhere as they were supposed to be - neoliberal policies designed for creating “a brave new world” observing democracy, human rights, rule of law and free market economy. Certainly, Russia did not perceive it like that and repeatedly protested the Euro-Atlantic policies which had pushed back its frontiers in Eastern Europe to the map of 1918. Probably the Russian leadership knew it was not yet time to act, due to Russia’s inner weaknesses that needed to be dealt with first. Even so, it did do something: it kept a form of integration with the Near Abroad, the C.I.S.⁸, and maintained frozen conflicts in the ex-Soviet states especially involving Russian-speaking minorities while pretending a status of regional peacemaker at the same time. However, especially since Putin took over, Russian state propaganda and Russian intelligentsia started to prepare a new narrative of world politics depicting Russia as a victim of a Western plot to create an unfair global order, leaving Russia a marginal role, devoid of any true power. Russia’s self-image as a superpower was not deterred by its status of being an economic dwarf, but it was reinforced by its Soviet legacy: the nuclear stockpile and its Near Abroad of former Soviet independent states perceived as being within its sphere of influence.

Russian geopolitics emerged in the 1990s, initially within a marginalized faction of Russian intelligentsia, headed by the then relatively unknown Alexander Dugin, the intellectual enemy of pro-Western scholars such as Dmitri Trenin who argued for alignment with the West⁹. Alexander Dugin, which is considered even now a close friend and advisor of President Putin, has preached for a turn towards Eurasianism, an option for Russian foreign policy targeting the West and particularly the US as the most important enemy and supporting a different path for Russia, based on the assumption that the Russian manifest destiny is to dominate the Eurasian landmass. This was an old Russian idea proposed by authors like Trubetskoy or Savitsky.

The Neo-Eurasianism is not that different from the classical schools of geopolitics, especially the German one. It reflects the narrow limits of change in Russian politics after the Cold War and it keeps the premises of the old ways of Russian international behavior based on justifying neo-imperialism on traditional anti-liberal or conservative values. It may be possible that the Putinist regime has internalized some of the Duginist ideas and used the rest for domestic

⁸ Commonwealth of Independent States (C.I.S.) founded in 1991 to replace the defunct USSR.

⁹ Dmitri Trenin, former Director of Carnegie Moscow Center, wrote a book rejecting the Eurasian option in favoring a Western rapprochement and integration of Russia. See Dmitri Trenin, *The End of Eurasia*, Carnegie Endowment for International Peace, Washington, 2001.

propaganda¹⁰. However, initially it pursued a cautious policy toward the West, even one of economic cooperation, which consolidated its finances. As Cicero said “the sinews of war are infinite money” – this can be applied to Russia’s traditional inability to use its growing foreign exchange reserves for the benefit of its population, but mostly for military buildup, the only perceived way of acquiring the lost Soviet power. One can add that the West has naively contributed to the re-militarization of Russia with its own hi-tech products and investments.

To summarize, Russia has reclaimed the status of superpower as the legal successor of the USSR, together with the Soviet foreign policy aims (the right to have a sphere of influence) and strategic assumptions (acquiring power through military capabilities). These elements form the geopolitical basis for the current aggression in Ukraine, the place in which Russia decided to remove the past 30 years of post-Soviet history and to breach the international order of the UN Charter it had co-organized with the American and European allies after World War II.

Geopolitics has been traditionally tailored by nation-states to justify international action or to project power spatially. Geographical location, environment, resources, material capabilities to control space and project interests abroad – all these are elements of classical geopolitics. Economy and technology play a vital role, too. Yet, geopolitical reasoning is not based only on mastering space, but also on controlling minds and ideas.

Are we witnessing the geopolitical awakening of Europe? It depends on what will be the point of it. If geopolitics is a tool for national pride in an anarchical world, then this will potentially turn Europe into the chaos of war and resource competition within itself. The only way to avoid this may be turning Europe into a security community and eventually into a federal entity. If the Europeans will be able to overcome their difference in opinions and interests to brace themselves against the geopolitical predators of the world, then this might work on the long run. But this geopolitical awakening may take some time. We think that, at least for now, the expression is used for propagandistic reasons. But this can also be applied for actors such as Russia, too.

Perhaps a better thing for Europe would be to remind itself of the role geography still plays in the world we live. Geography is an anchor where almost everything else is fluid and changing at a faster than never before rate. The following section of the paper will focus on some of the most important elements of the Compass.

The foreword

Even though there is an executive summary of the Strategic Compass, the foreword - written by Josep Borrell, High Representative for Foreign Affairs and Security Policy of the European Union - is clarifying what the rest of the document stands for. The “Foreword” recalls of a wartime discourse, calling for Europe’s geopolitical awakening: “This crisis has made it even clearer that we live in a world

¹⁰ For authors like Michael Millerman (*Inside Putin’s Brain: The Political Philosophy of Alexander Dugin*, 2022), Dugin’s Eurasianism has even become an unofficial ideology of Russia.

shaped by raw power politics, where everything is weaponised and where we face a fierce battle of narratives. All these trends were already happening before the Ukraine war; now they are accelerating”.

HR/VP Borrell pretends that the EU “has broken some taboos” with its “unprecedented sanctions, massive support to Ukraine including, for the first time ever, financing the delivery of military equipment to a country under attack and building a wide international coalition to support Ukraine and restore international legality”. One can argue that the sanctions are already felt by the Russian Federation even though many expected this not to take shape for months. The offer made by Russia to lift the siege of Ukrainian ports to allow the exports of cereals under the condition of West lifting the sanctions could be interpreted as an acknowledgement of that. However, Russian international criminal behavior was not deterred so far by the gradual sanctions system. Russian President Putin appears to have placed a bet on the inability of Europe to cut its ties with Russia due to its dependence on oil and gas. Europe had in fact provided Putin with fuel for his war. In fact, Mr. Josep Borrell warned as early as April 2022 that the EU has paid €35 billion for Russian energy since the start of the war compared to the €1 billion it has sent to Ukraine in the form of foreign aid¹¹.

Another interesting idea of the foreword is this one: paying for the price of freedom by cutting the excessive dependence on Russia energy oil imports. The document was formally approved in 21 March 2022. Under the auspices of the Lisbon Treaty, this document should be seen as bidding for the EU Member States. However, Hungary has practically blocked the embargo on Russian oil imports since early May. Moreover, several companies from EU Member States have opened accounts in Gazprom Bank in roubles to meet another Russian blackmail regarding the payment in roubles¹². This is a clear example of internal challenge the EU is not yet capable to meet. In the end, the EU has imposed a partial ban on Russian oil as of December 5, 2022, and ban petroleum product imports as of February 5, 2023 but exempted several Member States from Central Europe and the Balkans¹³.

Expressions like “sea change in EU security and defence”, “a quantum leap forward” or “equip ourselves with the mind-set” show the predilection of EU institutions for smart rhetoric specific to the postmodern world, but this is only covering a wartime speech specific to times of utter crisis. The following remark made by Mr. Borrell is suggestive: “Europeans will continue to favour dialogue over confrontation; diplomacy over force; multilateralism over unilateralism. But

¹¹ *Euronews*, “EU has spent €35bn on Russian energy since the war began and just €1bn on aid to Ukraine – Borrell”, 6 April 2022. Available at: <https://www.euronews.com/my-europe/2022/04/06/eu-has-spent-35bn-on-russian-energy-and-just-1bn-on-aid-borrell>. [Accessed 15 May 2022].

¹² *Bloomberg News*, “Ten more European gas buyers open ruble accounts for payments”, May 12, 2022. Available at: <https://www.bloomberg.com/news/articles/2022-05-12/ten-more-european-gas-buyers-open-ruble-accounts-for-payments?leadsources=verify%20wall>

¹³ Ben Cahill, “European Union Imposes Partial Ban on Russian Oil”, Center for Strategic and International Studies, Washington, D.C., June 8, 2022. Available at: <https://www.csis.org/analysis/european-union-imposes-partial-ban-russian-oil>

it is clear that if you want dialogue, diplomacy and multilateralism to succeed, you need to put power behind it. That is the point of ‘learning to speak the language of power’.” It invokes the importance of “awareness” and “agreement” as part of the “process of strategic convergence”. These are words describing what the Compass does not use as direct reference but implies it indirectly: security and strategic culture.

The rest of the “foreword” is as motivational as it gets. The inaction against the threats Europe faces is equated with “Non-Europe”. It wants a quantum leap forward on security and defence which is indirectly setting the ultimate goal of political integration, the remaining tools for deepening integration to the fullest, disguised as a kind of Fortress Europe. “If not now, then when?” is a masterpiece of rhetoric, calling for immediate action.

One of the strengths of the Strategic Compass is that it is based on a comprehensive EU Threat Analysis (2020) which will be updated every 3 years. This is in fact a security assessment. In a global environment so volatile such as the one we face, updates will be needed periodically, but this is going to be at the expense of coherence. The following quote is eloquently describing a multi-layered spectrum of risks and threats: “Local and regional instability dynamics that feed on dysfunctional governance and contestation in our wider neighbourhood and beyond, sometimes nourished by inequalities, religious and ethnic tensions, are increasingly entangled with non-conventional and transnational threats and geopolitical power rivalry. This erodes the capacity of the multilateral system to prevent and mitigate risks and crises”¹⁴.

The World Europe faces

The authors of the Strategic Compass acknowledge that the rules-based international order has been replaced by the old-fashioned power politics. Yet, the document emphasizes that “The use of force and coercion to change borders has no place in the 21st century”¹⁵. Realists would argue that this is a counterfactual argument, but the EU cannot yield its neoliberal vision.

Here is a list of observations regarding the global security assessment upon which the Strategic Compass was developed:

- It highlights a long list of Russian violations of international law and order, acknowledging that Russia is pursuing a policy of spheres of influence; the Compass holds that Russia will pay the consequences and the EU will be ready to face its threat to European security;
- China is considered “partner for cooperation, an economic competitor and a systemic rival”¹⁶ – much the same stance the US has on the PRC;

¹⁴ General Secretariat of the Council, *A Strategic Compass for Security and Defence. For a European Union that protects its citizens, values and interests and contributes to international peace and security*, brussels, 21 March 2022. Available at: <https://data.consilium.europa.eu/doc/document/st-7371-2022-init/en/pdf>

¹⁵ *Ibidem*.

¹⁶ *Ibidem*.

- It uses the phrase “contested multipolar world” in which “the EU needs to take a more active stance to protect its citizens, defend its interests, project its values, and work with partners to provide security for a safer and more just world”¹⁷; the EU will defend the principles of European security which are in fact the pillars of international order at least since the 1975 Helsinki Final Act;
- It lists the allies of Europe: “To uphold the international rules-based order, we will continue to strengthen our relations with partners and like-minded countries in the UN, NATO and G7. In this context, the United States remain the EU’s staunchest and most important strategic partner and are a global power contributing to peace, security, stability and democracy on our continent”¹⁸.

The strategic environment

The Compass shows a dark description of the security and strategic environment the EU faces (marginally similar with the Global Strategy): “the EU is surrounded by instability and conflicts and faces a war on its borders. We are confronted with a dangerous mix of armed aggression, illegal annexation, fragile states, revisionist powers and authoritarian regimes. This environment is a breeding ground for multiple threats to European security from terrorism, violent extremism and organised crime to hybrid conflicts and cyberattacks, instrumentalisation of irregular migration, arms proliferation and the progressive weakening of the arms control architecture. Financial instability, extreme social and economic divergences can further exacerbate such dynamics and have a growing impact on our security”¹⁹.

An interesting nuance is given by this insertion: “Where the EU is not active and effective in promoting its interests, others fill the space”²⁰ – this is like an acknowledgement that the EU has failed so far in creating a friendly strategic environment. Also, it indicates that the world has turned from cooperation to competition and calls for Europe to become competitive once again.

The Compass provides a professional account of the security risks in the Western Balkans, the Eastern Neighbourhood, the Arctic (noting not only the climate change issues but also the geopolitical rivalries), Southern Neighbourhood and particularly Eastern Mediterranean where the EU should cooperate with Turkey. It accurately describes the opportunities and threats in the African continent – again the issue is “growing geopolitical competition in Africa, with an increased presence of both global and regional actors. Some of them do not hesitate to use irregular forces in zones of instability, thereby undermining international efforts towards peace and stability, destabilising countries and their economies as well as being complicit in human rights violations”²¹. Regarding the Middle East and the Gulf

¹⁷ *Ibidem.*

¹⁸ *Ibidem.*

¹⁹ *Ibidem.*

²⁰ *Ibidem.*

²¹ *Ibidem.*

Region the focus is on Iran, which resembles the US assessment and policy on the area²².

Another focus area is the Indo - Pacific, “where geopolitical tensions endanger the rules-based order in the region and put pressure on global supply chains”²³. It reminds the role of Afghanistan as a source of insecurity in Asia, as well as the case of North Korea, mentioned for its role in developing WMDs. One can compare this with the contrasting image of Latin America, which is seen as a region with which “we share deep historical and cultural ties, as well as a commitment to multilateralism based on common fundamental principles and values”²⁴.

Regarding the “emerging and transnational threats and challenges” and the “strategic implication for the Union”, the Compass proceeds much in the same way as other similar earlier European documents so that we are not going to assess them, but some of the most important elements of the document regard “the concrete priority actions”.

Act, Secure, Invest, Partner

These are the keywords of the Strategic Compass of the European Union. The document is projecting them as key goals for the Union and details the way they will be translated into action using twelve instruments:

- **Act** more quickly and decisively when facing crises;
- **Secure** our citizens against fast-changing threats;
- **Invest** in the capabilities and technologies we need;
- **Partner** with others to achieve common goals²⁵.

These keys are probably the most important elements of the Strategic Compass. They really mark a fundamental change by setting the stage for a coherent implementation of European Union’s strategic documents. Here are some of the findings:

ACT (Action) • The Strategic Compass marks the renewed ambition of the European Union to be able to act promptly in all operational fields: “on land, at sea and in the air, as well as in cyber and outer space” and describes the EU’s integrated approach: “all available EU policies and instruments and **maximise synergies and complementarity**

²² This quote from 2021 is an illustration: “Looking ahead to the next six months and beyond, the United States is likely to face challenges on two main fronts. First, diplomacy with Iran over the revival of the nuclear deal has not produced a breakthrough at a time when Iran and its proxies continue to threaten U.S. troops and U.S. partners”. (Brian Katulis, Peter Yuul, “Seeking a new balance for U.S. policy in the Middle East: A look at the Biden administration’s first 6 months”, September 7, 2021. Available at: <https://www.americanprogress.org/article/seeking-new-balance-u-s-policy-middle-east/eking-a-new-balance-for-u.s.-policy-in-the-middle-east-center-for-american-progress>. [Accessed June 6, 2022]

²³ General Secretariat of the Council, *A Strategic Compass for Security and Defence. For a European Union that protects its citizens, values and interests and contributes to international peace and security*, Brussels, 21 March 2022. Available at: <https://data.consilium.europa.eu/doc/document/st-7371-2022-init/en/pdf>

²⁴ *Ibidem*.

²⁵ *Ibidem*.

between internal and external security, security and development, as well as the civilian and military dimensions of our Common Security and Defence Policy (CSDP)”²⁶.

- It sets as a goal the establishment of an EU Rapid Deployment Capacity of up to 5,000 troops: “Such a modular capacity can be used in different phases of an operation in a non-permissive environment, such as initial entry, reinforcement or as reserve force to secure an exit”²⁷; it mentions such scenarios that involve rescue and evacuation operations (inspired certainly from the difficulties experienced during the Afghanistan evacuation in 2021);
- It emphasizes again the importance of acting together but also of preparing together especially in the case of an armed aggression in accordance with Article 42(7) of the Treaty on European Union;
- Changes in institutional design: European Peace Facility, Military Planning and Conduct Capability, Civilian Planning and Conduct Capability or Joint Support Coordination Cell in different stages of operationalization.

SECURE

- The Compass is a step forward from the classical reliance of the Member States on their own security and intelligence assets. The main idea behind this section proposed by HR-VP Borrel is to increase the European Union’s security resilience as a whole in the interest of all its citizens;
- the EU Intelligence Centre (INTCEN) will acquire an enhanced role as a single-entry point for Member States’ intelligence and security services²⁸;
- a special area of interest regards the new threats such as the hybrid and cyber ones, as illustrated by the proposed new tools: **Hybrid Toolbox and Response Teams, Cyber Diplomatic Toolbox and set up an EU Cyber Defence Policy, Foreign Information Manipulation and Interference** Toolbox.

INVEST

- The Compass is restating the importance of substantial enhancing of the defence expenditure of the Member States and the contribution of the EU on coordinating it, using EU’s Defence Technological and Industrial Base (EDTIB);
- The strategic and capability gap existing between the EU and its partners (like the US) is a fundamental goal for increasing

²⁶ *Ibidem*.

²⁷ *Ibidem*.

²⁸ Josep Borrel quoted by Institute for International and European Affairs, *The cost of passivity: The Cost of Passivity: Can the Strategic Compass Guide the EU in an Era of Insecurity?*, February 3rd, 2022. Available at: https://www.iiea.com/blog/the-cost-of-passivity-can-the-strategic-compass-guide-the-eu-in-an-era-of-insecurity?gclid=cjwkcajwznoabhaceiwad7tb6iioi1cdyv-nify0za99k55eanfjfmj5fji2zqiikwfgm2bmodootroc4gsqavd_bwe#_edn20.

capability of autonomous action – the Compass is a real step forward from pure statements to genuine implementation.

- PARTNER
- strengthening cooperation with strategic partners such as **NATO**, the **UN** and **regional partners**, including the OSCE, AU and ASEAN²⁹;
 - this key goal is certainly related to one of the long term and dear objectives of the European Union in international relations – effective multilateralism, based on its liberal and cooperative nature.

Critics to the Strategic Compass

According to Federico Santopinto, the Strategic Compass suffers from the same setbacks as the other strategic documents before it. The author emphasizes that national security strategies are more like communication strategies for actors like the US that know exactly what they want before sending political messages to the rest of the world in the form of security strategies. The Europeans do not actually understand the EU identity and role in international affairs. They are not able to decide on existential questions like what their common defence policies are supposed to represent within the European construction, or how to distinguish the role of the EU from that of NATO³⁰.

Even though it manages to update the European language to be in tune with the rapid changes of the 2020s, the Strategic Compass is emphasizing the “lag” that Europeans usually have when trying to quickly respond to the realities of a geopolitically disturbed world. Unfortunately, President Putin did not wait until the EU adopted its Strategic Compass before launching his murderous war on Ukraine. No wonder that some authors considered it brand new, yet obsolete³¹. Indeed, our impression when reading this document are two-folded: 1) It seems to make sense if you look at the description of the strategic environment and motivational remarks; 2) It seems to be written hastily or patched with old and new thoughts that do not seem to convince the reader that the EU is ready to do more than simply protest against the violators of the international order. Unfortunately, the same focus is on “we should” which leads us back to the biggest problem which the European Union has always faced: implementation.

The Strategic Compass has the merit of understanding that the world has changed and not for the best or for the way Europe expected to. It understands the need to adapt the EU to the new realities. It tries to make the case for a wide reform

²⁹ General Secretariat of the Council, *A Strategic Compass for Security and Defence. For a European Union that protects its citizens, values and interests and contributes to international peace and security*, Brussels, March 21st 2022. Available at: <https://data.consilium.europa.eu/doc/document/ST-7371-2022-INIT/en/pdf>

³⁰ Federico Santopinto, “The New Strategic Compass leaves the EU disoriented” in *International Politics and Society*, 22 March 2022. <https://www.ips-journal.eu/topics/european-integration/the-strategic-compass-leaves-the-eu-disoriented-5825/>

³¹ Nick Witney, “The EU’s Strategic Compass: brand new, already obsolete”, European Council on Foreign Relations, 31 March 2022. <https://ecfr.eu/article/the-eus-strategic-compass-brand-new-already-obsolete/>

of the CSDP, comprising a wide range of bureaucratic tools, each in different stages of becoming operational, but it fails in addressing questions that reside with other actors, particularly with the willingness of the Member States. Ultimately, as the war in Ukraine has proven, the problem is one of urgency. And, in that regard, the European Union cannot deliver, at least not in the way it is organized at this moment.

Conclusions

The European Union needed and still needs a clear strategic direction. The Strategic Compass tried to provide one, just like the previous documents, including the security strategies of 2003 and 2016. The problem is that the security and strategic landscape is extremely volatile, and Europe is not fully equipped to deal with it. The world has apparently taken neoliberalism by surprise. History has been resurrected.

Since the drafting and adoption of the EU's Strategic Compass, the Europeans have tried to use its skills in conflict management in dealing with the Russian invasion of Ukraine. It had failed in preventing the escalation even before (before the "special operation" of 24 February 2022), but this is also true for the whole international community. It was not able to find the best solutions for crisis management and avoid escalation. Now, the EU, NATO, and their partners are trying to avoid the spreading of the conflict in Europe and the world, even using deterrence. However, the only way in which it has found a relative coherence was the progressive sanctions system against the Russian Federation. But the sanctions are in the equation since 2014 and so far, there have been eight rounds of sanctions without deterring Putin from continuing his deadly war against Ukraine³².

The current situation in the world is without precedence. It may be a reality that there may never had been so many and so topically different crises at the same time. That is why the challenge to cope with them is also without precedence. Some are immediate (if not imminent), such as the energy crisis which is directly linked with the Ukraine war and the sanctions against Russia. The EU will need to quickly solve the issue of oil and gas supplies for the EU Member States as well as keeping the prices under control. Some seem more distant yet still pressing, such as the global conflict between democracy and autocracy. With all these elements, there is a glimpse of hope: the European Union has clearly understood that it is not, and it should not be alone in these matters. It was always a supporter of multilateralism, and it seems very well equipped in teaming with other like-minded entities. The partnerships with the UN and NATO are clear examples of that. With the Strategic Compass, the EU has acquired a new tool for implementing its long-debated security and defence policy and avoid paying for the costs of passivity.

³² The last one was adopted by the European Commission in 5 October 2022.

UE FOREIGN THREATENINGS: BANNING INFORMATION WEAPONS OR CONTROLLING THE FREEDOM OF INFORMATION?

Carmen UNGUR-BREHOI*

Abstract: *An “unprecedented” sanction was announced by the European Union, as a response to Russia’s invasion of Ukraine. Some Russian state media – Russia Today and Sputnik - were banned in the European Union space, in order to cease their toxic and harmful disinformation in Europe. Google Europe also blocked YouTube, Instagram and Facebook channels associated with pro-Kremlin Russian media, used as propaganda weapons. The measures were also applied in Romania. Some see the sanction as a threatening to the freedom of information, transformed even for some former journalists into a “witch hunt”. Russia accuses of “fake news” and blocks other international media.*

Keywords: *banning, information weapons, propaganda, freedom of information, media*

Introduction

The EU media is facing more challenges than ever, especially because nowadays the online journalism channels are able to spread information and disinformation in no time and to create uncertainty among the very different and divided audience. After the pandemic, a new UE foreign threatening appeared - the Russian war against Ukraine, that strengthened the cyberwarfare.

After the burst of the war, the European Commission (EC)¹, representing the EU’s overall interests, tried to block the Russian disinformation and took an unprecedented measure against Russia - has decided to suspend the broadcasting activities of *Sputnik* and *RT/Russia Today* in the block, until Russia would end its war in Ukraine and would stop disinformation campaigns in member states. The words that EC used to express these measures were categorically and quite harsh. The ban from sharing the content in the EU started in March 2022.

The reason for this was that Kremlin-backed media was seen as an “essential and instrumental” role in facilitating Russian aggression toward Ukraine and EU “should not give them a stage anymore to spread these lies”². From the distance,

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¹ There are three main institutions involved in EU decision-making: the European Parliament (representing EU citizens), the Council of the European Union (representing EU governments) and the European Commission (representing the EU’s overall interests). https://european-union.europa.eu/institutions-law-budget/decision-making-process/legislation_en [Accessed on 16.05.2022].

² On 27th February 2022, The European Commission President Ursula von der Leyen has announced that the two media "will not be allowed to distribute their content anymore in the European Union, in

observing the powers' games it doesn't seem to be a serious, mature chess game, but a foul and childish play with information toys.

As a quick response, in March, Russia restricted the population's access to social media and then Russian court banned Facebook and Instagram in the country, labelling its parent company Meta as "extremist" amid the Kremlin's sweeping crackdown on western social media giants³. Moscow started a "massive labelling" of independent media as "foreign agents" and implemented a new Russian legislation that threatens 15-year jail terms to journalists, accusing the independent journalists of "spreading fake information about the war in Ukraine" or even mentioning the word "war" instead of "military operation".

Russia also banned Deutsche Welle in response to Germany's decision on Russia Today. On the other hand, Facebook⁴ considered *Sputnik*'s account as "state-controlled media". Appeared the phenomenon of deplatforming, by cancelling great wits such as Dostoyevsky and Tchaikovsky. The possibility of cyberattacks against Ukrainian media and internet infrastructure by Russian forces was deeply worrying experts.

The new old information war

Transparency is one of the EU's key principles, along with the fundamental human right - freedom of expression and information, that supports the freedom of press⁵. The freedom of press concerns the conduct of press-specific activities for collecting and transmitting information of public interest through the media, without government intervention. Lately, the war news transmit an uncertainty regarding the trustworthiness of the facts presented.

The two state-owned Russian information channels were considered dangerous because of their manipulating roles, which couldn't establish and protect democratic values, such as impartiality when informing their audience about political actors, abuses, irregularities or illegalities committed by areas of power in society.

The war of information is more complex than ever, helped and developed with the social networks that promote and multiply the phenomenon of fake news and disinformation faster than ever, producing panic and desired control of the masses.

whatever shape or form, be it on cable, via satellite, on the internet or via smartphone apps". She also called the two TV channels "mouthpieces that amplify Russian President Vladimir Putin's lies and propaganda aggressively". <https://www.euronews.com/my-europe/2022/05/04/rt-and-sputnik-kremlin-backed-media-evading-eu-ban-on-content-says-report> [Accessed on 16.05.2022].

³ <https://www.theguardian.com/world/2022/mar/21/russia-bans-facebook-and-instagram-under-extremism-law> [Accessed on 16.05.2022].

⁴ Facebook defines "state-controlled media" as "media outlets that Facebook believes may be partially or wholly under the editorial control of their government", based on own research and assessment against a set of criteria developed for this purpose, after obtaining input from more than 65 experts around the world specializing in media, governance, human rights and development (Reporters Without Borders, Center for International Media Assistance, European Journalism Center, UNESCO,...). [Accessed on 26.05.2022].

⁵ Article 11, paragraph 2 of the *EU Charter of Fundamental Rights* points that "the freedom and pluralism of the media shall be respected".

<https://www.europarl.europa.eu/news/en/headlines/society/20220513STO29508/press-freedom-the-european-parliament-in-support-of-journalists> [Accessed on 20.05.2022].

Instruments of (dis)information

Rossiya Segodnya or *Russia Today* is a Russian state-controlled international television network funded in 2005, by the Russian government, which declared purpose is to “improve Russia’s image abroad”. It’s broadcasted through pay television or free-to-air channels directed to audiences outside of Russia, as well as providing Internet content in Russian, English, Spanish, French, German and Arabic. It is ruled by editor-in-chief Margarita Simonyan. During its existence, it was seen as a huge propaganda and disinformation instrument, by different academics and news reporters (some current and former RT reporters), because it broke its rules on impartiality⁶.

In 2022 was not the first time that it was banned, but at a lower level - in 2014 Ukraine⁷ prohibited it after Russia’s annexation of Crimea, and later similar situations occurred in Latvia and Lithuania in 2020. In February 2022 Germany outlawed RT DE, followed by Poland and then by the entire European Union. Social media sites followed by restricting external links to RT (website and content), as well as other countries in the world (Canada for example). In the United States, RT America ceased operations and laid off staff in March after a major satellite operator dropped its contract with them.

Before the attacks in Ukraine, great concerns were the many registered fake news on the television network, that were distributed on the social media for more than five million times and received that many likes as well⁸. The burst of the war made Russian propaganda work even harder. Recently, on 23rd May 2022, Margarita Simonyan head of *Russia Today* predicts that either Russia will win against Ukraine, or “things will end badly for all of humanity”⁹.

*Sputnik*¹⁰ is a news agency, with news website platform and radio broadcast service, owned by the Russian state, established in 2014. Its pages were also banned

⁶ A recent example was the reaction of the Russian reporter, Marina Ovsiannikova, who appeared in March 2022 with a placard on the set of the pro-Kremlin Russian station where she worked, *Pervii Kanal*, showing a message against the Russian offensive in Ukraine and against the “propaganda” of the Russian pro-government media. She was arrested and is being investigated for “discrediting” the Russian military and “disseminating false information” about it.

⁷ The fake news created by the Russian media were analysed by the Ukrainian and Romanian journalism experts. The way the fake news is created has always a hidden purpose, an intention, a strategy, a budget and dedicated channels of information. It is interesting that even if the fake news is invalidated, proven to be fake, the public will tend not to believe it (because of the high belief that the government is doing something incredible behind the drop curtain). *Dilema veche*, article by Andrei Manolescu, “Adevărul din spatele minciunilor – interviu cu Marian Voicu”. <https://dilemaveche.ro/sectiune/tema-saptamanii/adevarul-din-spatele-minciunilor-interviu-cu-622992.html> [Accessed on 22.05.2022].

⁸ RT and *Sputnik*’s Facebook posts “got more than 5 million likes, shares and comments”, but also YouTube’s videos of “false stories, claiming that Ukrainians had attacked Russians or describing a “genocide” against Russian-speaking Ukrainians in the separatist Donbas region” were watched “73 million times”. Elizabeth Dwoskin, Jeremy B Merrill, Gerrit De Vynck, “Social platforms’ bans muffle Russian state media propaganda”, *The Washington Post*, <https://www.washingtonpost.com/technology/2022/03/16/facebook-youtube-russian-bans/> [Accessed on 20.05.2022].

⁹ See also the documentary *Guerre de l’info: au coeur de la machine russe*, 2018, directed by Paul Moreira, written by Fadila Belkacem.

¹⁰ In Russian, “Sputnik” means “satellite”. At first it was called “Voice of Russia” and “RIA Novosti” and it was known as a Russian state-owned domestic news agency.

before the war in Ukraine. In 2016, Turkish authorities blocked it. Twitter in 2017, after the American report demonstrating Russia's interference in the 2016 US presidential election¹¹. Facebook prohibited in 2019 hundreds of pages controlled by Sputnik employees pretending to be independent news sites. Also *Sputnik* was described as a state propaganda and disinformation weapon¹².

The Council of the European Union filed a regulatory amendment on the 2nd of March that banned *Russia Today* and *Sputnik*, that took immediate effect¹³. After this, *Sputnik* moved its activity on Facebook (channel *Sputnik 2.0*, then *Telegram-Sptn*), until they were also blocked there. Although banned, a May 2022 report of the European Union (The Disinformation Situation Center) shows that some Kremlin-backed media *Sputnik* and *Russia Today* articles were still visible to EU users on social media. In July 2022, Serbia was believed to allow a *RT*'s establishment in Belgrade, soon after hosting *Sputnik* in the online and radio space and broadcasts. Researchers said that this is “an alternate reality for Serbian and Slavic audiences”, because through the TV broadcasts Putin's administration messages will influence more homes than *Sputnik* reached.

Limits of Press Freedom

Freedom of expression, media freedom and pluralism are enshrined in both the EU Charter of Fundamental Rights and the European Convention on Human Rights. The European Union is supportive and has a very open view concerning these rights on the official sites, but its actions of banning some information media channels for the wide population, who might want to check the other side, who would like to appeal to their own free will when comparing the datum, are considered extremely radical, seen as a Big Brother that decided for the audience what is right or wrong to be accessed.

The EU limited certain constitutional rights - the free access of the citizens to information and the media freedom of expression¹⁴ - to avoid situations in which public order, national security or the well-being¹⁵ of certain social categories, are threatened¹⁶. This manner of silencing some Russian media instruments were presented as an urgent need for special protection of the vulnerable audiences¹⁷, but

¹¹ Elizabeth Dwoskin, “Twitter bans Russian government-owned news sites RT and Sputnik from buying ads”, *The Washington Post*. <https://www.washingtonpost.com/news/the-switch/wp/2017/10/26/twitter-bans-russian-government-news-sites-rt-and-sputnik-from-buying-ads/> [Accessed on 20.05.2022].

¹² In 2019, it claimed that the COVID-19 virus was of Anglo-Saxon, and then American or even Latvian origins, created in the West and sent in the world.

¹³ According to the *Official Journal of the European Union*, L 65, Volume 65, English edition, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:L:2022:065:TOC> [Accessed on 20.05.2022].

¹⁴ Lia Pop, *Fețele libertății: De la eliberări politice, la libertăți politice*, Biblioteca Revistei Familia, Oradea, 1999, pp. 11-30.

¹⁵ Regarding the legal definition of a budget, see also Diana Cirmaciu, *Universitarul Gheorghe N. Leon*, Editura Pro Universitaria, București, 2015, pp. 93-94.

¹⁶ See *The European Union Charter of Fundamental Rights*, art. 11, and *The European Convention of Human Rights*, art. 10.

¹⁷ They consist of categories of people who cannot make the best decisions for themselves, due to too much social pressure or lack of experience in a certain field or other causes. Gabriela Goudenhooff,

by some as censorship¹⁸. For the audience will remain some question marks regarding what will happen next, can the politics interfere and control information, how far will fake news go, what is real and what is false. A constant mistrust functions regarding mass-media nowadays, which is riskful and alarming for common subjects, but especially for the journalist and media experts.

After the ban of the Russian channels, many additional measures for protecting the press freedom were taken by the EU. On the occasion of Press Freedom Day (3rd May 2022), there was a plenary debate in Strasbourg held by The European Parliament, where were expressed concerns about the press freedom and the treat to the media pluralism in the EU and beyond¹⁹, but also about the increase in attacks on journalists²⁰ and where it was stressed that a free press is essential for the functioning of democracy.

It is also true that in order to play its crucial democratic role, the press has to counter unethical or illegal journalistic behaviour²¹, to avoid the illegal activities that can easily turn into xenophobic stereotypes against minorities or propaganda megaphones for the political power²².

Conclusions

The recent problems of the Russian - Ukrainian war divulged us that behind the proper horrifying war, there is a more severe one, more dangerous and crucial, the symbolical war of information. It is more harmful because it distroys trust, clarity, democracy and the social development.

Ethical issues are raised once again regarding the press and the journalists, the interference of politics in the media institutions, the concept of control and censorship. The phenomenon of “fake news” is more present than ever, explored through the social media. The common reader, viewer or listener is stunned, not knowing what is real and what is fiction, truthlessness, disinformation or manipulation.

The measure to ban some Russian propaganda media channel that the EU took shocked, being unprecedented, making us spectators at a show of powers, wondering what will happen next. We realise once more how shallow the line between objective journalism and political control is.

Alina-Carmen Brihan, Ioan Horga (coord), *Europa socială în 100 de termeni: incursiune în cultura socială și instituțională a spațiului european*, Tritonic, București, 2018, pp. 154-156.

¹⁸ See Marian Petcu, *Puterea și cultura: o istorie a cenzurii*, Polirom, Iași, 1999, pp. 8-54.

¹⁹ MEPs have recently condemned the crackdown on critical voices and attacks on journalists in Mexico, Poland, and Russia. Regarding Russia, they “strongly condemn the measures adopted by the Russian authorities against free media, free speech and independent reporting, including the closure of media outlets, the blocking of websites, the criminalization of independent media reporting and the targeting of peaceful protesters”. *Motion for a resolution*, 05.04.2022. https://www.europarl.europa.eu/doceo/document/B-9-2022-0186_EN.pdf [Accessed 01.07.2022].

²⁰ The war in Ukraine has also produced casualties among journalists, seven journalists have been killed since Russia invaded Ukraine in February 2022.

²¹ “Facts are sacred” say the journalism experts. Mihai Coman (coord.), *Manual de jurnalism*, 3rd edition, Polirom, Iași, 2009, pp. 19, 40, 65.

²² Florin Ardelean, “The community, the local television and the shaping of the European Idea”, in *The contribution of mass media to the enlargement of the European Union*, Bruxelles, 2003, pp. 197-203.

DILEMMA NATIONAL INTEREST – COMMUNITY INTEREST: ACTORS, PRIORITIES, STRATEGIC OBJECTIVES

Ludmila ROȘCA*

Abstract: *The author of the study aims to correlate the national interest with the community interest in the context of the essential changes taking place in the region at the beginning of 2022. In war conditions, the actors of the daily political process verify the elements of their conception of the world. The individual is placed in extreme situations, the way out of which is guided by his culture, by the level of manifestation of his consciousness. The national interest embodies the people's values, which serve the strategic goal: peace, stability, security, and prosperity of citizens. Being peaceful and sound in our way, in conditions of war, we find that we are not prepared to defend our ancestral land, our perennial values.*

Is the Community interest radically different from the national interest? The author gives us a negative answer, supported by several arguments. The Lisbon Treaty sets out the elements that must underpin the European Union's action at the international level. "The Union's action on the international stage shall be based on the principles which inspired its creation, development and enlargement and shall promote: democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity. compliance with the principles of the Charter of the United Nations and international law".

In conclusion, the author mentions: that the national interest of the Republic of Moldova and the interests of the European Union are not in conflict; they are complementary. This conclusion's awareness and promotion is a strategic goal for all political, social, and cultural institutions in the Republic of Moldova. The security of the citizens, threatened many times today, imposes new requirements on the institutions responsible for the education and vocational training of young people in the Republic of Moldova. Unfortunately, we have social and political groups that continue to work to dismantle society, to support the aggressor of the 21st century. Under challenging conditions, Moldovans have shown that they are the bearers of humanity, the common good, and fairness.

Keywords: *national interest, community interest, strategic objective, Republic of Moldova, European Union*

Introduction

Related phenomena: the national and community interests are distinguished by significant complexity because they involve all aspects of social life and domestic and foreign policy of the current state. Their controversial interpretation imposes

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difficulties both at the level of scientific research and government programs and public policies. At the moment, the topicality of the topics approached is significant because of the existential comfort offered by stability and peace, characteristic of the social system and the European style of water; for 77 years, the citizens of Europe left in the morning - February 24, 2022, the day the army The Russian Federation bombed the towns and villages of Ukraine, initiating a fratricidal war. The individual is placed in extreme situations, the way out of which is guided by his culture, by the level of manifestation of his consciousness.

The national interest embodies the people's values, which serve the strategic goal: peace, stability, security, and prosperity of citizens. They are currently under threat at both the national and community level. If in November 2021 the leaders of the European states expressed their concern about the security of the global ecological system, then today they have lost their relevance because the daily bombings and fires cause pollute the air, water basins, and soil, which provide us with the necessary elements for life. Moreover, during the war, we observe the devaluation of life and this for the 21st century is a cruel reality, which the healthy mind of contemporary man cannot understand.

Most of the Republic of Moldova's citizens are peaceful and good, hardworking and hospitable; today, they are worried about the multiplication of national security and personal risks. Every social group finds that we are not prepared to defend our ancestral land, our perennial values. For three decades, this security sector has been ignored by state institutions, by the main actors in the decision-making process. In the Republic of Moldova, there is an essential difference between Article 1 of the Constitution and the social - political reality. In art. 1, p.1 of the Constitution states that the Republic of Moldova "is a sovereign and independent state, unitary and indivisible", and in p. 3, we read: "The Republic of Moldova is a state of law, democratic, in which human dignity, rights and his freedoms, the free development of the human personality, justice and political pluralism are supreme values and are guaranteed"¹.

From the first months of its existence, the Republic of Moldova was drawn into an armed conflict by the same Russian Federation, which had developed the model of "autonomy" of the separatist regions. For three decades, the current development partners of the Republic of Moldova have not had a collective decision on the conflict in the eastern districts of Moldova. Only in the context of the war in Ukraine, the Parliamentary Assembly of the Council of Europe (PACE) voted unanimously on March 15, 2022, to recognize "the occupation status of the Transnistrian region of the Republic of Moldova by Russia". Of course, the actors in the decision-making process in the Republic of Moldova are also to blame for the situation in which Boris Yeltsin and Mircea Snegur signed the Ceasefire Agreement. During the three months of the war, we learned about the signing by President Vladimir Voronin of a document proposed by Igor Smirnov, the separatist president, acknowledging that the Dniester conflict was a result of the invasion of Chisinau's

¹ *Constitution of the Republic of Moldova*, Official Gazette of the Republic of Moldova no. 1 of 12.08.1994, constitutia.pdf

army. Witnessing the initiation and evolution of controversies between political parties: the Christian Democratic People's Front, leader - Iurie Roșca and the "Unity-Edinstvo" movement, with several leaders, including MP Iacovlev, I amassed an impressive amount of empirical information about the armed conflict².

We wanted to stop the fire, but we did not know many details of the behaviour of the main actors in the political process; we only watched the Kremlin spokesmen come up with solutions, obviously in favour of the separatists: "Primakov Plan", then with "Cozac Plan". We analyzed the evolution of "the naughty behavior of the separatist leaders, of the demands put forward: a special status of the Zone; the federalization of the Republic of Moldova, the transformation of our country into a confederation with three topics. "During these events, for the first time, the close coordination between the separatist leaders from Gagauzia and Transnistria was openly manifested. A large detachment of so-called Transnistrian volunteers came to Comrat where, with weapons in hand, he was ready to fight the constitutional forces. During these hot days, he was detained in Cimislia by the Moldovan police, Râleakov, one of I. Smirnov's closest collaborators sent with a special mission from Tiraspol to Comrat to coordinate the joint actions of the separatists against the constitutional power of Moldova"³.

As Chisinau resisted the pressure of the "leaders" in Tiraspol, totally supported by Moscow, the settlement of the Dniester conflict and the territorial reintegration of Moldova was postponed indefinitely, a fact fixed by the formula: internationalized "frozen" conflict. Relating the events of 1992 to the war in Ukraine, we see another approach to the aggression of the Russian Federation by the community of European states, the USA and other influential leaders in the international arena. Just the intention to understand: Why did the Republic of Moldova remain with its serious problems aimed at sovereignty and territorial integrity in informal isolation? It is welcome because it would allow us to explain the causes of our situation. Compared to Ukraine, the Republic of Moldova is a small, poor state, even though it is located in Eastern Europe; Moldovan diplomats and politicians at the time were unprepared for regional change - the break-up of the Union of Soviet Socialist Republics (USSR); adoption of the Declaration of Independence; taking responsibility for the act of governing; the inability of the diplomatic corps to raise public awareness of the evolution of the armed conflict and Russia's intentions to continue to control Moldova.

At the moment, updating various actions of the aggressor of the 21st century, I better understand the behaviour of the leaders of political institutions in the Russian Federation, aimed at maintaining and expanding the influence on different regions of the world. For this purpose, the course of armament and fortification of the armed forces was supported. Let us look at the demands put forward by Russia during the massive deterrence of Ukraine, the EU and NATO in the first weeks of February. We see Vladimir Putin's intention to bring independent and sovereign Ukraine back

² *IIRM Scientific Yearbook*, 2012, pp. 25-34, article by Ludmila Roșca, „The “frozen” political conflict: Moldova-Transnistria”.

³ *Akademios*, no. 13, 2011, pp. 12-17, article by Anatol Țăranu, „The Parliament of Independence and the Transnistrian conflict”.

into the Russian Federation's sphere of influence. The presented theses would allow us to understand and answer the question: Where did world leaders, leaders of European states, leaders of international organizations, and the academic community go wrong in addressing interethnic, denominational conflicts in the world? However, especially in analyzing the behaviour of authoritarian leaders. In my opinion, Putin has been a real danger to the states of the ex-Soviet space and not only for three decades but to mentally healthy people, at the forefront of the political process, the political decision-making process, at the global, regional, national level. They believed in his ability to start the war until the evening of the day - February 23, 2022.

The applied methodology supports the objective of the investigation: the correlation of the national interests with the community ones from the perspective of the strategic priorities of the Republic of Moldova and the European states, modified by the invasion of the Russian Federation army in Ukraine. For this purpose, we used the systemic, structurally functional, institutional approach and the principles of dialectics: interdisciplinarity and complementarity. An essential role among the applied methods: analysis, synthesis, description, generalization, the comparative study and content analysis. These allowed us to correlate the Constitution of the Republic of Moldova with the socio-political reality, to observe that laws and normative acts are declared only the intentions of political institutions, actors of the decision-making process, of what we, the citizens, really want. Thus we find that the message sent by art. n.1 of the Constitution of the Republic of Moldova, *de facto*, is an ideal, the road to implementation of which in social practice is difficult because we have a society divided on geopolitical criteria, a parliamentary opposition, which supports and reproduces this phenomenon. In the conditions of the fratricidal war, in the close vicinity of the Republic of Moldova, the consequences of which affect the citizens in all existential aspects, the parliamentary opposition, through decisions and actions, show their cynicism, irrationality, taken from their spiritual leader - Vladimir Putin.

The national interest, the community interest in dialectical interaction

The national - is a phenomenon specific to industrial civilization and represents "a single and integrated political authority, superimposed on a single economy and integrated or merged with it"⁴. Intense research of national interest belongs to the twentieth century, a period in which, being placed at the centre of studies of the political process, provokes original investigations by H. Morghentau, R. Keohane, J. Burchill, A. Linklater, J. B. Duroselle, A. Wolfers. In recent decades, the phenomenon of *national interest* has been investigated in investigations into the strategic objectives of foreign policy⁵. Usually, each state is concerned with specifying the national interest based on assessing actual or potential risks. The internal difficulties of political, economic and social states require coherence and

⁴ Alvin Toffler, *Third Wave*, Editura Politica, București, 1983, p. 128.

⁵ *International Relations Magazine Plus*, 2013, no. 3, pp. 32-44, article by Andrei Nicolenco, „National / state interest - determining factor of foreign policy”.

insight into their foreign policy. "The impact is continuous as the work of states to preserve and promote national interests is uninterrupted in the international arena⁶.

The community is not reduced to the mechanical association of the integrated parts but represents a new entity, superior in quality to the "national", with its structures and functions; the qualitative leap from national to the community was determined by the progress requirements all respects. These requirements could no longer be entirely met within the national / state context.

The European Community phenomenon is "hope for the future, an appropriate form of organization capable of ensuring rapid progress in all its aspects while simultaneously being a chance to maintain peace". It is the embodiment of some of the new forms required by other solutions proposed for the future of humankind. "The Community, without assuming the dissolution of the component nations and their general interests". This phenomenon's functionality consists of solving the general tasks facing the integrated whole without overlapping and taking over the role of national institutions. In this context, maintaining the balance between the national component structures and the community leadership is a *sine-qua-non* condition for the everyday existence of this organization, characteristic of post-industrialism.

Therefore, we find that in terms of application, the concepts of "national interest" and "community interest" complement each other, providing tools to political leaders to solve the daily and strategic problems of representatives of different peoples living together in a current state, a community of states. Theoretically, the contents of the two phenomena must be clearly defined, in a language accessible to citizens who identify with a certain culture. In the current conditions, when following the intensification of integration processes and globalization, all the states of the world are multiethnic, the significance of applying the principle of unity through diversity in domestic and foreign policy programs increases. For example, the Republic of Moldova is populated, according to the 2014 Census, which does not include the population of the separatist region, by: Moldovans - 73.7%; Romanians - 6.9%; Ukrainians - 6.5%; Gagauz - 4.5%; Russians - 4%; Bulgarians - 1.8%; gypsies - 0.3%⁷. We notice that several citizens distinguish between cultural affiliation: Moldovans - Romanians. It is only about the perception of identity, about the formula used for the spoken language. Unfortunately, many citizens still consider that they speak the Moldovan language, traditionally following the leaders of the opposition parties.

The main element of the Moldovan society's unity is that we all live in the same space, and the culture, our social, moral, and civic consciousness depend on what it will look like in the coming decades. From my point of view, this should be taken into account by the authors of social policies and political programs of parliamentary and extra-parliamentary parties because the policy of a current state,

⁶ *Ibidem*, p. 33.

⁷The ethnic structure of the population of the Republic of Moldova (without the territory on the left bank of the Dniester) since 2014, <https://www.statistica.md>

which claims to become the rule of law, guarantees fundamental rights and freedoms to its citizens, must have their basis: the social interests of the target groups (children, the elderly, people with special needs, students, etc.), who need the support of state institutions; then the interests of the social groups that ensure the functionality of the political institutions, their capacity to carry out programs for the sustainable development of the society.

In recent years, with the help of the actors of the political process and the decision-making process in the Republic of Moldova come significant contributions, applying the tools of diplomacy to various Community policies, including the Eastern Partnership Program and the European Neighborhood Policy, community institutions. A faithful development partner of the Republic of Moldova has been and remains Romania, which has implemented hundreds of cross-border cooperation projects. Appreciating the reaction of the citizens of the Republic of Moldova to the existential crisis of the Ukrainian people, the European states, the USA, the UN, etc., helps political institutions monitor the flow of refugees.

European integration - the strategic objective of the foreign policy of the Republic of Moldova

Foreign policy is based on the state's economic, demographic, military, technical-scientific, and artistic potential. The combination of these indices determines the perspectives of the foreign policy of the state and the hierarchy of priorities in establishing and achieving the goals of foreign policy. The geopolitical situation of the state has been dominant in the history of the selection by the state of partners and the development of its mutual relations with opponents. An essential aspect in the analysis of the foreign policy formulation process is the examination of the internal capacity of the state: whether it is estimated geographical factor (population, natural resources) or economic development, military capacity, government functions, characteristics of society, qualities of politicians, legitimacy and citizens' attachment to government, which is sometimes more valuable than logistical means.

The concept of the foreign policy of the Republic of Moldova, adopted by the Decision of the Parliament of 08.02.1995, in p. 2 - Development of multilateral interstate relations, of Chapter IV - Main directions of foreign policy, stipulates: that „Moldova is gradually integrating into the European Union". The first step in this process is signing the Partnership and Cooperation Agreement with the European Union in 2008. It is an essential document for the institutional strengthening and development of the Republic of Moldova, which aims at supporting political dialogue, promoting trade and investment, cooperation in the field of legislative, economic, social, financial and cultural, supporting state institutions of the Republic of Moldova to strengthen democracy by promoting reforms in the judiciary, economy, aimed at completing the transition to a market economy⁸. According to

⁸ Ludmila Roșca, „The dialectical unit between the internal and foreign policy of the Republic of Moldova”, in the volume: *Trilateral ROMANIA-UKRAINE-MOLDOVA: diplomacy and good*

the results of the polls, reflected by the Barometer of Public Opinion, at that time, European integration was massively supported by the country's population, approximately 68% (November 2003)⁹.

The European Community has signed several agreements with Central and Eastern Europe countries, first simple trade agreements (1988), then more profound economic cooperation agreements under the PHARE Program (1999) and 1991 - European agreements for the establishment of free zones. The exchange between these states and EU Member States. Although these agreements cannot be separated from international policy objectives, they remain agreements of an economic nature in their content. The European Union has set out to replace this situation, which is set out in the Maastricht Treaty, one of the three pillars of the standard foreign and security policy.

Unfortunately, in the Republic of Moldova, the change of government team also means a radical change in foreign policy. This is what happened during the reign of Igor Dodon in the Presidency and the Socialists in Parliament. The consequence of pro-Russian policy has led to a considerable decrease in the number of people supporting Moldova's European integration, to the massive migration of labour in all world regions. The political experience of the Republic of Moldova can be studied in all universities in the world in terms of the negative impact of change of government and the orientation of political actors in global and regional integration processes. Examining the relationship between domestic and foreign policy, R. Aron, in the paper: „What is a theory of international relations?”, stressed that international relations are, in fact interstate relations, focused on the interaction of power systems, armed conflicts, and issues related to strategies¹⁰.

The decision-making process plays an essential role in implementing government programs. The literature highlights three categories of foreign policy decisions: macro-decisions - are broad topics of a general nature, which establish the general direction and the rules that guide the specialized state apparatus, which applies in specific situations, identified and specified. Micro-decisions - are called administrative or bureaucratic decisions. They are more numerous, being the state apparatus's attributes in foreign policy. Micro-decisions refer to narrow-minded subjects resulting from external impulses - an example of macro-decisions: is issuing visas and diplomatic passports and responding to embassy requests.

Updating the conclusions of the French scientist R. Aron about the meanings of a theory of international relations, we mention that, at the moment, the government is carrying out its activity in crisis conditions, characteristic of the activity of all the actors of the political process. Crisis decisions - are those that refer to situations in which there are threats to state security as a result of developments. Crisis decisions are related to crisis management, which aims to promptly provide

governance. Coordinators: Vasile Simileanu, Ștefan Purice, Ludmila Roșca, Liubovi Melnychuc, Top Form Publishing House, Bucharest, 2017, pp. 42 -55.

⁹ www.Ipp.md

¹⁰ Raymond Aron, « Qu'est-ce que une theorie de relations internationales? »/ Raymond Aron, *Etudes politiques*, Paris, 1972, pp. 361-362.

the most complex response to the latest developments of the event to which the crisis relates. Crisis decisions are influenced by several factors, including the high level of threat and its potential severity; low time limit available to decision-makers; possible surprise items; involvement of the very high decision-making level in foreign policy. In the last three months, the leaders of the European institutions, the leaders of the EU member states, the USA, Canada, Great Britain, etc. adopted many crisis decisions aimed at restoring the world, the region, each European state to normalcy, a constant concern for maintaining peace and the stability of social systems.

At the stage following the adoption of the decisions, the scientists highlight three phases: the application phase, the evaluation phase, consultation phase. All have a significant influence on the achievement of foreign policy objectives. Also necessary are the instruments of foreign policy, which are classified into: political, economic and military. The political instruments are negotiations, public diplomacy, organizations, international law and alliances. Economic instruments include foreign aid, financial and trade policies, and sanctions. Military instruments can be used both for persuasive purposes and in large-scale wars. Propaganda is based on the deliberate manipulation of verbal symbols. Diplomacy is based on negotiations, and economic policy is based on resources. The military policy applies violence, weapons, and force. The contradictions that currently accompany global development have forced civilized partners in international relations to pay more attention to the problems of restructuring the international security system; organizing measures to prevent and locate regional conflicts; preventing technical catastrophes, and cooperation in order to liquidate as soon as possible their consequences; the fight against international terrorism and trade in narcotics; standard measures to protect the environment and eliminate the sources and consequences of its pollution; assisting third world countries in the fight against hunger, disease, etc. Today, all the world's influential actors are concerned about the end of the war in Ukraine.

Conclusions

I approached a topic much discussed by the academic community in the Republic of Moldova, which, like the Moldovan society, is divided into groups: pro-Europeans, pro-Moscow and Eurosceptics. In the messages, the research of the representatives of each group, we find their true intentions: to create obstacles to the pro-European government, which, at the moment, has assumed responsibility for governing the country and providing minimum security in case of enlargement of war in Ukraine east of Moldova. We also see such intentions in the pro-European group, which is in extra-parliamentary opposition, which often speculates, like the Socialists, on respecting the status of neutrality.

In the complicated situation, the actors of the decision-making process in the Republic of Moldova managed to prove to the world that they could monitor the refugee crisis, signed and submitted the application for EU membership, and are trained in preparing the Accession File. It is a success for the citizens of the Republic of Moldova that the state's leading institutions share the same European values, work

together, and honour their promises from the pre-election period. Such an approach to the strategic objectives of domestic and foreign policy allows us to hope that the citizens of the Republic of Moldova will return home and contribute to the sustainable development of the national economy.

At the Community level, we note that foreign policy remains a matter for the Member States. However, the European Union is trying to reach common ground in making important decisions to maintain peace and ensure the stability of the social system. The Maastricht Treaty systematizes such a process. The European Council, composed of Heads of State and Government, has an impetus role, tasked with defining the broad guidelines of foreign policy. This action is continued by the involvement of the Council of Ministers. The aim is to reach a joint position in international organizations so that all participating European states vote in the same direction. In the current context, we have seen severe controversy among the Member States of the European Union in adopting decisions on "packages" of sanctions against Russia. These have severe consequences for the image of the European Union, diminishing the colossal effort made in this matter by the leaders of the European institutions. Moreover, the created situation offers us new arguments in favour of the topicality and significance of this study.

THE NEUTRALITY OF THE REPUBLIC OF MOLDOVA - A SOLUTION TO PEACE OR AN IMPEDIMENT TO SECURITY

Dana PAIU*

Abstract. *Neutrality at first glance resembles a first-grade math formula, meaning you are neutral you have nothing to do with anyone, but this perception of neutrality is only understandable to everyone, in reality, things are much more complicated and much harder to solve. When I say neutrality, most people consider the example of Switzerland, without realizing that any declared neutrality must be recognized internationally: by neighboring states, allies and partners.*

The Republic of Moldova has declared its status of neutrality through Article 13 of the Constitution due to the Transnistrian conflict, but this neutrality has not gained international recognition and if we look at the case of Ukraine in conflict with the Russian Federation, we realize that the formula of neutrality it is a fragile one that does not guarantee the security of the country. In the case of the Republic of Moldova, we have a projection of the situation in Ukraine, when the only natural solution for ensuring national security would of course be to join NATO. The NATO umbrella can guarantee national security in the current context when neighboring countries are in a state of open conflict and may threaten the independence and sovereignty of the country.

Keywords: *neutrality, NATO, impediment, security, conflict*

At first glance, neutrality is like a first-rate mathematical formula, meaning you are neutral, you have nothing to do with anyone, but this perception of neutrality is only understandable to everyone, in reality, things are much more complicated and much harder to solve.

The undeclared war in Ukraine, launched by the Russian Federation, contained, among other conditions, the desire to see a neutral state in the Ukrainian state. The world political structure is currently being reformed with unexpected geopolitical changes. The transition process from a monopolar world to a poly polar world occurs. This war has brought about fundamental political changes. On May 17, 2022, after 200 years of neutrality, Sweden declared that it wanted to join NATO. At the same time, the same statement comes from another neutral country - Finland. Another neutral state - Austria has reaffirmed its allegiance to its political situation. Switzerland's status of neutrality also remains intangible.

It is very important that "... the concept of neutrality has evolved tremendously in the last twenty years. Although the central idea of non-alignment

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with this concept has remained the same, we cannot see that even non-aligned states with the strongest entrenched security traditions, aware of the nature, number, and diversity of today's threats, have begun to assume increased responsibilities in the international arena"¹.

In this context, Article 11 of the Constitution of the Republic of Moldova on the neutrality of our state, unrecognized becomes a national issue. The national security of the Republic of Moldova is called into question, especially from the point of view that in the East of the republic there is a territory controlled by the Russian Federation, the so-called Dniester Republic of Moldova.

In the explanation of the Constitutional Court of the Republic of Moldova, no. 14 of May 2, 2017, regarding the interpretation of art. 11 of the Constitution, regarding permanent neutrality, states that "the participation of the Republic of Moldova in collective security systems, such as the United Nations security system, peacekeeping operations, humanitarian operations, etc., which would impose collective sanctions against aggressors and to offenders under international law, it does not contradict the status of neutrality"².

At present, the virtual confrontation between East and West is taking place on a narrow strip of land called Transnistria. The Russian Federation uses the Transnistrian regime as a platform against NATO enlargement to the east while undermining Ukraine's intentions to join NATO and the EU, sacrificing Moldova's territorial integrity in violation of the 1999 Istanbul provisions³. The rapprochement between the Republic of Moldova and NATO began in the early 1990s. The twentieth century has not grown due to the neutrality of our state, leaving room for cooperation in humanitarian, environmental, scientific, and peacekeeping programs in Kosovo and Afghanistan. The NATO Liaison Office with the Republic of Moldova is open only on December 8, 2017, in Chişinău.

The political crisis in the Republic of Moldova in recent years, 2018-2021, has further accentuated the need to assume the Western vector as opposed to the Eastern one, promoted by supporters of the Russian Federation and the Euro-Asian Alliance. The 2020 presidential election, by diaspora vote, outlines the European course. The President of the Republic of Moldova, Maia Sandu, even on her first trips abroad: Romania, Ukraine, France⁴, Germany, etc., reiterated her desire for the European integration of our country and the strengthening of relations with the North Atlantic Alliance. These visits culminated in the addressing of the accession document. The transmission in April 2022 of the questionnaire document by the President of the Republic of Moldova, Maia Sandu, regarding the accession of the

¹ „Statele neutre și NATO: cooperarea în sprijinul păcii și securității”, www.nato.md [Accesed on 28.03.2022].

² Nicolae Țău, Elvira Poștaru, *Integrarea Economică Europeană*, Tipografia Print Caro, Chişinău, 2019, 240 p.

³ Organization for Security and Co-operation in Europe, Istanbul Summit, 1999, pp. 56-57. <https://www.osce.org/files/f/documents/6/5/39569.pdf> [Accesed on 05.04.2021]

⁴ The visit of the president of Republic of Moldova, Maia Sandu, in Paris, 3-4 February 2021, <https://franta.mfa.gov.md/content/vizita-pre%C8%99edintelui-republicii-moldova-maia-sandu-la-paris-3-4-februarie-2021> [Accesed on 02.04.2022]

Republic of Moldova to the European Union, confirms once again, the desire to join, confirms the veracity of the chosen course⁵.

When we follow the evolution of the cooperation between NATO and the Republic of Moldova, we find that the situation of the Republic of Moldova did not change radically with the change of governments until 2020. The situation became critical with the outbreak of the war in Eastern Ukraine. This confrontation between two Slavic countries forces the leadership of the Republic of Moldova to seek new ways of relations with NATO and the European Union as a key to perpetuating peace and stability in this area. "If Moldova joins NATO, then it is possible that some guarantees of its future status will appear. But only a few, because it is too close to the areas of interest indicated at the time in the Ribbentrop-Molotov Pact. But will NATO be able to ensure its security and territorial integrity? As for security, it may be, but territorial integrity is unlikely, as Transnistria will immediately secede from Moldova, becoming a kind of "Kaliningrad region on the Black Sea. "Kosovo's precedent is so visible and real in the case of Transnistria"⁶.

The NATO umbrella is a vital necessity in the case of a small state such as the Republic of Moldova, which has a very modest army compared to the Russian Federation, from which comes the danger of being attacked.

The case of the Republic of Moldova, where some politicians insist on recognizing neutrality is a problem with NATO enlargement. The Territorial Autonomy of Gagauzia and the Transnistrian Republic are from the beginning in opposition to this possibility. The problem of the Republic of Moldova for the future is all the more complicated as Romania is a full member of NATO, and Ukraine strives to become a member and our state will be between these two powers promoting neutrality.

Remaining in a state of neutrality of the Republic of Moldova between, possibly, two NATO powers is problematic and can have detrimental consequences on the foreign policy of the Moldovan state. When asked if Moldova will be able to remain a neutral country without being involved in the disputes of the great powers and military blocs? A. Burian argues: "Judging by all appearances, we believe not, because in the confrontation between East and West Moldova continues to be drawn sometimes by some, sometimes by others on their side. (...) If Moldova joins the N.A.T.O., then some guarantees of its future status will appear"⁷. The Russian Federation has shown by attacking Ukraine that it will not allow NATO enlargement to the East and we can assume that the fate of our country is simple.

⁵ Mădălin Necșuțu, *The Republic of Moldova sends to Brussels the completed questionnaire from the EC that contains an radiography of the state with a view to joining the EU*, 22.04.2022, <https://www.g4media.ro/republica-moldova-trimite-la-bruxelles-cestionarul-completat-de-la-ce-care-contine-o-radiografie-a-statului-in-vederea-aderarii-la-ue.html> [Accesed on 02.05.2022]

⁶ Alexandru Burian, „Geostrategia Republicii Moldova în contextul relațiilor internaționale contemporane”, in *Academia de Administrație Publică – 15 ani de modernizare a serviciului public din Republica Moldova*, Proceedings of the international conference, 21 May 2008, Academia de Administrație Publică, Chișinău, 2008, p. 40.

⁷ Alexandru Burian, *Geopolitica lumii contemporane*, Ediția a II-a, CEP USM, Chișinău, 2008, p. 302.

But NATO enlargement is beneficial for the Republic of Moldova because the criteria for joining NATO are political in the first place and military in the second. For example, NATO opts for: a democratic and functioning political system; a market economy; civilian control over the army; respect for minorities, in accordance with OSCE principles; solving problems with neighbors peacefully, etc.

"Moldova's cooperation with NATO in the Partnership for Peace occurs in both the military and civilian sectors. In the military field, the Republic of Moldova benefits from NATO support in order to continue the process of reforming the army and creating modern, mobile and cost-effective military forces. From a political point of view, the North Atlantic Alliance supports the independence and territorial integrity of the Republic of Moldova - externally, and internally - the consolidation of democratic principles and values in Moldovan society, a precondition for the European course of the Republic of Moldova"⁸.

⁸"Statele neutre și NATO: cooperarea în sprijinul păcii și securității", www.nato.md [Accesed on 28.03.2022].

THE ROLE OF THE EU PUBLIC'S PERCEPTION OF SECURITY ON POLICY MAKERS

Hilal ZORBA BAYRAKTAR*

Abstract: *The European Union (EU), which emerged as a product of the common mind as a result of the crises in Europe and the World Wars, has aimed to ensure peace and security in Europe since its establishment. The EU is trying to fulfill this mission as a political actor. Besides, the EU, which has a supranational feature, has a structure that the Member States of the Union decide on by consensus, thanks to its institutional structure. As a matter of fact, the Council, Commission and Parliament take an active role in this decision-making process. Members of these bodies are also citizens of member states. When this situation is taken into consideration, in this study, the role of EU public's perception of security on policy makers is discussed. However, it is known that each member state has its own national concerns and therefore it is not possible to create an objective security perception. In order to create a regular set of information on this subject, the EU Commission is trying to measure the security concerns of both the EU public and the citizens of the member states separately by conducting Eurobarometer survey at certain periods. In this direction, another subject that the study explores is what the threats are in the perception of the EU public and whether or not action is taken against these threats. However, the order of importance may vary according to countries and years. In order to find answers to these questions, Transatlantic Trends and Eurobarometer surveys were used. Apart from this, thanks to the literature review, which is one of the qualitative research methods, the articles written on this subject were used as primary and secondary sources. Analysts mostly state that negative public attitudes are not included in the decision-making processes and liberal policies are followed. However, it should not be forgotten that the members of the Council, Commission and Parliament also have national concerns due to the countries they belong to. As a result, it will be revealed what kind of policies followed by policy makers and how they respond to these perceptions in line with the security perceptions of the EU public that have changed over the years. Although there is no unity in practice, it is possible to say that the measures taken and the regulations made, especially regarding irregular migration and terrorism, reflect the concerns of the public.*

Keywords: *EU decision-making process, EU public opinion, perception of Security, terrorism and migration*

Introduction

The EU, which is designed as a supra-national organization, continues its decision-making processes with the participation of different actors due to this structure. For this reason, the EU decision makers have been designed as a tripartite structure. These are the EU Commission, the European Parliament and the Council

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of the EU. All of them are called “institutional triangle”¹. These three institutions work in cooperation and decide jointly. Actually, there is complicated process of decision-making but two modalities are used: simple majority and absolute majority. Decision-making activity in the EU is carried out through the Ordinary Legislative Procedure and the Special Legislative Procedure. Consultation Procedure and Consent Procedure, which are among the Special Legislative Procedures, are exceptions and can only, be applied in cases where there are express provisions in the Treaties. Unless otherwise stated, the procedure to be applied is the Ordinary Legislative Procedure as a rule.

In the decision-making processes, the proposal is prepared by the European Commission as a rule, the opinion of the European Parliament, which is binding in varying degrees depending on the process to be applied, is taken, and the proposal is decided by the Council after consulting some other advisory bodies. When the proposal comes to the Council, in practice, it is seen that the Council's decisions are prepared by the Permanent Representatives Committee. Although the EU has a complicated decision-making process; in this study, the effect of security perceptions of the EU public on decision makers is investigated. In this respect, it has been discussed what the threat perceptions of the EU public are and whether any action has been taken against these threats.

In this study, primarily, information about EU policy makers will be given. Then, the EU public's perceptions of security will be given through opinion polls. An overall assessment of the EU public's security concerns will be made and information will be provided on policy implications. As a result, it is very difficult to talk about an integrated approach when it comes to threat perceptions and security issues. That is, it is not possible to consider the issue of security separately from the national area.

1. Policy Makers of EU

Before policy proposals become legislation, it oscillates between the Commission, Council and Parliament, which can amend, reject, delay and accept proposals under different institutional procedures and decision rules².

1.1. EU Commission

The Commission is composed of the College of Commissioners from 27 EU countries. Together, the 27 Members of the College are the Commission's political leadership during a 5-year term. They are assigned responsibility for specific policy areas by the President.

If the Commission is able to establish close ties with member states, this may affect the support of the Council and the inter-agency decision-making process³. In

¹ Juan Diego Ramírez and Cárdenas Díaz, “Decision Making In The Eu: The Legislative Procedures”, *Intensive Training Seminar “EU Legal, Institutional and Procedural Affairs”*, 2011.

² *European Union Politics*, 2007, Vol 8, No. 2, p. 231, article by Jelmer Schalk, René Torenvlied, Jeroen Weesie and Frans Stokman, “The Power of the Presidency in EU Council Decision-making”.

³ *West European Politics*, 2011, no. 34:1, p. 49, article by Åse Gornitzka and Ulf Sverdrup, “Access of Experts: Information and EU Decision-making”.

addition, the argument is supported that the relationship with the member state governments is most appropriate for the Commission to develop⁴.

- “The Commission proposes legislation, after carrying a process of consultation with the relevant interested parties;
- The Council and Parliament jointly pass the laws (in some cases, the Council alone);
- Commission implements these EU legislative instruments, under the supervision and control of Council & Parliament or the Member States”⁵.

The basis of the Commission's proposal is based on many things. In addition, the Commission consults: interested parties, interest groups, scientific experts, economic operators, citizens and other institutions.

1.2. European Parliament

The European Parliament is the EU's only directly-elected institution. It consists of 705 Members. The European Parliament is an important forum for political debate and decision-making at the EU level.

The Parliament acts as a co-legislator, sharing with the Council the power to adopt and amend legislative proposals and to decide on the EU budget. It also supervises the work of the Commission and other EU bodies and cooperates with national parliaments of EU countries to get their input⁶. The Parliament cannot amend a proposal: it must either accept or reject it. In case of rejection, the act is not adopted⁷.

1.3. Council of the EU

The Council is an essential EU decision-maker. It negotiates and adopts legislative acts in most cases together with the European Parliament through the ordinary legislative procedure, also known as 'codecision'. Codecision is used for policy areas where the EU has exclusive or shared competence with the member states⁸. In these cases, the Council legislates on the basis of proposals submitted by the European Commission.

The Council is an essential EU decision-maker. It negotiates and adopts new EU legislation, adapts it when necessary, and coordinates policies. The Council has to obtain the European Parliament's consent before certain very important decisions are taken⁹.

⁴ *Ibidem*, p. 65.

⁵ Juan Diego Ramírez and Cárdenas Díaz, “Decision Making In The Eu: The Legislative Procedures”, *Intensive Training Seminar “EU Legal, Institutional and Procedural Affairs”*, 2011.

⁶ *European Parliament*, Welcome to the European Parliament. <https://www.europarl.europa.eu/about-parliament/en> [Accessed on 02.05.2022]

⁷ Juan Diego Ramírez and Cárdenas Díaz, “Decision Making in the EU: The Legislative Procedures”, *Intensive Training Seminar “EU Legal, Institutional and Procedural Affairs”*, 2011.

⁸ The Council of the European Union, *What does the Council of the EU do?*. <https://www.consilium.europa.eu/en/council-eu/> [Accessed on 02.05.2022]

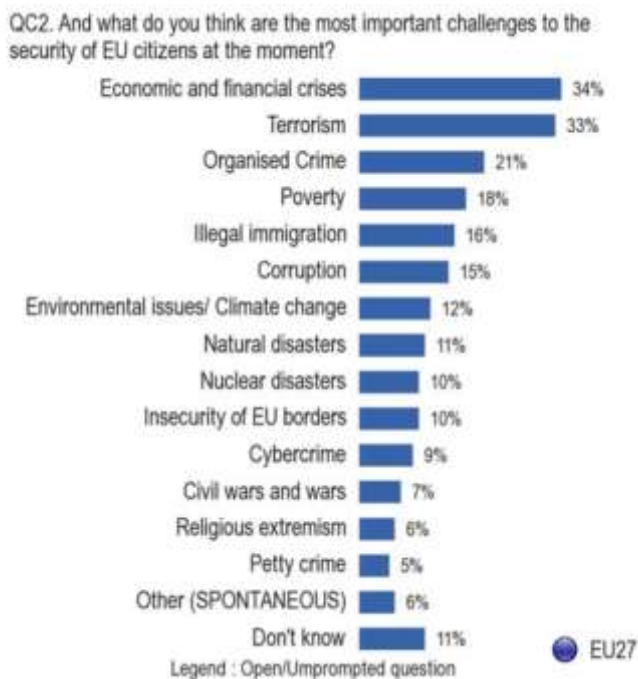
⁹ Juan Diego Ramírez and Cárdenas Díaz, “Decision Making In The Eu: The Legislative Procedures”, *Intensive Training Seminar “EU Legal, Institutional and Procedural Affairs”*, 2011.

Most scholars agree that the Council is the most powerful among the three governmental institutions of the European Union (EU)¹⁰.

2. EU Public's Perception of Security

The issue of security cannot be handled in an objective way and, therefore, different security perceptions arise on an individual and national basis. In this study, in which the security perceptions of the public in EU countries were used as data, it was revealed that the security perceptions of the public changed depending on both time and country. In particular, the data obtained as a result of Transatlantic Trends and Eurobarometer research confirms this.

Eurobarometer surveys conducted at intervals in order to reflect the opinions of the EU public on certain issues, carried out their studies on the subject of security in 2011, 2015 and 2017. In order to analyze the security perceptions of the EU public, the results of the research conducted in these three periods will be used. In this direction, question was first asked to participants "what do you think are the most important challenges to the security of EU citizens at the moment" in 2011.

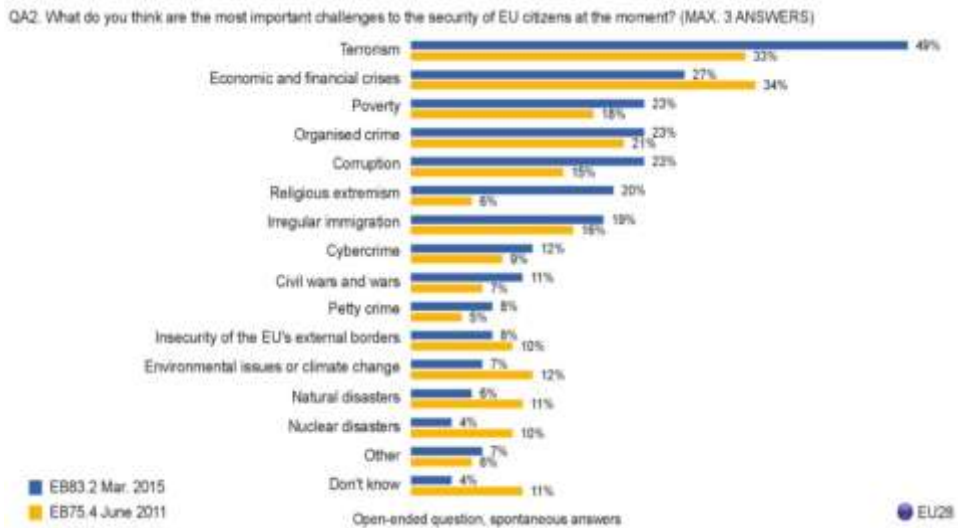


Source: *Special Eurobarometer 371*, 2011, article by European Commission, "Internal Security Report".

¹⁰ *European Union Politics*, 2007, Vol. 8, No. 2, p. 230, article by Jelmer Schalk, René Torenlvlied, Jeroen Weesie and Frans Stokman, "The Power of the Presidency in EU Council Decision-making".

In this chart, we see that the economic and financial crises are the most important problem for them with a rate of 34%. After that, terrorism is followed with 33%. And then organized crime, poverty and illegal immigration issues come next (21%, 18% and 16%). Since this period is a period when the Arab Spring has just begun, the issue of illegal immigration does not occupy the agenda of the EU public opinion. However, it is still considered one of the top five problems.

When we looked at the answer given to the same question in 2015, we see that the first and second rows are swapped. Terrorism is top of the list with 49% and economic and financial crisis are followed with 27%.

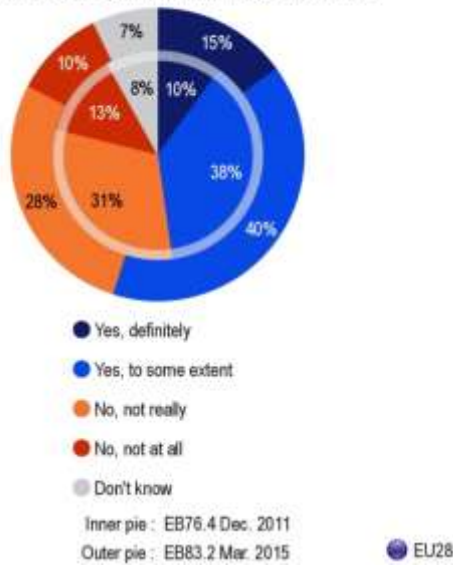


Source: *Special Eurobarometer 432*, 2015, article by European Commission, “European’s Attitudes towards Security”.

Like terrorism and economic and financial crises, the rows of poverty and organized crime are swapped. These ratios are very interesting because illegal migration was one of the biggest problems of EU in 2015. In fact, this table is very important data as it allows us to compare both 2011 and 2015 data.

Considering all these security concerns, it has been questioned what EU citizens think about the restriction of fundamental rights and freedoms in order to cope with them. Especially in 2015, we can easily see that most people admit the restriction of freedoms with 55%.

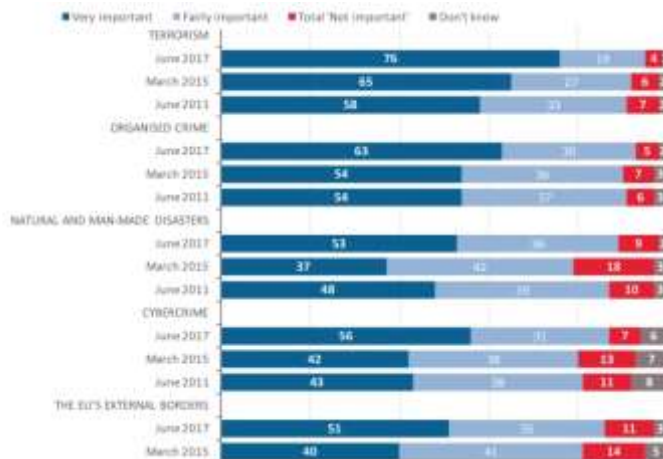
QA7. Do you consider that fundamental rights and freedoms have been restricted in the EU for reasons related to the fight against terrorism and organised crime?



Source: *Special Eurobarometer 432*, 2015, article by European Commission, “European’s Attitudes towards Security”

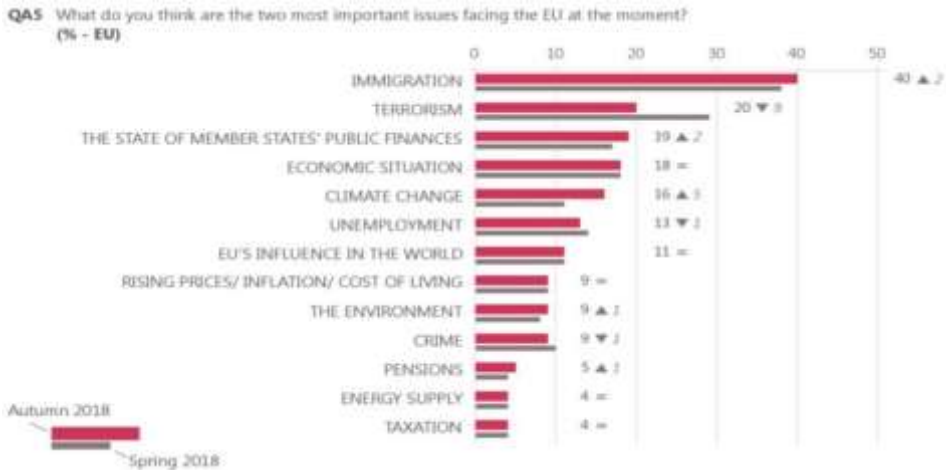
Although the EU is a supra-national organization that gives importance to freedoms at the individual and institutional level, it is seen that the public is particularly willing to restrict freedoms when it comes to security.

In the graphic below, it is possible to see a collective assessment of the EU public's perceptions of security in 2011, 2015 and 2017. Although the percentages change, the topics that make up the top five remain the same.



