

Remarks Concerning Romania's Security and National Defence Issue in the Globalization Framework

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The end of the XXth century and the beginning of the XXIst have been marked both by the growth of globalization's amplitude and by the changes of the international security environment. The main threats are terrorism, mass destruction weapons, the growing world polarisation between rich and poor, the faulty governance, the emphasize of the rivalries between the biggest economic powers of the world.

Crises and conflicts management as well as the effective control of a war suppose a collective defence, namely alliances and coalitions, as no country is able to defend by itself, so far. Of course, collective defence does not exclude the national one, but the latest depends on the first.

The present paper attempts to explain Romania's role as a security beneficiary and provider in South-Eastern European security environment, as a member of both EU and NATO,

Key words: acquis, border secure making, combat of illegal traffic, migration, reform.

1. The European Security and Defence Politics (ESDP)

ESDP has been developed after 1990 inside of Western European Union (WEU), NATO and EU, in times when WEU adopted the „Petersberg” missions meant to manage casual destabilisations, especially in Eastern Europe. These kinds of missions include those of peacekeeping and those of fighting forces in crises management, including peace imposing.¹

In 1996, on the NATO summit in Berlin it has been decided for a European Security and Defence Identity to be created, a European „pillar” inside of NATO expected to allow European countries a military intervention there where NATO one would not be possible or would be limited. For this sake, EU would have the possibility to use NATO's military capabilities².

The grounds of Foreign and Common Security Policy (FCSP) are set through the Treaty of Maastricht (1992)³ and driven deeply in 1999, after the Treaty of Amsterdam.¹

¹Conf. Article 17 of the Treaty of European Union, <http://www.europa.eu.int/eurlex/en/treaties/selected/livre106.html>.

² Berlin Agreement, plus, www.nato.int/shape/news/2003/shape_eu/se030822a.html

³ Tratatul de la Maastricht (sau Tratatul U.E.), http://www.europa.eu.int/eurlex/en/treaties/dat/EU_treaty.html

According to the Berlin Declaration (1992, June, Petersberg Hotel), WEU fulfills humanitarian and rescue missions, peacekeeping ones as well as missions of the fighting forces during the performance of some crises management operations (known as “Petersberg missions”). Among the most famous WEU missions, we mention: the mission of monitoring the embargo against Yugoslavia (1993, The Adriatic Sea and the Danube); support for the EU administrative mission in Mostar (1995); the contribution to the mission of instructing Albanians policemen (MAPE, 1999-2001); the assistance mission of de-mining (Croatia, 1999 – 2001).

As a consequence of adopting the Treaty of Amsterdam, the FCSP acknowledged new developments. It has been created the position of the High Representative for Foreign Policy and Common Security, while the European Council got new competences in defining the strategic orientations concerning security and defense. Much more, EU became the beneficiary of WEU capabilities, taking over the Petersberg missions, too.

Trough signing the Maastricht Treaty (1992) a new common army has been created, as a consequence of the signal given by Germany and France who were setting EUROCORPS2. These have been considered to be a first step towards the construction of an autonomous European defense.

In September, 2001, the European Parliament has elaborated a resolution to foreseen the establishment of a common security and defense European politics, including Petersberg missions. However, there has been a tendency to stump the distinction between security and defense, trough emphasizing the concept of defense with reference to territorial one, putting thus aside any interpretation that would have suggested an eventual rivalry with NATO.

Some states have token measures to restructure their armies and endow with adequate equipments, even with common ones, in view of a European Quick Reaction Force setting. It is considered that a European Common Politics in matters of security and defense is not a goal in itself, but an instrument of EU foreign policy.

The development of the European Security and Defense Policy (ESDP) contributes to the strengthening of the transatlantic link and will lead to a strategic partnership between EU and NATO. We have to add that, as concerning the crisis management, the decisions adopted by the two organizations are independent one to the other. The eventual crises can be solved either trough civil or military means, since the diplomatic ones prove to be insufficient. The armed force can be used only in accordance with the foundational principles of EU and with the member states Constitutions, as well as with the principles of UN Chart or of ESCO. According to the international public law, using an armed force supposes an ad-hoc mandate given by the Security Council of UN, in the absence of which the EU can not military intervene, with the exception of emergency cases and under the express call of the UN General Secretary.

