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THE HEALTH REGULATIONS OF THE ROMANIAN OLD KINGDOM AT THE END OF THE 19TH CENTURY AND THE EARLY 20TH CENTURY

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ABSTRACT:

THE HEALTH LEGISLATION OF THE ROMANIAN OLD KINGDOM CONSISTED OF THE MAIN HEALTH LAWS OF 1874 AND 1910, AS WELL AS OF OTHER HEALTH LAWS, GENERAL HEALTH REGULATIONS AND LOCAL HEALTH REGULATIONS. WITHIN THE FRAMEWORK OF THE HEALTH LEGISLATION, THE HEALTH LAWS REPRESENTED ONLY A SMALL PART OF THE LEGISLATION. THEREFORE, THE HEALTH LEGISLATION WAS COMPLETED BY THE HEALTH REGULATIONS WHICH ARE MORE NUMEROUS AND AS IMPORTANT AS THE LAWS. THE GENERAL HEALTH REGULATIONS WERE ISSUED BY THE LOCAL AUTHORITIES, - SUCH AS THE HOSPITALS' ADMINISTRATIONS, THE URBAN COUNTY AND COMMUNAL COUNCILS - AND THEY WERE APPLICABLE TO A WELL - DEFINED ADMINISTRATIVE UNIT, AFTER THEY HAD BEEN SANCTIONED BY THE EXECUTIVE POWER.

KEYWORDS: HEALTH LEGISLATION, GENERAL HEALTH REGULATIONS, LOCAL HEALTH REGULATIONS, THE SUPERIOR HEALTH COUNCIL.

The main sanitary laws of modern Romania were elaborated in 1874 and 1910.

The Health Law in 1874, along with its subsequent amending legislation, from the years 1877, 1881, 1885, 1893 and 1898, established competence of various public authorities regarding health issues[2]. They organized control of hospital administration and prescribed method of appointment of personnel. The multiple changes in the law resulted in a radical change of text, so the 1898 version is not too much like the original[3]. *Health Law of 1874* took the principles fixed

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[2] Şuta et al, *Legislaţia sanitară din România modernă (1874-1910)/ The health legislation in the modern Romania (1874-1910)* (Cluj-Napoca: Cluj Universitary Publishing House, 2009), 32.

[3] Elena-Steluţa Dinu, "Asistenţa spitalicească a oraşului Craiova în a doua jumătate a secolului al XIX-lea – începutul secolului XX", "Hospital care in Craiova during the second half of the 19th century and early 20th century", Ph. D. dissertation, Faculty of History and Philosophy, "Babeş-Bolyai" University of Cluj-Napoca, 2014, 19.

by Organic Regulation, developing them and adapting them to new social realities in accordance with scientific discoveries in the medical field[4].

The Health Act of 1910 was developed by Sion with Ioan Cantacuzino, General Director of Health Services. This law was very different from other the health laws adopted by time and divided the territory of the Old Kingdom in nineteen health regions, which, in turn comprised several sanitary districts.

Cantacuzino- Sion law sought to remove all previous shortcomings sanitary laws and gave full authority only to doctors, in all public health matters[5].

The sanitary laws had to be completed by a set of regulations. Even the text of the Law of 1874 foresaw the subsequent elaboration of at least 17 regulations. These were elaborated in time, sometimes after more than a decade- such as the case of *The Regulation for village alignment and the construction of peasant dwellings*, which appeared in 1888 - or even later, *The Regulation regarding the sanitary surveillance of the food and drinks and of the commerce with food and drinks -* articles 154, 155, 156 and 157 of the sanitary law- mentioned in article 123 of the 1874 law appeared in 1895. Other regulations foreseen in the sanitary law were never elaborated, i.e. the regulation regarding the hygiene conditions of public and private schools and boarding schools, mentioned in article 115 of the 1874 law. There were, however, cases when, even if the law didn't stipulate it, the Superior Health Council elaborated and approved, one year after publishing the law, a *Regulation for vaccination and revaccination*. Therefore, the process of elaborating the general health regulations was a complex, long-lasting process. The following health law, in 1910, foresaw the publication of 35 regulations to complete it[6].

The regulations represented norms for applying the legislation, even if the mentioned structure seldom appeared in the title, i.e. *The Regulation for applying the law regarding the setting up of the rural hospitals* or the *Regulation of the law regarding the lunatics*. The regulations that complete the health law usually have in their title that aspect of the law they detail[7]. They are closer to social realities and surpass the generalized character of the laws. The health regulations represented the applied legislation. They had the same normative character as the health laws, but "nothing guarantees *a priori* that they are better applied than other categories of legal texts. They bring us closer to the social reality at the same level, as ideal as the laws"[8]. According to the Constitution of 1866, article 93, the regulations were a prerogative of the ruler: "He makes the regulations necessary for the execution of the laws without being able to ever modify or suspend the laws"[9]. That is why all these texts had to be sanctioned by royal decree. From the point of view of the transmitter as well as of the receiver, the regulations can be divided in two main categories: general health regulations and local health regulations.

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[4] Elena-Steluţa Dinu, "Health laws in the period 1874-1910", in *Annals of the University of Craiova/ Analele Universităţii din Craiova*, XIX, no. 2(26)/2014, 15-22.

[5] Dinu, "Health laws", 19-20.

[6] Şuta et al., *Legislaţia sanitară în România modernă (1874-1910)/ The health legislation in the modern Romania (1874-1910)* (Cluj-Napoca: Cluj Universitary Publishing House, 2009), 34.

[7] Şuta et al., *Legislaţia*, 32.

[8] Şuta et al., *Legislaţia*, 33.

[9] *Constituţiunea şi legea electorală/ The Constitutions and the elective law* (Bucharest: State Printing House, 1867), 24.

1.1 General Health Regulations

The general health regulations were issued by the central health authorities and they were available for the entire country. The frequent adjustments of the health law caused the adjustment of these regulations [10].

Between the years 1867-1868 the Superior Health Council elaborated the following regulations: *the Regulation for receiving the lunatics in special hospitals*; *the Regulation for the trade of medicinal and poisonous substances; the Regulation for the hospitals administration in Bucharest and Iaşi.*

In 1873 *the Regulation for the county health service* was elaborated.

For the period of time between 1874-1885, based on the law promoted in 1874, the Council voted several regulations, among which the most important are: *the Regulation for the hygiene councils in counties and big cities; the Regulation for the health service in urban areas and counties; the Regulation for the communal and county hospitals; the Regulation for the health council; the Regulation of the competition for the physician positions; the Regulation for achieving the title of assistant- surgeon, the Regulation for vaccination and revaccination,* in 1874, modified in 1893*; The Regulation for insanitary industries; the Regulation for prescribing and charging the medicines paid from public funds.*

In 1879 the following regulations were elaborated*: the Regulation for measures against pestilential diseases; the Regulation for organizing the sanitary service at the Danube's flowing point;* and in 1882 *the Regulation for concession of pharmacies by competition.*

Based on the 1885 law, the Health Council had processed and completed by the end of 1886 the following regulations*: the Regulation for the county health service; the Regulation of the Superior Health Council; the Regulation of the competition for the physician positions; the Regulation for trading toxic substances; the Pharmaceutical Regulation; the Regulation of the urban health service[11].*

Among the general health regulations we can also mention: *the Regulation for village alignment and the construction of peasant dwellings* in 1888, which was not applied because the stipulations were too demanding for the rural inhabitants with precarious financial situations. This regulation was modified in 1894; *the Regulation for preventing infectious* diseases in 1891, modified in 1893 and 1897, based on the international health conventions from Dresda and Venice; *the Regulation for the county health service* in 1894; *the Regulation for insanitary industries in 1894,* completed between 1895-1899[12].

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[10] Iacob Felix, *Istoria igienei în România/ The history of hygiene in Romania*, 2nd volume (Bucharest: "Carol Göbl" Graphic Arts Institute, 1902), 59.

[11] *Raport general asupra starei serviciului sanitar pe anul 1886/ General report on the status of the health service in 1886* (Bucharest: State Printing House, 1887), 7-8.

[12] Constantin Bărbulescu and Vlad Popovici, *Modernizarea lumii rurale româneşti în a doua jumătate a secolului al XIX-lea şi la începutul secolului al XX-lea. Contribuţii/ Modernizing the Romanian rural world in the second half of the 19th century and the beginning of 20th century. Contributions* (Cluj-Napoca: Accent Publishing House, 2005), 57-58.

1.2 Local health regulations

The local health regulations were issued by the local authorities, i.e. the great hospitals administrations, county and urban communal councils, and they were applicable to the territory of a well specified administrative unit[13], after they were sanctioned by the executive power.

The Council for Hygiene and Public Sanitation of Craiova elaborated in 1866 a regulation for preventing some infectious diseases, its stipulations being almost identical with those of the regulation elaborated by Câmpina City Hall in 1900. One of the authors of this kind of regulation was the vice- mayor Mihail Trişcu[14].

In 1890 *the Regulation of the competition for the positions of physicians, veterinarians, pharmacists and midwives,* paid by Craiova[15] was elaborated. According to this regulation all the physician positions were occupied by exam, any time vacancy appeared. The competitions took place in Bucharest, in the presence of a jury. For the physician competition the jury was formed by a member of the Superior Health Council, as president, two professors from the Faculty of Medicine in Bucharest, an M.D. from the Board of Civil Hospitals in Bucharest, drawn up in the plenary sittings of the medical college and an M.D., representative of the City Hall.

For the pharmacists competition the jury was formed by a member of the Superior Health Council, as president, a member of the Chemical-Pharmaceutical Commission and a representative of the City Hall, licensed in pharmacy and having Romanian nationality.

The competition for midwives took place in Craiova, in the presence of a jury, having as president the M.D. of the city, and as members a physician from the local hospitals, drawn up in the plenary meeting of the Hygiene and Public Sanitation Council of Craiova and an M.D., representative of the City Hall. All the members of the jury gave marks to the candidates for each subject and, in order to be admitted, they had to equal or be higher than seven.

This regulation had detailed stipulations regarding the way in which the competition unfolded for each specialty and it was discussed and voted in the Communal Council of Craiova in the meetings from 11th and 12th November 1890[16].

The Superior Health Council, by decision no. 1545 of 8th December 1898 decided to build a second class midwives school, near the *Filantropia Hospital* in Craiova. The purpose of this school was to train midwives which could be employed only in rural areas, so that, in time, each rural setting would have a midwife who, at the end of one year's study, possessed theoretical knowledge and practical skills in the domain.

This school was under the control of the General Direction of the Health Service and was led by the hospital's M.D., its activity being coordinated by the *Regulation of the second class Midwives School of Craiova[17]*, elaborated in 1900.

The second chapter of the *Regulation*, entitled "Admission Conditions" stipulated that in this school only Romanian students were allowed, especially those brought up in rural areas. It

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[13] Elena-Steluţa Dinu, "Asistenţa spitalicească a oraşului Craiova în a doua jumătate a secolului al XIX-lea – începutul secolului XX"/ "Hospital care in Craiova during the second half of the 19th century and early 20th century", Ph. D. dissertation, Faculty of History and Philosophy, "Babeş-Bolyai" University of Cluj-Napoca, 2014, 27.

[14] Mihail Trişcu, *Dare de seamă asupra administraţiunei comunale a urbei Craiova pe anul 1889/ Report on the communal administration of Craiova in 1889* (Craiova: Filip Lazăr Romanian Publishing House, 1890), 24.

[15] *Buletinul Direcţiunii Generale a Serviciului Sanitar/ The Bulletin of the General Direction of the Health Service* (Bucharest, 1891), no. 1-2, 2-7.

[16] Şuta et al., *Legislaţia sanitară în România modernă (1874-1910)/ The health legislation in the modern Romania (1874-1910)* (Cluj-Napoca: Cluj Universitary Publishing House, 2009), 676.

[17] *Monitorul Oficial/ The Official Gazette* (Bucharest, 1900), no. 289, 10297-10299.

also stipulated the age of candidates, the documents for submission, which took place in March, the number of students - 40, as well as the demand regarding their ability to read and write.

The courses lasted one year, starting on 1st April, because many students had scholarships from the rural areas and the period and the beginning of the studies depended on the budgetary year. The following chapters of the *Regulation* referred to the study of midwifery, exams and to the conduct and clothes of the students which had to be exemplary, honest and simple, the national, traditional costumes being preferred[18].

Among the local health regulations, established by the Communal Council of Craiova, according to the instructions received from the Ministry of Internal Affairs, the most important referred to regulating the constructions, the sanitation of dwellings, cleanliness of streets, markets, yards, removing the garbage, obeying the sanitary norms in butcheries and slaughterhouses.

Besides these regulations, the great hospitals in Craiova, i.e. *Filantropia*, *Theodor I. Preda*, *Madona-Dudu,* coordinated their activity according to the stipulations of their own regulations, which established in detail the responsibilities of each part involved in the medical activity. These regulations were elaborated according to the modern norms of that period of time and they were complying with those of the big hospitals in Bucharest.

The health legislation, containing health laws, laws with sanitary character, general health regulations and local health regulations reflect only a part of the Romanian state's effort to modernise itself. "*Modernization implied, first of all, the synchronization of the Romanian institutions with the European ones and overcoming the distance that separated, from this point of view, Romania from Europe. Secondly, a new way of thinking was necessary (...) namely, becoming aware of their applicability to the real conditions of the Romanian society"[19]*.

However, the health legislation frames within what we could call the normative speech, it "shapes an ideal situation which was never fully covered: it proposes norms, standards and paths to follow for achieving them"[20].

By its high standards, the Romanian legislation was European and modern, but, as doctor Iacob Felix said: "the value of the health institutions and of the hygiene measures depends less on the written laws and more on the culture, science, conscience and discipline of the people called to apply them "[21].

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[18] Elena-Steluța Dinu, "Asistența spitalicească a orașului Craiova în a doua jumătate a secolului al XIX-lea – începutul secolului XX"/ "Hospital care in Craiova during the second half of the 19th century and early 20th century", Ph. D. dissertation, Faculty of History and Philosophy, "Babeș-Bolyai" University of Cluj-Napoca, 2014, 29.

[19] Şuta et al. , *Legislaţia sanitară în România modernă (1874-1910)/ The health legislation in the modern Romania (1874-1910)* (Cluj-Napoca: Cluj Universitary Publishing House. 2009), 28.

[20] Constantin Bărbulescu and Vlad Popovici, *Modernizarea lumii rurale româneşti în a doua jumătate a secolului al XIX-lea şi la începutul secolului al XX-lea. Contribuţii/ Modernizing the Romanian rural world in the second half of the 19th century and the beginning of 20th century. Contributions* (Cluj-Napoca: Accent Publishing House, 2005), 55.

[21] Iacob Felix, *Istoria igienei în România/ The history of hygiene in Romania*, 2nd volume (Bucharest: "Carol Göbl" Graphic Arts Institute, 1902), 62.

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2. *Buletinul Direcţiunii Generale a Serviciului Sanitar/ The Bulletin of the General Direction of the Health Service,* Bucharest, 1891, no.1-2, 2-7.

3. *Constituţiunea şi legea electorală / The Constitution and the elective law,* Bucharest: State Printing House, 1867.

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6. **Felix, Iacob**, *Istoria igienei în România/ The history of hygiene in Romania*, 2nd volume, Bucharest: "Carol Göbl" Graphic Arts Institute, 1902.

7. *Monitorul Oficial/ The Official Gazette*, Bucharest, no. 289, 10297-10299.

8. *Raport general asupra starei serviciului sanitar pe anul 1886 /General report on the status of the health service in 1886*, Bucharest: State Printing House, 1887, 7-8.

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SECURITIZATION OF MIGRATION IN THE EUROPEAN UNION - BETWEEN DISCOURSE AND PRACTICAL ACTION

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ABSTRACT:
LEGAL AND ILLEGAL MIGRATION IN EUROPE PRECEDING THE END OF THE COLD WAR IS THE HIGHLIGHT FOR RESEARCHERS, THE MEDIA, POLITICIANS, ECONOMISTS AND SOCIOLOGISTS, BOTH BY THE EFFECTS IT HAS ON A SOCIO-ECONOMIC AND DEMOGRAPHIC LEVEL, BUT ALSO BY THE DIRECT ONES ON SOCIETAL SECURITY. THE MAIN OBJECTIVE OF THIS PAPER IS TO CAPTURE THE INTERDEPENDENCE CONNECTION BETWEEN MIGRATION AND SECURITY AT A EUROPEAN LEVEL AND TO EXAMINE THE WAY IN WHICH THE EU APPROACHES AND MANAGES THE ISSUE OF SECURITY IN TERMS OF LEGAL AND ILLEGAL MIGRATION, WHICH IS THE SOURCE OF POLITICAL, ECONOMIC AND SOCIETAL SECURITY. THE FIRST PART OF THIS ARTICLE MAKES A REVIEW OF THE SPECIALIZED LITERATURE IN RELATION TO THE CONSTRUCTION OF MIGRATION-SECURITY RELATIONSHIP WITHIN EUROPE. THE SECOND PART ANALYZES EU'S INTEGRATED MEASURES IN APPROACHING SECURITY, FROM LEGAL ISSUES, TACKLING OF THE ISSUE IN THE UNION TREATIES AND POLITICAL DISCOURSES TO THE EFFECTS OF EU'S IDENTITY CONSTRUCT PROCESS. HOW DID MIGRATION BECOME A SECURITY ISSUE? TO WHAT EXTENT HAVE TRADITIONAL SECURITY APPROACHES/TOOLS BECOME USELESS FOR THE MANAGEMENT OF IMMIGRATION AND THE PROVISION OF SECURITY AT EUROPEAN BORDERS? TO WHAT EXTENT IS THE NEW SECURITY AGENDA OF THE EU AN INTEGRATED RESPONSE TO THE CURRENT MIGRATION FROM AND TOWARDS EUROPE? THESE ARE SOME OF THE QUESTIONS THAT WE WILL TRY TO ANSWER THROUGH OUR ANALYSIS.

KEY WORDS: MIGRATION, SECURITY, EUROPEAN UNION, SECURITIZATION.

INTRODUCTION

Events such as the fall of the Iron Curtain, the economic and political crisis that followed in Central and Eastern Europe, the "identity crisis" of the EU have made the old continent witness certain events which led to the appearance of a high degree of anxiety (justified or not) regarding the issue of uncontrolled migration, an anxiety that affects not only the political circles but also

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various sectors of society, offering analysists the chance to speak of a "Fortress Europe"[3] once more.

The main objective of this paper is to capture the interdependence connection between migration and security at a European level and to examine the way in which the EU approaches and manages the issue of security in terms of legal and illegal migration, which is the source of political, economic and societal security. The focus is on the manner in which the national and regional dimensions of security were completed with the international and transnational dimensions, which include a series of new actors (profile NGOs, the media or specialized EU institutions like FRONTEX are added to the origin, transition and host states) and a wide range of monitoring and control tools. The European Union is heading towards building a common legal framework for the proper management of migration (especially to control the phenomenon of illegal migration), and some of the most recent stages of building this framework prove the fact that the management of migration should also include a trans-sectorial security approach.

MAIN TEXT

The "Arab Spring" and the tensions that result from this event in several states south to the Mediterranean mark the beginning of a massive migration from underdeveloped states in North Africa or military instable ones from the Middle East towards Europe. Consequently, the European media has begun to pay more attention to the number of immigrants arriving on the Italian shores. In August, approximately 25,000 Tunisian immigrants have reached the Italian shores. As a result, a part of the public opinion and the media have defined it as an "invasion"[4]. It wouldn't be the first time when migration became a concern for the European governments. In 2001, following the terrorist attacks in the U.S.A., the process of migration securitization became a constant concern of the American leaders.

In 2005-2006, the Cayucos crisis[5] also pointed out the fact that migration fluxes could be perceived as a threat to the European security. In this regard, tools, actions and policies have been elaborated, as it was believed that the protection and control of borders are essential for ensuring national and EU security. Thus, a shift from the risk of a nuclear attack during the Cold War, to multiple threats to security coming from terrorist groups and drug dealers or illegal migration networks is being felt. As a result, migration, borders and immigrants have started to be perceived and discursively constructed as an existential issue of security. This discursive construction of migration as a threat to the states' national security has taken various shapes during the last two decades, with focus on certain security sectors, from the military to the political, culminating with the societal one[6].

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[3] Virginie Mamadouh, The Scaling of the 'Invasion', A Geopolitics of Immigration Narratives in France and The Netherlands, Geopolitics, 17:2, 2012, p.392 on-line: http://dx.doi.org/10.1080/14650045.2011.578268, accessed 01/27/2017,

[4] Gemma Pinyol-Jiménez, „The Migration-Security Nexus In Short: Instruments And Actions In The European Union'', in *Amsterdam Law Forum*, Vol. 4, No. 1, p. 36-37, available at

http://amsterdamlawforum.org/article/viewFile/255/442, accessed on 02.02.2017.

[5] The crisis of the "de los Cayucos" is a case of illegal immigration; 1% of the foreigners arriving in Spain, do exactly that, while over 62% of the immigrants arriving in Spain do it by plane. For more information, see INE 2008, http://www.ine.es/jaxi/Tabla.htm?path=/t15/p418/a2008/hogares/p01/modulo1/l0/&file=01001.px&L=0.

[6] For details on the security sectors, see Barry Buzan, Ole Wæver, Jaap de Wilde, *Security – a New Framework for analysis*, translated: George Jinglău, (Cluj-Napoca:CA Publishing, 2010).

In *Security, a new framework for analysis* Barry Buzan, Ole Weaver and Jaap de Wilde define societal security as a *security of identity[7]*, referring to *their communities and identities[8]*. The same Copenhagen School argues that security issues are built on the discursive act, hence we can speak of securitization only when there is an audience / public to accept this case as a matter of security. The concept of securitization within international relations has emerged as a theoretical reflection of the Copenhagen School and as a result, the analytical framework of securitization stands on the constructivist view on the world[9], being firstly analyzed by Ole Weaver in the paper *Securitization and Desecuritization[10]*. In the paper *„Security. A New Framework for Analysis”*, Barry Buzan says that „*the process of securitization is what in language theory is called a speech act. It is not interesting as a sign referring to something more real: it is the utterance itself that is the act. By saying the word something is done[11]* ”

A process of securitization requires a securitizing actor, a referential object (the state, for example), as well as an audience. Only when all these elements exist, can we speak of a securitization process. There are two legitimate questions regarding the emergence of migration securitization: (1) *What are the mechanisms involved in the securitization process*? And (2) *How do we account for the variation in the level of securitized migration across cases[12]*? At an EU level, migration can be securitized through two processes, the first at a discursive level (especially used by political actors, more pronounced during election campaigns) and the second aiming at the creation of security agencies, based on Jeff Huysmans'[13] analysis (FRONTEX is such an agency at an EU level, alongside the common European policies on migration).

American political scientists, Martin O. Heisler and Zig Layton-Henry consider migration an issue of security that is also responsible for the emergence and disappearance of the two emblems of ancient history, Greece and Rome[14]. Since then, this phenomenon has been directly affecting the development of the European society, politics, culture and economy, with direct effects on the reduction of disparities between the developed and underdeveloped areas. The immigrant fluxes (business/professional or not) and refugees from the Middle East, the Balkans, Northern Africa, countries dealing with a high degree of military insecurity, social tensions, economic underdevelopment or religious conflicts, heading towards Europe, looking for a decent and safe living, are a priority on the EU's security agenda. This priority is justified by the significant number within the EU, the interval 1985-2015 registering an alarming growth of the

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[7] Barry Buzan, Ole Wæver, Jaap de Wilde, *Security – a New Framework for analysis*, translated: George Jinglău, (Cluj-Napoca:CA Publishing, 2010), 172.

[8] Barry Buzan, Ole Wæver, Jaap de Wilde, *Security – a New Framework for analysis…,* 172

[9] Jef Huysmans, „The politics of insecurity: Fear migration and asylum in the EU" (London:Routledge, 2006), 26-28

[10] Ole Waever, *„Securitization and desecuritization”* in On Security, Ronnie Lipschutz (New York:Columbia University Press 1998), chap. 3.

[11] Barry Buzan, Ole Waever, Jaap de Wilde, „*Security. A New Framework for Analysis''*, (London:Lynne Rienner Publishers,1998), 26.

[12] Philippe Bourbeau, *A Study of Movement and Order: The Securitization of Migration in Canada and France,* A dissertation submitted in the partial fulfillment of the requirements for the degree of doctor of philosophy in the Faculty of Graduate Studies (Political Science), The University of British Columbia (Vancouver), July 2008, p. 51, available at: file:///C:/Users/acer/Downloads/ubc_2008_fall_bourbeau_philippe.pdf.

[13] See Jeff Huysmans, *,The politics of insecurity: Fear migration and asylum in the EU*, London:,Routledge, 2006), Ole Wæver, Barry Buzan, Morten Kelstrup, and Pierre Lemaitre, Identity, Migration and the New Security Agenda in Europe, London:Pinter Publishers, 1993).

[14] Ionel Nicu Sava, *Teoria şi practica securităţii [The theory and practice of security]*,(Bucharest :University of Bucharest, 2012), 53.

phenomenon, exceeding 30 million people, and by the effects it creates on security, economy, society and culture. With respect to the importance and visibility of immigrants in the European society, Barry Buzan stated that „*the threat of migration is fundamentally a question of how relative numbers interact with the absorptive and adaptive capacities of society…The fear of being swamped by foreigners…is easy to mobilize on the political agenda as a security issue"*[15].

In another train of thoughts, migration produces complex, trans-sectorial effects, both in the countries of origin and those of destination. The conclusion is that, if for the countries of origin, migration provides the people working abroad with the opportunity for economic growth, professional development and new skills acquirement, which is, first of all, the chance to a better life and financial support for the family members at home, for the countries of destination which are economically developed, immigrants represent a way of dealing with the strong lack of young, specialized manpower on the labour market, but also an integrated (smart) response to the enhanced ageing process of the European population. For example, in 2010, the EU states with the oldest population were Germany with 16.9 million and Italy with 12.2 million[16]. Without a policy encouraging birth rate within these states, the long-term support of economic growth will require frequent resort to external labour force, constantly promoting encouraging policies for economic migration.

Migration is perceived by the host countries as an issue of national and international security. On the one hand, as an issue of international security, migration affects the security of national borders, referring to the illegal crossing of the border, illegal migration networks, guides, organized crime, arms, drugs or human trafficking, all of which being threats that need to be eliminated. It should be noted that in order to increase the sense of "insecurity" within the host societies, the relationship between international migration and extremist and terrorist actions were easily transformed to a "zero priority" by certain public, political actors and agitators in their speeches. The securitization of borders and migration thus becomes in a full refugee crisis, the leitmotif of the public speeches of the Hungarian Prime Minister, Viktor Orban and representatives of the Party or FIDESZ, ..."*There is no alternative, and we have no option but to defend our borders*"[17], as a reaction to the mandatory quotas approved in the Justice and Home Affairs Council, on September 22nd 2015. What is interesting is that border defense is invoked when you are a member state within a community that is recognized for removing borders and frontiers in the favour of a free movement area. Analyzing these statements, we notice that the existential security threat that he talks about is referred to both in terms of military and public safety, and in terms of economic security.

Another interesting aspect of the host societies is the strong perception of insecurity that results from the fact that migration is presented, especially by the media, as a threat to the state's security, caused by the arrival of an increasing number of immigrants. In these circumstances, the

[15] Barry Buzan, „Societal Security, state security and internationalization'', in: Ole Wæver, Barry Buzan, Morten Kelstrup, and Pierre Lemaitre, *Identity, Migration and the New Security Agenda in Europe*, (London Pinter Publishers, 1993), 45.

[16] Bogdan Alexandru Suditu, Gabriela Prelipcean, Daniel Celu Vîrdol, Oana Ancuța Stângaciu, Studii de strategie și politici (SPOS) [Strategy and policy studies] 2012, Study no. 1, Perspectivele politicii de migrație în contextul demografic actual din România, [Prospects of the migration policy within the current demographic context in Romania], Bucharest, 2013, 71-72

[17] Gerald Warner, Hungary's Viktor Orban, Sole Voice Of Sanity In The EU, Tells The Truth On Immigration, 08 September 2015, http://www.breitbart.com/london/2015/09/08/hungarys-viktor-orban-sole-voice-of-sanity-in-the-eu-tells-the-truth-on-immigration, accessed on 01.03.2017.

state can directly influence the migratory waves with the help of its legal tools, such as border control or by a restrictive or selective immigration law, as happened during N. Sarkozy's tenure.

On the other hand, as an internal security issue, migrants are usually perceived as a threat to the state's and the citizens' welfare, with regard to access to the labour market, social or medical services, to giving social aid from the state, and to maintaining a security climate in the society. Indeed, migration is often presented as a challenge to welfare, as "danger" for the society[18] and as a threat to the host societies' cultural and identity security.

In "*International Migration and the Politics of Identity and Security*"[19] Yannis Stivachtis states that the need to analyze identity closely connected to security and migration is conditioned by recent political developments. For example, in the United States, there are two main political events responsible for the bringing to the fore the relation migration-identity-security, the events of 9/11 and the subsequent fear of other terrorist attacks in the U.S. given the context on an increasing number of immigrants from Mexico to the U.S.A. In the European Union there are two major types of immigration, the first, from a continental level (whether it's the east – west or north-south migration), from the new member states or refugees from European countries that have been dealing with internal disorder (Bosnia, Kosovo, Serbia), and the second, from third countries, considered much more radical and having direct effects on the migration-identity-security relation.

In 2015, the same political leader, Viktor Orban warned the representatives of the European Union, that "*Those arriving have been raised in another religion and represent a radically different culture. Most of them are not Christians, but Muslims," ... Is it not worrying in itself that European Christianity is now barely able to keep Europe Christian?"[20]*. An artificial connection of interdependence regarding migration-identity-insecurity climate within the EU is attempted, fueling Euro-skepticism towards the successful process of creating veritable "United States of Europe". By promoting such xenophobic, radical discourses with an obvious purpose to mobilize voters, an attempt is being made to create an identity breach between "us" and "the others", by portraying Muslims as a burden to the social welfare systems, as religious fanatics, a threat to the integrity of Christian values, and even potential terrorists.

The fear of immigrants, the feeling of being invaded, of losing identity also comes from the French Interior Minister Claude Guéant, one of the former rightist president Nicolas Sarkozy's close allies, who, in March 2011 stated that "*the French people often fail to feel at home, our compatriots wish to choose their own lifestyle and no longer want to accept a lifestyle being imposed on them*"[21]. It is also the case of Marine Le Pen, the leader of the French far-right, who compared the presence of Muslims in France with a new type of "*occupation*"[22]. In the same train

[18] Gemma Pinyol-Jiménez, Work quote., 39.

[19] Yannis A. Stivachtis, „International Migration and the Politics of Identity and Security'', in: *Journal of Humanities & Social Sciences,* vol. 2, issue 1, 2008, 2-3, available at:
 http://www.scientificjournals.org/journals2008/articles/1387.pdf , accessed 25.02.2017.

[20] Gerald Warner, Hungary's Viktor Orban, Sole Voice Of Sanity In The EU, Tells The Truth On Immigration, 08 September 2015, http://www.breitbart.com/london/2015/09/08/hungarys-viktor-orban-sole-voice-of-sanity-in-the-eu-tells-the-truth-on-immigration, accessed on 01.03.2017.

[21] Matei Vișniec, „Imigrația în Franța: o istorie care se confundă cu modernizarea țării" [Immigration in France: a history confused with the country's modernization], 15 December 2015, http://www.rfi.ro/special-paris-75594-imigra-ia-n-fran-o-istorie-care-se-confund-cu-modernizarea-rii, accessed on 03.03.2017.

[22] Matei Vișniec, „Imigrația în Franța: o istorie care se confundă cu modernizarea țării" [Immigration in France: a history confused with the country's modernization], 15 December 2015, http://www.rfi.ro/special-paris-75594-imigra-ia-n-fran-o-istorie-care-se-confund-cu-modernizarea-rii, accessed on 03.03.2017.

of thoughts, when dealing with the economic crisis, the Spanish society keeps using expressions like: "The invasion of immigrants / the flood", "we have become strangers in our own country" or "there will come a time when the number of immigrants will surpass that of the Spanish people"[23].

In the line of the same discourses that securitize migration by presenting it as an existential threat, during a 2015 intervention in the full swing of the EU refugee crisis, the Hungarian leader, Viktor Orban identified the main responsible for the situation with which Europe was dealing, as the European Union, the delegates at Brussels, the bureaucrats who failed to anticipate and correctly manage this situation "*Everything which is now taking place before our eyes threatens to have explosive consequences for the whole of Europe. Europe's response is madness. We must acknowledge that the European Union's misguided immigration policy is responsible for this situation*"[24]. On the background of Brexit, the EU's identity and unity crisis, this type of speech may have a destabilization effect, instead of creating solidarity, maintaining an insecurity and uncertainty climate within the Union, fueling the Euro-skepticists' discourses with regard to the political future of the EU.

The second level of EU migration securitization analysis aims at creating security agencies, FRONTEX being such a EU agency, alongside common European policies on migration. The foundation stones of this common policy on migration were set in 1986, by the *Single European Act* and perfected by the *Treaty of Maastricht* in 1993, through the creation of a pillar dedicated to Justice and Home Affairs whose main task was the asylum policy, immigration and regulations regarding the crossing of common external borders. *The Stockholm Programme – an open and secure Europe serving and protecting the citizens* completes the picture of the common European policies on migration, proposing coherent, long-term lines of action for a sound management of the phenomenon, also highlighting the advantages of legal migration at a social, economic, political, cultural and identity level.

The President of the European Commission, Jean-Claude Juncker's speech at the start of his tenure, also follows this line of ideas, announcing migration and the refugees' issue to be one of the top 10 priorities of the European Commission's political programme. …The determinate fight against illegal migration, people who smuggle migrants and migrant traffickers, as well as the securitization of the external European borders must be combined with a common and robust policy on asylum and a new European policy on legal migration. Clearly, in order to achieve this, there is the need for greater coherence between political sectors, such as development cooperation, commerce, employment, foreign and home affairs[25].

The concerted action of instruments and agencies like the Schengen Information System, Visa Information System and the European Border Police and Coast Guard perform the construction of migration as a security issue in the EU. Such an example is the response and integrated reaction of these actors with regard to the refugee crisis in 205-2016 in Great Britain,

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[23] Serguey Jenkin, „Prueba del multiculturalismo: experiencia de España en el contexto Europeo'', *Iberoamerica*, №3, 2011, 121, available at: http://www.ilaran.ru/pdf/2011/Iberoamerica/IbA_2011_3/Jenkin.pdf, accesat in 06.01.2017.

[24] Gerald Warner, Hungary's Viktor Orban, Sole Voice Of Sanity In The EU, Tells The Truth On Immigration, 08 September 2015, http://www.breitbart.com/london/2015/09/08/hungarys-viktor-orban-sole-voice-of-sanity-in-the-eu-tells-the-truth-on-immigration, accessed on 01.03.2017.

[25] Communication from the Commission To the European Parliament, Council, the European Economic and Social Committee and the Committee of Regions – A European Agenda for Migration, Brussels , 13.5.2015 COM(2015) 240 final, p.8, on-line https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/background-information/docs/communication_on_the_european_agenda_on_migration_ro.pdf   accessed on 23.02.2017.

including the use of military ships of certain Member States in managing the situation (exceptional response and reaction measure to the scale of events).

The High Representative for Foreign Policy, Federica Mogherini, said that Europeans must address "*the root causes of migration starting with the crises extending to our borders, mainly in Libya". "This is the reasons why we intensify cooperation with the origin and transit states, in order to provide protection in these conflict areas, to facilitate relocation and eliminate traffic routes*[26]". In this speech, Mogherini makes clear references to the new European Agenda for Migration adopted by the European Commission on the 13th of May 2015, in which EU proposes immediate measures needed to meet current challenges of migration, combining the internal (the responsibility of Member states) with the external dimension (managed in cooperation with the states outside the EU, transit states – ex: Turkey, and origin states of the immigrants).

One of the measures adopted at an EU level, which also caused aggressive discursive reactions to the European bureaucracy was the setting of mandatory quotas of refugees, established on the 22nd of September 2015, during the JHA. The plan of the European Commission aimed at relocating 120,000 refugees from Greece, Italy and Hungary in other EU states, a sort of "sharing is caring" in terms of management of the refugee issue. Taking exceptional measures at a EU level (in the financial, military, political field) in order to ensure a proper management of the refugee crisis, proves the existence of a migration securitization process, and in the peak moments of the refugee crisis, migration has become an existential threat that had to be fought against with all means available.

CONCLUSION

We can conclude that amid the refugee crisis, the two levels of analysis of the phenomenon of migration securitization proved their utility/purpose and limitations in providing an integrated, complex response to ensure support from the audience/public.

Of all the EU resources and instruments, combining internal with external policies, the New European Agency for Migration is the only one which comes with a *global approach* based on trust and solidarity between the states and institutions of the European Union. This moderate approach focused on long-term strategies, an integrated approach on the issue of migration tries to meet the process of emphasis on European political integration, a viable model for "unity in diversity".

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[26] Catalina Mihai, The EC prepares a European Agenda on migration that provides the securitization of external borders, 04.03.2015, Mediafax, http://www.mediafax.ro/politic/ce-pregateste-o-agenda-europeana-in-materie-de-migratie-care-prevede-securizarea-granitelor-externe-13933151, accessed on 12/02/2017.

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4. **Buzan,** Barry, **Waever,** Ole, **de Wilde,** Jaap, *Security. A New Framework for Analysis*, London:Lynne Rienner Publishers,1998;

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International Relations

MANIFESTATIONS OF CONTEMPORARY TERRORISM: CYBERTERRORISM

Gabriela LUCA[1]

ABSTRACT: THE ANALYSIS FOCUSES ON ONE OF THE MOST IMPORTANT THREATS TO WORLD SECURITY AND A NEW AND EMERGENT FORM OF TERRORISM THAT USES ADVANCED COMPUTING TECHNOLOGIES IN ORDER TO DISRUPT CRITICAL INFRASTRUCTURES. FIRST OF ALL, THIS PAPERACKNOWLEDGES THE IMPORTANCE OF TECHNOLOGICAL ADVANCEMENT AS BOTH FOR THE SECURITY AND FOR TERRORIST MEANS. AND SECONDLY, IT DISTINGUISHES BETWEEN WHAT CAN BE CONSIDER A CYERTERORIST ATACK FROM A THEORETICAL PERSPECTIVE ANALYZING THE BASIC ELEMENTS AND DISTRIBUTION OF CYBERTERORIST CAPACITIES. THIS RESEARCH ALSO PRESENTS THE POTENTIAL OF IMMINENT AND ONGOING ATTACKS AND HOW THIS TYPE OF TERRORISM COULD PROF TO BE MORE DISASTROUS AS ANY OTHER KIND. IN THE END OF THIS ANALYSIS WE WILL PROVIDE EVIDENCE OF SUCH ATTACKS AND WE DISCUSS SCENARIOS THAT ARE LIKELY TO HAPPEN IN THE NEXT DECADE AND THAT COULD AFFECT THE UNITED STATES THROUGH TEMPERING WITH THE POWER GRID.

KEY WORDS: SECURITY, CYBERTERRORISM, INTERNET, AL-QAEDA, INTELLIGENCE, CRITICAL, INFRASTRUCTURE, TECHNOLOGY,

INTRODUCTION

The current century is important from a historical point of views due to the technological revolution. What was early a utopia last century and S.F. idealism today is a reality? Interconnection and the facility to obtain information have changed the world in an accelerated way that was not been previously anticipated. This development has caused both economic growth and a political and geopolitical streamline communication.

If in the 1970s the predominant viewpoint was that of an Informatics Society, a concept that gradually gained more ground and became a reality with the explosion of the Internet, the main vector of our current society, with special focus on the last decade of the twentieth century, the first part of the twenty-first century is the concept of a Knowledge Society.[2]

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[2] Acad. Mihai Drăgănescu, "Societatea informaţională şi a cunoşterii. Vectorii societăţii cunoaşterii", published in "Limba Română în Societatea Informaţională-Societatea Cunoşterii", (Editura Expert, 2002), 441-442,

From the perspective of national security the internet and the computer, advancements enabled both the development of security measures and the improvement of security technologies. The global intelligence community has most benefited from this technological evolution as it is much easier to detect threats of all kinds by improving monitoring processes, information gathering, storage, and analysis.

One of the basic features of modern technology is accessibility. Without it, we could not have today's progress, but the ease with which these resources can be used often proved a significant threat. Be it cyberterrorism, cybercrime, or electronic theft and publishing of classified documents, this type of threat is becoming increasingly conspicuous and problematic.

CYBERTERRORISM AND CYBERSPACE IN THE CONTEXT OF GLOBAL TERRORISM

Cyberterrorism has become a continuously evolving phenomenon, therefore it is difficult to be defined through the increasingly blurred boundaries. The Federal Bureau of Investigation (FBI) considers this form of terrorism as a *"premeditated attack, politically motivated against information, computer systems, software and data, resulting in violence against noncombatant targets, by subnational groups or clandestine agents."*[3]

In a baseline understanding of this phenomenon, we can consider an action as belonging to cyberterrorism when an individual or an organization uses aggressive tactics and techniques, trying to intimidate or to have a noticeable negative impact on people or property.[4]

The concept of cyberspace was first launched by William Gibson and has generated the birth of a cyberculture. It had an important psychological relevance and determined the development of theoretical and research areas, such as the psychology of cyberspace and social computer science etc. These aspects focus on social, economic, and the cultural impact that the new environment of information and communication based on Internet infrastructure, generically called cyberspace, plays individually, socially, in business, science, research, education, administration and even government.[5]

Cyberterrorism can be understood as a convergence of terrorism and cyberspace. It can take many forms such as threats or attacks against computers, networks and the information stored in them, having the purpose to intimidate or coerce a government or the population into the promotion of political or social objectives. Moreover, to qualify as cyberterrorism an attack must result in violence against people or property, or at least do enough harm to generate fear. Attacks that lead to death or bodily injury, explosions or significant economic losses can be examples of such attacks.

There are numerous ways in which cyberterrorism can materialize, they tend to become increasingly diverse and difficult to classify, but there are four types of operations by which terrorists act in the virtual environment, namely:

• Penetration and serious disruption to information systems;

[3] Serge Krasavin, *"What is Cyber-terrorism?"*, CCRC, accessed December 12, 2016, http://www.crime-research.org/library/Cyber-terrorism.htm

[4] Matthew J. Littleton, *"Information age terrorism: toward cyberterror"*, Naval Postgraduate School, Chapter 2, accessed December 12, 2016, http://fas.org/irp/threat/cyber/docs/npgs/ch2.htm

[5] Ionuţ Marius Chitoşca, *"Internetul ca agent de socializare a generaţiei „M"*, Revista de Informatică Socială, numărul 5, iunie 2006, 61

• Alteration or theft of data and information stored on machines, readable data with the stated aim of producing significant damage, economically and socially;

• Influencing political decisions;

• In response to hostile actions.

It should also be noted that there are three levels of cyberterrorist capability the world is facing, namely:

• Simple, unstructured: the ability to perform basic attacks against individual systems using tools created by someone else. This level belongs to organizations with small capacities of analysis and control.

• Advanced, structured: the ability to perform multiple sophisticated attacks on a series of networks and systems with their own tools. At this level, we find organizations with an average control and analysis capabilities.

• Complex, coordinated: the ability to perform coordinated attacks that cause severe damages against complex, integrated and security systems through personal, highly sophisticated tools. This level belongs to organizations with large resources for analysis and control.

NATO is the only international military organization that has a cyber defense department that fights to prevent cyberterrorism. This type of terrorism targets attacks on critical IT infrastructures and is becoming increasingly problematic for the Member States of the agreement. Moreover, NATO believes that a cyber-attack needs to be treated as a ballistic missile attack because both can be equally devastating[6] and included this threat as one of the three most imminent ones for the next decade (along with terrorist attacks and military attacks with ballistic missiles).[7]

Today it is considered that the desire to possess weapons for cyber-attacks is similar to the race for nuclear weapons, all nations –especially the disadvantaged ones- are trying to develop this ability in order to obtain another geopolitical balance of forces.[8]

Critical infrastructures that can be affected by a cyberterrorist attack are typically defined as being decisive for stability, security, and safety of systems and processes, with an important role in conducting economic and social, political and military processes. The degree of criticality of these infrastructures is correlated with the significant effects induced by their disturbance or decommissioning, even if just for a very short period of time.[9] We can see that indeed a cyber-attack on a critical infrastructure can be a catastrophic event for national security.

CYBERTERRORISM AS A THREAT TO GLOBAL SECURITY

Nowadays cyber security has become an issue with catastrophic implications for national security. Following a series of coordinated attacks on government institutions and even the main server of the CIA and British and Israeli security agencies, leaders of the main NATO countries consider cyberterrorism the main threat at this time. In the beginning of 2014 the company,

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[6] Murat Dogrul, Adil Aslan, Eyyup Celik*, "Developing an International Cooperation on Cyber Defense and Deterrence against Cyber Terrorism"*, Turkish Air War College, 2011 3rd International Conference on Cyber Conflict, 39, accessed December 15, 2016 as PDF,
https://ccdcoe.org/ICCC/materials/proceedings/dogrul_aslan_celik.pdf

[7] Dogrul, Aslan, Celik*, "Developing an International Cooperation on Cyber Defense and Deterrence against Cyber Terrorism*….40

[8] Nicole Perlroth, David E. Sanger, " Cyberattacks Seem Meant to Destroy, Not Just Disrupt", New York Times, published March 28, 2013, accessed December 15, 2016, http://www.nytimes.com/2013/03/29/technology/corporate-cyberattackers-possibly-state-backed-now-seek-to-destroy-data.html

[9] Serviciul Român de Informații, Protecția Infrastructurilor Critice, 6, accessed May 5, 2016

Kaspersky Lab discovered the most sophisticated cyber-attack so far called "Mask". This attack was not totally stopped and is supposedly still ongoing and aimed at oil and gas companies. We must also take note of the cyber-attack called "Flame" that paralyzed the whole information system of Iran. Following this information, the U.S. president declared cyberterrorism the biggest threat and has made fighting it a priority.[10]

In October 2012, U.S. Defense Secretary Leon E. Panetta warned of an imminent "cybernetic Pearl Harbor" by showing the informational vulnerabilities and that the main objectives to be attacked in the future are the power grid, the transportation system, and the economic-financial system. On this subject former FBI Director Robert Mueller also believes that *"Stopping terrorism is our top priority but we must recognize that soon cyberterrorism will be the biggest threat."[11]*

Cyberterrorism is today the most common form of social and political sabotage. For example, in May 2007 Estonia was faced with one of the largest cyber-attacks that totally paralyzed the governmental IT infrastructure and that of the two main Estonian banks. A year later in August 2008 in the war between Russia and Georgia, three days before the invasion of South Ossetia the main TV and radio stations were blocked and the transmission was modified to transmit pro-government television channels.

Cyberterrorism is today the most common form of social and political sabotage. For example, in May 2007 Estonia was faced with one of the largest cyber-attacks that totally paralyzed the governmental IT infrastructure and that of the two main Estonian banks. A year later in August 2008 in the war between Russia and Georgia, three days before the invasion of South Ossetia the main TV and radio stations were blocked and the transmission was modified to transmit pro-government television channels.

It also needs to be mentioned that terrorism began to be promoted increasingly more in the cyberspace. Both ISIS and Al Qaeda have adapted to Western technology and methodology recruiting and motivating terrorist factions via the Internet. These attempts and methods of operation are increasingly effective and need be stopped. For instance the "elimination of Anwar al-Awlaki, considered" -Osama bin Laden main internet recruiter is a notable success of US intelligence, given his involvement in the radicalization of Muslim Americans and other English-speaking Muslims through the use modern means of communication (The Internet, social networks, etc.). Some examples of his success prior to the intervention of U.S. intelligence was: the radicalization and training of Nidal Hassan Abdul, a US army officer, the radicalization of Nigerian Omar Abdulmutallab, of British Airways, etc."[12]

CYBERINTELLIGENCE IN ROMANIA

In Romania, there is an increased risk of crimes and acts of cyberterrorism. For example FBI's most-wanted people in this domain ranks a Romanian in second.

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[10] Christopher Harress, „ *Obama Says Cyberterrorism Is Country's Biggest Threat, U.S. Government Assembles Cyber Warriors"*, accessed December 15, 2016, http://usa.kaspersky.com/about-us/press-center/in-the-news/obama-says-cyberterrorism-countrys-biggest-threat-us-government-as

[11] Senate Select Committee on Intelligence, feb 2012, accessed December 15, 2016 as PDF, https://www.amnestyusa.org/pdfs/sscistudy1.pdf

[12] Marius Lefter, *"Transformări ale războiului mondial împotriva terorismului internaţional",* Geopolitics.ro, published 02.02.2012, accessed December 15, 2015

The Romanian Intelligence Service was appointed by the Supreme Council of National Defence as the national authority in the field of Cyberintelligence in order to manage these situations. So RIS built a specialized structure called the National Cyberint Center. Its main mission is to bring together technical defense systems with informative capabilities to identify and provide legal beneficiaries with necessary information to prevent, stop and/or limit the consequences of an aggression on ICT systems which represent critical infrastructures.

RIS also admits that there are state and non-state entities with their own economic, political or military interest that causes cyber assaults. They are directed against systems of information technology and communications (ICT), which are part of the critical infrastructure itself (for example telecommunications and the Internet) or are essential for the proper functioning of other state critical infrastructure (for example air transport infrastructure, railway and roads, energy supply systems, gas, oil and water, health services, banking system etc.).

CONCLUSIONS

I started this essay assuming that without immediate solutions, cyberterrorism will produce noticeably more casualties in the coming decades than any other form of terrorism. From the arguments that were presented, I would consider this hypothesis to be confirmed; although currently to Western society the terrorist threats caused by the waves of refugees coming from the Middle East and the Mediterranean regions are still the most problematic.

Considering previous cyber-attacks and hacktivism (which even if it can't fit into cyber-terrorism troubles world governments) we can notice the potentiality of imminent further attacks on critical infrastructure networks. Also, the specialists, experts, and presidents of NATO countries led by the U.S. President Barack Obama warn about the devastating effects that cyberterrorism will have in the future.