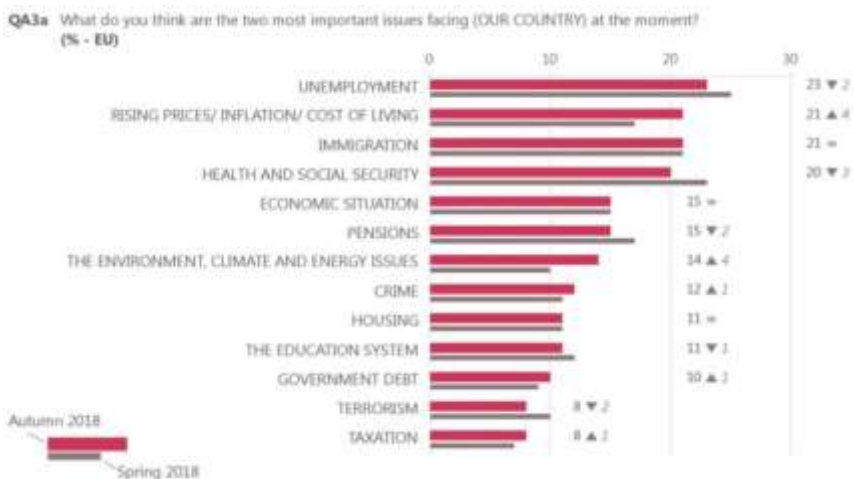
Source: *Special Eurobarometer 464b*, 2017, article by European Commission, “European’s Attitudes towards Security”

When we come to 2018, we see that there has been a great change in security throughout the EU. As stated earlier, the issue of immigration is the top of the list in survey made in 2018. In addition, the other main concerns still continue to occupy the ground. It is not surprising that the issue of migration is in the first place; because it has become a topic that cannot be ignored for all member states, especially Italy, Spain and Greece.



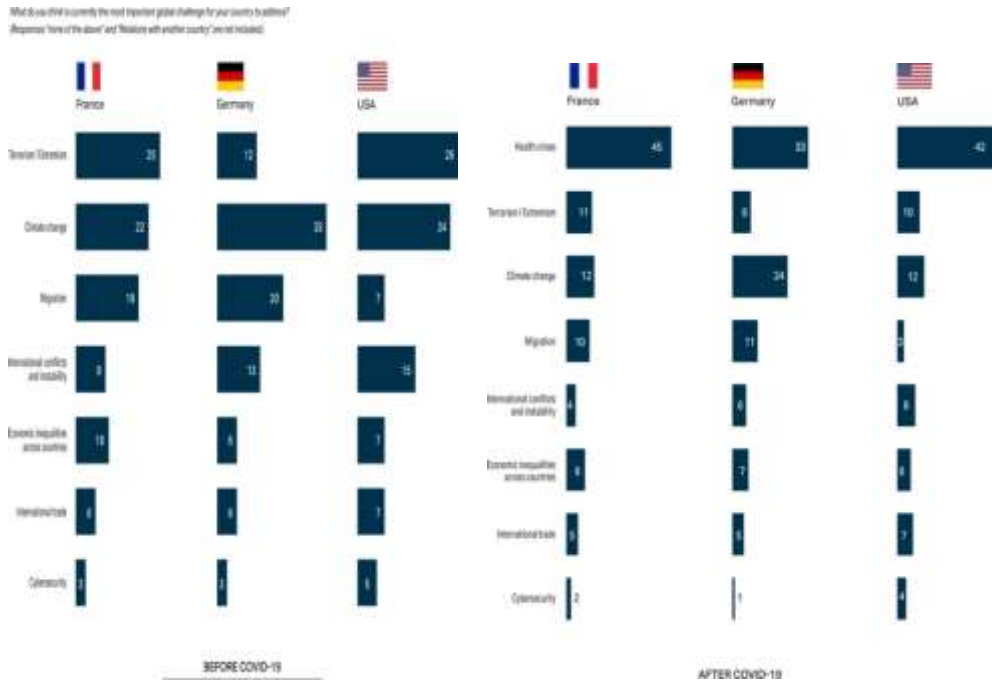
Source: *Standard Eurobarometer 90*, 2018, article by European Commission, “Public opinion in the European Union”

The interesting thing here is when we ask the same question on a country-by-country basis, we see changes. Thus the issue of immigration loses its importance and falls to third place. In the meantime, financial situations located at the top of list.



Source: *Standard Eurobarometer 90*, 2018, article by European Commission, “Public opinion in the European Union”

We have seen the results of the research conducted by Eurobarometer between 2011-2018 on both an EU and national basis. Apart from these, a very different dimension of the security issue has emerged with the research conducted by Transatlantic Trends.



Source: *Transatlantic Trends 2020*, 2020, article by The German Marshall Fund of the United States, “Transatlantic opinion on global challenges before and after COVID-19”

In this graph, the two developed EU member countries and the USA's security concerns were revealed by asking the question “What do you think is currently the most important global challenge for your country to address?”. In the first graph, the subjects of three of them are terrorism, climate change and migration. But the importance of these subjects is different from country to country. When we look at the same chart after COVID-19, the issue of health crises placed at the top of the list. The important point here is that the health crisis has become a priority for all countries.

The result obtained from the data collected between 2011 and 2020 is that the security perception of the EU as a whole and the security perceptions of the member states are incompatible from time to time, and therefore it is very difficult to take common security-related measures.

3. Policy Implications

When we look at both the impact of the EU public's security perceptions on the decision-makers and the policy outputs, it is possible to see the strong interaction between them. There are perhaps two great examples that can be given in this regard.

The first of these is the issue of illegal immigration and refugees, which is positioned as a threat to the EU after 2015, and the second is the crisis in the field of health with COVID-19.

Due to its institutional structure, it is very difficult to take a joint decision at the EU level and to implement it. However, that doesn't mean it's impossible. It is possible to see a unique political unity, especially when it comes to the superior values of the EU and the common interests of the member states. The norm of consensus among actors in the European Union is strong so inclusive voting rules and a long shadow of the future can result in tough, uncooperative bargaining¹¹. There are many studies on whether the EU public opinion has an effect on the decision-making processes of the actors. Therefore, different results emerge. One of them states that negative public perceptions about refugees are not reflected in policy processes. Thus, it is stated that EU member countries follow more liberal immigration policies¹². Contrary to this view, there are also those who state that policy outcomes are more in line with public attitudes.

European public opinion seems to be polarized over whether the EU or national governments should make migration policy¹³. The biggest reason for this is the strategic positions of the countries, because not every country encounters the immigration wave at the same rate. Although most immigrants prefer Northern European countries, the countries that are most in contact with the irregular migration wave are undoubtedly the countries that form the Schengen borders. For this reason, it is very difficult to reach a policy output that reflects the wishes of border countries, especially on migration. Despite this, it is seen that some measures have been taken in a wider range in line with EU values. Especially readmission agreements with countries that originate migration, increasing border security and trying to create safe third country outside the EU borders can be given as examples.

The process that started with COVID-19, which we show as another example, has made the health crisis a priority for all countries without exception. Here, on the other hand, there has been a reality situation rather than the perceptions of the public, and a fast and effective decision-making process has been experienced in this direction. Although there was a crisis in which the institutional structure of the EU was tested, the EU managed to come out of this stronger, just like in all other crises. It reflects EU institutional developments, mass attitudes and raises the question that public opinion is more relevant than it seems, why and how policies are changing¹⁴.

Conclusions

At a time when we cannot talk about an objective definition of the concept of security, it is very difficult to talk about common security concerns. As a matter of

¹¹ *European Union Politics*, 2007, Vol. 8, No. 2, p. 234, article by Jelmer Schalk, René Torenvlied, Jeroen Weesie and Frans Stokman, "The Power of the Presidency in EU Council Decision-making".

¹² *Comparative Political Studies*, 2004, Vol. 37, No. 10, p. 1151, article by Gallya Lahav, "Public Opinion Toward Immigration In The European Union Does It Matter?".

¹³ *Ibidem*, p. 1173.

¹⁴ *Ibidem*, p. 1178.

fact, it has been observed that the security perceptions of the states that are members of a supra-national organization such as the EU have changed over time and according to the positions of the countries.

Security perceptions of the EU public were accessed through public opinion polls conducted between 2011 and 2020. Here, certain breaking periods such as terrorism, immigration and COVID-19 have been quite effective. Some have had a massive impact, while others have had a regional impact. However, it is possible to say that each country has its own security concerns and policy implementations for this. However, it is possible to see the impact of opinion polls on decision makers, especially on issues related to terrorism, immigration and the economy. It is possible to see the influence of public opinion on the EU Parliament the most. However, it is difficult to agree on a common policy since the decisions were taken unanimously.

Despite difficulties in decision-making processes, it is possible to see the reflection of national concerns in EU decision-making process. Finally, it should not be forgotten that the citizens of the member states have a say at the center of the decision-making mechanisms.

Section II

NATIONAL AND SUB-NATIONAL ACTORS: CHANNELS AND INSTRUMENTS FOR PARTICIPATION TO/AND FOR INFLUENCING THE EU DECISION-MAKING PROCESS

DEFINING EUROPEAN CITIZENSHIP ON THE PUBLIC STAGE AND ITS RELEVANCE IN THE PRIVATE SPHERE

Lorena - Valeria STUPARU*

Abstract: *If being European means, in terms of culture, to recognize yourself in a pattern of Europeanness, in something from the field of universality which also include individual differences - being a European citizen means more than a subjective identification. More specifically, it means a new political and civic identity which can be found in institutional realities and within a specific area whose recent changes occur at both real and virtual levels. In this respect, among the concepts that have contributed to transforming the geographical and historical Europe into a political Europe, the European citizenship is distinguished by a functionality whose utopian connotations ennoble it.*

First point of the Article 8 of Maastricht Treaty states that “Any person holding the nationality of a Member State is citizen of the Union” and the Treaty of Amsterdam (1997) added: “Citizenship of the Union complements national citizenship and shall not replace it”. Beyond these “technical” issues European citizenship can also be considered in terms of philosophical cosmopolitanism. This new positioning of the individual in the political form of European Union is a real manifestation of “citizen of the world”, concept which belongs to political and cultural value system of European space.

Compared with the active spectators wishing to communicate their opinions more or less critical about the political, economic and social “show”, the citizen of a political entity has the right to manifest itself in a public space, which is not only a rational place for debate important topics.

Does the “stage” model of public space allow the real commitment of the European citizen in relation to the institutions and in the management of individual rights? This is one of the questions I try to answer in this paper.

Keywords: *European citizenship, public space, national citizenship, civic identity*

1. Philosophical perspectives on European citizenship

As we know, one of the very last priority of The European Commission is the new push for European democracy¹. Or, democracy cannot be conceived without free citizenship, and in this respect, the European citizenship. At least in a theoretical perspective, is an expression of the global democracy.

Before being a legally regulated reality, the European citizenship, such as the national citizenship, is a projection of the individual in a public space that extends the

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¹ The European Commission’s *Priorities* for the mandate 2019-2024. <https://ecamaastricht.org/blueandyellow-knowyourunion/commissionpriorities?rq=priorities> [Accessed on 26.05.2022].

private space, giving him an important role and adding sense to its political being condition discovered since the European antiquity. If being European means, in terms of culture, to recognize yourself in a pattern of Europeanness, in something from the field of universality which also include individual differences - being a European citizen means more than a subjective identification. More specifically, it means a new political and civic identity which can be found in institutional realities and within a specific area whose recent changes can be observed at both real and virtual levels. In this respect, among the concepts that have contributed to transforming the geographical and historical Europe into a political Europe, the European citizenship is distinguished by a functionality whose utopian connotations make it more attractive.

At the beginning of its history, the idea of citizenship has instituted the otherness of those which aren't citizens, but the more we advance in modern times, citizenship becomes the status which formally puts an end to otherness. And this is because national citizenship is the "common denominator" of the locals and "ethnics" which become each for other "neighbor" in a the political frame of the state. The quality of citizen whereby people coexist is also that which approaches the "otherness" in a public space. We resemble one another by citizenship, which is a common denominator: the neighbor or the fellow is in the same time the citizen. On the other hand, citizenship implies the right to alterity (in its profound meaning), being itself a kind of "otherness" compared to "natural self" as it was understood by Rousseau.

The alterity highlighted and concealed at the same time through the citizenship status, also occurs in the case of integration of different members in a group, of the incorporation of different groups within a national community and, more recently, of the integration of citizens with their states in the European Union which becomes the potential public space of their manifestation.

According to Pierre Manent's vision - the postmodern ideal of European construction can be formulated as follows: "Europe is a political promise because it promises the exit from the policy", which would announce "a meta or post-political world, an unmediated human world"².

On the other hand, foreseeing such a post-historical possibility, Dominique Schnapper draws attention to the potential risks it entails: "In fact, the 'post-national' citizenship desired by philosophers and lawyers anxious of any nationalist derives, if it would be adopted, would also act for the purposes of depoliticization. Within the nation were built the legitimacy and democratic practices: the weakening of the national state, which is a consequence of European construction risks to involve that of democracy.(...) In Western Europe societies that do not recognize neither the legitimacy of religious principle nor the dynastic principle, the national link's dissolution risks to weaken even more the social relation"³.

Another philosophical perspective we can find pursuing the history of European democracy from the beginnings until today, as does Salvo Mastellone:

² P. Manent, *O filosofie politică pentru cetățean*, Translated by Mona Antohi, Editura Humanitas, București, 2003, pp 322-323.

³ D. Schnapper, *Comunitatea cetățenilor. Asupra ideii moderne de națiune*, Translated by Ana-Luana Stoicea-Deram, Editura Paralela 45, Pitești, 2004, p. 201.

“European unification called into question the national state, the political representativeness, the power of governments, giving a particular value to the topic of democracy. But what kind of democracy should be adopted by the European Union? The democracy of rules, was the answer of Norberto Bobbio (...). According to Bobbio, European civil society must comply with constitutional norms, adopt the principle of mutual tolerance, to act in the name of peace”. In short, “the ideal system of stable peace can be expressed by the synthetic formula: a democratic universal order of democratic states”⁴.

Analyzing the different conceptualizations of citizenship and law, Habermas considers that these “are the expression of a deeper disagreement on the nature of the political process”. If according to the liberal conception “in the public space and in parliament, the process forming of opinion and political will is determined by the competition between collective actors acting strategically to maintain or acquire positions of power”⁵, in terms of republicanism “the formation of opinion and political will in the public space and in the parliament structures is not subject to market processes, but to structures proper for a public communication oriented to understanding”. According to Habermas, the advantage of the Republican conception “consists in the fact that the radical democratic meaning of self-organization of society by citizens united through communication is kept, and collective objectives are not reduced to a ‘bargain’ (*deal*) between opposing private interests”, and the disadvantage regards “the excess of idealism” and the understanding of the the democratic process “as dependent by the virtues of the citizen oriented to the common good”⁶. Sharing a vision of democracy “synonymous with the political self-organization of the society” and “of the policy that maintains a controversial report with the state apparatus”, Habermas foreshadows the possibility of correspondences between *public space* and *public stage*.

And this is an important acquisition, because, as Luc Boltanski shows, the theater metaphor used until the eighteenth century to define the essence of society, today “is suffering a coup which gives it a fresh meaning” and in this respect the most spectacular is the fact that “it not only focuses on the the actor, to denounce the hypocrisy of the world or to found in an anthropology the political representation, nor on the scene of world’s show, now it is linked with the spectator who observes”. The advantage of the spectator in the political and social space can be found in the “ability that one has to see without being seen”⁷.

Compared with the active spectators wishing to communicate their opinions more or less critical about the political, economic and social show, the citizen of a

⁴ S. Mastellone, *Istoria democrației în Europa. Din secolul al XVIII-lea până în secolul XX*, Translated by Bogdan M. Popescu and Gheorghe-Lencan Stoica, Editura ANTET XX PRESS, București, 2006, pp. 248, 25.

⁵ J. Habermas, „Trei modele normative de democrație”, in Romanian by Dana Mănescu, *Secolul 21. Publicație periodică de sinteză. Dialogul culturilor. Științele omului. Literatură universală*, edited by Uniunea Scriitorilor din România and Fundația Culturală Secolul 21, 1-6/2008, p. 14.

⁶ *Ibidem*, p. 15.

⁷ L. Boltanski, „Fapt și cauză”, translated in Romanian by Sofia Oprescu, *Secolul 21. Publicație periodică de sinteză. Dialogul culturilor. Științele omului. Literatură universală*, edited by Uniunea Scriitorilor din România and Fundația Culturală Secolul 21, 1-6/2008, p. 25.

political entity has the right to manifest itself in a public space - whose emergence was defined by reference to the forming modern conception on journalism linked to the presence of “an outside and detached observer”, being in the same time objective, impartial and tolerant. However, “public space is not only a rational place for debate important topics”⁸, because the conditions of emergence of public space are created when people are able “to exist in two different moods: one of disengagement and one of engagement”. According to the “scenic” model of public space, since “actors are always qualified by at least through they do, by their prior commitment to ongoing actions, only the audience, observers inactive by position, are available from an engagement”. But the condition in order to achieve this space consists in the fact that “all people are able to dispose of same network information, between them all connections being possible in the initial state, and also they must know the same causes”, although “in the public space the transportation of information take a different form because it opposes to the common space”⁹.

According to Habermas’s interpretation from the study “Three normative models of democracy” already quoted, in Hannah Arendt’s political writings (of which we can mention for the subtle distinctions between public and private, the work *The Human Condition*) expressed herself “against the private dimension of civism as a characteristic of a depoliticized population”. Moreover, contrary to establish the legitimacy with the help of state parties, “the political public space must be revitalized so that it can regenerate a citizenship able to (re)learn, as a decentralized self-management, the state power emancipated in the form of bureaucracy”¹⁰.

It is difficult to evaluate the extent to which this is possible by assuming and recognition of European citizenship, the more so as the Union documents, although promising in fact, are bushy in the form.

2. The benefits of legislative framework of European citizenship

“Today’s European Union is a powerful voice in support of peace and justice across the world. It is home to the world’s second most traded currency and is the largest global trading bloc. At the same time, it guarantees the rights of almost 450 million European citizens” states in a document of the European Commission about “How Maastricht Treaty changed Europe” (4 February 2022 - The Maastricht Treaty established the European Union, paved the way for the single currency: the euro and created EU citizenship)¹¹.

European citizenship as defined in the Treaty on European Union signed in Maastricht in 1992 which becomes effective in 1993 is an attributive citizenship conferred by the constituent states of the European Union, based on reciprocity of rights between Europeans, in fact a substitute for the European “nationality”; in other

⁸ *Ibidem*, p. 29.

⁹ *Ibidem*, pp. 30, 31.

¹⁰ J. Habermas, „Trei modele normative de democrație”, in Romanian by Dana Mănescu, *Secolul 21. Publicație periodică de sinteză. Dialogul culturilor. Științele omului. Literatură universală*, edited by Uniunea Scriitorilor din România and Fundația Culturală Secolul 21, 1-6/2008, p. 18.

¹¹ <https://www.consilium.europa.eu/en/maastricht-treaty/> [Accessed on 20.06.2022].

words, a kind of citizenship without nation. The Article 8 of this Treaty stipulates that: 1. (...) Every person holding the nationality of a Member State shall be a citizen of the Union; 2. Citizens of the Union shall enjoy the rights conferred by this Treaty and shall be subject to the duties imposed thereby.

Much more, the Article 8 a, adds that: 1. Every citizen of the Union shall have the right to move and reside freely within the territory of the Member States, subject to the limitations and conditions laid down in this Treaty and by the measures adopted to give it effect; 2. The Council may adopt provisions with a view to facilitating the exercise of the rights referred to in paragraph 1; save as otherwise provided in this Treaty, the Council shall act unanimously on a proposal from the Commission and after obtaining the assent of the European Parliament.

According to Article 8 b, 1. Every citizen of the Union residing in a Member State of which he is not a national shall have the right to vote and to stand as a candidate at municipal elections in the Member State in which he resides, under the same conditions as nationals of that State. This right shall be exercised subject to detailed arrangements to be adopted before 31 December 1994 by the Council, acting unanimously on a proposal from the Commission and after consulting the European Parliament; these arrangements may provide for derogations where warranted by problems specific to a Member State; 2. Without prejudice to Article 138(3) and to the provisions adopted for its implementation, every citizen of the Union residing in a Member State of which he is not a national shall have the right to vote and to stand as a candidate in elections to the European Parliament in the Member State in which he resides, under the same conditions as nationals of that State. This right shall be exercised subject to detailed arrangements to be adopted before 31 December 1993 by the Council, acting unanimously on a proposal from the Commission and after consulting the European Parliament; these arrangements may provide for derogations where warranted by problems specific to a Member State.

The other articles specify and broaden the scope of the rights of European citizens, as follows: Article 8 c. – Every citizen of the Union shall, in the territory of a third country in which the Member; State of which he is a national is not represented, be entitled to protection by the diplomatic or consular authorities of any Member State, on the same conditions as the nationals of that State. Before 31 December 1993, Member States shall establish the necessary rules among themselves and start the international negotiations required to secure this protection; Article 8 d – Every citizen of the Union shall have the right to petition the European Parliament in accordance with Article 138d. Every citizen of the Union may apply to the Ombudsman established in accordance with Article 138e; Article 8 e – The Commission shall report to the European Parliament, to the Council and to the Economic and Social Committee before 31 December 1993 and then every three years on the application of the provisions of this Part. This report shall take account of the development of the Union. On this basis, and without prejudice to the other provisions of this Treaty, the Council, acting unanimously on a proposal from the Commission and after consulting the European Parliament, may adopt provisions to strengthen or to add to the rights laid down in this Part, which it shall recommend to

the Member States for adoption in accordance with their respective constitutional requirements¹².

If the first point of Article 8 of the Maastricht Treaty states “Any person holding the nationality of a Member State shall be a citizen of the Union”, the Treaty of Amsterdam (1997, which entered into force in 1999) shall add Citizenship of the Union complements national citizenship and does not replace it. The Amsterdam Treaty, which entered into force on 1 May 1999, strengthened the protection of fundamental rights, condemned all forms of discrimination, and recognized the right to information and consumer protection¹³.

This “complementary” citizenship means a political situation of the individual beyond the boundary between “an autonomous and conflictual citizenship” and getting “a cultural, economical or social citizenship” as remarked Catherine Wihtol de Wenden: “Europe which felt the need to constitute itself from the moment when it ceased to be a center of the world, putting an end to the Franco-German conflict and to the ‘trade of nations’, has tried to replace the world of the countries by a transnational citizenship, more economic and cultural than political in front of the globalization”¹⁴.

Nevertheless, as the same author remarks, “Europe of citizens” who made a qualitative leap at Maastricht (1992), exceeding the “Europe of workers” of 1957 cannot constitute by a decree or by a treaty and we can add that to achieve this status is required an adequate public space.

EU citizenship under the Treaty on European Union, as amended by the Treaty of Lisbon, Part Two - Non-discrimination and citizenship of the Union (Articles 18-24) is subsumed under the following principles: the principle of equality of citizens of the Union, according to which citizens receive equal attention from its institutions, bodies, offices and agencies; the principle of representative democracy, according to which citizens are directly represented at Union level in the European Parliament. Member States are represented in the European Council by their Heads of State or Government and in the Council by their Governments, which in turn are democratically accountable either to national parliaments or to their citizens.

According to the principle of representative democracy, the citizens of the Union have the following prerogatives: every citizen has the right to participate in the democratic life of the Union. Decisions are taken as openly and as closely as possible to the citizens - the aim is to form the European political consciousness and to express the will of the citizens of the Union through the contribution of political parties at European level; citizens and representative associations are given the opportunity by the institutions to make their views known and to exchange views publicly in all areas of the Union’s action; at the initiative of at least one million

¹² <https://eur-lex.europa.eu/EN/legal-content/summary/treaty-of-maastricht-on-european-union.html> [Accessed on 20.06.2022].

¹³ https://ec.europa.eu/info/policies/justice-and-fundamental-rights/eu-citizenship/eu-citizenship_en [Accessed on 20.06.2022].

¹⁴ C. Wihtol de Wenden, *La citoyenneté européenne*, Presses de la Fondation Nationale des Sciences Politiques, Paris, 1997, p. 15.

citizens of the Union, nationals of a significant number of Member States, the Commission may be invited to submit, within the limits of its remit, an appropriate proposal in matters where Union, for the application of the Treaties. Citizens of the Union are directly involved in the life of the Union through their representation in national parliaments which are actively involved in the “life of the Union”.

Therefore, the principle of representative democracy is also emphasized by the active contribution of national parliaments to the proper functioning of the Union, as follows: a) by being informed by the Union institutions and by receiving notifications of draft Union legislation in accordance with the Protocol on the role of national parliaments in the European Union; b) by respecting the principle of subsidiarity in accordance with the procedures set out in the Protocol on the application of the principles of subsidiarity and proportionality; c) by participating, within the framework of the area of freedom, security and justice, in the mechanisms for evaluating the implementation of the Union’s policies in this area¹⁵.

Yet, the opening of the European Union to the East was accompanied by a wave of Euroscepticism more or less manifest, signaling a crisis of legitimacy. On this basis, EU citizens are found at the crossroads of several roads between individualism and collective identities (regional, religious or ethnic), between the local, national or international stages, between universalism and specificity claiming: “If Europe is seeking, it is because the invention of European identity is seeking his own imaginary, an imaginary which must at the same time to protect itself from the trap of hide the differences through a reductive identification unifying and false, and to define the unity (...): you are not less French, if you are European or Muslim; you can be Catalan, Corsican or Breton while defining yourself as a European and as a national of a Member State”¹⁶. If the European citizenship seems to be “the sociocultural texture of political Europe” which would otherwise remain according with Jacques Delors’s phrase, “an unidentified political object”¹⁷, European identity is expressed, most probably, by reference to Europe as a symbol and as the space able to unify the economic, legal and communitarian of citizens from member states. And this despite the lack of symmetry between East and West, despite a “dual” European society which is manifested by the formation of a “Europe for the elite citizens” and a “Europe of the workers”¹⁸; despite a Europe organized around urbanity and civility, limited to individuals who share a common language (democracy, rule of law, aspirations to political consensus, reconciliation, valuing individualism and privacy) on the one hand, and on the other a Europe of “the excluded from the edge”¹⁹.

¹⁵ *Jurnalul Oficial al Uniunii Europene – Ediție în limba română*, anul 53, 30 martie 2010, C 83, pp. 56-58, http://www.presidency.ro/static/Versiunea_consolidata.pdf
<http://europedirect.centras.ro/assets/editor/file/continut%20brosura.pdf>

¹⁶ C. Wihtol de Wenden, *La citoyenneté européenne*, Presses de la Fondation Nationale des Sciences Politiques, Paris, 1997, p. 16.

¹⁷ *Ibidem*.

¹⁸ *Ibidem*, p. 18.

¹⁹ *Ibidem*, p. 19.

But also for these latter, at least in principle, European citizenship provides “a framework of extensive life”, as shown in practice and on social networks, in online forums and media by the rights of citizens of the member states: freedom of movement, the right to stay the right of establishment, right to work and study in other EU Member States, the right to vote and to stand for election to the European Parliament and in municipal elections in the State of residence, under the same conditions with the citizens of this state; the right to benefit on the territory of a third country (not a member state of the European Union) from consular protection from the diplomatic authorities of another Member State, if the State of origin has no diplomatic or consular representation in the relevant third country; right to petition the European Parliament and the right to appeal to the European Ombudsman to address cases of maladministration by the Community institutions.

The EU legislation sets however many conditions for exercising these rights. European Commission, having the role to ensure compliance with Union Treaty, oversees the implementation of the provisions relating to European citizenship and issues periodic reports on the various situations encountered.

In the Amsterdam Treaty is specified that any European citizen and any natural or legal person having its registered office in a Member State has a right of access to European Parliament, Council of the European Union and the European Commission, within the rationale of public or private interest.

Regarding the condition of information in the public space, declaratively, citizen information is considered a priority by the European institutions. In 1998, the European Commission released the information service “Europe direct”, in order to inform citizens of the rights and opportunities offered to them by European citizenship - a citizenship of positioning, however, and not of substitution²⁰.

Currently, more in the virtual European public space there are questions related to European citizenship, such as: Are really complied the European citizenship rights? Do we know the european citizen rights? Involves such a status any obligations? Because the European citizenship requires a certain involvement, such as participation in European elections and the participation issue goes beyond elections: it reflects the manner in which the european citizen can communicate with its representatives. But is there such a communication? Are we making our voices heard in Brussels? If so, how? Do we have a “European” civic spirit?

As illustrates various sources of information available on the internet, today “European citizenship has exceeded the scope of protection achieved at the level of nation-states and that achieved through the instruments provided by European institutions”. And because both theorists and European politicians ”have understood that it is necessary to give a new conception of citizenship, emancipated from any accredited ideological color, which underpin the truly participatory practices”, it

²⁰ <http://www.9am.ro/stiri-revista-presei/International/39345/Cetatenia-europeana-un-concept-de-trait-si-de-reinventat-I.html#ixzz2Sg7h3mE4>

becomes possible the discourse about "a broad European space capable of deliberation and joint decision-making, obviously opposite to the image of a society consisting of atomized individuals"²¹.

3. A public scene of informed citizens

As can be deduced from Andrew Jones's work *Globalization: Key Thinkers*, the contemporary conception of public space is based on Leibniz's philosophical perspective which criticized the idea (Newtonian) that there is space by itself, arguing that it can be said that there is space only when it was created "through things". Thus, "social relations are inherently spatial" and the spaces "reflect and shape the social life as a whole". Globalization has changed the idea of common space as a sum of places "physical close", producing a new type of space, virtual space in which social actors can communicate instantly with each other from distant physical locations²².

In a book on the Westernization of the world, Serge Latouche mentions Castells's concept of "space of flows" which tries to reflect the proper condition of a "new material base of Leisure" wherein "the dominant social processes are reorganized and administered through flows". Since this is "a meaningful sequence" from the social life of actors, flows space does not replace the geographical area, "but by selective connection of places changes their functional logic and the social dynamics". This is a "new era" which essentially corresponds to what's new in contemporary globalization, with the implication that, to a point in the mid of eighty years, social practices that relied on physical places for Leisure, dominated those built around spending the time away. The effect of the second type of practice's development (due greatly to a revolution in information technology) was the change "of social distance" between physical places. According to Castells, the development of "space flows" is similar to the onset of a globalized social world with a new non-linear spatial logic²³.

Serge Latouche states that the "cultural" flows in one way start from the countries of the Center and arrive anywhere on the planet by "classics" broadcast media such as newspapers, radio, television, movies, books, records, video, to which are now added the virtual media. Therefore, these flows of information and cultural products "inform" the desires and necessities, forms of behavior, attitudes, education systems, lifestyles of the receptors"²⁴.

In addition to the disadvantage of "imaginary's standardization", this phenomenon has the advantage that the West - the place of projection and achieving European citizenship - designates more than a geographical entity or a precise space, "a direction". And this direction to the West as "more ideological than geographical

²¹ <http://www.9am.ro/stiri-revista-presei/International/39882/Cetatenia-europeana-un-concept-de-trait-si-de-reinventat-II.html#ixzz2Sg7uw792>

²² A. Jones, A., *Globalizarea. Teoreticieni fundamentali*, Translated by Monica Neamț, Sorina Pricop, coordonated by Corneliu Nicolescu, Editura CA Publishing, Cluj-Napoca, 2011, pp. 74-75.

²³ S. Latouche, *Occidentalizarea Lumii. Eseu despre semnificația, amploarea și limitele uniformizării planetare*, translation from French by Paul Kun, Editura CA Publishing, Cluj-Napoca, 2012, pp. 55-56.

²⁴ *Ibidem*.

concept”²⁵ is the one where the citizen of a political entity which is still building (European Union) can manifest itself in a space more or less real, more or less virtual. This aspect reiterates the philosophical premises of European citizenship and public space. According to Habermas, in the description of a political public sphere intersect at least two processes: on the one hand, the communicational production of legitimate power and, on the other hand, the monopolization of media force to create the loyalty, of requirements and of an “compliance” to the imperatives of the system. From this perspective, “a politically functioning public sphere needs not only the guarantees from the rule of law institutions, it is also linked to the support of cultural heritage and models of socialization, political culture, a population accustomed to freedom”²⁶ and “hypotheses about a politically functioning public sphere (...) can no longer simply be characterized as utopian”²⁷. It is a truth that applies to both the public space of a national citizen and that of a European citizen.

The European Citizenship Statute pays close attention to informing citizens and their sense of belonging to an ideal space.

Looking for the “hidden” philosophically and politically visible correspondences between European citizenship, the public sphere and the European public space, I tried to show that the latter is constructed informally and accessible at least virtually to all members of the European Union and beyond the “critical relationship” it maintains with the representatives of the state or supranational power, it is a space for debating old or new ideas and projects, a habit proper to the rational being that the status of citizen implies.

As Adrian Favell stated, “the invention of European citizenship has created a range of extraordinary economic and political rights for foreign citizens, that might arguably be considered the world’s first example of fully institutionalised trans – or post – national political rights beyond the nation-state”²⁸. Despite some malfunctions, the concept of European citizenship concentrates philosophical visions and political ideals, but also the social, legal, cultural aspirations of the citizens of the Union.

The problem is that very few citizens are concerned about participation, their important role as political actors, being more interested in their own economic, cultural, family, etc. issues.

All this generous legislative framework and all this beautiful philosophy of the actor-spectator, of the public scene are just a background on which the European citizen more or less ignorant about his power and rights, projects his personal worries and needs.

But it is no less true that a well-founded definition of European citizenship in the public sphere leads to benefits in private life.

²⁵ *Ibidem*, pp. 62, 63.

²⁶ J. Habermas, *Sfera publică și transformarea ei structurală. Studiu asupra unei categorii a societății burgheze*, Translated by Janina Ianoși, Second Edition, Comunicare.ro, București, 2005, p. 41.

²⁷ *Ibidem*, p. 283.

²⁸ A. Favell, “European identity and European citizenship in three “Eurocities”: a sociological approach to the European Union”, in *Politique européenne* 2010/1 (n° 30), p. 188. <https://www.cairn.info/revue-politique-europeenne-2010-1-page-187.htm> [Accessed on May 16, 2022].

EUROPEAN CITIZENSHIP, BETWEEN AN IDENTITY CRISIS AND HUMAN RIGHTS. A COMPARATIVE APPROACH

Ana REBELI*

Abstract: *The present paper approaches a topic that refers to one of the most important actors inside of the EU, which is the European citizen. European citizenship can and is an asset, not only in times of crisis, therefore our interest is in discussing the matter of human rights at the intersection with the rights of European citizens. We are operating with concepts that should become well-known by all citizens; therefore the “tone” of our paper makes use of the snowball effect process in order to provide a frame that could facilitate better understanding of basic concepts that are fundamental to the idea of identity in the context of EU as a whole.*

The way in which human rights and European citizen’s rights have emerged, is different but what helps us in our analysis is the fact that they don’t exclude themselves and instead, they add another layer of security, which is very much needed nowadays. The contemporary desire of achieving a more consolidated union and having peace as an end goal does put a hard to handle effort on all member countries and those expected to join in the next following years. Civic education is what can help us achieve this goal but as matters continue to evolve, there is a possibility of an identity crisis amongst European citizens and (maybe) the rest of the world.

To what extent is the EU Charter of Fundamental Rights, helping citizens of EU member countries, feel that they are indeed part of the EU and how can we consolidate this feeling? This is the research question that guided us in our study of the human protection rights mechanism inside of the European Union. Theoretical considerations are being used in our comparative approach but due to the extended opportunity of diving into further depth with an extensive analysis, we suggest some alternative paths for future scientific endeavours.

Keywords: *European Union, European citizens, rights, EU actors*

Introduction

Citizenship. Staatsbürgerschaft. Citoyenneté. Cittadinanza. Burgerschap. One word. Different languages. The same meaning. This is what unity in diversity really means. What would the European Union really be without its citizens? What makes an European citizen? These are questions that we can all respond to in some sort of way, but what we are going to focus on are the rational elements of the dynamic of the EU in present times.

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The European Union is a living mechanism, always changing and evolving in ways that were never imagined before. This might be the proof that it works. An identity crisis in the EU? We argue that there are multiple identity crisis situations, one of which being the still “fresh” matter of BREXIT. European citizens are still trying to figure out what this change means for them when it comes to travelling, studying or buying items from The United Kingdom. The pandemic really took a toll on all of us, by disrupting and shaping temporarily our freedom of movement. If you’re going to run some polls and ask people what is one of their rights as citizens of the European Union, a lot of them are going to tell you about freedom of movement.

Due to what has happened in the past few years (including the pandemic), there is a need for reevaluation of terms and concepts that were previously shaped in another form. Just as the EU has expanded and evolved, so are the mechanisms that are making it what it is and what it was.

Citizenship and European citizenship

Analysing the European citizenship in connection to its attributed rights is what makes most sense if we’re aiming to draw conclusions regarding the EU and how it protects the people. But at the beginning stages, we should clearly define what it means to have the European citizenship, what is an EU citizen? Well, with a quick Google search ending up on the European Commission’s website, anyone can find out that “any person who holds the nationality of an EU country is automatically also an EU citizen. EU citizenship is additional to national citizenship and does not replace it”, therefore there are over 440 million people that hold the EU citizenship.

Can we really talk about European citizenship without mentioning what does “plain” citizenship mean? Doubtfully. Let’s look at two definitions or let’s say, interpretations that can offer an outline in understanding why EU citizenship goes above what citizenship of a national state means. Paraphrasing Marshall¹, we can say that he viewed citizenship as a sense of creating some sort of balance when it came to the inequalities that were prevalent in the society. The emphasis fell on social rights. That was the path to a unified society. Or so he thought. Another way of viewing citizenship goes back to Bridges, who sees citizenship as a result of human rationality. Therefore, it would be fair to consider that it can mean “equal individuality”².

While there might be voices that would disagree with some definitions or explanations of what this citizenship title truly means, some things are being repeated in this spectrum or in the speciality literature that still tries to contribute with something significant that will pass the test of time when it comes to defining this space created first by the act of establishing the Coal and Steel community and then with its “culmination” that meant establishing a renewed and improved version of this unity by the Maastricht Treaty, almost three decades ago. While the treaty approaches multiple subjects, there are important aspects to keep in mind when it

¹ Thomas Humphrey Marshall, *Class, Citizenship and Social Development*, Anchor, New York, 1965.

² Thomas Bridges, *The Culture of Citizenship. Inventing Postmodern Civic Culture*, NY: SUNY, Albany, 1994.

comes to the EU citizenship. For example, the Maastricht Treaty³ set the following objectives: introducing the concept of the EU citizenship with the purpose of creating a framework that would allow an increase in protection of the citizens of the member states. Adding to it, one important measure was introduced through this treaty all by allowing EU citizens to move anywhere in any of the member states.

Voting was another significant point to implement when it came to nationals that are residing in another Member State, therefore the rights of being able to vote in that state and being able to be a candidate in the elections (at the municipal level and not above) were introduced as well. The European Parliament elections were mentioned as a part of the Maastricht Treaty when it came to the citizen's rights of voting and becoming a candidate in their residing countries inside the EU. Protection, the right to petition were also mentioned. Therefore, as it appears and as it was the case for the years since the ratification of the Maastricht Treaty took place, being a citizen of the EU can be understood by having a complex set of rights that are meant to build a stronger European identity in the minds and lives of EU's member states nationals. If a member state were to exit the EU, their nationals would also lose their EU citizenship, therefore there are some added aspects that must be considered when planning any action that is in regards to the civil population as well as taking into account other consequences. We can only hope that anything like BREXIT will not take place anytime soon because the global situation when it comes politics and short-term strategies is already under a lot of pressure as it is. There are many aspects that make the EU citizenship frail in a way... one way to look at it is that of the nature of it, as some view it in some sort of a paradoxical way: "formally constitutionalised in the Union's treaty framework, yet dependent upon national citizenship to provide the gateway to membership"⁴. Is then the EU citizenship a privilege? This is a question that will remain unanswered throughout this paper, but it could serve as a starting point for a debate regarding the matter.

Rights, freedoms and duties

There are always going to be debates when it comes to getting to the point of discerning what are the duties of EU citizens while their rights are clearly stated throughout the EU law (most prevalent via the Charter of Fundamental Rights of the European Union and the two treaties that are also important: the Treaty on the Functioning of the European Union; the treaty on European Union). While some try to discuss the absence of these duties, the European Parliament through their official website, in a very noticeable way states that "Union citizenship does not as yet entail any duties for citizens of the Union, despite the wording to that effect in Article 20(2) TFEU. This constitutes a major difference between EU citizenship and citizenship of a Member State"⁵, therefore the duties do not exist formally when it comes to EU

³ European Union, Treaty on European Union, Treaty of Maastricht, *Official Journal*, C 191; 29.07.1992. Available at: <https://bit.ly/3y4ZkRz> [Accessed on 24.03.2022].

⁴ Jo Shaw, *EU citizenship: Still a Fundamental Status?* Springer, Switzerland, 2019, p. 1.

⁵ European Union, *The citizens of the Union and their rights*, 2021. Available at: <https://www.europarl.europa.eu/factsheets/en/sheet/145/the-citizens-of-the-union-and-their-rights> [Accessed on 20.03.2022].

citizens, but they are in fact, just a mishap. Truth be told, in theory, this status is just beneficial because nothing is requested per se, in return.

Some voices support the idea that in order to have a more consolidated Union, there should be duties that are linked to the citizenship status. One author suggests what these duties could be. While added taxes would be logical in some sort of way, one less thought of perspective suggested by Ferrera⁶ is that civil service could be a part of these duties that currently do not exist. But the thing is, having added duties along with the duties imposed by the residing Member State, could affect the desire of being a part of this EU construct of identity introduced by this layer of new rights. Is the absence of EU citizenship duties, what makes it attractive to the Member States nationals? That might be the case.

As there are many opinions on what the core of EU's citizenship status is, some argue that the key to the question in mind is no other than the freedom of movement. An interesting argument is brought to our attention by Paskalev, when he is stating that "EU citizenship liberates everyone"⁷ and then he goes on saying a few other ideas that could be summed up, into our acception as such: having this type of freedom offers us the chance of choosing if we accept our own country's conditions (rights and obligations, opportunities etc.) or if we choose to find something that fits us better anywhere in the EU. That's not to say that things are bad in our country of origin, but, that we have the freedom of choosing where we reside. Then, he goes further with his argument by affirming that EU citizens while they are moving their 'life' in another Member State, they are losing their ability to exercise rights that they would otherwise have in their country of origin⁸ to sum it all up.

This might be the point where a disconnect in what is EU citizenship and what it actually feels like to the Member State nationals, therefore here could perhaps, the identity crisis be identified. And if we're talking about borders, isn't it that only when we leave our country, that these rights come into play⁹? If so, aren't people that are not leaving their country of residency, entitled to feel like they do not belong to the European Union as citizens with full rights? Well... There are many ways in which the EU gets involved, one of them is by offering funding through various mechanisms in many fields that have effect in the national society. This should help when there is any doubt regarding a Member State citizen feeling like an EU citizen, above all else. But this, is just a supposition that could be indeed further analysed.

As you can probably already tell, in this paper we're not focusing on hard aspects of the EU citizenship status because our purpose is not to recall everything in the legislation, but to create an opportunity for a theoretical and maybe a practical approach to what the EU citizenship identity is really like nowadays, leaving the rest for other possible scientific endeavours. As we go into further depth with our

⁶ Maurizio Ferrera, *EU Citizenship Needs a Stronger Social Dimension and Soft Duties*, Springer, Switzerland, 2019, p. 195.

⁷ Paskalev Vesco, *Free Movement Emancipates, but What Freedom Is This?* Springer, Switzerland, 2019, pp. 117-119.

⁸ *Ibidem*.

⁹ Maurizio Ferrera, *op. cit.*, p. 185.

overview on what it means to be an EU citizen by firstly being citizens of one of the Member States and then secondly by feeling this type of adhesion and the sense of belonging and owning this status, we'll have to think of other rights we have as citizens of the world, and yes, we're talking about human rights as they are universally applicable no matter where we live and what borders separates us from the others.

Human rights and the EU

Fundamental human rights. With so many years behind us since the Universal Declaration of Human Rights was adopted by the United Nations, there have been developments when it comes to providing a better framework that would allow the states to come together and protect those that need it, regardless of their status, skin colour and more. Everyone needs to feel safe and that involves protecting and creating a system that works when it comes to guaranteeing these basic human rights that are inalienable and per se universal.

As we previously mentioned in the section above, there are some nuances to what has been introduced through the Maastricht Treaty, which is that most people are not spotting the not-so-subtle difference between rights and freedoms. When it comes to rights, most people tend to think that being a citizen of the EU means that they have the “right” to travel freely but in fact, that is a freedom and not a right that can be comparable to (basic) human rights¹⁰. Therefore, we then start to wonder, what is the European Union doing with respect to defending human rights, as we understand them to be universal to anyone no matter where people live in the world. There is an easy-to-follow trajectory when it comes to observing what has been done to provide a safe environment concerning human rights within the EU.

The 2000s mark the proclamation of the EU Charter of Fundamental Rights. No later than 2009, the contents of the ECHR became legally binding, to the Member States and to the EU in the form of the union of these states as one organism. Human rights inside the EU follow a pattern (made possible by legislation) that was built for the purpose of taking measures that can be implemented and whose implementation can be verified through and through. First of all, there is the Annual Report regarding the exertion of the Charter which is submitted by the European Commission. Then, secondly, there is a collaboration relationship with the EU Agency of Fundamental Rights which is maintained by the European Council. Thirdly, because the protection of fundamental human rights is so important, there is legal checking pretraining to the texts that are going to be discussed formally in the Council's meetings, so that every text is aligned to support the protection of human rights. Due to the fact that the EU is taking this matter in a serious manner, treaties and other such agreements have to be in obedience to human rights as recognized by the ECHR¹¹. Therefore, human rights are important to the EU not only regarding its Member States, but also when it comes to those states that it has agreements with. Human rights represent a

¹⁰ Jean ErikWetzel, *The EU as a “Global Player” in Human Rights?*, Routledge, New York, 2011, p. 5.

¹¹ European Commission, *EU Citizenship*. Available at: <https://bit.ly/3rJWaPm> n.d. [Accessed on 11.03.2022].

priority even on the outside “border” of the European Union. This is increasingly more apparent by looking at each of the key moments in EU’s development when it comes to adapting its mechanisms every once in a while (that is visible just by looking and comparing the Maastricht Treaty in 1992, the Amsterdam Treaty in 1997, the Nice Treaty in 2001 etc. with each other) therefore we can objectively state that there are constant improvements “brought to the table”.

Arguably, the ECHR is “one of the most modern human rights catalogues in the world”¹² and the EU is constantly taking interest in developing its legislation to provide more protection and it goes beyond just basic human rights, for example, the EU is highly interested in data protection (we keep hearing about GDPR and elements as such). Then, we believe that the Charter is one of the paths that build a stronger union, because it provides the important parameters needed to strengthen the belongingness feeling to the EU as an EU citizen.

Identity, the feeling of belonging

In view of the fact that there is a real disconnect between the idea of European Citizenship and the European citizen freedoms due to the unprecedented crisis that has been triggered by the outbreak of the COVID-19 pandemic, a critical and maybe comparative analysis of rights and freedoms of EU citizens is very much needed. While crisis situations happen every day, the nature and the magnitude of these varies. The EU gets involved in many social aspects that are outside its borders (it is clearly noticeable in the matter of the humanitarian crisis that happens in present times when it comes to the status of Ukraine and its people and how the EU is providing help not only financially but by strategically thinking of ways of integrating Ukrainian refugees build a new life in countries inside the EU) but for many, what matters most is what does the European Union does for the citizens of the Member States. This is in regards to feeling like a part of the EU, therefore it comes to what builds the real recognition of the citizenship status.

For the purpose of observing if there are differences between the pre-pandemic to the pandemic years, we’ll look at the data provided by Eurobarometer, the series of surveys concerning EU opinions, conducted by EU institutions including the European Commission. Essentially, we’ll compare the results in order to come up with a pertinent opinion based on the quantitative data shown below.

What we’re interested in is the feeling of being a citizen of the EU, hence the question in the Eurostat polls that we’re interested in is the one regarding the identity and perception of oneself as having this status. We’ll begin by looking at the polling information available for the year of 2017, visible in the graphic chart represented in Figure 1. Arranged in order of percentage of the feeling of belonging to the EU community as citizens, it’s easy to see that in countries such as Luxembourg, Spain and Malta, this feeling is prevalent. While at the end of the chart we can see a concerning percentage registered by Greece, where 52% of the respondents do not identify themselves as EU citizens, the overall percentage registered is 70% which in our perception is an encouraging percentage that can allow an increase.

¹² *Ibidem*, p. 9.

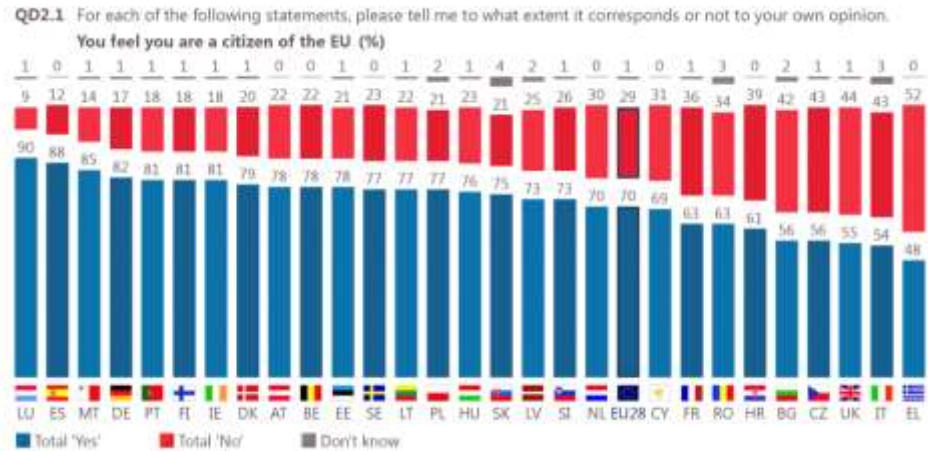


Figure no. 1. Data for the year of 2017

Source: Eurobarometer 88 (2017) Public opinion in the European Union

Our analysis, then goes to what are the developments when it comes to this feeling of belonging to the EU with the status of an EU citizen, therefore in the following figure, we'll look at the stats available for 2021, which is a representative time because it can provide us a basis for a comparative approach when it comes to life before and after the pandemic so called “boom”.

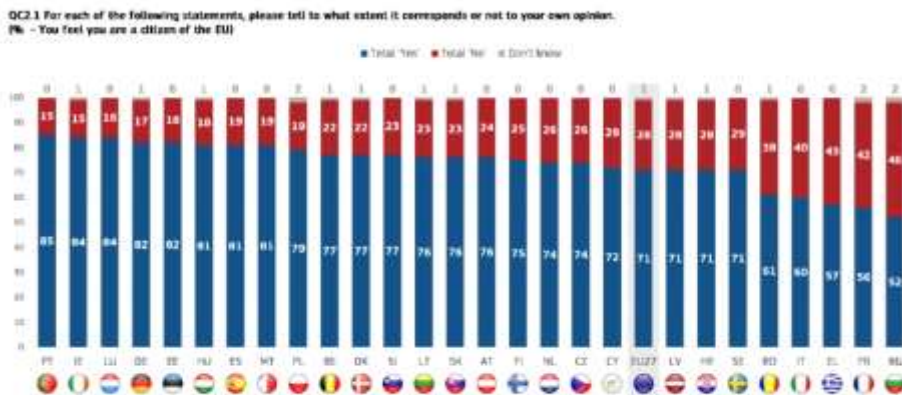


Figure no. 2. Data for the year of 2021

Source: Eurobarometer 96 (2021) Public opinion in the European Union

There are multiple differences when it comes to comparing 2017 and 2021 on this subject, one of which being that Luxembourg hasn't kept its high percentage and it dropped by 6%. Following the opposite side of the chart, we can see that Greece is no longer the country with citizens that have the least feeling of belonging to the European Union as a citizen, and instead Bulgaria is “leading” this side of the graph

by the 46% of the population that doesn't feel like a citizen of the EU. The improvement lays in the fact that at least we passed the 50% mark where the citizens of one of the Member State didn't feel like EU citizens (as it was for Greece in 2017), therefore, even if not highly significant, there are signs that things aren't going down for the European "dream". What is also visible in the figure above is that compared to 2017, in 2021 the overall percentage summed up for all Member States comes to 71%, which is an increase by only 1% in 4 years. This means that even if some countries are registering higher percentages of the feeling of being an EU citizen, some are registering lower values, therefore the "growth" even if stable in appearance, it can signify some structural issues but for that, we suggest a more elevated and in-depth research of each country by looking at political events, social challenges and economical changes. All of these aspects are known to have power on the overall well-being of the citizens and therefore could have an effect on the unitary and belonging sentiment of nationals of the European Union. Concluding the comparison, one more thing that should give us food for thought is the fact that Germany is still on the 4th place with the same 82% percentage of citizens feeling like they are citizens of the EU. Maybe there's something in their culture or in the political life of this Member State that gives reassurance regarding European values and care provided by the EU to its members.

European citizenship is somewhat fluid, because being an EU citizen comes with a set of rights and freedoms but not every Member State (through its nationals) view their importance in the same way. Just by looking at the data for 2021, we can tell that what is important for some nationals isn't as important for other nationals. We'll take for example the data available in Figure 3 below.

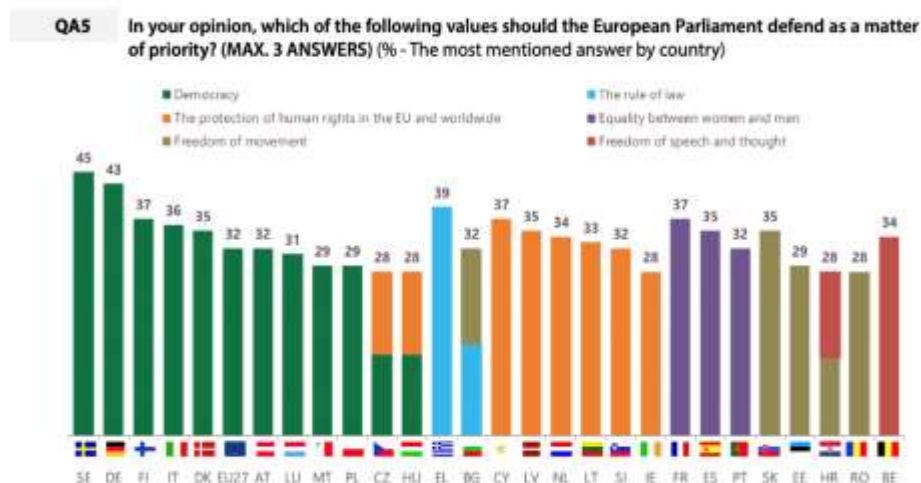


Figure no. 3. Opinions in data for 2021

Source: Eurobarometer 96.2 (2022) Defending democracy - Empowering citizens

European values find themselves at the intersection of rights and freedoms, but what's interesting is that for Member States such as Slovakia (35%), Bulgaria

(32%), Estonia (29%) and Romania (28%) freedom of movement is very important, while for Portugal (5%) and the Netherlands (6%) it's at the bottom of their mind/priorities. That is maybe because they don't feel that their "right" to move freely inside the EU is in danger, while countries that are newer members of the EU are appreciating this freedom much more because they remember their lives as they were before they became EU citizens. Protection of human rights is something that is viewed as important by Member States and therefore the values that were registered do not vary as much as they did when we were talking about freedom of movement. In a nutshell, these two values are part of the structure of building an EU identity and after all, even if the values fluctuate, the end goal is the same.

Conclusions

Constant approaches of the identity status have shown that there is some sort of instability and lack of consistency to the feeling like a European citizen due to various reasons, some based on the lack of understanding of the dynamics of the election and voting system in the EU (both by the citizens and the EU institutions that aren't yet adapting to the requests of the nationals that chose to reside in other Member States). Other reasons include the "lack" of duties that people associate with being a citizen (of their own country), but at the same time they already feel the pressure of having to pay taxes at national level. Maybe, in a way, some "soft" duties exist even if they're not found in legislation yet that would appeal to those that feel like they need to pay more attention to their individual habits, if they're aware that their state has been warned that it has an environmental problem, for example when it comes to recycling rates.

All in all, it all comes to acceptance of diversity, and we have plenty of that inside the EU, the inconsistencies that we talked about in our comparison aren't monumental in value but the focus should fall on the idea of building a strong sense of identity and belongingness to the EU in the minds of the citizens because it is apparent that the past years have shaken the world and therefore the EU citizens as well. ECHR is one of the tools that can be used to strengthen the belongingness feeling of EU citizens, adapting it step by step, as new challenges arise is a way in which EU citizens can be reassured that they matter and that they are the most important part of this union. For countries such as Slovakia, Bulgaria, Estonia and Romania, freedom of movement is an important element that contributes to the feeling of belongingness to the EU. It will be interesting to see what future studies will reveal regarding this parameter in the next one or two years. One question that has yet remained unanswered is: if the trust in their own state fails... does the EU identity fail as well? We'll keep that in mind for future scientific endeavours.

THERE IS NEED FOR A FEMALE FUTURE IN EU?

Alina - Maria BALAJ*

Abstract. *The present paper analyzes the importance of the role of women in the EU community, in direct link with the responsibilities that they have for the society, from a personal, but also from a professional point of view. How can influence this matter the process of EU decision-making, is also another prospective proposed by this paper.*

Keywords: *women, responsibilities, communication, decision making, EU agenda*

There had been many issues that European Union, in the last decades, had to challenge with, from a socio-cultural point of view. The permanent *fight* for the rights of some social categories was one of the important points on the EU agenda. The role of the women on the leadership level in institutions is also one of the matters discussed by the EU decidents. There is a need for a female future in the EU in order to slow down the present conflicts that directly affects the EU?

The concept of *responsability* is a very used concept in the last period. From a philosophical point of view the concept that involves a definition. The most clear and short one is given by the Cambridge Dictionary like: *The Responsibility is the duty to take care of something*¹. From a philosophical point of view, Mario Vergani, an Italian contemporary author and philosopher, sees this concept from a different point of view. The question on the importance of the responsibility is two-fold: are we responsible only for what we have done in the past or do we have a responsibility for the future, for what is to be done, yet?². From the very beginning we can see that are two types of responsibilities: *a priori* (for what is to be done for the future) and *a posteriori* (for the actions done in the past)³. The dimensions analyzed by Vergani are: the juridical responsibility, the moral responsibility, the political responsibility and the methaphisical responsibility⁴. Then, the concept of responsibility is divided in natural or contractual responsibility⁵.

From a quantitative point of view, there are also two types of responsibilities: individual and political or collective responsibility – which is the power exercised

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¹ <https://dictionary.cambridge.org/dictionary/english/responsibility>

² Cf. Mario Vergani, *Responsabilità, rispondere di sé, rispondere dell'altro*, Raffaello Cortina Editore, Milano, 2015, p. 23.

³ *Ibidem*, p. 102.

⁴ *Ibidem*, pp. 65-66.

⁵ *Ibidem*, p. 68.

in a democratic context⁶. Then, there are subjective and objective responsibilities: the first one is based on the self-sense and moral sensibilities, also called *sense of responsibility*⁷, and the second one is based on rationality and concrete facts in the social and global context.

In this paper we will try to underline the political responsibility and the contractual one exercised by women in the EU level. We also should take into consideration the fact that both the political and contractual type of responsibility are the definition of the so called sense of the responsibility developed inside of each personality that makes part from this unique category called *the second sex*. Then, there is another definition given by the same online English dictionary which says clearly: *Have responsibility means to be in a position of authority over someone and to have a duty to make certain that particular things are done*⁸.

Thus, once linked these two definitions, we will understand the importance of the women in relation with the leadership roles occupied by the women both in the EU countries and EU institutions.

To be more clear we should start by emphasizing the role of the woman inside the European Union countries. We will take into consideration the last survey made by Eurostat on 6 of March 2020. More than 6.7 million persons hold a managerial position in the European Union of 27 Member States (EU): 4.3 million men (63% of all managers) and 2.5 million women (37%). In addition, women account for a little over one quarter of board members of publicly listed companies in the EU (28%), and for less than one fifth of senior executives (18%) in 2019. In other words, although representing approximately half of all employed persons in the EU, women continue to be under-represented amongst managers. This information is published by Eurostat, the statistical office of the European Union, on the occasion of International Women's Day. This news release only shows a small part of the large amount of gender based data available at Eurostat. The largest share of women among managerial positions is recorded in Latvia, the only member state where women are a majority (53%) in this occupation. It is followed by Bulgaria (49%), Poland (48%), Estonia (46%), Slovenia (44%), Lithuania, Hungary and Sweden (all 42%), Ireland (41%) and Portugal (40%). At the opposite end of the scale, women account for less than a third of managers in Cyprus (19%), followed by Luxembourg (23%), Denmark (27%), Italy (28%), the Netherlands (29%), Czechia and Germany (both 31%), as well as Greece, Croatia, Malta and Austria (all 32%)⁹.

In the same time, it is very relevant the perception of the women on different issues of the EU policies. According to a survey made by Eurobarometer on the *Future of Europe* in the last period of 2020, the socio-demographic data show that women are more likely than men to say a priority should be health and safety (35% vs 29% of men). There are no notable differences for other items. Also, another

⁶*Ibidem*, p. 69.

⁷*Ibidem*, pp. 77-81.

⁸ <https://dictionary.cambridge.org/dictionary/english/responsibility>

⁹ *Only 1 manager out of 3 in the EU is a manager*; [Accessed on 16.04.2022], <https://ec.europa.eu/eurostat/documents/2995521/10474926/3-06032020-AP-EN.pdf/763901be-81b7-ecd6-534e-8a2b83e82934>

socio-demographic data show that women are more likely than men to say risks related to health are a main global challenge for the future of the EU (36% vs 31%). Looking at differences across socio-demographic groups shows women are more likely than men to consider a common health policy most helpful (24% vs 19%), but less likely to mention energy independence (18% vs 23%). The socio-demographic analysis shows that women are more likely than men to say that important topics for the Conference include health (43% vs. 37%) and education, culture, youth and sport (34% vs. 30%)¹⁰. Thus, the main issue of the EU agenda considered by the women in the EU is the healthcare system, followed by other topics like education, culture, youth and sport, we could call them soft topics, besides the healthcare system.

In which concerns the EU institutions, from a low 16.6 % of female Members in the first directly elected legislature in 1979, the percentage of women has risen after each election up to 41% after the 2019 elections. As of January 2021, the percentage of women Members of the European Parliament has fallen since the 2019 elections and now stands at 38.9 %. This is above the world average for national parliaments and above the European average for national parliaments, which stands at 30.5 %. However, there are large differences between Member States. Firstly, we have to take into consideration, after all, the role of Roberta Metsola, as the president of the European Parliament. Secondly, a growing number of countries are at or around parity. At the other end, in Cyprus, Romania, Slovakia and Greece, women make up less than a quarter of Members of the European Parliament. Cyprus now has no women Members, a contrast with the share of 16.7 % in the last mandate. In Bulgaria, the share of women has risen to 29.4 % from 17.6 % in the last mandate. Interestingly, Malta, whose gender-equality record in Women in politics in the EU 3 national politics is near the bottom compared to other EU Member States, has gender parity in the European Parliament, with 50% of its Members being women¹¹. The proportion of women in the European Commission has fluctuated over time. In 2019, the first ever female President of the European Commission, Ursula von der Leyen, set a goal of constituting a gender-balanced College of Commissioners. At the beginning of her mandate, 12 of the 27 Commission members were women, compared to 9 out of 28 Commissioners at the end of the previous mandate. Following the appointment of Mairead McGuinness to the Commission in October 2020, the College is now made up of 13 women (48.1 %) and 14 men. One of the two Executive Vice-Presidents is a woman, together with two of the other six Vice-Presidents. The female Commissioners hold a spectrum of portfolios: the digital age; values and transparency; demography, health; transport; home affairs; cohesion; energy; innovation, research, culture, education and youth; financial services; international partnerships and a new portfolio on equality. Many of these are in

¹⁰ *Future of Europe*, Special Eurobarometer 500, October - November 2020, [Accessed on 17.04.2022], <https://www.europarl.europa.eu/at-your-service/files/be-heard/eurobarometer/2021/future-of-europe-2021/en-foe-special-eb-report.pdf>

¹¹ *Women in politics in the EU – State of play*, [https://www.europarl.europa.eu/RegData/studies/BRIE/2021/689345/EPRS_BRI\(2021\)689345_EN.pdf](https://www.europarl.europa.eu/RegData/studies/BRIE/2021/689345/EPRS_BRI(2021)689345_EN.pdf)

”traditionally female” domains. Ursula von der Leyen has also committed to achieve full equality at all levels of Commission management by the end of 2024¹².

Conclusions

In which regards the European Union policies in order to sustain the women in politics, in the last years there were taken some measures like: *European Parliament resolution on women in political decision-making* (inviting EU institutions, the Council, the Commission, and national EU governments to design and implement effective gender equality policies and multifaceted strategies for achieving parity in participation in political decision-making and leadership at all levels, and welcoming gender quotas for elections), *The European Commission’s Strategic engagement for gender equality 2016-2019* (mentioning the need to improve the gender balance in political decision-making and to continue to encourage and support and support national government’s’ activities promoting gender balance in political and public decision-making positions), *Council conclusions on the European Pact for gender equality for the period 2011-2020* (urging action at national and EU level to promote the equal participation of women and men in decision-making at all levels and in all fields)¹³.

¹² *Ibidem*.

¹³ *Women in politics*, <https://www.womenlobby.org/Women-in-Politics-507?lang=en>.

FAMILY STABILITY ACROSS EUROPEAN COUNTRIES, IN THE CONTEXT OF POLITICAL AND SOCIAL CHALLENGES AND OPPORTUNITIES

Simona FER*

Abstract: *Over the past decades, the European countries have faced a wide diversity of family trends, besides the traditional families consisting of a male breadwinner, a female housekeeper and several children. And nevertheless, Europeans come out surprisingly conservative, considering that married-with-children formula is the ideal lifestyle for an overwhelming majority, despite the liberating swinging years sixties, when emancipation and individualization spread from the Great Britain towards the entire Europe. It is also obvious that family structures in the EU member states vary, reflecting cultural and normative differences. The concept of a family comprises several meanings ranging from the well-known definition of the family as a nucleus of society, consisting of two married adults and their biological children, to extended networks of adults and children who may or may not live in the same household. Historically, there have been significant differences between countries within the European Union member states in terms of typical family structures. A relationship within a family not only means close connection between people or just a blood relation, but it is also a fundamental support for cohesiveness and affection among family members practicing mutual trust and respect. We can also notice a de-standardization of the family life course in the European member states followed by a fast decrease in fertility to less than two children per woman, this happening in mostly German speaking countries, while Anglo-Saxon countries and Scandinavian ones were and remain the high-fertility regions of Europe. However, family in nowadays society is faced with a lot of challenges. There is a serious concern about the high rate of divorce, a stronger wish of independence of spouses, an increasing number of single parent families, a decreasing authority of parents over their children, a wider incidence of stepparents, but mostly the so popular practice of non-marital unions. The present study also focuses on policies and methods that the European Union institutions provide in the favor of good standards family life, education, health care and protection.*

Keywords: *family stability, childhood education, EU priorities and values, family responsibilities as EU citizens*

Introduction

Recent years have brought a number of important legislative and policy changes in the area of child and family policy in the European Union. The EU Strategy on the Rights of the Child was developed for and with children. Children

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should have access to information provided in a way adapted to them, so that they should clearly know what rights they have and, in this context, what the EU intends to do for them and for their families. Every child in Europe and around the world should enjoy the same rights and live without facing any kind of discrimination or intimidation. In the EU Strategy on the Rights of the Child, the Commission addresses persistent and emerging challenges and proposes concrete actions to protect, promote and respect children's rights in today's ever-changing world.

The European Commission promotes and protects the child's right to be heard in its legislation and policies. Children are agents of change and the European Commission wants to help them contribute to change. As part of the EU strategy on children's rights, the Commission has committed to: establish, together with the European Parliament and child's rights organizations, an EU platform on children's participation, to connect existing mechanisms for children's participation at local, national and EU level and to stimulate children's commitment to processes decision-making at the EU level. Socioeconomic inclusion, health and education describe a European Union that fights child poverty and promotes inclusive and child-friendly societies, health systems and education systems. All these are among the major concerns of the EU institutions. Combating violence against children and ensuring child protection define: a European Union that helps children develop without exposure to violence. The digital area and the information society reveal a European Union where children can safely navigate the digital environment and take advantage of the opportunities it provides.

EU institutional developments in children and family policies

Respect for and protection of family life are recognized as fundamental human rights in many international declarations such as the Universal Declaration of Human Rights (article 16), the European Convention on Human Rights (article 8), the European Social Charter (revised 1996), the European Convention on the Legal Status of Migrant Workers (1977) and the EU Directive on the right to family reunification (2003/86/EC). The Parliamentary Assembly of the Council of Europe (PACE) has strongly voted in order to support this right in its recommendation 1686 (2004) and in its "Position paper on family reunification" (AS/Mig (2012) 01, Feb. 2nd 2012)¹.

The Council of Europe's Ministers for family affairs adopted a political declaration according to which they give priority to the rights of the child and the eradication of all forms of violence against children. They committed themselves to pursue a common European policy in the field of family affairs and the rights of the child within the framework of the Council of Europe. They shared the opinion that family-friendly measures of a sustainable family policy could be a response to the threat of population decline. The ministers also drew attention to the fact that improving job security, particularly for young people, and increasing their participation in the labour market should create supportive conditions for having

¹ Council of Europe Language Policy Unit (Strasbourg) – *Family Reunification*, Project LIAM, <https://rm.coe.int/090000168049447d>, [Accessed on 16.05.2022].

children and thus should also be considered as a factor for safeguarding the demographic future.

They also consider that parenting, though linked to family intimacy, should be designated as a domain of public policy. Measures should be adopted for supporting parenting and creating the conditions necessary for positive parenting. Positive parenting is defined as parental behaviour that is nurturing, empowering and provides a structure or set of boundaries making the full development of the child possible. They also emphasized that employment and family policy are closely linked to each other. Labour markets and family policies should take into consideration the preferences of people for reconciling work and parenthood².

Several ways have been identified by the Council of Europe to ensure the rights of the child in their relation to technologies:

- Raising awareness about sexist misuse of social media and online threats for children (including online child sexual exploitation and abuse).
- Supporting families, teachers and other professionals, volunteers as well as children, to prevent cases of cyber bullying and online hate speech.
- Providing digital citizenship education for children, carers, professionals and volunteers working with children.
- Providing positive digital parenting support.
- Promoting safe and enabling spaces for children to freely search for information and express their views online.

The Council of Europe is committed to increasingly provide children with opportunities and space for participation in all the activities within the Organization's dynamic triangle – standard-setting, monitoring and co-operation projects – and has already benefitted of the added value of their *input*. Different activities have been developed to strengthen child participation mechanisms and practice in the Member States. Over the past years, this has contributed to children's voices being better heard in the justice system, schools (e.g. to fight bullying and abuse), health services (e.g. to respect children's wishes about their treatment) or in the online environment (e.g. to develop solutions which are effective in ensuring children's access to digital tools and in protecting them from harm). The voices of children as defenders of human rights have been increasingly heard, although many have faced numerous challenges as a consequence of their activism, a matter that should be further explored.

In 2019, the European Commission estimated that almost 22.2% of the children in the EU lived in families at risk of poverty or social exclusion. The EU's European Child Guarantee aims to break the cycle of disadvantage from one generation to the next and to promote equal opportunities for children, regardless of their family environment. The initiative is part of the wide EU strategy on children's rights. Launched in March 2021, the Child Guarantee is an initiative of the European Commission, which aims to ensure that the most vulnerable children in the European Union have access to

² Council of Europe Press Division, *For a friendly-family policy against population decline: 46 Council of Europe Family Ministers adopt political declaration*, <https://rm.coe.int/090000168071f0f4>, [Accessed on 12.05.2022].

healthcare, education, childcare, decent housing and adequate nutrition, ultimately aiming to ensure progressive realization of child's rights in Europe.

The European Commission also created a Recommendation for investing in children and their families and founded important pillars, such as: support parents' participation in the labour market, provide adequate living standards through a fusion of benefits, reduce inequality at a young age by investing in early childhood education and care, improve education systems' impact on equal opportunities, improve the responsiveness of health systems to address the needs of disadvantaged children, provide children with a safe, adequate housing and living environment, enhance family support and the quality of alternative care settings, support the participation of all children in play, recreation, sport and cultural activities and put in place mechanisms that promote children's participation in decision making that affects their lives³.

In order to ensure that children's rights are upheld, the Council of Europe's European Strategy for Children included a proposal that each EU Member State appoint a commissioner, ombudsperson, or a similar institutional position with the independence and resources to monitor and advise policymakers on the extent to which their political and legislative decisions adhere to the aims set out in the UNCRC (United Nations Convention on the Rights of the Child)⁴. The majority of EU Member States have established an ombudsperson or commissioner to focus exclusively on children's rights, with Romania becoming the most recent addition, following the establishment of a dedicated Children's Advocate in 2018⁵.

Member States initiatives focused on supporting child and family

Many concerns made at the European and each Member State national levels are still focused on extending access to services and making them more available by creating additional *childcare places*. However, over recent years there has been a gradual change in policy discussions and more emphasis on issues related to the quality of care provision. The development of a Proposal for a Council Recommendation on High Quality Early Childhood Education and Care Systems in 2018, and the adoption of this Proposal by the Education, Youth, Culture and Sport Council in May 2019, has put childcare quality firmly on the EU- and national level agendas⁶.

There have been proposed other initiatives too, in recent years, aimed to combat child and *family poverty*. Policies related to family issues across Europe often have a direct objective of giving financial support to children and families. This support takes the form of direct cash transfers, such as child benefits, and of child

³ Janta Barbara, Davies Lynn M., Jordan Victoria, Stewart Katherine, *Recent trends in child and family policy in the EU, European Platform for Investing in Children: Annual thematic report*, May, 2019, p. 11

⁴ European Strategy for Children, *Recommendation 1286 (1996) of the Parliamentary Assembly*. <https://rm.coe.int/16804c0a2a>, [Accessed on 12.05.2022].

⁵ Janta Barbara et al., *Op.cit.*, p. 17.

⁶ European Commission, *Proposal for a Council Recommendation on High Quality Early Childhood Education and Care Systems*. Retrieved 10 June 2019, https://ec.europa.eu/education/education-in-the-eu/proposal-for-council-recommendation-on-early-childhood-education-and-care_en, [Accessed on 13.05.2022].

and family tax credits, with many Member States increasing the value of existing benefits or introducing new forms of financial support. Additional financial measures are often available for some family types, such as large families or single-parent households, identified as requiring extra support. Many countries have also introduced national strategies and actions to tackle poverty, seen as a root cause of many social problems⁷.

In addition to expanding universal and means-tested support for parents, some Member States have introduced measures to ease financial pressure on *large families*. In Latvia, for example, a “3+ family card” was introduced in 2016 to provide a range of discounts to families with three or more children, and this was followed by the introduction of an allowance to cover large families’ travel costs on public transport in 2017⁸. That same year, state family allowances for families with three or more children were increased in Estonia⁹ and introduced for the first time in Lithuania¹⁰. Estonia also introduced a new monthly benefit for parents of triplets or higher-order births. Furthermore, Italy proposed that from 2019 to 2021, parents who have three children or more will be awarded state-held agricultural land, as well as being eligible for a zero-interest loan to buy their first home on or near this land. In Poland, the Large Family Card was introduced in June 2014 as a document that offers discounts to families with at least three children, irrespective of their income, when using the services of participating public institutions and private companies.

Some initiatives have also centered on increasing support to *single parents*. In 2017, Malta introduced a single-parent benefit for parents engaged in full-time post-secondary, vocational or tertiary education¹¹. Portugal increased the value of existing benefits for single parents¹² and Luxembourg increased the value of single-parent tax credits¹³. In 2018, the Luxembourgish government increased the rate of existing benefits for single parents¹⁴. In the same year, the Romanian government considered a new proposal to offer a monthly, means-tested allowance for single parents¹⁵.

⁷ Abela, A. and Grech, Lanfranco, I., *Positive Parenting: national strategic policy, 2016-2024*, Ministry for the Family, Children's Rights and Social Solidarity, Valletta, 2016, <https://family.gov.mt/en/Documents/National%20Parenting%20Policy%20English%2008.02.17.pdf>, [Accessed on 13.05.2022].

⁸ Godagimene. Homepage. Available at <http://www.godagimene.lv>, [Accessed on 15.05.2022].

⁹ Social Insurance Board, *A brief overview of family benefits*, <https://www.sotsiaalkindlustusamet.ee/en/family-and-child-protection/brief-overview-family-benefits>, [Accessed on 15.05.2022].

¹⁰ Lithuanian Republic *Law on Child Benefits* (2018), <https://www.e-tar.lt/portal/lt/legalAct/TAR.1DEDD43B92AE/UJcoAfonsR>, [Accessed on 15.05.2022].

¹¹ Government of Malta, *Single parents*, <https://education.gov.mt/en/studentsgrants/Pages/Our%20Services/Single-Parents%27-Benefit.aspx>, [Accessed on 15.05.2022].

¹² Decree-Law 54/2018. Retrieved 10 June 2019, <http://www.dge.mec.pt/noticias/decreto-lei-no-542018-educacao-inclusiva>, [Accessed on 15.05.2022].

¹³ Gouvernement du Grand-Duché de Luxembourg, *Applying for the single-parent tax credit (crédit d'impôt monoparental - CIM)*, <https://guichet.public.lu/en/citoyens/impots-taxes/pension-rente/changement-situation-perso/enfant-credit-impot-monoparental.html>, [Accessed on 15.05.2022].

¹⁴ Gouvernement du Grand-Duché de Luxembourg, *Revenu d'inclusion sociale*, www.revis.lu, [Accessed on 15.05.2022].

¹⁵ European Commission, *Romania - Family support benefit*, <https://ec.europa.eu/social/main.jsp?catId=1126&langId=en&intPageId=4749>, [Accessed on 15.05.2022].

Notably, some Member States have opted to provide special support to single parents whose ex-partners refuse to provide court-ordered child support or alimony payments. State-funded subsistence payments for such families were introduced in Estonia in 2017¹⁶ and they were increased in Germany in 2018.

Strategies to guarantee fundamental rights

Strategies are reference frameworks and tools that are meant to lead to concrete improvements. In the area of the rights of the child, a Strategy like the present one, should find its final expression in improved levels of protection of the rights and well-being of all children living in Europe. The Council of Europe Strategy for the Rights of the Child (2022-2027): “Children’s Rights in Action: from continuous implementation to joint innovation” is intended to achieve visible results and progress for the children of Europe: to create a true impact on children’s lives.

The European Social Charter is a Council of Europe treaty that guarantees fundamental social and economic rights as a counterpart to the European Convention on Human Rights, which refers to civil and political rights. It guarantees a broad range of everyday human rights related to employment, housing, health, education, social protection and welfare.

The Charter lays specific emphasis on the protection of vulnerable persons such as elderly people, children, people with disabilities and migrants. It requires that enjoyment of the abovementioned rights be guaranteed without discrimination.

The European Social Charter is considered to be one of the most exhaustive instruments for social and economic protection in Europe. One of the key role of the Council of Europe is to monitor and encourage the full implementation of the Charter, including for children. This priority was reaffirmed in the Strategy for 2023-2027¹⁷.

The implementation of the Charter will have a specific attention for the cooperation with families, first guardians of the rights of children. The Council of Europe will be “*Promoting the participation of children and parents in designing and evaluating services for children and families, and the training of service providers*”. The Council also mentioned that “*There is a need to continue increasing investment in children and their families, to ensure that all children, regardless of their status, have the same start in life and the same opportunities to fulfill their potential*”¹⁸.

Some of the main obstacles to ensuring children’s access to equal opportunities are social exclusion, child poverty and lack of equal access to quality education for all children in the Council of Europe’s Member States¹⁹. Besides, child poverty being a multifaceted phenomenon, it is a complex exercise to target appropriate action. The Council of Europe shall also look at prevention, in order to help states to adopt a systematic way of addressing all groups of children. Institutions

¹⁶ *Kinds of family allowances*, <https://www.sotsiaalkindlustusa.ees>, [Accessed on 15.05.2022].

¹⁷ <https://www.fafce.org/the-council-of-europe-publishes-its-new-strategy-for-the-right-of-the-child-for-2022-2027/>, [Accessed on 13.05.2022].

¹⁸ <https://www.coe.int/en/web/european-social-charter>, [Accessed on 13.05.2022].

¹⁹ According to Eurostat, in 2019, an estimated 22.5 % of children in the EU-27 were at risk of poverty or social exclusion, compared with 21.5% of working-age adults (aged 18-64 years) and 18.6 % of older people (aged 65 years and over).

should be enabled to have the capacity to identify and address inequalities. There is a need to continue increasing investment in children and their families, to ensure that all children, regardless of their status, have the same start in life and the same opportunities to fulfill their potential. This should be done with a targeted allocation of adequate resources and the implementation of child-friendly budgets developed with child-rights impact assessments. From this perspective, priority must be given to gateway rights, such as the eradication of child poverty. This will be done by joining forces with the EU, in particular in the context of the implementation of the European Child Guarantee²⁵ and the EU Strategy on the Rights of the Child²⁰.

