

**NATIONAL DEFENCE UNIVERSITY
THE CENTER FOR DEFENCE AND SECURITY
STRATEGIC STUDIES**

STRATEGIC



IMPACT

Address:

68-72, Panduri Road, sector 5

TEL.: (021) 319.56.49

FAX.: (021) 319.55.93

E-MAIL: cssas@unap.ro

WEBSITE: <http://cssas.unap.ro>



*The Center for Defence and Security Strategic Studies' scientific magazine
acknowledged by the National University Research Council as a C-type
magazine*

Editorial Board:

Marius Hanganu, Professor, Ph.D., president

Constantin Moștofleu, Senior Researcher, Ph.D., executive
president

Nicolae Dolghin, Senior Researcher, Ph.D.

Hervé Coutau-Bégarie (Director of the Institute for Compared
Strategies, Paris, France)

Adrian Gheorghe, Professor Eng., Ph.D. (Swiss Federal
Institute of Technology, Zurich, Switzerland)

Josef Janošec, Professor Eng., Ph.D. (Institute for Strategic
Studies, Defence University, Brno, Czech Republic)

Gheorghe Văduva, Senior Researcher, Ph.D.

Ion Emil, Lecturer, Ph.D.

Editors:

Vasile Popa, Researcher

Corina Vladu

George Răduică

Scientific Board:

Mihai Velea, Professor, Ph.D.

Grigore Alexandrescu, Senior Researcher, Ph.D.



CONTENT

ARGUMENT

<i>To accept the reality, to go on with our lives</i>	5
---	---

THE POLITICAL-MILITARY PRESENT

Crisis management

Florian PINȚA.....	7
--------------------	---

Present determinations of the regional security

Mircea MUREȘAN, PhD.....	14
--------------------------	----

The military intervention role in conflict management

Teodor FRUNZETI, PhD.....	19
---------------------------	----

GEOPOLITICS AND GEOSTRATEGIES ON THE FUTURE'S TRAJECTORY

Globalisation and the civil society

Viorel BUȚA, PhD.....	24
-----------------------	----

La sécurité nationale et le rapport entre la réforme de l'armée - la transformation de l'institution militaire

Petre DUȚU, PhD.....	28
----------------------	----

The United Nations in the 21st century: a catalyst for change

Mădălina-Virginia ANTONESCU.....	32
----------------------------------	----

The Charter of the United Nations and the international peace and security management

Alin BODESCU	43
--------------------	----

The globalisation and the effects of projecting it into the regional security field

Eduart VITALIS.....	50
---------------------	----

NATO AND EU: POLITICS, STRATEGIES, ACTIONS

The near expectations of the Romania's relations with the European Union

Iulian POPA, PhD.....	53
-----------------------	----

The reform of the Romanian military system and the European integration perspective

Constantin IORDACHE, PhD.....	58
-------------------------------	----

Wider Europe, European Neighbouring Policy and the common space of the external security

Paul DUȚĂ, PhD	61
----------------------	----

The European Constitution ratification impact over the Romanian integration in the EU structures

Mirela ATANASIU.....	70
----------------------	----



STRATEGIC IMPACT

SECURITY AND MILITARY STRATEGY

<i>The asymmetric warfare: old method, new concern</i> Vladi SOFRONIEV.....	73
<i>Une nouvelle vision de la sécurité européenne, euro-atlantique et mondiale</i> Constantin-Gheorghe BALABAN, PhD	77
<i>The technology of the military action</i> Eugen SITEANU, PhD, Sorin TOPOR, PhD.....	84
<i>Stratégie nationale et stratégie d’alliance. Repères conceptuels</i> Gheorghe VĂDUVA, PhD.....	91

INFORMATIONAL SOCIETY. PEACE AND WAR

<i>National Defence University’s e-Learning Pilot Center</i> Ion ROCEANU, PhD	97
--	----

ANALYSIS, SYNTHESIS, EVALUATIONS

<i>The Pan-Arab versus the Islamic perspective on security in the Middle East</i> Ionuț APAHIDEANU.....	102
--	-----

POINTS OF VIEW

<i>“România Militară” - principale tribune de la doctrine et de l’art militaire entre les deux guerres</i> Hervé COUTAU-BÉGARIE.....	108
<i>Perenity or concourse of events on the extended region of the Black Sea area security issues?</i> Grigore ALEXANDRESCU, PhD	112

TERRORISM. THE WAR AGAINST TERRORISM

<i>Fight against terrorism from the EU perspective</i> Piotr GAWLICZEK, PhD.....	115
<i>The terrorism and the dictatorship of the moment</i> Sorin OLTEANU.....	120
<i>The bioterrorism - another kind of war</i> Cornel CUCU.....	122

REVIEWS

<i>Prizes for scientific papers.....</i>	127
--	-----

C.D.S.S.S. ’AGENDA

<i>The activity of the Center for Defence and Security Strategic Studies.....</i>	128
---	-----



Tsunami, earthquakes, erupting volcanoes, devastating hurricanes, tornadoes, floods. Solar storms, the Earth warming, the icebergs melting. Meantime, the decrease of the energetic and potable water resources, the increase of the economical discrepancies, the deepening of the differences between rich and poor, famine (every year around 45 million people die because of it), all sort of wars, the recrudescence of violence, underground economy, drugs, human beings, weapon trafficking, terrorism. Terrorism has nothing to do with the global warming, although the natural disasters are themselves terrifying, but it completes the list of the great threats at the beginning of this new century. On its way of developing, the world is more and more vulnerable to these threats. All of them strike mercilessly the people and their countries. We can not say that there is one single country aside of all these troubles. The times we live are hard, even if there were also some times harder. The ionosphere is relentlessly attacked by the solar radiation and we do not know for how long it will resist, the ozone layer will become thinner and thinner, as if, as the old men say, the end of the world is close... The end of the world is far but the troubles are always here. The flood hit again Romania, as if it has not been hit enough so far, every year, either by flood, and either by fires or earthquakes... The land given to the Romanian by the God's reserve revolts itself, does not have patience with us anymore, as some assert. Some think this is the sin of cutting trees. There are other countries that care of this gift given by God, namely forests. For example, in Israel, in order to cut a tree you have to prove that the tree is not good anymore. Few years ago, in Paris, in order to cut a dried branch of a poplar that was in the Romanian Embassy yard, it was necessary the mayor approval and that branch was cut by specialists. In the United States, around cities, there are real forests and no one touches them. As the old saying, "once there will be no trees, there will be no human beings. Every tree produces oxygen for 40 people..."

EDITORIAL

These days, the United Kingdom was hit by a terrorist act. In the London underground and a double-deck bus there were explosions. Fifty-two people died, few hundreds were injured. The perpetrators were British citizens, probably, Islamist, probably fanatics. According to the London police statements, they were in Pakistan few months before. Together with many other researchers we have stressed out the fact that most of the terrorists, even if they are from the Islamic world or the Greater Middle East, they do not live there, but in Western countries. They went to Western schools, they live here, they took advantages of the Western-style society benefits.... And still, they do not go back home, to use their knowledge in their native societies, as the Romanians used to do few centuries ago, but they strike angrily exactly the countries that welcomed them and prepared them... Some may say they have good reasons as the Western civilisation exerts huge pressures on the Islamic world blocked in slogans and inflexibility. However, there is no reason good enough to justify the attacks and killings of populations.

As we see, terrorism strikes strongly the civilised world and not necessarily because these countries have troops in Iraq. The United States were hit in



ARGUMENT

2001, before the second Gulf War and ten years after the first one. Turkey and Russia can not be condemned for the Iraqi war and still they are systematically hit by terrorist acts. The United Kingdom was not hit because of this reason, too. The terrorist have also stricken Japan, Russia, China, France, the most developed countries of the world. G-8, plus Spain and other countries, some of them from the Islamic world, continue to revenge in a primitively way. They hit innocent people, whose only guilt is that they were born in civilised countries, that they live in a civilised world. But people do not get scared so easily.

The British calmness, known and worldwide famous, was obvious these days. The Londoners did not lament, did not burst into tears in front of the cameras, they did not curse the sky and the land, but they buried their dead people and moved on. It is impressive their strength of accepting reality and moving on.



CRISIS MANAGEMENT

Florian PINȚA

In the international environment there are used many definitions of crisis, but there is no single one generally accepted because of its complexity.

There were taken important decisions at the Prague Summit (2002) on ensuring a high reaction capacity in order to face the crisis management issues.

Romanian commitments, as a NATO member, and the fact that the Alliance is fully involved into its transformation process and adapting to the new global threats, represent the important elements for the legal framework and national capabilities analysis, which highlights the necessity to reorganize and harmonize the domestic legal framework as well as the mechanisms for issuing and implementing the political and political-military decisions, at the national level in order to make the package of crisis response measures adaptable and compatible with NATO requirements, procedures and structures - NATO Crisis Response System (NCRS).

1. Developments of the crisis concept in the new security international environment

The XXth century, far from being the century of the most powerful empires and their striking disappearance, it is the century of the single worldwide wars and the century of the most extraordinary technological revolutions. It is also the century that marked a conceptualization of the “crisis” phenomenon. Just as war, crisis has become a universal notion, due to the large spectrum of risks and threats in the international security environment, having a huge crisis-generating potential. Therefore, they determine a varied range of subsequent crisis both by nature and intensity and also by speed and extension.

There are used several definitions of crisis in the international environment. For the time being, there is no unanimity on defining this concept, in general, and, most important, the international crisis. However, we may identify its main characteristics, relevant from geo-strategic and geopolitical perspective, the ones connected with

the political-military field. Their manifestation may badly damage the values of the international law, peace and security, cooperation between states and their relations on regional, zonal, continental or even planetary level. From this perspective, crisis is either “a situation when there is a threat on main values, interests and objectives of the involved parties”¹ or “a critical moment intervening in the evolution of the international life, of the relations between states, of a system, regime or government. These moments are characterised by shaping the contradictions, the appearance of some tensions, changes in the forces relations”². That is why we may assert that crisis is a situation threatening fundamentally the security of the human and material values, with deeper causes, with serious implications and requiring a quick intervention in order to manage it.

The main characteristics of a crisis, acknowledged by the strategy and geo-political researchers, differentiating it from the normal state and characterizing the type of reaction in order to get back to a new stability are the following:

- a severe negative change in the national or international environment;
- some disruptive interactions between parties;
- threatening the fundamental values of a state or organisation;
- high possibility for the appearance of some hostile military actions;
- high degree of surprise and uncertainty;
- short time left for preparing the retort.

Under these circumstances, crisis may be defined as “a situation generated by the exceptional event, occurred on national or international level, which threatens or disturbs the fundamental values, the balance and the political, economical, social stability of a country, the fundamental rights and freedoms, the cultural and material values, the environment, the state’s interests and objectives and fulfilling its international obligations that require the assumption and materialization of some timely and unitary specific measures in order to get back to the normal state”³.



The nowadays, international security environment is characterised by a significant increase of the threats' asymmetry. Although is less probable to witness some major military confrontations between state coalitions, especially in the euro-atlantic area, the international security remains unstable, difficult and complex.

There is an increased threat represented by the proliferation of the weapons of mass destruction. It is likely more and more states, some of them being considered dangerous, to join the nuclear club, being able to fundamentally change the relations between forces, at least at regional level.

The international terrorist phenomenon is one of the main threats on human society and international security. It is still a social danger both for the social structure and cohesion and for the individuals' and states' security, especially when weapons of mass destruction are used for terrorist attacks.

Cyber-attacks represent a new form of asymmetric threat. It involves not only exploiting the financial, commercial, market systems but/ and blocking the critical informational systems, specific to national and international security and defence infrastructures. The last but not the least, the inter-state collapse, generated by the incapacity of some governments to effectively manage the internal economical and social issues and adding some extremist or anarchic factions, does have a huge potential for generating crisis. There may be made a classification of crises from the asymmetric causes perspective as it follows:

- crisis generated by terrorist acts;
- crisis generated by major attacks or incidents using chemical, biological, radiological or nuclear materials;
- ethnic-religious crisis;
- humanitarian crisis;
- crisis generated by cybernetics attacks;
- crisis generated by natural disasters;
- crisis generated by the interruption of the good functioning of some vital system of the national infrastructure – the energetic or the communication system.

2. The crisis management at NATO level

At the end of the XXth and beginning of the XXIst century, in the international security environment, the asymmetric threats hold a

significant importance. It has been clearer and clearer that an effective crisis management can be achieved only by an integrated and flexible system of structures and capabilities able to reply to the whole typology of threats and risks.

This tendency has been also noticed at NATO level. After Washington Summit (1999), it has been realised that the command and force structure, the agreements came in force are not adapted any longer to the risks and threats the Alliance may confront with. That is why the new Alliance's Strategic Concept identifies the crisis management as a fundamental mission and employs NATO, according to the Article no. 7 of the Washington Treaty.

The 9/11 terrorist attacks and the ones that followed proved the necessity of developing an allied consultancy system, some procedures, military and civilian response capabilities and a mechanism for planning the resources required by managing a crisis, including the civilian emergencies. There has been also stressed out the necessity of adopting this system to a wide spectrum of unconventional and asymmetric threats.

The Prague Summit (2002) represented a milestone on NATO's general defence attitude. There have been established the guiding lines for reorganizing NATO's command structure, there have been approved the Prague Capabilities PCC and there has been developed the concept of NATO Response Force. All these measures were meant to ensure a high reaction capacity in order to face managing crisis.

NATO Crisis Response System was theoretically developed starting 2001. It has to ensure an optimal training level, making all NATO's command and execution structures operational and functional. Meantime, it has to offer the Alliance a set of options and measures able to ensure a timely and unitary reaction, under a strict political control, to the whole spectrum of crisis the Alliance may confront with, including the ones subsequent to Article 5 of the Washington Treaty.

NCRS may be applied to a wide operations spectrum NATO may deploy on managing crisis. The most important types of operations are: discouraging and collective defence operations; non-article 5 response crisis operations (peace-support operations, extraction operations, non-combatant evacuation operations and embargo imposing operations), defence against terrorism,



against the proliferation of weapons of mass destruction, the consequence management.

These operations cover a large spectrum of hypothetical crisis, connected both with article 5 and non-article 5, as they were agreed on Washington and Prague Summits.

Managing crisis process is done by the restructured NATO's command structure just as it has been decided at Prague in order to be able to face the new challenges the Alliance is confronted with.

The North-Atlantic Council is the political decision structure that manages crisis. It ensures the civilian political control, supervises and authorises the whole crisis management process.

The operational management is assigned to the Allied Command for Operation. According to the crisis characteristics, it may delegate this competence to a CJTF HQ, deployable anywhere the crisis imposes.

Crisis management is achieved in concordance with the nature, intensity and extension of the crisis by applying a set of comprehensive options and measures, completing each other. They are grouped in four complementary components:

Preventive options – general action measures – diplomatic, economical, military etc. – covering the initial crisis stages, when a risk generator country or its intentions may have effects on the international security environment or on the Alliance's member states. By preventive measures there may be influenced that country's behaviour and there may be avoided the transformation of the crisis into a conflict.

These options do not have a compulsory character. Their implementations are decided by each NATO member state. Their role is to send a clear message about the Alliance's firmness on solving out the crisis, without resorting to more concrete operational steps, reflecting therefore the resoluteness of solving out peacefully the conflict. There must be stressed out that some options have both a defensive and preventive character in order to increase their effectiveness.

Crisis response measures – represent the essential element of NATO Crisis Response System. They are pre-defined, planned, instantly available actions that should be implemented by the NATO member states or HQs. They refer to strengthening the Alliance's posture and improving the efficiency of forces and means, initiating

the process of activating forces, increasing their protection, the protection of people and the Alliance's territory and developing some response options. These measures cover all the military and civilian activities, from personnel, information, and operations level to logistic and public information. The end state of their implementation is meant to reduce the process of preparing and activating the forces and to increase the Alliance's capacity to react during crisis.

Usually crisis are accompanied by risk of surprise that may be mainly applied to the temporal dimension – the absence of warning or the response to warning – but also to the means and methods used by enemy.

That is why **counter-acting surprise** comprises those military and civilian defensive actions that have to be fast carried out in order to ensure the safety of the Alliance's forces or/and important military and civilian installations, in the case of an attack or the immanence of an attack with a limited warning.

Counter-aggression marks the transition from a preparing and developing the operational capacity period to one of authorising the engagement of NATO forces. The engagement should be done in concordance with the Article 5 of the Washington Treaty against non-state actors or military forces that conduct or actively support the aggressions against the Alliance's territory or forces.

It is likely necessary to implement these measures shortly after announcing the Surprise Counterattack. The national warning systems and NIWS have to offer indicators on the early stages of the crisis. Afterwards, there may be initiated a request for Counter-aggression before announcing the Counter-surprise based on an official request made to the North-Atlantic Council. Although they are connected, it is not necessarily to have a settled Counter-Surprise state in order to announce the counter-aggression state.

The Alliance is ready to use the whole spectrum of specific operations. There may be asserted that a crisis is unique on its own way. However, at NATO level, the crisis management is structured and organized on five distinct phases:

Phase 1 – Clues and warnings on possible or actual crisis – there is a passing from normal state to the crisis one. Its essential element is NIWS that is meant to ensure the discovering of clues of the appearance of a crisis that may have an impact on the



Alliance's security or on a member state. Based on the information received, the North-Atlantic Council may decide if NATO will involve or not.

Phase 2 – Evaluating the situation and the implications on the Alliance's security – this is the moment when the Political-Military Estimate Process begins. The North-Atlantic Council receives a complete and comprehensive evaluation on the crisis characteristics and its real or potential implications on NATO. Based on these estimations, the Council decides and accepts a certain course of action.

Phase 3 – Developing the reply options – intents to develop the reply strategy. The end state of this phase is to initiate the operational planning and/or activating the arrangements for civilian emergencies. The Military Committee develops the Military Strategic Estimate while developing the political, non-military considerations by other committees. The North-Atlantic Council mentions all these estimations in the Political-Military Estimate that determines the Initiating Directive. This Directive has to be approved by the North-Atlantic Council and has to mention clearly the strategic objectives, the end state, to define the reply options, missions and the actual premises and limitations. By the initiating directive, the North-Atlantic Council approves this stage and the Alliance's military management and the other relevant committees must initiate the operational planning.

Phase 4 – The planning and deployment of the response operation. It is the most important phase of the crisis management. It is focused on planning and execution. The initiative directive is materialised in CONOPS, followed by OPLAN. For non-military operations, there are applied the agreements on emergency situations, coordinated by the NATO committee for planning the civilian emergencies.

Phase 5 – Getting back to stability. It is the situation re-evaluation stage. According to its evolution and achieving the objectives mentioned in the Directive, it ends with the forces' withdrawal.

It has to be understood that phases 2-4 are not compulsory. According to the efficiency of preventive options and response measures in the early stages of a crisis, it is likely to get back to stability without developing certain operations – as in phase 3 and 4.

However, we have to imagine this process in a cyclic development. The crisis management has to be seen not as an isolated phenomenon, but tightly connected with the operational planning process. Another element that should be taken into consideration is that in order to make effective these response crisis measures, there must be always ready a force structure as NATO Response Force.

On the other hand, the success depends on the way the measures are implemented by member states. Even if a state approves certain measures, there may be legal national limitations that may influence the proportion of implementation, affecting efficiency. The regulations for organizing this system are expected to be approved by NAC during this autumn and to be put in place in the beginning of 2006.

3. National Crisis Management

The modified *Romanian Constitution* text, para 118, states the dimensions for approaching national defence and security. It has extended the Supreme Council of National Defence (SCND) functions to organize and coordinate the activities related to national defence and security and to those regarding "*the involvement in international security, collective defence within military alliance systems and peacekeeping or peace building operations*"⁴. In accordance with its foreign political goals and international commitments, Romanian Army has to be able to train, deploy and support some forces in multinational joint operations, in order to solve those crisis situations that affect both national and international community interests. Romanian Army participation to international operations, both within NATO and other coalitions, is settled by law at the national level, based on UN Charter, NATO integration agreement and other international or regional cooperation documents which Romania is part to, and this is ongoing, having the belligerents consensus. The armed forces are used only for self-defence and as last moment intervention tool.

Romanian dedicated forces participate to these kinds of operations having the Parliament approval, based on official requests forwarded to Romania by NATO, UN or OSCE, in accordance with the financial resources put on disposal by the Romanian Government.

Romanian commitments, as a NATO member, and the fact that the Alliance is fully involved into



its transformation process and adapting to the new global threats, represent the important elements for the legal framework and national capabilities analysis, which highlights the **necessity to reorganize and harmonize the domestic legal framework** as well as the mechanisms for issuing and implementing the political and political-military decisions, at the national level. Through these, the package of crisis response measures has to adapt and become compatible with NATO requirements, procedures and structures - NATO Crisis Response System (NCRS).

Nowadays, there is no national integrated crisis management system in Romania. The current legal framework is not enough and doesn't cover the whole crisis domain, and at national level there is no an unique strategy for dealing with the whole range of crisis. From structural and legal point of view, only the aspects regarding emergency situations, the prevention and counter-terrorism are settled.

Within the emergencies area, as a form of crisis, based on the Law no. 15/2005, the National Management Emergency Situations System (NMESS) has already been settled⁵, being designed to act under the Ministry of Administration and Interior (MAI) coordination.

In principal, it encompasses comities and operational centers for emergency situations, both at the national level, within ministries and other central and local public institutions (in Bucharest, counties and cities).

In this respect, within the Ministry of Defence (MoD), an Emergency Situation Ministerial Committee (ESMC) has been settled, which is a deliberative structure, for management support, designed to prepare the Minister of defence decision, and also to advise, plan, orientate and control forces engagement in preventing and managing emergency situations. The operational command of MoD forces, during their engagement in emergency situations and civil protection missions, is carried out by the General Staff, in need, through the Operational Center of Military Command (OCMC). Within OCMC an operative structure is dealing with emergency situations. This structure collects, analysis and synthesizes specific information and data from military structures and NMESS components, informs timely MoD decision makers and coordinates the package of measures that are to be put in practice in case of

emergency and civil protection situations.

The participation of military structures with forces and means to prevent, limit and remove the effects of emergency and civil protection situations, is organized with dedicated manpower, equipment and materials and is realized so that do not disturb their basic missions accomplishment. In special situations, when the disaster dimension exceeds MAI specialized forces capabilities, MoD may supplement the forces designed to act in emergency situations, but it will be taken into consideration, as much as possible, do not diminish the operational capability of the military structures.

In the counter-terrorism area, under the coordination of Romanian Intelligence Service (RIS), the National System for Preventing and Countering Terrorism (NSPCT) has been created, which has the responsibility to intervin with forces and means in order to neutralize terrorist acts on national territory. At the RIS level there is an Operational Center for Anti-Terrorist Acts Coordination (OCATAC).

MoD cooperates with RIS and other public institutions which have responsibilities in national security area in order to prevent and counter terrorist acts. Meantime, the ministry has the responsibility to manage crisis generated by terrorist group acts on military facilities. Accordingly, within the General Staff works Special Operation and Anti-Terrorist Acts Service.

The last years crisis complexity, the participation to NATO crisis management exercises – CMX, and the recent terrorist attacks occurred on some european countries as well, have demonstrated once again the necessity to harmonize the internal legislation and create an unique institutional and legal framework that has to integrate in an unique system, at the national level, all the structures with responsibilities in crises management in order to assure, in a coherent and flexible way, the management of the whole crisis spectrum – from civil emergency situation to military crisis.

MoD, together other ministries having responsibilities in national security and crisis management, has forwarded to SCND a Consolidated report regarding the development of the Law (draft) for National Integrated Crisis Management System (NICMS).

In this law are to be stated competencies for those institutions having responsibilities in crises management area, as well as the body which coordinates the whole activity, accordingly.



THE POLITICAL-MILITARY PRESENT

The draft law will be issued by a governmental working group, comprising the main ministries and public institutions with responsibilities in national security area - Ministry of Foreign Affairs, Ministry of Defence, Ministry of Administration and Interior, Romanian Intelligence Service, Foreign Intelligence Service etc., Further, by request, other institution experts can be called to work on this project.

The process to issue and approve the Law (draft) for National Integrated Crisis Management System (NICMS) has to be finished **by the end of October 2005**, so that the National Response Structure, settled in accordance with the mentioned law, can be trained and evaluated during the NATO Crisis Management Exercises – CMX 2006. The aim of this law (draft) is to set up a viable, efficient and operative mechanism to prevent and solve the entire crisis spectrum at the national level and equally, to reach the foreign policy goals and to accomplish as well the assumed commitments as NATO member and part of other international agreements and treaties.

In principle, NICMS is to be so developed, that after becoming operational, to be compatible with the NATO principles and procedures and interoperable with the Alliance similar structures.

Being operational, this system must have the capability to respond to a large spectrum of crises, at the national level, and to assure the conditions for an active participation to crisis management, within an international environment, as member of international organizations, according to treaties which Romania is part to. The version of the framework proposed by the MoD is based on the idea that the crisis management is **a part of the national defence and security and for this reason, the whole process has to be lead by National Authority of Command.**

Thus, the setting up of the National Integrated Crisis Management System will follow the “system of systems” concept, made up of **three main pillars**:

- **Decisional, politico-military, at the strategic level**, achieved by the National Authority of Command and exercised by the Supreme Council of National Defence, according to the constitutional provisions and current legislation;

- **Technical - operational, at the strategic level**, exercised by a National Center of Command, as a body of preparing and implementing political-

military decision, according to the law;

- **Sectorial, at the level of central and local administration** with responsibilities in crisis management, represented by Operative Centres, as specialized technical bodies that operate according to the type of crisis.

NICMS would stand for an integrated and flexible framework of civil and military structures, mechanisms and procedures of crisis management. The already existing systems with responsibilities in managing different crisis situation will be incorporated within NICMS as components, with autonomous sub-components, so that they can operate and react according to the nature and intensity of a crisis.

The structures to be set up will have clear objectives, responsibilities that will contribute to the decision making and planning, organization and control of measures.

To achieve these objectives, NICMS should meet the following requirements:

- *To set up a fully integrated crisis management system that has the capacity to respond to the full range of crises at the national level and at the level of the Alliance.*

- *To ensure appropriate political control over Crisis Response Measures (CRMs).*

- *To enhance civil-military interaction and take into account the interrelationship between civil and military measures.*

- *To take into account and be able to respond to warnings provided by the NATO Intelligence and Warning System (NIWS) in a timely manner.*

- *To complement and support the Operational Planning System within the Alliance and at the national level.*

- *To be capable of supporting the involvement of Partner or other non-NATO nations in responding to crises, when appropriate.*

The principles underlying NICMS are the following:

- *Safeguarding of the national interest and constitutional values;*

- *Early warning and crisis prevention;*

- *Human security (priority of saving people's lives);*

- *Respect of human rights and liberties;*

- *Separation of decision making and execution;*

- *Compatibility and interoperability of NICMS with similar international systems;*



- *Transparency of crisis management measures;*
- *Avoidance of unjustified multiplication of information centres;*
- *Contingency planning;*
- *Cohesive conduct of crisis management process.*
- *Sub-systems autonomy, so they can operate and react efficiently according to the type of crisis.*

Setting up a national integrated crisis management system, essential in assuring adequate response to the new asymmetrical security risks and threats, should lead to the achievement of the following objectives:

- *decisional supremacy, that supposes the capacity to anticipate developments of a situation or intentions of a potential adversary, the liberty of decision and decisional surprise, within the context of protection of obtained information and adopted decisions;*
- *timely decision making, that supposes the ability of decision-makers to decide in a timely manner on measures and actions that should be taken by the subordinated units to manage the crisis situation;*
- *short decision time, that refers to the time necessary to make decisions and to activate and deploy response forces.*

The above triangle is part of a process with interdependent components. To ensure a viable National Integrated Crisis Management System, a regulation for the functioning of the system should be subsequently adopted to include crisis response measures that offer the framework for action of units with responsibilities in this field. These measures should be conceived so that to avoid duplication and to shorten decision making time at the political and political-military levels. At the same time, the system itself and the afferent legislation should allow for the implementation at the national level of the provisions of NATO Crisis Response System Manual.

Ensuring viability of the national structure for crisis response is dependant on the existence of response operative units, which need the setting up of special crisis management positions, adequate manning and insurance of stability for

General-major Florian PINȚA is the Deputy Chief of the General Staff and a PhD candidate in military sciences. He has published many papers and articles on topics such as national, regional and global defence and security.

the personnel.

To rapidly make operational the components of the National Integrated Crisis Management System it is important that even in time of peace, these units with responsibilities in crisis management be supported by the necessary logistics and equipments. Preparedness and training of the components of the system are also of paramount importance.

To have an efficient National Integrated Crisis Management System and adequate rapid reaction, it is also necessary to draw up and adopt several “stand by” arrangements that cover the whole spectrum of crises, such as outsourcing services, leasing contracts, etc., that can be activated during the crisis.

At the same time, to shorten the time needed to make decisions it is important that the assessment of risks and threats generate in time standard operational procedures peculiar to every category of risk and threat, in accordance with the NATO Crisis Response System Manual.

An important part of an efficient crisis management process is the quality of the information flow between civil and military structures that can have a main impact upon the response. This requires the integration of all the structures in an adequate analytical assessment system and the creation of a inter-governmental communication network, according to NATO requirements, that allow for the connection with NATO General Communication System - NGCS.

To conclude, the Romanian Armed Forces need to reshape and adapt their command and control structures, capabilities, doctrine, training and operationalisation of the abovementioned two components so that they can be able to take part in the whole spectrum of crisis response operations within the Alliance and at the national level.

NOTES:

¹ **Strategia Militară a României.**

² **Dicționar diplomatic**, Editura Politică, București, 1979.

³ *Proiectul Legii privind Sistemul Național Integrat de Gestionare a Crizelor*, 2005.

⁴ **Constituția României**, București, 2003, Art. 118.

⁵ Ordonanța de urgență nr. 21/2004, publicată în Monitorul Oficial, partea I nr. 361 din 26.04.2004, privind Sistemul Național de Management al Situațiilor de Urgență.



PRESENT DETERMINATIONS OF THE REGIONAL SECURITY

Mircea MUREȘAN, PhD

The security environment from Central and South-Eastern Europe is, nowadays, characterized by the existence of some conflicts, menaces, threats, risks and challenges that affect the regional stability, the way to democracy and the prosperity of the states. In the Western Balkans, nationalists outbursts, and religious disputes, corruption and organized crime give birth and feed violence and extremism, terrorist acts on the peace and safety of the states from this region. In the Nistru zone, the actions of the separatists from Transnistria, of the traffickers and of the organized crime groups, but also the presence of foreign troops maintain a reign of terror and incertitude. The existence of the Republic of Moldavia as a state is at stake and it is a source of permanent instability close to NATO and EU vicinity. The responsible way in which the regional initiatives and the security organisms deal with the latent conflicts from Kosovo and Transnistria, through cooperation, leave room for hope for a peaceful solution in order to consolidate the stability in the region. Thus, this part of Europe will be integrated in the new architecture of European and global security. Romania, as a member state will play an active role.

The post -Cold War European background, characterized by instability, was the melting pot in which the problem of regional security was shaped, because of tensions, risks, threats, crises and conflicts of great of small intensity.

The regional security is a sum of state, economic, and ethnic entities. In the last decades, the regional security, against the transformation of the patterns of the military and security relationships at international level, was characterized by an acute divergence¹, built in states implication, according to the concept “mutual regional problems- finding solutions through regional cooperation”. This cooperation must fight against present risks and threats that are developed by globalization. The politics, strategies and the regional programs must concur to the interpenetration of regional, national and international elements.

On the other hand, as the globalization² specialists underline, the process of regionalization of security, which intermingled with the international initiatives, has produced a new cooperative and common regime of security at global level, having as a background the reformation of the UN. The process represented, at the same time, the building up of some mechanisms for consultation and international coordination concentrated on internal problems of the member states.

1. Aspects of security and cooperation in the Western Balkans

Today, the regional security is a necessity imposed by multiple determinations: the new challenges on security, generated by globalization, the sum of problems that confronts the state, economic, and ethnic entities from this region. In Central and South-East Europe, the regional security has as a determinant the special understanding of insecurity by the states from the periphery of Europe, which, for more than half of a century, have faced injustice, poverty, lack of liberty and a real democracy. The states from the region learn how to win, to keep and to manage the social, individual and national security. Their action is based on a common geography and history, but also on the common conscience of the space of specific values, which has certain individuality in the cultural European community.

The insecurity, which is felt in so many different ways in this European region, which adds to the Western one, was stimulated by the idea that the free circulation of goods, persons and information, after the borders had been opened, only left room for terrorism and organized crime. The illegal trade with weapons and strategic material were facilitated by this fact, and those activities could be conducted in the conflict zones by paramilitary, extremist-separatist groups and criminal organizations.

The exacerbation, in the ex-Yugoslavian space, of nationalism and religious disputes has given



and still gives birth to violent, extremist and fundamentalist manifestations, to terrorist actions from some groups financially supported by local emigrants that work in well-developed Western countries of even by foreign citizens of Serb origin. At least this is the opinion expressed by the chiefs of Romanian secret services³. The sharpening, in the ex-Yugoslavian space, of nationalism and religious disputes have given and still give birth to violent, extremist and fundamentalist manifestations, to terrorist actions of some groups financially supported by local immigrants who work in Western developed countries or by some citizens from the Diaspora.

The security in the Balkans is tributary to the past of the oppress minorities and of the weak points of the international warrants for the safety of the Serb population the lack of the foreign institutions able to rebuild the economy crashed by war to do a way with poverty and misery to enforce the administration, to bring democracy into social life and state institutions. The weak security equilibrium in this region seems to be in accordance with those who don't want to find a solution to the situation so that they will not be put into the practice so that not to support its costs. On the other hand, the negative vote of the citizens from some EU states against the European Constitution shows a hidden opposition for receiving new members, like Serbia and Montenegro, countries that can create problems to the whole European community.

In reality, to accept new members from the western Balkans in EU would only increase the number of democratic states which support the security and the stability in the region and in Europe. This statement is true because the Union offers to all its members the necessary social, cultural and individual security. Another explanation for the negative vote for the constitution can be found in the fact that the citizens from the member states vote according to their own interests and not according to the communitarian interests. The western nations perceive in a different way the dynamics of the Union transformation, especially if personal sacrifices are needed. The Eastern countries have a different point of view on this matter.

But a certain fact becomes obvious: the interests of the European nations are the same when referring to the defence and security of the continent, in its fight against the new threats that

darken the horizon. All the European countries can be affected and they have to join their efforts in order to act coherent against terrorism. The European states understand that they cannot afford a divided European security, because this would lead to a general insecurity.

Such an example is represented by the general consensus on the matter of Iraq's nuclear disarmament because it represents a potential danger for the European security. Because the terrorist-fundamentalist networks are spreading on the continent, the possibility of using nuclear, chemical and biological weapons endangers all the countries in Europe.

The regional security means solidarity, in a Europe that wants to be credible and efficient, as the European strategy underlines. Solidarity cannot be faked by delaying, because, otherwise a security crises that will affect the economy leading to the political instability and the social dissatisfactions, leading to failure, to failed states, that would only bring more risks to the region.

The regional conflicts affect in a negative way directly and indirectly the interests of the Europeans, because they take place at the borders of other states, threatening the regional stability and provoking huge material and human loses, giving way to organized crime, and doing away with the liberties and human rights.

The VIII Summit of the South East European Cooperation Process (SEECP), which took place in May in Bucharest, drew the attention of international community on Kosovo. This region influences the regional stability and security. The common challenges from this region, from terrorism to slavery and organized crime, affect the democratic processes in the Western Balkans. The states from SEECP consider that more efforts should be made in order to cooperate, and to harmonize the legal system with the EU standards, especially taking into account their goal to be integrated in EU, over passing their past history.

We can mention a few very important aspects that are very important for the stability in the Balkans⁴: finding a Kosovo solution through a constructive dialogue between Belgrade and Pristine; the implementation of a policy of standards and of the 1244 Resolution of the Security Council: the evaluation of the standards and the negotiations over the future of the province; the institutionalization of a democratic and



multi ethnic society; organizing, at a regional level, of an analyzing process made by experts on the development and the perspectives for Kosovo.

The SEEPC states consider that the regional security will be improved by launching an initiative for cooperation between the Black Sea region countries, inclusive with the help of the Organization for Economic Cooperation in the Black Sea Region, in different projects of mutual interest, by continuing the cooperation between SEEPC and other regional initiatives, especially with the Pact for Stability in South-eastern Europe (concerning the Anti-Corruption and The fight against Organized Crime Initiatives), with UNO, OSCE, NATO, the European Council, With The Initiative of South-Eastern Cooperation – SECI, the Central European Initiative- CEI, as well as by more efficient contacts with EU- with is the foundation for a real stability in the Balkans.

We can mention the support of SEECPC members offered to Serbia and Montenegro to be included in the Partnership for Peace program. The member states want to further develop the military aspects of the regional cooperation in South Eastern Europe by taking over the experience of the Conference for Defence Conversion.

The NATO General Secretary, Jaap de Hoop Scheffer, at the meeting of the NATO Parliamentary Assembly in Ljubljana, stated that the Alliance wanted a close relation with Serbia and Montenegro, as well as with Bosnia-Herzegovina. The only condition raised by Mr. Scheffer, was a closer cooperation with The Hague. The NATO decision to help Albania, Croatia and Macedonia and all the other South-East European to follow the steps of Slovenia in order to obtain the North-Atlantic integration is very important. On the other hand, EU offers pragmatic solutions for Kosovo, and Javier Solana, the author of the European Strategy for Security states that, at a regional level, coherent politics are useful and he further said that:” the problems are rarely solved by just one country without regional support”²⁵.

International cooperation is a necessity, and the fulfilment of the objectives of multilateral cooperation amongst international organizations, as well as of partnerships with other key-actors makes possible the settlement of peace and harmony, democratization and the development of the Balkan region, in safety and unity.

2. The Problem from Transnistria – a Threat on the Regional Security

For more than two years, the problem of Transnistria has remained “frozen” in the dialogue of the superpowers, because of the hot events from Iraq and from other places in the world (“the coloured revolutions” from ex-soviet space, Afghanistan, Kosovo and the Middle east, the attitude of Iraq and North Korea towards the proliferation of nuclear weapons, the numerous terrorist attacks with their hundreds of human casualties and deaths; even the nature had caused a catastrophic tragedy – the Asian tsunami).

Transnistria cannot be ignored. In a way or another, the international dialogue of the security forums and the bilateral diplomacy must find a solution for Transnistria, on the background of the stability and the security of the Central and South –East Europe. Romania has permanently drawn the attention on the Black Sea region, where a lot of countries are building democratic societies; the Black Sea region is at the crossroads between EU, the ex-Soviet Union countries and the Middle East.

The safety of the whole region is endangered by what happens in this separatist enclave, situated in the eastern bank of the Nistru. It has become a source for instability at the eastern gates of NATO and EU, by the proliferation of corruption, organized crime, illegal trade with weapons and goods and illegal immigration. As factor for instability in the region, the self-entitled Republic Transnistria obliges the Republic Moldova and the international community to be in a state of alert, because of its capabilities to produce small weapons, howitzer, and racket launchers which can be used in order to sustain different conflicts all over the world.

From a military perspective, the enclave is controlled by Russian troops and paramilitary forces, which amplify the tension and the terror and impedes The Republic Moldova to continue its road to democracy. Such a situation is extremely serious and it can constitute a challenge for the foreign European policy in connection with the regional security. At SEECPC reunion in Bucharest, the leaders of the participant states have situated the problem if Transnistria in the same category of threats on regional security as Kosovo. Our country has underlined through the voices of our



leaders that it is interested and want to take part in doing away with the two centers of regional instability. EU, USA and OSCE are able to find a solution in the matter of Transnistria.

All the international actors mentioned above are convinced about the importance of the transformation of this region from a buffer or from a demarcation line into a region for cooperation, communication and interpenetration. In order to achieve this, the Russian troops from the territory of Moldova and the frontier between this country and Ukraine should be made secure. These should eliminate any unconventional threat on the regional security and safety should put an end to terrorism, organized crime, corruption and all kind of illegal trade.

The Regional Centre can play an important role for Fighting against transfrontier Crime from Bucharest, which, together with EU specialized institutions, would effectively contribute to the making of efficient and realist measures and to put them into life in order to fight corruption and organized crime.

In order to solve all the 'frozen' conflicts, Romania, at the GUUAM reunion from Chisinau has advanced the idea of granting local autonomy to Transnistria, instead of the wanted federalization, which may affect the interests of Republic Moldova. The international and European organizations must assist finding a solution for separatist movement in Europe. This idea was once again underlined at this summit, as a base for regional stability and security, for the development of institutional reforms in the region, of democracy, of the growth of economic performances.

These ideas were included in the resolution presented by Romania last year at UN, regarding "The growth of the role of regional organizations and of other organizations in promoting and the consolidation of democracy"; the resolution was adopted with a great majority because it deals with a lot of objectives among which: the institutionalization of the dialogue between UN and the regional organizations, in order to improve the coordination and to realize some concentrated actions in order to promote democracy; to consolidate the dimensions of the democratic institution in the mandates of UN peace operations; the use of some consultative and participative mechanisms to regulate the disputes and to prevent the conflicts.

At the Romanian proposal, during the last year, as our country was at the presidency of the "Process of Cooperation in South-East Europe", the Republic of Moldavia was accepted as an observer and there is hope that, under the Greek presidency of SEEPC, it will obtain the statute of a full member. We can appreciate that the Romanian state from the right bank of the Prut River will have the possibility to take part in the process of regional cooperation, to sustain in front of the international community its point of view regarding the Transnistria problem, to gain its territory and to integrated itself in the new architecture of the European security.

The last evolutions of the regional political background shows that the regional initiatives adopted can generate a lot of stability and security in this part of Europe. The initiatives are a real proof of substance and consistence in dealing with the problem of frozen conflicts. They ensure the necessary conditions for a lasting development of the states, which make efforts to democratize themselves and to bring economic welfare in a space full of weaknesses and critical elements, which undermines their stability and national security.

To avoid the serious problems in the future a preventive commitment, the assuming of responsibilities according to the European Security Strategy⁶ would enhance the efficacy of crises management and the fulfilment of strategic objectives by each state in its turn and by the regional community as a whole.

Romania is situated in the vicinity of two frozen conflicts and that is why it is interested in the stability and the prosperity of the region. Our country, by accomplishing its engagements and assumed responsibilities with EU, OSCE and other regional organizations, is a real stability and security factor in the Black Sea region and in the Balkans. And this is due to the fact that Romania has a well define statute in NATO.