In this respect, it was Mrs. Chancellor Angela Merkel to make the following remark with the occasion of the 50th anniversary of EU setting: We will struggle together

¹ Tratatul de la Amsterdam, <http://www.europa.eu.int/eurlx/en/treaties/dat/11997D/htm/11997D.html>

² Considere „A Force for The European Union and The Atlantic Alliance”, www.eurocorps.org.

against terrorism, organized crime and illegal immigration. We defend citizens' liberties and their civil rights also through the fight against those infringing on it."¹

2. Communitarian Acquis in the field of police co-operation and the combat of organised criminality. EUROPOL. CEPOL.

The Acquis includes norms concerning the fight against the organised crime and witnesses' protection, EUROPOL setting up, the punishment for belonging to a criminal organization, the OCDE Convention concerning the combat of corruption in international commercial transactions, the Common Action from December, 1998 related to money washing, the identifying, following, blocking, sequestration and confiscating the crime's instruments and results, the Council's Directive related to prevention of using the financial system for money washing a.s.o.

In the framework of co-operation in the view of organised criminality combat, the member states can, under the requirement of another member state, identify, follow, freeze or confiscate the instruments of a given crime or its results. As for the prevention of money washing, the member states have to assure themselves that this activity is legally prohibited and that the financial institutions ask for client's identification on the ground of a strict evidence. The request for clients' identification is to be applied for any transaction that is over 15.000 Euro.

EUROPOL is an organism created at the level of member states, having its headquarters in Hague, Netherlands. Its mission is to make the competent authorities from the member states more efficient and to strengthen the co-operation in the following fields: prevention and combat of terrorism, of illegal traffic with drugs, with human beings, with clandestine immigrants, with radioactive materials and nuclear substances, with vehicles, the combat of Euro falsification prevention of money washing associated with international criminal activities.

The traffic with human beings

The Combat of sexual women exploitation – multidisciplinary politics:

- immigration – the victims of such traffic who decide to witness can benefit a protection form in the destination state;
- judicial co-operation – introduction of drastic penalties, of the same dimension in all member states and the extinction of these penalties to third countries;
- co-operation in the matter of employment and social assistance, meant to help victims' reintegration and a strict supervision of labour conditions in order to prevent any kind of migrants' exploitation;

¹ Declarația de la Berlin, din 29.03.2007 făcută cu ocazia aniversării a cincizeci de ani de la semnarea Tratatului de la Roma

- co-operation with third states through different programmes and common action plans. These means of co-operation have to be developed with different regions in the world, that are providers of traffic victims.

Europol – The European Police Office

Europol's mission is to improve the efficiency and the co-operation of competent authorities from the member states in order to prevent and combat terrorism, narco-traffic and other means of trans-national organized criminality.

The setting up of Europol has been provided in Maastricht Treaty, February 1992, but it started working only in 1994 under the label of "Ant drug Unit". Starting from 2002, January, the 1st, its mandate has been extended to other kinds of transnational criminality, such as: money washing operations, traffic with human beings (including juvenile pornography), clandestine immigration, terrorism, cyber-criminality or financial crimes. Europol facilitates the information changes between the link officers of Europol in member states; it provides the necessary operational analyses for specific operations; elaborates strategic reports of criminality combat through identifying the main threatening on the ground of the information provided by member states, assures expertise and technical support for the inquests and operations to take place in EU space.

Europol is working on the basis of an computerized system - The Europol Computer System – (TECS) – containing a certain amount of information related to persons that are followed up, because of their criminal activities or crime commitment.

The Europol leadership is appointed by the Council of European Union, on the level of Ministries for Justice and Internal Affairs, who have the right to control and question on the Europol activity.