Finally, there is an increasing concern, including among children themselves, regarding their access to mental health services. Existing mental health difficulties regularly faced by children include addictive behaviours and eating disorders. Particular groups of children are more likely to experience mental health difficulties, such as children deprived of liberty, children having experienced or witnessed violence, children in care, children affected by migration and forced displacement, children with disabilities, children living or working on the streets or children living in poverty²¹.

Children are growing up in a digital world and come into contact with technologies in many different ways. They regularly use Information and Communication Technologies (ICTs) for leisure (TV, video games, tutorials), socializing (social media and networks), education (through online schooling) and shopping (purchasing online). Children make up roughly one third of users globally, yet the digital world often treats all users in the same way: by treating children as adults. The COVID-19 pandemic has added further challenges, as it has led to a higher use of technologies by children and for children (both for socializing as well as for education purposes). As schools transitioned into the digital environment, e-learning became a cornerstone to many children's education. The Council of Europe will continue promoting and protecting the rights of the child to non-discrimination, access to information, freedom of expression, protection of personal data, participation, leisure and play.

EU institutional partners involved in child and family care

When implementing the Strategy, the Children's Rights Division will work jointly with internal partners (Council of Europe sectors concerned as mentioned under each priority area) but also with external stakeholders, including international organizations, international or European civil society organizations, non-member States of the Council of Europe as well as the business sector or industry wherever opportunities and synergies are possible and desirable.

²⁰ *Council of Europe Strategy for the Rights of the Child (2022-2027)*, Council of Europe, March, 2022, p.19.

²¹ Besides, almost 1 in 10 child respondents to the survey undertaken to contribute to the EU Strategy for the Rights of the Child report living with mental health problems such as depression or anxiety, and a fifth of respondents indicate that they feel sad most of the time. See the full Report "Our Europe, Our Rights, Our Future", in Council of Europe Strategy for the Rights of the Child (2022-2027), Council of Europe, March, 2022.

Children will continue being a key partner in the implementation of the Strategy, as they will continue to be involved in the development, implementation and evaluation of the Council of Europe standards, policies and activities related to their rights and well-being. Any relationships with children established during the preparation of the present Strategy and in its implementation, have been and will be accompanied and governed by the Council of Europe child safeguarding policy, which also requires relevant commitments from any partner organization reaching out to children under the umbrella of Council of Europe activities.

The COVID-19 pandemic has put unprecedented strain on the delivery of care, both formal and informal, impacting all age groups. Children and families have been profoundly affected, with particular disruptions to childcare, early childhood education, child protection services and care for children in alternative settings and children with disabilities and special educational needs.

Eurochild is a network of organizations and individuals working with and for children in Europe and welcomes the announcement by the European Commission to develop a European Care Strategy, and the commitment by the Council of the European Union to promote active and healthy ageing, as well as the accessibility, affordability and quality of childcare and long-term care, including through enhancing support for formal and informal carers.

Eurochild supports calls from civil society actors for a ‘life-course’ and continuum of care approach, which considers care needs from infancy and throughout people’s lives. Access to, and providing, quality care across the life-cycle is part of a strong ‘social Europe’ as envisaged in the European Pillar of Social Rights Action Plan and necessary for living up to the EU Charter of Fundamental Rights.

While the delivery of care is a national competence of Member States, and national models differ, there are commonalities across countries. Therefore, as an EU-wide vision of care could improve access and quality, ensure that the needs of individuals, families and communities are met, and that the dignity and rights are cared for and upheld. Among strategies, the EU main institutions identify ways to ensure more public investment in early childhood education and care. Support the development of community-based strengthening programmes and day-care centers for children and families at risk to prevent separation of children from their families. Set out a clear vision and roadmap for ending institutional care for all children and transitioning to quality family and community-based care. Recognize the role of young carers, understand and support their needs and ensure their participation in all decisions which affect them. Set out ways to ensure that care workers are adequately recognized, supported and remunerated.

Conclusions

Family is the only social group in which the ties of love and consanguinity acquire a primary importance, through the multiple and determining interactions between all its members. In this crucible of relationships, values and feelings, the child receives the main strength and impetus of his development. Sociological science presents the family as a group of people directly related by kinship relations, whose adults assume responsibility for raising their children.

Children's rights are universal, and the EU reaffirms its commitment to protect, promote and ensure that these rights are respected internationally and in multilateral forums. Family is the environment in which the child is born, lives the first years of personal existence, develops and is formed for life. It represents a first tool for establishing the interactions between the child and the social environment. It has the central role of ensuring the conditions necessary to pass through the developmental stages of childhood being the basis of the structuring of the individual's personality. In the family, discipline and the spirit of initiative are learned and the feeling of dignity, justice, love, respect and help, the feeling of sacrifice, which are basic elements of social life, are cultivated.

But there are critical circumstances when national or international institutions have to commit themselves in order to foster and uphold the unity of families by supporting them in areas such as: economic, education, health, technology, protection of rights, access to information, freedom of expression, protection of personal data and many other concerns.

In this respect, 10% of the EU funds is allocated and intended for humanitarian aid to support the education of children in emergency and protracted crisis situations. By 2022, the Commission developed a youth action plan to promote the participation of young people and children worldwide and strengthened child protection capacities in EU delegations. There is a well known aspect that the Commission also has a zero tolerance policy towards child labor exploitation. To support these actions, financial resources are available under the European Social Fund Plus (ESF+), which finances projects that promote social inclusion, fight poverty and invest in people, as well as under the European Regional Development Fund, Invest EU and the Mechanism recovery and resilience.

Implementation of the EU strategies are monitored at EU and national level, and the Commission reports on progress at the annual EU Forum on the Rights of the Child. Governments are encouraged to submit to the Commission, within six months of strategies adoption, national action plans on how they intend to put them into practice. The Commission monitors progress through the European Semester and issue, if necessary, country-specific recommendations.

The commitment of the EU institutions to all strategies and policies regarding child and family protection is widely spread throughout the European space. The results are visible, and children's voices have acquired new values in recent years. The cooperation of all European partners responsible for these issues is vital for a harmonious and perspective child's development within a united family, with a well-founded and sustainable future.

EUROPEAN GOVERNANCE: A DEMOCRATIC DEFICIT?

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Abstract. *The paper starts by presenting the EU institutional framework. First, it introduces the multilevel governance concept. Then it goes on by stating the reasons why some people argue there is a lack of democracy, as there lacks the possibility of contestation for the measures taken by the main EU institutions, the ever expanding powers of the non-elected institutions, as it is for example the European Commission, or the legislative process that poses the problem of discontinuity.*

The agency level context is another possibility to analyse the EU decision making process, by inquiring how the administrative staff is involved in this process; also, there are being presented some specific cases. I end by showing what are the possibilities for reforming the institutional framework, in order to address the above mentioned issues, especially to bring EU closer to its citizens.

Keywords: *governance, European Union, institutions, democratic deficit, reforms*

Introduction

An eighteenth-century perspective helps one recognize the limits of what liberal-democratic regimes can be expected to do by showing how political thinkers of the time responded to the emergence of intensified political and economic competition between states¹. Rather than viewing governance as likely to negatively affect democracy, it might be argued that governance should be expected to enhance democracy. If the concept of representative democracy is to be successfully applied to the EU, there are two challenges that need to be overcome: *the multilevel character of the polity and the shift of the centre of political gravity from legislative to executive politics*².

The EU institutional framework

Multilevel governance has enabled key players to collaborate on urban issues and strengthen the role of cities in national and EU policies to better link the EU with the needs of its citizens. It acts as an ‘umbrella’ for all urban policy initiatives and

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¹ Koen Stapelbroek, “The idea of democracy and the eighteenth century”, in the volume *Governance and the Democratic Deficit: Assessing the Democratic Legitimacy of Governance Practices*, Victor Bekkers, Dijkstra, Geske, Edwards, Arthur, and Fenger, Menno, (eds.) Routledge, Abingdon, 2007, pp. 61-77.

² *European Law Journal*, Vol. 11, No. 4, July 2005, pp. 452-467, article by Ben Crum “Tailoring Representative Democracy to the European Union: Does the European Constitution Reduce the Democratic Deficit?”.

aims to realise the full potential and contribution of urban areas to attaining the Union's objectives and related national priorities. It also works to integrate urban authorities in policy development and implementation, as well as to strengthen the urban dimension of these policies³.

The concept of multilevel governance was introduced to reveal the impact of regions on European Union (EU) policy making in Brussels. Schakel (2020)⁴ shows that multilevel governance also exposes regional involvement in EU affairs within the Member States. In contrast to perspectives that focus on formal decision-making by central governments, multilevel governance uncovers significant sharing of authority between governmental actors within and beyond national states even in cases where the formal right to make a decision lies with national governments or the EU legislator. He argues that the concept of multilevel governance is key for understanding developments within a three-tiered EU polity because it directs scholarly attention to the incentives for regions to be involved in EU affairs and for national governments and EU institutions to share their authority with regions.

All the major EU institutions and the European Commission in particular, find themselves embedded within a complex web of relations and informal policy interactions. The informal relationships that exist between public and private actors in policy-making are more appropriately conceived of as governance in networks than governance by networks. The European Commission has paid less attention to the vices of networks. However, it has recently made attempts to deal with the democratic deficit by increasing their inclusiveness and transparency. In early 2006 for example, it launched a Green Paper on the European Transparency Initiative to encourage debate on lobbying activities, feedback on the Commission's minimum standards for consultation, and the publication of beneficiaries of EU funds. As a follow up, the Commission has adopted a voluntary register for interest representatives, held a series of stakeholders discussions on a Code of Conduct linked to the register, reinforced the application of the Commission's consultation standards, and implemented a policy on the publication of the beneficiaries of EU funds. New provisions in the Lisbon Treaty recognise the importance of consultation and dialogue with, for example, associations, civil society, workers, employers and churches. The Commission thus appears to be more sensitive to the conditions we have identified for networks to enhance rather than undermine the legitimacy of EU policy-making (Borzel, 2009)⁵.

Some people argue that the EU institutions and their decision-making procedures suffer from a *lack of democracy* and seem inaccessible to the ordinary citizen due to their *complexity*. The lack of democratic control of the institutions' bureaucracies and the practice of *ever expanding tasks and responsibilities* must be

³ European Commission, Updated version (2021) - *Urban Agenda for the EU: Multi-level governance in action*, https://ec.europa.eu/regional_policy/en/information/publications/brochures/2019/urban-agenda-for-the-eu-multi-level-governance-in-action

⁴ Arjan Schakel, *Multi-level governance in a 'Europe with the regions'*, *The British Journal of Politics and International Relations*, Vol. 22, Issue 4, 2020, pp. 767-776.

⁵ Tanja Borzel, Karen Heard-Laureote, *Networks in EU Multi-level Governance: Concepts and Contributions*, *Public Policy*, Vol. 29, Issue 2, 2009, pp. 135-152.

taken into account when analysing proposals for improving democratic legitimacy of these institutions⁶. A democratic polity requires *contestation* for political leadership and over policy. The EU democratic deficit seems to be the absence of European politics. EU voters do not feel that they have an effective way to reject a ‘government’, they do not like, and to change the course of politics and policy⁷.

Another reason for this unsatisfactory performance is that in sacrificing democracy for the sake of deeper integration, *EU leaders also sacrificed many formal and informal methods developed by democratic regimes in order to reduce various political transaction costs*. Thus delegation of monetary policy to an independent central bank is a well-known method for solving the time inconsistency problem. In case of serious external shocks, however, a balance must be struck between commitment to monetary stability and flexibility. This is possible in a democracy, where elected policy-makers are able to provide the necessary political counterweight to the central bank's technocrats; this is impossible in the EU, where the European Central Bank (ECB) operates in a political vacuum. In turn, exclusive commitment to monetary stability further undermines the legitimacy of the Union. At present it seems that the only feasible way of reducing the democratic deficit is to reduce the mismatch between the extensive commitments of the EU and its limited normative and institutional resources⁸.

In terms of *institutional powers* and in terms of public attitudes towards the EU, the Eurozone crisis has had an ambivalent effect. First, in terms of institutions, the winners are both the Council and the European Commission. The practical anti-crisis measures were primarily taken by the Council, the European Council and the Eurogroup, but the Commission also gained several essential new competences in an area where its role was previously weak. Since neither the Commission nor the Council is a direct representative of EU voters, their growing powers substantially increase the democratic deficit. Second, the growing penetration of the EU into domestic political decision-making can further aggravate the EU's legitimacy problems⁹.

The legislative process is analyzed by a study that evaluates the *discontinuity induced by the two-stage law-making process of EU directives*, which is discussed in the jurisprudential literature as another source of democratic deficit. Directives must be transposed into national law, but lengthy deadlines raise normative questions about the extent to which governments of today can politically and reliably commit domestic majorities of tomorrow. The potential for discontinuity is analysed using transposition data in 15 Member States and preference indicators over the last 20 years. The findings reveal that parliaments are largely excluded from this process and that the preferences of the previous and the newly elected representatives often

⁶ Victor Bekkers, Geske Dijkstra, Menno Fenger, *Governance and the Democratic Deficit Assessing the Democratic Legitimacy of Governance Practices*, Routledge, 2007.

⁷ *JCMS*, Vol. 44. Number 3. pp. 533-62, 2006, Andreas Follesdal and Simon Hix, "Why there is a democratic deficit in the EU?: A Response to Majone and Moravcsik".

⁸ *Journal of European Public Policy*, Vol 17, Issue 2, 2010, pp. 150-175, Giandomenico Majone, "Transaction-cost efficiency and the democratic deficit".

⁹ *Journal of European Integration*, Published online: 20 Jan 2019. Petr Kratochvíl and Zdeněk Sychra, "The end of democracy in the EU? The Eurozone crisis and the EU's democratic deficit".

differ considerably, particularly in countries where public support for European integration has declined in recent years¹⁰.

Organized civil society have an important role to play in exposing international governance to public scrutiny. The presence of CSOs in international organizations and regimes can render international governance more visible and add critical commentary to official communications. There is also clear evidence that CSOs expand the range of viewpoints present in international negotiations and can give a voice to the concerns of marginalized groups – such as indigenous peoples – that are not well represented in the intergovernmental process¹¹.

On the other hand, we also find *important shortcomings and potential pitfalls*. First, the granting of consultative status to CSOs is no guarantee that the interests and values promoted by civil society actually enter intergovernmental deliberation and are given due consideration in the decision-making process. The case studies show that, even when institutional conditions are particularly favourable, governmental actors are often reluctant to adopt CSO concerns. Second, involving organized civil society in internationalized governance has, in some cases, tended to reinforce existing international asymmetries between North and South. In many issue areas, Northern civil society is much better represented than Southern. Third, it seems that extensive cooperation between IOs and CSOs can lead to problems of co-optation. CSOs might become entangled in financial and organizational dependencies that compromise their ability to function as independent and potentially critical voices.

The widening and deepening of the European Union have brought to the fore the question of democracy at the European level. The system in place at the European level requires and aspires to direct legitimation - from the citizens themselves and not merely indirect, derived from the Member States. Such can only be achieved by making the EU into a democratic polity. But can democracy be disassociated from its putative nation-state foundation? A revised concept of democratic legitimacy based on discourse theory is developed. *It is argued that post-national democracy requires a constitution but not necessarily a state.*

The Union amounts to less than a state but more than an international organization and a system of transnational governance. In the political theory of the multilevel constellation that makes up the EU, it is conceived of as a regional subset of an emerging cosmopolitan order. The EU is a state-less government. As it is not premised on group identity, it is able to accommodate a high measure of variance with regard to territory and function.

Few scholars have systematically examined whether the world outside a state's borders can influence the prospects for democracy. Jon Pevehouse¹² argues that

¹⁰ *European Union Politics*, Vol. 8, Issue 3, 2007, Thomas König, "Discontinuity: Another Source of the EU's Democratic Deficit?"

¹¹ Jens Steffek, Claudia Kissling and Patrizia Nanz, *Civil society participation in European and global governance. A cure for the democratic deficit?*, Palgrave, Macmillan, New York, 2008.

¹² Jon Pevehouse, *Democracy from Above. Regional organizations and democratization*, Cambridge University Press, Cambridge, 2005.

regional organizations can have an important role in both the transition to, and the longevity of, democracy. Combining statistical analysis and case study evidence, he finds that regional organizations can be a potent force for instilling and protecting democracy throughout the world.

The renaissance of the EU and the introduction of the Euro have renewed concerns whether EU institutions are sufficiently accountable to the European electorate. Critics assert that the EU suffers from a 'democratic deficit'. But many democratic deficit arguments have a shortcoming: seeing the EU as *sui generis*, they treat it in a vacuum and fail to compare it to other polities. Zweifel¹³ systematically compare the European regulatory state with two federal democracies, Switzerland and the US, along seven established scales of democracy. *The finding might surprise EU critics: On the whole, EU institutions compare favorably with those of the 'model democracies' the US and Switzerland.* While there is much room for improvement, the EU does not suffer from a democratic deficit greater than that of the world's most liberal democracies.

The agency level context

Another perspective is to look at *the administrative staff* involved in policy-making rather than the (un)accountability of EUs' parliamentarians and executive agents. Building on the idea that policy-makers' legitimacy depends on the extent to which they can *claim* to represent some groups or social interests, Murdoch¹⁴ assess the extent to which Commission officials' preferences reflect European citizens' policy stance. The results indicate a statistically significant *positive correlation between the policy preferences of EU administrative staff and their home country population*, which can provide EU administrators a basic degree of legitimacy relative to their home country.

Also, Hupe and Hill¹⁵ deal with the issue of *the autonomy of professionals in the implementation stage of public policies*. The authors discuss two cases of social policy in the United Kingdom, health and education. They focus on accountability. Horizontal mechanisms are observed as possibly compensating for deficits of both vertical steering and vertical accountability.

Other times, unaccountable political and business agents can enrich a few at the expense of many. Democratic Governance and Economic Performance finds statistical evidence and case study illustrations that *democratic institutions at various governance levels* (e.g., federal, state, corporation) have facilitated *opportunistic gains* for electoral, consumer, and shareholder principals. To be sure, this conclusion does not dismiss the potential for democratic governance to productively reduce agency costs. Rather, it suggests that policy makers, lawyers, and managers can

¹³ *Journal of European Public Policy*, 2002, Volume 9, Issue 5, pp. 812 – 840, Thomas Zweifel, "Who is without sin cast the first stone: the EU's democratic deficit in comparison".

¹⁴ *Journal of European Public Policy*, 2018, Volume 25, Issue 3, pp. 389 – 408, Zuzana Murdoch, "Administrative legitimacy and the democratic deficit of the European Union".

¹⁵ Michael Hill and Peter Hupe, *Implementing Public Policy: Governance in Theory and Practice*, Sage Publications, London, 2002, p. 197-199.

improve governance by weighing the agency benefits of increased accountability against the distributional costs of favoring principal stakeholders over more general economic opportunities¹⁶.

There are administration *modernization programs* at the national level in different European countries. In these modernization agendas, *the governance concept, and New Public Management* ideas in particular, occupy a central place. The authors conclude that the major thrust of these modernization programs is focused on the empowerment of citizens as consumers. Complementary to representative democracy, a new democracy model has emerged that can be described as consumer or client democracy¹⁷.

Some particular cases are discussed by Lex Cachet and Arie van Sluis (2007)¹⁸ who assess *the legitimacy of police governance* in the Netherlands and the UK. In both countries, the police system has undergone significant changes, with more centralized performance based arrangements at the national level. At the same time, policing has undergone a process of pluralization, in partnerships between public and private actors (market governance) and between agencies and citizens (network governance). The authors argue that political steering of the police, within the representative model of democracy, shows serious shortcomings at the local level. While other democracy models are becoming relevant and useful, they are in addition to and not substitutes for representative democracy. Also, Peter Marks¹⁹ analyses the *wide variety of actors* that are involved in the city of Rotterdam's safety policy and local government's attempt to govern this network. He shows how arrangements of representative democracy, deliberative democracy and consumer democracy work together and enhance the legitimacy of urban safety policy.

Reforming the EU institutional framework

Are there political problems faced by the developed democracies to which more citizen participation is the answer? From the perspective of democratic theory, the answer is clear and long-standing. Governments should be responsive to citizens as a consequence of their participation, through elections, pressure, public deliberation, petitioning, or other conduits. For these forms of participation to

¹⁶ Dino Falaschetti, *Democratic Governance and Economic Performance: How Accountability Can Go Too Far in Politics, Law, and Business*, Springer-Verlag, New York, 2009, pp. 117-120.

¹⁷ Victor Bekkers, Menno Fenger and Evelien Korteland, "Governance, Democracy and the European Modernization Agenda: A Comparison of Different Policy Initiatives", in *Governance and the Democratic Deficit. Assessing the Democratic Legitimacy of Governance Practices*. Victor Bekkers, Gieske Dijkstra, Arthur Edwards and Menno Fenger (eds.), Ashgate Publishing Limited, Hampshire, 2007, pp. 81-105.

¹⁸ Arie van Sluis and Lex Cachet, "Police, policing and governance in The Netherlands and the United Kingdom", in *Governance and the Democratic Deficit. Assessing the Democratic Legitimacy of Governance Practices*. Victor Bekkers, Gieske Dijkstra, Arthur Edwards and Menno Fenger (eds.), Ashgate Publishing Limited, Hampshire, 2007, pp. 144-173.

¹⁹ Peter Marks, "The legitimacy of the Rotterdam integrated public safety program" in *Governance and the Democratic Deficit. Assessing the Democratic Legitimacy of Governance Practices*. Victor Bekkers, Gieske Dijkstra, Arthur Edwards and Menno Fenger (eds.), Ashgate Publishing Limited, Hampshire, 2007, pp. 211-232.

function *democratically*, all potentially affected by the decisions of a government should have the opportunity to influence those decisions, in proportion to their stake in the outcome. From a normative perspective, governments are in democratic deficit when political arrangements fail the expectation that participation should elicit government responsiveness. From an empirical perspective, governments are in democratic deficit when their citizens come to believe that they cannot use their participatory opportunities and resources to achieve responsiveness. From a functional perspective, governments are in democratic deficit when they are unable to generate the legitimacy from democratic sources they need to govern²⁰.

Eriksen (2009)²¹ analyzes the reforms undertaken to bring the EU 'closer to the citizens'. It documents elements of democratization and reduction of arbitrary power. However, democracy requires that the citizens can approve or reject the laws they are subjected to. Since the institutional as well as the civic conditions under which a public justification process would be deemed legitimate are not in place, *European post-national democracy remains an unaccomplished mission*. The (prospect of a) BREXIT illustrates that the European Union's legitimacy deficit can have far-reaching political consequences²².

Through an analysis of the European Commission and European Parliament policies, treaties and ways of electing their representatives, as well as citizens' interest in EU politics, Vesnic-Alujevic and Nacarino (2012)²³ have shown that the democratic deficit exists. They have put forward *certain proposals* for how it can be influenced by different political actors on the EU level: certain treaty adjustments could bring more balance between the powers of different EU institutions; the election of the EC's president could be another beneficial tool for European democracy and the inclusion of citizens through deliberative forums, which is significant for overcoming the lack of legitimacy of EU institutions.

Arthur Edwards (2007)²⁴ assesses *the legitimacy of local deliberative forums*, in which residents, regulatory agencies and businesses discuss environmental issues. He compares a 'Residential Advisory Board' in The Netherlands and an Environmental Committee in Cleveland (United States), focusing on the question of how the signaling and monitoring functions of these forums can be enhanced by embedding them in pluralist and representative democracy.

An interesting proposal to reduce the democratic deficit that has been put forward is to elect some members of the European Parliament in a pan-European

²⁰ Mark Warren, "Citizen Participation and Democratic Deficits: Considerations from the Perspective of Democratic Theory" in *Activating the Citizen. Dilemmas of Participation in Europe and Canada*. Joan DeBardeleben and Jon P. Hammet, Palgrave Macmillan, pp. 17-40.

²¹ Erik Eriksen, *The Unfinished Democratization of Europe*, Oxford University Press, 2009.

²² *Political Studies*, 2018, Vol 66, Issue 2, Jan Pieter Beetz, "From Practice to Principle and Back: Applying a New Realist Method to the European Union's Democratic Deficit".

²³ *European View*, 2012, 11, pp. 63-70, Lucia Vesnic-Alujevic and Rodrigo Castro Nacarino, "The EU and its democratic deficit: problems and (possible) solutions".

²⁴ Arthur Edwards, "Embedding deliberative democracy: local environmental forums in The Netherlands and the United States", in *Governance and the Democratic Deficit. Assessing the Democratic Legitimacy of Governance Practices*. Victor Bekkers, Gieske Dijkstra, Arthur Edwards and Menno Fenger (eds.), Ashgate Publishing Limited, Hampshire, 2007, pp. 165-182.

district. In this article, the authors evaluate this proposal using an online experiment, in which thousands of Europeans voted on a pan-European ballot we created. They find that the voting behaviour of European citizens would be strongly affected by the presence or absence of candidates from their own country on the lists. If a pan-European district is created, their findings provide an argument in favour of using a closed-list ballot and establishing a maximum number of candidates from each country on the lists²⁵.

Conclusions

The decision-making process at the European Union level suffers from democratic deficit, as there is little possibility for contestation of the main EU institutions, especially the European Commission. Since it is a nonelected organization it is not directly responsible to the electorate. Also, it has been shown that its powers are constantly growing. The legislative process also poses the problem of discontinuity, as a democratic majority of today imposes obligation for a majority of tomorrow. When it comes to the agent level, we see that the administrative staff is being subjective, as it gives priority to its national electorate. In order for the European Union not to dismantle, as the BREXIT may be followed by other exits, there are necessary reforms of the institutional framework, in order to improve the democratic legitimacy.

²⁵ *European Union Politics*, 2016, Vol. 17, Issue 4, pp. 1 – 21, Damien Bol, Philipp Harfst, Andre Blais, Sona Golder, Jean-Francois Laslier, Laura Stephenson and Karine van der Straeten, "Addressing Europe's democratic deficit: An experimental evaluation of the pan-European district proposal".

GOVERNING THE LOCAL, INFLUENCING THE EU: FRAMEWORK, KNOWLEDGE, MECHANISMS

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Abstract: *The present European Commission has placed the European democracy as one its priorities for the 2019-2024 mandate. But its mandate was challenged by various crises (COVID-19, BREXIT, war at its borders in Ukraine, etc.), and by the EU's and Member States' subsequent efforts in order to recover and to deal with the new situations. Therefore, these last years' problems and transformations have put a considerable pressure on the officials from all the levels (European, national, regional and local) of the EU multilevel governance, not only regarding their decisions taken inside their countries, but also for their common decisions at EU level.*

The objective of the present paper is to approach EU democracy's trends and perspectives, through a focus on both the local and regional level and that of the EU, analyzed from the point of view of their representatives' attributions, means of interaction with each other, and of the traditional and new democratic mechanisms that have been created, in order to bring the EU closer to its citizens, but also for stimulating the inclusion of the citizens' voice, and of their nearest elected representatives – the local and regional authorities - in the EU policies' formulation.

Keywords: *EU multilevel governance, EU decision-making, Committee of the Regions, local and regional authorities, citizens*

Introduction. A theoretical approach

In the EU multilevel governance structure, the topic of the present paper refers to the lowest levels (local and regional) and to the highest level (European). So, from a theoretical point of view, these levels guide, for the beginning, the discussion towards two concepts - „government” and „governance”, as well as about the characteristics that define these two concepts.

The nature of the relationship between the concepts of „government” and „governance” is a topic widely approached in the decision-making literature¹. So, if „government” has been, traditionally, associated with governing (attribute of the formal institutions of the state), „governance” has emerged as a concept meant to encompass a new dynamic of government, especially non-hierarchical forms, in which the boundaries between the public and private sectors have become blurred, the interactions between the actors are complex and take place

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¹ Anne Mette Kjaer, *Governanța*, Cluj-Napoca, CA Publishing, 2010, p. 3.

at multiple levels². Therefore, the reinterpretation of the discourse "from government to governance" assumes that the forms of hierarchical government gave way to forms of non-hierarchical governance, making a transition from government centered on the state to governance centered on society. Thus, unlike "government", "governance" is not related to the national level, but involves both the supra-national and the national levels³.

Referring to the European Union (EU), different authors stated that the EU is a *sui generis* political system, and the "governance" in the EU is defined by a set of multilevel, non-hierarchical and regulatory institutions, and also by a hybrid mixture of state and non-state actors⁴. Thus, the characteristics that define this new governance, are the following: the decision-making process is not led, exclusively, by the state, but involves all the activities of the social, political and administrative actors who guide, lead or control the society; the relationship between the state and non-state actors is polycentric and non-hierarchical; and the key function of governance is the regulation of social and political risk, thus being a decision-making process for solving problems⁵.

Because the decision-making process in the EU is, therefore, not the same as in the nation-state, there is no central *agenda-setting* and no actor to coordinate it⁶, but the process - from the beginning, to adoption and implementation - is a complex one and involves constant cooperation and deliberation, between the different levels. In the adoption phase, the need to satisfy a multitude of territorial and functional constituencies makes necessary the existence of open policy networks, in which interest groups are equal and active participants, together with subnational, national and European officials⁷. Because „democratic integration” means that the individual and collective members who are integrated into the European Union must have an effective democratic say over the norms of integration to which they are subject, some authors affirm that the norms of integration must be ‘open’ to the democratic negotiation of those who are subject to them⁸.

² Philipp Lange, Peter P. J. Driessen, Alexandra Sauer, Basil Bornemann and Paul Burger, "Governing Towards Sustainability - Conceptualizing Modes of Governance", in *Journal of Environmental Policy & Planning*, vol. 15, no. 3, 2013, p. 405. See also Richard Bellamy and Dario Castiglione, "Democracy by Delegation? Who Represents Whom and How in European Governance?", in *Government and Opposition*, vol. 46, no. 1, 2011.

³ Paul Marginson and Maarten Keune, "European Social Dialogue as Multi-level Governance: Towards More Autonomy and New Dependencies", in *EU Law, Governance and Social Policy*. Jean-Claude Barbier (ed.), European Integration online Papers (EIoP), Special Mini-Issue 1, vol. 16, 2012, p. 7.

⁴ Simon Hix, "The Study of the European Union II: the 'New Governance' Agenda and its Rival", in *Journal of European Public Policy*, vol. 5, no. 1, 1998, p. 39.

⁵ Markus Jachtenfuchs, Thomas Diez și Sabine Jung, "Ideas and Integration: Conflicting Models of a Legitimate European Political Order". Paper presented at the Fifth Biannual Conference of the European Community Studies Association, May 29 - June 1, 1997, p. 40.

⁶ Brainard Guy Peters, "Agenda - setting in the European Community", in *Journal of European Public Policy*, no. 1, 1994, pp. 9-26.

⁷ John Peterson, "Decision - making in the European Union: Towards a Framework for Analysis", in *Journal of European Public Policy*, no. 2, 1995, pp. 69-93.

⁸ James Tully, "A New Kind of Europe?: Democratic Integration in the European Union", in *Critical Review of International Social and Political Philosophy*, vol. 10, no. 1, 2007, p. 72.

In the same time, in the multilevel governance the power is increasingly diffused towards the supranational level - that of the EU, and towards the subnational level - that of regional and local government⁹.

In the document called „Challenges at the Horizon 2025”¹⁰, with reference to the EU’s „multilevel governance” format, it is mentioned not only that the governments from all level in the EU will work in partnership (vertical and horizontal), but also that the Committee of the Regions (formed by representatives of regional and local communities) will be more involved in the EU decision-making and the local and regional authorities will operate to varying degrees at different decision-making levels. In the same time, the local and regional authorities and the Committee of the Regions are considered to be well placed to legitimize the EU and to bring citizens closer to the EU. Therefore, subsidiarity and more transparency are two principles that are going to play a more important role in the EU’s multilevel governance.

As a consequence, in the EU’s multilevel governance, the local and regional authorities from the EU Member States have to exercise their attributions at two levels: at local and/or regional level and in the EU decision-making process – through, but not only, the body that represents them at EU level – the Committee of the Regions. And they do so in line with the national legislation, on one side, and with the EU *acquis*, on the other. A role that, because of the country’s membership in the EU, evolves along with the European construction process and with the changes brought to them by the treaties.

The framework regarding the place of regional and local actors in the EU’s multilevel governance

The Lisbon Treaty (2007, 2009) has substantially contributed to the consolidation of EU’s multilevel governance. It addressed the relations between the Union and the Member States down to the regional and local level, and presented them in the form of an explicit set of rules, so that the citizens know the existing responsibilities at different political levels, in order to exercise more effective control¹¹. But what means regional and local level, in numbers, in the EU?: around 1.2 million of locally and regionally elected politicians, almost 90.000 municipalities, and the local and regional authorities’ responsibility of implementing 70% of the EU legislation.

However, before and after the Lisbon Treaty, several documents elaborated by the European Commission (2001) and by the Committee of the Regions (2009, 2014) played an important role regarding the place of local and regional authorities in the EU multilevel governance¹². If the „White Paper on European Governance”

⁹ Adam Harmes, “Neoliberalism and Multilevel Governance”, in *Review of International Political Economy*, vol. 13, no. 5, 2006, p. 725.

¹⁰ Leuven Centre for Global Governance Studies, „Challenges at the Horizon 2025”, European Union, February 2014, pp. 2-3, 23.

¹¹ Consolidated versions of the *Treaty on European Union* and the *Treaty on the Functioning of the European Union*, Official Journal of the European Union, 2016/C 202/0.1

¹² See also Alina – Carmen Brihan (ed.), *La 100 de ani de România, 100 de pași spre o cetățenie europeană activă*, Tritonic, București, 2018, pp. 218-221.

(2001), developed by the European Commission¹³, sought to open up the European decision-making process, make it more inclusive and responsible, bring the European Union closer to the citizens, lead to more effective policies and, in particular, to achieve greater interaction with regional and local authorities, but also with civil society¹⁴, the „White Paper on Multilevel Governance“¹⁵, adopted by the Committee of the Regions in June 2009, includes the vision of this European body regarding the future of European governance, and aims to involve local and regional authorities in the formulation and implementation of European policies. Also, the view of the Committee of the Regions is that European citizenship is built on participation and European governance is based on participation, and they are strengthened through representative democracy and participatory democracy. The „White Paper on Multi-level Governance“ of the Committee of the Regions (2009) conceives multilevel governance as a coordinated action of the Union, the Member States and local and regional authorities, based on partnership and aimed at the elaboration and application of European Union policies. The partnership, between the different levels of European governance, becomes an important objective for this, requiring a consolidation both vertically (local and regional authorities - national government - European Union) and horizontally (local and regional authorities - civil society), especially within the social dialogue. Through it, the various social groups can present their evaluations, opinions and suggestions regarding the aspects of community public initiatives, the Committee of Regions aiming to transform local and regional authorities into real partners, and not just intermediaries. Thus, the Committee of the Regions wishes that multilevel governance is not limited to the transformation of European or national objectives into local or regional action, but also it represents a process of integrating the objectives of local and regional authorities into the strategies of the European Union.

As a consequence of the elaboration of the „White Paper on Multilevel Governance“ (2009), and considering that, for an effective implementation of multilevel governance, better monitoring of its practice is needed, the Committee of the Regions created, in 2011, an instrument that aimed to strengthen the implementation of multilevel governance - namely a "Multilevel Governance Scoreboard at the level of the European Union"¹⁶. The purpose of its creation was to monitor, annually, the evolution of EU multilevel governance, but also to create a real culture of multilevel governance in the EU. Thus, six categories of practices for multilevel governance have been included in this Scoreboard: three procedures / practices of the decision-making process (information and consultation, stakeholder involvement and responsiveness) and three practices regarding the content of European policies / instruments and mechanisms (territorial approach / integrated

¹³ European Commission, *White Paper on European Governance*, COM(2001) 428 final, Bruxelles, 25.07.2001 - <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52001DC0428&rid=2>

¹⁴ David J. Bailey, "Governance or the Crisis of Governmentality? Applying Critical State Theory at the European Level", in *Journal of European Public Policy*, vol. 13, no. 1, 2006, p. 24.

¹⁵ Committee of the Regions, *White Paper on Multilevel Governance*, 89/2009 fin, 17 - 18 June 2009.

¹⁶ "Scoreboard for Monitoring Multilevel Governance (MLG) at the European Union level. MLG Fact Sheets 2011-2012", 2013.

policy, smart regulatory mechanisms and innovative tools for implementation and partnership).

Furthermore, on 3 April 2014, the Committee of the Regions adopted the „Charter on Multilevel Governance in Europe”¹⁷. Through this document, the public authorities are invited to make effective use of multilevel governance in their day-to-day policy-making and implementation. This involves carrying out activities in partnership between the different levels of government (local, regional, national, European) and applying principles – such as participation, cooperation, openness, transparency, inclusiveness and policy coherence – in the policy-making process.

In the EU multilevel framework, the Lisbon Treaty acknowledges explicitly the principle of regional and local self-government within the EU Member States. This represents a recognition and, as mentioned above, an explanation of the multilevel political system of the European Union, and of the fact that the power is shared between the different decision-making levels. Moreover, the local and regional levels get further importance in the subsidiarity principle¹⁸.

Regarding the regional and local dimension of subsidiarity¹⁹, the Lisbon Treaty ensures, firstly, that the drawing up of new EU laws starts with thorough consideration of the local and regional impacts of all proposals (as in the pre-legislative phase, it is assessed the impact of the EU proposals on the EU territories). Secondly, it gives the Committee of the Regions more powers to follow the draft bill through all stages of the legislative process. Therefore, the Treaty gives the EU’s Assembly of regional and local representatives more political and legal tools.

The Committee of the Regions, made up of representatives of regional and local communities, who either hold an electoral mandate within a regional or local authority, or are politically accountable to an elected assembly, was created in 1994. The members of the Committee of the Regions (329 members²⁰) are appointed for a five-year term, a mandate that the Lisbon Treaty extended from four to five, in order to put its mandate in line with the European Parliament’s mandate. Together with the European Economic and Social Committee, it represents an advisory body of the Union, whose consultation is mandatory for the European Commission, the European Parliament, the Council of Ministers, throughout the whole legislative process, according to the Lisbon Treaty (in the areas of economic, social and territorial cohesion; trans-European networks; transport, telecommunications and energy; public health; education and youth; culture; employment; social policy; environment; vocational training and climate change). The Committee of the

¹⁷ Committee of the Regions, *Resolution of the Committee of the Regions on the Charter for Multilevel Governance in Europe*, 2014/C 174/01, 3 – 4 April 2014.

¹⁸ Committee of the Regions, *A new treaty: a new role for regions and local authorities*, 2009.

¹⁹ „Under the principle of subsidiarity, in areas which do not fall within its exclusive competence, the Union shall act only if and in so far as the objectives of the proposed action cannot be sufficiently achieved by the Member States, either at central level or at regional and local level, but can rather, by reason of the scale or effects of the proposed action, be better achieved at Union level” - *Treaty on European Union*, Official Journal of the European Union, 2016/C 202/0.1, Article 5(3).

²⁰ Council Decision (EU) 2019/852 of 21 May 2019 determining the composition of the Committee of the Regions.

Regions can be, also, consulted, by the three institutions, in all cases where it is considered appropriate, but also it can take the initiative to issue an opinion in cases where it considers to be opportune. In order to protect its powers²¹ or to annul EU legislation that infringes on subsidiarity by not respecting regional and local competences, the Committee has the right to bring legal actions before the Court of Justice.

In the document titled „CoR’s Future Role and Institutional Positioning”²² five future-based scenarios were elaborated to address the CoR’s future role and institutional positioning within the European political architecture, including its associated powers and relations with other EU institutions – as the European Commission, the European Parliament, the Council of Ministers. Among these scenarios, the fifth refers to the assumes that the CoR would act as a third legislative (together with the European Parliament and the Council) chamber representing the LRAs in a European Senate²³. Therefore, the CoR Members (the European Senators) would be indirectly elected among the European LRAs (municipalities, localities, cities, regions and provinces). If in the future this scenario will be considered to be implemented, it will involve treaty changes, with reference to the overall institutional setup, decision-making procedure, inter-institutional relations and CoR members’ status.

In conclusion, the EU’s legislative and non-legislative framework regarding the EU’s multilevel governance structure provides the structure for participation in / and influencing the European decision-making process, by the political actors from all the levels of the EU’s multilevel governance - national, regional and local; of which the representatives of the last two levels represent the focus of the present paper.

Knowledge, trust, participation – an overview on the local and regional authorities and on the citizens

The EU democracy, as well as the EU Member States’ national democracies, are challenged, now and in the near future, to find more appropriate ways to consolidate the citizens’ voice and trust, to redesign a more effective decision-making in the EU in order to build a more legitimate EU²⁴.

But, in order to enhance legitimacy of a political system, either national or European, efforts need to be done on the two dimensions of legitimacy: the *input* dimension – that refers to the effective participation of citizens in the decision-making process, and the *output* dimension - the quality of the results of the political process²⁵. The ability to produce good governance (that is the ability of societies to

²¹ *Treaty on the Functioning of the European Union*, Official Journal of the European Union, 2016/C 202/0.1, Article 263.

²² Committee of the Regions, *CoR’s Future Role and Institutional Positioning*, European Union, September 2014, p. 1.

²³ *Ibidem*, p. 64.

²⁴ Leuven Centre for Global Governance Studies’ document for the Committee of the Regions, *Challenges at the Horizon 2025*, European Union, February 2014, p. 23.

²⁵ Fritz W. Scharpf, *Governing Europe: Efficient and Democratic*, Oxford, Oxford University Press, 1998.

deliver effective public policies) is increasingly important because societies must rely on the positive response from citizens.

At regional and local level, participatory democracy means to have more engaged and informed citizens; therefore, the local and regional leaders are aware that they have to deal not only with its benefits – the enhancement of civic engagement and accountability, but also with its challenges - such as ensuring inclusivity, managing diverse opinions, and striking a balance between direct citizen involvement and the need for expertise in decision-making.

Ursula von der Leyen, candidate at that moment for the Presidency of the European Commission²⁶, when she referred to the 6th priority of her project for the European Commission's mandate 2019 – 2024 – namely „A new push for European democracy”, stated that she wants a Europe that strives „for more in nurturing, protecting and strengthening our democracy”. She also recalled the EU's unique democratic system” that brings together „directly elected parliamentarians at local, regional, national and European levels with elected Heads of State or Government”. In Von der Leyen's speech, besides these references to democracy and representative democracy in the EU's multilevel governance, her statement that the Europeans must be given „a stronger role in decision-making”, brings into discussion the other facet of democracy – the participative democracy.

An answer about how the local politicians of the EU conceive the place of the local and regional authorities in the EU's multilevel system, is given through the conclusions of a Flash Eurobarometer, in 2021²⁷. On one hand, the research shows that 65% of the EU27 surveyed local politicians feel that the regions, cities and villages do not have enough influence on EU policy-making (in the contrast, 54% of the Romanian local politicians consider that they have). The different possible solutions regarding the means to increase their influence, or the identification of the EU-related topics on which they would like to become more influential in EU policy-making, have been tested on the survey's respondents. Increasing influence of the regional and local authorities in the national policy-making (90% - EU27, 73% - Romania) and in the EU policy-making (88% - EU27, 60% - Romania), more cooperation with similar entities from other countries (85% - EU27, 58% - Romania) or the EU to play a larger role in supporting policy-making at the regional and local level (71% - EU27, 43% - Romania). As we know, in the EU's decision-making process, the Committee of the Regions is compulsorily consulted in several areas mentioned in the first section of this paper. As regards the local politicians' answers on this subject, the continuum of the mentioned domains ranges from economy (61%), social justice, environment, education, culture, youth, sport, health, etc., up to European democracy (24% - EU27, 17% - Romania) – that occupies only a rank 8 in the local politicians' preferences.

But what would make democracy in the European Union work better? Which measures are the most appropriate to achieve a "European Union closer to its citizens"?

²⁶ Ursula von der Leyen, *Political Guidelines for the Next European Commission 2019-2024. A Union that strives for more*, 2019, p. 19.

²⁷ *Flash Eurobarometer* – “Local politicians of the EU and the Future of Europe”, European Union, October 2021. [Accessed on March 2022]

Before approaching the first question, the answers provided to another question – the level of information about how democracy works at different decision-making levels - could give an useful starting point: 65% of the EU27 local politicians (75% - Romanian respondents) consider that they have sufficient information about how democracy works at EU level. The first two places of the ranking refer to how democracy works at national level (87% - EU27, 94% - Romania) and at the subnational one (85% - EU27, 94% - Romania). Going back to the first question - about the possible solutions for improving the functioning of the EU democracy, the local politicians put on the first three places: better information on democratic systems at EU, national and subnational level (90% - EU27, 97% - Romania); strengthening the involvement of subnational/local government levels in EU decision-making (86% - EU27, 91% - Romania); introducing elements of participatory democracy such as citizens' assemblies or panels (75% - EU27, 93% - Romania). The question about the means through which the EU can be brought closer to the citizens, the main options of the local politicians go towards: support for partnerships among regions and cities facilitating citizens' contacts (52% - EU27, 64% - Romania); partnerships between regional/local councils (46% - EU27, 71% - Romania); information for / training of local politicians (45% - EU27, 60% - Romania); more European school and university partnerships (40% - EU27, 51% - Romania); more opportunities for citizens to provide *input*, for example through citizens dialogues (36% - EU27, 30% - Romania); better information by the EU institutions (34% - EU27, 26% - Romania).

Three important ingredients of democracy are trust, participation and legitimacy; because the people's trust is going to legitimize democracy. Therefore, in the EU's democratic framework, the elected local and regional representatives are expected to exercise with responsibility two missions: to shape the EU's policies and to link EU with its citizens, also by delivering results to the latter.

But the way in which the EU27 citizens feel about and refer to the EU can be identified with the help of several recent Eurobarometers. As regards the degree of satisfaction about the way democracy functions in their country and in the EU, the EU27 citizens are satisfied with it (56% / 55%)²⁸; on the opposite, the Romanians are not satisfied with any of them (61% / 51%). The negative perception regards, also, the citizens' positions about how much their voice counts in the EU (52% - EU27, 54% - Romania). On the other side, both the EU27 citizens and the Romanians believe that their country's interests are taken into consideration at EU level (47% - EU27, 49% - Romania), 61% of the EU27 citizens trust EU²⁹, trust the local and regional authorities (57% - EU27, 42% - Romania), while more than half understand how the EU functions (58% - EU27, 58% - Romania). Also, if a political actor would have to explain to citizens the impact of the EU policies on the citizens' daily life, the preferred politicians of the EU 27 citizens are: 22% - local and regional politicians, 20% - national politicians and 17% - MEPs.

²⁸ European Commission, *Standard Eurobarometer 96*, Winter 2021-2022, European Union, 2022. [Accessed on March 2022]

²⁹ *Flash Eurobarometer 500* - „Public opinion in the EU regions”, European Union, 2022. [Accessed on March 2022]

As it can be noticed, these surveys' data refer both to the *input* and *output* dimensions of democracy at the EU level, as well as to the perceptions that the local politicians and the citizens have about the different aspects related to these two dimensions. What derives from the mentioned results is that the practice of democracy needs to be consolidated both through „refreshed” traditional mechanisms and by new mechanisms that are expected to bring more information, trust, participation and legitimacy in the EU political system.

Local and regional authorities - mechanisms for influencing the EU decision-making process

The challenge nowadays and in the future is to encourage the elected officials from the local and regional level to be involved in the European process, with a particular focus on the need to strengthen the cooperation of the local and regional authorities and of the Committee of the Regions with the Council, the European Commission and the European Parliament.

Based on the theoretical framework, on the legislative and non-legislative documents referring to the place and role of the local and regional authorities and of the Committee of the Regions in the EU's multilevel governance, we have developed and applied several surveys, at different periods of time, on the Romanian county councillors from Bihor county and/or from the North-Western part of Romania³⁰. The variables that have been included in the surveys were selected with the aim to test or to identify various instruments and mechanisms that could contribute to a more effective exercise of the role that the local and regional authorities in influencing the European decision-making process.

Therefore, the applied surveys approached, with reference to the local and European levels, different aspects, such as:

- actions at local level – to be taken by the county councillors: informing the citizens about the impact of European policies on their lives; the inclusion of European issues, with local impact, in local and county debates; streamlining public debates with citizens, civil society organizations and the business environment, on European issues, with local impact; the inclusion of the European issues, with local impact, in local and county debates; streamlining collaboration with local councils, in order to formulate a county position regarding European legislative proposals with local impact; the development of a collaboration with the local mass media, in order to disseminate information on European issues with local impact; the formulation of a communication strategy with citizens regarding European legislative proposals with local impact; etc.
- actions at European level - desired by the county councillors or in which they were actually involved: exchanges of experience and training

³⁰See also Alina – Carmen Brihan, *România în Uniunea Europeană: Mecanisme și niveluri de influențare a procesului decizional european*, Editura Tritonic, București, 2017, pp. 402-412; Alina – Carmen Brihan (ed.), *La 100 de ani de România, 100 de pași spre o cetățenie europeană activă*, Tritonic, București, 2018, pp. 247-267.

programs for local and regional elected officials from EU member states; exchanges of experience between local and regional elected officials in the EU Member States, regarding best practices regarding citizens' participation in the European decision-making process / regarding the identification of European dimensions in local or regional decisions; consultations from the Committee of the Regions, in the various stages of the legislative process; the ranking of the areas in which they consider it important to be consulted, regarding the legislative proposals at the European level, with local impact; the creation of a mechanism for monitoring European legislative proposals, with local impact (subsidiarity control); requests for reports, information, documents, etc., from the European Affairs committees of the Romanian Parliament, for the debates within their structures; requests for positions, from the parliamentarians of their counties, regarding European themes with local impact; requests for positions, from the Romanian MEPs, regarding European issues with local impact; etc.

The present European Commission, led by Ursula von der Leyen, in the 6th priority of its mandate 2019 – 2024 – called „A new push for European democracy”³¹, had the Conference on the Future of Europe as one of the objectives. Started on 9 May 2021, the Conference has been an innovative transnational democratic forum and as a process of dialogue with citizens taking place in parallel at European, national, regional and local level. The Conference comprised four types of actions: the citizens' panels, the conference plenary, the multilingual digital platform and national events. The four citizens' panels produced 178 recommendations, which were communicated by panel ambassadors to the Conference plenary in two plenary sessions - in January and March 2022. In the same time, the citizens' panels' recommendations were also discussed in the Conference working group. On 9 May 2022, the three co-Chairs of the Conference's executive board delivered the final outcome of the Conference to the three presidents of the Conference. Throughout a year of events, the citizens' panel discussions and ideas collected online crystallised into 49 proposals and 326 specific measures³², structured around nine themes: climate change and the environment; health; a stronger economy, social justice and jobs; EU in the world; values and rights, rule of law, security; digital transformation; European democracy; migration; education, culture, youth and sport. As regards the „European democracy” topic, several proposals have been formulated, such as: the need of a mechanism to monitor policy and legislative initiatives from the EU level; the increased frequency of online and offline interactions between EU institutions and its citizens; a user-friendly digital platform where the citizens can express their views on important EU matters and legislative proposals; the improvement of the existing participative mechanisms at

³¹ Ursula von der Leyen, *Political Guidelines for the Next European Commission 2019-2024. A Union that strives for more*, 2019, p. 19.

³² *Conference on the Future of Europe – Report on the final outcome*, May 2022. [Accessed on May 2022]

the European, national, and local level; constant citizens' assemblies; the summarization of the elements of citizens' participation in an EU Charter for the involvement of citizens in EU-affairs; the provision, for the citizens, of a minimum level of education on the EU and especially on its democratic processes; EU decision-making process should be further developed so that national, regional, local representatives, social partners and organised civil society are more involved; a reform of the Committee of Regions so to encompass adequate channels of dialogue for regions, cities and municipalities, and an enhanced role for the Committee in the institutional architecture, if matters with a territorial impact are concerned; and active subsidiarity and multilevel governance are considered as key principles and fundamental features for the EU functioning and democratic accountability³³. Therefore, the proposals' implementation at EU level will need different initiatives, such as: better enforcement of EU law, legislative initiatives, treaty change, non-legislative initiatives such as information campaigns, recommendations, etc. And last, but not least, their implementation will contribute to the EU legitimacy, as the citizens will see that their voice has been taken into account in the EU's future policies.

For the Committee of the Regions, bringing Europe closer to people, by rethinking how democracy works today and how it must be modernised in the future represents one of its three priorities for the 2020 – 2025 period³⁴. In order to bring EU and its institutions closer to its citizens, the Committee of the Regions assisted its members to create local dialogues with citizens on European matters, and supported both Conference on the Future of Europe – which the Committee considered to be an opportunity to improve the way the EU works, and the Network of EU Councillors. The Network of EU Councillors³⁵ represents a platform for the local and regional councillors to meet, discuss and network with other councillors and members of the Committee of the Regions, and comprise: information modules on concrete EU opportunities for their territory; webinars, meetings and networking sessions with CoR members and EU experts; invitations to flagship events, political debates and meetings at EU, national and local level; a weekly info flash and monthly newsletter; a Facebook group; training on social media tools and channels, etc. Going back to the topic of the Conference on the Future of Europe, despite de efforts made by the Committee of the Regions to involve the local and regional authorities in its activities, according to the *Flash Eurobarometer* - “Local politicians of the EU and the Future of Europe”³⁶, 46% of the EU27 local politicians were not aware of it, 43% - were, but not of any related activities in their constituency, while 8% were aware about them, and only 3% of the EU27 local politicians have been actively involved in it. But, if it were to be replicated at local level, would give the citizens –

³³ *Ibidem*, pp. 79-84.

³⁴ European Committee of the Regions, *The Resolution of the European Committee of the Regions' priorities for 2020-2025: Europe closer to the people through its villages, cities and regions*, COR-2020-01392-00-00-RES-TRA (EN), 30 June – 2 July 2020. [Accessed on March 2022]

³⁵ <https://cor.europa.eu/en/engage/Pages/Network-of-Regional-and-Local-EU-Councillors.aspx>

³⁶ *Flash Eurobarometer* – “Local politicians of the EU and the Future of Europe”, European Union, October 2021. [Accessed on January 2022]

for example, through a digital platform - the opportunity to express their views on EU matters and legislative proposals, while for the Committee of the Regions the Conference could represent an opportunity to reform its channels of dialogue with the local elected officials from regions, cities or municipalities and to get a better access in the negotiations between the EU institutions on the legislative proposals (trilogues)³⁷.

Conclusions

The present paper has focused on the theoretical, legislative and non-legislative perspectives regarding the relation between the local and regional level and the EU level from the EU multilevel governance. Trends, challenges and opportunities have been presented with respect to this relation, from the practice of democracy's approach, or with respect to actors such as the local and regional authorities and the body that represents them at EU level – the Committee of the Regions.

The current European Commission, whose mandate was challenged by various crises, has implemented a new mechanism – the Conference on the Future of Europe, with the objective of improving the way the EU works and to develop new ways for engaging the citizens in the EU decision-making. A mechanism that the local and regional authorities could replicate, in the future, in their relationship with the citizens, so to more effectively link the EU with its citizens. But, for the short and medium term, improving the effectiveness of the existing mechanisms and the development of new ones remain an important target of the EU democratic project, as these measures will contribute to the consolidation of the EU's functioning and legitimacy, in the benefit of its citizens.

³⁷ The Marseille Manifesto of local and regional leaders – „Europe starts in its regions, cities and villages”, 4 March 2022. [Accessed on April 2022]

EUROPEAN INSPIRATION FROM THE „SHADOW CABINET”

Dominik SZCZEPAŃSKI*

Abstract: *In modern democracies, political parties play a crucial role. They are usually the link between the rulers, the parliament and the citizens. The internal politics of European (and other) countries very often depends on the activity of the main political parties, which participate in both electoral competition and power-sharing, while those who do not participate in the governing process develop various political strategies aimed at bringing them closer to power in the next parliamentary elections. One such strategy is an adaptation modeled on the British informal institution of a shadow cabinet appointed by the largest opposition party.*

The aim of the paper is to present the European inspirations for the „shadow cabinet”, to show how it was defined in different countries and to answer the following questions: what functions did „shadow cabinets” have and how did they differ from other opposition parties having their parliamentary representations?

Keywords: *shadow cabinet, shadow government, Europe, political system, political party*

Introduction

A distinctive feature of the Westminster system of government is the appointment of a „shadow cabinet” by the largest opposition party, called Her Majesty's Loyal Opposition¹. It should be stressed here, however, that the adjective „loyal” as used here refers not to challenging the sovereign's right to the throne and thus the legitimacy of the government, but only to opposing Her Majesty's Government².

„Shadow cabinet” is a dominant element in the political system of Great Britain, Canada, New Zealand and Australia³. For the first time, this informal institution appeared in England in 1868, gradually gaining the interest of the political elite of the time, which occurred in connection with the extension of the electoral law⁴. In subsequent years it underwent a significant evolution, including the

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¹ Rodney Brazier, *Constitutional practice: The Foundations of British Government* (third edition), Oxford University Press, Oxford, 1994, pp. 167-173; Duncan Robert Turner, *The Shadow Cabinet in British Politics*, Routledge & K. Paul, London, 1969, pp. 9-13.

² *Parliamentary Affairs*, 1971, Vol. 25, Issue 1, pp. 50-52, article by Thomas A. Hocin, „The Roles of the Loyal Opposition in Britain's House of Commons: Three Historical Paradigms”.

³ *The Journal of Legislative Studies*, 2008, vol. 14, pp. 20-45, article by André Kaiser, „Parliamentary Opposition in Westminster Democracies: Britain, Canada, Australia and New Zealand”.

⁴ Informal institutions should be understood as "socially shared rules, usually unwritten, that are created, transmitted, and enforced outside officially sanctioned channels". *Perspectives on Politics*,

recognition of the opposition as a legal institution (confirmed by the 1937 Act on Ministers of the Crown, in which the Leader of Her Majesty's Opposition received a fixed salary), and finally, after the end of World War II, it became an integral part of the British political practice associated with a significant division between the ruling and the opposition.

In general, a „shadow cabinet” consists of senior members, spokesmen for the opposition, who, under the leadership of the leader of the largest opposition party, establish an alternative cabinet to the government (also called a shadow ministry)⁵. It reflects the positions of individual cabinet members, where both the competencies and responsibilities are parallel to the ministries and departments occupied by ruling party. It acts as a „government-in-waiting”⁶. The most important tasks of shadow ministers are undoubtedly to control the policies of the government, to propose their own solutions, to criticize the actions of the government, and to speak only within their assigned policy area (ministry or department)⁷.

What distinguishes shadow ministers from other members of the opposition party is first and foremost an increase in position in the party hierarchy, provided, of course, that it concerns an appointment to a high-ranking position. However, this increase in position does not translate into an increase in salary, since both the salary Members of the opposition and any benefits paid from the state treasury are identical for all party members occupying opposition benches⁸. Among the parties in opposition there are also those that are able to provide additional funds, paid in addition to the basic salary. They are obtained from the state budget, which allows to cover additional expenses, which are defined by the legislature as those that are not eligible for reimbursement from public funds.

In addition to the above obligations imposed on shadow ministers, there is an unwritten and informal rule, according to which it is assumed that a shadow minister remains a party member who previously served as a member of the government. Another example of the above-mentioned rules, this time stemming from tradition, internal jurisdiction, or political practice related to seizure of power, is that shadow ministers do not have to be appointed to a newly formed government despite their previous functions. This merely means that they are only potential future ministers. This is an indispensable element connected with the activities of political parties, their internal regulations usually contained in their statutes or resolutions, and also resulting from the position held by the party leader. For example, it is worth

2004, vol. 2, p. 727, article by Gretchen Helmke and Steven Levitsky, „Informal Institutions and Comparative Politics: A Research Agenda”.

⁵ The shadow ministry was created in May 1965 by the Australian Labor Party to mirror the structure of the government of the day and thus increase preparations for the executive takeover.

⁶ Robert Treford McKenzie, *British Political Parties: The Distribution of Power Within the Conservative and Labour Parties*, St. Martin's Press, New York, 1955, pp. 55-56.

⁷ Tomasz Krawczyk, „Opozycja polityczna w państwach demokratycznych”, in the volume *Studia z teorii polityki*, p. III. Coordinators: Andrzej Czajowski, Leszek Sobkowiak, Wydawnictwo Uniwersytetu Wrocławskiego, Wrocław, 2000, pp. 139-140.

⁸ Robert Malcolm Punnett, *Front-bench Opposition: The Role of the Leader of the Opposition, the Shadow Cabinet and Shadow Government in British Politics*, Heinemann, London, 1973, pp. 380-381.

mentioning that the Australian Labor Party elects all members of the shadow cabinet in a vote, while the party chairman assigns individual portfolios to shadow ministers⁹.

European „shadow cabinets”

Europe, as a continent, is the most politically divided area, which is formed by a total of 51 countries. This group includes 2 unrecognized states (Kosovo and Transnistria), 7 that form dependent territories (Gibraltar, Guernsey, Jan Mayen, Jersey, Svalbard, Isle of Man and Faroe Islands) and 3 that predominantly occupy the Asian continent (Russian Federation, Kazakhstan and Turkey). In addition, 44 countries have their capitals in Europe, 25 are members of the European Union, while Cyprus (as the 27th country) is almost entirely located in Asia¹⁰.

A distinctive feature of the European states were (and still are) determining political systems (parliamentary, chancellor, semi-presidential and parliamentary-committee), as well as forms of government (republics, constitutional monarchies, hereditary constitutional and parliamentary monarchies and electoral absolute monarchy), which have often undergone significant evolution. Despite this diversity, it is worth emphasizing that the European continent was characterized by unique institutional solutions being the result of the historical development of individual states. Against this background, Great Britain stood out in particular, about which Luke Danel wrote as follows: „If we recognize that the Greeks gave the world poetry and art, the Romans - law, and the civilizations of the East - the foundations of the greatest religious systems, then in England we should undoubtedly look for the beginnings of political institutions that are the foundation of the political systems of modern states”¹¹. As the author quoted above stressed, insularity and isolation from continental influences made it possible for England to work out and develop distinct political concepts, „which became an inspiration for scholars, but also a practical model to follow for countries that from the 19th century onwards gradually began to take the path of democracy”¹².

An example of inspiration coming directly from Great Britain was and still is the practice of non-English-speaking countries adapting the „shadow cabinet”. As the best example proving the inspiration of this cabinet, it can be recalled that the expression „Schattenkanzler” (chancellor - shadow - as an equivalent of prime minister - shadow) was chosen the most popular word of 2021 in Austria, which appeared after the resignation of Sebastian Kurz (Austrian People's Party - ÖVP)

⁹ Ashley Lavelle, *Opposition Vanishing: The Australian Labor Party and the Crisis in Elite Politics*, Springer, Singapore, 2017, pp. 33-34.

¹⁰ The United Kingdom was a member of the European Union from January 1, 1973 until January 31, 2020. Following the approval of the British Parliament and the subsequent result of a national referendum to leave the European Union, the United Kingdom ceased to be a member state. In the vernacular, this process was referred to as "BREXIT" (from a combination of "Britain" and "exit").

¹¹ Łukasz Danel, *Izba Lordów w parlamentarzystwie brytyjskim*, Wydawnictwo Sejmowe, Warszawa 2014, p. 5.

¹² *Ibidem*.

from the post of Chancellor and at the same time suggesting that he is still the chairman of the ÖVP party¹³.

The analyzed cases of European countries made it possible to distinguish seven categories in which „shadow cabinets” were formed. This inference made it possible to identify the countries in which these cabinets existed, and then allowed us to point out differences related to the nomenclature used. Due to the limited editorial framework, the issues related to the permanence of shadow cabinets and the mechanisms associated with their appointment have been omitted.

The determinants of the emergence and subsequent activity of „shadow cabinets” on the European continent were the following systems of reference:

1) ruling party - opposition (at the central level), in which "shadow cabinets" were a classical reproduction of the Westminster model of government, where the largest opposition party formed an alternative cabinet to the ruling party. In addition to the United Kingdom, this model was found in the Czech Republic (in 2001-2002 in a four-party coalition formed by the Civic Democratic Alliance, the People's Party, the Freedom Union, and the Czech Social Democratic Party; in 2003-2006, the Civic Democratic Party; in 2010-2014, the Czech Social Democratic Party); in France (e.g., in 1998 - National Front; 2000-2002 - Assembly for the Republic; 2007 - Union for a Popular Movement); in Greece (2012 - Coalition of the Radical Left - known as Syriza); in the Netherlands (1971 formed by Labour Party, Democrats 66 and Political Radical Party); in Lithuania (2013. Homeland Union - Lithuanian Christians and in 2021 - Lithuanian Union of Farmers and Greens); in North Macedonia (2014 - Social Democratic Union of Macedonia); in Malta (2013 and 2021 - National Party); in Germany (1961 to 2021 - Christian Democratic Union of Germany/Christian Social Union and Social Democratic Party of Germany); in Poland (2006 - Civic Platform of the Republic of Poland, in 2009 and in 2011 - Law and Justice Party; then again, in 2016, the Civic Platform); in Romania (in 1993 - the National Salvation Front and in 2021 - the Union for the Salvation of Romania)¹⁴; in Serbia (in 2001 and 2015); in Slovakia (in 2011-2012 - Direction - Social Democracy); in Turkey (in 2012 - Republican People's Party); in Hungary (in 2021 as part of a broad coalition of opposition parties - United for Hungary)¹⁵; or in Italy (in 1989-1992 - Italian Communist Party; in 2008-2009 - Democratic Party and in 2014 - Forza Italia). In addition, the theme of the „shadow cabinet” appeared in Kosovo, as an unrecognized state in 1998.

2) ruling - opposition (at the provincial or local level, depending on the country and the nomenclature used there referring to the administrative division of the country (e.g., in Germany, at the state level in North Rhine-Westphalia in 2005).

¹³ „Schattenkanzler” ist das österreichische Wort des Jahres, <https://www.sn.at/panorama/oesterreich/schattenkanzler-ist-das-oesterreichische-wort-des-jahres-113387458> [Accessed on: 5.05.2021].

¹⁴ Stephen D. Ropper, *Romania: the unfinished revolution*, Harwood Academic Publishers, Amsterdam, 2005, p. 76.

¹⁵ This coalition consisted of: Hungarian Socialist Party, Movement for a Better Hungary, Dialogue for Hungary, Democratic Coalition, Momentum Movement, Hungary for All Movement, and LPM - Hungarian Green Party.

3) groups of third parties - the so-called small parties, understood exclusively as political entities that obtained their parliamentary representation, but due to the electoral result were not taken into account in the formation of possible alliances or electoral coalitions in the newly emerged parliament, constituted opposition to the ruling party and had limited influence on blocking parliamentary work carried out by the center of power, e.g. in Estonia (in 2015 - the Estonian Freedom Party and in 2018 - the Estonia 200 party); in France (in 2010 - the Democratic Movement); in Greece (in 2016-2019 - New Democracy); in Poland (e.g. in 1990 - the Confederation of Independent Poland; in 2006 - Self-Defense of the Republic of Poland¹⁶; in 2011 - Democratic Left Alliance or in 2013 - Palikot Movement); in Slovakia (in 2003 - Direction - Social Democracy); in Slovenia (in 2004 - Social Democrats); in Sweden (in 2012 - Swedish Democrats)¹⁷; in Switzerland (in 2018) and in Hungary (in 2018 within the Hungarian Socialist Party and the Dialogue for Hungary).

4) politicians - presidential candidates who formed a team of collaborators during or immediately after the election campaign: e.g. François Mitterrand in France, from 1966 to 1968.

5) state body - among others, appointed by the head of state to fight corruption in the presidential palace (Turkey in 2014, during the presidency of Recep Tayyip Erdogan).

6) social and non-governmental organizations (in Poland, among others, the Congress of Women, while in Moldova the Civic Platform for Dignity and Truth).

7) TV and Internet programs of journalistic nature directly related to issues related to current politics (Poland in 1990 and in 2018).

The above-mentioned indications (with the exception of TV and Internet programs) were defined by the property of the lack of prior nationwide discussions on the possibility of legal regulation of this informal institution. This resulted in the fact that in countries that drew inspiration from the Westminster model of government there were no elaborated mechanisms regarding the establishment of such cabinets both at the level of political parties and other entities. Consequently, the created „shadow cabinets” were only and exclusively unconstitutional, political or social control mechanisms - sometimes only internal party bodies in which spokesmen designated as shadow ministers monitored and publicly expressed criticism of the actions and decisions taken by the ministers in charge. Such an approach to the research problem allowed us to conclude that in many cases the European inspiration of the „shadow cabinet” was limited exclusively to agitation and political struggle.

An equally important issue related to the appointment of „shadow cabinets” was their nomenclature. For the purposes of the following article, these names are

¹⁶ Polish Self-Defense was the only example of a party that presented a full shadow cabinet probably thinking that it would remain in opposition, and yet talks were held with it about forming a government coalition, which ended with the successful formulation of a cabinet.

¹⁷ David Arter, *Democracy in Scandinavia: Consensual, Majoritarian Or Mixed?*, Manchester University Press, Manchester, 2006, pp. 57-58.

presented in several groups. First, the most common and at the same time the most frequently used name for the created initiatives was the classic „shadow cabinet” formulation. This practice was used, among others, in Belarus; the Czech Republic; Estonia; Greece; the Netherlands; Kosovo; Lithuania; Malta; Moldova; Poland; Romania; Slovakia; Turkey; Ukraine; traditionally in the UK; Italy; and Hungary. Second, terms were used to refer to government, such as „shadow government”¹⁸ (Kosovo; Northern Macedonia; Romania; Serbia; Switzerland and Sweden); „parallel government” (Northern Macedonia); „alternative government” (Bulgaria); „counter-government” (France) or „pre-government” (Poland). Third, terms resulting from the characteristics of the political system and the specifics of state bodies were used, such as „competence teams” (Germany); „expert teams” (Germany); „council of experts” (Slovenia); „election campaign teams” (Germany) „government teams” and „future teams” (Germany). It is also worth noting the different nomenclature found in Poland, such as: „National Secretariats of the Freedom Union”; „Team of spokespersons of the Civic Platform” or „Team of State Work”, which reflected the classical approaches of the „shadow cabinet”¹⁹.

A common feature of the European countries referring to the „shadow cabinet” was the same use of names with respect to the persons who co-founded it. Leaders of opposition parties were generally „shadow prime ministers” or „technical prime ministers”. Only in the case of Austria did the term „shadow chancellor” mentioned at the beginning appear. Members of „shadow cabinets” were referred to as „spokesmen”, „opposition spokesmen”, „opposition critics”, „national secretaries” or „shadow ministers”.

Functions of „shadow cabinets”

„Shadow cabinets” formed within the broadly defined opposition carry out specific sets of functions in the political system of the state. These include:

1) social control of the activities of the government (cabinet) and thus of the party holding the majority in parliament. This function consists mainly in gathering information, analyzing particular aspects and directions of government policy by shadow ministers, and determining the consequences of the decisions made. In addition, an important aspect of public scrutiny is the detection of abuses and mistakes made by those currently in power;

2) public criticism expressed not only in the aspect of exerting influence on those in power and questioning the government's programme assumptions, as well as the directions of the state's internal and foreign policy undertaken and implemented by those in power. This function is, in a way, an extension of public

¹⁸ The term "shadow government" should not, however, be equated with existing conspiracy theories related to the so-called "shadow government" meaning that the real political power does not rest with the legally elected authorities, but with a cryptocracy or invisible government understood here solely as persons exercising power behind the scenes and bypassing the control of democratic institutions.

¹⁹ *UR Journal of Humanities and Social Sciences*, 2017, no. 1, pp. 98-115; article by Dominik Szczepański, „Sekretariaty krajowe Unii Wolności jako przykład strategii partii opozycyjnej (1994-1997)”, *„Polityka i Społeczeństwo”* 2021, no. 2, pp. 120-137, article by Dominik Szczepański, „Zespół Rzeczników Platformy Obywatelskiej jako nawiązanie do brytyjskiej instytucji gabinetu cieni”.

scrutiny and can be carried out at many levels (parliamentary and non-parliamentary);

3) presenting its own institutional, programmatic and personnel alternatives connected with different methods of exercising power. This function consists mainly in the submission by the „shadow cabinet” of its own political program, often convergent with the program of the opposition party, at the same time being a criticism of the government's program and containing many positive solutions. This function also includes the submission of ready-made laws (or their drafts);

4) disciplining party members both in terms of activity (e.g. in the media), as well as the need to achieve programmatic coherence related to the presence of MPs during voting. This function concerned keeping the ranks of the „shadow cabinet” compact, depriving its members of free speech on current policy issues and limiting them only to the areas of activity indicated to individual ministers-shadows;

5) integration of opposition circles. This function was limited only to those European countries, where the „shadow cabinets” were created as a result of consolidation of several political entities focused against a particular politician (e.g. in Hungary against Orban and his political formation) or the ruling party seeking re-election to hold power;

6) the creation of symbolic political power. This function was limited to the person of the leader of the opposition party occupying the position of „shadow prime minister”, thus being seen as a natural candidate for future prime minister;

7) co-governance, which translated into duties imposed on members of opposition parties, including „shadow cabinets” related to the need to reform the state, exert influence on those in power and correct certain solutions and proposals undertaken by those in power. This function involves the participation and co-responsibility of all participants in parliamentary work on pending bills;

8) effectively blocking and restricting the actions of the government majority. This function consists in the actions of the largest opposition party, forming a „shadow cabinet”, which decisively prevented the implementation of the government's programme and bills. This function was used only and exclusively when the largest opposition party had more than 1/3 of the votes in the lower chamber.

Conclusions

The classical understanding of the "shadow cabinet" is limited to viewing this informal institution as an essential element of the Westminster democracy, in which it plays an institutionalized role as part of a democratic system with a clear division into the ruling class and the opposition. The situation is slightly different in the case of countries that took their models and experiences from the British Isles and then made adaptations of the "shadow cabinet" in their domestic political systems. Such initiatives constituted not only unconstitutional control mechanisms, as already mentioned above, but were also a kind of political act in which the "shadow cabinet" had no legal basis and no binding consequences. Thus, it was only a body of a political nature, an internal party body or a social control body, undertaking criticism of those in power.

"Shadow cabinets" were, therefore, an important aspect of opposition parties' activities. What definitely distinguished them from other opposition parties having their own parliamentary representations was the increased importance of individual members in the party hierarchy, as well as the opportunity to prove themselves in the indicated area of political activity. Their additional distinguishing feature was increased media activity, which made the politicians forming the "shadow cabinet" more attractive, more often interviewed, and much more recognizable than those outside the cabinet.

REFLECTIONS ON POLICYMAKING AND THE ACTIVISM OF THE EUROPEAN COURT OF JUSTICE

Gabriela GOUDENHOFT*

Abstract: *The guarantor of the legitimacy of the European Union, the European Court of Justice, the institution that has taken on the task of providing the umbrella for the legality of EU institution building and policies, is often questioned about its role in EU governance. It could be argued that the ECJ itself has issues of legitimacy. It is, first of all, about functional legitimacy, the issue being primarily related to the jurisprudence of the ECJ (how to receive and assume) from the perspective of national judges, individual judgments and even the status of the Court.*

The activism of the ECJ, as well as the political and constitutional impact of its decisions, continue to be discussed and sometimes challenged.

Over the years, the legitimacy of the EU Court of Justice has been approached from various perspectives. Most of these discussions focused on moral issues regarding the competence offered by the ECJ through the text of the treaties and the degree of deviation from them (text-standard) or value criteria: impartiality versus political commitment of the Court (moral-ideal standard). From this perspective, the Court could either embrace a strongly active image, with a high degree of subjectivity and freedom of interpretation, versus a practical profile immobilized in the texts of the treaties. Of course, the limit can be set only against an abstract normative ideal of "correct" exercise of the judicial function. It is often based on personal beliefs and philosophy, often culturally determined, beliefs about what judges should or should not do. This topic has often been debated with the prospect of an image of Europe's federal future, which would solve the dilemma, even if not necessary to the satisfaction of all parties.

Key words: *European Court of Justice, activism, policy, integration*

Introduction

The European Union and its relations with its citizens can be analyzed from the perspective of legal protection, of legitimacy and under the ideal of integration because, if the EU aspires to be a community governed by law, it must certainly offer its citizens a complete and effective system of legal protection. The legal protection system of the European Union fulfills this requirement both through the guiding principles and through the EU institutions that create and apply Union law. In the European Union, every person has the right of the person to an effective legal protection of the rights arising from EU law. This protection is one of the fundamental legal principles resulting from the

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constitutional traditions common to the Member States and the European Convention on Human Rights (Articles 6 and 13) and guaranteed by the EU legal system (Court of Justice, General Court and specialized courts).

Of course, the European Convention on Human Rights is not a creation of the European Union and the failure of the constitutional treaty represented a problem with regard to the creation of a constitutional system of citizen rights in the strict sense of the European Union. But there are numerous provisions in the treaties that allow us to talk about an establishment of the rights of EU citizens. The accession process to the European Convention on Human Rights, the Charter of Fundamental Rights and even the jurisprudence of the Court of Justice of the European Union are important evidences in this regards.

The European Court of Justice - short History

Established in 1951 as a Court of Appeal for strict competence - by the Treaty establishing the European Coal and Steel Community (ECSC), the Court is known by 1952, as the Community Court of Justice. The purpose of this institution is related to the idea that any system will survive only if its rules are overseen by an independent authority. On the other hand, uniform application of Union law was followed in all member states, so that in 1957 the Court also became the judicial body for the other two Communities (EEC and Euratom). Until the end of the 1980s, the Court of Justice was the only court with jurisdiction for the Communities.

The Single European Act, which came into force on 1 July 1987, inserted in the founding treaties a new provision (Article 168a of the EEC Treaty and Article 140a of the EAEC Treaty (see also Article 32d of the ECSC Treaty) enabling the Council, by unanimous decision, to create a 'jurisdiction' of first instance.

By a decision of 24 October 1988, the Council 'attached' to the Court of Justice a *Court of First Instance of the European Communities*, with jurisdiction to hear and determine at first instance certain categories of action brought by natural or legal persons. This Court came into operation on 1 September 1989. By a decision of 2 November 2004 establishing the *European Union Civil Service Tribunal*, the Council 'attached' to the Court of First Instance a division with competence to deal with disputes between the European Communities and their staff.

The European Union Civil Service Tribunal is thus the first specialist Community jurisdiction. From an institutional and organizational viewpoint, the new Tribunal forms an integral part of the Court of Justice. It came into operation on 1 October 2005.

Today, the ECJ is the judicial body of the EU. The European Union's judicial institution thus consists, at present, of three tiers of jurisdiction:

1. the Court of Justice, which exercises the highest level of jurisdiction and enjoys competence in constitutional matters;
2. The Court of First Instance, which enjoys general competence and whose decisions may be subject to appeal before the Court of Justice;
3. the Civil Service Tribunal, specializing in actions brought by EU civil servants, whose decisions may be subject to appeal before the Court of First

Instance. In such an event, the decisions handed down by the Court of First Instance may, by way of exception, be reviewed by the Court of Justice.

What emerges is, thus, a judicial hierarchy comprising one, two or three levels of jurisdiction depending on the subject matter. The Court of Justice remains the supreme court of the European Union, with responsibility in the final instance for maintaining the coherence of Community case-law and ensuring the unity of the Community legal order.

The ECJ's jurisdiction incumbent task of ensuring compliance with EU's law in the interpretation and application of the text of the Treaties. In the EU order the ECJ has a sovereign power.

Court decisions cannot be questioned either by Member States or by other EU institutions. Therefore, it is acknowledged that the ECJ case law is a source of EU law. European law has major relevance in the context of integration not only because it is addressed to the Member States in order to harmonize their national legislation, but also because it gives individuals rights which may be invoked in certain circumstances before national courts against public bodies or against other individuals.

The impact of European Community Law

A series of landmark cases and decisions of the EU Court have been influenced the European integration and, in the same time, the legal system of EU Member States. Two principles draw the profile of this special impact: the direct effect and the supremacy of the EU law.

1. *Direct effect* - Van Gend en Loos (1963) - The Court ruled that the Community constitutes a new legal order, the subjects of which consist of not only the member states but also their nationals.

Direct effect involves the capacity of a norm, part of the Community law to be applied in domestic court proceedings, under the condition that the norm is unambiguous, unconditional and not dependent on any constitutional implementing rule.

2. *Supremacy* – Costa v. Enel (1964) – the capacity of a norm to overrule inconsistent norms in national law.

The principle of direct effect would have had little impact if Union law did not supersede national law. Without supremacy the member states could simply ignore EU rules. In Costa v. Enel the Court ruled that member states had definitively transferred sovereign rights to the Community and Union law could not be overridden by domestic law.

The researchers observed the effort and the central role of the European Court of Justice in the process of "constitutionalizing" of EU law, so that the provisions of EU law are an integral and directly enforceable part of the legislation of the member states. These principles could have been a help but also a path towards the federalization of Europe¹. These things have long generated lively debate among

¹ J.H.H. Weiler, *The Constitution of Europe*, Cambridge University Press, Cambridge, 1999.

legal specialists in the EU, especially since the European Court of Justice (ECJ) gave the impression that it is constantly expanding its strategy of constitutionalizing legal norms.

The CJEU was seen as an agent of both EU integration and the international legal order (international law)².