As a member of South-East European Initiative, Romania promotes the regional cooperation, the long term stability and the security in the Balkans. Romania is also a member of the Stability Pact for South Eastern Europe (PSESE), acting according to the "Charter of good vicinity, stability, security and cooperation in Southeast Europe", adopted in Bucharest, in 2000, and according to the "Common Declaration for the Fight against Terrorism". Our country plays an active role in the Reunion of



THE POLITICAL-MILITARY PRESENT

the South-Eastern Europe Defense Ministerial (SEDM); this initiative wants to intensify the regional cooperation and understanding. Romanian takes part in the Multinational Peace Force in South East Europe (MPFSEE), our country activates also in a regional military structure, Southeast European Brigade (SEEBRIG), which was created in order to deploy peace support and humanitarian operations, under UN, EU and OSCE supervision, in South-Eastern Europe. Romania has also deployed troops in the theatre of operations in the Balkans; we can mention here EU mission "Althea" in Bosnia and Herzegovina, as well as in Kosovo, where our military contribute to the peace and stability of the region, sometimes with the price of their lives.

The complex realities of the region show that the states should assume more responsibilities regarding the security and the stability. Through an exemplary international conduct, active steps and a new spirit of cooperation, positive evolutions in the transformation of Central and South-Eastern Europe can be made. The numerous problems from this region need innovative, viable and efficient solutions, transparency, and the use of all the instruments of regional cooperation in order to consolidate the mutual trust.

Between the Balkans and the Nistru there is a need of efficient instruments, which support the dialogue and solidarity, the coherence in crises management. Active policies should deal with the new threats in the regional and international security background.

The persistence of some conflicts at the Central and South-Eastern Europe frontiers, which permanently menace the regional stability, asks for sustained efforts to solve the problems, to enlarge

the cooperation in the security field. These efforts of the international and regional organizations should produce a more efficient and multilateral security system, which, in its turn, should bring about global prosperity.

*Translated and abridged
by Alexandrina VLAD*

NOTES:

¹ The idea is used by M.Mc Fair and J.M. Goldeier, in "A Tale of Two Worlds: core and periphery in the post Cold war era", International Organization, 1992, p/46.

² David Held et al., **Global Transformations. Politics, Economy and Culture**, Polirom Publishing House, 2004, p.152.

³ The Director of the Romanian Service of Foreign Information in an article published in "Lettre diplomatique" and taken over by "Ziua" in its edition from January, 22, 2005 under the title „Romania and the new threats on Southeastern Europe" says: "The resurrection of the need to reaffirm the ethnical and religious identity is caused by a sharpening of nationalism and of the religious effervescence. All of these have created a fertile soil for extremism and fundamentalism. The huge movement of population, caused by poverty and local, regional religious conflicts have brought these conflicts in the western world. The immigrants thus have become the main financial and political source of support for the terrorist groups from their motherland".

⁴ The problems discussed at the recent summit of SEECF are included in the *Final declaration*, [www.mfa.md/Ro/PSES/Bucharest declarationSEECF.htm](http://www.mfa.md/Ro/PSES/Bucharest%20declarationSEECF.htm)

⁵ **Une Europe sure dans un monde meilleur. Stratégie européenne de sécurité**, December, 2003. Institut d'Etudes de Sécurité de l'Union Européenne, p.24.

⁶ Ibidem, pp.21-25.

General Professor Mircea MUREȘAN, PhD, is the Commandant (Rector) of the National Defence University. He has published many books, papers, articles on defence and security.



THE MILITARY INTERVENTION ROLE IN CONFLICT MANAGEMENT

Teodor FRUNZETI, PhD

This is the way military intervention can be the most efficient action in conflict management, taking in consideration the link between military and diplomatic instrument. After the difference between conflicts types – between states and inside the states – the interventions option can be synthesise starting from minimum effort of implication to the sending of the Rapid Reaction Force.

The intervention option and ways of action are considered for the conflict management purpose. After the Cold War, the potential actors that can interfere in conflicts were considerably extending. One of the lessons learned consists in the great benefit of the preventive engagement for the way of negotiations to stop repressions and violence extension. It is important to take into consideration the conflict management process, the facts from which the conflicts are passing from politic to military sphere. Like an overview of these aspects, some requests which can ensure success in intervention for the conflict management are presented, reminding that military and diplomatic way must be used into a complementary process and an unsure intervention can generate new motivations for a new conflict.

In the last time more frequently military conflicts lessons learned are used. Those who are taking decisions at strategic level both political and military are to evaluate different types of threats and to find an adequate power of communication form to annihilate into an efficient and adequate way. It takes into discussion how much military intervention can be the most efficient way and in which situation. In all cases there must be taken into consideration the link between military and diplomatic instrument, the real characteristic of the context, the time factor, and others specific elements for the each particular case.

In the recent conflicts it was highlighted, as a permanent element, the negotiated solution and, in the final part of the conflict, the third part intervention.

1. Different types of conflict

In the last period, after the Second World War, a decrease number of conflicts between states and an increase number of inside states conflicts were noticed: civil wars, ethnic-religion conflicts, and conflicts because of the negation of the legitimacy of the government, conflicts against the repressive regime, fragmentation wars, and wars for taking over the power in the collapsed states. This is reflected in the way which UN peace missions were taken place: nine from fourteen operations between 1945 and 1987 were conflicts between states and only six from twenty-two operations started between 1988 and 1994 were linked with conflicts between states. None of these six operations did involve many troops under UN mandate. All the others operations were designated to inside states conflicts. Regarding the ongoing operations after 1994, till the end of 2000 only the UN mission in Congo (MONUC, 1999) and the preventive force deployed in the Former Yugoslav Republic of Macedonia (UNPREDEP, 1995 – 1999), can be taken into consideration like designated missions for the inside states conflicts. From the twenty-seven major armed conflicts identified in 1989, twenty-five were internal conflicts even that in some of these conflicts were involved external¹ actors. Once with the Soviet Union and Yugoslavia breaking down, the opened or latent conflict zones were spreading considerably, these conflicts being in the most big part internal conflicts.

In the regions where traditional conflicts between states are still going on, especially in the Middle East and South Asia, these reflect ethnical interests, religions and even clan interests. The typical, classics, cases of engagements between states are rarely shown (e.g. Iran – Iraq, Iraq – Kuwait, Peru – Ecuador). With all of these, traditional conflict types and UN played role from now on, even rarely, like was proved with the cease fire agreement between Ethiopia and



Eritrea, in which UN played a significant role.

The internal conflicts are proving to be the principal cause of external interventions, a third part intervention, especially with direct military actions. It is very well known that any external intervention is giving difficulty to the one initiating the action as well to those that are executing it, many times these kind of actions being brutal and bloody. The superficial external involvement is difficult in social or ethnical conflicts, especially when the actions are peace enforcement, situation in which, many times, the parts involved did not reach a military equilibrium to permit a the conflict regulated negotiation.

Under these circumstances, the options for the intervention forces are:

-To involve in the conflict accepting the victory of one of the parts and simultaneously taking action to reduce the human consequences of the conflict;

-To involve in the conflict to stop fighting, to establish the situation from the military point of view and to act for the end of the conflict, which means to keep some occupation forces for a long period of time (like NATO did in Balkans conflict);

-To not involve in the conflict and to wait the end of the war, accepting after that a new status quo.

There are opinions against the involvement in the wars between states, linked to the legal argument for breaking the independence and involving in the internal problems of other states. The national reconstruction term, launched with optimism in the early 60s of the last century in Vietnam was denied from the result of this conflict and partially re-established with the actions from the 90s in Somalia. These kinds of arguments were used to explain the modest success of the intervention in Bosnia, Rwanda and Somalia, after the Cold War. The three years of civil war from Bosnia left only one way to Western intervention to reach the final solution, remodelling the strategic equilibrium on the battlefield, sustaining one of the parts. These led to the Dayton Agreement from 1995. The moral and politic price of non-intervention and non-involvement became today too high to be assumed. This thing was proved in colony release process of Namibia, the agreement accomplishment regarding stopping conflict in Cambodia and election monitor in this country, stopping conflict monitor in Salvador, peace enforcement agreement in Mozambique. The successes are in contrast with the genocide stop failure in Rwanda in 1994. The

common efforts were continued in Central Africa in 1996, in the intervention led by Italy, under the UN mandate, in Albania in 1997, in the NATO intervention in Kosovo in 1999, in the intervention under UN mandate in East Timor or Sierra Leone in 2000. The problem that is facing any analysis regarding the necessity or not of an intervention for stopping an on going conflict is gravitating more or less around the questions regarding how can be avoided the excessive use of military force, the intervention type establishment (military or non-military) and capabilities establishment very well adapted to the specific reality (peace maintaining or peace enforcement measures).

These problems remain in the middle of discussions because are very well linked to the national interest of involved states and with the will to consume human, material and financial resources, in very far places, some of them without strategic importance. That is why the issue is gravitating around the dilemma if the politic that should be following has to have basically interests or values. Without this issue a very important problem is linked to the current practice the increasing of efficiency and competence in interventions.

2. Different types of interventions

There are a wide range of intervention options starting from the minimum no implication effort till sending the Rapid Reaction Forces. In any situation the variety of adopting solutions depends on many facts. The first fact is the stage of the conflict. Another one is shown by the society type in which the conflict is taking place, the nature of involved parts, the system type for taking decisions used by the each part and their capacity to be accessible to any forms of external intervention.

Moreover, the intervention options are depending to the characteristic of the one that is interfering – the capabilities, links with the involved parts, the political will to interfere, common interests and the role that wants to assume.

A conflict between states may involve different type of actions, starting with military type till the police type designated to maintain order and to enforce law, like in “Desert Storm” operation, operation led by United States in 1991, under the UN mandate, for giving freedom to Kuwait.

Different types of military intervention:
- Unilateral actions from a state like the UK



intervention in Sierra Leone in 2000 or the United States intervention in Dominican Republic in 1995;

- Ad-hoc coalitions like the intervention of the occidental countries in Lebanon in the early 80s;

- UN peace operations, for peace agreement implementation, like in Mozambique, for instance, at the beginning of 90s;

- A peacekeeping operation at the region level or peace enforcement operation led by a regional security organisation, like ECOWAS, for instance, in Liberia or NATO in Balkans, both in the last decade;

- Actions under UN mandate carried on by a global or regional power, e.g. Italy in Albania, United States in Haiti, or Australia in Eastern Timor.

Similarly, military intervention in conflict management purpose can take different shapes. When it has a continuity character and becomes a central point of adopted position from a referent state to another state or region, like the US mediation initiative in Middle East and South Africa in the last decades, we can describe these interventions like following strategically objectives. In these examples the management and conflict final became the quintessence of regional strategy and the necessities coming from these is shaping others regional politics, regarding problems like the armament transfer, undercover actions, commercial embargo, human rights.

This kind of interventions based on a coherent diplomatic strategy and sustained on a long term can make to substantial progress the interests of a state involved, which is using its influence to make the parts engaged in a conflict to come into a negotiated solution.

In others situations, when the expertise and intervention ways into a specific conflict are in limits, there can be used the help of another state, like United States did in some initiatives to stop conflicts in the half south of Africa in Zimbabwe, Namibia, Angola, Mozambique and South Africa Republic in which the actions were taken with British diplomacy. The action taken by United States, NATO and UE regarding Bosnia and Kosovo proved careless diplomatic action correlated with the peacekeeping and peace enforcement operation that was taken place at that time. The decision taken in 1995 by United States and NATO to use military force against Bosnian Serbs to change force equilibrium on the battlefield create the perfect condition for a more active diplomacies that conducted to the Dayton Agreement.

The diplomatic intervention with episode character, like, for instance, the conflicts in Cyprus and Casmir or the interventions in crisis situations when the conflict is escalated, as, for instance, those from Jordanian and Egypt, when the fragile integrity of Yemen was threat by secessionist movements in 1994, is a more frequent presence then the long term strategic engagements, like those for peacekeeping for example.

In some crisis situations, the final formula for solving the conflict can be not more than the cease fire, which can be broken, till a new status quo will be established from the military point of view.

This kind of interventions are a manifestation with a effort limit effect which stops or limit the fighting, but is not a real solution based on a good agreement. The periodic initiatives regarding negotiation in Cyprus problem is representing real exploration tests for establishing the position of parts and to emit new ideas. This kind of efforts can not produce a significant change in the position of parts either in unblocking the local situation. In the same time the splitting that is taken place in the two communities can raise the price of a compromise and an agreement till to an unexpected level, at list for one of the parts.

The range of potentials actors that can interfere in different conflicts have been significant extended in the period after the Cold War, because of the capacities levels and because of the governments and international organisations will to engage prompt and efficient in different situation and because, on the other hand, the involvement acceptance of different nongovernmental organisations. More and more these nongovernmental organisations are engaging in the international environment playing a more and more important role in conflict management.

In this kind of organisations we can count on the professional groups, mass media, and specialised groups of the civil society and specialised organisations for preventing and manage the conflicts, humanitarian help organisations, religious groups, human rights movements. There are sufficient proves, from the last conflicts regarding communication optimisation necessity and coordination between the governmental structures, in the governmental and nongovernmental structures to stay away from spending resources, to elevate the action efficiency and logistic efficiency. The concept acceptance as a leading structure is



mandatory, that can be, from case to case, one of the three types anterior reminded and a conduit code adjustment to stand for duties and responsibilities of all actors interfering in conflict² situation.

Some types of politic intervention or actions with a reconcile purpose can be well planned and practiced by governments and alliances or states coalitions, and others can be left to be practiced by international institutions, economic institutions or with a humanitarian role, non governmental agencies, or by a specific private persons.

The intervention types of a specific pre-conflict phase and pre-negotiation, in a potential conflict case, will be different by the specific interventions for an on going conflict, and for that kind of actions that must be taken to support an agreement, once the signatures parts approach this stage.

For instance, the support for implementation and building peace can involve, besides of the agreement signatures and governments, which can support bilateral measures trust and to contribute to the intelligence products for this purpose. The non governmental organisations can monitor the agreement violation regarding the human rights.

Military structures and private companies can offer assistance in de-mining operations in conflict zones, to facilitate deployment of the personnel designated for peace operation. The troops of a third part can help in re-conversion and dismissing the local military forces. The international financial institutions can coordinate the bilateral and multilateral assistance and monitor the post-conflict reconstruction programs. Experts, paid by public funds, can provide assistance regarding the legal system efficiency and finding legal solutions for non-legal eradication.

The non governmental organisations can give assistance to implement programs designated to the religious reconciliation, building democratic institutions or inter ethnic relations management.

This enumeration is proving that there is a sum of activities and actors that can be involved in post-conflict management.

This emphasises the importance of the coordinated efforts and responsibility sense improvement to ensure the common effort success. There is a common functional dependence between “hard” and “soft” intervention and, obviously, all actors must realise the role and place in this unique system.

3. The conflict and actions prevention

In all the intervention cases after the Cold War period one of the lessons learned is the benefit of the prevent engagement for promote the negotiation alternatives to stop repression and violence extension.

These kinds of measures were taken before. In the last period of time, lessons learned from conflicts areas like Afghanistan, the ex-Yugoslavia, Rwanda, Liberia, proves that a small vision regarding possible options to stop conflicts and unconsidered the political and economic solutions creates problems.

It is very important to be taken into consideration in conflict management process, the facts for passing conflicts from a political sphere to a military one – starting from ethnical tensions, the armament proliferation in the area, the type and character of the power in that state and way of monitor etc.

The lack of action price is too big when the involved parts in the conflict started military actions already for all the international community to adopt a non action position.

Effective and preventive measures to stop armed conflicts to start and to maintain them to a reduced belligerent level, in the situation when the conflict already started, are:

-The postponed elections in not ready societies for this kind of activity or that can became more polarised and fragile as a result of elections. Unprepared elections and not very well conducted in Angola 1992 led to a civil war. Separate elections that took place at the beginning of 90s in ex-Yugoslavian republics brought to power nationalists leaders and opened the way to a disintegrated war.

In the same way, the rush to schedule elections in Bosnia, soon after the Dayton agreement in 1995, did not calm down the tensions accumulated by the three Bosnian communities. Therefore, it must give a very big importance to the elimination of some mechanic formulas established for elections, for the lack of a politic culture proved by a democratic mechanism, elections that can improve conflict rather then stopping. So, the intervention of the international organisations or other actors that can encourage power congestion formulas, formulas that can ensure to those that are defeated from election a protection that can encourage them to obey the electorate decision;

- Encourage leaders who want to maintain power control in many ways, to act prudently



and to promote political solutions that can permit them a honourable exit from the politic scene. A recent example is the exit from the politic life of the Prime Minister De Klerk from South Africa. This solution prevents the necessity of an external intervention, except the solutions that are for the merit recognize of the specific leaders. Ensuring on an easy exit from the politic scene and the power transfer, by non-violent methods, is the merit of negotiations, like it happened in Filipinas, Haiti and Ethiopia with United States;

- The allocation of material, financial and human resources and the necessary politic support as well, in time, to ensure disarming, re-conversion, re-integration of the ex-combatants in the civil society. This kind of measures ensure that political and military leaders to pass from a belligerent or insurgent status to a daily community participant. Demobilisation and re-integration of the combatants, if is not very careful planned, can conduct to another conflict like in Afghanistan, Cambodia, or Nicaragua. Stopping the conflict needs, therefore, preventive actions, so the groups without importance to be supported for re-integration and not to improve themselves by violence;

- Non-accepting the territorial fragmentation or secessionist solution for the internal conflicts.

4. Conditions success in the conflict management interventions

To ensure success in the interventions by a third part is necessary to ensure a clear understanding in what means a success to avoid the transformation of a operation that is a conflict solution into a failure. It is recommended that any intervention to be within the standards that must be accomplished. The experience of the most conflicts after the end of the Cold War proves that only intervention of a third part, most of the conflicts were stopped without having a final by themselves. With all of these, only the local actors are the only one that can create the necessary institutions for stopping a civil war, and the outside direct or indirect intervention of a third part is having only the role to give a shape to the place in order that this process takes place.

The outside interventions bring new ideas,

concepts and resources; ensure plans, necessary political and military pressure without which, in the most cases, can not reach agreements or conflict stop.

Diplomatic and military ways must be used into a complementary process. Only with a consistent and adequate diplomatic effort, the military interventions can ensure the accomplishment of a clear and specific politic objective.

Coherence is an essential request for coordinating the efforts of all the actors involved. The purpose and the objectives of the interventions must be unique for all the actors involved, and the actions of these actors must be concentrate and convergent. This coherence is not having a limit only in military domain. The multinational diplomatic intervention, like for instance media and political strategies, or peace enforcement, means a unique lead for giving motivation and convincing a big diversity of actors to work together. In this effort are involved the states government, international organisation inter-governmental and non-governmental, international agencies and other institutions. The organisational culture differences, the will of all actors to have a leading position in action coordinating and others will to put on the first plan their will against the efficiency can be a stop in the way of unique effort coordination.

Another essential request for a real capacity is to ensure a correct process for taking decisions, to transmit this in short time to structures with operational tasks and to monitor the execution of their missions and tasks, keeping the politic initiatives.

The biggest danger for the interventions made for stopping armed conflicts is the non-conclude intervention that generates new tensional motivation, dispute and conflict, fact proven by the experience of last decades.

NOTES:

1 SIPRI Yearbook 2000: Armaments, Disarmaments, and International Security (Oxford, Oxford University Press, 2000).

2 Cf. Ahmedou OULD-SABDALAH, *Burundy on the Brink, AUN Special Envoy Reflects on Preventive Diplomacy*, Washington, DC, United States Institute of Peace Press, 2000, pp. 113-115.

General-major Professor Teodor FRUNZETI, PhD, is the Commandant of the Second Joint Operational Command, Buzău.



THE GLOBALISATION AND THE CIVIL SOCIETY

Viorel BUȚA, PhD

Globalization has a very strong impact in civil society. The stronger becomes the process of globalization, the more radical becomes the activity of the civil society against it. The civil society tends to build its own regional and global structures.

1. Globalization – a complex and multidimensional phenomenon

Globalization has become one of the most used words in the current language. The politicians' speeches, the news and the mass media use this word. We can affirm, without doubt, that the high frequency which this word is used reflects its actuality, as well as its multiple implications on all the fields of human activity. Although, in the beginning, globalization was perceived as an economic matter, now it is considered a more complex problem with a multitude of dimensions: ethnic, cultural, military, political and informational¹. One of the most important aspects is the dissemination of the general human values as: the human rights (civil, political, economic and social rights), the rights of the woman and of the child, the protection of the environment. Based on these values, in the recent years, the international community has intervened, using all the means possible, military force included, in those states that have brutally violated these rights.

The complexity of globalization is amplified by the fact that it is the source of a multitude of effects, that differ in their nature and in the way they manifest. Thus, globalization has an immense potential to generate growth, but it also states a "status quo", namely the integration weakens the national financial regulation, without offering a satisfactory alternative. The actors representing the states shouldn't deny the future (because integration is the future of mankind), and they shouldn't go back in past- a past that had already demonstrated that the barriers built between peoples would only

drain the national economies and would only make people poorer.

Moreover, globalization refers to the entire spectrum of activities: economic, social, cultural, military and strategic, as well as ecologic. At the same time, globalization brings about an international development of risks and threats. To exemplify we can mention new forms of organized violence; illegal traffic of weapons and drugs; the violation of the human rights; the proliferation of mass destruction weapons; immigration hard to control; new challenges addressed to national security (the terrorist attacks of 11.09, from USA and of 11.03.2004, in Spain). We have mentioned just some of the risks and threats².

In conclusion, globalization is a complex and multidimensional phenomenon, which influences, in a way or another, the completely human activity. That is why globalization can be simultaneously a *phenomenon able to bring happiness and wealth* for the whole world, but at the same time, it can be *a destructive process for some human communities*, through the negative effects it generates on social and economic level.

2. The Civil Society – an important social actor

The information about the civil society are diverse and different, but never complete and enough. That is why its definitions are significantly different. Our analysis should follow these stages: to decode the meaning of the expression "*civil society*", which has different meanings, according to the level of training of the person that uses it and the context in which it is used. It has to point out the role and the statute of the civil society in human community, at all its levels of existence. The analysis should mention of the forms of existence and of the levels of manifestation of the civil society, as a social actor. A very important role belongs to the *groups of pressure from the*



society, which can be considered organizational structures of the civil society. There will be made the description and the evaluation of the relations between the civil society and the political society, whose representatives can be found in the structures of power, having the armed forces as its main institution, and as a general goal the national and international security, and globalization as a complex phenomenon. There are essential relationships between civil society and the process of integration of Romania in the Euro-Atlantic and European structures. The process of integration of our country in the Euro-Atlantic and European structures is sustained at a greater or a lesser degree by the Romanian civil society, which, through its own methods militates for the implementation of democratic values in our country.

The activity of the civil society reflects the level of implication and of engagement of the citizens in the building up of their own way of live, in finding a solution to the social, political, economic, cultural, ecologic and military problems that confront their nation. The citizens must also become aware of the fact that they have a huge responsibility on local, national and international level. The civil society can also contribute to the searching and the offering of valuable solutions for the social, economic, demographic, religious, ethnic, cultural, and ecologic challenges that face the state today, when globalization amplifies. The civil society can manifest in many domains, namely the security of the individual and of the community to which he belongs. In this context, the civil society can become one of the significant actors that can exercise its influence ay national, regional and global level. Lately we can observe the building –up and the manifestation of a strong world civil society³.

Another consistent and remarkable contribution of the civil society, as a social actor, is constituted by preserving of the national identity against the social, economic, politic, military, informational and cultural globalization. Of course, this approach can be made in different ways, and the civil society must find them and to make use of them in the best possible way and at the right time.

The contribution of the civil society is significant, especially the contribution to the shaping of a new type of armed forces that reflects the development of the global security environment and the changes in the way of fighting a war. The civil

society must contribute to the diminishing of the number and of the frequency of terrorist acts at national and world level. The citizens must take part in preventing activities that can put an end to such actions.

The aspects we have just mentioned come to underline the important role played by the civil society in is extremely important at local, national and international level. The civil society is a body of organized and institutionalized structures that have very rigorous goals stated their statutes.

3. The impact of globalization on civil society

The evolution of the civil society demonstrates that it will continue to develop its role in the community in which it expresses itself at national or international level.

Its role will comprise multiple forms of expression in society, according to the objectives and goals set and strictly followed by one or more civil organizations, according to the number of members, the financial funds, and the human, financial and informational resources management. It is important the way in which the leaders of the civil organizations have the capacity to be efficient in their enterprises.

The civil organizations take over some of the tasks that at present belong to the state. This is the pattern followed by the countries that do not have such a long tradition in democratic ruling .For example, some tasks that belong to health care, private pensions, education, etc are being taken over by the civil organizations. In USA and in other European countries this pattern is followed.

The security of the individual and of the community is totally or partially controlled by civil organizations. These organizations try to ensure the proper living standards, and try to make the citizens to take a more active part in the solving of the public issues from their community. Here are some examples⁴:

- In 1992, “News Journal”, a newspaper from Wilmington (Delaware) had made a public opinion poll, which showed the most important problems in the state of Delaware. After analyzing the topics in its columns, the newspaper showed interest in the impediments in the way of economic growth. The newspaper recommended some meetings of the citizens in order to discuss this topic. After a



series of meetings at a local level, which enabled the citizens to discuss these themes, the newspaper organized an economic summit, which lasted for two days. Twenty five personalities from the world of affairs took part in it. They reached the conclusion that some measures should be adopted in order to improve Delaware economy. The final report of the summit mentioned: "The analysis of these major problems and the fact that the citizens had been asked for their opinions on these matters were important. The public meetings "should serve as forums for discussing openly all the economic problems" which affected everyday life."

• In 1993, "Register" a newspaper from Des Moines (IOWA), appointed all its journalists to interview at least four Americans belonging to the middle class about the problems that bothered them. The information obtained was completed with those coming from a inquiry made on the phone. More than six hundred subjects were interviewed. The results were published in a series of five articles, under the title "The Voice of the People". The newspaper organized a general assembly of the citizens in order to debate the current problems. The newspaper continued to organize such reunions in order to connect the information obtained to the concerns of its readers.

• In 1993-1994, the newspaper "Star", from Indianapolis (Indiana) had made a very impressive public opinion poll regarding the racial problems. The results were published for a whole week in its pages. The articles mirrored the experience of the common citizen, not that of an expert. "Star" organized a forum, and five hundred citizens took part and discussed on racial matters. The main objective was to encourage the citizens to find solutions.

These examples must be considered carefully and from different points of view. First, it is very important to underline the fact that some newspapers have succeeded in mobilizing different segments of the society. Secondly, we can mention the fact that the most suited organizational form was found so that the citizens were able to directly participate in finding the solutions to their problems. The civic activities of the newspapers showed that the mass media could engage in activities that preserve and promote the rights of the citizens against the political influence and governmental pressures. These are examples of "civic journalism", that establishes a kind of a

matrix of communication, where the citizens are able to talk about their problems⁵.

Through this activity, the journalists want to enforce the "civic culture". It helps the citizens from a democratic state to realize that the "system" belongs to them also, not only to elite of professionals of politics.

Moreover, the civic journalism helps the diminishing of the public opinion apathy and cynicism, features that push the common man to keep to his calm personal life and to keep distance from the public affairs. This objective can be accomplished through offering valid information that can clarify the fundamental values and to express the priorities of each problem presented in public.

Another domain of activity in which the civil society organizations have something to say is represented by the relations with the central and local authorities. An essential element of these relations is represented by the level of engagement of the authorities in solving the important problems that confront the citizens of a local community. In this context, the state institutions need to be more transparent in their relations with the citizens, who are, in fact, the ones that pay taxes. On the other hand, the citizens must assume a more active role in solving the public matters. One must not forget that the persons that lead the local communities and the state are elected, according to the electoral law. Besides *legal obligations*, they also have "*duties*" towards the sponsors of their electoral campaigns. The civil society must permanently remember the chosen ones that they have obligations towards their electorate and towards the citizens of the community.

Lately, many organizations of the civil society, from different countries have united their efforts in order to diminish, if possible, the negative effects of globalization in the less developed states of the world. There were a series of anti-globalization movements that took place at the same time with the international meetings on globalization⁶. The quoted author underlines the fact the organizations belonging to the civil society have taken positions against commercial negotiations of the states from the Caribbean zone, in order to inform their members of the stakes and to make pressures on the governments so that they include the social problems in the negotiations programs. In some of the cases, the representatives of the civil society



worked together with the persons responsible to elaborate the positions during negotiations. In other cases, regional alliances were created in order to promote integration starting at the base, to facilitate dialogue, over passing the linguistic barriers. In order to succeed in discussing with the representatives of state and non-state actors, that sustained globalization, the structures of the civil society has formed a group of reference that was to coordinate all the meetings and the problems that were about to be presented in front of the official representatives of the governments and multinational organizations. The group comprised structures if the civil society from most if the Caribbean countries (English speaking states, Haiti, and Dominican Republic). More than 1000 organizations representing women, workers, economists and peasants took part from this group.

Of course, there is until a long way to go until we can speak of a world civil society, united and strong, able to fight efficiently in order to defend the human rights of the real people that will be affected by globalization⁷.

4. Conclusions

Globalization is a complex, multidimensional and ubiquitous phenomenon that influences significantly all the domains of the human activity. Its effects are multiple and have different ways of manifestation, some favorable, other not, according to the level of social and economic development of a certain community, according to the political regime, to the traditions and the democratic values. There the possibility that certain human rights – the right to work, the right to education- to be affected by globalization. The civil society must play an important part in diminishing these effects, using different organizational structures.

Nowadays, in Romania and around the world, the organizations of the civil society militate consequently at national, regional and global level to preserve the right of the individual to a decent way of living, in a clear environment. The structures of the civil society have a more active role in the negotiations with the governments

of their countries and with the non-state actors that promote economic, cultural, ecologic and military globalization, defending the rights of the individual.

In Romania, the organizations of the civil society actively militate for the integration of our country in the Euro-Atlantic and European structures, explaining to the people the necessity of this integration, but, at the same time, showing them their rights and obligations that come out of the integration.

Globalization, both as a complex and multidimensional phenomenon and as a ubiquitous process has a strong impact on the activity of the Romanian civil society, as well on the world civil society. Against this background, the army, as a state institution, should maintain in an active state a diverse range of relations with the organizations of the civil society at local and national level. The establishing of relations of principle, of collaboration, based in the laws of our country and transparent should be benefic for both the Romanian Armed Forces and the civil society, as well as for the development of a democratic Romania, as a European and world state.

*Translated and abridged
by Alexandrina VLAD*

NOTES:

¹ Norman GIRVAN (professor, the general secretary of the Association of Caribbean States – AEC), *La globalization-plus qu'un question d'économie*, <http://www.Atlas/web/reunions.htm>,

² *Mondialisation et sécurité*, <http://www.mondsecur.dz/>

³ *Mondialisation: acteurs*, <http://www.Geoscopie.com/themes/t184act.htm>

⁴ Apud: Paul MALAMUD, *Le journalism civique*, in **Révue électroniques de l'USIA**, volume 1, no. 8, July 1996.

⁵ Paul MALAMUD, *op.cit.*

⁶ Norman GIRVAN, *Le société civile et le globalization: un revolution tranquille*, <http://www.Atlas/web/reunions.htm>.

⁷ Dorval BRUNELLE, Loraine GUAY, Ana-Maria d'URBANO, *Guide de formation sur globalization dans les Ameriques*, <http://www.cmm-csn,qc.ca/>

General Brigadier Viorel BUȚA is the Deputy Commandant of the National Defence University. He has published many books, papers, articles on defence and security.



LA SÉCURITÉ NATIONALE ET LE RAPPORT ENTRE LA RÉFORME DE L'ARMÉE – LA TRANSFORMATION DE L'INSTITUTION MILITAIRE

Petre DUȚU, PhD

La sécurité nationale, comme ensemble des conditions favorables pour la vie et l'activité humaines, est garantie et assurée par accomplissement de l'armée de son rôle social. En ce sens, une grande condition le représente le déroulement de la réforme dans l'armée. A son tour, celui-la peut être accomplir par les transformations succesives dans tous les domaines d'activité dans le sein de l'institution militaire.

Donc peut être affirmer qu'il existe un lien étroit entre la sécurité nationale et le rapport entre la réforme et les transformations volontaire de l'institution militaire.

1. La sécurité nationale - un état d'équilibre dynamique

Le milieu de sécurité national, regional et global, toujours affecté par des vulnérabilités sociales, économiques, politiques, militaires, informationnelles, est «la cible» des risques et des menaces divers, comme nature et contenu. La réalisation d'un équilibre dynamique entre vulnérabilités, risques, menaces et les mesures pour prévenir leurs manifestations, ainsi que leur contrôle efficace par les institutions competentes de l'Etat, mene à l'installation de l'état de normalité du milieu de la sécurité. Au niveau national, cet état est similaire avec l'existence de la sécurité nationale, c'est-à-dire à cet état tranquille, calme, de confiance selon laquel la vie et l'activité des citoyens du pays ne sont pas en péril. Autrement dit, l'intégrité physique et psychique des personnes sont garanties et assurées et les communautés humaines peuvent dérouler leur vie et leurs activités sans crainte, tranquillement et sûrement.

C'est à l'armée que revient un grand rôle pour garantir et assurer la sécurité nationale, comme l'institution de l'Etat capable d'utiliser la violence pour atteindre ce but. Mais, cette possibilité n'est

pas équivalente, par soi-même, avec la capacité optimale de sa réalisation pratique. C'est pourquoi l'armée doit être toujours préparée pour donner la répons adéquate à tout defi quant à la sécurité d'Etat. Dans ce contexte, constitue une condition sine qua non la réalisation de la réforme dans le sein de l'armée.

2. La réforme de l'armée – processus complexe, multidimensionnel et continuu

La réforme de l'armée peut être vue sous de multiples aspects. *Ainsi, elle représente le processus d'adaptation continuelle de l'institution militaire à la dynamique des changements sociaux, économiques, politiques, culturels, informationnels, écologiques de la société dans laquelle celui-ci existe.* Comme la société se trouve dans une continuelle transformation, sur tout les plans, comme réponse aux sollicitations du progrès social, économique, politique etc., l'armée, comme sa composante, doit aussi reagir adéquatement pour pouvoir accomplir d'une manière optimale ses missions légales. Puis, *la réforme de l'armée constitue l'ensemble des méthodes et des techniques utilisées conjointement pour faire que cette institution d'Etat de droit reste ancrée dans la réalité dans laquelle elle existe et fonctionne.* L'assurance de la concordance entre la nature et le contenu des missions confiés à l'armée du milieu probable de leur exécution suppose une modernisation continue et un perfectionnement de la stratégie, de la conception, de la doctrine, de la technique militaire, des dispositifs de direction et d'adoption des décisions, de l'amélioration du climat psychosocial et de la cohésion des groupes militaires. A cet effet, on peut utiliser des méthodes et des techniques propres à chacun domaine, d'un part, et qui ont été validées par la pratique, d'autre part. Toutefois, *la réforme représente la seule voie*



sûre pour assurer la concordance entre les buts, les missions, la dotation et la qualité des ressources humaines de l'armée et les modifications issues objectivement des caractéristiques du champ de bataille futur. Celui-ci peut devenir fortement technologisé dans l'avenir. Déjà, dans la littérature de spécialité on parle d'apparition d'une armée non linéaire¹, qui est adaptée au nouveau champ de bataille autant du point de vue humain que technologique. En même temps, *la réforme est la modalité par laquelle l'armée prouve son efficacité et son efficacité en ce qui concerne l'utilisation de ressources humaines, matérielles, financières et informationnelles* que lui donne la société pour accomplir ses missions légalement assignées. Actuellement, grâce aux caractéristiques du milieu de sécurité internationale et régionale la société est très stricte en ce qui concerne le budget pour défense et surtout de la façon dont celui-ci est employé. Aujourd'hui, le contribuable veut et il peut contrôler rigoureusement la manière dont l'armée administre les ressources qu'elle reçoit de la société. C'est pourquoi, dans une première étape, *la réforme de l'armée permet à celui-ci l'assurance de compatibilité et d'interopérabilité* avec les autres armées partenaires de l'Alliance. Quand on entre dans une alliance politique-militaire, comme l'OTAN, tant Etat membre s'assume librement, volontairement et consciemment une série des responsabilités. Parmi ces responsabilités il y a aussi celles qui concernent l'assurance de la compatibilité et de l'interopérabilité avec les autres armées qui sont part dans le traité de l'alliance. De fait, celui-la concerne les dimensions humaines, normatives, organisationnelles et militaires de la réforme dans l'armée².

Actuellement, la nature et le contenu des missions que l'armée peut recevoir sont dans une continuelle modification, en rapport avec une multitude des facteurs³. *La réponse adéquate à ce défi peut être constituée seulement par la réforme de l'institution militaire.*

En conclusion, la réforme de l'armée est un processus continu, complexe et multidimensionnel, une condition sine qua non pour ancrer d'une manière optimale cet institution dans la dynamique des changements de la société, du champ de bataille, du domaine informationnel et des communications, la réponse optimale à tous les défis actuels et futurs du milieu de sécurité.

3. La transformation de l'armée

Toute armée qui désire abréger certaines étapes d'accomplir de la réforme en son sein appelle à sa *transformation*. Celle-ci représente *une modalité rapide pour réaliser des changements désirés dans l'institution militaire*, bien sûr avec le consentement de tous les fonds mis à sa disposition, des ressources humaines, financières, informationnelles et du spécifique des missions qu'on lui donne pour les accomplir dans l'avenir proche ou plus lointain.

Egalement, *la transformation de l'armée peut être vue comme le résultat de l'activité des facteurs de décision et des structures d'exécution au sein de cette institution* pour atteindre certains objectifs tactiques et opérationnels de sa réforme. Par exemple, le passage de l'armée de masse, fondée sur conscription, à l'armée de professionnels, constituée par volontariat, représente une manière de transformation de l'institution militaire, qui se fait dans un intervalle de temps plus court ou plus long, en fonction d'un système de facteurs intérieurs et extérieurs.

Toutefois, *la transformation constitue une méthode rapide d'accomplir des objectifs concrets de la réforme de l'armée*. Par exemple, la modernisation de quelques catégories de techniques militaires, afin d'être compatible avec la technique des Etats partenaires de l'OTAN est une telle modalité. Ainsi, la modernisation de l'avion MIG 21 Lancer par les Forces Aériennes de la Roumanie peut être considérée comme un exemple éloquent de voie pour la transformation de cette catégorie de forces, dans le but d'assurer directement la compatibilité avec les avions des armées des Etats membres de l'OTAN.

En même temps, *la transformation représente la voie la plus courte pour assurer la compatibilité et l'interopérabilité de l'armée de la Roumanie avec les armées des autres Etats de l'Alliance Nord-Atlantique*, dans certains domaines d'activité spécifiques pour l'institution militaire. Par exemple, dans l'accomplissement de la dimension normative de la réforme d'armée l'harmonisation des prévisions de lois relatives à la défense et à la sécurité, des règlements militaires, des manuels et des doctrines de l'armée de la Roumanie avec ceux des armées des Etats membres de l'OTAN. Une situation similaire a aussi en ce qui concerne l'adaptation de la structure organisateurs des unités et des grandes unités roumaines, surtout des forces



destinées pour l'OTAN, a celle qui existe dans les autres armées de l'Alliance. Dans ces situations, il est absolument nécessaire la transformation parce que par cette voie se réduit le temps pour accomplir des objectifs établis et se diminuent les dépenses effectuées pour la réforme.

En outre, *la transformation permet la réalisation des expérimentations sociales avant d'agir pour atteindre des objectifs de la réforme de l'armée.* Autrement dit, la transformation représente une modalité pour valider de point de vue social des méthodes, des techniques et d'autres actions pour perfectionner, pour moderniser ou optimiser la structure, les cadres et la gestion de l'institution militaire en ce qui concerne les ressources humaines, financières et informationnelles.

La nature de la transformation est établie par les facteurs de décisions, précisément, parce que de cette chose dépendent les méthodes choisies pour son accomplissement, les forces destinées pour ce but et le temps affecté pour la mener à bien.

En conclusion, *la transformation de l'armée peut être considérée un grand segment de la réforme de l'institution militaire, une action strictement délimitée en temps, avec un contenu rigoureux précisé, une définition exacte des méthodes, des techniques et de procédés, ainsi que pour les ressources humaines, matérielles, financières et informationnelles que la société les met à sa disposition.*

4. Le rapport entre la réforme de l'armée et la transformation de l'institution militaire

Compte tenu de la manière dans laquelle ont été définies et analysées la réforme et la transformation de l'armée on peut dire que *la réforme représente le système, le tout, l'entité, l'unité et la transformation constitue le sous-système, la partie, l'élément composant.* Par la suite, le rapport entre elles est celui du système au sous-système, du tout à la partie. Par conséquent, la réforme de l'armée, en tant que tout, détermine, toujours et intégralement la transformation comme partie, comme élément structurel du premier. Dans leur déroulement, la transformation peut exercer ou non une forte influence pendant sa durée sur la réforme de l'armée. Cette influence est directement dépendante du domaine d'activité impliqué de l'armée, de profondeur et du contenu de la transformation

respective. Autrement dit, il s'agit du caractère du domaine d'activité- *dominant ou dominé* – soumis à la transformation et de l'impact de celui-ci sur toutes les dimensions de la réforme de l'institution militaire.

La réforme, comme processus, peut être interprétée comme étant une succession logique des transformations, plus ou moins profondes, dans tous les domaines d'activité de l'institution militaire. Ainsi, la réforme signifie des transformations successives produites dans le contenu des dimensions humaines, normatives, structurelles, organisationnelles et militaires de l'activité d'armée, et aussi dans le management des ressources humaines, matérielles, informationnelles de cette institution de l'Etat de droit.

Toutefois, *la réforme signifie des transformations essentielles et dans la nature et le contenu des relations entre l'armée et la société* dans laquelle le premier existe. Dans l'Etat de droit, l'armée, comme son institution, se trouve sous contrôle civil et démocratique de la société, c'est-à-dire des structures légales ayant compétences dans le domaine de la sécurité et de la défense nationale. Pour réaliser cet objectif est évident que d'abord il a été nécessaire qu'il se produise une transformation profonde et radicale dans la mentalité des civils et des personnels militaires de l'armée, et dans le contenu des actes normatifs, qui réglementent le domaine respectif d'activité.