The Police European College (CEPOL)

CEPOL has been created in 2000, December, in the bases of EU Council's Decision. It is an organism that binds together the national institutes that train the police officers in the member states. Its aim is to assure stages of training and specialization for European police officers, according to the latest terrorist threatening to the European security.

3. Romania' security and defense dimension in the context of globalization

Once with Romania's admission as a full member of NATO, its defense politics has a pro-active character, meaning that there is no longer meant only a defense of national territory and a preventive diplomacy, but also politics that offensively promote the country's interest and sustain global stability in any region where NATO has missions. As it is put down in official documents for the first decade of the XXIst century, Romania's defense objectives list:

- 1) the consolidation of Romania's statute as NATO member state, the integration in the EU (attained objective) and the development of a strategic, adequate profile inside of these organizations;
- 2) the continuation of the reform of military organism, in order to develop a credible, modern and efficient defense capacity;
- 3) the strengthening of civil and democratic control on the army and the improvement of the mechanisms meant to do it, according to the principles and the values of a constitutional democracy;
- 4) the consolidation of Romania's statute as a provider of regional and global security;

According to Romania's geo-strategic position in the South –Eastern European space – as a NATO and EU frontier country – the national defense policy will have as main objective, the defense and the promotion of Romania's vital interests, as well as the active participation of our country to the security assurance for the interest zones of NATO and EU.

In this respect, the official documents mention that Romania has to take into consideration the following actions: the development of the institutional and combative capacity of its military structures, the army's equipment with specific logistics for the collective missions, the participation to European security and defense policy, the active participation to the gaining of the objectives aimed by the Pact for Stability in the South-Eastern Europe and the maintenance of stability in the Caucasian-Caspic zone, in that of the Black Sea and of the Balkans, the fight against terrorism; the continuation of the programs of professional re-conversion and human resources management improvement; the revise of the force structure of the army, the development of the civil-military relations.

Taking into consideration of these requirements, the yearly military expenditures will have a 2.38% weight in the BIP (Brut Inner Product), level that is to be preserved in the 2005-2008 interval¹. Starting with 2004, as Romania is a NATO member state, there have been provided in the defense' yearly budget, the national contributions representing the participation obligation of our country to the common budgets of the Alliance (the civil, the military and the infrastructure budget). In this context, the participation to the common budgets represents a part of multi-annual arrangements of resources management and of allied requirements, established by the NATO's Military Authorities. The percentage contribution that costs Romania for the military Budget and for the NATO Security Investment Program – (NISP), in the interval of 2004-2007, is 1.3233% every

¹ According to the Governance Program 2005-2008, chapter 27, Official Journal no. 1265, from 2004, December, the 29th;

year. In addition, for the period 2006-2014 there are also annexed the Costs for the Objectives of the 2006 Force, already assumed by Romania. (see, table no. 1)

Table no. 1.

The Costs for the 2006 Force Objectives, assumed by Romania for the period 2006 – 2014 (mld RON)

Allocated Funds until 2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	After 2014	TOTAL
2,510	1,411	2,945	3,168	2,997	3,168	3,349	3,467	2,568	2,390	7,456	34,757

From the point of view of stability, the states from the West Balkans can be divided into three categories:

1. The first group of states, and the most stabile consists of Romania and Bulgaria, that are already NATO and EU members;
2. The second group is made up of states like Croatia, Macedonia and Albania, where an acceptable stability is to be found, Croatia being also on the list of countries asking for EU and NATO adherence and having real perspectives in this respect;
3. The third group and the most sensible one includes Serbia and Bosnia-Herzegovina. It has to be emphasized that Bosnia lays under international leadership on the national territory, for ten years, and also the fact that both states have a great instability potential.