If we were to make the effort to imagine and for example we would consider truthful Ted Koppel's view (BBC and ABC News journalist / Nightline- war correspondent in Vietnam) expressed in his new book 'Lights Out', in which he shows that an attack on the power grid of the U.S. is imminent in the next 20 years by Russia and China, which already have this capability; or the Islamic State which according to recent information seek to develop this kind of terrorism with $2 billion available funds then how many people will be affected? Considering that food and water supply depend on the power grid, it's collapse can cause tens of millions of victims. To a similar extent, we already know that cyberterrorists have the ability to lock the computer systems of banks (Estonia 2007) and if there was a globally coordinated attack, certainly dozens or even hundreds of millions of people could be affected.

In conclusion, looking at past cyberterrorist attacks and warnings from directors of intelligence and NATO commissions, we can easily see that without concrete measures, terrorist organizations and states that are opposing the proper functioning of the global socio-economic mechanisms will develop into a type of information terrorism to the point that such attacks will endanger social security and the safety of the entire world.

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VULNERABILITY DIMENSIONS OF THE ROMA PEOPLE AT THE EUROPEAN LEVEL - SOCIAL INCLUSION PERSPECTIVE CAPABILITIES

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ABSTRACT:
AT EUROPEAN LEVEL THERE IS A TENDENCY TO MANAGE THE DIFFERENT ASPECTS OF THE ROMA MINORITY COMPLEXITY, CONTEXT WHICH IS AMPLIFIED BY THE MIGRATION PHENOMENON. IN THIS ARTICLE ARE EXPOSED THE DIMENSIONS OF VULNERABILITY OF ROMA FROM A PERSPECTIVE THAT IS ORIENTED TO RECOGNIZE THE NEED FOR IMPLEMENTING THE NEW COORDINATED EUROPEAN ROMA SOCIAL INCLUSION FRAMEWORK. IN THIS RESPECT, THE CHALLENGE FOR MEMBER STATES IS NOT ONLY TO FORMULATE AND MONITOR EFFECTIVE AND COHERENT ROMA POLICIES, AND APPROPRIATE MEASURES TAKEN, BUT TO PROPOSE A SOLID CONSTRUCTION AND DURABLE CAPABILITIES OF SOCIAL INCLUSION OF THE ROMA MINORITY IN THE MEMBER STATES OF THE EUROPEAN UNION. THUS, IT IS PROPOSED TO RETHINK THE CONCEPT OF SUITABLE DIMENSIONS OF CAPABILITIES OF ROMA SOCIAL INCLUSION THROUGH AN ANALYSIS OF THE ACHIEVEMENTS AND IMPACT OF PUBLIC POLICIES ADOPTED IN THIS REGARD AND BY REPOSITIONING THE MAIN ASPECTS OF ACTIVE INTEGRATION OF THE ROMA IN EUROPE.

KEY WORDS: CAPABILITY APPROACH, SOCIAL INCLUSION, ROMA MINORITY, EUROPEAN UNION

INTRODUCTION

Within the complex background of the XXI Century, the freedom of movement of the individuals represents a general accepted condition and the specialty literature comes up with diverse theoretical approaches which respond to the challenges of the migration. In this context, the European legislation tries to adapt in order to respond to these challenges, although in the specialty literature, "the dominant paradigm places the migration as a tool of the economic growth, of the poverty minimization and the human multidimensional development. Due to the diversity of the issued situations, it is more difficult to configure a generally accepted framework. In reality, the complexity of the problems that the contemporary world deals that asks for solving these problems in such manner that would respond to the expectations of the beneficiaries. A problem generates a solution which also generates another problem which represents a different issue, with

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specific effects for different actors. The democracy brings, sustains and amplifies this process, within its own complexity. *In this frame with multiple challenges, the complexity of the vulnerabilities and the social inclusion of the Roma people in the EU represent a reality that needs integrative and durable approaches. Also, in the context of Roma people migration at the European level, it is important to accept the fact that "the migration cannot be entirely controlled and the zero migration, within the Roma population is not a desirable and feasible desideratum in the member states of the European Union[2]*. The ambivalent picture of the world, which is generated by the migration and the intangibility of the human rights represent two components that must find a harmonious solution without affecting their core principles.

1. ROMA POPULATION AND THE CONCEIVING OF THE SOCIAL INCLUSION CAPABILITIES

As much as the democracy develops in nation states, the importance of rights dilutes, these rights being an integrated part of the society, without being represented under the explicit form. Thus they become an integrated part of the societies that generates a normality condition, which is generally accepted by the whole nation, thus avoiding the contradictions, as they are presented in the specialty literature. "It is stated in all the official documents that the national minorities sustain the fact that their rights are mentioned only on paper"[3].

The discrepancy and the social inequities represent intensely debated topics in the contemporary literature. The situation gets more complicated when the researches achieved for a minority group, where different actors need another set of policies, lead by the idea that separated actions contribute to the changing of the de facto situation of the vulnerable groups. The action can be accepted until a certain stage because another set of values that also need another type of approach, complicate the image and the action frame, generates confusion in applying the unitary public policies that do not cover the perspective of the human development, an essential condition in order to ensure the viability of these actions and the development of the entire society[4].

We actually face the same problems that are presented from different perspectives. As it is presented in the literature of the last 20 years, after applying some affirmative actions for the Roma minority, there is a sporadic progress[5], and the identified examples of a good practice are covered by the reality discrepancies. The data presented below show that the condition of the Roma people has not changed, even they expressed their right to a free movement and certain indicators are still active in relation to poverty.

The major themes, such as education, work and health stay static in the European and national statistics and they suggest that the past actions did not get a positive response in changing the real situation; moreover, the conclusions of the international debates relate to the change of

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[2] Claudia Anamaria Iov, „Identity And Security In The European Union: New Trends And Challenge", in Iulian Boldea (Coord.) *Identities in Metamorphosis. Literature, Discourse and Multicultural Dialogue*, (Tîrgu-Mureș, Arhipelag XXI Press, 2014), 70.

[3] Adrian Liviu Ivan, Anamaria Claudia Iov, (Oct. 2013)„Minority Issues at the End of the 20th Century and the Beginning of the 21th Century. Case Study: The Hungarian Minority from Romania'', în *Procedia-Social and Behavioral Science*s, Vol. 92, , Elsevier, 426-431.

[4] Kerry Preibisch, Warren Dodd & Yvonne Su, (2016)„Pursuing the capabilities approach within the migration–development nexus'', in *Journal of Ethnic and Migration Studies*, 42(13), 2111-2127

[5] Zeljko Jovanovic, (2015)„„Why Europe's "Roma Decade" Didn't Lead to Inclusion'', Budapest, online article available on   https://www.opensocietyfoundations.org/voices/why-europe-s-roma-decade-didn-t-lead-inclusion, accessed in 12.12.2016.

generations in order to identify palpable aspects. The Complexity of the terms that have not entered yet the language and the current practice of the actors generate a state of confusion. Discrimination is not the same to poverty, but for sure the condition of poverty comes together with the discrimination. The integration of all aspects under the concept of discrimination enlarges the respective gap.

When using the concept of poverty, it is relevant to be approached from the income point of view, which are a precondition in order to achieve certain rights, not in relation to the total negation of the human rights, which, naturally leads to the simple conclusion that indicates the fact that the approach of the past action does not achieve any more the desired academic Romanian environment and this is the theory of capabilities. Moreover, the present study introduces new analysis concepts regarding the situation of the Roma minority, in the context of the exercising the right of movement of the people, as it is defined by Armataya Sen *"the structure and the agency of the human being* – empowered by the assumption that *"what may be obtained positively by the human individual is influenced by economic opportunities, political liberties, social power, access to health conditions, encouraging and stimulating the initiatives[6]"*.

The fact that the compliance of the human rights has transformed in an intangible process for those who lack the adequate knowledge cannot stay as a simple consequence just at governments wills. The social actions and responses that were offered may constitute a consequence of the existence and the legitimation of these governments, mentioning that *"when referring to Roma minority we must talk about the economic cost of their social exclusion. The long tradition of discrimination, indignity and obloquy associated with the Roma population can be noticed in economic losses, millions of euro annually, in low productivity and diminished fiscal contributions"[7]*.

The theoretical analysis frame is fundamental according to the theory offered by Amartya Kumar Sen, born in 1933, in West Bengal; he is an Indian economist, a Nobel Prize winner for Economy[8] in 1988 and professor of economic science at Harvard University[9]. Thus, professor Sen understands by *"capabilities" the core functions that allow people to exist/function"*. I will use the idiom „capability approach" under the form of the capability theory offered by Amartya Sen, and extended by the philosopher Martha Nussbaum who introduces for the first time in the research the concept of capability, in 1979 publishing the research "Tanner Lectures on *Equality of What?[10]*. Offering the concept of *capability approach* Sen emphasizes in his work certain theoretical connections offered by Aristotle regarding the human development, which constitutes the initial fundament of the capabilities theory. He also uses the ideas of philosophers Adam Schmitt and Marx regarding the importance of functioning and the capacity for the human beings

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[6] Sen Amataya, *Development as Freedom*, (New York, Anchor Boook Publishe, 2000), 4.

[7] Claudia Anamaria Iov, (2011)„The Roma minority-the prospects and limits of EU'S Social Policy, what could or should the EU be doing'' in M. Brie, I. Horga, S. Sipos (coord), *Ethnicity, Confession and Intercultural dialogue at the European Union eastern border*, Oradea: Oradea University Publisher,

[8] Official site of Nobel Prize, section Amataya Sen: https://www.nobelprize.org /nobel_prizes/economicsciences/laureates/1998/sen-prize-present.html, accessed in 11.06.2016.

[9] Amataya Sen, Economic Department presentation page Harvard University: http://scholar.harvard.edu/sen , accessed in 06.11.2016.

[10] Sen Amartaya, (1979) *Equality of What- The Taner Lectures of Human Values*, Stanford Univeristy, , http://tannerlectures.utah.edu/_documents/a-to-z/s/sen80.pdf, accessed in 07.17. 2016.

welfare within the society. Sen's contribution is also recognized in "The Index of Human Development[11]", achieved by the Program for Development of the United Nation in 1990.

According to Sen's view, the definition of the capabilities is a process of the extension of the real liberties that people enjoy; instead Nabbusman refers to those capabilities that man may use in order to entirely express the human powers as a continuous development trough all the existence.

,, Capability approach'' is a large normative frame for the social welfare and for the individual arrangements, to contribute to the design and the conception of the policies, offers regarding the social changes from the society[12]. When using this approach it is important to mention the analysis chart of the capabilities offered by Martha Nussbaum in the work "Woman and Human Development: Capabilities Perspective[13].

Chart 1 Analysis of capabilities

No	Capability	Capability description
1.	Life	Capable to live until the end of a normal life; not to prematurely die or before someone's life to be so critically reduced so that he/she no longer deserves to live.
2.	Body health	Capable to have a good body health, including the health of reproduction; to be fed accordingly, to detain an adequate shelter.
3.	Body integrity	To move freely from place to place; to be protected against violent attacks, including sexual violence and domestic violence; and in order to choose regarding the reproduction.
4.	Senses, imagination and thinking	To use his/her own senses in an adequate manner and to be informed through a quality education. The capability to produce auto-expressive work and to involve in religious rituals, without fearing the political implications. The capability to experience pleasant events and to avoid useless pain. Meaning, the capability to search for the meaning of life.
5.	Emotions	Capable to be emotionally attached to things and people; thus including the capability to love other people and to suffer the loss of the beloved ones and to be upset when this is justified.
6.	Practical motivation	Capability to have a clear conception upon good and wrong to reflect critically;
7.	Affiliation	a) Capable to live and to show concern in other people, to show empathy and compassion, to take decisions regarding justice and friendship. b) Capable to have self-esteem and to be humiliated by others, to be treated with dignity and equal value. Protection against discrimination according to race, sex, sexuality, religion, caste, ethnicity and nationality to lead to reciprocal recognition of equal relationships between people.
8.	Other species	Ability to take care and live with other animals, plants and environment, generally.
9.	Game	Ability to laugh, play and enjoy entertaining activities.

[11] Human Development Index, http://hdr.undp.org/en/content/human-development-index-hdi, accessed in 07.18.2016.

[12]Ingrid Robeyns, (2003) *The Capability Approach: An Interdisciplinary Introduction*, University of Amsterdam, Department of Political Science and Amsterdam School of Social Sciences Research Amsterdam, Netherlands, Decembrie.

[13]Martha. C Nussbaum, (2001), *Women and Human Development. The capability Approach*, Cambrige University Press, availabe at https://genderbudgeting.files.wordpress.com/2012/12/nussbaum_women_capabilityapproach2000.pdf, accessed in 06.17.2016.

10.	Control over the environment	a) Politically – Ability of effectively take part in political life, having the right to a free expression and association. b) Materially – Ability of detaining a property, materially speaking (meaning as a real opportunity). The capability to search for jobs in equal conditions as other people.

Source: Martha Nussbaum, *Woman and Human Development: Capabilities Perspectives*

In order to better understand the phenomenon, I consequently present a set of indicators, as they are stipulated in the European statistics. Although in Romania the integration of Roma people is a developed one that may generate certain applicability in comparison to other European countries, the statistics do not offer another picture. Within the following analysis, the country indicators show the Roma people situation, without presenting the causes. The majority of the European and international reports presents under a statistic form the situation of Roma minority, without presenting the real causes[14]. Another aspect[15] that comes out from these reports is the fact that the offered statistics are achieved in comparison to other countries and developing regions, a fact that does not help in an adequate analysis and in the statement of a coherent public policy, because the situation of Roma people differs from one country to another according to the economic, political and cultural context. Different problems, different contexts. Although from the statistic point of view the data may be considered useful, they cannot constitute a solid fundament for the elaboration of the public policies that would ensure a minimum of rights so that Roma people take advantage of a dignified life. Sen and Martha Nussbaum offer through their discussion regarding the 10 rights, a minimum that would be integrated within the social policies and pratices, inorder to get a decent life.

Ensuring the existent integration frame at the level of the nation states ensures the rights, but not their extension, as it is described by Sen and Martha Nussbaum. From another perspective, the concept of "capability approach" is used in the sense of denominating the ability of the individuals to get better results for them and their families. Initially, the concept was used in order to analyze the standard of living of the communities. Nussbaum extended the concept of "capability approach" from the level of communities to that of the personal level, thus succeeding to shape a qualitative analysis of the factors that directly determines a dignified way of living for every individual.

2. ROMA PEOPLE SITUATION FROM THE PERSPECTIVES OF THE INDICATORS BETWEEN REALITY AND THE EXTENSION OF THE CAPABILITY

Following Roma people situation, at the European level, in April 2011, the European Union Council adopted a « EU Frame for national strategies of Roma people integration[16]", fundamental according to the following principle and legislative arguments:

- *The European Union bases upon the values of the observance of human dignity, democracy, equality, state law and observance of human rights, including rights of individuals that belong to certain minorities*, as it results from article 2 from the Treat regarding the European Union and, especially, from Article 21 from the Chart of fundamental rights of the European Union;

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[14] Personal observation .

[15] Personal observation.

[16] EU framework for national strategies for Roma integration, available on http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%2010658%202011%20INIT, accesat la data de 11.07.2016.

- *The fact that the fight against the social exclusion, discrimination and inequity is an explicit engagement of the European Union, as it is mentioned, among others, in article 3 from the Treat regarding the European Union, as well as articles 9 and 10 from the Treat regarding the functioning of the European Union;*

This frame practically invites the member states of the European Union to take actions in four main domains: education, employment, health services and housing. In this regard, the member states elaborated National Strategies regarding the Roma people integration and they adopted sets of integrated actions based upon these programmatic documents.

The most recent report[17] of the Agency for Fundamental Rights of the European Union "Second European Union Minorities and Discrimination Survey Roma – Selected findings (EU-MIDIS) – achieved in 9 member states of the European Union emphasizes the fact that the situation of Roma people at the European level is:

- EU-MIDIS II shows that 80% of Roma people continue to live under the risk level of poverty from their country, one of three Roma people lives in houses without tap water and one of ten in houses without electric energy.

2.1. the occupancy or participation on the work market domain

EU-MIDIS II has found out that only one of four Roma people with the age of 16 (or older) is employed or works as a freelancer (at the moment of the survey). In case of Roma women the rate of occupancy is much lower than that of the men - 16% in comparison to 34% and the wages for Roma people, aged 20 to 64 years represent 30% of the general average of the wages income, a lot more below the EU average - 70% in 2015.

The situation of young people is substantially worrisome: as an average, 63% from the Roma people aged 16 to 24 years are employed, they are not registered in educational professional training programs at the moment of the survey, in comparison to 12%, the EU average regarding the NEET rate for the same group of age. For this age group, the results also show that there is a considerable difference between men and women – 72% of the young Roma women are not employed (nor education neither professional training) in comparison to 55% of young Roma men.

2.2. Increasing the awareness of rights and reporting the discrimination

UE MIDIS II has found out that Roma people continue to confront intolerable levels of discrimination in everyday life – whether looking for a job, at their work place, in education, medical assistance or whenever they make contact with the administrative entities or when they enter a store. Almost one of two Roma people (41%) felt discriminated because of their ethnic origin at least once in one of these domains of the every day life, during the past five years.

One of four Roma people (26%) indicates the fact that the last discrimination incident took place during the past 12 months previous to the present survey. The biggest predominance of the discrimination during the past 12 months was found out when public or private services were used (19%) or when jobs were looked for (16%). However, on the average, only 12% of Roma people report their discrimination experiences to any authority. More than that, almost a third of (27%) the interviewed Roma people does not know any law that forbids the discrimination according to

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[17] *Second European Union Minorities and Discrimination Survey Roma – Selected findings,* available on http://fra.europa.eu/sites/default/files/fra_uploads/fra-2016-eu-minorities-survey-roma-selected-findings_en.pdf. accessed in 12.12.2016.

ethnic origin and most of them (82%) do not know any organization that offers help for the discrimination victims.

The pilot survey [18] which was accomplished by FRA regarding Roma people, includes data from Bulgaria, Czech Republic, France, Greece, Italy, Poland, Portugal, Romania, Slovakia, Spain sand Hungary.

2.3. The poverty of Roma people

- *On the average, approximately 90% of Roma people included in the survey live in families where the medium income per family member is situated under the national limits of poverty.*

- *On the average, approximately 40% of Roma people life in families where at least one of the family members was forced to go to sleep hungry at least once, during the previous month of the survey, because they couldn't buy any food.*

2.4. Discrimination and rights awareness

- Approximately half of Roma people included in the survey declared that they confronted discrimination during the past 12 months, because of their ethnic origin;

- Approximately 40% of Roma people included in the survey know that there are laws that forbid discrimination of people belonging to certain ethnic group when they look for jobs.

2.5. Discrimination control

The main argument of the assessment report refers to indiscrimination, as being one of the core principles of the European Union, but also to the fact those 13 years after the approval of the emblematic directive regarding the fight against the discrimination (2000), the Roma people discrimination is still widely spread. The situation of *"Roma women is often worse than that of Roma men, because they tend to confront the multiple discrimination. The situation of the Roma children*[19] *often indicates additional problems,* aspects which were signaled by the following reports[20]: "Report of the Commission for the European Parliament" and "The Common Report of the Council regarding the application of the equality principle when treating individuals, without any difference according to race or ethnic origin ("The Directive regarding the race equality"), as well as the Directive 2000/78/CE since November 27th 2000, to create a general frame in favor of equality treatment in work market occupancy (The Directive regarding the equality of work market occupancy). The European Parliament, through its resolution[22], actually recognizes the difficult

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[18] *Roma situation in 11 states membres. FRA Report – Agenția pentru Drepturi Fundamentale a Uniunii Europene*, available on https://fra.europa.eu/sites/default/files/fra_uploads/2109-FRA-Factsheet_ROMA-RO.pdf, accessed in 11.11.2016.

[19] *Investing in children Commission Communication: breaking the cycle of disadvantage. C(2013)778 of 20 February 2013 provides policy guidance to help the EU and Member States focus on successful social investment towards children*, available on http://ec.europa.eu/justice/fundamental-rights/files/c_2013_778_en.pdf, accessed in 07.11.2016.

[20] *Joint Report on the application of Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin ('Racial Equality Directive') and of Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation ('Employment Equality Directive')*, available on

http://ec.europa.eu/justice/discrimination/files/com_2014_2_en.pdf, accessed in 25.10.2016.

situation of Roma women, meaning an efficient administration of the human resources involved in the social inclusion needs innovative and structured approaches[23].

At the European level, there is a well fundament frame which takes shape that emphasizes the effort of the involved actors in managing the problems. It is very simple to declare that there is certain discrimination at the level of Roma communities, but the consciousness of the problems does not also mean the solving of the respective problems.

2.6. Occupancy of work market

On the average, it is reported that less than one of three Roma people is not employed and paid; one of three respondents declared that they were unemployed; others declared that they were household, pensioners, that they were unable to work or that they were freelancers.

The Commission admits within the progress report the fact that "although there are certain promising initiatives in the member states, *the expected impact has not been achieved yet,* a visible improvement in educational participation that would lead to the success of the employment perspectives for Roma people, as it is mentioned within the FRA report[22], "Poverty and Employment: The situation of Roma in 11 EU Member States, Roma Survey – Data in Focus".

2.7. Health facts

Just a few member states provided information that would allow the comparison of Roma people health with the general population. Although there are in National Strategies certain directives that could monitor the health of Roma people. Regarding the data from the medical system, the report emphasizes that *"59% of Roma women from Bulgaria, 47% from Romania and 38% from Greece, have declared that they did not have any medical insurance, in comparison to 22% of non-Roma women from Bulgaria and Romania and 7% of non-Roma women from Greece,* a conclusion which was emphasized by the report[22] "FRA Analyses – The result of Roma survey according to sex", in June 27th 2013.

The report[22] of the World Bank "Diagnosis and Consultancy Survey for supporting the Inclusion Policies of Romania Roma people", accomplished in 2013, shows that the assessment was achieved according to three main sources of information. First, the survey capitalizes the data of the Regional Investigation regarding the Roma population (ARR) of PNUD/ World Bank/CE in 2011, considered as being the most comprehensive and which describes best the situation of Roma population across Central and Eastern Europe. The report emphasizes the fact that the durable character of the Romanian economy and the long term viability of the social protection system of the country crucially depend on the success of Roma people inclusion. It is the first report that approaches the economic perspective as a benefice of Roma people inclusion. In conclusion, the report introduces a new dimension to encourage the inclusion of Roma people.

The report emphasizes the vulnerable situation of Roma minority[22]: "the majority of Romanian Roma individuals and from other Eastern European countries continues to live in poverty, more than their neighbors from the communities" because the poverty rate is 84%, "almost 3 times bigger than their neighbors non-Roma people". "The results in what concerns the education of Roma people are considerably lower than those who are non-Roma individuals: only 10% of Roma (aged between 25 to 64 years) graduated a secondary school, contrasting the 58% of non-Roma population that live nearby.

The difference regarding the education starts earlier: only 32% of Roma children (aged 3 to 6 years) frequently go to a preschooler institution or to a kindergarten, in comparison to 77% of

their non-Roma neighbors. There is a significant larger number of Roma individuals that live in peripheral neighborhoods and in overcrowded houses, in comparison to non-Roma individuals, and as a consequence, their medical condition if significant more precarious than that of the non-Roma population".

The rate of occupancy of the work market continues to stay below that of the majority population, a context that makes more difficult to achieve the main objective of EU of the 2020 strategy, according to which 75% of the population aged 20 to 64 years to have a job (Romania – 70%). Although in 2011, 66% of men and 53% of women aged 15 to 64 years from the majority population was employed; only 42% Roma men and 19% Roma women had a job - including undeclared working contracts.

The report[21] "Report on the implementation of the EU Framework for National Roma Integration Strategies", in 2014, drafted 3 years after adopting the National Strategies for Integration, emphasizes the following aspects:

- „The persistence of Roma children segregation in schools or special classes"

- „The minimization of the number of Roma individuals who temporary abandon school also needs additional efforts, including curricular and extracurricular activities – and a close cooperation with their families. The segregation of mass education – Roma children that go to special schools just for Roma: CZ – 23%, SK – 20%, FR – 18%, BG – 18% etc., a conclusion which is mentioned in the fundament of the report[23]".

One of three Roma respondents , aged 35 to 54 years reports health problems that limit their daily activities, on an average, approximately 20% of Roma respondents do not have a medical insurance or they do not know if they can benefit or not of an insurance.

2.8. Houses facts

On an average, Roma houses – included in the survey – in a single room there are more than two persons living in, approximately 45% of Roma people live in houses that lack at least two of the following main utilities, such as interior kitchen, interior toilet, interior shower or bath and electric energy.

According to the report which was achieved by FRA, the Commission considers that living represents the poorest link and there are directives within the national strategies that would allow to the member states to analyze the situation of /Roma population within the respective domain. The fact that there is a lack of progress is due to the so called grey zones regarding the property rights over houses, an argument that is sustained according to the decisions of the European Court of Human Rights. The FRA survey "the situation of Roma population in 15 member states and Croatia" shows that *"42% of Roma individuals declared that they do not even have tap water or electric energy in their houses".*

A relevant analysis domain should include the recorded progress regarding the application of certain good practices for new social inclusion methods for Roma people, especially regarding the social economy that recorded significant progress in European Union[23]. In this regard, it may be considered that the increasing of the capabilities is ensured through inadequate identification of positive practices within the social economy domain which has developed due to European and international programs[24], as well as through following certain specific methodologies for selecting

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[21] *Report on the implementation of the EU Framework for National Roma Integration Strategies in 2014*, available on http://ec.europa.eu/justice/discrimination/files/roma_implement_strategies2014_en.pdf, accessed in 12.09.2016.

the good practices in the social inclusion for Roma people, through specific activities of social economy[23].

3. CONCLUSIONS

The fact Roma people exercised their right to free movement at the European level made that they involuntarily contribute to the extension of their own liberties, but also to the deepening of certain vulnerabilities of this minority within the member states of the European Union. From the Romanian perspective, the problem of Romanian migrants within the European Union space deepens and during the past decades, after 1990, new communities of Romanians took shape outside the borders of the country[23], a tendency which also includes the problem of Roma minority.

Even if the European construction fundaments on the application of certain common principles, we can easily identify within the activity of the member states an active management system of risks that is present within the governing actions, mostly and many times deformed and in contradiction to these principles and values. There are in certain member states modifications of legislation, as a direct effect of Roma migration, meant to restrict their access to different rights, as such free movement – an approach that has specific limitations from one country to another. Another important aspect of the implementation of these respective concepts nowadays is actually constituted by the history of the respective countries, regarding their perspective of approach in the past. For example, the largest number of violations of the European legislation has been identified in France regarding Roma minority, influenced by the collective mental related to minorities, but also by the position of the state to modify its own policies regarding the migration.

A special concern is resented by the states that are more developed from the economic point of view, in comparison to other states that are less developed, which leads to certain actions, such as the expulsion of Roma individuals from France or Great Britain. The incapability of these states to manage correctly the fluxes of migrants on their territories diverts from the lack of a common frame of application of a unitary political decision regarding the adaptation to the internal legislation. The member states, even if they are not aware of their demographic decline, they prefer to make a selection of the migrants, who would be included into their national system, an action which is not in compliance with the human rights and with the EU legislation. The selection of the individuals contravenes the good practices of human rights. Also, they affect the concept of free movement that was conceived in order to observe the European construction and these human rights. They prefer to build up around the migration of Roma people diverse theses that would affect the political dialogue and the construction of public policies that would respond to the necessities of the individuals. It is to be mentioned that these actions have intensified according to different factors and different periods of time, but they were mostly affected by the global economic crisis and the elective cycles of different countries, but also by the European elections, according to the political concerns or systems that operates in the respective countries.

The perspective of the social inclusion difficulties for Roma people can offer valuable inputs in order to understand the fundaments of the migration.

"Roma people are among the last groups from Europe that have the capability to discover the potential and the power of the ethnic nationalism and to fight for their own political space. Due to the fact Roma community is fragmented and scattered in many countries and because its members have different and contradictory opinions, the community itself confronts another big challenge in defining its own political space and to fight for a political status at the national and the international level[23]. Another problem that comes out the specialty literature, provided by the

European Commission is the fact that the control measures at the frontiers cannot constitute a viable solution.

"The largest number of assessments of the European Union, the policy within the domain of the external migration certifies that it is dominated by migration control actions, but it over evaluates its potential to be applied, because these actions do not take into consideration the limited influence of the European Union in the states non-members"[23].

The reconsideration of the concept of an adequate sizing of social inclusion capabilities for Roma people at the level of sates members of the European Union presumes a detailed analysis of the results and the impact of the public policies which were adopted in this regard, as well as a reposition of the main aspect of the active integration of this European minority.

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MULTILATERAL SECURITY STRUCTURES IN THE ASIA-PACIFIC SPACE

Andreea Emilia DUTA[1]

ABSTRACT:

CONFLICT MANAGEMENT IS AN AREA WHERE ASEAN (SPECIFIC INSTITUTION SOUTHEAST ASIA) MAY CONTRIBUTE BUT DON'T GET INVOLVED (NORTH KOREA, CHINA-TAIWAN, SITUATED IN NORTH-EAST ASIA), BUT NOT IN THE CASE OF MILITARY INCIDENTS (THE CLASH BETWEEN CHINA'S PATROL VESSELS AND PHILIPPINE, VIETNAMESE EXPLORATION VESSEL BLOCKAGE BY CHINA, BORDER CLASHES BETWEEN THAILAND AND CAMBODIA) LEAVING THEM IN CHARGE OF INTERNATIONAL DIPLOMACY.
TAIWAN, A TRIANGLE OF BILATERAL RELATIONS OVERLAPS ON A DIPLOMATIC FUND WHICH PREVENTED THE OUTBREAK OF CONFLICT BROKE OUT OPENLY, MUCH MORE EFFECTIVELY THAN ANY REGIONAL INSTITUTIONAL FORMAT.
IN EAST ASIA, OUTBREAKS OF CRISIS THAT CAN ESCALATE INTO AN ARMED CONFLICT - THE KOREAN PENINSULA AND THE TAIWAN STRAIT TO WHICH IT ADDS THE DISPUTES RELATED TO ARCHIPELAGOS FROM THE EAST CHINA SEA SOME UNDER THE CONTROL OF CHINA.
THE MIMETIC ADOPTION OF THE OSCE MODEL IN SEARCH OF THE LEGITIMACY FOR THE REGION OF SOUTHEAST ASIA, NAMELY THE ASEAN AS A SECURITY INSTITUTION WITH AN AGENDA OF ITS OWN IS THE MAIN PURPOSE FOR LONG TIME.

KEY WORDS: THE ARMS RACE, THE MILITARY ARSENALS, THE MILITARY EXPENSES, NUCLEAR WEAPONS,

THE ASIAN SECURITY ENVIRONMENT AND NUCLEAR POWERS

The security environment of East Asia may be characterized as an "anarchic society" tributary concept of sovereignty, which leaves little space for diplomacy and measures to increase confidence (CBMs) where it plays a signified role: increase military spending (precondition of the arms race), reposition the powers (the Japan and China case), the potential escalation of low-intensity conflicts into war (North Korea and Taiwan), disputes concerning control of the seas (the East China Sea and South China Sea).

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Nuclear ambitions put enormous pressure on the Asian security environment; the action of relevant actors[2] can have exponential consequences especially because four of the nine nuclear powers are Asian countries and have deployed nuclear weapons.

The Committee on Disarmament in Geneva, the Security Council, IAEA does not lend itself to solve the Asian security problems and the Asian correspondences of the Council of Europe and the OSCE[3] does not exist. The regional security institutions[4] based on non-aggression treaties with different degrees of regulation - from formal arrangements, cooperation agreements ad hoc- uses a range of tools of preventive diplomacy-early alert/prevention, mediation, reconciliation, CBMs - proving value in many delicate situations.

Multilateralism, mutual trust, compromise, finding a mutually agreed solution is very difficult to achieve the asymmetric structures. The Asian nuclear powers share a history strewn with hostility and antagonisms religious and ideological,[5] even though the Asian nuclear arsenals can not ensure the second blow, however the coup, preventive or pre-emptive favored by geographical proximity of these powers can be decisive, potential with the fundamental meanings for the Asian security environment.[6]
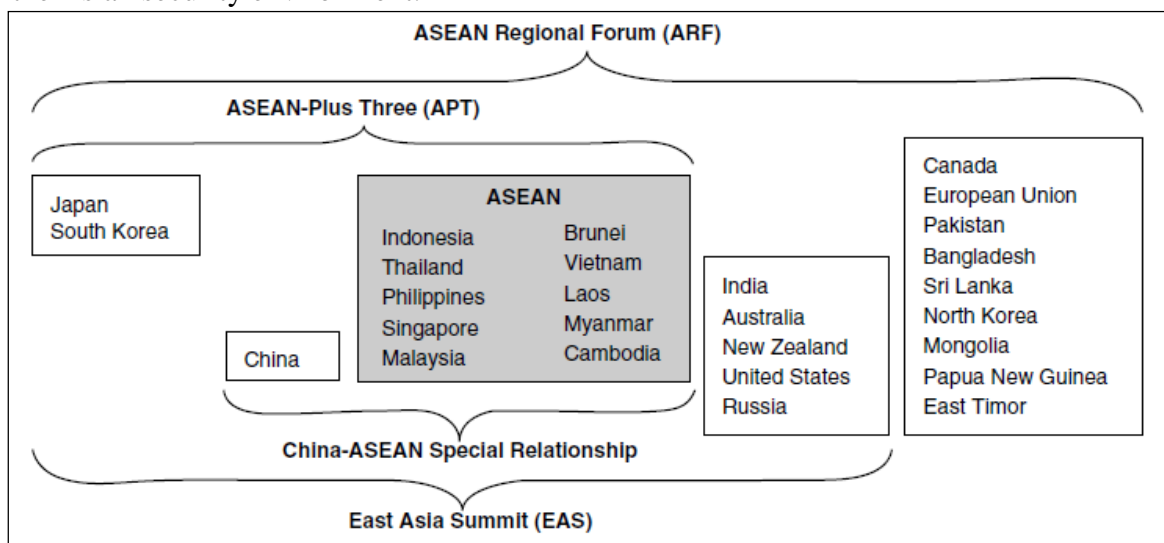
Figure no. 1-Regional Security Institutions of ASEAN family[7]

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[2] Japan, China, India, Pakistan, Iran plus peripheral Russia and Israel.

[3] Politico-military cooperation was situated in the so-called first Helsinki basket, which included the joint military inspections, exchange mechanisms, constant information flow, early warning instruments, confidence-building measures mechanism, and the standing panel of state representatives (the so-called Permanent Council). See Mărcău Flavius Cristian, Ina Raluca Tomescu, "Coordinates of NATO – EU cooperation", in proceedings *Strategic changes in Security and International Relations*, 2014, 258-265.

[4] The Organization of American States - OAS (American continent), African Union - AU (Africa), Council of Europe and OSCE.

[5] The Soviet Union-China over the demarcation of its long land border, China-India territorial gain, India-Pakistan over Kashmir, the Korean peninsula the direct military confrontations of Japan, USSR, Chinese as well as the US. France, Britain, Russia nor the US does not even share the land borders. Bajrektarevic Anis H., "No Asian century without the Pan-Asian institution," *Geopolitics, History and International Relations* 3, no. 2, 2011, 196-207.

[6] Especially in South Asia and on the Korean peninsula, not to mention the Middle East.

[7] The ASEAN Family of Regional Security Institutions. See Jörg Friedrichs, "East Asian Regional Security," *Asian Survey*, Vol. 52, No. 4 (July/August 2012), University of California Press, 757.

In the Asian space the bilateral asymmetric relations are usually[8] the existence of a structure of pan-Asian security similar to the European, American and African security institutions, is being challenge with many facets. Bilateral Diplomacy is the main formula as there is not a common prospect for China and Japan on regional institutions as a diplomatic centre.[9]

The San Francisco (1951) system inspired from the US, included a system of bilateral alliances centered on (Japan and South Korea), strategic relations (e.g., Thailand and the Philippines), military relations (Australia, India, Indonesia, and Singapore) is in dialogue with regional multilateral arrangements like the ASEAN having in regard to possibility of reconfiguration of the regional arrangements by China.[10]

APEC is an economic forum bringing together the riparian States in the Pacific Ocean on both sides, OIC and NAM (transcontinental entities without permanent secretariats) with unclear competence in the field of safety-organizations that do not include all Asian countries.

KEDO (nuclear) and the contact group for Iran P-5 + 1[11] have asymmetric security mandates, namely to deter and press a state (North Korea and Iran).

GCC asymmetric structure created by the Americans focused on Saudi Arabia to counter threat pan-Arabism (the leftist Nasserist pan-Arabism) and Iranian influence in the Gulf region (after 1979) has a series of reactions after "Arabic Spring"2011.

SCO is a security parity structure based on the Sino-Russian relationship for deterring international actors[12] to issue claims on values that they share.

SAARC structure dedicated to the Indian subcontinent with a safety and a permanent secretariat office which depends on India-Pakistan relationship, although India plays a central role.

ASEAN symmetrical structures[13] build on the principle of non-interference in the internal affairs with real insights to underpin a legit pan-Asian forum.

SAARC and ASEAN could achieve a pan-Asian arrangement, or a multilateral organization with security expertise.

BIS(s) C/S (the Wall Street bankers) linked to the BRICS might draw attention to the importance of the pan-continental Asian issues.

ASEAN multilateral framework for East Asia promotes CBMs that cannot resolve the tensions in Northeast Asia (avoiding deciding on the Korean peninsula and the Taiwan Strait) it is possible to create a framework for this region.

A trilateral framework in Northeast Asia not only did not reduce the importance of ASEAN but it contributes to solving the regional problems, including in South Asia.

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[8] The examples are numerous: the US-Japan, the US-S. Korea, the US-Singapore, Russia-India, Australia-East Timor, Russia-North Korea, Japan-Malaysia, China-Pakistan, the US-Pakistan, China-Cambodia, the US-Saudi Arabia, Russia-Iran, China-Burma, India-Maldives, Iran-Syria, N. Korea-Pakistan, etc. [...] Asia today resonates a mixed echo of the European past. See Bajrektarevic Anis H., ”No Asian century without the Pan-Asian institution,” *Geopolitics, History and International Relations* 3, no. 2, 2011, 198.

[9] SEATO pact defense treaty organization for SEA which was essentially dissolved as soon as the imminent threat from communism was slowed down and successfully contained within the French Indochina. See Bajrektarevic Anis H., ”No Asian century without the Pan-Asian institution,” *Geopolitics, History and International Relations* 3, no. 2, 2011, 199.

[10] See Leszek Buszynski, "The San Francisco System: Contemporary Meaning and Challenges," *Asian Perspective*, Vol. 35, no. 3, August 2011, 315–35.

[11] The Iran-related Contact (Quartet/P-5+1) group.

[12] The US, Japan, Korea, India, Turkey and Saudi Arabia.

[13] Triangle of Thailand-Malaysia-Indonesia represents the core of the ASEAN.

ASEAN has a positive role in CBMs[14], the previous diplomatic reconciliation between Indonesia and Malaysia (1963-1967), prevented the escalation of the situation created by the invasion of Cambodia by Vietnam and the counter Khmer Rouge based in Thailand (1978). The role of ASEAN is taken to a larger scale by ARF and an extended vision, alongside CBMs to conduct a preventive diplomacy and building of conflict resolution mechanisms.[15]

A division of responsibilities in this space: ASEAN with regional security and CBMs and trilateral from Northeast Asia for the tension in the Korean peninsula and lifting China's control.

Extinguish the conflict is not a corollary of ASEAN and other regional institutions from East Asia; the crisis in East Timor (1999-2000), the territorial conflict from the South China Sea (involving member states ASEAN and China).[16]

Conflict management is an area where ASEAN (specific institution Southeast Asia) may contribute but don't get involved (North Korea, China-Taiwan, situated in North-East Asia), but not in the case of military incidents (the clash between China's patrol vessels and Philippine, Vietnamese exploration vessel blockage by China, border clashes between Thailand and Cambodia) leaving them in charge of international diplomacy.

Taiwan, a triangle of bilateral relations overlaps on a diplomatic fund which prevented the outbreak of conflict broke out openly, much more effectively than any regional institutional format.

Configuring security architecture through the action of multiples determinants required reporting to the author's vision states "Eastphaliene," ASEAN as a central policy "Easphaliene."[17]

PREVENTIVE DIPLOMACY AND SECURITY AGENDA THROUGH ASEAN COOPERATION

In the early 1960s, Southeast Asia is declared by the States of the region "nuclear weapons free zone" (SEANWFZ).[18] In this context, no ASEAN Member State does intend to use the nuclear technology critical (uranium enrichment and plutonium reprocessing) to support production of nuclear weapons; speculation regarding a program to produce nuclear weapons by Myanmar proved unfounded.[19]

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[14] "Confidence building has been the hallmark activity of the ARF in its first decade." See Yuen Foong Khong and Helen E. S. Nesadurai, "Hanging Together, Institutional Design, and Cooperation in Southeast Asia: AFTA and the ARF," in Amitav Acharya and Alastair Iain Johnston (eds.), *Crafting Cooperation: Regional International Institutions in Comparative Perspective,* Cambridge University Press, 2007, 37.

[15] The ARF has remained stalled at the first stage of confidence building. See Takeshi Yuzawa, "The Evolution of Preventive Diplomacy in the ASEAN Regional Forum: Problems and Prospects," *Asian Survey,* Vol. 46, no. 5, September/October 2006, 785–804.

[16] *Declaration on the Conduct of Parties in the South China Sea,* signed by ASEAN and China in 2002.

[17] Jörg Friedrichs, "East Asian Regional Security," *Asian Survey*, Vol. 52, No. 4 (July/August 2012), University of California Press, 776.

[18] 1997 The Bangkok Treaty establishes the Southeast Asia Nuclear- Weapon-Free Zone (SEANWFZ). Only Indonesia had nuclear weapon aspirations, but these ambitions were short-lived. Cornejo Robert M., "When Sukarno Sought the Bomb: Indonesian Nuclear Aspirations in the Mid-1960s," *Nonproliferation Review*, vol. 7, no. 2, Summer 2000, 31-43.

[19] *Statement by the Leader of Myanmar Delegation H. E. U. Tin Win to the 55th Annual Regular Session of the IAEA General Conference*, International Atomic Energy Agency, Vienna, Sept. 19-23, 2011.

ASEAN Member States are Member States of the NPT and the Treaty of Bangkok (SEANWFZ), only three have ratified the CTBT and it remains lots to be done on the line of nuclear safety and security in accordance with IAEA standards, preventing nuclear terrorism.[20]

Moreover, the new requests relating to proliferation are considered outside the universal agreements are negotiated and are regarded with suspicion as being obstacles affecting their development.[21] SEANWFZ signed in 1955 and entered into force in March 1997, China and the United States have not signed the Treaty has a number of potential effects in the future; Thus, the accession of China to the Treaty could limit its activities to the military in the South China Sea, even though they declare sovereignty over this space.

The Spratly Islands dossiers of the Exclusive economic zones (EEZs)[22] depend on the position of Japan and Taiwan to BMF relative to SEANWFZ, the countermeasures of China in the Pacific and in the Indian Ocean that can seriously affect the US dominance to control the maritime lines, forcing ASEAN states to take a cautious position.

	Interstate Trust	Peaceful Change	Regime Stability Economic	Regime Stability Coercive	Conflict Resolution
ASEAN	+	+	±	±	−
APT	±	±	±	−	−
EAS	±	±	−	−	−
ARF	+	±	x	−	−
ASEAN-China Special Relationship	+	+	±	+	−
Other forms of international relations	±	±	+	+	±

SOURCE: By author.
NOTE: + = significant contribution; ± = weak contribution; − = no contribution; x = not applicable.

Figure no. 2 - Powers and contributions of family security institutions ASEAN[23]

Association of South Asian States (ASEAN)[24] pursues an agenda for cooperative security model OSCE - CSBMs, preventive diplomacy, conflict-resolution, mechanisms for crisis management - declaring their intention as ASEAN and ARF to be cooperative security

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[20] Santoro David, *ASEAN's WMD Scorecard: The Association of Southeast Asian Nations in the Global Safety, Security and Nonproliferation Regimes*, Honolulu: Center for Strategic and International Studies (CSIS), 2012.
[21] Leggi Stephanie, *The Nonproliferation Tiger: Indonesia's Impact on Nonproliferation in Asia and Beyond*, NTI Issue Brief, March 5, 2012.
[22] Exclusive Economic Zones - EEZs.
[23] What the ASEAN Regional Security Toolbox Can (Not) Do. See Jörg Friedrichs, "East Asian Regional Security," *Asian Survey*, Vol. 52, No. 4 (July/August 2012), University of California Press, 776.
[24] Association of Southeast Asian Nations – ASEAN.

institutions.[25] The ASEAN States are reserved in relation to develop BMD systems combined with geopolitical stakes of the South China Sea in the China-US relationship as well as the opposition of Russia and China, especially when US-China conflict related to Taiwan is ready to burst.[26]

In East Asia, outbreaks of crisis that can escalate into an armed conflict - the Korean peninsula and the Taiwan Strait to which it adds the disputes related to archipelagos from the East China Sea some under the control of China - Paracel Islands/Xisha (West Sand) the Scarborough Shoal, Zhongsha (Middle Sand), Nansha (Spratly Islands/South Sand - other under the control of Taiwan-Pratas Islands/Dongsha (East Sand), and Itu Aba/Taiping Island.[27]

Claims of sovereignty and freedom of navigation in the South China Sea can be resolved through diplomatic negotiations or protecting the rights claiming the use of force (Malaysia, Viet Nam, the Philippines, Brunei, China and Taiwan). The Philippines claims related to the Spatley Islands could involve US by invoking the bilateral treaty[28] but also as an actor in East Asia. Within ASEAN it cannot harmonize political security cooperation because of divergences of interests of Member States, making it CBMs unlikely in South China Sea together with China.

ASEAN supports the peaceful exploitation of resources in the East China Sea, but also there is the forum that Malaysia, the Philippines, Brunei and Vietnam raises claims related to sovereignty in this great against China but also against one another. Against the South China Sea regime in some countries are favorable to the position of China (Laos, Cambodia, and Myanmar), some are reserved in relation to the involvement of the United States (Malaysia and Indonesia), other favors US involvement (Vietnam and the Philippines) and other neutral (Thailand and Singapore).[29]

The South China Sea dossier has been the subject of several meetings, ASEAN, ARF, ADMM-Plus and EAS; moreover, the Philippines, Vietnam and Indonesia addressed the ASEAN as a regional diplomatic structure in the sense of a negotiation based on consensus with China on the basis of UNCLOS.[30]

ASEAN takes over and adapt the OSCE model for conflict management - internal and international conflicts to be managed collectively in the framework of regional security institutions through cooperation - while respecting the autonomy of the institution in relation to foreign powers, sovereignty, decisions made by consensus.[31]

The security agenda through cooperation of the ASEAN it focuses on cooperation with foreign powers at the expense of its institutional autonomy and collective managing conflict with

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[25] See Katsumata Hiro, "Mimetic adoption and norm diffusion: 'Western' security cooperation in Southeast Asia?" *Review of International Studies*, Vol. 37, Issue: 2, Apr 2011, Cambridge University Press, London, pp. 557-576.

[26] "Blind to the Nuclear Reality," *Financial Times*, 27 July 2000.

[27] See Shaohua Hu, A framework for analysis of national interest: United States policy toward Taiwan, *Contemporary Security Policy,* 09 Mar 2016, Wagner College, Taylor & Francis, pp. 144-167, http://www. tandfonline.com/loi/fcsp20. (Accessed on 12 January 2017).

[28] The 1951 Mutual Defense Treaty between the Philippines and the U.S.

[29] See Sheldon W. Simon, "Conflict and Diplomacy in the South China Sea," *Asian Survey*, Vol. 52, No. 6, November/December 2012, University of California Press, 995-1018.

[30] The 1982 United Nations Convention on the Law of the Sea (UNCLOS). When Beijing ratified UNCLOS in 1996, its reservations rendered that ratification largely meaningless because, as one of the disclaimers stated, China reaffirmed "sovereignty over all archipelagoes and islands" listed in its 1992 law.

[31] ASEAN Way of diplomacy. See Katsumata Hiro, "Reconstruction of Diplomatic Norms in Southeast Asia: The Case for Strict Adherence to the ASEAN Way," *Contemporary Southeast Asia*, Vol. 25, Issue:1, 2003, 104-121.

restricting the sovereignty of its members. The implementation of this agenda has resulted in two streams, one active ASEAN-6[32] and a second reluctant CLMV.[33]

The level of cooperation is low especially in crisis management for which there are not regional institutional capabilities, unable to speak of a security of the Asian-Pacific community as long as China is an authoritarian State.[34]

In 2015, the initiative of creating a regulatory framework is within ASEAN on security, safety and nuclear non-proliferation, for regional cooperation rules (3S)[35] as a result of plans for the development of nuclear energy. After the accident at Fukushima (2011) in this region a special emphasis is given to independent regulations ensuring transparency and a good public information, separated by the promoters and users of nuclear technology.[36]

In the region, there are several States with an interest in nuclear power plants (NPP), [37] signatories to the Treaty of Bangkok with the normative provisions of the framework document;[38] there is a mutual interest that led to the creation of ASEANTOM.[39] In furtherance of regional normative framework concerning the use of nuclear energy for peaceful purposes, is the development of infrastructure, human resource, legal framework and institutionalization of national resource management.[40]

It is estimated that the first NPP within ASEAN will enter service in 2025. Vietnam proposes building of first NPP, two reactors of Russian production of 1,000 MWe (Phuoc Dinh, Ninh Thuan 1) and another NPP with Japanese assistance (Vinh Hai in Ninh Thuan 2).[41] Indonesia has at its disposal three experimental reactors, but due to tectonic zone there is strong opposition to the use of nuclear energy. Malaysia is under pressure of demand for energy took into study the construction of a nuclear reactor as well as opposition to nuclear power of public opinion.[42]

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[32] Indonesia, Malaysia, Thailand, Singapore, the Philippines and Brunei.