La réforme de l'armée, comme processus continu, signifie, de fait, une succession des transformations cohérentes de l'institution militaire, dans tous les aspects –humain, matériel, normatif, militaire, organisationnel, de gestion, informationnel. Afin que l'Armée de Roumanie atteigne les paramètres imposés pour assurer la compatibilité et l'interopérabilité avec les armées des Etats membres de l'OTAN, elle est passée et passera encore par une série de successifs changements, successifs sur tous les plans, en plein consensus avec l'étape de processus de son intégration dans les structures euro-atlantiques et européennes. La réforme est et sera toujours la dimension stratégique des changements de l'armée, mais sa transformation représentera les dimensions opérationnelles et tactiques.

Enfin, le rapport entre la réforme dans l'armée et les transformations de cette institution est l'un de détermination, de subordination du deuxième terme de la relation envers le premier.



5. Conclusions

La réforme, comme processus complexe, continu et multidimensionnel, représente la modalité efficace et efficiente d'adaptation adéquate et flexible de l'armée à la dynamique alerte des réalités sociales, économique, politique, militaire, informationnel etc. de la société dans laquelle il existe également le milieu de sécurité régionale et globale.

La palette des missions que l'Armée de la Roumanie doit exécuter, grâce à la qualité d'Etat membre de plein droit d'OTAN, rend absolument nécessaire la réforme de cette institution. En même temps, afin qu'elle soit compatible et interoperable avec les armées des autres Etats de l'Alliance Nord-Atlantique, ainsi qu'elle puisse répondre d'une manière efficace et prompte n'importe quel défi envers sa défense et sa sécurité et de ses partenaires s'impose un accomplissement d'une série de transformations dans son sein.

Une caractéristique définitoire de la réforme de l'institution militaire est constituée par sa complexité. Celle-ci dérive de la réalité que l'armée pendant déroulement de la réforme exécute toutes les missions constitutionnelles qui lui incombent dans la société où que l'Etat roumain assume, librement, consciemment et responsable.

La réforme de l'armée peut être assimilée avec l'enseignement permanent, qui suppose un processus continu d'assimilation et d'appropriation d'information, leurs transformations en connaissances, puis, leur utilisation afin de former des habitudes, des capacités, des habiletés et le développement des aptitudes dans un domaine

d'activité. Aussi la réforme de l'armée sollicite un effort continu d'adaptation consciente et volontaire aux mutations produites dans la société et dans le milieu de sécurité, dans le but déclaré répondre d'une façon optimale à tous les défis qui sont dans sa compétence. En échange, la transformation peut se comparer avec la préparation nécessaire en vue de passer un examen. Autrement dit, la transformation cesse comme activité après avoir atteint son but, pendant que la réforme continue parce qu'elle a des buts partiels qui cumulés mènent à l'accomplissement du but général. A son tour, le but final une fois réalisé constitue le point de départ pour une nouvelle étape de la réforme de l'institution militaire. Autrement dit, comme l'enseignement est permanent, aussi la réforme de l'institution militaire est continue parce que le milieu dans lequel l'armée agit, les moyens de combat, les doctrines et les stratégies de sécurité se trouvent dans un processus permanent d'échange. En conclusion, l'armée doit s'adapter d'une manière adéquate et flexible à toutes les mutations, c'est-à-dire faire la réforme, pour être capable d'accomplir toutes ses missions dans la société.

NOTES:

1 Lt. col. eng. Ludovic MONNERAT, *L'armée non linéaire*, [http:// www. Checkpoint-online.ch/CheckPoint/ Actuel.html](http://www.Checkpoint-online.ch/CheckPoint/Actuel.html)

2 dr. Petre DUȚU, *Armata și societatea în tranziție*, București, AISM, 2002, pp.51-60.

3 dr. Petre DUȚU, *Dinamica misiunilor Armatei României*, în *Studii de securitate și apărare*, vol.I, București, UNAp, 2005, pp. 7-47.

Petre DUȚU, PhD, est chercheur dans le Centre d'Etudes Stratégique de Défense et Sécurité de l'Université Nationale de Défense. En tant de sociologue militaire, il est l'auteur des nombreuses volumes, études et articles sur thèmes de sécurité zonale, régionale et globale et de sociologie.



UNITED NATIONS IN THE XXIst CENTURY: A CATALYST FOR CHANGE

Mădălina-Virginia ANTONESCU

Although conceived as a historical form creating a new political international context after the Second World War, UN possesses the objectives and the finalities with international dimension necessary so it can reveal itself as the guardant of the international law, irrespective to the changes that might happen in the international political environment.

As a framework of multilateral cooperation, UN has stayed as the very base of the present conception on international order; precisely, the states, basing on their legitimate sovereignty, have decided to end a historical period of international relations characterized by the preeminence of force on the law, by war as usual way of settling the disputes between them, and to begin a new era of peace, of international cooperation, based on the principles of law.

It cannot be omitted - by those who wish to consider this organization as a passive form of cooperation, inefficient, even obsolete, in comparison with the revolutionary forms of regional integration, its contribution to the materialization and to the consolidation of legal international order into a legal and universal accepted form. UN Charter can be considered as a synthesized expression of international contemporary law and UN, as a condensate expression of state multilateralism founded on the respect of sovereignty.

UN can be seen as a necessary transformation of a classical international organization with universal vocation, in order to deal with complex global realities, to function into a new political environment; its universal state initial vocation becomes a heterogeneous vocation, to associate global various actors as transnational companies or NGOs to its works and programs, in order to prove its efficient and flexible character in the age of globalization.

As the most famous international organization of our times, United Nations has created a myth based on the universal respect of international law. Criticized by some states, especially from the "third world", as an instrument of hegemony used by powerful countries of North in the international relations¹, UN is still remaining the necessary pillar for an universal insurance of the peace and security between states. Conceived as a classical organization of cooperation², UN was not proposing, in its main objectives and purposes to embrace the supranationalist conception or to raise a unique government. Its structure is different of the new, global expression of today multilateralism that is oriented to integration and transfer of states competence to a distinct institutional order, as in the European Union. But that tendency of UN to adopt specific features of supranationalism cannot be rejected *a priori* for the reason of its explicit profile of cooperation (art.1, para.4 / UN Charter).

The United Nations is representing a form of political agreement between states to guarantee the best international climate based on international peace, security and interstate cooperation to respect international principles as: the good-faith in fulfilling their obligations assumed in compliance with the UN Charter; the peaceful settlement of international disputes; the abstention to resort to the force or to the threat with the force in the international relations or the protection of the human rights.

Practically, the United Nations is the first international organization³, expressing the will of the states to cooperate⁴ on the universal field, to reach a common voice, to achieve common interests, to promote universal desiderates of peaceful nations, to act in the benefice of the mankind.

Though being a **historical form** creating a distinct political framework in the international relations after the Second World War, UN has the **international purposes and finalities** to embody the **guardant of the international law respect**, no matter the changes in the international politics



– see the pressures of the great powers to change the juridical *status-quo* based on the respect of the sovereign equality between states and on the *ius cogens* specified in art.2/ UN Charter, trying to operate a scission with the conception of preventive doctrine or the preeminence of human rights, between the classical vision of sovereignty and the new tendency of declaring the fall of the states.

Caught between the two different interests of the great powers and the rest of the states, UN has become a **dilemmatic structure**, hesitating in restoring the importance of the state sovereignty, in reasserting the imperative necessity to respect classical international law based on that sovereignty; meantime, UN is often converting into a **hybrid instrument of the great powers**, pressured to change the international *status quo* into a direction that do not correspond to the protection of the international community common interests, nor to the positions of the developing or under – developing states.

Under the empire of globalization, United Nations is confronted with serious threats to the imperative character of its international principles and also, of its general credibility⁵ in managing global issues or in representing a viable forum for states to reach a common point of view on certain major problems, as the Charter has wished to be.

Object of contestation, United Nations is supporting accusations regarding a potential **transformation into a global governance, into a kind of universal parliament**, that would have an effect contrary to the Charter finalities: the evolution from multilateralism to globalism, a hypothesis that, in the conditions of globalization and of the new actors pressures, would constitute a serious menace to the sovereignty and to the whole “UN *acquis*” that states are obliged to respect and to integrate in their national orders through domestic legislation (the dualist theory).

Differing from the present international organizations – if we agree to see European Union as a form of regional state integration characteristic to globalization, the United Nations has not constituted a **specific distinct** international juridical order as the European states have made by creating the **communitarian order**. Thus, we have not founded nor a direct effect of the UN norms application in the domestic order of the nation – states, neither an immediate or compulsory implementation of these norms on the territory

of member states, like in EU territory. This absence of a genuine universal order, imperatively respected by the member states is not a deficit for UN, that simply respects its statute limits (resuming to be a forum of states cooperation).

“International order”, if we agree to call so, is not a result of the UN supranationalism, but a production of regulations adopted **directly by the states** (considering that the UN principal organs as General Assembly or the Council of Security are not belonging to an organization **of integration**, consequently as **not being supranational organs with compulsory distinct force** emitted by their **exclusive competence in specific fields**, as the communitarian organs of European Union have). If we are accepting that the United Nations is remaining an organization of cooperation which doesn't put in question the sovereign quality of member states and doesn't pretend to receive transfer of sovereignty from the states in order to build its own domains of exclusive competence, then, the “**international order**” is **not formed of three dimensions** (one reserved to sovereign states; one supposing a common exercise of competence between states and organizations; one reserved exclusively to organization) as in the European Union.

As a cooperative framework, the United Nations has build the present conception on the international order; more clearly speaking, the states, basing on their legitimate sovereignty, have decided to end a historical period of international relations characterized by preeminence of the force upon law, on war regulations and to begin a new era of international cooperation funded on principles of law and peace.

To these objectives **decided by states** to represent the future general direction of international environment, the UN has added the important work of **codification and development of international law**⁶. So, we cannot speak about UN as a **normal** subject of international law, as a **creator of norms** (that is a characteristic of the state), but its contributions in consolidating and materializing in a legal and universal accepted form, the international legal order must not be under – estimated by those who want to consider this organization only a passive, inefficient, even obsolete form of cooperation, surpassed by revolutionary forms of integration like European Union.

In certain fields, as in maintaining peace and



security obligations, UN has developed a complex strategy and mechanisms on the Charter base – the peace-keeping, peace-making, peace-building operations; the reconstructions of countries after the war; the struggle against poverty and in solving other global issues – that other organizations have practically copied – if we are thinking to OSCE attributions and operations in maintaining peace; to NATO, that is a reformed military alliance wishing to imply itself in the eradication of conflicts from the globe and in reconstruction after war; to European Union, interested after the Nice summit to develop new strategy to affirm itself as an unitary force in the international relations, including by developing peace-keeping operations, a multinational armed force within the pillar of foreign affairs and common defense policy. United Nations has converted itself **into a great model** for other organizations that are wishing to identify themselves with a **success formula of being an international law guardant** as the UN has created for itself during the years.

Based on this idea of sovereign states cooperation, UN was not been converted into a **global governance**⁷ (despite global pressures to declare it in a deadly stalemate, forced or to reform its structure in a more decided and even in a compulsory structure or to vanish together with the states). Far away from the idea to dictate to the state a specific direction or to impose its norms⁸ edited by supranational organs and sanctioned, in case of violation or non-implementation, by supranational agents, the UN doesn't represent a super-state and its organs, conceived by founding fathers as an useful instruments to assure the efficacy of the interstate cooperation, are not supranational, nor federal, as present tendencies in the European Union.

The most important argument for the **non-supranational character of UN is the coordinator nature of the international law** itself. As a result of the application of the international principles proclaimed in the art.2/ UN Charter and of the UN objectives (art.1), the international law has become after 1945 a different stage of the state perception radical transformation: **a new juridical order has appeared**, based on these **principles fixed** in the Charter to be respected initially **only by the organization and by its members**. With the process of increased UN importance in the international relations, the community of states has converted into a community of **law** based on

the **objectives and principles provided by the UN Charter**. Progressively, the international life was conducted to be **in compliance with that Charter**, parallel with a **proliferation of states wishing to become members** of the organization and to **participate to a new order of peace and security**, of dialogue between nations.

Universal character of the UN is organically linked with the sovereign quality of its member states. Because only an organization that is respecting the sovereignty of the states can **represent, legitimately, the international community** – that is, in meantime, a community of states and of law. Today, **UN is confounded with the international community**, due to the fact that the immense majority of states has received the statute of member and consequently, that the UN objectives, the principles, the attributions, the competences of the UN organs have extended to all the states and to their territories⁹, even to these that have not received the UN membership (art.35, para.2/ UN Charter). The regional agreements concluded by the states or the creation of regional organizations with attributions in maintaining peace and security at international level and being conceived to act regionally are recognized by the UN as viable and legitimate only if they are in compliance with the Charter (art.52).

In that way, the UN Charter can be considered as a **condensed expression of the contemporary international law and the United Nations as a condensed expression of the sovereign state multilateralism**.

The United Nations, like the state entities which have created it, is a product of a certain vision on international world. This vision accords an essential role on the international stage to the **sovereign states**, as unique structures endowed with legitimacy to represent their nations and to take decisions in their name. State, as it is revealed by the UN conception, is perceived as the **main actor of all fields of international life**. Other actors are neglected or not considered as viable and equal partners for states¹⁰, in consequence, the statute of subject of international law for these actors are rejected or recognized with specific limits.

The United Nations represents a **construction of sovereign states** acting legally for their nations on the base of international norms elaborated by them on multilateral or bilateral framework, with **no superior authority** to contest that power or to



impose its supranational norms. United Nations recognizes only the **equality between states**, because its vision is a state-centric, not the equality between states and other actors (international organizations, global NGOs, transnational companies, religious cults, individuals), despite their increased influence in the world of the states.

Associating some of these global actors (NGOs, TNCs) to its strategies to **solve global issues** (protections of human rights, development of poor countries, combating the global warming; the protection and preservation of cultural heritage of the mankind, of human environment; imposing moral limits to certain scientific innovations like human cloning), **it doesn't mean that UN is converting into a global governance**¹¹ or that are proclaiming the inefficacy of the states in managing with global challenges. It can be seen as a necessary **adaptation** of a classical and universal organization to the global and complex realities, to a new environment, a **dynamic structure**¹² that is not a historical, obsolete one. UN is proving openness to states (art.4/UN Charter) but **its initially universal, state vocation** becomes equally a **heterogeneous vocation** (to associate different global actors, TNCs or NGOs to its works, in order to better demonstrate its **flexible** and **efficient** character in the age of globalization). In this vision, UN is remaining a structure consecrating the **formula of nation-state endowed with sovereignty**, with full capacity of decision and with free liberty of action exerted in the legal limits. For the UN, states are continuing to represent the main actor of international relations and the unique subject of law with full juridical capacity to assume rights and obligations in the international field¹³.

This vision does not contest the capacity of UN **to change** in the new conditions of globalizations, but is considering that **the reform of UN** must be seen as an **implicit consequence of the state necessity to reform their structure**, to increase their efficiency both on the domestic and international fields. This reform will be one decided by **states**, managed by states and having as a finality to augment the multilateral force in dealing with global challenges. It is not a reform denying the sovereign quality of states and consequently the legitimacy of UN or proclaiming its decline.

If UN is falling, as a consequence of the general failure of states to cope with globalization, the entire international law based on the

UN imperative principles and the objectives compulsory for the states will become without its subjects of law (UN, states) to assure its respect.

If UN is falling, as a consequence of the general failure of the states, no other actors would have the will, the strategy, the legitimacy and the concrete capacity to replace the functions of the UN and to work both as an international, complex and universal organization like UN or as a state. If UN is falling, the other international organizations based on constitutor acts reasserting the UN principles and values will also fall, due to their lack of legitimacy (funded on the respect of these UN principles)

If we are considering **UN as being a catalyst for change**, a structure ready **to accept the globalization trends and to let itself be transformed from an interstate form of cooperation into a global form, two alternatives are principally to notice: the dynamic nature of UN** will lead this organization to some kind of **supranational structure**¹⁴, **to a global governance**¹⁵ in which the **states** are the main engine of transformation; the second alternative is the conversion of UN from a structure serving the interests of nations legally represented by states to a structure **dedicated to global interests of transnational actors**. A **moderate** hypothesis can support the idea of UN reform as a process with non-overwhelming effects, but concentrated to increase the efficiency of its existing rules, institutions and mechanisms, to add some new organs and to reduce excessive bureaucracy, to assure a more democratic process of decisions making and an increased participation of developing countries in the historical, closed organs like Council of Security.

The first conception doesn't renounce to maintain the sovereign preeminence and the state actors. The **state** is seen, due to its unique, multifunctional capacity and historical experience as the most indicate actor to deal with global challenges and to manage a huge organization like UN towards radical, systemic changes for the international community. These changes are supposing that UN is converting **into a form of global governance**, in which the equality between states will become more formal and absolute and the sovereignty of great powers will benefitiate of absolute value¹⁶ comparative with others. As a **superior authority** for the states, UN will begin to realize a more integrate, unique international order, like the communitarian one. With a unique



institutional framework, distinct from the member states, with its own financial resource, agents, legislative, executive, administrative functions, UN will become an **organization of integration**, receiving from the states their competences and creating specific fields of exclusive competence.

It is a scenario that is considering that, under the pressure of globalization, only the more adapted international organizations will resist, by changing intergovernmental formula with integration and supranationalism and that the model of European Union will be followed with success by UN that will incorporate, in a second stage, other similar, regional organizations. In that way, it will be created a **hierarchy between organizations** (UN as supreme authority for other IGOs and for the states), a **hierarchy between political actors** (UN staying in the top of pyramid and followed by states which have transferred their sovereignty); a **hierarchy between international norms** (that elaborated by UN having preeminence on national norms and also on communitarian norms). The direct effect of UN compulsory or recommending legislations will not be avoided and the protection of these norms in case of contradiction with national rules will be enforced.

With **UN as organization of integration** (transfer of sovereignty from states in certain specific areas; unique set of institutions; preeminence of UN law over national law), the position of the state will be damaged. Even if, apparently, the preeminence of the state will be maintained, this is only a strategy to assure the success of an organization made by states and integrating their competence in order to better solve global issues and to assure that no other actor than the state will be capable to detain control over globalization (implicitly, over non-state actors).

For **the states**, transforming UN into an organization of integration means to make effective **their global governance**¹⁷, **not the governance** of globalization over international order. Making **international law preminent** on certain matters (on which it has operated the transfer of competences to UN) over the national legislation is seen as a **very manifestation of the state sovereign will** to manage more firmly and in a integrated formula, the global phenomenon. To the transnational tendency it can only answer with a universal reinforced organization of states decided to give traditional competence to superior

level in order to control new actors and phenomena and to limit their negative impacts on their national orders. It is only a sovereign question if states are deciding to create a “federal universal” state or a federation. To give a state form to UN or to act jointly, in a common but distinct order (comparative with the national levels of competence, like the communitarian order) is only a choice of member states, not of global actors. Deciding, in a multilateral framework, to evolve in a new stage of cooperation is a matter of state **competence**, due to their quality of UN membership.

The second hypothesis is starting with the idea of an organization that has ceased to represent the interests of nations – states and becomes to embody **the global interests of certain transnational actors**¹⁸. To accept this vision, it means to drastically reduce the capacity of the present UN to emphasize its degree of specialization on one or two capital sectors as FMI or the World Bank (like human rights protection, realized by global NGOs or by TNCs, in a partnership with UN organs; operation of peace-keeping; development strategies for under-development countries). If at present, these UN attributions are accomplished by the agency of states, in the hypothesis dominated by global actors influence, it can be possible that the statute of UN membership remain a **formal one** and the effectiveness of UN measures be realized due to the capacities of new actors. This is an extreme vision on the UN possibility to be reformed under the global pressures, a reform that could consecrate a **formal role for the state**, as subject endowed with a historical, inefficient sovereignty. **The appearance of legality is preserved**, the classical international law based on UN principles proclaiming equality of the states are not put in question but **the real capacity of UN to manage with global problems is now assured by global actors**. UN is transformed into an instrument of influence by these actors, starting to **guarantee private interests of transnational forces** under an appearance of legal *status-quo* (the world of nation-states). It is a very dangerous hypothesis for the state capacity to control the UN and consequently, to assume the monopoly on international relations. Because the state will remain the principal actors of the international political and the unique subject with full juridical capacity on international law **only if it maintain its control over the UN** and, consequently, on



the international law as a body of regulations created by states and dedicated principally, to be respected and accomplished by states.

The present tendency of UN reforms are inscribed in the classical approach by maintaining the supremacy of states in deciding the main orientation of the reform and by non-putting in question capital aspects for the world of states and for the credibility of the international law - like equality, sovereignty and other principles. **The preemptive doctrine** (launched officially after the 11 Sept. 2001) is creating a non-legal (as non-accepted by the UN, nor by the member states and without a base inscribed in the art.2/UN Charter as enouncing principles of "*ius cogens*") precedent¹⁹ to consider some states as sovereign and members of "legal international community", some states as "rogue" and consequently, susceptible to have a "relative sovereignty" or to not belonging to "international community" governed by the imperative principles of law. Because this doctrine is trying to accredit the discriminatory idea of "civilized and rogue states", it affects the equality, sovereignty of states and all other principles, due to their interdependence character. The whole international world become instable and questioned on the legitimacy of its members. UN Charter has nothing in common with this political and military doctrine, because the finalities and the principles asserted on art. 1-2 are very clear, are not supporting unilateral derogations and the resort of a state to the famous Charter VII are strictly limited and are placed under the authority of the Council of Security as the UN organ created to assure the maintenance or reestablishment of international peace and security. Charter VII cannot be used against the provision of art. 1-2/ Charter that are imperative dispositions of UN constitutor document and the pillar of the entire international order.

The UN reform tendency has obtained a concrete program in 1997, with the UN Secretary – General's Report "Renewing the United Nations" (UN Document A/51/950) as a contribution to reduce the UN institutional crisis and to represent a compromise between different interests of North and South. If the Report appears for the first states as a success, the developing countries are considering their concerns and views as not always sufficiently influencing the closed Club of North and the powerful states. In this way, a Commentary to this Report was prepared by the South Centre at the

request of the Group of 77 that leads its approaches towards major points of discussion as: the role of UN; principles of UN reform; comments on specific proposals contained by the Report, conclusions.

Among important questions that are creating tensions among North and South, are staying some as: the possibility of UN exclusion from a significant position on the international field, as considered an abstract, formalistic, symbolic organization with no pragmatic reaction to global challenges; the alternative to be transformed into an instrument controlled by most powerful states and promoting their geopolitical and economic interests; the dilemma of other aspects as the UN mandate, the finance and the equipment of UN troops in order to embody a genuine democratic, pluralistic organization and fulfill the complexity of attributions enshrined in its Charter; the question of UN capacity to identify, manage and solve global issues.

Democratic inspiration of UN must be preserved against contradictory, pressuring tendencies to proclaim it as inefficient and obsolete; maintaining the democratic spirit of UN, it is a necessary condition to assure that the democratization process of the international life is not affected by ephemeral unilateralist pressures.

Developing countries are considering UN as at the very base of the whole international order, that position of major importance being a sort of guarantee that UN will not suffer reduction of its priorities or that the crucial elements of the development agenda will be declared dysfunctional under the Northern states pressures. It persists in the Report a wrong impression that UN should act as an institution like IMF or World Bank, in order to defend the sacred character and invulnerability of the **liberal paradigm**, the global *status quo* based on that economic paradigm and that it would not intervene to struggle for the reduction of economic discrepancies between North and South. It exists also, a risk for UN to become a "**specialized organization**", **with minimum or no role in the major economic matters** that the nature of globalization has brought for the community of nation-states. In other words, UN should not be able to represent a global, adapted structure to react to economic decisions affecting poor nations and that it will formalize the international democracy and equality between states due to the unsolved economic huge scissions between



North and South. Abandoning the multilateral approach, it will mean for the UN not to be capable to guarantee the respect of international principles, the achievement of its objectives and its universal vocation will become formal or it will disappear.

Major critics have been enounced regarding the UN prerogative to **“manage the South”** or the so-called process by the South countries as **“asymmetrical loss of sovereignty”** (measures to strengthen the instruments to deal with humanitarian emergencies and the protection of human rights, interpreted by developing countries as an attempt of the North to intervene arbitrarily in the internal governance of **“failing”** or **“misbehaving”** countries of South and provoking the erosion of their sovereignty, through initiatives taken under the aegis of UN). The Northern state sovereignty is not put in questions by policies regarding a well-conducted governance and by necessity to respect human rights, that discriminatory implementation of UN measures deepening, as a consequence, the asymmetry within the organization.

The key theme of the Report was emphasized that, in the **security and peace** sector, UN measures must be taken more efficiently, in what is concerning the improvement of the UN capacity to plan, to conduct and to manage the peace-keeping operations. UN is asked to focus on the preventions of situation generating conflict, including the policies and actions of powerful states and the global economic factors of tensions. Developing countries are insisting to the democratic aspect of global and multinational participation to peace-keeping operation, not only of states **“having appropriate capabilities”**. It is also criticized the tendency to use against the states of South (discriminatory implementation) the UN prerogative to impose economic sanctions. On the proposals in the field of disarmament and regulations of arms, the Report contains methods to consolidate the secretariat competencies by funding a new Department of Disarmament and Arms Regulations. Special issues like nuclear disarmament, weapons of mass destruction, new weapons technologies – including those deployed in outer space are major priorities for the UN work and are receiving necessary institutional framework.

In the **economic and social affairs**, UN fulfills specific functions as: innovative thinking, consensus building, analysis, normative activities; despite these explicit functions, the Report

doesn't mentioned policy directions, rule-making, negotiating, whose absence can provoke a phenomenon of denial for the North countries of the UN's ability to be exercised in major economic areas. Environment, habitat and sustainable development are sectors illustrating a traditional task for UN to deal with these challenges, pressuring General Assembly to develop and to propose new measures to strengthen the Environmental Fund of UNEP and Habitat at the initiative of the Group of 77 considered itself as a group of countries affected by the fragmentation and dispersion of multilateral institutional framework in that sector.

Humanitarian affairs, seen as one of new UN agenda priorities are included in the Report with specific measures for strengthening the UN capacity to react properly at the humanitarian crisis, including complex emergencies. On a contrary, developing countries manifest certain reticence in the field of **human rights protection**, a sector that is seen as a cross-cutting issue to be integrated in a large the Southern countries, indicates an increased potential for the North states intrusion in the national sphere of competence of South countries.

Also it is noticed the new missions of a reconstituting the Trusteeship Council, able to exercise **collective trusteeship** over **“common goods”** and global environment, as oceans, atmosphere, outer space, a Council which should represent a method to connect UN and the civil society in management of these areas.

In the **development matters**, UN must increase its role and functions under the leadership of General Assembly, in order to realize the economic and social objectives mentioned in UN Charter. Developing countries are insisting that UN developmental tasks should not be treated as secondary to humanitarian, peace-keeping and human rights functions of UN. Also, it is recommended to strengthen the UN mandate in the economic and social area, with the restoration of the core economic issues in the top of the UN agenda. The need that all reforms must give greater effect to **transparency, pluralism and to democracy principles** is also emphasized in the commentary of developing countries, together with the reform of Breton-Woods Institutions decision-making process in order to accumulate greater universality, transparency, democracy.

These proposals of the Report are constituting a necessary stage of a **real negotiation between**



North and South with regard to the objectives, functions and structure of UN, in order to prevent the transformation of UN in a formal or unilateral instrument, to avoid compromising its vocation of universality and being a guardian of international law through a discriminatory or superficial reform that would preserve a historical monopoly of the North upon the general direction of international relations.

NOTES:

1 The critics of these countries were resumed in the policy brief prepared by the South Centre at the request of the Group of 77, as a Commentary to the UN Secretary-General Report "Renewing the United Nations. A Program of Reform", UN Document A/ 51/ 950.

2 Some authors are defining the United Nations by its main goal and by a historical criterion, as the world organization of assuring the peace and security, destined to act for the prevention of the aggression, for the elimination of the war dangers, in order to realize "a **closer and permanent cooperation**" between all the states of the world, for the economic, social and cultural progress of all the states. Cf. Dumitra POPESCU et alii, **International public law**, Publishing House Sansa, Buc., 1994, p. 241. Also, among the main purposes exposed in the art. 1 /UN Charter there are explicitly mentioned the **international cooperation** in a multilateral framework and regarding many sectors of activities. The perspective of UN transformation into a supranational organization was not explicitly avoided in the UN Charter, that uses in a large sense the juridical terminology – "a **close and permanent cooperation**" -, in some aspects similar to that one used in the European Treaty of Maastricht founding the European Union. This "unceasing closer Union between the European peoples" that appears in the Maastricht Treaty is a vague formula that permits the evolution of an international organization from a classical profile of cooperation to federal or even to supranational dimension. Both European Union that is an IGO with dynamic rhythm of increasing the institutional changes, and the United Nations- consecrated by the doctrine and by the constitutive act as an organization of cooperation -, are entities whose dynamic cannot be neglected. Despite their appearance in a specific historical age, like the states, the international organizations of any kind cannot be constrained to remain conservatives in their **institutions**, cannot be marginalized on the reason that they are not capable to respond to the new realities and risks. The dynamic dimension of the IGO-s cannot be neglected, nor the capacity of the states to evolve. In the case of the United Nations, **two great visions** are continuing to provoke a dangerous hesitation of this entity, causing also its lack of credibility and non-

implication in international matters of its competence. These tendencies are the **conservatorism**, wishing to preserve the UN in the historical form corresponding to the period after the Second World War, to maintain a status-quo and a conception of international democracy that is surrounding the **closed club of permanent members of the Security Council** and that are sustained by the states having this quality in the Council. Other tendency is the **reformist** one, supported by the states wishing to **enlarge the concept of international democracy within the UN**, to open the Council for new powers raised in the period after the Cold War, a multilateralism that still pressures that universal organization to show a **credible face** of the universality principle, to accept **as legal, as universal recognized other new powers**, with the **consequences** of that fact as: the enlargement of the Atomic Club as formed of states having the legitimate right to preserve the atomic weapon in their national interest and not for the international peace. A **supplementary charge** will appeared in that way for the legitimate atomic powers, whose status-quo that maintains the international peace and that is guaranteed by the conventional and institutionalized frameworks like UN, is put in dangers by the **supplementary frictions** between classical and new arrived nuclear powers. Thus, the tension between the **realism**, sustained implicitly by the **atomic powers** that preserves their nuclear weapons as supreme way of defending their interests and their international ascendant over international community, and the **idealism** - if we agree to see in the UN the incarnation of the mankind aspirations of peace and security - will augment. UN is still remaining a **formula of compromise** between the conservatory tendency and the idealist aspirations towards of a credible international democracy. UN is consecrating the **hegemony of certain states** detaining the nuclear weapon over the international relations, within a multilateral framework built around the idea of all states participation of the universal goals as maintaining international peace and security.

3 The first international organization with universal vocation has been created after the Second World War, by the Pact of 1919 of the Versailles Conference of Peace: the League of Nations, which, despite the fact that it had in a certain moment of its existence about 62 members, it never realized the universality. Cf. **Dictionary of Public Law**, Coord. Ionel CLOSCA, Ed. Științifică și Enciclopedică, Buc., 1982, pp. 272-273.

4 **Cooperation** within the framework of UN is starting to be seen not as a rigid character fixed by the founding fathers in 1945, but as a formulation that permits a **constant adaptation** of the entity to the international changes. This dynamic has as main engine the **will of the states** to increase the implication of the organization in certain sectors as in the developmental matters, in the humanitarian and in the human rights protection but, in



a greater measure, in the field of international peace and security. The UN reform is a project that **implies the states and also the global actors**. Together, they can change the present statute of UN as classical organization of interstate cooperation, enlarging this concept to the cooperation between states and non-states actors, and meantime, deepening the level of institutionalization from cooperation to integration in specific fields, like in the European Union. It is **only the political will of the states**, as main subjects of international law to decide if UN will have a **federalist profile** through transfer of competences, into areas of **common interests** or if its functional autonomy will be augmented until a complete separation from the states, into a **distinct, superior order**. UN Charter is not fixing explicitly the profile of the organization, but its goals, especially of being a forum for harmonization of the states actions, can form the base for a new stage of evolution in the history of the UN. A new form of universal cooperation of states, more decided to deal as a **unitary international community** with the risks of globalization and to reassert the preeminence of the mankind interests upon the private interests of the global actors or of the individual states.

5 But UN Charter is still remaining the **core document** in the international relations, by its universal dimension of its goals and by the competences accorded to its unique institutions, also by the fact that it is still remaining the document ratified by almost all the international community of the states. In the UN Charter there are proclaimed **the main objectives of the international community**, among which are to notice the abstention to the resort to use the force or to the threat with the force in the international relations. This objective of UN members and of the organization for guaranteeing the international peace and security has become a genuine principle of international law, recognized by the whole international community and consecrated as a imperative principle with *erga omnes* opposability. This principle has a necessary development of its idea that took a juridical form as the peaceful settlement of the international disputes. Even under the pressures of the globalization, the UN Charter is still preserving its importance, trying to solve the global issues in a multilateral framework and using enhanced forms of cooperation between states and global actors like NGOs and IGOs.

6 In that work of codification of international law, a subsidiary permanent organ funded in 1947 by the General Assembly, that is the International Law Commission, has brought essential contributions in particular field as sea law, law of the treaties, the states succession to the goods, archives, debts and treaties, the diplomatic and consular law etc. The institutions specialized of UN, like UNESCO for the education and culture, OACI for the civil air navigation, OMPI for the protection of the intellectual property, UPU for the

communications and post had a direct contribution in determining the states to conclude many conventions in essential sectors of cooperation under the aegis of UN. See Ion ANGHEL, **The subjects of international law**, Ed. Lumina Lex, Buc., 2002, pp. 352-353.

7 Understood as a concept and as a purpose associated with the leadership of international relations in the period after the Cold War: the field of this concept is vast, global governance being regarded as a global and dynamic process of decision-making in an interactive way, based on the idea of decentralization, of powerful participation to the political decisions with global implications of non-state actors, as NGOs, TNCs, movements of citizens, global mass-media, global markets of capital. Cf. Graham EVANS, Jeffrey NEWNHAM, **Dictionary of International Relations**, trad. Anca Irina IONESCU, Ed. Universal Dalsi, 2001, p. 210. Global governance, founded on the idea of decentralization and of state-centrism elimination from international relations, it is not assimilated with centralist idea of global government, in which UN would be a super-state, deciding by itself, through juridical acts with imperative value and without the help nor of member states, neither of global actors.

8 In a certain measure, the International Court of Justice has recognized to the decisions of the Security Council a **superior normative effect**, consecrated in the art. 103/UN Charter. Also, the *erga omnes* effect was recognized by the ICJ for certain decisions of the General Assembly and for the Security Council, in the ICJ Note from 1971 on Namibia or in the Lockerbie Affaire/1992. But the validity of these norms are depending on the respect of the principle of specialization, that is the condition necessary to be fulfilled by an IGO with a distinct juridical personality and with a capacity to edit its own law, known as the law of the international organizations. See Nguyen Quoc DINH, Patrick DAILLIER, Alain PELLET, **Droit international public**, LGDJ, Paris, 1992, pg. 552. The United Nations must, in these conditions, **respect the preeminence of the volunteer interstatism based on sovereignty, over its capacity to edit norms for the intern functioning of the organization**. It is a **hierarchy** between the laws edited by the states as main and normal subjects of international law and the norms of a secondary subject of law as the IGOs. This hierarchy is respected by all international organizations, with a profile of cooperation as UN or with a communitarian, distinct profile as the European Union. The **interstate nature** of the international present law makes that the norms edited by states in the international field, even in multilateral frameworks like United Nations, have priority and compulsory force for other actors and for their norms. Only **the supranational profile** of an IGO will put in question this hierarchy and will compete with the preminent position that the present interstate



international law has. This can happen because of the **conversion** of the IGOs law into a law applicable to a **superior and distinct juridical order**, like in an advanced hypothesis of European integration. With the fall of the states and the raising of global actors, there will be a process of **reversion of present hierarchies** – among other consequences, it will be possible for IGOs to conquer the statute of main international subject of law and that the law emitted by the states and applicable to IGOs would be overthrown by the law edited by IGOs, at present knowing a functional, limited stage.

9 In 2003, United Nations has 191 member states, as an organization oriented to universality and being on the point of reaching the end of a historical process consecrating as universal the formula of multilateralism itself. See Alioune SALL, *L'Etat souverain dans l'ordre international*, in **Manuel de formation des forces armées et de sécurité. Lutte contre la prolifération des armes légères en Afrique de l'Ouest**, coord. Anatole AYISSI, Ibrahime SALL, PCASED/UNIDIR, 2003/13, Institut des Nations Unies pour la recherche sur le désarmement/Suisse, p. 11. Based on **volunteer limitation** of sovereignty by members states, UN is remaining to that level of cooperation, not beginning the **definitive and irrevocable transfer** of sovereign competences to an unique institutional level, superior and distinct of the states dimension, as in the case of an organization of integration.

10 Some authors are considering that nothing is prohibiting to the international organizations to be open not only for the states but equally to non-states entities, as others international organizations as GATT or CE, as non-sovereign territories or political authorities representing temporarily these territories, as the movements for national liberation or the organs having in charge to represent the population of the occupied territories - like OLP, SWAPO or the Council of United Nations for Namibia. See Nguyen Quoc DINH, **op. cit.**, p. 559. But other non-state actors raised by globalization, as the transnational NGO-s, political parties, terrorist networks, religious cults, transnational companies, individuals are still object of controversies, due to their distinct nature and purposes. The Advisory Note of the ICJ regarding some conditions of admission of new members in the UN /1947 has preserved a conservatory, classical intention, because it never questions the possibility for a non-states actor to become member of UN, limiting to analyze the case of a state entry in the organization.

11 But some authors are considering as an important dimension of this global governance, the idea of reforming UN beginning with two aspects: an increased accent on humanitarian intervention and the UN implication in spreading democratic values- for example, organization and monitorization by UN of the whole electoral process in Namibia/1989, monitorization of elections in

Nicaragua, Haiti/1990, Angola/1992, Cambodgia/1993, El Salvador, South Africa and Mozambique /1994, former soviet republics/ after 1995. Giving electoral assistance to a number of 55 states, it is considered a growing field within UN system and an important contribution to global governance. See Graham Evans- *op. cit.*, pg. 210.

12 In the Millennium Declaration, UNGA Resolution 55/2,8 Sept. 2000, it is reasserted the will of member states to give a concrete impetus to the UN reform. Under the pressures of globalization, UN becomes the most indicate entity to coordinate the state efforts to solve global issues like development of the all peoples of the world, struggle against starvation, poverty, diseases, injustice, violence, terror and crime, the struggle against biodegradation. UN is remaining the core institution concentrating the multilateralist essence, that needs, for a better implementation of its global strategies, an improvement of the cooperation with other regional or global institutions like WTC, World Bank, until the national level of democratic representation of peoples of the world- the national parliaments.

13 But, with the raising of global actors and with the transformation of the international law into a transnational law not based in such a vital measure on the state sovereignty, UN could be converted into the last defense of the interstate international law or can be transformed into an universal organization defending transnational interests. It is a **dilemma** that depends of how strong will fight the state to preserve the sovereignty as the intrinsic nature of the international relations. We cannot consider that European Union is a **type of global menace** due to its federal or supranational profile and that it could cause the general disappearance of the nation-state formula. The will of states is neither the same, nor the ability or the historical environment to consider that all international organization will be transformed into organization of integrations or that all the international community will take the form of federal regional states only because the European Union is a success formula. States have different interests and needs, they are placed in different political and economical environments and their sovereign capacity to accept such a transformation is not exerted outside the Europe and are not following the European model. We cannot agree that it is a **general process of state transformation** because of some regional manifestations of this sovereignty accepting to be transferred to a supranational level. See Dominique CARREAU, **Droit international**, Paris, Pedone, 1991, p. 25. United Nations is still maintaining, as the most embraced formula of sovereign state multilateralism, **competing**, in a certain aspect, with the European integration to prove capacity to **control the globalization**. At present, **states are launching a double provocation to globalization** - one through **classical tools of cooperation**, that can support reform in specific way - UN and also, through **organization**



of integration capable to sustain the state formula into a more concentrated dimension. If UN represents the condensed form of state multilateralism, we can also say about EU that it embodies the condensation of the state sovereignty in a distinct, integrationist order.

14 **Global governance**, as being realized through consent and cooperation, under the form of international organization with universal vocation as UN, and not by military conquests, as on the model of Roman Empire. See the definition given to global governance by Graham EVANS, *op. cit.*, pp. 586-587.

15 Certain authors are warning that, at present, the UN reform guided to transform UN into a kind of **global authority**, would not create a superior, distinct juridical order, nor will change the interstate nature of the international law. Maurice BOURQUIN, *L'Etat souverain et l'organisation internationale*, Manhattan Publishing Company, New York, 1959, p. 32. That is because it won't be a genuine supranational order but a **hierarchy** between a superpower/or a great power and the rest of the participants to the international life. We use here the phrase **global authority**, in order to be not confounded with **world government**, that implies an unique and supreme authority in international relations. **Global authority** admits cooperation inclusively to the level of global actors, and it is not orientated to the creation of a super-structure, despite its resonance.

16 Some authors are insisting on the idea that United Nations is not a club dominated by powerful states imposing their will on the international field. The essence of the UN is to avoid discriminations between states, to avoid the consecration of state scission in peace-loving and in rogue states, to maintain the equality between its members and the respect of international principles in the legal ways mentioned in the UN Charter. See Robert M. MACIVER, *The Nations and the United Nations*, Manhattan Publishing Company, New York, 1959, pg. 55.

17 In the UNGA Resolution 57/274, as in other Resolutions as 55/2 of 8 Sept.2000, 53/169 of 15

Dec.1998, 54/ 231 of 22 Dec. 1999, 55/ 212 of 20 Dec. 2000, 56/209 of 21 Dec. 2001, it is stressed the role of the UN in promoting development in the context of the globalization and interdependence, as an implicit proof of the adaptation of this organization to the global changes. Also, it is to notice the importance that UN and the member states are giving to the UN mission to develop the community of international law, especially by enforcing the dimension of the human rights protection. See UNGA Resolution 57/221, 27 Feb. 2003.