We must also take into consideration the fact that the whole Ponto- Caspical zone of the ex-soviet space is extremely instable, the local risks and threatening affecting both Romania and the EU. In this respect did two major politico-military Romanian analysts put down: "In this period, the main features of the Central and South-Eastern European security environment can be described like: the maintenance and extension of some high risky grade zones; the existence of some inefficient managed crises as a fact that improves the danger of their restart or of some others coming into scene; the persistence or the development of some inner disputes that can degenerate into conflicts with obvious tendency to internationalise; the perpetuation and encouragement of some territorial claims and of autonomy trends of some ethnic, religious or cultural communities, the extension of the existence and influence of Islamic fundamentalism area, with its radical wing, that amplifies the instability of the Balkanic area; tendencies to rebuild the old influence spheres or to become regional leader coming from some states in this space or from the adjacent one; the nearby existence of some instability zones like Middle East, ex-Yugoslavia, Caucasus or Trans-nistria; the appearance of non-military risks and threatens, with negative effects on the national security, like organised crime, the traffic with drugs, armament or strategic materials, illegal persons' migration, the empha-

sizing and diversifying some states in the region efforts to integrate into European and Euro- Atlantic security and economic structures.”¹

The process of globalisation brings also the perspective of some combined threatens like: the development of terrorism, since there is possible for mass destroying weapons to be purchased, possible co-operations between fundamentalist elements, collaborationist ones and international criminal organizations.

NATO remains the cornerstone of Euro- Atlantic stability, since the common defence represents the core on which the special security depends on. As for the EU, its extension towards Ukraine, Republic of Moldavia, the ex-Yugoslavian countries, the Caucasus region, that of Caspic Sea and an important segment of Middle East, all these impose the necessity to assure European security and stability. Here is where the necessity of establishing of a common agenda of the two organisations came out, each of them having its strengths and offering specific advantages. The fact that these instable regions are placed in the immediate neighbouring of the European and Euro-Atlantic space, turns for the co-operation of the two organisations be absolute necessary in order to attain the common politico- strategic aims.

The operational dimension of ESDP is nowadays, a reality. We can mention, therefore, the European Union’ steps to manage the security issue both in the Balkans and in the Caucasus, and in Africa, Middle East and Asia, being expressed in the launch of a number of 15 operations in this geographical perimeters, so far. Romania took part to such operations, both trough contributions with forces and capacities, and trough effective engagements.

4. Romania’s Contribution to the Consolidation of an Area of Freedom, Security and Justice

Romania, as an European Union member state, is among the countries that take part to this area’s consolidation. The achieved progresses as well as the provided measures point, mainly, to the harmonization of legislation, institutions and practices in our country with the European ones, in the matter of Justice and Internal Affairs. The assurance of an efficient management of the boundary, close to the reform of the legal system represent a priority, especially since the Northern and the Eastern Romania’s frontier became the external EU’ one, once the joining took place. Romania is also interested in promotion of the principles and practices used by the European Union in this region, through own initiatives meant to assure consistency to the combat of illegal immigration, of the traffic with human beings, of the transnational criminality, in general. Romanian presence in Kosovo, as well as in Bosnia- Herzegovina is an example of how our country implies in the management of the regional problems, together with the EU and third countries implied in this process. The network of linkage officers in the member states and also in the on-going joining process, the activity in the framework of some European and international organizations reflect Romania’s preoccupation for a constant and

¹ Dr. Sorin Frunzăverde and Dr. Constantin Onișor, *Sourth-Eastern Europe. Main Security Dimensions*, 1992, edition, 2004;

permanent dialogue with EU partners in the view of developing of some optimum reaction capacities towards the political developments and the operative necessities in the field. Still, here there are some difficulties encountered by and some achieved progresses of Romania in the implementation of the Communitarian *acquis* in the field of Justice, liberty and security:

➤ **The Schengen Action Plan**

It had been elaborated in the direction of the transposition and the implementation of Communitarian provisions. It is completed by the National Strategy for Integrated Management of the Frontier, 2004-2006 and by the Strategy of Securitizing Romania's Frontier in the interval 2004-2007.