[33] Cambodia, Laos, Myanmar and Vietnam.

[34] See Sorpong Peou, *Peace and Security in the Asia-Pacific: Theory and Practice*, Praeger, Santa Barbara, California, 2010, 5.

[35] Regional cooperative norms on nuclear safety, security, and safeguards (3S).

[36] See Amano Yukiya, "Atoms for Peace in the 21st Century," Transcript of speech delivered at the Energy Market Authority Distinguished Speaker Programme, Singapore, January 26, 2015. www.iaea.org/newscenter /statements/atoms-peace-21st-century-1. (Accessed on 12 January 2017).

[37] Nuclear power plant (NPP). Interested are Vietnam, Malaysia, Indonesia, and Philippines.

[38] See Association of Southeast Asian Nations 1995. [...] "develop a coordinated ASEAN approach that would contribute to global undertakings to improve nuclear safety, in cooperation with the IAEA and other relevant partners, as well as promote and uphold IAEA standards of safety and security in the development of nuclear energy for peaceful use." *Phnom Penh Declaration on ASEAN: One Community, One Destiny*, Joint Ministerial Statement 2012.

[39] The ASEAN Network of Regulatory Bodies on Atomic Energy – ASEANTOM. The Vietnam Agency for Radiation and Nuclear Safety (VARANS), In Indonesia there is no Nuclear Energy Implementing Organization (NEPIO), In Malaysia, Malaysia Nuclear Power Cooperation (MNPC) was established as a NEPIO.

[40] See Mely Caballero-Anthony and Julius Cesar I. Trajano, "The State of Nuclear Energy in ASEAN: Regional Norms and Challenges," *Asian Perspective* 39, no. 4, Oct, 2015, 695-723.

[41] *Sustainability of Nuclear Energy in ASEAN: Opportunities and Challenges*, Centre for Non-Traditional Security Studies, S. Rajaratnam School of International Studies, 2014.

[42] www.thepetitionsite.com/745/599 /785/public-petition-to-stop-nuclear-power-plants-in-malaysia, supported by the Malaysian Coalition Against Nuclear, MY-CAN.

With regard to the storage of used nuclear material, Vietnam, Indonesia and Malaysia concerning the reprocessing and infrastructure have clarified issues,[43] the European experience being particularly valuable in this regard.[44]

The ASEAN's principle of non-intervention in the internal affairs of other States (principle of non-intervention in another States' domestic affairs) as it relates to nuclear power, considered an important component of national security, and is a serious obstacle to regional cooperation in regional matters even though it operates two regional groups.[45]

ARF agenda could allow the involvement of foreign powers[46] in the affairs of South East Asia, even though CBMs are based on consultation and consensus, and not to have laid down specific procedures and mechanisms for exchanges of military information.[47] It is unlikely the deployment of nuclear weapons on the territory of the ASEAN states due to their position to avoid antagonizing China, even during the US-China confrontation for Taiwan.

CBMs are implemented typically two categories of governor and military personnel; as well as CSOs could play an important role in the resumption of mutual relations between the opposing parties by non-military activities.[48] Non-military CBMs are of political, economic, environmental, societal biases and cultural.[49]

The ARF could manage an arms control agenda centered on non-BMD as CBMs, and "BMD free" as an additional SEANWFZ zone supporting a regional armaments control over new weapons systems without some meaning to their security concerns. A common position on both is needed the consequences of the policies of the US and China as well as on the regional strategic balance.[50]

With regards to preventive diplomacy, the ARF proposes modest targets, due to the fact that the strategic interests of its members are as diverse as and due to the lack of operational experience and capabilities in managing conflicts. The initiative "free BMD" could be supported by greater transparency regarding Chinese missile forces, notably those carried out on the South

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[43] See Amano Yukiya, *Atoms for Peace in the 21st Century*, Transcript of speech delivered at the Energy Market Authority Distinguished Speaker Programme, Singapore, January 26, 2015. www.iaea.org/newscenter/ statements/atoms-peace-21st-century-1. (Accessed on 12 January 2017).

[44] European Commission 2014, "*The European Atomic Energy Community (EURATOM),*" http://ec.europa.eu/ energy/nuclear/euratom/euratom_en.htm. (Accessed on 12 January 2017).

[45] ASEANTOM and a Nuclear Energy Cooperation Sub-Sector Network (NEC-SSN).

[46] US, Japan, Australia and China.

[47] CBMs can be understood as a spectrum of activities aimed at changing the contemporary character of two or more interacting inimical societies in a certain positive way. In an ideal case, under the influence of CBMs, adversaries should increasingly start to undertake more mutual exchanges and gradually become more trustful towards each other. The CBMs should also contribute to establishing an atmosphere that would enable conflict resolution or aid the whole peace process. See Javaid Umbreen, "Confidence Building Measures in Nuclear South Asia: Limitations and Prospects," *Research Journal of South Asian Studies*, Vol. 25 (2), 2010, 341-359.

[48] Non-military CBMs can be understood as "[...] actions or processes undertaken in all phases of the conflict cycle and across the three dimensions of security in political, economic, environmental, social and cultural fields with the aim of increasing transparency and the level of trust and confidence between two or more conflicting parties (...) and to pave the way for lasting conflict settlement." *OSCE Guide on Non-Military Confidence-Building Measures (CBMs)*, 2012, OSCE Secretariat, Vienna, 9.

[49] *OSCE Guide on Non-Military Confidence-Building Measures (CBMs)*, 2012, OSCE Secretariat, Vienna, 9-10.

[50] "Tanaka admits doubts over U.S. missile plan," *Business Times (Singapore)*, 5 June 2001, 20.

coast of vis-à-vis Taiwan, demonstrating the value of the ARF as a mechanism for implementation.[51]

The mimetic adoption of the OSCE model in search of the legitimacy for the region of Southeast Asia, namely the ASEAN as a security institution with an agenda of its own is the main purpose for long time.[52]

The community security plan focused on cooperation, like the OSCE (institution's successful model and "pioneer" in the field regional security through cooperation, by promoting concepts that have become universal approved by the UN).[53]

ARF is built on the idea that the OSCE the "regional security is indivisible and can be ensured through cooperation" following an itinerary marked many episodes while avoiding institutionalization of mechanisms similar to CSCE to achieve international legitimacy even though it has the common perspective and implementation arrangements.

ADMM-Plus

In 1994, the ASEAN Regional Forum is launched (ARF)[54] that integrates the regional security dialogue process. Japan is a supporter of ARF multilateral cooperation for promoting "non-zero-sum game" on growth in the region.

In 1996, it is agreed the "ARF Concept Paper" but no progress is being made in the adoption of practical measures.[55]

In 2002, Japan's proposal to initiate a format (Shangri-La Dialogue), unofficially, for a future meeting of the Ministers of defense (ADMM) is received coldly by the ARF partners.[56]

In 2003, Bali Indonesia adopted the Declaration of ASEAN Concord II (replaced by the Declaration of the ASEAN Concord II of 1976) to promote community security (including conflict prevention, conflict resolution and peacebuilding extinction post conflict peace-building, post-conflict).[57]

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[51] See Tow William T. and William Choong, "Asian Perceptions of BMD: Defence Or Disequilibrium?" *Contemporary Southeast Asia* Vol. 23, no. 3, 12, 2001, 379-400.

[52] See Mărcău Flavius Cristian, "Security as a determining factor of quality of life in a state from an insecure regional area," *Analele Universităţii „Constantin Brâncuşi" din Târgu - Jiu*, nr. 4/2015, Seria Litere şi Ştiinţe Sociale, Editura „Academica Brâncuşi", 77-85.

[53] See Katsumata Hiro, "Establishment of the ASEAN Regional Forum: Constructing a "Talking Shop" or a "Norm Brewery"?," *Pacific Review*, Vol. 19, Issue:2, 2006, 181-198.

[54] ASEAN Regional Forum - ARF. The ARF participants today are the ten ASEAN members - Indonesia, Malaysia, Thailand, Singapore, the Philippines, Brunei, Vietnam, Laos, Cambodia and Myanmar - together with China, Russia, Japan, South Korea, Australia, New Zealand, Canada, Papua New Guinea, the EU, the US, India, Mongolia, North Korea, Pakistan, Timor Leste, Bangladesh and Sri Lanka.

[55] [...] as Japan endorses the centrality and leading role of ASEAN in the ADMM-Plus process, it is critical to support ASEAN's strength in engaging the major regional players in defense diplomacy. [...] the ADMM-Plus faces a significant lack of capacity for actual joint deployment in times of crisis. See Jimbo Ken, "Anchoring Diversified Security Cooperation in the ADMM-Plus: A Japanese Perspective," *Asia Policy*, Vol. 22, The National Bureau of Asian Research, Seattle, Jul 2016, 102-106.

[56] See Seng Tan, "Japan and Multilateralism in Asia," in *Navigating Change: ASEAN-Japan Strategic Partnership in East Asia and in Global Governance*, ed. Rizal Sukma and Yoshihide Soeya, Japan Center for International Exchange, Tokyo, 2015, 67-68.

[57] ASEAN, *Declaration of ASEAN Concord II*, Bali, 7 October 2003; ASEAN, *ASEAN Security Community Plan of Action*, Vientiane, 29 November 2004.

In 2010, the ARF is approved as the format of meetings for the defense ministers[58] to be extended through the participation of the members of the extra-regional (ADMM-Plus).[59] In Japanese, ASEAN must continue to be the leading force of the region (the driving force of the region) and the ADMM-Plus to promote humanitarian assistance and aid in disaster relief (HADR).[60]

In 2013, take places the first ADMM-Plus training exercises (in Brunei Darussalam) but the aid operations after the disaster caused in the Philippines by Typhoon Haiyan.

In 2014, the HADR is constituted by several expert groups (EWG)[61] in maritime security, military medicine, counter-terrorism. Within the ARF framework aimed at non-proliferation and disarmament[62] which might be involved in the implementation of UNSCR 1540 and-legislative expertise, internal standards and control, declaring Southeast Asia as an area free of enrichment and reprocessing (Southeast Asia year enrichment-and reprocessing-free zone).[63]

Japan proposes the following objectives for the ADMM-Plus (18 of 27 participating ARF states ARF) developing regional capacity to deal with security issues multilateral meetings: regular intraregional, practical cooperation, intergovernmental coordination, groups of experts in specific fields.[64]

ADMM-Plus can be a platform for coordination of measures to increase confidence-building measures, the mechanisms for crisis management and cooperation on security measures for non-traditional in Asia-Pacific area. It is the only format for Japan and China for official exchanges between the Ministers of Defense, which is negotiating a mechanism for crisis management.[65]

ASEAN can promote through defense diplomacy, military-to-military cooperation, strategic and growth financing capacity-building (capacity building).

The activity of the ADMM-Plus is heavily blocked by several factors: deviations from consensus among participating States, concepts and measures ADMM cannot be accepted in the ADMM-Plus, lack of capacity for deployment in the event of crisis.[66]

In one study,[67] confidence as a form of influencing other subjects (nations, cultural groups, leading soldiers, relationship, etc.) can be understood as an equation of some variables in the

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[58] ASEAN Defense Ministers' Meeting - ADMM.

[59] ADMM-Plus

[60] Humanitarian assistance and disaster relief - HADR.

[61] Experts' Working Group - EWG.

[62] ARF Intersessional Meeting on Nonproliferation and Disarmament, Beijing (July 2009), Singapore (July 2010), Las Vegas (February 2011), Sydney (March 2012).

[63] "NTI Nuclear Materials Security Index" at <http://www.ntiindex.org/indicators/domestic-commitments-and-capacity/unscr-1540-implementation/>.

[64] See Jimbo Ken, "The ADMM-Plus: Anchoring Diversifed Security Cooperation in a Three-Tiered Security Architecture," in Sarah Teo and Bhubhindar Singh, S. Rajaratnum (eds.), *Roundtable on the Future of the ADMM/ADMM-Plus and Defence Diplomacy in the Asia Pacific*, School of International Studies, Policy Report, February 2016.

[65] See Yukio Tajima, "Defense Chiefs Agree on Quick Launch of Communication Mechanism," *Nikkei Asian Review*, November, 5, 2015, http://asia.nikkei.com/Politics-Economy/International-Relations/Defense-chief sagree-on-quick-launch-of-communication -mechanism. (Accessed on 12 January 2017).

[66] Malaysia's ambitious proposal at the 2015 meeting to form a military team under the ASEAN banner for quick deployment to crisis areas has the potential to cultivate ASEAN's collective capacity for military deployment.

[67] See Bazin Aaron A., "Winning Trust Under Fire," *Military Review*, Vol. 95 Issue: 1, Jan/Feb 2015, Fort Leavenworth, 82-90.

context of each situation-part, moment, measures to increase confidence. Measures to increase confidence[68] are psychological in nature, communication[69] and in human relations.

In 2012, according to a study has proven CBSM's usefulness as a way of security cooperation (partnership, mutual reassurance, transparency) in terms of reducing tensions and escalation of incidents in several cases.[70]

ABBREVIATIONS

A2/AD	Anti-Access/Anti-Denial
ABL	Airborne Laser
ABM	Anti-Ballistic Missile
AESA	Active Electronically Scanned Array
ALHK	Air-Launched Hit-to-Kill
AMD	Air and Missile Defense
AMDR	Air and Missile Defense Radar
AMRAAM	Advanced Medium-Range Air-to-Air Missile
AN/TPY-2	Army Navy/Transportable Radar Surveillance system
AOR	Area of Responsibility
ASCM	Anti-Ship Cruise Missile
AWD	Air-Warfare Destroyer
AWS	AEGIS Weapon System
BMD	Ballistic Missile Defense
BMDS	Ballistic Missile Defense System
C2	Command and Control
C2BMC	Command, Control, Battle Management and Communications
C4	Command, Control, Communication, and Computer
CMD	Cruise Missile Defense
EKV	Exoatmospheric Kill Vehicle
EW	Electronic Warfare
GaN	Gallium Nitride
GBAD	Ground-Based Air Defenses
GBI	Ground-based Interceptor
GEM	Guidance Enhanced Missile
GMD	Ground-based Midcourse Defense
IAMD	Integrated Air and Missile Defense
ICBM	Intercontinental Ballistic Missile
IRBM	Intermediate-Range Ballistic Missile
LRSO	Long-Range Standoff weapon (nuclear tipped cruise missile)
MD	Missile Defense
MIRV	Multiple Independent targetable Re-entry Vehicle

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[68] Michael Krepon, called these approaches confidence-building measures, or confidence and security building measures. See Michael Krepon, Dominique M. McCoy, and Matthew C.J. Rudolph, *A Handbook of Confidence-Building Measures for Regional Security*, (Washington, D.C.: Henry L. Stimson Center, 1993). Also Barnett Michael and Adler Emanuel, "Studying Security Communities in Theory, Comparison, and History", in Adler Emanuel and Barnett Michael (eds), *Security Communities*, Cambridge: Cambridge University Press, 1998, 419.

[69] The telephone hotline between the White House and the Kremlin became a major factor in averting nuclear war during the Cuban Missile Crisis. See Alan J. Vick, *Building Confidence During Peace and War*, a RAN D Note report, N-2698-CC, The RAND Corporation, 1998, http://www. rand.org/pubs/notes/2009/N2698.pdf (accessed 24 October 2016).

[70] See Anthony Ian, Grip Lina, Patton Tamara, Wezeman Siemon T., Solmirano Carina, *Conventional arms control and military confidence building,* SIPRI Yearbook, Oxford University Press, UK 2013.

MML	Multi-Mission Launcher
MOKV	Multiple Object Kill Vehicle
NMD	National Missile Defense
NPR	Nuclear Posture Review
OTH	Over-the Horizon
PAC	Patriot Advanced Capability
SAM	Surface-to-Air Missile
SBIRS	Space Based Infrared System
SLBM	Submarine Launched Ballistic Missile
SM	Standard Missile
START	Strategic Arms Reduction Treaty
STSS	Space Tracking and Surveillance System
THAAD	Terminal High Altitude Area Defense
UAV	Unmanned Aerial Vehicle
WSMR	White Sands Missile Range

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SMUGGLING OF MIGRANTS THREAT TO NATIONAL SECURITY

Ervin CIOROBAI[1]

ABSTRACT:
ONE OF THE MOST IMPORTANT SECURITY THREATS AND SETTING STATES IS ORGANIZED CRIME. AMONG THE MAIN ACTIVITIES OF ORGANIZED CRIMINAL GROUPS THAT FALL WITHIN THIS PHENOMENON ARE: SMUGGLING PEOPLE. ROMANIA IS LOCATED IN AN AREA OF STRATEGIC INTEREST AND IT OWNS ONE OF THE LARGEST EXTERNAL BORDERS OF THE EUROPEAN UNION, HAVING AN IMPORTANT ROLE IN REDUCING MIGRATION FLOWS, WHICH HAVE BECOME A GREAT RESURGENCE LATELY. MIGRATION IS A CONSTANT AND DYNAMIC PHENOMENON WHICH PERMANENTLY REQUIRES DIVERSIFIED INTERVENTION POLICIES IN ORDER TO MAXIMIZE THE POTENTIAL BENEFITS AND IN ORDER TO MINIMIZE THE COSTS RELATED TO IT FOR BOTH COUNTRIES, BOTH FOR THE COUNTRY OF ORIGIN AND FOR THE COUNTRY OF DESTINATION

KEY WORDS: SMUGGLING, MIGRANTS, ROMANIA, EUROPEAN UNION, ORGANIZED CRIME, NATIONAL SECURITY.

THE HISTORICAL CONTEXT OF THE MIGRATION PHENOMENON

Starting with the 4th century and until the year 900, the European area was transited and occupied by people from other parts of the world. Schematically speaking there were three phases of this migration phenomenon.

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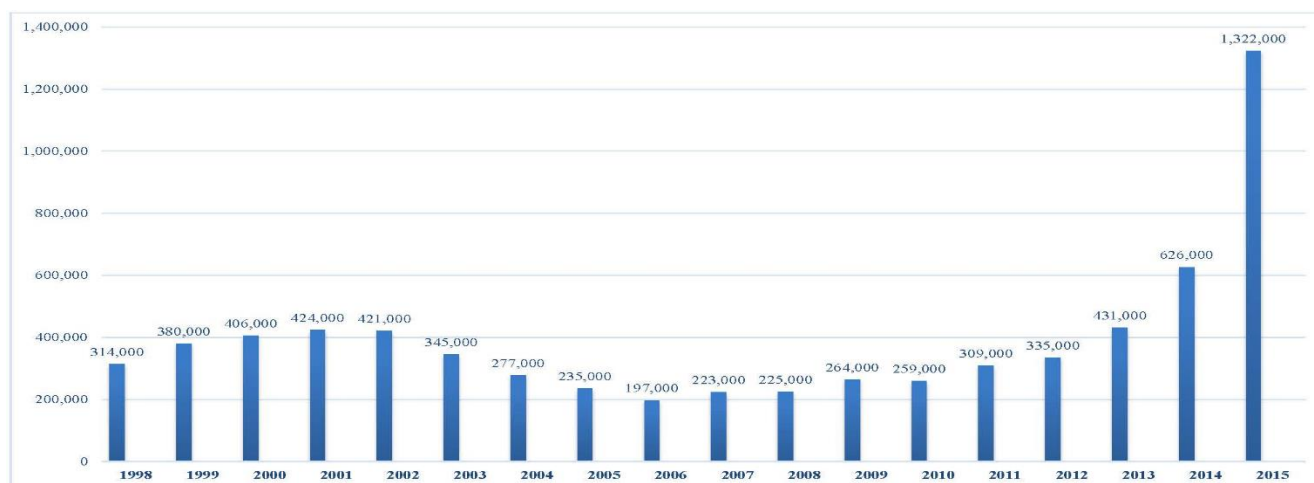
Figure 1 - Asylum applications in the EU-28 (1998–2015)[1]

First the Germanic tribes of the North of Europe came down towards the South and the South-East.

In the second stage, the Slavic tribes in the area including Ukraine, Eastern Poland, the East of the Baltic basin, started going towards the center of Europe and towards the South.

In the third stage, Turkish Mongolian tribes in the center of Asia started migrating towards the West, reaching massively what we know today as Europe.[2]

Starting from the end of the 19th century, migration has earned a new feature, the one of workforce exodus towards economically attractive areas.

Between the second half of the 19th century and the First World War, 40 million persons emigrated in North America, most of them coming from Germany and Great Britain.[3]

Although they are shown in various forms and proportions over the entire history of humanity, migration displacements carry the mark of the concrete ages and situations that generated them.

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[1] Sergio Carrera, Steven Blockmans, Jean-Pierre Cassarino, Daniel Gros & Elspeth Guild, *The EBCG: Addressing migration and asylum challenges in the Mediterranean?* CEPS Place du Congrès 1, B-1000 Brussels, 2017, 3.

[2] See Maria Mocanu, Elena Visan, Dumitru Codiță, ”*The migration phenomenon and the current status of refugees”*, Editura Print, București, 2016, pp. 3-12. According to Eurostat, "198,600 first instance decisions were made by the national authorities of EU Member States during the fourth quarter of 2015. Among them, nearly 60% were positive (i.e. granting a type of protection status)." See Eurostat's "Asylum quarterly report", Luxembourg, http://ec.europa.eu/eurostat/statistics-explained/index.php/Asylum_quarterly_report, (Accessed on 15 January 2017).

[3] http://www.mai.gov.ro/Documentemigratie2016. (Accessed on 15 January 2017). See A. Singleton, "Migration and Asylum Data for Policy Making in the European Union: The Problem with Numbers", CEPS Paper in Liberty and Security in Europe, No. 89, CEPS, Brussels, March 2016.
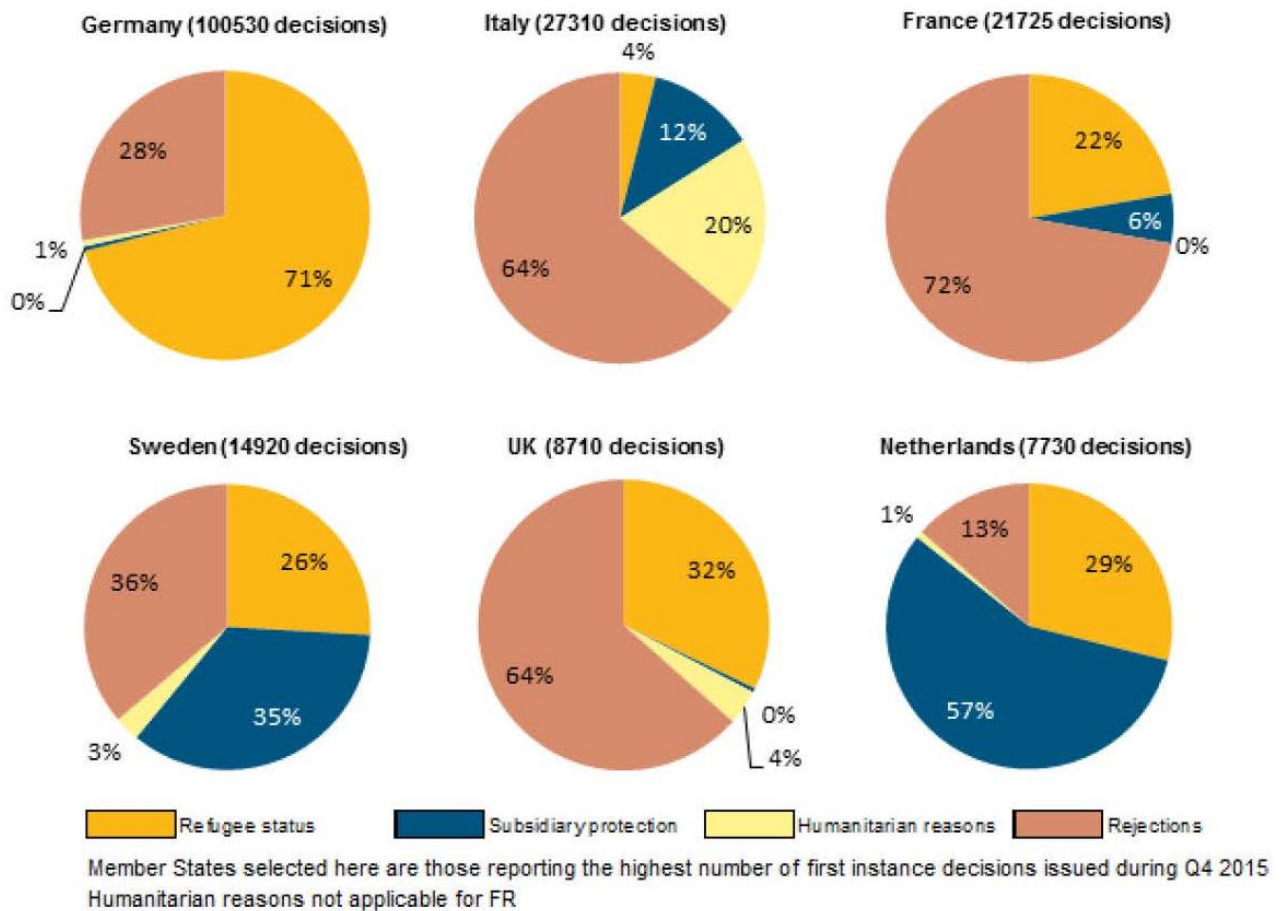
Figure 2 - First instance decisions by outcome in selected member states (Oct. to Dec. 2015)[4]

For scientists, it became more and more clear that this phenomenon must be seen as a normal and instinctual element of the human society over history.

In the narrow sense, migration is defined as a displacement of people from one country to another.

In a broader sense, this phenomenon represents both the displacement of large groups of people from their countries of origin to other states and the effects produced in the economic, social and cultural fields.[5]

Consequently, migration is a constant and dynamic phenomenon which permanently requires diversified intervention policies in order to maximize the potential benefits and in order to minimize the costs related to it for both countries, both for the country of origin and for the country of destination, imposing the support for the voluntary repatriation and a higher overlap between migration and development.[6]

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[4] Sergio Carrera, Steven Blockmans, Jean-Pierre Cassarino, Daniel Gros & Elspeth Guild, *The EBCG: Addressing migration and asylum challenges in the Mediterranean?* CEPS Place du Congrès 1, B-1000 Brussels, 2017, 7.

[5] See Duţă Paul ş.a., *Areale globale. Uniunea Europeană - Africa Subsahariană*, Colecţia Studii europene nr.2, Editura Tehno Media Sibiu, 2009, (ISBN 978-606-8030-15-9), 29-37.

[6] Eurostat, "Asylum statistics," http://ec.europa.eu/eurostat/statistics-explained/index.php/Asylum_statistics, (Accessed on 10 January 2017).
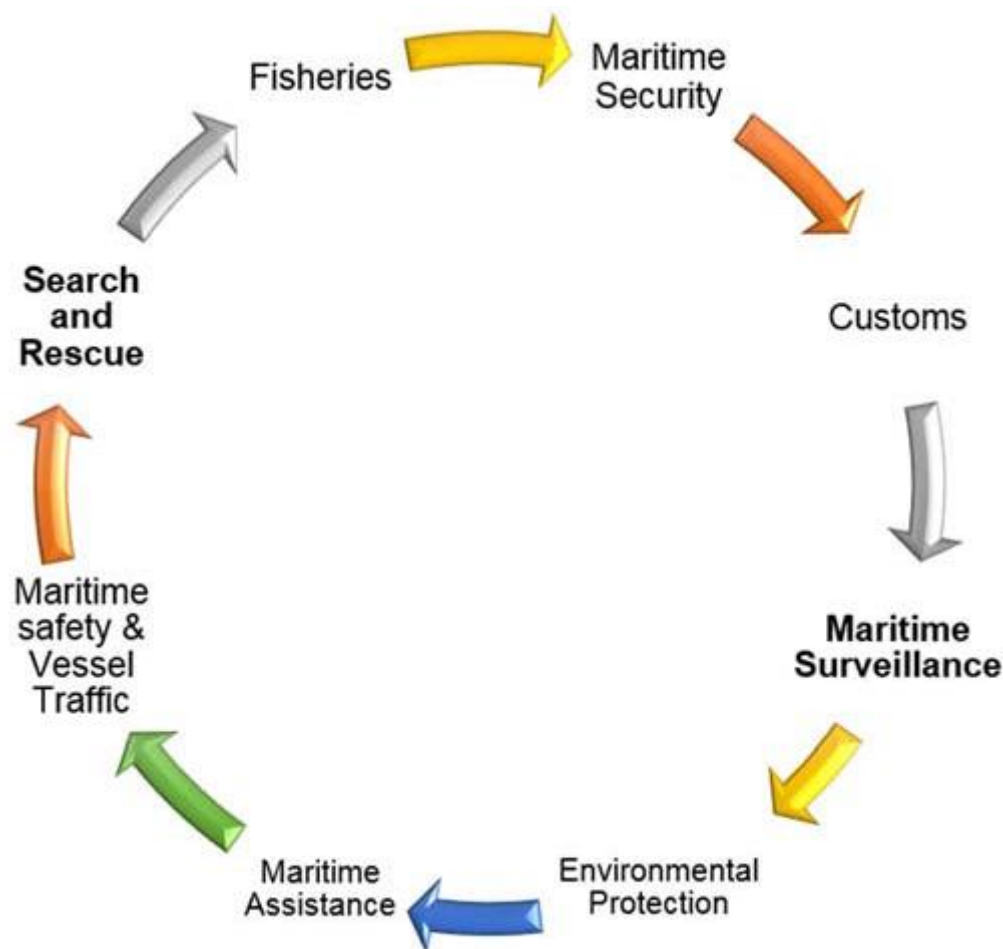
Figure 3 - Coast guard functions in the EU[7]

According to the Protocol against illegal traffic of migrants, additional to the Convention of the United Nations adopted on the 15th of November 2000, in New York, the phrasing "illegal traffic of migrants" represents the act of securing, in exchange for a material profit, the illegal entrance into a state, of a person who is not a citizen or a permanent resident of that state.

The expression "illegal entering" refers to the crossing of the borders when the conditions needed for the legal entering of the country are not met.

Without a doubt, both smuggling migrants and human trafficking are forms of illegal migration and the operation methods present in both cases shared features.[8]

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[7] See Sergio Carrera, Steven Blockmans, Jean-Pierre Cassarino, Daniel Gros & Elspeth Guild, *The EBCG: Addressing migration and asylum challenges in the Mediterranean?* CEPS Place du Congrès 1, B-1000 Brussels, 2017.

[8] Ramona Acsinte, "International cooperation in the field of human trafficking" in *The Journal of Legal Studies*, Edition No. 4/2009. Directive No. 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted, OJ L 337, 20.12.2011.

Under a "cause and effect" aspect, the migration phenomenon is grounded on economic factors, annual conflicts, natural catastrophes, as well as a series of objective conditions, namely human rights' violation, actions of the migrant smugglers and others.

Poverty and political instability form the main reason for the illegal emigration into the states which are members of the EU.

The emigrants from Syria, Afghanistan, and Turkey and from the African continent are headed towards this area.

The lack of the financial means needed for obtaining the traveling documents, the refusal of the authorities to issue documents, the hurry in which they are forced to leave their country of origin contribute to the fraudulent crossing of borders done by these persons.[9]

These persons will resort to the services of the smugglers for various reasons, among which: long distances that they will have to travel, finding a residence or a place of work and others.[10]

THE EU AND ROMANIAN NATIONAL STRUCTURES FOR MIGRATION

The Romanian authorities have as a permanent concern the management of migration in tight correlation with the geographical position of our country, the evolution of the migration phenomenon in the South-Eastern Europe, the evolution of the community *acquis* in the field and not lastly the position as a full member of the EU.

The role as collaborator in the management of the migration phenomenon by a unitary management in inter-institutional cooperation falls under the responsibility of the Ministry of Internal Affairs, by its General Inspectorate of the Romanian Border Police and its General Inspectorate for Migration.

The Romanian Border Police is the competent state institution exercising the tasks and obligations assigned to it with respect to monitoring and controlling the crossing of the state borders, with respect to the prevention and fighting of illegal migration and of facts specific to cross-border crime in the specialized field, observing the legal regime of the state border, checking the passports and foreigners, ensuring the interest of the Romanian state on the inside part of the Danube, including Măcin Channel and Sulina Channel located outside the border area, in the contiguous and economic included field, observing the public order regulations in the competent field, under the law.[11]

Being a relatively young body, yet having old traditions lasting over the ages in ensuring the order at the Romanian borders, the Border Police asserts itself as an institution with its own personality and individuality during the performance of the missions, being also competent to highlight the rule of law and the authentic democracy and civilization of the Romanian people since the moment when the person enters the Romanian territory.

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[9] See Adrian Cojocaru, Ion Ghiban, "*Frequently used methods for the illegal crossing of the state border by using various transport means*", The briefing and documentation bulletin No. 1/2017, 13-16.

[10] See Eduardo Geronimi, "*Aspects juridiques du trafic et de traite de travailleures migrants*" Bureau International de Travail Geneva 2010, 5.

[11] Art. 1 of the GEO 104 dated on the 27th of June 2001 on the organizing and functioning of the Romanian Police.
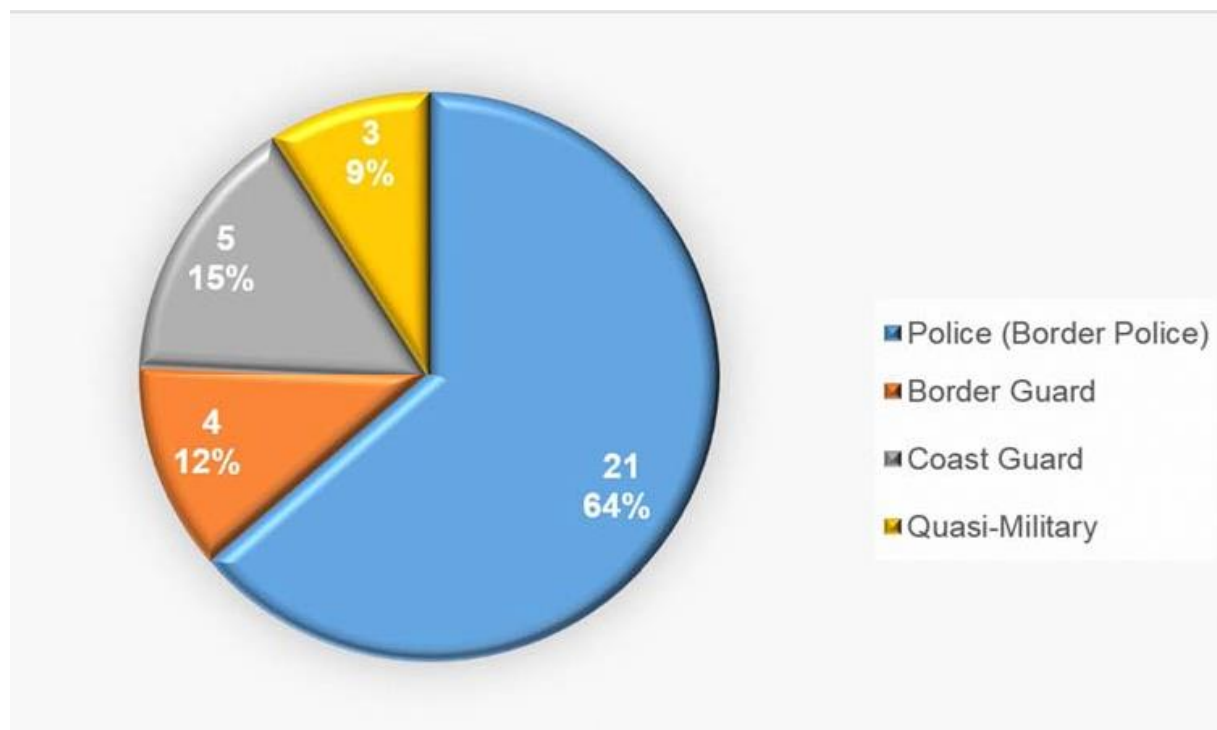
Figure 4 -. Types of national services responsible for Schengen border tasks[12]

Having approximately 3150 km of borders within its responsibility, the Border Police permanently faces extremely wide range of problems and various illegal motivations for transiting the Romanian border, starting from illegal migration, traffic of narcotics, weapons and stolen vehicles and ending with contraband - under all its forms of expressions.

Organized according to the model of similar institutions in the states of the European Union, the Romanian Border Police submits constant efforts for preventing and fighting cross-border crime phenomena and for applying and observing the internal and inter-institutional legislation.[13]

The General Inspectorate of the Border Police is the central unit of the Romanian Border Police with its own legal personality and territorial competence for the entire area of responsibility of the border police, exercising the management and being liable for the entire activity of the border police, performing activities of investigation and research upon the serious crimes related to and classified under the category of organized crime, illegal migration and cross-border crime, committed in the area of territorial competence of the Border Police, as well as performing any other tasks given in competence by law.

Creating a modern and flexible structure according to E.U. standards made the Romanian Border Police undergo a complex process of institutional restructuring and modernization.

Thus, in the years 2000 and 2011, the Border Police has undergone two restructuring stages meant to reduce command functions and streamline its operative capacity.

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[12] See *The EBCG: Addressing migration and asylum challenges in the Mediterranean?*
[13] See Eurostat, "Asylum Decisions in the EU: EU Member States granted protection to more than 330 000 asylum seekers in 2015, Half of the beneficiaries were Syrians", 75/2016, Luxembourg, 20 April 2016. http://www.politiadefr.ro (Accessed on 15 January 2017).

It was the establishment of the Coast Guard with competences in the territorial sea, the contiguous area and the inferior Danube, as well as in the counties of Tulcea and Constanța.

The establishment of specialized legal police structures in criminal investigations and intelligence collection, the dissolution of the county border inspectorates and the creation of territorial inspectorates with border police sectors as flexible structures capable to fight cross-border crimes and manage the movement of persons[14].

The directorate for fighting illegal migration and the similar offices and services at territorial level contribute to identifying the persons involved in the development of criminal activities related to human trafficking and they are under the obligation of ensuring the crossing point of the Romanian borders, staff for the identification and delivery of the victims for the purpose of guiding towards specialized institutions.

Based on the Order 617 dated on the 29th of December 2003 of the Ministry of Administration and Interior, the officers and agents with tasks and responsibilities in fighting cross-border crimes and crimes committed in relation to the border were assigned as criminal investigation authorities.

In the performance of the criminal investigation authorities, the border policeman has the territorial competency of the border police unit that he forms a part of.

In the accomplishment of the tasks and obligations assigned to it, the Romanian Border Police collaborates with other institutions of the state in the field of public order (the Romanian General Police Inspectorate, the Directorate for Investigating Organized Crime and Terrorism, the Public Prosecutor's Office), as well as with the border police authorities of the neighboring states.

Also, by means of the national Offices Interpol and Europol, SECI Center and the Focal National Point, there is permanent contact with the International Police Cooperation Center with respect to the exchange of operative data and external intelligence.

The main purpose of this stage where the Romanian Border Police has reached is the harmonization of the legislation and procedures with the ones of the E.U. and international cooperation for fighting migrants trafficking.

The Romanian Police Border has contributed for the purpose of achieving an Integrated Security System for the borders to the fighting of illegal migration.[15]

The border police takes a series of measures, among which:

a) Creating mobile teams which travel depending on the operative situation, for the intensification of the state border crossing control.

b) Operative data and information exchange with the other institutions competent in fighting cross-border crime and with their counterparts in the neighboring states and in the E.U. member states.

c) To specialize the border policemen in using at maximum capacity the logistic equipment used in the activity of monitoring and controlling the crossing of the state borders.

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[14] See Tomescu Ina Raluca, Mărcău Flavius Cristian, „European policies and strategies for combating cross-border criminality. Implications for the internal legal system", in *International Conference "New Criminal Legislation - important phase in the development of Romanian law",* Bologna (Italy), Medimond, 2015, pp. 291-296.

[15] European Commission, *Annex to the Communication, First Report on Relocation and Resettlement*, COM(2016) 165 final, Brussels, 16 March 2016, http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/   proposal-implementation-package/docs/20160316/first_report_on_relocation_and_resettlement_-_annex_5_en.pdf, (Accessed on 15 January 2017).

ANALYSIS UPON THE ILLEGAL TRAFFIC OF MIGRANTS

During the above mentioned period, illegal migration in Romania had two particularities, which are the following:

a) The illegal migration of Romanian citizens towards Western Europe, whereas the migrants wished to reach the West in order to work, and who legally left Romania, yet remained illegally within the borders of a foreign state.

b) The crossing of illegal migrant flows of Asian origin (India, Turkey, Pakistan, China, Bangladesh), whereas they wished to reach Western Europe, by using Romania as a transit country (very few wished to settle here).
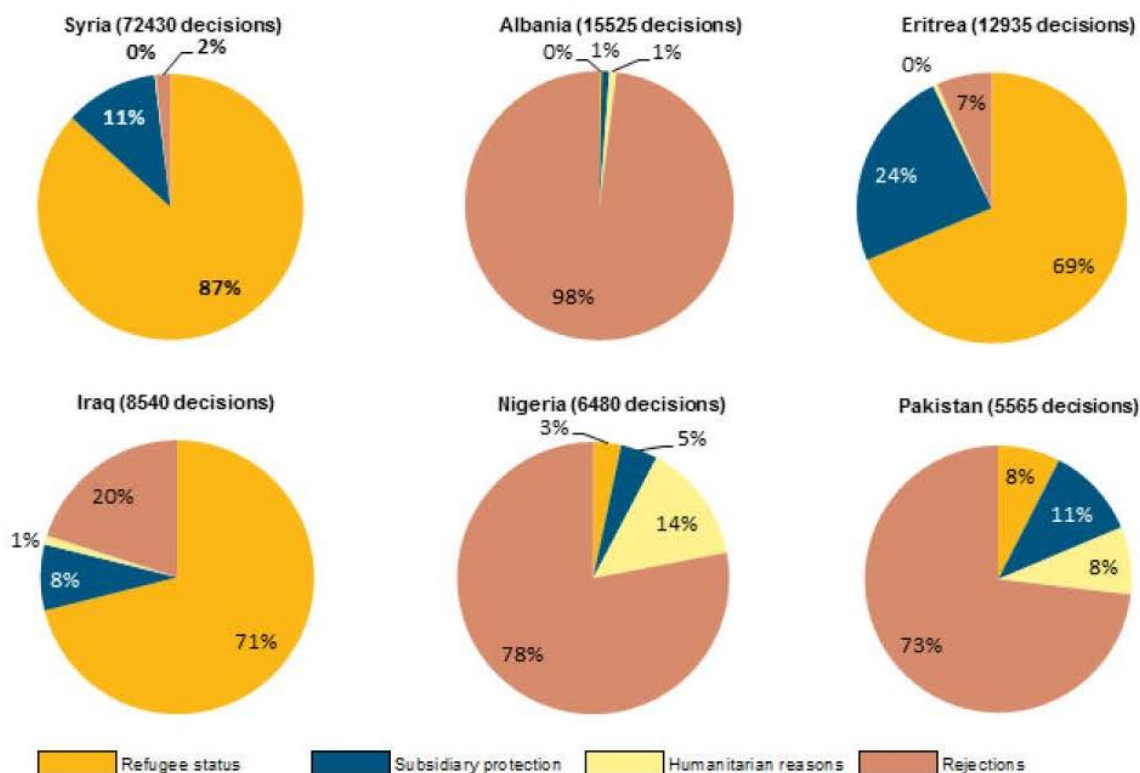
Figure 5 - First instance decisions on asylum applications by citizenship (Oct. to Dec. 2015)

The main features of the illegal migration phenomenon were as follows:

- The route most used by the foreigners coming from the Middle and Far East was the following: Afghanistan, Iran, Iraq, Turkey, Bulgaria and Romania.[16]

- Turkish or Moldavian citizens, after their illegal entry in the country based on national passports, by means of Romanian citizens who were acting as intermediaries, tried to exit the country by using Romanian, Belgian, Slovakian and Bulgarian forged passports. This operation mode was a masked form of illegal migration.

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[16] See Mărcău Flavius Cristian, "Security as a determining factor of quality of life in a state from an insecure regional area," *Analele Universităţii „Constantin Brâncuşi" din Târgu - Jiu*, nr. 4/2015, Seria Litere şi Ştiinţe Sociale, Editura „Academica Brâncuşi", 77-85.

- Another modus operandi for illegally crossing the borders was by hiding in various transportation means, international trains (in the attic of the wagons, under the benches, on the bogies) or vehicles (under the back seats, in the trunk, in the trailer of the trucks) etc.[17]

- Also, for the illegal crossing of the border, the migrants acted on their own, taking advantage of certain favorable situations, as the following: the stationing of the trucks in parking lots, speed restrictions for international trains, or by paying 500-1000 € to truck drivers or to train engine drivers.[18]

- Additionally to all these, we have to note that the universal motivation of both Romanians and foreigners resorting to these methods in order to reach the West was the search for a better life.

The entering of Romania into the E.U. has automatically led to the increase of migration flow, and for a part of the migrants, Romania became a destination country, while for another part of them Romania was only a transit country.[19]

THE ILLEGAL MIGRATION AND THE NATIONAL SECURITY

The trend shows that our country is becoming a launching ramp of the foreign citizens to the E.U. member states, mainly due to the simplification of the procedures for the Romanian citizens to cross the borders to the European area.

The organized crime groups took advantage of this, facilitating the obtaining of the temporary residence right or of asylum in Romania for foreign citizens, in order to obtain afterwards for them false Romanian identity documents and to ensure the transport towards Western Europe.[20]

Thus, as a first effect, the economy of the transit countries, including Romania, was pretty seriously impacted given the fact that they lack the economic potential to host even temporarily the migrant flows.[21]

Out of the data and briefings obtained from the parties involved in the fight against illegal migration, with respect to the ways for the migrants to enter and exit Romania, the main routes taken by the migration flows were configured.

1. The classic route by using the Southern border, Turkey (the Eastern-Southern area, the Eastern area, the area populated by Kurdish, Iraq, Bulgaria, Romania-Hungary).

This route is targeted specifically by Turkish, Iraqis and Syrians and it presents two operational methods: one consists of the fraudulent crossing of the green border or hidden in transportation means; and the second one consists of entering Romania with a legal visa and illegally leaving the country.

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[17] See http://www.politiadefrontiera.ro. (Accessed on 15 January 2017). See "New Immigrant Destinations in Global Context", *International Migration Review* 48(S1):149–179 (2014).

[18] See Hugo, G., "Migration, Development and Environment," in *Migration Research Series,No. 35*. International Organization for Migration, Geneva. Available from http://publications.iom.int/bookstore/free/ MRS_35.pdf (Accessed on 15 January 2017).

[19] See Alexandru Cătălin Văleanu, "Migration in the context of Romania's accession to the E.U." in *The Borders Magazine*, No. 11/2009, 21-26.

[20] See Amalia Constantinescu, Corina Chirvasiu, Simona Stanca, Stancu Pârlea, Nicoleta Cusmir: "*The evolution of crime in the current social-economic context*", the Institute for Prevention and Psychology, Bucharest, 2009.

[21] See The report of OCTA on the evaluation upon organized crime in the E.U., 2010. *Practice to Policy. Lessons from Local Leadership on Immigrant Integration*. Maytree Foundation, Toronto. Available from http://citiesofmigration.ca/wp-content /uploads/2012/03/Practice-to-Policy.pdf. (Accessed on 25 January 2017).

2. The route through the Eastern border with Ukraine, Moldavia, Romania and Hungary.

This route is used by Moldavian and Ukrainian citizens with legal documents for entering and leaving Romania; false documents being used outside the Romanian territory.

3. The route on the sea, used by Arab origin migrants, coming from Syria, Afghanistan, Iraq, Iran, on improvised boats, leaving from the ports of Turkey, crossing the territorial waters of Bulgaria and reaching Romania through Mangalia or Constanța.

As an operation way, they hire boat drivers and guides who they pay with amounts between 500 and 1000 €.

Once they reach in Romania, they request asylum, and after obtaining temporary residence, they try to escape from the reception centers and to illegally cross the borders through Hungary.[22]

In order to have an image on human trafficking and the migration phenomenon at the level of our country, as well as the recrudescence of cross-border crime, we hereby present to you in brief: the evaluation of the border police activity for the year of 2013.

In the last years, the Romanian Border Police has targeted the accomplishment of the tasks given to it by the national legislation enforced, both with respect to the optimization of monitoring and control at borders and with respect to efficiently fighting cross-border crime.

In the development of specific activities, the Romanian Border Police has targeted the following objectives:

- High-level ensuring of the monitoring and control upon crossing the state border, according to the European standards and procedures.
- Effectively using human, material and financial resources allocated to the institution.
- Developing to the inter-institutional cooperation both at internal and international level.
- Finalizing the integration of the Integrated Border Security System,[23]
- Applying an effective quality management system at institutional level.

Performance indicators achieved:

- The traffic values recorded at the control points checking the crossing of the border reached 38495000 crossings of persons and 11282000 transport means.
- Increase by 6% of the illegal acts identified by the border police in the areas of competence.
- Most of the illegal actions were in the field of illegal migration.
- 2049 persons were identified crossing illegally the state borders, and out of these persons, 1517 foreigners were involved in the migration phenomenon. Out of these persons, 822 were organized in groups, discovering in total 250 groups of migrants and 190 migrant traffickers.

Also, 9 groups were organized for the purpose of committing traffic with migrants and 34 traffickers and 79 trafficked persons were detained.

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[22] The evaluation of the activities performed by the Romanian Border Police - M. A. I. in the year of 2013. Attitudes to Migrants, Communication and Local Leadership (AMICALL). Final Transnational Report. COMPAS, Oxford. Available from
www.compas.ox.ac.uk/fileadmin/files/Publications/Reports/Amicall_Report_ENG_v3_single_WEB_READY.pdf, (Accessed on 15 January 2017).
[23] The Order of the M.A.I. 154/2013 on the integrated system for the security of Romania's state border, published in the Official Gazette on the 1st of December 2013, No. 707/2013. *Internal Migration Data around the World: Assessing Contemporary Practice*. Population Space Place, published online in Wiley Online Library, www.wileyonlinelibrary.com, DOI: 10.1002/psp.1848, Vol. 21.(1).