18 Other authors – see Erskine CHILDERS, Brian URQUHART, *Renewing the United Nations System*, Dag Hammarskjold Foundation, Uppsala, Sweden, 1994, pp. 19-20, are stating that UN has ambivalent nature, as reflecting the inviolability of the state sovereignty as well as being the tool for promoting the transnational thinking and cooperation. The difference of nuance is fundamental, because UN is seen as not promoting the transnational interests of the non-state actors, but as emphasizing **the capacity of states** to act and conceive strategies of survival in the global context, **in a transnational dimension** and against some transnational actors oriented to mine their sovereignty. It is not an organization abandoned by incapable states, but a framework of state survival in the age of globalization.

19 The international system crisis is revealed with the Iraqi war/2003, proving the incapacity of UN to defend the international legitimacy of any military operation against a sovereign state. In the conception of Kofi Annan, the present system of international security based on the UN Charter needs to be reformed, by the acceptance of a UN doctrine of intervention with military means, in emergency cases, in situations of conflict, by forming so-called “corps de désarmement” and “corps des droits de l’homme” as the Minister of Foreign Affairs of France, Dominique de Villepin has suggested. See *Le Monde*, Samedi 2 Août 2003, L'ONU cherche a sortir de son impuissance militaire.

Mădălina-Virginia ANTONESCU is an expert in international relations of the Romanian Institute of international Studies “Nicolae Titulescu” and PhD candidate in European Law at the University of Bucharest, Department of Law. She has graduated with maximal qualifications the master “International relations and European integration” at the National School of Political and Administrative Studies. She also has graduated the Romanian –French Juridical College of European studies, with diploma of European University Paris I - Pantheon – Sorbonne. She is author of three books: “The Legal Regime of the Alien as Physical Person in Romania”; “European Union- an Empire of XXI Century- Towards an Unional Civilization”; “European Union- a Modern Empire? Comparative Study on Old and New Types of Empires”.



THE CHARTER OF THE UNITED NATIONS AND THE INTERNATIONAL PEACE AND SECURITY MANAGEMENT

Alin BODESCU

WE THE PEOPLES OF THE UNITED NATIONS DETERMINED to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small...

United Nations Charter, Preamble, 26th of June 1945

Sixty years ago, on 26th of June 1945, the representatives of 44¹ states were signing, in San Francisco, the Charter of the United Nations, which became the fundamental document of the international peace and security jurisdiction. Like the contemporaries of that event, there is no one in doubt today as to the good intentions of the Charter's drafters. Very relevant is the following quote: "*The Charter is a very short document, penned by experts in conflict and with the lessons of history's bloodiest war fresh in their minds. The statesmen who had waged that war knew what they were writing, had no need to impress their colleagues or an electorate, wrote the truth and spoke from the heart*"².

A cornerstone of the United Nations Charter's system is its attempt to regulate intervention by armed force³. Article 2 of the Charter establishes the contemporary guidelines for distinguishing between unlawful intervention and lawful interposition⁴. Article 2(7) makes non-intervention the rule except that: "*this principle shall not prejudice the application of enforcement measures under Chapter VII*".

Chapter VII of the Charter provides the Security Council action in response to "*threat to peace, breach of the peace, or act of aggression*" (article 39) and "*collective and individual self-defence*" (article 51). Article 51, as an exception to article 2(7), permits states to engage in lawful

interposition by use of armed force in the territory of another state if not prohibited by article 2(4).

Article 2(4) contains the Charter's principle restraint on the threat or use of force. It provides that "all Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations."

The Charter represents a legal framework for the international efforts in addressing the threats to the international peace and security. According to the documents of a seminar on international law issues⁵, there are two major areas where the Charter becomes relevant in the context of peace operations:

a) *Authorization and Competence. The Charter guarantees constitutional basis in securing a strong legal authority to the Peace Force.*

b) *Operational capabilities. The Charter offers to the Peace Force an international statute, basic rules and principles of responsibility that direct the actions of the Peace Force and its components.*

Although there is no world government, the United Nations Charter constitutes the legal framework for action. Certain clauses of the Charter give the United Nations the legal authority to take decisions. Nevertheless, due to the emphasis on the principles of national sovereignty and non-intervention into domestic policy of another state, some states may consider the United Nations' actions as "*illegitimate*". Those nations would consider themselves the victims of the United Nations' "*aggression*". That is why, the United Nations' decisions made through the process described in the Charter, must reflect the legitimacy *de facto* based on the people's support. The implementation of decisions based only on the legal legitimacy could not be sufficient⁶.

The United Nations Charter sets up a system of peaceful settlement of international disputes which



present a certain degree of gravity and whose prolongation threatens the international peace and security. Amongst the principal organs of United Nations Organization, the following are competent to act for the peaceful settlement of international disputes: the Security Council, General Assembly and, in specific circumstances, the organization's Secretary General.

The United Nations General Assembly is competent only to suggest and make recommendations relating to the resolution of any international dispute and referring only to the rules of procedure for the peaceful settlement of that dispute.

The United Nations Secretary General is empowered to bring to the attention of the Security Council any matter concerning the occurrence of a dispute. He can also fulfil *good offices* or *mediation* missions⁷.

The General Assembly's Role in the International Security System

According to article 7 of the Charter, the General Assembly is a principal organ⁸, playing a central role in the United Nations' system. Considering its position and composition⁹, the General Assembly has a universal vocation. This organ may generally discuss any questions or matters within the scope of the Charter or relating to the powers and functions of any organs referred to in the Charter and may make recommendations to the members of the United Nations or to the Security Council on any such questions or matters¹⁰.

The actions of both General Assembly and Security Council relevant to peaceful adjustment, as set forth in the Charter and other constitutive acts, have no legally binding force. Because their actions are seen as part of multilateral diplomacy, they consequently have only a moral-political value. It follows that, the functions and powers of the General Assembly have only a deliberative and of recommendation character.

The deliberative character of the General Assembly's competence may refer to the examination of the principles of cooperation in the maintenance of international peace and security or the initiation of studies for promotion and encouragement of international law.

The recommendation follows naturally to the debates of various questions and this is mentioned

in some articles of the Charter, 10, 11, paragraphs 1 and 4. Recommendations can be made to any member of the United Nations and to a state which is not a member as well, regarding the means for pacific settlement¹¹ to which states are asked to resort and the specific solutions. The General Assembly may call the attention of the Security Council when a dispute occurs.

It is, therefore, obvious that the power of the General Assembly in settling the international dispute and in other issues as well, is very limited. The Korean War, started in 1950, and the absence of the Soviet Union from the Security Council's sessions when the resolutions, relevant for that conflict, had to be issued, represented a first step in exploitation of the rights provided by the Charter and the extended interpretation of it, in accordance with the interests of the great powers. Thus, on 3rd of April 1950, the US brought before the General Assembly a draft resolution known as Acheson Resolution or *Uniting for Peace*. This draft stated that: "*If the Security Council, because of lack of unanimity of the permanent members, fails to exercise its primary responsibility for the maintenance of international peace and security in any case where there appears to be a threat to the peace, breach of the peace, or act of aggression, the General Assembly shall consider the matter immediately with a view to making appropriate recommendations to Members for collective matters, including in the case of a breach of the peace or act of aggression the use of armed force when necessary, to maintain or restore international peace and security. If not in session at the time, the General Assembly may meet in emergency special session within twenty-four hours of the request therefore. Such emergency special session shall be called if requested by the Security Council [...] or by a majority of the Members of the United Nation*"¹².

The specialists¹³ have appreciated the Resolution 377(V) *Uniting for Peace*, as an attempt of the US to transform the General Assembly into an organ similar to Security Council as regards the management of collective security. Since its adoption, the alteration of the Charter's spirit had a controversial legal and political nature; neither so far has the issue been completely solved by the organization.



The competence of Security Council in settling the international disputes

Based on the philosophy, which gave substance to the UN Charter, to give preponderance to the winning great powers of the WWII, the UN Members conferred primary responsibility for the maintenance of international peace and security to the Security Council, organ composed of a limited number of member states¹⁴. Therewith, it was empowered also with the mission to watch the observance of the pacific settlement of any dispute and to sanction any threat or use of force.

In a system free of ancient *jus ad bellum* the Security Council should have played a major role: primary responsibility for the maintenance of international peace and security (art. 24); the obligation of the states to accept and carry out its decisions (art. 25); to determine the existence of any threat to the peace, breach of the peace, or act of aggression (art. 39); to call upon the parties concerned to comply with provisional measures (art. 40); to decide measures not involving the use of armed force (art. 41); to take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. (art. 42); the obligation of the states to make available to the Security Council their armed forces (art. 43); a Military Staff Committee to advise and assist the Security Council on all questions relating to the Security Council's military requirements (art. 47); the joint effort of the states in affording mutual assistance in carrying out the measures decided upon by the Security Council (art 49). In fact, as Ion M. Anghel¹⁵ points out, only a small part of this system has been applied, and presently the reconsideration of global system of collective security is increasingly requested. The mutations occurred in the course of the 60 years have been requiring a new international political and legal order, appropriate to the realities and threats of the third millennium.

Referring to the categories of disputes within the scope of the Security Council and considering the degree of risk for international peace and security, the UN Charter sets forth the limits inside which the Security Council can operate and measures to be taken for their settlement.

The first category of disputes belonging to the competence of the Security Council is expressed in article 34 and aims at „*any dispute, or any*

situation which might lead to international friction or give rise to a dispute.” The second category is established by the article 37, paragraph 2, referring to those disputes “*the continuance of which is likely to endanger the maintenance of international peace and security.*”

The means at the Security Council's disposal for the resolution of these disputes are gradually applied, in respect of the gravity of the dispute to be solved. Thus, first measure to be considered by the Security Council, when a dispute referred to in article 33 must be addressed, is that dispute to be issued to the parties in order for them to try concluding it through those means, as they deem appropriate. This measure, whose character is that of an inducement, of an appeal, belongs to a category of disputes, in which the parties' good will is appreciated as sufficient for their settlement. The next stage of action is the *recommendation*. It intervenes when difficulties in starting the negotiations occur, and when the Security Council observe the lack of will in settling that dispute. The simplest form of recommendation is when the Security Council indicates the parties several means, which according to its assessment, would be the most appropriate, leaving the parties to chose the one they consider adequate¹⁶. Whether the Council appreciates as necessary to control the evolution of a dispute, it can act more directly, applying a certain degree of pressure on the parties, recommending them, this time, a concrete solution for the settlement of the dispute. Therefore, it can recommend appropriate procedures or methods of adjustment or even the specific solving conditions, the latter being appreciated as the most *aggressive* intervention the Council could take in settling the international dispute. The Council may also, suggest to the parties combined recommendations¹⁷. Therewith, it may offer its *good offices* or its *mediation*, or to act in a dispute either as an *inquirer* or a *conciliator*. Moreover, the Council may make a recommendation *in judicio*, to refer the dispute to an arbitration procedure or to the International Court of Justice

The UN Charter, by chapter VII, “*Action with respect to threats to peace, breaches of the peace, and acts of aggression*” empowers the Security Council to appreciate what measures not involving the use of force are to be employed to give effect to its decisions such: the complete or partial interruption of economic relations and of rail, sea,



air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations (art 41).

Should the Security Council consider that measures (art 41) would be inadequate or have proved to be inadequate, it may decide a series of actions involving the use of force, according to article 42 of Charter. The Council may take such action, employing air, sea or land forces, as may be necessary to maintain or restore the international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of members of the United Nations (art 42). All members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, in accordance with special agreements, armed forces, assistance and facilities, including rights of passage, necessary for maintaining peace.

Finally, chapter VII of UN Charter allows the Security Council to resort, if the case, to measures involving use of military force (art 44).

Although with broad competencies, the role of Security Council in international system has been quite limited. Throughout the 60 years of United Nations' existence, the Security Council, due the abusive employment of veto, was able to solve only a reduced number of disputes. The Council has not succeeded in giving its Resolutions the necessary politic and moral power, finding itself often in a position to assist passively and powerless to their violation or partial resolution. It was prevented, in most cases, to make a decision, and when managed to do it, that decision seldom was obeyed by the parties. Its action had more success in procedural questions than in those of substance.

According to Guicherd¹⁸, present international law could be criticised, because it becomes effective only when relations between the five permanent members are good. Nevertheless, this is exactly the strong point of the international relations, Bradshaw suggests, and disagrees the Guicherd's ideas of a larger Security Council and replacing the veto by a system of qualified majority voting. His argument is that when people is to die, would be immoral to have such a voting system and, at least for the time being, the system is satisfactory. If people are to be killed, at the very least the decision should be unanimous.

The failure of the Security Council in solving

a dispute does not equate the abandonment of its settlement. In these circumstances, Security Council could bring the dispute in the attention of the General Assembly or consider other peaceful means.

The recognition of the United Nations Security Council as the leading organ for the international peace and security management was also reiterated in the NATO's Strategic Concept launched in Washington in April 1999: „*The United Nation Security Council has the primary responsibility for the maintenance of international peace and security and, as such, plays a crucial role in contributing to security and stability in the Euro-Atlantic area.*”

The main operations of the United Nations Organization

In the Korean War (1950-1953), the United Nations Security Council's Resolutions (UNSCR), determining a breach of peace, recommended the member states to render any assistance to the Korean authorities and authorized a Unified Command of the United Nations.

As far as situation in Congo was concerned (1960-1964) the Security Council actions (Resolutions of 14 and 22 July and 9 August) consisted of furnishing military assistance to maintain law and order relating to the withdrawal of Belgian troops. After withdrawal of Belgian troops, the United Nations force remained in Congo, in order to prevent the outbreak of an internal conflict and to decrease the fighting between tribes. The aim of United Nations' action was connected to the likelihood that internal struggle in Congo to deteriorate, transforming it into a threat to the international peace¹⁹.

During the Cold War era, because of vetoing system, systematically abused by former Soviet Union, the chapter VII of the Charter, specifically articles 42 and 43, was not applied, although there were military confrontations in Asia and Africa²⁰.

Once the Cold War and bipolarity have come to an end and due to the transformations leading to the abolition of the communist totalitarianism, the Security Council became an important factor in taking the appropriate military measures. The political consensus among the members of Security Council resulted, for the first time in the United Nations history, in the direct and systematic



application of the main provisions of the Charter in order to abolish the threat or use of force. Thus, in the Resolutions 660 of 2 August 1990 and 661 of 6 August 1990 as regards the Iraqi invasion of Kuwait, the aggressor and aggression are identified, and in the Resolution 662 of 9 August 1990 decided that the annexation of Kuwait by Iraq had no legal validity and was considered null and void. Iraq accepted all the conditions expressed in the Resolution 687 of 3 April 1991 for the implementation of cease-fire. The Resolutions 661 and 662 provides also for the embargo measures. All 15 Security Council Resolutions regarding the conflict in Kuwait (660-662, 664-667, 669, 670, 674, 676, 678, 686-688) refer to chapter VII of Charter.

Some specialists consider that the Resolution 678, authorising the use of force had not Iraq withdrawn from Kuwait, was not adopted according to article 42, but representing no more than a mandate for the Security Council to allow the use of force for the restoration of international order.

After the cessation of hostilities, the Security Council extended its action beyond the provisions of chapter VII. Resolution 687 imposed on Iraq the peace conditions and Resolution 688 authorized a humanitarian intervention on Iraqi territory. The object of the Resolution 705 was related to the compensations to be paid by Iraq to the Kuwaiti people, victims of Iraqi pillage, process developed under the United Nations' supervision. As a result, a new evolution as regards the use of force by the United Nations is observed, leaving the immobility in applying the provisions of chapter VII of the Charter. It was a positive evolution, granted by the United Nations, for combating the endless recent threats against peace and the acts of aggression.

Guicherd claims that the Security Council has availed itself of "*a right to intervention*" but the Security Council has a right of intervention as it sees fit, as long as the Security Council as a whole makes the decision. Guicherd gives a series of interesting examples²¹. As mentioned above, UNSCR 688 of 5 April 1991 authorised a humanitarian relief operation in Iraq which declared humanitarian enclaves, protected them, launched Operation PROVIDE COMFORT but did not entail any attack on any party. Resolution 770 in August 1992 protected Bosnia-Herzegovina from Serbs; it could be seen as protecting a newly identified sovereign state but even this did not allow force.

Resolution 794 in December 1992 on Somalia did foresee intervention in support of humanitarian objectives, and led to the Operation RESTORE HOPE carried out by the USA. Apparently, it was a reversal of previous interpretations of the UN Charter, and the first such forced upon the UN General Assembly by USA. On the other hand, it was also a serious mistake, it did not work, and it inflamed the situation and indeed, made little difference in the long run to the deterioration in the region's security situation. Resolution 929 in June 1994, led to France running OPERATION TURQUOISE, and to intervention in Rwanda and Eastern Zaire, but this was a matter involving the interface between two sovereign states and a large refugee problem. Resolution 940 in July 1994 led the Americans in Haiti; again a poor operation, with several unfortunate repercussions including the UN being seen once again as a US-dominated excuse for particular American foreign policies, as well as to bargaining between the USA and Russia. In this question, the Russia's agreement not to use its veto was bought at the price of a declaration that all Russian troops situated outside the Russian Federation were UN peacekeeping troops. Those in Tajikistan at the time, busy shelling Afghanistan, promptly sent a bill for the shells to the UN, on the grounds that if they were UN peacekeeping troops, the UN should pay for their ammunition.

Resolution 1101 in March 1997 mandated Italy to run Operation Alba, which it was claimed brought humanitarian relief to Albanians but in fact was primarily concerned with stemming the flow of Albanians who were claiming refugee status and moving to Italy for what were really economic reasons.

Guicherd intended, through these examples, to emphasize how, during the last 10 or 15 years, an increasing amounts of force was used in support of what are seen as Chapter VII operations. The expert goes on to claim that these are not simple mistakes, situations of the UN losing its way or being manipulated, but are key points in the development of some sort of case law or precedent allowing the UN to sanction such force. In addition, she appreciated that these could be considered as a precedent used by NATO in assuming the use of such a force even in advance of the UN making a resolution.

That the above-cited author's statements are justified it is sustained by the case of operation



IRAQI FREEDOM, where the United Nations Security Council Resolution 1546 of 8 June 2004, completed the legal framework for the stability operation in Iraq, the other two being 1483 of 22 May 2003 and 1511 of 16 October 2003. The Resolution provides, in its preamble, the establishment of the United Nations Assistance Mission for Iraq (UNAMI) and *affirms* that the United Nations should play a leading role in assisting the Iraqi people and government in the formation of institutions for representative government. It is, therefore a legitimating act, *a posteriori*, of the US led armed intervention and the subsequent operations.

The Security Council declares the development of the operation under chapter VII of the Charter. Moreover, the resolution states: “*that the multinational force shall have the authority to take all necessary measures to contribute to the maintenance of security and stability in Iraq in accordance with the letters annexed to this resolution expressing, inter alia, the Iraqi request for the continued presence of the multinational force and setting out its tasks, including by preventing and deterring terrorism...*”. Thus, the responsibility of the likely offensive acts would lie with the Iraqi authorities, which have invited the coalition’s troops to stay and help in the *reconstruction and rehabilitation* activities.

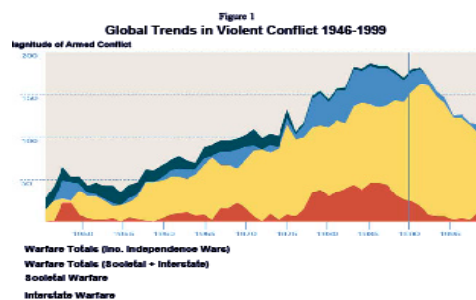
Unfortunately, those 60 years of United Nation’s existence continued to be marked by not only the so-called classical violence, interstate conflicts, but also this scourge has transferred into the states, overburdening the statisticians’ charts. Between the increasing large number of conflicts and the UN’s ability to manage efficiently a crisis, the latter has been almost permanently, one-step behind the former. Thus, once a solution identified a new type of crisis had been emerging and, consequently, requiring a new decision cycle to face the new threat.

How much warfare is there within and among states, from the inception of UN to nearly our time and how has its magnitude changed over time, are questions answered by the Centre for International Development and Conflict Management (CIDCM), an inter-disciplinary research centre at the University of Maryland²². The total magnitude of violent conflict (figure 1), increased from the 1950s to the 1980s and then declined sharply after the Cold War ended in 1991.

Interstate war surged in the 1980s because of major wars involving Vietnam and Cambodia, Israel and Lebanon, and Iran and Iraq.

The main component of the trends is not international conflict, however, but a long-term rise and short-term fall in violent conflict within societies. Colonial wars of independence were a small component of the long-term trends. Societal conflict (figure 2) was roughly three times the magnitude of interstate war during most of the last half century and increased six-fold between the 1950 s and the early 1990s.

On a scale from 1 (low damage and limited scope) to 10 (total destruction), each conflict in history has been rated taking into account its deaths, dislocations, and physical damage. The Rwandan genocide rates a 7 on this scale, ethnic war in Kosovo is rated 4, the U.S. and UK air campaign against Iraq in 1998-1999 rates a 1. The ratings are summed for each year and each type of conflict to provide the input for the trends and comparisons in figures 1 and 2.



All these events and poor results during the last years – and especially after the Kosovo conflict, when the United Nations has acted passively and



disappointingly– determined the intensification of criticism for the organization. The 54th session of the General Assembly, in 1999, marked the confrontation between the defenders of the fundamental principles of the United Nations and the partisans of the legalization of an internationally recognized *right to intervention*. Surprisingly, the highest representative of the United Nations – responsible to defend its philosophy and purposes – the Secretary General Kofi Annan, has stated that the principle of sovereignty does not represent a solution, any longer, to the peoples' aspirations to fundamental freedoms²³. The Secretary General has not been the only one to declare such a thing. In March 1998, Madeleine Albright stated that America no longer recognised that part of the United Nations Charter respecting the internal sovereignty of states (art.2 (1, 7)). British Prime Minister Tony Blair repeated this point of view at the beginning of June 1998²⁴. Furthermore, in an address to the General Assembly, on 21 September 2004, Secretary General Kofi Annan stressed again the issue of sovereignty warning that in fulfilling the responsibility to *protect innocent civilians from genocide, crimes against humanity and war crimes*, the national sovereignty would not be used as an excuse for non-intervention anymore.

As the United Nations Charter, as a whole, is built on its respect for national sovereignty, this seems to be at least an interesting approach of the spirit of the UN if not a categorical rejection of it²⁵. However, the general opinion recognizes that United Nations still has and will have an important role to play in the overall international security system, because *“the whole international order depends on not replacing the original organizations as soon as they become incommode”*²⁶.

NOTES:

¹ Forty-five nations were originally invited to the San Francisco Conference. One of these, Poland, did not attend because the composition of her new government was not announced until too late for the conference. At the time of the conference there was no generally recognized Polish Government, but on June 28 such a government was announced and on October 15, 1945 Poland signed the Charter, thus becoming one of the original Members, www.un.org/aboutun/sanfrancisco/ ² NF BRADSHAW, *The legality of NATO's attack on Serbia, Conflict Studies Research Centre, Royal Military Academy Sandhurst, 1999, p 2, www.csrc.ac.uk/PDFs/G76-nfb.pdf.*

³ Richard J. ERICKSON, *Legitimate Use Of Military Force Against State-Sponsored International Terrorism*, <http://permanent.access.gpo.gov/websites/dodandmilitaryejournals/www.maxwell.af.mil/au/aul/aupress/books/erickson/erickson.pdf>

⁴ Ibid.

⁵ *Legal aspects of peace operations*, US Defence Institute for International Law Studies, Seminar “Internal Operations”, Braşov, 23-27 August 1999.

⁶ Ibid.

⁷ Marcela RAD, **Drept Internațional Public**, capitolul 6, *Mijloace pașnice de rezolvare a conflictelor*, <http://idd.euro.ubbcluj.ro/interactiv/cursuri/MarcelaRad>

⁸ Along with Security Council, the Economic and Social Council, the Trusteeship Council, the International Court of Justice and the Secretariat.

⁹ The General Assembly is composed of all the United Nations members (191 as at the end of 2004).

¹⁰ Carmen GRIGORE, Ion SUCEAVĂ, Ionel CLOȘCĂ, **Dreptul Internațional Public**, vol. II, Editura VIS Print, București, 2001, p. 356.

¹¹ The General Assembly may make recommendations on all disputes except those mentioned in article 2, paragraph 7 of Charter.

¹² Resolution 377/V established a Peace Observation Commission and a Collective Measures Committee.

¹³ Carmen GRIGORE, Ion SUCEAVĂ, Ionel CLOȘCĂ, **op.cit.**, p. 358.

¹⁴ Idem, p. 360.

¹⁵ Ion M. ANGHEL, *Dreptul Magazine*, no. 1/2002, p. 39.

¹⁶ In dispute between the Netherlands and Indonesia, after the two parties have been invited to cease the hostilities, they were recommended, on 1st of August 1947, to settle the dispute, applying to arbitration or any other peaceful mean and to inform the Security Council on the progresses made.

¹⁷ If the parties followed the Security Council's recommendations to begin the direct negotiations but they failed or the results are unsatisfactory, it may recommend the continuation of the negotiations.

¹⁸ Former Deputy for Policy Co-ordination to the Secretary General at the NATO Parliamentary Assembly, Catherine GUICHERD, “International Law and the War in Kosovo” “Survival”, the IISS Quarterly journal, summer 1999., quoted in NF BRADSHAW, *op. cit.*

¹⁹ Alexandru BOLINTINEANU, Adrian NĂSTASE, **Bogdan AURESCU, Drept Internațional Contemporan**, Editura Allbeck, București, 2000., p. 87.

²⁰ Ibidem.

²¹ Catherine GUICHERD, *op.cit.*

²² Ted Robert GUR, M.G. MARSHALL, Deepa KHOSLA, *Peace and Conflict, 2001. A global survey of Armed-Conflict, Self-Determination Movements and Democracy, 2001*, pp. 7-8, www.cidcm.umd.edu/peace.htm

²³ Victor DUCULESCU, *Instituții internaționale în schimbare și transformare, în Instituții de drept public și relații internaționale în dinamică*, Editura Lumina Lex, București, 2002, p. 435.

²⁴ N.F. BRADSHAW, *op. cit.*, p.3.

²⁵ Ibidem.

²⁶ Ion M. ANGHEL, *op. cit.*

Lieutenant-colonel Alin BODESCU is superior instructor at the Brigadier Course from the Regional Training Center NATO/PfP. He graduated the Law Faculty (Lugoj) and was on missions in Iraq.



THE GLOBALISATION AND THE EFFECTS OF PROJECTING IT INTO THE REGIONAL SECURITY FIELD

Eduard VITALIS

Globalisation is a term more and more used by persons with different backgrounds. As a matter of fact, it incites by the complexity of processes and phenomena that induce.

The regional and global security environment are touched by the globalisation effects, as the state-nation, as a sovereign and independent entity, is almost to loose itself in this huge conglomerate of political, financial, economical interests.

1. Globalisation – a glossary of definitions

Globalisation – a term which incites, gives hope, or, on the contrary leads to anxiety. The term “globalisation”, increasingly used by individuals of different professions, has gained as many meanings as there have been attempts to define it. Joseph Konlic refers to it as “a consequence of modernisation”, Philippe Delmas – “ a mixture of ideological and political conceptions, with a common denominator: the analysis of the planetary dimensions of the political, technological, economic and social problems the world faces today, yet, no definition is more comprehensive than the one suggested by the well-known sociological phrase – the “global village”. In the “global” village, individuals and societies are no longer protected or confined by borders, which means that individuals and goods are no longer subject to the geographical context.

One of the most frequently used definitions of this concept is “With globalisation, geographical distance is a less important factor in establishing and developing economical, political and cultural cross borders relations. The relation networks and the interconnections have greater prospects of becoming international and global.”

This proves that the three main causes of globalisation – technological, political and economic – have led to a process in which the geographical distance has become an insignificant process in establishing and maintaining cross

border connections, economic, political and socio-cultural relations.

The characteristics of globalisation include a wider internationalisation of productivity, a new world division of labour, a new challenging environment to generate these processes, along with new shifts in populations from South to North as well as state internationalisation. All the above will further convert the states into agencies of the so-called “global village”.

Globalisation, according to Emanuel Richter, is the global network that has gathered this world's communities once dispersed and isolated, and given them mutual dependence and the unity of “a single world”.

The analysis of the world economic processes and phenomena is not yet capable of unravelling the entire “grandeur” of the globalisation process. Francois Perroux, as opposed to the theoreticians who tried to ignore the role played by the military relations and the power on the world stage, stressed the idea that the nation, the state and the political power are the leading factors in society and in national, regional or international decision making processes.

Myrdal's hypothesis is confirmed: politics is the leader in international relations as world economy depends on how strong or weak the political and military relations between the new world powers are.

The fate of certain regions does depend on currency fluctuations, but these do not appear as out of the blue, they are brought about by the even or uneven forces quota or regional crisis centres.

The concerns of the XXth century, the bloodiest of all in human history, which witnessed two world wars, plenty of regional conflicts, a very difficult period – the Cold War – when the efforts were mainly directed towards armament, forced alliances to form and dissolute and military cooperation treaties to be signed in accordance with both political and economic interests. This



reality scarred international relations giving way to mistrust and suspicion, but also to a greater need to better manage tensions, crises and conflicts.

At the end of the Second World War the global "cake" had been cut in two worlds, which spared no effort in showing their superiority over the other. The capitalist world, led by the United States of America and the socialist world run by the Soviet Union of Socialist Republics did create a balance of power, but at the extremely dangerous risk of allowing both parties to accumulate enormous destruction possibilities.

In order to fulfil the objective of having rights over certain regions, but also of discouraging the other, the history's greatest alliances were formed: NATO and the Warsaw Treaty. The open objective of the two military blocks was, of course, defence and peace support, but this allowed them to secretly continue armament. Therefore, in the name of peace 20,000 billion dollars were spent on armament.

When the Soviet Union disintegrated and the United States were forced to take on the role of the world's gendarme (which may seem advantageous, but is actually not a privilege but a responsibility), globalisation started to be perceived as "Americanisation" or as a new order, which is seen by some as a massive colonisation and by others as the chaos which precedes the re-establishment of the new centres of power and influence.

USA's supremacy can be defined in a totally different set of terms than the dictatorship of the former powers: NATO - a collective security system, APEC, NAFTA - a regional economic cooperation system, IMF and OMC. There is a clear distinction, as far as these systems are concerned, between the classical colonialist state and the prevalence of the system of adjustment to the requirements of the democratic values, meaning that decision making is a consensus based process.

Globalisation is not a subjective act of will, even if it may seem so at first glance. It is a necessity of the modern world, as it is only with its support that such vulnerabilities as the ones brought about by the escalating progress of technology and information, by the gap deepening between the civilised world and the marginalised populations, regions or even continents, by all kinds of other threats, crises and conflicts will be reduced.

Beyond these hopes, globalisation also has a

series of negative effects as far as global, regional and national security is concerned.

2. Effects of globalisation on Romania's security

Romania's NATO membership offers the suitable and necessary frame for us to implement the values of the Alliance within our national security system and our country's future joining the EU will bring us even closer to the values of the European continent. Undoubtedly, these two ways will provide the necessary protection and stability for the transformation processes that our country will undergo.

The EU member status will have beneficial effects on the political and strategic fields and this will inevitably lead to a timely and efficient adjustment to the process of globalisation.

NATO security guarantee "forced Romania to reconsider its security concept, which was a synonym for national defence and to understand it as a general state of society where the freedom and the fundamental rights of the citizens, the constitutional democracy and the fundamental interests of the state are ensured and guaranteed."

Taking into consideration our geographical position, it is more than obvious that "Romania becomes NATO's easternmost point, where its interests are projected towards a new Russia and where new important strategic directions are set towards the extension of NATO stability and cooperation over the Black Sea area, Central Asia and the Middle East".

Romania, finally set on the way towards democratic development, member of the history's most powerful alliance, is aware that the nation's security can only be conceived as part of the global security. National institutions modified or designed must meet the standards of the international ones, not only in form but also in depth, as it only so that "national fundamental interests can be promoted and defended today, as long as nation shall exist (no one has proven yet that the nation will ever cease to exist).

Though, today, the global security environment is relied on and nation-states must join efforts because contemporary society, which is in full process of globalisation, faces, first of all, national security risks and then, and yet only implicitly, regional and global security risks.



These risks and characteristic threats are as follows: terrorist acts, the danger of mass destruction weapons (or weapon parts) falling into the hands of terrorists, growing ethnical religious conflicts, uneven regional development, growing smuggling networks and activities supported by military means, cross borders organised crime networks, ecological threats that could cause major damage in the region etc.

Paradoxically, globalisation means agreement between all the states of the world and adjustment to a global social and human model, without restrictions and constraints, and as a result, military systems should reduce their current role. However this is still a utopia, since the ever growing international unrest is generated and generates in turn, conflicts, and the arms and means of destruction, despite the disarmament agreements, continue to be perfected. As a matter of fact, there is no sign whatsoever that military scenarios will or might be given up or, not only in the view of establishing democracy, but also of eradicating tensions, crises, threats and conflicts. Therefore, the military will continue to play an active role in globalisation in the view of providing security and stability either through discouragement or cooperation to states, regions and the entire world.

Romania has, in the context of European and global security, a fairly good geographical position which makes our country even more eligible as Gh. I. Brătianu states: "We live here at crossroads, at a crossroads of cultures and unfortunately, at a crossroads of conquests and empires. We cannot be separated from the entire geographical compound, which as you shall see sets our borders and destiny in between the two elements that define it: the mountains and the sea."

Romania is caught in the midst of possible evolutions and reshaping of the regional and continental security environment. The latest NATO extension wave forced us to take on a more active role in stabilising the Balkans area, the Black Sea area, in reducing and annihilating all negative effects of the war in the former Yugoslavian territory,

in eradicating East European roots of organised crime and drugs trafficking. Moreover, we need to become a stabilising military factor as far as the problems specific to our area are concerned and to contribute to the development and implementation of the Common European Security and Defence Policy.

When we have joined the European Union, in the near future, we will also take on the role of the Union's Eastern border, a very challenging and costly task.

Nowadays, the South-East security environment is different from that of other regions and it displays the possibility that political and economic integration is possible, founded only on sharing responsibilities, ideals and similar values, despite the difficulties that the European Constitution faces today. This only states that there are national values, forces, realities and interests that cannot be overlooked, which, balance, to some extent, people's enthusiasm and re-focuses attention towards people and nations.

Romania, integrated in European and NATO security political and economic structures, as a future member of the EU and already a full member of NATO is given the opportunity of playing a major role in a central area, at an equal distance from Western Europe, the Russian Federation and the Balkans, and thus becoming a strong regional link if it reaches and takes advantage of this potential. It all, of course, depends on us to find the right way to promote and preserve our national interests.

To conclude, we can state that globalisation does not require or force a major rethinking of the political and geostrategic role of Romania which already possesses a strong political, cultural and diplomatic potential, an ever growing economic development, a well defined and trained military segment to hope to reach in due time the level of a becoming a necessary cohesion factor in the European and Euroasian space, in the Black Sea gap and crossroads area so as to continue the role that we already play in the stability and security of the region.

Lieutenant-colonel Eduard VITALIS is Staff Chief Bureau in the National Defence University. He graduated the Faculty of Sociology and Psychology from the West University, Timișoara.



THE NEAR EXPECTATIONS OF THE ROMANIA'S RELATIONS WITH THE EUROPEAN UNION

Iulian POPA, PhD

The main priority of the Romanian foreign policy in 2005 and 2006 is the integration into the European Union. Even if all the political parties support the efforts in that way, it is not so easy to achieve that desideratum, because both internal and external impediments appear, which require ability and consistency in order to transcend these difficulties.

The article presents briefly the increased efforts of Romania in order to pass the international isolation in which our country was in 1989. After that, there are presented the unexpected problems that have appeared between the Romanian's relations with France and Germany in 2005, just with the countries considered like "the engine of the European Union".

The internal problems could be added to the external difficulties, because of the balanced political configuration between the two main political blocks of the Romanian internal political scene.

Few people know that Romania was the first country from the East of the Europe that signed an agreement of cooperation with the European Community, even in the communist time. We talk about an agreement from the domain of textiles, in 1973. The irony of fate makes now that Romania to be the last communist country, which will be integrated into the European Union, at the 1st of January 2007, or – God forbid! – by the 1st of January 2008. I say "God forbid!" because the second alternative could bring huge prejudices to our country, both pecuniary and referring to the prestige of Romania.

The pecuniary loses mean money – non-reimbursable – which Romania could lose through postponing the integration. The losses concerning the image, or the prestige, mean that Romania will be viewed by investors and the western political leaders with more caution, if the safeguarding clause will be applied. If we take into consideration that Romania worked and paid very

much in order to gain its confidence in front of the international community, that perspective has become alarming.

All the other former communist countries have had an easier way through the European and Euro-Atlantic structures. For example, the Czech Republic, Poland and Hungary have benefited of very important canceling of their external debt augmented before 1989. Or: the Baltic States were strongly supported by Germany and – generally – by the Northern States, because of their common history and affinity.

Romania has completely paid its debt, being – like an orphan child – single in front of suspicions (gathered up in the process of time) of the international community, suspicions of businessmen, or a financial market. Usually, the confidence could be gained very hard, but it could be easily lost, and that is more evident in the international relations.

So, it is very important for Romania to have an irreproachable behavior, so that the western captious not to have any argument to invoke the accelerating of the *clause of safeguarding*. Even the naming of that clause could be considered as scornful, offensive, humiliating. In other terms, Europe must defense itself against Romania and Bulgaria, must save itself by Romania (and Bulgaria). What harm could Romania produce to Europe, in the context in which Romania is needed by Europe, from all points of view?

Concerning Romania's behavior of its foreign policy, we can observe a similar situation with the period before of that when our country wanted to become NATO membership. Moreover, in 1997, though Romania has accomplished all the required criteria („The Perry Criteria”, according to the name of the former American State Secretary), our country did not receive the invitation to adhere to the North Atlantic Alliance, because inside NATO there was a concern to maintain a balance between the Northern flank and the Southern flank,



and because of the firm opposition of the Russian Federation.

Nowadays, in the European current context, when France and the Netherlands have voted against the Constitutional Treaty, it is very possible that the exigency of the European leaders or of the European Commission, to increase referring to the accomplishing of the criteria by Romania and Bulgaria, as a reaction to the result of the suffrage.

Concerning the way chosen for the approval of the European Constitution, it means that the political elites from France and the Netherlands did not anticipate that there is a difference between the official opinion and public opinion. Of course, the opinion of the political leaders has a visionary character, towards an ambitious project (referring to a united Europe, like a future important actor at a global level), and the opinion of the population, which hasn't the necessary knowledge in order to vote as an informed people, having all the arguments and elements.

As a comparison, at a smaller scale, that situation is similar to that in which in finance commission – for example – from Parliament there are engineers, doctors, advocates, professors, but not economists. They have not the right specialization (in the financial domain); even those persons who are specialists with a license degree. It is the same situation, referring to the referendum for voting the European constitution. The population has not the knowledge of foreign affairs or international relations. So, the population cannot understand such European ambitious project. That is why we can see that strategy adopted - regarding the way of approval of the European Constitution - was wrong.

It is obvious that the vainglorious political leaders from France and the Netherlands will not recognize this thing, but the reality proves completely that. In conclusion, we can say that the democracy in excess can become counter-productive, but in that domain the consequences are difficult to estimate.

Probably France intended to confirm its perception according to which "France is the political leader of Europe". The result was troublesome, unpleasant. In contrast with Jacques Chirac, the British Prime Minister Tony Blair adapted himself quickly to the new realities, and decided that the United Kingdom will not organize

a referendum for the approval of the European Constitution, and that document will be approved by the Parliament.

The tough journalist Vitali Tretiakov, a known Russian dignitary, has recently written in *Rossiiskaia Gazeta*: "It is strange how, after 50 years of careful and meditated building of the union of European States, super-accurate Western Europeans strategists have gone wrong in that flagrant, foolish and shameful way. France, the most European country, the symbol of Europe, said *no*."

If we refer to the idea concerning a "Christian Europe" (debated if this idea must be mentioned or not in the European Constitution), let's remember that France was at the head of the laic group of countries (group which was against this idea), together with Belgium and the Scandinavian States. About the conditions which have hit France (even painful), it can say that divinity didn't help that country.

Taking into consideration these elements, the Romanian foreign policy on the European coordinate must be extremely careful, sensitive, amiable (attentive promoted), using as *vectors* very competitive persons, especially in the important European capitals such as Paris, Berlin, London, Rome, Madrid, Warsaw. In the same way, the Presidential team advisors should prepare more carefully the statements of the Romanian President, in order to avoid the engagement into policy extremely "Euro-Atlantic" (in tennis, that it is named "non-instigated mistakes"). If we observe the present political relations between USA and Europe, we can understand that this kind of statements are counter-productive for the priority no. 1 of our country, the integration into the European Union, and the consequences are very serious.

Unfortunately, we have a recent example, presented by the Romanian press, after the visit of the Romanian President in Berlin, where the German Chancellor made jokes referring to the "potentiality" of the axis Bucharest – London – Washington. It is also regrettable that the attitude of Germany wasn't limited only to irony rejoinders (which must be understood very carefully, in diplomatic language, like a message), and passed through concrete political action.

Thus, the German Christian-Democrats, led by Angela Merkel, announced that they would block



the integration of Romania and Bulgaria into the European Union (in the context in which it is very possible to win in the general election from September 2005). Later on, they have changed their position, understanding that on the 25th of April 2005, Europe has taken an official obligation concerning Romania and Bulgaria, to accept their integration on 1st of January 2007, or later 2008.

From the etymological point of view, it is important to make a specification. We have to underline that in the situation concerning joining the NATO, the term *adhesion to NATO* must be used. When we refer to the European Union, the term *integration into the European Union* is used. Why? Because, in the first situation, Romania was invited to join NATO, and this aspect didn't require complicate and sophisticated adaptation to the internal organisms of the Alliance. It was only a joining.

In the second case – referring to the European Union – Romania integrates itself within the European Union, which absorbs our country in its economical, social, legislative system, because Romania have to respect a complex set with specific domestic laws, named *acquis communitaire (AQ)*, which means 100,000 pages with documents (laws, rules, directions, recommendations etc.),

Romania has negotiated these conditions during many years and now our country endeavors to carry out a few criteria (especially referring to justice and internal affairs, corruption, competition, environment, capacity to face a hard competition within the European market etc.). It is a very complex process that means the changing of entire Romanian society, of working mentality and of existence mentality.

Coming back to the relation with Germany, we must understand that *Germany is the force* into the European Union, including – or particularly – referring to the contribution at the common budget. That constitutes a supplementary reason for prudence and attention in relations with Germany, if we take into consideration that in June 2005 the European leaders will discuss the budget of the European Union for 2007-2013. So, Romania is interested in this item, from the perspective in which on the 1st of January 2007, our country will become full member of that select club. So, let's remember that Germany is the main contributor to this common budget.