On the other hand, there are theories that place the EU and its legal order in the landscape of late political modernity, which allow the emergence of policies beyond the state as their core. Law, as a means of integration, can represent an animating source and subject of the modern political community, of collective agency, argues N Walker³. From this perspective, the European Union is somewhere "in the middle" between the national and international domains. The novelty brought by the EU is its *sui generis* character as an "unidentified political object", which, in specialized literature, has been expressed in the most diverse forms: either as a *compound democracy* (Fabbrini⁴), a *transnational consociation* (Dehousse⁵), a *commonwealth* (MacCormick⁶), a *post-Hobbesian non-state* (Schmitter⁷), a *Bund* (Avbelj⁸), or a *federation d'états-nations* (Beaud⁹), characterizing the supranational political body, oscillating between the two pillars of political modernity - the state and the international¹⁰. From the perspective of the collective agency, it is indisputable that the EU is not and has never been an exclusively individual-centered political community – and therefore cannot be a primary political community in the pure sense of the state idea and ideal. Equally, it is difficult to claim that EU it is simply an international organization, a creation of the member states, since it has a certain emergence, a creation that exceeds the creators' project.

As some scholars observed, "in its early establishment of the doctrines of primacy and direct effect, the Court elaborated a view of the juridical universe in which the supranational legal order was treated as independent of those of the states and as taking priority over state law in areas of overlap. What is more, as guardian of the supranational legal order the Court understood itself to have competence over the limits of its own and the Community's jurisdiction. This has reinforced a sense of its autonomy, even if, unlike states for whom the two attributes automatically went

² Gráinne de Búrca, „The Place of European ECJ and the international legal order: a re-evaluation” in de Búrca G. And Weiler H.H., *The Worlds of European Constitutionalism*, Cambridge University Press, Cambridge, 2012, pp.105-149.

³ Neil Walker, „The Place of European law” in de Búrca G. And Weiler H.H., *The Worlds of European Constitutionalism*, Cambridge University Press, Cambridge, 2012, pp.57-104.

⁴ Fabbrini, S., *Compound Democracies: Why the United States and Europe are Becoming Similar*, Oxford University Press, Oxford, 2007.

⁵ Dehousse, R., „European Institutional Architecture After Amsterdam: Parliamentary System or Regulatory Structure?”, *Common Market Law Review*, vol. 35, no. 3, 1998, pp.595-627.

⁶ MacCormick, Neil, *Questioning Sovereignty: Law, State and Nation in the European Commonwealth*, Oxford University Press, Oxford, 1999.

⁷ Schmitter, P., „If the Nation-State Were to Wither away in Europe, What Might Replace It?”, in S. Gustavsson and L. Lewin, eds., *The Future of the Nation State*, Nerenius & Santérus, Stockholm, 1996.

⁸ Avbelj, M., *Theory of the European Bund*, PhD thesis, European University Institute, 2009.

⁹ Beaud, Olivier, *Théorie de la Fédération*, Presses Universitaires de France, Paris, 2007.

¹⁰ Neil Walker, *op.cit.*, p.78.

together, the EU has claimed ‘autonomy without [...] exclusivity’, and so without comprehensiveness of jurisdiction over its territory and subject population”¹¹. There is also a permanent tendency of the Court to expand its jurisdictional borders and normative authority in the idea and ideal of integration, which does not leave the constitutional authorities of the member states indifferent.

Many researchers share a vision in which the CJEU is an actor with an important and dynamic role and more than that, that we are witnessing a judicialization of politics and the courts are veritable political players. Constitutional courts are very powerful institutions of modern democracies¹², the courts often come to constrain political action through the decisions they issue or through the various opinions given on constitutional procedures.

The danger of encroaching on the constitutional law of the member states is increasingly noticed, as well as this unprecedented transnational extension and increased power that must be limited to directly violating the policy of the states themselves, even under the facade of integration.

This aspect leads us to take a look at the idea of international legitimacy, which is quite sensitive, as well as the idea of sovereignty in the context of European integration as an emerged “transnational rule-of-law polity”¹³.

International legitimacy and member states sovereignty in the EU

The analysis of the idea of international legitimacy highlights the role and relevance of order and international legal and moral norms, including through some constraints imposed on state entities, and the degree of international legitimacy ultimately tells us about stability and order¹⁴, and also the very idea of sovereignty is linked to international legitimacy¹⁵.

An international crisis of legitimacy occurs when the level of social support of an actor, institution or policy decreases to the point where its power can no longer be sustained except through the recalibration of legitimacy (through communicative reconciliation of identities, interests, practices with normative expectations) or through the compensatory use of material incentives¹⁶.

The relativity of the principles of legitimacy is also expressed by the fact that they are not fixed or static and that they must be interpreted as a set of norms specific to a given moment. The practice of international legitimacy means negotiation and compromise.

¹¹ Neil Walker, *Ibidem*, p. 82 and *Idem*, „Late Sovereignty in the European Union”, in Walker, ed., *Sovereignty in Transition*, Oxford University Press, 2003, Oxford, pp. 3–32.

¹² D. S. Martinsen, „Judicial Influence on Policy Outputs? The Political Constraints of Legal Integration in the European Union”, in *Comparative Political Studies*, 48(12), 2015, pp. 1622–1660.

¹³ A. Stone Sweet & T. L. Brunell, “Constructing a Supranational Constitution: Dispute Resolution and Governance in the European Community”, in *American Political Science Review*, vol. 92, no.1, 1998, 63–81, p. 77.

¹⁴ I. Clark, *Legitimacy in International Society*, Oxford University Press, Oxford, 2005.

¹⁵ M. Bukovansky, *Legitimacy and Power Politics. The American and French Revolutions in International Political Culture*, Princeton University Press, Princeton, 2002.

¹⁶ G. Goudenhoofd, *Legitimitea. Ritualuri ale legalității și autoritate discursivă*, Adenium, Iași, 2014.

Contemporary analysts tend to put the concept of stability at the center of the vision of international legitimacy, this being qualified as "a legitimate power system", as David Beetham¹⁷ observed. Discussions of legitimacy have been revitalized with the debate over the contemporary economic crisis. The new global order, its challenges have made possible a new discourse on legitimacy which, without avoiding the elements of legality and morality, is based on the idea of a mediated construction based on the idea of contestation and consensus (negotiation), with an emphasis on the distribution of powers. This new discourse has as its key element the concept of rightful membership, i.e., the situation of a rightful member of an international community, invested with rights and with full obligations. Legitimizing consensus is not about a lot of people agreeing on something, but about how those people (rationally) came to agree, because we cannot be satisfied with a simple consensus, but we need fair consensus. "It is never just consensus we want but the right sort of consensus"¹⁸.

In achieving an international consensus, and a rightful membership, a problem is reconciling the idea of self-determination with that of globalization seen as invasions' tendencies, which strive to deny state and local identities.

Regarding the situation of legitimacy in and of the European Union, the idea of identity and the idea of democracy must be discussed. In enhancing the legitimacy of the European Union, strengthening legality through the judiciary plays an important role. More than that, over time it became more and more successful the narrative of judicial impact, creating an image of "politics under law"¹⁹. The phenomenon of the EU enlargement was a strategic opportunity to define, formalize and, to some extent, contribute to changing its image. The judicial function worked in two ways: on the one hand, the candidates were required to guarantee judicial independence, since the judicial function should apply the law *erga omnes*; on the other hand, they were asked to improve their judicial capacities in such a way that the judiciary would be able to deal effectively with conflicts arising between private actors and between citizens and public institutions²⁰. Moreover, judicial capacities were necessary for the candidate states to be able to introduce a model²¹ of judicial cooperation.

The EU considered justice to be the result of a fair, equitable and predictable process of law enforcement, which overrides moral, political and cultural issues. The application of the law through the jurisprudence of the European Court of Justice and the domestic constitutional courts, is based on an all-encompassing vision of the rule of law, a vision correlated with moral values that create a special relationship between politics and law.

¹⁷ D. Beetham, D., *The legitimation of Power*, Palgrave Macmillan, Basingstoke, 1991, p. 33.

¹⁸ N. Rescher, *Pluralism: Against the Demand for Consensus*, Clarendon Press, Oxford. 1993, pp.15-16.

¹⁹ D.S. Martinsen, *op. cit.* p. 1647.

²⁰ G. Goudenhooff, *op.cit.*

²¹ D. Piana, "Judicial policies and European enlargement. Building the image of a rule of law promoter", in Cerutti, F., Lucarelli, S., (eds.), *The search for a European Identity. Values, policies and legitimacy of the European Union*, Routledge, New York, 2008, pp.176-192.

A fruitful way to assess the effectiveness of the enlargement process as an identity-building policy is the extent to which the dimension of European integration has shaped the legal culture in the new member states.

The EU is very concerned with the issue of judicial cooperation, and national courts, as well as constitutional courts, are encouraged to engage in dialogue across internal borders with the aim of harmonizing national legal systems and implementing EU legislation in a truly integrated European legal space²². The EU was not only interested in being able to provide a set of legal norms and a project of constitutional democracy, but also proposed the ideal of offering the member states and European peoples a true cognitive framework for reflection on justice and for defining a "good model of administration of justice". Policy networks and epistemic communities composed of judges, legal experts and lawyers were created in order to deepen the process of judicial cooperation. This process has increased the weight and role of justice in the issues that the EU is expected to give the basic shape, the core of the European model of governance²³. According to the EU's official discourse, the judiciary and judges must behave independently of any non-judicial power and should perceive themselves as actors accountable only to the law. Therefore, neither discretionary nor arbitrary power can intervene in judicial proceedings.

The concept of sovereignty has, in turn, a central role in the doctrine of political legitimacy. Starting from the idea that power belongs to the people, we can establish the source of power and the essence of its legitimacy. The sovereignty around which any discussion of democracy is built is itself part of the group of legal fictions and, beyond the form it takes on in different peoples, it legitimizes the decision-making process and the power itself, whether it is about the entire electoral body, whether it is it divides into several actors acting on behalf of the people or even as society acting on itself through itself as Tocqueville conceived it.

The reinterpretations of the precondition of sovereignty in the constitutional and supranational order, the recent debates in the European Union which have introduced, if not new paradigms, at least new uses of sovereignty, bring into the public discourse the idea of sharing sovereignty or that of unifying or pooling sovereignty.

The European Union is not a federal state, although it has a number of characteristics of this type, but it is considered a political system, a framework of multilevel governance, which can be described rather as a "quasi-state", or as an "international state", or even as a model of post-modern governance in a post-modern European order'. Post-modern European states are, in William Wallace's view²⁴, much more complex than modern ones, essentially defined by their unitary nature. They go beyond the governance network, soften the distinction between internal and external policies and are no longer strictly delimited as in the classic paradigm of sovereignty, but intertwine creating transparent communities capable even of guaranteeing each other's security. This emerging post-modern European order is

²² *Ibidem*, p. 179.

²³ *Ibidem*.

²⁴ W. Wallace, "The Sharing of Sovereignty: The European Paradox", in *Political Studies*, 47(3), 1999.

probably a post-sovereign one characterized "by disaggregated policy networks and opaque decision-making processes, without any of the symbols, myths or rituals through which the national rulers of modern states have built a sense of national solidarity". The author believes that the post-modern era is characterized by the simultaneity of identities and roles that citizens change in search of better living and working conditions, affected by the failure of nation-states to provide them with welfare and security.

Over the years, the legitimacy of the European Court of Justice has been addressed from different perspectives. Most of these discussions have focused on moral issues concerning ECJ competence given by the Treaties and the degree of deviation from their text (standard text analysis) or value criteria: fairness versus political commitment of the Court (ideal moral standard). From this perspective, the Court may be an active institution with a high degree of subjectivity and freedom of interpretation or it may have a virtually immobile profile being fixed by the frame of the treaties' text²⁵.

Problems such as a real "pathology of non-compliance" with European legislation appear, in the opinion of some authors, mainly from the overlap of the idea of shared, shared sovereignty with segregated responsibility²⁶.

Sovereignty conflicts have diversified over time, from the traditional opposition between national sovereignty and the embryonic forms of supranational sovereignty at the EU level – vertical sovereignty conflicts – to the new complex forms of horizontal and diagonal conflicts: parliamentary sovereignty vs. EU or parliamentary sovereignty vs. popular sovereignty²⁷.

Achieving a European constitutional arrangement was an ambitious goal. But the realization of a European constitutional settlement requires the existence of a European demos that represents the original European constitutional power, capable of imposing its own constitutional order and that controversial primacy of European law. But this original constitutive power did not manifest itself in a unitary manner as it was desired, thus we witnessed a premature "death of the European constitution". The problem is that European demos has not manifested itself to ensure the democratic legitimacy of the entire construction. The so-called nationalist heresies, see the case of Hungary and Poland, but also certain decisions of the constitutional courts of certain member states question and even shake this construction through data interpretation.

The German Constitutional Court has often taken a critical position, clearly defiant towards the doctrine of the Court of Justice of the European Union, on various issues such as Kompetenz-Kompetenz, the ability of the CJEU to rule on its own competence, the possibility of the withdrawal from the Union of member states and more.

²⁵ G. Goudenhoft, "Values, Principles and the European Culture of Legality", in Alina Stoica, Ioan Horga and Maria Manuela Tavares Ribeiro (eds.), *Culture and Paradiplomatic Identity: Instruments in Sustaining EU Policies*, Cambridge Scholars Publishing, 2016, pp. 193-214.

²⁶ J. Peterson, "The European Union: Pooled Sovereignty, Divided Accountability", *Political Studies*, 45 (3), 1997, pp. 559-578.

²⁷ N. Brack, R. Coman & A. Crespy, „Unpacking old and new conflicts of sovereignty in the European polity”, in *Journal of European Integration*, vol. 41, 7, 2019, pp. 817-832.

The German Federal Constitutional Court, behaving like a political actor, reserved the right, confirms both in the Maastricht case and in the Solange I and Solange II cases, to check whether a treaty, or community norm or directive infringes the limits of powers of the Union. European. Joseph Weiler's argument draws attention to the anxieties related to the democratic deficit in the European Union and the controversial role of the CJEU, making us reflect on the need to strengthen democratic legitimacy in the European decision-making process.

The European Court of Justice and the process of integration

Legal integration in Europe is a process by which a mandatory supranational system of the rule of law has been broadly agreed between the member states of the European Union, as well as the causal link between legal and political integration. The role of the ECJ as an institution authorized to give interpretations of EU law but also to act for the resolution of conflicts between the national laws of the member states and community legislation is not only a creator of principles but also a component of wider, European integration that knows a great extent but also obstacles, controversies and even opposition. There is a large consensus in viewing the ECJ as an "engine of integration"; the European Court of Justice is the supreme and quasi-constitutional court of European Union even "it has no power over the centralization of public expenditure" but "it has been a driving force of both market integration and political integration, i.e., centralization"²⁸.

There are authors²⁹ saying that the Court of Justice has been the prime mover in European legal integration whether national governments passively have accepted the court's lead. "European law, they argue, operates both as a "mask" that conceals the real effects of legal integration and as a "shield" that effectively insulates the legal system from political tampering by member government"³⁰.

The transnationalism that the ECJ brings with it makes EU law have a different profile from international law. The transformative effect of the ECJ's initial jurisprudence, which "constitutionalized" the EU treaty system³¹, must be emphasized. This constitutionalization made it possible to overcome the intergovernmental stage and define the supranational stage of development of the EU. Transnationalism is present especially through the role that the ECJ has created for individuals, who have the opportunity to act alone, without intermediaries, in a way that would not have been possible in a system that instead of transnational would be was simply international, reducing in a second look-out the ability of national governments to control policy outcomes, while increasing the influence of supranational policies at EU level. But there are several questions to answer: Who is entitled to play the role of arbiter: national courts or the European institutions?

²⁸ R. Vaubel, "Constitutional courts as promoters of political centralization: lessons for the European Court of Justice", in *European Journal of Law and Economics*, 28(3), 2009, pp. 203–222, p. 203.

²⁹ A.-M. Burley and W. Mattli, "Europe Before the Court: A Political Theory of Legal Integration", in *International Organization*, vol. 47, 1993, pp. 41-76.

³⁰ G. Garrett, „The politics of legal integration in the European Union”, in *International Organization*, vol. 49, no. 1, 1995, pp. 171–181, p. 171.

³¹ A. Stone Sweet & T. L. Brunell, *op.cit.*

National parliaments, academia, international organizations, international community, etc. should be supported to play this role? Today, unlike pre-modern times the quasi-transcendent investiture of the judge justify the legitimacy of decisions, the reasons of substance contained in judicial decision tend to be considered the key to the legitimacy of an individual decision. Court is now required to give up the cryptic style in favor of an more discursive, analytical, open, transparent and conversational (dialogic) one, with the inclusion of divergent opinions³² as a positive and response to the national sensitivities.

How is perceived the reality from Luxembourg? They give the impression they are living in an ivory tower seeing only what they want to see. Of course, a certain disconnect is specific and natural for any High Court as long as “in a legalistic world, reality is of little importance”³³, but it's impossible to build legitimacy without mutual transfer of information between the ECJ and national courts. They can not work apart, “in parallel” only at the cost of losing legitimacy.

The ECJ as an institution focuses on three issues: the availability and exchange of information, its procedure and composition, and the staff.

Another issue is that information circulates unilaterally from the national courts of Member States to the ECJ, the national court being obliged to provide all necessary information regarding their cases and to keep the Court informed throughout the procedure, to provide the final decision of the Court, while the ECJ does not seem to be ready to offer too much in return for the benefit of its partners, and this void of information is negatively felt even if some national courts have found their own channels and sources of information through their government officials or ministries, but this is a horizontal dissemination, not a vertical one, as would be expected and desirable. A critic of the ECJ, Professor Hjalte Rasmussen said that “in contrast to its pro-active and rich, reports producing activities before and after the Nice Treaty, in more recent years, the Court felt silent” and „a major cause for the Court’s silence could in fact be that its internal culture has been severely affected by the ideological and enlargement stalemate”³⁴. Whatever the reasons, it is suggested that the void created by ECJ’s silence on its own reform and development, was gradually and partially filled out by other actors, such as a number of national legal associations and various network types.

But preliminary rulings is one of the strongest legitimacy procedure of the ECJ and it would have been more useful and legitimate that the national judge to be involved, in some extent, in the subsequent procedure. It seems the autoperception of ECJ on its own function is one of a true European supreme jurisdiction, allowing

³² It is to be noticed, yet, that including the divergent opinions in the ECJ legal decisions (the disclosure of the „kitchen”, the laboratory of the decision, would increase the operating costs of the EU legal system and it is not very much sure it would increase the accessibility of the legal text, the target being to decrease the complexity and to increase intelligibility, not vice versa.

³³ M. Bobek, “Of feasibility and silent elephants: the legitimacy of the court of justice through the eyes of national courts”, In M. Adams, J. Meeusen, G. Straetmans, H. De Waele, eds., in *Judging Europe’s judges: the legitimacy of case law of the European Court of Justice examined*, Oxford, Hart, 2013, pp. 197 – 234, p. 215.

³⁴ As cited by Bobek, *op.cit.*, pp. 218-219.

direct access of any national echelon, unfiltered by any hierarchy or national mediation. If the ECJ wouldn't really like to become a mediation or arbitration court for disputes arising between national courts within a Member State, the Court should allow modification of its procedure Regulation. Rules of procedure essentially designed for intergovernmental disputes could be assessed as inadequate once the preliminary ruling procedure has come to be used increasingly to rule on legal disputes between the same state courts. In some cases ECJ it should simply invite the national superior court to present conclusions (its point of view on the topic). Otherwise, one will have to face a challenge that will increasingly put into question its legitimacy.³⁵

As I explained above, the ECJ is increasingly criticized both for the expansion of competences and for a tendency of bias in the centralization process because the court should not propagate a political program, but should be an impartial objective and interpreter of the law.

As with other constitutional courts, the ECJ's decisions can produce serious policy changes in two ways³⁶: (a) through judicial decisions that, once implemented at the national level, lead to changes in domestic law and court interpretations, or (b) through decisions judicial proceedings that lead to changes in EU legislation, when, by means of legislative acts, the EU legislators adopt or modify the existing legislation.

R. Vaubel highlights some features of ECJ tendencies and involvement in EU integration/centralization circuit:

- the important role played in removing national regulations³⁷;
- the difficulty of reversing ECJ decisions;
- the sensitive dynamic between the ECJ's judicial activism and national governments and parliaments' constrains in implementing decisions³⁸;
- the large area, the impact³⁹ and importance of the preliminary reference procedure, the unique procedure at the ECJ level;
- the risk involved by the fact that ECJ judges are even more influential than national constitutional judges.

According to G. Garrett's opinion, national governments, despite the existence of incentives to argue against EU decisions (especially in commercial sectors), they do not choose to ignore ECJ rulings but weigh the costs of accepting the court's decision against the benefits arising from the existence of a system legally effective in the EU, reducing everything to an economic profit function.

³⁵ G. Goudenhooff, "Values, Principles and the European Culture of Legality", in A. Stoica, I. Horga and M. M. Tavares Ribeiro (eds.), *Culture and Paradiplomatic Identity: Instruments in Sustaining EU Policies*, Cambridge Scholars Publishing, 2016, pp. 193-214.

³⁶ D.S. Martinsen, *op.cit.*, p. 1624.

³⁷ The most important example was the so-called Cassis de Dijon decision (1979), see Vaubel, note 14, p. 215.

³⁸ G. Garrett, *op.cit.*

³⁹ It accounts for about two-thirds of the Court's decisions, see Vaubel *op.cit.* and S. Voigt, "Iudex calculat: The ECJ's quest for power" *Jahrbuch für Neue Politische Ökonomie*, 22, 2003, pp. 77-101. See also J.-Y., Pitarakis, & G. Tridimas, "Joint Dynamics of Legal and Economic Integration in the European Union", in *European Journal of Law and Economics*, vol. 16, no. 3, 2003, pp. 357-368.

The main objective of the judges is to expand the field of European law as well as their authority to interpret it, but they know that their power is not based on the letter of EU treaties but rather critically depends on the continued consent of national governments. Therefore, the judicial activism of the court is dependent on how it anticipates the decisions of the governments of the member states⁴⁰.

Conclusions

Courts play a prominent role not only in regime formation or in state-building, but in the consolidation of political legitimacy also. Their normative agents (judges), have the ability to elicit changes in rule-of-law societies, to configure and reconfigure the polity⁴¹.

The interaction between legal and political is one that gives serious headaches to any researcher. The capacity of the courts to generate political changes is therefore a debated issue in the specialized literature. In this debate, the Court of Justice of the European Union (CJEU) has become famous for its central and sometimes controversial role in European integration.

Despite the fact that it is not based on powers conferred by treaties, the ECJ is a strategic and rational actor, even if sometimes rationality seems to get out of control.

The ECJ plays a subtle game with the governments and judges of the member states, who, in their turn, at least metaphorically make a cost-benefit analysis of the resistance they might have to the decisions of the ECJ. We can also observe that resistance usually comes from economically strong states and accompanied by an enhanced reputation of opposition virtues such as Germany, France, Belgium or Italy.

The trajectory of legal integration in Europe can be explained in rational choice terms, according authors like G. Garrett, or in political terms as H.H. Weiler suggests considering „the European constitution“⁴² a political traction and a source of identification, or from a normative perspective questioning „whether the rulings of the ECJ are biased in favour of the countries which are supposed to dominate the political process of European integration“⁴³.

Due to its unique institutional system, the EU has often been accused of not having sufficient democratic legitimacy. But European integration means more than the simple algorithm of representation and the legitimacy and legal and political culture of the EU could represent a new source of originality and creativity that could prove fertile for the future of Europe. The legal system and the political system must stop being two parallel walls that lend each other sources of legitimacy from time to time. Integration can be both legal and political if there is sufficient will in this sense and if the priorities are rethought.

⁴⁰ G. Garrett, *op.cit.*, pp.72-73.

⁴¹ M.J. Shapiro, *Courts: A Comparative and Political Analysis*, University of Chicago Press, Chicago, 1980.

⁴² Weiler, J. H. H., „A Constitution for Europe? Some Hard Choices“, in *JCMS: Journal of Common Market Studies*, vol. 40, 4, 2002.

⁴³ Pitarakis, J.-Y. & Tridimas, G., „Joint Dynamics of Legal and Economic Integration in the European Union“, in *European Journal of Law and Economics*, vol. 16, no.3, 2003, pp. 357–368, 366.

THE CONCEPT OF EXTRAORDINARY EVALUATION OF JUDGES IN THE REPUBLIC OF MOLDOVA - STRATEGY FOR ALIGNMENT WITH EUROPEAN UNION STANDARDS

Natalia GAVRILENCO*

Abstract: *In this study, the author refers to judicial independence. Article 6 of the Republic of Moldova Constitution expressly states that: "... the legislative, executive and judicial powers are separated and cooperate in the exercise of their prerogatives ..." Thus, the state offers judges a special status and requires the justice system to show responsibility. There is no clear and effective mechanism for assessing the integrity of judges, which could ensure favourable conditions for achieving the proposed objectives. Thus, the authorities proposed a new concept for the extraordinary evaluation of judges. In this context, the aim of the investigation is: to determine whether this new procedure is in line with European Union law, including analyzing the case of Albania.*

The current concept of extraordinary evaluation of judges includes the creation of the monitoring mission, evaluation commissions, and creating a separate board of appeal. The issue of this subject is updated at the time of the analysis of the negative opinion of the Venice Commission on the concept.

In conclusion, the author mentions the need to address the concept of special assessment for the state of the Republic of Moldova in the context of the latest events of the application for membership in the European Union.

Keywords: *extraordinary evaluation, judge, responsibility, integrity*

Introduction

Disciplinary liability of judges is a topical issue for many European countries. Along with the strict regulations of the status of judge and the organization of the judiciary, the establishment of disciplinary liability is of an increased necessity, visible in the form of a legal liability specific to the position of judge.

The evaluation of how the judge's independence is respected implies the analysis of the manner of appointment, suspension, resignation and dismissal of the judge. The judicial council is responsible for guaranteeing the judge's independence, the international standards suggesting that this institution be regulated even at the constitutional level, the fundamental act of the country being to regulate its composition, attributions and autonomy. Such a council must have a decisive influence on judges' appointment, promotion, and discipline.

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According to Andrei Lutenco, Executive Director of the Center for Policy and Reform, there are several issues in the justice sector, including:

- Ensuring justice of political interests, including its use to capture state institutions and cover-up large-scale corruption - the widespread use of public resources in private interests;
- Use of justice to intimidate and persecute the opposition, and activists, take over the business, and ensure impunity for human rights abuses;
- Endemic corruption at all levels;
- A culture of tolerance and quasi-total impunity for corruption and abuse throughout the system;
- Vulnerability of the system to be recaptured;
- Deficient trust in the judiciary from the citizens¹.

The respective topics were elucidated in the society, and the Parliament of the Republic of Moldova, on June 8, 2019, stated with concern that the state and legal institutions of the country were captured through the Declaration on the recognition of the captive character of the Republic of Moldova.

This document highlighted the dire situation of injustice, the guarantee and protection of human rights, and a profound deterioration of fundamental civil rights and freedoms standards, including degrading treatment, torture, and the abusive deportation of asylum seekers " 2.

In this context, on November 15, 2021, the Ministry of Justice published the draft Concept on the external (extraordinary) evaluation of judges and prosecutors, which is adjusted and adapted today and is materialized by Law no. 26/2022 regarding some measures related to the selection of candidates for the position of member in the self-administration bodies of judges and prosecutors.

The establishment of a mechanism for evaluating the performance and activity of prosecutors and judges, with the attraction of professionals from abroad, is the primary measure by which the new government in Chisinau intends to eliminate corruption in the judiciary and "clean up" the system of people who time gave reasons to be suspected of incompetence and even commercial use of the position held.

In the following, we will describe how this evaluation will be carried out.

Periodic evaluation of judges from the Republic of Moldova

Before discussing the mechanism of external evaluation of judges, we mention that there is already the evaluation mechanism, including extraordinary, which is regulated by Law no. 154/2012 on the selection, performance evaluation and career of judges, and in art. 13 of the Law indicates the notion of extraordinary evaluation and the cases when it is initiated.

¹ A. Lutenco, Comments and suggestions on the project: *The concept of external evaluation of judges and prosecutors*. <https://cpr.md/2021/11/24/comentarii-si-sugestii-la-proiectul-conceptului-de-evaluare-externa-a-judecatorilor-si-procurorilor/> [Accessed on 14.05.2022].

² Decision no. 39 of 08-06-2019 for the Declaration's adoption on the recognition of the captive character of the state of the Republic of Moldova in the Official Gazette no. 208, art. 236. https://www.legis.md/cautare/getResults?doc_id=114796&lang=ro [Accessed on 12.05.2022]

According to the national legislation, the evaluation of judges' performances takes place in two forms:

- periodic evaluation;
- great evaluation.

The judge's periodic evaluation takes place every three years. In the case of being awarded the grade "insufficient", the judge is subject to extraordinary evaluation within the time limit set by the evaluation board. The awarding of the grade "insufficient" to two consecutive assessments is the basis for the initiation, by the Superior Council of Magistracy, of the procedure for dismissal of the judge.

According to art. 13 para. (3) of the same Law, "the judge is subject to extraordinary performance evaluation either on his own initiative or in case of obtaining the grade" insufficient "in the periodic evaluation". As in the cases:

- promotion to a higher court;
- appointment to the position of president or vice-president of the court;
- transfer to a court of the same level or a lower court.

According to art. 14 para. (4) of the same law, "in the process of evaluating the performance of judges is aimed at the complex analysis of the professional activity and personal qualities of judges, improving their professional performance, increasing the efficiency of court activity and public trust in the judiciary, maintaining and strengthening the quality of the judiciary.

In these circumstances, the evaluation mechanism is a formal mechanism focusing on specific essential criteria:

- level of knowledge and professional skills;
- the ability to apply knowledge in practice;
- seniority in the position of judge or other positions of legal speciality;
- the qualitative and quantitative indicators of the activity carried out in the position of judge or, as the case may be, in other positions of legal speciality;
- compliance with ethical standards;
- teaching and scientific activity,
- and the optional criterion:
- extrajudicial activity, confirmed by certificates, diplomas, judgments, decisions, orders, etc.³.

From this we deduce that there is no emphasis on the accurate assessment of his competencies, his reputation in the public space, and the observance of the norms of ethics and judicial conduct are not taken into account. From the point of view of the need to comply with the candidates in the evaluation committee - the evaluation standards of the other judges, we find that this condition is not provided, nor is there any way to verify whether the candidate meets the evaluation standards⁴.

The implemented reforms did not ensure a better quality of the main actors in the justice system. The main reason is that when admitted to the system and promotion, the

³ Point 11, the Regulation on the criteria, indicators and procedure for evaluating the performance of judges, approved by SCM Decision no. 202/8 of 05.03.2013.

https://www.legis.md/cautare/getResults?doc_id=111988&lang=ro# [Accessed on 26.04.2022].

⁴ Opinion of the Association of Judges "Voice of Justice" on the Concept of Extraordinary Evaluation of Judges and Prosecutors <https://voxjust.md/feed/56> [Accessed on 24.04.2022].

evaluation criteria applied by the Judges' Performance Evaluation Board and the Judges' Selection and Career Board benefit those with experience, even if some of them have serious integrity issues. Integrity, being a criterion that weighs very little, becomes irrelevant in the evaluation of magistrates. However, professionalism and experience do not necessarily imply the integrity of magistrates. Furthermore, the lack of integrity often becomes an instrument of blackmail and control of professional and experienced judges. In addition, the admission and promotion of judges with integrity problems, to a large extent, dramatically affects the public perception of the justice system⁵.

Under these conditions, an external evaluation mechanism is proposed, which is generally a great solution applied in states with a justice in transition in which the internal evaluation and self-purification mechanisms of the system do not work, as in the case of the Republic of Moldova.

Measures related to selecting candidates for membership in the self-governing bodies of judges and prosecutors

Currently, in order to increase the integrity of future members of the Superior Council of Magistracy, the Superior Council of Prosecutors and their specialized bodies, as well as to increase the company's confidence in the activity of self-governing bodies of judges and prosecutors, but also in the general justice system, the parliament adopted Law no. 26/2022.

We mention that in the Opinion no. 1069/2021 of 13 December 2021, the Venice Commission warned that the urgency of the matter does not justify the lack of consultation of stakeholders, especially key ones, such as the Superior Council of Magistracy. The Commission recalled that a meaningful consultation of the opposition and stakeholders is crucial in the democratic legislative process. Appropriate consultations should take place before the final adoption of this law.

The ex-president of the Constitutional Court, Alexandru Tănase, agreed, declaring in a recent show that - "Reforms of this type, as a rule, only result when there is a consensus in their implementation. When they are imposed by a majority vote, these reforms do not work and are not sustainable. (...)"

Next, an independent commission is established to assess the integrity of candidates for membership in the self-governing bodies of judges and prosecutors, which assesses the integrity of candidates for membership in various bodies, including the Superior Council of Magistracy; The College for the Selection and Career of Judges; Judges' Performance Evaluation Board; Disciplinary Board of Judges.

According to the legislation, the evaluation committee consists of 6 members appointed as follows:

- 3 members of the Republic of Moldova - at the proposal of the parliamentary factions, respecting the proportional representation of the majority and the opposition, approved by the vote of 3/5 of the elected deputies;
- 3 members - at the proposal of the development partners, approved with the vote of 3/5 of the elected deputies.

⁵ M. Rață, „Journalist investigations and Judge evaluation: communicating vessels or parallel processes?”, September 2021 [https://moldova.fes.de/fileadmin/user_upload/2021/Publications/ Analiza_investigatii_jurnaliste_si_evaluarea_judecatorilor.pdf](https://moldova.fes.de/fileadmin/user_upload/2021/Publications/Analiza_investigatii_jurnaliste_si_evaluarea_judecatorilor.pdf) [Accessed on 24.04.2022].

We mention that development partners are international donors (international organizations, diplomatic missions and their representatives from the Republic of Moldova), active in the justice reform and the fight against corruption in the last two years. Their list shall be approved by order of the Government.

On 04.04.2022, the parliament appointed the six members of the Independent Commission for the Assessment of the Integrity of Candidates for Membership in the self-governing bodies of judges and prosecutors. Thus, *Nadejda Hriptievschi, Tatiana Răducanu, Vitalie Miron* - appointed at the proposal of the parliamentary factions and *Victoria Henley, Nona Tsotoria, Herman Von Hebel* - appointed at the proposal of the development partners will be part of the commission. The Legislature adopted the Decision on the confirmation of the nominal composition of the commission⁶.

Membership of the Evaluation Committee will be incompatible with any public office. The commission members will be remunerated monthly with an indemnity equivalent to twice the basic salary of the judge of the Supreme Court of Justice with seniority in the position of judge over 16 years.

According to art. 6 of the same law, the powers of the Evaluation Commission are found:

- draws up and approves its own rules of organization and operation, as well as the rules of procedure of the committee secretariat;
- evaluates candidates and takes decisions on the results of the assessment of the integrity of candidates;
- collects and verifies any data relevant to the evaluation of candidates;
- has access to any information systems that contain data relevant to the fulfilment of its mandate, namely the assessment of the ethical and financial integrity of candidates, including through the Interoperability Platform (MConnect);
- hears the candidate and other persons holding relevant information about the candidate's integrity;
- requests information from natural and legal persons under public or private law, as well as accumulates any information relevant to the fulfilment of its mandate;
- other powers provided by this law.

In this context, there are several stages of evaluating candidates:

1. Initiation of the evaluation procedure;
2. Accumulation of information and its appreciation;

The evaluation committee and its secretariat shall have free and real-time access to information systems. They shall have the right to request from public or private natural and legal persons, including financial institutions, the documents and information necessary to carry out the evaluation.

3. Hearing of candidates;

According to art.12 par. (2) of the same law, "The hearings take place in public session, which is recorded by audio / video means. The evaluation committee may

⁶ Judgment confirming the nominal composition of the Independent Commission for the Assessment of the Integrity of Candidates for Membership in the Self-Governing Bodies of Judges and Prosecutors (No. 88, April 4, 2022).

decide to hold hearings or part of them in closed session if the interests of public policy, privacy or morality are affected. If the Evaluation Committee rejects the candidate's request to hold the hearings or part of the hearings in closed session, it may immediately notify the committee of its withdrawal from the competition."

4. Decision of the Evaluation Commission;

We note that the decision of the Evaluation Committee is taken by a majority vote of the members participating in it. However, members do not have the right to abstain from voting. In the event of a tie, the Evaluation Committee will repeatedly examine the information on that candidate and submit it to the vote the next day. If the parity of votes is repeatedly found, the candidate shall be deemed not to have passed the assessment.

5. Contesting the decision of the Evaluation Commission.

We understand that it is a complex mechanism through which the committee members verify the ethical and financial integrity of the candidates by requesting declarations of assets and personal interests with updated data for the last five years, including expenses for that period.

The Evaluation Commission also requests the candidate to submit to the commission a statement regarding the list of persons close to him, as defined in Law no. 133/2016, on the declaration of wealth and personal interests, which are active or have been active in the last five years in the judiciary, the prosecutor's office and the public service.⁷

The Republic of Moldova is inspired and increasingly refers to justice reform in Albania. Albania's vetting law requires all judges and prosecutors to undergo a transitional reassessment process before two bodies: the Independent Qualification Commission and the Special Appeals Chamber, based on three assessment criteria: wealth assessment, integrity check, and verification of professional competence.

Albania comes with specific results at a distance of already three years: out of the total number of 805 judges and prosecutors, 294 cases were finalized (re-evaluated magistrates), 64 magistrates resigned, and 18 retired⁸.

According to these data, we understand the drastic reform of the Albanian judiciary. The experience of this state serves as an example for discussions and strategies to reform the justice system in the Republic of Moldova, however, with specific adjustments to the national framework.

Conclusions

Moldova's desire to integrate into the European Union remains strong. In this context, colossal efforts are being made to eradicate corruption and bring confidence in the rule of law and justice.

⁷ Art. 19, Law no. 26 of 10.03.2022 regarding some measures related to the selection of candidates for the position of member in the self-administration bodies of judges and prosecutors https://www.legis.md/cautare/getResults?doc_id=131114&lang=ro# [Accessed on 26.04.2022].

⁸ L. Hadîrcă, „Expert: Justice reform in Albania - a possible model for the Republic of Moldova?” September 2, 2021 <https://www.zdg.md/stiri/stiri-sociale/expert-reforma-justitiei-in-albania-un-posibil-model-pentru-r-moldova/> [Accessed on 26.04.2022]

The Declaration on the Recognition of the Captive Character of the State of the Republic of Moldova initiates a series of actions in the judiciary for its "cleansing".

The existence of the regulation of judges' ordinary and extraordinary evaluation procedure through the prism of Law no. 154/2012 on the selection, evaluation of performance and career of judges. Nevertheless, another evaluation mechanism is opted for. Moreover, the concept of external (extraordinary) evaluation of judges is proposed by the Ministry of Justice 2021.

The Venice Commission and the Directorate-General for Human Rights and the Rule of Law have commented on the draft law on the external evaluation of judges and prosecutors. Moreover, he came up with a series of recommendations. Contrary to these recommendations, the bill mentioned above was voted on.

At the moment, we have formed the Independent Commission to evaluate the integrity of the candidates for the position of member in the self-administration bodies of judges and prosecutors and composed of six members.

Section III

**LOCAL, REGIONAL AND NATIONAL
POLITICAL AGENDAS – ONE OR DIFFERENT
STRATEGIES FOR PROMOTING THE
NATIONAL INTERESTS, AT THE EU LEVEL?**

PARADIPLOMACY OF CITY AS EUROPEAN AND GLOBAL PLAYER

Alina STOICA*
Luminița ȘOPRONI**

Abstract: *The beginning of the millennium has been influenced by a visible acceleration of the globalization process, which has had a number of political, economic, strategic and military as well as cultural consequences. Massive changes have marked international relations, triggering new paradigms of global reorganization, of reconfiguring the architecture of politics and society, changing the relations of forces between states and markets. The balance of power has changed. "Where states were once the masters of the markets, now the markets are the ones that, in many key matters, lead the national governments."*

The authority of states, once unwavering, is now transferred either to international institutions or to regions or cities, facing a partial denationalization of global and European policies. It is proven that city leaders are increasingly able to make diplomatic efforts and create transnational networks, serving the well-being of citizens and even the national development of the state they belong to. This phenomenon is called by specialists paradiplomacy or parallel diplomacy.

Its involvement and impact predominate in education, health, climate change, waste management or transportation, etc. The concept is closely related to the smart city, because such a city that understands to use culture and identity in support of its position on the international / European map, for the welfare of its citizens and raising the standard of living is the city of the 21st century.

The paper is an update on European and global realities and brings more knowledge to those interested in European integration and strengthening the idea of European unity.

Keywords: *Paradiplomacy, European Union, smart city, transnational networks*

Introduction

In the context of today's realities, globalisation and regionalisation are seen in the literature as key driving forces of the modern world. On the other hand, the effects they have generated in society have turned them into influencers of global political, economic and cultural agendas. The political context of globalisation opens unprecedented gaps in the power equations between states, markets and civil societies.

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Based on the effects of global and regional politics, seen as moral forces of the modern world, but also as influences with a major role in shaping political, economic and cultural agendas at global, regional and local levels, this paper hypothesises the changing scale of operations of cities in the context of their current role among new global actors¹.

In order to develop this hypothesis, our paper addresses municipal paradiplomacy by following two aspects: first, it presents the historical and theoretical context of paradiplomacy; second, it analyses the empirical reality of the city of Oradea and its international actions; third, it presents a series of critical questions for the analysis of cities and their transnational networks as new political actors in the global arena. From an empirical point of view, this paper raises key questions related to the multiple ways in which municipalities across Romania develop transnational activities, while from an analytical point of view it aims to provide a better understanding of their *soft-border* approach, as well as the pragmatic association between a renewed identity in the global arena and an innovative local international management strategy.

Paradiplomacy of cities. Theoretical aspects

In a strong interactive cultural context (*soft power*), the new paradigms of global reorganisation have eroded clear boundaries, overriding them the processes of globalisation, which have reconfigured the architecture of politics and society, changing the power relations between states and markets. The balance of power has shifted. The decision-making role of states is being strongly undermined by the role of markets. There is a decentralisation of the state, whose authority is increasingly transferred to regional governments, international institutions, transnational companies, municipalities, giving rise to a new concept of functioning in international relations - paradiplomacy, in other words sub-state diplomacy or parallel diplomacy. This form of diplomacy takes on important international and transnational efforts for the development of communities, but its role is most prominent around education, healthcare, climate change, waste management or transport².

In addition, at the level of the EU and therefore of the Member States (some highly centralised, others totally federalised) we are dealing with different types of regions, which in turn benefit from different forms of administrative and political organisation. The use of paradiplomacy in their case is different, depending on the link or dependence they have with the national authority. This is why we propose in our study to focus rather on the paradiplomatic element in the city world. It benefits from a universally recognised formal organisation, with a similar bureaucratic-administrative structure and legal framework within which it operates³. The city or its local structures join more easily the various cross-border, trans-regional and trans-

¹ Alexander S. Kuznetsov, *Theory and practice of paradiplomacy: subnational governments in international affairs*, Routledge, London, 2015, p. 12.

² Saskia Sassen, *Cities in a World Economy*, SAGE Publications, London, 2019, pp. 13-44.

³ *Ibidem*.

national networks and organisations. Today, 80% of global economic output is already generated by cities like New York, London or Tokyo, cities that never sleep⁴.

This phenomenon can only be compared to the effects of the great industrial revolution of the 19th century or to the role that cities played in international affairs in the time of Plato, Aristotle and Pericles. In fact, by the mid-17th century the role of the city eclipsed that of the nation on the global stage⁵. Since then and until today, cities continue to play a special role as intermediaries and connectors on the international scene, beyond the political aspect, but with an emphasis on the financial, economic and cultural line.

The role of cities as global actors has therefore been given a special place in the literature over the last four decades. As a result, the practice of foreign affairs by cities and states has been defined in different ways, which adds colour to the debate and creativity. There are indeed too many terms to describe "the involvement of non-central governments in international relations by establishing permanent or ad hoc contacts with foreign public or private entities, with the aim of promoting ... any external dimension of their constitutional powers"⁶. The most widely used term, however, is *paradiplomacy*, or *parallel diplomacy*. The term was first mentioned in 1980 in the writings of Ivo Duchacek and Panayotis Soldatos, in the context of a debate on US President Richard Nixon's *New Federalism model*, a plan to take control of federal state or sub-national government programmes.

The term "para" is of Greek origin and means "next to", "near", "near". Some scholars indeed view paradiplomacy with reference to diplomacy and define it as direct international activity by sub-national actors that supports, complements, corrects, duplicates or challenges nation-state diplomacy⁷.

Thus, paradiplomacy is generally referred to in the literature as the involvement of constituent units (regions, cities) of nation states in international affairs, such as provinces in Canada, states in the USA, Swiss cantons, German Länder, etc. Regional governments are active in international affairs in various ways: they open trade and cultural missions abroad, sign treaties and agreements with foreign state and non-state actors, participate in international networks of regional cooperation, and sometimes even challenge the official foreign policy of their central national governments through statements and actions⁸.

⁴ Kent E. Calder, *Global Political Cities. Actors and Arenas of Influence in International Affairs*, Brookings Institution Press, Washington, p. 19.

⁵ Kent E. Calder, *Global Political Cities. Actors and Arenas of Influence in International Affairs*, Brookings Institution Press, Washington, p. 18.

⁶ Noe Cornago, "Diplomacy and Paradiplomacy in the Redefinition of International Security: Dimensions of Conflict and Cooperation, in *Paradiplomacy in Action: The Foreign Relations of Subnational Governments*, edited by Francisco Aldecoa and Michael Keating, 2001, pp. 40–57, Frank Cass, London and Portland, p. 40.

⁷ Panayotis Soldatos, "An Explanatory Framework for the Study of Federated States as Foreign- policy Actors", in *Federalism and International Relations: The Role of Subnational Units*, edited by Hans J. Michelmann and Panayotis Soldatos, pp. 34–53, Oxford, Clarendon Press, 1990, p. 17; Ricardo Tavares, *op.cit.*, p. 21.

⁸ Rodrigo Tavares Ribeiro, *Paradiplomacy - Cities and States as Global Players*, Oxford University Press, New York, 2016, p. 15.

The concept of "*paradiplomation*" is therefore used in 1988, the authorship of which has been attributed to Professor Panayotis Soldatos of the University of Montreal. Due to the lack of a more appropriate term, the term "paradiplomation" was quickly accepted by the scientific community. However, what do Professors Duchacek and Soldatos mean by the concept of "paradiomatization"? According to these authors, the concept of 'paradiplomacy' represents the international activities of sub-state entities. For a better understanding of the concept, it is necessary to distinguish the typology of paradiplomacy put forward by Duchacek. Thus, according to Duchacek's view, paradiplomacy can be analysed from the perspective of four levels: the first level is cross-border regional microdiplomacy (the author initially preferred the term microdiplomacy); the second level is trans-regional microdiplomacy; the third level is global paradiplomacy. For the fourth, last level, Duchacek used the concept of proto-diplomacy⁹.

In short, paradiplomacy can be simply defined as the involvement of sub-national governments in international relations by establishing formal and informal links, whether permanent or ad hoc, with foreign public or private entities, in order to promote the social, economic, cultural or political dimensions of development¹⁰.

Impact of paradiplomacy in today's society

Globalisation and regionalisation are key driving forces of the modern world, significantly influencing global political, economic and cultural agendas. The role of the nation-state, and by implication national governments, has been diminished and severely challenged in recent decades by the emergence of newcomers, non-state actors on the international relations scene. We refer, of course, to the growing role of multinational corporations with the development of globalisation, but also to the impact of NGOs on the international arena (transnational relations). There has also been a surge of interest in recent decades in studying the international activities of sub-national governments, autonomous and non-self-governing regions and municipal authorities (cities). On the other hand, since 2000, especially after 9/11, transnational organised criminal groups (terrorist groups) have received incredible attention from political scientists, making them the most influential new actors in the global order.

There is no doubt that studies on the rise of new global actors are very important for the field of social sciences, because failure to understand these changes makes it impossible to have a complete picture of the situation unfolding in modern international relations and in the internal affairs of individual countries. What can be seen today is that modern states have to navigate international affairs surrounded by various multinational companies, NGOs, supranational or subnational bodies, etc¹¹.

The issue of peace and war between nations, controlled until recently only by states, is undermined by so-called lower politics. The dispute between state-centric

⁹ Svetlana Cebotari, "Identificări conceptual - teoretice ale fenomenului paradiplomației" (Conceptual-theoretical identifications of the paradiplomacy phenomenon), in *Studia Universitatis Moldaviae*, no. 3, 2021, p. 224.

¹⁰ Noe Cornago, "On the Normalization of Sub-State Diplomacy" in *The Hague Journal of Diplomacy*, 5(1-2), Cornago, 2010, pp.11-36.

¹¹ *Ibidem*, p. 18.

theorists (realists, neo-realists) and non-state-centric theorists¹² (liberalists, neo-liberalists¹³, cosmopolitans¹⁴), i.e. between the advocates of the idea that sovereign states are the central component of international relations, on which the international system is built, and those who consider that the nation-state is 'outdated' and has lost its importance and relevance on the international scene due to the transnational flows generated by economic globalisation, is an increasingly acute issue.

Between the two systems mentioned, in the case of the latter, the one that will lead in time to the decentralisation of the state, the shift from intellectual discourse to the agenda of regional or municipal policy makers can in our view be done much more efficiently.

The practice of foreign affairs by cities and states has therefore been defined in different ways, which adds colour to the debate and creativity. There are indeed too many terms to describe "the involvement of non-central governments in international relations by establishing permanent or ad hoc contacts with foreign public or private entities in order to promote ... any external dimension of their constitutional powers"¹⁵.

And yet, in international relations there is a limit to the regions compared to the expertise of the nation-state. Regions do not have sovereign governments capable of determining the national/regional interest and pursuing its implementation in a unitary system. Regions are complex entities containing a multitude of groups that may have common interests in some areas, but may be strongly divided in others.

The international work of regional governments, or paradiplomacy as it is defined, can be found in a rather sketchy but growing literature. I have noticed that specialists approach the analysis of this phenomenon differently in their approaches. One thing is certain. The approach is more qualitative than quantitative, based on ideas from texts, supplemented by some field observations. The techniques used include interpretation, discourse analysis and semantic analysis. On the other hand, in the literature we identify several major approaches that are used in the social sciences to examine paradiplomacy:

- the constitutional dimension
- the federalist dimension
- the international relations and diplomacy dimension
- the area/border studies dimension
- the regionalisation/globalisation dimension
- security/geopolitical dimension
- environmental dimension
- the separatist dimension¹⁶.

¹² Tim Dunne, Milja Kurki, Steve Smith, *International Relations Theories. Discipline and Diversity*, Oxford University Press, Oxford, 2013, pp. 289-293.

¹³ Neoliberals as Joseph Nye and Robert O. Keohane (n.n.)

¹⁴ David Held is the leading proponent of cosmopolitanism (n.n.)

¹⁵ Noe Cornago, "Diplomacy and Paradiplomacy in the Redefinition of International Security: Dimensions of Conflict and Cooperation, in *Paradiplomacy in Action: The Foreign Relations of Subnational Governments*, edited by Francisco Aldecoa and Michael Keating, 2001, pp. 40–57, London and Portland, Frank Cass, p. 40.

¹⁶ Alexander S. Kuznetsov, *op.cit.*, p. 17.

The phenomenon has had a major impact on sub-national governments in Asia, America, Europe and Africa and has changed traditional notions of sovereignty, diplomacy and foreign policy. Alongside new forms of diplomacy, such as cultural or digital diplomacy, this form of sub-national, regional or even urban diplomacy, paradiplomacy, is taking the lead as it takes on major diplomatic efforts and contributes to transnational networking, as mentioned above, around education, healthcare, climate change, waste management or transport. In fact, sub-national activity and activism in the international arena is growing at a pace that far exceeds that of traditional representatives of sovereign states¹⁷. This is a concept around which there has been much discussion recently, in academia and in institutional, national, European and especially global environments.

After the 1980s, global changes led to a blending of cultures into a global one, which contributed to a form of denationalisation. In this situation, the world in which states function as the main agents has been replaced by the diverse multi-centred world of different state and non-state actors¹⁸. Over the last 20 years, national societies have become insufficient for the new realities and have been replaced by higher and lower level structures participating in what has been called collective governance¹⁹. In the first case, in order to understand the phenomenon of higher structures, we will identify here a few examples: the European Union or international organisations such as the UN or NATO, and for lower structures we have regional governments, which have been claiming their role as international actors for some time now, and cities converted into hubs of international diplomatic dialogue.

An example of this is the analysis carried out by specialists from the Faculty of International and Political Studies of the University of Lodz, Poland and the Polish Institute of International Affairs. Researchers led by Professor Tomasz Kamiński analysed EU - China relations at the sub-national level from various perspectives: economy, environment, culture, academic exchanges, etc. In general, until the publication of this volume, the network of contacts with China at the regional level was not well known, nor what were the determinants and institutional forms of inter-regional partnerships. The analysis opens a new vision of the need to look at EU - China relations as a multi-layered phenomenon, involving different types of actors at different levels. The EU countries analysed are France, the UK, Spain, Germany, Poland and Italy.

¹⁷ André Lecours, „Political Issues of Paradiplomacy: Lessons from the Developed World, | Discussion Paper”, in *Diplomacy* (Netherlands Institute of International Relations „Clingendael”, <https://www.kamudiplomasisi.org/pdf/kitaplar/paradiplomacylessonsfromthe.pdf>, [Accessed on January 29, 2021]. See also Eduardo Iglesias et al., *La provincias argentines en el escenario internacional*, Bueno Aires, PNUD, 2008.

¹⁸ Tomasz Kamiński, ed., *The role of Regions in EU - China Relations*, Lodz University Press, Poland, 2021, p. 7.

¹⁹ Alina Stoica, „The Impact of Paradiplomacy in the Sphere of International Relations”, in *Eurotimes. Border Regions: Area of Cooperation and good Neighbourhoods*, vol. 29, 2020, pp. 227-233; Alina Oros, Alina Stoica, „Social Borders at the Edge of EU. Canary Islands, Reunion, Guiana and Azores”, in *Eurotimes*, vol. 17, 2014.

The analysis of the case studies mentioned above has shown that there are difficulties with this type of paradiplomatic cooperation:

- Lack of development of necessary communication mechanisms between regional authorities of EU Member States and Brussels.
- Cooperation with China's regions is not completely independent of central governments, even if regional interests take precedence over national ones.
- Although regional activities should be part of national foreign policy, they are rarely coordinated at state level.

At the level of the city, but also of the European regions and not only from an economic point of view, paradiplomacy is used as a tool to attract foreign investment, to attract international companies to the region and to target new export markets. At this level of sub-state or paradiplomatic cooperation, the greatest advantages are economic and cultural cooperation, and the least effective is cooperation at political level. The involvement and impact of the city in the paradiplomatic process is predominant in education, health, climate change²⁰, waste management or transport, etc. The concept is closely linked to the smart city, because such a city that understands how to use its culture and identity to support its position on the international/European map, for the well-being of its citizens and for raising living standards is the city of the 21st century.

City as a European and global player

As we all know, sovereign states as we see them today only date back to the 17th century and unfortunately no longer monopolise the *status quo* of the international system today, even if they still continue to play an essential role. International organisations rose as a full-fledged global actor at the end of the 19th century and were followed by multinational companies in the mid-20th century, by international non-governmental international organisations (INGOs) in the 1980s, then by terrorist groups, especially as I said after 9/11, then by religious organisations, terrorist communities, a transnational civil society, or celebrities (celebrity diplomacy). All these actors have the authority and the ability to shape global dynamics and rules, while they compete for space and resources among themselves to enlarge and protect their interest groups²¹.

In our opinion, it is absolutely necessary to bring Romanian cities closer together in order to shape the strategic projection of development plans aimed at Romania's foreign policy. This possible collaboration can create the prerequisites for a foreign policy connected to local needs, but also, conversely, for the needs of the cities and their surroundings to be aligned with the foreign policy strategies of the state. Instead of working disproportionately, individually city/state, our proposed collaboration can bring benefits in both directions. All the more so as in the case of

²⁰ Durljević, U., Valjarević, A., Novković, I., Ćurčić, N. B., Smiljić, M., Morar, C., ... & Lukić, T., „GIS-Based Spatial Modeling of Snow Avalanches Using Analytic Hierarchy Process. A Case Study of the Šar Mountains”, Serbia. *Atmosphere*, 2022, 13(8), 1229.

²¹ Rodrigo Tavares Ribeiro, *Paradiplomacy - Cities and States as Global Players*, Oxford University Press, New York, 2016, p. 15.

Romania we are dealing with a highly centralised state where new forms of diplomacy, such as parallel diplomacy, have found it harder to find relevance for development.

It is also relevant to note that the city or its local structures are more likely to join the various cross-border, transregional and transnational networks and organisations. And all this can work excellently, all the more so as sub-national governments do not function as ends in themselves, but to deliver policies to their constituencies, and paradiplomacy serves as a tool to increase the efficiency of policy construction and public service development²².

In addition, local, economy-focused cooperation can be a safe channel of communication in a situation of deteriorating government relations, for example under US influence or tensions in EU policy towards China. Over time, a deterioration in US - China bilateral relations could lead to greater interest from Chinese regions in cooperating with European partners. As a result, the EU - China bilateral relationship has become almost as labour-intensive as the building of the Great Wall, with armies of officials, analysts, diplomats and other facilitators on both sides working intellectually, administratively and economically to understand each other.

The list of those cities that participate directly in global governance and have not shied away from seizing the opportunities opened up by the international presence is growing. Cities such as North Rhine-Westphalia, Guangdong, São Paulo (states) and Île- de- France are wealthier than many countries in the world and have set up endowed institutions with staff capable of defending their interests abroad. In our view, in this way sub-national entities can be seen less as a territory and more as a space in which global flows of capital, information, people, goods, services, intersecting and consolidating their interests, take place. The surprising reality is that among the world's thirty largest economies, ranked by GDP, twelve are sub-national (regional or municipal). This issue goes hand in hand with the global urbanisation of the planet.

"Cities are our most special invention"²³. However, their growing global importance means that decentralisation is reaching all segments of power.

This broadening of the scope of foreign policy into non-military and non-diplomatic areas, in other words soft power, is gradually becoming a characteristic feature of global interdependence, while being the prerogative of sub-national governments. If national foreign policy is oriented towards the external environment, then sub-national foreign policy is more inward-looking, towards the domestic base. It is possible to strike a balance if we see the international activities of sub-national governments as one element in an increasingly complex multi-layered diplomatic environment in which policy-makers seek to negotiate simultaneously with internal

²² Florin Păsătoiu, "Informal Social Control or the New Paradigm of Local Governance", in *Revista Universitară de Sociologie*, Editura Universitaria & Editura Beladi, Craiova, 2007, anul IV, nr. 1, pp. 62-65.

²³ Eduard Glaeser, *Triumph of the City: How Our Greatest Invention Makes Us Richer, Smarter, Greener, Healthier, and Happier*, Penguin Books, Harvard University, 2012, p. 6.

as well as external interests. Chinese provinces, Brazilian states or German Länder are smoothly running hundreds of international cooperation programmes on issues directly related to the welfare of their citizens.²⁴

Led by economic imperatives and constitutional rights, sub-national governments have landed like the moon in foreign affairs, signaling fundamental challenges to part of what we think of as logic in the modern international system. What is striking in the literature is that the international activism of sub-national governments, by implication cities, is rapidly spreading globally, quietly taking over diplomatic practices and foreign policy tools, especially new forms of diplomacy.

Milestones in Oradea's paradiplomacy

In our scientific endeavours we have tried to observe where Oradea is approximately in this system of internationalisation, in other words of the use of paradiplomacy. The phenomenon gained momentum after 2007, after Romania's accession to the EU, due to structural changes in the world order and internal political and economic transformations.

In the case of our country we observe two directions of paradiplomatic activities:

1. On the domestic level, we should aim to develop a sustainable paradiplomacy, leading to the establishment of more intense and frequent channels of consultation and coordination between local, regional and national officials, in other words, we are talking about the existence of a dialogue for policy articulation between government and local authorities. Obviously, this requires a certain level of political acceptance on the part of state officials, which in Romania is more likely in the case of cities, as regions are undefined structures with legal-administrative clarity. Assuming such basic acceptance exists, the intensity of consultation and coordination will depend primarily on the nature and extent of municipal paradiplomacy. In order to establish a valid answer in this respect, with regard to the municipality of Oradea it will be necessary to question the decision-makers in Oradea City Hall and in the municipal structures, which can be done in a future study. The steps taken with regard to the local-regional-national relationship should aim at encouraging the exchange of best practices in urban public policy making.

2. From an external perspective, cities with a developed formal structure, as is the case of Oradea, develop three main paradiplomatic actions:

a) participation in transnational networks (economic side - attracting foreign investment and directing local investors to new markets)

b) participation in international conferences and events (e.g. trade fairs)

c) twinning agreements between cities, city marketing, membership of international associations and regional and global networking. Therefore, the widest dimension, beyond the economic one, is the dimension involving cultural and educational, technical and technological cooperation. The political aspects are almost non-existent in Oradea, at least from the perspective of municipal structures. An exception was the period when a vice-mayor from the Hungarian ethnic group

²⁴ Rodrigo Tavares, *op.cit.*, pp. 23-30.

(UDMR) worked at the Oradea City Hall, which showed a rapprochement with Hungary²⁵.

We also found that the vision, understanding, experience of the mayor is also a key institutional factor in explaining why municipal paradiplomacy emerges and/or develops more significantly, as he is autonomous in making decisions to submit (or not) to the local assembly the establishment of innovative governance structures designed for this purpose. In the local government of the last ten years this has been seen in the context of attracting European funds, which have allowed Oradea to really flourish.

What would be the city's strengths? First of all, its location on the Western border of Romania, then the fact that it is a multicultural, multi-ethnic and linguistic city, which allows a dynamic international projection. In addition, the city can rely on the generous inter-war diaspora and the migration during the communist and post-december period. In recent years, Oradea is number one nationally among the cities that have managed to attract the most European funds for its modernization and is working towards becoming a smart city. Beyond project implementation, the city has dozens of international agreements signed so far, along with various cooperation mechanisms²⁶. By 2006 it already had ten such international collaborations with Debrecen (1992), Linkoping/Sweden (2000), Ceyrat - France (2000), Reims/France (2003), Ivano-Frankivsk/Ukraine (2003), Gyvatavim/Israel (2005), Coslada/Spain (2005), Mantova/Italy (2005), Montbeliard/France (2006), Waregem/Belgium (2006). Obviously, the number has multiplied considerably since then.

At present, most agreements have been signed with Hungary. What prompted these collaborations? From our perspective, there is the emotional and socio-cultural initiative component, generated by the Hungarian ethnic dimension, then there is also a pragmatic component aimed at preparing and concretising future joint actions to access European funds through various funding months, especially in collaboration with local border communities in Hungary. The priorities of the county and local authorities, which will be funded by this programme, are mainly directed towards the medical infrastructure, seeking to make Oradea an important player in this field, and through the partnership with Debrecen, to reach a regional medical pole Debrecen - Oradea.

²⁵ Alina Stoica, „Development of urban culture at the western border of Romania”, in *Development of urban culture*, Matej Bell University Press, Banska Bistrika, Slovakia, 2021 (to be published. The article was presented at the International Conference with the same title on March 18-19, 2021).

²⁶ Luminița Șoproni, Alina Stoica, „The Central and Eastern Europe and its Contribution to the European Order after the First World War. Economic aspects”, in *Europe a century after the end of the First World War (1918-2018)*, Editura Academiei Române, București, 2018; Luminița Șoproni, Alina Stoica (2021), „The Competitive Agglomeration, Pole of Economic Growth”, in *Crisia, Regional Development At The Borders Of The European Union* (proceedings of the Jean Monnet international conference, Oradea, 5th - 7th of November 2020), Florentina Chirodea, Luminița Șoproni, Constantin-Vasile Țoca, Klára Czimre (coordinators), Vol. LI, Supliment nr. 1, Editura Muzeului Țării Crișurilor, Oradea; Luminița Șoproni, Florentina Chirodea, Alina Stoica, „The Role of Cross-Border Cooperation in Cross-Border Region Branding”, in *The Evaluation of Cross-Border Cooperation in Europe*, Debrecen University Press, 2017.

On the other hand, the road infrastructure, business infrastructure and tourism are receiving a lot of attention in order to exploit the area's potential. The Bihor County Police Inspectorate has also made an important contribution to the international projection of Bihor County, in particular with the police services of Hajdú-Bihar in Hungary and Banska-Bystrica in Slovakia.

Therefore, the municipality of Oradea reveals a greater willingness towards international recognition, without distancing itself from the central authorities, but on the contrary. Oradea is working towards coordination with national interests, being involved in the shaping of public policies and the management of cross-border relations, and is a national model in this respect. The diversified paradiplomatic activities of the municipality challenge neither the national foreign policy structures nor the political identity of the nation-state. On the contrary, they have a particular contribution to make, especially in terms of organisational management and decision-making procedures.

ACTORS AND LEVELS OF RELATIONSHIPS IN THE CONSTRUCTION OF CROSS-BORDER REGIONS. CASE STUDY: BIHOR AND HAJDU BIHAR COUNTIES

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Abstract: *At the level of border regions operate a series of models and structures of cross-border cooperation, all these being built on the basis of levels of relationships between various public, private or non-governmental actors. The construction of cross-border regions is thus closely linked to cross-border cooperation, which must be understood as cooperation between at least two entities located along a common border. The European Commission has advocated a long time for "cooperation for development" to support disadvantaged border regions, in the Centre and Eastern part of the continent. Despite the progress made, there are still some obstacles created by existing national legal and administrative frameworks that have a direct impact on the lives of border area residents. The new approach to regional development creates the promotion of networks between different urban centres and favours the complementarity and individualisation of each region, placing them at the centre of European strategies. In this context, the study aims to analyse the intensity of different types of cross-border relations and the involvement of regional actors in the deep integration of regions corresponding to NUTS III administrative territorial units, Bihor (RO), Hajdu-Bihar (HU), based on cross-border integration models and indicators developed by Castañer, Jańczak and Martín-Uceda.*

Keywords: *cross-border cooperation, border regions, actors, relationship levels*

Introduction

The geo-political, economic and social realities of the immediate post-World War II period led, in 1951, to the emergence of the European Coal and Steel Community. Through their initiative, the six states sought to prevent a new war on the continent and to limit the negative effects of borders by coordinating their economic policies, by organising the free movement of these two important

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resources in the rebuilding of post-war economies and by freeing access to other sources of production (labour and capital)¹. From the political point of view, the supra-state community fostered reconciliation and cooperation, paving the way for the EEC and EURATOM, established in 1957 by the Treaties of Rome. Thus, it was configured the main objective of European integration namely to create an integrated area in which peace and freedom were maintained through a set of policies and programmes to ensure economic and social progress, improved living and working conditions, balanced trade relations and fair competition, and a reduction in economic and social disparities between the various regions of the European Economic Community². The first result of these policies and programmes was the emergence and gradual development of cross-border cooperation projects between public and private actors located mainly in areas on either side of the common borders³. Often the communities in these areas share common histories and cultures and were building their future not in "simple regions at the extreme of the sovereign territory of two or more neighbouring countries divided by jurisdictional demarcation lines", but in "areas of cultural, economic and political flows and exchanges, spaces where the development of common activities has taken place and where the type and intensity of transactions has evolved over time"⁴.

The growth of cross-border cooperation initiatives in the 1960s and 1970s, the establishment and consolidation of the European Association of Border Regions, experience exchanges and best practices, led to the inclusion of the CBC in other European initiatives. The adoption in Madrid in 1980 of the Framework Convention on Cross Border Cooperation encouraged cooperation between authorities in the border areas and allowed the development of models of collaboration between regions and municipalities whereby resources and services can be used jointly, interoperability is ensured through common standards, new transport and energy infrastructures can be built through cooperation or environmental problems and emergency situations can be managed jointly. Since the early 1990s, a number of cross-border relationships have been developed and sustained efforts have been made to facilitate political and economic exchanges with countries such as Switzerland, Norway and Central and Eastern European states, which led to the gradual dissolution of the internal borders of the European Union. This also led to changes in the EU's relations with neighbouring countries at its external borders. The process has also extended to pre-accession countries at the beginning of the 21st century, as well as to the Eastern Partnership and

¹ *Treaty of Paris establishing the Economic Coal and Steel Community (ECSC)*, art. 2 and 3, available at https://www.cvce.eu/obj/treaty_establishing_the_european_coal_and_steel_community_paris_18_april_1951-en-11a21305-941e-49d7-a171-ed5be548cd58.html. [Accessed in June 2022].

² *The Treaty of Rome establishing the European Economic Community. Summary*, available at <https://eur-lex.europa.eu/RO/legal-content/summary/treaty-of-rome-eeec.html> [Accessed in June 2022].

³ Bernard Reitel, Birte Wassenberg, Jean Peurony, "The INTERREG Experience in Bridging European Territories. A 30-Year Summary", in *European Territorial Cooperation. Theoretical and Empirical Approaches to the Process and Impacts of Cross-Border and Transnational Cooperation in Europe* Eduardo Medeiros (ed.), Springer, 2018, p. 8

⁴ Luis De Sousa, "Understanding European Cross-border Cooperation: A Framework for Analysis", in *Journal of European Integration*, vol. 35, no. 6, 2013, p. 3.

Balkan countries. Today, in a united Europe of 4 million square kilometres and more than 500 million inhabitants - 30% of whom live in NUTS II level border regions - cross-border cooperation is widespread and characterised by joint activities in all day-to-day activities, involving partners in different fields on both sides of the border and at all levels - European, national, regional and local⁵. Therefore, border regions have become a fertile ground for territorial cooperation and institutional innovation, with the degree of cross-border networking varying considerably depending on a range of economic, political, cultural, historical and geographical factors. The EEC has put the base of this cooperation through the INTERREG programme, an instrument which integrates the three types of cooperation: cross-border, interregional and transnational. Since 2007, the new concept of European territorial cooperation links CBC to the objectives of European economic, social and territorial cohesion⁶ and the creation of an institutional framework for cooperation through instruments such as the EGTC.

Evaluation studies have shown that border regions are the interface between political and administrative systems, between different cultures and socio-economic realities, and that CBC is driven at the European territorial level by public actors, operating at the interface between political-administrative systems that are historically evolved. Joachim Beck identifies two reference levels of the socio-economic and political environment in a border region: the first given by the political-administrative system; the second determined by cross-border socio-economic dynamics. At each level, CBC contributes to the effort of overcoming functional blockages between two neighbouring political-administrative systems and to solving cross-border problems⁷. In this context, the CBC connects the local and continental dimensions of governance.

Cross-border cooperation (CBC) - theoretical background

Article 2.1 of the Madrid Outline Convention defines cross-border cooperation as any "concerted action designed to strengthen and develop neighbourly relations between communities or territorial authorities dependent on two or more contracting parties, and to conclude agreements and arrangements useful for that purpose"⁸. M. Perkman, offers a more specific definition than that established in Madrid, stressing that CBC is "a more or less institutionalised collaboration between neighbouring sub-national authorities across national borders", with the following characteristics⁹: the main protagonists are always public authorities, so therefore any cross-border activity

⁵ Martin Guillermo-Ramirez, "The Added Value of European Territorial Cooperation. Drawing from Case Studies", in *European Territorial Cooperation. Theoretical and Empirical Approaches to the Process and Impacts of Cross-Border and Transnational Cooperation in Europe*. Eduardor Medeiros (ed.), Springer, 2018, p. 31

⁶ Bernard Reitel, Birte Wassenberg, Jean Peurony, *op. cit.*, p. 8.

⁷ Joachim Beck, "Open Government and Cross-Border Cooperation – Perspectives for the Context of Transnational Policy-Making in Border-Regions", in *Central and Eastern European EDem and EGov Days 2021*, Vol. 341, no. 1/March 2021, pp. 143, 145.

⁸ *European Outline Convention on Transfrontalier Co-operation between Territorial Communities or Authorities*, Madrid, 21.V.1980, p. 2.

⁹ Markus Perkman, "Cross-Border Regions in Europe", in *European Urban and Regional Studies*, Vol. 10, Issues 2/2003, p. 156.

must take place within institutionalised frameworks; CBC involves collaboration between sub-national authorities from different countries, even if these actors are not normally subjects of international law. For this reason, CBC is often based on informal or quasi-legal arrangements between the participating authorities; CBC is more concerned with practical problem-solving in various areas of daily life; CBC implies a certain permanence of cross-border contacts that will eventually lead, in time, to the creation of institutions.

Operationalising, in turn, the definition in the Framework Convention, L. Sousa identifies some of the actors involved in CBC - public or private institutions located in border regions of two (or more) countries, but also the main categories of factors contributing to cooperation (geographical, economic, cultural-identity or political). For Sousa, cooperation mechanisms are set in motion when the actors involved want to solve common problems or jointly manage resources, therefore the context in which border regions make cooperative efforts or cooperation arrangements is determined by the existence of common interests and historical memory, strong interdependence due to economic and geographical factors, or political objectives for future joint actions¹⁰.

K. Czimre equates CBC with a "process of working and acting together for a common purpose or benefit across borders of two or more countries"¹¹. From this perspective, territorial cooperation actions play an important role in European development and cohesion strategies, especially due to the implementation, since 1990, of the INTERREG programme, originally intended to prepare regions at the EU borders for economic convergence. Since 2007, the initiative has become one of the major objectives of Cohesion Policy, respectively it has been integrated into European territorial cooperation (INTERREG IV)¹². In addition to the territorial dimension, CBC is also gaining a geo-political dimension, transforming a previously fractured area into one in which local and continental dimensions of governance connect¹³.

As a tool in the creation of a homogenous and borderless European economic area¹⁴, cross-border cooperation is often used by local authorities and private actors located on either side of the border, mainly to compensate for structural disadvantages imposed by the peripheral location of the areas in which they operate and the limitations imposed by the system (legal, economic, social, linguistic, cultural, religious, etc.)¹⁵.

¹⁰ Luis De Sousa, *op.cit.*, p. 5.

¹¹ Klara DR. Czimre, *Development of cross-border regions*, University of Debrecen Press, 2013, p. 5.

¹² Eduardo Medeiros, "Introduction", in *European Territorial Cooperation. Theoretical and Empirical Approaches to the Process and Impacts of Cross-Border and Transnational Cooperation in Europe*. Eduardo Medeiros (ed.), Springer, 2018, p. 1.

¹³ Margarita Castañer, Jarosław Jańczak, Javier Martín-Uceda, "Economic Development, (A)symmetries and Local Geopolitics: A New Approach to Studying Cross-Border Cooperation in Europe", in *Eurasia Border Review*, Vol. 9, No.1/2018, p. 73.

¹⁴ Bernard Reitel, Birte Wassenberg, Jean Peyrony, "The INTERREG Experience in Bridging European Territories. A 30-Year Summary", in *European Territorial Cooperation. Theoretical and Empirical Approaches to the Process and Impacts of Cross-Border and Transnational Cooperation in Europe* Eduardo Medeiros (ed.), Springer, 2018, p. 8

¹⁵ Luis De Sousa, *op.cit.*, p. 6.

Sousa states that usual cooperation practices require the following types of commitments from the parties involved¹⁶:

- Awareness-raising cooperation, which requires the lowest level of political involvement and consists of regular visits on both sides of the border to promote cultural and trade links (twin towns are the best known examples of this type of cooperation);

- Mutual aid cooperation, which consists of a commitment between emergency services on both sides of the border to assist each other in the event of joint risk or emergency management, with cooperation being initiated on an ad hoc basis or in the framework of long-term agreements between public authorities in the vicinity of the border;

- Functional cooperation requires permanent arrangements, more resources and a high degree of involvement of regional political-administrative authorities. Joint projects, funded by INTERREG, aim to solve problems, create business opportunities, promote cultural exchanges and reduce barriers to labour mobility. Since the first cooperation programmes between the Nordic countries (Fyn-Kem, Storstrom-Ostholstein, Oresund, Aland, Kvaren-MittSkandia), permanent regional or local cross-border structures have been set up, responsible for the practical and technical aspects of programme development and management. In the case of INTERREG South-European cooperation between Greece - Italy, Corsica - Sardinia, Corsica - Tuscany, there have been attempts to create permanent structures, but these have not resulted in institutional cross-border agreements. In Western Europe, the programmes between Ireland - Wales, Rives - Manche and Kent-Nord - Pas-de-Calais) followed intermediate scenarios where arrangements were made for INTERREG management only;

- cooperation for the joint management of public resources or services, for which various European or other public funds are used. Providing joint cross-border services to people living near the common border is a difficult objective to achieve, as the strategies developed by national governments are often not in line with cross-border needs. However, the regularity and complexity of cross-border relations can lead to the institutionalisation of cooperation arrangements in the form of Euroregions or EGCTCs, structures without direct political power, limited by the powers of the regional or local authorities that built them.

On closer examination of CBC in the European area, we can observe the process character of cross-border cooperation, which started from initial forms manifested at the local level, and then, stimulated by the diversification of interventions and the coordination of local and national priorities, led to the creation of cross-border structures and regional networks, which are effective only if they follow the 3 principles identified by Guillermo - Ramirez¹⁷:

- the principle of partnership, which is expressed on two axes: a vertical one, which calls on the mechanisms of multi-level governance; a horizontal one, based on equality between actors on either side of the border;

¹⁶ *Idem*, pp. 6-7, and Martin Guillermo-Ramirez, *op.cit.*, p. 38.

¹⁷ *Idem*, pp. 32-33.

- the principle of subsidiarity, on the basis of which regional and local players take the initiative and assume responsibility for finding the most appropriate level of cooperation, with the aim of strengthening and making regional and local bodies more flexible in order to balance asymmetries or integrate into new cross-border structures;
- the principle of the lead partner responsible for project management and implementation.

Castañer, Janczak and Martín-Uceda point out that to be a sustainable process, CBC "requires additional financial and institutional support", the main argument being the much stronger divisive nature of borders, despite the willingness of local or regional actors to respect the above principles. The non-functional paradigms underpinning the European integration process have led to the removal of barriers and the creation of an area of free movement for people, goods, services and capital, but the debordering process is only visible in isolated areas and is hampered by administrative and territorial realities generated especially during the latest crises on the continent (migrant crisis or the COVID-19 pandemic). In order to fully understand the processes of cross-border cooperation and the forms in which it manifests itself, the three researchers propose a geopolitical scan of CBC, in particular the actions of the agents involved, the alliances that are formed, the projects or conflicts, in order to measure the degree of cooperation between regions. This is as big as on both sides of the border there are: flexible local administrations; resources and technical capacity to implement a large number of projects; interest in cooperation; regional potential; spatial distribution of urban centres; delegation of power at local and regional level¹⁸.

In the context of the role and functions of cross-border cooperation in the process of European integration, Joachim Beck argues that borders continue to be barriers in the daily life of regional actors, due to the fact that CBC manifests itself in a "context of inter-institutional and inter-cultural logic" generated by different national, regional or local political-administrative systems, with relations taking place on the basis of micro-diplomacy and intergovernmentalism. The result identified is that at EU level, "intense internal and external approaches to CBC have developed between border regions" thanks to the INTERREG programme and institutional cooperation instruments (e.g. EGCT). Today the EU has a capacity of more than 21,000 people permanently involved in specially created institutions and administrative partners. The institutionalisation of cross-border cooperation has not been fully successful, as the "genesis and functionality of CBC" still depends on the "willingness of states to contribute to action". For a high degree of local cooperation and the construction of cross-border regions, the last barriers to cooperation, those between the political-administrative systems of the participating states, need to be overcome. To this end, the researcher proposes the use of modern tools to involve decision-makers, citizens and other groups in the decision-making process, implementation and evaluation of government measures, in a substantial change in the existing political-administrative culture on both sides of the border. The

¹⁸ Margarita Castañer, Jarosław Jańczak, Javier Martín-Uceda, *op.cit.*, pp. 68-88.

integration of ICT into this process will increase the transparency and accountability of local administrations, promote participatory governance and involve civil society at all administrative and sectoral levels¹⁹. This will considerably improve the quality of services provided by local authorities to citizens and increase neighbours' confidence in the capacity to manage joint projects. Furthermore, Beck recommends including the principles of open government and administrative digitalization in the approach to European territorial cooperation in order to bridge the gaps between systems, promote participatory development and increase cooperation²⁰.

Research methodology and results

In order to identify the actors and the levels at which they relate to each other in the process of intensifying cross-border cooperation, which aims at the construction of cross-border regions, we have to start from studies that identify the border as the main determinant of the development of border regions. A wealth of literature defines the border as a confrontation line, but also as a catalyst for ideas and innovation. The border is also the factor that delimits political and cultural systems or transforms border regions into laboratories of the European integration process. Reitel, Wassenberg and Peurony state that one of the basic objectives of European territorial cooperation is "to create narratives in which conflicting national histories are associated with a common vision", but also that the border is still an obstacle to the implementation of many European projects²¹. Therefore, the degree of border permeability directly influences the actual impact of CBC and the degree of homogeneity/integration of cross-border regions. In addition, Guillermo-Ramirez states that if cross-border integration is understood as territorial integration, then it should be the result of a debordering process. However, this process is conditioned by the economic and social cohesion existing between border regions, more specifically by: the extent to which there is a common identity in these areas; the intensity and quality of cross-border economic contacts; the existence of a cross-border labour market; the degree of institutionalisation of CBC between local and regional authorities and their legislative capacity; the scope of the actors involved and the range of needs covered by cross-border activities; access to EU support for cooperation; the involvement of cross-border structures in the management of European support programmes for CBC²².