The most serious problems to be solved for the frontier' securitizing lay on the administrative capacity. Trough this, we mean the endowment with modern equipment, the profesionalisation of the personal from the Frontier Police (by giving up the calling for recruits) , and filling the vacant jobs.

Among the safeguarding clauses connected to the chapter of Justice and Internal Affairs, there was also the speeding of the efforts to modernise the equipment and the infrastructure to the coming external EU frontier. Another requirement was the recruiting of 4438 frontier police agents and officers in order to fully occupation of all the vacant jobs, especially at the border to Ukraine, Moldavia, the Black Sea Beach. In the same respect, Romania has to implement all the necessary measures to effective combat of illegal immigration, including the strengthen of the co-operation with third states.

In 2004, July, there has been realised a fezability study in the direction of a further implementation of the Integrated System of Frontier' Security. The Govern has borrowed 650 millions of Euros in order to apply the strategy of secure making border and has already contacted a company expected to realise it. In order to improve the border police efficiency, Romania has bought mobile supervision vehicles, gifted with thermo detecting machines. Romania's Northern and Eastern frontiers are European Union' external borders and, since Romania is situated at the confluence of some great migration flows from the ex-soviet republics, from the Middle East, from Asia and Africa, Romania has huge responsibilities to border' securiting.

➤ **The Visas Policy**

Romania goes on in aligning to the positive EU' list. The on-line visa system has been established and is already operational. This system links the Authority for Foreigners to Romania's diplomatic missions in Russia, Ukraine, Turkey, Serbia, Montenegro and Egypt. Many persons have been employed in these diplomatic missions in order to manage the visa's liberating. The Consulates have been gifted with special apparatus to detect the false or falsified documents and it started the distribution of the new visa self-stick. The growth of the efficiency of border control has been reflected in the increase number of Romanians who have not been allowed to go out of country, from a number of 417969 persons, in 2002 to 1.216.625 persons, in 2003.

➤ **Data Protection**

The Institution of Ombudsman is the national authority charged to supervise and control the activities of dealing with personal data. The Communitarian *acquis* is applied through some specific laws (682/2001, 677/2001) in order to protect individuals against the automatic processing of personal data and against their free movement, as well as for the protection of private life in the telecommunications field.

➤ **Migration**

The legislation concerning the foreigners regime in Romania is nowadays meeting the European standards. It provides the conditions of entrance, of sitting and of leaving Romania. This is how a legislative framework is given in order to combat the illegal migration. There have also been regulated:

- the distinction between visa (up to 90 days) and residence permission (more than 90 days);
- the regime of the season workers statute;
- the mandatory request of an *affaires* plan for the foreigners asking for the establishment of LTD-s;
- the introduction of the notions of short-time resident, long-time resident and permanent one;
- the assurance of minor's protection since they are not accompanied and come from other states than the ones with high migration potential;
- the principle of volunteer return.

It has also been adopted The National Strategy regarding Migration and the Action Plan. It has been set up a "frame agreement" concerning the re-admission of Romanian and foreigner citizens, meeting the provisions of the Convention on the Statute of Refugee Persons and of the Protocol on the Refugee Statute.

In the negotiation process of the re-admission agreements, the state risk of migration potential has been taken into consideration. In order to combat immigration and clandestine emigration, Romania will go on appointing linkage officers and attached persons charged with internal affairs. It has also been created The National Authority for Foreigners as well as a National Centre for Visas.

➤ **The Asylum**

The National Office for Refugees – as the central charged authority – has made great efforts to train and educate its personal, but also in the field of international and inter-institutional co-operation. A greater accent will be on the persons who have already been given some sort of protection. The second appeal has been rejected inside of accelerated procedures to examine the asylum requests and of border procedures. It has also been regulated the temporary protection offer in the case of a massive influx of dispelled persons. Concepts like "refugee person", "obvious ungrounded requests", "country with a general non-existing a serious persecution rick", "accelerated procedures", "third safe country" have been defined.