It seems that in order to demonstrate to us that

Romania is wrong, at the beginning of June 2005 the German ambassador in Bucharest, Wilfried Gruber, has declared: „Romania has to make serious efforts into the organizational domain”. In that context, The German diplomat said that the attitude of Romania in the European space must be participatory, not selective (with allusion to the axis Bucharest – London – Washington). At the same time, the German ambassador recommended that Romania “should be more cautious concerning the mention of new candidate States for rapid adhesion to the European Union” (here it is a rejoinder to the intention of the Romanian president for being the protector of Georgia, Ukraine or of Moldavian Republic in their attempt towards the European Union, even if these countries didn't begin the negotiations for adhering).

Not even the relations with France (the second component of the “European axis”) has done very well in the first part of 2005. The reasons are different. Firstly, Paris was very busy with the organization of referendum concerning the Constitutional Treaty and with the trial in order to persuade the population to vote YES for the future European constitution.

After that, there were the notifications of the Romanian president, according to: “It is not necessary for France to teach Romania”. This declaration – not so inspired – has led to the embarrassing situation that the French president didn't have time to meet the new Romanian president. Paradoxically, that situation has appeared in the conditions in which the economical co-operation between Romania and France is very good.

On the other hand, the Romania embassy in Paris is not so active and here the Romanian Ministry of Foreign Affairs must reflect in order to appoint as ambassador an active and dynamic young specialist.

The closed relation between Romania and the United Kingdom could explain the cooling established in diplomatic relations between Romania and France. Of course, the visit of Romanian president in London has been remarked at Paris. As a coincidence, just in this first part of 2005 the French – British debates on the common budget have appeared. France asks the United Kingdom to increase its contribution at the common budget and – in that way – to prove goodwill (let's remember that France is one of



the most important beneficiary of the European budget, for its farmers).

The British Prime Minister had immediately retorted very severely, that even in current arrangements, the United Kingdom pays 2,5 times more than France to the common budget. And if we think that one year ago the French president has reproached Tony Blair that he „is unmannered”, that situation must stimulate us to more reflection on the “game” of relations between France and the United Kingdom, as well as the place of Romania in that European game.

Concerning the relations between Romania and other European countries, these relations are normal. It is an error that the problems have appeared just in relations with France and Germany, which are considered „the European engine”, the countries which have a decisive influence in the adoption of the great decisions referring to the European community (countries considered the political leader – France – and the economic leader – Germany). In order to try to understand the chances that the European constitution has to be adopted (and implicitly the perspectives to respect the schedule of Romania’s accession towards European Union), let’s review the way in which the European countries want to approve that document.

By referendum: France, Ireland, Denmark, Luxemburg, Portugal, Spain, Czech Republic, Poland, Holland (total: 9). By Parliament: Belgium, The United Kingdom, Germany, Austria, Sweden, Finland, Estonia, Latvia, Lithuania, Italy, Malta, Greece, Cyprus, Slovenia, Hungary, Slovakia (total: 16). Nowadays, the technocrats from Brussels try to identify the way in which the Constitutional Treaty could be saved. It is possible that the solution to be that referring to the possibility that the document could be approved by minimum 20 countries. If that happens, and if Romania accomplishes all the required conditions, it is possible that the schedule of enlargement to be respected.

If we are talking about the unknown and possible obstacles, which Romania could come up against in its European way, we can say that these obstacles may be internal. Or, maybe even these internal obstacles could be more serious, more important. Among other traps, the following are possible:

➤ *Non-carrying out of the reforms in justice.*

➤ *Non-carrying out of conditions from the domains: competition, domestic affairs and environment.*

➤ *A political crisis or anticipated general election.*

The justice is the most difficult chapter. It seems that our judicial system has become very alarming, keeping going hand in hand with the corruption. It cannot be taken into consideration the abolishment of corruption, because that is impossible, but at least it must try to limit that phenomenon, which has drawn to the head of Romanian political system. Probably that the country report from autumn 2005 will have as a focal point the problem of justice. Depending on the success in this domain, the final decision will be positive or negative. There must be added the irritability state being at present at the European level, which guides towards an increasing exigency for Romania and Bulgaria.

The chapters referring to competition, internal affairs (together with justice) and environment were among the most difficult to negotiate. At the same time, these chapters are hardly to put into practice, because we need human, material and financial resources more than the possibilities of our country. For example, for the chapter “environment” - in the next 10- 15 years - it will be necessary approximately 35 billion EURO. It is possible that the estimating of the progress from those areas to be realized with other criteria, maybe by the engagement or by the political willing, because it is difficult to identify other units of measure.

Taking into consideration the fragility of the governmental coalition in Romania, an internal political crisis is not excluded. A frequent invoked idea is referring to the anticipated general election, in order to clarify the current situation in Parliament and to obtain an important political support. There are two major aspects are possible to appear.

Firstly, it is difficult to anticipate who will be the winner, because – usually – the political party that release the anticipated general election, will lose these elections.

Secondly, if the anticipated general election will be organized, that means a campaign for election, during 30-45 days, in which, practically, Romania will be on holiday. That, because we know that in the same circumstances, which generate instabili-



NATO AND EU: POLITICS, STRATEGIES, ACTIONS

ty, appears a non-certainty state and the institutions are blocked. That is exact the possibility that Romania must try to avoid in that year, extremely important for our European efforts.

So, as a general conclusion, we can say that – in order to maximize the chances for integration into the European Union on 1st of January 2007 – Romania must act, in domestic affairs, consequently and with energy to accomplish the criteria and requirements of the European Union, in the agreed terms. In the domain of foreign affairs,

Romania will have to act carefully, with discretion and moderation and professionalism, in order to ameliorate the relations with France and Germany and meantime to maintain good relations with the other European countries.

That moment (of European integration) will not be very easy, but of course, will not be impossible, because other countries have succeeded too. Even if the international context is not favorable, with a constant and strong lobby in the main decisional centers from Europe, Romania could succeed.

Julian POPA is PhD in Political Sciences with specialization “International Relations”. He is general director of Armaments Department from the Ministry of National Defence and adviser on political-military items of State Secretary, the head of the Armaments Department. At the same time, he is associated professor at the Faculty of Political Sciences from National School of Political Studies and Public Administration Bucharest, at the Faculty of Political Sciences from Christian University „Dimitrie Cantemir” and at the NATO Studies Center from Bucharest.



THE REFORM OF THE ROMANIAN MILITARY SYSTEM FROM THE EUROPEAN INTEGRATION PERSPECTIVE

Constantin IORDACHE, PhD

Romania reached its objective of joining NATO's structures. It will offer Romania a new and improved status in the perspective of future international relations. Achieving the statehood, the protection of the air space, making secure the means of transport and communications represent priorities for the EU's integration.

The reform process of the national military system cannot be complete without severe transformations in all its components, including in the acquisition domain, in the technological and in the logistics ones.

The modernization of the defence acquisition management, in order to harmonize the methods and practices with the ones already applied in the EU and NATO member states assumed the implementation of a package of normative documents in order to assure a coherent administration. For a future safe Europe, it is imperative to have a good collaboration between the EU and NATO, as well as the elimination of all dissensions between the USA and some of the European states.

Romania's main strategically and political objective is the adherence at the EU in 01.01.2007.

The resurvey of the Constitution, in 2003, through the harmonization of the text with the legislation of the members of the EU, will make compatible Romania's primary values with the similar European institutions. The effects for the national army's integration, in the Euro-Atlantic security structures, have determined the alignment of the military juridical institutions with the occidental standards.

Within the adherence process at the Euro-Atlantic security institutions, it was needed a reorganization and improvement of the armed forces for interoperability within NATO's and EU's

structures. Within the Romanian Constitution, in article no. 118, it is stipulated that "In the law's and international treaty's conditions, with which Romania belongs, the army contributes at the collective defence in the military alliance systems and participates at the actions concerning the maintenance or the rehabilitation of peace". It is also said that "on Romania's territory, foreign troops pass or deploy forces only in the conditions of the laws or international treaties, with which Romania is part of".

Accordingly to these modifications of the constitutional text, the National Department of Defence has advanced the law project concerning the participation of the army in missions abroad (law no. 42/2004). The dispositions of this normative act simplify the procedures that allow the movement of Romanian troops abroad. Law no 42\2004 has as a primary objective making the decision act effective, in the way of the development of operability in sending armed forces in international missions.

The growth of the president's role in taking decisions was necessary for assuring the operability in accomplishing the missions. The president cannot send armed forces abroad if this obligation does not result from the international structures, which Romania adheres, acts that are ratified by the Parliament.

The Parliament approves the necessary funds for training and sending military units for the international missions. In article no. 7, it is stipulated that the president is obliged to inform the Parliament about the decision to send troops abroad. The first military EU missions of the in the Balkans is the military operation in Bosnia and Herzegovina. The Maastricht and Amsterdam treaties have brought the military and political actions according to PESC. Within the European Council, it has agreed that the Union must create



the necessary mechanism in order to take-over all the contribution of preventing the conflicts defined by the EU Treaty, also known as Petersburg Missions, by developing the military and civil capabilities, which the EU has. In controlling the regional crisis, the European Commission has a very important role.

EU's ALTHEA Mission in Bosnia and Herzegovina has started in December 2, 2004. This mission took all the responsibilities of NATO's SFOR mission. The juridical base of Romania's participation at this operation is represented by the Agreement signed on November 22, 2004.

The Emergency Enactment released by the Government (no. 117/2001), discloses the ratification of the agreement between Romania and the EU concerning the general context of the participation of Romanian troops at EU's operations of controlling crisis. Simultaneously with this agreement, Romania has signed "the official declaration of abdication" from any pretence against another state, which is a participant at a control crisis mission led by the EU, for the loss or disadvantages produced by hurting or killing its personnel or destroying the assets in Romania's property.

By signing the agreement, Romania contributes at the pursuance of the operation of controlling the crises under EU's aegis. If the EU uses, for controlling a crisis, NATO's assets or capabilities, Romania can apply for the participation at that operation. The agreement contains information referring to the status of the personnel that takes part, financial aspects, diplomatic solutions used and the protection of classified information. It has been elaborated the juridical frame, compatible with NATO's standards, in the domain of classified secret information. Through the Government's Enactment (no. 4/2004, law no. 77/2004) it is allowed the extension of NATO's communication and information system in Romania. The status of the personnel in the ALTHEA mission will be the same as the IFOR/SFOR one.

The European Council appeals to a periodic evaluation of the threats, which EU is confronting with. The interplay clause relieves that if one of the member states will be in the centre of a military aggression, the other member states are obliged to offer assistance (military assistance included). The clause singularizes, for the first time, the "military solidarity", which is specific to EU's states. The

EU can execute special missions for the fight against terrorism. EU's leaders have signed (29th of October 2004) "The New Constitution Treaty", a term of 2 years being accorded to each country to introduce the new Constitution.

In EU's Constitution, there are fitted institutions with specific attributions in the military, juridical or political domain, capable to interconnect to assure the security space.

Accordingly to article no. 188 align.1/ Romania's Constitution, the army is exclusively at the will of the people, in order to guaranty the sovereignty, the independence and the territorial integrity of a state.

The Superior Defence Council of Romania, which according to article no. 119, organizes and coordinates the defence activities of the country and the ones connected with international missions, will have to develop new attributions for an efficiently co-operation with the new European institutions (The Security and Politic Committee and The European Agency of Armament, Research and Military Capabilities). This European agency has as a main mission the identification of the military objectives for the states that are EU members and evaluate the orderliness of the agreements signed by the EU's states. The European juridical space assures the protection of human rights, the economic development in Romania and its needs of security and territorial integrity. The EU, according to its Constitution, leads an external politic based on the development of reciprocal solidarity of the states and the identification of the main problems in Europe. The EU respects the obligations that come from North-Atlantic Treaty Alliance for the member states. In order to apply the security politics and common defence, the member states offer civil and military capacities to contribute to the achievement of EU's objectives.

The member states are obliged to develop their military capabilities.

Romania will have to identify the operational necessities, to advance the needed measures and to contribute at the aggrandizement of the industrial and technological base in the defence sector. EU mobilizes all its resources for preventing terrorist threats on the territory of its states.

The management of crisis, in the national security domain, takes new values according to the necessities of NATO and EU.

The Romanian military legislation must be-



come dynamic and capable to respond at the exactingness of NATO and EU policies.

Romania ratified the Status of the International Penal Court (Rome 1997, law no. 111/2002). In article no. 33, paragraph 1, it is specified that “a person who committed a war crime (which is an attribute of The International Penal Court), by the order of a superior, is not absolved from the penal responsibility.

The Romanian army must elaborate new strategies, a new set of measures for preventing acts or actions, which can cause problems to the national security in the European and NATO context. The elaboration of a military law system must coincide with the exactingness of NATO and UE Romania’s adherence in NATO, in 2004, represents a guaranty for the national security and allows the access at the decision taking process in the context of Euro-Atlantic security.

It was realized a restructuring of Romanian armed forces and a technological endowment capable to assure interoperability with the military alliance structures.

Romania’s objective of adhering at NATO’s structures was realized and will represent a very important card in the EU integration process. The reform of the national military system can’t be completed without an essential transformation in

all its components. The Resurvey of the Romanian Constitution, in 2003, for the harmonization with the EU members, has followed to make compatible the main Romanian values with the similar European institutions. In this way, the alignment no. 13/article 23, Constitution, reveals: “the individual liberty sanction can be only of penal nature”. This text is in consonance with the European Convention for the protection of fundamental human rights (Rome, 1950).

After law no. 343/2004 was adopted, which approved to retract the continence shown by Romania in article no. 5 from the “Defence of Human Rights and Fundamental Liberties Convention”, it has been eliminated the disciplinary punishment with arrest for the Romanian soldiers. It must be noted, in case of a war or an internal/international crisis, the necessity of correlating the military actions with the potential and needs of the civil population, through the aid of public authorities.

There will be analyzed the requirements revealed by the Constitution text for the furtherance of national interests, the ones which come from the quality of a NATO member, as well as the ones of military nature in the perspective European integration.

Colonel lecturer Constantin IORDACHE, PhD, is the Chief of Commission of Public Law from the Security and National Defence Chair, National Defence University. In 2003 he graduated the International Humanitarian Law Course - San Remo, Italy. He has published several books, courses and articles in specialised magazines and bulletins.



WIDER EUROPE, EUROPEAN NEIGHBOURING POLICY AND THE COMMON SPACE OF EXTERNAL SECURITY

Paul DUȚĂ, PhD

The study is focused on the issues of the concepts of Wider Europe, European Neighbouring Policy and the Common Space of External Security. It is analysed of the ENP implications for neighbouring countries of UE. After a short presentation of European standards, it is identified the influences of ENP on legal instruments and on the EU institutions, after that is presented the purpose of ENP. It is analysed the impact of ENP for the main groups of neighbouring countries and what they must do it. The new reality after enlargement asks to do one short comparison between integration process of Central and Eastern European countries and ENP. There are few questions linked by ENP but without offering the answers because it was not in the intention of the author to do that. But, the answer of these questions will decide the further success of ENP. The study includes the few considerations regarding the absence of membership EU perspective for neighbouring countries. The last part of the study is a synthetic analyse of the Common Space of External Security.

According to the main document of ENP, the key co-operation objectives¹ to be addressed are broadly valid for all: *promoting sustainable economic and social development in the border areas², working together to address common challenges, in fields such as environment, public health, and the prevention of and fight against organised crime, ensuring efficient and secure borders³.*

“The privileged relationship with neighbours covered by the ENP will be based on joint ownership. It will build on commitments to common values, including democracy, the rule of law, good governance and respect for human rights, and to the principles of market economy, free trade and sustainable development, as well

as poverty reduction. Consistent commitments will also be sought on certain essential concerns of the EU’s external action including the fight against terrorism, non-proliferation of weapons of mass destruction and efforts towards the peaceful resolution of regional conflicts as well as cooperation in justice and home affairs matters”⁴.

Our option is organise the study on the conclusion of General Assembly for External Relations⁵. In addition, after a short presentation of European standards and EU actions of ENP, it is identified the influences of ENP on legal instruments and on the EU institutions, after that is presented the purpose of ENP - stability and normality and few final considerations regarding the absence of membership EU perspective.

EU standard

Common values. The communication on “Wider Europe”⁶, call for greater prominence to be given to human rights, democracy, good governance and the rule of law in the EU’s relations with its Mediterranean partners, and made a number of concrete proposals to this end. These covered in particular systematic discussion of human rights and democracy in all contacts between the EU and the partners with a view to promoting a structural approach to progress; closer linkage of MEDA allocations to progress in these fields; setting up joint working groups of officials between the EU and the partners; encouraging the signature, ratification and implementation of relevant international instruments; and recognition of the role of civil society.

The EU’s new European Neighbourhood Policy (ENP) – launched to coincide with eastward enlargement – does not provide sufficiently strong incentives⁷. The stated aim of the ENP is to promote “prosperity and stability in Europe” by creating a “ring of friends” around the EU’s external border⁸.



The basic idea is this: the EU offers its neighbours better access to its \$10 trillion internal market and stronger bilateral political ties⁹. In return, the EU demands that the neighbouring countries implement political and economic reforms. Concrete reform steps are to be spelled out in “action plans” that each country would draw up together with the EU¹⁰.

Promotion of democracy. The situation in the Mediterranean region with regard to respect for human rights and democracy continues to give cause for concern. With the exception of Cyprus and Malta, none of the Mediterranean partners has an entirely satisfactory record in this respect. While the situation varies from one partner to another, in some of them matters have actually deteriorated since the Ministerial meeting in Marseilles. The EU has expressed its concern to individual partners on matters such as arrests and imprisonment without due process, unsatisfactory treatment of prisoners, failure to control violence by extremist groups, extra-judicial killings by the authorities, application of the death penalty, restrictions on freedom of expression and association as well as issues relating to the rule of law and gender¹¹.

A cogent aspect of the country reports on Ukraine, Moldova, Morocco, Tunisia, Jordan, and Israel was the standard framework for assessing first these countries’ records in terms of democracy, the rule of law and human rights, and then economic performance and aptness to integrate with the EU single market. The correct distinction was made in the strategy paper between the European countries that have taken on the far-reaching obligations of Council of Europe and the Mediterranean states that have only subscribed to the weaker UN conventions on human rights.

The rule of law. A predictable legal environment, with an objective, reliable and independent judiciary, is an essential factor for democratisation, good governance and human rights. The protection of human rights requires a legal system capable of fulfilling certain fundamental requirements:

- Government should exercise its powers in accordance with the law:

- There should be an independent court system:

- The system should have full constitutional rights to investigate and supervise the exercise and administrative powers.

Equality before the law implies equal

opportunity for all to seek redress in the courts and equality of treatment whatever their social status have. Together, these factors constitute the rule of law.

This requires the creation of honest law enforcement agencies that effectively carry out court decisions and a court administration that ensures that cases are dealt with expeditiously and at reasonable cost to the plaintiff. Apart from the injustice and inequity involved, inefficiencies in the legal system, such as lack of predictability, delays in handling court cases and lack of enforcement of law decision, increase business costs, discourage investors and obstruct development.

Legal system may not improve without significant demand from within. Effective improvements are closely related to other elements of participation, democracy and good governance¹².

The EU and its Mediterranean partners have an impressive array of instruments at their disposal to allow them to pursue their shared, core objectives of promotion of the rule of law, democratisation and the respect of Human Rights and fundamental freedoms.

It has identified ten areas where these existing instruments can be more effectively put to use¹³:

- A deeper and more operational focus for political dialogue on human rights and democratisation at all levels with MEDA partners;

- Upgrading of shared knowledge and expertise on human rights and democratisation issues in the region;

- Better coordination between Commission Delegations and Member States’ Embassies on human rights and democratisation issues and related cooperation;

- Regular contacts between Commission Delegations and civil society, in close coordination with EU Member State’s Embassies;

- The development of MEDA National Action Plans on Human Rights and democracy with those partners willing to engage in such an exercise;

- The establishment of Regional Action Plans on Human Rights and democracy issues with MEDA partners willing to develop further cooperation on concrete issues;

- Increased attention to Human Rights and democratisation issues in the Commission’s Country Strategy Papers and greater account taken of progress made in these areas in the National Indicative Programmes, including through a



special additional facility;

- Improved focus on Human Rights and democratisation issues in the Commission's Regional Strategy and Regional Indicative Programme;

- Enhanced complementarity between the MEDA programme and the European Initiative for Democracy and Human Rights;

- enhanced efforts at all levels in the area of improvement of electoral frameworks.

Good governance. The concept of "governance" is complex. The term is used in accordance with a World Bank definition, to denote use of political authority and exercise of control in a society in relation to the management of its resources for social and economic development. This broad definition encompasses the role of public authorities in establishing the environment in which economic operators function and in determining the distribution of benefits as well as the nature of the relationship between the ruler and the ruled.

It is often useful to distinguish between three aspects of governance:

- The form of political regime;
- The processes by which authority is exercised in the management of a country's economic and social resources;
- The capacity of government to formulate and implement policies and discharge government functions¹⁴.

Good governance and the promotion of democracy have been identified by the international community, including the European Union, as critical factors in reaching the Millennium Development Goals¹⁵. EC policy on governance, institutional capacity building and the rule of law has been addressed in a recent Communication on Governance and Development. The approach is a practical one and focuses on different types of situations, i.e. difficult partnerships, post-conflict situations and effective partnerships¹⁶.

While continuing to target its support to 'good performers' as a means of increasing aid effectiveness, the EC also takes the policy line that the populations in less performing countries should not pay the price for bad leaders. For reasons of solidarity, security, and long-term aid effectiveness, and instead of totally withdrawing from these countries, the Communication proposes to find alternative entry points and approaches to co-operation.

In order to succeed in involving citizens in building the future institutions and policies, the civil society has to be co-opted (from NGOs to trade unions and professional associations or religious communities). The civil society regards even greatly Europe as a favourable framework for changing political orientations and society, granting a real possibility to enlarge the debate on Europe's role.

Taking into account the fact that a more efficient involvement means a greater responsibility, the civil society has to follow the principles of good governance, which covers accountability and openness¹⁷.

The rules of law, sector management, controlling corruption and reducing excessive military expenditures are important dimensions of governance.

Respect for human rights. The Barcelona Declaration of 28th November 1995¹⁸, which initiated the Euro-Mediterranean partnership, is underpinned by the principles of representative democracy, human rights and fundamental freedoms.

The Common strategy of the EU on the Mediterranean Region adopted by the European Council at Santa Maria da Feira in June 2000¹⁹ reaffirms these principles.

The Nice Charter on Fundamental Rights of December 2000 establishes that the Union is founded on the principles of freedom, democracy, rule of law and respect of human rights and fundamental freedoms²⁰.

Human rights and fundamental freedoms form an integral and essential part of the framework governing relations between the European Union and its Mediterranean partners, both within the regional context of the Barcelona process/Euro-Mediterranean partnership, and through the bilateral Association Agreements concluded or under negotiation with all the Mediterranean partner countries.

It proposes 10 concrete recommendations to improve the dialogue between the EU and its Mediterranean partners, as well as EU financial co-operation on Human Rights issues. Its implementation will be enhanced by three levels of complementarity:

- Between the political dialogue and financial assistance;
- Between the MEDA programme and assistance



under the European Initiative for Democracy;

- Human Rights (EIDHR), and finally between the national and regional dimensions.

The targets Mediterranean countries are those Barcelona partners that are not acceding countries or candidates for EU accession, that is: Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, Syria, Tunisia and the Palestinian Authority.

Generally speaking, the implementation of human rights standards in the region falls short of compliance with international norms. Promotion of democracy and Human Rights is complicated by the fact that religious extremism has emerged as a powerful political alternative. A tension between internal security concerns and the promotion and protection of Human Rights can result in negative consequences in human rights terms, particularly apparent under the umbrella of the “war on terror” in the wake of September 11th 2001. Freedoms of expression and association are frequently curtailed, mainly by resorting to emergency legislation. Human Rights defenders and NGO’s practising advocacy in the human rights field face legal and administrative constraints are frequently marginalised and sometimes repressed²¹.

The principles of market economy - free trade.

One of the ENP’s fundamental goals is to extend the Internal Market to neighbour countries to offer incentives to achieve macroeconomic stability and structural reform²². The Internal Market is a well-trying framework, as countries with access to the Internal Market have seen economic benefits. Other value-added include financial and technical assistance from the EU, monitoring (through progress reports), peer pressure effects (political pressure may be exerted by fellow neighbour countries if one country seems to be “falling behind”), and, of course, closer economic relations with the EU. All of these “soft” incentives will encourage economic growth either directly or indirectly²³. The most positive economic effects of the integration of Europe with its neighbours will be a result of enhanced trade preferences, increased financial assistance to neighbouring countries as of 2007, development of interconnected infrastructure (particularly energy and transportation). For the countries that have no hope of joining for many years, the EU is offering greater aid and trade access, as well as association and partnership agreements of various kinds. Another positive economic effect will be the extension of the EU Internal

Market to neighbouring countries (non-European countries that tend to have less infrastructure, lower per capita GDP, and to be in a different stage of economic development) to develop the considerable potential for economic gains, especially for the poorest neighbour countries. Neighbour countries will see an increase in their share of trade, i.e. exports plus imports as a percentage of GDP. A decrease in the barriers that prevent the movement of capital and labour will result in an increase in factor movement between neighbour countries and the EU. Trade specialisation will occur; countries will produce and export goods and services in which they possess a comparative advantage. Consequently, production will become less diversified in neighbour countries. The deepening of cyclical synchronisation is likely to happen as well. The European economy will encourage growth in neighbour countries when it is in a business cycle upswing, but decelerate growth when Europe slows. Finally, the so-called “policy anchor” will provide incentives for governments to adopt more responsible economic policies and, in turn, encourage economic growth. These changes in the economic playing field are likely to impact the “four freedoms of markets”: freedom to trade goods, services, capital and labour.

Decreased trade barriers for industrial goods will have significant positive welfare gains for the eastern neighbour countries, while, in the Mediterranean countries, where they have enjoyed about 25 years of free trade access to EU markets, the gains will be less pronounced. However, a decrease in non-tariff barriers, such as regulatory barriers, will benefit eastern and southern countries. Regarding benefits from agricultural trade, it must take a longer-term view, as EU protection in this sector remains relatively high. However, as the agricultural sector significantly contributes to most neighbour countries’ GDP, even a modest degree of opening to EU markets may lead to an increase in exports and, therefore, an increase in GDP²⁴.

Trade in services also seems to be a promising source of economic growth, as services now make up approximately 50% of GDP for many small countries. However, services are traditionally considered to be difficult to trade. Yet as this is changing with technological advancement, over time the trade of services could offer growth potential. One caveat is that the high value-added services, such as financial services, are notoriously



difficult to trade due to significant industry regulations.

The most risky of the four freedoms is *openness to capital*. Appealing to economic theory as well as worries about macroeconomic stability, the authors argue against the premature opening of capital movements. However, the gradual implementation of the ENP can significantly reduce the risk of market instability.

Finally, the prospects regarding *labour mobility* are unclear. Increased long-term labour flexibility does yield positive implications with respect to labour market differences, immigration, and an ageing EU population. However, the language in the Commission Communication is cautious²⁵.

Sustainable development and poverty reduction. The neighbour countries are generally lower-middle income countries, starting from a relatively strong macroeconomic position. All countries experienced positive real GDP growth rates and most achieved moderate inflation and improved public finances. On the external side, most have sound current account positions and high levels of foreign currency reserves. High unemployment rates, however, present one persistent macroeconomic weakness. Regarding structural reform, there is a significant gap between EU and neighbour countries and, thus, the potential for structural reform seems considerable.

The ENP' influences of on legal instruments and on the EU institutions

The Union's institutions and policies still reflect the past rather than the future. The EU needs new mechanisms to accommodate flexibility and differentiated integration, without creating a permanent two-tier membership²⁶.

If the candidate countries are in an asymmetrical relationship which gives the EU more coercive routes of influence in domestic policy-making processes²⁷, how could be defined in the coercive way, the relations EU – neighbouring countries without the perspective of accession?

It is not in our intention to answer to all the questions linked by ENP, there are many issues; the most important could be:

- The interaction between the ENP and other legal instruments governing EU relations with the neighbourhood states;

- The approach taken towards the membership aspirations of (some of) the states concerned²⁸;

Moldova²⁹ and Ukraine have been strongly opposing the idea of ENP agreements, as they aim at signing agreements that would recognise their aspirations to become EU members, and these agreements should be modelled on EU's contractual links with Central and East European countries in the '90s (Europe Agreements) or with the countries of the Western Balkans (Stabilisation and Association Agreements).

- An important principle of differentiation has been adopted. Policies are to be tailored to meet country-specific needs and capacities. This is evidenced in "Action Plans", the most concrete instrument for ENP implementation.

- The EU's policy of conditionality;

- The Union's developing security policy towards and within the region.

- Whether the envisaged structures will work in the absence of membership as a target?

- To ensure that what is intended to be a unifying and reinforcing process does not instead merely add to the multiplicity of initiatives already in place?

- The enhanced use of conditionality; a highly structured form of conditionality; might be applied more widely:

- The concept of linking different levels of conditionality to different aspects of relations with the EU (e.g. autonomous trade preferences, financial assistance, contractual relations);

- Establishing a number of general conditions for all applicable countries together with country-specific conditions.

- The enhanced use of conditionality in the ENP raises the same kinds of question as have been raised in relation to its use in the accession context: the moving target problem, the double standards problem, the measurement and consistency problems, for example³⁰.

In order to maximise this potential, policy-makers must pay special attention to the open policy issues.

- How can effective implementation be assured?

- What parts of the *acquis communautaire* are essential?

- What is the appropriate macroeconomic framework in which to set the policy?

- What should the sequencing of measures be?

Of course, for each neighbour country, there will be a different answer to these questions. Thus,



if there is one universal policy recommendation, it is to continue following the principle of differentiation.

Of course, integrating economies inherently involves the possibility of new risks. For the ENP, these risks include:

- Trade diversion (the NAFTA experience resulted in trade reorientation);
- Supply-side specialisation (leaving economies more vulnerable to negative shocks);
- Exporting and importing in different currencies (increased GDP volatility);
- To appear the “social risks” (such as inequitable growth);
- The most important risks stem from the fact that no one knows which policies are essential and which are superfluous. Overregulation would result in undue requirements on and bureaucratic procedures for neighbour countries. On the other hand, under regulation could have negative implications for the EU, such as unsafe products in their markets or unfair advantages for neighbouring countries.

The absence of membership perspective

*“Neighbourhood policy is distinct from enlargement. It neither prepares for enlargement, nor rules it out at some future point. For the time being the accession of these countries is not on our agenda”*³¹. If a country has reached this level (regarding the pre-accession processes), it has come as close to the EU as it is possible to be without being a member³².

For the Union, the main problem will be become how to exert the influence on its neighbours comparable to that exerted in the past decade on the Central and East Europe without offering the prospect of membership linked to strict “conditionality”. Belonging to Europe and joining to “EU-Europe” are distinct conditions and processes, which may overlap and coincide in term of policies and “identity” but which may have to remain separate in short term³³.

The EU and Russia are agreeing in principle to create several ‘common European policy spaces’, notably for economics, education and research, justice and home affairs and external security³⁴.

There is a plethora of multilateral organisations concerned with this or that element, including the

Council of Europe, OSCE, NATO, EBRD and several regional initiatives of direct interest to Russia³⁵ (for the Baltic, Barents and Black seas). The essential question is whether there could be a political will to invest more seriously in a Wider Europe of common multilateral institutions, based on common political values and ground rules³⁶.

The unwillingness of the EU to acknowledge Ukraine as a potential member of the Union is often interpreted as the result of anti-Ukrainian feelings³⁷ in the EU and dominates any discussion on the EU’s new European Neighbourhood Policy, in which Ukraine is one of the principal partners. Complaints about the absence of an EU membership prospect have been a prominent feature of the foreign policy debate in Ukraine ever since EU membership was declared a strategic goal of Ukrainian foreign policy in 1998. In the past, however, such statements were not followed by any significant changes in Ukrainian foreign policy. By contrast, such criticisms are now accompanied by measures that may appear to signal a change in Ukrainian foreign policy, distancing itself from its avowed ‘European choice’ and moving towards closer relations with Russia and the other countries in the Commonwealth of Independent States³⁸.

Moldova’s attitude towards its inclusion ENP has been less than enthusiastic. Since 1999 consecutive Moldavian governments have argue that Moldova is a Southeast European states that should be treated the same way as other countries from the region affected by internal conflicts³⁹.

Moldova’s intention is to insist on signing a Stabilisation and Association Agreement with EU in 2007-2008. The year of 2007-2008 will be important for Moldova’s relations with EU. Firstly, Romania will join the EU and consequently Moldova will become a direct neighbour of the EU, and eventually gain a strong supporter inside the Europe. Secondly, the Partnership and Co-operation Agreement that is the main document defining Moldova-EU relations expires in 2008.

It could be proposed three perspectives:

- The pragmatic approach of EU’ borders with the neighbouring countries.
- One invitation for neighbouring countries to do the political, economic and social transformations according to EU’ standard.
- The future framework of the relations with neighbouring countries.



The Common Space of External Security

The EU by its statutes recognises the eligibility of all European democracies to become member states⁴⁰, but, (the) “*neighbours who are engaged in violent conflict, weak states where organised crime flourishes, dysfunctional societies or exploding population growth on its borders all pose problems for Europe*”⁴¹. Yet it does not want to provoke more accession candidacies, since the task of digesting the move from 15 to 25 looks formidable. The EU is actually divided on the question of further enlargements, but the next real test case is going to be Turkey, not Ukraine. However the strategic messages are getting highly confusing⁴². The incentive effect of the new neighbourhood policy is seriously blunted by the refusal of the magic words ‘*perspective of EU membership*’ even in the long term.

The EU and Russia⁴³ share responsibility for an international order based on effective multilateralism, co-operate to strengthen the central role of the United Nations, the OSCE and Council of Europe, as well as regimes and treaties, which make an important contribution to a more just and secure world.

The field of co-operation and dialogue on the main issues: security and crisis management, terrorism, the proliferation of WMD, existing and potential regional and local conflicts, particularly in the regions adjacent to the EU and Russian borders.

The priority areas: Strengthened dialogue and co-operation on the international scene; fight

against terrorism; non-proliferation of weapons of mass destruction and their means of delivery, strengthening of export control regimes and disarmament; co-operation in crisis management; co-operation in the field of civil protection.

The aim is to promote security and stability based on international law and respect for democratic principles and human rights by: dialogue on political and security, strengthening of the international order based on effective multilateralism in support of the United Nations playing the central role, promoting conflict prevention and settlement through mutual result-oriented cooperation (on early warning, conflict prevention, crisis management actions and post-conflict rehabilitation), exchange of views on new initiatives and on possible use of instruments related to security and stability,

Another purpose of the Common Space of External Security is to prevent and combat terrorism in accordance with international law, in particular international human rights, refugee, and humanitarian law.

The practical co-operation on crisis management is focused to prepare the ground for joint initiatives in the settlement of regional conflicts, inter alia, in regions adjacent to EU and Russian borders. The EU and Russia co-operation have the following priority areas:

- Exchange of views at expert level on matters related to the EU’s and Russia’s procedures in response to crisis situations, including exchange of views on lessons learnt, in order to improve mutual understanding of respective procedures and concepts and to explore possibilities for joint approaches. This exchange of views could lead to the development of principles and modalities for joint approaches in crisis management;
- Conclusion of a standing framework on legal and financial aspects in order to facilitate possible co-operation in crisis management operations;
- Conclusion of an agreement on information protection;
- Experts’ exchange of views on specific areas like logistical aspects of crisis management operations, naval forces co-operation in the sphere of navigation and hydrography, underwater exploration with a view of ensuring navigation safety, hydrometeorology and early warning of disasters, co-operation of the EU Satellite Centre with Russia;



NATO AND EU: POLITICS, STRATEGIES, ACTIONS

Co-operation in the field of civil protection is focused to promote common ability to respond to disaster and emergencies, including in specific crisis management situations in the following priority areas: the use of relevant available capabilities, the civil protection and assistance in response to natural disasters and crisis situations in order, exchange of information on lessons learnt from terrorist attacks, mutual assistance in search and rescue operations for submarines, ships and aircraft in emergency situations.

NOTES:

1 See, Joe BORG, member of the European Commission, *Enlargement and the European Neighbourhood Policy, Friends of Europe*, "European Policy Summit on EU Enlargement", Brussels, 13 May 2004.

2 "There are proposed two principles of ENP – inclusivity with regard to the final objective and differentiation with regard to the peace and modalities to be adopted." See, Joe BORG, *op. cit.*

3 "Wider Europe – Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours" (hereafter "the Wider Europe Communication"), COM (2003) 104, 11 March 2003.

4 General Affairs and External Relations Council conclusions on European Neighbourhood Policy - 14 June 2004.

5 GAER Council conclusions on European Neighbourhood Policy - 14 June 2004.

6 "Wider Europe – Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours" (hereafter "the Wider Europe Communication"), COM(2003) 104, 11 March 2003.

7 "Belarus, Moldova and Ukraine are the most distant from Brussels in geographic as well as political, institutional and economic terms. Exclusion from EU membership could be permanent. Relations with the EU are governed by Partnership and Cooperation Agreements, which offer political dialogue and the prospect of a free trade area", Heather GRABBE, *The Implications of EU Enlargement*, Centre for European Reform, in „Developments in Central and Eastern European Politics 3”, edited by Stephen WHITE, Paul LEWIS and Judy BATT, Palgrave, 2003, p.5.

8 "There is - in spite of some positive signals which came from the Tampere European Council - still a distinctive risk that the development of the EU's regime in justice and home affairs continues to move towards a one-sided enforcement of its *acquis* on all its European partners and more and more exclusion of non-Member States and third country nationals". See, Jorg MONAR, *Justice and Home Affairs in a Wider Europe: The Dynamics of Inclusion and Exclusion*, Centre for European Politics and Institutions, Department of Politics, University of Leicester, University Road, Leicester LE1 7RH, UK ESRC 'One Europe or

Several?' Programme Working Paper 07/00.

9 "With the 2004 enlargement having only recently taken place, it is arguably too early to conclude whether the EU is suffering from enlargement fatigue. It is certainly too early to draw any firm conclusions about whether enlargement has caused the EU many indigestion pains. Similarly, the impact of the new member states' positions cannot yet be readily detected." See, Dr. David PHINNEMORE, 'And not forgetting the rest ...': EU(25) and the Changing Dynamics of EU Enlargement, European Consortium of Political Research – Standing Group on the European Union, 2nd Pan-European Conference on EU Politics: Implications of A Wider Europe: Politics, Institutions and Diversity, 24-26 June, 2004, Bologna, Italy, Panel 242: Accession Negotiations Paper 280.

10 *EU Common Strategy on Russia*, adopted by the European Council at Cologne, 4 June 1999; *EU Common Strategy on Ukraine*, adopted by the European Council at Helsinki, 11 December 1999; *EU Common Strategy on the Mediterranean Region*, adopted by the European Council at Feira, 19-20 June 2000. See, Katarzyna WOLCZUK, *Ukraine's European choice*, CER Policy Brief, October 2004; see, also, Heather GRABBE, 'How the EU should help its neighbours', CER Policy Brief, June 2004.

11 The Commission's Communications for the 4th Euro-Mediterranean Conferences of Ministers in Marseilles (15-16 November 2000), "Reinvigorating the Barcelona process" 6/09/00, COM (2000) 497 final and 5th Euro-Mediterranean Conferences of Ministers in Valencia (22-23 April 2002), Valencia Communication (SEC (2002) 159 final, 13/2/02).

12 *Participatory Development and Good Governance*, Development Co-operation, guidelines series, Organisation for Economic Co-operation and Development, 1995, p.16.

13 *Reinvigorating EU actions on Human Rights and democratisation with Mediterranean partners*, Strategic guidelines, Communication from the Commission to the Council and the European Parliament, Brussels, 21.05.2003 COM(2003) 294 final, p.19.

14 Development Co-operation, guidelines series, Organisation for Economic Co-operation and Development, *op. cit.*, 1995, p.15.

15 Commission Communication on Governance and development, COM (2003)615 final, para 3.

16 Annual Report 2004 on EC Development Policy and External Assistance, Communication from the Commission to the Council and the European Parliament, Brussels, 29.07.2004 COM(2004)536 final {SEC(2004)1027.p.8.

17 Vision of the Government of Romania on the Future of the European Union.

18 Human Rights and Democracy in the Barcelona Declaration (1995).

19 OJ L 183 of 22.7.2000.

20 *Reinvigorating EU actions on Human Rights and democratisation with Mediterranean partners*, Strategic guidelines, Communication from the Commission to



NATO AND EU: POLITICS, STRATEGIES, ACTIONS

the Council and the European Parliament, Brussels, 21.05.2003 COM(2003) 294 final.

21 Ibidem.

22 Joe BORG, *op. cit.*

23 Michaela DODINI, DG ECFIN, European Commission and Marco FANTINI, Desk Officer for Russia, Moldova and Belarus, DG ECFIN, European Commission, presented their new paper, *The European Neighbourhood Policy: Implications for Economic Growth and Stability* at a CEPS, September 2004.

24 Ibidem.

25 Ibidem.

26 Katinka BARYSCH, Heather GRABBE, *Who's ready for EU enlargement?*, Centre for European Reform, London, November 2002, pp.41-43.

27 See Heather GRABBE, Centre for European Reform, *Europeanisation Goes East: Power and Uncertainty in the EU Accession Process*, in K. FEATHERSTONE and C. RADAELLI (eds.) (2002), **The Politics of Europeanisation**, Oxford, Oxford University Press, pp.12-14.

28 "If the 100m people of the Baltic states, central Europe and the eastern Balkans represent the EU's first big enlargement, the 100m people of Turkey and the western Balkans should be seen as the second. A possible third - and in all probability final - phase would cover the countries between the present Union and Russia. (...) To aim for completion in 2014 would both allow ample time and underline the historical significance of the process. After all, it was with the events of June 1914 in Sarajevo that our continent entered that new Dark Age which did not end until 1989. Our task since then has been to bring together what had been taken apart and create the conditions for a renaissance of peace and prosperity". See Carl BILDT, *If Europe is to keep growing, it must think big*, Financial Times, 27 October 2004.