- 139 guides were identified - 59 Romanians and 71 foreigners, and of the total of the trafficked persons, over 200 persons coming from countries producing migrants submitted requests for receiving the asylum status.

Significant cases

- At the Black Sea, several groups of migrants were identified, the 120 Syrian citizens being even in need of assistance and first aid from the border policemen, considering the boats used by the traffickers.

- The Romanian border policemen who were on the ship "Ștefan cel Mare" of the Romanian Border Police obtained remarkable results, appreciated by the European colleagues, within the joint operations at sea, whereas 1042 illegal migrants, 34 facilitators were detained, as well as the mother company involved in the transport of hundred of illegal migrants to Italy.

Within a press conference, the Italian authorities stated that this is the first case where a mother ship was detained in international waters and they congratulated on this occasion the Romanian border policemen for their important contribution brought for collecting the evidence needed which prove their involvement into the clandestine migrants' transfer.

- Romania, by its Border police was given the Presidency of the Cooperation Forum at the Black Sea, a body formed of the Border Authorities and the Coast Guards of the countries neighboring the Black Sea, which establish joint measures for the prevention and fighting of crime in this area.

Current and future challenges:

- The civil war in Syria is liable to have a considerable impact[24] on the internal security of the E.U. Thousands of Arab citizens coming from the conflict area take the road of migration, forcing the Balkans corridor in the areas of Turkey, Bulgaria, Romania, Serbia and from here, to Hungary.

- The large number of illegal immigrants in the countries where terrorist groups are active: Iraq, Afghanistan, Pakistan, draw the attention upon a potential terrorist engagement in the E.U. area.

- Organized crime networks in Turkey will take advantage of new opportunities for supplying illegal immigrants at sea, respectively at the Black Sea.

- Romania's and Bulgaria's accession to the Schengen area will widen very much the green and the blue border at the East of the E.U. and they will head the attention of illegal immigrants to the Seashore of the Black Sea and to the area of Bulgaria.

- The social and political unrest in the North of Africa must also be taken into consideration, since due to this unrest; organized crime groups facilitate migrant flows by crossing the Mediterranean Sea to the shores of Italy.

CONCLUSIONS

The illegal traffic of migrants is a crime which not only threatens national security but also threatens European and global security.

As a direct consequence of globalization, poverty and armed conflicts, the phenomenon of migration flows knows an unprecedented amplification at international level.[25]

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[24] See Flavius Cristian Marcau, „Undemocratic regimes", in Annals of „Constantin Brâncuși" University of Târgu Jiu, Letter and Social Science Series, Issue 2/2014

[25] See Duţă Paul, „The African routes of economic migration" în *International Scientific Conference Strategies XXI", Volume I,* 2016 "Carol I" National Defense University, *Romania,* pp.120-133.

For the purpose of preventing and fighting illegal migrant trafficking, a cooperation of all the states involved is mandatory (supplier state, transit state, destination state).

Such cooperation must take place at all levels, both in legislative aspects and at institutional level, by developing a joint strategy and joint anti-traffic policies, as well as in the field of assistance and repatriation of migrants.[26]

A very important aspect for the management of illegal migration is to guarantee international rights in the field of human rights in general and to guarantee the right to request asylum specifically.

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[26] See Mărcău Flavius Cristian, Ina Raluca Tomescu, "Coordinates of NATO – EU cooperation", in proceedings *Strategic changes in Security and International Relations*, 2014, 258-265.

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THE COMPREHENSIVE PEACE AGREEMENT AND STATUS OF SUDANESSE REGION ABEYI

Paul DUTA[1]

ABSTRACT:
THE CIVIL WAR CAUSED BY REBEL MOVEMENTS IN DARFUR AGAINST KHARTOUM AND ARMED CONFLICT BETWEEN JUBA AND KHARTOUM IS COMPLEX DUE TO THE FAULTS OF THE ETHNIC AND RELIGIOUS FACTIONS, THE MYRIAD REBEL FACTIONS, BECOMING THE LONGEST AND COMPLICATED CONFLICT IN THE HISTORY OF AFRICA.
THE DISCONTENT LEADS TO THE OUTBREAK OF THE CONFLICT IN DARFUR PROVINCE; IT DOESN'T HAVE AS BASED THE ETHNIC OR RELIGIOUS CRITERIA, BUT THE POPULATION RESENTMENT TOWARDS THE UNEVEN DISTRIBUTION OF WEALTH. THE SECESSION OF SOUTH SUDAN HAS A DIRECT EFFECT ON THE KHARTOUM (THE TRANSPORT PIPELINES ARE LOCATED IN THE NORTH) RELATIONS WITH DARFUR (SOUTH SIDE ALWAYS) RELATED TO THE DISCOVERY AND EXPLOITATION OF PETROLEUM DEPOSITS. SEVERAL MEMBERS OF THE SECURITY COUNCIL, INCLUDING CHINA AND RUSSIA, COUNTRIES WHICH HAVE VETO POWER, AS WELL AS ALGERIA AND PAKISTAN, EXPRESSING DISSATISFACTION WITH THE THREAT OF SANCTIONS AGAINST SUDAN, ESPECIALLY SINCE SANCTIONS RELATE TO OIL EXPORTS.

KEY WORDS: SUDAN, DARFUR, SOUTH SUDAN, PIPELINES, OIL EXPORT

CHINA - THE PIVOT ROLE BETWEEN THE TWO SUDANESE'S STATES

The civil war caused by rebel movements in Darfur[1] against Khartoum and armed conflict between Juba and Khartoum is complex due to the faults of the ethnic and religious factions, the myriad rebel factions, becoming the longest and complicated conflict in the history of Africa.

The discontent leads to the outbreak of the conflict in Darfur province; it doesn't have as based the ethnic or religious criteria, but the population resentment towards the uneven distribution of wealth. Until the outbreak of the crisis in Darfur, the Sudanese Central Government sought to build an "Ideal" Islamic State without opponents and without any other religious groups, the Muslim population from Western Province are the main source for the armed forces sent against the people of the South.[2]

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[1] PHD, Romanian Diplomatic Institute, email: ppduta@yahoo.com.
[1] See http://www.nationmaster.com (accessed November 10, 2016).
[2] See Paul Duţă ș.a., *Africa – o ţintă economică?* (Tehno Media, Sibiu, 2009), 258-277.

China supports the multilateral trade with African States in cooperative systems with custom models of development and governance like FOCAC,[3] in a vision different from that of Western models, those of the Bretton Woods institutions.[4]

In 1990, China's strategic commitment starts in the region relying on the advantage of the lack of previous colonial power in Africa by developing the existing close cooperation between Sudan and China, leading Sudan to become a major exporter of oil on the Chinese market, after Chevron had discovered serious deposits of oil in Sudan (1978).[5]

In 1994, China's major investments beginning in the field of petroleum in Sudan so that in 2002 the Sudan covered 40% of African oil imports.[6]

On August 2003, peace talks begin in Nigeria with the participation of the UN and the AU.[7] The parties to the conflict shall endeavor to settle the crisis through political means, but the fighting continues. JEM only accepts UN mediation and have no confidence in the AU peacekeepers.[8]

On 24 September 2003, the Security Agreement is signed between the Government and the southern guerrillas by providing for the strengthening the Popular Movement, as well as the establishment of a territorial autonomy.[9]

The Sudan Army and Islamist militias Janjaweed faces black tribes grouped in Sudan Liberation Army - SLA, and the Justice and Equality Movement - JEM.[10]

In April 2004 in N'Djamena, Chad is involved in negotiations; these materialized in "agreement for the humanitarian cessation of fire" between the Sudanese Government, on the one hand, the JEM and the SLA on the other side. Continuation of the Sudanese crisis could have implications not only for the internal stability of that State, but also for the regional state such as Chad, the neighbor of the Sudan, can be "contagious." Sudanese President seize power through a coup in December 1990, the Sudanese Government gave him military support. Meanwhile, he owes its domestic political support to a tribe, Bidayat, which has the same ethnic origins with the Zaghawa tribe, in the Darfur province, tribe that played an important role in starting the rebellion but also the target of the actions undertaken by the Khartoum.

In 2004, under the auspices of the AU is sent an international mission of observer in the Darfur province. The AU Mission has not been able to prevent widespread atrocities against civilians in the occupied areas of the region, the size of the territory and the level of danger are the main factors of the failure of such peacekeeping operations.[11]

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[3] The Forum for China-Africa Cooperation - FOCAC.

[4] Chinese leaders even came up with the following motto "Do as we (Chinese) do, but not as they (the West) say." See Gregory Chin and Ramesh Thakur, "Will China Change the Rules of Global Order?" *Washington Quarterly* 33, no. 4, (October 2010), 126.

[5] See Sawadogo Wilfried Relwende, "South Sudan secession: What implications for Darfur and Beijing's strategic policy options?" *Issues and Studies*, 49(2), (2013, National Chengchi University, Taipei), 147-177.

[6] Large Daniel, "From Non-Interference to Constructive Engagement? China's Evolving Relations with Sudan," in *China Returns to Africa: A Rising Power and a Continent Embrace*, ed. Chris Alden, Daniel Large, and Ricardo Soares de Oliveira (London: Hurst, 2008), 280.

[7] See Paul Duță ș.a., *op.cit*, 263.

[8] Teodor Frunzeti, *Lumea 2005*, Enciclopedie Politică și Militară, (Editura Centrului Tehnic Editorial al Armatei, București, 2005), 648.

[9] See Sefa-Nyarko, C., "Civil war in South Sudan: Is it a reflection of historical secessionist and natural resource wars in "Greater Sudan"?" *African Security*, 9(3), 2016, 188-210.

[10] See Paul Duță ș.a., *op. cit.*, 271.

[11] *African Union Mission in Sudan* - AMIS. *United Nations Security Council Rezolution nr. 1564,* 4 April 2004.

The 2500 soldiers and observers participating in the AMIS prove insufficient to ensure peace in Darfur (area whose surface is similar to the surface of France), allowing the Janjaweed militias to pursue reprisals against civilians, burning their homes and forcing more than 2 million residents to flee.

On 3 July 2004, the Government of Sudan and the United Nations signed a Joint Statement, affirming, on the one hand, the Sudanese officials pledge to resolve the conflict between North and South and the crisis in Darfur, and on the other hand, the commitment of the UN to provide assistance.[12]

Several members of the Security Council, including China and Russia, countries which have veto power, as well as Algeria and Pakistan, expressing dissatisfaction with the threat of sanctions against Sudan, especially since sanctions relate to oil exports.[13]

The fighting continues, so that the AU creates a Commission to monitor cessation of fire. Its observer's report that, while the villages populated by ethnic groups other than the Arabic were completely destroyed (depopulated, looted and burned), Arab settlements are functional, and their inhabitants unharmed.[14]

In January 2005, the International Conference in Nairobi confirms that the war ended in the South and stresses the need for the immediate establishment of peace in Darfur. Meanwhile, the Janjaweed Arab militia continues the attacks on African tribes of the Fur, Massalit and Zaghawa leading to the creation of a wave of approximately 1200000 refugees and 50000 victims. In this situation the intervention of the international community is imperative.[15]

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[12] *United Nations Security Council Rezolution nr. 1547,* 11 June 2004.

[13] See Lagu, J., *Sudan: Odyssey through a State, from Ruin to Hope*, (Khartoum University Press, Khartoum, 2006), 21.

[14] See *Human Rights Watch Interview* – 2005.

[15] See *Human Rights Watch Interview* – 2005.

Figure no 1 - The Darfur, South Kordofanul and Blue Nile areas[16]

On 24 March 2005, the Security Council launches a UNMIS mandate to support North-South Agreement compliance and the disarmament processes, organization of elections and the return of refugees. As a general term of the mandate, the mission should enable the parties to the Comprehensive Peace Agreement (CPA) to promote the principles of the rule of law, including an independent judiciary, as well as the protection of the fundamental rights of the Sudanese population as a whole, particularly in the fight against impunity criminal, to cooperate with AMIS.[17]

On 9 June 2005, NATO announced that it would support the AU (AMIS I and AMIS II) in the management of the crisis in Darfur, which was the first NATO mission on the African continent, beyond the borders of its members, resulting in misunderstandings and controversies related to the status of the mission "out of area" between British and American pole at Franco-German within the organization. [18]

In December 2005, Chad declared itself in "State of belligerence" with Sudan,[19] which it accuses of attempted to "destabilize" and support rebels who oppose Deby President. At the end of 2005, the situation becomes very complex, due to the proliferation of armed groups and the rebels, the bandits and the Chad rebels' entry and the deserters from the army, which gather in Darfur preparing to attack Chad.

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[16] https://www.google.ro/search?q=south+sudan+maps&biw=1280&bih=871&tbm=isch&imgil=3Me0s_lTG_ uL 3M %253A%253BoToHi9, (accessed November 10, 2016).

[17] See, *United Nations Security Council Resolution nr. 1590,* 25 Mars 2005.

[18] See Cristian Băhnăreanu, *Puterea militară în secolul XXI*, (Editura Universităţii Naţionale de Apărare, Bucureşti, 2005), 10.

[19] See Stephen Brown and Jörn Grävingholt, *From Power Struggles to Sustainable Peace: Understanding Political Settlements* (Paris: Organization for Economic Cooperation and Development, 2011), 11.

In January 2006, SLM launched a number of attacks in Shearia, in Golo, and on a Government convoy. These attacks have been directed mainly against the Janjaweed militias, but there were also a lot of collateral victims, mostly civilians.

A new dimension of the conflict is given by the emergence of a group that calls itself the "Islamic resistance movement from Darfur" with attacks on the Danish and Norwegian interests in the area, as a reaction to the international crisis provoked by caricatures of the Prophet Mohammed.

In February 2006, a peace agreement is signed in Tripoli on the crisis in Darfur. The Presidents of Sudan Omar al-Bashir and Chadian Idriss Deby signed at Tripoli, a peace agreement supported by Libyan leader Muammar al-Ghaddafi.[20]

The Commission meeting of AU and UN manifests its total approval toward the Resolution of the Security Council of 3 February 2006 regarding the transition of AMIS to a UN operation. The first reaction of the Sudanese Government, conveyed through the voice of Minister of Foreign Affairs Lam Akol, was rejecting the transfer of AMIS authority to the UN.[21] Within the National Assembly of Sudan, the Sudanese Minister of Foreign Affairs subdue for debate a motion on the transfer of UA authority to UN reiterating the idea of a complete failure in it implements this transfer.

The two rebel movements - JEM and SLM - supports from the beginning the crisis, the need for the involvement of the United Nations or even to NATO, with a strong mandate as a legal support able to put an end to the atrocities committed in the area. In this sense the two movements were engaged in powerful media campaigns directed against the inability of AMIS to protect the civil population and to be replaced by the UN or NATO forces. To support the point of view expressed previously, the two movements organized and lead protest manifestations.

The prospects for resolving the crisis in Sudan depend on the mission to secure the Darfur region, the transformation of AMIS into a mission of the UN[22] within the framework of the partnership between AU and the UN being established a transitional period until 30 September 2006.[23]

China is faced with the dilemmas of choosing between supporting the Government in Khartoum or involvement in fighting the humanitarian crisis in Darfur, the secession of South Sudan (2011) respectively between the principle of non-interference or constructive engagement.[24]

The secession is in prospect of its supporters on how to settling the civil war and the disappearance, the main cause for future armed conflicts by separating the warring parties through international borders while for the supporters of unity of Sudan, the secession even though it will make transfers of populations is not going to achieve ethnic homogeneity.[25] Sudan has five times

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[20] See *Liberation Movement (SLM), Sudan Liberation Army (SLA), Justice and Equality Movement (JEM)*, Sept 30, 2005 from http://www.globalsecurity.org/military/world/para/darfur.htm, (accessed November 10, 2016).

[21] Jok Madut Jok, *Mapping the Sources of Conflict and Insecurity in South Sudan: Living in Fear under a Newly-Won Freedom*, Special Report No. 1 (Juba: The Sudd Institute, January 12, 2013), p. 7.

[22] Jok Madut Jok, *Mapping the Sources of Conflict and Insecurity in South Sudan…,* 7

[23] Jok Madut Jok, *Mapping the Sources of Conflict and Insecurity in South Sudan…,* 7

[24] See Large Daniel, "From Non-Interference to Constructive Engagement? China's Evolving Relations with Sudan," in *China Returns to Africa: A Rising Power and A Continent Embrace*, ed. Chris Alden, Daniel Large, and Ricardo Soares de Oliveira (London: Hurst, 2008), 295-318.

[25] See Paul Duță ș.a., *Africa – o țintă economică?* (Tehno Media, Sibiu, 2009), 258-277.

more troops than South Sudan, to which is added the Janjaweed[26] with a reputation particularly after the bloody raids carried out in Darfur.

The Secession of South Sudan has a direct effect on the Khartoum (the transport pipelines are located in the North) relations with Darfur (south side always) related to the discovery and exploitation of petroleum deposits (80% is located in the South).[27]

The political objective of the rebel movement in Darfur similar to those of the SPLM/A sought initial to change the in Khartoum and a greater autonomy; after the death of the SPLM/Ar, Dr. John Grange (30 July 2005), the political object of SPLM/A is become independent of Khartoum following a referendum, while Darfur remains within Sudan but maintaining the request of a regime change and maintaining links with South Sudan. The risk is the Darfur rebel movements move from their demands related to the unresolved political autonomy to demand political independence *de jure*.

During 2005-2011, China's relations with Sudan and South Sudan are conducted on the basis of the principle "a Sudan two systems."

In April 2012, the President of South Sudan pay a visit to China, stressing the common vital interests related to Chinese investment in the petroleum sector from South Sudan providing about 98% of the State budget.

Beijing proposes the project of building a pipeline to transport the oil towards the world market through Kenya, ensuring the preparation of specialists in the field of petroleum.[28]

Sharing the taxation benefits from the exploitation of oil deposits (5% Sudan, 85% South Sudan, 10% Abeyi) will encourage the authorities in Juba , attracting the attention and interests of foreign investors reconfiguring strategies and geopolitics in the region but also on a possible wider autonomy for Darfur.

China may enjoy the pivot role between the two Sudanese's states, according to an author, on the modeled on "divided Nations"[29] dependent on one another - the oil fields are located in the South and the refineries in the North refineries - the participation of China in ensuring political stability.

THE CONUNDRUM OF ABYEI REGION STATUS

The Abyei region is rich in resources is situated at the border of Sudan and South Sudan is cause for intrastate dispute after the independence between two major groups - Ngok Dinka (agro-pastoral population claiming affiliation to South Sudan with main location in Bahr el Ghazal) and Misseriya (nomad population in the Northern region but which migrates annually into the region

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[26] An armed militia sponsored by President Al-Bashir.

[27] See Ali Askouri, "China's Investment in the Sudan: Displacing Villages and Destroying Communities," in *African Perspectives on China in Africa*, ed. F. Manji and S. Marks (Cape Town: Fahamu, 2007), p. 77. See also Sudan Tribune, "China to Expand Investment in South Sudan after Independence," *Sudan Tribune*, June 1, 2011, http://www.sudantribune. com/China-to-expand-investment-in,39080 (accessed October 27, 2016).

[28] Xinhua, "China Trains Petroleum Workers in South Sudan," *China Daily*, July 11, 2011, http://www.chinadaily.com.cn/ china/2011-07/11/content_12879709.htm (accessed October 23, 2016).

[29] North and South Yemen before unification in 1990, North and South Vietnam in 1975, East and West Germany in the 1990s, and more contemporary cases such as North and South Korea since 1953, and Taiwan and Mainland China since 1949. See Yu-shan Wu, "From Romantic Triangle to Marriage? Washington-Beijing-Taipei Relations in Historical Comparison," *Issues &Studies* 41, no. 1 (March 2005), 113-159.

and it is considered to belong to Sudan with main location in Kordofan)[30] - propagating uncertainty and instability for South Sudan.[31] The colonial Administration further complicates relations between the two communities through the expansion of Ngok Dinka administration ensured in Kordofan.[32]

During the conflict between North and South, both in the first civil war (1955-1972) and the second civil war (1983-2005) the two populations are positioned in different camps - Ngok Dinka allies with southern Anyana rebels, subsequently with SPLA[33] and the Misseriya with the Khartoum Government - the region became the main battlefront antagonizing extreme violence and egregious brutalities.[34]

The existence of unclarities regarding the international border and the unresolved refugee population drama questions the implementation of the CPA. According to the Peace Agreement, the South will become autonomous for a period of six years, after which a referendum will be held to decide if the Sudan splits or Sudan will remain a unified State.

The benefits of exporting oil are divided equally between the Government and South Sudan. The political system of the Government in Khartoum is to be restructured based on democratic principles and respect for human rights. There will be two armies, if it chooses secession.[35]

Two years after the signing of the Machakos Protocol which signed The Protocol on the Resolution of the Conflict in the Abyei Area negotiate the inclusion of the Abeyi region in a referendum for independence, key elements being who is "resident" of the region, and which the territorial borders are.

Through negotiation, the region has a special administrative regime on an interim period pending the conduct of referendum - the local government dependent on the National Government and international monitors, residents may be citizens of both the Western Kordofan and of Bahr el Ghazal, the oil royalties are divided into six parts (the Governments of the two countries, the two districts, Hgok Dinka and Misseriya).[36]

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[30] See Bekoe Dorina, Kelly Campbell, and Nicholas Howenstein, *Resolving the Boundary Dispute in Sudan's Abyei Region,* (US Inst of Peace Oct 2005), online at http://www.usip.org/publications/resolvingboundary-dispute-sudans-abyei-region (accessed 5 December 2016).

[31] See Johnson, Douglas H., "Why Abyei Matters: The Breaking Point of Sudan's Comprehensive Peace Agreement?" *African Affairs*, 107 (426), 2008, 1-19.

[32] See *South Sudan President to Assert Abyei Belongs to Dinka Ngok* (Sudan Tribune Jul 24, 201 1), online at http://www.sudantribune.com/South-Sudan-President-asserts,39616 (accessed 7 December 2016).

[33] Sudan People's Liberation Army - SPLA.

[34] See Sudan: Breaking the Abyei Deadlock **2-3 (Intl Crisis Group Oct 12, 2007), online at http://www. crisisgrc>up.oil/media/FUes/africa/hom-of-africa/sudan/B0470/o20Sudan0/o20Breaking%20the%20Abyei%2 0Deadlock. Ashx, (accessed 5 December 2016).

[35] *2004 Protocol between the Government of Sudan and the Sudan People's Liberation Army on the Resolution of Abyei Conflict*. See McNeily Jack, "A condominium approach to Abyei," *Chicago Journal of International Law*, Volume: 13, Issue: 1, Summer 2012, 265-290.

[36] See, for example, Rebecca Hamilton, "How a Residency Dispute in One Key Town Could head Sudan Back to War," *Christian Sci Monitor,* Nov 2, 2010, online at http://www.csmonitor.com/ World/AÊrica/2010 /1102/Howa-residency-dispute-in-one-key-town-could-lead-Sudan-back-towar (accesed 5 December 2016).

If for a serious disagreement - setting boundaries - is constituted "the Abyei Boundaries Commission,"[37] to establish the residence status of the Misseriya nomad population nature has raised concerns especially in the absence of CPA regulations.[38]
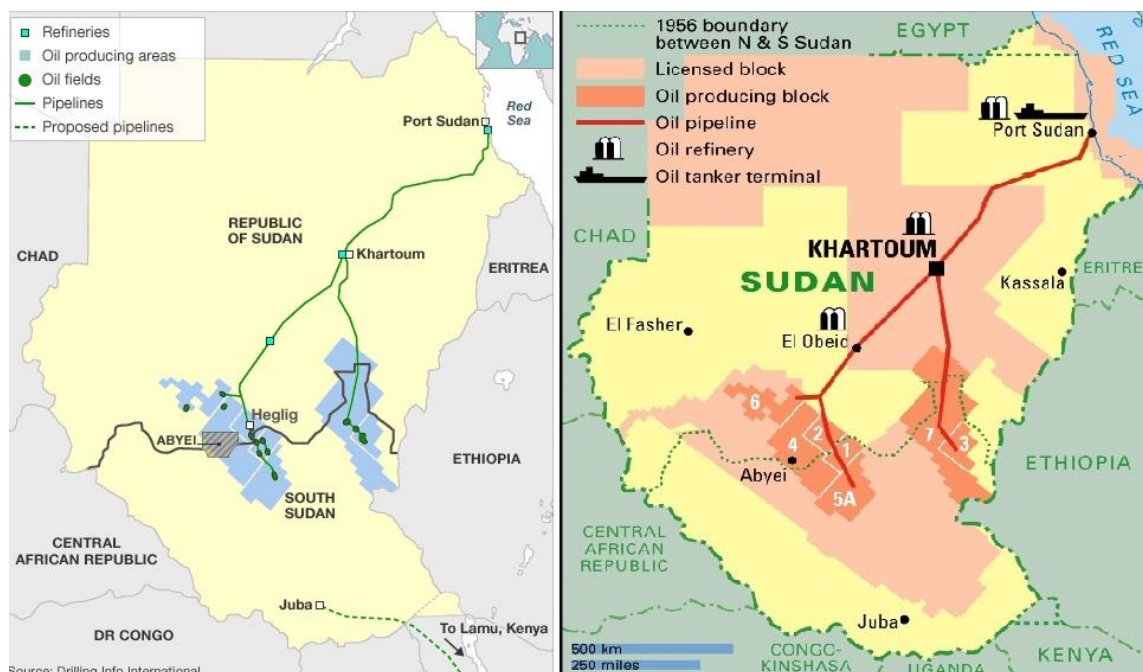
Figure no 2 - The pipelines of Sudan[39]

The refusal to accept the "Abyei Boundaries Commission" report triggered hostilities between the Misseriya and the SPLM/A in Abeyi which leads to the deaths of tens of thousands of refugees.[40] Both parties agreed to refer the case to the Permanent Court of Arbitration (PCA) at The Hague.

The solution for the Abeyi must satisfy the interests of both parties, in compliance with the requirement of the CPA to hold the referendum even if there is strong opposition to it by working to establish boundaries to clarify status of Misseriya in this region.[41]

The Misseriya vote can change the demographics of the region and manipulate the vote, and can block or cancel the promotion of economic interests of particularly importance to both

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[37] Composed of five members representing North Sudan, five members representing the SPLM/A, and five international experts... "[t]he Commission will endeavor to reach a decision by consensus. If, however, an agreed position by the two sides is not achieved, the experts will have the final say." See *The Protocol on the Resolution of the Conflict in the Abyei Area, §1.1.3.*

[38] *The Protocol on the Resolution of the Conflict in the Abyei Area,* Chapter IV notes only: "The Misseriya and other nomadic peoples retain their traditional rights to graze cattle and move across the territory of Abyei."

[39] https://www.google.ro/search?q=south+sudan+maps&biw=1280&bih=871&tbm=isch&imgil=3Me0s_lTG_ uL 3M %253A%253BoToHi9, (accessed November 10, 2016).

[40] Amber Henshaw, *Sudan Tinderbox Catches Fire* (BBC May 24, 2008), http://news.bbc.co.Uk/2/hi/a6ica/ 7418582.stm, (accesed 7 December 2016).

[41] President Omer Al-Bashir has cemented North Sudan's hardline position, stating that the referendum will only take place "if all the people of Abyei participate, not just the Ngok Dinka." See *No Referendum in Abyei, Sudanese Official Says* (Sudan Tribune Dec 9, 2010), http://www.sudantribune.com/No-referendum-in-Abyei-Sudanese)37221, (accesed 5 December 2016).

countries, especially since none of them has the full rights over the region and both the Ngok Dinka and the resistance in the region does not accept such a solution.[42]

The control of the region's by a single population - Ngok Dinka or Misseriya State – supported by the states that was aligned - South Sudan or Sudan - will be done at the expense of other population as well as other smaller ethnic groups in this area.

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[42] See Thirik Mijak, *Is SPLM Buying Abyei and Selling Hegi'g to North Sudan Regime?* (Gurtong Nov 22, 2011), online at http://www.gurtong.net/ECM/Editorial/tabid/124/cd/ArticleView/rnid/ 519/ardcleId/6072/Is-SPLM-Buying-Abyeiand-Selling-Heglig-to-North-Sudan-Regime.aspx, (accesed 5 December 2016).

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THE DIPLOMACY IN THE EURO-ATLANTIC ZONE

Roxelana UNGUREANU[1]

ABSTRACT:
IN THE CONTEXT OF THE CURRENT CIRCUMSTANCES IN EXISTENCE AT THE GLOBAL LEVEL, THE ECONOMIC LINE REPRESENTS A PREREQUISITE FOR ALL ACTIONS AND ACTS OF THE DIPLOMATIC BODIES, ECONOMIC DIPLOMACY, AND OCCUPYING A PLACE OF PRIMARY IMPORTANCE IN THE CONTEXT OF INTERNATIONAL RELATIONS.
THE ACCENTUATED PROCESS OF GLOBALIZATION OF THE WORLD ECONOMY HIGHLIGHTED THE ENTAIL AND THE IMPOSITION, AT STATE LEVEL, DIPLOMATS, IN ORDER TO PROTECT AND PROMOTE THE INTERESTS OF EACH COUNTRY'S IDEAL.
DIPLOMACY STOOD AT THE BASIS OF ELABORATING THEIR OWN GUIDELINES WHO AIMED TO FOREIGN POLICY OR TO ADAPT THEM, SO THAT THE MAIN OBJECTIVE PURSUED IS TO BE DEFENDING THEIR OWN INTERESTS, BOTH AT THE CONTINENTAL LEVEL AS WELL AS GLOBALLY.
NATO IS THE MAIN CHARACTER OF THE SPACE OF GLOBAL SECURITY, THE STABILITY OF THE EURO-ATLANTIC ZONE AND PERMANENTLY EXTENDING THEIR AREA OF INFLUENCE AND OTHER SPACES IN THE VARIOUS SECTIONS, OF WHICH THE CRISIS SITUATIONS, CONFLICTS AND TENSIONS.
TODAY'S SECURITY ENVIRONMENT, WHICH SOMETIMES PROVES TO BE EXTREMELY FRAGILE, REQUIRES CLOSE COOPERATION BETWEEN THE NORTH ATLANTIC ALLIANCE AND THE EUROPEAN UNION IN THIS WAY SUCCEEDING IS COUNTERING THE VARIOUS RISKS AND THREATS TO GLOBAL SECURITY.

KEY WORDS: GLOBALIZATION, DIPLOMACY, NATO, BREXIT, GERMAN LEADERSHIP, EURO-ATLANTIC ZONE

THE DIPLOMACY OF GLOBALIZATION AND BREXIT

In contemporary society, the diplomatic environment at international level is characterized by an impressive number of "actors," which demonstrates the exponential aspect of the democratization of international relations globally.

The idea of indivisibility of peace drew upon the permanent concern of the main countries of the world so to analyze the various events that occur globally and to act in making major decisions, relating to national security, especially the international ones.[2]

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[1] Open University, London, email: u_roxelana@hotmail.com.
[2] See J. Goldsthein, *Relaţii internaţionale*, (Editura Polirom, Iaşi, 2008), 23-28

Globally, because of the delineation of the new security environment, it has imposed a redefinition of the main international relations, which has direct implications for the level of international security, to the default of the state security level.[3]

At European level, it was noted a considerable diminution of the risk of major confrontations continue ascent of the State upon the interlink ages and attracting an acceleration of exponential type of interactions between States.[4]

Globalization represents, from an economic perspective, global integration of trade, various productions and the banking and financial sector, on which the less developed States could benefit greatly. The reality has proven in recent years but, unfortunately, the fact that globalization has no not generated the development of poor countries, but on the contrary, their marginalization, the degree of participation in international trade, as well as access to powerful international financial market it is fairly low.

In addition, globalization pretty must reduce the degree of autonomy and decision-making at the discretion of national Governments, which are often put in the situation of not being able to intervene sufficiently to support their own economies.

Despite the fact that not all the savings are included in the current global system, a global macroeconomic stabilization, without which the world economic market would have suffered long enough.

In 2015, where a State is considered to be poor and not ideal managed financially, it needs help, it cannot turn to its own Government, but to the renowned, the International Monetary Fund (IMF), which impose their own conditions and rules, often with dramatic effects for the vast majority of the population of that country.

Despite the fact that it is often claimed that the phenomenon of globalization of the financial system has beneficial effects on the level of countries of the world, the financial crises produced in Asia, Russia or Mexico have demonstrated the opposite, many being specialists who have tried to demonstrate that all economic crises of recent years would be the result of global financial liberalization, as well as the operating of multiple possibilities offered numerous banking establishment operating in the world.

To all this must be disclosed the phenomenon of contagion that manifests itself strongly in the event of financial crises, the global economy being the most favorable environment for its exponential growth. The phenomenon of globalization has generated a difficulty, a complained increased by some reputable banking institution, which no longer have the opportunity to gather valuable information, or to update them in real time, in order to be later used efficiently.[5]

Many were professionals who have proposed various solutions to end the crisis through a generalized control at the level of the global economy, either through a bank or a single currency, either through a single authority at the level of monetary control.

Globalization has negative effects in all countries of the world, accentuating its already formed polarization between states considered to be strong economically and the poor. While the

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[3] See H. Morgenthau, *Politica între naţiuni, lupta pentru putere şi lupta pentru pace*, (Editura Polirom, Iaşi, 2007), 45-47

[4] See Paiuşan-Nuică Cristina, *Istoria relaţiilor internaţionale şi a diplomaţiei (1945 – 2008)*, (Editura Fundaţiei România de mâine, Bucureşti, 2008), 45-49.

[5] See H. Morgenthau, *Politica între naţiuni, lupta pentru putere şi lupta pentru pace*, (Editura Polirom, Iaşi, 2007), 56-58.

major countries of the world, considered to be privileged, they can move more easily over various economic shocks, deprived States are permanently at a disadvantaged.

Globalization has imposed on countries of the world to increase financial efficiency nationally and beyond, in parallel with the reduction of the political factor in the economy. At the same time, however, it came in an increase of interdependency between the States of the world, which has immediate effects on the level of risk of the spread of financial problems in certain areas of the world.

Globalization of the economy means a perpetual challenge for the international environment, the more so as the number of companies and business people tend to move only towards the sites deemed to be of maximum economic efficiency is constantly increasing.

Given the increasing interdependence[6] between the economies of the various countries of the world, generates the concept of the global economy, whilst operating simultaneously on all continents, has a great impact on the international environment at the diplomatic level. Thus, the diplomatic act has acquired a new relevance and a clearly superior quality, resources, methods and rules of governance of the diplomacy being in a permanent process of adaptation to global economic market trends.[7]

Strengthening diplomatic customs has drew after it the transformation entailed in the contact rules of customary rules with regard to the contractual relationships between the various countries of the world, diplomacy and expanding considerably the scope for action and diversifying the activities to promote the interests and inter-State cooperation.

The intensification and diversification of relations between States and import-export trade, development, and modification continues to the centre of gravity in the sphere of environmental policy (with the stimulation of cooperation and confrontation of economical type) propelled the economic diplomacy in the forefront of international diplomacy.

In the context of the current circumstances in existence at the global level, the economic line represents a prerequisite for all actions and acts of the diplomatic bodies, economic diplomacy, occupying a place of primary importance in the context of international relations.

The accentuated process of globalization of the world economy highlighted the entail and the imposition, at State level, diplomats, in order to protect and promote the interests of each country's ideal. It is for this reason that in recent years has imposed economic diplomacy, redefining the concept of defining the limits it so-called trade diplomats (what target mainly the various foreign trade activities, foreign and domestic investment, technological exchanges, and financial flows, development assistance, bilateral talks and negotiations multilateral, etc.).

It is well known that external economic promotion requires constant adaptation to global market conditions, as well as the requirements are imposed by the various international relations, which entail perpetual development and the role occupied by economic diplomacy in the complex process of promoting national interests involved in the external environment.

The onset of the current Millennium, which is characterized by an exponential-type development of the various processes of globalization and integration, as well as the transition from the world of unipolar type multipolar society, to which are added new challenges on the international stage (of which referred mainly to terrorism, but also on the level of security crises at international level) has entailed major changes not only at the level of political life and of

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[6] Morgenthau, *Politica între naţiuni...* 34-35.
[7] See J. Goldsthein, *Relaţii internaţionale*, (Editura Polirom, Iaşi, 2008), 34-36.

international economic, but also major changes within the various diplomatic relations and consular relations.[8]

All of these changes, which were reported at the level of diplomatic relations, consider both objectives which are pursued in contemporary society, but especially the methods applied and the scale of many of the events that require their intervention.

All political transformations, as well as the social economic times that were developed during the twentieth century have had special effects on the subsequent conduct of international relations, the main direct consequences being felt mainly of the character of diplomacy, but also on the contents, methods and forms of its manifestation.

It should be noted that aspect especially in the second half of the new millennium, noted a certain tendency to diplomacy, which increasingly began to assert itself as a primary component within the complex structures of international relations.

Thus, diplomacy has begun to constant impose its self as a complex task, involving the use of different specific means, namely:

- Permanent diplomatic representations
- Various talks
- Diplomatic talks
- Good offices
- Diplomatic contacts

The amplification particular that has known phenomenon of globalization, to which were added and the development of the various processes of economic integration, as well as the development of regional policy, exponential had entailed an increase of exponential international relations (unprecedented phenomenon observed in the context of the history of humanity).

Thus, about therefore it was established and development of great diplomacy, in all its forms of manifestation.

In contemporary society, diplomacy is regarded as a dynamic institution, which has the primary purpose of both promoting various national targets, as well as international ones, as Nations and achievement of the objectives in terms of diplomatic performance, namely international relations based on understanding, cooperation and peace-building environments conducive to the manifestation.

EUROPEAN UNION OR GERMAN IMPERIUM UNION

Contemporary society is characterized through diplomacy that has an open character, with direct talks, economic diplomacy, and occupying supremacy. This repositioning is mainly due to the numerous export-import relations between States, as well as trade, cooperation and permanent economic confrontation.

It is well known that the first steps in diplomacy can be developed, with a lot of ease with the beginnings of the history of civilization, diplomacy since; however, truly stroke ends at the time of the occurrence. Regardless of the type of organization of the company's existence has been confirmed as diplomacy's most effective method of promotion and implementation of foreign policy at the State level.[9]

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[8] Duță Paul ș.a., *Areale globale. Uniunea Europeană - Africa Subsahariană*, Colecția Studii europene nr.2, (Editura Tehno Media Sibiu, 2009), 29-37.

[9] See Constantin Vlad, *Istoria diplomației*, (Editura Cetatea de Scaun, București, 2014), 43-45.

Often defined "diplomacy is an art or a science to the negotiation of international relations, diplomacy, economic system includes all interests is generated mainly from economic relations between States." Diplomacy requires mainly respect for international system of sovereign States, which are based on various common rules, on the Convention on the privileges and immunities.[10]

In contemporary society, the risk of this system to erode steadily due to various existing threats and future ones is rather increased, the smooth functioning of international diplomacy in general (and in particular the economic diplomacy) representing obeying sovereignty of States and the availability of states, without taking into consideration any polices that are promoted nor the interests pursued, the main objective being pursued to interact in a permanent official framework, universally accepted.[11]

Regardless of the major changes that have occurred over time in the level of global geopolitical and strategic balance, the major countries of the world and their leaders have continuously appealed to services related to diplomacy (and hence of the diplomats) to achieve its goals regarding political objectives too seriously all the allied States considered hostile, that have been declared or not.

Also, diplomacy stood at the basis of elaborating their own guidelines who aimed to foreign policy or to adapt them, so that the main objective pursued is to be defending their own interests, both at the continental level as well as globally.

Thus, diplomats with experience in the career have received various missions of negotiating treaties with great importance, various agreements, agreements for the economic development of a State, its primary interest being paramount.[12]

It is well known that diplomats[13] have an extremely active role within the various diplomatic conversations aimed at economic development among States, their primary role in the promotion of the economic interests of the State about the means, as well as relations between States long collaboration.

Diplomatic action, which may take various forms, includes all areas of international relations, namely the economic, political, social, cultural, scientific, military, etc.[14]

Diplomatic action is carried out not only in the different areas, but it takes different forms, which allows its classification on the basis of several criteria.

Thus, depending on the scope of work, diplomacy may refer to:

- Political Diplomacy - has mainly focused on promoting the political interests of a stand or group of states.
- Economic diplomacy - aimed primarily representation of all economic interests within a country, as representing the interests of the various economic operators in that country in the international environment.
- Cultural diplomacy - envisages the intensification of cooperation in culture, the foundation of cooperation on a bilateral as well as multilateral type.
- Military diplomacy - represents all actions that are taken to military cooperation, with the stated purpose of preventing wars.

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[10] See J. Goldsthein, *Relaţii internaţionale*, (Editura Polirom, Iaşi, 2008), 39-40.
[11] See Jules Cambon, *Diplomatul*, (Editura Institutul European, Bucureşti, 2011), 25-29.
[12] See Constantin Vlad, *Istoria diplomaţiei*, (Editura Cetatea de Scaun, Bucureşti, 2014), 154-159.
[13] See Elena Chiriţă, *Diplomaţi în jurul lumii*, (Editura Universitară, Bucureşti, 2014), 52-55.
[14] See J. Goldsthein,.*Relaţii internaţionale…*, 34-38.

- Scientific diplomacy - aimed mainly at developing cooperation relations in the field of existing research institutions globally.
- Social diplomacy - is considering the establishment of international relations, dialogue and negotiation.

Political Diplomacy is designed to promote political interests attaching to a stand or a group of States, in order to ensure safety, but also for the protection of the fundamental rights of every citizen.[15]

Also with regard to the political field, it should be noted that parliamentary diplomacy is,[16] namely diplomacy held at parliamentary level.

These lawmakers can act both on behalf of its own Government, as well as in connection with it, having both the ability to participate in analyzing a given situation existing in a State, and to act for the purpose of unlocking negotiations, even without the commitment of own government.

Also in this category enters the international parliamentarians that have the capacity to act both individually (meaning the reporters of various parliamentary committees), as well as in a group (such as parliamentarians in the framework of the Parliamentary Assembly of the Council of Europe, European Parliament lawmakers, and lawmakers from various other international parliamentary assemblies).

As regards international practice[17] it can speak both of internal parliamentary diplomacy (such as diplomacy, directed principally at addressing differences which may arise between Member States of a certain organizations) and foreign parliamentary diplomacy, an example of this being what diplomacy seeks mainly to solving foreign problems that may be flagged within an organization.

Economic Diplomacy - mainly aims at the representation of all economic interests within a State, as well as representing the economic interests of the various economic operators in that State in the international environment.

Economic diplomacy[18] includes the totality of economic negotiations completed by the conclusion of bilateral economic treaties or multilateral treaties.

Economic diplomacy can be in turn in several ways, namely:
- Diplomacy development
- Environmental diplomacy
- Integration of environmental diplomacy
- Resource diplomacy, etc.

From the point of view of representation, diplomacy[19] may be:
- Governmental diplomacy - consists of the activities are carried out by certain persons with a view to the hire their own States to achieve various objectives of foreign policy.
- Integrated diplomacy - consists in employing diplomatic bodies and various international institutions both at national level and at the level of the States- European Commission EU.

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[15] See K. Henrikson, *Diplomacy for the 21ˢᵗ century:'re-crafting the old guild'*, Wilton Park, 1997.

[16] http://www.utgjiu.ro/revista/jur/pdf/2011-1/14_GABRIEL_LIVIU_ISPAS.pdf, (Accessed on 10 January 2017).

[17] See J. Goldsthein, *Relaţii internaţionale*, (Editura Polirom, Iaşi, 2008), 44-46.

[18] See Radu Șerban, *Diplomaţie Economică Europeană*, (Editura Tribuna Economică, 2010), 47-49.

[19] See Cristina Paiusan-Nuica, *Istoria relaţiilor internaţionale şi a diplomaţiei 1945 – 2008*, (Editura Fundaţiei România de mâine, Bucureşti), 23-34.

- Non-governmental diplomacy - not involving the hiring of Governments by certain representatives of non-governmental type of institutions.
- Personal diplomacy - takes place at the level of political people, which subsequently can generate various governmental actions.

In terms of space deployment, diplomacy may refer to:

- Bilateral – takes place only between two States.
- Multilateral - involves the participation of large number of States, within the bodies of various conferences, programs, and organizations.

In terms of time, diplomacy may refer to:

- Permanent diplomacy - has a permanent character, achieved by means of various institutions and diplomatic missions, consular offices and international organizations.
- *Ad hoc* diplomacy - includes all diplomatic actions taking place temporarily by various people that are specially delegated for this purpose.

From the point of view of transparency, diplomacy may be:

- Open diplomacy - gives the public the opportunity to know the contents of diplomatic actions, as well as the manner in which they may exercise.
- Confidential diplomacy - diplomatic negotiations as well as diplomatic actions will be carried out without the public to be informed.

NATO AND THE STABILITY OF THE EURO-ATLANTIC ZONE

Various mutations, which sometimes have been radical, that have been observed in recent years globally have prompted a rebalancing of political forces, with effects that were reflected mainly in international life, which entered a cone of unprecedented complexity.

The events that shook the world on 11 September 2001 have garnered numerous major changes after them both politically and diplomatically, the interest in the factors that may determine, both globally and at the regional level, the major crises in the political plan, the economic plan in social or even in the spiritual plane increasing exponentially.

Unfortunately, all crises[20] what followed after September 11, 2001 had asymmetrical ways at the level of international relations, which has attracted over time numerous unknowns in the field of international security environment, with effects on international relations.

Traditionally, any question of insecurity (crisis, conflict, etc.), as well as all the problems that are related to safety (stability, cooperation) are in close dependency with the ability of a State to manage them, to control them[21].

Globally, in 2015, the power of a State[22] (regardless of its size and busy world) cannot be quantified only in its military dimension (i.e. the potential maximum power), but also by joining the economic potential of the State, of diplomatic ability and capacity, as well as technical and information potential.

So is made that, in order to be able to ensure a balance of security and stability at global level, it is necessary to analyze image characteristic overview of every State (high or low),

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[20] http://en.wikipedia.org/wiki/Financial_crisis, (Accessed on 10 January 2017).
[21] See Mărcău Flavius Cristian, Ina Raluca Tomescu, "Coordinates of NATO – EU cooperation", in proceedings *Strategic changes in Security and International Relations*, 2014, pp. 258-265
[22] See Henry Kissinger, *Diplomatie*, (Hardcover, 2006), 34-39

economic potential, military, technical and information thereof causing major changes to the system of international relations.

In international politics, with all that implies, it became a topic very interesting not only for the great analysts of the world, but also to the ordinary citizens of the different States involved active or passive in various geopolitical transformations.

Contemporary political phenomenon has seen major changes, specific analysis techniques which in a continuous process of reassessment. Whether the spotlight is located inside a State policy or political relations of various countries of the world, a special interest is paid

- Ongoing assessment of developments in the international political arena, "the actors" of the world, but the position of the areas prone to conflicts.
- The analysis of successes, as well as the failures of the great countries of the world are characteristic
- Identify all sources that can be generated at any given time a military crisis, a political crisis or an economic crisis
- Identification and analysis of all the underlying causes of a behavior focused on the use of force, by some "players" in the relations between the various countries of the world

The current international environment is much more complex and more dynamic compared to the one only a few years, which has caused over time a multiplication of perspectives and analysis techniques.

Increasingly frequent instability receives a level of international environment, which is generated by different processes and phenomena that cannot be anticipated, predicted, resulted in an exponential-type development of related explanations of the causes that might underlie them.

The end of the cold war has entailed many consequences, on the various plans; the most affected being the political and diplomatic plan. Many were those who refused to believe that the end of the cold war will have major and lasting influence on the level of international political life,[23] while various renowned politicians and analysts were quick to overstate.[24]

Thus, at the end of the 1980s it was the total compromise of the Communist system[25] and its ideology, at the level of the Eastern European Communist power, the great Soviet Union, gave it the status of a political leader, briefly causing the break-up.

In addition to the disappearance bipolarism at the European States, has been found and the evaporation quite precarious equilibrium existing between States improperly bounded East-West. The whole Euro-Atlantic space, joined in a lasting transition to the new security system, permanently altered power relations in a continuous state of fluency.

The main character was the basis of all changes have occurred on the international scene of political life, at the end of the cold war, was none other than the Soviet leader, Mikhail Gorbachev, considered by many analysts as a "man of great strategic errors."[26]

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[23] See Toffler, H., Toffler A., *Război şi Anti-Război, Supravieţuirea în zorii secolului XXI*, traducere Columbeanu, M, (Bucureşti, 2005), 279-286.

[24] See Fontaine, A., *Istoria războiului rece*, vol. I, II, (Bucureşti, 2004), 76-77.

[25] Mărcău Flavius Cristian, „Democratization in the former communist state: imposition or necessity?", *Research and Science Today,* No. 1(7)/2014, March 2014, pag. 81-85

[26] See Brzezinski, Z. *Marele eşec. Naşterea şi moartea comunismului în secolul douăzeci*, (Editura Humanitas, Bucuresti, 2005), 23-24.

The Soviet leader was accused in the late 1980s that the political scene is located "on the threshold of some mutations radical," forecasting sales "a watershed scale concerning the meaning and history," for what was to become "a new civilization."[27]

At the end of the cold war nor a politician or political analyst did not know which will be redefining the European space, how will it evolve super geopolitical power of the former USSR, and what influence it will have[28].

Few were those who were able to assume in what ways will be affected international politics of disappearance, under bipolarism mutations common Pacific,[29] as well as the nature of the relationship that will establish between major Western powers, which have been declared winners at the end of the cold war, or who will be the evolution of the Euro-Atlantic Partnership.[30]

All events took place rapidly and had a scale well above the forecasted value, all the major powers trying to find new solutions in the new era of imposing what is opened. United States of America, the biggest winner from the conflict between East and West, it panicked, trying to predict who will be the future of the NATO Alliance, but also reasonable solutions to ensure safety at European level, after the fall of the Communist block and the dissolution of the Soviet Union.[31]

The "two worlds" of Europe, which had founded at the end of World War II, have disappeared as a result of wear and tear, European States being again placed as the new standards after remodeling geopolitical imposed,[32] in order to find the ideal solution for achieving global security.