European territorial, economic and social cohesion is therefore directly dependent on the way in which different actors, depending on their position and on the basis of objective choices, understand how to behave and interact in the context of different levels of relationships. In this respect, Svetlana Mytryayeva distinguishes the following levels and typologies of actors²³:

¹⁹ Joachim Beck, *op.cit.*, pp. 142-145.

²⁰ *Idem*, p. 155.

²¹ Bernard Reitel, Birte Wassenberg, Jean Peurony, *op.cit.*, p. 17.

²² Martin Guillermo-Ramirez, *op.cit.*, pp. 34-38.

²³ Svetlana Mytryayeva, "Classification of Cross-Border Cooperations actors", in *Geopolitics of Ukraine: History and Modern Times*, special issue *Methodology and tools for sociological analysis of transborder cooperation*. Institute for Transfrontalier Cooperation, Uzhgorod, 2013, pp. 53-57.

1. at the international level there are two categories of non-state actors: international intergovernmental organisations - created by states, which play an important role in providing funds for cooperation (e.g. the European Union); international non-governmental organisations - created by groups of individuals, business people or other social agents (multinationals, organisations generated by national and ethnic movements, communities of specialists and experts in a particular field, religious and humanitarian organisations, terrorist groups, etc.);

2. at national level, the state has jurisdiction over a territory, has a political and administrative apparatus and has a key role in establishing and improving the legislative framework and institutional mechanisms for policy implementation, as well as in implementing national, regional and local programmes and projects;

3. at the regional level, local governments and communities themselves act as a multiplier of economic development. Also at this level, civil society contributes to cooperative efforts and the development of social interactions, through the manifestation of individual or group freedom of action.

In addition to this taxonomy and based on the drivers of cross-border cooperation identified by Luis de Sousa²⁴, at regional and local level we can add other categories of actors, namely:

- Local SME willing to expand. While large firms operate globally, have their own connections and are more directly linked to global markets and networks, SMEs benefit from the opportunities offered by the external economies of scale offered by proximity to borders;

- Local political actors, who tend to see cooperation agreements as a mechanism for accessing European funds for investment in infrastructure and business in their area of competence. They are accountable to their voters and political leaders and are challenged not to perceive the sectoral interests of their neighbours as a threat to their own interests, but rather as an opportunity for development and an increased quality of life. In the context of devolution of power to the local level, urban centres, where local and regional resources are concentrated, are structures that can shape the landscape of cross-border projects;

- Local associations, which support cooperation and involve citizens in micro and macro integration processes;

- Educational institutions, especially universities and research centres, which by their specificity are generators of knowledge and innovation, provide expertise and play an important role in many cross-border projects.

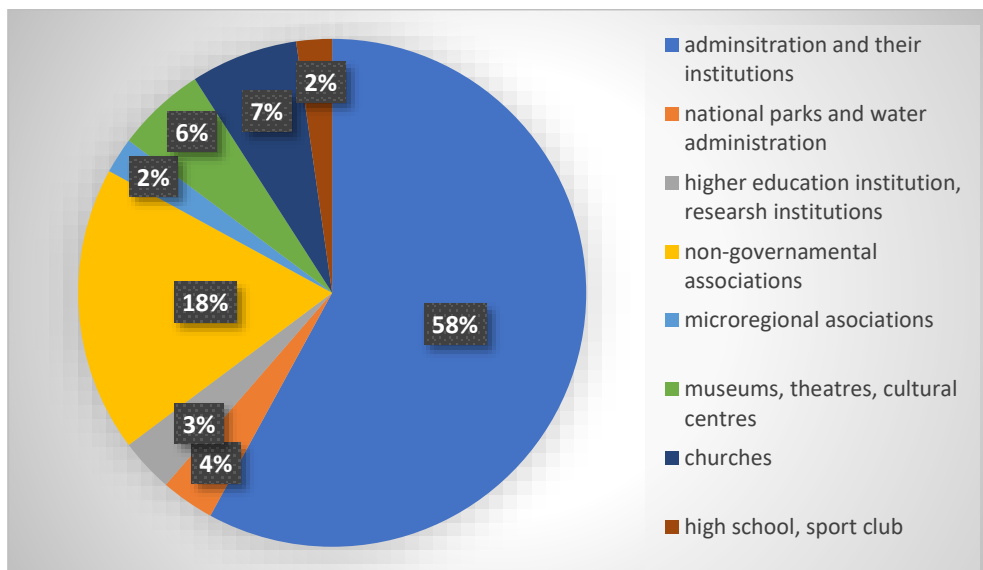
In order to have a more in-depth view of the actors involved in the cooperation processes between two regions located on either side of a land border, we will use data on projects implemented under the Interreg V-A Romania - Hungary Programme in the 2014-2020 budget year. Empirical analysis of data collected from official, public, numerical and non-numerical documents was carried out for the NUTS III territorial units Bihor and Hajdu-Bihar, neighbouring regions on the Romanian-Hungarian border, considered

²⁴ Luis De Sousa, *op.cit.*, pp. 12-14.

representative, as almost half of the funded projects were implemented jointly²⁵. The results are as follows:

1. A total of 88 beneficiaries (local and county governments, administration and their institutions; national parks administration; higher education institutions, high school, research institutions, non-governmental associations; museums, theatres, churches, microregional associations) were involved as project leader or partner in the 53 implemented projects. From Graph 1 it can be seen that most beneficiaries (51) are in the category of local governments and their institutions, 35 being local and county governments (22 from Romania and 14 from Hungary) and 16 institutions subordinated to local public authorities (12 Romanian and 4 Hungarian).

Graph no. 1. *Categories of beneficiaries (leaders/parteners) that have implemented projects in INTERREG V-A program, in Bihor and Hajdu-Bihar counties*



Source: our representation, base on cross-border projects data

The next category of beneficiaries are the 18 non-governmental organisations that implemented projects as leader (5 organisations, all from Romania) or partner (13 organisations). Most projects (3 projects with a total value of more than 1.2

²⁵ The INTERREG V-A Programme, implemented in the period 2014-2020 at the level of the Romanian - Hungarian border, had a total budget of approximately 223 million Euros, of which approximately 189 million Euros were allocated from the European Regional Development Fund (ERDF). From this budget, 109 cross-border projects were financed (on average, 2 million Euros/implemented project), of which 53 projects, worth 78 million Euros, were implemented at the level of Bihor and Hajdu-Bihar counties (an average of 1700000 Euro per project). See the overview of the Interreg V-A Program Romania – Hungary available at <https://interreg-rohu.eu/en/programme-overview/>, [Accessed on June 2022].

million Euro) were coordinated by the Association of Business Promotion in Romania, a civil organisation whose aim is to help entrepreneurs in Bihor county to increase their competitiveness and added value²⁶. The second organisation is Don Orione Beneficence Charity Society, which implemented 2 projects in the period under review for a total value of 1,257,583 Euros.

A separate category of eligible applicants are micro associations set up for joint management of resources to solve specific problems existing in the two counties. In the period 2014-2020, 3 such micro-associations (Transregio Intercommunity Development Association, Gúth-Keled Non-profit Association for Tourism and Nature Protection and Association "Service for Assistance in Special Situations" - SARTISS) implemented 3 projects (1 as leader and 2 as partner) responding to specific regional needs: Increased interconnectivity between the urban poles of Oradea and Debrecen to support sustainable urban development²⁷; risk prevention and disaster management in the Romanian-Hungarian²⁸ border area; protection and conservation of natural heritage and cross-border national parks²⁹.

From the category of higher education institutions, the University of Oradea and the University of Debrecen have developed a strong collaboration over the years through joint projects funded by various European cross-border cooperation programmes. In the budget year under review, the two universities are project leader in 2, respectively 1 project and partner in 3 (University of Oradea), respectively 1 project (University of Debrecen). Alongside the two universities, the Institute for Nuclear Research, the Hungarian Academy of Sciences and the Érmelléki Folk-High School were also partners. The implemented projects aim at: conservation and protection of endangered ecosystems in the cross-border area; improving access to health services and increasing the quality of medical interventions in emergency situations; prevention, identification and treatment of cardiovascular and gynaecological diseases at cross-border level; transfer of know-how in the field of geographical horizon in Bihor and Hajdu-Bihar counties; use of computational intelligence at the basis of financial decisions of companies.

6 representatives of different religious denominations (5 from Romania and 1 from Hungary) from the analysed area jointly implemented a project with a total value of 2.718.105,8 euro, the project leader being the Destination Management Agency. The project, which will end in February 2023, aims to use the natural and human resources of Bihor and Hajdu-Bihar to increase employment in the cultural-tourism and hospitality sector³⁰. Furthermore, 3 of the cultural institutions in Bihor

²⁶ The official site of Association of Business Promotion in Romania, available at <https://rove.ro/en/>, [Accessed on June 2022].

²⁷ The official site of TRANSBORDER Project, available at <https://www.trans-border.eu/en/project-2/>, [Accessed on June 2022].

²⁸ The official site of CRISSRISKS Project, available at <https://crossrisks.eu/en/>, [Accessed on June 2022].

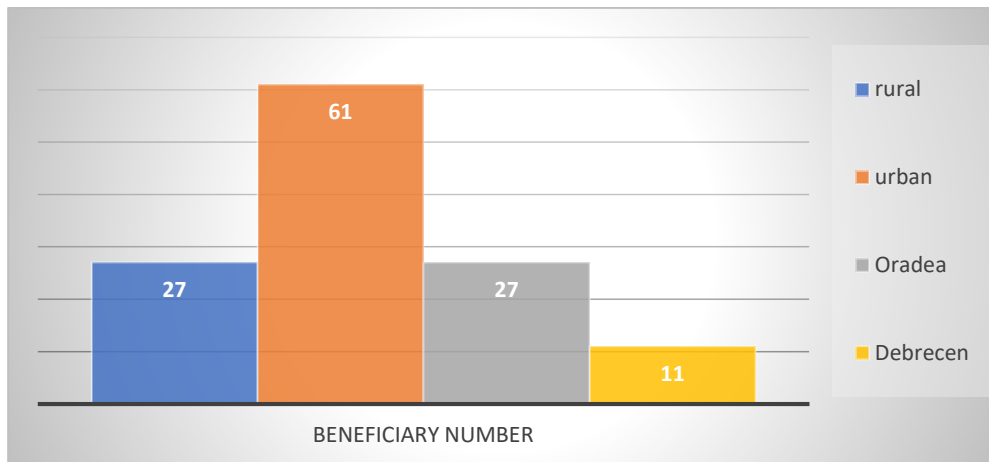
²⁹ The official site of the IRIS Project, available at <https://keep.eu/projects/20997/Joint-protection-of-cross-b-EN/>, [Accessed on June 2022].

³⁰ The official site of TOURJOB, available at <https://tourjob.eu/proiectul/>, [Accessed on June 2022].

and 2 in Hajdu-Bihar have joined forces to create a cross-border cultural and historical heritage centre and an incubator for performing arts.

Continuing the analysis and taking as an indicator the number of projects implemented by a beneficiary as a leader or partner, we can say that most beneficiaries have one project implemented (another 16 beneficiaries have implemented 2 projects, 3 have implemented 3 projects, 2 have implemented 4 projects and 4 beneficiaries have been involved in the implementation of 5 projects), which means that in the analysed area there is a quite intense cross-border cooperation that creates networks in which local actors interact and jointly implement projects to increase development indicators in the region. The fact that Oradea and Debrecen are the two poles of development in the region contributes to this, and the spatial distribution between rural and urban beneficiaries supports this statement. According to Graph 2, 69% of the beneficiaries are from urban areas and 31% from rural areas, and 21 of them are located in Oradea and 11 in Debrecen.

Graph no. 2. *Spatial distribution of rural-urban CBC actors from Bihor and Hajdu-Bihar*



Source: our representation, base on cross-border projects data

Conclusions

De Sousa includes mechanisms of interregional cooperation and interdependence in the process of European integration. This is where the first level of relationship, at which cooperation manifests itself, emerges. The EU's policy of territorial, economic and social cohesion has brought profound changes to the state borders created after WWII, as a consequence, today we are witnessing a process of debordering in which cooperation underpins cross-border relations between states³¹. The abandonment of jurisdictional control of borders is not total, as Member States can change the degree of border permeability when crisis situations arise, such as the COVID-19 pandemic. However, as long as peace is maintained or a crisis does not

³¹ Luis De Sousa, *op.cit.*, pp. 4-5.

occur, opportunities and European funds have stimulated cross-border cooperation at macro-regional level. At the same time, the researcher points out, cooperation can also be a "voluntary process in which states or sub-national territorial units act together towards a common goal without abdicate sovereignty to a supranational body"³². In this case, cooperation can also take place in a context of bilateral or multilateral relations between different EU or non-EU Member States. At regional level, arrangements have emerged between different NUTS III territorial units whereby CBC is institutionalised in the form of Euro-regions, dependent on the financial cooperation instruments provided by the EU, or in the form of new associative entities with or without legal status. In these cross-border regions, local authorities on either side of a common border act together and are not so dependent on European CBC programmes.

For each level of relationship we have actors involved in the cooperation processes. If at macro-regional level, the European Union acts as a catalyst through its policies and programmes, at national level, governments set the legislative framework, strategies, policies and programmes for national development. States are also involved in cross-border territorial agreements, traditional bilateral agreements or other multilateral arrangements. At the regional level, the typology of actors involved in CBC is very diverse. Empirical analysis of the data collected in the case study showed that, in the area studied, local administrations are strongly involved in cross-border projects, while Romanian ones are more interested in cooperation opportunities and tools to increase the welfare of their communities. Civil society, represented by NGOs and micro-associations, is also proving to be a promoter of common cross-border goals. A special category of actors are the two higher education institutions, the University of Oradea and the University of Debrecen, which have pooled their resources in research and innovation activities, transferred expertise and know-how to the regional business environment and jointly contributed to regional human capital formation. Together with them, representatives of religious cults are involved in projects to disseminate information on the regional cultural and religious heritage and to perpetuate local crafts.

The analysis of the projects implemented in Bihor and Hajdu-Bihar counties in the period 2014-2021 showed that most of the beneficiaries are located in the urban centres of the area. This phenomenon was somewhat natural to occur, due to the fact that cities concentrate most of the human and financial resources in a region. In the case of Oradea and Debrecen, the two growth poles in the study area, the long-standing cooperation between different actors allows us to call them twin cities or cross-border cities, as the definition given to the two concepts by Lukasz Wroblewski³³.

³² Idem, p. 5.

³³ Lukasz D. Wróblewski, „The integration of Border Regions in the European Union: A Model Approach”, in *Journal of Borderlands Studies*, Vol. 37, Issues 3/2022.

EU'S TERRITORIAL COHESION POLICIES AND THE IMPLICATIONS OF THE TEMPORAL DIMENSION IN POLYCENTRIC DEVELOPMENT. A BRIEF OVERVIEW

Cosmin CHIRIAC*

Abstract. *It no longer needs to be said that polycentric development has become an important topic for the European Union (EU), for quite some time already, and the speciality literature responded in kind. It is analysed at different scales, for different geographic areas, categorised, measured in different manners and analysed for its supposed benefits, yet to be proven, as far as the speciality literature seems to show¹.*

The purpose of this research is to look at polycentric development from a perspective that, at first glance, doesn't seem to have the focus in any of the existing research papers but seems important considering that we're talking about development. Development implies changes and changes take time. Thus, the focus of this research article is time and what it means for polycentric development.

To get a general idea regarding the implications of the temporal dimension in polycentric development, we'll first look at some of the most relevant research papers, to understand how and if time was analysed. Further on, the temporal dimension is considered taking into account scale, categories, geographic area and some of the quantitative and spatial methods, proposed so far, by the speciality literature.

Conclusions drawn upon this overview highlight the implications of the temporal dimension in the measurement of polycentric development and the potential outcomes in different scenarios.

Keywords: *territorial cohesion, polycentric development, temporal dimension, literature review, European Union*

Introduction

This research tries to understand what the implications of the temporal dimension are in polycentric development research. Personal experience from previous research on this topic dictates a few possible directions.

First, considering simply that we're talking about development, which is a process that extends through time, it seems obvious that the topic deserves some

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¹ Paolo Veneri and David Bungalassi, "Questioning Polycentric Development and Its Effects. Issues of Definition and Measurement for the Italian NUTS-2 Regions", in *European Planning Studies*, 2012, 20, no. 6, p. 22.

attention. Getting a clear idea of the potential development time frame or the time it took for an existing polycentric pattern to develop are topics worth investigating.

Secondly, since an area, regardless of scale, might evolve towards a polycentric pattern, theoretically, it could also evolve away from it, towards a more monocentric pattern, or other patterns identified by the speciality literature. To be more specific, this involves the stability of such patterns, and the temporal dimension can't be ignored in this scenario either.

Thirdly, polycentricity can be analysed from two or more perspectives, the most common being morphologic and functional. Morphologic polycentricity is about size and distribution while functional is about flows. Size and distribution are static attributes. Yet, to grasp them, one might look at values reflecting a certain time frame. Flows are also occurring within certain time frames. The discussion that makes sense here is whether these time frames are affecting research results in any way and what is the appropriate time frame to be used when measuring either perspective.

Fourthly, certain research methods seem to be preferred when it comes to analysing polycentricity, polycentric development, polycentric urban areas and other related research topics. However, from the point of view of the temporal dimension, it makes sense to see whether there are any research methods used to analyse the evolution of an area towards a polycentric pattern.

This paper starts by presenting the methodological approach. Then, the relation between the territorial cohesion policies of the EU and polycentric development is discussed, based on the findings of selected research papers and EU documents. A brief section is dedicated to presenting the main characteristics of *polycentricity* and use them for the speciality review. Further on, the findings of the literature review are presented and discussed, focusing on the temporal dimension. To conclude, we link our findings with the points made in the introductory section of this paper.

Methodological approach

Expanding on the structure presented in the previous paragraph, this section explains the research process employed in this paper. Most of the research is based on the analysis of speciality literature and relevant EU documents.

To understand the implications of the temporal dimensions on polycentric development and the link with the territorial cohesion policies, the research process is divided into three parts, each one included in its own separate section, presented below in the order in which they are included in the paper.

The objective of the first section is to bring clarifications concerning the relevance of *polycentric development* in relation to the *territorial cohesion* policies. Selected speciality literature papers and relevant EU documents, including the cohesion reports, are considered to understand the way the EU reflects on the progress of the territorial agenda.

The characteristics and main aspects of polycentric development are discussed in the next section. The objective here is just to provide the necessary understanding of the concept. This should clarify the criteria used to select the speciality literature included in this review and put the analysis in perspective.

Further on, an extensive speciality literature review was used to uncover if and how the temporal dimension was considered in relation to research dedicated to polycentric development.

For this part of the research, two major speciality literature databases were considered: Web of science and Scopus. There are several terms that could be used to identify research papers that address the topic of polycentric development at the level of the European Union. However, keywords such as polycentricity, polycentric urban regions, functional urban areas, on their own, don't necessarily hold any reference to the temporal dimension, even though the corresponding speciality literature still might. Nonetheless, a decision was made to limit the search only to research papers that include *polycentric development* in their title, abstract or keywords.

The search produced almost 300 results (120 from Web of science and 174 from Scopus). However, 100 of them were duplicated results. Further on, review papers were also eliminated along with non-English speciality literature, to conclude an initial clean-up process which reduced the list of research papers to be analysed to 158.

To keep the speciality literature relevant to the topic of EU territorial cohesion policies, all those papers that were not considering any EU member states were eliminated. This process cut the list in half (81 papers left), a big chunk of the eliminated studies addressing cases in China and the USA.

Further on, a more in-depth, qualitative analysis of the content of the remaining research papers was performed. First, some of the papers that simply mentioned polycentric development without actually addressing the topic were also eliminated (20 in total). In addition, attention was given to the geographical area the studies refer to and the scale of analysis. The research papers addressing the local scale (intra-urban or metropolitan) were also excluded. Even though there are EU initiatives addressing this level and urban settlements can be nodes in polycentric areas, the effect of the intra-urban scale is limited in terms of bringing territorial cohesion to the European Union. At the end of this process, a number of 43 papers were identified as relevant for further analysis, which was summarised and discussed in a separate section, including the accepted limitations of this research.

Territorial cohesion through polycentric development and the temporal dimension

The territorial perspective is an addition to the economic and social ones that were initially included in the cohesion policies of the EU. Historically, several initiatives targeted and accounted for aspects related to the territorial development of the EU, starting with European Spatial Development Perspective (ESDP) document published in 1999, the Interreg programme, the European Spatial Planning Observation Network (ESPON) programmes, as well as the Territorial Agenda documents released in 2007, 2011 and 2020. Faludi presents an account of how this short and recent history unfolded, concluding that instead of leading to a generally accepted territorial cohesion policy, it led to a better suited outcome: a “cloud of designs”².

² Andreas Faludi, ‘European History and Traditions: Revisiting the European Spatial Development Perspective’, in *The Routledge Handbook of Regional Design*, Routledge, 2021, p. 45.

The European Union and many European states included polycentric development in their policies at different scales and with various levels of importance, going back almost 20 years now³. Still, even though all member states showed interest towards polycentric development, at least to some degree, the very fact that they attribute it various levels of importance and that they apply it to various scales shows that there may be differences in the way it is understood. Still, considering how different in size EU member states are, along with other geographical factors, these differences may still make sense.

Medeiros includes *polycentrism*, expanded through various indicators used to assess morphologic polycentricity, as one of the main pillars needed to evaluate territorial cohesion, nevertheless conceding that territorial cohesion is a “political concept, subject to multiple interpretations”, which is in line with Faludi’s conclusion mentioned previously⁴. Even though there is speciality literature that sees polycentrism as a normative doctrine and polycentricity as an analytical tool⁵, Medeiros makes no mention of such differences but that doesn’t mean that polycentric development isn’t an important element of territorial cohesion. In fact, the Territorial Agenda 2020 “stress[es] that polycentric and balanced territorial development of the EU is a key element of achieving territorial cohesion”⁶.

Generally, time offers at least two viewpoints, excluding the slippery present time: a prospective and a retrospective one. Representative for a look towards the future are the policies and the programmes that the EU has implemented. The retrospective one simply implies either a static or a dynamic view of the past and the territorial cohesion reports are an expression of that.

While discussing polycentric development, the Territorial Agenda of 2007 suggests that a continuity of effort is necessary to build the infrastructure needed to develop these polycentric pattern⁷. As already mentioned, polycentric development is present once again in the Territorial Agenda of the European Union 2020, while also providing some clarifications regarding the scale to which it refers, including macro-regional, national, regional, and even cross-border levels⁸. There is less specificity when it comes to polycentric development in the Territorial Agenda of

³ B. A. S. Waterhout, W. I. L. Zonneveld, and Evert Meijers, "Polycentric Development Policies in Europe: Overview and Debate", in *Built Environment (1978-)*, 2005, p. 165.

⁴ Eduardo Medeiros, "Territorial Cohesion: An EU Concept", in *European Journal of Spatial Development*, 2016, 14, no. 1, p. 25.

⁵ For More Details See: Daniel Rauhut, "Polycentricity – One Concept Or Many?", in *European Planning Studies*, February 2017, 25, No. 2, p. 10, <https://doi.org/10.1080/09654313.2016.1276157>.

⁶ Ministers responsible for Spatial Planning and Territorial Development, "Territorial Agenda of the European Union 2020: Towards an Inclusive, Smart and Sustainable Europe of Diverse Regions. Agreed at the Informal Ministerial Meeting of Ministers Responsible for Spatial Planning and Territorial Development" (Gödöllő, Hungary, 2011), p. 6.

⁷ EU Ministers for Spatial Planning and Development, "Territorial Agenda of the European Union: Towards a More Competitive and Sustainable Europe of Diverse Regions", 2007, p. 4, http://ec.europa.eu/regional_policy/sources/policy/what/territorial-cohesion/territorial_agenda_leipzig2007.pdf.

⁸ Ministers responsible for Spatial Planning and Territorial Development, "Territorial Agenda of the European Union 2020: Towards an Inclusive, Smart and Sustainable Europe of Diverse Regions", p. 6.

the 2030, though it is mentioned in relation to employment and economic development as well as in relation to the idea of a balanced Europe⁹. As far as these agendas are concerned, there is, some continuity related to the concept of polycentric development.

The first mention of polycentric development in the cohesion reports can be traced back to the second one, from 2001, in which reference is made to the disproportionate distribution of highly skilled functions in certain urban centres¹⁰. Several intermediate and final cohesion reports lack any mention of polycentric development, or related terminology, or make irrelevant mentions to it. Polycentric development is mentioned again only in the final version of the fourth report, from 2007, in which territorial cohesion is also mentioned for the first time, along social and economic cohesion. This time a very general reference is made to the role towns should have to support polycentric development¹¹. No further mention is made to polycentric development in other cohesion reports. Still, as Faludi mentioned, *polycentric development* continued to be a part of EU initiatives, which leads us to “infer continuity of thinking”¹².

What is interesting, though, in the cohesion reports, is that they contain and discuss various statistics and indicators to reflect on the evolution of various aspects considered relevant through the cohesion policy, they don't seem to reflect directly on the evolution of polycentric development.

Worth mentioning is also the Green Paper on Territorial Cohesion which proposes a series of questions to a diversified range of actors (see details in Gareth Abrahams, 2013, p. 2147, 2148) to bring clarifications to this concept. In his analysis, Abrahams suggests that a more pragmatic take on the concept of territorial cohesion would be appropriate, which could be obtained by considering what territorial cohesion does rather than what it is (Abrahams, 2013, 2153).

Going through various academic literature and official EU documents, it becomes clear that territorial cohesion is a fluid concept, and it should stay that way. Still, it should be based on objectives that can be measured and continuously revisited and improved.

Thus, it is close to impossible to define with clarity these concepts and, perhaps, the best option is to start from their bare meaning, without any field specific add-ons, and build from there. To bring back time into the discussion, these concepts, and their ever-evolving meanings, are caught in a continuous feedback loop of policy documents, regional and other related programmes, and cohesion reports.

⁹ Ministers Responsible for Spatial Planning and Territorial Development and/or Territorial Cohesion, “Territorial Agenda 2030: A Future for All Places. Adopted at Informal Meeting of Ministers Responsible for Spatial Planning and Territorial Development and/or Territorial Cohesion”, Germany, 2020, 10, p. 16.

¹⁰ *Second Report on Economic and Social Cohesion*. COM (2001) 24 Final, 31 January 2001, EU Commission - COM Document, 2001, VIII, <http://aei.pitt.edu/39015/>.

¹¹ *Fourth Report on Economic and Social Cohesion*. COM (2007) 273 Final, 30 May 2007, EU Commission - COM Document, 2007, 52, <http://aei.pitt.edu/42153/>.

¹² Faludi, “European History and Traditions”, p. 42.

Characteristics of polycentric development

One cannot discuss the implications of the temporal dimension of polycentric development without having a minimum understanding of what polycentric development is. To this end, in this section, we're briefly discussing the various characteristics of polycentricity, without going into details, considering that, in this study, polycentric development is viewed as the process through which polycentric patterns are created. In short, the following aspects are relevant when it comes to polycentric development and affect the way we understand and discuss it.

On its own, polycentricity just means the presence of more than one centre within an area. However, a centre carries different meanings, depending on other factors that one might consider.

For example, a centre might carry different meanings when we're analysing it against various geographical areas such as the EU, a region, or a city. Obviously, *scale* is a defining factor in such instances, but also the node or centre selection criteria. Additionally, an administrative, economic and/or social perspective changes the way centres and the relations between them are considered and evaluated. Thus, the *field of study* is also of relevance.

There are, at least, two approaches to polycentricity: *morphologic*, which discusses size and distribution, and *functional*, which considers the relations between the centres. However, polycentricity can also be discussed as one of the potential settlement structures at the intra urban scale, which is outside of the scope of this paper¹³.

Throughout the rest of this paper, we're considering both morphologic and polycentric approaches. In terms of scale, we're considering anything above the (intra) urban, going up to the level of the European Union. We're not going to eliminate research based on the field of study as, in the real world, it is impossible to ignore the existing interconnections between public administration, regional and urban planning, the economy, social issues, environmental factors, to name just a few. They are all relevant and can't be ignored when we're discussing the current and future development of the EU.

Discussions regarding the polycentric development research and the temporal dimension

There are several terms associated with polycentricity, and polycentric development is one of them, along with polycentrism, polycentric urban regions and so on. They reflect, or are a reflection, of the research approach, field of study or scale and all these factors, presented in the previous section bring a certain level of uncertainty, which I have discussed previously¹⁴. One of the differences in meaning is due to scale¹⁵,

¹³ European Spatial Planning Observation Network (ESPON), "ESPON 111: Potentials for Polycentric Development in Europe", 2005, p. 152.

¹⁴ Cosmin Chiriac, *Structuri de Date Și Sistemele Teritoriale Asociative Locale: Unitatea Teritorială de Planificare Valea Crișului Repede*, Editura Universității din Oradea / Presa Universitară Clujeană. Oradea / Cluj-Napoca, 2016.

¹⁵ Waterhout, Zonneveld, and Meijers, "Polycentric Development Policies in Europe", p. 163.

but also due to cultural differences or fields of study. Some will consider the balanced distribution of economic performance as a sign of polycentricity while others will include social aspects as well. Furthermore, polycentricity, especially at national and subnational levels is linked to two objectives that, on the surface, may seem to be conflicting: cohesion and competitiveness. However, the purpose of this study is not to address this uncertainty. Rather, it is to discuss the way the temporal dimension is considered in the speciality literature that discusses polycentric development.

Considering the decisions that were made at the end of the previous section, the qualitative analysis of the speciality literature has reduced the number of relevant papers to 26. There are a few aspects that these papers were analysed against: geographical extent, scale, research methods, polycentric approach, and time frame.

Most of the scholarly papers that have been selected for a qualitative analysis focus on the national or sub-national level. Out of the studies that have a wider territorial perspective, we must mention, again, Faludi's take on the evolution of the European spatial development perspective that, however, doesn't deal with the evolution of regional urban structures but, rather, the evolution of the perspective on how the EU pursues territorial cohesion and polycentric development¹⁶. In a functional approach to polycentricity, Meijers analyses the complementarity of the division of labour through a comparative study of three different, sub-national, European areas, within a 5-year timeframe¹⁷. Only two studies deal with polycentric development in a contiguous international territory. One covers the Inner Scandinavian cross-border region, by comparing the effects of EU programmes on the territorial cohesion of the area in two different time snapshots, a decade apart¹⁸. The other, that covers the Alpine-Adriatic Euroregion, relies on previous work to understand the current configuration of the territory and to propose strategies for the future¹⁹. One more study analyses, from a morphologic perspective, the European Continental South, not a contiguous territory, but one that was considered to be lagging in terms of urban development behind the more developed North²⁰. However, the study focuses on the national level to understand the level of polycentricity of the countries, 14 years apart (2000-2014), only to find little to no change²¹.

¹⁶ Faludi, "European History and Traditions".

¹⁷ Evert Meijers, "Clones or Complements? The Division of Labour between the Main Cities of the Randstad, the Flemish Diamond and the RheinRuhr Area", in *Regional Studies*, October 2007, 41, no. 7, pp. 889–900, <https://doi.org/10.1080/00343400601120239>.

¹⁸ Eduardo Medeiros, "Territorial Cohesion Trends in Inner Scandinavia: The Role of Cross-Border Cooperation—INTERREG-A 1994–2010", in *Norsk Geografisk Tidsskrift-Norwegian Journal of Geography*, 2014, 68, no. 5, pp. 310–317.

¹⁹ Christian Seidenberger, "Polycentric Settlement Structures as a Precondition for Urban and Rural Partnership in the Alpine—Adriatic Euroregion: The CONSPACE Findings", in *DisP - The Planning Review*, January 2010, 46, no. 183, pp. 49–59, <https://doi.org/10.1080/02513625.2010.10557111>.

²⁰ Panagiotis Nikolopoulos, Andreas Gkouzos, and Athanasios Papadaskalopoulos, "Morphological Polycentricity in Southern Europe: Evidence at the National Level", in *Theoretical and Empirical Researches in Urban Management*, 2018, 13, no. 4, pp. 73–93.

²¹ Nikolopoulos, Gkouzos, and Papadaskalopoulos, p. 89.

A number of 7 studies have a purely static take on polycentric development, which include most of the studies covering Romanian territories, while the others address Swiss, Italian, and Croatian case studies²². There's also an attempt at understanding, from a functionally polycentric perspective, the economic and research environment in capital city networks in Central and Eastern Europe, in which polycentric specific research methods are applied to understand how "connected" these cities are²³.

One aspect that stands out is that most studies limit themselves to a rather short time frame, of around a decade or less. Only a limited number of studies try to understand the evolution of an area in a wider temporal perspective, which begs the question of which is the appropriate time frame to be considered to understand whether an area has evolved towards or away from a polycentric structure, no matter if we're considering a morphologic or a functional approach.

There are only a handful of studies that look at a wider time frame and most of them are related to the effects of urban structures on environmental issues. There's one study that tries to find if there's any connection between the natural and migratory balance and polycentric structures combining statistical and spatial methods²⁴.

In the introductory section we've mentioned that one potential evolution direction of a region can be towards a more monocentric pattern rather than a more polycentric one, which is what a study based on the evolution of socio-economic indicators found in the Polish Mazovia region, stretching over a little more than 10 years²⁵. Still, at national scale, the evolution might be, at the same time, different.

As already mentioned, some studies are looking to understand whether polycentric development has any effect on an area from an environmental point of view or, whether, environment specific indicators could be used to identify polycentric patterns. For example, Lanfredi et al. look at the evolution of urban structures in Italy in a 50-year time frame, linked with the evolution of desertification effects, to understand if polycentric development could be a solution to mitigate such outcomes²⁶. Another study deals with soil sealing indicators, by using statistical and

²² Amin Khiali-Miab et al., "Combining Urban Scaling and Polycentricity to Explain Socio-Economic Status of Urban Regions", in *PLOS ONE*, June 2019, 14, no. 6, e0218022, <https://doi.org/10.1371/journal.pone.0218022>; Katarina Bačić and Jelena Šišinački, "Croatia's Potential for Polycentric Development", in *Društvena Istraživanja: Časopis Za Opća Društvena Pitanja*, June 2014, 23, no. 2, pp. 327–347, <https://doi.org/10.5559/di.23.2.06>; Veneri and Burgalassi, "Questioning Polycentric Development and Its Effects. Issues of Definition and Measurement for the Italian NUTS-2 Regions".

²³ Hans Kramar and Justin Kadi, "Polycentric City Networks in Central-Eastern Europe: Existing Concepts and Empirical Findings", in *Geographia Polonica*, 2013, 86, no. 3, pp. 183-198.

²⁴ Sabato Vinci et al., "Population Growth and Urban Management in Metropolitan Regions: The Contribution of Natural Balance and Migration to Polycentric Development in Barcelona", in *Applied Spatial Analysis and Policy*, 2022, 15, no. 1, pp. 71–94.

²⁵ Jerzy Bański and K. Czapiewski, "A Vision of the Polycentric Development of the Mazovia Region in Poland", January 2015, 67, pp. 301–321.

²⁶ Maria Lanfredi et al., "One Size Does Not Fit All: A Tale of Polycentric Development and Land Degradation in Italy", in *Ecological Economics*, 2022, 192, pp. 1–9.

spatial methods, and data reflecting evolution and snapshots in time, arriving at the conclusion that an area can be both functionally polycentric and morphologically scattered²⁷. Another take on environmental related topics analyses the evolution of population density over more than one century to find relations with land degradation effects, showing that past demographic evolution explains current land degradation status²⁸ and that the application of future policies to promote various urban patterns, regardless of scale, must consider the potential effects on land degradation which can, in turn, have economic and social consequences. Polycentric patterns are also found to be a potential cause for increased car use, by the distribution of functions in various urban centres, in a Dutch case study that also compares values in two, relatively non-distant time snapshots²⁹.

There are almost no forward-looking studies that try to simulate or model potential evolutions. The only one we found simulates potential settlement development patterns in the Austrian Rhine Valley based on regional and local attractiveness patterns, based on a model built on past evolutions³⁰.

Conclusions

The literature review, even though it is limited to studies published in English, highlighted the fact that polycentric development is, usually, considered in either a static scenario, which means that those studies aim to determine polycentric patterns at a particular time, or within a short time frame. Short time frame studies usually compare data from two moments in time rather than following the evolution of the evaluated indicators in the selected time frame. Depending on the purpose of each study, such a decision might be appropriate, still, certain relevant details might be missed.

Research which involves polycentric development in wider time frames is rare and the studies that we identified are considered, mainly, in conjunction with environmental aspects.

In terms of the territorial extent, most studies reflect on national or subnational scales, research which crosses borders being also rare. Only three studies that we found examine polycentric development in an international context and only two consider contiguous territories. Even in such cases, there's limited interest in understanding evolution.

The fact that there's little history behind the promotion of polycentric development as a means to obtain territorial cohesion within the EU could be behind

²⁷ Luca Salvati and Margherita Carlucci, "The Way towards Land Consumption: Soil Sealing and Polycentric Development in Barcelona", in *Urban Studies*, 2016, 53, no. 2, pp. 418–440.

²⁸ Luca Salvati, "The Spatial Nexus between Population Growth and Land Degradation in a Dry Mediterranean Region: A Rapidly Changing Pattern?", in *International Journal of Sustainable Development & World Ecology*, 2012, 19, no. 1, pp. 81–88.

²⁹ Kees Maat and Jan Jaap Harts, "Implications of Urban Development for Travel Demand in the Netherlands", in *Transportation Research Record*, 2001, 1780, no. 1, pp. 9–16.

³⁰ Wolfgang Loibl et al., "Simulation of Polycentric Urban Growth Dynamics Through Agents: Modle Concept, Application, Result and Validation", in *Modelling Land-Use Change: Progress and Applications*, 2007, pp. 219–236.

the fact that, when evolution is taken into consideration, it is usually limited to short time frames. Another reason could be that research is still looking to understand the concept in full before it can actually analyse its evolution. Nonetheless, the implication of the temporal dimension in polycentric development studies has its merits, no matter if we're considering it in a retrospective or in a forward-looking manner and further research on the evolution of territorial patterns to support territorial cohesion is needed.

THE INVOLVEMENT OF LOCAL AUTHORITIES IN CREATING THE CITY BRAND

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Abstract: *The local actors in Oradea, through the joint actions performed during the last years, managed to position the city successfully as both tourist and business destination of Romania, relying on several competitive advantages. These advantages, on which the city's brand relies, are real, expressing the attributes and values of the urban space, and meet all the conditions necessary to contribute to the formation and dissemination of a clear, unique and differentiated image of the city. Part of the advantages are given, while others have been created, thereby adding value to the city and confirming the concern of local actors for the growth and development of the city.*

Keywords: *horizontal subsidiarity, local actors, urban strategy, place branding*

Introduction

Competition among different cities of the world is a phenomenon characteristic of the present, stimulated by the need to attract investment and tourists, which strengthens all areas of economic and social life in a city. Adequate forms of communication, aimed at attracting investors and tourists, are associated with the idea of presenting the town in a strong, attractive and differentiating way. All these can be successfully realised when the city possesses a real and valuable place brand. The process of building a city brand involves coordinated efforts from all areas within the territory: culture, education, sport, transport, environment, local administration, regional political representatives in the central structures, the business environment.

Economic competitiveness at the local level is built on several premises contained in the development policies: government efficiency, local democracy, attracting and using of European funds, and the collaboration capacity of local and regional actors. All of these fall within the principle of vertical and horizontal subsidiarity¹.

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¹ *Vertical subsidiarity* refers to the division of competences between different levels of authorities (European, national and regional). *Horizontal subsidiarity* refers to the exercise of competences at the same level of power (between the EU and the European social partners; between the state and the other actors). The result is need to choose when considering action among various bodies at different levels: the European social partners or the EU institutions; Member State governments or national social

There is a strong connection between subsidiarity and cities, as the horizontal subsidiarity process seeks the involvement and cooperation of relevant social actors for the evolution and development of urban communities (local administrations, private companies, NGOs, entrepreneurs, university experts)². In the development algorithm, the local administration is an important actor, but its role is enhanced by the cooperative relations it establishes with the other actors: civil society, business, universities and other fields. Only through the collaboration of all involved actors, development projects can be created in the interest of the community.

On the other hand, vertical subsidiarity refers to the relationship between cities and government, encouraging the independence and flexibility of local administrations from central authorities. It is this independence that ensures the role of cities as economic engines and poles of growth at national, regional and global levels.

In Romania, a state with a centralized administrative system, the horizontal subsidiarity is functional, while the vertical subsidiarity process needs improvement, which implies a real reform of the public administration and an effective decentralization process³.

What is the city brand? Why does the city need a brand?

The city brand represents an identity construct of the city, based on existing and created attributes and values, starting from its own and attracted resources, used and combined by the social actors. It is based on the competitive advantages of the area, which allow it to formulate a coherent and differentiated urban development strategy. City brand gives value and uniqueness to the city and helps it in creating and promoting a positive external image.

The city brand should always be integrated and analyzed within a broader, multidimensional context, made up of historical, economic, demographic, social, cultural and political data and characteristics. These data and characteristics include: global competition; the growth-decline dynamics of the place; the level of development in the region; the location, volume and characteristics of resources; the dimensions of the workforce and its training level; education; infrastructure; the relationship between the state and the private sector, accessibility, tourist attractions and options available for entertainment; the nature and the perceived character of people; traditions and symbols; historical conditions; the social environment and cultural features. All of these are elements that identify place brand and contribute to the building of an image – whether positive or negative – in relation to a particular place.

The real power of successful brands is that they meet the expectations of those that „buy” them (in our case – investors, tourists, students, and potential residents). Or, to put it another way, they represent a promise kept⁴. Brands that keep their promise create peoples' satisfaction and attract loyal public, offering economic and social benefits for the city.

partners; the social partners at EU or national level. (*EurWORK, European Observatory of Working Life*, <https://www.eurofound.europa.eu/observatories/eurwork/industrial-relations-dictionary/subsidiarity>)

² Grațian Mihăilescu, *Cum să modelăm orașele din România*, Casa de pariuri literare, București, 2022, p. 10.

³ Grațian Mihăilescu, *op.cit.*, p. 58.

⁴ Rita Clifton, John Simmons et al., *Brands and Branding*, The Economist - Profile Books Ltd, London, 2003, p. 18.

The construction of a city brand implies the creation of clear, simple and differentiating proposals, formulated around attributes that can easily be represented in symbolic forms, both verbally and visually, and can be easily understood by a large number of audiences⁵. In order to convey these differentiating proposals successfully and to communicate a real and positive image of the place, the brand must have the following properties⁶, relating to its capacity to:

- attract businesses and investments;
- promote the objectives of the tourism industry;
- promote public diplomacy;
- support the interests of exporting industries;
- strengthen local identity and increase self-respect.

This process involves joint efforts from all social actors within the territory: local administration, political representatives, the business environment, civil society, in the fields of culture, education, transport, sport, tourism – reflecting the process of horizontal subsidiarity.

The brand must confer value to the city, differentiate it from other competing cities and give it a specific identity. Therefore, as with any product brand, it has to rely on five pillars:

- differentiated product – the city, in our case,
- notoriety – awareness as regards the city,
- image,
- the market share – i.e. the economic power of the city in a regional, national and international context,
- the loyalty of the target audience.

To assess the ability and potential of a city to create an identity and to differentiate themselves from competitors, we can use Anholt's place branding hexagon⁷. Thus, the six crucial factors for creating a city brand are:

- Presence – expresses notoriety, reputation, status and international standing of the city and at the same time, measures the town's contribution to science, culture and governance;
- Place – reflects people's perceptions about the physical appearance of the city (quality of the climate, the environment, the attractiveness of buildings and green areas);
- Given (existing) conditions – expresses how people perceive the basic qualities of the city (if satisfactory, if accessible) and the public facilities (schools, hospitals, transport systems, sports facilities);
- People – shows if the city's residents are warm and friendly, so people outside can be easily integrated in the community, and at the same time, to feel safe
- Pulse – expresses the attractiveness of the city (interesting activities to do in their free time to discover new things, events);

⁵ Wally Olins, *Despre brand*, Comunicare.ro, București, 2006, p. 143.

⁶ Teemu Moilanen, Seppo Rainisto, *How to Brand Nations, Cities and Destinations: A Planning Book for Place Branding*, Palgrave Macmillan, Basingstoke, 2009, p. 11.

⁷ GfK Roper Public Affairs & Media, *Place Branding Research*, 2016, <http://www.gfk.com/>

- Potential – measures economic and educational opportunities in the city (how easily they can find work, if a space is suitable for business, if there is any form of higher education).

By identifying the overall goals of city branding – positive image, internal legitimacy, economic power, attractiveness, competitiveness and influence over neighboring regions – we can figure out the specific objectives, which are different, depending on the target audience they address⁸:

- for tourists: increasing the attractiveness of the city as a tourist destination;
- for business and industry: attracting domestic and foreign investment;
- for export markets: increasing exports by local industries;
- for inhabitants, residents and workers: keeping and attracting new and highly educated people, identifying and preserving local culture.

A well-conceived brand strategy can offer better efficiency for all of the city's marketing efforts, setting the guidelines for how to act and what to deliver in regard to target audiences. Thus, the branding can balance the internal identity and the external image of the place⁹. That is why the brand is one of the most important assets that a city can own, offering long term benefits not only for business or the public sector, but also for people.

The case of Oradea. Successful city branding.

The city of Oradea¹⁰ suffered for a long time the effects of the unsustainable vision of development from the communist period, having problems in adapting to the needs of the global market, where competition and efficiency are priorities. But, in recent years, the city has reacted strongly and effectively to the challenges of the global economy, which calls for innovative solutions that can only be obtained through „newly defined levels of power for cities and citizens”¹¹. That is the reason why the city was designated as an „urban development pole of regional importance”, being part of three interregional development axes¹².

Oradea is located in the North-West of Romania, on the border with Hungary. The town has been among the top performing cities in recent years, both in terms of economic growth and the number of people attracted. Here the proximity to the West can be considered an advantage, in the sense that prosperity tends to increase in the case of cities that are closer to the Western border of Romania (through which more than 70% of exports are passing)¹³.

⁸ Philip Kotler, Donald H. Haider and Irving Rein, *Marketingul locurilor*, Teora, București, 2001, pp. 28-40.

⁹ Bill Baker, *Destination Branding for Small Cities*, Creative Leap Books, Portland, 2007, p. 29.

¹⁰ The city of Oradea is among the 11 first-class urban localities in Romania, with a population of over 200.000 inhabitants and an area of over 115 square kilometers (*The Integrated Urban Development Strategy for the City of Oradea and Oradea Metropolitan Area 2021-2027*).

¹¹ Grațian Mihăilescu, *op.cit.*, p. 21.

¹² *The Integrated Urban Development Strategy for the City of Oradea and Oradea Metropolitan Area 2021-2027*, pp. 26; 31, Oradea City Hall, <https://www.oradea.ro/politici-si-strategii-ale-municipiului-oradea>

¹³ Marius Cristea, Codruța Mare et al., *Magnet cities: migration and commuting in Romania*, World Bank Group, Washington D.C, 2017, p. XIV, <http://documents.worldbank.org/curated/en/448771499322731333/OraSe-magnet-migrație-și-navetism-în-România>.

The city ranks 8th in the *Forbes Best Cities 2019* ranking¹⁴ and has also a good position in the national ranking of smart cities (8th rank), thanks to the 17 smart city projects under development, being implemented or delivered¹⁵. These top positions, which acknowledge the importance and role of the city at regional and national levels, indicate that the city's marketing and branding strategies are viable and start to generate real results.

The processes of *differentiation and positioning* are at the heart of the marketing strategy, as their primary objective is to provide the target audience with more value compared to competitors, by creating a unique set of benefits for the territory considered. In these directions, the local authorities in Oradea have managed successfully to ground their actions, create clear points of differentiation from the other competing localities and capitalize on the cross-border position of the city.

The local actors in Oradea, through the joint actions performed during the last 10 years, managed to position the city successfully as both tourist and business destination of Romania, relying on the following *competitive advantages*:

- the privileged geographical location: a border town situated in an EU (internal) border area;
- the existence of three strong industrial parks that receive foreign investment;
- developing the business environment in the IT field;
- investments in local infrastructure, performed by Oradea City Hall;
- the Art Nouveau Capital of Romania, with a history of more than 900 years - the only city in Romania that is part of the European Network of Art Nouveau Cities;
- good restaurants - five of which are included in the Gault & Millau Romania guide;
- the existence of an elegant and civilized space of aquatic fun and spa.

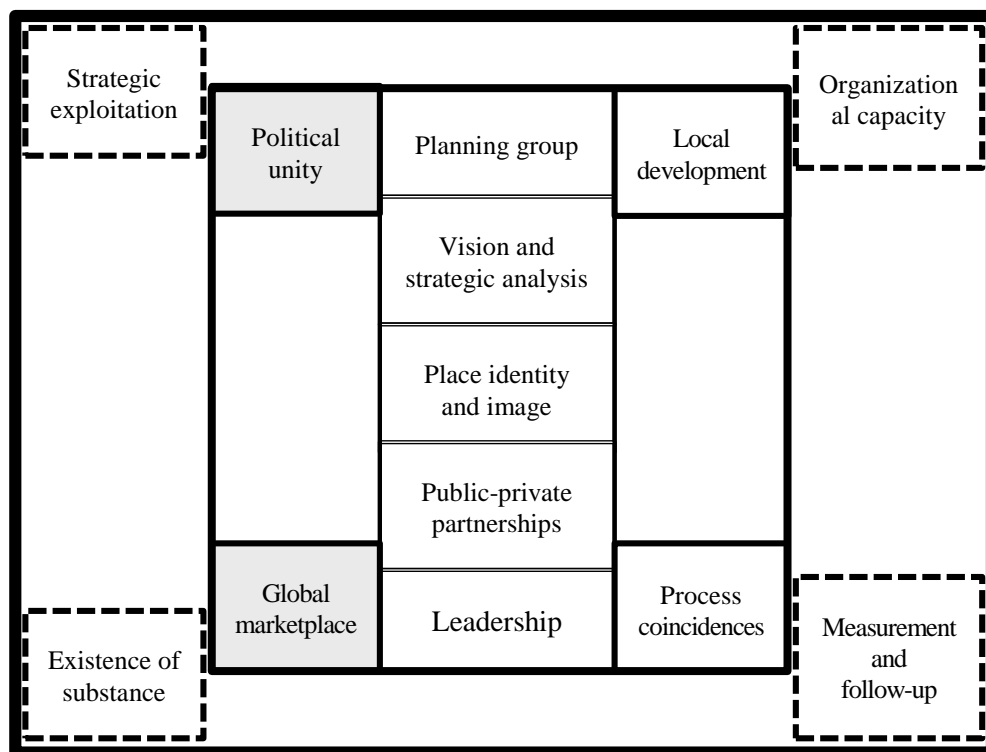
These competitive advantages, on which the city's brand relies, are real, expressing the attributes and values of the urban space, and meet all the conditions necessary to contribute to the formation and dissemination of a clear, unique and differentiated image of Oradea. In addition, it should be pointed out here that part of the advantages presented above are given (physical-geographic features, historical potential, thermal waters) while others have been created, thereby adding value to the city and confirming the concern of local actors for the growth and development of the city.

In the case of Oradea, the consistency of the urban marketing process relates to the fact that the city has succeeded in integrating a large part of the *success factors* identified by the experts: fundamental structures, side factors and capability factors.

¹⁴ Irina Pană, „Forbes Best Cities 2019, Cele Mai Bune Orașe Pentru Afaceri”, in *Forbes Romania*, June 14, 2019, <https://www.forbes.ro/articles/forbes-best-cities-2019-cele-mai-bune-orase-pentru-afaceri-lista-completa-140464>

¹⁵ *Smart City Scan for Romania*, June 2020, https://steinbeis-romania.com/wp-content/uploads/2020/07/smart-city-scan-for-romania-2020_en_final.pdf

Figure no. 1. *The matrix of success factors in place branding*



Source: Teemu Moilanen, Seppo Rainisto, *How to Brand Nations, Cities and Destinations: A Planning Book for Place Branding*, Palgrave Macmillan, Basingstoke, 2009, p. 2

As regards the **structural factors**, all the conditions that ensure the functionality and consistency of the city marketing process have also been met in Oradea.

1. There is a "planning group", made up of public and private local actors, who *coordinates all marketing and branding actions* and manages to *provide financial support for these activities*, mainly by accessing European funds. European funds are the key to the spectacular development of Oradea, the "absolute champion", at the national level, in attracting European funds¹⁶. Since 2008, the local government has accessed over 600 million EUR for urban infrastructure projects including: setting up and restoring the Union Square, building the Aquapark, renovating the Oradea Fortress, rehabilitating buildings in the historic center, completing the ring-way around the city, rehabilitating the central heating system, pedestrian areas, bike paths, building or/and rehabilitating bridges for the fluidization of road traffic, creating of green spaces, building underground passages, pedestrian areas and tramways, building Park and Ride parking, purchasing of modern public transport means (hybrid buses and

¹⁶ "Câți bani au primit anul trecut de la UE primăriile de municipii reședință și primăriile de comune", *Analize economice*, June 11, 2018, <http://www.analizeeconomice.ro/2018/06/cati-bani-au-primit-anul-trecut-de-la.html>.

trams) and projects for urban mobility. And the smart and sustainable urban development funding projects are still on the agenda of the group, as local authorities have submitted projects of over 600 million euros in the period 2021-2027¹⁷.

2. The action group is the creator and coordinator of the city's *development and marketing strategy*, following in-depth analyzes of the territory, which highlighted Oradea's strengths and weaknesses, alongside opportunities and threats from the external environment. Thus, a series of strategic documents were elaborated, reflecting the vision, the general and specific objectives and the actions envisaged for the implementation of the city's marketing strategy:

- *The Integrated Urban Development Strategy for the City of Oradea and Oradea Metropolitan Area 2021-2027*, the strategic planning document that guides the process of identifying the strategic directions of intervention and choosing the order of objectives for which resources will be allocated, with the aim of determining the progress of the urban community¹⁸.

It should be noted, in the development of the strategy, the participative-consultative component, which assumes "carrying out a permanent effort to inform and consult the community and stakeholders, to identify the objectives and common interests of the various professional, political, institutional and civic structures, leaders and even citizens and to participate in the consultative process and co-opt all of them in the effort to implement the strategy"¹⁹. Thus, first of all, the strategy belongs to local community and represents the local community, ensuring the functionality of the principle of horizontal subsidiarity.

- *The tourism marketing strategy for the Historic Center of Oradea*, whereby the authorities aim "to increase the role of the city in the local, regional, national and international tourism industry, by turning to profit its competitive factors and the existing advantages"²⁰.

- *The Cultural Strategy of Oradea*, for 2009-2013, which aims to contribute to the "transformation of the cultural life of Oradea, through the collaboration of the political and administrative decision makers with the cultural operators and those acting in the synergistic domains, in an active and qualitative experience that would meet the cultural needs of the community, in order to preserve its diversity and to ensure its social cohesion"²¹.

3. *Public-private partnerships* for city development work very well in Oradea, leading to the creation of a critical mass that has already contributed to positive

¹⁷ "Primăria Oradea are un portofoliu cu proiecte de peste 650 de milioane de euro", *Oradea City Hall*, January 20, 2022, <https://www.oradea.ro/stiri-oradea/primaria-oradea-are-un-portofoliu-cu-proiecte-de- peste-650-de-milioane-de-euro?limba=1>

¹⁸ *The Integrated Urban Development Strategy for the City of Oradea and Oradea Metropolitan Area 2021-2027*.

¹⁹ *The Integrated Urban Development Strategy for the City of Oradea and Oradea Metropolitan Area 2021-2027*.

²⁰ Oradea City Hall, *Strategia de marketing turistic – Centrul istoric Oradea (November 2008)*: 4, <http://www.oradea.ro/politici-si-strategii-ale-municipiului-oradea/strategia-de-marketing-turistic-centrul-istoric-oradea> [Accessed on June 10, 2022].

²¹ Oradea City Hall, *Strategia culturală Oradea 2009-2013 (December 2008)*: 70, <http://www.oradea.ro/politici-si-strategii-ale-municipiului-oradea/strategia-culturala> [Accessed on June 8, 2022].

results in terms of fundraising, project implementation, communication and promotion.

In Oradea, tourism is in the administration of the *Association for the Promotion of Tourism in Oradea and in the Region (APTOR-Visit Oradea)*, which functions as an organization for the management of destination. The Association includes three state entities (Oradea City Hall, Oradea Metropolitan Area and the Local Public Development Agency, whose major stakeholder is the Mayoralty of Oradea), and four private operators: the Ramada and Hilton hotels, the Lotus Shopping Center and the President Complex of Băile Felix. Each entity has one vote in decision-making. Thus, there is constant pressure from the private sector on the state.

Local authorities have a proactive attitude when as regards business activities. The positioning of Oradea, next to the Hungarian border, was turned to profit by the establishment of six industrial parks, managed by the Oradea Local Development Agency (ADLO), with Oradea Municipality being again the majority shareholder. Launched in 2008, the project provides stakeholders with land and facilities for launching the business. In 2021, the company attracted total investments of almost 30 million euros, as a result of which 9.400 jobs will be created by 2024²².

In 2020, the local administration implemented a program to boost start-ups (*Make IT Oradea*) through which technology start-ups receive financing in the amount of 50.000 euros if they have a third of the team, the company registered in Oradea and potentially turn into business. This type of program is unique in Romania because the City Hall was the one that invested in this system of start-ups²³.

All the figures and aspects presented above prove that the local actors in Oradea agree that an open attitude, pro-activity and collaboration might accelerate the pace of urban development.

4. Oradea has gained a positive *image* of a Central-European city, of a tourist and business destination of Romania, based precisely on the attributes on which the territorial brand has been shaped and continues to be built. Of course, the process of creating the *identity and the image of the city* is not completed, but there are prerequisites and valuable actions performed by the local authorities, which have led to the shaping of a particular local identity, distinguishable from that of competitors from the North-West Region and those in the neighboring country (Hungary). This image is being communicated to target audiences through effective channels and means.

The brand images of companies located in Oradea are very important for the place image as well, but these companies can also draw advantages from the positive image of the region in which they carry out their activity. For this reason, the representation of the business community is essential for the process of place branding. The international companies that opened subsidiaries in Oradea industrial parks are the best marketing agents for promoting the city in their home countries.

²² Agenția de Dezvoltare Locală Oradea SA (ADLO), *Raport de activitate pe anul 2021*, <https://www.adlo.ro/download/raport%20de%20activitate%20ADLO%202021.pdf> [Accessed on June 10, 2022].

²³ *The Integrated Urban Development Strategy*, p. 61.

5. In this context, *leadership* has emerged as the greatest challenge for the city marketing process, but local actors have taken important steps in this direction as well, both at regional and at national level. Cities using leadership to manage land resources in the marketing process are winners²⁴. Obviously, Oradea is among the winners, because it uses intelligently its unique competitive advantages to impose itself on competitors and to attract the target audience.

As regards "*side factors*", part of the conditions required have been fulfilled, while others are still to be met. *Global competition among cities* for attracting tourists, investors and human capital is intense, offering both communication opportunities to large audiences and threats from cities and regions, from an economic perspective and from the perspective of the perceived image.

The local administration of Oradea has understood that the first stage in the internationalization of a locality lies in *local development*, which involves the creation of an economically strong entity and an attractive image for target audiences in the region or in the country. In order to strengthen the competitive capacity, place branding must be integrated into the process of strategic economic development of the place and of the region in which a certain locality is included. Here, strategic alliances between medium-sized localities (such as Oradea) are necessary in order to increase the value added to all partners and enhance attractiveness for the providers of foreign capital. Oradea is marking impressive progress in this area as well: since December 2018, it has become part of the Western Alliance, a unique regional partnership consisting of four cities in the West of Romania (alongside Arad, Timisoara and Cluj), through which local governments aim to access European funds for large infrastructure projects, with impact on the whole area. The main objectives of the alliance refer to the improvement of connectivity between the four cities (speeding up the implementation of the Transylvania Highway project, supporting and accelerating the implementation of the ViaCarpathia Highway project, supporting and speeding up the Timișoara-Belgrade Highway project, developing a high-speed rail between all four cities, the joint development of airports and facilities to access them, the development of an intra-regional and interregional public transport network, increasing ecological mobility in the metropolitan area, supporting labor mobility), promotion of the European model of public policy (implementing the concept of smart city, developing and introduction of digitization and e-administration and e-citizen services in administration), and the intensification of cooperation in the fields of culture, education, health, tourism and sport²⁵. This creates the premises for increasing both

²⁴ Moilanen and Rainisto, p. 25.

²⁵ AVE - Alianța Vestului. *O inițiativă În Spiritul Declarației de la Alba Iulia*, <https://cdn.g4media.ro/wp-content/uploads/2018/12/document-initiativa-AVE-7-dec.pdf>; "Proiect unic între orașele din Vest anunțat la Urban Talks", *UrbanizeHub*, October 3, 2018, <http://urbanizehub.ro/proiect-unic-intre-orasele-din-vest-anuntat-la-urban-talks/>; "Alianța Vestului: Primarii orașelor Arad, Cluj-Napoca, Oradea și Timișoara semnează sâmbătă documentul de temelie al unui parteneriat regional unic pentru infrastructură și interconectare cu bani europeni", *caleaeuropeana.ro*, December 7, 2018, <https://www.caleaeuropeana.ro/alianta-vestului-primarii-oraselor-arad-cluj-napoca-oradea-si-timisoara-semneaza-sambata-documentul-de-temelie-al-unui-parteneriat-regional-unic-pentru-infrastructura-si-interconectare-cu-bani-euro/>.

the economic force of the area and the negotiating power of the region, which includes the four localities (with a total population of 1.5 million), in front of the central administration of Romania and the European institutions. In addition, Oradea's position next to the border also offers opportunities for collaboration with the local government of the Hungarian city of Debrecen, which leads to new directions related to alliances and cross-border projects between local or private local actors in the cities.

The greatest challenge here is the achievement of political unity, as the leaders of the main political parties in Oradea (and at national level) do not put the interests and priorities of territorial development before political interests and pride. Thus, the rivalry between the representatives of political parties in Bihor County slows down the processes of urban modernization and sometimes affects the image of the locality, especially in terms of residents' perception of urban transformation. The negative effects of these confrontations are even more visible in the county, which indirectly affects the county seat.

The "capability factors"

Organizational capacity is essential to the success of place marketing, being necessary for setting up a functional management system at local government, able to manage financial, material and human resources efficiently. In this respect, Oradea City Hall is a public authority that has implemented quality management systems and has thus facilitated socio-economic development through competitive public services, investment, quality regulations and professional human resources²⁶. All these aspects ensure the *substance* of the urban development strategy and provide favorable conditions for *the strategic exploitation* of existing or created territorial resources and for the successful implementation of place marketing.

The *communication strategy* is a key element in the process of branding a place and in that of creating and broadcasting the image of the place. The city communicates permanently, on purpose or accidentally, regardless of whether or not local actors are aware of it. It sends thousands of messages every day through actions or lack of social, economic, cultural or political action, through the products and services offered, by means of architecture, sights, events and sports teams, arts, people - with their attitudes and behaviors. All these messages, taken together, give an idea of what a city means and what it does, how it feels, what it wants and what it can offer, and that is why it is part of public diplomacy. Local decision-makers have to tone up these messages in order to build a credible, coherent and realistic picture. However, before any image campaign, local actors need to understand that their success depends on their willingness to spend money on developing new business facilities, attractions, recreation areas, and improving the quality of life and attractiveness of the region for investments, business or immigrants.

²⁶ “Primăria Oradea dă lecții de bune practici și altor primării din țară. O delegație din municipiul Roman în vizită de lucru la Oradea”, *infoOradea.ro*, December 5, 2018, https://infooradea.ro/primaria-oradea-da-lectii-de-bune-practici-si-altor-primarii-din-tara-o-delegatie-din-municipiul-roman-in-vizita-de-lucru-la-oradea/?fbclid=IwAR2QSZ2t26kPRH9pjash9vgoG-cjG1_WzX_AGGgGLlqiN2IqLEM4sEBAZQM.

In 2018, APTOR contracted the company Brandient to design a brand to promote Oradea as a tourist destination for the sum of 28,000 euros²⁷. The 2018 communication mix implied the combination of the tools set forth in a proper marketing strategy, the tools needed to succeed in communicating the benefits of the "product" and the persuasion of target audiences: advertising, promotion and public relations.

The advertising media used various media tools to create a brand territory for Oradea: local and national television, print media, outdoor display and the Internet. These actions aimed at informing the target audience about Oradea's unique realities and attributes,

The promotional actions included printing and distribution of brochures, leaflets, flyers, maps with touristic routes; updating the official tourist site; creating and maintaining of the Oradea City App tourist app; creating and distributing the City Card.

Public relations actions included infotrips and visits of travel journalists and representatives of travel agencies in the country and abroad, presence at national, regional and international tourism fairs, and event-related communication (by creating events and sponsorships of events organized by different institutions and local companies).

All the above-mentioned actions, which consistently combine all the messages and images of the city, demonstrate the existence of an integrated marketing communication strategy of the local authorities in Oradea that managed to coordinate all communication channels in order to convey a clear, consistent and coherent message about the territory and its specific attributes.

Conclusions. Oradea – a succes story created by the local actors

In order to successfully convey real and valuable proposals and communicate a positive image of the place, the city brand must demonstrate several features, such as the capacity to: attract businesses and investments; promote the goals of the tourism industry; strengthen local identity and increase self-respect. These are the specific objectives of city branding, which were fulfilled by the local actors of the city of Oradea, through the concrete actions carried out. And in Oradea, the results are visible, as confirmed by the numbers.

Thus, Oradea is the city with the highest rate of growth as regards the number of tourists from the ten largest cities in Romania. According to the calculations based on data from the National Institute of Statistics, between 2013 and 2017, the number of tourists who visited the city increased by 210%, from 106.000 to 223.000²⁸. Also, regarding 2019, compared to 2014, the number of

²⁷ *Hotărârea Consiliului Local nr. 96/2018 privind aprobarea bugetului Asociației pentru Promovarea Turismului din Oradea și Regiune și acordării sumei de 5.300.000 lei cu titlul de cotizație pentru anul 2018*, February 15, 2018, http://www.oradea.ro/fisiere/module_fisiere/29315/h96_18%20anexe.pdf (accessed October 20, 2021); "Compania Brandient va concepe, în schimbul a 28.000 euro, brandul Oradiei", *eBihoreanul*, December 3, 2018, <https://www.ebihoreanul.ro/stiri/ultima-or-31-48/compania-brandient-va-concepe-in-schimbul-a-28000-euro-brandul-oradiei-145701.html>.

²⁸ Bogdan Stanciu, Vakarcs Lorand, "Oradea, o vizită în Mitteleuropa", in *Sinteza*, August 3, 2018, http://revistasinteza.ro/oradea-o-vizita-in-mitteleuropa/?fbclid=IwARIUt_kgnlutkXIHs6qPRIWRs9rmhiCsOnD9E5j7514-eonon_nhnm2SrPk.

tourists is 76.65% higher, but compared to 2018, their number decreased by 1.08%. By comparison, in 2020, the number of tourists in the Oradea Metropolitan Area decreased by 52.52% compared to 2019, a result that can be attributed to the pandemic crisis that imposed numerous travel restrictions²⁹. In 2021, the number of tourists registered a 42% increase compared to 2020. Compared to other important destinations in Romania, Oradea remained in the top 10 tourist destinations, rising by one position, from the 8th place occupied in 2020, to the 7th place in 2021³⁰.

As for the perceived image, there are positive signals from the inhabitants of the city and the external public that outline some positive attributes needed to form a modern European metropolis identity (attractive, dynamic, good quality of life, tourist and cultural center):

- Oradea won the jury prize in the "Destination of the Year 2021" project, being considered a destination-example of good practices in management and local involvement³¹. The jury, made up of bloggers and tourism professionals, awarded a score based on 3 criteria: tourism diversity, local involvement and brand strength.
- Oradea won the title „The most beautiful city of Romania” (2018) with 13,033 votes in a poll conducted on the Facebook social network³²;
- Oradea ranked second in the ranking of the cleanest cities in Romania (2020), according to Storia.ro study, conducted in collaboration with the research agency D&D Research³³. The study analyzed citizens' perception of the level of cleanliness in the towns and neighborhoods where they live.
- Oradea was evaluated as the city with the best transport services in Romania (2020)³⁴.
- Oradea was designated as the safest city in Romania according to a study on the safety of cities and districts in Romania (2017)³⁵. The study was based on evaluations given by locals to the areas where they live.

²⁹ *The Integrated Urban Development Strategy for the City of Oradea...*, p. 65.

³⁰ “Visit Oradea: Oradea urcă în topul destinațiilor turistice din România”, February 9, 2022, <https://infooradea.ro/visit-oradea-oradea-urca-in-topul-destinatiilor-turistice-din-romania/>

³¹ “Destinația Anului 2021 și-a anunțat câștigătorii”, in *Destinația Anului*, September 6, 2021, <https://www.destinatiaanului.ro/destinatia-anului-2021-si-a-anuntat-castigatorii/>

³² Valentin Pârcălabu, “S-a votat cel mai frumos oraș din România”, in *evz.ro*, May 8, 2015, <https://evz.ro/s-a-votat-cel-mai-frumos-oras-din-romania-vezi-care-e.html>.

³³ “Studiu Storia: Brașov, Oradea și Sfântu Gheorghe, cele mai curate orașe din România”, in *storia.ro*, June 16, 2020, <http://blog.storia.ro/2017/05/24/studiu-storia-brasov-oradea-si-sfantul-gheorghe-cele-mai-curate-orase-din-romania/>.

³⁴ “Studiu storia.ro: Orașele cu cele mai bune servicii de transport din România”, *storia.ro*, June 16, 2020, <https://www.storia.ro/blog/orase-si-cartiere-din-romania/studiu-storia-ro-orasele-cu-cele-mai-bune-servicii-de-transport-din-romania>.

³⁵ “Studiu storia.ro: Orașe și cartiere din România. Oradea, cel mai sigur oraș din țară”, in *storia.ro*, January 30, 2017, <http://blog.storia.ro/2017/01/30/studiu-storia-orase-si-cartiere-din-romania-oradea-cel-mai-sigur-oras-din-tara/>.

The competitive advantage ensured by Oradea's positioning near the Hungarian border (which assures connectivity with Western Europe) is being exploited by the establishment and operation of the six industrial parks, which have attracted investors eager to take advantage of the opportunities offered by the border area. The Oradea Local Development Agency, which manages the industrial parks, has facilitated relations between investors, the local market and public institutions. This has increased the competitiveness of the area and created real foundations for improving the quality of life. This approach of the authorities confirms the perspective that "urban policies must be developed in accordance with the competitive advantages of the city"³⁶.

The Integrated Urban Development Strategy (2021-2027), formulated by local actors, represents an integrated and coherent development concept, with clearly outlined *development directions* and *strategic priorities*, which support and strengthen the power of Oradea city brand³⁷:

- increasing economic competitiveness (which involves supporting the existing business environment, encouraging projects that involve research and development with applicability in production, encouraging the development of new enterprises in the fields of intelligent specialization, supporting entrepreneurship, the modernization of farms and small local companies);
- increasing the quality of life (through the development of the public services infrastructure, the formation of human capital in accordance with the needs of local employers, the modernization and development of education infrastructure, health services, care and social protection, as well as the development of cultural infrastructure and leisure time);
- sustainable development, seen as a condition of the entire framework of development;
- increasing the connectivity of the city and the metropolitan area (which aims to increase the level of connection between the different areas of the territory and the quality of the functional links within the metropolitan area, but also with the outside);
- the development and promotion of tourism, aiming at the transformation of tourism into a significant field in the local economy;
- the development of the administrative capacity of the city and the metropolitan area, which aims not only to increase the institutional capacity of local public administrations, but also to increase their relationship, involvement, dialogue and partnership capacity.

The necessary conditions for increasing the competitiveness and the "market value" of the city have been fulfilled: local decision makers have put forward sustainable projects, with financial coverage; a metropolitan vision is present and visible; the premises for improving citizens' quality of life have been created.

³⁶ G. Mihăilescu, *op.cit.*, p. 66.

³⁷ *The Integrated Urban Development Strategy for the City of Oradea...*, pp. 176-188.

The leadership of a city is ensured when local actors understand and put into practice their strategic management, seeing the city as a "collaborative network of political leaders, corporations, civic associations, trade unions and the whole community in general"³⁸.

For all these reasons, we can state that Oradea is the perfect example of a city where business and community thrive, thanks to a solid and long-term strategy of the local authorities.

³⁸ Matei Idu, "Orașele conduc, națiunile le urmează. Cum și de ce definesc orașele acest secol", in *UrbanizeHub*, March 22, 2017.

THE IMPORTANCE AND THE VALUE OF AUTHORITY AND RESPONSIBILITY IN THE LAW ENFORCEMENT AGENCIES

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Abstract. *According to The Copenhagen Declaration, the strategies for training and mobility are essential for promoting the capacity of employment, social integration and personal development and one of the priorities of this declaration is intensifying the support for developing the competences and sectorial qualifications. Dealing professionally with the differences between the amount of theory and practice in law enforcement agencies / border police training we can say that both knowledge and experience have a real chance to develop only while being settled in a mixture that gives the community they are functioning in better results. Cadets must learn to combine theory with practice through their own actions. Geared towards the EU situation, the concept of authority and responsibility, which is anchored in training and practice, provides a better orientation towards practicability in the police / border police work. The paper argues for a comprehensive understanding of young officer duties from the perspective of training, which impacts the goal of situational awareness and integrated training. We provide the argument, that one of the important police / border police officer' duty is authority and responsibility and we focus on the specific nature of the activities for a better understanding of this context-dependent complexity.*

Keywords: *law enforcement agency; border police training; competence; integrated training; sectorial qualifications; authority; responsibility*

Introduction

The European Union and the Member States are defining their short and medium-term policies, and furthermore they set their aims in order to ensure an area of freedom, security and justice in Europe, mainly in the context of the new changes, against a background of instability in its immediate vicinity, but not only. There are more and more people choosing to come to Europe to work, to study, to

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travel, as tourists or as service providers, but some are coming in search of protection.

Integrated management of external borders is at the outmost to settle a strong and reliable common European protection system. The development of some phenomena as organized crime networks, trafficking in human beings, terrorism, fundamental rights violation, including personal data etc., are ways of destabilization the internal security of the Union. There are legislative and operational guidelines and strategies established by the European Council for the nearby future, in the area of freedom, security and justice and in order to fulfil the main objectives it is highly important to ensure better coherence between the actions of the EU and the actions of the Member States. These guidelines and strategies will also influence policies in the areas of police and border police, but there is a need of a harmonized basic and further training in police, at the European level. Towards this direction Member States together with Frontex Agency developed harmonized training manuals as Common Core Curriculum (CCC) in order to have the same learning outcomes (knowledge, skills and authority and responsibility).

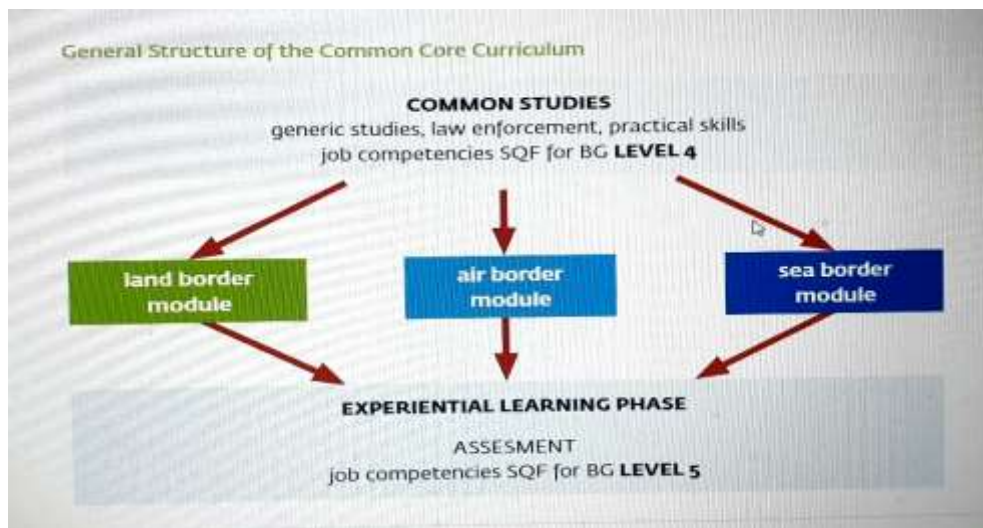
According to Bloom¹, there are three domains of educational activities, three types of learning, which were clearly identified for the first time by a committee of colleges led by Bloom. The domains are: cognitive domain (mental skills, knowledge); affective domain (growth in feelings or emotional areas, attitude); Psychomotor domain (manual or physical skills, skills). All those three domains are equally important. As Bloom's committee did not produce a compilation model for the psychomotor domain, Simpson's² compilation model was used for that purpose in this CCC.

The Common Core Curriculum for Border and Coast Guard Basic Training in the EU consists of four parts: common studies, air module, land module and sea border module. The Common studies part has three parts, which are divided into chapters and subjects. Each subject includes a description of learning outcomes in terms of knowledge, skill, authority and responsibility and competence. In each subject there are included descriptions of assessment (theoretical or practical test) and recommended learning/training methods.

¹ B. S. Bloom, M. D. Engelhart, E. J. Furst, W. H. Hill, D. R. Krathwohl, *Taxonomy of educational objectives: The classification of educational goals*, Handbook I: Cognitive domain, David McKay Company, New York, 1956.

² E. J. Simpson, *The Classification of Educational Objectives in the Psychomotor Domain*, Gryphon House, Washington, DC, 1972. See also Council of the European Union, Supplement No. 2 to the Third Edition, *European Educational Policy Statements*, Council of the European Communities General Secretariat; Luxembourg, 1993.

Figure no. 1. General structure of the CCC



Source: *Frontex, Common Core Curriculum - EU Border Guard Basic Training*, 2007, available at <https://www.statewatch.org/media/documents/news/2012/mar/frontex-ccc-training.pdf>, accessed in June 2022

The first part, *Generic studies for border and coast guard standards*, represents the foundation on which all the other components of border and coast guard basic training are built. The first issues are about the development of border control in the perspective of the EU and a common policy at EU borders, history, traditions, structure, mission and tasks of their national organisation. Psychological knowledge is provided in order to prepare the future police officers with the necessary insight into the causes of threatening and critical situations, stress and conflict, the ways in which these can be managed, with adequate values and conduct. Communication skills are seen as being very important and essential for police officers because they have to become aware of how communication principles are used to obtain and transmit information accurately and efficiently.

Frontex is underlining the fact that police officers are professionals, because they have the knowledge, skills and competencies to carry out their mission effectively, to high ethical standards, and they constantly strive for excellence to improve their performance. They are respectful and they value people, institutions and their roles and demonstrate their respect through appreciation and esteem. They pursue cooperation because together with the relevant national authorities in EU Member States and with the participation of other stakeholders, they manage the EU's external borders and seek to cooperate with countries outside the EU. Together, they cooperate and collaborate within the organization, as well as with external stakeholders, to achieve their common goals and objectives. They are responsible and they are accountable in the sense that they fulfil their responsibilities related to the work promptly and without compromising on quality. They care and as European

civil servants, they serve the interests of citizens because they care about people and believe in European values³.

In the above context the study upon authority and responsibility in the police are supporting the idea that both authority and responsibility are factors of achieving success and factors of main development towards European standards.

The updating nominated Frontex team during January and July 2022 worked both face to face and in online meetings together with the representatives from 27 countries and with the nominated national experts for analysing the content of the CCC 2017 in order to adapt it at the latest procedures and legislation. Each subject and chapter were disseminated and the content, knowledge, skills, methods of teaching etc. were revised. There is added content or deleted content according to nowadays legislation and procedures for every chapter. Representatives of the countries that agreed to implement CCC 2022 worked together and finalized the final format and the updated results. Authority and responsibility replaced the competence issue in relation with learning outcomes. CCC 2022 is presenting much more interest to authority and responsibility without focusing on attitudes. Therefore, the analysis upon the changes that the book implemented in 2022 in comparison with 2017 and 2012.

Authority and Responsibility - Factors of Achieving Success in the Work of the Police Officers

Authority, in a positive sense, is indispensable in the work of the Ministry of Internal Affairs officials. According to Cambridge dictionary, authority is "the moral or legal right or ability to control"⁴. Sociologist Max Weber distinguishes three types of authority: charismatic, traditional and legal-rational, each of which corresponds to a brand of leadership that is operative in society⁵. J. M. Bochenski, a well-known Polish author of numerous papers, states in his book, *What is authority* that "we live in the age of authority"⁶. The notion of authority is examined by Bocheński from the point of view of an analytic philosopher who is particularly interested in its social applications. He stresses that the main problem of the usage of the term 'authority' lies in its ambiguity and vagueness. And furthermore, he is saying that taking in consideration its various connotations and usages, the notion of 'authority' requires clarification.