29 See, *Letter of Andrei Stratan to the Foreign Minister of Republic of Ireland Briand Cohen*, 2 June 2004, unpublished, apud. Nicu POPESCU, *EU's Moldavian Neighbouring*.

30 'Report on Political Dimensions of the Accession Criteria', No 1 in a Series of Workshops 'Assessing the Accession Criteria' (European Research Institute, the University of Birmingham, 30 November 2002). M.A. VACHUDOVA, *The Leverage of International Institutions on Democratizing States: the Eastern Europe and the European Union*, EUI Working Paper RSC No. 2001/33, IUE, Florence.

31 Commissioner VERHEUGEN, *The European Neighbourhood Policy*, Prime Ministerial Conference of

the Vilnius and Visegrad Democracies: "Towards a Wider Europe: the new agenda", Bratislava, 19 March 2004, SPEECH/04/141.

32 Romano PRODI, *A Wider Europe – A Proximity Policy as the key to stability*, speech to the Sixth ECSA-World Conference, Brussels, 5-6 December 2002, SPEECH/02/619.

33 Judy BATT, Dov LYNCH, Antonio MISSIROLI, Martin ORTEGA, Dimitrios TRIANTAPHYLLOU, *Partners and Neighbours: A CFSP for a Wider Europe*, EU Institute for Security Studies, Paris, Chaillot Papers No 64, September 2003.

34 See, Michael EMERSON, *The EU-Russia-US Triangle*, CEPS Policy Brief, No. 52/June 2004, Centre for European Policy Studies.

35 "Russian deputy foreign minister V.A. Chizhov, in a speech at a conference about the Wider Europe, goes on to criticise the EU's Wider Europe policy, which is seeking to deepen the EU's relationship with Ukraine and Moldova." Michael EMERSON, *ibidem*, p.11.

36 Ibidem.

37 "Ukraine is tired of waiting. No one, not even a petty bureaucrat, has said they want Ukraine in the EU. And I say to those who are in a hurry, if they asked me to join the EU today I would refuse.", Leonid KUCHMA, 30 September 2003.

38 See, Marius VAHL, *Is Ukraine turning away from Europe?*, CEPS Policy Brief, No. 57/October 2004, p.1.

39 See, Nicu POPESCU, *op. cit.*

40 William WALLACE, *Looking after the Neighbourhood: Responsibilities for the EU-25*, Policy Papers N°4, July 2003, p.27.

41 See, Javier SOLANA, *A Secure Europe in a Better World*, S0138/03.

42 "The experiences of Bulgaria and Romania show that although the EU has maintained its commitment to enlargement and taken measures to promote their admission, the dynamics of their accession differ from those of the CEE(8)." See, Dr. David PHINNEMORE, *And not forgetting the rest ...': EU(25) and the Changing Dynamics of EU Enlargement*, European Consortium of Political Research – Standing Group on the European Union, 2nd Pan-European Conference on EU Politics: Implications of A Wider Europe: Politics, Institutions and Diversity, 24-26 June, 2004, Bologna, Italy, Panel 242: Accession Negotiations Paper 280, p.18.

43 The 15th EU-Russia Summit under the Partnership and Cooperation Agreement, *Road Map for the Common Space of External Security*, 10 May 2005, Moscow.

Paul DUȚĂ, PhD, is a senior researcher with Romanian Institute of International Affairs. The main books: *The Military Action on the Threshold of the Millennium*, (Military House: Bucharest, 2000), *Legitimacy of Military Operations Other Than War*, (Military House: Bucharest, 2000), *International Military Operations throughout the African Territory*, vol. I and vol. II (Military House: Bucharest, 2000), *The "United Nations Military Operations throughout Middle East"* (forthcoming). Awards of Chief of Staff, Ministry of Defense, Romania, book award 2002 for *The Inter-Millennial Military Actions*. Awards of Chief of Staff, Ministry of Defense, Romania, book award 2002 *The Lawfulness of Non-War Military Action*.



EUROPEAN CONSTITUTION RATIFICATION IMPACT OVER ROMANIAN INTEGRATION IN THE EU STRUCTURES

Mirela ATANASIU

In order to become a member state of the European Union, Romania must fulfil the Copenhagen accession criteria and align itself with the EU legislation and policies the so-called "Community acquis".

The accession negotiations established the conditions under which the Community acquis is applied in Romania, before and after accession (along the transition periods agreed during negotiations – that is temporary exceptions from the application of a specific requirement of European legislation) and the way in which Romania will participate in the institutions and the budget of the Union.

The tendencies came after the France and Netherlands referendums finalized with their negative vote regarding the Constitution ratifying rised the number of doubts of the EU member states about the Constitution's prescriptions. The citizens of the wealthier countries begin to contradict their state policies which promoted till now the new European Constitution.

The EU's adhering is meant to ensure the juridical and political premises which can bring back Romania in the great European civilization and culture concert after the unfair excluding from Europe suffered in the communist period.

Romania always had an real European vocation, not just through the geographic position and economic insertion but, especially, through its respected and promoted values, politic and cultural action, solidarity manifested for the European 'world' pattern all over its everlasting history.

The Romanian Europeanism is a structural one, profoundly axiological, although it wasn't declared in an emphatic and conjectural way. It always got out from attitudes, actions, concrete and permanent contributions to the big flow of European culture and civilization.

1. Treaty ratification for establishing European Constitution

At the 29th October 2004, the Chiefs of States and Governments of the 25th member states and of the three candidate countries signed the Treaty of establishing a Constitution for Europe which was adopted unanimously at 18th of June in the same year. This treaty could be activated just in the moment when was adopted by all the signatory countries suitable for every constitutional procedures called Treaty ratification by all the member states. After the legal and historic traditions, the used procedures in this scope in every state differ and can include the following methods:

- The parliamentary one, where the text is adopted in accordance with the Parliamentary Chambers pole of that state;
- The referendum, where the Treaty's text is submitted directly to citizen's pole.

There can be variants or combinations of these methods for every state and other requests, when the Treaty ratification made necessary a certain adjustment to the respective national Constitution owed to its content. In the same time with the Treaty ratification and the action made officially public by the signatory states this can enter in its vigour and became active, by all means, at 1st of November.

The present situation of European Constitution ratification:

- a) Countries that already have ratified it: **Lithuania** (11th of November 2004), **Latvia** (2nd of June 2005), **Belgium** (19th of May 2005), **Germany** (27th of May 2005), **Slovakia** (11th of May 2005), **Austria** (25th of May 2005), **Hungary** (20th of December 2004), **Slovenia** (1st of February 2005), **Italy** (6th of April 2005), **Spain** (18th of May 2005), **Greece** (19th of April 2005).



b) Countries that voted 'no': **France** (29th of May 2005 – referendum, 54,8% - No), **Holland** (1st of June 2005 – referendum, 61,7%, it follows the Parliament's vote in the both Chambers).

c) Countries that still didn't vote: **Finland** (proposal for ratification will be handed to the Parliament in the autumn of 2005, it will be took a decision in the end at the beginning of 2006), **Sweden** (December 2005, through parliamentary vote), **Estonia** (it wasn't established yet but they rather want a parliamentary vote that a referendum), **Denmark** (27th of September 2005 – referendum), **Ireland** (parliamentary vote followed by referendum in October-November 2005), **Great Britain** (ratification is expected at the half of 2006 through two phases the parliamentary vote in the both parliamentary vote and referendum), **Portugal** (October 2005, referendum organized in the same time with local elections), **Poland** (9th of October 2005, probably a referendum in the same time with the presidential elections), **Czech Republic** (June 2006 - referendum, possibly in the same time with the national elections), **Cyprus** (30th of July 2005 – vote in the Parliament); **Luxembourg** (the first Chamber's vote will be at the middle of June, referendum by 10th of July 2005 and than the second Chamber's vote), **Malta** (Parliament's vote expected in July 2005).

2. The implications of the negative pole in France and Holland over the European Constitution

According to the polls from the vote's result, in France, European Union founder member rejected with 55% the project over the European Constitution Treaty. In his speech, president Jacques Chirac asserted that he accepted the sovereign decision of the French people, but France will honour the future European engagements. President Chirac sustains that from the referendum, in fact, French people will express their dissatisfaction against the actual government and a decision over the govern fate will be taken in the next days.

Jean-Claude Juncker, the prime-minister of Luxembourg that has the European Union semester presidency said that, despite France rejection, the constitutional project ratification must continue in the other European Union countries. Meantime, the European Commission president, Manuel Durao Barroso, underlined that, although the vote

result shows that EU is confronting 'hard times', he is convinced that the Europeans will get over the moment.

The Dutch citizens as the French ones chose to say 'no' to the Constitutional Treaty ratification. We should respect their choice.

In the united declaration, from 2nd of June 2005, the European Parliament's president - Josep Borrell Fontelles, the European Council's president - Jean-Claude Juncker and the European Commission's president - José Manuel Barroso, after the results from the Holland referendum over the European Constitution establishing Treaty declared: „*We remain convinced that this European Constitution will make European Union more democratic, more effective and more powerful and the member state citizen's must express over the Treaty's project*”.

European Union Presidency decided that on 16-17 June 2005, European Council will realize a collective analysis of the situation.

The Vice-President of the European Commission and Commissioner for Institutional Relations and Communication, Margot Wallström, declared: „*I met some of the people that said 'no' at the referendum but whom believe in European integration. They don't think that the Constitution is the solution but they want that the European integration to continue and believe in the European project ... is necessary a better communication with the citizens*”.

The main sensible points for the French and Dutch people denied the Constitution are the ones referring to their fears regarding the immigration phenomena, workers from the Eastern Europe cheaper who can compete theirs, investment's movement from their states to other that offer the investors more opportunities for business and even the help that they must offer to the newly member states for consolidating their economy.

3. The implications of the negative pole in France and Holland over the Romanian integration

Granting the European Parliament's conform agreement for the adhering Treaty of Romanian to the European Union, at 13th of April 2005, and signing this, at 25th of April 2005, by the states member governs represented a clear signal of European Union's and its member states interest and wish for finalizing the programmed extension



NATO AND EU: POLITICS, STRATEGIES, ACTIONS

for 'the twelve ones' (from whom ten already adhered at 1st of May 2004) with Romania and Bulgaria.

Treaty signing signifies the possibility, from a political and juridical point of view, of the full rights Romanian affiliation to the European Union according to the adhering agreed calendar – 1st of January 2007. But, for all these to happen, there are necessary two very important things:

a) *Punctual accomplishment, at requested terms and standards of the Romania assumed engagements in the adhering negotiation process;*

b) *Adhering Treaty ratification by all the member states regarding the assumed engagements' accomplishment.*

In the same time with the Treaty signing Romania got the observer statute in the European Union Council and in the workgroups and European Commission committees. Active observer status permits Romania to be involved in the taking decision process in the European Union but without the right to vote that belongs to the fully member states. Negotiations engagements' accomplishing is closely monitored by the European Commission in cooperation with the Romanian government. A comprehensive report will be realized by the European Commission this autumn.

After the accession, Romania will benefit by a transition period to solve out few specific issues established in eight chapters: Free Movement of Services, Free Movement of Capital, Competition Politics, Agriculture, Transport Politics, Taxes, Energy and Environment. But, until then, we have a hard way to pass through, that is possible to become harder because of the funds reduction owed to France and Holland votes over the Constitution, who probably will reduce or stop their contributions for the accession countries.

4. Conclusions

Constitution's failure already released requests for freezing the extension process, which will be amplified probably by the electoral campaign from Germany. There is a risk that Romania and Bulgaria will be the first victims of this crisis especially if

important belated in the adhering preparations are noticed.

Jonathan Scheele, Chief of European Commission delegation at Bucharest mentioned the fields that have the risk activation the clause of postponing Romania's adhering to the European Union if we don't make sustained efforts to solve those problems. For this fields reminded, Mr. Scheele will send Romania warning letters: "These covers fields as right for intellectual property, rules for the public acquisition, state supports and competition, corruption fighting, environment and frontier control, a field where must be applied a big volume of laws from the European Union legislation".

Mr. Gerhardt Schroeder considers that it isn't convenient the EU's extension decision and adhering negotiations reanalyzing in Romania's and Bulgaria's situations.

„There are voices whom believe that must be discussed the adopted decision regarding Romania and Bulgaria or the negotiations be reanalyzed. I'm a determined adversary of this idea”, declared the German chancellor.

European Commission didn't take any decision yet regarding Romania and Bulgaria because is expecting in first the discussions' result between the 25 representatives of the member states who have just received the monitoring charts.

On the all the Commission conclusion is positive appreciating that the both countries are on a good way regarding engagements' respect for all the majority chapters. This is the first phase of the monitoring process that will continue with annual reports publication in the autumn, when the Commission will decide if it should recommend or not the adhering postpone with one year.

BIBLIOGRAPHY:

1. www.mie.ro;
2. www.mae.ro;
3. www.europeana.ro;
4. www.ue.int;
5. www.cnn.co.uk;
6. www.arena.uio.no.

Mirela ATANASIU is a reference specialist within the Center for Defence and Security Strategic Studies.



ASYMMETRICAL WARFARE - OLD METHOD, NEW CONCERN

Vladi SOFRONIEV

The Cold War was distinguished by a clear dividing line between East and West. The Soviet threat and the American response to it created a bipolar world: two superpowers locked in a head-on confrontation, with many of the other countries joining the coalitions created by the two superpowers.

Today things have changed. The new millennium that started under the sign of globalization changed the world radically and made the environment we are living in totally different, new and unpredictable. With the fall of the Berlin wall, the scenario of easily defining the enemy collapsed. The globalizing world, free movement of people, goods and capitals, the values of liberal democracy result in new challenges. The threats to this new international system are no longer clear and one-dimensional, but multipolar and diffuse. They are expressed at different levels and display different degrees of intensity. There are now multiple, low-intensity threats and the consensus for dealing with them is much more difficult to achieve amongst the Western allies (respectively the new democracies in Eastern Europe).

September 11, 2001, train bombings in Madrid, Istanbul, Moscow theatre and the two plain crashes in Russia demonstrated the international terrorism is more and more spreading to all geographic regions and becomes a major threat.

This paper tries to analyze different opinions about this major contemporary threat and tries to list the preliminary measures and activities that should be taken in advance.

Definitions

Strategists define asymmetric warfare as conflict deviating from the norm, or an indirect approach to affect a counter-balancing of force. Such warfare is not new. Combatants throughout the ages have continually sought to negate or avoid the strength of the other, while applying one's own strength against another's weakness. Asymmetric warfare is best understood as a strategy, a tactic or a method of warfare and conflict. Because no group

or state can defeat NATO allies in conventional warfare, the western democracy adversaries are turning to asymmetric strategies. We must therefore understand asymmetric warfare, and be able to respond in kind.

However, military experts have been pointing out for years that resistance forces in places like Chechnya have been conducting a very different kind of war, in which defenders fight on their own terms, not those of the enemy – petrol bombs against tanks, for example. This has been given the name of **asymmetrical warfare** by counter-terrorism experts, a term that appears to date from the early 1990s. In it, a relatively small and lightly equipped force attacks points of weakness in an otherwise stronger opponent by unorthodox means. All guerrilla activity, especially urban terrorism, falls within this definition.

Asymmetrical warfare is a military term to describe warfare in which two belligerents are mismatched in their military capabilities or accustomed methods of engagements such that the militarily disadvantaged power must press its special advantages or effectively exploit its enemy's particular weaknesses if they are to have any hope of prevailing.

Another definition according to Metz and Jonson is that Asymmetric warfare is acting, thinking or organizing differently than the opponent in order to maximize one's own advantages or exploit an opponent's weakness, attain the initiative or gain greater freedom of action. It comes from one force deploying new capabilities that the opponent force does not perceive or understand. It is conventional capabilities that counter or overmatch the capabilities of its opponent, or capabilities that represent totally new methods of attack or defence or combination of these.

Though there are numerous examples of asymmetry in 20th century warfare, its use was not as pronounced between adversaries as it is today. Wars were primarily fought by nation-states with balanced, conventional fighting capabilities. When asymmetric methods were used, usually in the



form of manoeuvre or technological advantage, they had a dramatic effect.

Examples of Asymmetric Actions

Prominent examples of asymmetric actions that counterbalanced established forces are:

- The *Sturmtrupp* assault tactics that broke the trench-line and three-dimensional warfare as a result of the airplane during World War I;
- The Panzer *Blitzkrieg* through France in World War II;
- The *Strategic Defence Initiative* that helped end the nuclear arms race between the US and the Soviet Union;
- The attacks from 11th September 2001 of Al Qaeda against the US demonstrated that international terrorism could pose a strategic threat to international security.

The kind of asymmetric strategy and tactics seen in Vietnam War were termed guerrilla warfare. These asymmetric actions, however, did not produce the dramatic, day-to-day effects on operations that we have seen since the fall of the Berlin Wall, and especially, the attacks from 11th September 2001.

Reality of the Operational Environment

Today we see an ambiguous world, with people, groups and governments pursuing complex goals. The borders have blurred between governments and people, military and populace, public and private. New *fourth-generation warriors*, non-national and trans-national groups based on ideology, religion, tribe, culture, zealotry and illegal economic activities, have pushed many regions of the world into anarchy.

Russia is in disarray, with increased fighting within its Muslim states in the oil-rich Caspian Sea region. The Balkans, though somewhat stabilized, have enormous corruption problems with no real peace in sight. The counter-drug war in Colombia and Mexico has intensified. Israel, the Middle East, North Korea and Taiwan remain power kegs. The Islamic world has proven unable to adapt to modernization and globalization, and thus remains mired in stagnation, anomie, poverty and repression. This leads to frustration, resentment, anger and terrorism. But rather than changing the culture that cause the failure, radicals like those in Al Qaeda seek to bring down those who have succeeded in the globalizing world, particularly the United

States and western states. It is no coincidence that Al Qaeda targets the American and Western Europe economies, since its collapse would lessen the gap between the United States and the Islamic world and thus diminish the daily reminders that Islamic culture in its form cannot provide foundation for modern, powerful democratic states.

This dangerous environment, coupled with the increased use of military tools in maintaining the security balance in different regions in the world, has determined an expanding employment of asymmetry tactics to negate superior conventional strengths.

The Threat

Democratic cultures separate war and peace; most of our enemies today do not. Osama bin Laden and Al Qaeda in Afghanistan and Iraq, the “Army of Mohammed” in Yemen, Wahhabi Movement in Chechnya, Hamas in Israel, different dictatorial regimes, are but a few groups that threaten the civilised world and regional and global stability. Most of them are non-nation-state actors (terrorists, international and trans-national criminal organizations or insurgents). They have a completely different mindset, believing they are continuously at war and violence is a way of life. They know violence is an excellent tool against a democratic people worried about any threat to its way of life. Taking advantage of the information age, our adversaries are able to show atrocities, abuse and destruction on our television screens daily. These fourth-generation enemies have become very adept at using the asymmetric tactics of information warfare – launching cyber-attacks, using Internet as a mean of dissemination and promotion of their interests, and even as a command and control system, disrupting the commercial and military networks. They manipulate print and radio, distort images with perception management and background film clips on global television and disrupt the Internet. The *infosphere* has become a new battleground suited for asymmetric attack from across the globe. Serbia’s President Milosevic was an expert at using the media as a weapon deceiving and misinforming the international community. Al Qaeda does the same nowadays all over the world.

Saddam Hussein has convinced most of the Iraqi population, many of our Western allies, and the Arab world that the UN-US sanctions are directed



against the people, not his tyranny. For 10 years, through the use of asymmetric actions, he has tied up countless ships, troops and aircraft without reinstating sanctioned compliance inspections.

The Chinese have taken serious steps in their warfighting strategy for future conflicts. Not only have they steadily enhanced their conventional arsenal with high-tech innovation, but they have learned the pronounced effect asymmetric actions have had on the US and its allies over the last 10 years.

Adversary actions

The most used asymmetric actions are unrestricted warfare/terrorism (11th September 2001); shooting down airplanes/helicopters; attacking destroyers with fast boats (USS Cole); sapping domestic morale (Vietnam, Iraq, Chechnya) with casualties; creating refugees; bombing embassies and assassinating high-profile persons; urban warfare; targeting civilian infrastructure; use of media; hacking and economic attacks and supporting criminality.

Recent examples of asymmetric actions abound around the world. Riots planned by faction leaders, made up of coerced non-combatants and manipulated by gangster police were effective against NATO troops keeping the peace in Bosnia. Serbs were able to move special police troops and other thugs at will throughout Kosovo, destroying life and infrastructure, while NATO's unmatched air power was incapable of stopping them.

A group of Palestinians redirected British funds earmarked for education programs to further ideals of tolerance, mutual respect and peace, instead using the money to send children to guerrilla training schools and then put them on the streets of Israel to fight. This was a successful deception of the British government's generosity. One of the insurgent forces in Colombia has nationally threatened every Colombian millionaire and corporate CEO unless a tax is paid for protection. These insurgents have also leveraged the Colombian government into conceding a portion of the country to their control, separated by a recognised and accepted demilitarised zone.

Chechen rebels in Russia have demonstrated time after time the effectiveness of asymmetric action against conventional forces by capitalizing on local support, information warfare, terror, cutting critical supply lines and using urban areas

to render irrelevant the superiority of the Russian armoured forces.

Democratic expectation of a casualty-free, high-tech conflict is challenged, for example, by rogue-state impertinence, setbacks dealt by warlords of Mogadishu and terrorist attacks, such as those one on the USS Cole and embassies in Tanzania and Kenya. The civilised world has been forced to pull back in fear, changing its operational effectiveness around the world.

Targeting Vulnerabilities

Asymmetry of course is not new. Throughout history everybody has sought to exploit his strengths and the weaknesses of the opponents, and vice versa. Terrorism has always been asymmetric as it seeks our weaknesses in an unconventional manner. The asymmetric adversary avoids our strength and targets our vulnerabilities. And only by understanding the threats can we take steps to defeat it.

Here are some of its methods in terms of vulnerabilities and some of the means – all of each can be backed up by recent historical examples: means and vulnerabilities; interest based; will – one side takes risks, the other is restrained by legal or moral reasons; **time - patience/strategic thinking**; values – their values may be different, targeting civilians etc.; use of technology; organizational – **we are conservative and slow**.

Asymmetrical targeting of adversary moral and organizational domains, instead of the typical, predictable and standard approach against physical strength provides a faster and effective defeat.

The essence of asymmetry is about means and it rises when an attacker can do proportionately more harm to you, then the cost and risks it incurs.

Asymmetric Warfare and Terrorism – War by Proxy

Where asymmetric warfare is carried out (generally covertly) by allegedly non-governmental actors who are connected to or sympathetic to a particular nation's (the "state actor's") interest, it may be deemed *war by proxy*. This is typically done to give deniability to the state actor. The deniability can be important to keep the state actor from being tainted by the actions, to allow the state actor to negotiate in apparent good faith by claiming they are not responsible for the actions of parties who are merely sympathizers or to avoid being accused



of belligerent actions or war crimes.

An example of war by proxy was East Germany's covert support for the Red Army Faction (RAF) which was active from 1968 and carried out a succession of terrorist attacks in West Germany during the 1970s and to a lesser extent in the 1980s. After German reunification in 1990, it was discovered that the RAF had received financial and logistic support from the Stasi, the security and intelligence organization of East Germany.

The war between mujahadeen and the Red Army during Soviet invasion of Afghanistan was a classic asymmetric war. The aid given by US to the mujahadeen during the war was only covert at the tactical level; the Reagan Administration was only too pleased to be able to tell the world that it was helping the freedom loving people of Afghanistan. Of all the proxy wars fought by the USA against the USSR during the Cold War this was the most cost effective and politically successful, as it was the USSR's most humiliating military defeat, and that defeat was a contributing factor to the implosion of Soviet communism. Another example of war by proxy is the multi-national presence of Al Qaeda, accused of carrying out the September 11, 2001 attacks in the United States and many other terrorist attacks worldwide. The organization had been (and may still be) headquartered in Afghanistan, but apparently has members and operations in many countries.

The 21st Century Military Build-up

Asymmetric warfare has also had a direct influence on the modern countries' strategic build-up. Before the collapse of the Soviet Union, the leading military build-up strategy was mainly armoured army vs. army combats (composed primarily of armoured tanks and artillery) where the leading methodology was the western's quality vs. the eastern's quality. The collapse of the Soviet Union caused a paradigm shift in which the eastern countries couldn't rely on a strong supremacy to back them up. Today the strategic build-up in the West is mainly composed of strong high-tech military components (focused more on air superiority and advanced long-ranged weapons and less on tanks and APCs) while the East relies more on guerrilla tactics (small ground commando-

like units) and extending current existing military platforms instead of buying new ones.

The Response – What Can We Do?

The response to asymmetric actions has usually been to react with defensive, hunkering-down, panic decisions; or in some cases to retaliate ineffectively with air or cruise missile attacks, occasionally injuring non-combatants or with an opposite effect in the media.

Deception, psychological operations, cyberwar, disinformation 'soft war' are all non-kinetic ingredients in the toolbox of fourth-generation warriors, that should, in turn, be used against them. It must be understandable that relative strength is situational; it is based on time, speed, location and conditions. These intangibles are harder to define and offer strength in different circumstances. The side that is weaker in resources or complex command and control systems can balance that with superior cleverness, morale, offensive attitude, security, surprise, flexibility and organizational design that fit the task at hand. We must preempt enemy asymmetric actions by attacking the cohesion and flow of their operational cycle. An adversary must plan, gain support, move, stage, attack and regroup during any operation or in pursuit of a cause. We can cause him to fail anywhere along this process – optimally, prior to his attack phase. It's all a matter of gaining positional advantage, mentally or physically, over an opponent. Our adversaries have been very adept at gaining positional advantage with asymmetrical action against our moral and organizational domain and we can reverse this advantage by doing the same.

Asymmetrical targeting (deny, destroy, disrupt, degrade) of adversary morale and organizational domains, instead of our typical, predictable, standard, conventional approach against physical strength provides a faster, effective defeat. Indirectly preventing our enemy from gaining ascendancy over the local population, denying organizations the use of safe areas, disrupting cash-flow and other supplies, negating effective use of the media, exposing corruption, disgracing the leadership, breaking power relationships, will put adversaries on the defensive and force them off balance.

Major Vladi SOFRONIEV works for the Bulgarian General Staff.



UNE NOUVELLE VISION DE LA SÉCURITÉ EUROPÉENNE, EURO-ATLANTIQUE ET MONDIALE

Dr. Constantin-Gheorghe BALABAN

Les événements passés dans l'espace euro-atlantique pendant la dernière décennie du XXème siècle et le début du XXIème siècle ont eu pour effet la suppression du système de sécurité et la reconstruction d'un nouveau système de sécurité. Dans le cadre de cette nouvelle structure de sécurité, le danger d'un conflit militaire généralisé est disparu, mais d'autres risques et menaces à l'adresse de la sécurité sont apparus. Aux défis provoqués par le processus de la globalisation et par les tendances vers la régionalisation et la fragmentation – qui engendrent un large spectre de tensions et menaces – on doit riposter par de nouvelles formes de solidarité, qui préviennent et résolvent les crises sociales d'identité, l'instabilité politique de certaines zones, le trafic des drogues, des armes, des matériaux radioactifs et des êtres humains. En outre, sur le plan international, le monde traverse une situation sans précédent, étant profondément marqué des actions irrationnelles de certaines forces qui promouvaient le terrorisme comme moyen de division de la communauté internationale et d'affaiblissement de la stabilité mondiale, en général. Ces phénomènes et processus mènent à l'augmentation de la complexité de la relation entre les processus internes et externes de la sécurité nationale, ce qui complique davantage la voie vers l'identification des causes des évolutions négatives de la sécurité et des modalités de "traiter" celles-ci.

1. Le milieu de sécurité dans l'espace européen – opportunités, responsabilités, nouvelles provocations

Après la chute des régimes communistes de l'Europe Centrale et de l'Est, les conséquences dans le plan de la sécurité au niveau régional ont été profondes et positives et négatives, à la fois.

Par conséquent, le milieu de sécurité a été marqué de la chute du mur de Berlin et la

réunification de l'Allemagne, la désintégration de l'Union Soviétique et de la RSF de la Yougoslavie – processus qui ont déterminé des modifications profondes dans le plan de la reconfiguration du rapport des forces au niveau global et régional, l'apparition et la disparition de certains Etats, le nouveau dessin de quelques frontières etc. L'Europe est entrée, ainsi, en un nouvel âge. Mais, un âge marqué d'incertitude et d'instabilité, à cause de l'apparition et de la prolifération de nouveaux défis, risques et menaces en matière de sécurité, engendrés par la désintégration de l'ex-URSS et par son glacis central européen. La Guerre du Golfe et la guerre civile de la Yougoslavie ont anéanti l'état initial de "l'euphorie pacifiste" de la période ultérieure à la guerre froide. A la place de celui-ci, le monde a été confronté avec un nombre toujours plus grand de conflits, beaucoup d'eux imprévus – l'escalade de ceux-ci dépassant les estimations, en leur conférant une envergure "internationale". En plus, "les moyens de l'abord efficace" de ces conflits ont manqué.

Les organisations internationales existantes, en Europe pendant les années du conflit Est/Ouest qui ont contribué à la gestion de celui-ci sont, en général, des institutions qui réagissent. Et, elles ont été obligées soit de redéfinir leurs buts, objectifs et stratégies, soit de disparaître, par exemple, le Traité de Varsovie ou le CAER. La chute du Rideau de Fer est, implicitement, la chute de la division en deux de l'Europe ont posé le problème de délimiter la zone de responsabilité et d'action, tant des organisations et institutions internationales intergouvernementales européennes, qui ont survécu durant l'époque post-bipolaire que des autres organisations créées pendant la dernière décennie du XXème siècle. *La Communauté des Etats Indépendants* et d'autres organisations de l'Europe Centrale et de l'Est comme: *Le Groupe de Vichegrade, l'Organisation de Coopération Economique à la Mer Noire, le Conseil Baltique, l'Initiative de Coopération dans l'Europe du*



Sud-Ouest (SECI – projet destiné à encourager le dialogue et la coopération économique et commerciale de type “transfrontalier” et “sous-régional” et à faciliter l’intégration des pays de cette zone dans les structures européennes, apparu 1996 en automne)¹; *l’Initiative Central Européenne* (ICE)² etc.

Ainsi, les vieux organismes et organisations internationaux intergouvernementaux européens, qui ont résisté au tremblement géopolitique des années 1989, 1990 et 1991, comme: l’*OTAN* (pacte militaire entre les principaux Etats non communistes européens, les Etats Unis de l’Amérique et le Canada, créé en 1949, conformément à l’article 51 de la Charte ONU, pour la défense commune contre l’agression envers l’un des Etats membres)³, l’*Union de l’Europe Occidentale* (UEO – dont les prérogatives et attributions, y compris les représentants des Etats candidats à l’admission en UE, membres OTAN ou pas, ont été transférées à l’Union Européenne à la fin du mois de novembre 2000), l’Union Européenne, l’Organisation pour Sécurité et Coopération en Europe (OSCE – l’ex-Conférence sur la Sécurité et la Coopération en Europe, au début, un processus de consultation politique où participaient des pays de l’Europe, de l’Asie Centrale et de l’Amérique du Nord)⁴; le *Conseil de l’Europe* (la première organisation intergouvernementale européenne après la guerre, créée le 5 mai 1949, identifiée comme l’organisation qui promouvoit les droits et les libertés fondamentaux de l’homme) etc. – ont été contraints à s’engager rapidement dans le processus d’adaptation aux nouvelles exigences de la situation géopolitique et géostratégique de l’Europe. Et, d’une manière complémentaire à cet effort, est apparu le problème de la redistribution des tâches et des responsabilités, simultanément avec le perfectionnement de leurs mécanismes de fonctionnement – nécessité déterminée par les changements intervenus dans le milieu de sécurité. Or, les ajournements successifs dans la résolution de cette question, dans un milieu saturé d’arrangements et de cadres de coopération dans le domaine de la sécurité, ont mené à une indésirable concurrence inter-organisationnelle aux effets quelquefois néfastes pour la sécurité et la sûreté des Etats et des citoyens dans l’espace central et oriental européen⁵:

De même, après la fin de la Guerre Froide, on a espéré que l’Organisation des Nations Unies (ONU)

renaîtrait et assumerait, après des décennies de blocage dû eux vetos des superpuissances, d’une façon réelle, le rôle rêvé par ses fondateurs dans les activités visant le maintien de la paix et de la sécurité internationales – l’activité dans le milieu international de sécurité étant, aujourd’hui, plus périlleuse⁶ et plus prétentieuse que celle initiale, pour laquelle on a créé l’ONU. Notre monde est soumis toujours à d’autres nombreuses menaces, en dehors de la famine, des décalages économiques et des inégalités sociales⁷. La nécessité de rendre plus efficace l’activité de l’organisation et d’augmenter son rôle sur le plan international est, en présent, plus grand que jamais, afin de contribuer à la création d’un système plus cohérent et efficient de gestion des crises et des conflits, de prévention de la guerre dévastatrice⁸. D’autant plus, si l’on tient compte des transformations préconisées en Irak, de l’interaction ONU – organisations régionales dans la stabilisation post-conflit, dans les problèmes du Moyen Orient et de l’Afrique, de la Bosnie-Herzégovine, Kosovo, Géorgie-Abhasie, dans l’adaptation aux défis et aux opportunités du monde contemporain.

La prolifération des risques globaux impose des solutions de sécurité globale et de nouveaux types de solidarité internationale. Le problème est, simultanément, un problème intrinsèque au processus (visant la détection et la stimulation des tendances convergentes vers la sécurité globale) et un problème de projection institutionnelle (engager des institutions internationales existantes, éventuellement, articuler de nouvelles institutions en mesure d’assurer le support pratique de la sécurité globale). Les investigations de terrain permettent aux analystes⁹ quelques observations pertinentes et suggestives pour le futur. Une première observation serait celle conformément à laquelle le potentiel qui produit des solutions de sécurité globale des mécanismes institutionnels et des structures du système ONU a fait preuve, au moins, jusqu’à ce moment, de limites¹⁰. Et, une seconde observation – les structures régionales de sécurité et coopération, articulées en divers contextes, au cours des dernières décennies, soit ont diminué leur force d’action, soit se trouvent encore au début. En ce sens, nous pensons tant à l’OSCE – organisation pan-européenne à implication nord-américaine, qu’aux mécanismes de sécurité de l’UE, trouvées encore en phase de projection initiale et de premiers tests de terrain. Ignorant les

hésitations inhérentes au commencement, la force potentielle des structures régionales de sécurité, surtout en ce qui concerne l'UE, pourrait être significative.

2. De nouvelles modalités d'aborder les risques asymétriques et non-conventionnels. L'évaluation du défi

Les événements passés dans l'espace euro-atlantique pendant la dernière décennie du XX^{ème} siècle et le début du XXI^{ème} siècle ont eu pour effet la suppression du système de sécurité et la reconstruction d'un nouveau système de sécurité¹¹. Dans le cadre de cette nouvelle structure de sécurité, le danger d'un conflit militaire généralisé est disparu, mais d'autres risques et menaces à l'adresse de la sécurité sont apparus. Aux défis provoqués par le processus de la globalisation¹² et par les tendances vers la régionalisation et la fragmentation – qui engendrent un large spectre de tensions et menaces – on doit riposter par de nouvelles formes de solidarité, qui préviennent et résolvent les crises sociales d'identité, l'instabilité politique de certaines zones, le trafic des drogues, des armes, des matériaux radioactifs et des êtres humains. En outre, sur le plan international, le monde traverse une situation sans précédent, étant profondément marqué des actions irrationnelles de certaines forces qui promouvoient le terrorisme comme moyen de division de la communauté internationale et d'affaiblissement de la stabilité mondiale, en général¹³. Ces phénomènes et processus mènent à l'augmentation de la complexité de la relation entre les processus internes et externes de la sécurité nationale, ce qui complique davantage la voie vers l'identification des causes des évolutions négatives de la sécurité et des modalités de "traiter" celles-ci. Les menaces peuvent apparaître tant sur le plan interne que sur le plan externe et, en termes généraux, peuvent être décrites comme asymétriques et non-militaires. Elles se manifestent sous diverses formes: le terrorisme, les désastres, l'épuisement des ressources etc., au niveau global, régional et sous-régional. Les menaces actuelles témoignent davantage de la vulnérabilité des Etats¹⁴, ce qui impose, naturellement, un processus de repensée des concepts relatifs à la problématique de la sécurité et des démarches pratiques concernant la réalisation de ceux-ci.

Certainement, les menaces, les périls, les risques et les vulnérabilités peuvent être conscientisés, d'une façon différente, et leur définition, y compris celle de leurs incertitudes, est, tout d'abord, un problème de perception. Dans la littérature de spécialité, on se réfère de plus en plus au fait que les sensibilités engendrées par les problèmes historiques ouverts, le niveau de développement économique, le pouvoir militaire, les ambitions hégémoniques, les intérêts nationaux, l'appartenance à une alliance militaire fonctionnelle peuvent donner à la perception des sens différents ayant des nuances et particularités nationales ou de groupe¹⁵. On peut même affirmer que les menaces actuelles ne peuvent pas être saisies totalement, du fait que certaines d'elles, appréciées comme dominantes dans le cadre de la perception, pourraient être insignifiantes, en réalité. Or, ce point de vue rend nécessaire le fait de départager les menaces qui peuvent provoquer des dommages sérieux à la sécurité nationale de celles qui font partie de la famille quotidienne des incertitudes, propres aux compétitions économiques¹⁶.

Dans la vision de la Roumanie, les risques d'apparition d'une confrontation militaire traditionnelle sur le continent européen ont diminué significativement, bien que – comme l'on mentionne dans le *Livre Blanc de la Sécurité et de la Défense Nationales* – les phénomènes d'instabilité et de crise au niveau sous-régional et la tendance de fragmentation, marginalisation ou isolement de certains Etats persistent encore¹⁷. Les intérêts et les objectifs de sécurité des Etats européens ne produisent pas des états conflictuels et le milieu de sécurité subit une influence positive tant de la part des processus d'intégration européenne et euro-atlantique, que de l'extension de la communauté des Etats qui partagent et promouvoient les valeurs de la démocratie, de l'économie de marché et de l'approfondissement de la collaboration régionale¹⁸.

Les principaux facteurs de risque externes à l'adresse de la sécurité nationale de la Roumanie, les nouvelles provocations et vulnérabilités de la situation interne sont développées dans la *Stratégie de Sécurité Nationale de la Roumanie*, adoptée par le Parlement de la Roumanie par la Décision no. 36 du 18 décembre 2001 et, plus récemment, dans le *Livre Blanc de la Sécurité et Défense Nationales*.

Mais, on considère que la Roumanie devra administrer, de suite, une série de vulnérabilités produites par le processus de transition structurelle



interne – la réforme de la justice, le combat contre la corruption et la réforme de l'administration, l'intégration sociale, l'existence de quelques disparités économiques au niveau local etc., qui, comme le montre le document élaboré par le gouvernement roumain, "dans certaines circonstances, peuvent contribuer à l'augmentation de l'impact de ces sources de risque sur la sécurité nationale"¹⁹.

3. Une nouvelle vision de la sécurité. La sécurité individuelle et les nouvelles dimensions de la sécurité

C'est le pouvoir politique qui réalise la sécurité à tous les niveaux d'organisation sociale – individu, groupe, Etat, alliances; sécurité qui se manifestent dans tous les domaines de la vie sociale. En même temps, la sécurité doit accomplir plusieurs conditions: être une action de l'Etat déployée sur la base d'un système normatif; entrer dans la compétence des institutions; que le pouvoir politique soit légitime et que la suprématie de la loi prime; fonder les actions sur un système de valeurs acceptées par la société; respecter les droits de l'homme conformément aux règlements internationaux où l'Etat est partie; ne pas produire d'insécurité à d'autres entités.

Afin de projeter et réaliser la sécurité nationale, il est nécessaire d'identifier les facteurs du milieu de sécurité (politiques, économiques, sociaux, démographiques, militaires, écologistes etc.) qui provoquent les conflits, les violences ou la guerre, pour que les Etats soient prêts à répondre aux périls imminents de leur existence. Le cadre actuel et la dynamique des événements politiques et militaires mettent en évidence, clairement, que la sécurité et, implicitement, la défense, dépassent la sphère de responsabilité d'un seul pays, déterminant ainsi une plus grande implication des Etats démocratiques et des organismes internationaux spécialisés en leur protection et promotion. Il n'est plus limité à la défense purement militaire, mais comprend aussi les aspects non-militaires. Autrement dit, la définition du concept de sécurité a une nouvelle tendance – la dimension militaire de celui-ci perd son importance devant de nouvelles dimensions.

La menace militaire externe à l'adresse de l'intégrité de l'Etat national est remplacée, maintenant, par de nouvelles menaces non-conventionnelles, comme: le terrorisme, le trafic

des drogues et déchets nucléaires, les conflits ethniques – phénomène qui déterminera l'extension du concept de sécurité. D'autant plus que l'on y ajoute les sérieux problèmes économiques et les discordances sociales, les problèmes de milieu et les désastres humanitaires.

La sécurité nationale suppose, donc, objectivement, la considération, à côté de la dimension militaire, des autres dimensions, d'ordre économique, social, culturel, écologique, informationnel, psychologique etc., dont le poids ne cesse d'augmenter. Un état de choses conscientisé, d'une manière opportune, au niveau de l'OTAN, qui, le 8 novembre 1991, adoptait, déjà, une nouvelle conception stratégique – document par lequel on identifiait les nouveaux risques et provocations à l'adresse de la sécurité internationale. Le risque principal pour l'OTAN a été, non la menace d'une attaque simultanée, à grande échelle, sur ses fronts européens, comme autrefois, mais "les conséquences adverses de l'instabilité qui peut apparaître suite des difficultés économiques, sociales, politiques, des rivalités ethniques et des disputes territoriales"²⁰.