Things have, unfortunately, not at all according to the forecasts, the main poles of power multiplying quickly; however what drew exponentially environmental visions of security and hence making the very difficult process of finding a security solution, widely accepted.

Globally, conversions were quite large, but also in the context of accelerated, which significantly decreased the ability of major "players" of the world international to control factors that could determine the true political crisis, economic or social level.

In addition to the growing phenomenon of centers of power, has increased and more and more attraction to the various subjects involved in the equation of power globally should be asymmetric.

Thus, in addition to the potential of each State involved in the equation of power, have been added and potential diplomatic, scientific and technical potential, as well as economic potential.

The phenomenon of United Europe can be considered, rightly, as the top major events in recent years resulted in a turnaround of the map power poles at the global level. And that's exactly why, so the rest of the world, as well as that of the Europeans, will depend on the ability and ability displayed by the main poles of power in solving problems inherent in security, but also on the ability to balance the various interests in the premises.

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[27] See Gorbaciov, M., *Memorii*, traducere de Pontbriant R., ediţie îngrijită, note şi anexe de Dan P., (Editura Nemira, Bucureşti, 1994), 19; see Mărcău Flavius Cristian, „Revolution of <<the ten years>> from Poland", *Research and Science Today Supplement*, No. 3/2015, July 2015, pag. 124-129

[28] Mărcău Flavius Cristian, „Democratization in the former communist state: imposition or necessity?", *Research and Science Today,* No. 1(7)/2014, March 2014, pag. 81-85

[29] See Hlihor, C., "Confruntarea Est-Vest la începutul războiului rece," in *Dosarele istoriei*, an. III, nr. 20, pag. 21.

[30] See Kissinger, H., *Are nevoie America de o politică externă? Către diplomaţia secolului XXI*, (Editura Incitatus, Bucureşti, 2002), 34-36.

[31] See Bush, G, Scowcroft, B, *A World in Transformation*, (Vintage Book, New York, 1998), 230-231.

[32] See Messmer, P., "Le noveau contexte geopolitique," in *Defense nationale*, nr. 2, 1995, 10.

Any disposal of interest in a centre of power can create a serious imbalance in the level of security of global geopolitical scenario, despite what would be the basis for such decisions.[33] The so-called "bipolar world" that ruled during the cold war, was gradually replaced by three power poles, i.e. Europe, the Americas and Asia-Pacific.

The European continent is much smaller compared to the other two centers of power, which is why he will be forced, in his conception Morin, to go through the "two apparently contradictory, but conversions in the background. One is to surpass the nation and one that reduces us to the Province."[34] Morin considered that Europe has the chance to develop into a continent with a multi-faceted identity only if manages to become at the same time, "province" and "meta-nation."[35]

Many are analysts who concluded that Europe's security architecture cannot be found on the famous formula "continent of Nations" but also on the idea of the mainland regions, treated extensively by Jean Fouéré, in called "l'Europe aux cent drapeaux."[36]

Thus, the author manages to bring out the fact that along its evolution, Europe strengthened structure, but also architecture based on relations between States, based on the three models. The third pattern revealed in his work by Jean Fouéré considering Europe regions, often mentioned by numerous geopolitician and political analysts.

The term "regional identity" means, in the view of many political analysts, geopoliticians and a number of spaces and historical-cultural landscapes with identifying specific regions. Worth reportedly is that these regions "point of view, it does not always coincide with the current borders of a State,"[37] a specific community may identify as part of several territorial structures, and within a region and can co-exist what many authorities are distinct as the membership of a particular area of Linguistics times.

One of the solutions considered by analysts as being viable for a new organization at the level of Europe is regionalization, including what ethnicity is highlighted within the State type. It is well known that in a State of the nation, the Government type is found often to be very complicated, particularly with very bureaucratic administrations, deficient, but schedules and oppression of individuals from different social statuses and/or economically.

At the opposite pole of the State-nation can learn state-region, it having the ability to provide individuals the opportunity to participate actively in public life, knowing fully well the situation[38].

It is already well known that the phenomenon of globalization involves numerous processes that can often be contradictory as well as dissolution of the barriers, limited market foreclosure time's fundamentalism.

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[33] See Hlihor C., "Noua arhitectură de securitate în Europa," in *Strategii XXI*, Supliment al Buletinului AISM, nr. 2/1997, 50.

[34] See Morin, E., *Penser l'Europe*, Paris, Gallimard, 1990, p. 231.

[35] Morin, E., *Penser l'Europe…*, 235.

[36] See Bădescu I and Dungaciu D., *Sociologie şi geopolitica frontierei*, vol. II, Editura Floarea Albastră, 1995, 1-9. See also Blumenwitz, D., "Regionalismul transfrontalier - un instrument posibil de atenuare a conflictelor," in *Strategii XXI,* nr. 3 / 1998, pp. 36-41, Rostov W., *From Globalism to Regionalism*, pp. 151-166, *Annual Report to the President and the Congres*, US Government Printing Office, Washington D.C. 20402, January 1991, *Les defis pour la societé europeene a l'aube de l'an 2000*, *La coopération transfrontalière dans le cadre de l'amenagement durable du territoire en Europe centrale, Vienne*, 1993.

[37] See Bădescu I and Dungaciu D., *Sociologie şi geopolitica frontierei*, vol. II, Editura Floarea Albastră, 1995, 9-10.

[38] See Niculescu I., "Geopolitica - un nou început?," in *Euxin. Revista de sociologie şi geoistorie*, nr. 1-2/1997, Bucureşti, pp. 89-94. See also Vlădescu R., "Geopolitica entităţilor," in *Euxin. Revista de sociologie şi geoistorie*, nr. 1-2/2007, Bucureşti, 95-98.

So it's done and the fact that at this point the challenges and threats to security have begun to increasingly more frequently global in character, adding to those the new threats and challenges, namely weapons of mass destruction terrorism times.

Globally, producing more and more acts of violence what are motivated (or not) of various ethnic or religious discord. Amid the collapse of the economic structures of the traditional type, the global economy, new models of political authority, as well as disruption of the image are generated by various cutting-edge information technologies,[39] these acts of violence with quite a lot of it easily exceed the boundaries of the State, leading to a significant increase of the role and its place in the North-Atlantic Alliance.[40]

So it makes the fact that, under the current security environment, the North-Atlantic Alliance has a major role in ensuring the stability of the euro-Atlantic area, but also of the global space.[41]

Through various military actions or through the management of various crises, organized either on their own behalf, either under the aegis of the United Nations, as well as through the collaboration with various international security organizations, the North-Atlantic Alliance can be regarded as a political-military organization of collective defense and security.[42]

NATO is the main character of the space of global security, the stability of the Euro-Atlantic zone and permanently extending their area of influence and other spaces in the various sections, of which the crisis situations, conflicts and tensions.[43]

Today's security environment, which sometimes proves to be extremely fragile, requires close cooperation between the North Atlantic Alliance and the European Union in this way succeeding is countering the various risks and threats to global security.

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[39] See Kissinger H., *Are nevoie America de o politică externă? Către diplomaţia secolului XXI*, (Editura Incitatus, Bucureşti, 2002), 744-746.

[40] See G. Iordache - Olaru B.G., "NATO and Stability's Projection. New Missions, New Procedures," in *Romanian Military Thinking*, no. 1, 2005, Military House, Bucuresti, 90-92.

[41] See Mărcău Flavius Cristian, Ina Raluca Tomescu, "Coordinates of NATO – EU cooperation", in proceedings *Strategic changes in Security and International Relations*, (UNAp, Bucuresti, 2014), 258-265.

[42] See Duţă Paul, „The African routes of economic migration" in *International Scientific Conference Strategies XXI", Volume I,* 2016 "Carol I" National Defense University, *Romania,* 120-133.

[43] See Mărcău Flavius Cristian, "Security as a determining factor of quality of life in a state from an insecure regional area," *Analele Universităţii „Constantin Brâncuşi" din Târgu-Jiu*, nr. 4/2015, Seria Litere şi Ştiinţe Sociale, Editura „Academica Brâncuşi," 77-85.

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TRUEXIT BEFORE BREXIT

Vlad JEGAN[1]

ABSTRACT:
CONTRARY TO MANY POPULAR BELIEFS, BREXIT ISN'T A STARTING POINT BUT A FAIR RESULT. THE EVENTS LEADING TO BRITAIN'S RETREAT FROM THE EUROPEAN UNION SHOULD BE OVERLOOKED TO PROPERLY UNDERSTAND HOW AND WHY THE BRITONS OPTED OUT. FAILING TO CONSIDER THE DANGERS THAT CONSTANTLY KNOCK ON EUROPE'S DOOR, THE EUROPEAN UNION SEEMED TO HAVE DONE LITTLE TO ENSURE THE SAFETY AND CONTINUITY OF ITS COMMUNITARIAN PROJECT.
BEFORE THE BRITISH MEMBERSHIP REFERENDUM, EUROPE HAS SUFFERED A SEVERE DECLINE IN BOTH TRUTH AND EQUALITY. DUE TO CONSTANTLY MANIPULATED PRESS SPEECH, FAKE NEWS PROPAGANDA AND LACK OF CELERITY, I BELIEVE THAT THE FIRST LOSS FOR THE EUROPEAN UNION WAS THE LOST OF TRUTH, THUS THE TRUEXIT CAN BE PUT EITHER IN TERMS OF TRUTH EXIT OR TRUE EXIT.

KEY WORDS: BREXIT, EUROPEAN UNION, FAKE NEWS, INEQUALITY, POST-TRUTH

THE BEGINNING OF A DESCEND

Fostering economic cooperation at first, the European Union (EU) wasn't a purely economic construct meant only to promote trade inside the union, but a distraction from social conflicts and most important, a barrier in front of a new world conflagration.[1]

Although it has grown rather quickly, inviting many states which were insufficiently prepared to join the single market, the EU is considered today, to be one of the most important economic and political partnerships in the world, involving 28 states before the Brexit.[2]

It is undeniably that the EU played an important part in Europe's rebuilt, in both economic and social sections, promoting important values and supporting other countries to pursue the democratic trajectory that the western world has developed successfully.

Moreover, the importance of its existence is strictly linked to the development of ex-communist countries, and other flawed democracies all over Europe.

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[1] See Hazel Smith, *European Union Foreign Policy: What It Is and What It Does*, Pluto Books, 2002, http://www.jstor.org/stable/j.ctt18fs34h. pp. 224-266 (Accessed March 3, 2017)
[2] See https://europa.eu/european-union/about-eu/countries/member-countries_en. (Accessed on March 3, 2017.

Nevertheless, the motor-states: Germany, France, Italy, Great Britain, had their share of interests reached, having to do with a wider approach on markets, work force and of course strategic placements.

Putting aside the non-combat arguments that lead to a broad economic cooperation and even to a joint security plan between its members, the EU brought to the table new measurements of progress.[3] Along with a wide set of rules, a European citizenship, its own currency and a wealthy budget, the EU increased transparency within states and has motivated local governments to assure improvements in areas of transportation, social tolerance and diversity, environment protection, human rights and much more.[4]

Many of the member states had developed constantly and reached a blooming economy that allowed better incomes and a decrease in poverty among their citizens. What consolidated the European Union's plan was the tendency for globalization that forces nation-states to focus more on acting as an economic growth promoter for their national economies than as a protector of the national identity or a nationalist project.[5]

Due to its success, globalization represents nowadays a constant wave that carries progress, development, well-being and safety, around the world.[6]

It is without any doubt that we have to thank globalization for many of our present accomplishments, such as increased security, cooperation between states and other economic entities, and of course the free movement of people and information, into every corner of the planet. Finally, it brought peace[7], due to the increased interdependence between states, which are constantly seeking bargains and new economic opportunities.[8]

Nevertheless, in the past few years, having to do with inequality and lack of proper representation, most of the European citizens, have been unhappy towards European policy-makers and their ideas. Thus, extremist views and nationalism, as well as a constant negative attitude towards politics and politicians had increased substantially.

What Brexit highlighted so well, was in fact, an incommensurable change in how different societies perceive their leaders and the policies which they support. The fact that Britain shake up overnight, waking the next day without a Prime Minister and taking upon the article 50 from the Lisbon Treaty,[9] represents only a signal that is now visible from and within many countries around the world.

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[3] See https://ec.europa.eu/info/statistics_en. (Accessed March 3, 2017).

[4] See http://ec.europa.eu/eurostat/data/browse-statistics-by-theme. (Accessed March 3, 2017).

[5] See Martin Carnoy and Diana Rhoten, "What Does Globalization Mean for Educational Change? A Comparative Approach," in *Comparative Education Review* 46, no. 1, 2002, (Accessed March 4, 2017), 3.

[6] Duţă Paul, "The free movement of persons and the borders of the European Union", *Research and Science Today* No. 2(6)/2013, Academica Brâncuşi Publishing, Tîrgu Jiu, 2013, 96-108.

[7] See http://www.economist.com/node/3194365. (Accessed March 4, 2017).

[8] See Mărcău Flavius Cristian, "Security as a determining factor of quality of life in a state from an insecure regional area," *Analele Universităţii „Constantin Brâncuşi" din Târgu-Jiu*, nr. 4/2015, Seria Litere şi Ştiinţe Sociale, Editura „Academica Brâncuşi", 77-85.

[9] See http://www.lisbon-treaty.org/wcm/the-lisbon-treaty/treaty-on-European-union-and-comments/title-6-final-provisions/137-article-50.html. (Accessed March 4, 2017).

FAKING TRUTH, FAILING CONFIDENCE AND GLOBALIZATION

The increase in popularity of Hungary's Prime Minister, Viktor Orbán,[10] along with the imminent threat of leaving the EU from the Polish governors,[11] are two examples of embraced Euroscepticism.

In France, Marine Le Pen has become the leading candidate of the soon to come presidential elections (May, 2017).[12] Across the ocean, the success that Donald J. Trump has had during last year's presidential elections,[13] clearly stated that a change was imminent.

The corruption protests held in Romania[14] and France[15] at the very beginning of 2017, closely suggest the same popular discontent towards present leaders and their failure of misunderstanding the actual social and economic context.

What most of the politicians refuse to acknowledge is that the social movements all over Europe, and across the Ocean in the United States of America,[16] come as a response to their actions. Our societies' contemporary issues, go far beyond the unfair prices and wages, inconclusive laws, health care issues, poor administration reforms, and reach down to a point in which all these fade away, leaving the main stage for growing inequality, scarce representation and constant manipulation throughout media and press (both written and online)[17] This allows people of modest means and people of higher income to lead almost separate lives.[18] They shop, eat and go to different schools and social activities, striving in inequality and soon to be the actors of social conflict and condescending discourse.

Going back to the Brexit case, studies have shown that regarding the question of leaving the EU, the British society was divided by age, between those elderly and those which are young; by income, between the poor and the wealthy; by education, between those that are barely educated or even uneducated, and those with tertiary education.[19] Every representative of a category presented above, was subject to a YES or NO answer when asked how they feel about leaving the EU.

It seems that the polarization of the British society is more important than we might think.[20] Soon after the results of membership polls have been shown to the population, the split between the groups mentioned, transformed into racist abuse, xenophobia, extreme nationalism and

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[10] See http://www.reuters.com/article/us-hungary-orban-idUSKCN0SV1J020151106. (Accessed March 4, 2017).

[11] See http://www.telegraph.co.uk/news/worldnews/europe/poland/12115486/What-Union-does-Poland-want. html. (Accessed March 4, 2017).

[12] See http://www.independent.co.uk/news/world/europe/marine-le-pen-latest-french-presidential-election-polls-emmanuel-macron-francois-fillon-fn-a7595386.html. (Accessed March 4, 2017).

[13] See http://www.nytimes.com/elections/results/president. (Accessed March 4, 2017).

[14] See http://www.aljazeera.com/indepth/opinion/2017/02/romania-protests-corruption-170207100017012 .html. (Accessed March 4, 2017).

[15] See http://www.euronews.com/2017/02/20/from-romania-to-france-protests-against-corrupt-politicians. (Accessed March 4, 2017).

[16] See http://edition.cnn.com/2017/02/04/politics/us-protests-trump/. (Accessed March 4, 2017).

[17] See http://www.bbc.com/future/story/20170301-lies-propaganda-and-fake-news-a-grand-challenge-of-our-age. (Accessed March 4, 2017).

[18] See Michael J. Sandel, *What money can't buy. The moral limits of markets,* London: Penguin, 2012, 5-8.

[19] See http://blogs.ft.com/ftdata/2016/06/24/brexit-demographic-divide-eu-referendum-results/. (Accessed March 3, 2017).

[20] See http://www.economist.com/news/britain/21701257-results-paint-picture-angry-country-divided-class-age-and-region-country-divided. (Accessed March 4, 2017).

hatred.[21] As shown, politics isn't just about who's rightist or leftist. It can now be put in terms of who is with or against something that is inflicted upon those with modest means of informing themselves, ignorant, or maybe with a low level of education.

The fight against the system, against EU or the present policy-makers is in fact a fight against globalization as a concept. Studies had shown that in the Brexit case, leave vote was strongest in regions that benefit the most, economically, from the EU.[22]

This obviously suggests that among those who benefit directly from the EU free market and policy, lives a majority of people that doesn't feel like they are earning anything on the social contract that the EU membership implies.

The fact that people need their borders back,[23] or even feel the need to build new ones, in spite any nationalistic theory, represents a serious challenge towards democracy and even safety.[24] The new channels of communication and the ease of accessing news, that globalization has brought us, has also a downside. "While immigration control was traditionally an exercise of state sovereignty, globalization challenged this assumption by facilitating the movement of people around the world."[25]

Newly fake news propaganda and manipulation methods reveal a weakening side of democracy. Democratic redistribution methods aren't the only problem that democracy is facing nowadays.[26]

Closely after the 2008 world crisis, people's perception towards democratization has changed. A European Union study of quality of life published in 2015 reports that almost 38% of Europeans have low satisfaction with their material living condition.[27]

Although it didn't happen overnight, there was a decrease in democratization and promotion of democratic values that leaves us today with large areas being covered by new extremist political movements.[28] These new movements that encourage a change of perspective and have a populistic approach on citizens tend to easily grow and alter civic education and public perception on reality.

The fact that reality and truth are no longer associated and the gap between public perception and empirical evidence has enlarged, we move towards a post-factual society were truth and lies have equal status.

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[21] See http://www.independent.co.uk/news/uk/home-news/brexit-eu-referendum-racial-racism-abuse-hate-crime-reported-latest-leave-immigration-a7104191.html. (Accessed March 4, 2017).

[22] http://blogs.ft.com/ftdata/2016/06/24/brexit-demographic-divide-eu-referendum-results/. (Accessed March 4, 2017).

[23] See Valsamis Mitsilegas, "Immigration Control in an Era of Globalization: Deflecting Foreigners, Weakening Citizens, and Strengthening the State," in *Indiana Journal of Global Legal Studies* 19, no. 1, 2012, 3-4, (Accessed March 4, 2017).

[24] Duță Paul, "The migration policies and multiculturalism of the European Union", *Research and Science Today* No. 1(7)/2014, Academica Brâncuşi Publishing, Tîrgu Jiu, 2014, 61-81.

[25] Duta, *The migration policies and multiculturalism of the European Union…,* 4.

[26] Mărcău Flavius Cristian, Ina Raluca Tomescu, "Coordinates of NATO-EU cooperation", in proceedings *Strategic changes in Security and International Relations*, (UNAp, Bucuresti, 2014), 258-265.

[27] See Pelz, William A., "Europe Falls into the Twenty-First Century," in *A People's History of Modern Europe*, London, Pluto Press, 2016, p. 216. http://www.jstor.org/stable/j.ctt1c2crfj.20. (Accessed March 3, 2017).

[28] See https://infographics.economist.com/2017/DemocracyIndex/. (Accessed March 4, 2017).

LIVING IN A POST-TRUTH SOCIETY

The concept of post-truth[29] was awarded by the Oxford Dictionaries[30], the distinction of Word of the Year 2016.

Unlike any other model known by us today, the post-truth society derives from the ability of those that lead, to persuade those that are led, into believing that what they think is right, unequivocally, ignoring clear evidence by falsifying the truth.[31]

By appealing to emotions, a common enemy reinforced social conflicts and long forgotten animosities, more and more people find themselves manipulated into thinking and doing something, later to discover that it wasn't their made.

Of course, in some cases those that are manipulated don't even find out as they are blinded by their naivety or in some cases, lack of education.

What Tocqueville discovered in the nineteenth century was valid then as it is now.[32] The tyranny of majority, which settles the best in the countries with high degrees of confidence in their government, is now trying to find stable ground in various hosts.

The danger it assumes is tremendous. As extremist movements coil around Europe's neck, and new type of 'exits' prepare to get attention and fill everyone's mind, we should ask ourselves if there is still hope and space for maneuvers.

Being economic with the truth and spreading deceiving information may represent two challenges that we all must face today, regardless of our social backgrounds, wealth, ethnicity or religion. Sadly, those vulnerable in front of manipulation have minimum chance of avoiding misleading truths, while those with sufficient knowledge don't usually fell into these traps.

This represents an intellectual terrorism, which alters reality and uses people, to reach certain results. Undermining the truth sometimes leads to political gain and access to power. Moreover, it corrupts institutions meant to be moral and honest, covering the entire spectrum from law to economic entities.

CONCLUSIONS - WHY IS TRUTH IMPORTANT?

Throughout the Romanian culture, travels a short yet very popular proverb stating that there is a piece of truth in everything. Although it is considered folklore, what is interesting is the fact that it had gone unnoticed, being used in many daily contexts.

Used frequently during elections, post-truths are decisive, especially in rural communities where people are easily manipulated due to their validation system which is strictly influenced by feelings and faith rather than clear facts.

But why is truth so important? Firstly, is because lying is wrong and immoral. Lies are corrosive towards our souls and mislead us into believing something that is untrue and meant for others to corrupt their way in one sense or another.

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[29] See Ralph Keyes, *The Post-Truth Era: Dishonesty and Deception in Contemporary life,* St. Martin Press, 2004, 5-9.

[30] See https://en.oxforddictionaries.com/word-of-the-year/word-of-the-year-2016. (Accessed March 5, 2017).

[31] See http://www.economist.com/news/leaders/21706525-politicians-have-always-lied-does-it-matter-if-they -leave-truth-behind-entirely-art?fsrc=scn/tw/te/pe/ed/artofthelie. (Accessed March 5, 2017).

[32] See Alexis De Tocqueville, *Democracy in America*, Volume I, 2006, The Project Gutenberg EBook #815, http://www.gutenberg.org/files/815/815-h/815-h.htm. (Accessed February 10, 2017). See also Alexis De Tocqueville, *Democracy in America*, Volume II, 2006, The Project Gutenberg EBook #816, http://www.gutenberg.org/files/816/816-h/816-h.htm. (Accessed February 10, 2017).

In politics, we frequently hear how lying and corruption are fundamental. If so, the moment we give our vote and trust, whenever facing an election polls, we are confident that those elected will mislead us. Of course, nowadays we strive in mechanisms that struggle against corruption and braking the law, but we ourselves fail when needed to take act against promoting such deceiving behavior. We shouldn't grant from the start any vote towards those of which we aren't well informed of.

Taking things for granted, usually on sympathy or other manipulative incentives, is wrong. It is insufficient when choosing our representatives to act impulsively and irrational. Competing against soft-despotic mechanisms is certainly challenging, yet with a short amount of attention and fact-checking, we can protect ourselves from being deceived.[33]

Clearly, there are many societies in which insufficient education and lack of modern meaning of communications make fighting against this phenomenon almost impossible. Before we can move forward and feed on globalization's fruits, we mustn't leave behind anyone, regardless of their level of education, naivety or the simple fact that they maybe are naïve or unprepared to face modern technology.

In conclusion, Brexit wasn't a starting point but a mere a result. Endangering moral aspects and being dishonest towards society represents a dangerous threat when addressing democracy and fair representation. Although its birth is not contemporary, post-truths harness disappointment that may soon result in conflicts, radical behavior and social change.

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[33] See http://www.huffingtonpost.co.uk/dr-andrew-crines/the-fight-against-the-pos_b_14763806.html. (Accessed March 6, 2017).

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18. http://www.telegraph.co.uk/news/worldnews/europe/poland/12115486/What-Union-does-Poland-want.html.
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THE MANAGEMENT OF BUSINESS FINANCING FROM EUROPEAN FUNDS

Ana Corina BORCOȘI[1]

ABSTRACT:
THE ENTERPRISES ARE BEGINNING, GENERALLY WORK WITH ONE BUSINESS. IF THE ENTERPRISE IS SUCCESSFUL, IT WILL GROW BY ADDING NEW BUSINESS BY INCREASING THE NUMBER OF CUSTOMERS BY DIVERSIFYING THE PRODUCTS OFFERED OR THINKING OF NEW WAYS TO MEET CUSTOMER NEEDS. BUSINESS FINANCING BOTH THEIR DEBUT AND THEIR DEVELOPMENT CAN BE DONE FROM OWN SOURCES AND FROM SOURCES OF EXTERNAL FINANCE, THE BEST OF WHICH ARE EUROPEAN FUNDS. THE PAPER AIMS TO PRESENT THE IMPORTANCE OF BUSINESS FINANCING FROM EUROPEAN FUNDS.

KEYWORDS: BUSINESS MANAGEMENT, EU FUNDS, BUSINESS PLAN, THE APPLICANT'S GUIDE

1. INTRODUCTION

The business is organized effort of some people to produce and sell for profit, goods and services that meet societal demands. Business management is considered to be a set of activities, methods and processes of resource utilization in order to achieve the desired objectives. European funds are the most efficient source of financing for businesses and society. Use of funds is achieved with reduced costs and increases productivity.[1]

The EU is developing policies they implement in the 28 Member States through programs that include areas such as education, health, agriculture, research and innovation, SMEs, culture etc. All these instruments of action are combined in an economic recovery program planned for 2014-2020. For 2007-2013, the absorption rate of structural and cohesion funds in Romania was 61.57%, being considered, unfortunately, a low rate of absorption[2].

2. EUROPEAN FUNDS AND THEIR IMPORTANCE

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[1] Bușoi, C., Țurcanu, M. – Ghid pentru accesarea fondurilor europene
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[2] Bușoi, C., Țurcanu, M. – Ghid pentru accesarea fondurilor europene
http://www.cristianbusoi.eu/fisiere/pagini_fisiere/Ghid_pentru_accesarea_Fondurilor_Europene_SINGLE_PAGE_(1).pdf

Structural funds and European investment policy is the main investment instrument of the European Union [3]. Structural funds and European investment are:
- European Regional Development Fund;
- European Social Fund;
- Cohesion Fund;
- European Agricultural Fund for Rural Development;
- European fund for fisheries and maritime affairs.

The European Union has pledged to create jobs more and quality, but also a socially inclusive society, according to the Europe 2020 goal of European funds is to support the Europe 2020 Strategy, the economic and social. Romania receive in 2014-2020 a financial allocation of EUR 30.84 billion from European funds, adding national contribution of 5.63 billion EUR, Romania thus having a total budget of EUR 36.47 billion for investments various fields. In Romania, programs financed from EU funds in 2014-2020 are[4]:
- Operational Programme Big Infrastructure;
- Regional Operational Programme;
- Operational Programme Administrative Capacity;
- Human Capital Operational Programme;
- Competitiveness Operational Programme;
- Technical Assistance Operational Programme;
- National Rural Development Programme;
- Operational Programme for Fisheries and Maritime Affairs;
- Interregional, Transnational, Trans border Cooperation Programmes.

European funds will help[5]:
- improving the country's competitiveness by strengthening links between research, innovation, areas of smart specialization and competitive sectors;
- doubling the value added in the IT sector and increase the number of users of e-government;
- support for SMEs, farms etc. for increasing productivity an survival rates as well as agricultural restructuring;
- investment in energy and using resource efficiency, protecting and preserving the environment;
- investment in the modernization of railways, new roads and subway lines for shortening time travel;
- increasing the employment rate of the labour force, targeting especially young people who do not have a job, do not follow a program of education and training and other vulnerable groups;
- promoting social inclusion and combating poverty and discrimination.

3. THE MANAGEMENT OF BUSINESS FINANCING FROM EUROPEAN FUNDS

Business financing from European funds is realised after elaboration, submission and approval for financing a project that brings together a group of activities that take place over a period of time and which contributes to achieving a common goal, requiring an investment of

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[3] http://www.fonduri-structurale.ro

[4] http://www.fonduri-structurale.ro

[5] http://www.fonduri-structurale.ro

resources to achieve specific objectives[6]. When it is desired to develop a new business or expanding the existing, potential entrepreneurs evaluates existing and projected resources available for future business needs[7]. Businesses must be conducted so new to be perceived as an opportunity rather than a threat.

For example, in the Regional Operational Programme 2014-2020, Priority Axis 2 - Enhancing the competitiveness of small and medium enterprises, the specific objective of this priority is to improve economic competitiveness through increasing the productivity of SMEs. Eligible investments co-financed by this program include:

• Investments financed by regional state aid:
- construction, expansion of the manufacturing facilities / services;
- provision of tangible assets, intangible assets, including online marketing tools;

• Investments financed under de minims aid:
- implementation of the certification / recertification of products, services or processes, quality management systems, environmental or health;
- internationalization (participation at international level, outside of Romania, to trade fairs, trade missions, exhibitions, as exhibitor).

The projects submitted for funding are generally innovative, whose attainment contribute to successful achievement of a mission of the company[8]. Indicators of project implementation can be the following investment categories:
- creating a new production / service provision;
- expanding the capacity of existing units, by increasing at least a product / service related field of activity;
- diversification of output of existing company, the products / services that were not manufactured / provided earlier in the enterprise.

Businesses that applying for funding for eligible categories present in user guide will complete the application form, whose section is filled exclusively in MySMIS, electronic application, and the annexes to the application form. One annex to the application form is and a business plan, which includes:

• firm, which includes a brief description of the company;
• investment - relevant features for the investment made in the company;
• product / service, which are described in detail product / service to be provided / rendered as a result of the proposed investment in the project;
• marketing strategy, especially describing the action plan and the budget of marketing strategy;
• financial analysis and forecasting, which includes the following sets of data and analysis: analysis of the applicant enterprise - the current situation, the project budget and financing plan, financial analysis of the company after finishing of the investment;
• annexes representing any other documents relevant by the project applicant or supporting some aspects of the business plan.

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[6] Androniceanu, A. (coordonator) – Managementul proiectelor cu finanțare externă, (Editura Universitară, București, 2004), 11

[7] Butler, David – Dezvoltarea afacerii, (Editura BIC ALL, București, 2005), 31

[8] Nicolescu, O. (coordonator) – Sisteme, metode și tehnici manageriale ale organizației, (Editura Economică, București, 2000), 210

Applications for funding are submitted in a certain deadline for submission specified. After submission will be a process of evaluation and selection, following the establish beneficiaries of EU funding, which will start running the projects submitted.

CONCLUSIONS

All funds are designed to support socio-economic development.

Business financing from European funds through the elaboration and submission of complex documentation offers the company the opportunity to develop using grants, discover project managers that are dynamics, capable, to promote in the enterprise the exchange of experiences between different organizational subdivision and exchange of experience between them and other businesses.

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PROTECTION OF RIGHTS SPECIFIC TO WORK REPORTS BY MEANS OF THE INTERNATIONAL LABOUR ORGANIZATION

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ABSTRACT:
THE INTERNATIONAL LABOUR ORGANIZATION IS AN AUTONOMOUS ORGANIZATION, WHICH CAMPAIGNS TO PROTECT THE RIGHTS OF PERSONS WORKING. ILO AFFIRMS THE RIGHTS OF ALL PEOPLE, IRRELEVANT OF THE RACE, FAITH OR SEX, TO FOLLOW THEIR MATERIAL PROGRESS AND SPIRITUAL DEVELOPMENT IN THE LIGHT OF LIBERTY AND DIGNITY, IN ECONOMIC SECURITY AND EQUAL CHANCES, AS ANY INTERNATIONAL OR NATIONAL POLICY MUST BE ORIENTED TO THE ACHIEVEMENT OF THESE AIMS. THE TRIPARTITE STRUCTURE OF THE INTERNATIONAL LABOUR ORGANIZATION GIVES AN EQUAL VOICE TO ALL EMPLOYERS, WORKERS AND GOVERNMENTS TO ENSURE THAT THE VIEWS OF THE SOCIAL PARTNERS ARE CLOSELY REFLECTED IN SHAPING POLICIES AND PROGRAMMES AND IN LABOUR STANDARDS.

KEY WORDS: INTERNATIONAL LABOUR ORGANIZATION, THE RIGHTS OF PERSONS WORKING, INTERNATIONAL NORMS, CONTROL PROCEDURES.

INTRODUCTION

The International Labour Organization was created as an autonomous organisation of the Society of Nations by the ILO Constitution, which was adopted on the 11th of April 1919, as part of the Peace Treaty from Versailles. The headquarters is in Geneva, and from the year 1946, it has become a specialised agency of the UNO[3].

The main objective of the International Labour Organization [4] is to establish international norms regarding the work relations and the surveillance of the effective application of the

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[3] "Origins and history", International Labour Organisation, accessed February 10, 2017,
   http://www.ilo.org/global/about-the-ilo/history/lang--en/index.htm.

[4] It was created as an autonomous organization associated to the Nations Society, on the date of 11th of April 1991.

conventions intervened between states, in this domain. For example, within the ILO hundreds of conventions and recommendations which regard issues of social justice in the labour domain have been adopted and elaborated[5].

In the preamble of the ILO Constitution, it is demonstrated that there is a high number of persons for which the work conditions also imply injustice, misery and deprivation, thus invoking the necessity to improve these conditions, to regulate the labour duration, the remuneration, the protection of workers against sickness, work accidents, union freedom and affirming the right to professional and technical education.

By the Declaration of Philadelphia, which was adopted within the International Labour Conference from the 10th of May 1946, one refers to the aims and objectives of ILO, thus reaffirming the general principles of this organization: labour is not some type of merchandise; the liberty of expression and association is indispensible for a supported program; poverty, where it exists, constitutes a danger for everyone's property.

THE RIGHTS PROTECTED BY INTERNATIONAL LABOUR ORGANISATION

The rights for which the ILO militates to be protected are: the right to labour, the right to equitable and satisfactory conditions, the right to establish unions and to freely affiliate to a union, the right to choice, to social security, to a level of satisfactory life, as well as the civil and political rights, such as liberty of expression, liberty of association, liberty of peaceful reunion etc.

As to observe the objectives proposed, the ILO adopted norms and established procedures, also making recommendation to the state in this sense.

The monitoring of the appliance of the provisions belonging to the conventions adopted under the aegis of ILO by the state parties, referring to the human rights in the domain, is achieved by the system of *periodic reports[6],* the analysis of the reports of the states being, ever since the year 1927, in the competence of an expert committee, formed of 20 members, denominated by the Administration Council of ILO.

Within the framework of ILO, the internal bodies of the international organization [7] have the possibility of triggering a control on the observance of the states regarding their obligations related to the observance of the human rights, in the field of activity of this international organization.

When rights specific to labour relations stipulated in international conventions are breached, two control procedures can be exerted: if the complaints of a member state against another member state is referring to this type of breach, the Administration Council of IOM requests observations from the state reported and, in case these observations are considered unsatisfactory, the Council can denominate an *investigation committee* which will verify the reality of the matters disputed as to take the measures that are imposed; the second type of procedure permits the members of the employer's organization or trade unions to present communications (complaints) against any other member state which did not adequately observe one of the conventions to which it adhered, the ILO bodies is obligated to verify the reality of the situation in view of solving the respective complaints.

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[5] Nicolas Valticos, "*The International Labour Organisation", The International Dimensions of Human Rights* 1 (1982): 363 and the following.

[6] The control by means of the state reports, which concern the observance of human rights in the activity domain of the International Labour Organization has both a conventional character, being stipulated by the international treaties, and an internal character, performed based on internal documents of the bodies of this international organization.

[7] The control by means of internal complaints is a procedure with a conventional character.

ILO disposes of bodies charged with the permanent control of the appliance of the international norms in the domain, as well as in the bodies which fulfil, by means of contentious procedures, a quasi-judicial function[8].

Together with the main bodies[9], which embody general competences, within the framework of ILO there are also subsidiary bodies, specialised in the protection of human rights from its domain of activity and namely: *The Committee of experts on applying the conventions and recommendations; the Group of experts for the annual surveillance of the ungratified fundamental conventions; the Committees for analysing complaints; the Committees of Investigation of complaints; the Committee of union freedom.*

The Committee of experts on applying the conventions and recommendations is formed from independent experts, denominated by the Administration Council, at the proposal of the general director. The later has the competence of monitoring the observance of the human rights inscribed in the ILO conventions which are ratified by the member states of the organization, as well as in the ILO recommendations and the procedure of ensuring the observance of the human rights is the control by means of the reports.

The group of experts for the annual surveillance of the ungratified fundamental conventions is founded by the ILO Declaration relative to the fundamental principles and labour rights[10], the experts being denominated by the Administration Council of ILO. The competence of the group of experts relates to the principles regarding the fundamental rights, stipulated in the ILO conventions, which are not yet ratified by each member state. The following are considered fundamental rights: *liberty of association and the effective acknowledgement of the right to collective negotiation; the elimination of any form of forced or compulsory labour; the effective abolition of the child labour; the effective elimination of discrimination related to employment and profession.* The procedural means stipulated for the fulfilment of the tasks of the Group of experts is controlled by means of the reports.

The Committees for the analysis of the complaints are constituted of three members who are designated by the Administration Council, from its own members, based on the principle of tripartism (governmental representatives of the economic organizations, representatives of the trade union representatives – as it principally in the ILO). The competence of the Committees relate to the non-observance of state, of the ILO conventions ratified, and their procedural procedural means used for the control of the complaints formulated by the employee's organizations or union organization.

The investigation committee of the complaints are constituted of 3 members designated by the Council of Administration of ILO. These are competences to analyse the observance by the states of the ILO conventions to which they participate, and the procedure of fulfilling the attributions is that of control subsequent to complaints presented by the state parties at the respective conventions, by the delegations of the General Conference of Labour or the Council of Administration.

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[8] Regarding the special examination bodies of the reports, the Administration Council created two Committies: *The Committee for Appliance of Conventions and Recommendations,* as a body of the International Labour Conference and the *Committee of Experts as to Apply the Conventions and Recommendations of ILO*.

[9] The Administration Council belonging to the ILO and the International labour Office.

[10] It was adopted by the International Labour Conference at the 86th session at Geneva, on the date of the 19th June 1998.

The Committee of union freedom is composed of 9 members, on a tripartite base, created by the Administration Council. Its competence regards the human rights inscribed in the human rights for the two ILO conventions regarding the trade union freedom[11], for which the states ratified them, and the control mechanism is that by means of complaints and demands.

The investigation and conciliation committee regarding the matter of union freedom is composed of 9 members. It is also competent in the matter of the two ILO conventions regarding the union freedom, for the states which are an integral part and the control procedure of observing the human rights stipulated in the two conventions being that of the complaints and reclamations advised at the notification of the Committee of trade union freedom.

The states which are not satisfied with the measures disputed by the PIM can appeal to the International Court of Justice, the procedure being thus adopted by the jurisdictional nature[12].

CONCLUSIONS

The International Labour Organization is an international inter-governmental organization with a universal vocation, which represents an integral part of the system of specialised institutions of the UNO. It was created after the First World War, by means of the Peace Treaty of 1919, the present treaty of this organization being adopted by the International Labour Conference, at the 86th session, in Geneva, on the date of the 9th of June.

The protection of human rights within the International Labour Organization is ensured by its own mechanisms which are stipulated in the constitutive document of this organisation, as well as in the conventions and recommendations subsequently adopted, that develops and also completed it based on the practice.

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[11] The two ILO conventions related to the liberty of association are: the ILO Convention no. 87 from 1948 regarding the union freedom and the protection of the trade union right; the ILO Convention no. 98 from 1949 regarding the right of organization and collective negotiation.

[12] Malcolm Shaw, *International Law*, *Fourth Edition* (Cambridge: Cambridge University Press, 1999), 219.

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THE PREVENANCE OF ENVIRONMENTAL DEGRADATION BY FORBIDDANCE AND ENDORSEMENT OF PROLIFERATION, REMOVAL AND DESERTION OF SOME POLLUTING MATERIALS*

Daniel-Ștefan PARASCHIV[1]

ABSTRACT:
SCIENTIFIC AND TECHNICAL PROGRESS OF HUMANITY, IN GENERAL, HAS AS A SIDE EFFECT THE DEGRADATION OF ENVIRONMENTAL CONDITIONS, SO THAT IT'S REQUIRED THE RESTRAINT OF TOXIC WASTE, THE OCCURENCE OF HARMFUL SUBSTANCES OR COMPONENTS FOR HUMAN HEALTH AND OTHER LIVING CREATURES. MOREOVER, THERE ARE IMPOSED SEVERE MEASURES FOR THEIR INACTIVATION, PROHIBITING THEIR STORAGE IN SOME AREAS OR THEIR EXPORTATION IN THE COUNTRIES WITH A MORE PERMISSIVE LEGISLATION, THAT ARE, USUALLY, LESS DEVELOPED ECONOMICALLY. TO PREVENT SUCH ACTS, IT'S NECESSARY TO PUT MORE EMPHASIS ON THE RESPONSABILITY OF THOSE GUILTY, WITH THEIR OBLIGATION AT THE RECOVERY OF DAMAGES PRODUCED TO THE ENVIRONMENT.

KEY WORDS: ENVIRONMENT, PREVENANCE, POLLUTION, DAMAGES, SANCTIONS.

INTRODUCTION

In a general sense, *the environment* reffers to the natural, physical, chemical, biological, cultural and sociological conditions, sensitive to act on the living organisms and human activities[2].

Civilization led to human dismission of the natural environment, being unable to benefit from his many advantages, health benefits.

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[2] Mircea Duțu and Adrian Duțu, *Răspunderea în dreptul mediului* (București: Editura Academiei Române, 2015), 41.

Protecting the environment is the responsibility of each of us, institutions and global, regional or national duties in this regard so as to ensure better living conditions and to ensuring the health of future generations.

The man later realized quite harmful effects of pollution on nature, so that the activities of industrialization without any respect for nature and its degradation by other activities has already led to a significant degradation of the environment[3].

Until 1950, when it adopted the Convention for the Protection of Human Rights and Fundamental Freedoms, environmental problems were not an important issue in mind public opinion or concerns authorities, which explains the absence of consecration in this Convention, the fundamental right to a healthy environment.

Awareness of environmental crisis in the 1960s led to the emergence of legal rules designed to limit environmental pollution, the emergence of policies, strategies and even certain institutional structures that aim to protect the environment[4].

Improving regulatory and institutional structures to ensure environmental protection and accountability of individuals and legal persons convicted of altering it also applies to the future, the more so since it was found that about 30% of all the factors affecting health is the environment of the population.

Mechanization, automation or chemical processing and industrial agriculture have generated soil, water and air, accumulation of toxic waste - all of which led to the emergence of so called diseases of civilization.

However, the human body adapt to new living conditions is especially difficult as the ecosystem changes are faster. To prevent spoilage accentuated health and to preserve the environment for future generations is an increased focus on reducing polluting the responsibility of those who alter living conditions.

PROHIBITIONS REGARDING THE ENVIRONMENTAL POLLUTION

Globalization, especially in the economic field has the effect of performing activities with a high degree of danger to the environment, especially by transnational corporations, which focuses values important material and have complicated structures, so have imposed regulations to prevent pollution in all fields, both nationally and especially regionally and globally.

Numerous regulations have been adopted in recent years to *conserve biodiversity* and to the regime of *protected areas* and *natural monuments*.

Nature is protected in particular by the establishment of protected areas and the conservation of natural habitats, wild flora and fauna.

Protection and nature conservation are considered as *protected areas*:
- natural reserves, covering areas very beautiful, with unique features or habitats of rare or endangered flora;
- national parks, which aim to protect vegetation, landscape and wildlife in certain areas;
- natural monuments, which include areas or objects (trees, rocks, waterfalls) of great historical or cultural value;
- hunting reserves, aimed at rational management of hunting and nature conservation in agriculture and massive deforestation ban;

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[3] Irina Moroianu-Zlătescu and Octavian Popescu, *Mediul şi sănătatea* (București: Institutul Român pentru Drepturile Omului, 2008), 14.

[4] Mircea Duțu, *Dreptul mediului*, *Ediţia 3* (București: C. H. Beck, 2010), 124 and the following.

- natural parks, which refers to areas where natural vegetation is protected by the prohibition of certain facilities or jobs.

Numerous other regulations are aimed at protecting the soil, subsoil and terrestrial, so the environment is not affected by spatial planning, preparation of forest management, soil erosion control, conducting studies and geological or hydrological by mining, exploitation and conservation of other natural resources etc.

Protection of the atmosphere, atmospheric changes and noise management Ambient is also areas where there were numerous regulations designed to protect environmental pollution by motor vehicles and aircraft, reducing the ozone layer, reducing ambient noise etc.

Regulations on the protection of aquatic ecosystems have been improved constantly in recent years, establishing the legal status of water quality and quantity management of water resources, preventing and combating accidental pollution effects of their economic exploitation of water etc.

Maritime was established principles[5] on the use of underwater territory beyond the limits of national jurisdiction of States and international regulations on the exploitation of natural resources in these areas.

There were also adopted rules for resolving disputes in the resource exploitation of the high seas, and saw the establishment of the International Tribunal for the Law of the Sea, responsible for cases that have not been resolved by agreement of the parties.

With the development of urban settlements with numerous negative consequences on environmental pollution, there were a number of regulations, particularly at the national level on spatial planning, environmental assessment of plans and programs for urban planning, protection of green spaces, etc. so as to ensure normal living conditions of people living in large urban areas.

Taking into account the increase in waste quantity and diversification with the development of economic activities have been adopted numerous regulations regarding the collection, transportation, treatment and disposal and on the responsibilities of those who manage waste.

However, bans were imposed on the movement of waste is prohibited abandoning them or export to underdeveloped countries.

There have been developed also management rules and liability for improperly using *chemical substances and preparations, the Fertilizer and chemical plant protection products and on the regime of nuclear activities*.

In line with progress in the field of modern biotechnology were adopted specific regulations that establish the legal status of *genetically modified organisms*, so they do not affect human health or produce other harmful effects.

LIABILITY FOR ACTS AFFECTING THE ENVIRONMENT

The interaction between man and nature are virtually indispensable ecological harm, but when it was found that they exceeded a certain limit, it was necessary to regulate the legal liability to reduce the negative environmental impacts resulting from human intervention.

Environmental damage, broadly covers environmental damage (damage via the environment polluted or degraded, people and goods, as injury aim derivative), and on the other

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[5] Laura Magdalena Trocan, *Regimul juridic al teritoriilor submarine* (București: C.H. Beck, 2008), 14 and the following.

hand, *the damage caused directly environment* (as damage lens produced immediate environment independent of harming a human interest).

The concept of *ecological damage* should not be confused with the *ecological damage*, the first being an objective fact, and the second involves a subjectivity damage, the damage is borne by a subject of law, therefore the damage to the environment. The same damage can arise more damage, environmental damage is often doubled by a social and subjective[6].

Both internationally and nationally there are many regulations on the liability of causing injury to the environment.

The "polluter pays" principle underlies all forms of liability, but lately promoted the principle of *"social responsibility"* of enterprises, especially after multiplying transnational corporations, which have structures diluted and complicated, focuses substantial resources and activities with a highly dangerous environment.

Social responsibility aims to respect the public interest, fining businesses multinationals, while respecting the fundamental values of a global society[7].

The main role in the field of liability for environmental damage lies with the means of civil and administrative (AAS, prohibitions, offenses etc.), but an important role and criminal law sanctions, which have a predominantly repressive character, intervening to facts worst, which produce most of the time, irreparable damage to the environment.

Civil liability, which aims to recover damages caused by its degradation is the main form of liability.

By particulars of presents, environmental law, form a distinct branch, independent, governed by specific principles so that liability has some peculiarities, of which the most important is considering preventing damage in the future and restoring as much as possible, destruction products, punitive element having a secondary role.

Therefore it was proposed[8] even the establishment of specialized jurisdictions, which may have increased efficiency, as would the specifics of environmental damage and the need to repair their priority; remain in the common law would create some drawbacks and inaccuracies that can not lead to adequate protection of the environment.

CONCLUSIONS

The right to a healthy environment is recognized in most democratic countries, including the Constitution. Although there have been no five decades after the first Conference of the United Nations on Environment (Stockholm, June 1972) they have been adopted numerous regulations nationally and internationally which aim to protect nature and to hold accountable those guilty of degradation so as to ensure better living conditions for the people and for other living things.

The environmental problems require specific solutions flexible to ensure good protection thereof and punishing those guilty and ordered them to restore damage to nature, so as to respond to changes and progress in all fields.

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[6] Mircea Duțu, ”*Considerații în legătură cu delimitarea și corelarea sistemelor (regimurilor) juridice de prevenire și reparare a daunelor ecologice în dreptul român”*, *Dreptul* 3 (2013): 240.

[7] Mircea Duțu, ”*Dimensiuni, particularități și semnificații ale unui drept penal al mediului”*, *Dreptul* 2 (2013): 206-07.

[8] Mircea Duțu, ”*Considerații referitoare la oportunitatea, posibilitatea și particularitățile jurisdicțiilor specializate în materie de mediu”*, *Dreptul* 1 (2013): 179 and the following.

In this regard, it is necessary that the traditional techniques of elaboration of international and national regulations, specific to be *adapted* to the current requirements of environmental protection at national, regional or global levels and to identify the most appropriate sanctions or measures to remedy damage so as to ensure better respect the fundamental right to a healthy environment.