The authority of the officials of the Ministry of Internal Affairs means that he/she has the competence to be well trained professionally, to have dignity, firmness, strength, power of influence - in a word - to determine positive actions in the specific field of work. It is obviously that the manifestation of authority must not be abstract, but concrete, in specific attributions and specific actions, so therefore

³ Regulations (EU) 2016/1624 of The European Parliament and of the Council of 14 September 2016, available at <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R1624&from=RO>, [Accessed on May 2022].

⁴ Cambridge Dictionary, on-line version, *Definition of Authority* available at <https://dictionary.cambridge.org/dictionary/english/authority>, [Accessed on May 2022].

⁵ Max Weber, *Economy and Society: An Outline of Interpretive Sociology*, edited by Guenther Roth and Claus Wittich, University of California Press, London, 1978, pp. 212-301.

⁶ Joseph M. Bochenski, *Was ist Autorität? - Einführung in die Logik der Autorität*, Herder Publishing House, Freiburg, 1974.

false authority cannot exist. The people that police officers are working with, both colleagues and the public they interact with, have to be shown authority effectively and not to be proven lack of qualities.

Authority is a social relationship that arises between the bearers of authority and the community. Depending on the sphere of social life in which authority is manifested and the specific way in which it is exercised over people, we distinguish several types of authority: economic, political, legal, spiritual, moral, professional, scientific, etc. Any social group or the society as a whole, cannot exist without the different types of authority, because in this way it would disintegrate, it would turn into something amorphous, chaotic. "The authorities are the people who have the power to make decisions and to make sure that laws are obeyed"⁷. Furthermore, "The police are the official organization that is responsible for making sure that people obey the law"⁸. The exercise of authority is in most cases related to the statutes, this being done according to the norms or rules established by the respective statute. However, authority also depends on the subjective qualities of its individual bearers; In this sense we can speak of personal authority, referring to the person, to his ascendant. The attitude that the police officer has in his specialized field is related to that of the authority that he has. The activity carried out by the police officer at work, is done on the basis of some principles that the authority assumes.

The authority principle "refers to a person's tendency to comply with people in positions of authority, such as government leaders, law-enforcement representatives, doctors, lawyers, professors, and other perceived experts in different fields"⁹. In 1829, Sir Robert Peel, the father of modern democratic policing, created the Metropolitan Police in London and he proposed the principles under which the police would become efficient in maintaining safety and security within the community, while observing the law. The nine principles still have remained at the same importance for police success even nowadays and police leaders still use and quote them frequently while taking into account policing activity. The main importance for police success there are themes as: crime prevention, community trust and engagement, reasonable force is a last resort, impartiality without any favour, never above the law, the police are the public and the public are the police, efficiency through crime prevention¹⁰.

⁷ Collins Cobuild, *Advanced Learner's Dictionary* – online edition, *Definition of Authority*, available at <https://www.collinsdictionary.com/dictionary/english/police-authority>, [Accessed on May 2022].

⁸ *Ibidem*, *Definition of Police*.

⁹ Therese Fessenden, *The Authority Principle*, February, 4, 2018, available at <https://www.nngroup.com/articles/authority-principle/>, [Accessed on May 2022].

¹⁰ The nine principles are: 1. The basic mission for which the police exist is to prevent crime and disorder; 2. The ability of the police to perform their duties is dependent upon public approval of police actions; 3. Police must secure the willing cooperation of the public in voluntary observance of the law to be able to secure and maintain the respect of the public; 4. The degree of cooperation of the public that can be secured diminishes proportionately to the necessity of the use of physical force; 5. Police seek and preserve public favor not by catering to the public opinion but by constantly demonstrating absolute impartial service to the law; 6. Police use physical force to the extent necessary to secure observance of the law or to restore order only when the exercise of persuasion, advice and warning is found to be insufficient; 7. Police, at all times, should maintain a relationship with the public that gives reality to the historic tradition that the police are the public and the public are the police; the police

The value of police authority is that he/she is accepted, understood, listened to and helped by people. The authority of the police officer is of great practical importance, being a key issue for work relations, influencing the results the organization obtained. A special role in obtaining real authority is played by the conduct of the police officer, the extent to which he/she is a personal example for all. Therefore, special instruments were issued as Code of Conduct for Law Enforcement Officials. "Law enforcement officials who comply with the provisions of this Code deserve the respect, the full support and the co-operation of the community and of the law enforcement agency in which they serve, as well as the law enforcement profession"¹¹.

Responsibility of the Border Guard / Police Officer

According to the Cambridge dictionary, responsibility is "something that it is your job or duty to deal with"¹². Ethical and philosophical inquiry on responsibility is a constant of man's theoretical concerns since antiquity, because the content of the notion of "responsibility" is the foundation of human action and relationships. In the ancient world there was no systematic analysis of the content of this concept, but fruitful and fragmentary ideas were issued. For the Chinese thinkers, the idea of responsibility meets with the idea of order (as an internal natural necessity, which governs the emergence and evolution of social phenomena). Through responsibility, individual effort can gain happiness, the rational satisfaction of material and spiritual needs. The human effort towards emancipation can only be successful when the normal moral, legal and political coordinates act together in the sphere of responsibility.

The policeman voluntarily opted for this profession. The first consequence of this option, an act of free choice, in full consciousness is responsibility. And it is no coincidence that this profession is so close to responsibility and accountability. The responsibility of the policeman expressed a high degree of civic, moral, legal conscience. Responsibility is the axis of conduct, it acts on the individual conscience with the force of a judge seated inside the staff, giving to the whole life of the respective policeman, moral intransigence, honesty and courage, fairness and humanity, authority and dignity etc.

Responsibility and accountability always make the police a winner in their field of work. Working in the police force stands out as an activity fully loaded with responsibility, the size of which is in relation to the place and importance of the hierarchical rank on which it was located. The way the police officer thinks, decides

being only members of the public who are paid to give full-time attention to duties which are incumbent on every citizen in the interests of community welfare and existence; 8. Police should always direct their action strictly towards their functions and never appear to usurp the powers of the judiciary; 9. The test of police efficiency is the absence of crime and disorder, not the visible evidence of police action in dealing with it. See Robert Peel's, *Principles of Law Enforcement 1829*, available at https://www.ottawapolice.ca/en/about-us/resources/Our-History/Principles_of_Law_Enforcement.pdf, [Accessed on May 2022].

¹¹ United Nations, Human Right, Office of the High Commissioner, *Code of Conduct for Law Enforcement Officials*, Adopted by General Assembly resolution 34/169 of 17 December 1979, available at <https://www.ohchr.org/sites/default/files/codeofconduct.pdf>, [Accessed on June 2022].

¹² Cambridge Dictionary, on-line version, *Definition of Responsibility*, available at <https://dictionary.cambridge.org/dictionary/english/responsibility>, [Accessed on May 2022].

and acts must be based on rigorous logical, ethical and legal principles and norms. According to Policy Studies Institute "there is a fundamental problem facing the police. How is the apparently insatiable demand by the public for more policing, and the public's reasonable demand that they and their property be better protected, to be satisfied, given that there will need to be continued limits on public spending and that there is concern that what the public demands in terms of extra policing is not likely to have an impact on levels of crime at all commensurate with the added cost?"¹³.

While talking about responsibility we should focus on moral, professional and legal responsibility. Moral responsibility requires, in addition to good professional training, a thorough mastery of cultural values and positive character traits such as: sincerity, frankness, fairness, closeness to people, tolerant spirit, but also intransigence, spirit of justice, incorruptibility, the ability to know the moral profile of people, the ability to appreciate people, etc. Professional responsibility in public relations involves qualities such as: the ability to organize work, orderly work style, balance, energy, endurance, firmness, consistency, technical efficiency of communication with people, etc. accompanied by thorough theoretical and professional knowledge. The quality the police officer has does not absolve the policeman from the legal responsibility in relation to the law.

Legal responsibility is based on moral responsibility. The policeman, through the specific means at his disposal, must prevent, help people in order to avoid coming into conflict with the law, with the norms of social coexistence, in society. The legal and moral responsibility of the police officer takes into account his double quality - citizen and professional in defending the citizen. In this context, Frontex Agency is updating CCC for basic training in order to support police officers' development from the professional point of view, creating an instrument of support and evaluation, from five to five years, the changes and the transformations appearing in the policing activity, at the European level. Frontex is underlining the fact that "border guards are characterized by their professionalism, honesty, impartiality, sense of responsibility, ability to work under pressure and respect of human rights"¹⁴, so therefore it is a must to update the content of the manual against the Sectorial Qualifications Framework. In addition to that the experts involved in the updating process tailored job competence descriptions for each Chapter of the book worked the new CCC 2022 which is going to be published in 2023.

Case Study. The Common Core Curriculum 2017 Updated in Accordance With Sfq Conditions For 2022

The case study refers to the fact that we analysed supplementary the authority and responsibility as being part of the learning outcomes together with knowledge

¹³ Police Foundation and Policy Studies Institute, *The Role and Responsibilities of the Police. The report of an independent inquiry established by the Police Foudation and the Policy Studies Institute*, p. xxii, available at https://www.police-foundation.org.uk/2017/wp-content/uploads/2017/06/roles_and_resp.pdf, [Accessed on May 2022].

¹⁴ Frontex, *Common Core Curriculum - EU Border Guard Basic Training*, 2007, available at <https://www.statewatch.org/media/documents/news/2012/mar/frontex-ccc-training.pdf>, [Accessed on May 2022].

and skills. Common Core Curriculum for border guards/police is a project designed for harmonizing the training for law enforcement agencies officials, for having the same basic training at the European level. The first book Common Core Curriculum for basic training appeared in 2003 and since then every five years the manual is updated with the help of experts from all the countries involved in the project.

Seville European Council decided upon elaboration of a common training tool for border guards / police. The first CCC, in 2007, was named Common Core Curriculum for Border and Coast Guard Basic Training in the EU and this is a curriculum establishing learning standards for the border guards and the coast guards at the operational level in European Union Member States. The implementation of the CCC, between 2013 - 2019 was a success and border guarding activities were harmonized under the same umbrella.

The data for updating the CCC were collected via a questionnaire addressed to national training coordinators, NFPoCs and other representatives in the border and coast guard training institutions, including Member States, Schengen Associated Countries and several non-EU countries.

The updated Common Core Curriculum for Border and Coast Guard Basic Training in the EU – 2019 is underlining the importance of an integrated approach to education and training policies at European level. It is also meeting the challenges when relating to Copenhagen Process (basic vocational border and coast guard education) and to Bologna Process (midlevel officers training). After completing the vocational training any student has access to the European higher education level, being competent to continue in Bologna Process, because of the recognized credits. All the countries involved in the project signed an agreement for implementing the book into the national training process and accepted to be evaluated according to Frontex rules and conditions, Frontex being the authority issuing the trainees certificates according to the level the achieved in assimilating the learning outcomes. Furthermore, since 2017 the book has tailored job competences for each chapter and at the end of every chapter there is a cross-reference table showing the correspondence between the job competences and the learning outcomes tailored according to SQF.

Figure no. 2. Cross reference table of job competences and learning outcomes

JC \ LO	LO 1	LO 2	LO 3	LO 4	LO 5	LO 6	LO 7	LO 8	LO 9	LO 10	LO 11	LO 12	LO 13	LO 14	LO 15	LO 16	LO 17	LO 18	LO 19	
JC 4.1	x	x				x	x	x	x				x	x					x	
JC 4.18	x	x	x	x		x		x	x	x	x	x		x				x	x	x
JC 4.39															x	x	x			x
JC 4.51	x	x	x	x		x	x	x		x	x	x								
JC 4.54	x	x				x	x	x	x	x				x	x					x
JC 4.62	x	x	x			x	x	x	x	x	x	x	x	x	x	x		x	x	x

Source: Frontex, *op. cit.*

Competence profile is assessed in accordance with sectorial qualification framework for a better understanding of the learning outcomes and for underlining the importance of practical integrated activities (see Figure no.3).

Figure no. 3. Competence profiles and Sectorial qualification framework

Competence Profiles		Sectorial Qualificat						
Level 4	Respect the fundamental rights of all persons in the context of all border guarding activities							
	Act in accordance with defined ethical and professional standards and demonstrate respect for diversity							
	Outline a defined range of national, EU and international law, policies, rules and procedures relevant to border guarding activities							
	Apply a defined range of national, EU and international law, rules and procedures relevant to specific border guarding activities							
	Apply specific procedures in relation to partnership and cooperation agreements							
	Demonstrate effective communication skills and techniques and apply them in an articulate, coherent, detailed and accurate manner, in all written and oral interactions in specific border guarding contexts							
	Gather, maintain and share accurate and relevant information/data from routine procedures whilst respecting the necessary standards of sensitivity and confidentiality, using specific information and communication channels, systems and technology							
		4.1	4.2	4.3	4.4	4.5	4.6	4.7
Generic Border Guarding								
Knowledge								
Knowledge and understanding of:								
4.1	A limited range of national, EU and international legislation, policies and procedures	x	x	x	x	x		x
4.2	Specific ethical codes, values and professional standards	x	x	x	x			x
4.3	A limited range of processes, rules and procedures for interacting with cooperative agencies and other organisations	x	x	x	x	x	x	x
4.4	Specific cultures and customs of other countries	x	x				x	

Source: *Ibidem*.

Working like that makes the evaluation process easier, precise and trustable being focused on the learning outcomes that border guards / police officers should prove at the end of their basic training. For example, the tailored job competence is numbered and assessed accordingly (see Figure no. 4).

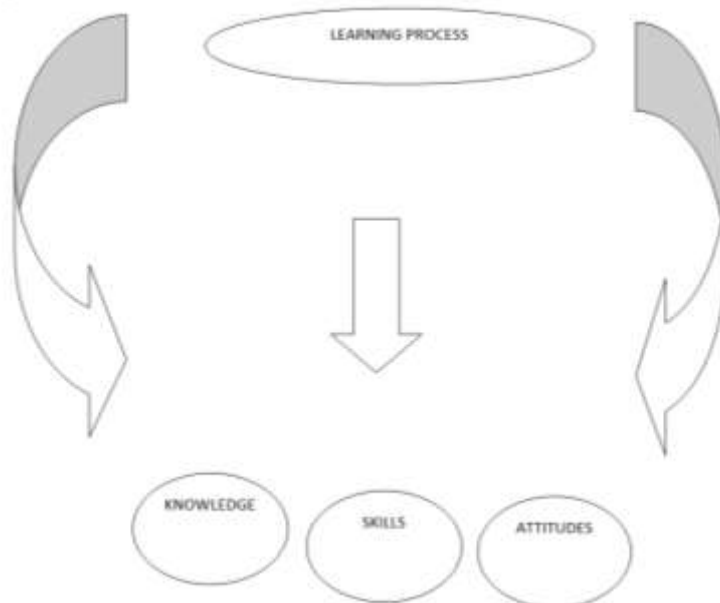
Figure no. 4. Tailored job competence descriptions for each Chapter

<p>2.3 Cross-border crime</p>	<p>Job Competences</p>	JC 4.1: Explain key national, EU and international provisions related to cross-border crimes and offences	K	4
		JC 4.54: Define specific legislation and policy relating to criminal investigation, and prosecution of cross-border crimes	K	4
		JC 4.18: Follow procedures and report as necessary in situations connected with the identification of cross-border crimes	S	4
		JC 4.39: Operate a specific range of technology and equipment, used for identification of stolen or illicit property and interpret results	S	4
		JC 4.62: Collect information related to cross-border criminality as potential intelligence to aid the prevention and detection of such activities	S	4
		JC 4.51: Recognise potential victims of trafficking in human beings and migrant smuggling and refer them to competent authorities	C	4

Source: *Ibidem*

The learning process used to be in tight connection with three categories: knowledge, skills and attitudes (see Figure no. 5).

Figure no. 5. Learning process



Source: personal representation according to Bloom taxonomy

Through the learning process a trainee could acquire knowledge, develop skills and form attitudes. According to Collins, knowledge is "the body of facts,

principles, etc. acquired through human experience and thought”¹⁵, a skill is ”the ability, coming from one’s knowledge, practice, aptitude, etc., to do something well”¹⁶ and the attitude is ”the way a person views something or tends to behave towards it, often in an evaluative way”¹⁷. Also, the competence is the ”condition or quality of being competent; ability; fitness; specific, legal capability, power, or jurisdiction”¹⁸.

Starting 2013 when Bologna and Copenhagen instruments were implemented, authority and responsibility replaces competence for different reasons, such as digitalization process, accountability, etc. In the police educational system, the attitudes were replacing with authority and responsibility. Authority and responsibility are referring to the fact that border guards / border police officers should exercise their competence on the field and should apply the law as being responsible and under the power of an authority¹⁹. For example, the students are requested “to take responsibility for referring children in need of protection and assistance to the competent child protection authorities, in accordance with national, EU and international legislation, policies and procedures”²⁰. As part of the learning outcomes, in the new CCC 2022, in order to be also assessed it was introduced, in total, 76 items²¹ belonging to authority and responsibility were created in order to

¹⁵ Collins Cobuild, *Advanced Learner’s Dictionary* – online edition, *Definition of Knowledge*, available at <https://www.collinsdictionary.com/dictionary/english/knowledge>, [Accessed on June 2022].

¹⁶ *Idem*, *Definition of skill*, available at <https://www.collinsdictionary.com/dictionary/english/skill>, [Accessed on June 2022].

¹⁷ *Idem*, *Definition of attitude*, available at <https://www.collinsdictionary.com/dictionary/english/attitude>, [Accessed on June 2022].

¹⁸ Collins Cobuild, *Advanced Learner’s Dictionary* – online edition, *Definition of Competence*, available at <https://www.collinsdictionary.com/dictionary/english/competence>, [Accessed on June 2022].

¹⁹ An authority is ”an official organization or government department that has the power to make decisions”. See *Idem*, *Definition of authority*, available at <https://www.collinsdictionary.com/dictionary/english/authority>, [Accessed on June 2022].

²⁰ Frontex, *op. cit.*

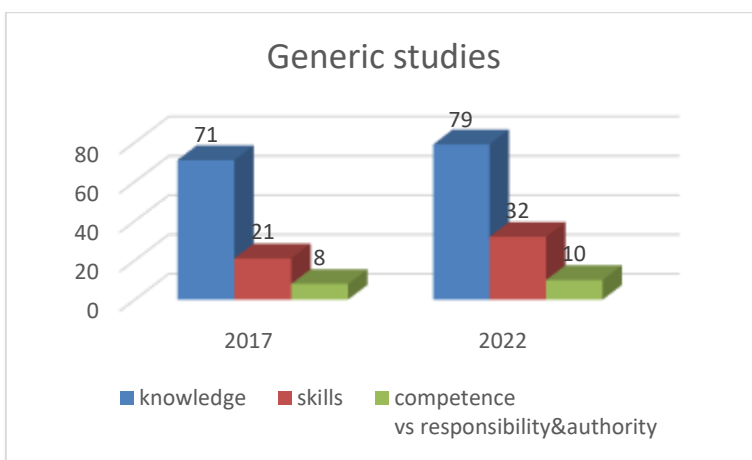
²¹ The items are as follows: influence of alcohol or drugs on behaviour (1); border and coast guard values and ethics in EU (1); fundamental rights in relation to border and coast guarding (1); access to international protection and the asylum procedure, and the principle of non-refoulement (2); identification and referral of victims of trafficking and other vulnerable groups (1); protection of children (1); monitoring and reporting on fundamental rights (1); return, readmission, refusal of entry and removal (1); trafficking in human beings and smuggling of migrants (1); interacting with a victim of crime (1); dealing with a suspect or a witness (1); interviewing techniques (1); first-line border checks (4); smart borders (1); registration of persons (1); general principles of border surveillance (1); examination of documents (1); legislation and principles of using coercive measures (1); legislation and principles in case of detention/custody and arrest (1); safety provisions regarding use of force and tactical procedures in training (1); use of force, self-defence and arrest techniques (2); physical force without equipment (1); proportionality - selecting the coercive measures and level of force in accordance with the threat (1); baton techniques (1); lachrymatory agents (spray and gas) techniques (1); handcuff techniques (1); use of border and coast guard authorised technical means (1); searching a person (body search) (1); security check (frisk) (1); transport and control techniques (1); searching buildings and open areas (1); searching a person’s belongings (1); searching means of transportation (1); tactics and techniques of intervention in special circumstances (1); emergency driving (1); pursuit driving (1); safety provisions regarding carrying, handling, using, storage and transportation of service firearms (1); safety provisions regarding service firearm in training (1); loading, unloading, assembling,

make border guards/police officers involved in the policing/border guarding activity more responsible in the decision making process, in the first line of control.

Comparing the elements of the learning outcomes we can say that the percentage is the following components in 2017 vs 2022 were according to the charts and graphs presented below.

Chart and Graph no. 1. Generic studies

Generic studies	2017		2022	
	Count	Percentage	Count	Percentage
knowledge	71	71%	79	65,2%
skills	21	21%	32	26,4%
competence	8	8%	-	-
authority and responsibility	-	-	10	8,4



disassembling and performing function/safety check of service firearms (1); usage of service firearms (1); physical training (1); basic life support and defibrillation (1); obstructed airways (1); occupational safety and health (1); infectious diseases (1); data security (1); national, EU and international databases (1); personal data protection (1); telecommunication equipment (1); profiling and risk analysis (1); profiling (1); risk analysis indicators (1); airport security and safety procedures and measures (1); emergency procedures and crisis management at air borders (1); profiling and risk analysis in the context of airport security and border surveillance at airports (1); other categories of flights (1); profiling and risk analysis for border checks at air borders (1); general aviation and other categories of flights (1); referral procedures of vulnerable persons and persons seeking international protection during air border checks (1); patrol tasks and duties in border surveillance (1); control of vehicles (1); control of trains (1); border checks at lakes and rivers (1); safety and security in the context of border check activities at the sea borders (1); border check activities at seaports (BCPs) (1); border check activities at sea (on board) (1); profiling and risk analysis for border check activities at the sea borders (1); safety and security during sea border surveillance activities (1); law enforcement tactics relevant to sea border surveillance (1); profiling and risk analysis for sea border surveillance activities (1); search and rescue tactics and techniques at the sea borders (1). See Frontex, *Common Core Curriculum: for Border and Coast Guard Basic Training in the EU*, draft for 2022 edition.

Chart and Graph no. 2. Law enforcement studies

Law enforcement studies	2017		2022	
knowledge	107	59%	133	64,5%
skills	60	33,5%	61	29,6%
competence	12	7,5%	-	-
authority and responsibility	-	-	12	5,9%



Chart and Graph no. 3. Practical skills for border and coast guard standards

Practical skills for border and coast guard	2017		2022	
knowledge	51	48,5 %	86	51,4%
skills	31	29,5%	59	35,3%
competence	23	%	-	-
authority and responsibility	-	-	22	13,3%

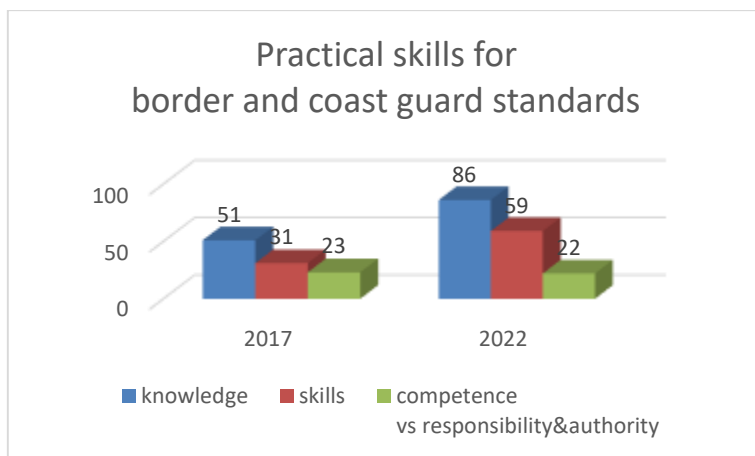


Chart and Graph no. 4. Air border module

Air border module	2017		2022	
knowledge	56	70 %	46	61,3%
skills	19	24%	23	30,6%
competence	4	6%	-	-
authority and responsibility	-	-	6	8,1%

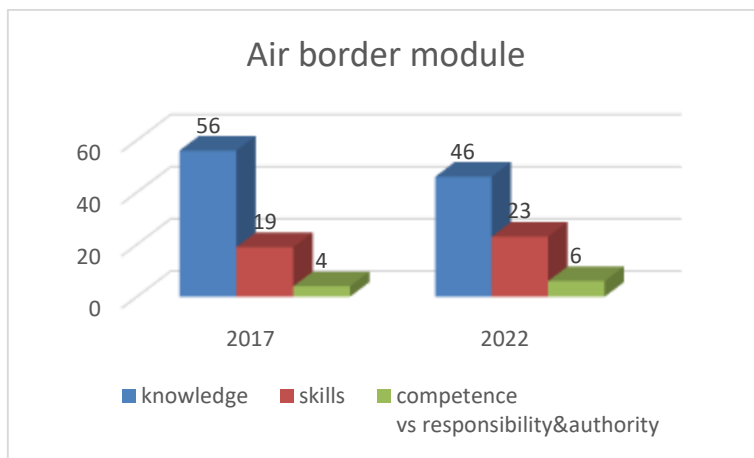


Chart and Graph no. 5. Land border module

Land border module	2017		2022	
knowledge	75	48,7 %	53	54,%
skills	69	44,8%	44	45%
competence	10	6,5%	-	-
authority and responsibility	-	-	1	1%

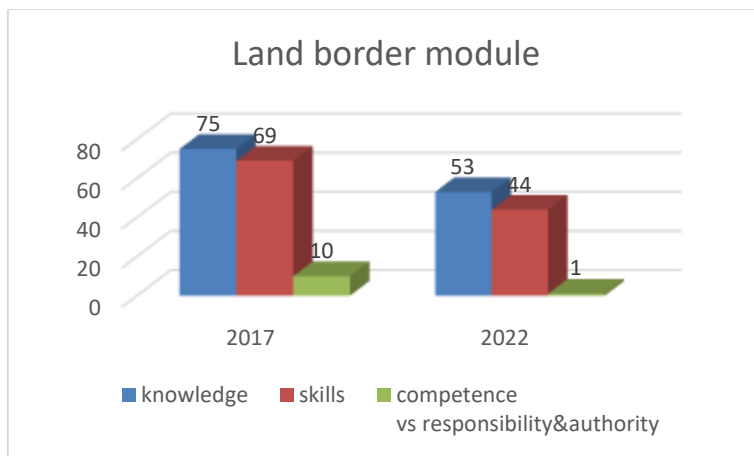
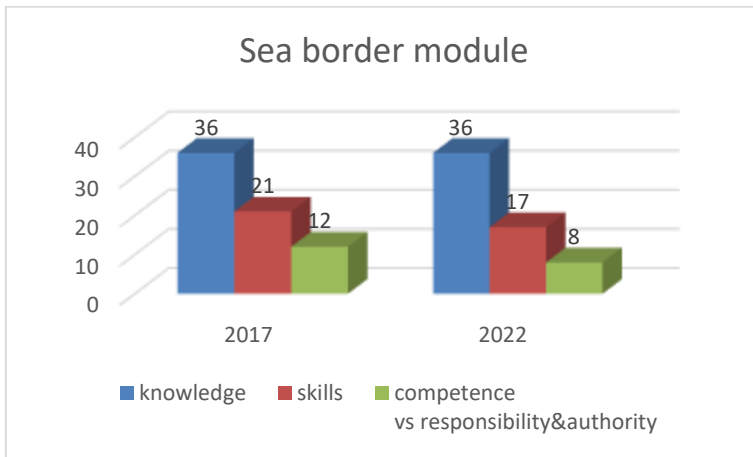


Chart and Graph no. 6. Sea border module

Land border module	2017		2022	
	knowledge	38	53,5 %	36
skills	21	29,5%	17	27,8%
competence	12	17 %	-	-
authority and responsibility	-	-	8	13,2%



The charts and graphs show the differences that the experts introduced in the new CCC 2022 for a better understanding of knowledge and a better performing of the missions both at the external borders, in front of different phenomena that post-modern society is challenging Europeans citizens but mainly at the internal ones and the agility of the law enforcement specialists that are forced to gain interoperability on the spot and update their knowledge, skills and competences aligned to the field situations. They should not be only flexible but also to perform their missions in a secure environment. Flexicurity is there to impose both the planning of the missions and also the best results that should follow the digitalization process in all the forces belonging to the Ministry of Internal Affairs in all European countries.

Conclusions

Close cooperation between national training institutions responsible for the training and education of the border and coast guards (BCG) plays vital role in maintaining harmonized and quality assured common training standards. Building upon this, we can say that the capacity and capability development within the field of education and training that aims to facilitate long term planning and to support further development of the training as foreseen in the in Article 62 of the Regulation of the European Border and Coast Guard (Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624): “The exact timing for short-term deployments from the standing corps

and for making available technical equipment co-financed under the specific actions of the Internal Security Fund or any other dedicated Union funding should be agreed between each Member State and the Agency through annual bilateral negotiations, taking into account capacity and proportionality. When requesting national contributions to the standing corps, the executive director should apply as a general rule the principles of proportionality and equal treatment of Member States with the aim of preventing situations that would substantially affect the discharge of national tasks in one Member State by requesting the deployment of the annual contributions of that Member State in one particular period of four months. Such arrangements should include the possibility for Member States to fulfil their obligations regarding deployment periods by means of non-consecutive periods. With regard to short-term deployments from the standing corps, Member States should also be able to fulfil their obligations for short-term deployment in a cumulative manner, by deploying more staff for shorter periods or by deploying the individual staff members for more than four months in accordance with the planning agreed through annual bilateral negotiations”²².

The common, harmonized training is of an utmost importance, at the European level especially for the countries that are dealing with border and coast guard issues and are both seen as a plus value and good practices. The future training of the European Border and Coast Guard standing corps (EBCG SC) depend on the way the involved countries are responding to challenges. It is duly understood that the availability of national resources depends on the operational situation and is a subject to change upon that. The CCC for EBCG is based on the description of profiles to be made available to the EBCG SC. Also, ”interoperability is a key term in the border and coast guarding community, and therefore also in this report. Interoperability here refers to human interoperability, or the ability to work responsively and effectively with others in border and coast guarding, towards a mutually agreed goal or result. Interoperability is essential when national BCG forces cooperate with each other, but it is also crucial in the everyday border and coast guarding activities within the common European goals and legal framework for border control”²³.

²² Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624

²³ Ioana Bordeianu, ”Border guards’ education development in the new European system of specific training. Interoperability gained after implementing the common core curriculum for border and coast guards at the European level”, in Florentina Chirodea, Luminița Șoproni, Constantin-Vasile Țoca, Klara Czimre (eds.), *Regional Development at the Borders of the European Union*, Muzeul Țării Crișurilor Publishing House, Oradea, 2021, p. 55-68

THE EUROPEAN EDUCATION AREA: STRATEGIC OBJECTIVES AND PRIORITIES

Cristina TULBU-FRUNZE*

Abstract: *The European Union cooperation in education and training has developed in several areas that are now well established. The best-known example is probably the Bologna Process, which led to the establishment of the European Higher Education Area. The Copenhagen Declaration gave impetus to cooperation in education and training. It was accompanied by two strategic framework agreements for European cooperation in education and training (ET2010 and ET2020).*

The review of the expiry of the second cooperation framework - ET 2020 - has shown some positive trends, as the number of young children in early education and graduates has increased. However, the number of underperforming 15-year-olds remains high, and low adult participation in learning.

The European Commission, the EU Council and the European Parliament agree that cooperation in education and training must be strengthened. The Commission outlined its vision for a European area of education in three communications, which shows that this is still ongoing. The Council, on the other hand, has approved another framework for cooperation until 2030, which aims to support the implementation of such an area. The conclusions of the Education Council of May 2021 guide how to address this issue.

The debate in the European Parliament is at an early stage, noting that, although there is agreement on the need for a European area of education and continued cooperation, the European institutions still need to take a unique approach.

In September 2020, the Commission published a Communication on the achievement of the European Education Area by 2025, with an ambitious strategy around six key dimensions (European Commission, 2020a). In February 2021, in its resolution on a strategic framework for European cooperation in education and training for the European Education Area and beyond (2021-2030), the Council welcomed the Commission's proposal (Council of the European Union, 2021). It has set several "strategic priorities" that bear some resemblance to the critical dimensions mentioned above, but with less emphasis on inclusion and the geopolitical dimension while emphasising lifelong learning and mobility.

Keywords: *European education area, strategic cooperation in education, cooperation framework agreement*

Introduction. Is the European Education Area a necessity?

Education is the foundation of personal fulfilment, the capacity for professional insertion and active and responsible citizenship. The right to education, training and lifelong learning, which must be inclusive and of high quality, is proclaimed by the European Pillar of Social Rights as its first principle. Education

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was identified in the European Council conclusions of 14 December 2017 as essential for building cohesive and inclusive societies and supporting European competitiveness, placing education and training at the heart of the European political agenda for the first time.

Education and training have a vital role in shaping Europe's future when it is imperative that society and its economy be more cohesive, more inclusive, digital, sustainable, green and resilient, and that citizens be empowered. Enjoy personal fulfilment and well-being, be prepared to adapt and function in a changing labour market, and engage in active and responsible citizenship.

The COVID-19 pandemic has put unprecedented pressure on the education and training sector and triggered a widespread shift to distance and hybrid teaching and learning. This shift has created various challenges and opportunities for education and training systems and communities, highlighting the impact of the digital divide and connectivity gaps across the Member States, as well as inequalities between different income categories and between urban and rural areas, highlighting the same time, the potential of education and training to build resilience and foster sustainable and inclusive growth.

The previous strategic framework for European cooperation in vocational education and training (ET 2020) has helped promote mutual learning in education and training - through common strategic objectives, standard reference tools and approaches, factual information and data from all European agencies. Moreover, relevant international organizations, as well as through the exchange of good practice and mutual learning between the EU Member States and other stakeholders, supported the implementation of national reforms in education and training.

An updated strategic framework for European cooperation in education and training¹ – fully respecting the principle of subsidiarity and the diversity of Member States' national education systems, as well as leveraging the results of previous frameworks - will enhance this cooperation in areas such as enhanced coordination, including political, increasing synergies between the various policies that contribute to economic and social growth and the green and digital transition, as well as enhanced communication and dissemination of results, with a more innovative and forward-looking perspective of support for education and training reforms.

Effective and efficient investment in education and training² is a prerequisite for increasing the quality and inclusiveness of education and training systems, improving education outcomes, stimulating sustainable growth, improving well-being, and building a more inclusive society. Such objectives should also be seen from a global perspective. Cooperation in education and training has gradually become an essential tool for implementing the EU's external policies based on European values, trust and autonomy. This will help make the EU an even more attractive destination and partner, both in the global talent race and in promoting

¹ [https://eur-lex.europa.eu/legal-content/ro/ALL/?uri=celex:52009XG0528\(01\)](https://eur-lex.europa.eu/legal-content/ro/ALL/?uri=celex:52009XG0528(01))

² http://publications.europa.eu/resource/cellar/e3251886-07d2-4078-bc60-4a9970733d6d.0014.02/DOC_2

strategic partnerships with international partners to provide inclusive and quality education for all, in all contexts and at all levels of education. Cooperation is crucial in achieving the Union's geopolitical priorities and the UN's 2030³, Sustainable Development Goals globally and within the EU Member States. Encouraging better coordination between the EU and the Member States will strengthen Europe's position as a critical partner in global education and help cement the links between the European education area and the rest of the world.

The premises of the European Education Area

We point out that the European Union has a long tradition of cooperating with third countries based on a package of policies and tools in which higher education plays an increasingly important role. Cooperation in higher education is prominently marked in multilateral cooperation frameworks, such as the Union for the Mediterranean, the Northern Dimension and the Eastern Partnership. Tempus, the most relevant European project for education, was launched in 1990 by European and Partner Countries. The project focuses on reforming and modernizing the higher education system in the Partner Countries of Central Europe, Central Asia, the Western Balkans and the Mediterranean Region.

The Erasmus + program has been instrumental in the widespread application of successful practices, increased cooperation for national reforms, and financial support for implementing EU-level actions, such as supporting the EU's commitment to promoting citizenship, tolerance, and non-discrimination through education. European Structural and Investment Funds have provided funding for systemic national reforms. The Structural Reform Support Program provided technical support for Member States' reforms in education and training systems. Erasmus + aimed to stimulate the personal development and career prospects of Europeans. It came to support all sectors of education and training and non-formal learning for young people, volunteering and grassroots sports, replacing several previous programs with streamlined and simplified application rules and procedures.

Together with the Member States, the Commission has taken action to realize the vision for the future of education and training by establishing a European Education Area in 2018, to which the Council responded by adopting the Council Conclusions of 22 May 2018 on moving to an Education and Council Resolution of 8 November 2019 on the further development of the European Education Area in support of future-oriented education and training systems.

The European area of education: ambitious goals versus achievable goals.

Despite the critical successes of these projects, the latest economic, climate, social, health, political and strategic changes have shown the need to adopt a new, revolutionary and unique strategy in the field of education capable of bringing about sustainable systemic transformations that would maintain the European Union's competitiveness in the world. The COVID-19 pandemic has had a

³ http://publications.europa.eu/resource/cellar/cd816632-9999-4515-8b94-bccbfe7a44a6.0021.02/DOC_3

significant impact on education and training systems in Europe. It has exposed more than 100 million Europeans, who are part of the education and training community, to new and challenging realities and ways of learning, teaching and communicating. It is essential to prevent the health crisis from becoming a structural barrier to learning and skills development that will affect young people's employment opportunities and income and equality and inclusion for society as a whole. Member States seek to cooperate at the EU level in their responses to building resilient and forward-looking education systems, laying the foundations for a European Education Area. In July 2020, the European Council approved an unprecedented recovery package to combat the effects of the COVID-19 virus on our economies and societies and promote Europe's strong recovery and the transformation and reform of our economies. In this context, investing in education, training, and practical skills will be crucial to sustaining Europe's economic and social prosperity.

In her Policy Guidelines, European Commission's President von der Leyen pledged to make the European Education Area a reality by 2025. She said, in a statement that: "Education is essential for the vitality of European society and the economy. The European Education Area aims to provide the education and training communities with the support they need to fulfil their fundamental mission in challenging and exciting times". The Commission's communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on achieving the European Education Area by 2025 is a strengthened approach. The European Education Area is closely linked to the European Union's Next Generation EU Recovery Instrument and the European Union's long-term budget for 2021-2027.

In setting the framework and taking the necessary steps for recovery and resilience, population-centred policies are vital. Education and early care, schools, vocational education and training (VET), higher education, research, adult education, and non-formal learning are essential.

By 2030, the realization and further development of the European Education Area will be the overall policy objective of the new strategic framework for European cooperation in education and training, influencing all strategic priorities and priority areas, as set out in this resolution, taking into account that the strategic framework for European cooperation in education and training will be the main instrument for supporting and implementing the European education area, contributing to its achievement and further ambitious development, through its initiatives and a shared vision, in a spirit of co-creation. Towards the European Education Area by 2025, the main objective of European cooperation in the field of education and training should be to support the further development of education and training systems in the Member States, which aim to ensure: (a) the personal, social and professional fulfilment of all citizens, while promoting democratic values, equality, social cohesion, active citizenship and intercultural dialogue; (b) sustainable economic prosperity, the green and digital transition, and employability.

Five strategic priorities set out in the strategic framework for European cooperation

Improving quality, equity, inclusion and success for all in education and training

Early exit from the education and training system, which exposes young people and adults to low socio-economic opportunities, although declining over the last decade, remains a challenge, especially if the expected consequences of the COVID-19 pandemic are taken into account.

Almost 95% of children attend pre-school education from the age of 4. This critical stage of education can now make full use of quality standards, especially for children from disadvantaged backgrounds. The share of young people leaving the education system without a higher secondary education diploma and no longer pursuing vocational training has decreased from 14% in 2009 to 10.2% in 2019, practically reaching the EU target of 10%. This achievement helps to combat the trap of reduced skills for young adults. Efforts must be continued to reduce the drop-out rate in the education and training system and to pursue the goal of a higher number of young people graduating from upper secondary education. National education and training systems have improved their performance in these areas, but there is still a need to identify policy measures that can boost educational success for all learners.

The EU has not reached its target of reducing the share of 15-year-olds with poor reading, math and science below 15% by 2020. The EU has lagged in all three areas: more than one in five 15-year-olds cannot perform simple tasks in these areas, and the results are closely correlated with socioeconomic status. In 2018, the average rate of underperformance in the EU - the percentage of students who fail basic math, science and reading exercises, according to the OECD PISA survey - was 22.5% for reading, 22.9% for mathematics and 22.3% in science. From 2009 to 2018, performance in science and reading deteriorated at the EU level, remaining stable in mathematics. In 2019, one-fifth of young people in Europe reported a lack of basic digital skills⁴. Failure to acquire these basic skills, which are necessary for further learning, creates skills gaps that have significant consequences for citizens' lives and require remedial action in adult learning⁵. Learning mobility and cross-border cooperation are strong drivers for improving the quality of education and training institutions. However, many teachers and students still face obstacles when engaging in international mobility experiences. They may not have sufficient information and guidance on learning mobility, may not be sufficiently trained in language learning, or may face accessibility challenges. There may be financial barriers, lack of portability of student support systems, lack of full recognition of learning outcomes

⁴ *Index of the digital economy and society*, 2019.

⁵ Hanushek, E.A. și Woessmann, L., *The Economic Benefits of Improving Educational Achievement in the European Union: An Update and Extension* („Beneficiile economice ale îmbunătățirii rezultatelor școlare în Uniunea Europeană: versiunea actualizată și extinsă”), European Network of Experts on Economics and Education (EENEE), Analytical Report no. 39, 2019.

and qualifications obtained during mobility, and difficulty in combining mobility with curriculum requirements, which discourages learners and teachers from exercising this freedom of movement. Supporting teachers in cultural and linguistic diversity in schools is crucial in encouraging quality education, particularly by addressing persistent shortcomings in reading skills.

Education has failed to reduce inequalities in socioeconomic status, even though the best performing education systems are those that value equity⁶. Across Europe, people's educational experiences follow social patterns. Students from disadvantaged backgrounds are overrepresented among those with preliminary results. Poor reading results and early school leaving is higher among boys than girls⁷. Rural areas are lagging, and students from migrant backgrounds perform poorly in school. The COVID-19 pandemic highlighted the importance of inclusion and equity in education and highlighted the relevance of the geographical location of students and families.

By providing quality and inclusive education and training for all, Member States can further reduce social, economic and cultural inequalities. To ensure genuinely inclusive education and equal opportunities for all learners, at all levels and for all types of education and training, achievements and training outcomes should be dissociated from social, economic and cultural status and other personal circumstances. Quality education and early care play a significant role and should be further strengthened as a basis for future educational success. All other actions aimed at broader inclusion should be encouraged, including supporting access to quality inclusive education for people with disabilities, people with specific learning needs, learners from a migrant background and others. Vulnerable groups support the return to education with a view to lifelong learning and providing opportunities for entry into the labour market through various education and training courses. Inclusive education and training also involve developing gender sensitivity in learning processes and in education and training institutions and challenging and eliminating gender stereotypes, especially those that limit boys 'and girls' choices about their chosen field of study. On average, women in the EU have higher levels of education than men and lower rates of early school leaving. However, there is a persistent gender disparity in some scientific fields of study, often those leading to better-paid jobs. Despite obtaining higher grades in digital skills in education surveys, in 2018, women accounted for 26% of students in engineering, processing and construction and only 18% in ICT studies⁸. In addition, women are still under-represented in decision-making positions in higher education. Professions traditionally dominated by men or women should be brought to the attention of the under-represented. More efforts are needed toward an appropriate gender balance in management positions in education and training institutions. Digital technologies play an essential role in

⁶ Preliminary results at EU27 are only 9.5% among students from the top quarter of the socio-economic index. However, it is 36.4% among students from the lower quarter of the socio-economic scale (PISA 2018, Joint Employment Report 2019).

⁷ <https://doi.org/10.1787/9789264229945-en>.

⁸ educ_uoe_enra03.

adapting and adapting learning environments, learning materials and teaching methods to the diversity of learners. They can promote real inclusion, provided that issues related to the digital divide, both in terms of infrastructure and digital skills, are addressed in parallel.

Transforming lifelong learning and mobility into a reality for all

Societal, technological, digital, economic and environmental challenges are increasingly affecting the way we live and work, including the distribution of jobs and the demand for skills and competencies. The high number of career transitions that an ordinary European citizen is likely to go through and raise the retirement age make lifelong learning and career guidance, including information activities, essential tools for fair transition. At the same time, levels of education and skills, including digital ones, remain a crucial factor in the labour market.

Higher education and VET systems need to be adapted to strengthen their crucial role in supporting lifelong learning and be accessible to a more diverse group of students. This requires a profound change in mentality, culture and structure. The Commission will cooperate with the Member States and plan to provide support through the Erasmus program and other EU funds and instruments. In addition, as set out in the Competence Agenda, the Commission will work toward developing a *European Approach to micro-certificates*⁹, to support the expansion of learning opportunities and strengthen the role of higher education and vocational education and training institutions in lifelong learning by providing more flexible and modular learning opportunities. They are helpful not only for professionals, but can also complement the curriculum for undergraduate, master or doctoral students. With or without a higher education degree, an increasing number of adults will need to be retrained and retrained through more flexible alternatives than a long-term education degree to bridge the gap between qualifications and skills. Legal needs and emerging skills needs in the labour market. More flexible and inclusive learning pathways have increased as the student population becomes more diverse and learning needs more dynamic. While a growing number of higher education institutions, including European universities, are already working on developing these micro-certificates, there is a lack of a standard definition and approach to their validation and recognition.

Further progress is needed in providing quality lifelong learning for all learners, including by ensuring permeability and flexibility in the various learning pathways between different forms and levels of education and training and concerning the validation of non-formal and informal learning.

On average, adult participation in learning in the EU remains low, jeopardising genuinely sustainable and equitable economic growth in the Union. Innovations in learning pathways, new educational approaches, including individual approaches, and learning environments in all educational and training institutions, including higher education institutions, as well as in the workplace and the

⁹ <https://www.edupedu.ro/comisia-europeana-prezinta-propuneri-pentru-conturile-personale-de-invatare-pe-tot-parcursul-vietii-si-micro-certificate/>

community, are a prerequisite for better meeting the needs of a greater diversity of learners, given that more and more adults will need retraining and development.

Improving skills and motivation in the teaching profession

Decision-makers at the national level and experts highlighted the potential for cooperation at the EU level to strengthen the education profession. On this basis, the Commission will launch a series of initiatives to support better the development of skills and careers of teachers, trainers, and school management and support the education profession's attractiveness.

Teachers, trainers and academic staff are at the heart of education. They play an essential role in making education a fruitful experience. Millions of teachers across Europe have had to adapt quickly to the closure of schools during the COVID-19 pandemic. They remained at the forefront of ensuring that lifelong learning continued, innovating distance learning for their isolated students. Without teachers and trainers, there can be no innovation, no inclusion and no transformative educational experiences for learners. The vision for the education profession within the European Education Area includes highly competent and motivated teachers who can benefit from several opportunities for support and professional development during their various careers.

There is a need for human resources with highly competent, enthusiastic and dedicated specialists. It starts with overcoming the shortage of teachers. Most EU countries face a shortage of teachers, either at all levels or for specific subjects such as STEM or children with special educational needs. As about a third of the teaching population will retire in the next decade, retention and regeneration require priority attention.

2019 Council Resolution on the further development of the *European area of education*¹⁰ calls on the Commission to "develop new means for the training and support of competent, motivated and highly qualified teachers, trainers, educators and school principals, and promote their continuing professional development and high-quality pedagogical education based on research"¹¹.

May 2020 Council conclusions on European teachers and trainers for the future¹² reiterates the role of teachers as critical elements of the European Education Area and calls for further support for the development of teachers' careers and skills and their well-being at all stages of their careers. The conclusions highlight the benefits of teacher mobility and the need to include mobility as part of their initial and continuing education. The conclusions also call on the Commission to support closer cooperation between teacher training providers in teachers' ongoing professional development.

Commission Communication 2020 on the achievement of the European Education Area by 2025¹³ recognizes the critical role of teachers and trainers and sets

¹⁰ <https://data.consilium.europa.eu/doc/document/ST-13298-2019-INIT/ro/pdf>.

¹¹ 8 noiembrie 2019, 13298/19

¹² <https://www.consilium.europa.eu/media/44115/st08269-en20.pdf>.

¹³ https://ec.europa.eu/education/resources-and-tools/document-library/eea-communication-sept2020_en

out the vision of having highly competent and motivated teachers who can benefit from opportunities for support and professional development throughout their various careers. It proposes a series of actions to address the challenges facing the teaching professions today, including the plan to launch Erasmus + academies for teachers.

Commission plan for action on digital education (2021-2027)¹⁴ stresses the need to ensure that all teachers and trainers have the confidence and skills to use technology effectively and creatively to engage and motivate learners and ensure that all learners develop digital skills so that they can learn, live, and work in an increasingly digitalized world.

Council Resolution on a strategic framework for European cooperation in education and training to further develop and develop the European area of education (2021-2030) addresses the potential of Erasmus + academies for teachers to facilitate networking, knowledge exchange and mobility and to provide teachers and trainers with learning opportunities at all stages of the careers of teachers and trainers.

There is a need to improve the *attractiveness* of this profession. In the EU countries participating in the OECD TALIS survey, on average, less than 20% of lower secondary school teachers considered their profession valued by society. *The ageing* of teachers is a concern, as future waves of retirement could lead to a potential shortage of teachers in a country. *Education and training monitor*¹⁵ 2019 also indicates that several European countries face *a severe shortage* of teachers, either in general or for certain subjects, such as science, or particular profiles, such as teaching for students with special needs.

According to the OECD TALIS survey, teachers still report a lack of professional development opportunities despite the wide range of continuing professional development. Despite the benefits of mobility, it is not yet effectively included in pedagogical education due to the many practical obstacles that should be removed through more coherent policies.

Erasmus + Academies for Teachers will address these issues, complement other activities carried out to achieve the Education Area, and contribute to the transfer of results to the national and regional policy-making process and, ultimately, to pedagogical education and support for educational institutions. The academies will build on and continue to build on existing innovations and effective practices in national pedagogical education and European cooperation. Special attention will be paid to the dissemination and exploitation of effective practices of all countries and pedagogical providers and to ensuring feedback and impact at the policy level¹⁶. By 2025, 25 Erasmus academies for teachers should be set up.

The European Award for Innovative Teaching is a new initiative in the Commission Communication on Achieving the European Education Area by 2025.

The award has the following objectives:

- to honour the achievements of teachers and schools and to reward their work

¹⁴ https://ec.europa.eu/education/education-in-the-eu/digital-education-action-plan_ro

¹⁵ https://ec.europa.eu/education/resources-and-tools/document-library/education-and-training-monitor-2019-executive-summary_ro

¹⁶ <https://erasmus-plus.ec.europa.eu/ro/node/64>

- identify and promote outstanding teaching and learning methods
- provide means for mutual learning
- highlight the importance of the Erasmus + program for the collaboration of teachers in Europe and the realization of the European Education Area.

Like Erasmus + Academies for Teachers, this new initiative supports teachers and trainers in their careers, promoting professional excellence, networks and communities of practice, and learning through European cooperation projects¹⁷.

Strengthening European higher education

Capacity-building projects in higher education are transnational cooperation projects based on multilateral partnerships, particularly between higher education institutions in the countries participating in the program and the eligible partner countries¹⁸.

These projects aim to provide eligible partner countries with the necessary support to:

- modernize, internationalize and further facilitate access to higher education
- address the challenges facing institutions and their higher education systems
- improve cooperation with the EU
- promote voluntary convergence with EU developments in higher education
- promote contact between citizens, awareness and intercultural understanding.

The mobility of students and staff has progressively opened up higher education and strengthened the foundations of structured cooperation. The Bologna process played a vital role in internationalization and mobility. The added value of mobility is clear: data show that an experience of studying abroad significantly helps career prospects. 80% of Erasmus + graduates are employed less than three months after graduation. However, only 5% of students can have an Erasmus + experience. Financial problems remain one of the most common causes for students not to study abroad, followed closely by concerns about recognizing learning.

With 41 European pilot universities, more than 280 EU higher education institutions are experimenting with and testing new models of more profound and ambitious cooperation. European higher education systems should aim for closer and deeper cooperation between higher education institutions, leading to joint development of the curriculum and standard curricula and allowing learners to move more easily between education systems in different countries, thus developing a pan-European talent pool, including cutting-edge science and technology such as artificial intelligence, cybersecurity and high-performance computing.

A vital necessity is also the automatic recognition of qualifications and periods of study abroad by cultivating a cross-border policy framework that allows for homogeneous transnational cooperation, allowing alliances of higher education institutions to capitalize on their strengths: typical physical and online resources, courses, expertise, data and infrastructure in different disciplines.

¹⁷ <https://education.ec.europa.eu/ro/education-levels/school-education/european-innovative-teaching-award>

¹⁸ <https://erasmus-plus.ec.europa.eu/ro/opportunities/organisations/cooperation-among-organisations-and-institutions/consolidarea-capacitatilor-in-invatamanatul-superior>

Supporting the green transition and the digital transition in and through education and training

The digital transformation and the green transition were the main pillars of the descriptions offered by the representatives of the European forums for the changes that education will go through on the continent in the next decade, according to the presentations held at the 4th European Education Summit. The two topics were also addressed by the President of the European Commission, Ursula von der Leyen, and the Head of the Committee on Culture and Education of the European Parliament, Sabine Verheyen, and both officials reached essential plans, from university strategy to the European Education Area.

In her speech, Sabine Verheyen stressed that digitalisation is a goal and a tool for improving education, which must be taken into account in all respects - from teacher training to the acute need to reduce delays—suffered by children and communities in disadvantaged backgrounds.

Furthermore, Ursula von der Leyen emphasised collaboration between the member states to adopt education for green and digital transitions, academia and the mobilisation of post-pandemic recovery plans.

Both insisted on the EU's role in supporting the Member States in this area, given that education is a sector governed mainly by rules set at a national level. However, the two officials pointed out that this supporting role is essential in the face of the reforms that the continent's education systems must go through¹⁹.

The jobs of the future require skills adapted to the double transition. The green transition requires investment in human skills to increase the number of professionals who develop and master green technologies, including digital, who develop green products, services and business models, who create innovative solutions inspired by nature and help minimize their footprint in the environment of human activities. In addition, Europe will become a climate-neutral continent, a resource-efficient society, and a circular economy only if it has an educated population and workforce that can think and act environmentally friendly. Equally, the success of a human-centred digital transition requires a radical shift in digital skills. Today, both men and women, Europeans need digital skills not only in everyday life but also in the workplace: in some occupations, more than 90% of jobs require specific types of digital competences²⁰. The pandemic and its impact on our lives and economies have highlighted the importance of digitalisation in all areas of the EU economy and society. Indeed, almost 4 out of 10 employees started working from home during measures to limit the spread of the disease²¹. In addition, 40% of newly created jobs between 2005 and 2016²² are in high-

¹⁹ <https://www.edupedu.ro/prioritatile-europene-in-educatie-pentru-urmatorul-deceniu-digitalul-tranzitia-verde-recuperarea-post-pandemie-oficiali-ai-comisiei-si-ai-parlamentului-european/>

²⁰ ICT for work: Digital Skills in the Workplace („TIC pentru muncă: competențe digitale la locul de muncă”): study carried out for the European Commission by Ecorys and the Danish Institute of Technology, 2017.

²¹ Eurofound, Living, working and COVID-19 („Viața, munca și COVID-19), April 2020.

²² OCDE (2019), *Going Digital: Shaping Policies, Improving Lives* („Digitalizarea: modelarea politicilor, îmbunătățirea calității vieții”), Editura OCDE, Paris. A se vedea: OECD Employment Outlook („Perspectivele OCDE privind ocuparea forței de muncă”), 2019: Viitorul muncii, caseta 2.1.

intensity digital sectors. However, the growing demand for digital experts cannot be met. For example, there is a shortage of qualified staff in the cybersecurity sector, where recruitment needs are 291 000 specialists²³.

The Commission launched a *Climate Education Coalition* at the end of 2020 to mobilize expertise, provide resources for networking and support creative approaches for teachers, pupils and students. In synergy with the European Climate Pact, it links bottom-up initiatives and action at the EU level, supporting concrete commitments and actions to change sustainable behaviour within the EU.

The Commission will promote the transition to a greener educational infrastructure. Education infrastructure accounts for 8% of EU countries' education and training spending. However, most schools and universities are not equipped to meet new skills and pedagogy demands or do not meet current energy standards. There is significant potential for improving green spaces in schools to encourage interaction and learning. The Commission intends to cooperate with the European Investment Bank, including through the InvestEU program²⁴, to enable the Member States to access all available resources to finance the development of digital and physical infrastructure for education and training and build the capacity needed to benefit from them.

Conclusions

The success of the European Education Area will depend on previous cooperation, a renewed commitment to the pursuit of common goals and a robust framework for achieving it, making it a reality by 2025. The European Education Area provides a perspective on the future of education and training European Union. It identifies key issues and sets out ways to follow them by the principle of subsidiarity and with full respect for Member States' competencies in education and training at the national, regional and local levels. Education and training will be crucial drivers of green and digital transition-oriented recovery. In addition, work on the European Education Area will contribute to the geopolitical position of the EU and its Member States.

²³ ENISA, *Cybersecurity skills development in the EU* (Dezvoltarea competențelor în materie de securitate cibernetică în UE), March 2020.

²⁴ Proposal for a Regulation of the European Parliament and of the Council establishing the InvestEU Program, COM(2018) 439 final.

TOWARDS A EUROPEAN EDUCATION AREA. ACTORS IN THE EDUCATIONAL DECISION-MAKING IN THE EUROPEAN UNION

Alina ȘORLEI*

Abstract: *The Fourth European Education Summit held on the 9th of December 2021 has revealed poignant challenges and trends that lie ahead the European Education in the next years. In the context of the numerous challenges brought about by the COVID-19 pandemic and the rapid change of the socio-economic context around the world, the need to come up - in united efforts - with resilient policies on education in the EU has surged. The European Education Area is an initiative of the European Commission which will build upon the resilience and inclusiveness of the education and training in the EU. Nonetheless, collaborative efforts at all levels of governance have to be made. The main purpose of this article is to examine how participation of different actors in the field of Education can be made in a meaningful way, so as they shape and contribute to the achievement of the European Education Area through influencing/strengthening the decision-making process in the EU. The article is firstly mapping the challenges and trends pointed out in the Fourth European Education Summit and other institutional official sources. The following part of the article will focus on the European Education Area as a driver of change in the policies of the EU Education and Training Area. Through the use of quantitative and qualitative analysis, the next section will focus on ways of meaningful multi-level collaboration among different actors involved in the EU decision-making process on Education, in order to contribute efficiently to it. The last part will bring to the fore a case study on NGOs as a means of strengthening the EU decision-making process on Education. It turns out that in challenging times, it is important to work together in order to transform challenges into opportunities.*

Keywords: *educational policy, challenges, European Education Area, actors, decision-making process.*

Introduction

The education sector has started to gain more and more momentum in the last years, in the European Union. The European Cultural Foundation, which developed the project entitled “Education for the 21st Century”, in 1967, argued that, at the time, very little was spent on education and educational research was completely abandoned, when compared to other important industrial societies such as the United States. There was a common feeling that education was neglected by

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the nations¹. According to a current Eurostat analysis, the total government expenditure on education is 5% of GDP in the EU, with the last three countries scoring as low as Bulgaria 4%, Romania 3.7% and Ireland 3.1% of GDP². During the European Education Summit, European Investment Bank representative, Ms Lyliana Pavlova issues the warning that in the wake of the pandemic, governments' investments are channeled to more urgent matters, rather than education, which could pose serious consequences for the future³.

Finding solutions for more resilient education systems in a post-COVID-19 era, reducing inequalities in education, incorporating new ways to learn in line with the green and digital priorities of the European Commission, demographic and economic changes are just a few of these challenges. Country specific issues do exist as well; they need a personalized approach, but working together, sharing best practices and a clear holistic vision in shaping the future of Education in Europe must be the priority, as outlined by the Council of the European Union⁴.

Education is under the sovereignty of each Member State in the European Union. Still, it is undeniable that it has been deeply Europeanized. In addition, the EU's institutions are there to contribute to the development of education and support Member States' cooperation. The book entitled "The European Higher Education Area: Between Critical Reflections and Future Policies" illustrates that while developments happen indeed at national, subnational and institutional level in higher education, a "European Level" has also surfaced. The contributors of this level have been the Bologna Process (1999) and the Lisbon Treaty (2000). The first process has led to the creation of the European Higher Education Area (EHEA-49 countries), while the second one has included the European Research Area (ERA)⁵.

The establishing of the European Education Area (EEA) by 2025 is a product of many years of cooperation in the Education Area starting with the Erasmus Programme (1987), the Sorbonne Declaration (1998), and the previously mentioned projects⁶. It has to be underlined that every important initiative brings changes in line

¹ European Cultural Foundation, *Education for the 21st Century, Fondation Jean Monnet pour l'Europe, Lausanne, 1967, Preface.*

² Eurostat, *Government expenditure by function for European Union, 2020 (% of GDP)*, 22.04.2022. <https://ec.europa.eu/eurostat/cache/infographs/cofog/>. [Accessed on 16.04.2022].

³ European Commission, *High-level Panel on Future Education Trends and Developments* included in the *Fourth European Education Summit: The Next Decade of European Education*, 9.12.2021. https://player.clevertcast.com/?account_id=2bK6kL&item_id=AkdPPj [Accessed on 9.12.2021].

⁴ Council of the European Union, *Council Resolution on a strategic framework for European cooperation in education and training towards the European Education Area and beyond (2021-2030)*, Brussels, 19.02.2021, p. 6. <https://www.consilium.europa.eu/media/48584/st06289-re01-en21.pdf> [Accessed on 03.05.2022].

⁵ Adrian Curaj, Liviu Matei, Remus Pricopie, Jamil Salmi, Peter Scott, *The European Higher Education Area: Between Critical Reflections and Future Policies*, Springer, Springer International Publishing AG Switzerland, 2015, Introdúcere, xxxvii. <https://link.springer.com/content/pdf/10.1007%2F978-3-319-20877-0.pdf>. [Accessed on 01.06.2022].

⁶ Pierre Heriard, Markus J. Prutsch & Sophia Thoenes, "Research for CULT Committee – Making the European Education Area a reality: state of affairs, challenges and prospects", European Parliament, Policy Department for Structural and Cohesion Policies, Brussels, 2021, p. 9. [https://www.europarl.europa.eu/RegData/etudes/STUD/2021/652237/IPOL_STU\(2021\)652237_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2021/652237/IPOL_STU(2021)652237_EN.pdf). [Accessed on 14.03.2022].

with future challenges and one should not forget the importance of integrating various actors at all levels in such an important future-oriented project with long-term impact for all ages and study levels. These being stated, the main aim of the article is to analyze how different actors in the field of education can influence/strengthen/shape the future of the EEA. Due to the myriad of existing actors on all educational levels, we will mostly focus on the higher education in this paper.

The four sections of the article will unfold as follows. The first section will map the challenges and trends ahead the European Education, while the second part will focus on the EEA and its powerful drive for new policies in this sector. The third section reflects the main purpose of this article, namely answering to the question of how actors can better contribute to influencing the decision-making process to achieve a stronger European Education Area and last but not least, a case study on the importance of NGOs as a way of strengthening educational decision-making.

Literature Review

As Bresanelli, Koop and Reh point out, important changes can be perceived in the EU and the multi-level politics of the continent in the last decades, since more relevance than ever can be conferred to the EU and its policies across the member states. Being hit by numerous crises, the EU has been urged to deal with them and to address the surging policy issues in accordance with these same crises⁷. Troitiño and his colleagues foresee changes occurring in society, politics, law, economy, international relations and it is precisely the Union's ability to tackle them effectively that will bring its success and influence its future both internally, and externally⁸.

The recent COVID-19 pandemic had negative effects on education, bringing to the fore the need to use technology to sustain online and remote education. Policy-makers will have to make sure that learning losses of vulnerable children will be tackled with through corresponding measures and new forms of learning and teaching should be established⁹. New robust strategies have to be developed by stakeholders in the education field so as to cope with the post-pandemic era¹⁰.

Within these very shortly outlined challenges and trends by different writers, which need to be tackled more in depth from a perspective of varied actors in the

⁷ *Journal of European Public Policy*, 2020, 27:3, 329-341, pp. 329-330, Edoardo Bressanelli, Christel Koop & Christine Reh, "EU Actors under pressure: politicisation and depoliticisation as strategic responses". DOI: 10.1080/13501763.2020.1713193 [Accessed on 12.01.2022].

⁸ David Ramiro Troitiño, Tanel Kerikmäe, Ricardo Martín de la Guardia, Guillermo Á. Pérez Sánchez, *The EU in the 21st Century: Challenges and Opportunities for the European Integration Process*, Springer, Springer Nature Switzerland AG, 2020, p. 8. DOI: <https://doi.org/10.1007/978-3-030-38399-2>.

⁹ Giorgio Di Pietro, Federico Biagi, Patricia Dinis Mota da Costa, Zbigniew Karpiński, Jacopo Mazza, *The likely impact of COVID-19 on education: Reflections based on the existing literature and international datasets*, EUR 30275 EN, Publications Office of the European Union, Luxembourg, 2020, p. 5, ISBN 978-92-76-19937-3. DOI:10.2760/126686, JRC121071.

¹⁰ *Journal of Education and Practice*, 2020, Vol. 11, No. 13. 108-121, p. 118, Edeh Michael Onyema, Dr. Nwafor Chika Eucheria, Dr. Faith Ayobamidele Obafemi, Shuvro Sen, Fyneyface Grace Atonye, Dr. Aabha Sharma, Alhuseen Omar Alsayed, "Impact of Coronavirus Pandemic on Education", https://genbase.iiep.unesco.org/workspace/applis/epidoc/fichiers/EPIDOC/38698_52821_56584_1_P B.pdf [Accessed on 14. 01.2022].

European Union, the emergence of a new governance layer in higher education, research and innovation has provoked tensions among actors at varied levels. Moreover, non-state actors at all levels, have become more and more engaged, leading to even more intricacy in governance¹¹ - fact which is likely to happen with the EEA.

Simona Torotcoi considers the importance of involving all actors in the supranational policy-making (when referring to the Bologna Process) for a future smooth implementation¹². The point of view offered by Mark Rhinard, Professor of International Relations at Stockholm University, related to the crisisification of the policy-making in the EU is very interesting, pondering on possible changes related to the actors in the policy-making¹³; Iryna Kushnir argues that in the aftermath of the crises undergone by the EU, the EEA is a motor in creating common European identity and economy, “the EU as a socially-just society and the continent of progress”¹⁴. These statements hint towards the EEA as a generator of change in the educational field as well, which needs further research, being a fairly new initiative.

Gornitzka argues that, namely in the field of vocational training and higher education we can talk about a sort of European level of governance¹⁵. The Open Method of Coordination has been the main facilitator of education governance within the EU. From 2012, the Semester approach has been introduced. While the EC offers recommendations, there are no incentives for their implementation, nor any consequences for not following them¹⁶.

With a view to multi-level governance, Piattoni argues that it is a very intricate concept. It is through this type of governance that subnational authorities’ involvement at levels and via procedures that challenge current hierarchies, activation of all on-site and governmental actors for policy development, implementation and supervision can be witnessed. In addition, the supranational level is reshaped through accretion¹⁷.

¹¹ *European Educational Research Journal*, 2018, Vol. 17(3) 325–334, p. 326, Tatiana Fumasoli, Bjørn Stensaker, Martina Vukasovik, “Tackling the multi-actor and multi-level complexity of European governance of knowledge: Transnational actors in focus”. <https://journals.sagepub.com/doi/pdf/10.1177/1474904117742763> [Accessed on 10.03.2022].

¹² Simona Torotcoi, “What Does It Take to Build a Social Dimension Strategy? A Cross-Country Comparative Analysis of Romania and Austria”, in the volume *European Higher Education Area: Challenges for a New Decade*. Editors: Adrian Curaj, Ligia Deca, Remus Pricopie, Springer, Springer Nature Switzerland AG, 2020, p. 167. DOI: <https://link.springer.com/book/10.1007/978-3-030-56316-5>.

¹³ *JCMS: Journal of Common Market Studies*, 2019, Vol 57, Issue 3. 1-18, p. 11, Mark Rhinard, “The Crisisification of Policy-making in the European Union”. <https://www.diva-portal.org/smash/get/diva2:1290568/FULLTEXT01.pdf> [Accessed on 20.01.2022].

¹⁴ *European Review*, 2021, 1-21, p. 1, Iryna Kushnir, “The Role of the European Education Area in European Integration in Times of Crises”. DOI: 10.1017/S1062798721000016. [Accessed on 10.03.2022].

¹⁵ Åse Gornitzka, *The Open Method of Coordination as practice - A watershed in European education policy?*, Centre for European Studies, University of Oslo, Working Paper, No. 16, December 2006, p. 8. <https://www.efta.int/sites/default/files/documents/eea/seminars/omc-140508/gornitzka.pdfm> [Accessed on 12.03.2022].

¹⁶ *Policy Futures in Education*, 2016, Vol. 14(7) 988–1004, pp. 990-991, Louis Volante, Jo Ritzen, “The European Union, education governance and international education surveys”. <https://journals.sagepub.com/doi/pdf/10.1177/1478210316652009>. [Accessed on 15.04.2022].

¹⁷ Simona Piattoni, *The Theory of Multi-level Governance: Conceptual, Empirical, and Normative Challenges*, Oxford University Press, 2010, p. 250.

Next to these affirmations and a need for constant revision of actor involvement in the education sector, the report “on the European Education Area: a shared holistic approach” of the European Parliament is “noting the need for a more holistic approach which requires meaningful cooperation and coordination between all actors and a diverse range of stakeholders, including the education and training community, parents’ associations, social partners, trade unions, youth organisations, youth workers and civil society”¹⁸. Therefore, building on existing literature and other types of official sources, the article will bring together these four key elements –challenges and trends, EEA, actor involvement – by shedding a new perspective for the future, in the light of the achieving of the new European Education Area by 2025.

Methodology and Research Design

The article comprises 4 parts, each contributing differently to the purpose of the article. Besides the introduction, the literature review, the methodology and the research design section, the conclusion will reveal the main findings and propose some recommendations.

The mixed approach will be used to reach the goal of the paper. The empirical approach is mainly used together with a qualitative research to bring to the fore the challenges and trends, the EEA as a driver of changes in policies and ways of contribution of different actors to policy making in the educational sector, area which will comprise some brief quantitative data analysis from the Eurobarometer survey on the “Future of the European Union”. The case study is mostly exploratory and descriptive meant to underline the importance of NGOs in strengthening the EU educational decision-making process. Two major international NGOs have been selected for the case study. The NGOs official sites will be used, in order to analyze their most recent strategies and policy papers/input. The data will be reinforced by the Transparency Register of the European Union Institutions. Interpretivism will be used in order to shed light on the complexity of educational decision-making in the EU.

Primary and secondary sources will also be used to carry out the research. The primary sources include official EU, OECD, UN documents (press releases, communications, reports, statistical data, proposals, strategies). In addition, the online European Education Summit will constitute a valuable input for the purpose of the first chapter, bringing together important actors in the educational decision-making. The secondary sources are constituted by books and articles.

1. Challenges and Trends influencing the European Education

In the aftermath of the European Education Summit held on the 9th of December 2021, an overview of the future challenges and trends related to the European Education can be mapped; solutions, exchanges of practical steps and insights from key actors in the educational decision-making were a key part of the panel on “Future education trends and development”.

¹⁸ European Parliament, *Report on the European Education Area: a shared holistic approach*, 18.10.2021. https://www.europarl.europa.eu/doceo/document/A-9-2021-0291_EN.html. [Accessed on 10.04.2022].

In the next 30 years, climate change, technological transformations, geopolitics, pressure on democracy and values, shifts in the global order and demography are some of the pictured challenges. Foresight is seen as an important part of future policy-making, as education is a policy field which is constantly changing with the needs of current times. Foreseeing the outlook of the labor market in 30 years' time is just one of the many challenges that education will have to bring solutions to, as outlined by Mr. Akis Kyriacou, Deputy Head of Unit, Evidence-Based Policy and Evaluation, DG EAC, European Commission¹⁹.

Mr. Manuel Heitor, Minister of Science, Technology and Higher Education in Portugal, argues that up-skilling and re-skilling the European population, with a focus on digitalization, increasing the number of higher education students and making education systems more inclusive is important²⁰. To complete the idea, by 2030, Sub-Saharan Africa and South Asia will become the most populated regions of the world, while in America and Western Europe the ageing of population will become the norm²¹. Creating alliances worldwide and with African universities, for instance, would be a good idea since the EU can offer great excellence and education systems. Coupling education with research and innovation is important and the European Universities initiative is a groundbreaking proposal in this sense, states Mr Heitor²².

Minister of Education and Religious Affairs in Greece, Ms Niki Kerameus, has outlined four main challenges that the EU Governments in the field of Education will face in the upcoming two decades: the importance of focusing on skills, the need to tackle the mismatch that sometimes exists between the labor market and education/society, fighting for equal access to education and last but not least, the “extroversion” of the education systems, for an interconnected world²³.

Ms Gillian Coughlan, teacher, representative of local authority and Member of the European Committee of the Regions and the Commission for Social Policy, Education, Employment, Research and Culture emphasizes a major challenge on all levels of policy-making, namely reducing student absenteeism, as well as retaining teachers and create a climate of wellbeing in school, so that everybody can feel happy²⁴.

Vice-President of European Investment Bank, Ms Lyliana Pavlova, stresses on the need to focus on upgrading skills and concentrating on promoting inclusiveness in the education sectors²⁵. Ms Ligia Deca, Presidential Adviser, Department of Education and Research Romania underlines the same needs as previously mentioned, adding the extremely problematic demographic trends in

¹⁹ European Commission, *High-level Panel on Future Education Trends and Developments* included in the *Fourth European Education Summit: The Next Decade of European Education*, 9.12.2021. https://player.clevercast.com/?account_id=2bK6kL&item_id=AkdPPj [Accessed on 9.12.2021].

²⁰ *Ibidem*.

²¹ Mauro F. Guillén, *Cum vor afecta și vor remodela viitorul actualele tendințe majore* (R. Vasilescu, Trans.), Litera, Bucharest, 2021, pp. 13-16, (Original work published 2020).

²² European Commission, *High-level Panel on Future Education Trends and Developments* included in the *Fourth European Education Summit: The Next Decade of European Education*, 9.12.2021. https://player.clevercast.com/?account_id=2bK6kL&item_id=AkdPPj [Accessed on 9.12.2021].

²³ *Ibidem*.

²⁴ *Ibidem*.

²⁵ *Ibidem*.

Southern and Eastern Europe and mentioning the “Educated Romania” project which encompasses the vision and strategy of Romania to reduce the gap between urban and rural areas, for example²⁶.

The distinguished panelists presented some of the steps governments should take in order to counterbalance the challenges. Mr Heitor has welcomed the NextGenerationEU Programme, the focus on the Erasmus+ so that at least 1 out of 3 students should benefit in the future. Ms Kerameus outlined Greece’s steps of revamping school curricula through focusing more on skills, the creation of Skills Labs which are mandatory from 4 to 15 years old, the necessity to research the needs of the market before designing the curricula for VET schools, digital vouchers for underprivileged students, mutual support for the European Universities, more academic freedom, mutual recognition of degrees²⁷.

Ms Coughen underlined the need to invest in schools. Investing in teachers and trainers was a need outlined by Ms Pavlova. Ms Deca, pointed towards the creation of a single contact point which could fill the gap between employers and skilled workforce at no cost. Remedial education should be given attention through the Resilience Plans as a measure to counteract the negative effects of the pandemic²⁸.

The European Parliament Research Service has carried out an analysis which focused on six major challenges facing the European Tertiary Education. These challenges are “the need to maintain relevance to current and future aspirations, the impact of digital and disruptive technologies, the way it collaborates with business, global and intra-EU collaboration, quality assurance, financing and barriers to inclusion²⁹”. It can be argued that these challenges are valid to all levels of education.

Other international institutions have also focused on identifying future challenges and trends. On the 2030 Agenda for Sustainable Development, the United Nations has placed as Goal number 4, inclusive and equitable quality education and promotion of lifelong opportunities for all³⁰. The following challenges can be perceived, on a global scale, in the Report from the International Commission on the Futures of Education: incomplete and inequitable expansion of education, persistent poverty and rising inequality, a web of exclusions, democratic backsliding and growing polarization, the digital that connects and divides, the uncertain future of work. There will be a need to figure out new pedagogical approaches, to focus on

²⁶ *Ibidem*.

²⁷ European Commission, *High-level Panel on Future Education Trends and Developments* included in the *Fourth European Education Summit: The Next Decade of European Education*, 9.12.2021. https://player.clevercast.com/?account_id=2bK6kL&item_id=AkdPPj [Accessed on 9.12.2021].

²⁸ *Ibidem*.

²⁹ Denise Chircop, Cemal Karakas, Monika Kiss, Marcin Szczepanski, Lea Schomaker, *The Future of Tertiary Education in Europe*, European Parliament: European Parliamentary Research Service, Brussels, September 2020, Abstract. [https://www.europarl.europa.eu/RegData/etudes/IDAN/2020/652095/EPRS_IDA\(2020\)652095_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/IDAN/2020/652095/EPRS_IDA(2020)652095_EN.pdf). [Accessed on 14.03.2022].

³⁰ United Nations, *Transforming Our World: The 2030 Agenda for Sustainable Development*, 2015, p. 19. <https://sustainabledevelopment.un.org/content/documents/21252030%20Agenda%20for%20Sustainable%20Development%20web.pdf>. [Accessed on 10.02.2022].

teacher development, strive towards shared purposes, commitments, norms and standards, cooperation in knowledge generation and use of evidence³¹.

The OECD in its position paper entitled “The Future of Education and Skills: Education 2030”, is prioritizing three relevant challenges for the future: environmental, economic and social. There is a need to develop in students key “transformative competences”³². The European Association for the Education of Adults has chosen as theme of the year 2022 “Transformative Learning and Values”. The Association is convinced that besides a means of learning, Transformative learning is a tool to acquire new skills, improve resilience and enhance social cohesion³³. Changes in the social structure, inevitably bring transformations at an economical level. Quality of life will be more valued in the future and changes in the traditional workplaces will be inevitable³⁴. Therefore, it is important to pay attention to the way the education policies are conceived. They have to be in trend with the needs of the job market and take into account all the mentioned aspects.

The challenges and trends exposed reveal the need for common work that has to be done at a global level, and in our case, at a European Level. Preparing for the challenges and informing on the trends, it is easier to prepare for the future, search for the appropriate stakeholders to intervene and help/support the decision-making process. After all, it is all these different stakeholders, who are experiencing changes at first hand and who can bring their valuable input into decision-making.

2. The European Education Area as a driver of change in the policies of the EU Education and Training Area

On the 20th of September 2020, the European Commission has proposed its vision for achieving a European Education Area by 2025. 6 dimensions will be covered by the EEA, namely “quality, inclusion and gender equality, green and digital transitions, teachers, higher education, a stronger Europe in the world³⁵”.

Analyzing the outcome of proceedings of the “Council Resolution on a strategic framework for European cooperation in education and training towards the European Education Area and beyond (2021-2030)”, it can be inferred that the

³¹ UNESCO, *Reimagining our Futures Together: A new social contract for education*, Report from the International Commission on the Futures of Education, 2021, pp. xi-xiii. https://unesdoc.unesco.org/in/documentViewer.xhtml?v=2.1.196&id=p::usmarcdef_0000379707&file=/in/rest/annotationSVC/DownloadWatermarkedAttachment/attach_import_5cb8b004-c8d3-4da6-b1bb-9443d669e8dc%3F_%3D379707eng.pdf&updateUrl=updateUrl1084&ark=/ark:/48223/pf0000379707/PDF/379707eng.pdf.multi&fullScreen=true&locale=en#925_21_ED_EN_Int.indd%3A.66472%3A480. [Accessed on: 14.03.2022].

³² OECD, *The Future of Education and Skills: Education 2030*, 2018, pp. 3-5. [https://www.oecd.org/education/2030/E2030%20Position%20Paper%20\(05.04.2018\).pdf](https://www.oecd.org/education/2030/E2030%20Position%20Paper%20(05.04.2018).pdf). [Accessed on 03.03.2022].

³³ European Association for the Education of Adults, *EAEA theme of the year 2022: Transformative Learning and Values*, 2022. <https://eaea.org/our-work/campaigns/eaea-theme-of-the-year-2022-transformative-learning-and-values/#:~:text=Transformative%20learning%20can%20be%20a,on%20our%20society%20and%20themselves>. [Accessed on 18.04.2022].