Barry Buzan – l'un des théoriciens importants de la période ultérieure à la guerre froide, qui ont essayé de remodeler le concept de sécurité – a identifié cinq domaines essentiels, où la sécurité est relevante pour les considérations de politique mondiale (la société, l'économie, la politique, le milieu et le domaine militaire) et a expliqué la signification de ces domaines. Ainsi, le domaine de la société se réfère aux relations d'identité collective; le domaine économique inclut les relations économiques, de production et les finances; le domaine politique comprend les relations d'autorité, de gouvernement et de reconnaissance; le domaine du milieu s'occupe de l'interaction entre l'activité humaine et la biosphère; le domaine militaire est fondé sur une relation de coercition. D'ailleurs, au niveau de l'ONU, dans un Rapport réalisé dans le cadre du Programme des Nations Unies pour Développement (Rapport concernant le Développement Humain)²¹, on identifiait sept dimensions de la sécurité internationale, existantes à tous les niveaux de revenu et développement nationaux: la sécurité économique, la sécurité de la nourriture; la sécurité du milieu; la sécurité personnelle; la sécurité de la communauté et la sécurité politique. Comme nouveauté, le Rapport expliquait le terme de sécurité individuelle (human



security) qu'il définissait, tout d'abord, comme: "la sûreté envers les menaces chroniques, comme la famine ou les maladies et la répression" et, puis, comme "la protection contre les modifications brusques et douloureuses qui affectent la vie quotidienne – soit au domicile, soit au lieu de travail ou dans les communautés".

Un point de vue similaire a été exprimé en 2000, par Kofi Annan, secrétaire général de l'ONU – ne pouvant plus comprendre la sécurité internationale en des termes purement militaires. Plutôt, le haut fonctionnaire mentionnait que la sécurité doit renfermer "le développement économique, la justice sociale, la protection de l'environnement, la démocratisation, le désarmement et le respect pour les droits de l'homme et les normes de droit".

Dans ces conditions, on peut mettre en évidence deux aspects principaux. D'une part, la *diversité et la complexité des conceptions de sécurité collective et de sécurité nationale* et, d'autre part, *l'amplification des efforts de tous les Etats de s'intégrer dans le processus de dialogue et coopération*, comme des alternatives viables aux vieilles politiques de confrontations, de maintien de l'équilibre par l'armement, de promotion des intérêts des grandes puissances par force et dictature. Le XXIème siècle consacre la formule des structures et des organisations de sécurité connectées.

4. Le développement des mécanismes d'assurance de la sécurité nationale, sous-régionale, régionale et globale fondés sur la prévention des conflits, l'accroissement du rôle des modalités diplomatiques et des capacités de management des crises

Si la situation géopolitique et géostratégique a connu au début du XXIème siècle des transformations profondes, aux conséquences essentielles sur l'état de sécurité de tous les pays, sur leur capacité de promouvoir et protéger leurs intérêts nationaux ou des coalitions dont ils font partie, si le monde est devenu toujours plus complexe et interdépendant et le phénomène de la globalisation est irréversible, alors le succès des actions de sécurité sera obtenu seulement par la coopération pluridimensionnelle de la communauté internationale, par le dialogue dans un cadre organisé et par l'affirmation réelle et possible des actions des organisations internationales intergouvernementales.

Donc, il en résulte qu'il doit exister une très étroite liaison entre la politique extérieure et celle de sécurité, en ce qui concerne leurs objectifs (la promotion des intérêts généraux de la communauté) et le milieu où elles agissent, fait démontré par l'existence dans le cadre de l'Union Européenne d'un pylône de "politique extérieure et de sécurité communes" (le 2-ème pylône), même si, au niveau d'Etat, existent des ministères distincts des affaires étrangères et de la défense nationale. Elles se soutiennent réciproquement, dans le sens qu'une politique externe efficace fait augmenter les garanties de sécurité et une politique de sécurité efficace détermine, dans une grande mesure, la valeur des décisions et des actions extérieures de la communauté.

Les risques de sécurité et de stabilité peuvent être, ainsi, sensiblement diminués par l'intégration dans des systèmes de sécurité collective, par la liaison sécurité interne – sécurité externe (les arrangements régionaux et internationaux). Dans l'avenir, la projection de la stabilité sur le plan régional tiendra davantage de la dynamique de l'utilisation du cadre de sécurité par coopération, représenté par les multiples arrangements régionaux dans lesquels les Etats sont impliqués²². Aujourd'hui, plus que jamais, la politique de sécurité et de défense sont basées sur des relations bilatérales et multilatérales des Etats, menant à la formation des coalitions et alliances militaires, véritables structures internationales de sécurité collective. Elles ne signifient pas seulement une importation de sécurité, mais une obligation de l'exportation de sécurité, dans le sens de la participation à la défense des autres Etats membres de l'organisation respective et aux opérations humanitaires et de maintien de la paix, dans le but de démontrer la solidarité internationale²³.

Une caractéristique importante et constante de l'évolution des communautés humaines, au début de ce siècle, est le globalisme (l'une des conséquences de la globalisation se retrouve dans l'impact direct que les évolutions et les processus transnationaux ont sur la sécurité nationale et dans l'effet de cascade des menaces non-conventionnelles au niveau international); la politique externe n'est plus l'apanage des Etats nationaux²⁴. Même la sécurité, si "intimement liée encore à l'idée nationale", manifeste, ces dernières années, "une tendance accentuée de globalisation", la politique internationale de sécurité et



développement, se trouve, au niveau mondial, dans la compétence exclusive des Nations Unies, qui peuvent s'appuyer sur l'activité des diverses organisations internationales régionales, même si le rôle de l'ONU reste encore incertain²⁵.

Dans l'actuelle conjoncture internationale, la politique externe et de sécurité globale doivent trouver "les modalités de maintenir l'intégrité de toutes les communautés existantes", en assurant, en même temps, "leur cohésion et intégration". Dans ce processus d'extension et de renforcement de l'ONU dans le monde, le droit international doit jouer un rôle important, car "sans légitimité et légalité aucune communauté n'existe pas, et sans justice internationale on pourrait tomber en barbarie"²⁶.

Les diverses représentations des Etats en rapport avec le domaine de la sécurité nationale constituent la conséquence directe de la variété des modèles théorétiques utilisés dans l'investigation et l'interprétation de l'état de sécurité.

Traduction: Despina NICOLAIE

NOTES:

¹ Etats participants: l'Albanie, la Bosnie-Herzégovine, la Bulgarie, la Croatie, l'ex-République Yougoslave de la Macédonie, le Grèce, la Hongrie, la République Moldavie, la Roumanie, la Slovénie, la Turquie et l'Union Serbie-Monténégro.

² Forme flexible et pragmatique de coopération interzonale et inter-régionale, qui réunit 10 Etats de l'Europe du Sud-Est (l'Albanie, la Bosnie-Herzégovine, la Bulgarie, la Croatie, le FYROM, la Moldavie, la Roumanie, la Slovénie, l'Ukraine et l'Union Serbie-Monténégro), 5 Etats de l'Europe Centrale (l'Autriche, la Hongrie, la République Tchèque, la Pologne et la Slovaquie), l'Italie et la Biélorussie. Les décisions ICE (documents politiques, économiques, déclarations et recommandations) sont adoptées par consensus dans le cadre des réunions des chefs de gouvernement et des ministres des affaires étrangères. Les domaines prioritaires: l'agriculture, les transports, l'énergie, le crime organisé, le milieu, les entreprises petites et moyennes, le tourisme etc.

³ Organisation internationale dont les pays membres gardent leur souveraineté et indépendance. Elle agit, dès sa création, afin d'instaurer un ordre juste, pacifique et durable en Europe. Survivant à la guerre froide, de l'OTAN a changé de politique, en adoptant un nouveau concept stratégique, sans modifier son traité initial, par l'accomplissement de nouvelles missions (missions

non-art. 5). Après le Summit de Prague, en novembre 2002 et Istanbul, en juin 2004, l'adaptation de l'OTAN aux nouvelles réalités et conditions du XXIème siècle continue. On adopte la politique de sécurité en dehors de l'espace euro-atlantique.

⁴ Elle est devenue organisation en janvier 1995.

⁵ M. VASILE-OZUNU, I. MUNTEANU, T. IULIAN, G. CIASCAI, **Géopolitique et géostratégie. Etudes**, Bucarest, 2002, pp. 79-84.

⁶ La menace terroriste, le problème de la prolifération des armes de destruction massive, l'ampleur du trafic des armes, drogues et êtres humains; l'instabilité financière au niveau national, conséquence de la circulation fluctuante du capital au monde; les conflits ethniques qui ont déterminé le changement des frontières des Etats, reconnues, initialement, par l'ONU etc.

⁷ La moitié de la population mondiale vit encore avec moins de 2 euro par jour et, chaque année, 45 millions de personnes meurent de faim et de malnutrition – ce sont des réalités qui imposent une solution, par coopération, des grands problèmes de l'humanité.

⁸ Conformément à la *Stratégie européenne de sécurité*, après 1990, plus de quatre millions de personnes ont péri dans les conflits militaires et plus de dix millions ont quitté leurs foyers ou pays.

⁹ Col. (r.) prof. univ. Dr. Dumitru IACOB, Université Nationale de Défense, dr. Maria IACOB, Académie Technique Militaire, *Corrélations possibles entre la sécurité nationale, la sécurité régionale et la projection globale de la sécurité*, La Session Annuelle de Communications Scientifiques, "La Roumanie, l'OTAN et la sécurité de l'Europe". Bucarest, Le Cercle Militaire National, 22.11.2003.

¹⁰ Présente sur le terrain dans la zone "de grands conflits", après la guerre froide, l'ONU ne réussit pas encore à réaliser des solutions institutionnelles efficaces, tant dans les situations pré-conflit, que, surtout, dans celles de post-conflit. La vocation universelle et les valences démocratiques de l'action de l'ONU sont des valeurs qui doivent être récupérées et révisées.

¹¹ Par des systèmes de sécurité on comprend un ensemble de principes et normes adoptées par un groupe d'Etats, ainsi que les institutions qui vérifient et, au besoin, imposent le respect de ceux-ci. Pour détails, on peut consulter le *Cours de doctrines politiques et militaires, IVème partie. Les politiques et les stratégies de sécurité*, Editions de l'Académie des Hautes Etudes Militaire, Bucarest, 2003, p. 105.

¹² Dans le rapport *Le siècle global – globalisation et sécurité nationale*, publié par l'Université Nationale de Défense de Washington D.C., on mentionne: "La globalisation décrit l'âge qui suit la guerre froide. Cet âge est caractérisé par une économie énergétique alimentée par le rythme accéléré du transfert des télécommunications et de la technologie des informations. En général, la globalisation est le



processus de l'augmentation de l'activité internationale dans beaucoup de domaines, ce qui crée des liaisons plus étroites, des interdépendances, des possibilités et des vulnérabilités plus grandes pour tous. Aussi, le XXIème siècle sera-t-il vraiment le premier siècle global”.

¹³ *La Stratégie de Sécurité Nationale de la Roumanie*, Bucarest, 2001, p. 3.

¹⁴ Surtout après les événements du 11 septembre 2001, des Etats Unis d'Amérique et du 11 mars 2004, de Madrid. Et, plus récemment, la double catastrophe aérienne de Russie, suivie de l'opération du commando protchéchéne de l'école de Beslan – lieu d'une sanglante prise d'otages, au début du septembre 2004, en Osetie du Nord.

¹⁵ Voir col. Dr. Gr. ALEXANDRESCU, “*Menaces, périls et risques. Perceptions actuelles, délimitations conceptuelles*” dans la revue *Impact Stratégique* no. 3/2004, pp. 81-84.

¹⁶ Dr. Francisc TOBĂ, **La décision politique et la sécurité de la nation**, Editions Licorna, 2003, pp. 28-29.

¹⁷ *Le Livre Blanc de la sécurité et défense nationales*, Le Gouvernement de la Roumanie, Bucarest, 2004, p. 2.

¹⁸ *La Stratégie de sécurité nationale*, Bucarest, 2001, p. 14.

¹⁹ *Ibidem*.

²⁰ *The Alliance's Strategic Concept agreed by the Head of State and Government participating in the meeting of*

the North Atlantic Council, Rome, 1991, NATO Basic Texts, <http://www.nato.int/docu/basic.txt>

²¹ United Nations Development Programme (U.N.D.P.), **Human Development Report 1994**, New York, Oxford University Press, p. 23.

²² Un exemple suggestif est la projection de la stabilité au niveau de l'Europe du Sud-Est, post-adhésion.

²³ Voir aussi I. DRAGOMAN, C. MILITARU, C. PANDURU, **Les relations internationales actuelles: la réalisation de la sécurité, de la paix et de la guerre au XXI-ème siècle**, la minimalisation du désordre et l'augmentation de la solidarité internationale, **l'humanisation des affaires globales dans le troisième millénaire**, Editions Intergraf, Reșița, 2004, pp. 140-151.

²⁴ Voir, dans ce sens, la coopération entre les Etats Unis et la Russie avec l'ONU et l'UE afin d'élaborer le plan de paix dans la crise israélo-palestinienne et de garantir l'application de la "feuille de parcours", qui prévoit la création d'un Etat palestinien jusqu'en 2005.

²⁵ La disparition de la bipolarité a déterminé les Etats Unis, l'unique superpuissance restée dans l'arène mondiale, à ignorer l'organisation mondiale et agir sans l'ONU, lorsque l'on ne pouvait pas obtenir le consensus des membres permanents du Conseil de Sécurité.

²⁶ I. DRAGOMAN, C. MILITARU, C. PANDURU, **op. cit.**, p. 143.

Général de brigade (r.) professeur universitaire, docteur Constantin-Gheorghe BALABAN est professeur consultant de l'Université Nationale de Défense.



THE TECHNOLOGY OF THE MILITARY ACTION

*Eugen SITEANU, PhD
Sorin TOPOR, PhD*

The complexity of contemporary technical means leads us to the basic characteristic resulted from the implementation of the majority of technical achievements from theoretical and applied sciences. The technological knowledge, analyzed from these two perspectives, as science and as activity, represents the knowledge necessary to produce goods and services. Training the military personnel is a very important aspect for developing performance in the military field. The results of the nowadays military confrontations depended on the commandments' performances, and not on the commanders'. That is why it is highly recommended to have specialised personnel.

New phrases are more and more used today within the academic environment: "informational society", "knowledge" and "technology". Apparently nothing is new, but we consider it is extremely important to understand their correct meaning in order to find new interpretations.

Between science and philosophy as well as between technology and science there are numerous inter-relations.

Therefore, the complexity of the contemporary technical means leads us to the basic feature resulted from implementation of the majority of technical achievements from theoretical and applied sciences. That is why we may assert that the science progress is based on technological development, that process of producing certain goods or services. The technological knowledge represents the knowledge of the way to produce goods and services.

The concept of technology can be examined from two perspectives: (1) as a science and (2) as a practical activity. Both aspects will be permanently inter-related, mutually complementing each other. The transformations in the field of scientific knowledge will permanently generate innovations and inventions. But any of them would have remained at the level of study if they have not been

tested and improved by practical applications.

The military domain, as a social product, is fully contained within this idea. The understanding and stimulation of the technological progress in the circumstances of the actual scientific and technical revolution in military affairs raises important epistemologic problems and, consequently, we shall try a new approach of the military science, of the technology of the military action and the relations between them. All represent forms of the entire military technological process.

For the general concept of "technology" several definitions are known, among which we will present only those most frequently used:

Technology-1. Science of the methods and means of processing raw materials and data. 2. Ensemble of the processes, methods, operations etc. for achieving a certain product (<fr. *technologie*), according to the Dictionary of Neologisms.

Technology – 1. Science concerned with the study of procedures and means of processing materials – metals. 2. Ensemble of procedures and methods in order to obtain a product¹.

*"The technology is not exactly an applied science, but implies fundamentally diverse forms of knowledge and styles of activity-it can be a major discovery for the historians of technology, but it is unlikely to be a surprise for mature scientists and engineers who spent their carefully thinking about this debate"*². *As well as "the science is not only knowledge, but also practicing it, the search for new laws, new proprieties of the matter, technology is not only knowledge, but also practice"*³. *"Technology is an extension of the human organs, especially of the hand as an archetype of all the artefacts, a mean of cultural, moral and intellectual progress"*⁴.

In the last century, with the assistance of the applied mathematics, informatics, physics etc., sciences containing specific procedures, there could be created certain instruments afterwards allowing people to think technologically and to



reach the proper knowledge of phenomena. That's why we consider that for the military domain too, starting from a technologically-oriented thinking, it is possible to get a more correct and more complete knowledge of the proper military phenomena as such.

This can be explained by the fact that in the past we used to start from the process of knowledge towards the technical one and today it takes place the transfer from techniques and technology to process of knowledge.

For example, cruise missiles, tanks, multifunctional combat ships or planes have imposed the use of great complexity technical processes specific for their objectives, generating a new technology of conflicts of an asymmetric type, in the large spaces, without a precise delimitation having not only purely physical implications of the battle, but also cybernetic, moral, electronic ones. This, at the threshold of millennium, the relation science-technology has been modified so that the fundamental sciences request and need in their depth the use of new techniques and technologies to emphasize the reality and military phenomenon.

By producing radical changes of the cosmos representation, life, thinking the intervention of technology in fixing the bases of the military science became the specific element of this century. The technology will support the progresses of the military science in studying the armed combat, tactics, operational art, strategy etc.

We consider an essential must the prior identification of the system of reference we take into account in defining the technology.

The military technology can be both military science and military application, reflected both in military techniques means and procedures and actional devices specific to the military force display. That is why the basic reason of this study was the need to understand the main features of the present-day military technologic progress, the indissoluble intertwining of the military science and specific practice as well as understanding of the logical mechanisms created within the virtual link between these two elements. It is easy to understand that the social changes, specific for this contemporary period, caused implicit changes in the military field, too.

The new wave of the technological revolution defined by Alvin Toffler as "*the only source of*

change within society"²⁵, induced in the military field also a novelty - the phenomenon of digitized battlefield.

By implementation of the latest electronic and cybernetic methods and techniques, by the use of miniatures and robotism for military equipment, we do nothing but accepting the importance of the military technology and formulating even more clearly the technological processes of the future types of actions, techniques and arms.

Consequently, *the technology of the military action represents the applied science of combining the methods and means of processing the information about a potential enemy or about an hostile combat system, of exercising with a view to neutralize the enemy's combat forces and to impose a political-military decision in a certain context and precisely established geographic area.*

So that the result achieved by military action is an element correcting the trend of military policies evolution to a natural development course. The economical-technological development level of the military force will be as higher as the pace of implementing discoveries and technical innovations in the military field will be done more rapidly.

It is easy to notice that an examination of technology couldn't be approached outside a system. That is why we can assert that the ensemble of technologies in a certain period of time forms precisely a system within which we can establish links on the horizontal line between the nature of the raw materials and the means used for processing, between the quantity, size of products and the efficiency of their production.

Any lack of balance leads to a change of the system as a result of the properties of self stabilization and self organization which usually determines the progress in the field as it concerns the performance.

The complex of knowledge, means and procedures organized with the purpose of processing raw materials in a local context and economically advantages circumstances for achieving the final product is assimilated with the concept of technologic process. This definition confirms the existence of the three defining elements: 1) Knowledge, 2) Procedures and 3) Means, as presented in the Figure no.1.

-Knowledge represents the total information for transforming the raw materials in a final product.

It can belong to different scientific domains which can be adjacent to this process, for example, to physics, meteorology, science of materials etc.;

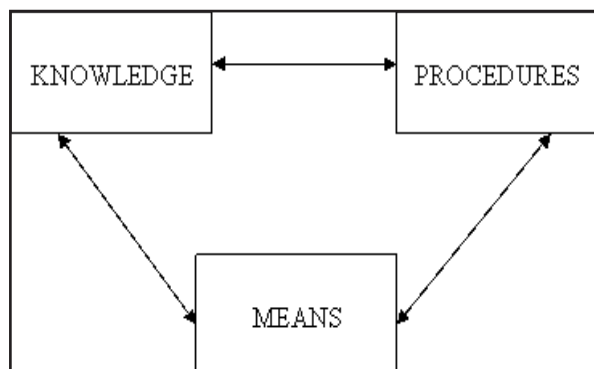


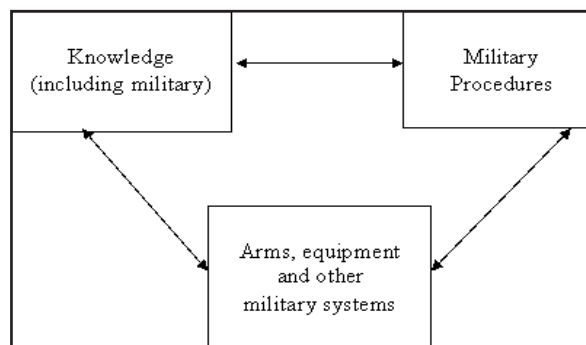
Figure no.1

-Means represent the material elements affecting the transformation of the raw materials into the final product;

-Procedures represent the way the means have to be exploited in order to get the wanted results in the established circumstances and with minimal losses. Usually, the concept of procedure is perceived as “know-how”.

We must understand that the three elements do not work independently, but interact and are interconnected within the technologic tides. Similar to these general concepts of the technologic process we will define the technological process, of the military action as the complex ensemble of with the purpose to destroy certain means or to neutralize the enemy, starting from the knowledge offered by own sensorial elements, human or electronic (within own sensorial elements, human or electronic) within own data bases as well as from the lessons under the circumstances of minimal losses.

Consequently, within a military action, technology is the complex ensemble of knowledge, armament and specific technique as well as procedures organized within a combat naval (Figure no. 2) system with the purpose to defeat the electronic enemy in a certain context and with minimal own losses. Within army military action we can identify a process and a technologic tide specific only to this action. The combat, from the systemic point of view, can be represented as a confrontation between two antagonistic systems. The end of the confrontation is the systems' entering the optimal state of function by cancelation of the antagonistic relations between the systems or emergence of a new relationship without any



antagonistic relations.

Figure no. 2

Within an ideal space of combat, each actor's combat system, meaning an armed force – no matter at which level - and computers, will try to adapt itself as quickly as possible to the enemy's one by discovering their technical-tactical and psycho-social parameters. The emergence of some other disturbing factors, determined by the geo-political context, requests the generation of supplementary forms of self-regulation and immediate adaptation consuming when a skilful enemy with a minimal effort and energetic consumption can cause disastrous effects on the enemy's combat system.

These cannot be made up by “hard” modernizing - programmes of building and designing combat platforms (tanks, guns, airplanes, warships etc.), technical endowment and supply with new weapons, raising the speed, or “soft” – traditional tactics and strategies in approaching the operations without implementing the latest scientific discoveries and the ones in the field of informational war.

The technology specific to the informational war must be implemented and adapted and predictable of the combat force development in order to allow an immediate action according to dynamics of fight as well as actions an medium and lang term by cresting technological discrepancy.

It does not matter if we have the best trained personnel in reconnaissance, electronic observation of the battle space, radionavigation, engineership, maintenance of the armament etc. - vital elements of the whole combat system this one being self suppressed for the lack of possibilities to reply to decisive factors of the action within the electronic environment (electromagnetic, acoustic, hidroacoustic) with extremely rapid asymmetric and multi-spectral threats.

In understanding this type of technologic process we have to start from the idea that the compo-



nents of the military action technology, have an equal importance: *military knowledge* (ensemble of the military information, of the theoretical knowledge specific to each service, of the rules of engagement, experience, practice, stability and training for performance etc.), *military* (knowledge, doctrines, concepts, procedures, descriptions etc.), *procedures (know-how)*, as well as the *instruments for the development of the military actions* (combat platforms, stations, other devices facilitating the development of the military actions with minimal losses etc.). The correlation among all these is presented in the Figure no.2.

The knowledge must be both exact and extensive because new sciences appeared as biochemistry, bio-energetics, bio-technology etc. Because the marked split of the sciences, the commanders and staffs should apply an interdisciplinary thinking without which in the future there will be not possible to gain the victory. This is explained by the military processes and phenomena in the context of globalisation and mondialisation of connections. Thus, only the interdisciplinarity could alleviate and support the military thinking in correcting certain errors brought about by that breaking up of the science having negative repercussions in the military science and practice.

The commanders are under negative influence of this breaking up of science which left a finger print on their thinking. The remedy consists in an integrated thinking which maintains the unity of the science, which puts together the examined parts (analysed) in a whole because the specialization inevitably leads to breaking up of the science generally and of the military science especially.

Vasile Cîndea asserted on a real ground that: "*interdisciplinarity can be a method not a new science because there is no interdisciplinary science, but an approach of interconnexions and inter-relations, a philosophical component considering science as a whole*"⁶. For such reasons we appreciate that the multidisciplinary could and must be a part of those procedures, exposed in the Figure no.1 or of the military ones, exposed in the Figure no.2.

And because the re-integration of knowledge represents also a field of knowing the parts as a whole, the inter-disciplinarity should be included also among the knowledge (including the military ones), represented in the Figure no.2.

The re-integration of the parts is needed in the military action leadership in order to get more correct representations of the results of the operational situation analysis and opening new horizons for the results' application. This is another example of interrogatory Aristotelic thinking.

The theoretical knowledge, expressed the training of the specialized personnel, is the basis of the transformation during the training and education processes aiming some elements of the theory of war, knowledge of operational reconnaissance, history, geography, physics, other domains of the sciences having an impact on combat actions.

The war technique is represented by the sum of material elements providing the transformation of the intentions to destroy or neutralize the enemy's system into the product, i.e., his incapacity for combat.

The concept of the operation represents the way the technique of war must be used for transforming the specific information of the space of combat (*physical* - terrestrial, air, cosmic, naval etc., and *electronic* - electromagnetic, hidroacoustic) into the desired results, making the electronic air naval and terrestrial enemy unable to act within the circumstances offered by the theatre of action.

We should understand how there can be made a distinction between the military knowledge and military concepts. We shaped previously some aspects regarding the military concepts.

The military knowledge will depend of information but it represents much more. The specialists unanimously agree with the concept that the data result directly from measuring certain variables and the information result from the data processing, organizing and structuring in a certain way.

Thus, the information integrally presents the state of the system or the state of certain components of the system. The action of getting knowledge is intended to understand the process of their elaboration to produce causative associations and, the most important for the military domain, to make predictions and to substantiate prescriptive decisions.

The knowledge represents a mix of experience and inspiration specific only to the human beings (with applied intelligence) usually manifested within the processes of leadership. That is why in a military system no matter how performant it can be one could not renounce of people.



In the modern operations there is necessary an increase of performance in the management by scientific rigor and by support of the informatics, that became the main instrument of application of the mathematical models into the operational research meant to rapidly establish the most efficient and effective ways of action. This requires the use of highly specialised personnel, models (by applying mathematical and symbolic techniques).

As a military system is characterized by vast leadership processes, the military knowledge becomes the generating fundament of the principles which will guide the activity of all technological components.

The military knowledge cannot be measured no matter how many opinions would be emitted or how many instruments would be created. It is possible to quantify only its effects.

The military knowledge supposes an extension and a deepening of scientific knowledge in the military field, of technologic truth about the novelties and innovation.

Knowledge dissemination to entire personnel of a military system is a requirement for contemporary military systems supposing to facilitate and to use the modern means of communication.

That is why the accelerations of the scientific-technical revolution in the field of communication, transportation and informatic means have activated the general tendency to accelerate the development of all military activities, including the fight.

On the other hand, the technology of military action depends on a sum of circumstances among which we mention:

A. *Availability or unavailability of the armament and military technique for battle fight.* For example, in order to use a gun, a missile or a ground jamming station in order to be used it is necessary to respect the main condition of having the target in the frame of their efficiently neutralizing parameters. When this condition is not fulfilled, the launched missile will not reach the target, no matter how sophisticated its guiding systems are, or the produced jamming will be inefficient no matter how powerful its jamming signal is. Also, if the system of armament doesn't comprise a device for selecting the signal from the target on the bad ground of the other signals and for neutralizing the disturbing ones, (including the jamming), those equipments, will be extremely vulnerable, without taking into account their high level of

performance in different kinds of shootings.

B. *The cost of the personnel's specialized training.* The tendency to robotize the processes under war circumstances persists especially within those armies considering too expensive the training of the personnel according to each specialization. By not allocating the needed permanent and sufficient resources for personnel training in all military specialities, in time there will be obtained a deprofessionalization, no matter how well trained the leading structures personnel are in the field of military management.

C. *Knowledge about tradition, moral, rules and other war theories by the personnel belonging to a military structure.* In modern armies, for example, there are courses of presentation and specialization in the basic forms of the informational war, on different specializations, providing a correct and optimal use for all activities deeply involved in specific military action development.

Such programmes of training for the services take place within the military academies in Great Britain, Germany, Greece, Spain etc., in other NATO – member countries, as well as in Russia and Ukraine.

D. *Functioning with minimal losses.* The main element to take into account for respecting this requirement is the proper organization and the usefulness of the battle action to be executed.

For example, if it is executed in a landing of terrestrial actions by the enemy or the effort to localize his devices is too big, the resulted data are materialized in information useful for the managing factors in decision-making process.

The execution of the specific actions needs a longer time, if they are not done within an unitary and efficient concept of the whole ensemble of the battle actions by the whole group of forces; then the technological process of the military action is not interesting at all and practically uselessness because it does not produce anything useful.

That's why some commandants minimize, probably, the effort of some more modern component of the battle in the favour of those more traditional, as the electronic war, neutralizing combat capacity by using microwaves or other nonlethal weapons or asserting they could not fight against enemy's sophisticated "intelligent" systems and, consequently, applying no measure from the large enough category of the physical and informational protection components.



We think it is necessary to present the fact that in the development of the military action the technological process takes part, in a certain measure, in all spheres of the scientific knowledge. On this line could be mentioned as examples some scientific domains apparently independent of the military requirements, as: electronics, cybernetics, artificial intelligence, machines building, sociology, all with a major impact on their military actions.

Only if we take the proliferation of robots and other intelligent machinery in the field of arms and military systems we can notice unthinkable performances in other periods of time leading to some “bizarre” moments on the modern battlefield where the man becomes the prisoner of robot. We refer here to the well known images presented by the mass-media of Iraqi soldiers waving white flags as a surrender sign when they saw Predator air crafts (flying without pilots) during “*Iraqi Freedom*” operation.

The technology of military actions supposes the use of certain systemic and logical procedures following to provide, by the assistance of computers, some variants of solutions with higher probability to reach the aimed purpose (objective).

That’s why we conclude that an extremely important aspect for the military action technology is the substantiation and scientific leadership of the military actions as a form of military knowledge development.

The massive informatization of the military management structures have relied on two requirements: 1) the increasing speed of elaboration and transfer of decisions, reports or some other consultative information and 2) improvement of the actional performances of the means of combat.

Within this context, some military theorists try to justify the massive reductions of personnel in the armed forces structures due to the fact that because of the increase of technical systems of combat performances the role of the man has diminished.

Everything should be correct if the examination would limit a direct and real symmetric or asymmetric conflictual situation, between performant technological systems when the factor “time of reaction” has an essential importance. In this situation, the limited possibilities of the human speed of reaction could be really influenced by human emotions, by other disturbing factors, by stress etc., that would lead to the decrease of the

speed of processing the information.

An automatized system according to the inserted knowledge, will find one or more solutions and will propose to be executed the best one resulted after examination. But until we’ll achieve these ideal performances, in research, testing and production groups a lot of typical processes take place. That is why we consider the personnel training on specialities is an aspect that must not be ignored especially in the military field.

And to be performant in this area, a longer training period is necessary. The results of the contemporary military confrontations depended on commandment’s (teams of specialists) performances and not on commanders who use to consider themselves unique and omniscient.

That’s why the military systems yet need human personnel, but with the only remark that it has to be very well specialized.

We don’t know what the future reserves for us, but we consider this presentation of the military action technology will generate certain opinions which will reinforce the fundamentals of the future society, of military knowledge. We wait for your opinions in order to analyze them and use in a future study, on the e-mail address: sorin_topor@yahoo.com.

REFERENCES:

1. **DEX**, ediția a II-a, Editura Univers Enciclopedic, București, 1998.
2. John STANDENMAIER, apud. ANGHELOIU I., **Automatizarea și informatizarea în domeniul militar**, Editura Militară, București, 1986.
3. Mihai DRĂGĂNESCU, apud. ARDELEAN Gh., MIHALCEA Al., **Electronică și informatică**, Editura Militară, București, 1986.
4. Ernst KAPP, apud. ARDELEAN Gh., MIHALCEA Al., **ibidem**.
5. Alvin TOFFLER, **Șocul viitorului**, Editura Antet, București, 2000.
6. Vasile CÂNDEA, *Știința la sfârșit de mileniu*, p. 4.
7. Mircea MUREȘAN, Gheorghe ILIE, Vasile GRAD și Alexandru MIHALCEA, **Tehnologiile de vârf și domeniul militar**, Editura Militară, București, 1995



NOTES:

1. **DEX**, ediția a II-a, Editura Univers Enciclopedic, București, 1998.
2. John STANDENMAIER, apud. ANGHELOIU I., **Automatizarea și informatizarea în domeniul militar**, Editura Militară, București, 1986.
3. Mihai DRĂGĂNESCU, apud. ARDELEAN Gh., MIHALCEA Al., **Electronică și informatică**, Editura Militară, București, 1986.
4. Ernst KAPP, apud. ARDELEAN Gh., Mihalcea Al., **ibidem**.
5. Alvin TOFFLER, **Șocul viitorului**, Editura Antet, București, 2000.
6. Vasile CÂNDEA, *Știința la sfârșit de mileniu*, p. 4.

Colonel (ret) Professor Eugen SITEANU, PhD, is researcher in the Center for Defence and Security Strategic Studies within the National Defence University. He has published many specialised papers on: management, maintenance, national security, military strategy.

Captain-commandor Sorin TOPOR, PhD, is superior instructor superior at the Chair of Military Informational Systems and Defence Information from the Faculty of Command and Staff from the National Defence University. He has published papers on military information, electronic warfare and informational war.



STRATÉGIE NATIONALE ET STRATÉGIE D'ALIANCE

Repères conceptuels

Dr. Gheorghe VĂDUVA

En général, les concepts qui s'utilisent en stratégie – en sa qualité de modalité de mettre en œuvre une décision politique – n'ont pas changé. Certainement, leur contenu est plus riche et deviendra toujours riche, mais non en dehors du système qui les produit. Dans un pays démocratique, les structures de puissance se séparent et devient très dépendante l'une de l'autre. En ce qui concerne la sécurité nationale, il y a une vision unitaire, de synthèse. On peut la nommer grand stratégie, c'est-à-dire une manière d'accomplir un tâche ou une décision politique, mais aussi on peut la considérer comme stratégie nationale, stratégie du gouvernement ou stratégie de sécurité. Entre ces concepts il y a des différences, mais, pour le moment, ça n'a pas d'importance. Donc, en cette vision, la grande stratégie tient de conduite politique, c'est une stratégie politique générale sur laquelle on construit, dynamiquement, les stratégies économiques, culturelles et militaires. Dans le même cadre aussi, on situe les stratégies politiques, diplomatiques, les stratégies de développement et les stratégies éducationnelles etc.

C'est bien sur un model simplifié, valable partout et tout le temps. N'importe quel Etat de ce monde a une politique générale et une stratégie pour la mettre en œuvre. Stratégie, ça signifie, en essence, conception, manière de générer, régénérer, de préparer et d'utiliser les forces et les moyens pour atteindre l'objectif ou les objectifs politiques proposes. Stratégie, c'est une dialectique des volontés qui se confrontes pour résoudre leur différend. (Beaufre). Mais la stratégie signifie aussi un niveau de l'action humaine, un niveau de comparer et d'évaluer les compétences.

Le caractère national de la stratégie, qu'est-ce que ça veut dire? Comment peut-on particulariser les principes généraux de la stratégie ayant en vue

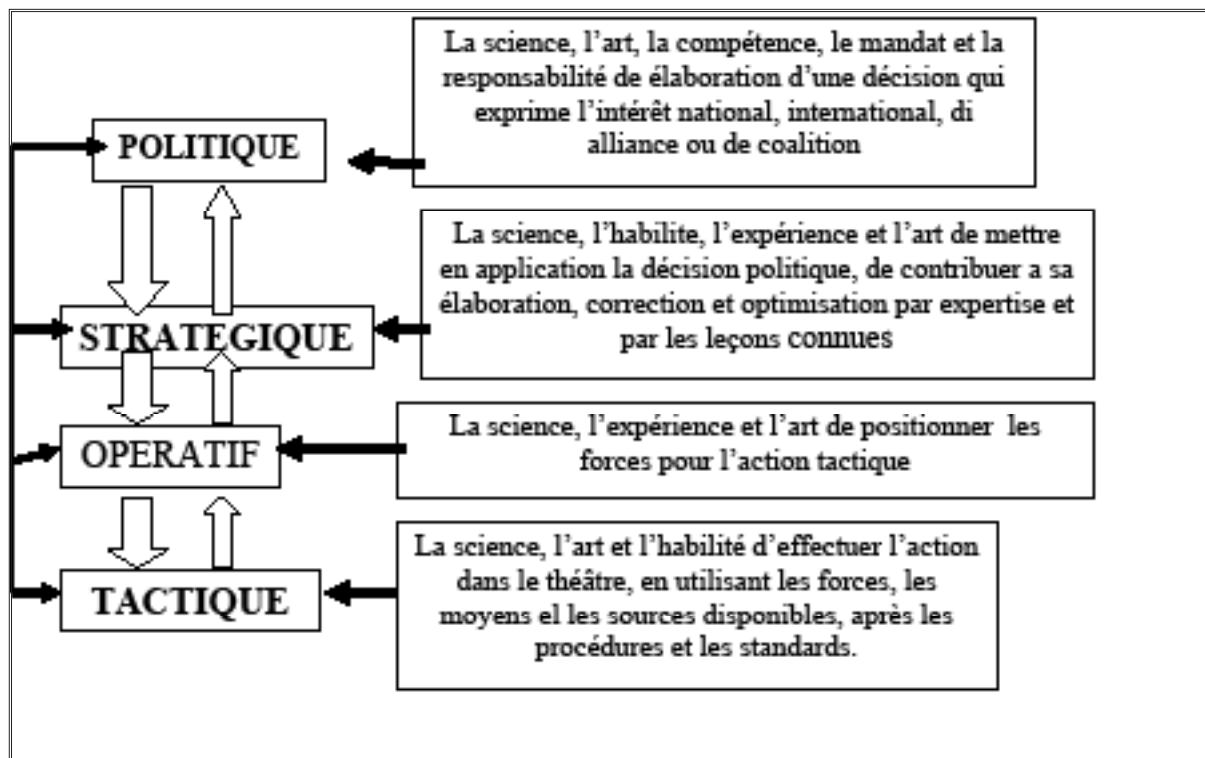
les contraintes et les exigences nationales? En quelle mesure la tendance ver l'internalisation des stratégies de sécurité et même des stratégies militaires et des armées manifeste une influence sur la fonction nationale de la stratégie?

Le caractère national de la stratégie vient de caractère national de la politique qu'il doit le servir. La stratégie offre a la politique les instruments théoriques, pratiques et méthodologiques pour réaliser le buts et les objectives politiques. Nous sommes en l'étape de la souveraineté de l'Etat de droit et, en conséquence, la politique de l'Etat doit opter pour une stratégie convenable. La stratégie est, également, une théorie, une méthode et un system d'habilités par lequel on conçoit, prépare, planifie et déroule une action d'importance stratégique.

La stratégie a des fonctions évaluatives, cognitives, intuitives, prospectives (prévoyance, prospection, planification), configuratrices, de mettre en ouvre, génératives et re-génératives. El accomplit une politique de génération de la force et des moyens qu'on utilise dans action humaine et projette, fait la structure et planifie cette action. C'est un processus dynamique, très complexe, qui demande des systèmes dynamiques, très sensibles et réceptifs a la variation des conditions et des environnements. Ces sont seulement les Etats qui génèrent des forces, des moyens et des actions.

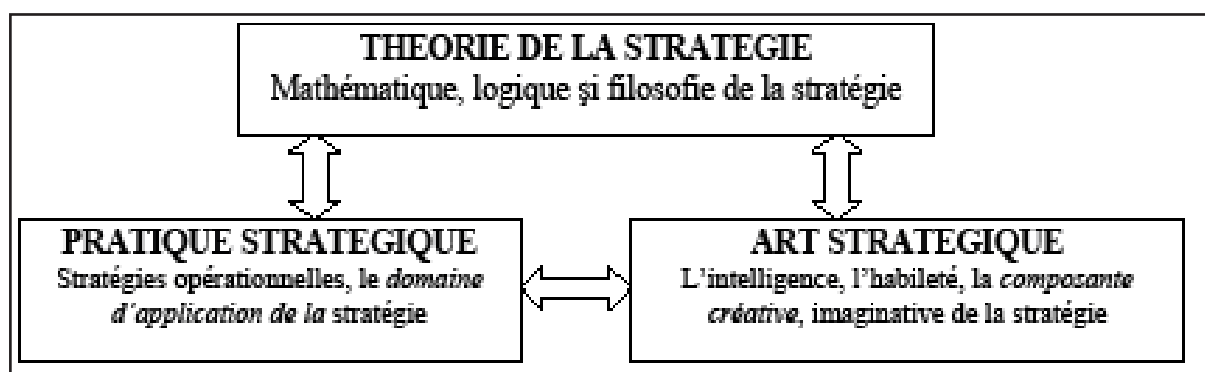
Donc, dans cette étape de l'évolution de la société, il n'y a pas des stratégies viables en dehors des politiques viables, et il n'y a pas des politiques viables sauf des Etats puissantes, matures et stables. Ces sont les Etats nationaux qui construisent ce qu'on appelle stratégie intégrale, qui réunissent dans le mêmes concepts des actions diverses et qui établissent pour elles des buts et des objectives unitaires.