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ORTHODOX PRIESTS OF DOBROGEA DURING THE WORLD WAR I

Claudiu COTAN[1]

ABSTRACT:

IT IS 100 YEARS SINCE ROMANIA JOINED THE WORLD WAR I BESIDE THE ENTENTE. IF IN FIRST PHASE OF THE FIGHTS, THE ROMANIAN ARMY GOT A SERIES OF VICTORIES, IN THE AUTUMN OF 1916, THE ROMANIAN SOLDIERS WERE WITHDRAWING FROM ALL FRONTS. IN DECEMBER, BUCHAREST WAS ACCUPIED BY THE GERMAN SOLDIERS AND BY A FEW BULGARIAN, AUSTRIAN-HUNGARIAN AND TURKISH UNITS. DOBROGEA, WHERE THW ROMANIANS WERE CRUSHER BY THE GERMAN AND BULGARIAN TROOPS, ENTERED UNDER THE BULGARIAN CONTRAL. THE CITIES AND VILLAGES OF DOBROGEA WERE LOOTED AND THE MAJORITIY THE ASSETS PASSED IN THE SOUTH OF THE DANUBE. AFRAID OF WAR, MANY INHABITANTS OF DOBROGEA TOOK REFUGE TO MOLDOVA AND MUNTENIA. SOME OF THEM WERE A SERIES OF PRIESTS WHO, UNFORTUNATELY, LEFT THEIR FAITHFUL AND CHURCHES. THOSE WHO REMAINED IN THEIR PARISHES HAD TO SUFFER THE HARDSHIPS OF THE WAR OR THE TORMENTS OF THE PRISONS AND CAMPS OF BULGARIA, WHERE THEY WERE DEPORTED. THE BULGARIANS IMPOSED THE PRIESTS TO CELEBRATE UN THE BULGARIAN LANGUAGE, AND THOSE WHO REFUSED WERE DISMISSED AND IMPRISONED. MANY OF THE CHURCHES OF DOBROGEA WERE DEVASTATED AND DESECRATED, AND THE PRECIOUS THINGS STOLEN. WHEN THEY CAME BACK TO THEIR PARISHES, THE ROMANIAN PRIESTS FOUND THEIR OWN HOUSES RUINED AND ALL THEIR EARNINGS DISAPPEARED. THESE EVENTS PROVED THAT IN DOBROGEA A NEW CHURCH ADMINISTRATION WAS NEEDED. THIS IS WHY THE DIOCESE OF TOMIS WAS SET UP.

KEY WORDS: WAR, CHURCHES, PRIESTS, CAMPS, PRISONS, DESTRUCTIONS

INTRODUCTION

After the Congress of Berlin (1878), when Dobrogea was retroceded to the territory of Romania, the primate metropolitan Calinic Miclescu asked for the blessing of the ecumenical patriarch Ioachim III for the canonical unification of the Orthodox population of Dobrogea – under the jurisdiction of the Metropolitanate of Dristra at the time – with the Metropolitanate of Ungro-Wallachia.[2] A very clear image of the church situation in Dobrogea is provided by

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[2] Gheorghe Vasilescu, „Mitropolitul primat Calinic Miclescu şi recunoaşterea autocefaliei Bisericii Ortodoxe Române", *Autocefalia libertate şi demnitate*, Basilica Publishing House, Bucharest, 2010, 338.

various reports drafted by the church revisers, who presented the material state of the parishes and of the places of worship.[3] The State decided, through an administrative law of Dobrogea, that every hamlet or village should receive a plot of land for building the school and church. The state authorities decided, just like in the rest of the country, that the Orthodox religion should be considered prevailing in Dobrogea. In 1902, Bishop Pimen Georgescu came to the leadership of the Eparchy of Lower Danube, who imposed a true programme for training the priests through priestly conferences. The priests were obligated to deliver sermons and catechise the faithful at every religious service celebrated. As a result of the facilities provided by the state and by the economic dynamics, the Orthodox population marked a permanent growth. In 1880, there were a little more than 70,000 Orthodox faithful registered, and in 1910, more than 204,000. In fact, the statistic of 1880 presented the Romanians as the largest of the ethnic groups of Dobrogea.[4]

At the beginning of the 20th century, the Bulgarian Orthodox Church was headed by exarch Joseph, seated in Constantinople, who led the clergy of Bulgaria through a vicar elected by the Bulgarian bishops and approved by the exarch. Unfortunately, in Bulgaria, part of the eparchies had a double church authority, as besides the Bulgarian bishops there also were the Greek bishops who depended on the Patriarchate of Constantinople. The state of things changed in 1906, when the Greek bishops were removed. But the Balkan wars brought Bulgaria into a disastrous political state. The Bulgarians lost a series of territories with several church eparchies at the end of these wars. The Bulgarian Orthodox Church lost the parishes of the Quadrilateral now, a province that was retroceded to Romania after the Peace of Bucharest. As soon as the World War I broke out, exarch Joseph decided to move the Exarchate to Sofia. The Bulgarians kept in Constantinople only a representation headed till 1945 by a Bulgarian bishop. After one year of war, exarch Joseph, a great church and political personality, died. No other exarch was elected to lead the Bulgarian Orthodox for the next 30 years, his attributions delegated to a metropolitan locum tenens for a determined period of time. During the hard years of the World War I and after the end of it, the presidents locum tenens of the Synod were metropolitans Partenie of Sofia (1915-1916) and Basil of Durostor-Cerven (1919-1920).

The Balkan wars brought about major changes in the geographic and ethnic configuration of Dobrogea. The Peace Treaty of Bucharest established that Romania's frontiers surround a territory of about 7,700 km2 with a population estimated by the Bulgarian statistics in 1913 to 281,207 inhabitants, out of whom only a few thousand were Romanians. Getting the Quadrilateral caused little enthusiasm to the public opinion of Romania, maybe only the retrocession of Silistra pleased the Romanians. Although the Romanian diplomacy considered this time a great political success, for Bulgaria, who had increased its territory and number of inhabitants as a result of these conflicts, the loss of the Quadrilateral at the table of diplomatic negotiations in Bucharest was considered a true national catastrophe. This must have been the reason of the Bulgarians' hate when they occupied the Quadrilateral and Dobrogea in the autumn of 1916.

The organisation of the Quadrilateral was done creating two counties with administration identical with that of Old Dobrogea, with translators for the Bulgarian and Turkish languages. Soon, the Romanian authorities were faced with a series of difficulties in regard to the control

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[3] G. Ilinoiu, „Cultele din Dobrogea", *Dobrogea. Cincizeci de ani de viaţă românească, 1878-1928*, Published by Cultura Naţională, Bucharest, 1928, 612-630.

[4] Ioan N. Roman, *Studiu asupra proprietăţii rurale din Dobrogea*, Constanţa, 1907, 79.

of the new territories where the Bulgarian population was in majority. Given the new situation, the Ministry for Religious Cults and Public Instruction and the Romanian Orthodox Church made a new religious organisation of the region. Thus, the Holy Synod delegated hierarch Bartolomeu Stanescu to inspect the Quadrilateral and present the situation of the Orthodox clergy.[5] Hierarch Bartolomeu succeeded in setting up the first religious administration in the Quadrilateral.[6] In the years of the Great War, Bishop Nifon Niculescu of Lower Danube (1909 – 1921) held the canonical jurisdiction of Dobrogea and Quadrilateral, a territory with a large social and confessional structure. Preoccupied with the religious realities of his eparchy, bishop Nifon informed about the state of things in the Quadrilateral through a Report presented to the Holy Synod in the working session of 24 October 1914, in which he proposed a series of measures for organising the parishes.[7] On 30 March 1914, bishop Sofronie of Ramnic delivered a speech in the Senate chamber, on the occasion of voting the *Bill for the administrative organisation of New Dobrogea,* and asked for setting up a Metropolitanate at Tomis-Constanta: "Well, ministers and deputies, in the new territory that God formed for the second time, a Court of Appeal was voted, which we are sure it has never been here before, but it is to be set up as it is a must; why here, where three Metropolitanates used to be in the hard times of Christianity, couldn't we set up at least one Metropolitanate, in the old Tomis-Constanta, and a bishop at Dorostor-Silistra, because a new impulse would be given to the faith and confidence of our Romanian nation".[8] The absence of a diocese in Dobrogea turned out to be dramatic during the war, when many priests, deprived of guidance, left their parishes for fear. The Diocese of Tomis was set up in 1923.

We must not forget that both in the churches and in the schools of the Quadrilateral, the opposition of the Bulgarians was very active. The opposition of the Bulgarians to the Romanian administration manifested through the organization of various societies, which under the pretext of defending the Bulgarians' cultural rights introduced true terrorism in the region encouraging the actions of the 'comitages' (members of the Bulgarian revolutionary bands). The Bulgarian propaganda in the Quadrilateral was encouraged by the "Dobrogea Society" and by the "Dobrogean Brotherhood", which activated in the territory of Bulgaria. The visit of King Carol I to Constanta in the spring of 1914, as well as that of Tsar Nicholas II, in June 1914, who congratulated the Romanian military actions of 1913, tensioned the Romanian – Bulgarian political relations.[9] The issue of the Quadrilateral was included in the diplomatic discussions the moment the Entente tried to get the military support of Bulgaria. As soon as Bulgaria joined the Central Powers a possible political agreement between Romanian and Bulgaria ended in smoke.

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[5] See Vartolomeu S. Băcăoanul, *Carte pastorală destinată Clerului şi Creştinilor drept măritori de Răsărit din Noul Teritoriu Dobrogean*, Published by Atelierele Grafice SOCEC&Co, Bucharest, 1914; See Vartolomeu S. Băcăoanul, *Raportul general către Sfântul Sinod privitor pe administraţiunea bisericească din noul teritoriul dobrogean pentru intervalul dela noembrie 1913 - ianuarie 1914*, Published by Tipografia Cărţilor Bisericeşti, Bucharest, 1914.

[6] Cătălin Raiu, *Democraţie şi statocraţie. Creştinismul social la Bartolomeu Stănescu, episcopul Râmnicului Noul Severin (1875-1954)*, Published by Bucharest University, Bucharest, 2014, 91.

[7] Holy Synod Archives, File no 137/1914, f. 404; f. 432.

[8] ***„Cuvântarea P. S. Sofronie al Râmnicului Noul Severin în Senatul ţării în ziua de 30 martie 1914, cu prilejul votării legii de organizare administrativă a teritoriului anexat", *Biserica* Ortodoxă *Română*, Anul XXXVIII (1914-1915), Nr. 3, 270-274.

[9] George Ungureanu, *Problema Cadrilaterului în contextul relaţiilor româno-bulgare (1918-1940)*, doctorate thesis, Bucharest, 2008, 47.

SUFFERANCE OF THE PRIESTS OF DOBRUDGEA DURING THE WAR

Bulgaria joined the war together with Germany, and as a result of the conquests made, the Bulgarian Exarchate started re-establishing the old eparchies lost during the Balkan wars, The same phenomenon took place in the Quadrilateral and in Old Dobrogea occupied by the Bulgarian troops at the end of the year 1916. The Romanian army suffered great defeats on the front of Dobrogea, and many Romanian officers and soldiers were taken prisoners. When Dobrogea was occupied, the Quadrilateral was directly included in Bulgaria, and Old Dobrogea has become subject of dispute among Bulgaria, Turkey, and Germany. In the end, Dobrogea came to be under the leadership of a German governor who had a Bulgarian general subordinated with the rank of prefect, and in the communes with Bulgarian or mix population, Bulgarian-Romanian, Bulgarian mayors were appointed. The German – Bulgarian disagreements lasted all the war long, and to the end of 1918 Dobrogea was given to Bulgaria.

The war caused much sufferance to the Romanian Orthodox clergy from Dobrogea and Quadrilateral. Part of the Orthodox churches of Dobrogea were looted and damaged by the occupation troops. The majority of the priests who remained in their parishes suffered persecutions.[10] The sufferance the Bulgarians caused to the priests of Dobrogea were similar to those of the Orthodox priests of Transylvania and Banat interned in the camps of Sopron county of Hungary and in the camp of Thalerhof.

In the county of Constanta, priest Gheorghe Oprescu from Topalu was imprisoned by Bulgarians and Germans because of his patriotic attitude. Ioan Grigorescu from Constanta, wounded at Flamanda village, was beaten by the Bulgarian soldiers. Ion Popescu from Dorobantu was beaten by the Germans because he did not give the money of the people's bank where he was president. Constantin Jipescu from Istria was beaten by the Bulgarians, and Ion Dumitrescu, from Sinoe commune, was maltreated by the Bulgarian inhabitants of the locality. Here, some of the Romanian inhabitants – men, women, and children – suffered too. Belizarie Popescu, captain priest of Regiment 34 Infantry of Constanta died during the battle of Turtucaia.[11] Priest Enciu Galicieanu from Satu-Nou-Constanta (Durostor) was beaten by the Bulgarian soldiers, although he was very old.[12] Nita Trandafirescu from Osmanfaca and his large family took refuge to Braila, where he suffered the persecutions of the Bulgarian soldiers.[13]

Petru Bagulescu from Asfatchioi-Durostor locality, who was a teacher in Greci-Romanati locality during the war, suffered because of the German authorities, having been sentenced to imprisonment in Germany, together with his wife, where from they were released in June 1918. In 1925, he was ordained priest and served in Asfatchioi. Priest Iancu Popescu, from Canalia-Durostor commune, was maltreated by Russians, and after returning to his parish, he and his son were beaten by the Bulgarian soldiers.[14]

Priest Atanasie Popescu, from Agighiol commune, county of Tulcea passed through great hardships: "On 6 January 1917, the day of the Baptism of the Lord, while I was celebrating

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[10] Grigore N. Popescu, *Preoţimea română şi întregirea neamului - temniţe şi lagăre*, vol. II, Published by Tipografia Vremea, Bucharest, 1940, 331-333.

[11] Eugen Drăgoi, *Ierarhi şi preoţi de seamă la Dunărea de Jos, 1864-1989*, Published by Arhiepiscopia Tomisului şi Dunării de Jos, Galaţi, 1990, 172.

[12] Claudiu Cotan, *Istoria Bisericii Ortodoxe Române 1600-2000. Studiu* introductive, Vasiliana'98 Publishing House, Iaşi, 2009, 148.

[13] Grigore N. Popescu, *Preoţimea română şi întregirea neamului*, vol. II, 101-103.

[14] Grigore N. Popescu, *Preoţimea română şi întregirea neamului*, vol. II, 112-115.

in the holy church, seven soldiers took me and locked me in the school, together with 41 other Romanians, inhabitants of Domnita Maria parish, whom the Bulgarians of the commune accused to have been spies... In the morning they called out the roll and took us on foot up to Hamangia, where we were locked in a stable for sheep...From here, we were sent to Megida, into a long cellar, together with several prisoners... From Megidia we walked up to Cobadin, where we were entrained into a cattle wagon with ice and snow inside, and then to Sumla, where we were locked into a wooden hut together with many Romanian prisoners.

After staying six days there, we were sent to Stara Zagiram where from we had to pass to Asia Minor. But here, we were ordered to go back to Tulovo station, where from they took us, through rain and snow, up to Cazanlac city, in Turkey, where we were detailed to several jobs: some of us to take care of hay, others to stables in the city, to the carts and oxen requisitioned...

I was sleeping in the manger stable. This was my place of rest for 10 months and a half, feeding the cattle in the Balkans, at Sipca, suffering the greatest hardships, serious persecutions, curses, punished to starve, overworking, and all kind of other tortures. All their meanness was focused especially on me, always telling me: "you, priest, you taught your people to spy, and not to obey our commandments!"

The chief was a very mean Greek, who told our supervisor that I taught my people not to work faster, not to work as he wanted us to. After this accusation, the supervisor came to the stable to tie me and send me to "Ceaccii" camp for disobedience. It was very hard to escape from that place. In the Balkans, where I was grazing the cattle, bare footed because my footwear were broken, were several springs; one of them was running under some stones its water as sweet as milk. When we were hungry we drank that "holy water" and forgot about our hunger. It was an old walnut tree near that spring, and that was our place of prayer for getting rid of that punishment.

In October, on Saint Dimitrios' day, our pardon came from Sofia and we were sent, accompanied by the Bulgarian soldiers, to our village, Domnita Maria, where we found a very bad chief guardian; he stopped us at the edge of the village and sent each of us, accompanied by a soldier, to see our houses. My house was completely destroyed. I went to the church too. It was devastated and defiled. The holy icons were shot and broken, the icon of the Mother of God shot in her breast, the Infant in her arms, the eyes taken out with bayonets. I felt sick and I fell down unconscious. The Bulgarian soldier put me up and took me to the chief guardian to whom he reported what had happened, and this one told me: " priest, it was not us who destroyed your houses, but Taghe Ionescu and Bratianu, and your other people whom we want to catch and skin them alive!"...

I asked to stay in Sarighiol commune, at Ianculescu priest, because my wife with six children had taken refuge to Viforata Monastery, to the nuns over there, where my father was priest; my two eldest sons were on the front, where they fought with faith from the beginning till the end of war. After the conclusion of the truce I went to Viforata Monstery, where I found my wife and six children. The two elder sons had not come from the front yet. I did not know anything about them. So, after a while we came back to Domnita Maria commune...".[15]

Similar sufferance endured priest G. Dumitrescu from Niculitel locality, beaten and deported together with other priests to the camp of Calofer, till June 1918. Priest Marin Popescu

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[15] Grigore N. Popescu, *Preoţimea română şi întregirea neamului*, vol. II, 331-333.

from Telita-Tulcea described the sufferance caused by the Bulgarian soldiers, after failing to get away, together with his family.[16]

The sufferance endured in the camps of Bulgaria is also described by the Romanian soldiers taken prisoners together with other military priests.[17] Some other priests who suffered were: Constantin Ghinescu from Macin, interned in Bulgaria, N. Popescu from Jurilovca, maltreated by the Bulgarian population of the locality who destroyed and burned the archives and the religious books helped by the Bulgarian authorities. Priest Neculae Galescu from Posta commune was forbidden to serve because he did not celebrate in the Bulgarian language, so that he was replaced by a Bulgarian military priest. Priest Petre Arbore, graduate of "Veniamin Costache" Seminary served at Sarinasuf, where - after the locality was occupied by the Bulgarian troops - he continued to celebrate in the Romanian language and remember the Romanian royal family at the Divine Liturgy. Deported to Panaghiuristea, near Filipopol, he came back to the country in 1918 and served at Cocos Monastery for a time, where he was the only priest at the time, because the monks had been deported to Bulgaria. Monks Damian Nenciu, Agatanghel Chiriac, and Varasiile Luca were deported from Cocos Monastery to Russian Slava, together with six other priests, who died in the camp.[18] Monk Acache Atanssiu from this monastery was killed by the Bulgarian soldiers who were retreating at the end of the war. Priest Vasile Aftenie from I. Gh. Duca locality was killed by Bulgarians on 10 May 1917, because he was celebrating in the Romanian language. Some other priests who suffered were: Zaharia Popoiu from Casimcea, Nicolae Popescu from Comana, Ion Popoiu from Fagaras, Petre Ianculescu from Sarighiol, Ion Iordachescu from Frecatei, and Emanoil Bogatu from Oancea.[19] The following priests distinguished themselves on the front as military priests: Ioan Gheorghiu, father confessor of Regiment 73 Infantry, Ioan Grigorescu, father confessor at Brigade 9 Artillery, wounded during the fights, Vasile Vasilescu, father confessor at the Mobile Hospital no 9, Atanasie Popescu, father confessor of Regiment 12 Infantry, Ioan C. Beldie, father confessor of Regiment 51 Infantry, Ioan Georgescu, priest in Oltina, county of Constanta was father confessor at Hospital 15 Evacuation of Cernavoda and Tecuci, Alexandru Moroianu, Banica Rosescu, archimandrite Damaschin Popescu, hieromonk Stelian Doras from Cocos Monastery, father confessor of Regiment 15 Infantry, and Ioan Rosculet, father confessor 9 Evacuation. We can also mention priests: Ioachim Visan from Cocos Monastery, Voinea Carol from Silistra, and N. Papadima from Tulcea. 11 monks from Cocos Monastery were called up as male nurses, a part of them serving in the hospital organised in the building of "Saint Andrew" Seminary of Galati, and the rest at the Diocesan seat. 15 nuns activated here as medical nurses. Following the appeal of Bishop Nifon Niculescu from Galati, the priests of his eparchy succeeded in collecting the bedclothes needed for 300 hospital beds at "Saint Andrew" Seminary and at the Diocesan seat, inaugurated on 5 October 1917. The clergy of the Diocese of Lower Danube succeeded in collecting an important amount of money, and bishop Nifon offered 2000 books of payer for the wounded, through the Red Cross. Religious singer Vasile Nejan from Moscu, county of Galati, mobilized in Regiment 15 Infantry, was wounded during the fights of Pestera, county of Constanta, and heroically died at Marasesti. Hieromonch Gherman Blanaru from Cocos Monastery who fought together with the Brigade 10 Artillery, was wounded, and

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[16] Grigore N. Popescu, *Preoţimea română şi întregirea neamului*, vol. II, 333-335.
[17] Ion Grosu, *Memoriile unui ofiter de informatii*, Military Publishing House, Bucharest, 2009, 52.
[18] Grigore N. Popescu, *Preoţimea română şi întregirea neamului*, vol. II, 340.
[19] Grigore N. Popescu, *Preoţimea română şi întregirea neamului*, vol. II, 339-340.

yet he donated his salary for the war orphans' fund.[20] Besides the sufferance endured by tens of priests, we can also remember the destructions several churches of Dobrogea passed through, some of them ruined. Even the cathedral of Tulcea was used by the German soldiers as depot of armament.

The hard situation of Dobrogea seriously affected the activity of the priests who had no more antimises and were obligated by the occupation authorities to use the Bulgarian language in celebration.[21] The Synod of Iasi of 1918 was very important because its working session also discussed the issue of the priests who had taken refuge from Dobrogea and found shelter in Moldova and Muntenia. The hierarchs concluded that the absence of the high church organisation allowed the priests to leave their parishes and faithful. The fear of the Bulgarian soldiers justified to a certain extent the attitude of the Romanian priests of Dobrogea, because many times the Bulgarians' hate focused on them. The members of the synod debated the state of the priests of Dobrogea at length during the working session of 2 July 1918. Bishop Nifon of Lower Danube presented the sad fate of priests Gheorghe Dumitrescu from Niculitel and Branza from Balcic who were tonsured by the Bulgarians and obliged to do hard works. Cocos Monastery devastated by the Bulgarian troops was in quite a sad situation too. The Bulgarian church authorities imposed a Bulgarian archpriest in Tulcea, who ignored the Romanian priests obligated now to celebrate in the Bulgarian language and obey some new administrative authorities. The members of the Synod of Iasi have also insisted that the Romanian Government should find a solution for the priests who fled from Dobrogea to go back to their parishes, where they had lost all their properties.[22] On this occasion, Metropolitan Pimen of Moldova and Suceava criticised the attitude of the refugees, saying that they should not have left their churches, even if they had died a martyr's death. Metropolitan Pimen complained of the state of things saying that: "One of the terrible effects of the war is the loss of our Dobrogea. As a result of the disaster over there almost all the priests left their parishes for various reasons and came to the territory not occupied. Many of them came to my eparchy too and asked for parishes. I gave them temporary jobs in the country, where there were vacancies. But I did not promise them I would appoint them permanently because I did not know what decision would be taken in this regard. It was a mistake when these priests left their places and I would not have allowed them to, because the people who remained there needed their comfort. I think they should go back to their places, so that, when Dobrogea remains under Condominium, a well established group of Romanian priests should be there. One more mistake was that no Episcopal see was set up in Dobrogea to have the Quadrilateral in its jurisdiction too. It would have been a historical time and a proof of our rights over this part of the country beyond the River Danube. When the enclosing of the Quadrilateral to Dobrogea was discussed, a Vicarage for Dobrudgea seated in Constanta was promised. This promise was not kept, and it was a great mistake. We remember that when the setting up of such a Diocese in Dobrogea was refused here, because we had no means to, the Hungarian Diocese of Haidu-Dorog was set up in Transylvania at the same time. But we did not realize that. It is not right to let the villages of Dobrogea with no Romanian

[20] Eugen Drăgoi, *Ierarhi şi preoţi de seamă la Dunărea de Jos, 1864-1989*, Published by the Archdiocese of Tomis and Lower Danube, Galaţi, 1990, 171-184.

[21] Marius Theodorian-Carada, *Efimeride, 1908-1928*, Roman, 1937, 81-82.

[22] Holy Synod Archives, File no 145/1918, f. 171 f. v.
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priests, so that the Government should intercede to send the priests from Dobrudgea to their places".

Hierarch Teofil Ploiesteanul said that many priests from Dobrogea had passed into the Metropolitanate of Wallachia, where they received temporary places for service. He has also said that according to his information the church of the "Falling Asleep" of Constanta had been changed in a Catholic church.

Metropolitan Pimen was sure that had a diocese been in Constanta, the priests of Dobrogea would not have left their parishes: "Yesterday, a monk from Cocosu Monastery of Dobrogea arrived in Iasi, who told me that he was there when the Bulgarians occupied Dobrogea. He told me that two Bulgarian monks were brought to Cocosu Monastery, while the Romanian monks were taken to Russian Slava. After two months he was taken to Bulgaria as prisoner, where from he came back again to Cocos Monastery, where he found everything almost in good order. This thing proves that if nothing was devastated in the Monastery, so would have been in villages, if the Romanian priests had not fled. The Government had better intercede so that the priests of Dobrogea could go back to their places". Primate Metropolitan Conon has also mentioned the priests fled from Dobrogea, during the discussions, and said he had received them in his eparchy where there were 400 vacancies in various churches and chapels, where from the priests had fled to Moldova...". Yet, the minister for Religious Affairs present at the synodal discussions explained: "There are two issues to be discussed: a material one, trying to see how we could send the priests to Dobrogea. But the latter one is more important, namely to know if according to the stipulations of the peace treaty we will be allowed to have Romanian school and church in Dobrogea. If this can be done, I think the refugee priests and teachers should be sent back. Yet, it should be known that they are endangered by the Bulgarians who have committed so many massacres in the Balkan Peninsula. I join the regret of His Eminence Metropolitan of Moldova not to have thought twice before and have an Episcopal see in Dobrogea. However, I know there is a hierarch entitled Constanteanul (of Constanta). He had better stayed there and the events found him there. It seems something quite illegal for a hierarch not to stay at the place of which name he bears. Thus, from now on this anomaly should never be repeated. Therefore, I agree that the priests should go back to Dobrogea...".[23] The priests of Dobrogea went back to their parishes after war, many of them finding their houses, churches, and parishes ruined. The war destroyed many material goods, but most of all took the lives of hundreds of thousands of Romanians.

CONCLUSIONS

Romania joined the Great War in quite an unfavourable time. The Entente has not succeeded in observing the agreements signed with Romania and develop a large military action in the Balkans. The tsarist Army showed serious signs of fatigue, and the Bolshevik propaganda proved its efficiency through the indiscipline felt with the soldiers. Thus, Dobrogea became vulnerable when faced with the German-Bulgarian offensive. The cities and villages of Dobrogea were looted by the Bulgarian occupation authorities. Afraid of war and of the Bulgarians' hate who lost the Quadrilateral a few years before, many priests of Dobrogea took refuge to Moldova and Muntenia. The priests remained in parishes suffered the hardships of the German-Bulgarian occupation. Some of the Romanian priests were taken to the prisons and camps of Bulgaria. After the conclusion of Peace at Buftea, the primate metropolitan Conon

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[23] Holy Synod Archives, File no 145/1918, p. 163 v., 164 f. v., 193 f. v.

intervened to release some of the clergy interned in Bulgaria. As a result of this peace, the territories of Dobrogea were ceded at last to Bulgaria. At the end of the war, when the priests came back to Dobrogea, many churches were ruined, and the priests' house were dilapidated.

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THE PERCEPTION AND ADOPTION OF CORPORATE SOCIAL RESPONSIBILITY IN TOURISM BUSINESSES IN A FAST GROWING DESTINATION – A CASE OF PHU QUOC ISLAND VIETNAM

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ABSTRACT:

IN THE PROCESS OF WORLD ECONOMIC INTEGRATION AND DEVELOPMENT OF VIETNAM, CORPORATE SOCIAL RESPONSIBILITY (CSR) BECOMES AN URGENT ISSUE. ESPECIALLY FOR THE TOURISM INDUSTRY, CSR PRACTICE IS ALSO A METHOD TO GAIN THE SUSTAINABILITY AND THE DEVELOPMENT FOR VIETNAM. THE OBJECTIVE OF THIS PAPER IS TO ASSESS THE CSR PERCEPTION IN TOURISM BUSINESSES IN PHU QUOC ISLAND - A FAST GROWING DESTINATION OF VIETNAM. THE STUDY EMPLOYS A SEQUENTIAL MIXED METHOD OF QUALITATIVE EXPLORATORY STUDY FROM VARIOUS DATA INCLUDING JOURNALS, BOOKS INCLUDING GREY PUBLICATIONS, INTERNAL POLICY REPORTS, MARKETING BROCHURES AND NEWSPAPER REPORTS OF THE ORGANIZATION AND QUANTITATIVE METHOD BY SEMI-STRUCTURED INTERVIEWS CONDUCTED IN 20 COMPANIES ARRANGING FROM TOUR OPERATOR BUSINESSES, HOTELS, TRAVEL AND TOURISM COMPANIES, CRAFT VILLAGES, ETC. THE FINDINGS AND RECOMMENDATIONS ARE APPLIED TO PHU QUOC ISLAND. FURTHERMORE, ITS LIMITATION ON SAMPLES AND STUDY SCOPE CAN BECOME THE ROOT FOR FURTHER RESEARCHES

KEY WORDS: CORPORATE SOCIAL RESPONSIBILITY (CSR), VIETNAM (PHU QUOC ISLAND), TOURISM, PERCEPTION, ADOPTION

INTRODUCTION

The current customers pay attention not only to the price and quality but also to production conditions and environments of the goods and products, especially in the context of

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globalization and international integration[3]. The role of business is to create sustainable value for stakeholders. CSR is the growing trend in the world, it has become important for businesses to act responsibly[4]. In recent years, CSR has become an crucial issue[5]. With all of the business productions and operations, their stakeholders' interactions, the society and the environment will completely be impacted[6]. CSR concepts have often been criticized for running fast and loose[7]. Although, as in international scope and in the tourism industry, there are many researches emphasizing on CSR[8]. Sharma & Talwar[9] point out due to dynamic changes of the business world generated by governments, employees, consumers, investors, technology, environment and attitudes, businesses must adapt with those changes.

CSR becomes an urgent issue in Vietnam especially for the integration and development process. As known, CSR practice is one of the methods to reach the sustainability and the development for Vietnam, especially in tourism industry, also to improve their business efficiency, create competitive advantage, enhance the quality and develop in a sustainable way. Phu Quoc island of Kien Giang Province in Vietnam – a very fast growing destination meets difficulties and several hidden drawbacks such as unplanned and spontaneous development with overall ineffectiveness, inadequate exploitation, transportation, infrastructure, human resources, landscapes' protection and conservation, polluted environment, etc. (http://baotintuc.vn/anh/dao-ngoc-phu-quoc-doi-mat-o-nhiem-moi-truong-20150929223525437.htm) and (http://www.vietnamtourism.com/index.php/news/items/15167). Therefore, the study of CSR practice is an urgency requirement to be done and the assessment on CSR perception to Phu Quoc is necessary to gain a holistic view which formulate recommendations to the tourism industry on CSR practices with a hope that the CSR positive impacts to the tourism can lead to the

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[3] Cone Communications. *Cone Cause Evolution Study*. Boston, 2012; *Nielsen. "*Global consumers are willing to put their money where their heart is when it comes to goods and services from companies committed to social responsibility." Accessed at June 12, 2016 http://www.nielsen.com/us/en/press-room/2014/global-consumers-are-willing-to-put-their-money-where-their-heart-is.html

[4] *Reputation Institute. "*The 2012 global RepTrak 100: Results and report." Accessed at June 12, 2016 *http://www.rankingthebrands.com/PDF/2012%20RepTrak%20100-Global_Report,%20Reputation%20Institute.pdf*

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[6] Fox, Tom. *Small and Medium-Sized Enterprises (SMEs) and Corporate Social Responsibility*. London: International Institute for Environment & Development (IIED), 2005. http://pubs.iied.org/pdfs/9541IIED.pdf

[7] Barnett, Michael L. "Stakeholder Influence Capacity and the Variability of Financial Returns to Corporate Social Responsibility." *The Academy of Management Review* 32, no. 3 (2007): 794-816. http://www.jstor.org/stable/20159336.

[8] Holcomb et al. "Corporate social responsibility: What are top hotels reporting." *International Journal of Contemporary Hospitality Management*, 19 (2007): 461-475; Sheldon, Pauline. J. and Park, Sun-Young. "An exploratory study of corporate social responsibility in the US travel industry." *Journal of Travel Research*, 50 (2011): 392-407.

[9] Sharma, A.K. and Talwar, Balvir. "Insights from practice. Corporate social responsibility: modern vis-à-vis Vedic approach." *Measuring Business Excellence*, 9 (2005): 35-45. http://dx.doi.org/10.1108/13683040510588828

sustainable manner. Any prior study has not been examined. It is against this background that this study assesses the perception of CSR in Phu Quoc island in Vietnam.

LITERATURE REVIEW
CSR definitions

It is really challenging to define what CSR is in the corporate and academic world due to diversities of business sectors and the industry[10]. According to BSR organization (www.bsr.org) definition, CSR is a kind of "decision-making in business relating to ethical values, legal compliance and respect for people, communities and the environment that reaches or exceeds requirements and expectations of the society on the ethics, legal, commerce in which businesses operates". On the basic, CSR concerns to activities voluntarily including social and environmental involvement in business operations and with stakeholder interactions[11]. World Business Council for Sustainable Development - WBCSD (1999) states that CSR is the businesses' ongoing commitment to express the ethnical behaviours and economic development contribution and workforce life quality increase and their families in the local community as a smaller scale and in the society as a larger scale. In addition, Commission of the European Communities (2001) defines CSR as a concept relating to social and environmental matters run by businesses in their operations voluntarily. In Europe, many leading businesses used this term and considered as a foundation for CSR Policy[12]. Richardson et al[13] identify in businesses, CSR is also their continuing commitments affirming ethnical factors to their operations/ management and organizational structure.

Also, CSR is defined as terms of economic, legal, ethical and discretionary activities of any businesses which contribute to the social values and expectations[14]. According to McWilliams et al.[15], CSR is the integration of social concerns into business operations, good human resource management and environmental performance through recycling and pollution abatement as well as their increased goals towards the community. Therefore, CSR can be defined as the corporate engagement to go beyond compliance and actions to make social issues besides their interests and legal requirements[16]. CSR is generally for the obligation for

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[10] Whitehouse, Lisa. "Corporate Social Responsibility: Views from the Frontline." *Journal of Business Ethics* 63, no. 3 (2006): 279-96. http://www.jstor.org/stable/25123709; Martínez, Patricia and Del Bosque, Ignacio Rodríguez. "Measuring corporate social responsibility in tourism: Development and validation of an efficient measurement scale in the hospitality industry." *Journal of Travel & Tourism Marketing*, *30* (2013): 365-385.

[11] Van Marrewijk, Marcel. "Concepts and Definitions of CSR and Corporate Sustainability: Between Agency and Communion." *Journal of Business Ethics* 44, no. 2/3 (2003): 95-105. http://www.jstor.org/stable/25075020

[12] Ellerup, Nielsen A. and Thomsen, Christa. "Reporting CSR - what and how to say it?." *Corporate Communications: An International Journal,* 12 (2007): 25-40. http://dx.doi.org/10.1108/13563280710723732

[13] Richardson et al. "Managing Capital Market Reactions to Corporate Social Responsibility." *International Journal of Management Research* (1999): 17- 43.

[14] Joyner et al. "Building Values, Business Ethics and Corporate Social Responsibility into the Developing Organization." *Journal of Developmental Entrepreneurship,* 7 (2002): 113 – 131; Coldwell, David A. L. "Perception and Expectations of Corporate Social Responsibility: Theoretical Issues and Empirical Findings." *South African Journal of Business Management,* 32 (2001): 49- 54; Grunig, James E. "A New Measure of Public Opinions on Corporate Social Responsibility." *The Academy of Management Journal* 22, no. 4 (1979): 738-64. http://www.jstor.org/stable/255812

[15] McWilliams et al. "Corporate social responsibility: Strategic implications." *Journal of management studies 43, no.*1 (2006): 1-18.

[16] McWilliams, Abagail, and Donald, Siegel. "Corporate Social Responsibility: A Theory of the Firm Perspective." *The Academy of Management Review* 26, no. 1 (2001): 117-27.

businesses to integrate social and environmental concerns into their operations and long-term development policies[17]. With analysis of Brian et al.[18] from various CSR definitions, some following CSR essentials are believed as the community and social involvement, philanthropy, corporate governance, corporate citizenship, quality commitments to products and services, good human resource management practices and the environment, etc.

Regarding to CSR activities, Carroll[19] shows four dimensions for the CSR concept such as economic, legal, ethical, and, respectively, discretionary (philanthropic) responsibilities and they are compulsory to businesses to achieve long long-term relationships with stakeholders. In addition, Martinez et al[20] present the CSR approach raised from the sustainable development concept is a three-dimensional structure, of course, including economic, environmental and social. Therefore, businesses will consider to society's well-being and manage their impacts to the economy, environment, and society. More of that, Freeman et al[21] develop a CSR framework in relation with stakeholder management and classified it based on their stakeholders including shareholders/ investors, employees, customers, suppliers, the environment, the society, the local community etc. Main fields of CSR activities have built up by Mandl & Dorr[22] are four concerns of workplace, community, environment, and market which is included customers and business partners.

Martinuzzi, Gisch-Boie et al.[23] cited in Martinuzzi et al in ESDN Quarterly Report N°23, the CSR activities are as follows:

- *Economic topics* such as sound corporate governance practice and performance, transparency through economic, social & environmental reporting, fair competition engagement; innovation development; prevention of the bribery and corruption; Socially Responsible Investment; protection of intellectual property rights; safe and high-quality products/services provision; sustainable consumption & production and sound risk management systems implementation.
- *Environmental topics* such as the air/ water protection, land biodiversity; toxic minimization, emissions, sewage and waste; natural resources conservation, renewable

http://www.jstor.org/stable/259398

[17] Martínez, Patricia and Del Bosque, Ignacio Rodríguez. "CSR and customer loyalty: The roles of trust, customer identification with the company and satisfaction." *International Journal of Hospitality Management*, 35 (2013): 89-99.

[18] Brian et al. "Corporate irresponsibility and corporate social responsibility: competing realities." *Social Responsibility Journal*, 5 (2009): 300 – 310. http://dx.doi.org/10.1108/17471110910977249

[19] Carroll, Archie B. "A Three-Dimensional Conceptual Model of Corporate Performance." *The Academy of Management Review* 4, no. 4 (1979): 497-505. http://www.jstor.org/stable/257850.

[20] Martínez, Patricia and Del Bosque, Ignacio Rodríguez. "CSR and customer loyalty: The roles of trust, customer identification with the company and satisfaction." *International Journal of Hospitality Management*, 35 (2013): 89-99.

[21] Freeman et al. *Stakeholder theory: the state of the art*. Cambridge: Cambridge University, Press, 2010. http://dx.doi.org/10.1080/19416520.2010.495581

[22] Mandl, Irene and Dorr, Andrea. *CSR and Competitiveness: European SMEs' Good Practice. Consolidated European Report*, Austrian Institute for SME Research, 2007. https://pdfs.semanticscholar.org/e696/8d6486052d4db8082416c0e73a5ac8777d75.pdf

[23] Martinuzzi et al. *Focus CSR: The New Communication of the EU Commission on CSR and National CSR Strategies and Action Plans*, ESDN Quarterly Report No. 23, 2011. Accessed at 10 November 2016 http://www.sd-network.eu/quarterly%20reports/report%20files/pdf/2011-December-The_New_Communication_of_the_EU_Commission_on_CSR_and_National_CSR_strategies.pdf

energy application and & avoidance to use of raw materials; climate protection; efficiency innovation, etc.

- *Social topics* such as sound human resource management and indiscrimination; employment safety, occupational health and security; association operation freedom; and diversity encouragement and consumer interests' privilege, etc.
- *Global topics* such as enhancement of stakeholders' awareness for social & environmental issues, sound stakeholder management; applications to sustainable supply chains and human rights; poverty reduction and public policies development involvement

CSR and its benefits to businesses

Porter & Kramer[24] confirm CSR could create strategic competitive advantages due to its enlightened self-interest, moral and ethnic address, operation management, and rotation enhancement. Carroll & Shebana[25], the competitive advantages as cost and risk reduction, reputation and legitimacy generation, and synergistic value are created in the CSR-applied businesses in their operations. In addition, Vitaliano[26] addresses CSR can reduce turnover, enhance employer's attractiveness[27], and gain job satisfaction[28]. According to Aamir et al[29], CSR contributes to sustainable development and gains the long term success not only for the businesses and also for the society". In businesses, CSR has a strategic importance and numerous benefits can be gained by adopting and implementing CSR policies as sound employees' attraction and retention[30]; customers' loyalty increase[31], reputation and market performance enhancement, industry leadership position, employee commitment generation, etc[32]. The final cause for businesses adopting with CSR is to deal better with some of societal

[24] Porter, Michael E. and Kramer, Mark R. "Strategy and society: the link between competitive advantage and corporate social responsibility." *Harvard Business Review*, 84 (2006): 78-92.

[25] Carroll, Archie. B., and Shabana, Kareem. M. "The Business Case for Corporate Social Responsibility: a Review of Concepts, Research and Practice". *International Journal of Management Reviews,* 12 (2010): 85-105.

[26] Vitaliano, Donald F. "Corporate social responsibility and labour turnover, Corporate Governance." *The international journal of business in society*, 10 (2010): 563 – 573.
http://dx.doi.org/10.1108/14720701011085544

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http://www.jstor.org/stable/257057.

[28] Wang, Yau-De. and Hsieh, Hui-Hsien. "Toward a Better Understanding of the Link between Ethical Climate and Job Satisfaction: A Multilevel Analysis." *Journal of Business Ethics*. 105 (2012): 535-545.

[29] Aamir et al. "The role of corporate social responsibility to create positive positioning in the branding of a country and particular to Pakistan". Ms thesis, Blekinge Institute of Technology School of Management Ronneby, Sweden, 2008. Accessed 17 September 2016 http://www.diva-portal.org/smash/get/diva2:830226/FULLTEXT01.pdf

[30] Kim, Soo-Yeon, and Hyojung Park. "Corporate Social Responsibility as an Organizational Attractiveness for Prospective Public Relations Practitioners." *Journal of Business Ethics* 103, no. 4 (2011): 639-53.
http://www.jstor.org/stable/41476049

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http://dx.doi.org/10.1509/jmkr.38.2.225.18838; Peloza, John and Shang, Jingzhi "How can corporate social responsibility activities create value for stakeholders? A systematic review." *Journal of the Academy of Marketing Science 39,* no. 1 (2011): 117-135.

[32] Ogilvy Public Relations Worldwide. *"*Communicating Corporate Responsibility*."* Accessed at June 12, 2016 www.ogilvypr.com/files/CSR-chap1-7.pdf

problems. Fernando[33], in the competitive market, businesses are normally dealing with society's problems better than governmental or non-governmental organizations because of their unique competency development.

CSR in tourism industry

Tourism industry is one of the largest and fastest growing economic sectors in the world[34], crucially impacting the people, the society, and the environment. Pursuant to Smith & Ong[35] posit that tourism businesses have strong relationships with local communities and influence the socio-economic development of the regions. In addition, World Tourism Organisation[36] suggests that the tourism industry contributes to economic, environmental, social, and culture by creating jobs, improving infrastructures, cultural exchanges and reducing poverty. And oppositely, negative impacts like pollution, biodiversity, inequalities generation, water/ energy waste, and other socio-economic or ecological issues are also created[37]. As a consequence, Code of ethics has been created for the tourism industry to guide to employees when making decisions[38]. The Global Code of Ethics for Tourism developed by WTO in 1999 contributes critically by reinforcing previous recommendations and declarations towards the sustainable tourism. The purpose of the code of ethics is to protect the world's natural resources and cultural heritage against the disruption of tourist activities and to guarantee fair and equitable benefits arising from tourism for residents of tourism destinations (Constanta, 2007).

CSR's operations and activities in businesses vary according to industry[39]. According to Martinez et al.[40], in the tourism industry, CSR has been considered as an important part of strategies for businesses, especially from the perspective of the sustainable development such as environmental protection, sound working conditions or welfare contribution to local communities. The CSR implications in the tourism industry require managers should adopt and

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[33] Fernando, Mario. "Corporate Social Responsibility in the Wake of the Asian Tsunami: A Comparative Case Study of Two Sri Lankan Companies." *European Management Journal*, 25 (2007): 1–10. http://dx.doi.org/10.1016/j.emj.2006.12.001

[34] WTO (World Tourism Organization). "WTO Tourism Highlights 2012 Ed." Madrid, Spain, 2012. http://mkt.unwto.org/sites/all/files/docpdf/unwtohighlights12enhr.pdf

[35] Smith, Russell A. and Ong, Jackie Lei. T. "Corporate Social Responsibility and the operationalization Challenge for Global Tourism Organizations." *Asia Pacific Journal of Tourism Research*, 20 (2014): 487-499. http://dx.doi.org/10.1080/10941665.2014.918555

[36] WTO (World Tourism Organization). "WTO Tourism Highlights 2012 Ed." Madrid, Spain, 2012. http://mkt.unwto.org/sites/all/files/docpdf/unwtohighlights12enhr.pdf

[37] Martínez, Patricia and Del Bosque, Ignacio Rodríguez. "CSR and customer loyalty: The roles of trust, customer identification with the company and satisfaction." *International Journal of Hospitality Management*, *35 (2013):* 89-99; Harrison, David. "Pro-poor tourism: a critique." *Third World Quarterly*, *29* (2008): 851-868.

[38] Malloy, David. C. "Codes of Ethics and Tourism: An Exploratory Content Analysis." *Tourism Management,* 19 (1998): 453-461; Cleek, Margaret Anne, and Sherry Lynn Leonard. "Can Corporate Codes of Ethics Influence Behavior?" *Journal of Business Ethics* 17, no. 6 (1998): 619-30. http://www.jstor.org/stable/25073109; Stevens, Betsy. "Hospitality Ethics: Responses from Human Resource Directors and Students to Seven Ethical Scenarios." *Journal of Business Ethics* 30, no. 3 (2001): 233-42. http://www.jstor.org/stable/25074495

[39] Campbell, John. L. "Why would corporations behave in socially responsible ways? An institutional theory of corporate social responsibility." *Academy of management Review*, *32* (2007): 946-967.

[40] Martínez, Patricia and Del Bosque, Ignacio Rodríguez. "CSR and customer loyalty: The roles of trust, customer identification with the company and satisfaction." *International Journal of Hospitality Management*, *35 (2013):* 89-99.

add ethical principles and values to the environment, communities, entrepreneurs, and tourists[41]. Nevertheless, most of tourism businesses considered CSR as a type of charitable donations, and CSR are not mentioned in their business vision or mission statements[42]. Furthermore, Garay & Font[43] show some studies examined motives of the tourism businesses on CSR adoption and engagement and that main cause is for responsible action in altruistic, for competitiveness issues and also they believe the CSR practices will make consumer decisions in the long term endeavour[44]. Therefore, it can be said that tourism businesses will gain the higher success if their sensitivities to economic, social, and ecological responsibilities are recognised.

CSR and sustainable tourism development

Tourism is growing on global level steadily for many decades. In many countries and regions, it has been chosen as a priority for their prosperity[45]. Especially in poor, less developed countries, tourism is captured as a lifebuoy for developing, maintaining or improving the economy. Herrmann[46] argues that sound CSR practices and policies are keys to sustainable development". In her opinion, CSR is a comprehensive concept relating to economic, social, and environmental matters and also protects interests of all stakeholders by greater transparency requirements. The Organization for Economic Cooperation and Development (2001) also agrees that CSR is "business's contribution to sustainable development". As for them, corporate activities are not only to ensure profits to shareholders, incomes to employees, and products and services to customers, but also to protect societal issues and values. As a consequence, to create benefits to society and businesses, CSR is seen as a "holistic approach"; (OECD, 2001).

STUDY OBJECTIVES AND METHODOLOGY

From the reviews of the CSR concepts, benefits to the tourism industry and businesses and its relations with the sustainable tourism development, this study aims to examine the perception of the CSR practice with the tourism businesses in Phu Quoc island of Vietnam. the study result is to create recommendations to strengthen and increase the CSR awareness/ perception leading to CSR practice in Phu Quoc island of which can help Phu Quoc island (destination) become more competitive, ideal and sustainable.

The study employs a sequential mixed method. The first is a qualitative exploratory study. Secondary information from various databases including internet pages, publications, internal policy reports, marketing brochures and newspaper reports of the organization are used. The

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[41] Ryan, Chris. "Equity, management, power sharing and sustainability – issues of the new tourism." *Tourism Management, 23* (2002): 17-26. http://dx.doi.org/10.1016/S0261-5177(01)00064-4

[42] Holcomb et al. "Corporate social responsibility: What are top hotels reporting." *International Journal of Contemporary Hospitality Management*, 19 (2007): 461-475.