³⁴ Mauro F. Guillén, *op. cit.*, p. 225.

³⁵ European Commission, *Achieving a European Education Area by 2025 and resetting education and training for the digital age*, Press Release, Brussels, 30.09.2020.

achieving and deepening of the area will be a main political goal of the “new strategic framework for European cooperation in education and training”. The Council proposes the following priorities: enhancing quality, equity, inclusion and success for everyone, lifelong learning and mobility for everyone, enhancing competences and motivation for professionals in the education sector, strengthened European Higher Education, Green and digital transitions in and with the aid of education³⁶.

The EEA is here to enhance collaboration among the Member States and to make the transition towards the future smoother, while respecting the subsidiarity principle. Heriard, Prutsch & Thoenes argue that the 4 main initiatives presented by the Commission to achieve the EEA have received different reactions from varied actors involved in the process of policy-making. The four initiatives are: the mutual recognition of diplomas and learning periods abroad, the improvement of language learning, the European Student Card Initiative and the European Universities Initiative³⁷.

In spite of the varied reactions, steps have already been taken in some cases, which will inevitably generate changes in education and training policies. As concrete steps, on the 18th of January 2022, the European Commission has presented its Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on a European Strategy for Universities. The Commission pinpoints four key objectives that should be achieved by the half of 2024. The first objective lies in reinforcing the European dimension in education and research, the second one reveals the need to support universities as a guide to the European way of life. Last but not least, the other two objectives focus on supporting universities in their pioneering role towards the green and digital transitions and sustain them “as drivers of the EU’s global role and leadership”³⁸. Heriard and his colleagues assert that in a way or another, any policy initiative taken after the Gothenburg Summit can be linked to the EEA, to name a few: Erasmus Teacher Academies, the Centres of Vocational Excellence (CoVEs), the European degrees³⁹.

In correlation to the trends analyzed in the first chapter, former Vice-President for Jobs, Growth, Investment and Competitiveness, Jyrki Katainen outlined that there are still challenges to mobility in Europe, despite great achievements in this area. By 2025, borders should not be a problem⁴⁰. In this sense, the European Education Area will act as a driver of change in the policy-making, since through the EUI this goal should be achieved.

³⁶ Council of the European Union, *Council Resolution on a strategic framework for European cooperation in education and training towards the European Education Area and beyond (2021-2030)*, Brussels, 19.02.2021, pp. 7-16. <https://www.consilium.europa.eu/media/48584/st06289-re01-en21.pdf>. [Accessed on 03.05.2022].

³⁷ Pierre Heriard, Markus J. Prutsch & Sophia Thoenes, *op. cit.*, p. 19.

³⁸ European Commission, *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on a European strategy for universities*, Strasbourg, 18.01.2022, pp. 3-4.

³⁹ Pierre Heriard, Markus J. Prutsch & Sophia Thoenes, *op. cit.*, p. 36.

⁴⁰ European Commission, *Future of Europe: Towards a European Education Area by 2025*, Press Release, Strasbourg, 14.11.2017, p. 1.

An interesting way to foresee the change is that each Member state will be soaked into the policy space of the EEA and this will produce some shifts in how policies are created at a national level in line with the goals of the EEA and how different actors perceive the way education should be delivered in the European Union. The EEA will serve only EU Member states, and all levels and sectors of education, unlike the European Higher Education Area, which has 49 members in its composition.

Europe's Recovery Plan (NextGenerationEU) and the Erasmus+ Programme will help in achieving the EEA. As outlined in the thematic analysis on Education carried out by the European Commission to showcase the impact of the Recovery and Resilience Facility funding instrument, each country has prepared changes regarding their education systems in a way or another⁴¹. To showcase the changes happening at a national level, the case of Romania's National Recovery Plan in the education sector will be taken as an example. The 7 intended reforms in the Plan of the Ministry of Investments and European Projects⁴² are as follows:

1. Elaboration and Adoption of the legislative package for the implementation of the "Educated Romania" project;
2. Development of a unitary, inclusive and quality early education services system;
3. Reform of the compulsory education system to prevent and reduce early school leaving;
4. Creating a comprehensive career path for higher technical education;
5. Adopting the legislative framework for the digitization of education;
6. Updating the legislative framework to ensure ecological design standards, construction and equipment of K-12 system;
7. Reforming the governance of pre-university education system and professionalization of management.

For the EEA to be a successful driver of benefic policies, it is also essential to build on solid evidence in policy-making, therefore, a constant monitoring of progress towards the proposed goals will lead to evidence-informed policy-making⁴³. Under the roof of the EEA, new common reference tools and approaches can be created in the aftermath of joint analysis. These can lead to further multi-level policy development⁴⁴.

⁴¹ European Commission, *Recovery and Resilience Scoreboard. Thematic Analysis. Education*, December 2021, p. 2. https://ec.europa.eu/economy_finance/recovery-and-resilience-scoreboard/assets/thematic_analysis/6_Education.pdf. [Accessed on 14.04.2022].

⁴² Ministerul Investițiilor și Proiectelor Europene, *Planul Național de Redresare și Reziliență al României*, Direcția Generală Management Mecanism de Redresare și Reziliență, 2021, pp. 30-31. <https://mfe.gov.ro/wp-content/uploads/2021/10/facada6fdd5c00de72eecd8ab49da550.pdf>. [Accessed on 17.04.2022].

⁴³ Council of the European Union, *Council Resolution on a strategic framework for European cooperation in education and training towards the European Education Area and beyond (2021-2030)*, Brussels, 19.02.2021, p. 9 <https://www.consilium.europa.eu/media/48584/st06289-re01-en21.pdf> [Accessed on 03.05.2022].

⁴⁴ *Ibidem*, p. 21.

3. Meaningful actor participation towards a European Education Area with a focus on higher education

In the Communication on a European Strategy for Universities, the European Commission acknowledges Universities as “key actors” being genuinely positioned among the education, research and innovation triangle in the benefit of both, society and economy. They are held fundamental in attaining the EEA and the ERA, in strong collaboration with the EHEA⁴⁵. As one of the major set goals to achieve by mid-2024, it is aimed to enable universities to act in the twin green and digital transformations as change agents⁴⁶. The Commission also proposes the role of actors to learners as they can generate change in their local communities, hence bringing beneficial transformations in their society⁴⁷. Socio-economic actors are mentioned in order to complete universities in their role as agents of change⁴⁸. Last but not least, an invitation for strong collaboration between states and actors in higher education and partners outside the European Union has been exposed⁴⁹. The Governance mechanism remains the one applied to ET2020, at least for the beginning: “working groups, Directors-General formations and peer learning instruments, and maintain the involvement of other relevant governance bodies”, with adaptations for the new priorities in mind⁵⁰.

An effective way of involving numerous actors in the decision-making process for the future of the EEA is the established “Working Group on Higher Education”. Two main tasks can be outlined: support the Commission in the formulation of legislative and policy measures and sharing views and close collaboration among Member states⁵¹. DG EAC will be the chair of the group. The “Horizontal Rules” for expert groups will apply. Mainly, the groups will meet 2-3 times per year on Commission premises and they will have to establish Peer Learning Activities in the engaged countries⁵². In the Call, it is clearly stated that “For the Working Group on Higher Education, European organisations covering the priorities contained within

⁴⁵ European Commission, *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on a European Strategy for Universities*, Strasbourg, 18.1.2022: 16 final, p. 1. <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52022DC0016>. [Accessed on 16.04.2022].

⁴⁶ *Ibidem*, p. 4.

⁴⁷ *Ibidem*, p. 8.

⁴⁸ *Ibidem*, p.12.

⁴⁹ *Ibidem*, pp. 15-16.

⁵⁰ Council of the European Union, *Council Resolution on a strategic framework for European cooperation in education and training towards the European Education Area and beyond (2021-2030)*, Brussels, 19.02.2021, p. 21. <https://www.consilium.europa.eu/media/48584/st06289-re01-en21.pdf>. [Accessed on 03.05.2022].

⁵¹ European Commission, *Working Group on Higher Education (E03799)*, Register of Commission Expert Groups and Other Similar Entities, 09.08.2021. <https://ec.europa.eu/transparency/expert-groups-register/screen/expert-groups/consult?lang=en&groupID=3799>. [Accessed on 27.04.2022].

⁵² European Commission, *Call for applications for the selection of Member Organisations of the ‘Working Group on Early Childhood Education and Care’, ‘Working Group on Schools’, ‘Sub-group on Pathways to School Success’, ‘Sub-group Education for Environmental Sustainability’, ‘Working Group on Higher Education’, ‘Working Group on Vocational Education and Training and the Green Transition’, ‘Working group on Adult Learning – Opening Up Opportunities for All’, ‘Working Group on Digital Education: Learning, Training and Assessment’, ‘Working Group on Equality and Values in Education and Training’*, 29.07.2021, pp. 3-4. <https://ec.europa.eu/transparency/expert-groups-register/screen/expert-groups/consult?lang=en&groupID=3799>. [Accessed on 27.04.2021].

the higher education dimension of the EEA Communication will have priority”⁵³. It is important to outline the Members that will participate in the Working Group, since they are essential in helping shape the EEA. Therefore, the next table is a concise representation of the Members of the Working Group on Higher Education, based on the Register of Commission expert groups and other similar entities. There are also the Type A – Individual expert appointed in his/her personal capacity and Type B - Individual Expert appointed as representative of a common interest, which do not have any corresponding data in the register yet⁵⁴.

Type C (Organization)
European Association of Institutions in Higher Education (EURASHE)
European Distance and ELearning Network (EDEN)
European Federation of Education Employers (EFEE)
European Quality Assurance Register for Higher Education (EQAR)
European Students' Union (ESU)
European Trade Union Committee for Education (ETUCE)
European University Association (EUA)

Type D (Member State Authority)
All 27 Members States participate.

Type E (Other Public Entity)	
Albania	Candidate Countries
CEDEFOP	EU Agencies
Council of Europe	International/Intergovernmental Organisations
ETF	EU Agencies
Eurofound	EU Agencies
European Union Agency for Fundamental Rights	EU Agencies
Eurydice	Other entities
Iceland	Third Countries
Liechtenstein	Third Countries
Montenegro	Candidate Countries
North Macedonia	Candidate Countries
Norway	Third Countries
OECD	International/Intergovernmental Organisations
Serbia	Candidate Countries
Turkey	Candidate Countries
UNESCO	International/Intergovernmental Organisations

Table no. 1. Actors involved in the Working Group on Higher Education (Source: European Commission, *Working Group on Higher Education (E03799)*, Register of Commission Expert Groups and Other Similar Entities).

⁵³ *Ibidem*, p. 7.

⁵⁴ European Commission, *Working Group on Higher Education (E03799)*, *Register of Commission Expert Groups and Other Similar Entities*, 09.08.2021. <https://ec.europa.eu/transparency/expert-groups-register/screen/expert-groups/consult?lang=en&groupID=3799>. [Accessed on 27.04.2022].

In “Outcomes of the Peer-learning session with the participation of group C members, regarding involvement of stakeholders in quality assurance activities at the European Higher Education Area countries level” it was stated that generally, the best means of engaging stakeholders is via co-creating and co-ownership. The “win-win” approach should not be left out since it brings useful insights in the decision-making, but also the stakeholders can acknowledge the impact of their engagement⁵⁵.

Creation of the Education Councils are argued to be beneficial due to their capacity to intersect regional, national and international policies; they can reinforce the achievement of the EEA. EUNEC (European Network of Education Councils) is one of the best examples; it represents a platform where numerous European councils work together in an effort to reinforce participation on national and European level. In addition, EUNEC suggested the creation of a European Platform where debate upon new reforms in the education systems can take place⁵⁶. An example of platform which was a pilot project to impact decision-making is “MyUniversity”. This project allowed involved universities to bring in members and stakeholders on a local and European level to consult on varied issues, as an eParticipation Tool⁵⁷.

The Lifelong Learning Platform connecting actors from all sectors of education and training, is bringing a pilot activity entitled “Lifelong Learning Lab – National Training for Education Stakeholders”. The aim of the event is mainly to evaluate “EU citizens’ capacity to participate in policy-making, suggest solutions and break silos in the education sectors”⁵⁸. Such events would be extremely useful for learner involvement in Higher Education. The Conference on the future of Europe and the European Education Summit are two examples of initiatives which can be seen as platforms for considering the inputs of varied stakeholders in the educational decision-making.

Public Consultations are important as well. For instance, the Commission established a public consultation on the New Digital Action Plan in 2020⁵⁹. For the Council Recommendation “targeted consultations” were put in place, including Member States and different stakeholders such as “umbrella university organisations, student organisations, rector’s conferences, social partners in higher education, public authorities”, with the participation of University Alliances. These had the main aim of changes and transnational cooperation in higher education.

⁵⁵ ESQA Consortium, *Outcomes of the Peer-learning session with the participation of group C members, regarding involvement of stakeholders in quality assurance activities at the European Higher Education Area countries level (Work package 3)*, Ghent, 17.01.2020, p.1. <https://esqa.ro/wp-content/uploads/2021/07/ESQA-WP3-PLA-outcomes-report.pdf> [Accessed on 27.04.2022].

⁵⁶ EUNEC Secretariat, *Participation and Stakeholder Involvement in Education Policy Making*, Report of the conference of the European Network of Education Councils, Brussels, 1-3 December 2010, pp. 9-10. https://www.eunec.eu/sites/www.eunec.eu/files/event/attachments/report_brussels.pdf. [Accessed on 28.04.2022].

⁵⁷ CORDIS EU, *MyUniversity: Decision making for a united higher education*, 25.04.2017. <https://cordis.europa.eu/project/id/256216>. [Accessed on 28.04.2022].

⁵⁸ Lifelong Learning Platform, *Lifelong Learning Lab – National Training for Education Stakeholders*, 2022. <https://llplatform.eu/events/lifelong-learning-lab-2022/>. [Accessed on 28.04.2022].

⁵⁹ European Commission, *European Commission launches a public consultation on a new Digital Education Action Plan*, Press Release, Brussels, 18.06.2020, p. 1.

Students and coordinators are participating as well in different consultations; Members of the Committee of the Regions and the European Economic and Social Committee are present too⁶⁰.

The “Transforming Education Summit”⁶¹ organized by the United Nations is an opportunity which could impact the shaping of the EEA with innovative ideas, therefore it would be a meaningful way of different EU actors coming together in an international environment and then bring the lessons learnt to the decision-making table.

As a quantitative study, the Standard Eurobarometer on “The future of Europe” reveals some important data on public opinion in the European Union. In the EU, people tend not to trust political parties (72%)⁶², the National Governments (60%) and Parliaments (58%)⁶³, while most Europeans do tend to trust the European Union institutions (47%, with 44% tending not to trust and 9% declaring they do not know) or the United Nations (48% with 39% tending not to trust and 13% declaring they do not know)⁶⁴. These pieces of information show that building trust in governments and the political field at national level is important. But how does this relate to our purpose? Actors/stakeholders who trust in their national institutions and politicians are more willing to become involved in decision-making and contribute to change. They trust that they are really listened to and their efforts to be involved increase. Building Trust is also one of the stages in a meaningful stakeholder engagement process⁶⁵. Therefore, transparency is key in all relation with any type of institution and stakeholder collaboration.

When asked: “in which of the following fields would you be most likely to use the European Citizens' Initiative?”, Education was Number 3 out of 17 possible answers, following in the first place the Environment and in the second place with the same amount, the Employment and Fundamental Rights of EU’s citizens⁶⁶. This shows that there is an increasing interest in contributing to the decision-making in the educational sector, from the part of the citizens, who are the primary beneficiaries of the education systems, therefore their opinions must be heard and taken into account.

⁶⁰ European Commission, *Proposal for a Council Recommendation on building bridges for effective European higher education cooperation*, Strasbourg, 18.01.2022, p. 6. <https://education.ec.europa.eu/document/proposal-for-a-council-recommendation-on-building-bridges-for-effective-european-higher-education-cooperation>. [Accessed on 30.04.2022].

⁶¹ United Nations, *Transforming Education Summit*, 2022. <https://www.un.org/transforming-education-summit>. [Accessed on 30.04.2022].

⁶² Eurobarometer, *Public Opinion in the European Union, Survey requested and coordinated by the European Commission*, Directorate General for Communication, Standard Eurobarometer 96, Winter 2021-2022, Annex, p. 29. <https://europa.eu/eurobarometer/surveys/detail/2553>. [Accessed on 30.04.2022].

⁶³ *Ibidem*, pp. 36-37.

⁶⁴ *Ibidem*, pp. 38-47.

⁶⁵ Neil Jeffery, *Stakeholder Engagement: A Road Map to Meaningful Engagement*, Doughty Centre, Cranfield School of Management, July 2009, p. 16. <https://www.fundacionseres.org/lists/informes/attachments/1118/stakeholder%20engagement.pdf>. [Accessed on 30.04.2022].

⁶⁶ Eurobarometer, *Public Opinion in the European Union, Survey requested and coordinated by the European Commission*, Directorate General for Communication, Standard Eurobarometer 96, Winter 2021-2022, Annex, pp. 117-119. <https://europa.eu/eurobarometer/surveys/detail/2553>. [Accessed on 30.04.2022].

4. Case Study: NGOs as a means of strengthening the EU decision-making process on Education

In this section a focus has been placed on two NGOs: the European Student's Union and the European University Association. The case study involves the examining of the Organisations' Strategic Priorities, a recent published Policy Paper by each NGO and the Transparency Register of the EU institutions so as to demonstrate that these organisations constitute an important means of strengthening the EU educational decision-making process.

ESU represents 45 national unions of students standing for the educational, social, economic and cultural interests of millions of students. ESU is an important stakeholder at European and international level being the voice of the students in essential decision-making bodies such as: the EU, the Council of Europe, UNESCO, Bologna Follow Up Group⁶⁷.

The ESU Paper entitled "Strategic Priorities 2022-2024" outlines the main priorities of ESU involvement in the decision-making: the Bologna Process, the EHEA, the EEA, the EUI, the E+, the ERA, the Global Students Forum, Next Generation EU, the Green and Digital Transitions⁶⁸.

From the Strategy we can infer important actions related to NGOs role in strengthening the decision-making process, namely, they "monitor", they "raise awareness" related to different challenges they encounter on different levels, they "support", they carry out "actions" to reach their goals.

NGOs advocate for the causes they believe in and they offer solutions at the decision-making table through bringing their expertise in important student matters, like the EEA or the ERA⁶⁹. In addition, NGOs could be seen as a means of informing evidence-based policy making. In the strategy, ESU states that it will work to "Foster activities that study and analyse socio-economic conditions of students across Europe"⁷⁰. These could bring valuable data to base the future policies. When it comes to internationalization, they state that they will address the main "causes of brain drain and brain gain" or stand for increasing financial resources in the E+ programme⁷¹.

NGOs can campaign for their cause since they know the issues on field, bringing them directly to the highest level of decision-making. ESU proposes itself to monitor "the emergence of any structural cooperation models between HEIs to prevent possible harmful imbalances within the national higher education systems and EHEA as a whole"⁷². Here it can be inferred that NGOs act as a guardian that can point out any anomaly, therefore standing for transparency and democracy, which are fundamentals in the EU decision-making. They voice the importance of student participation in the

⁶⁷ European Students' Union, *History of ESU*. <https://esu-online.org/about/history-of-esu/> [Accessed on 20.04.2022].

⁶⁸ European Students' Union (ESU), *Strategic Priorities 2022-2024*, 18.01.2022, p. 1. <https://esu-online.org/?policy=9327>. [Accessed on 20.04.2022].

⁶⁹ European Students' Union (ESU), *Strategic Priorities 2022-2024*, 18.01.2022, pp. 2-3. <https://esu-online.org/?policy=9327>. [Accessed on 20.04.2022].

⁷⁰ *Ibidem*, p. 4.

⁷¹ *Ibidem*, p. 5.

⁷² *Ibidem*, p. 6.

decision-making since their input is unique and they are the ones who “first-hand experience its impact”⁷³, when it comes to Quality Assurance.

The European University Association is the voice of over 850 Universities, being essential in the Bologna Process and “influencing EU policies on higher education, research and innovation”⁷⁴. In EUAs Strategic Plan published in 2020 one of the main priorities is effective advocacy in which impacting public policy with strong evidence is key⁷⁵. The second priority is entitled “Horizon Scanning” which is translated through the ability to foresee challenges and trends with the help of other stakeholders and through surveys and regular consultations with the universities. This is undoubtedly an important asset for the EU since bringing more knowledge and foresight capacity to decision-making, as it was already mentioned in the first chapter, is of utmost importance⁷⁶.

In the priority entitled “European Solidarity” the second point - “monitor and influence European policies and programmes, including Horizon Europe, Erasmus + and the European Universities Initiative, to ensure that they bolster European solidarity, including beyond the borders of the EU; promote investment of European Structural and Investment Funds in universities as key infrastructure in developing regions⁷⁷”- reiterates the role of guardian. It is important to outline the global scope of the Association; this contributes to more efficient and impacting inputs, since European issues can be global and vice-versa⁷⁸. The Policy Input to the European Commission Communication on “A Global approach to research, innovation, education and youth” presents an approach for a stronger and more independent EU⁷⁹. It is a very well informed input, which brings advice to the European Commission to “boost responsible and reciprocal openness and international collaboration in research, innovation⁸⁰” by following three lines of action: Engaging, Empowering and Bracing⁸¹. They also establish the measures through which the EU could achieve these three lines of action.

Analyzing both NGOs, ESU⁸² and EUA⁸³, in the Transparency Register of the European Institutions, their list of contributions to public consultations, roadmaps,

⁷³ European Students’ Union (ESU), *Policy paper on Quality of HE 2021*, 10.02.2022, pp. 22. <https://esu-online.org/wp-content/uploads/2022/02/Policy-paper-on-Quality-of-HE-2021.docx.pdf>. [Accessed on 20.04.2022].

⁷⁴ European University Association (EUA), *Who we are*. <https://eua.eu/about/who-we-are.html>. [Accessed on 30.04.2022].

⁷⁵ European University Association (EUA), *Europe’s Universities Shaping the Future: EUA Strategic Plan*, June 2020, p. 6. <https://eua.eu/downloads/publications/eua%20strategic%20plan%20final.pdf>. [Accessed on 30.04.2022].

⁷⁶ *Ibidem*.

⁷⁷ *Ibidem*, p. 7.

⁷⁸ *Ibidem*, p. 9.

⁷⁹ European University Association (EUA), *Policy Input: A global approach to research, innovation, education and youth. EUA input to the European Commission Communication, March 2021*, p. 5. <https://eua.eu/downloads/publications/ec%20global%20approach.pdf>. [Accessed on 01.05.2022].

⁸⁰ *Ibidem*, p. 4.

⁸¹ *Ibidem*, pp. 4-5.

⁸² European Union, *Transparency Register: European Student’s Union*, 18.03.2022. <https://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do?id=947001511571-77> [Accessed on 30.04.2022].

⁸³ *Ibidem*.

Commission Expert Groups are numerous in informing decision-making. As the documents consulted above show, the NGOs do strengthen policy-making on education in the EU, since they come with sound preparation, scientific evidence and knowledge from the field from all the EU countries and beyond.

Mauro F. Guillén brings an interesting perspective on the “Creative Class”, a term coined by Richard Florida, from University of Toronto. This term is used to describe a specific group of professionals who use complex knowledge to resolve specific problems⁸⁴. The same term could be used in the field of NGOs, since most of the time, Members of the NGOs belong to the “Creative Class”. It is an innovative perspective, since it should not be forgotten that education is a domain of the future and should be tackled as such.

Conclusions

Nowadays, EU countries face numerous similar challenges which can be better solved if actors involved in educational decision-making at all levels gather and find solutions together. The Fourth European Education Summit has been a very important means of engaging varied actors from the educational field; it constituted the perfect platform to initiate discussions related to important developments and problems that will affect our education, pointing towards the poignant factors that will mark the European Education Area. The actors involved were welcoming towards the EEA, which is a sign of willingness to meaningfully cooperate.

As shown in the second chapter, the EEA will constitute an important driver of policy changes at EU and national level in the Education and Training Area and not only. The numerous mechanisms that the EU offers to the Member States such as the Recovery and Resilience Plan, the NextGenerationEU, the Erasmus+ are here to strengthen the creation of the Area, meant to bring positive reforms in all EU the countries.

As it has already been mentioned, resilience is a key concept on which the EU has to base itself in the decisions, and collaborating will be a key element to achieve the EEA and the best education systems equipped for the future. According to Salvioni and her colleagues, networks which comprise public actors together with non-profit organizations, enterprises and other civil society organization represent favorable places to foster development and policies⁸⁵. This affirmation was reinforced in the third chapter, where numerous ways of involving stakeholders in the decision-making have been exposed: the working groups, the peer learning activities, co-creating, co-ownership, together with the “win-win” approach, the establishment of Education Councils such as EUNEC, the possibility to create a European Platform to debate upon new education system reforms. The varied platforms for involving stakeholders at all levels have resulted as useful ways of

⁸⁴ Mauro F. Guillén, *op. cit.*, p. 176.

⁸⁵ *US-China Education Review B 10*, 2012, David Publishing, 881-897, p. 884, article by Daniela Salvioni, Giuseppina Gandini, Simona Franzoni, Francesca Gennari, “The Role of Key Actors in School Governance: An Italian Evidence”. <https://files.eric.ed.gov/fulltext/ED537987.pdf>. [Accessed on 15.03.2022].

involvement. Conferences and Summits on Education and Training topics are important as well, together with public and targeted consultations.

As recommendations, the development of a strategy for stakeholder involvement that is closely correlated with the European Strategy for Universities, making sure that different actors are offered same leverage in the different types of engagement in the decision-making is important. Moreover, transparency in the criteria of choosing the stakeholders when representing the interests of all universities, respectively of other levels of education is not to be missed. The Bologna Process and the ET2020 have taught us a lot, therefore the European Union and the involved actors can keep the best practices and build upon them, especially when it comes to the Higher Education sector.

The case study has shown that NGOs are major stakeholders which stand as beneficial influencers for out-coming policies in the field of EU education. As the “European Students’ Union” has argued, “the thorough design and implementation of EEA policies cannot be achieved if democratic, autonomous, stakeholder representation is set aside at the different levels”⁸⁶, when referring to Higher Education in the EU.

⁸⁶ European Students’ Union (ESU), *European Union Higher Education package: a first step on a long journey*, 28.02.2022, p. 2. https://esu-online.org/wp-content/uploads/2022/02/European-Union-Higher-Education-package_-a-first-step-on-a-long-journey.pdf. [Accessed on 01.05.2022].

COOPERATION IN THE FIELD OF EDUCATION: IMPACT ON THE EDUCATION SYSTEM IN THE REPUBLIC OF MOLDOVA

Liudmila CUROȘ*

Abstract: *The author approaches cooperation in education, analyzing the opportunities and the challenges from various social fields. The achievements obtained so far and their combination with the opportunities offered by the EU places the Republic of Moldova closer to Europe not only geographically, but also socially. If our country tends towards a European future, elaborating and implementing a series of innovative and systemic reforms in all spheres of activity during the last years, then education has undergone the most transformations; some have had an essential contribution in changing the educational and structural system. , which would bring the economy, legislation, culture and education closer to Western standards.*

Education at all levels is a sure channel to promote everything that includes the term European citizenship. European integration will be done by those who are today in the school benches or classrooms of colleges and universities in the country. We will discuss in this article the educational projects and programs implemented and supported in the Republic of Moldova by the European countries.

In the globalized world, there will remain significant cultural, linguistic, and economic differences between the states of the world, so uniformity in a particular European common is problematic. In conclusion, the author mentions that we will have a gradual uniformity that considers each country's national specifics without harming the elements related to national sovereignty in its international context. Undoubtedly, today's young people need to be confident that they will have the chance to exchange university experience in a country other than their home country, which can be ensured, for example, by extending the Erasmus + Program, which has a means of coordination and facilitating the exchange of experience. Exchange of good educational practices and adaptation of national to European, international education would put behind the differences and conflicts of the past to create its future.

Keywords: *education, educational project, educational system, educational program*

Introduction

The Republic of Moldova is a small country but with a geographical location in the centre of the old continent, Europe, at the intersection of 3 macro-regions, Central Europe, CIS and the Balkans. This junction brings both benefits, such as multilateral trade and the poly-ethnic component of the population and disadvantages: energy and historical dependence, which are not always successful.

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In a country like the Republic of Moldova, where the spirit of the initiative has been uprooted for years during the communist era, where spiritual culture and widespread prejudice reject a trade, a change of mentality is needed that can be achieved at all levels of education. Yes, we have a relatively small, limited domestic market and low purchasing power, but making the most of the geo-economic and transit position, investing in agriculture and entrepreneurship, and involving strategic thinking focused on economic development - has a future fruitful with developed EU countries. It is time to wake up and understand that without conscious, educated, competent people with a spirit of initiative, we have no future; without a favourable business environment for entrepreneurs, we will not have a country; they are the ones who pay taxes and the guarantor of national success. Citizens of the Republic of Moldova are urged to be aware of the essential idea: no matter who you are, what language you speak, what skin colour you have or what religion you follow, it is important what you think, what education you develop and at what level we apply our skills. Maybe we need to diversify our educational trajectory, harmoniously combine interdisciplinarity, strengthen the exact sciences and nature positions, develop knowledge levels, and correlate with age and family intervention in youth education, infrastructure, and the specifics of our evolution. The education system must become a place for any beneficiary to become aware of his personality and work on improving it.

Significant importance in developing a country is the visualization of tomorrow, how we want it to be, and how we project it: in globalized Europe or other partnerships. However, we can give what we will enter and what we will take with us this Europe with the offer. In all cases, we will be respected and accepted only if we have that well-being and level, if we educate for creation, research and innovation. Otherwise, we will be doomed with self motives, IT-"motives", cheap labour, lack of respect and identity, and the lies that cleverly camouflage real problems and needs.

Changes in education, research and innovation involve systemic approaches with analysis, studies, evaluations, concepts, and actions, including pain if we want efficiency and only optimization. The high school that the future demands cannot be achieved without political will, which means courage, coherence, sustainability and cleverly created legislation. Any change will arouse indignation and even conflict - many will not understand today that everything that depends on education, research and innovation are areas of the nation's strategic background (in general, they really belong to state security!). This order of ideas has recently been demonstrated by the chaos in the neighbouring country, the high level of defence through the spirit of patriotism developed over time.

The nature of the human being demands decent conditions, to have the right to his dignity, to be free, to associate with our fellow men. Benefiting from these rights, people are distinguished by the different ways they perceive and penetrate their essence. And then, in their evolution towards democracy, people deviate from the simple desire to survive to the desire to "have", accumulating and creating wealth, agonized by work and knowledge, which open new opportunities for man to

achieve, obtain and create performance, social and cultural advancement, qualitative change and, ultimately, dependency reduction. Based on these ideas, I hope that cooperation with the EU in all areas, including education, will lead to the development of our country and the awakening to reality with the tendency to align with countries with good practices.

Developments of cooperation between the Republic of Moldova and the European Union in the field of education

Today's young people are our future tomorrow; namely, they must be placed at the heart of the European Union's cooperation with Eastern Partners, including the Republic of Moldova. The EU can contribute to economic development, more profound democracy, and a more stable society by supporting more significant opportunities involving young people.

The first brick, which laid the foundation for sustainable cooperation between the EU and Moldova in education, was the accession to the Bologna Process, which aimed to transform the European economy into one of the world's knowledge-based strongest economies and develop human potential. Although the Europeanization of the education system in the Republic of Moldova began in 2005 when the 1995 Education Law was amended and supplemented, the accession of the education system in the Republic of Moldova to the Bologna Process allowed the connection of the education system to the European one. Real, "otherworldly" offers to apply to our young people. With the accession to this process, the quality of the educational system has become a priority, and significant changes have taken place in the structure of university education. It is about:

1. Introduction of higher education based on three cycles - bachelor's, master's and doctorate, introduction of the Diploma Supplement and the European Transferable Credit System (ECTS). This model of higher and postgraduate studies replaces the model in which the graduates of the public secondary schools followed five years of studies at the university, and the graduates of the high schools studied for four years in the higher education institutions.

2. Enrollment of candidates in higher education institutions only based on the average obtained at the baccalaureate exams;

3. Organizing the internal and external quality assessment and monitoring system by creating a Quality Assurance Agency, independent of the Government, and quality management centres at each university;

4. Connecting the university offer to the market requirements by following the path of the graduates, creating connections with employers, and professionalizing education.

An enormous benefit that the Bologna reform offered us lies in the radical transformations in the university curriculum. The conditions required a review of disciplines in all universities of the Republic of Moldova and completely changed teaching methods. The Bologna Reform is essential to build the confidence needed for the success of learning mobility, cross-border academic cooperation and mutual recognition. Periods of study and qualifications obtained abroad. Strengthening the

quality and relevance of the learning and teaching process is a central mission of the Bologna Process. The implementation of these reforms is unequal in the 48 participating countries¹.

Following the implementation of the Bologna Process in 2006, an action plan was drawn up to establish the relations of cooperation between the Republic of Moldova and the European Union; a project carried out with the financial support of the Department of International Development (DFID) of Great Britain. From the point of view of educational policies, Chapter 7 of the Action Plan sets out two primary objectives, and each objective is broken down into several specific actions:

Objective 75: Adjust the education system in the Republic of Moldova to the standards of the Member States of the European Union and the provisions of the Bologna Process. Implement legislative reform and other actions to prepare Moldova's access to the Bologna Process.

Objective 76: Intensify cooperation in education, training and youth. They support exchange and study opportunities for Moldovans, mainly through their participation in the Erasmus Mundus Program, Intensifying Moldova's participation in the Tempus III program. Finally, the EU-Moldova Action Plan promotes EU-Moldova relations at a qualitatively new level, opening new perspectives for the European integration process of Moldova, giving more urgency to the fulfilment of Moldova's commitments to the EU under the Agreement Partnership and Cooperation, establishing priority areas for action and strengthening the EU's role in carrying out one of the main tasks facing the Moldovan authorities².

This was followed by two failed attempts - in 2008, when President Voronin did not promulgate it, and in 2010, when it was also blocked due to specific interest groups - on July 7 2014, the new Code of Education on November 23, 2014, it was implemented. With the approval of the Education Code, the Education Law (1995) was repealed. The Ministry of Education has proposed a new approach to the education process aimed at modernizing the education system in the context of the European integration process of the Republic of Moldova, following the Bologna Process. The Education Code aims to lay the foundations of a new doctrine in education, which first of all presupposes access to quality education for everyone and the irreversible overcoming of the involvement of the political factor. The implementation of the Education Code has determined the elaboration of a series of Framework Regulations such as:

- Framework Regulation on the organization of the examination for the completion of higher education;
- The framework regulation on the standardization of scientific-didactic and research activity in higher education;
- Framework Regulation on the organization and functioning of the governing bodies of higher education institutions in the Republic of Moldova;

¹ Valeria Botnari, „The Educational System of the Republic of Moldova in the Context of the Bologna Process”, in the volume *Theory and practice of public administration, Materials of the International Scientific Conference*, pp. 250-253.

² *Moldova - European Union Action Plan*, Objectives 75 and 76.

- The framework regulation on the organization and functioning of distance higher education;
- The framework regulation on the organization of studies in higher education based on the National System of Study Credits;
- Plan - Framework etc.

Cooperation continues today

From my point of view implementing the new education code and the accession to the Bologna process has placed the Republic of Moldova one step ahead of a European-oriented country. European infrastructure and cooperation programs at all stages of the education system have primarily contributed to the reform of the national education system. We point out that the European Union has a long tradition of cooperating with third countries based on a package of policies and instruments in which education plays an increasingly important role.

The inclusion of the Republic of Moldova in the Eastern Partnership Program has facilitated the promotion of European models in the education system. This project was initiated by Poland and Sweden in 2008 and is an initiative to strengthen and deepen EU cooperation with Eastern States (Armenia, Azerbaijan, Belarus, Georgia, Moldova, and Ukraine). The overall goal of the Eastern Partnership in Education and Research is to develop programs that would allow educational institutions and students in EU neighbouring countries to work with universities in EU member states - the so-called scientific mobility and research program, such as Tempus, later Erasmus +).

Since 2007, universities have been actively involved in the Erasmus Mundus Program, with young people from the Republic of Moldova obtaining, annually, master's scholarships in European university centres. However, academic mobility has not become an institutionalized practise in the Republic of Moldova. In order to improve the quality of teaching in the Eastern Partnership countries, as well as in the universities of the Republic of Moldova, for the period 2014-2020, the new Erasmus + Education Program was promoted, bringing together seven EU programs, carried out until 2014: Lifelong Learning, (throughout life), Youth in Action, Erasmus Mundus, Tempus, Alpha, Edulink etc. As an example, Erasmus + aims to stimulate Europeans' personal development and career prospects. It supports all sectors of education and training and non-formal learning for young people, volunteering and grassroots sports. Joint projects aimed at achieving results that will mainly and directly benefit the institutions in the eligible partner countries involved in the project. The projects generally focused on three different categories of activities:

- development of study programs;
- modernizing the governance, management and operation of higher education institutions;
- strengthening the relationship between educational institutions and the broader economic and social environment.

The current Erasmus + Program, which will run from 2021 to 2027, is aimed at people of all ages and aims to become more inclusive, digital, greener, and to

support the resilience of the education process in pandemic conditions. The EU's program for education, training, youth and sport in Europe comes with a budget of 26.2 billion euros, complemented by 2.2 billion euros from additional EU instruments; the program will provide over 20 million 2021-2027 people with the opportunity to study, train and gain experience abroad³.

In the first call for applications for the new Erasmus + program, announced in March 2014, the Eastern Partnership countries and the Republic of Moldova were eligible for the Jean Monnet Program and Joint Master's Programs. The specific action of Jean Monnet aims to increase opportunities and career development for university teachers who carry out teaching or research activities in the field of European integration. Through Joint Masters' Projects, universities in the Republic of Moldova have become part of institutional higher education consortia in Europe. This contributes to improving the quality of education and training. In partner countries under the Erasmus + Program, national teams of experts in the field of Higher Education Reforms (HEREs) are active, whose mission is to support the process and strategies of higher education reform, to establish a political dialogue with the EU in the field of higher education and providing expertise in the field.

In addition to opportunities in higher education, in the Republic of Moldova, there are other projects such as Erasmus + Youth & European Solidarity Corps and Erasmus Student Network Chisinau involving students, pupils and teachers in non-tertiary technical vocational education. More recently, centres of professional excellence operate in a specific local context, being an essential element of the ecosystems of skills for innovation, regional development and social inclusion, and collaborating with centres of professional excellence in other countries through international networks and collaboration. They provide opportunities for the initial vocational training of young people and the further development and retraining of adults through a flexible and appropriate training offer to meet the needs of a dynamic labour market in the context of the dual green and digital transition. These centres act as catalysts in the field of innovation in local businesses. This action supports the establishment and progressive development of collaborative networks for centres of professional excellence, contributing to the creation of skills ecosystems for innovation, regional development and social inclusion. The networks will bring together centres of professional excellence from different countries or develop the model of professional excellence by establishing links between partners from different countries who intend to develop professional excellence in their local context through international cooperation. Vocational education and training institutions in the Republic of Moldova can participate as partners in the networks of Vocational Excellence Centers, together with the institutions from the EU countries associated with the Erasmus+ program⁴.

The retrospective of the years 2014-2019 for the implementation of Erasmus + supported projects in our country demonstrates the desire to align ourselves with the countries of the European Union. As an example, 24 out of 29 higher education

³ <http://erasmusplus.md/programul-erasmus>

⁴ <http://erasmusplus.md/centre-de-excelenta-profesionala>

institutions in Moldova were involved in Erasmus + projects; in 2019, they were selected - for four projects, 2018 - 2 projects, 2017 - 4 projects, 2016 - 4 projects, 2015 - 3, at Thus, the teachers obtained funding from the European Commission being involved in 13 Jean Monnet projects: 2019 - 4 projects, 2018 - 1 project, 2017 - 1 projects, 2016 - 4 projects, 2015 - 3⁵.

Although each Member State is responsible for its education and training system, the EU has an important supporting role. It encourages cooperation and the exchange of good practices between the Member States, complementing national efforts and reforms. The EU's ambitious goal is to enable all EU citizens to enjoy the best education and training. The Republic of Moldova fully benefits from the proposed offers, from the chance to increase the country's level of development.

The European pillar of social rights provides that everyone has the right to education, training, and lifelong learning conducive to inclusion and quality to acquire and maintain skills that enable them to participate fully in social life and manage market transitions successfully. workforce⁶.

It is time to align ourselves with the good practices of the world's countries and learn lessons. Examples from Finland, Denmark, Singapore and European countries show that family, well-being and prestige are essential conditions for quality education. The educational experience of Finland, Switzerland, Belgium and other European countries shows that the focus should not be on knowledge or information itself but skills development. In the Internet age, smartphone information is constantly being updated and widely available. The task of the whole education system must be focused on preparing the student to be able to control the enormous flows of data and information effectively and be able to get where he intends. In other words, we need to provide the fishing rod and the skills needed to use it, not the fish, so that today's baby can constantly be growing even when he or she has reached adulthood.

Future cooperation

The European Commission is developing initiatives to make the European Education Area a reality by 2025. The European Education Area is based on six dimensions: quality, inclusion and gender equality, green and digital transitions, teachers, higher education and a stronger Europe. The initiatives will examine, among other things, various ways to improve quality, in particular concerning basic and digital skills, to develop the inclusive nature of school education and gender focus, and to improve school outcomes. At the same time, they will contribute to a better understanding of climate change and sustainability, encourage the greening of educational infrastructure, support the teaching profession, further develop European universities and strengthen connectivity between education and training institutions. Efforts to create the European Education Area will go hand in hand with the Agenda for Skills in Europe, the renewed education and training policy and the European Research Area⁷.

⁵ http://erasmusplus.md/sites/default/files/media_file/2019-12/erasmus-programme_2019.pdf

⁶ <https://www.consilium.europa.eu/ro/policies/education-area/>

⁷ https://ec.europa.eu/commission/presscorner/detail/ro/IP_20_1743

The coronavirus crisis (COVID-19) has placed distance learning at the heart of educational practices. This highlighted the urgent need to improve digital Education as a critical strategic goal for a high-quality teaching and learning process in the digital age. Now that the emergency phase of the pandemic has passed, we need a longer-term strategic approach to digital skills education and training. In this context, to mention only a few reports presented by some high-ranking representatives:

Margrethe Vestager, Executive Vice President for a Digital Europe Ready, said: *"Education and training have been severely disrupted by the COVID-19 epidemic and a rapid shift to online and distance learning. The mass use of technology has revealed gaps and weaknesses. At the same time, it is a good opportunity to reset education and training in the spirit of the digital age. 95% of respondents to the public consultation on the Digital Education Action Plan see the crisis as a turning point in how technology is used in Education and training. It's a great time to reshape education and modernize it for the digital age"*.

Margaritis Schinas, Vice-President for Promoting the European Way of Life, said: *"Education is a key element of the European way of life. Our vision for the European Education Area is based on the values of freedom, diversity, human rights and social justice. Together with the Digital Education Action Plan, we are proposing new initiatives to learn and work together across the continent. For our young people, for our citizens, for our prosperity"*.

The Commissioner for Innovation, Research, Culture, Education and Youth, Mariya Gabriel, said: *"The European Education Area and the Digital Education Action Plan are key to future European economic recovery and growth. They set out a common vision for the future of Education, which is linked to our commitments on green and digital transitions. We now need to focus on implementing and creating synergies between them"*.

The answer of the Republic of Moldova would be the Education Development Strategy for 2021-2030 "Education-2030", which defines the policy of the Government of the Republic of Moldova in the field of education, and describes the mechanism for its implementation during 2021-2030 and specifies the expected impact on the state and society. The project for the elaboration of the National Strategy "Education 2030" is carried out by a team of national and international experts of the Institute of Public Policies under the Ministry of Education, Culture and Research auspices. UNICEF Moldova supports the project.

However, let us get back to the "explosion" in the field of ICT. Yes, we train proper artisans; most of them test foreign software, and the state has the respective dividends. Nevertheless, how many of these craftsmen are programmers and how many millions have been spent on software in the last five to seven years? Higher education has the difficult task of selecting and training beneficial artisans, who can be trained in vocational schools and people educated for creation, research, and innovation. Here, too, we face the Great Problem: the state needs pedagogues, doctors and engineers, but in society, there is a total lack of interest of young people in studies in science, technology, engineering and mathematics (STEM).

On April 28, 2022, the Ministry of Education and Research organized a meeting to discuss the International Expertise Report on the Draft Strategy "Education 2030". The report represents the results of the evaluation and analysis exercise of how the Strategy "Education 2030" was elaborated - the leading national document for strategic planning of the development of education in the Republic of Moldova.

The objectives of the international expertise exercise of the Strategy "Education 2030" are related to establishing whether the document corresponds to international standards and prospects for the development of education in the Republic of Moldova. The evaluation criteria applied by the international expert focused on: leadership and participation; viability and relevance; equity, efficiency and access to primary education; feasibility, possible to implement and monitor, etc.

The analysis revealed a good synergy between the key elements of the strategic vision included in each of the "Education 2030" Strategy priorities. These policies have transposed and detailed the development visions set out in the National Development Strategy, the Education Code and the 2030 Agenda. Development of national capacities in terms of policy, planning, budget in the education system, etc. A particular chapter will have to be given to the concept of response to various emergencies/crises, droughts, floods, pandemics, conflicts, etc. In addition, the content on rural education, people from vulnerable families, people with special educational needs, and aspects related to the financing of the national education system will be developed.

Conclusions

In the Republic of Moldova, education is a national priority, the fundamental factor in creating and transmitting new knowledge and general human values, the development of human capital, the formation of national consciousness and identity, in promoting the aspirations of European integration with a primary role in creating the premises for sustainable human development and the building of a knowledge-based society. In our country, it promotes an educational policy connected to the European educational policies relevant to the current problems and needs of the educational system and its beneficiaries. These statements urge us to make an effort to participate in creating the European Education Area by going hand in hand with the Agenda for Skills in Europe, the renewed education and training policy and the European Research Area. Education will unite us if we cultivate and ensure the harmony of a true family. Every parent wants his offspring to become excellent, intelligent, fair, hardworking, rich, with heart and soul in future activities.

THE EU'S DEVELOPMENT ASSISTANCE: BETWEEN SHARED VISION AND DIVERGENT INTERESTS

Malgorzata ZAJACZKOWSKI*

Abstract: *The EU is the world's largest donor of development aid, responsible for providing about half of global development assistance. The unique and multifaceted position of the EU in development is that it is both a bilateral donor, providing aid directly to developing countries, and a multilateral organization coordinating the national aid policies of its member states. The EU development aid policy is a shared competence between the member states and the European Union institutions. Therefore, planning and implementation of EU external actions is the result of two processes: first, arrangements at the national – member states level – and second - joint decisions at the level of the Community institutions. Therefore the article seeks to show the dynamics of the relationship between the two dimensions of European development aid policy. The purpose is to explore the possibility of creating a true collective EU development assistance understood as coherent and harmonized EU actions towards third countries.*

Main attention was paid to the process of shifting in EU development cooperation policy from the national level to EU institutions and the collective dimension. The complexity of the problem lies in the fact that the range of activities under discussion is very broad and they are carried out both by EU institutions acting on behalf of member countries and by member countries themselves. Each of these dimensions plays an essential role. The national level of member states dominates because of the predominant financial spending position and broad autonomy over the foreign policy area. On the other hand, the Community channel, headed by the European Commission (EC), plays an increasing role of coordinator of the aid provided under both dimensions. The position of the EU institutions is increasing due to growing pressure to make EU action more coherent and visible, and also because of changes in the financing of development cooperation, especially the establishment of a single source of funding, i.e. NDICI Instrument - Global Europe.

The article is based on a synthetic summary and interpretation of available data on latest trends in development assistance and a review of the subject literature. It allowed to demonstrate the relevance of the studied issue in the context of recent changes, especially caused by the COVID-19 pandemic. To this end, firstly, the rules, institutional and treaty framework of the EU development assistance were explained, secondly, the changes that occurred in EU development policy also as a result of the COVID-19 pandemic were indicated, and thirdly, the real contribution of EU institutions and member states in development cooperation was shown.

Keywords: *Official Development Assistance (ODA), EU, development cooperation, DAC OECD, financing instruments.*

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Introduction

The paper focuses on the development assistance directed by the European Union (EU) to developing countries, which has been implemented for more than two decades in the formula of development cooperation. This new approach to development aid has been largely adopted and fostered at international level thanks to the involvement of the EU. This is the result of the high financial, technical and organizational commitment of the EU institutions (EUI) and their member states. The EU's significance in the system of international development aid stems from the following factors: first, the EU institutions and the majority of member states belong to the Development Assistance Committee (DAC) of the OECD, which is the main institutional steering body of international development aid. The EU DAC members are among the most generous aid donors and the EU as a whole is responsible for providing about half of global development assistance; second, the EU's aid delivery structure is characterized by specific and diverse instruments that affect the functioning of the entire global aid system; third, the disparity in financial contributions among EU members reduces the effectiveness of the EU as a major aid donor. This is also a problem that concerns the global aid system. Therefore one of the most significant challenges is bridging the gap among EU donors.

The EU is a unique actor in the field of development assistance, being both a bilateral donor, providing aid directly to developing countries, and a multilateral organization coordinating national aid policies of its member states. It is thus undeniably a complex system that relies on the implementation of development assistance through two channels: the one led by EU institutions acting on behalf of member states and the EU as a whole, and the national channel of individual member states. From the point of view of the unity of the union and its image as a global actor, these activities are not very transparent and lead to the duplication of similar development programs. In practice, the national pillar, i.e. the aid policy carried out by the member states, definitely dominates. However, as a result of recent developments, including but not limited to the COVID-19 pandemics, the focus in European development cooperation has shifted to the collective development policy overseen by the EU institutions, most notably the European Commission. The question is whether the changes that have been taking place in the last few years go more in the direction of strengthening the EU collective dimension or are still a set of interconnected actions of individual member states?

The first section explains the concepts, institutional and treaty framework of European development assistance. The second one focuses on the changes that have taken place in EU development policy also as a result of the COVID-19 pandemic. The third part presents the practical implementation of development policy, i.e. the volume of ODA financial flows, geographic directions of EU aid delivery and types of support for both the EU institutions and member countries. The article focused on the process of shifting emphasis in European development cooperation to collective resources. An attempt was made to show the emergence of accents pointing to such a development direction, which was evident in the changed institutional set-up under

the leadership of the EC and the new allocation of the development aid budget for 2021-2027.

1. EU's development cooperation

The modern approach to international aid encompasses traditional foreign aid-type activities, but also various forms and mechanisms of cooperation targeting developing countries whose common goal is effective development, understood as poverty reduction, welfare growth and accelerated economic growth¹. What, then, distinguishes the new approach to aid from the old one, since both involve the transfer of funds and declare to consider the needs of the recipients? The answer is not an easy one, as development cooperation involves additional participants, various areas of support, mechanisms and ways of financing aid. Therefore, it can be assumed that when development assistance as an instrument of the development policy of a state or an international institution ceases to be of a unilateral nature and meets with the active support of the developing country, then we are dealing with development cooperation². Under the formula the emphasis for aid delivery and its outcomes (effectiveness) is put not only on the donors but also on the recipients who take shared responsibility for the success of development programs.

The concept of development cooperation is thus the result of a search for a new expression of aid that would take into account and enhance the importance development needs and objectives of the aid recipients. It can be defined as comprehensive cooperation between donor and recipient countries that also involves international institutions and private actors, including NGOs and businesses³. It is therefore a broader concept than foreign aid or development assistance because it is not limited to the unilateral actions of donors and their institutions. It may encompass several elements: transfer of financial, in-kind, technical or other resources to developing countries; new international regulations favoring economic development of less developed countries; actions involving the promotion of knowledge and awareness about the development problems of the South.

The EU development cooperation is part of global development system. It has been shaped in parallel to the events taking place in global politics, but has also strongly influenced global framework of development aid system under the auspices of the United Nations (UN) and the Organization for Economic Co-operation and Development (OECD). Therefore, dynamic changes in development aid environment, as well as within the EU, have made it necessary to update and adapt the European political and strategic framework to new challenges. At the international level, it was the introduction of principles and regulations related to improving the effectiveness of development assistance. The most important

¹ M. Zajaczkowski, *Development Cooperation within the Framework of the World Trade Organization*, SGH Publishing House, Warsaw, 2021, pp. 22-28.

² P. Bagiński, *Europejska Polityka Rozwojowa*, CEDEWU.PL Publishing House, Warsaw, 2009, pp. 21-32.

³ OECD, *Busan Partnership for Effective Development Co-operation*, Fourth High Level Forum on Aid Effectiveness, 29 November - 1 December 2011, <https://www.oecd.org/development/effectiveness/49650173.pdf> [Accessed on 09.05.2022].

solutions in this regard were adopted in the Paris Declaration on Aid Effectiveness (2005) and the Accra Agenda for Action (2008), as well as the provisions on development financing of Monterrey 2002, Doha 2008, Addis Ababa 2015. On the EU level, it was the enlargement of the community and the admission of new member states to the group of aid donors. The enlargement of the EU to states from Central and Eastern Europe brought about a significant change in the European aid architecture.

The primary indicator for tracking, assessing and predicting funds allocated by the EU and members states to development aid is Official Development Assistance (ODA). To date, it remains the only global and comparable measure of aid engagement for both state donors affiliated with the OECD's Development Assistance Committee (DAC) and non-DAC providers. Therefore, the definition of ODA created by the DAC in 1969 still remains the primary category for measuring and tracking aid flows on a global scale. According to it, ODA is defined as government aid, which consists of flows directed to a specific group of countries from official institutions of donor countries and local governments, whose most important goal is to support the economic growth and welfare of developing countries. Public transfers must include a grant element, the level of which depends on the socio-economic development and income ratio of the recipient country⁴.

The beginning of the EU development cooperation coincided with the signing of the Treaty of Rome in 1957. The creation of the European Development Fund (EDF) in the late 1950s established financial support for special relationship with former colonies in the African, Caribbean and Pacific (ACP) regions which became first EU's beneficiaries⁵. Over the years, the scope of EU development cooperation has gradually expanded. Currently the support for the ACP countries is provided under the Cotonou Agreement, which remains in force until its successor, the recently concluded EU/Africa-Caribbean-Pacific Partnership Agreement, enters into force. However, as of January 1, 2021, there have been major changes in the financing structure of EU development assistance. Since then, aid flows has been channeled through the broad Instrument for Neighborhood, Development and International Cooperation: NDICI - Global Europe.

With regard to the EU activities towards developing countries there is no unified treaty formula for defining this type of action. EU documents are dominated by terms such as development policy or development cooperation, which are used interchangeably. For example, *the Regulation establishing the financing instrument* uses the term 'development cooperation', while the *2006 European Consensus for Development* and the subsequent *2017 Consensus* refer to 'development policy'. However, the formula that best reflects the current approach is the 'development

⁴ ODA Definition and Coverage, <https://www.oecd.org/dac/financing-sustainable-development/development-finance-standards/officialdevelopmentassistancedefinitionandcoverage.htm> [Accessed on 07.05.2022].

⁵ E. M. Galvez, *European Development Aid: How to be more effective without spending more?* Policy Paper No. 57, Notre Europe, 2018, pp. 3-4, https://institutdelors.eu/wp-content/uploads/2018/01/developmentaid_e.munozgalvez_ne_july12.pdf [Accessed on 09.05.2022].

cooperation policy', which stems first from the new EU regulations and second from their strong linkage with international arrangements developed under the auspices of the UN and OECD. Accordingly it reflects a combination of two elements: (1) the EU development policy, implemented by the community and member states, and (2) cooperation with developing countries on the basis of partnership, assuming equal treatment of all parties⁶.

The relevant regulations allowing the implementation of development cooperation policy are to be found in the EU treaties, first of all in Articles 4 and 208 of the Treaty on Functioning of the European Union (TFEU) and Article 21(2)(d) of the Treaty on the European Union (TEU). Accordingly, Article 4 of the TFEU establishes the EU's competence to conduct joint policy actions in the area of development cooperation in parallel with the exercise of EU member states' own competencies. It is therefore an area of shared competence, which implies the need for mutual support and complementarity. As a consequence member states should strive for complementarity between their actions and that of the EU institutions (art. 24 of the TEU). In turn, Article 208 sets out the basic goals of development policy, which include, first of all, the reduction of poverty. This was directly related to the Millennium Development Goals (MDGs), replaced in 2015 by the Sustainable Development Goals (SDGs), that began a global effort to tackle extreme poverty. EU development policy also pursues the objectives of EU external action, as set out in Article 21(2) of the TEU. These are to support the sustainable economic, social and environmental development, but also to promote democracy, the rule of law and human rights, preserve peace and prevent conflicts, improve the quality of the environment and sustainably sustainable management of global natural resources.

In line with the treaties, EU development cooperation policy is implemented in parallel through two channels: by the EU institutions and within the framework of the national development policies of member states. Thus, a natural problem arises concerning the interaction between these two levels. The issue is the choice of priorities and also the degree of mutual complementarity. To some extent, these doubts were resolved in the European Consensus on Development (2005), which adopted a common framework, principles and goals for development policy of the EU and the member states⁷. The subsequent 2017 European Consensus⁸, further clarified the principles of cooperation between the EU and member countries through cooperative programming of aid activities and their joint implementation. The aim was also to align the EU aid actions with basic framework documents in the

⁶ EEAS, *International Cooperation & Partnership, A key pillar for EU's foreign policy*, 17.03.2022, https://www.eeas.europa.eu/eeas/international-cooperation-partnership_en [Accessed on 09.05.2022].

⁷ Joint declaration by the Council and the representatives of the governments of the Member States meeting within the Council, the European Parliament and the Commission on the development policy of the European Union entitled "The European Consensus", Official Journal C 46 of 24.2.2006.

⁸ Joint statement by the Council and the representatives of the governments of the Member States meeting within the Council, the European Parliament and the Commission - the New European Consensus on Development, 2017/C 210/01.

field of development cooperation, such as the 2030 Agenda for Sustainable Development⁹, the 2015 Addis Ababa Action Agenda¹⁰ and the Paris Agreement on Climate Change¹¹. The European Consensus, together with the 2016 EU Global Strategy (EUGS)¹², defined the main interests and principles of EU external engagement and have set out a vision for a more responsive EU to development problems of the global South.

The EU's common vision of conducting global policy has not always been reconcilable with the particular interests of the Member States. However, the shared nature of development cooperation competencies has led to questioning the full independence of individual EU member states in development policy and foreign aid¹³. Both the EUI and the member states have undertaken to complement each other's policies by coordination and consultation on their aid programs both bilaterally and through international organizations. Consequently, the Member States declared to pursue the overarching objectives of the EU development policy and to conduct their own assistance activities in line with the principles and strategic objectives of the EU. On the other hand, they retained in practice a far-reaching autonomy in terms of the scope and substance of their own aid activities, i.e. the choice of the form of aid, geographical directions or amount of financial commitments.

2. Towards more collective EU actions

Both the EU institutions and their Member States belong to the OECD's Development Assistance Committee (DAC), which is the largest club of major donors providing aid under the ODA rules. Currently, 19 EU states are members of the DAC. This kind of dual membership makes the issue of development aid one of the key domains of the EU, in which the Community institutions play a dual role. First, they are the institutional donor of assistance in accordance with UN and OECD DAC provisions, and second, they perform specific functions with regard to the aid activities of the Member States. The most important of these is to coordinate and harmonize activities of the Community and the Member State. The EU institutions that are primarily involved in the activities of the development policy are the European Commission, European Investment Bank and the European External Action Service (Table 1).

⁹ UN, *Transforming our world: the 2030 Agenda for Sustainable Development*, Resolution adopted by the General Assembly on 25 September 2015, UN, A/RES/70/1, 21 October 2015.

¹⁰ UN, Addis Ababa Action Agenda adopted at the Third International Conference on Financing for Development Addis Ababa, Ethiopia, 13–16 July 2015.

¹¹ UN Framework Convention on Climate Change (UNFCCC), the Paris Agreement, 12 December 2015.

¹² Council of the European Union, *A Global Strategy for the European Union's Foreign and Security Policy: Shared Vision, Common Action: A Stronger Europe*, 14 November 2016.

¹³ *Development Policy Review*, 2017, 35 (4), pp. 441-453, article by T. Bodenstein, J. Faust, M. Furness, "European Union Development Policy: Collective Action in Times of Global Transformation and Domestic Crisis".

Table no. 1. EU's institutional set-up for the development cooperation

Institutions	Unites	Areas of responsibilities
European Commission	<ul style="list-style-type: none"> • Directorate-General for International Partnerships (DG INTPA, previously Directorate-General for International Cooperation and Development – EuropeAid (DG DEVCO)) 	<ul style="list-style-type: none"> • formulates overall EU international co-operation and development policy; • covers co-operation with sub-Saharan Africa, Asia and the Pacific, Latin America and the Caribbean
	<ul style="list-style-type: none"> • Directorate-General for European Neighborhood and Enlargement Negotiations (DG NEAR) 	<ul style="list-style-type: none"> • manages co-operation with EU neighbors to the east and south
	<ul style="list-style-type: none"> • Directorate-General for European Civil Protection and Humanitarian Aid Operations (DG ECHO) former Directorate-General for Humanitarian Affairs 	<ul style="list-style-type: none"> • in charge of humanitarian aid and civil protection
European Investment Bank	<ul style="list-style-type: none"> • Board of Governors • Board of Directors • Management Committee 	<ul style="list-style-type: none"> • offers a wide range of financial products, such as loans, equity, guarantees and quasi-equity instruments; • finances investments mainly in sectors that generate revenues from the products and services provided
European External Action Service	<ul style="list-style-type: none"> • Departments of Africa, the Americas, Asia and Pacific, Europe, Eastern Europe & Central Asia, Middle East & North America • Department of Global Agenda and Multilateral relations 	<ul style="list-style-type: none"> • co-ordinates the EU's foreign policy, participates in co-operation programming and manages the EU delegations

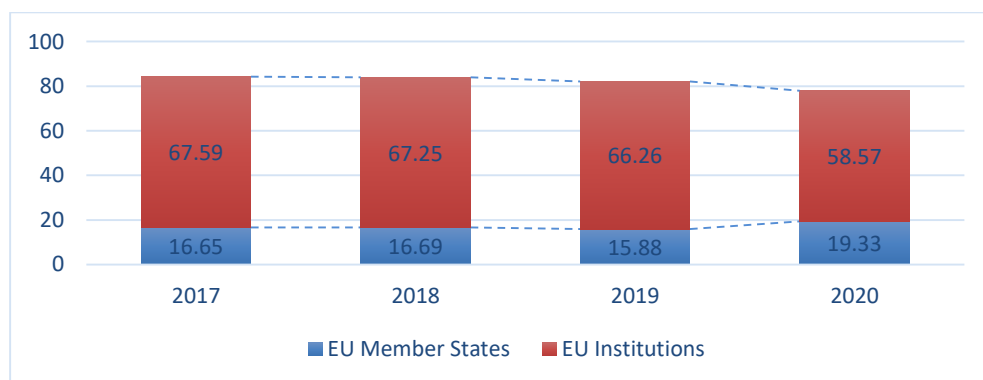
Source: Own elaboration.

The financial contribution of EUI to development assistance is incomparably lower than ODA spending from member states. In 2020, the total ODA of the EUI amounted to EUR 19.4 billion in nominal terms, while the aggregate ODA provided by the 27 member states (without the UE) reached EUR 58.6 billion¹⁴. In 2019-2020, the EUI ODA increased by about 25%, driven by the financing of COVID-19-related activities (Figure 1). These included inter alia state loans from the EUI which

¹⁴ OECD, *Development Cooperation Profiles: European Union institutions 2019-2020*, OECD-DAC https://www.oecd-ilibrary.org/sites/c0ad1f0d-en/index.html?itemId=/content/component/5e331623-en&_csp_=b14d4f60505d057b456dd1730d8fcea3&itemIGO=oecd&itemContentType=chapter [Accessed on 17.05.2022].

increased by 136% and thus contributing to the rise in ODA¹⁵. Before 2019, ODA from the EUI had remained fairly stable and the same is expected from the new budget for 2021-2027, despite the UK's withdrawal from the EU. In 2019-20, around 25% of total EU aid passed through the EU Institutions channel. For comparison, in 2005-2006 this share was around 18%¹⁶. The EU institutions alone (i.e. excluding EU member states) ranked third among DAC members in terms of volume. This is an essential contribution to the financing of development in third countries, nevertheless much less than the joint effort of the EU major state donors¹⁷.

Figure no. 1. *Financial commitments of EU institutions and EU member states, 2017-2020, EUR billion*



Source: Own elaboration based on EU Aid Explorer, https://euaidexplorer.ec.europa.eu/explore/recipients_en [Accessed on 17.05.2022]

The relevance of the EUI in the area of development policy seems to be strengthened by the adoption of a new EU Multiannual Financial Framework (MFF) for 2021-2027. The new financing instrument entitled the Neighbourhood, International Cooperation and Development Instrument/Global Europe (NDICI/GE) has become the main, and in fact the only financing tool for EU external action. A complete novelty was the inclusion of the previous extra-budgetary European Development Fund (EDF) within its framework. Overall, it combined the EU's previous external instruments and covered cooperation with almost all third countries. Exceptions were made for pre-accession beneficiaries from Western Balkans and Turkey as well as overseas countries and territories, which were subject to other special specific instruments¹⁸. After four decades of

¹⁵ Donor Tracker, *EU ODA Funding trends* <https://donortracker.org/country/eu> [Accessed on 12.05.2022].

¹⁶ Final ODA flows in 2006, <http://www.oecd.org/dataoecd/7/20/39768315.pdf> [Accessed on 04.05.2022].

¹⁷ Development Cooperation Profiles, *Ibidem*.

¹⁸ European Commission, *Neighbourhood, Development and International Cooperation Instrument (NDICI) - Global Europe*, https://ec.europa.eu/international-partnerships/system/files/factsheet-global-europe-ndici-june-2021_en.pdf [Accessed on 12.05.2022].

efforts by the EC and the European Parliament to 'budgetise' the EDF, the goal has been finally achieved¹⁹. From its inception in 1957 until 2020, this extra-budgetary instrument, which was wholly owned by EU member states, has largely financed EU cooperation with ACP countries and overseas territories²⁰.

A key objective of modernization of the external dimension of the EU funding was to strengthen coordination between the community pillar and member states' internal policies and to make the funding mechanisms and tools as flexible and responsive as possible to changing circumstance. This was to be achieved firstly, by increasing the resources for EU external action, secondly, by reducing the number of financing instruments and thirdly, by providing flexibility of financing programs within a multi-annual budget. Regarding the first aspect the total budget allocation for the 7-year period was EUR 79.5 billion (in current prices), an increase of more than 12% compared to the previous budget cycle 2014-2020. As for the second point the new instrument covered both the EDF and several previous external financial facilities into a one single tool (Figure 2). The third point is that the new way of financing external activities was designed to remove artificial divisions that existed in former financial instruments and avoid additional administrative burdens as well as streamline the management structure²¹.

Figure no. 2. Former financial instruments consolidated under the NDICI-Global Europe



Source: Own elaboration.

¹⁹ M. Gavas, *Financing European development cooperation: the Financial Perspectives 2014-2020*, Overseas Development Institute, London, 2010, <https://odi.org/en/publications/financing-european-development-cooperation-the-financial-perspectives-2014-2020/> [Accessed on 19.05.2022].; A. D'Alfonso, *European Development Fund – Joint development cooperation and the EU budget: out or in?* European Parliament Research Service, 6 November 2014, <https://epthinktank.eu/2014/11/06/european-development-fund-joint-development-cooperation-and-the-eu-budget-out-or-in/> [Accessed on 13.05.2022].

²⁰ E. M. Galvez, *Ibidem*.

²¹ European Commission, *EU external action budget: European Commission welcomes the final adoption of the EU's new long-term external action budget for 2021-2027*, 9 June 2021, https://ec.europa.eu/international-partnerships/news/eu-external-action-budget-2021-2027-final-adoption_en [Accessed on 09.05.2022].

The new financial aid architecture was based on the EU's strategic priorities and interests as expressed by EC President Ursula von der Leyen's "Geopolitical Commission"²². In addition to the rhetoric, the formula was used to designate stronger coordination of the external aspects of the Commission's work, the main purpose of which was to promote political cooperation with partner countries and regions, especially in the neighborhood and sub-Saharan Africa. The EU's performance of its geopolitical objectives, priorities and European values has become the EU's key programable agenda²³. The basis was to balance EU commitments to the UN 2030 Agenda and its 17 SDGs together with pursuing EU global interests. Therefore the EU's engagement both in the ODA formula and other form of support, has been strongly aligned to the EU's geopolitical interests ranging from climate change to digital transition and development cooperation focused on human development and sustainable growth. The overarching goal guiding the EU institutions was to transform the EU into a "geopolitical" force to be reckoned with on the international stage²⁴.

The NDICI-Global Europe financial instrument was therefore associated with the EU's core development objectives, so that individual actions did not address separate issues but multiple objectives at the same time. It means that all main goals are to be financed from a single source, which has been divided into four components: geographical (1), thematic (2), rapid response (3), and additional crisis response intervention (4). The NDICI budget was almost entirely geographically concentrated, meaning that three-quarters of the total amount was allocated to geographic programs and less than a quarter remained for thematic priorities. The two main pillars accounted for 75% and 8% of the total EU budget, respectively, while the third pillar made up for 4% and the remaining 12%²⁵. A significant change from the previous approach was the greater emphasis on bilateral cooperation, with geographical priorities targeted at the EU Neighborhood and Africa. The cross-cutting thematic preferences included: green and digital transformation, sustainable growth and decent jobs, migration, governance, peace and security, social inclusion and human development, in particular education²⁶. The rapid response component focused on linking humanitarian and development assistance and the last type of funding was designed to complement and supply the other three budget programs in order to address any unforeseen circumstances.

²² G. Riekeles, The Von der Leyen Commission: On trial again, European Policy Centre, 29.04.2021, <https://www.epc.eu/en/publications/The-von-der-Leyen-Commission-On-trial-again~3e763c> [Accessed on 17.05.2022].

²³ *Policy Brief, Hertie School Jacques Delors Center*, 2 December 2019, article by N. Koenig, *The 'geopolitical' European Commission and its pitfalls*, pp. 1-4.

²⁴ European Council for Foreign Relations – Commentary, 28.11.2019, article by M. Leonard, The makings of a “geopolitical” European Commission, European Council for Foreign Relations, https://ecfr.eu/article/commentary_the_makings_of_a_geopolitical_european_commission/ [Accessed on 12.05.2022].

²⁵ CONCORD, *AidWatch Report. A Geopolitical Commission: Building Partnership or Playing Politics?* Brussels 2021, https://zagranica.org.pl/wp-content/uploads/2021/10/CONCORD-AidWatch-2021_final.pdf [Accessed on 16.05.2022].

²⁶ Donor Tracker, *Ibidem*.

The implementation phase of EU collective actions in development cooperation is not yet completed. The core is joint programming, which is a key element of the decision-making process by which the European Commission, the EEAS, member states and ODA receiver countries are to define EU cooperation strategies, priorities and resource allocations²⁷. Programming has two stages. The first step involves the Commission and EAES setting the basis for future EU interventions in the medium term. In particular, they define priority areas, objectives, expected results and resource allocations for EU activities at country, regional and thematic levels. The arrangements are adopted after prior consultations with member states, recipient countries and all interested stakeholders. In the second stage, after joint consultations, the parties identify and determine the exact activities in a country or region (geographic programs) or theme (thematic programs) on an annual basis. Then relevant financial allocations are adopted.

The execution of the new rules therefore depends on the fulfillment of the financial obligations of EU member states on the one hand, and on the involvement of the EUI in coordination and harmonization activities on the other. Engagement and political will are crucial, as participation in the joint programming process is voluntary, and the degree of involvement depends on each stakeholder.

3. Community versus Member States development assistance

The EU institutions and the Member States are jointly responsible for shaping and implementing EU development cooperation policy. However, within the framework of the existing treaties and practices, it is the Member States that decide sovereignly on the volume, directions, objectives and priorities of EU external commitments. It is the national governments together with their specialized agencies that choose the most important issues related to the programming and implementation of both their own as well as the aid programs governed by the European Commission²⁸. However, until a well-functioning mechanism of joint programming of aid is established, the current EU development assistance is clearly divided into two pillars: the Community pillar, implemented by the EU institutions, and the development policies pursued by individual Member States.

Each of the 27 EU Member States has its own aid policy towards developing countries and thus influences the shape of EU policy in this area. The size of the countries, their historical experience, political and economic potential make the aid policies of the member states very different. The biggest disparities are between the so-called "old" and "new" EU Member States, but also within each of these groups separately. The subject of the analysis, however, is to show the dominant trend and direction of transformations. Therefore the main differences between EU

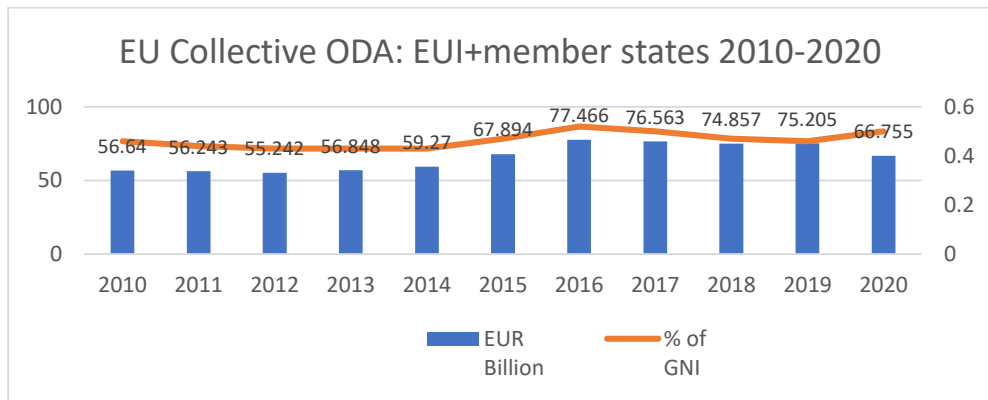
²⁷ European Commission, *EU external*, https://ec.europa.eu/neighbourhood-enlargement/news/eu-external-action-budget-european-commission-welcomes-final-adoption-eus-new-long-term-external-2021-06-09_en [Accessed on 17.05.2022].

²⁸ P. Bagiński, *op. cit.*, p. 67.

Member States, especially the most committed donors from Western European countries and emerging donors from Central and Eastern Europe relate to the amount of aid provided (1), geographic directions and objectives (2), and the organization of national aid system (3).

Ad. 1. The EU is the world’s largest donors in terms of the combined ODA of EU institutions and their member states. Together they provided 46% of global assistance which was EUR 66.8 billion in 2020 on a grant equivalent basis, representing 0.50% of EU GNI. It was a significant change from previous years, when there was a clear downward trend from 2016²⁹ (Figure 3). This surprising increase in 2020, during the COVID-19 pandemic, has raised some questions about the condition of the EU economy. The reason was first, the shrinking of the EU economy automatically triggered an increase in ODA as a percentage of GNI on the one hand, but on the other, a significant decline in EU GNI in real terms resulting from the UK’s withdrawal from the EU³⁰. Consequently, in 2020, EU GNI shrank by 4.7% in nominal terms causing an increase in the ODA/GNI ratio. The rebound in ODA spending was also partly due to an absolute nominal increase in collective ODA by 15%, which was a response to the impact of the COVID-19³¹. Global ODA, that is, provided collectively by all DAC members, including the 19 EU members, amounted to 0.33% of GNI in 2020, up in relative terms from 0.29% in 2019³².

Figure no. 3. EU collective ODA: EUI and EU member states, 2010-2020



Source: Team Europe, *Investing in*.

²⁹ Team Europe, *Investing in Sustainable Development, Progress Report 2018-2020*, Brussels 2022 <https://euagenda.eu/upload/publications/investing-in-sustainable-development---progress-report-2018-2020.pdf> [Accessed on 15.05.2022].

³⁰ The United Kingdom is included in EU collective development assistance data until 2019. The reason is its withdrawal from the European Union, which took effect on February 1, 2020.

³¹ European Commission, *Preliminary Figures on 2020 Official Development Assistance*, https://ec.europa.eu/commission/presscorner/detail/en/qanda_21_1704 [Accessed on 15.05.2022].

³² OECD, *Preliminary ODA levels in 2020*, Paris, 13 April 2021, <https://www.oecd.org/dac/financing-sustainable-development/development-finance-data/ODA-2020-detailed-summary.pdf> [Accessed on 15.05.2022].

Despite pledges to increase engagement, the EU ODA donors continue to fail to meet collective and long-standing commitments to achieve their 0.7% ODA/GNI ratio. The target was established by the UN back in the 1970s and still serves as a reference for donors' political commitments to increase development spending. With regard to this the 2017 European Consensus on Development reaffirmed the EU's collective commitment to provide 0.7% of GNI as ODA spending in achieving the 2030 Agenda³³. Despite the gradual increase in the amount of EU aid in nominal terms, the ODA/GNI ratio has increased only by 0.09 percentage points in 2019-2020. As the economy recovers from the effects of the pandemic, GNI will rise again. Therefore, to meet the 0.7% target, there must be a larger increase in EU Member States' ODA spending after 2022. In the long history of providing 0.7% of ODA/GNI Scandinavian countries have managed to reach the goal almost continuously since the 1970s. With some time breaks, it was also met by Luxembourg, United Kingdom, Netherlands and Germany³⁴.

The biggest burden in ODA spending is borne by the 'old' EU members. Commitments to increase the volume of ODA are based on decisions of the European Council and individual member states pledges. In 2005, they undertook to increase the collective ODA to 0.7% of EU GNI by 2015, and then confirmed the pledges to reach the target before 2030. The figure 4 shows the differences in the financing of development objectives by EU members in terms of ODA/GNI, as well as in relation to their joint commitments. As far as individual commitments are concerned, the date of joining the EU is the border that differentiates the two groups of countries. Those that joined the EU after 2004 have committed to strive to increase the ODA to 0.33% of their GNI, while the remaining countries confirmed reaching or exceeding the 0.7% target³⁵. In 2019-2020 only Malta exceeded the threshold of 0.33% of ODA as a % of GNI while the contribution of the remaining new members did not surpass 0.20% of their ODA/GNI ratio. Among traditional EU members, achieving the 0.7% target is equally difficult, although some countries have succeeded and even passed this ceiling. In 2019-2020 the target was met only by four EU member states, which included Sweden (1.14%), Luxembourg (1.02%), Denmark (0.73%) and Germany (0.73%).

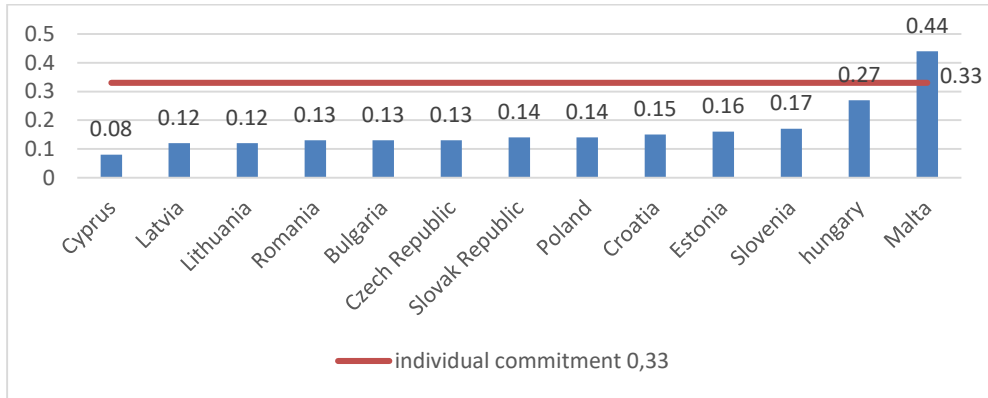
³³ Team Europe, *Ibidem*

³⁴ CONCORD, *Ibidem*.

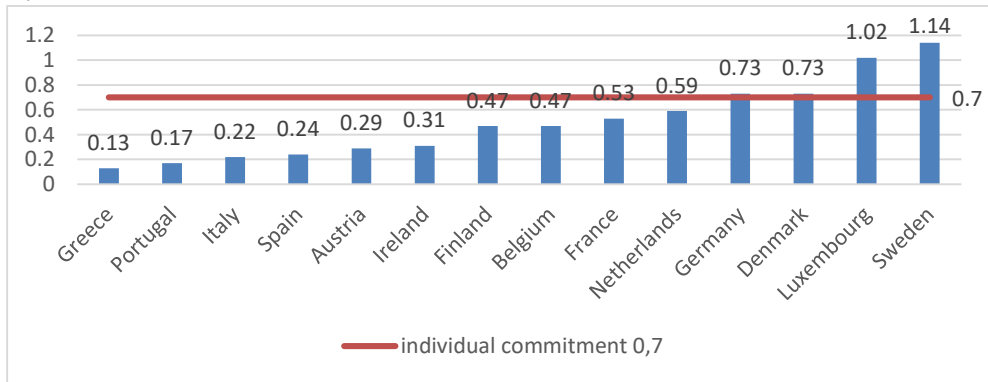
³⁵ European Commission, *Team Europe increased Official Development Assistance to €66.8 billion as the world's leading donor in 2020*, Press release 13 April 2021, https://ec.europa.eu/commission/presscorner/detail/en/ip_21_1701 [Accessed on 16.05.2022].