The non-accompanied minors encounter a special attention during the whole asylum procedure. Those who have already achieved the refugee statute do benefit the same rights like the Romanian minors in difficulty. The National Office for Refugees cooperate with non-governmental organisations and with UNHCR to assure some decent accommodation conditions to the asylum solicitors as well as for the integration of the persons who have already obtained some protection form.

There are four centres that host the asylum solicitors and the refugees: two are situated in Bucharest, one in Timisoara and one in Galati. The number of places in these centres is 1400, that is more than necessary in regard to the number of asylum solicitors across one year. Great efforts are made to train the personal working in those centres.

➤ **The Police Co-operation and the Combat of Organised Criminality**

Romanian legislation now meets the Communitarian standards with regard to money washing, the identification, following, blocking, sequestration and confiscation of the crimes' instruments and results, the criminal punishment of the moral persons for coins' falsification or of other values, the protection of witnesses, the prevention and the combat of organised crime, especially of the computer one.

Romanian police had been de-militarized and organised according to the Law 360/2002 regarding the policeman statute and the Law concerning the police organisation. In order to turn police' activity more efficient and to orient police forces towards the citizens' needs of security, it has been established the proximity police, some regional centres of rural police and it has been re-organized the public order police for the urban zones.

As for the international co-operation, attached personal for internal affairs and linkage officers have been appointed to Romania's diplomatic missions from other states or from international organizations.

It has also been set up the Anti-Drug National Agency. Co-operation agreements have been signed up with other countries in the view of combating the organized crime, the illegal traffic with stupefying, terrorism and other serious crimes. An EUROPOL department has been created inside of the General Police Department.

➤ **Customary Cooperation**

Romania has adopted a set of legal and organizational measures that have to be implemented with regard to the adherence to the Napoli II Convent. In this respect, it is regulated the usage of the Customs Integrated Computer System.

The co-operation with European customary administrations is taking place according to a specific reciprocal assistance protocol. Mobile controlling teams have been established in order to prevent, to detect and punish the customary fraud and to strengthen the customary controlling operations.

➤ **The fight against fraud and corruption**

The legal framework for the protection of the financial interests of the European Communities has been modified according to the standards. It has also been adopted the regulations for fraud combating and for the falsification of the means of paying, Euro's protection against falsification, corruption combating. In this respect, there have been established:

- in 2002, The National Anticorruption Prosecutor's Office;
- in 2004, The Office for Combating the Communitarian Frauds;
- in 2004, The Service for Combating the Organised Crimes and Corruption.

As a linkage point with the OLAF, it has been designated the Control department of the Prime Minister, while this latter competences have been token by the Inspection Direction of the Prime Minister.

It has been adopted the national Anticorruption Strategy, consisting of: The National Program of Corruption Prevention and The National Program of Actions against Corruption. And all these because corruption still remains Romania's most important problem. Therefore, it has been raise the question: what still is to be done?

Two safeguarding clauses have been formulated with regard to the fight against corruption:

- The acceleration of the fight against corruption by orienting it towards the high level corruption. It is essential for these anti-corruption regulations to be rigorously applied. Another very important issue is the assurance of a real independence of the Anti-Corruption National Prosecutor' Office. In order to meet its duties, it has to obtain more financial and human resources, training and logistics.
- The assurance of a independent audit on the impact of present day anti-corruption strategies. The results of this audit have to be accompanied by proposals for an action plan as well as by budgeting provisions in order to fulfill these duties. The strategy's implementation must be supervised by an unique and independent organism, with clearly definite obligations. It has to be avoided the superposition of the responsibilities regarding the corruption prevention and investigation. The accordingly procedures must be simple and transparent, in order to grant correct sanctions and discouraging effects.

So as the European observers' remark, there is enough legislation in Romania with regard to corruption prevention and combating, but there are serious problems in their application. Even some institutions from the judiciary system meant to instrument and judge the corruption cases, are affected by corruption. The sanctions that have been applied in such cases resumed to internal disciplinary means or to integrity tests. But the criminal pursuit in the corruption cases is essential for discouraging future practices and also for growing people's trust in these institutions.