[43] Garay, Lluís and Font, Xavier. "Doing good to do well? Corporate social responsibility reasons, practices and impacts in small and medium accommodation enterprises." *International Journal of Hospitality Management*, *31* (2012): 329-337. http://dx.doi.org/10.1016/j.ijhm.2011.04.013

[44] DLA Piper. *Europe hospitality outlook survey*, 2010. http://www.dlapiper.com/files/up-load/HL_2010_Survey_Report.pdf

[45] WTO (World Tourism Organization). "WTO Tourism Highlights 2012 Ed." Madrid, Spain, 2012. http://mkt.unwto.org/sites/all/files/docpdf/unwtohighlights12enhr.pdf

[46] Herrmann, Kristina *K*. "Corporate Social Responsibility and Sustainable Development; The European Union Initiatives as a case study." *Indiana Journal of Global Legal Studies,* 11 (2004). Accessed http://www.repository.law.indiana.edu/cgi/viewcontent.cgi?article=1286&context=ijgls

second is the quantitative method by semi-structured interviews and questionnaires to aid/ gain insights. The 100 questionnaires are sent to employees who employ in the tourism businesses/ companies through google form with helps of corporate owners/ managers…however, the people who work in the places without the internet services such as craft villages, local restaurant staff, other services providers, etc. they were interviewed directly. Later, 10 interviews were conducted with human resource managers, general managers, and corporate owners, managers in 20 companies arranging from tour operator businesses, hotels, travel and tourism corporations to gain deep insights and also have cross-checks because they are highly involved in CSR activities. Last, the collected data is processed with the statistical technique. The interview questions are as follows:

1. Have you ever heard the term "CSR"?
2. With your simplest understating, what is CSR?
3. As for you, what followings are for CSR? (based on the above mentioned items - Martinuzzi, Gisch-Boie et al. (2011) cited in Martinuzzi et al in ESDN Quarterly Report N°23,) (*Economic topics* such as sound corporate governance practice and performance, transparency through economic, social & environmental reports, fair competition engagement; innovation development; prevention of the bribery and corruption; socially responsible Investment; protection of intellectual property rights; safe and high-quality products/services provision; sustainable consumption & production and sound risk management systems implementation; *Environmental topics* such as the air/ water protection, land biodiversity; toxic minimization, emissions, sewage and waste; natural resources conservation, renewable energy application and & avoidance to use of raw materials; climate protection; efficiency innovation, etc. and *Social topics* such as sound human resource management and indiscrimination; employment safety, occupational health and security; association operation freedom; diversity encouragement and consumer interests' privilege, etc.
4. Does your business have policies on discrimination prevention, suitable health, and safety employment conditions for employees and adaptable practice with Vietnam labour law? If yes, please provide evidences. Do you practice (follow) it in your employment?
5. Does your business have policies on energy consumption, waste minimization and recycling, pollution prevention, etc., especially in producing and developing new products with the consideration of potential environmental impacts? If yes, please provide evidences. Do you practice (follow) it in your employment?
6. Does your business have policies on quality services for customers and partners, timely payment, complaints/ feedback solving and product information (including aftersales)? If yes, please provide evidences. Do you practice (follow) it in your employment?
7. Does your business any plans (or strategies) to support financially and non-financially to minimize our negative effects (e.g. discomfort) on the local community? If yes, please provide evidences. Do you practice (follow) it in your employment?
8. Are your business' employees encouraged to participate in local community activities? If yes, please provide evidences.
9. Is the Trade Union operated actively and freely in your business?
10. Does your business have any training program and/or meetings or notice board to inform to employees concerning CSR activities?

FINDINGS AND DISCUSSIONS
Findings and discussions:

In a broad meaning, the tourism industry consists of all businesses which directly provide goods or services to promote business, pleasure and leisure activities away from the home environment. Weaver & Lawton[47] states that "a tourism sector includes accommodation, transportation, food and beverage, tour operations, travel agencies, commercial attractions and merchandizing of souvenirs, and the sum of industrial and commercial activities that produce goods and services mainly for tourist consumption". In context of Phu Quoc island, many of the tourism businesses are very small – (private and family owned businesses), in spite of this, the industry is dominated by a few large corporations (including FDI businesses). The main service providers such as food providers (local food restaurants), inland transportations, souvenirs merchandisers, craft villages are of the local inhabitants (inside Phu Quoc island). Therefore, the result of the survey reaches a considerable difference. The result is arranged in two groups of the respondents. The first group consists the large sized enterprises such as 3 to 5-star hotels and famous tourism corporates. The second group includes the small (private and family owned) businesses like craft villages, small tour operators, transportation agencies, restaurants, accommodation rental services, souvenir merchandizers, etc.

With questions from 1 to 3 relating to the perception and understanding examination of "CSR term", with the first group, 60 percent recognised this term in which most of them are leaders or managers of the businesses and remaining others realised this term because of "the meaning of the word". Also, they show their good knowledge in the express of "the simplest meaning of the CSR".

Regarding to questions from 4 to 7, the result shows only 10% of the number of businesses possess these written policies clearly such as customer quality services, policies on energy consumption, waste minimization and recycling, pollution prevention, employment, etc. which are holding in the first group. In fact, some of policies are not considered as exact policies, they are as notices which content information to all staff in the organisation to be followed. The policies that they used to have suitable health - and safety employment conditions for employees, energy consumption, waste minimization and recycling, quality services for customers and partners. However, only 65 percent of respondents applies them in their employment. On the side of Vietnamese labour law, 80 percent of the business are strictly following. As for the second group, the written policies are not existed. It seems all staff are supposed to own this basic knowledge. Especially for the craft villages and local food restaurants, because of household business characteristics, such policies seem to be new. And the labour law is surely not applied and worked well. It is especially true that all businesses (both groups) have no plans or strategies for CSR.

Concerning questions 8 – 10, 100 percent of businesses in the first group encourage their employees to participate in local community activities and Trade Union organisations operates actively and freely in their businesses. Besides, businesses have any training program and/or meetings or notice board to inform to employees concerning CSR activities. All information is updated through the notice board or email, especially for the charity – donation programs which help local community and corporate staff who are in helps or support. In addition, all staff (including managers, owners) of the businesses are really positively and actively joining to those

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[47] Weaver, David and Lawton, Laura. *Tourism management.* Milton, Australia: John Wiley & Sons, 2006.

programs. For the second group, as the specific feather of business, they don't establish the Trade Union organisation as per law stipulation due to its small size and family essence. However, any problems arisen are solved quickly and satisfactorily Because of the Vietnamese long-term culture and habits, those programs are always participated fervently.

In general, the application and implementation of CSR in businesses have not been highly appreciated, although the concept of CSR has been in place for more than 50 years. CSR seems to be new and develop it in consistent with the business strategy in tourism businesses in Phu Quoc destination. There are many different causes such as insufficient understanding or misconceptions about CSR, the shortage of financial resources, or even the unwillingness. The unwillingness is come from the fear that it can decrease the profits. Therefore, implementing CSR is not paid much attention and a difficult problem. In case, CSR is done in the businesses, it is also on a single scale, fragmented, spontaneous, inefficient. Many businesses claim that they have implemented social responsibility through community activities and programs such as housing construction for the poor, study encouragement funds, etc. That is great however, CSR contains much wider meaning and it can be understood as self-responsibility of economic, legal, ethical and human responsibility.

Recommendations

CSR in tourism businesses in Vietnam in general and in Phu Quoc island in particular is really necessary in the integration process. From the above analysis, some recommendations are made as follows:

For the businesses, first and foremost, businesses especially for management level, owners are urgently required to be aware of CSR. In the short term, along with the governmental support, businesses should have plans to update, improve and train to all staff on the CSR issue because, as stated, CSR brings many benefits to the businesses such as employment quality improvement, community development, stakeholder satisfaction, customer loyalty, etc. with the long term, CSR should be a crucial part of the operation and development strategies of the businesses. Regarding to financing issue to CSR investment, businesses need to develop strategies that are tailored to their resources and strengths, and to implement them in concrete ways. More of that, to have a best and throughout CSR implementation in the businesses, the training programs should be provided and conducted regularly to whole staff.

For the related authorities: In Vietnam, there are many legal documents related to labor protection, consumer protection, food hygiene and safety regulations, environmental pollution, etc. but they are not adaptable with the currents of the businesses and working well in practice. This is one of the causes which CSR are not strictly executed. The State and/or related authorities need to strengthen the legal bases which lead to the higher CSR awareness and to adopt policies to encourage and support the CSR implementation in businesses. Apart from encouragement and honor to businesses owning good achievements in CSR implementation, the State should also have strong measures and remedies to deal with violators. To reach a long-term and sustainable achievement, the CSR training programs should be done from the elementary to higher education which helps to have a better sense of CSR.

CONCLUSIONS

The benefits of CSR implementation have been widely recognized around the world but the perception and adoption of CSR in tourism businesses in Phu Quoc island are still limited

because of many different causes. Therefore, this paper is to raise ideas and formulate recommendations which aim to help tourism businesses increase CSR perception and adoption which both benefit the businesses, the society and also the environment. However, this study limits in the scope because the survey is implemented only in Phu Quoc and the sample collection in the convenience method. Therefore, it is not a representative for the whole industry. Further research can be done to cover the limitations.

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MEASUREMENT OF FACTORS AFFECTING ENGLISH SPEAKING SKILLS OF STUDENTS AT THE FOREIGN LANGUAGES DEPARTMENT OF VAN LANG UNIVERSITY

LE THI NGOC DIEP[1]

ABSTRACT:
SPEAKING ENGLISH BECOMES REALLY IMPORTANT IN VIETNAM ESPECIALLY FOR THE TIME OF INTERNATIONAL AND GLOBAL INTEGRATION. THE DEPARTMENT OF FOREIGN LANGUAGES (FFD) AT VAN LANG UNIVERSITY DESIRES TO TRAIN STUDENTS TO SPEAK ENGLISH WELL TO WORK IN THE COMPETITIVE ENVIRONMENT; HOWEVER, MOST OF THE STUDENTS ARE NOT SPEAKING FLUENTLY. THIS STUDY IS DONE WITH THE QUANTITATIVE RESEARCH METHOD USING SPSS SOFTWARE THROUGH LIKERT SCALE TO FIND THE POOR FACTORS IN THEIR ENGLISH SPEAKING SKILLS. THAT RESULT LEADS TO RECOMMENDATIONS TO IMPROVE THE QUALITY OF SPEAKING AND TEACHING ENGLISH IN THE FACULTY IN PARTICULAR AND IN THE UNIVERSITY IN GENERAL.

KEY WORDS: VIETNAM, ENGLISH SPEAKING SKILLS, THE FOREIGN LANGUAGES DEPARTMENT (FFD), UNIVERSITY, FACTORS

INTRODUCTION

English has become a global language in a variety of fields such as airplane, technology, business, medicine, literature, etc. English plays a crucial role along with Vietnam's integration with the international community such as World Trade Orgainisation (WTO), Trans-Pacific Partnership (TPP), ASEAN Economics Community (AEC), etc. After graduation, the students with good English skills are definitely more beneficial than those who are not good at English. However, the English communication skills of students during and after school are poor, and more than half of the graduates do not meet requirements of recruiters/ employers. As a result, many graduates are not thoroughly equipped with necessary language skills. The study is conducted with EFL students in Van Lang University, Ho Chi Minh City, Vietnam. The research objectives are for finding out the limitations of the students in learning to speak English by the quantitative analysis and formulating recommendations to improve the English speaking skills of the students.

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THE RELATED LITERATURE AND STUDIES

Kang[1] considered speaking a foreign language - a especially difficult for non-native learners since effective oral communication requires the ability to use the language correctly in social interactions. Meanwhile, Harmer[2] and Gower at al.[3] noted down that from the communicative belief, speaking has many diverse aspects including two major varieties (1) accuracy, involving the correct use of vocabulary, grammar and pronunciation through controlled and guided activities and (2) fluency, the potential to stay going when speaking unrehearsly.

In Bygate's opinion[4], in favor of attaining a communicative purpose through speaking, knowledge of the language and skills in using this knowledge are carefully considered. Bygate[5] also pointed out four crucial ways of promoting: simplifying structures, ellipsis, formulaic expressions, and using fillers and hesitation devices. In contrast, when a speaker find it necessary to make different what he has said, he will feel to "make use of compensation devices". They are "substitution, rephrasing, reformulating, self-correction, false starts, and repetition and hesitation". Harmer[6] wrote about the indicators of speaking that are important for fluent communication with knowledge of 'language features' and the capacity to deal with the information in a real setting. The first group, language features, fundamental for producing words, involves "connected speech, expressive devices, lexis and grammar, and negotiation language". The second group of skills that Harmer[7] made a distinction consisted of rapid processing skills that helped speakers deal with the information and language in different situations. All are relevant to language processing, communicating with others and prompt information processing. In contrast, Bygate identified the skills for communicating, the typical models for arranging utterances, and negotiation skills for understanding and attaining communicative goal. Both Bygate and Harmer had the same idea that to be successful in communication, it is important to have knowledge of the language and skills of using it. Both authors approached the speaking from many components of language teaching. Harmer[8] pointed out a distinction between knowledge of language traits and the ability to own information and language in a real setting mentally and socially. Harmer covered the term language traits connected speech, expressive devices, knowledge of words/grammar, and negotiation language; Bygate differentiated two devices involved in production skills – facilitation and compensation. Speaking competence is not only the theoretical study but also daily activities. In addition, Chomsky in Garnham[9] said linguistic performance is the actual use of language in contexts and also William O'Grady et.al[10] stated that linguistic competence was the ability in producing and understanding an uncountable number of utterances. From the two definitions above, speaking

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[1] Kang, Shumin. "Factors to consider: Developing adult EFL students' speaking abilities" in Richards, Jack C., and Renandya, Willy A., *Methodology in Language Teaching: An Anthology of Current Practices Cambridge*: Cambridge University Press, 2002: 204-211.

[2] Harmer, Jeremy. *The Practice of English Language Teaching*, Longman, 2001.

[3] Gower et al. *Teaching Practice Handbook*. UK: Macmillan Heinemann, 1995.

[4] Bygate, Martin. *Speaking*, Oxford: Oxford University Press, 1991.

[5] Bygate, Martin. *Speaking*, Oxford: Oxford University Press, 1991.

[6] Harmer, Jeremy. *The Practice of English Language Teaching*, Longman, 2001.

[7] Harmer, Jeremy. *The Practice of English Language Teaching*, Longman, 2001.

[8] Harmer, Jeremy. *The Practice of English Language Teaching*, Longman, 2001.

[9] Garnham, Alan. *Psycholinguistics,* Cambridge: Cambridge University Press, 1985.

[10] William, O'Grady et al. *Contemporary Linguistic Analysis: An Introduction (7th ed)*. Pearson Education Canada, 2011.

skill consisted of linguistic performance and linguistic competence. In brief, it is said that speaking skill is a mental motor skill consisting of the coordination of sound, mechanism, which produced by our muscles and mental aspect. That is how to arrange the meaningful words and sounds.

Tarigan[11] stated that speaking was the competence to make clear and convey thoughts, feelings, and opinions. Based on those explanations, it required five elements to evaluate students' speaking ability: pronunciation, grammar, vocabulary, fluency, and self-confidence. According to Richards & Renandya[12], the successful communication also was in need of the ability to use the language properly in social interactions together with pitch, stress, and intonation. Moreover, physical messages such as gestures, body language, and expressions are necessary in understanding each other among speakers. Brown[13] considered social interactive language functions as key roles for not what you said to count, but for how you said and what you conveyed with non-verbal language. Nunan[14] thought that successful oral communication involved phonological features of the language comprehensibly, stress, rhythm, intonation patterns, degree of fluency, the transactional and interpersonal skills; speaking turns, management of interaction, negotiating meaning, etc.

Brown[15] stated micro skills are very important. First, that was the importance of focusing on both the forms of language and the functions of the language. Second, the pieces of language should grabbed attention of others. Furthermore he mentioned small skills of speaking such as producing phrases of language; orally producing differences among the English phonemes and allophonic variants; producing English patterns, words in stressed and unstressed positions rhythmic structure, expressing a concrete meaning in not-the-same grammatical forms; using cohesive devices in utterances; accomplishing appropriately communicative functions according to the context. From those definitions, it is obvious that speaking skill is always relevant to communication. Speaking skill itself can be stated as the skill to use the language accurately to express meanings in order to transfer or to get knowledge and information from other people in the situation.

Kang[16] said studying to speak a foreign language demanded more than knowing the rules of grammar and semantics. Meanwhile, Geetha[17] affirmed the goal in any language classroom was to help the learners study the target language and use it actively in the learning activity. Learning to speak a language is a tough task for second/ foreign language learners because it involved the ability to use the language properly in social contexts. Kang pointed out learners need to gain knowledge of how native speakers use the language in the context. Speaking activities can fail miserably due to some very real problems in ESL class. Therefore, it is

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[11] Tarigan, Henry G. *Berbicara Sebagai Suatu Ketrampilan Berbahasa*. Bandung: Penerbit Angkasa, 1990.

[12] Richards, Jack C. and Renandya, Willy A. *Methodology in Language Teaching: An Anthology of Current Practice,254-266,* Cambridge: Cambridge University Press, 2002.

[13] Brown, Douglas H. *Principles of language learning and teaching*, New York: Pearson/ Longman, 2007.

[14] Nunan, David; *Designing Tasks for the Communicative Classroom,* Cambridge: Cambridge University Press, 1989.

[15] Brown, Douglas H. *Language Assessment: Principles and Classroom Practice*, New York: Pearson/ Longman, 2004

[16] Kang, Shumin. "Factors to consider: Developing adult EFL students' speaking abilities" in Richards, Jack C., and Renandya, Willy A., *Methodology in Language Teaching: An Anthology of Current Practices Cambridge*: Cambridge University Press, 2002: 204-211.

[17] Geetha, Nagaraj. *English Language Teaching: Approaches, Methods, Techniques - 2nd revised edition*. Orient Longman, 2008.

significant to inspect the factors affecting communication, components underling speaking proficiency and specific skills or strategies in communication. Some of the learner-centered factors affecting their speaking skills are discussed such as the learner inhibition, the motivation and confidence lackage, the lack of the subject matter and the proper vocabulary, the improper listening skills, the poor physical messages, the nervouness, the strong and quick learners' domination in the class, the family and rural backgrounds, the too much use of mother-tongue, the lack of proper orientation, the local (national) phonology, and the qualified teachers.

Park & Lee[18] examined the relationship among the anxiety, the confidence and practical skills of second language learners. In addition, Tanveer[19] studied the elements that brought about the tension in learning speaking skills and the impact of anxiety on communication. MacIntyre et al.[20] showed the satisfaction by speakers'self-confidence. Feyten[21] found a relationship between hearing ability and language proficiency levels, between listening and listening comprehension, between listening skills and ability to speak fluently. Lukitasari[22] focused on the ways to help students overcome the problems of speaking skills related to grammar, vocabulary, and phonetics. Those issues were really the highlight of most of the research. Actually, they had a great influence on the learners' speaking skills. And, the research of Tuan & Mai[23] was about the factors affecting the speaking skills of high- school students and found that students who did not have knowledge on the topic did lack confidence and motivation, which led to poor speaking skill. The research by McIntyre et al.[24] also demonstrated that confidence plays an important role in speaking skills.

Based on the theoretical basis of Lukitasari study[25] on speaking skills related to grammar, vocabulary and phonetics and the study of MacIntyre et al.[26] on confidence and fluency when speaking, the relationship between listening and speaking skills, and the academic environment of theoretical linguists, the research model are proposed with 7 variables as follows: (1) learning environment; (2) faculty; (3) confidence; (4) proficiency level; (5) grammar; (6) vocabulary; and (7) pronunciation. The research hypothesis is set out as follows:

- H1: Learning environment impacts toEnglish-speaking skills.
- H2: Lecturers impacts to English-speaking skills.

[18] Hyesook, Park and Adam, Lee R. "L2 Learners' Anxiety, Self-confidence and Oral Performance." Paper presented the 10th Conference of Pan-Pacific Association of Applied Linguistics, 7-208. Edinburgh University, 2005

[19] Tanveer, Muhammad. "Investigation of The Factors That Cause Language Anxiety for ESL/EFL Learners" in *Learning Speaking Skills and The Influence It Casts on Communication in The Target Language*. Dissertation, University of Glasgow, 2007.

[20] MacIntyre et al. "Conceptualizing Willingness to Communicate in A L2: A situational model of L2 confidence and affiliation." *The Modern Language Journal*, 82 (1998): 545 - 562.

[21] Feyten, Carine M. "The Power of Listening Ability: An Overlooked Dimension in Language Acquisition." *The Modern Language Journal 75* (1991): 173-180. doi:10.2307/328825.

[22] Lukitasari, Nunik; *Students' Strategies in Overcoming Speaking Problems in Speaking Class*, University of Muhammadiyah Malang, 2003.

[23] Tuan, Nguyen H and Mai, Tran N. "Factors Affecting Students' Speaking Performance at Le Thanh Hien High School." *Asian Journal of Educational Research,* 3 (2015): 8 – 23.

[24] MacIntyre et al. "Conceptualizing Willingness to Communicate in A L2: A situational model of L2 confidence and affiliation." *The Modern Language Journal*, 82 (1998): 545 - 562.

[25] Lukitasari, Nunik. *Students' Strategies in Overcoming Speaking Problems in Speaking Class*, University of Muhammadiyah Malang, 2003.

[26] MacIntyre et al. "Conceptualizing Willingness to Communicate in A L2: A situational model of L2 confidence and affiliation." *The Modern Language Journal*, 82 (1998): 545 - 562.

- H3: Confidence impacts to English-speaking skills.
- H4: Proficiency impacts to English-speaking skills.
- H5: Grammar impacts to English-speaking skills.
- H6: Vocabulary impacts to English-speaking skills.
- H7: Pronunciation impacts to English-speaking skills.

RESEARCH METHODOLOGY

The combination of the qualitative and the quantitative methods is used in this study. First, the quantitative method is used to explore impact factors and suggest the research model. Second, the qualitative method is used to evaluate factors through questionnaires with SPSS software.

The Qualitative research

The secondary data collected from different sources is used in this stage as the qualitative method. Various databases including Google Scholar, Scopus, Science Direct for peer reviewed journals, books, and other relevant publications are searched and collected on the subject. Then, the factors (variables) which will be considered as the research model are determined. Later, the author sent e-mails and communicated directly with FLD English teachers, University of Van Lang and with teachers outside on the research model and its evaluation scales, which mostly are agreed. Later, FLD students answered 2 questions on their difficulties and desires when learning to speak English. Simultaneously, groups of students were organized for intereviews to make clear factors. Their answers helped to reinforce the hypotheses. In addition, the participation and observation to some English speaking classes were also done to identify factors. As a result, some variables were suggested to change. Hypotheses are cut down from 7 to 6 because factors of Confidence and Proficiency are linked together.

The Qualitative Research

According to Hair et al.[27] and Leedy & Ormrod[28], the sample size must be at least 4 or 5 times bigger than the number of variables or as large as possible. Therefore, 250 students are surveyed for the appropriate sample size. Besides, to collect data, a questionnaire is established including 06 factors (vairables) as (1) Learning Environment, (2) Teaching Methods, (3) Confidence and Proficiency, (4) Grammar, (5) Vocabulary, and (6) Pronunciation. Likert scale is used to measure from 1 to 5 with (1) Absolutely disagree, (2) Disagree, (3) Neutral, (4) Agree, and (5) Totally agree. Finally, the data was processed with SPSS 20.0 software.

FINDINGS AND RESULT INTERPRETATION.

The 264 out of 270 responses from students were collected by direct distribution and Google Docs tools. After eliminating the unsatisfactory and filtering the data, 239 samples which met sample size requirements were remained. The evaluation scale was adjusted and supplemented accordingly due to its originally foreign one. The Cronbach's alpha was used to test the scales reliability. The unqualified was eliminated and Exploratory Factor Analysis

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[27] Hair et al.. *Multivariate data analysis (7th ed.),* New Jersey: Prentice Hall, 2010
[28] Leedy, Paul D. and Ormrod, Jeanne E.. *Practical Research: Planning and Design (8th ed.),* New Jersey: Prentice Hall, 2005.

(EFA) is done with all the observed variables to explore the scale structure of factors impacting on English-speaking skills. After EFA, the hypotheses were tested with a multiple regression method.

For the result of Cronbach's Alpha test, any factor that was under 0.3 was eliminated.

- Learning Environment: 2 variables are eliminated. The lowest variable has Corrected Item-Total Correlation at 0.313.
- The factor: Teaching methods: 1 variable is eliminated. The lowest variable has Corrected Item-Total Correlation at 0.483.
- The factor: Confidence and Proficiency: 4 variables are eliminated. The lowest variable has Corrected Item-Total Correlation at 0.409.
- The factor: Grammar: no variable is eliminated. The lowest variable has Corrected Item-Total Correlation at 0.7.02.
- The factor: Vocabulary: 3 variables are eliminated. The lowest variable has Corrected Item-Total Correlation at 0.528.
- The factor: Pronounciation: 1 variable is eliminated. The lowest variable has Corrected Item-Total Correlation at 0.747.

In the EFA, Principal Component Analysis was used with extraction method of Varimax rotation at Eigenvalue factors greater than 1. There are 26 observed variables of 6 factors to do in EFA. As a result, 1 variable is eliminated and the second EFA is continued with 25 variables of the 6 factors with Cumulative of Variance at 58.944 % (satisfactory > 50%). Factor loadings are higher 0.5. KMO at 0.805 (satisfactory > 0.5) show the appropriateness of factor analysis and statistical Bartlett's test (sig <0.05). After that, Cronbach's Alpha has been re-analyzed and results show all of 6 factors are satisfactory. Therefore, it is concluded EFA is suitable.

- Factor 1 is named as pronunciation and coded ad PRONUN
- Factor 2 is named as teaching method and coded as METHOD
- Factor 3 is named as confidence and Proficiency and coded as CONPRO
- Factor 4 is named as vocabulary and coded as VOCABU
- Factor 5 is named as learning environment and coded as ENVIRO
- Factor 6 is named as grammar and coded as GRAMMA

In the regression analysis, as stated, the adjusted research model includes of one dependent factor and 6 independent factors which impact to the English speaking skills such as: PRONUN, METHOD, CONPRO, VOCABU, ENVIRO, GRAMMA. Before analyzing the multiple regression, Correlation analysis is needed to test the relationship among factors. Besides, with the result of the correlation analysis, English speaking skills has close linear correlation with 3 independent factors of PRONUN, METHOD and GRAMMA and at significance of 0.01. Correlations among independent variables are 0, thus, the multicollinearity phenomenon is not concerned in the next multiple regression analysis. Furthermore, with the result of the multiple regression analysis, there are 3 factors which have positive impacts to English speaking skills (Beta coefficients are positive). That means if each of these factors is increased, the English speaking skills of students will be also increased, and vice versa (if changing a factor, then other factors are assumed to be constant). The regression equation is as follow:

SPEAKINGSKILLS = 2.912 + 0.259 * PRONUN + 0.159 * METHOD + 0.707 *GRAMMA (4.1)

With that result in the equation, GRAMMA has strongest impact to English speaking skill because of its beta of 0.824, next is PRONUN (Beta = 0.302). And METHOD is lowest impact with Beta of 0.185.

Testing the assumption without the multicollinearity phenomenon is also done. According to Hair et al.[29], in the multi regression model, VIF ≤ 0.5 is to find the multicollinearity phenomenon. With the testing result, VIF of all factors are lower than 0.5, which means there does not exist the multicollinearity phenomenon. In the test of the assumption of the homogeneity of variance, with the results of the scatter-plots, errors are scattered randomly along the zero horizontal. Thus, the variances of errors are homogeneity. Furthermore, testing the assumption of the normal distribution of the residuals by the Histogram, P-P is used to analyze and assess the error normal distribution, and supposing a normal distribution of the residuals is not broken. With the test results, it is brought to an end that the normal distribution assumption is not infringed.

For testing the assumption of the independence of the residuals, Dubin-Waston test (d) is used to test the autocorrelation and the result of Durbin - Waston is 2,154. That means the assumption of which there is no correlation among residuals is accepted. Thus, the assumptions of linear regression model are satisfied. There are three proposed hypotheses and the regression analysis shows three factors taking in EFA have significant impact to the English speaking skills of students; as follows: H1 - Pronun; H2 – Method and H3 – Gramma, all of them has statistical values under 0.05 and they are accepted. From the regression analysis, there are 3 factors impacting positively to the English speaking skill at the significant of 5% level. Gramma factor is the strongest impact and followed by Pronun and Method.

CONCLUSIONS AND RECOMMENDATIONS
Recommendations:

As analyzed above, the grammar plays the most important role in the English speaking skill of students in FFD in Van Lang University. It should be taught in an effective way and used with appropriate structures, in a natural way and in right contexts. The students are not confident enough to communicate with foreigners because of fear of saying the wrong basis. Therefore, teaching grammar is not enough, we need to consider the nature of language and create confidence for students in the learning process; the combination of the grammar and speaking skills in a natural and effective way are crucial. In addition, the faculty may add some additional grammar courses to train students to be successful in producing utterances. It is agreed that students with well-prepared grammar will be better writers. According to Rei[30], extensive reading and writing should be included in the grammar instruction by the teachers' loud voices which help students understand the properility of what they hear and see, later they incorporate it into their own writing. This provides opportunities for students to read and write in the classroom. Students can learn grammar by proofreading, peer-editing and revising for each other's work because the writing process itself teaches grammar. These opportunities may bring them positive benefits with examining their own writing and identifying errors. Furthermore, the effective method of teaching grammar is the combination of sentences which train students grammatical rules such as parallelism and varietyin writing. Besides, mini-lessons should be applied in the class because the meaning of a document can change and impress

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[29] Hair et al. *Multivariate data analysis (7th ed.),* New Jersey: Prentice Hall, 2010.
[30] Rei, Noguchi R. "Rethinking the Teaching of Grammar." *The English Record, 52* (2002): 22-26

students. "Students can analyze the sentence structure of authors and learn how the use of words, punctuation and sentence structure contribute to their opinion of the author's work."[31].

The second impact to the English speaking skill of FLD students is the pronunciation. Intonation, accent, pitch techniques should be practiced during the course of Phonetics. Also from the above interview result, teachers' pronunciation gives strong influence to the students' learning of the pronunciation. Since 2012, the faculty has been applying the method of Blended Learning in teaching pronunciation, which has been supportive and proactive. Upon on the study of the faculty's lecturers in 2014 on this method application to the faculty, the result comes into active, but it also shows its limitations concerning to the students' interrupted practice. To remain this skill, the students must maintain their reading and pronunciation with the international phonetics, usual practice and right pronunciation at the beginning stage. Firth[32] suggested teachers should also test students if they pronounce well with right intonation, stress, and rhythm. In addition, when teaching consonants, vowels, teachers also ask the right questions to test the progress of students. Similarly, Scacella & Oxford[33] described the stress and the rhythm are really important to the language.

The third impact is the teaching methodology. Real contexts and immediate practice are essential for students to improve their speaking and interests. The teachers should have flexible approaches so that the students could achieve the best results. It is easy to recognize that te students are afraid of speaking with the native speakers in particular and foreigners in general, and then they lack in confidence, experience. Additionally, to make the learning environment diverse, the FFD should employ qualified native teachers to help students more dynamic. The FLD is using a method like the model of ISW, including Bridge-in, Objective or Outcome, Pre-assessment, Participatory learning, Post-assessment, and Summary/ Closure. Because BOPPPS places importance on gaining students' interest, making the purpose of the lesson known, assessing students' level of understanding of the topic, engaging students in active learning, determining whether the purpose has been met, and summarizing main points to reinforce what has been learned. BOPPPS requires individuals to practice pairing learning objectives (or intended learning outcomes) with class activities and assessments. BOPPPS is seen to be very useful, but somewhat rigid and inflexible. To gain much more effectiveness in training and educating students in English speaking, some of the active teaching methods are also suggested such as active lecturing, problem-based, casestudy, experiential learning, think-pair-share.

CONCLUSION

As a result, the hypotheses H2, H4, H6 are accepted. That means Grammar, Pronnunciation, and Teaching Method are the most impact factors to the English speaking skills of the students in FFD of Van Lang University. Therefore, based on the findings, the administers and lecturers of FFD of Van Lang University understand the problems which help them find out the suitable and adaptable methods for their training and education. In addtion, the study is conducted in the scope of FFD only and it is necessary for a further reseach on the

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[31] Rei, Noguchi R. "Rethinking the Teaching of Grammar." *The English Record, 52* (2002): 22-26

[32] Firth, Suzanne. "Pronunciation syllabus design: A question of focus". In P. Avery & S. Ehrlich (Eds.), *Teaching American English pronunciation*, 173-182, Oxford: Oxford University, 1992.

[33] Robin, Scarcella C. and Rebecca Oxford L. "Second language pronunciation: state-of-the-art in instruction." *System* 22 (1994): 221-230.

universitywide. Also, the sample collection method is the convenient one with small sample size and uneven distribution between groups. Besides, another research is suggested to be done to distinguish students of different year intakes. Finally, this is EFA study which limits to the identification of factors affecting the English-speaking skills and recommendations. Then it is really important to have separate papers for each impacting factor.

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DEVELOPING READING SKILLS THROUGH VOCABULARY EXERCISES

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ABSTRACT:
THE FOCUS PLACED ON READING SKILLS IN SCHOOL IS NO ACCIDENT. IN SCHOOL, STUDENTS ARE TRAINED TO FACE LIFE, AND IN LIFE, THEY NEED TO HANDLE COMMUNICATION WELL IN THE FIRST PLACE. THIS THESIS STUDIES THE DEVELOPMENT OF READING SKILLS THROUGH VOCABULARY EXERCISES. IT IS MEANT TO HELP STUDENTS WHO HAVE OFTEN FACED DIFFICULTIES IN UNDERSTANDING A TEXT DUE TO THEIR POOR MASTERING OF THE ROMANIAN LANGUAGE, BUT ALSO TO THE IMPROPER APPROACH OF THE TEXT MEANING. THE AIM IS TO ENHANCE, WITH TIME, SOME SKILLS OF GENERAL COMMUNICATION IN DAY TO DAY SITUATIONS. *IT IS CRUCIAL TO HELP THE STUDENT RELEASE HIS OR HER POTENTIAL, TO FOCUS ON THE MASTERY OF WORDS, IN ORDER TO FIND SOLUTIONS TO HIS OR HER PROBLEMS. THE RESEARCH PART AIMS AT ESTABLISHING A SET OF INTERACTIVE LEARNING EXERCISES FOR A UNIQUE STUDY GROUP, IN VIEW OF DEVELOPING READING SKILLS, THE* ABILITY TO READ AND UNDERSTAND INFORMATION, *RAISING THE SCHOOL RESULTS LEVEL, AND FOSTERING POSITIVE INTERPERSONAL RELATIONSHIPS.*

KEY WORDS. COMMUNICATION; READING; SKILLS; VOCABULARY; INTERACTIVE LEARNING; TEXT AND CONTEXT; ACHIEVEMENT.

INTRODUCTION

According to the **Romanian Explanatory Dictionary**, reading is defined as the action of reading. This concept is somehow a general one, since, as seen by a Romanian language and literature teacher, reading is a complex activity, which implies not only deciphering the text by using Romanian language skills, but also explaining the text meaning, and gradually enhancing day to day general communication skills. Literature reading focuses on the text (the ability to read and comprehend the contents), as well as the context (the ability to interpret the literary text within an artistic trend, a certain genre, literary species or within the writing universe of the author), the sub-text (the significance of the characters, the narrator's perspective and the plot), and the post-text (by using the impressions after reading and the empathic explanations, the student is helped to create a system of values and moral principles, and also to develop a taste for what is beautiful, to improve and use an expressive language every day, etc).

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In this manner, during literature classes, the teacher guides the reading process according to the manuals and the curricula, assessing the results pursuant to the applicable norms. The fear of failing in school, as well as the strongly negative image of public schools, make students hesitate about reading, especially about extra reading tasks, since the literature on the school agenda is studied in class. Stimulating reading skills and the development of such reading skills are both part of the educational scope, as a whole, and are key components of the Romanian literature classes. This is why the teacher searches and establishes continually new teaching strategies to achieve the desired results.

MAIN TEXT

By observing the principle of literary text accessibility and suitability for the age and group characteristics, and also by using various teaching methods and means to facilitate the understanding of the literary text, one can devise a series of vocabulary exercises, meant to aid students comprehend the literary and non-literary text, since working with vocabulary must not end after unknown words have been thoroughly explained, it must go on until they are assimilated into the active vocabulary of the students. Such activities represent specific objectives: activating the vocabulary of students by both verbal and written communication; enriching vocabulary with new words, and using them to communicate both verbally and in writing; vocabulary variation, style suitability and practicing verbal and written communication. Vocabulary exercises allow us to use the definition and application of semantic categories: antonyms, synonyms, homonyms, paronyms and figurative meaning of words. The teaching methods focusing on enriching and diversifying the vocabulary may be applied during literature classes, as well as during verbal and written communication, and grammar (parts of speech) classes.

Basic examples :

a) Antonym exercises:
- Find antonyms for the following words: *young, smooth, kindness...*   Use these pairs of words in sentences.

b) Synonym exercises:
- Write down synonym series for the following words: *snow, homeland, sunrise* ... Use them in sentences.
- Find synonyms for the following phrases: *become aware of, show one's true colors, to chew at somebody, to whip into shape...* Use them in sentences.

c) Homonym exercises:
- Explain the different meanings of words that sound identical: *know/no, peace/piece, here/hear, break/brake.* Make sentences using the different meanings.

d) Exercises for the figurative meaning of words:
    Eg: Fair child- *fair autumn* (leaves turn yellow in autumn)
        common trait- *special trait*.
- Add a trait of another object based upon an explanation.
    Eg: Grey cover – Grey autumn (the autumn is grey because it's cloudy and bleak)
        autumn......................
    common trait – *special trait*

e) Exercises concerning the fluency of ideas, by identifying the phrases by size, form, weight, color, taste; identifying by means of traits.

eg: Guess who or what it is about, then make sentences with: it is *white*=.........., it/he/she is *high/tall*=..............., *small*=........, *stately*=..........., *fluffy*=............., *straight=*..............., etc.

f) Fluency exercises with associations, by transferring objective - concrete phrases into stylistic phrases.

Eg: "The stove got really heated."

The phrase*"got really heated"* is transformed by students by means of a heuristic dialogue:
- the fight got really heated;
- the dance got really heated;
- his flushed cheeks showed he got really heated with anger;
- the scorching sun got the ground really heated

g) Exercises with changing the grammar categories: substantive- verb, verb- substantive, substantive-adjective.

eg: break- to break, delight – to delight, winter - wintry

glue -..........., to test -............., spring-.....................
voice -.............., to cut -................., summer-..........
play –............., to joke -............., fall-............

h) Exercises to replace certain words with other words or expressions having the same meaning meant to help develop the fluency and expressiveness:

Eg: Replace each of the phrases below with other synonymous phrases, then with their synonyms:

To dash in =
To give a helping hand =
To give the news =
To add oil to the fire =

i) Exercises for the development of spontaneous fluency:

eg: The exercises try to highlight as many features of an object/ creature;

Our *house* – is well lit.   *Ion* knows – that I am his friend.

     - is big.   – how to learn.
     - is clean.   – when I need help.

Exercises asking students to turn an image into verses they learned previously or into text fragments. Turning an image into ideas is an important practice in creating and developing the intellectual skills of students and, at the same time, a means to investigate the affective values of language, and the students' ability to make use of the language as a tool to express their cultural knowledge.

The language value increases pursuant to its precision within the reflexive and affective realm. Vocabulary exercises are meant to help students acquire skills such as clear, accurate and eloquent expression, to facilitate the artistic creation process. Understanding the meaning of communication is mandatory in order to be able to express oneself in a pleasing, correct, subtle manner. The Romanian language includes a large number of words with multiple association possibilities, and the student may choose not only the words, but also the association of such words.

Students' sensitiveness to the expressive value of the linguistic elements may be stimulated by making them sense the stylistic component, by creating other figures of speech. We are all aware of the special role of epithets, comparisons, metaphors, and here are some examples of different types of exercises:

- Underline the words denoting characteristic traits in the following sentences:

"I feel like dense, intoxicating vapors choking me"

"Her hair white, eyes small

And warmly tender,

As if she was right before me

The image of my frail granny

As I saw her in my baby years."

"The grave and silent loneliness of the still forest wrapped around me. And amid this, on an emerald island, surrounded by a thicket of green trees, a splendid palace made of milky white marble stood tall."

- Identify at least three traits for each of the following substantives: *flowers, forest, street*.
- Find substantives that may have the following traits: *green, thick, defoliated, sharp, cold, dry.*
- Select the words expressing traits:

   For each adjective you identify, give several examples of substantives:

-beautiful, small, round, read, sour, many, courageous, tender.

- Fill in the blanks with corresponding adjectives:

  The snowdrop lifts its ....stalk. On top of it all, the flower shine......and...... like snow. Its............. petals open and a.........sun ray caresses them.

   Vocabulary maybe enriched and practiced by using synonyms, which allow for subtlety of expression.

   Here are several exercises we can do in class:

- Find words having the same meaning as: snow, strong, mad.

   Practice such word meanings by using them in sentences.

- "Nicolae Bălcescu":-the historian
- "Poor mom":- unlucky, wretched, sad

   One word may have several different meanings. Replace the words by using the most proper version:

   Eg: Rustle:

- murmur, swish, shiver, whisper.
- noise, quiver, convulsion.

   The moment the teacher entered the room, the rustle stopped.

   A soft hum echoed among the tree leaves.

   The spring whir sounded from afar.

   The rustling of the weapons announced the battle had started.

Comparison is another good technique to use. Starting with some resemblances, we can highlight certain traits of an object, creature or phenomena, and students may have a better perception of what is described or told. The connection between the two comparison terms is usually made by means of the preposition *like*. Hence, the vocabulary and expression may be enriched with the help of comparison exercises:

- Compare the following actions as seen in the sample sentence:

   Eg.:   *The fire* is *like a piece of the scorching sun.*

           The little rabbit trembled.....

           The moon shines.......

- Compare the following characteristics, with as many words as you can:

   White like.........(*milk, snow, chalk*)
   Red like........
   Blue like..........

- Replace the phrases to the left with different ones, as shown in the example:
 The light flooded the sky *like a night queen*./ *The night queen* flooded the sky.
 The stars lit the sky *like beacons*. /..................
 The moon rises upon the hill *like embers in a dying fire* / ....

   These exercises help students adjust from comparisons to metaphors. The high efficiency of the synectic method in training expression and vocabulary subtlety has already been proven. However, metaphors require a relatively high ability of the abstract thinking, whereas the unity of structures is caught due to their differences. "The abridged or implied comparison", as defined by Tudor Vianu, the metaphor asks the user to seize an analogy between a given impression and a new one.

   Exercises in this case are a more difficult, but efficient variation:
a) Associate the following words with human actions:

        eg.:   The moon goes to bed
   The horizon-.................................
   The shadow-...............................
   The forest-..................................
b) Write down five sentences exaggerating the size of things, creatures.

   Eg: The tower reached the sky.
        The hill...................................etc.

   Such exercises develop language, grow and diversify the vocabulary, training students to read, analyze and understand literature, and helping them develop proper and expressive speaking skills, and also reading skills.

   During middle school, contact with literary works, as well as non literary works, means actually reading literary and non literary works; identifying the essential and minor meanings of a written message; recognizing the specific structure of the epic text, the expressive procedures of the lyrical works; using certain techniques to approach the written text; the analysis and interpretation of epic, lyrical and drama works; identifying the ethical and cultural features of a given text.

   The functional-communicative pattern – integrated development of the oral reception skills, oral expression, perception of the written message and expression in writing, respectively – comes with a new approach of the text, as a whole. All learning acts require the individual engagement of the student, therefore, learning to work with books requires the teacher to ask students to study individually the reading elements, and see this effort as a methodical approach. Geoff Petty, author of *Teaching today. Modern teaching methods*, identifies three methodical approaches to teach reading skills:

   a. "Superficial processing, where students are passive, and their main concern is to:
            • cover all the contents;
            • understand how much they remember;
            • find the correct answer;
            • assimilate non raw information;
            • memorize word by word.
   b. In depth processing, when students actively engage their minds and focus on:

• the main idea;
• what lies behind the reasoning;
• the overview image;
• the conclusions it leads to;
• the points of reference;
• the logic of reasoning;
• the ideas that remain unclear;
• their own opinion about the text conclusions. [...]

   c. Zero degree processing, when the student only reviews the text, considering that understanding the text will automatically entail an assimilation process. The student is concerned with:

• finish reading as soon as possible;
• going out for a coffee"2.

   The in depth processing matches the explicative reading method, which consists of a complex series of methods, involving conversations, explanations, demonstrations, storytelling, role plays, etc., whereas reading a text is synonymous with understanding it. Students try to uncover the ideas by themselves, to convey personal conclusions, to accept the fact that the same text may be read and interpreted differently, may trigger different feelings and emotions, depending on each reader, hence the text is approached in an interpretative manner, so as to entail certain intentio lectoris: "...one must search a text for what the beneficiary is able to pin down, according to his/her own significance systems and/or his/her own wishes, impulses or arbitrary criteria"3.

   The algorithm of explicative reading, a method frequently applied both in primary and middle school, is:

   a) getting ready for the reading activity, which aims at stimulating the students for the reading activity; introducing the difficult terms (which might affect their receptivity) and explaining such terms by means of dialogue/discussion based on vocabulary practice techniques;

   b) reading the entire text, which may be model reading (done by the teacher), or an independent activity, done by students, at home or in class; making sure the text was understood, by means of a discussion about the author, the title, the characters, the action/message (according to the class level and the type of text); prior to the model reading activity, the teacher may assign a teaching task, focusing on certain aspects of the read text, so that students may get some extra motivation to follow the model reading, and the teacher may use a prop to make sure the students understand the text;

   c. reading fragments, analyzing the text and highlighting the main ideas, establishing a plan of ideas;

   d. reading the entire plan of ideas, and engaging into a general discussion – in view of retracing the ideated synthesis of the text.

CONCLUSION

   The explicative reading may be the most common methods to teach reading skills, which provides the Romanian language and literature teacher with an ideal framework to help students train and develop reading skills. However, if used excessively, it may become monotonous, and lead to the decline of the students' receptivity to studying texts.

Students today expect new challenges, and therefore, teachers need to come up with interesting and captivating texts, to uncover new reading interpretation keys each time, to help them develop their analysis and synthesis skills, to appeal to their personal experience.

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THE PATRISTIC USE IN THE WORKS OF SAINT JUSTIN POPOVICI (1894-1979)

Iuliu-Marius MORARIU[1]

ABSTRACT:
IN THIS RESEARCH, THE AUTHOR INVESTIGATES THE WORK OF THE SERBIAN THEOLOGIAN JUSTIN POPOVITCH (1894-1979), ONE OF THE MOST IMPORTANT ORTHODOX PERSONALITIES OF THE 20TH CENTURY, AND EMPHASIZES THE WAY HOW THE PATRISTIC OPINIONS ARE VALUED IN HIS WORK. BY SHOWING THAT AUTHORS FROM THE FIRST 4TH CENTURIES, LIKE SAINT MACARIUS FROM EGYPT, SAINT JUSTIN THE PHILOSOPHER, SAINT IGNATIUS, SAINT POLICARP, SAINT GREGORY OF NYSSA, SAINT JOHN CHRYSOSTOM, AND OTHERS, ARE QUOTED IN WORKS LIKE: DOGMATIC ORTHODOX, MAN AND GOD-MAN, TIME IS A FRAGMENT FROM ETERNITY, AND S.O., THE AUTHOR ARGUES THAT, SAINT JUSTIN IS ONE OF THE WRITERS WHICH REDISCOVERED THE PATRISTIC THEOLOGY IN THE ORTHODOX SPACE.

KEY WORDS: MACARIUS FROM EGYPT, *DOGMATIC ORTHODOX,* THEOLOGY OF SERBIAN ORTHODOX, GREGORY OF NYSSA.

INTRODUCTION

About the life, the activity and the writings of the great Serbian theologian Justin Popovici, it has been written until now in more books or articles. However, there are important thinks about him and his taught that can be highlighted by the contemporary research. For example, an interesting approach could emphasize who were the the most important Saints who were quoted by him. This is what we will do in the next pages.

THE PATRISTIC USE IN THE WORKS OF SAINT JUSTIN POPOVICI (1894-1979)

As a dogmatist and specialist in patristic, he used to support his opinions on the writings of the Saint Parents from the first Christian millennium. But, the wealth of patristic sources forced him to select from all the works about the investigated subject, the most representative

ideas and authors. In the same way father Dumitru Stăniloae[2], Bishop Zizioulas or other important theologians had done. So, if in the works like *The Orthodox Dogmatic* of the first one, the reader can see more ideas of Saint Maxim the Confessor, Saint Gregory the Theologian, the Cappadocian fathers or Saint Nicodim the Aghiorite[3]. In one of Saint Justin, it can be seen more ideas of Saint Macarius the Egyptian, Saint Isaac from Syria, Saint Simeon the New Theologian. After his death, the main researches on the first three authors were anthologized into a book published in Switzerland[4].

The ideas of the former one from the list of the named Fathers, were investigated by the young hieromonk Justin during his PhD studies from Athene. In 1925-1926, he defended his PhD about *The Problem of Personality and Cognition according to Saint Macarius of Eypt*[5]. In this work, he highlights the ideas of this Saint about the ancestor's sin, the restoration of the Man in Christ, the human soul and Salvation and s. o. Starting from the idea that the decomposition of the man is a directly consequence of the sin[6]. Also, by showing that Adam is losing himself in two ways: in the first one, he lose the purity of his own nature, the beauty of being created after the icon and the image of God, and in the second, he lose the privileges promised in the heavens[7], he talks about the importance that it has, for Saint Macarius, the missing of the sin from Christ's body[8], about the ways how he helps the creature to be solved and about the importance of the faith for the entire process of Salvation[9].

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[2] Who was, in our opinion, unfairly criticised for his predilection for Greek fathers by Cristian Bădăliță. For more information about this subject, see: http://oglindanet.ro/dumitru-staniloae-intre-patristica-si-ideologie/, accessed in 24. 04. 2016; https://theologhia.wordpress.com/2007/10/20/badilita-vs-staniloae-occident-vs-orient-stiinta-vs-theologhisire/, accessed in 24. 04. 2016.

[3] See: Dumitru Stăniloae, *The Orthodox Dogmatic,* 3rd edition, 1-3 volumes (Buaharest: Press of the Biblical and Missionary Institute of the Orthodox Church, 2010).

[4] See: Justin Popovitch, *Les voies de la connaisance de Dieu – Macaire d'Egypte, Isaac le Syrien, Symeon le Nouveau Theologien,* traduit par Jean-Louis Palierne, (Lausanne: Editions L'Age d'Homme, 1998).