Figure no. 4. ODA/GNI of the 27 EU Member States, 2019-2020

A.



B.

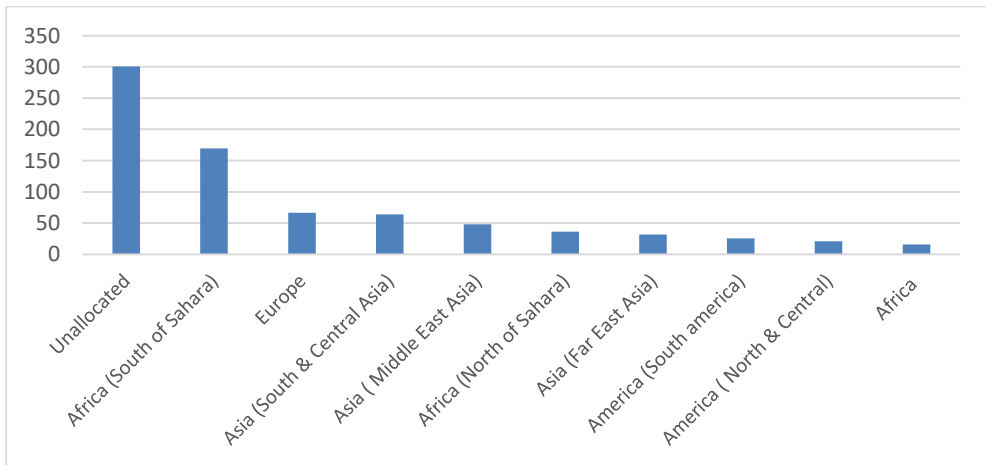


Source: Team Europe, *Investing in*.

The persistent gap between the EU Member States in their aid commitment is due to a number of common factors. Firstly, it results both from relative economic backwardness and the need to mobilize funds to catch up with their own development. Secondly, the lack of close ties with traditional development aid recipients located in ACP regions, Asia or South America. Third, the shortage of organized support channels, regulations and other institutional structures needed for the efficient transfer of aid. Fourth, lower awareness of the public and decision-makers of the need to support less developed countries, as well as knowledge of problems of the global South. Nevertheless, there has been a gradual convergence of member states' development policies for many years. The differences in terms of both the amount of aid and the objectives are slowly, but gradually, diminishing. The factors that contribute to this convergence are, first, common institutions, cooperation platforms of global and supra-regional character, and second, the activity of the European Commission and the EU Council for the Community. It is interesting however that similar reasons, especially those related to the poor economic condition, lie behind the lower involvement of some Western European countries such as Greece, Portugal or Spain.

Ad 2. The EU collective assistance covers most countries of the world and a broad spectrum of development issues. The main geographic focus of EU assistance is the traditional ACP countries, including Africa in particular. The concentration of European aid on African countries results first from their long tradition of political, economic and historical relations with Western European states. They are also among the lowest-income countries to be supported first, in line with UN and the OECD-DAC commitments. In 2010. The EU, together with its Member States, committed to provide at least 0.15-0.20% of the EU GNI in ODA formula to the Least Developed Countries (LDCs) by 2030. In practice, however, the EU27 collective ODA to LDCs fell by 4.1% in nominal terms compared to 2018, accounting for EUR 13.8 billion or 0.10% of GNI³⁶. Individually, only three members (Luxembourg, Sweden and Denmark) met the target. The EU collective ODA for LDCs as a percentage of GNI ranged between 0.09% and 0.12% in 2010-2019, which was well below the EU target (Figure 6).

Figure no. 5. Top EU collective ODA recipient regions in 2010-2020



Source: Own elaboration based on EU Aid Explorer, https://euaidexplorer.ec.europa.eu/explore/recipients_en [Accessed on 17.05.2020]

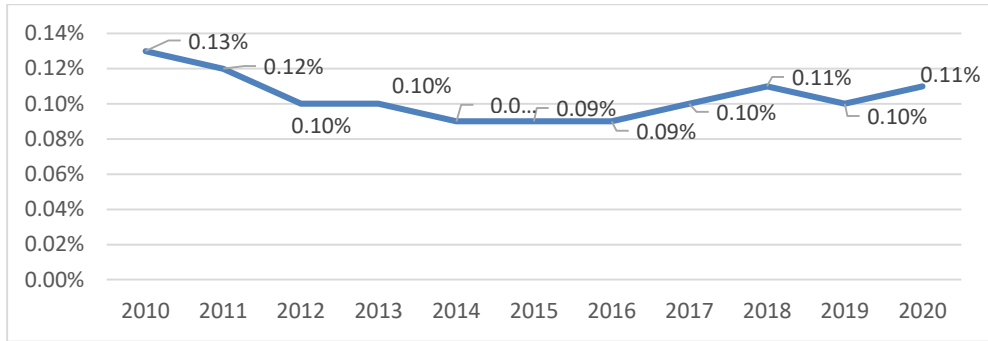
In regional distribution, next to sub-Saharan African countries, the EU's neighboring countries accounted for the largest share of the EU's collective aid. This was due to the EU's active involvement in the European Neighborhood Policy, both in its Eastern and Southern dimensions (Figure 5). When it comes to the top 10 recipients, the largest amount of EU ODA in 2019 received Turkey, despite being classified as 'upper middle-income' country' at the DAC List of ODA. Next places was taken by Ukraine and Morocco. Of the 46 LDCs, only Afghanistan and Ethiopia were among the top 10 recipients of EU collective ODA³⁷). It is expected that the

³⁶ Preliminary Figures on 2020 Official, *Ibidem*.

³⁷ OECD-DAC <https://www.oecd.org/dac/financing-sustainable-development/development-finance-data/aid-at-a-glance.htm>. [Accessed on 18.05.2022].

new NDICI - Global Europe instrument should contribute to the LDC target and give priority to the countries most in need in the resource allocation process³⁸.

Figure no. 6. *Collective EU ODA to LDCs as a % of GNI, 2010, 2020*



Source: Team Europe, *Investing in*.

Ad. 3. The problem of organizing the member states aid systems is related to the size of the administration, institutional links and management procedures. The amount of aid provided is most often associated with an extensive administrative and institutional structure and a more complex management apparatus. The size of the government administration employed to operate national aid programs often proves their commitment to aid development. EU donors show great differences, especially for members who joined the EU after 2004. The differences range from several thousand people in the case of Germany, Denmark, France and the former EU member, the UK, to several dozen people in the new member countries³⁹. Along with the increase in administrative staff, institutional ties tend to tighten and the management structure is more developed. Traditionally, the largest EU donors have the most extensive management systems, as opposed to new and less experienced members from Central and Eastern Europe.

In terms of increasing the aid effectiveness, the key issue is to improve the management mechanism of aid programs. Large and bureaucratic aid programs belonging to traditional major donors turned out to be less effective both in terms of intended results and high operation costs. The lack of transparency in the running of the programs was one of the reasons for introducing new procedures, such as the results-based management (RBM) mechanism. The RBM has become the basic tool for the preparation, implementation and evaluation of development assistance in line with the Paris Declaration on Aid Effectiveness⁴⁰. Donors pledged to implement RBM principles as early as in the Millennium Declaration in 2000 in order to

³⁸ AidWatch 2021, *op. cit.*, p. 20.

³⁹ P. Bagiński, *op. cit.*, pp. 79-80.

⁴⁰ European Center for Development Policy Management, *Measuring Policy Coherence for Development*, Final Report ECDPM, no. 2, 2014, pp. 1-56. https://www.oecd.org/pcd/ECDPM%20Paper_Measuring%20PCD.pdf [Accessed on 17.05.2022].

improve the process of operating, especially in the planning and decision-making stages, as well as to increase transparency and accountability for their execution. While major DAC members, including EU states, have made progress in integrating RBM into their internal systems, they still faced problems in applying RBM at both the planning, implementation and reporting stages. That is, none of the EU donors have reached the stage where the RBM has been widely mainstreamed, affecting operational capacity, coordination and system-wide cooperation⁴¹.

The main tool for achieving greater coherence in European development cooperation and for speaking with one voice is joint aid programming. In addition to creating a framework for cooperation between institutions and member states, it is crucial to develop practical ways to implement the principles and provisions. Joint programming is when the EU and its member states, as well as the agency or international financial institutions, agree to adopt a common multiannual programming document in which they set out their terms of cooperation (strategies, priorities and funding allocation) with a beneficiary country. Participation in joint programming is voluntary and the degree of commitment depends on each stakeholder. But as the EU evaluation has noted⁴² joint results framework should have had a strong institutional and leadership support that would move action forward and keep an eye on achieving milestones. For this reason, the European Commission's mandate needs to be expanded and even strengthened to ensure robust oversight and the achievement of expected results. The lack of a clear and defined mandate to run and monitor the program results in blurred accountability, diffuse leadership and difficult to capture final results. This may change with the growing importance of the collective dimension of the development cooperation policy and thus transferring more freedom of action in this area to the EU institutions.

Conclusions

The EU development policy is undertaken within the framework of development cooperation and is conducted in accordance with the principles and objectives of the EU external action (Article 208 of the TFEU). This is an area based on the shared competence formula which means, firstly, that these are competences that the EU shares with the Member States and, secondly, that the EU and on its behalf the institutions enables and supports states to exercise their national competences in this field (Article 4 of the TFEU).

The primary objective of EU's development policy cooperation is poverty reduction and long-term sustainable economic growth in beneficiary countries, which is in line with the definition of ODA, adopted by the DAC OECD. According to the DAC definition, ODA includes donations and loans provided by governmental institutions or international organizations with a donation element depending of

⁴¹ OECD, *Learning from Results-Based Management evaluations and reviews Discussion paper for the OECD/DAC Results Community workshop on 29-30, October 2018*, OECD-DAC Paris, p. 12, <https://www.oecd.org/dac/results-development/docs/Results-Workshop-Learning-from-RBM-evaluations-FINAL.pdf> [Accessed on 19.05.2022].

⁴² *Ibidem*.

income ratio of a recipient country. The unquestioned leadership of the EU in ODA spending shows the importance that the EU and its members attach to the development and stabilization of third countries and regions. Moreover, development cooperation policy provides an explicit framework for reshaping relations between developed and developing countries, under which the EU seeks to be more visible internationally and responsive to changing international circumstances.

The drive to change the EU's external dimension to a more action-oriented and visible one faces many obstacles in the EU's internal policies. There are a number of challenges related primarily to reconciling different goals and priorities, as well as the commitments of both EU institutions and member states. On the one hand, it is a question of allocating development funds in accordance with their own interests and values, and on the other hand, meeting international commitments to poverty eradication and sustainable development. Against this backdrop, the EU has succeeded in consolidating previous sources of funding into a single common instrument - NDICI Global Europe and increasing the EU's ability to flexibly spend its aid resources. The structure of the budget was therefore designed to allow the EU to more easily and quickly direct its resources to specific countries and regions for priority projects. It was agreed that changes in the financing of specific objectives would be possible in the 2021-2027 multi-year perspective, depending on changing circumstances.

However, not only the European aid system, but likewise the global one, suffers from serious problems that generally boil down to low aid efficiency. Firstly, it is related to the management of the EU development aid system and secondly, increasing the volume of aid spending. In this regard increasing aid effectiveness depends firstly on greater coherence of EU action through coordination and harmonization of efforts, and secondly on greater involvement of EU member states, especially those who joined the EU after 2004. The basis for such a transformation is a single source of funding in the form of the EU budgetary instrument and the joint definition of EU development policy priorities and objectives. A key instrument leading to the goal of a more unified EU policy is joint aid programming. It is intended to facilitate the implementation of joint action by member states and ensure that the EU speaks with one voice on development issues in the international arena. The implementation phase of joint programming is still being developed, and it is up to EU member states and the involvement of Community institutions to fully operationalize it.

Strengthening development policy cooperation does not mean that Member States waive their sovereign competences and transfer them to EU institutions. Achieving a certain degree of harmonization and coherence in development assistance policy can be achieved through joint programming, implementation and reporting. Greater willingness and engagement in joint activities, participation in the same organizations and exchange of information might contribute to greater coherence in development aid activities. For this, however, real commitment and strong leadership from the EU institutions representing their Member States is needed.

ASPECTS REGARDING THE SOCIAL PROTECTION OF CERTAIN CATEGORIES OF EMPLOYEES AND BENEFICIARIES OF CERTAIN SOCIAL SERVICES BENEFICIARIES DURING THE PANDEMIC MARCH 2020-MARCH 2022, IN ROMANIA

Aurora - Elena GAVRIȘ*

Abstract: *The stage March 2020 - March 2022 was a difficult one: many aspects of social life were disturbed all over the World. Mapamond confronting the fear of the coronavirus disease or the drama of its failure. Romania was, also, affected by the COVID-19 scourge. In terms of social protection and assistance, prompt and effective measures have been taken to ensure the functioning of many residential social services; in particular, regardless of the staff health situation', the operation continuity of the social centers and the beneficiaries' assistance had to be ensured. In the paper I will exemplify some intervention ways for different situations that were generated by the coronavirus pandemic, respectively as it were supported by various levers and institutional or financial mechanism. Thus, it was considered to take measures for social protection of employees or certain professional categories in contextual prohibition, suspension or limitation of economic activities caused by the epidemiological situation generated by the spread of SARS-CoV-2 coronavirus. In the context of the strategies of the European states, in order to prevent the community spread of the infection, Romania also took urgent measures, exceptional in the economic and social field to prevent damage with long-term effects on employees and beneficiaries of social work system; the measures including also private life and family, not just the professional domain of life.*

Keywords: *social work services, administrative measures, COVID-19*

Introduction

For the COVID-19 pandemic term, as from 2020.03.16, the state of emergency was established at the level of the entire country, by *Decree no. 195/2020 of Romanian President on the establishment of the state of emergency on the territory of Romania*¹, as mentioned in the act the virus was detected "in over 150 countries, where about 160,000 people were infected and over 5,800 died, as well as the Declaration of the "Pandemic" by the World Health Organization", on 11.03.2020, extended for another 30 days also by presidential decree, respectively Decree no. 240/2020².

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¹ Published in Official Gazette of Romania, P. I, no. 212 from 16.03.2020.

² Published in Romanian Official Gazette, P. I, no. 311 from 14.04.2020.

Subsequently, respectively from May 18th, 2020, the alert state was established, respectively by *H.G. no. 394/2020*³, extending by decisions of the Romanian Government, adopted successive and monthly, ending on 08.03.2022, at 00:00.

Considering that during this period the social, economic, educational life and in many fields of activity was seriously affected by the cessation of activities in different sectors, although in the fields where it was possible it was moved to a telework⁴ regime of employees in order to combat and limit the effects of the spread of SARS-CoV-2, however some activities have been suspended or exercised in a limited way - many economic agents and employment units, but also employees have been supported by intervention measures, protectionist by Romanian state; as I mentioned, economic, social, educational activities etc. have undergone many changes from their normal development, and at national level numerous strategies have been adopted to restore and increase public confidence, with immediate support consisting in providing compensation to employees, in order to maintain income in the economy⁵. The strategies aimed to prevent the risk of social exclusion for unemployed, to prevent rising unemployment, and try to strengthen the labor market - including financially supporting economic agents severely affected by the pandemic negative effects, but also minimizing the "socio-economic gap between people whose activity has been directly affected by the COVID-19 pandemic and the rest of the population"⁶.

Measures and normative acts during SARS-CoV-2

During the COVID-19 pandemic, also our country took a series of measures ordered by normative acts, usually emergency ordinances; so, based on the O.U.G. no. 30/2020 for amending and supplementing some normative acts, as well as for establishing measures in the field of social protection in the context of the epidemiological situation determined by the spread of SARS-CoV-2⁷ (except for public institutions employees and authorities, as defined by Law no. 500/2002 on public finances⁸, and by Law no. 273/2006 on local public finances⁹, up to date, and employing units which at requesting amounts were corresponding to the potential indemnities were in bankrupt, dissolution, liquidation or which had their activities suspended or on which restrictions were imposed for reasons other than those generated by the spread of the SARS-CoV-2 coronavirus (art. 7)); also, Decree no. 195/2020 provided for amendment of Law no. 19/2020 regarding the granting of free

³ H.G. no. 394/2020 regarding the declaration of the state of alert and the measures that are applied during it to prevent and combat the effects of the COVID-19 pandemic, published in Romanian Official Gazette, P. I, no. 410 from 18.05.2020.

⁴ In this sense we mentioned Law no. 81/2018 on the regulation of telework activity, published in Romanian Official Gazette, P. I, no. 296 from 2.04.2018.

⁵ The O.U.G. no. 132/2021 *Preamble*.

⁶ Excerpt from O.U.G. no. 132/2021.

⁷ Published in Official Gazette of Romania, P. I, no. 231 from 21.03.2020.

⁸ Published in Official Gazette of Romania, P. I, no. 597 from 13.08.2002.

⁹ Published in Official Gazette of Romania, P. I, no. 618 from 18.07.2006.

days to parents for the supervision of children, in case of temporary closure of educational institutions¹⁰ granting a salary increase (respectively an allowance for each day off paid from the chapter related to personnel expenses from the employer's income and expenditure budget being in the amount of 75% of the salary corresponding to a working day, but not more than the daily correspondent of 75% of the salary gross social security used to substantiate the state social insurance budget, granted during the period of temporary closure of educational institutions, in case the other parent does not benefit from such rights due to the nature of the work they carry out, in the sense that the work they carry out allows a reorganization of it or telework), in case of granting days off to parents for the children supervision, in case of suspension of courses or temporary schools closure where they are enrolled, due to adverse weather conditions or other extreme situations so decreed by the competent authorities with responsibilities in the field (in specifically, for the situation of parents with children up to 12 years old, those with children with disabilities up to 26 years old, enrolled in an educational unit or those with children with severe disabilities and out of school, who opted for the indemnity under the conditions of Law no. 448/2006 on the protection and promotion of the rights of persons with disabilities¹¹, respectively did not opt for their care through personal assistant, and the activity of the day service whose beneficiaries were suspended due to weather conditions unfavorable or other extreme situations so decreed by the car competent authorities with responsibilities in the field); for the situation of temporary closure of educational units, by O.U.G. no. 30/2020 provided for the granting of an allowance for each day off, even in the period immediately following the cessation of the state of emergency, respectively until the end of the school year; the granting and settlement of the indemnities was made in compliance with the legal conditions of eligibility, respectively from the Guarantee Fund for the Payment of Salary Claims, by the derogating provision compared to Law no. 200/2006¹² provided by the O.U.G. no. 30/2020.

Subsequently, by O.U.G. no. 132/2020 on support measures for employees and employers in the context of the epidemiological situation caused by the spread of SARS-CoV-2 coronavirus, as well as for stimulating employment growth¹³ in concrete terms, as provided in the previous normative act, for a number of approximately 600,000 employees and people exercising liberal professions (such as technicians, dentists, lawyers etc.) the activity performed was reorganized by reducing the duration / working time by up to 80%, as well as for a period of up to 3 months from the end of the last period in which it was established the state of emergency / alert, the employers had the possibility to be granted an indemnity of 75% of the gross monthly basic salary related to the hours of reduction of the working hours, but the amount can be supplemented by the employer with amounts

¹⁰ Published in Official Gazette of Romania, P. I, no. 209 from 14.03.2020.

¹¹ Republished in Official Gazette of Romania, P. I, no. 1 from 3.01. 2008.

¹² Law no. 200/2006 on the establishment and use of the Guarantee Fund for the Payment of Salary Claims, published in the Official Gazette of Romania, P. I, no. 453 of 25.05.2005, up to date.

¹³ Published in Official Gazette of Romania, P. I, no. 720 from 10.08.2020.

representing the difference up to the basic salary corresponding to the job occupied, without this difference being able to be settled according to the norms, from the unemployment insurance budget (of which, in fact, the Romanian state supported the granting of benefits). According to art. 1 para. 9 of the O.U.G. no. 132/2020, the allowance was initially borne by the employer from the chapter related to personnel expenses from its income and expenditure budget, and was paid on the date of payment of the salary for that month; the allowance was settled (within 5 days at the most from the issuance of a decision by the county employment agency, stating that certain conditions were met by the employer), from the unemployment insurance budget and after the employer of the declaratory and payment obligations related to the incomes from salaries and assimilated to the salaries from the period for which the request was made, according to the fiscal provisions in force at that date. The settlement procedure of the amounts was established by the Romanian Government decision. In case of liberal professions, the indemnity was granted following the request formulated and addressed to the county agencies of payments and social inspection by the interested person. We point out that all the Member States of the European Union provide, as a general social policy, social assistance services and cash benefits to people in special situations, which are difficult to overcome through their own efforts; even more so the intervention of the states during the COVID-19 pandemic was a support one, through different support policies, this being the case of our country.

Measures by which it was intervened, in a similar way and for the year 2021, are those provided and included in the O.U.G. no. 111/2021 on establishing social protection measures for employees and other professional categories in the context of prohibition, suspension or limitation of economic activities, determined by the epidemiological situation generated by the spread of SARS-CoV-2¹⁴, as well as for amending and supplementing normative acts; the measures taken through the previously mentioned normative act contributed to the jobs maintenance in those situations where employers had to resort the suspension of individual employment contracts of employees or for other staff categories who organize their own work, in the absence of an employer - the case of the professionals provided by art. 3 para. (2) of Law no. 287/2009 regarding the Civil Code, republished, with subsequent amendments, that individuals who obtain income exclusively from copyright and related rights, as regulated by Law no. 8/1996 on copyright and related rights, republished, with subsequent amendments and additions, the persons who, due to the suspension of sports activities, could also benefit from an indemnity of 75% of the monetary rights related to the consideration of the sports activity, but not more than 75% of the average gross salary provided by Law no. 16/2021, with subsequent amendments and completions. We specify that the financial operations, the supporting documents, including the provision of electronic correspondence, were carried out by the county payment and social inspection agencies subordinated to the National Agency for Payments and Social Inspection.

¹⁴ Published in Official Gazette of Romania, P. I, no. 945 from 4.10.2021.

Therefore, the Romanian state intervened again, by granting allowances to people in the described situations, allowances in the amount of 75% of the basic salary corresponding to the job held, but not more than 75% of the average gross salary provided by the Law no. 318/2021 of the state social insurance budget for the year 2022¹⁵, and the respective amounts were subject to taxation and payment of mandatory social contributions (respectively income taxation, contribution to the state social insurance system and contribution to the health social insurance system).

Similar measures were taken through O.U.G. no. 2/2022 regarding the establishment of social protection measures for employees and other professional categories in the context of the prohibition, suspension or limitation of economic activities, determined by the epidemiological situation generated by the spread of the SARS-CoV-2 coronavirus, as well as for the modification and completion of some normative acts¹⁶, granting the allowances provided by the previous normative acts, until 31.03.2022; after this date, according to the O.U.G. no. 2/2022 stipulations, benefits, upon request, based on the self-responsibility declaration, of a monthly allowance in the amount of 41.5% of the average gross salary provided for in art. 15 of the State Social Insurance Budget Law no. 318/2021 the persons who benefited from the allowance provided for in art. XV paragraph (1) and (4) of the Government Emergency Ordinance (O.U.G.) no. 30/2020 approved with amendments and additions by Law no. 59/2020, up to date as well as the persons who benefited from the allowance provided for by art. 6 para. (1) of the O.U.G. no. 111/2021, the allowance being granted proportionally to the number of days in which the activity was prohibited or suspended or the functioning capacity was limited.

Regarding the special situation of public or private social centers that offer social services for different categories of beneficiaries: children and adults with disabilities, by Order of the Minister of Health no. 1808/1466/2020 and by the Order of the President of the National Authority for the Rights of Persons with Disabilities, Children and Adoptions no. 1466 the Methodological Guide for the prevention of COVID-19 infection in social services for children and social services for adults with disabilities was approved. This guide is applicable to all residential centers, including long-term care centers, since the categories of beneficiaries who require 24-hour care may present numerous physical, mental, intellectual or sensory deficiencies and conditions such as dementia or neuropathic disorders represent comorbidities that favor a more serious evolution of the disease COVID-19¹⁷; the guide also refers to the staff working in these social services, considering the situation that social workers from their ranks or visitors would be infected with the SARS-CoV-2 virus; as an exceptional measure, ordered by the Military Ordinance of the Ministry of Internal Affairs no. 8/10.04.2020 regarding measures to prevent the spread of COVID-19¹⁸, in art. 10 para. 1 determined the preventive isolation of staff at work

¹⁵ Published in Official Gazette of Romania, P. I, no. 1239 from 28.12.2021.

¹⁶ Published in Official Gazette of Romania, P. I, no. 61 from 20.01.2022.

¹⁷ *Preamble* - Justification of the need to develop the guide in the Order of the Health Minister no. 1808/1466/2020, published in Official Gazette of Romania, P. I, no. 1002 of 29.10.2020.

¹⁸ Published in Official Gazette of Romania, P. I, no. 301 of 10.04.2020.

(residential care and assistance centers for the elderly, residential centers for children and adults, with and without disabilities, as well as for other vulnerable categories) for periods of 14 days, cyclically followed by a period of preventive isolation at home; therefore, the social services activity, by nature or as social services are permanently developed and diversified, depending on the needs of the person, the main restriction about social assistance service system organization and operation is the financial support.

According to art. 3 of Law 292/2011 on social assistance, our state assumes responsibility for carrying out the measures and actions provided for in the normative acts regarding social assistance benefits and social services, giving priority to the provision of social services over social assistance benefits (which, for a distinction clear of the content of the terms, we exemplify as being granted in money - although they can also be granted in kind, and include, according to the legal provisions: allowances, indemnities, social aids and facilities) in case that entail the same costs. During the coronavirus Pandemic, the operation of social services was also affected and especially the categories of beneficiaries who were in residential care and who could not ensure their autonomy; with or without disability, with or without disabilities, elderly people, adults and children in particular housed in residential or day care and assistance centers required a special assistance regime from the staff, respectively a regime that to provide increased protection against contacting or spreading the disease; the mass media has signaled to public opinion and the authorities the danger of the spread of the SARS-CoV-2 virus in social centers intended for the elderly, including the death rate as being much higher than among the general population, as a result more restrictive measures would be required to limit the danger (as observed from a synthetic analysis and discussions held by authorized specialists of Legal Resources Center with staff from almost 100 social assistance centers in the country, respectively "the lack of early testing of those exposed, the lack of the protective materials available to the staff and the ineffectiveness of the preventive measures imposed on the centers until April 9 led to 130 cases of infection with COVID-19 among the beneficiaries of the residential centers for the elderly and other vulnerable categories" (www.crj.ro); in this connection, the Center for Legal Resources and numerous social actors argued that the effort of the working staff in such a situation should be properly compensated.

Indeed, compensation was provided for by Order no. 665 of 30.06.2021 regarding the approval of the instructions for the unitary grant of the risk incentive provided by O.U.G. no. 43/2020 for the approval of some support measures settled from European funds, as a result of the spread of COVID-19, during the state of emergency¹⁹; thus, according to art. 7 of the O.U.G. no. 43/2020 approved the granting, once, of a risk incentive in the amount of 2,500 gross lei to employees of residential care and assistance centers for the elderly, residential centers for children and adults, with and without disabilities, and employees of residential centers intended other vulnerable categories, of public or private providers who were preventively isolated at work during the state of emergency. The risk incentive was

¹⁹ Published in Official Gazette of Romania, P. I, no. 292 from 04/07/2020.

settled from European funds related to the Operational Program "Human Capital" according to the eligibility rules established at the level of the program and the applicant's guide.

We appreciate that through these compensations, on the one hand, they had the role of rewarding the efforts of the specialists in the social assistance system, and on the other hand, to emphasize the social importance of the existence of such centers and the activities carried out within them.

Conclusions

From what has been presented in this paper, we wanted to highlight that there was a prompt response from the Romanian state to the reality of confronting the spread of the coronavirus, a response that consisted in the drafting of normative acts, most of which were emitted by emergency situation, the main instrument being the emergency ordinance, without omitting the military ordinance, the decree-law and the law; the ordered measures had the role of ordering social life, creating the confidence of the population, as it was also mentioned in the regulations, preventing unemployment rate increase and protecting employees, financial support for employers and implicitly, maintaining jobs; for certain categories of workers, and we refer to those in residential social assistance centers intended for the elderly, children and people with or without disabilities or for other vulnerable categories for which it was necessary to ensure the continuous provision of accommodation, meals, medical and psychological care services and so, on exceptional measures were taken, both for beneficiaries and the staff working in these centers; thus, during the emergency state, isolation at work was carried out for 14 days alternatively with isolation at home also for 14 days - which constituted an additional effort but also the manifestation of the professionalism of this category of employees who understood the need to comply for the good beneficiaries and their own; we cannot appreciate to what extent the human sacrifice was also rewarded through financial measures, but we can affirm that effort and interest of the Romanian and European community succeeded to at least a satisfactory extent in crossing this unfortunate period in the current history of humanity; therefore, "[t]here was an almost planetary, collective response of solidarity in respecting the norms imposed by the situation we are going through ... the «global state» ... managed to create the planetary cultural and normative framework of resistance to it, through unpleasant measures , but understood at the appropriate time by the public"²⁰.

²⁰ Doru Buzducea, *Social work. Compendium of history, theory and practice*, Polirom Publishing House, 2021, p. 217.

THE REFLECTION OF PANDEMY OF COVID 19 IN ROMANIAN JOURNAL “ADEVĂRUL” AND THE FIGHT OF ROMANIANS FOR SURVIVAL

Anca OLTEAN*

Abstract: *The pandemy of virus COVID-19 was on the agenda of the Romanian press and television chanells during 2020-2022 and it was a time when all the Romanian population, all Europe and also global world was threatened psychologically and from the point of view of their state of health by the emergence of this virus. We intend to reveal how Romanian population responded to this pandemic situation, a crisis also of the Romanian sanitary system and to see the reflection of these two pandemic years in the journal “Adevărul”, a national journal, with a very extended archive of online articles, on the topic of pandemy and not only. The reader can clearly see a fight of decision making factors to keep the society on the track and a fight to convince the population to go to vaccination and to end this problematic situation. The entire Romania was involved in this battle of survival, a fight which was an unexpected phenomenon on the contemporary political agenda. The spring of 2022 with the opinion of the governence and of medical ellites that the pandemy is over, brings new hopes for Romanian that their lives will be in a process of recovery to normality.*

Keywords: *pandemy, COVID-19, vaccination, press image, newspaper “Adevărul”*

Introduction

The present article reveals the last months articles published¹ in the Romanian journal *Adevărul* concerning the pandemy of COVID-19 mainly in Romania, bringing also some interesting informations, also, from the international world, internal and external events regarding the evolution of the pandemy in Romania and abroad. It was about a genuine battle of survival of Romanian people with this virus, a battle for vaccination and to stop the virus with victims and numerous cases of infection with COVID-19, cases that to a great extent were resolved successfully. The journal *Adevarul* articles fear that the pandemy and the last Omicron varriant will not end here, and there are possible different scenarios to follow and other variants of Covid-19 to emerge. But in my opinion, the concern of the authorities for the health of Romanian citizens is a promising sign and the concern for citizens' health should be more debated in public speaking, in media and in the political discourse of the Romanian political leaders, but also it is necessary to enable

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¹ The articles' titles are translated by Anca Oltean in the text of the paper and footnotes.

citizens' access to medical system and medical assistance as a priority of the governors.

Reflection in the journal *Adevărul* of the pandemy during December 2021 - April 2022

The newspaper "Adevărul" from December 20, 2021 in the article "Almost 1400 of penalisations"² reveals that the Romanian gendarmes applied, in the last 24 hours, 1393 of contraventionals sanctions as a consequence of the infridgements of some measures for the prevention of certain effects for the prevention and combat of the effects of the pandemy of COVID-19.

Another aspects signaled in the newspaper "Adevărul" from December 21, 2021 (in the article "OMS omologates urgently the vaccine ...Nuvaxovid")³ is that it was omologated the vaccine against COVID-19 of the american firm Novavax, with a more classic technology and different from the anticovid vaccines used largely in European Union.

Another interesting aspect published by the newspaper "Adevărul" from December 23, 2021, in the article "Bill Gates about the Omicron varriant"⁴ is the declaration of Bill Gates who announced on Twitter that USA could enter in "the most severe form of pandemy" (translated from his declaration translated in Romanian), showing that the Omicron varriant expands faster that all varriants, although is less severe than Delta varriant.

The newspaper "Adevărul" publishes the article of Maria Dinu from December 24, 2021 in the article "Ciucă, message of Christmas for Romanians"⁵ who transmitted the message of the Romanian prime minister, Nicolae Ciucă, who warned that "our healthiness and of the ones from around us is, maybe, the most beautiful gift which we can offer to the others" (transl.), reminding of the celebration of Christmas and of the joy that we can resent in these moments.

The newspaper "Adevărul" published in December 25, 2021, the article of Daciana Mitrache "Did Omicron reach the maximum potential?"⁶ mentions that Omicron will not be the last tulpine of SARS-Cov-2, because the researchers warn that the new varriants of corona virus appear once in a few months.

The newspaper "Adevărul" publishes an article at December 25, 2021, "Doctor: Also this year the celebrations must be spent only in family..."⁷ which reveals the declaration of the doctor Amin Zahra who wanted to show that also this

² *Adevărul*, December 20, 2021, article by xxx, "Aproape 1400 de amenzi"/"Almost 1400 of penalisations (sanctions)".

³ *Adevărul*, December 21, 2021, article by xxx, „OMS omologhează de urgență vaccinul ...Nuvaxovid”/“OMS omologates urgently the vaccine...Nuvaxovid”.

⁴ *Adevărul*, December 23, 2021, article by xxx, "Bill Gates despre varianta Omicron"/"Bill Gates about the Omicron varriant".

⁵ *Adevărul*, December 24, 2021, article by Maria Dinu, „Ciucă, mesaj de Crăciun pentru români"/"Ciucă, message of Christmas for Romanians".

⁶ *Adevărul*, December 25, 2021, article by Daciana Mitrache, "Și a atins Omicron potențialul maxim"/"Did Omicrom reach the maximum potential?".

⁷ *Adevărul*, December 25, 2021, article by xxx, "Medic: și anul acesta sărbătorile trebuie să fie doar în familie..."/"Doctor: also this year the celebrations must be spent only in family...".

Christmas must be spent in the family, as the precedent one. The doctor says that who does not have anyone in quarantine or in hospital can be considered blessed. The doctor considers that people should spend more time with the family in these times of incertitude.

Also, the journal “Adevărul” publishes in December 26, 2021 the article of Melania Agiu, “The president of Czech Republic militates in the favour of obligatory vaccination”⁸ and its content reveals the fact that the president of Czech Republic militated for obligatory vaccination against Covid-19 in his traditional speech of Christmas.

In the journal “Adevărul” from December 27, 2021, it was published the article “Efficiency of vaccination with a “booster” Pfizer–BionNTech”⁹. The article reveals the fact that Omicron varriant of the new coronavirus tests the efficiency of the anticovid vaccines as several studies reveals. The author shows that a vaccination in three dozes with the anticovid vaccine Pfizer-BionTech assures a protection of 70% against the simptomatical forms of COVID-19 that were caused by Omicron varriant of SARS-Cov-2.

In the journal “Adevărul” from December 27, 2021, in the article “France. The number of persons at public reunions limited to 2000 in interior, 5000 in free air...”¹⁰ shows that the French premier Jean Cartex announced the decision that the number of persons at public reunions in interior will be limited at 2000, and in exterior at 5000. The respective measures will be applied from January 3 for a period of three weeks.

In the journal “Adevărul” from December 29, 2021 in the article written by Afrodita Cicovschi (“2022 - the year of contrasts: the pandemy, inflation, and the crisis of the working force risks to reveal the unbalances from Romania”)¹¹. It is foreseen, in the context of pandemy, a decrease of the level of standards living, a greater differentiation between the public environment and private environment, between rich people and poor people.

In the newspaper “Adevărul” from December 31, 2021, in the article “CNC AV, message of New Years Eve: We let aside a year in which we lost a lot, almost 43000 of Romanians, because of COVID-19”¹², it is transmitted the message

⁸ *Adevărul*, December 26, 2021, article by Melania Agiu, “Preşedintele Republicii Cehe se pronunţă în favoarea vaccinării obligatorii”/“The president of the Czech Republic militates in the favour of obligatory vaccination”.

⁹ *Adevărul*, December 27, 2021, article by xxx, “Eficienţa vaccinării cu un “booster” Pfizer-BionNTech”/ “The efficiency of the vaccination with a “booster” Pfizer-BioNTech”.

¹⁰ *Adevărul*, December 27, 2021, article by xxx, “Franţa. Numărul de persoane la reuniuni publice limitat la 2000 în interior şi 5000 în aer liber”/“France. The number of persons at public reunions limited to 2000 in the interior and 5000 in free air”.

¹¹ *Adevărul*, December 29, 2021, article by Afrodita Cicovschi, “2022 - anul constrastelor: pandemia, inflaţia şi criza forţei de muncă riscă să adâncească dezechilibrele din România”/“2022 - the year of contrasts: the pandemy, inflation and the crisis of working force risks to deepen the unbalances from Romania”.

¹² *Adevărul*, December 31, 2021, article by xxx, “CNC AV, mesaj de Anul Nou: Lăsăm în urmă un an în care am pierdut mult prea mult, aproape 43 000 de români din cauza COVID-19”/ “CNC AV, message of New Year’s Eve: We let aside a year in which we lost much almost 43000 of Romanians because of COVID-19”.

of the Committee of coordination of vaccination namely that in the year 2021 was a difficult year when 43 000 of Romanians died because of COVID-19.

In the newspaper “Adevărul” at January 1, 2022, Maria Alexandru Mortu, in the article “Severe restrictions in China at the beginning of 2022 because of the pandemy of COVID-19”¹³ it is shown that the year 2022 began in China under the auspices of corona virus. In conclusion, the Chinese authorities disposed the annulation of the fires of artifices from Beijing, Nanjing and Wuhan.

Another event of the international life mentioned by the journal “Adevărul” from January 2, 2022 in the article “Amsterdam: Thousands of Arabians protests in front of the restrictions. Images with the incidents posted in social media VIDEO”¹⁴. The author shows that, in Netherlands, thousands of people broke an interdiction with regard to assemblies in pandemy and gathered in a square from Amsterdam in order to protest against the restrictions imposed in the period of pandemy.

In the journal “Adevărul” from January 4, 2022 in the article “Life expectancy in Romania rised during the pandemy with a year and a half. <<A lot of Romanians live only to eat>>”¹⁵ it is shown in a report of European Commission that the life expectancy of Romanians in pandemy is twice smaller than in EU. This thing is dued, considered the author, to the risky behaviour of Romanians - they drink alcohol, excessively smoke, make very little physical activity. The expences of the state with the healthyness and infrastructure from helthiness sector, again, shows its limitations.

Another aspect revealed in the journal “Adevărul”, in the article “OMS: Omicron varriant affects the respiratory superiour breathing system”¹⁶ wrote by Cristina Morozan and Maria Țaga, it is shown that the varriant “Omicron” attacks the superior respiratory paths. The article warns us that the varriant “Omicron” wil be spread in the following months in the countries where it exists categories of the population which remained unvaccinated.

In the journal “Adevărul” in the article „Octavian Jurma tells that the pick of fifth wave will be reached in February: It is possible to have 25.000-30.000 of cases/daily”¹⁷, it is shown that the doctor Octavian Jurma declared at a post of television that the pick of fifth wave will be reached at the middle of February when it could reach 25.000-30.000 of cases/daily. More the 2/3 from these cases are caused by the infection with the Omicron tulpine.

¹³ *Adevărul*, January 1, 2022, article by Maria Alexandra Mortu, “Restricții severe în China la începutul lui 2022 din cauza pandemiei de COVID-19”/“Severe restrictions in China at the beginning of 2022 because of the pandemy of COVID-19”.

¹⁴ *Adevărul*, January 2, 2022, article by xxx, “Amsterdam: Mii de oameni protestează față de restricții. Imagini cu incidente, postate în social media VIDEO”/“Amsterdam: Thousands of people protests in front of the restrictions. Immagare with incidents, posted in social media VIDEO”.

¹⁵ *Adevărul*, January 4, 2022, article by xxx, “Speranța de viață în România a crescut în pandemie cu un an jumate”/“The life expectancy in Romania rised during the pandemy with a year and a half”.

¹⁶ *Adevărul*, January 4, 2022, article by Cristina Morozan, Maria Țaga, “ OMS: varianta Omicron afectează căile respiratorii superioare”/“Omicron varriant affects the respirartory superiour cannals”.

¹⁷ *Adevărul*, January 4, 2022, article by xxx, “Octavian Jurma spune că vârful valului 5 va fi atins în februarie: E posibil să avem 25000-30000 de cazuri pe zi”/“Octavian Jurma tells that the pick of wave 5 will be reached in february: It is possible to have 25000-30000 of cases daily”.

In the article from January 5, 2022 of Ștefan Lică entitled “Omicron can bring the end of the pandemic. The factor on which depends this aspect”¹⁸ it is shown that the expert in public health and sanitary management Oana Geambașu was designed to coordinate a public study for EU about the effects of pandemic in European countries. Oana Geambașu tells that it is possible to reach the immunization in mass in front of Omicron.

In what concerns the international situation in the journal “Adevărul” from January 6, 2022 wrote by Lorena Mihăilă “Italy imposed the obligatory vaccination for the people over 50 years old”¹⁹ it is shown that this decision comes in connection with rise of the cases of COVID-19 in Italy. It has to be vaccinated the persons over 50 years who works and which to have a certificate of vaccination. The author shows that Italy was the first country which was strongly affected by the pandemic and from the beginnings of 2020, registered 138.000 of deceased persons.

In the journal “Adevărul” from January 6, 2022, in the article “The fifth wave of the pandemic, conditioned by the lack of trust of the population <<The people do not respect the rules>>”²⁰, the author Andrei Luca shows that the fifth wave of the pandemic could be longer than the preceding one because of the lack of trust of the population in the vaccine. The author mentions that a doctor from Iași thinks that a part of the population do not respect the prevention towards the coronavirus and hence the higher number of cases.

In the journal “Adevărul” from January 6, 2022 in the article of Claudia Postelnicescu, “In the defence of Novak Djokovic”²¹ it is shown that one of the greatest tennis players, Novak Djokovic pronounced himself on the theme of vaccination, letting us to understand that it is against it. It was forbidden his access in Australia on the airport from Melbourne. The opinion of the author is that this virus cannot be defeated and we will have to live with SARS Cov-2 and to prevent it.

In the newspaper “Adevărul” from January 7, 2022, Lorena Mihăilă publishes the article “The Minister of Health. What missed very much in the last two years was the trust of the people in the authorities, in the professionalists from the health system”²² and she shows that it had missed the trust of Romanians in the authorities and in the professionalists of the system of health.

¹⁸ *Adevărul*, January 5, 2022, article by Ștefan Lică, “Omicron poate aduce sfârșitul pandemiei. Factorul de care depinde acest lucru”/“Omicron can bring the end of the pandemic. The factor on which depends this aspect”.

¹⁹ *Adevărul*, January 6, 2022, article by Lorena Mihăilă, “Italia a impus vaccinarea obligatorie pentru persoanele cu vârsta de peste 50 de ani”/“Italy imposed obligatory vaccination for the people over 50 years old”.

²⁰ *Adevărul*, January 6, 2022, article by Andrei Luca, “Valul cinci al pandemiei, condiționat de neîncrederea populației <<oamenii nu respectă regulile>>”/“The fifth wave of the pandemic, conditioned by the lack of trust of the population <<The people do not respect the rules>>”.

²¹ *Adevărul*, January 6, 2022, article by Claudia Postelnicescu, “În apărarea lui Novak Djokovic”/“In the defense of Novak Djokovic”.

²² *Adevărul*, January 7, 2022, article by Lorena Mihăilă, “Ministrul Sănătății. Ceea ce a lipsit foarte mult în ultimii doi ani a fost încrederea oamenilor în autorități în profesioniștii din sistemul de sănătate”/„The Minister of Health. What missed very much in the last two years was the trust of the people in the authorities, in the professionalists from the health system”.

In the journal “Adevărul” from January 8, 2022, it is published the article “Above 150 000 of people died in Great Britain because of COVID-19 since the beginning of the pandemy”²³. This number of victims of COVID-19 in Great Britain is related by BBC (150.000). The author shows that they were registered in Great Britain, in this moment, 146.390 of cases provoked in the last time by the Omicron varriant which determined a rise of the infections.

In international context, in the journal “Adevărul” from January 9, 2022, in the article “The protesters from Bruxelles against the sanitary measures. The police announces that they had participated 5000 of persons/ FOTO video”²⁴. The article reveals that at Bruxelles had taken place a manifestation “Together for the liberty” to which they had participated according to petition 5000 of people, according to the organizers 20000-25000 of people.

In the journal “Adevărul” in the article from January 10, 2022, Cristina Morozan wrotes the article “Rafila: The rate of reproduction of SARS-Cov-2 arrived to the highest level registrated since the beginning of the pandemy”²⁵. The author shows that the rate of reproduction of SARS-Cov-2 reached 1.7, figure that represents the highest level from the beginning of the pandemy. The Minister of the Health foresees that the number of infections of COVID-19 will rise very much in the following period. Concerning the rise of the pandemy, the Minister of the Health, Mr. Rafila, asserts that are two <possible scenarios>, either we will assist to a regress of the pandemy, either we will be witness of a new varriant of SARS-Cov-2 which will be, maybe, more easily to be transmitted.

In the journal “Adevărul”, in the article from January 11, 2022, in international context, it was published the article with the name “Poland bypassed the level of 100.000 of deceased persons because of COVID-19”²⁶, and it is showned that in Central Europe, it is evolving the fifth wave of pandemy and that, in this context, Poland bypassed the level of 100.000 deceased persons due to COVID-19. The Minister of Health from Poland said that the Omicron varriant represents between 7 and 8% of the daily cases of illnesses with coronavirus.

In the journal “Adevărul” from January 11, 2022, in the article of Dorin Timonea, “Alba Iulia entered in the red scenario. The numbers of the cases of COVID doubled, in a few days”²⁷, it is shown that the city of Alba Iulia entered in

²³ *Adevărul*, January 8, 2022, article by xxx, “Peste 150 000 de oameni au murit în Marea Britanie din cauza COVID-19 de la începutul pandemiei”/“Above 150 000 of people died in Great Britain because COVID-19 since the beginning of the pandemy”.

²⁴ *Adevărul*, January 9, 2022, article by xxx, “Manifestații de la Bruxelles împotriva măsurilor sanitare. Poliția anunță că au participat 5000 de persoane/FOTO video”/“The protesters from Bruxelles against the sanitary measures. Police announces that they had participated 5000 of persons/ FOTO video”.

²⁵ *Adevărul*, January 10, 2022, article by Cristina Morozan, “Rafila: Rata de reproducere a SARS-Cov-2 a ajuns la cel mai mare nivel înregistrat de la începutul pandemiei”/“Rafila: The rate of reproduction of SARS-Cov-2 reached the highest level since the beginning of the pandemy”.

²⁶ *Adevărul*, January 11, 2022, article by xxx, “Polonia a depășit pragul de 100.000 de decese de COVID 19”/“Polonia bypassed the limit of 100.000 of deceased persons because of COVID-19”.

²⁷ *Adevărul*, January 11, 2022, article by Dorin Timonea, “Alba Iulia a intrat în scenariul roșu. Numărul cazurilor s-a dublat, în câteva zile”/“Alba Iulia entered in the red scenario. The number of the cases doubled, in a few days”.

the red scenario, when the rate of infection bypassed 3 cases for 1000 of inhabitants. Also in the red scenario, shows the author, are the communes Sântimbru, Aiud, Arieșeni.

In the international sphere, in the newspaper “Adevărul” from January 12, 2022, the author Sergiu Nicolae, in the article “France registered Tuesday the highest daily score of illnesses of COVID-19 since the beginning of the pandemic”²⁸, shows that on the date of January 11, in France there have been registered 368.149 of new cases of COVID-19 that represented the highest rate of illnesses from the beginnings of the pandemic. The author shows that the variant Omicron is contagious and it spreads very quickly, provoking a high number of illnesses daily. There are taken into consideration the introduction of the certificate of vaccination in France for the access in restaurants and the participation to events in interior. Comparatively, shows the author, in Italy were reported 220.532 of cases of COVID-19, this figure representing the highest daily account of infections since the beginning of the pandemic.

In the newspaper “Adevărul” from January 12, 2022, the author Valentin Bolocan in the article “Omicron dominates Romania. The capital re-enters in the red scenario”²⁹ asserts that the dominant variant of coronavirus in Romania is now Omicron and that it will persist also in the future. Because of the numerous cases of infections with coronavirus, Bucharest entered in the red scenario. The author shows that the rate of incidence of COVID-19 calculated for Bucharest for 14 days is about 3,32 of cases to 1000 of inhabitants that brings this city (Bucharest) in the red scenario.

In international sphere, in the article of Maria Țaga from January 13, 2022, it is published the article “New restrictions anti-COVID in France. Where there are not allowed to go unvaccinated people”³⁰, the author shows that the Senate of France imposed and consolidated new restrictions concerning unvaccinated people and imposed the introduction of the passport of vaccination. These measures were taken in order to combat the fifth wave of the pandemic transmitted Reuters.

In the newspaper “Adevărul” from January 13, 2022 of Maria Țaga intitled “The booster dose will be able to be administrated at 4 months also in Romania. The vaccination anti-COVID of the children starts at January 26”³¹ it is shown that the vaccination anti-COVID of the kids from Romania from the age group 5-11 years

²⁸ *Adevărul*, January 12, 2022, article by Sergiu Nicolae, “Franța a înregistrat marți cel mai mare bilanț zilnic de îmbolnăviri de COVID de la începutul pandemiei”/“France registered Tuesday the highest account of illnesses of COVID since the beginning of the pandemic”.

²⁹ *Adevărul*, January 12, 2022, article by Valentin Bolocan, “Omicron a pus stăpânire și pe România. Capitala reintră în scenariul roșu”/“Omicron dominates Romania. The capital re-enters in the red scenario”.

³⁰ *Adevărul*, January 13, 2022, article by Maria Țaga, “Noi restricții anti-COVID în Franța. Unde nu mai au voie să meargă persoanele nevaccinate”/“New restrictions anti-COVID in France. Where there are not allowed to go the unvaccinated people”.

³¹ *Adevărul*, January 13, 2022, article by Maria Țaga, “Doza booster va putea fi administrată la 4 luni și în România. Vaccinarea anti-COVID a copiilor începe pe 26 ianuarie”/“The booster dose will be administered at fourth months in Romania. The Anti-COVID vaccination of the children starts at January 26”.

starts in Romania on January 26, according to the announcement of the doctor Valeriu Gheorghiu, the leader of the national campaign of vaccination.

In the newspaper “Adevărul”, in the article of Andreea Gheorghe from January 15, 2022, “The counties that registered on Saturday the highest rate of infections with SARS-Cov-2. The city of Bucharest, on the first place”³², the author asserts that in the aspect of illnesses of COVID-19, the city of Bucharest is on the first place. Then it follows the county of Timiș and Cluj.

In the journal “Adevărul” from January 16, 2022, in the article “The Australian minister of immigration: I salute the decision of the Court of Justice in the case Djokovic. The protection of the frontier kept us safe during the pandemic”³³, it is shown that the Australian minister of immigration told that he salutes the decision of federal tribunal from Melbourne to maintain its decision to cancel the visit of Novak Djokovic. In Australia until that moment, 91,6% from the adults of over 16 years were vaccinated.

In the journal “Adevărul” from January 16, 2022 in the article of Mrs. Afrodita Cicovschi, in the article “In pandemic, the rich people become more rich, and the poor people more poor. The Luxury cars did not know the crisis”³⁴. Also they passed through a pandemic, the sellings of cars did not decreased. Cars as Rolls-Royce, Bentley, San Bugatti knew a record in sales. Rolls-Royce and its rivals Bentley and Lamborghini established new records in sales.

In the journal “Adevărul” from January 17, 2022, in the article “Oxfam: The richest ten people in the world doubled their fortunes in the pandemic”³⁵, the author asserts that the richest people from the world doubled their fortunes because of the rise of the prices of the properties and actions. During the pandemic, 163 of millions of people were pushed under the limits of poverty, and the discrepancies between rich and poor risen. The author shows that the organisation Oxfam estimates that until 2030 more than 3,3 milliards people will live with less of 5,50 of dollars/day.

In the international rubric of the journal “Adevărul” from January 18, 2022, the author Maria Țaga in the article “Australia registered a new record of deceased people caused by the Omicron tulpine”³⁶, shows that, in January 2022, Australia was confronted with a new wave of deceased persons after a new wave of COVID-19,

³² *Adevărul*, January 15, 2022, article by Andreea Gheorghe, “Județele care au înregistrat, sâmbăta, cele mai multe infectări cu SARS-Cov-2. Municipiul București, pe primul loc”/“The counties that registered, on Saturday, the highest rate of infections with SARS-COV-2. The city of Bucharest, on the first place”.

³³ *Adevărul*, January 16, 2022, article by xxx, “Ministrul australian al imigrației: Salut decizia tribunalului în cazul Djokovic. Protejarea frontierei ne-a ținut în siguranță în timpul pandemiei”/“The Australian minister of immigration. I salute the decision of the Court of Justice in the case Djokovic. The protection of the frontier kept us safe during the pandemic”.

³⁴ *Adevărul*, January 16, 2022, article by Afrodita Cicovschi, “În pandemie, bogații au devenit și mai bogați, iar săracii și mai săraci. Mașinile de lux nu au cunoscut criza”/“In pandemic, the rich people became more rich and the poor people more poor. Luxury cars did not know the crisis”.

³⁵ *Adevărul*, January 17, 2022, article by xxx, “Oxfam: Cei mai bogați zece oameni din lume și-au dublat averile în pandemie”/“Oxfam: The richest ten people in the world doubled their fortunes in pandemic”.

³⁶ *Adevărul*, January 18, 2022, article by Maria Țaga, “Australia a înregistrat un nou record de decese cauzate de tulpina Omicron”/“Australia registered a new record of deceased people caused by the Omicron tulpine”.

especially in the context of the Omicron variant. The number of new cases was above expectations.

In the article from the journal “Adevărul” from January 18, 2022, entitled “The Ministry of Education: Friday, above 3000 of classes/groups were developing their activity online”³⁷ it is showed that, in January, 3095 of classes/groups were developing their activity in online system. The physical presence to the classes, according to the ministers of Education and Health, will be necessary in function of the rate of occupation at the county level of the hospital beds for the patients infected with COVID-19.

In the newspaper “Adevărul”, in the article of Cristina Morozan from January 18, 2022, “OMS: We will not escape of SARS-COV-2 this year. Maybe we will not eradicate never this virus”³⁸, the author asserts that a representative of the World Organization of Health said that, even if the virus will enter in an endemic state, this will not mean that it would not be dangerous. The Omicron variant, shows the author, it will pass from the state of pandemy to an endemic form.

The journal “Adevărul”, in the article of Afrodita Cicovschi from January 19, 2022, “The Government reintroduces the technical unemployment. What foresees the normative act for the maintenance of the working places”³⁹, it was announced, that, the government reintroduces the technical unemployment, the motivation being the situation of pandemy. The government has in view, in the same time, the introduction of new measures of social protection until March 31, 2022.

In international field, in the journal “Adevărul” from January 21, 2022, the author, Dan Anghel, in the article “Austria adopts the anti-covid compulsory vaccination of the adults, a new premier in the European Union”⁴⁰, asserts that the Parliament from Viena adopted, in January 2022, the law concerning the obligation of the people to get the vaccine against COVID-19. The Austrian cancellor Karl Nehammer declared that “The vaccination is the chance for our society to reach a durable and continuous liberty, without letting the virus to limitate us”.

Also, in the newspaper “Adevărul” from January 22, 2022, Mălina Gându, in the article “Ireland renounces to the majority of restrictions. The prime minister Michael Martin <<We bypassed the storm Omicron>>”⁴¹, asserts that, in January

³⁷ *Adevărul*, January 18, 2022, article by xxx, “Ministrul Educației: vineri, peste 3000 de clase/grupe în desfășurarea activității online”/“The Minister of Education: Friday, over 3000 of classes/groups were developing their activity online”.

³⁸ *Adevărul*, January 18, 2022, article by Cristina Morozan, “OMS: Nu vom scăpa de SARS-Cov-2 în acest an. Poate că nu vom eradica niciodată acest virus”/“OMS: We will not escape of SARS-Cov-2 this year. Maybe we will never eradicate this virus”.

³⁹ *Adevărul*, January 19, 2022, article by Afrodita Cicovschi, “Guvernul reintroduce șomajul tehnic. Ce prevede actul normativ pentru menținerea locurilor de muncă”/“The government reintroduces the technical unemployment. What foresees the normative act for the maintenance of the working places”.

⁴⁰ *Adevărul*, January 21, 2022, article by Dan Anghel, “Austria adoptă vaccinarea anti-COVID obligatorie a adulților, o premieră în Uniunea Europeană”/“Austria adopts the anti-COVID compulsory vaccination of the adults, a premier in the European Union”.

⁴¹ *Adevărul*, January 22, 2022, article by Mălina Gându, “Irlanda renunță la majoritatea restricțiilor. Premierul Michael Martin: “Am depășit furtuna Omicron”/“Ireland renounces to the majority of restrictions. The prime minister Michael Martin: We bypassed the storm Omicron”.

2022, ceases the existence of the majority of sanitary restrictions in the Irish state after the number of ill people with COVID-19 decreased at international level. Starting with Saturday, shows the author, the bars and restaurants from Ireland will not be closed at midnight and, neither the certificate of vaccination will be necessary anymore. The employees will come to their working place, shows the author, where they will work physically and they were not be possible only the reunions with very few persons. Until January 28, it remains obligatory the wearing of masks in the transports of people and in the shops, shows the author.

Also, in the newspaper “Adevărul” from January 27, 2022, in the article of Cristina Morozaan “Valeriu Gheorghiuță: We don’t have all the data available to tell that indeed it is justified the administration of the fourth dose”⁴², it is asserted that, presently, there are no sufficient data in order to justify the administration of the fourth dose of vaccine and the vaccines who are made until present offer presently protection against the Omicron variant.

In the article from January 27, 2022 of Cristina Morozaan, “Alexandru Rafila: We are expecting a new spectacular rise of the number of cases of COVID-19”⁴³, the minister Rafila asserted that it continues the rise of the number of cases of infections with SARS-Cov-2. The ascendent evolution of the pandemic will continue until February 10, and a descendent trend will change the situation, after this date.

In the journal “Adevărul” from January 28, 2022, in the article of Daniela Șerb, “The fifth wave rise up to astonishing values, but the Romanian authorities stay calm”⁴⁴. Although, the number of cases of COVID-19 rises, shows the author, the authorities from Romania claim that the situation is not severe and the fifth wave will last only two - three weeks. This is also the opinion of Raed Arafat, the chief of the department for situations of emergency.

In the journal “Adevărul”, in the article of Cristina Morozaan, from January 31, 2022, “The restrictions are relaxed. The period of quarantine is reduced to five days for unvaccinated people and it disappears the list of the countries with epidemiologic risk. DOCUMENT”⁴⁵, it is shown that the Romanian authorities decided, in the framework of National Committee for emergency situations, the relaxation of the restrictions which are applied in Romania.

In the article from February 10, 2022, of Ionela Stănilă, “Materials of protection and disinfection in the value of 265.000 lei donated by the Red Cross

⁴² *Adevărul*, January 27, 2022, article by Cristina Morozaan, “Valeriu Gheorghiuță: Nu avem toate datele disponibile să putem spune că într-adevăr se justifică administrarea dozei patru”/“Valeriu Gheorghiuță: We don’t have all data available in order to say, that indeed it is justified the administration of the fourth dose”.

⁴³ *Adevărul*, January 27, 2022, article by Cristina Morozaan, “Alexandru Rafila: Ne așteptăm la o nouă creștere spectaculoasă a cazurilor de COVID-19”/“Alexandru Rafila: We are expecting to a new spectacular rise of the number of cases of COVID-19”.

⁴⁴ *Adevărul*, January 28, 2022, article by Daniela Șerb, “Valul 5 se umflă la valori amețitoare, dar autoritățile rămân calme”/“The fifth wave rise up to astonishing values, but the Romanian authorities stay calm”.

⁴⁵ *Adevărul*, January 31, 2022, article by Cristina Morozaan, “Se relaxează restricțiile: Perioada de carantină se reduce la 5 zile pentru nevaccinați și dispare lista țărilor cu risc epidemiologic. DOCUMENT”/“The restrictions are relaxed: The period of quarantine is reduced at five days for unvaccinated people and it disappears the list of the countries with epidemiologic risk. DOCUMENT.”

during the pandemy⁴⁶, it is asserted that the Red Cross Călărași distributed materials of protection and disinfection in value of 265.000 lei during the pandemy. This year, 2021, there have been developed collects of ailments, clothes and toys through the project “From soul to soul”.

In the journal “Adevărul” from February 11, 2022, in the article of Lorena Mihăilă, „Octavian Jurma: <<A Romanian dies of COVID every ten minutes. After the wave of infectations, it comes the wave of deceased people”⁴⁷, according to the research, it is to be expected that the number of deaths to be doubled until the end of the month February. At the moment of the writing of the article, in Romania, there took place approx. 90 deceases of COVID-19. Until the end of the month of February, according to Octavian Jurma, it will be reached a pick of 2000 of deceases weekly and 300 of deceased people/daily.

In the international rubric, in the journal „Adevărul” from February 12, 2022, it is published the article “Coronavirus: Above 5,78 millions of people died because of the pandemy in the entire world at the end of the year 2019”⁴⁸, it is asserted that above 5.78 millions of people died because of the pandemy starting with the year 2019. In the international context, the most deceases registered in USA (above 918.110 of deceased persons). The author shows that the number of deceased persons could be twice or three times higher than the reported one, according to the World Organization of Health.

In the journal “Adevărul” from February 15, 2022, in the article of Andreea Gheorghiuță, “CCR decided that the wearing of the mask in free air is unconstitutional. What it will happen with the penalizations applied until now”⁴⁹ it is shown that the Constitutional Court decided that the wearing of the mask is unconstitutional. The penalizations that were received in the last time will be cancelled after the official publication of the decree, the mask will be obligatory no more.

Another aspect is signaled in the newspaper “Adevărul”, from February 16, 2022, in the article of Remus Mihalcea “From Omicron to endemy. Is the year 2022 the year in which we will get away of pandemy?”⁵⁰, the author shows that, after

⁴⁶ *Adevărul*, February 10, 2022, article by Ionela Stănilă, “Materiale de protecție și dezinfectie în valoare de 265 000 lei, donate de Crucea Roșie în perioada pandemiei”/ “Materials of protection and disinfection in the value of 265000 lei, donated by the Red Cross during the pandemy.”

⁴⁷ *Adevărul*, February 11, 2022, article by Lorena Mihăilă, “Octavian Jurma: <<Un român moare de COVID la fiecare 10 minute. După valul de infectări, vine valul de decese”/“Octavian Jurma: <<A Romanian dies of COVID every 10 minutes. After the wave of infections, it comes the wave of deceased people”.

⁴⁸ *Adevărul*, February 12, 2022, article by xxx, “Corona virus: Peste 5,78 milioane de persoane au murit din cauza pandemiei la finalul anului 2019”/“Corona virus: Above 5,78 millions of people died because of the pandemy in the entire world at the end of the year 2019”.

⁴⁹ *Adevărul*, February 15, 2022, article by Andreea Gheorghiuță, “CCR a decis că purtarea măștii în aer liber este neconstituțională. Ce se va întâmpla cu amenzi date până acum”/“CCR decided that the wearing of the masks in free air is unconstitutional. What it will happen with the the penalizations applied until now”.

⁵⁰ *Adevărul*, February 16, 2022, article by Remus Mihalcea, “De la Omicron la endemie. Este 2022 anul în care vom scăpa de pandemie?”/“From Omicrom to endemy. Is 2022 the year in which we will away of pandemy?”

almost two years of pandemy, we talk today of endemy. In Europe and Romania, it takes place the fifth wave of pandemy, and, the virus is far away. The author explains the term of endemy which represents a state in which the virus is still present and spreads in the community, but it has no more such a strong impact and such severe simptoms.

In the newspaper “Adevărul” from February 17, 2022, in the article of Cristina Morozan, is published the article “They will appear other varriants of coronavirus, but we learn more and more and we are more and more prepared, claims the director of BioNTech”⁵¹. This director considers that the humanity is more prepared to confront with the new variants of SARS-CoV-2, the virus that will survive several years from then on. His opinion is that other varriants of this virus will emerge which already spread in the world. Biontech, as it asserts him, prepares a new version of the vaccine adopted to Omicron varriant.

In the newspaper “Adevărul”, in the article of Cristina Morozan from February 21, 2022, “The minister of Health: I think we should see several studies. We cannot pose the problem of a sixth wave in this moment”⁵², it is revealed that in Romania it can not be posed the problem of the sixth wave of coronavirus according to the assertion of the minister of Health, Alexandru Rafila. The population obtained a high degree of immunity either by passing through the illness, either by vaccination. Concerning the measures of relaxation, it shows Mr. Minister, important would be the renouciation to the use of the masks in exterior, but not in the crowded areas.

Also, in the newspaper “Adevărul”, in the article from February 23, 2022, wrote by Maria Dinu, “Ciucă, on the situation of pandemy. It follows the descendent trend. It follows an analysis and to come up with new measures”⁵³, it is explained, according to the declaration of the minister Nicolae Ciuviță, that, the pandemy in Romania entered in a descendent phase. The hope of the prime minister is that this trend will in the process of decline also in the future.

Another aspect, revealed by the newspaper “Adevărul” from February 25, 2022, in the article “A new dose of vaccine from the pharmacy company Moderna, summing up 176.400 of doses, was brought in the country”⁵⁴, it is shown that according to CNCAV, the doses of vaccine did not arrive in Romania on land and were deposited to C.N. Unifarm S.A. in order to be distributed to the existing centers existent in the country.

⁵¹ *Adevărul*, February 17, 2022, article by Cristina Morozan, “Vor apărea alte variante ale coronavirusului, dar învățăm tot mai mult și suntem din ce în ce mai bine pregătiți, susține directorul BioNTech”/“They will come up other varriants of coronavirus, but we learn more and we are more and more prepared, claims the director of BioNTech”.

⁵² *Adevărul*, February 21, 2022, article by Cristina Morozan, “Ministrul Sănătății. Cred că ar trebui să vedem mai multe studii. Nu ne punem problema unui val șase în acest moment”/„The Minister of Health: I think that we should see several studies. We think at a sixth wave six in this moment”.

⁵³ *Adevărul*, February 23, 2022, article by Maria Dinu, “Ciucă, despre situația pandemiei. Am intrat în linie descendentă. Urmează o analiză și să venim cu măsuri”/“Ciucă, on the situation of the pandemy. It follows the descendant trend. It follows an analysis and to come up with measures”.

⁵⁴ *Adevărul*, February 25, 2022, article by xxx, “O nouă tranșă de vaccin de la compania farmaceutică Moderna, constând în 176.400 doze, a sosit în țară”/“A new dose of vaccine from the pharmacy company Moderna summing up 176.400 doses, was brought in the country”.

In the journal “Adevărul” from February 27, 2022, in the article “More than 3000 of people were vaccinated in the last 24 hours. How many Romanians made the first dose of vaccine”⁵⁵, written by Cristina Morozan, it is showned that, in the last 24 of hours, above 3000 of persons were vaccinated, and, among these, 400 were vaccinated with the first dose.

The journal “Adevărul”, in the article of Maria Țaga from March 3, 2022, with the title “The counties who registered, Thursday, the most infections with SARS-COV-2”⁵⁶, it is revealed the fact that the city of Bucharest is on the first place as a number of infections with the new coronavirus. On the second place is the city of Cluj and on the third place is the county of Timiș.

In the journal “Adevărul”, in the article from March 4, 2022 of Radu Eremia, “Session concerning the management of the pandemy at the Palace of Cotroceni, at 14.00 o’ clock”⁵⁷, it is revealed the fact that president Iohannis called for a reunion with regard to the management of the crisis of coronavirus, the officialities - the president and from the government - mentioning the term of “epidemy”.

In the journal “Adevărul”, in the article of March 4, 2022 of Radu Eremia⁵⁸, “Klaus Iohannis makes the assertion <<We do not bear anymore the state of alarm>>”. The minister of Health will announce what restrictions are eliminated. The president asserted that a part of the restrictions maintained in the time of the pandemy will be eliminated, and the state of alarm will be maintained for 30 more days. The president declared that the fifth wave of the pandemy is on the way to be finished.

In the journal “Adevărul” from March 5th 2022, in international field, in the article of Ion Gaidău, “The protests are forbidden at Moscow officially because of the pandemy”⁵⁹, it is asserted that, the authorities from the administration sector of the city of Moscow, rejected the requirements of public manifestations, both of the partisans of Ukraine, but also of the adherents of the Russian invasion on reasons of pandemy. The people, in spite of this decision, came out on the streets in order to protest against the invasion of Ukraine towards the Russia.

In the journal “Adevărul” in the article from March 8, 2022, “The Minister of Health, about the isolation in the context of infections with COVID-19. It is normal, but it is no more doubled by control”⁶⁰, it is revealed the declaration of the minister

⁵⁵ *Adevărul*, February 27, 2022, article by Cristina Morozan, “Peste 3000 de persoane au fost vaccinate în ultimele 24 de ore. Câți români au făcut prima doză”/“More than 3000 of people were vaccinated in the last 24 hours. How many Romanians made the first dose of vaccine”.

⁵⁶ *Adevărul*, March 3, 2022, article by Maria Țaga, “Județele care au înregistrat, joi, cele mai multe infectări cu SARS-Cov-2”/“The counties that registered, Thursday, most infections with SARS-Cov-2”.

⁵⁷ *Adevărul*, March 4, 2022, article by Radu Eremia, “Ședință privind gestionarea pandemiei, la Palatul Cotroceni, de la ora 14.00”/“Session concerning the management of the pandemy, at the Cotroceni Palace, at 14.00 o’clock”.

⁵⁸ *Adevărul*, March 4, 2022, article by Radu Eremia, “Klaus Iohannis face afirmația <<Nu mai prelungim starea de alertă>>”/“Klaus Iohannis makes the assertion <<We do not bear anymore the state of alert>>”.

⁵⁹ *Adevărul*, March 5, 2022, article by Ion Gaidău, “Proteste, interzise la Moscova oficial din cauza pandemiei”/“The protests are forbidden at Moscow officially because of the pandemy”.

⁶⁰ *Adevărul*, March 8, 2022, article by xxx, “Ministrul Sănătății, despre izolarea în cazul îmbolnăvirilor cu COVID 19. Este normală, dar nu mai este dublată de control”/“The minister of Health about the isolation in the context of infections with COVID 19. It is normal, but it is not doubled by control”.

of Health, Alexandru Rafila, who says that, the isolation will be no more compulsory, after the cease of the state of alarm, but it remains as a measure of common sense. If somebody is diagnosed with COVID-19, it has to stay isolated and to receive medical treatment and temporary release from work.

In the international sphere, in the newspaper “Adevărul” of March 9, 2022 of the journalist Maria Țaga, in the article “Pandemy is not over, warns the General secretary of NATO who denounced an <unfaire> distribution of the anti-covid vaccines between rich and poor”⁶¹, it is revealed the fact that the pandemy of COVID-19 is not over, and in the world, the distribution of the vaccines is unfaire. The finality of the pandemy was, as the author asserts, of *446 of millions of cases* in the world and *six millions of deaths*, but there were several people that had a deteriorated mental health. The pandemy is far from ending, shows the author.

In the international context, in the article of Melania Agiu from March 12, 2022, “Above 6 millions people died because of the pandemy of coronavirus in the entire world since the end of the year 2019”⁶², it is revealed the fact that a number of *6.026.306 of people* died because of the pandemy of COVID-19, starting with the end of the year 2019. Above *451 millions* of people got ill of the virus SARS-Cov-2. The author reveals the fact that USA, Brasil, India and Russia were countries where died most people from the world because of the pandemy.

In the international sphere, in the article of Maria Țaga from March 14, 2022, “The World Health Organisation worried that the war from Ukraine could aggravate the pandemy of COVID-19”⁶³, it is showned that, although the cases of COVID -19 are decreasing, it exists a risk of illnesses in Ukraine and in the case of the Ukrainian refugees because of the decreased rate of vaccination. The author says that the rate of vaccination in Ukraine is presently of 34%, and in the Republic of Moldova is even less low (29%).

Also, in the international context, in the newspaper “Adevărul” from March 15, 2022, in the article of Ana-Maria Gheorghită “China has registered a new record of illnesses of COVID-19 since the beginning of the pandemy”⁶⁴, is revealed the fact that, according to the journal “Guardian”, in China is the highest number of cases of COVID-19 since the beginning of pandemy. Over 24,1 million of inhabitants are in quarantine. Through the introduction of the isolation measures, China tried to stop the pandemy, but the tulpine Omicrone spread in the entire world.

⁶¹ *Adevărul*, March 9, 2022, article by Maria Țaga, “Pandemia nu s-a terminat, avertizează secretarul general al ONU care denunță o distribuire <<nedreaptă>> a vaccinurilor anti-COVID între bogați și săraci”/“The pandemy was not over, warns the General secretary of NATO who denounced an <<unfaire>> distribution of the anti-COVID vaccines between rich and poor”.

⁶² *Adevărul*, March 12, 2022, article by Melania Agiu, “Peste 6 milioane de oameni au murit din cauza pandemiei de coronavirus în întreaga lume de la finalul anului 2019”/“Over 6 millions of people died because of the pandemy of coronavirus in the entire world at the end of the year 2019”.

⁶³ *Adevărul*, March 14, 2022, article by Maria Țaga, “Organizația mondială a Sănătății, îngrijorată că războiul din Ucraina ar putea agrava pandemia de COVID-19”/“The World Health Organisation, worried that the War from Ukraine could aggravate the pandemy of COVID-19”.

⁶⁴ *Adevărul*, March 15, 2022, article by Ana-Maria Gheorghită, “China a înregistrat un nou record de îmbolnăviri cu COVID-19 de la debutul pandemiei”/“China had registered a new record of illnesses with COVID-19 since the beginning of the pandemy”.

In the journal “Adevărul”, in the article of Cristina Morozaan from March 15, 2022, it was published the article “The Minister of Health: The fifth wave could last longer”⁶⁵. The Minister of Health, Alexandru Rafila, says that until now we don’t talk about the sixth wave of the pandemic. It is possible that a new wave sixth until the autumn, shows the minister.

In the journal “Adevărul” in the article of Cristina Morozaan from March 17, 2022, it is published the article “Studies: The fourth dose of vaccine against COVID-19 offers a supplementary protection to the young adults”⁶⁶. The fourth dose of vaccine could be a marginal benefit on the young adults shows a study published in New England Journal of Medicine. The fourth dose is sure, it shows the study, and it brings neutralised antibodies who blocks the infection with coronavirus, at the level of after the third dose, asserts the study.

In the newspaper “Adevărul”, in the article of Daniela Șerb from March 18, 2022 with the title “The pandemic of COVID-19 reseted our authorities. Towards what are lead the Romanians this year”⁶⁷, it is revealed the fact that, during the pandemic, it took place several changes which will reform the society. This pandemic brought in the first line the issue of the healthiness of the population.

In the journal “Adevărul”, in the article of Andreea Gheorghe from March 19, 2022 it was published the article “Account of COVID. Above 3100 of new cases – their number is decreasing. How many deceased cases were reported”⁶⁸. The author shows that, in the last 24 hours, there were registered 3168 of infections with the virus SARS-Cov-2. Several patients got ill again of COVID-19, being reinfected. Also, in the last 24 of hours, they were registered 44 of deceased people. The older people had a risk of illness and death of COVID-19 much higher.

In the journal “Adevărul”, in the article from March 23, 2022 of Cristina Morozaan with the title “The Minister of Health draws the attention on the rise of the number of infections with SARS-Cov-2 in the biggest cities”⁶⁹, it is showned that the minister of Health, Alexandru Rafila, signals that there are more than 4000 of cases of infection with SARS-Cov-2 in the great cities. Most of them (a third) are in the city of Bucharest, followed by Cluj-Napoca and Timișoara. It is recommended to keep the measures of individual protection and the use of the mask in the public transport and spaces of interior.

⁶⁵ *Adevărul*, March 15, 2022, article by Cristina Morozaan, “Ministrul Sănătății: Valul 5 s-ar putea prelungi”/“The minister of Health: The fifth wave could last longer”.

⁶⁶ *Adevărul*, March 17, 2022, article by Cristina Morozaan, “Studiu: a patra doză de vaccin împotriva COVID-19 oferă o protecție suplimentară redusă adulților tineri”/“Study: the first dose of vaccine against COVID-19 offers a reduced supplementary protection to the young adults”.

⁶⁷ *Adevărul*, March 18, 2022, article by Daniela Șerb, “Pandemia de COVID-19 ne-a resetat prioritățile. Spre ce se îndreaptă românii anul acesta”/“The pandemic of COVID-19 reseted our priorities. Towards what are lead the Romanians this year”.

⁶⁸ *Adevărul*, March 19, 2022, article by Andreea Gheorghe, “Bilanț COVID. Peste 3100 de cazuri noi-numărul lor este în scădere. Câte decese au fost raportate”/“Account of COVID. Above 3100 of new cases- their number is decreasing. How many deceased cases were reported”.

⁶⁹ *Adevărul*, March 23, 2022, article by Cristina Morozaan, “Ministrul Sănătății atrage atenția asupra creșterii numărului infectărilor cu SARS-Cov-2 în orașele mari”/“The minister of Health draws the attention on the rise of the number of infections with SARS-Cov-2 in the biggest cities”.

In the journal “Adevărul” from March 28, 2022, in the article of Daniela Șerb, “Interview. School director: In pandemy, the teachers evolved spectacularly”⁷⁰, it is showned that Simona Covrig, teacher of mathematics and director at Bucșoiaia, Suceava, has given an interview. She thinks that she, personally, as a teacher and director of school knew a spectacular professional evolution during the pandemy. New instruments for teacher’s work had come up, new instruments for evaluation, new platforms and the use of computers became compulsory.

In the newspaper “Adevărul” from March 28, 2022, in the article “Over 13.600 of people were vaccinated during the last week. How many Romanians made the first dose”⁷¹ written by Cristina Moroza, it is revealed that 13600 of people were vaccinated during 21-27 March 2022 and 1890 received the first dose. The author shows that totally, from the beginning of the vaccination campaign 16.765.677 of doses were received.

In the newspaper “Adevărul”, in the article from March 29, 2022 of Daniela Șerb⁷², “The pandemy of COVID-19, waits to show its new direction”, it is shown that the opinions are divergent, while the minister of Health, Alexandru Rafila shows that the numbers of Infections of COVID-19 will decrease, others are in the favour of the idea that the pandemy was not over yet. It is showned that the number of people infected with COVID-19 is 2702. After a slow rise of the cases of infections, presently the trend is descendent.

In the article of Maria Țaga from April 1, 2022, “The German minister of Health wants to elliminate the quarantine for the majority of people who got ill with COVID-19”⁷³, it is showned that Germany intends to elliminate the obligativity of the quarantination for most of the ones who got ill with COVID-19. The time for isolation will be modified from seven days as it is presently to five days, with a test anti-COVID at the end of this timing.

Conclusions

Seeing this press account, it is obvious that the Romanian people were put under a great pressure during the last two years, a mediatic campaign which helped in the view of prevention the virus of COVID-19, but it was a difficult awareness for the overall population to start to fight with the pandemy, to find the courage to take the vaccine and to survive economically during this time. Educational system was,

⁷⁰ *Adevărul*, March 28, 2022, article by Daniela Șerb, “Interviu. Director de școală: În pandemie, profesorii au evoluat spectaculos”/“Interview. School director: During the pandemy, the teachers evolved spectacularly”.

⁷¹ *Adevărul*, March 28, 2022, article by Cristina Moroza, “Peste 13.600 de persoane au fost vaccinate în ultima săptămână. Câți români au făcut prima doză”/“Over 13.600 of people were vaccinated during the last week. How many Romanians made the first dose”.

⁷² *Adevărul*, March 29, 2022, article by Daniela Șerb, “Pandemia de COVID-19, așteaptă să-și arate noua direcție”/“The pandemy of COVID-19, waits to show its new direction”.

⁷³ *Adevărul*, April 1, 2022, article by Maria Țaga, “Ministrul german al Sănătății vrea să elimine carantina pentru majoritatea persoanelor care se îmbolnăvesc de COVID-19”/“The German minister of Health wants to eliminate the quarantine for the people ill with COVID-19”.

also, affected as the school was online and the teachers were fighting to overcome the obstacles of this abandon of face-to-face interactions and to compensate virtually this inconvenience. This tensions of the political agendas turns sometimes into “hybrid” wars that do not influence positively the mental sphere of the Romanians.