The national Anti-corruption Prosecutor's Office has had – from its very beginning - obvious successes while instrument corruption cases on a low and medium level. But the high level cases have not been attacked with too much decision, proving the political sensitivity of such cases as well as the lack of a total independence of this Office.

The combating of drugs traffic and consume is still based on weak institutions and on a critical inter- institutional communication. The drugs transits in Romania as

well as the internal production of synthetic drugs remain serious problems, while the statistics of the border control show that the discovery rate is low.

Some other existing problems are related to the institutional capacity of the agencies expected to deal with the prevention and control of money washing.

➤ **Judicial cooperation in civil and criminal matter**

Three important conventions have been adopted in this respect:

- a Convent regarding the profits obtaining from other countries;
- a Convent on the notification in other countries of the judiciary and extra-judiciary documents notification;
- a third Convent to facilitate the access to justice;

From an institutional point of view there has been created a net of national correspondents for international legal and judiciary co-operation, with regard to Romania's participation to EUROJUST.

Romania's legislation meets the acquis related to racism and xenophobia's combating. And the system of children protection has also been reformatted.

➤ **General evaluation of Romania's progresses in the domain of justice and internal affairs.**

A first such evaluation realized in 2000 proved that Romania was not institutionally prepared for the adherence. The adaptation of the communitarian acquis in the domain of justice and foreign affairs was in an incipient stage. Remarkable progresses have been made after 2000 in many chapters referred by chapter 24. There have been realized fundamental reforms on the institutional level, agencies have been created and laws and regulations largely compatible to the Communitarian acquis have been adopted. Although this chapter has been closed at the end of 2004, there are still lots to be done in implementing the adopted regulations. Three main directions have to be followed:

- the legislation completion where there is still necessary or its revision;
- the implementation of the final legal framework;
- the strengthening of the administrative capacity.

Romania has to give priority to the following problems:

- the immediately alignment to Schengen plan of actions;
- the modernization of the equipment and of the infrastructure; the recruitment of trained personnel for the border police, especially for the Northern and Eastern Border;
- the implementation of an integrated action plan and of a reform strategy in Justice;
- the rigorous application of the present day anti-corruption strategy as well as the realization of the effective independence of the national Anti-Corruption Prosecutor's Office;
- the realization of an independent audit on the result and the impact of present day anti-corruption strategy;
- a clear duties separation between police and gendarmerie, as well as the recruitment of necessary personal for the free jobs in both institutions;

- the development and the implementation of a multi-yearly coherent strategy on criminality prevention, including concrete actions to prevention and combating the human beings traffic.

5. Conclusions

The concept of European Union as an area of freedom, security and justice has been introduced by the Treaty of Amsterdam, that entered into force in 1999, May, the 1st. It provides that EU must be preserved and developed as an area of liberty, security and justice, where the free movement of persons and their right to residence on the whole EU territory are assured. However, these represent essential elements of the European citizenship. These objectives are sustained by legal and institutional mechanisms meant to determine the function of this area without prejudicing the rights and the interests of the member states citizens.

The area of freedom, security and justice includes a number of policies meant to assure that for the Unions' citizens, the liberty is granted, since each one enjoys access to justice and derive security benefit. Starting from the applied policies it turns out that the European Union promotes all over the world the application of the rights and liberties that its own citizens enjoy. These policies do not deny the access in the European Union of those whose freedom and security is not granted in their origin states. In this respect, common policies in matter of asylum and migration are promoted, as well as a constant preoccupation for external borders' management and efforts to combating the illegal migration and the connected trans-border criminality.

One of the objectives on which these policies ground is to assure an open and safe Europe, which to respect in whole the provisions of the Geneva's Convention on the refugee' status and of other relevant instruments on human rights, a Europe capable to answer humanitarian needs in the solidarity spirit. All these are important for Romania, as well as for the European Union and for NATO, because the risk factors addressing the security and national defense still exist in a world that encounters a continuous globalization process.

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