[5] Atanasie Jetvitch, "Preface", *Les voies de la connaisance de Dieu – Macaire d'Egypte, Isaac le Syrien, Symeon le Nouveau Theologien,* by Justin Popovitch, tradnslated by par Jean-Louis Palierne, (Lausanne: Editions L'Age d'Homme, 1998), 7. Cf. Justin Popovic, *Time is a Fragment of Eternity,* (Los Angeles: Sevastian Press, 2014), 6; Bosko Bojovic, *L'Eglise Orthodoxe Serbe. Histoire - Spiritualite – Modernite,* (Belgrade: Institute for Balkan Studies, 2014), 226.

[6] Popovitch, *Les voies de la connaisance de Dieu – Macaire d'Egypte, Isaac le Syrien, Symeon le Nouveau Theologien...,* 17. About that, he says: "After the apparition of the transgration, man fgot far from God for resting in his naked nature. The person has changed his center, the way of life estabislhed (by God) is rejected and the image of the sin appears in the soul". Popovitch, *Les voies de la connaisance de Dieu – Macaire d'Egypte, Isaac le Syrien, Symeon le Nouveau Theologien...,* 17.

[7] Popovitch, *Les voies de la connaisance de Dieu – Macaire d'Egypte, Isaac le Syrien, Symeon le Nouveau Theologien...,* 18.

[8] "Saint Macarius accords a big importance to the "body without sin" of Christ. This is the weapon that allowed to him to get the victory against the Diablo and, thanks of this missing of the sin, has all the salvation power and all the arguments that he use it during the debate where he opposites to Satan". Popovitch, *Les voies de la connaisance de Dieu – Macaire d'Egypte, Isaac le Syrien, Symeon le Nouveau Theologien...,* p. 44. Cf. Blagoje Pantelic, "Logos became fish – Theogony, Cosmogony and Redepmtion (Sakharov versus Bulgakov)", *Philotheos – Journal for Philosophy and Theology,* XIV (2014): 46.

[9] "The faith is the sin from which the soul can contemplate his poverty, from which he can see that, from the fault of his sins, he rests naked and far away from the communion with the Holy Spirit". Popovitch, *Les voies de la connaisance de Dieu – Macaire d'Egypte, Isaac le Syrien, Symeon le Nouveau Theologien...,* 49.

But, Holy Macarius was not the only and nor the most important used by the Theologian considered one of the most important representatives of the "neo patristic synthesis"[10] as the exegetes of his works show: "preferred to study specially three from the most important neptiks and ascetics fathers from the Orthodox Eastern (Macarius, Isaac the Syrian and Symeon the new Theologian)"[11], but also, other Greek and Latin fathers from the first millennium of Christianity or newer exponents of the hagiography, like Saint John of Kronstandt[12].

By using the ideas from his works, analysing his ideas, and offering an interesting synthesis of it, Saint Justin from Celie contributed not only to the re-discovering of the patristic theology in the Serbian space, and in other areas, where his works were translated and are considered important to the dissemination of their ideas, but also to the great process of rediscovering the patristic Theology in the Orthodox space and of the re-discovering of the Church from the first centuries. By comparing, or using together ideas of neptik Saints from the 3th and 4th century[13], or even faster, like Saint Macarius from Egypt[14], Saint Gregory of Nyssa, John Chrisostom[15] and s. o., with voices from the 18th and 19th centuries, like Saint John of Kronstadt, Saint Filaret of Moscow, or others, he creates links between the centuries and shows that "the ways of the heart" where the same in all the times in Church[16], because the Christ stickled together his community.

By investigating the life and the work of Saint Justin, the reader can find that, despite of the fact that he studied both in an Oriental and in an Occidental environment, in Greece and in Germany, he didn't lose his faith. Despite of his PhD in the German space, he rested orthodox in his way of thinking, and he wasn't impressed and moved by the Catholicism or Protestantism. In addition, he always kept his appetence for the patristic theology. Perhaps, this was the reason that kept him into the Church and transformed him in an apologetic of the Orthodox faith in the Communist and atheist Yugoslavia.

Highlighting this fact, a contemporary theologian sad, in one analyse dedicated to the relation of continuity between Saint Nicolas Velimirovic and Saint Justin, comparing their taught:

"Also, one of the basic differences between St. Nikolaj and St. Justin's neo patristic theology is that St. Nikolaj rediscovered the ancient Fathers progressively while Fr. Justin from his very beginnings to the end of this earthly life was extremely patristic author. His life of the saints, in twelve extensive volumes (one for each month) represent entire library of patristic

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[10] "Today, we can without any doubt say that Fr. Justin is one of the most important and influencial theologians of the 20th century, that his tought might be compared only to such theological authorities as Fr. Georges Flroskosky, Fr. Dumitru Stăniloae, and, to some extent, Fr. Alexander Schmemann. Popovic's work remain one of the classics of neo patristic theology: I think you could not call yourself decently educated Orthodox theologian unless you have read at least something written by Fr. Justin". Darko Djogo, „Serbian Neopatristic Theology (Some Aspects of History, Reception and Currents)", *Teologia,* 4 (2012): 18.

[11] Jetvitch, "Preface...", 5.

[12] Cf. Popovitch, *Les voies de la connaisance de Dieu – Macaire d'Egypte, Isaac le Syrien, Symeon le Nouveau Theologien...,* 160.

[13] Cf. Irinej Bulovich, Atanasie Jetvich, „Foreword", to *Commentary on the Epistles of St. John the Theologian,* by Justin Popovitch, translated by Radomir M. Plavsic, (Los Angeles: Sebastian Press, 2009), 7-9.

[14] Popovic, *Time is a Fragment of Eternity...,* 6.

[15] Justin Popovici, *Omul şi Dumnezeul-om. Abisurile şi culmile filosofiei,* translated in Romanian language by Ioan Ică şi Ioan Ică jr., (Bucharest: Sophia, 2010), 82.

[16] Placide Deseille, *Les Chemins du cœur. L'enseignement spirituel des pères de l'Eglise,* (Solan: The Monastery of Saint Anthony the Great, 2012), 7.

lives and writings. At the time of their appearance, this books were almost only existing Serbian translation not just of Christian hagiographies and martyriologies, but also of the most important early Christian writings"[17].

CONCLUSION

As a conclusion, we can say that, given all the above, we can say without fear of being wrong, that Saint Justin was a great re-discoverer of patristic theology and ideas. Through his writings, he brought attention to the views of important Parents from early centuries of Christianity on certain important issues of ecclesiology, Christology or soterilolgy, providing valid and well-structured arguments on certain issues agitating Orthodoxy. Clearly, we cannot talk about his preference only for some holy fathers, but for his preference for patristic theology. Some authors are, indeed, used more often in his writings, but this is explained by the fact that they were understand more in his doctoral thesis or other research, or in some problems, where they had major contributions. This is the real reason of their recurrent use, but not some arbitrary sympathy.

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[17] Djogo, „Serbian Neopatristic Theology (Some Aspects of History, Reception and Currents)...", p. 28.

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Medicine

SOCIAL DETERMINANTS AND OXIDATIVE STRESS AMONG ELDERLY PATIENTS WITH CARDIOVASCULAR DISEASES – TWO FACETS OF THE SAME MATTER

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ABSTRACT:
CARDIOVASCULAR DISEASE (CVD) IS THE NUMBER ONE CAUSE OF DEATH WORLDWIDE.[1] AND ITS PREVALENCE IS PREDICTED TO RISE EXPENDENTIALLY IN THE COMING YEARS. THERE IS A COMPLEX INTERPLAY BETWEEN THE UNDERLYING HEALTH DETERMINANTS THAT COULD TRIGGER ANY PATHOPHYSIOLOGICAL ABNORMALITY LEADING TO THE DEVELOPMENT OF DISEASE[4]. THIS ARTICLE FOCUSES ON THE TWO WAY TICKET THAT IS OXIDATIVE STRESS (OS) AND SOCIAL DETERMINANTS IN THE DEVELOPMENT OF CVD.
IT IS BECOMING INCREASINGLY CLEAR THAT SOCIOECONOMIC FACTORS PLAY A MAJOR ROLE IN THE DEVELOPMENT OF CVD. IN ADDITION, A MULTITUDE OF RESEARCH PAPERS HAVE SHOWN DISADVANTAGEOUS SOCIAL FACTORS CAN TRIGGER AN INCREASE IN ROS PRODUCTION. OUR KNOWLEDGE OF hROS HAS EVOLVED IN THE PAST DECADES TO THE POINT THAT WE NOW HAVE WELL DOCUMENTED EVIDENCE SUPPORTING THE ROLE OF hROS (E.G. PEROXYNITRITE, HYPOCHLORITE, HYDROXYL RADICAL) IN THE MECHANISM OF ENDOTHELIAL DYSFUNCTION, VASCULAR COMPLICATIONS, MYOCARDIAL INFARCTION, CONGESTIVE HEART FAILURE AND STROKE[4].
ON THE OTHER HAND, SOCIAL DETERMINANTS ARE YET ANOTHER FACET OF THE SAME MATTER. RECENT DATA EMPHASISES THE CAPACITY OF SOCIAL DETERMINANTS AND SOCIAL CONFIGURATION TO DETERMINE THE DEVELOPMENT OF CVD[3]. MOREOVER, THE DYNAMIC NATURE OF HOW THE SOCIAL ENVIRONMENT ACTS UPON DISEASE NECESSITATES AN INDEPTH INVESTIGATION.
AS A CONSEQEUNCE, IN ORDER TO PROPERLY ADDRESS THE INCREASE IN CVD, BOTH PATHOPHYSIOLOGICAL AND SOCIAL ASPECTS SHOULD BE TAKEN EQUALLY INTO CONSIDERATION.

KEY WORDS: CARDIOVASCULAR DISEASE, AGING, SOCIAL DETERMINANTS, REACTIVE OXYGEN SPECIES, PREVENTIO

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INTRODUCTION

1. Cardiovascular Disease Worldwide

Cardiovascular disease (CVD) is the number one cause of death worldwide. Moroever, the prevalence of CVD is projected to rise by 60% from 1990 to 2020. [6]CVD associated morbidity and mortality places tremendous constraints on the health care system. Currently CVD is the leading cause of death among high-income countries[8]. In addition,CVD is now the number one cause of non-transmissible morbidity and mortality amidst low- and middle-income countries, accounting for almost 25% of total deaths[9].

In the past decades there has been a transition from the most common causes of death and morbidity (infectious diseases) to non-transmissible diseases (CVD). There are three possible circumstances that could explain this transition: increasing average life expectancy; economic, social and cultural changes and an increase in CVD risk factors including smoking, overweight, hypertension and diabetes[10].

The vast majority of studies are dedicated to describing the mechanism involved in the development of CVD. Amongst CVD determinants, pathophysiological (e.g. hypertension, diabetes), behavioral (e.g. cigarette smoking, alcohol consumption) and social risk factors (e.g. lowsocioeconomic status, social isolation) were incriminated.

Non-modifiable risk factors of CVD such as age, family history, gender and ethnicity, are also the subject of extensive studies. When considering the percentage of cardiovascular disease induced deaths, there are major differences depending on the age category. CVD mortality and morbidity increases significantly with age. In addition a man is more likely to develop a CVD than a pre-menopausal woman, but the risk equalizes for post-menopausal women (Fig. 1, Fig. 2).[11]

Aside from the non-modifiable risk factors of CVD most others are modifiable risk factors. There are numerous well established risk factors of CVD, but describing them in detail is not the purpose of this paper. However, it is crucial to understand that changes in lifestyle, dietary patterns, physical activity, alcohol consumption and smoke free policies could prevent or reduce the total risk of CVD.

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[11] N. T. P. S. M. R. Melanie Nichols, "Cardiovascular disease in Europe 2014: epidemiological update," *European Heart Journal ,* 2014.

Fig. 1 The major causes of mortality in men, latest available year; adapted after World Health Organization Mortality Database.
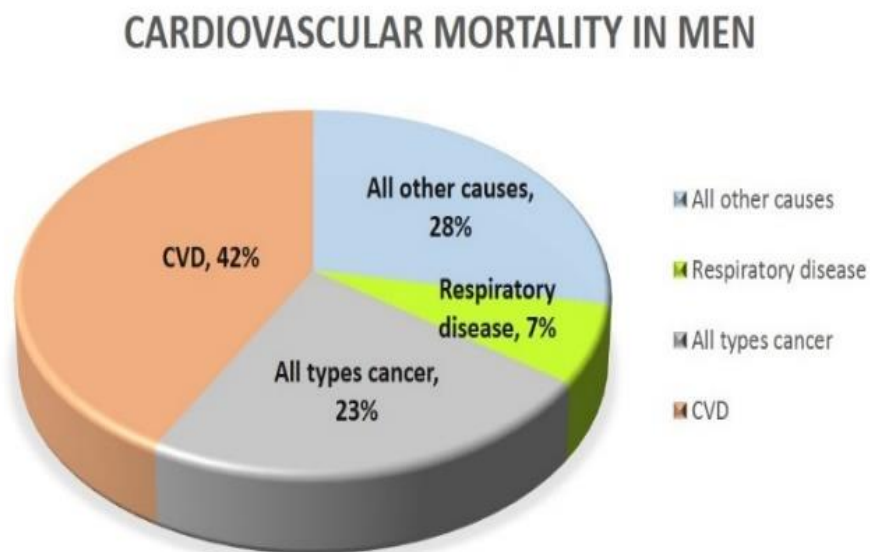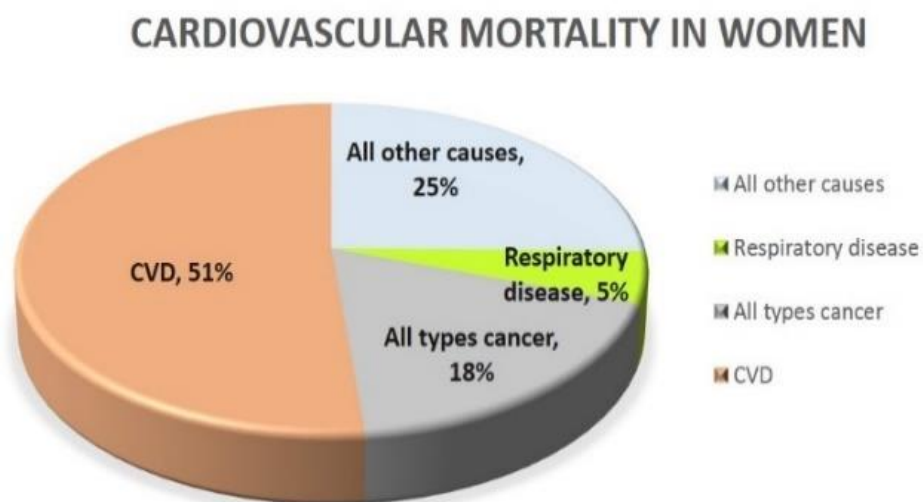

Fig. 2 The major causesof mortality in women, latest available year; adapted after World Health Organization Mortality Database.

1. POPULATION AGEING AND SOCIAL HEALTH
1.1 Demographic shift – transition towards a much older population

CVD occurs more frequently in an aging population, which is more advanced in highly developed countries[12]. Population ageing arises from three major demographic effects: increase in average life expectancy, declining fertility and migration[13]. The substantial increase in average life expectancy is a phenomenon that occurs due to the reduction of infant mortality, control of infectious diseases and the enhancement of sanitation, living standards and nutrition. In2050, the number of elderly people is projected to be five times higher than today and will represent 4% of the total population[14]. Elderly people aged 80 and over is the fastest growing segment of the population.

2.1 Demographic shift – transition towards a much older population

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An ageing populationis in many aspects a matter of international politics. Demographic changes will have major implications for health services. Furthermore, it has the potential to exert substantialburden on the costs of pensions, medical care and long term care services. On the other hand the poor capacity of the health system to directly support vulnerable populations through public health programs, preventive measures and early diagnosis is another reason that leads to physical aging and CVD appearance.

Both CVD and premature aging are closely linked to behavioral risk factors, including alcohol and tobacco use, unhealthy diets and lack of exercise. Old age is marked by changes in health and in social relationships and their impact can be influenced by gender, physical and mental wellbeing, illness, social and economic resources.

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[12] Kreatsoulas, Catherine; Anand, Sonia S "The impact of social determinants on cardiovascular disease," *Can J Cardiol,* Vols. Vols. 8C–13C- , no. (Suppl C), p. p. 26, 2010. - Aug-Sep.

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2.2 Social health

It is necessary to mention here that the term "social health" introduced by Donald and Co in 1978, is seen as a dimension of wellness distinct from an individual's physical and mental health. In terms of social support, social health is a component that can alter the effect of one's environment and that of stressful events on the physical and mental health of the elderly.

Social health is a complex term that encompasses the need for a satisfactory social status, good working and living conditions, active and appropriate access to health care and efficacious social support[18]. Available social support for the elderly influences health, happiness and longevity. Seniors with more support and social interaction need less health care and have less need for hospitalization. This theory suggests that health in old age, as well as quality of life, could be significantly improved by managing the social environment.

2. THE DYNAMIC NATURE OF SOCIAL DETERMINANTS OF CARDIOVASCULAR DISEASE

"Social determinants of health" represent an extensive term used for describing how age and conditions in which people are born, live and work have an impact on health[19]. Alongside other social factors, such asmonetary allocations, degree of education and resources, probably the most influential one is the health care system[20]. This system needs to provide solutions for the increase in CVD and for the complex phenomenon behind it, i.e. the interaction between socioeconomic features and pathophysiological features of CVD. Literature data implies that sociallydeprived groups are exposed to more cardiovascular risk factors[21].

3.1 Lowsocioeconomic status and social isolation

In a review from 2009 that linked social factors with cardiovascular disease, C. Kreatsoulas found that the underlying cause of other modifiable CVD risk factors could have a

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[15] Kreatsoulas, Catherine; Anand, Sonia S "The impact of social determinants on cardiovascular disease," *Can J Cardiol,* Vols. Vols. 8C–13C- , no. (Suppl C), p. p. 26, 2010. - Aug-Sep.

[16]"http://www.mmuncii.ro/j33/images/Documente/Transparenta/Dezbateri_publice/_Anexa1_ProiectHG_SIA.pdf .," ministerul muncii, 2015-07-15. [Online]. Available:
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[18] B. L. A.-C. S. S. L. M. K.-I. Thierry Lang, "Social Determinants of Cardiovascular Diseases," *Public Health Reviews,* vol. 33, no. 2, pp. 601-622

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[21] H. Hennekens,Charles, "Increasing Burden of Cardiovascular Disease Current Knowledge and Future Directions for Research on Risk Factors", Circulation, 97(1998):1095-1102

socioeconomic causality[22]. Thus, the review identified the social characteristic of certain disadvantaged groups and highlighted their vulnerability and higher risk for CVD.

Unemployment and low socioeconomic status, a concept first reviewed by GA Kaplan in 1993, are two possible CVD risk factors that are quickly overlooked due to their time-dependent effect.[23] There is a powerfulconnection between various social circumstances, such as destitute working and living settings, limited health education and decreased access to health care.There is substantial evidence of an inverse relationbetween socioeconomic status and almost all the cardiovascular disease risk factors, with the possible exceptionof cholesterol level. Furthermore, prominent evidence implies that people with a low socioeconomic status are more prone to smoking and to have unhealthy dietary habits. [24]Also, it is shown that poverty in early life has a substantial effect on the development of arteriosclerosis.[25]

Makenbach et al highlighted how a lack of education may increase levels of ischemic heart disease, cerebrovascular disease, and total CVD mortality by carrying out a study in the United States and eleven Western European countries that found higher mortality among individuals with lower education in all countries[26].

Regardless of the approach used to define social status or how society is structured, education has proven to be a useful tool for the measurement of socioeconomic status. Alongside other instruments for the measurement of social class, such as income, occupation and living conditions, education has been the first choice for epidemiologists[27]. It seems that poor-living conditions, a low level of education, social instability, unemployment or low income and reduced access to health care are strongly linked to coronary heart disease, stroke and myocardial infarction[28].

It is therefore crucial that we identify and prevent the social forces that trigger the development of CVD risk factors, by reducing the number of people at risk of poverty or social exclusion[29].

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[22] Kreatsoulas, Catherine; Anand, Sonia S "The impact of social determinants on cardiovascular disease," *Can J Cardiol,* Vols. Vols. 8C–13C- , no. (Suppl C), p. p. 26, 2010. - Aug-Sep.

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[29] B. L. A.-C. S. S. L. M. K.-I. Thierry Lang, "Social Determinants of Cardiovascular Diseases," *Public Health Reviews,* vol. 33, no. 2, pp. 601-622.

3.2 Chronic exposure to stress – a time varying risk factor

Chronic stress is usually an environmental factor that affects one'sperceptualcapacity and is consistently associated with a wide range of health morbidities, depending on the duration of the stressor agents. A conflictual home or work environment as well as social isolation, significantly increases the risk of myocardial infarction and premature mortality[30]. Arterial hypertension is more frequently detected in men with negative social interactions and a stressful workplace than in people who have an amicable working realtionship with their colleagues[31]. Consequently, work-related chronic stressor otherstressful events, and their role in cardiovascular disease needs further investigation[32].

3. THE ROLE OF HIGHLY REACTIVE OXYGEN SPECIES IN CVD
4.1 Endogenous and exogenous triggers of oxidative stress

There is an abundance ofstudies and literatureavailable on oxidative stress and its potential triggers. Apart from known reactive oxygen species (ROS)generating factors like infectious, inflammatory diseases, surgery,cancer and drugs (e.g.corticosteroids), there are furtherjob-related and behavioral risk factors worth mentioning.

Oxidative species seem to increase with age[33], cigarette smoking[34], occupational exposure to ionizing radiation [16], and environmental stress like prolonged exposure to UV radiation or heat[35].

4.2 Several mechanisms of reactive oxygen species in CVD pathophysiology

This review paper is not meant to be exhaustive, especially on such a complex chapter of CVD pathophysiology, instead it is meant to stress the importance of developing new specific molecular therapy targets. Our knowledge of highly reactive oxygen species (hROS) has evolved in the past decades to the point that we now have well documented evidence supporting the role of hROS (e.g. peroxynitrite, hypochlorite, hydroxyl radical) in the mechanism of endothelial dysfunction, vascular complications, myocardial infarction, congestive heart failure and stroke[36].

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Research has focused on validating the toxic effects of hROS on the cellular membrane, cellular structure, lipids, proteins and DNA. In vitro experiments demonstrate that all these cumulative effects lead to an interruption in cell signaling, oxidative metabolism and finally, to cell death either through apoptosis or necrosis.

Essentially all CVD are the direct consequence of atherosclerosis. ROS play a very important role in the initiation of the atherosclerotic process, by oxidizing low density lipoproteins (LDL). The transfer of oxidized LDL from the vascular lumen into the media, represents the initiation of atherosclerosis at the site of endothelial damage[37]. Also, ROS maintain the progression of atherosclerosis and support plaque development[38]. Complicated atherosclerotic plaque is a well established risk factor for myocardial infarction. Procedures for resolving an acute myocardial infarction rely mainly on restoring blood flow in the ischemic area. Unfortunately, reperfusion progresses with a burst of ROS, which may persist for hours[39]. In addition, these high levels can lead to structural damage of the heart, capillary leakage and cardiomyocyte metabolism alterations thus, affecting both the systolic and diastolic function[40]. Also reperfusion can lead to cardiac conduction system dysfunction with the occurrence of arrhythmias[41].

Thus, increased concentration of ROS can be triggered by socio-economic factors which in turn may contribute substantially to the development of CVD.

4.3 Desirable new therapeutic approaches

So far, synthetic antioxidants have been examined in human clinical trials with no concluding results. Outcome predictions are difficult to make due to the complex effects of hROS, making it difficult to choose the dosage and type of antioxidant[42]. In order to alter distinct ROS-sensitive pathways we need novel probes suited for the detection of each hROS with high

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specificity and sensitivity[43]. In vitro studies are making progress in understanding the mechanisms of oxidative damage and which species can be more toxic than others. Extrapolated results for parameters in vivo can make relevant contributions to cardiovascular disease therapeutic strategies[44].

Knowing that hROS play a pertinent role in the physiology as well as the pathophysiology of CVD, it is only fair to ask how a more selective, targeted antioxidant therapy would benefit the primary or secondary prevention of CVD. Further research should focus on matching antioxidant therapy to the oxidative stress present in CVD[45].

Only by understanding these specific molecular targets can we propose new effective therapeutic strategies, aside from the desirable correction of the socio-economic risk factors and improved social heath.

CONCLUSION

It is becoming clear that socioeconomic factors play a major role in the development of CVD. As life expectancy increases, the aging population is exposed to a greater number of cardiovascular risk factors. However, in a vicious circle the aging process accelerates when CVD occurs, triggering a cluster of pathophysiological abnormalities.

Disadvantageous social factors can trigger an increase in ROS production which in turn may contribute substantially to the development of CVD. Social circumstances and the health care system hold a key role in the evolution, prevention, prompt diagnostic and treatment of cardiovascular risk factors and cardiovascular disease.

As a consequence, in order to properly address this increase in CVD in elderly patients, both pathophysiological and social aspects should be equally taken into consideration.

Reflecting on health determinants in this way could lead to interdisciplinary strategy sessions to build knowledge, set priorities and improve prevention measures. In light of this data we need to evaluate and address this subject from an interdisciplinary angle, taking into consideration the interrelation of social and pathophysiological determinants of illness.

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LARGE PANCREATIC PSEUDOCYST SPONTANEOUSLY FISTULIZED TO THE DUODENUM

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Dragoş DAVIŢOIU[5]

ABSTRACT:

ONE OF THE POSSIBLE COMPLICATIONS OF PANCREATITIS – BOTH ACUTE AND CHRONIC, THE PSEUDOCYST, MAY EVOLVE TO IMPRESSIVE SIZES AND POSSIBLE LIFE-THREATENING COMPLICATIONS (RUPTURE OF THE PANCREATIC PSEUDOCYST, INFECTION, PSEUDOANEURYSMS OF THE NEIGHBOURING ARTERIES AND INTRACYSTIC HEMORRHAGE).
THIS ARTICLE REPORTS THE CASE OF A 66 YEARS OLD MALE PATIENT WHO WAS ADMITTED WITH THE DIAGNOSIS OF PANCREATIC PSEUDOCYST LOCATED TO THE BODY AND TAIL, FOLLOWING RECURRENT BOUTS OF ACUTE PANCREATITIS, WHICH DURING THE ADMISSION EVOLVED TO SPONTANEOUS FISTULIZATION TO THE DUODENUM. THE SUBSEQUENT COURSE OF THE PATIENT WAS COMPLICATED BY AN INTRACYSTIC HEMORRHAGE, MANIFESTED BY THE PASSAGE OF MELENA. THE PATIENT WAS SUCCESSFULLY MANAGED CONSERVATIVELY AND WAS DISCHARGED FOLLOWING A 14 DAYS HOSPITAL STAY.

KEY WORDS: PANCREATIC PSEUDOCYST, FISTULA, INTRACYSTIC HEMORRHAGE, GASTRO-INTESTINAL BLEEDING

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INTRODUCTION

The pancreatic pseudocyst (PP) represents one of the long-term complications of acute or chronic pancreatitis, developing in about 25% of the patients with such a medical past history[6]. In its developing, PP may reach impressive sizes and can determine symptoms by compression to the adjacent organs. Among the possible complications, rupture of PP, infection, pseudoaneurysm and intracystic hemorrhage are noted. Spontaneous perforation and fistulization occurs in less than 3% of the cases of PP and may develop to the main peritoneal cavity, stomach, duodenum, colon, portal vein or the pleural cavity. Intracystic hemorrhage represents a severe complication and may manifest as an upper gastro-intestinal bleeding (UGIB)[7]. High mortality among patients with intracystic hemorrhage (13%-90%) requires immediate therapeutical actions.

CASE REPORT

A 66 years old male patient, with a medical background of controlled hypertension , diabetes mellitus (controlled by oral antidiabetic agents), chronic type-B hepatitis virus infection and a history of acute etanolic pancreatitis 3 years prior and multiple flare-up episodes, who was previously imagistically diagnosed with a pancreatic pseudocyst, reports to the Emergency Department complaining of emesis and abdominal pain (more severe to the upper qudrants), progressively getting worse over the past 3 to 4 days.

The findings on clinical examinations: alert and orientated patient; apyrexial; haemodinamically stable; no respiratory distress; intact and normally coloured and hydrated skin and mucosae; soft and mobile abdomen; large, firm on palpation pseudo-tumoral mass to the epigastrium (about 10 cm in diameter); spontaneus and on palpation tenderness to the epigastrium and right upper abdominal quadrant, but no guarding.

Blood tests on arrval were normal, except for mild anaemia (Hgb=10.5 g/dL) and mild hyperkalaemia ([K^+]= 5.6 mmol/L).

The computed tomography scan (CT) findings: 135mmX76mm pancreatic pseudocyst located to the body and tail; contrast uptake to the walls of the pseudocyst; 21mmX16mm splenic artery pseudo-aneurysm in close contact with the anterior aspect of the pseudosyst; enlarged (49mm antero-posterior diameter), ill-defined and homogenously enhanced pancreatic head; multiloculated pseudocystic image to the hepatoduodenal ligament; inflammatory circumferential thickening of the gastric wall to the antropyloric region; hepatosplenomegaly; splenorenal collateral vessels (Figure 1).

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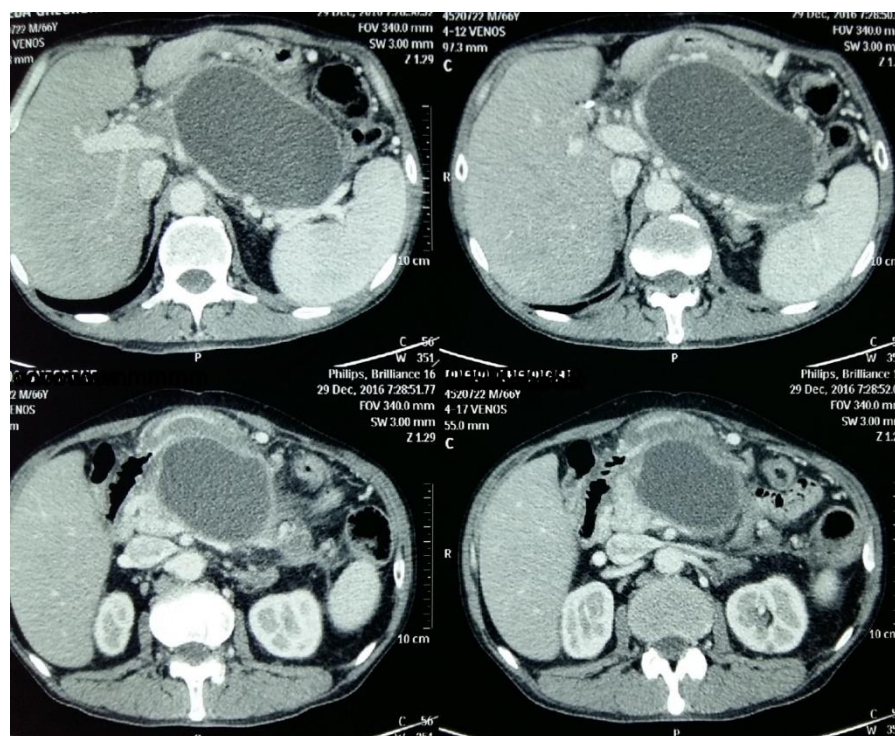
Figure 1. CT scan (axial section) shows a homogenous cystic mass to the body and tail of the pancreas, compressing the adjacent structures.

The patient received intravenous fluid repletion, analgesics and antispasmodics. Diabetology and cardiology consults were requested as part of the pre-operative workup.

On day 4 post-admission the blood tests show dropping Hgb level (9.1gt/dL), hyperglicemia (230mg/dL), altered liver function tests (ALT=111 U/L, AST=49 U/L), elevated pancreatic serum enzyme levels (Amylase=308U/L, Lipase=2848U/L) and hypocalcaemia (seric Ca=7.5mg/dL). On examination the abdomen was soft, non-tender; no changes were noted to the pseudo-tumoral mass described on admission.

On day 6 post-admission), on the pre-operative clinical review, the pseudo-tumoral mass was found to be barely observable; the patient described passing of black-coloured stools over the past 2 days; a digital rectal examination was performed showing melena.

An emergency upper-GI endoscopy was performed, finding a normal oesophagus and stomach, permeable pylorus; on passing to the duodenal bulb and further to the second part of the duodenum a significant amound of fresh blood was noted, originating from periampullary region on the medial wall of the descending duodenum (Figure 2).
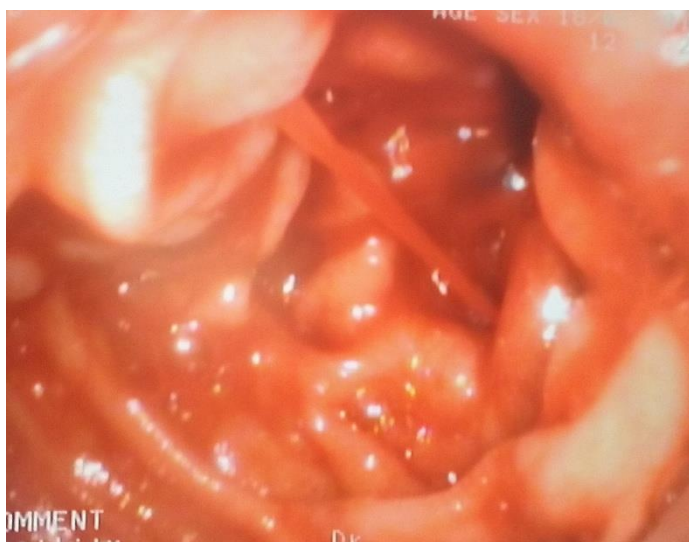
Figure 2. Upper –GI endoscopy: to note the major duodenal papilla (upper left) and the blood flow originating from the periampullary region.

The decision to perform an angiography was made. There was no spillage of the arterial contrast, but an anatomical variation of the splenic and common hepatic arteries was found, with both emerging from the aorta (Figure 3, Figure 4).
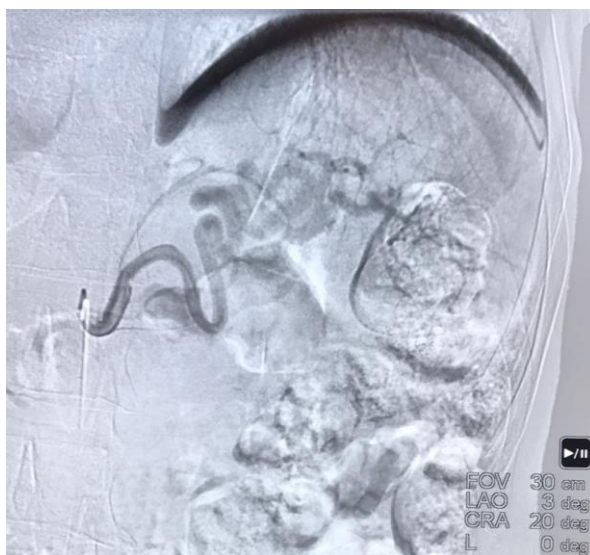

Figure 3. Angiography image – enhancement of the tortuous trajectory of the splenic artery.

Figure 4. Angiography image – enhancement of the common
hepatic artery and its branches.

A new CT scan of the abdomen was performed, showing spontaneous blood densities in an inhomogenous content of the pseudocyst in the pancreatic body and tail, which measured 12X6.5 cm. No spillage of the contrast agent in the arterial phase was seen, but an acute haematoma to the tail of the pancreas was noted in the venous phase (Figure 5, Figure 6, Figure 7).
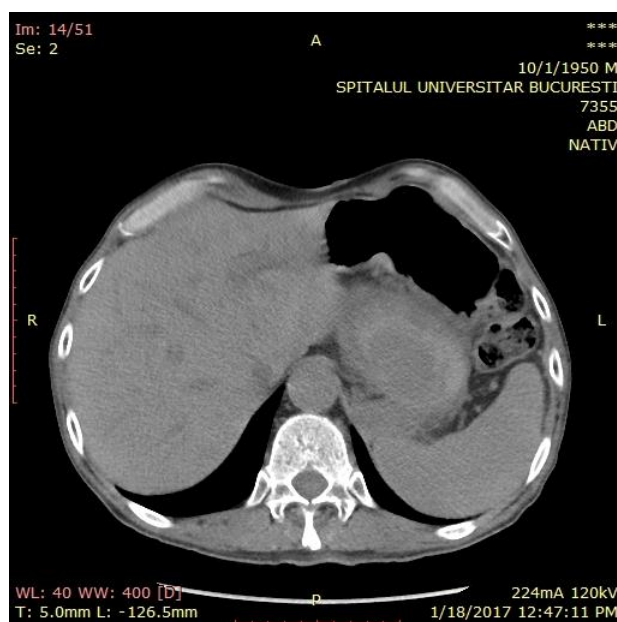

Figure 5. Native CT scan axial section – upper abdomen.
12x6.5cm spontaneously inhomogenous pseudocyst to the body and tail
of the pancreas.

Figure 6. Contrast-enhanced CT scan coronal section – venous phase. Inhomogenous pancreatic pseudocyst, with intracystic contrast spillage to the postreo-superior area.
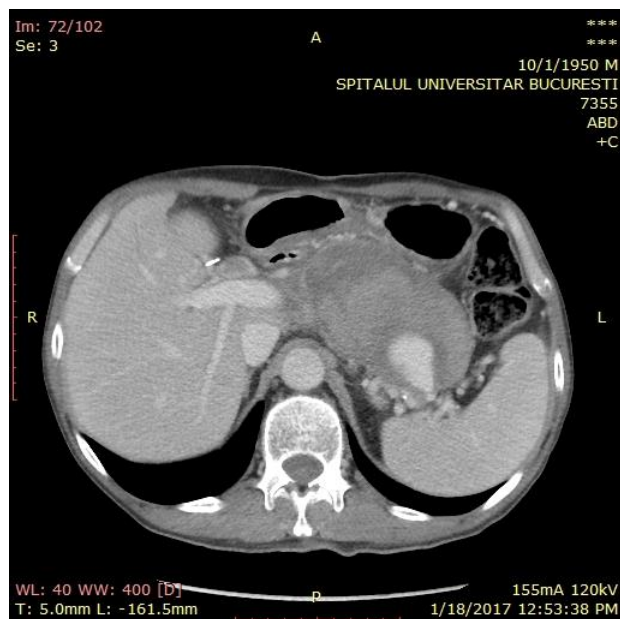

Figure 7. Contrast-enhanced CT scan axial section – venous phase. Inhomogenous pseudocyst to the body and tail of the pancreas; contrast is noted to the tail section of the pseudocyst

CT scan reconstruction images of the arterial phase confirm the separate origins of the splenic and common hepatic arteries from the aorta (Figure 8, Figure 9).

Figure 8. Angio-CT scan reconstruction. The main branches of
the abdominal aorta are homogenously enhanced to the bifurcation,
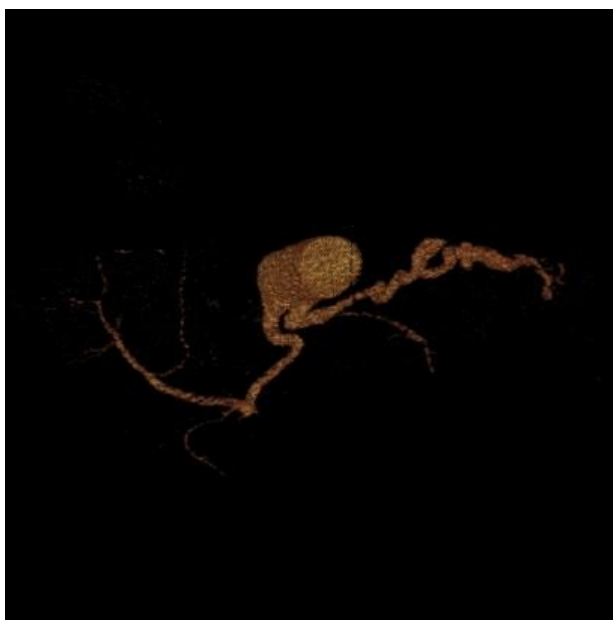except for a wall calcification of the infrarenal aorta.

Figure 9. Angio-CT scan reconstruction showing the separate
origins of the splenic and common hepatic arteries from the aorta
(anatomical variation); the splenic artery pseudoaneurism described by
the CT scan on admittance is no longer visible.

The surgical intervention was postponed. The patient received blood transfusion (RBC 1 unit, FFP 1 unit), unded close monitoring of the haemoglobin level. Hemostatic agents

(Phytomenadion, Etamsylate and Adrenostazin) and proton pump inhibitor (Controloc 80mg iv bolus) were also administered.

Following the administration of RBC, the Hb level dropped from 10.1g/dL to 9.9 g/dL after 2 hours and to 7.7g/dL after 6 hours. After 8 hours the Hb level appeared to be stable (7.6g/dL); further transfusion of 1 RBC unit and postponing the surgical intervention were decided.

As the Hb level maintained constant and subsequentely progressively rose over the following days and the patient did not pass further melena, we decided not to proceed with suplementary therapeutical interventions.

The patient was discharged on day 14 post-admission. At discharge he was in a good general condition, apyrexial and had a normal appetite; the abdomen was soft, mobile and non-tender.

DISCUSSION

The pancreatic pseudocyst occurs in about 25% of the chronic pancreatitis cases; it is more frequent in the set of alcoholic pancreatitis[8], but it may develop following any episode of acute pancreatitis or pancreatic trauma. The natural history of PP has not been fully defined yet, but it has been acknowlodged that 20-40% of the cases will evolve towards development of complications such as compression of the peripancreatic blood vessels, stomach or duodenum, infectoin, haemorrhage or spontaneous fistulization.

It is generally agreed that an asymptomatic and uncomplicated PP which is less than 6cm in size only requires follow-up. A larger but still asymptomatic PP may also be periodically monitored. Very large, fast-growing, symptomatic or complicated PP requires a form of treatment. Surgical, endoscopic and percutaneous techniques are to be considered. The surgical treatment aim is the drainage of the pseudocyst to the stomach or small bowell; supplimentary, stenting the Wirsung duct may be used in order to facilitate the pancreatic drainage[9].

Spontaneous resolving of PP is possible as the result of the spontaneous drainage to the duodenum through the Wirsung duct after the resolution of the local inflammation, the rupture of the pseudocyst to the greater peritoneal cavity or the developpment of a fistula between the pseudocyst and the gut (stomach, duodenum or colon); external fistulization through the abdominal wall is also possible.

Three pathogenical mechanisms were described for the bleeding, rupture or fistulization of PP. (1) The severe inflammation and activated enzymes (such as elastase and trypsin) can lead to enzymatic lysis of the elastic component of the vessel walls, eroding the adjacent blood vessels.(2) The mass effect and persistent compression of the neighbouring structures leads to ischaemia, increasing the enzymatic lysis. (3) The inflammation and the mass effect may lead to the compression of the splenic artery, generating venous thrombosis and limited secondary portal hypertension[10]. We support a complex mechanism involving local conditions increasing the enzymatic lysis secondary to persistent ischaemia and vascular thrombosis.

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The fistulization of PP gives symptoms that point to its site. As an example, spontaneous fistulization to the stomach can present as a haematemesis or purulent vomitting; the fistulization of a haemorrhagic PP to the duodenum or tha small bowel can present as haemathemesis, diarrhoea, melena; the fistulization to the large bowel can lead to haematochezia.

In the discussed patient, the fistulization to the duodenum was initially asymptomatic, prior to the passing of melenic stools (on day 4 post-admission). Retrospective analisys of the laboratory results showed an abnormal serum level of the pancreatic enzymes (Amylase=308U/L, Lipase=2848U/L) on day 4 post-admission - the same moment the drop in the Hb level was noted (Graphic 1, Graphic 2). The data correlation led to our belief that the fistulization occurred on day 4 and that elevated serum pancreatic enzymes associated to a drop in the Hb level, in the absence of other clinical signs can suggest the fistulization of PP.
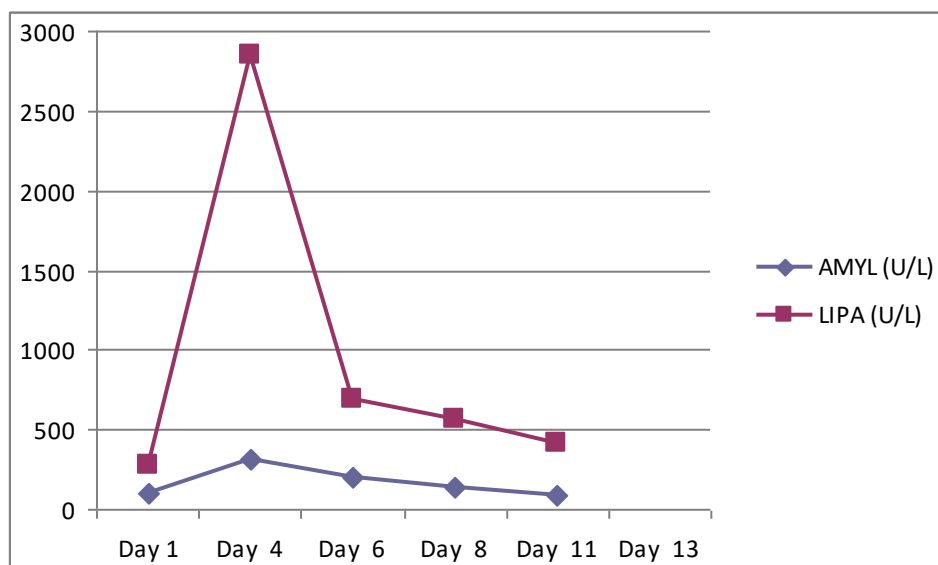
Graphic 1. The dynamics of serum amylase (AMYL) and serum Lipase (LIPA) during hospital admission. To note the spike of these levels on day 4 post-admission and the progression to normal levels to day 13.
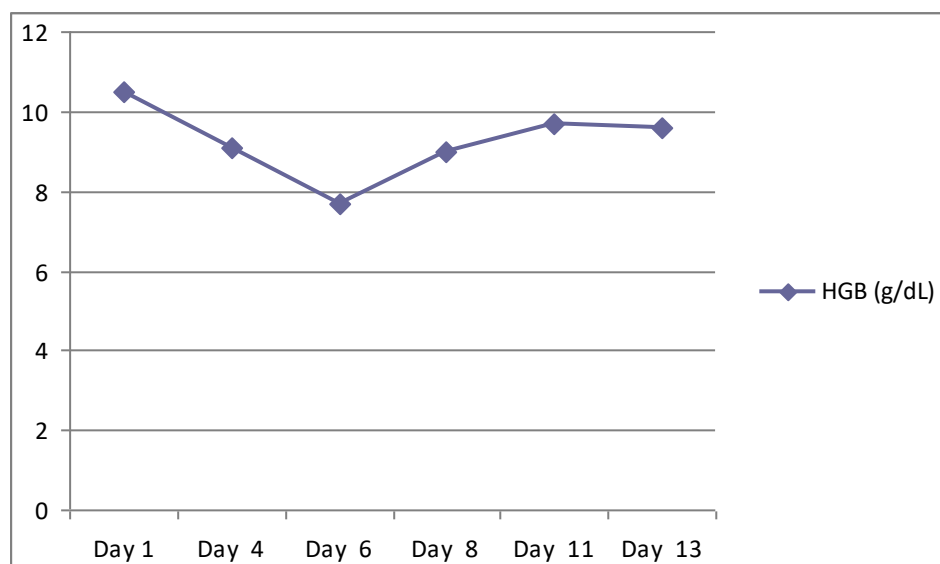
Graphic 2. The dynamics of Hb level (HGB) during hospital admission. To note the descending trend starting from day 4 (from 10.5 to 9.1 g/dL), with a lowest on day 6 (7.7g/dL). The subsequent rise in the Hb level is due to blood transfusions (1 unit on day 6 and another 1 unit on day 8).

The angiography in a haemorrhagic PP can be negative if the bleeding is from a venous source, if the bleeding is intermitent or diffuse and also secondary to imaging artefacts.

Immediate diagnosis is mandatory for the proper management of a massive haemorrhage. The treatment depends on the source of the bleeding, the experience of the medical team and also the condition of the patient[11]. Transarterial embolization (TAE) is indicated for haemorrhages originating to the gastroduodenal and pancreaticoduodenal arteries or intrapancreatic arterial branches; it is not useful in haemorrhages originating to the splenic artery. Rebleeding is a possibility following TAE that should not be ignored. Some patients warrant an emergency surgical intervention as first therapeutical option[12].

If in a scheduled surgical intervention the perioperative mortality is 3%[13], in emergengy interventions it ranges between 25 and 47% [14].

The surgical treatment in order to stop the bleeding most oftenly requires a distal pancreatectomy and splenectomy. Some recommend in situ intracystic haemostasis or local compression by inflating a Foley catheter inside the cystic cavity. One should note that placing surgical ligatures on inflammed, necrotic or infected tissue carries the risk for rebleeding[15].

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The fistulae to the stomach or small bowell with no or limited bleeding do not require emergency surgical treatment. By comparison, the fistulae to the large bowel warrant surgical treatment in order to avoid the infection of the remaining cavity by the colonic bacterial flora[16].

In the particular case we have reported, the surgical treatment was not necessary, as the patient recovered under conservative treatment including haemostatic agents and fluid repletion.

CONCLUSION

In conclusion, PP is a possible complication of pancreatitis and can itself lead to complications such as rupture or fistulization to an adjacent viscus, haemorrhage or infection. The fistulization of a PP can be asymptomatic at the time of occurrence, but it can also present as an upper GI bleeding (hematemesis, melena, hematochezia). The clinical diagnosis should suffer no delays and the treatment should be tailored according to the anatomical site of the fistulization, the eventual complications, the local imagistic and surgical resources and the experience of the surgical team.

The clinical significance of measuring the levels of serum pancreatic enzymes in correlation with the level of haemoglobin as a predictive factor for fistulization in an asymptomatic patient requires further research.

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