NIVEAUX DE L'ACTION



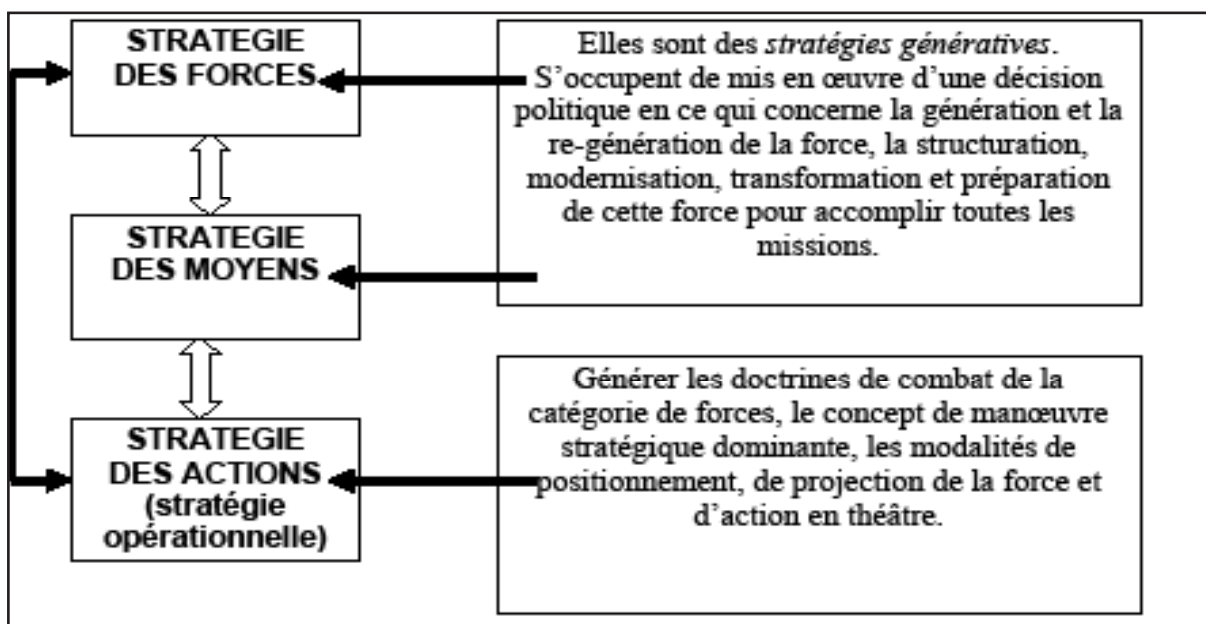
COMPOSANTS DE LA STRATEGIE

1. Théorie de la stratégie
2. Pratique stratégique
3. Art stratégique

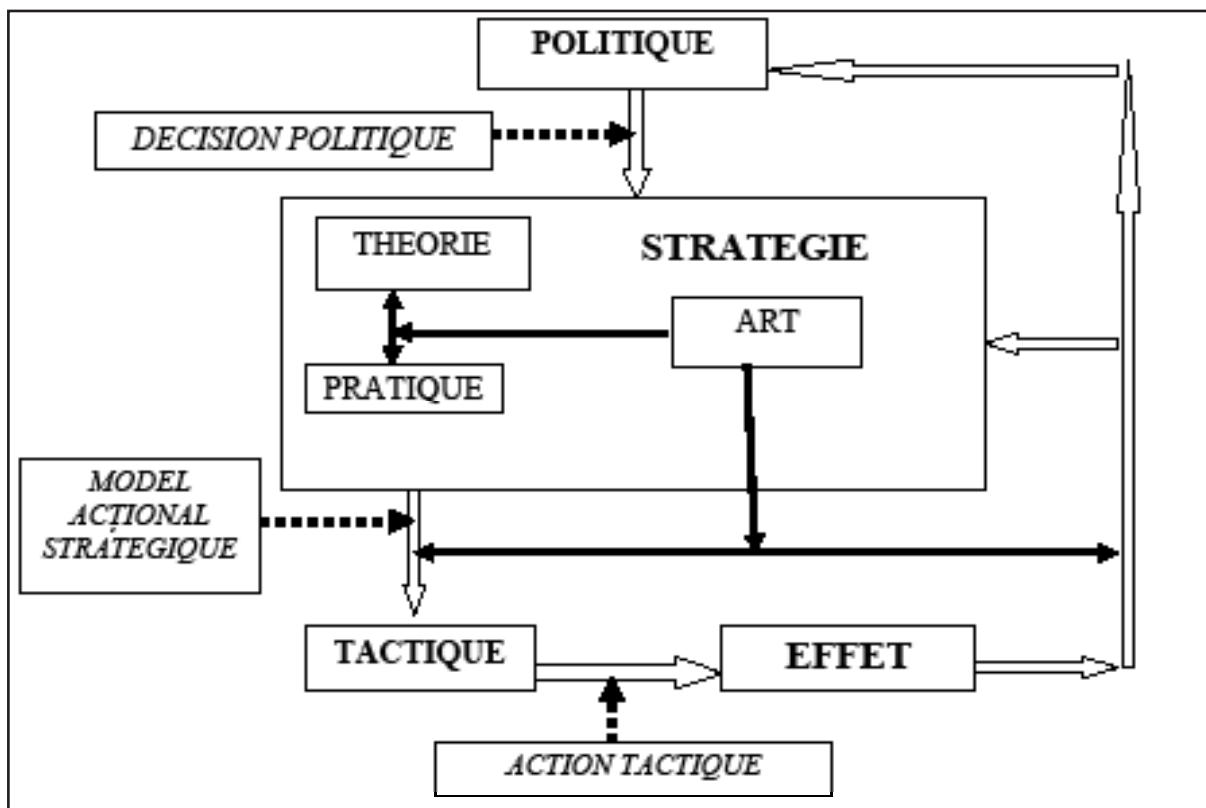




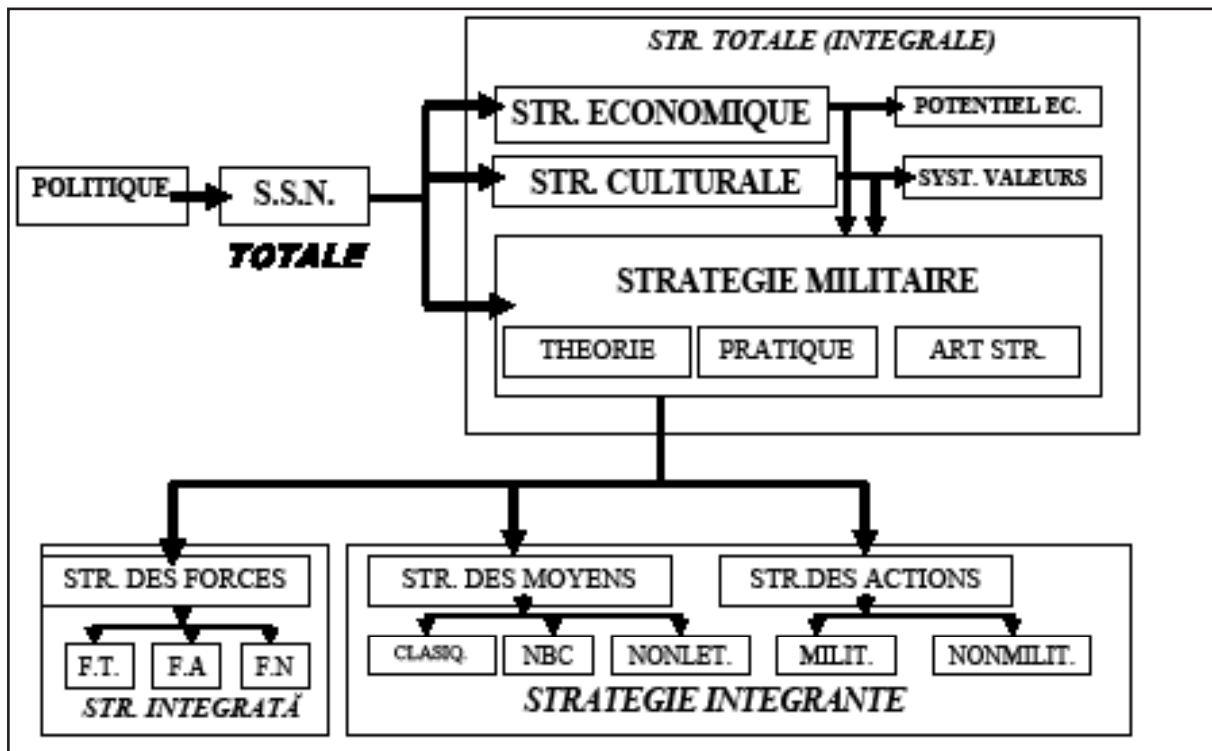
DOMAINES DE LA STRATEGIE



CONDITIONEMENT DE LA STRATEGIE



AMPLEUR DE LA STRATEGIE



FUNCTIONS DE LA STRATEGIE

- Cognitive
- Evaluative
- Intuitive
- Predictive (prognoses, prevision, projection, planification)
- Configuratrice
- Exécutive
- Génératrice □i re-génératrice

STRATEGIE NATIONALE

• Il n'y a pas, proprement dire, une stratégie nationale, comme n'existe pas mathématique nationale ou physique nationale; mais il y a une modalité nationale d'utiliser de la théorie stratégique, de la praxis stratégique et de l'art stratégique, dans le cadre de la stratégie nationale de sécurité, de la stratégie économique, culturelle, informationnelle et, respectivement, de la stratégie militaire.

• Finalement, la stratégie est une méthode, mais on applique la méthode stratégique en fonction des exigences nationale, dans les paramètres d'alliance ou de coalition.



STRATEGIE D'ALIANCE

- On identifie la stratégie d'alliance sur l'intersection des stratégies nationale (modalités nationale d'utilisation de la science, de l'art et de pratique stratégique).
- La stratégie d'alliance devient un tout entier qui, a son tour, impose de conditions pour le comportement stratégique national.
- Il y a, entre les deux types de stratégie, des nombreuses conditionnement et déterminations.

STRATEGIE D' ALLIANCE

On suppose qu'une alliance est constituée de 5 pays. On les associe les stratégies A, B, C, D, E. Ces stratégies on le contenu suivant:

$$S_{AL} = \{S_1\} \cap \{S_2\} \cap \dots \cap \{S_n\}$$

- a – défense nationale armée;
- b – défense armée des intérêts nationales n'importe où dans le monde;
- c – gestion des conflits et des crises;
- d – accès non limité aux ressources de la planète;
- e – combat contre le terrorisme;
- f – défense de la démocratie;
- g – combat contre l'extrémisme ethnique;
- h – assurance, y compris par la force, de la stabilité interne de l'Etat;
- i – complètement territorial de l'Etat;
- j – combat contre mafia;
- k – action rapide dans urgences civile et militaires;
- l – protection militaires des marches;
- m – instauration d'un nouvel ordre mondiale.

Donc:

$$A = \{a, b, c, d, e, f, k, l, m\}$$

$$B = \{a, f, e, g, h, i, k\}$$

$$C = \{a, c, d, e, f, g, j, k\}$$

$$D = \{a, e, f, g, h, k\}$$

$$E = \{a, c, e, f, j, k, l\}$$

La stratégie d'alliance de ces 5 pays pourrait avoir la configuration suivant:

Donc, la stratégie d'alliance de ces 5 pays a le contenu suivant:

- a – défense nationale armée, qui devienne défense collective armée;

$$S_{AL} = \{a, e, f, k\}$$



- e – combat du terrorisme;
- f – défense de la démocratie;
- k – action rapide dans les urgences civile et militaires.

CONCLUSIONS

1. Les nations représentent les plus stable et les plus puissantes entités humaines génératrices de politiques et stratégies;
2. On identifie les stratégie d’alliance sur l’intersection des stratégies nationales, mais, en même temps, elles aussi deviennent, par elles mêmes, un tout entier qui fait son influence sur les stratégies nationales;
3. Dans la société informatique (epistemologique), l’interdépendance d’entre nations augmente significatif, ainsi que a l’horizons des premiers décennies de ce siècle, on pourrait parler aussi d’une intégration internationale des stratégies nationales.

Général de brigade (RC) Gheorghe VĂDUVA est chercheur dans le Centre d’Etudes Stratégique de Défense et de Sécurité de l’Université Nationale de Défense.



NATIONAL DEFENCE UNIVERSITY'S E-LEARNING PILOT-CENTER

Ion ROCEANU, PhD

The Romanian National Defence University started an ambitious project, called "e-Learning Pilot Centre". The core of this project is the e-Learning Laboratory. This lab will help us to accomplish at least three major purposes:

- 1. How LMS can improve the distribution of knowledge in order to fulfill the education objectives;*
- 2. What the teachers are to do for a proper conversion from classical to digital content? Could we generate a best practice guide for this operation?*
- 3. Which are the student's reactions and how this new model of learning influences level of knowledge?*

Introduction

Over the last decade, technology has had a profound effect on teaching and learning. Most of the effort was focused on what technology can do for education in order to replace the exemplary role of the teacher and diminish the need of the human presence. The effort to improve education was mostly technology driven rather than problem to be solved driven. The issue is not what technology can do, but rather what we have to do when using technology to make learning successful.

As technologists, we are always tempted to look for a technological solution. Even more we often read statements like: "E-learning is replacing total instructor-lead. It gives a much better return on investments"¹. Yet the question is not what technology can do, but:

- What do we need to do in order to make learning successful?
- Are there technologies that can help us do it?
- What learning model is our learning process based on?

If we change it, is the model consistent with our institution and faculty (staff) knowledge, tools, skills and experience? It seems that the simple integration of technology into the learning process is not going to bring the best results, if any positive.

Technology based learning requires some fundamental re-thinking about what learning really

means, and what is the faculty's role in making it real.

I. Why the National Defence University started the e-Learning Research Program

The National Defence University is the most important military education institution of the Romanian Ministry of Defence. Consequently, we have an important role in transformation processes of the military forces in concordance with the new security environment and the new NATO member status.

The role of the National Defence University (NDU) is orientated towards two main directions:

1. To prepare military and civilian leaders and experts selected for management and expertise positions in the field of national defense and security.
2. To elaborate scientific studies required by structures with responsibilities in national defense and security.

The NDU has also a major role in Modeling and Simulation (M&S) Plan for the Armed Forces of the Romania (RAF). The roles of NDU are as it follows:

- Provides M&S instruction to NDU personnel.
- Performs M&S education planning for the RAF.
- Provides core M&S educational material development.
- Acts as the Pilot Center for Advanced Distributed Learning (PCADL) within RAF.
- Supervises the graduate and post-graduate level modeling and simulation education program.
- Integrates the use of technology to enhance educational curricula throughout the RAF education system.
- Responds to RAF analysis and study requirements.

Besides the role in military education system, we are intrinsically connected in National Education System and we are accredited nationally.



That is why NDU has to be compliant both with military and civilian standards that cover the distance learning process, as well. Thus, we have considered it is necessary to develop an e-Learning system compatible with both sets of requirements.

We are convinced that e-Learning is the future trend in education field and sooner or later it will be present all over the world, as well as in military education systems, and we want to be prepared to make it effectively. Likewise, it is true that nobody is fully prepared in this moment to use the e-Learning tools. Consequently, through this research program, we try to bring knowledge, expertise and tools in this domain close to teachers and students.

II. About research program

Purpose

The research program, called “e-Learning Pilot Center”, serves as the base implementation guide for the RAF in the critical areas of advanced distributed learning. It will allow research on five components of the e-Learning system: people, students and teachers; education tools and objectives through e-Learning tools and objectives; e-Learning content vs. classical content; Learning Management System (LMS) and technical infrastructure, computers and communication system requirements. This program will cover current, developmental, and future e-Learning, thinking and working in boundaries of ADL initiative but having the door opened to other university initiatives.

Our hopes are orientated to: establishing a methodology for the development of e-Learning system within NDU; generating development strategies in order to extend the e-Learning system at the level of MoD; creating a best practice guide for teachers as content creators and developers.

Directions of research

This project has three research directions:

1. Generating knowledge about the e-Learning system and its components, Learning Management System, Content Management System and tools for content development. This aim will be reached through demonstrations, conferences and exchange of experiences and best practices.

2. Delivering e-Learning knowledge to teachers and content developers. One of the most important objectives in this attempt is a suitable

framework which can offer good conditions to do trials with their courses content in order to notice if the content can be compatible with the new way of teaching.

3. Delivering knowledge through e-Learning tools, both synchronous and asynchronous. For the beginning, we try to create an optional way to learn. The student will have the possibility to study in the classical mode, with the professor assistance or to try to learn himself using the e-Learning content by computer assistance.

The first two targets of this research started two years ago, are ongoing and will become a permanent task for us. We consider that the people, both teachers and students, are the core of this new way to educate and train and our efforts are directed towards them.

Structure of e-Learning Pilot Center

1. e-Learning Laboratory
2. Learning Management System/INTUITEXT delivered by Softwin Company
3. Digital content, compliant with SCORM 2004, developed by the Softwin Company: Communication and public relation and Crises Management
4. Digital content, incompliant with SCORM 2004, developed by the home IT department: Humanitarian Law; C4I systems; Military English Terminology
5. Virtual Library
6. Internet and Intranet Infrastructure

III. National Defence University e-Learning model

Starting from the general picture of the e-Learning system, which has three essential components - hardware and communication infrastructure-, e-Learning platform and digital contents, we have created a model shown in figure 1. Our model has three levels. Each of them covers one segment of the e-Learning framework. This model is very important for us, because we have established three different teams for studies and researches – technical implementation; learning effectiveness and custom content development. Each team will monitor the segment for which it has responsibilities, will make the corrections, will compare the results and generate the future

requirements. All results will be enclosed in a research paper what will be sent to the central departments at MoD (especially J6 and J7). On the other hand, the results will help us to design a proper e-Learning system that will have the capabilities to support distance learning processes which start in autumn of 2006.

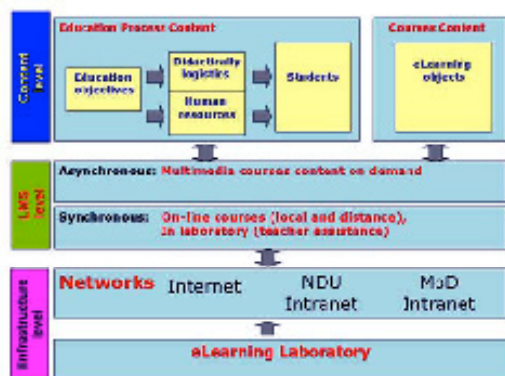


Figure 1 – NDU e-Learning model Infrastructure level

The research program has started in order to become a base for the future Distance Learning System of NDU and, probably for MoD ADL program. For this reason, the infrastructure level has an important role: if we start wrongly, the continuation will be wrong or very expensive. In this case, we have set up the e-Learning Laboratory (eLL) with following parameters:

- a. Server IBM xSeries 236 Xeon 3.0GHz, Intel Xeon Processor 3GHz / EM64T / 800MHz FSB, L2 internal cache 1MB;
- b. Workstations, IBM ThinkCentre A50, Intel Pentium 4 Processor with Hyper-Threading Technology 3.00GHz / 800MHz FSB;
- c. LAN, Ethernet 10/100, Broadband Internet connections Fiber Channel, 2 Mbps

The e-Learning Laboratory is developed in three phases:

Phase I – April - October 2005, the eLL will be used by the software developers, teachers and research teams for their specific purposes.

Phase II - starting 1st October, the eLL will be used in the first pilot course “Communication and public relations”, only synchronous learning.

Phase III - after February 2006, other course

will start in synchronous mode, namely “Crisis management”, and another one will be opened in the asynchronous mode for all the NDU students and will be available for anyone, both militaries and civilians to the Internet as shown in figure 2.

Starting with 2006-2007, we will launch others two courses, but for the time being we have not decided about their regime, free charge or not, target groups, time etc.

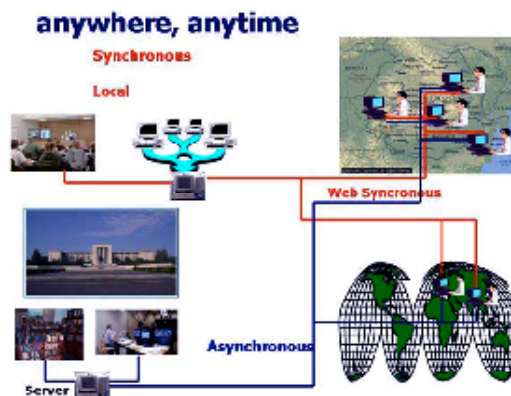


Figure 2 – Infrastructure level of NDU e-Learning project

Learning Management System level

We use a commercial LMS, INTUITEXT, developed by Softwin Company. This e-Learning Platform is a software application which manages interaction between the student and the course and between the student and the teacher. This application is split in two modules, depending on the learning type (synchronous or asynchronous).

General Functions:

- REGISTERING: Registers students in a course
- TRACKING: Keeps track of the student’s progress
- TESTING: Allows testing and recording of tests results
- SCHEDULING: Allows scheduling for courses and programs
- DELIVERY: Allows online view of courses by the students
- COMMUNICATION: Allows communication through chat, forum and display sharing.

Synchronous parameters:



- Teacher assistance
 - Online presentations
 - Chat, forum
 - Real-Time Audio & Video
 - Online questions and immediate results
 - Display sharing (e.g.: Net meeting)
 - Dynamic rights assignation (as a teacher, you can assign class control to somebody else as long as that person delivers a presentation)
 - Course registering – the student can attend the course (or a part of it)
 - Possibility for the student join the system after the course began – content synchronization
 - Student testing during or after the course
 - Immediate analysis of the tests results for the students
 - Statistics for student/time/grades
- Asynchronous parameters:
- The general functions are available in the same conditions as in the synchronous mode
 - All contents are available for the students, anytime, anywhere
 - Connecting is permitted on the Internet, NDU Intranet or MoD Intranet
 - The student can choose individual learning or enroll into a virtual class. In this case he must obey the schedule established by the tutor (especially the order of courses)
 - Chat, forum with others colleagues
 - On-line scheduled forum with the tutors and teachers

Content

As mentioned before, we develop two types of courses: compliant and non compliant with SCORM standards. Courses developed in SCORM framework will be used for delivering knowledge both synchronously and asynchronously. Moreover, they will be the object and subject of the development content research team and will be used in the “educate the educators” process. The teachers involved in transforming the classical content into digital content have two missions: one is the content transformation and another is one to gather enough experience in order to share it later with other teachers, during the project development

and extension of NDU e-Learning curricula.

We consider the most challenging problem is the human resources, especially educators, not technology. In our attempt to solve out in good condition this issue, we have made a decision regarding instituting a teacher team designed to receive the know-how and to deliver it after that. Our concern is around the question: “Who could deliver know-how?” The link between educational objectives and e-Learning objectives has been debated for years.

In designing and authoring the course, the course team needs to address a number of educational issues that arose as a direct result of adopting the learning object approach. These can be summarized as:

- Ensuring sufficient student coverage of course content
- Balancing student interaction with flexibility in study patterns
- Balancing variety in objects with the need for a cohesive approach
- Allowing for academic progression

The non-compliant SCORM contents are developed by the internal software team under the coordination of Softwin specialists. We try to gather more knowledge about methodology and software tools which will permit us to create digital compliant SCORM content.

In content developing process, both compliant and non-compliant SCORM content, we try to follow some basic principles, in concordance with the Gagne’s **theory**²:

Gain attention: appeal to the learner’s **interest**

State objectives: tell the learner the kind of performance that indicates learning

Stimulate recall of prerequisite learning: new learning is the combining of past ideas

Provide the stimuli material: content that needs to be learned

Provide the learning guidance: learner needs to discover, not to be told

Elicit performance: have learners show that they know how to do it

Provide feedback: correctness and degree of correctness of the learner’s performance

Assess performance: immediate indication that the desired learning has occurred

Enhance retention and transfer: set a meaningful context for the content just learned.



IV. Expectations at the end of the research

The research program based on this pilot project will be finished by the end of July 2006. Till then, e-Learning laboratory will deliver computer based education for more 100 students, both synchronous and asynchronous mode.

If we are able to manage properly these courses in the end we will have a set of good results and our research project will become a functional e-Learning system and the NDU will launch a new curricula.

Our expectations are:

1. Meeting a didactic, technical and content development competence.
2. Improving teachers' **confidence in the new** model of training and education.
3. Technical competence in embedded new technology and management the LMS and digital content.
4. Generating and developing a didactical competence in new educational environment in order to gather and deliver "know-how" in content transformation.

By the end of this research project we will have concrete results which will help us to issue some judgments regarding:

1. How the LMS can improve the deliver of knowledge in order to fulfill the education objectives?

2. How does the link between teachers and content developers work in order to generate a guide for best practices?

3. What are the students' reactions and how does this new model of learning influence their level of knowledge?

REFERENCES:

1. GAGNE, R.M., BRIGGS, L.J., WAGER, W.W., Principles of Instructional Design, Fourth Edition, HBJ, 1992
2. Advanced Distributed Learning (ADL), Sharable Content Object Reference Model (SCORM®), 2nd Edition, 2004
3. WOOLF, B.P., REGIAN, J.W., Knowledge-based training systems and the engineering of instruction, Training and Retraining: Handbook for Business, Industry, Government, and the Military, New York: Macmillan Reference, 2000
4. The International Relations and Security Network's e-Learning Project, Swiss Federal Institute of Technology Zurich, 2003, www.isn.ethz.ch

NOTES:

- 1 Planning for E-learning Success: Strategies that Work, <http://www.future-Learning.com/page 19.html>
- 2 GAGNE, R.M., BRIGGS, L.J., WAGER, W.W., Principles of Instructional Design, Fourth Edition, HBJ, 1992.

Lieutenant-Colonel Ion ROCEANU, PhD, is a Professor at the Chair of Military Informational Systems and Defence Information from the Faculty of Command and Staff from the National Defence University. He is an associate member of the Romanian Scientists Academy (military sciences section) and author of some books about C4I, e-Learning.



THE PAN-ARAB *VERSUS* THE ISLAMIC PERSPECTIVE ON SECURITY IN THE MIDDLE EAST

Ionuț APAHIDEANU

In the broader context of more or less scientific discussions regarding a global “Islamic threat” and of the mainstream interpretation of the Middle East as a region to which the classic realist theory of International Relations fits par excellence, various actors made numerous attempts to solve the regional security problems. From the variety of such security perspectives, tributary to different perceptions rooted in different philosophical and strategic backgrounds, the present article discusses comparatively the “pan-Arab” and “Islamic” perspectives as the only endogenous, bottom-up, constructed approaches to regional security. Not necessarily accepting, but only understanding them, may offer precious insights, further useful in meeting the external, top-down approaches “half way” in order to provide viable alternative solutions for regional security in the Middle East. Methodologically, the comparison is underpinned by the “Copenhagen school” triadic analytical framework of referent security subject, object and threat, applied at different levels of analysis to different dimensions of security – military, political, economic, societal and environmental.

The pan-Arab perspective

The pan-Arab perspective on security in the Middle East developed gradually in the aftermath of World War Two, both in reaction to the creation of Israel and, interrelated, as a bottom-up alternative to the external approaches of the United States and of the Soviet Union, locally regarded as a euphemism for the securing their influence spheres¹. As for the very label “Middle East”, Arab pan-nationalists considered it to either undermine the alleged “Arab” substance of this region (as in this perspective, the region does not include non-Arab Turkey, Israel and Iran), or “tear up” the “distinct unity” of the Arab homeland². Instead, proponents

and adherents of the pan-Arab perspective assume that regional security is correctly understood and approached only if holistically addressing all Arab people and states as referent security subject.

A closer analysis of the core-concept “Arab” in its different regional interpretations however unveils the existence of two distinct alternative Arab security perspectives on the Middle East, distinguished on the basis of the exact definition of their referent subject of security. The first one emerged gradually in the interwar years and matures in the aftermath of World War Two, *pari passu* with Arab nationalism developing as a considerable political movement, whose program rested on three pillars: first – descriptive, that there was a single Arab nation which transgressed state frontiers and was composed by all those who shared the Arabic language, from Mauritania to Yemen (the usage of Arabic language providing, along with self-identification, the essence of what Arab identity means); second - evaluative, that the Arab nation was meant to inhabit a single political unit instead of being fragmented by arbitrary externally-imposed state frontiers³; and third – prescriptive, that a development of the consciousness of all its members that this unity was to guide all political behavior was needed, and that all Arab states’ ultimate task was to strengthen their economic, cultural and political ties in order to increase the cohesion and unity of the Arab community (*al-Alam al-Arab*, or the Arab *ummah*). Transposed in security terms, this idea was embraced by scholars like Eddin Hillal Dessouki and Jamal Mattar, who, considering a “society of Arab states” as the referent subject of security, criticized the Cold War approaches for concealing the fact that the real security threats to Arabs came both from the three regional non-Arab states and from external intrusive powers⁴ seeking to secure their oil supply.



ANALYSIS, SYNTHESIS, EVALUATIONS

The second perspective, developed in the decolonization period and pursuing “Arab national security” as its core-concept and aim, by contrast tolerates the political frontiers within the Arab world, and focuses on the security concerns of societal actors, differing among them according to each one’s socio-economic background: whereas those benefiting from a higher social status usually pursue democratization and respect for human rights (societal and political security), those at the basis of the societal pyramid are preoccupied with proximate problems like job security, health problems and income disparities⁵ (economic and human security).

Whereas these two perspectives coexisted for some time in a rivalry pattern, most analysts agree that after the “Six Days War” of 1967 it was the second one to prevail in the Arab states’ political practice, given the interplay of three factors: an increasing regional that pan-Arab political unification was a both remote and misbegotten objective⁶, especially after three Arab-Israeli wars, all of them lost; the rejection by most Arab leaders of the unacceptable constraints exerted upon their decisions by pan-Arabism; the extraction by Arab leaders of the status-quo advantages, in the context of the complete covering of the regional security complex by the US and the USSR, each of them granting rewards or concessions to their allied regimes, thus making the existent reality more attractive.

Subsequently, as a possible proof that Arab leaders finally accepted the “real” state-based political structure of the region, the latest decades witnessed a visible decrease of the pan-Arab support shown by Arab peoples and states for the Palestinian cause⁶. Moreover, a general overview eloquently illustrates a visible ineffectiveness of the various pan-Arab institutions active in different fields of security. The most relevant among them, the Arab League (officially named the League of Arab States⁷), was conceived as a common defense organization, later on doubled by a collective security pact and has thus represented the most ambitious attempt to put in (the security) practice the idea of Arab *ummah*. Taking a look at the concrete results however shows a League not only failing in satisfactory solving the Palestinian problem, but also functionally altered by the divergent positions of its member states towards the US involvement in the Middle East. Aside from

this, the very fact that the UN-reform plan advanced recently by Secretary General Kofi Annan doesn’t reserve a permanent seat in the Security Council for an Arab state seriously questions the League’s influence over the international *decision-making*.

The case of the Arab League is by no means a singular one. It may be accompanied, in a not exhaustive enumeration, by the examples of the Gulf Cooperation Council (GCC) or of the Organization of Arab Petroleum Exporting Countries: the GCC, founded in 1981 and generously pursuing as its main objective the development of “means for realizing the coordination, integration and cooperation” of Arab states in “economic, social and political” issues⁸, was revitalized in its activity rather by the cooperation agreement with the EU (within the larger “Barcelona process” of 1995) than by any internal effort or concern; OAPEC, meant to promote and protect the interests of oil-exporting Arab countries, remained by far less known and effective than OPEC. Moreover, if we were to consider a “hard core” of pan-Arab institutionalism as comprising the four Arab states simultaneous members of GCC, OAPEC, OPEC and the Arab League – Saudi Arabia, UAE, Kuwait and Qatar, we may easily notice that the oil policies of these states frequently contradicted the positions and interests of the other member states in a rather “free rider” behavior than a genuine pan-Arab.

But aside from the institutional failure, ultimately dependent on the will and ability of political leaders, another observation seems much more relevant in the context of current security initiatives and approaches such as the “Greater Middle East”, or the “Partnership for Progress and A Common Future with the Governments and Peoples of the Broader Middle east and North Africa, launched by the G8 Sea Island summit of June 2004): though favoring the second of the two pan-Arab security perspectives and adopting stat-centered security practices, Arab political leaders of the last decades paid increasing attention to non-military security concerns voiced bottom-up by societal actors, unlike American and Soviet strategists of the Cold War. Numerous proofs in favor of this preoccupation for non-military, societal security preoccupations range from the tolerance of Arab leaders towards the huge protest manifestations against the American intervention in Iraq in 2003 (in a radically different manner from, let’s say, the expulsion of PLO members



and adherents from Jordan some decades ago) to Al Riyadh's refusal to logistically assist the US intervention; or from Hussein of Jordan's 1997 refusal to join the so-called "Peace Camp" because of the public opinion's pressure against any betrayal" of the "Arab consensus" to the recent Kuwait leader's decision to expand the number of vote-entitled citizens. Finally, it was exactly as a (non-explicit) tribute to this perspective that in June 2004, Egyptian president Mubarak launched his "Alexandria initiative", whereas a month earlier the Arab League's summit declaration had stated the need to "to firmly establish the basis for democracy".

To preliminary conclude, the pan-Arab perspective in both its versions may be viewed as a progress in relation to the classic top-down security approaches of the Cold War for at least two reasons: first, being constructed bottom-up, the pan-Arab perspective grasps more accurately the security concerns of the regional people and thus emphasizes non-military security issues, especially societal ones, of major relevance in the regional security calculations, as non-military problems often represent the very cause of military turbulence – the general difference between the EU and the US in approaching conflicts; second, it highlights an in security strategies helpful distinction between leaders and public opinion – an extremely useful distinction in the successful formulation of security strategies.

The Islamic perspective

The Islamic perspective on security in the Middle East has become subject of extreme controversies, especially nowadays, when *al-Qai'da* and bin Laden seem to have "kidnapped", at least on the American political and security agenda, the true meaning of it and of the word "Islamic" in general. It is in this spirit that I use the term "Islamic perspective" and not "Islamist", as the suffix makes all the difference of the analysis. Addressing such confusion, the clarification of three security-related aspects may appear helpful: the variety of Islamic security practices; the dichotomy-indicator of what was termed in social sciences as "institutionalization", applied to the Muslim world; finally, and generally, the referent subject-object-threat of security.

The issue of the first subject of analysis

is related to the already classical problem of transferring over local specific realities concepts and theories mostly of Western origin. The lack of universality of analytical instruments, the inappropriateness of expanding concepts and research methods associated to external theories over local highly specific realities are anything but a new problem that researchers over the globe have to cope with. But they seem to remarkably fit to the Middle East in particular and the Muslim world in general, especially in regard to concepts and named realities like "Islamization", "*ummah*", or "religious democracy".

Defined from the perspective of a religion scholar like Jean Delumeau as "global reaffirmation of Islam"⁹, what would be translatable as "Islamization" represents a contemporary phenomenon affecting the cultural, social, political and even economic spheres of the Islamic world's daily life.

Historically, Delumeau distinguished three phases and correspondent forms of manifestation: a) the first, directed top-down from the end of the 1970s to the beginning of the 1980s, featured the enforcement of more or less Islamic public policies, as it was the case of the Islamic Revolution in 1979 Iran, of the proclamation of the "Islamic republics" Algeria (1976) and Pakistan (1977), or of the destabilizing of the Afghan, Syrian, and Egyptian regimes; b) the second, bottom-up, phase, manifested between the late 1980s and the beginning of the 1990s, showed the rebirth of Islamic practices among Muslim people and their more or less violent projection on the ruling political elites, as it happened in Algeria (whose population, saturated by economic and ideological experiments, made the Islamic Salvation Front win the 1990 elections), Turkey (the *Refah* Islamists winning the 1995 legislative elections), Sudan (1989, Islamic Salvation Front), Egypt, and Palestine (the 1987 Intifada); c) the last phase, of an "armed Islamism", began in the last decade with an intensifying of terrorist attacks and Islamist-inspired military coups - this would be the case of 1992 Egypt (the military officers), and of the attacks on the Dahrn US military base in Saudi Arabia (1996), WTC (1993), Mogadiscio (1993) or the assassination attempt on Hosni Mubarak (1995).

Not insisting on the facile possibility to extend this taxonomy till the present time (with



an overlapping of the second and third phases¹⁰), I confine myself at this point to only suggest the extreme diversity of actors, instruments and objectives that some Western analysts unfortunately tend to reunite under the same (terrifying) umbrella of the term “Islamists”; the difference between on the one hand outside-oriented and of military-essence fundamentalism that led to events such 9/11 and on the other hand inside-oriented Islamic NGOs active in the field of social security remains not only crucial, but also useful in elaborating successful security strategies.

In light of this, what I analyze as “Islamic” security perspective is related to the first two types of Islamization. As such, the phenomenon is a truly global one, transgressing the frontiers of the Middle East, in at least two regards: the covering by the Islamic world of a significant portion of the globe, with an increasing surface due to the numerically developing Muslim communities in the West; more important than the geographical point of view, it is global(ist) through the implications of the fundamental organizing principle of *ummah*, which, after the fall of Communism, remained the only idea or reorganizing the world on another basis than a stat-centric one. Simultaneously translatable from Arabic by “unity”, “nation”, and “community”, *ummah* names the referent security subject of the perspective and normatively and prescriptively signifies the social, political, economic and cultural cohesion of the entire Muslim community of the world. Hence, its usage provides the Islamic traditional distinction between *Dar al-Islam* (“The House of Peace”, of the believers), and *Dar al-Harb* (“The House of War”, of the infidels).

However, to simply assume the validity of *ummah* would equate with a hasty generalization. Part of the reasons for the diversity of Islamic security perceptions and practices, also recognizable in today Iraq, is rooted in the deep religious cleavages within the Muslim world.

“The Great Discord” of 661, generate by a dispute over political power and Hussein’s entitled successor led to a Muslim world fragmented in at least four groups, each of them subdivided in further rites: Sunnah (some 85% of all Muslims), Shi’ah (some 15%), Khariji (0,2%), and various

other confessions considered sectarian (Bahai, Sikh etc.).

Aside from these intra-religious lines of division, the multitude of security concerns is also due to geographical, social and economic factors; as it has rightfully been suggested¹¹, it’s quite questionable for instance to which extent Muslims in Morocco can properly address the problems of their Malaysian fellows, the Kurdish immigrants in Germany those of the Palestinians, as well as the Pakistanis in Britain seem more interested in defeating their adoptive country in cricket than in the fights in Baghdad.

Basically, aside from the obligation to respect the 5 pillars of Islamic faith (*fara'id*), the only true common feature of the Muslim world would remain a more or less acute feeling of anti-Americanism, rooted in the conviction of a so-called *al-Mu’amarah al-Taghrib* (“the conspiracy of the Westernization”).

Hence, one can identify several Islamic security sub-perspectives, whose common core is the triadic representation of *ummah* as referent subject of security, of the traditional Islamic lifestyle as the object, and of any non-Islamic influence as the threat.

Similarities and differences

A gross comparison of the pan-Arab and Islamic perspectives reveals three differences and six similarities: the first difference roots in the fact that, whereas the Islamic perspective has a global representation (*Dar al-Islam* versus *Dar al-Harb*), the other one’s referent subject is more precisely anchored in terms of geography and population; secondly, the criterion of defining the referent subject of the first case is religion (this line of division being subsequently crosscut by ethnic, cultural and religious cleavages, whereas identification in the other case rests solely upon the usage of the Arabic language¹²; thirdly, whereas for Arabs, the Muslim world centers spiritually, politically and strategically upon their Middle East homeland, the other 5/7 non-Arab Muslims, using their population size’s argument, view the region only as the sanctuary of the holy places of Mecca, Medina and East Jerusalem.



4 In BILGIN, “Whose ‘Middle East’? Geopolitical Inventions and Practices of Security” (*International Relations* 18(1), 2004), pp. 30-31.

5 See for instance the assessment of the former King Hussein of Jordan, who expressed his conviction that “Arab nationalism can only survive through complete equality” (in St. WALT, **The Origins of Alliances** Ithaca, NY, Cornell University Press, 1987, p. 213.

6 M. N. BARNETT, *Identity and Alliances in the Middle East*, in Peter J. KATZENSTEIN, ed., **The Culture of National Security Norms and Identity in World Politics**, NY, Columbia University Press, 1996, p. 480.

7 Currently comprising the following 22 states: Egypt (excluded in 1979 after signing the Camp David peace agreement with Israel, but admitted back in 1989), Iraq, Jordan, Lebanon, Saudi Arabia and Yemen - as founding states, plus Algeria, Bahrain, Djibouti, Kuwait, Libya, Mauritania, Morocco, Oman, Palestine, Qatar, Somalia, Sudan, Tunisia, and UAE.

8 See the organizations’ statute at <http://www.imf.org/external/np/sec/decdo/gcc.htm>

9 J. DELUMEAU, **Religiile lumii**, București, Humanitas, 1996, p. 240.

10 Whereas to argue in favor of the up-to-dateness of phase three would be futile, I should only mention that phase two is recognizable in the elections held between 2002-2004 in Turkey (Adalet ve Kalkınma Partisi led by current Prime Minister Erdogan won in 2/3 of the parliamentary seats), Morocco (with the Justice and

Development party increasing its parliamentarians from 14 to 42), Algeria (Islah scored second in municipal elections), Pakistan (with Islamists participating in the governmental coalition), and Bahrain (with Islamists obtaining half of the parliament’s seats). Moreover, second-type Islamization at the global level may also be suggested by statistics on the annual number of pilgrims to Mecca, with increase rate that exceeds by far the Muslim demographic growth. For details on this, see F. AL-FARSI, **Modernity and Tradition: The Saudi Equation**, 3rd ed., Knight Communications, 2001, p. 33.

11 R. D. LEWIS, **The Cultural Imperative: Global Trends in the 21st Century**, Yarmouth, Minnesota, Intercultural Press, 2003, p. 282.

12 The lack of the religion’s importance in the pan-Arab perspective may be underlined even by only mentioning some salient political personalities of pan-Arab orientation, but of Christian faith: Tarik Aziz – former Iraqi vice-president; Jamil Barudi – former high-profile councilor of King Faisal ibn Saud, Fares el-Koury, former Syrian Prime Minister, Georges Habache and Naief Hawatme, PLO leaders in the 1970s, or the former Syrian president Hafez al-Assad (and his son, current president Bashar al-Assad), belonging to the Alewi confession regarded by Sunni as sectarian.

13 The Islamic nature of these organizations is recognizable in their very name: HAMAS is the Arab abbreviation for “The Islamic Resistance Movement of Palestine”, while *Hizb’Allah* means “The Party of God”.

Ionuț APAHIDEANU is a researcher at the Romanian Institute of International Studies, within the Department of Security Studies. In 2004 he graduated top of class the Faculty of Political and Administrative Sciences, specialization International Relations at the “Babes-Bolyai” University in Cluj-Napoca. Currently, he attends a MA course in Conflict Analysis and Solving in International Relations at the National School of Political and Administrative Sciences.

*Published articles and books: “The Transylvanian Problem”(2001), “Uncle Cartan and regional identity”(2001), “Kurdish Ethnicity, Interests and Positions in the Light of 200 Years of Uninterrupted Conflict” (2003), “National Self-determination in the Light of the UN Legal Framework” (2004), “George W. Bush’s Second Inaugural Address: An Analysis in the Light of International Relations Theory”(2005), “EU and the Situation in Kosovo: From an Unviable Status Quo towards Independence?”(2005), **Grammatical Gender in German and English: the German Context (2005)**,”*Top-down versus Bottom-up Security Perspectives. The Case Study: The Middle East*” (2005).*

He is the coordinator of the IAPSS Working Group “Towards Security and Good Governance in the Middle East”.



„ROMÂNIA MILITARĂ“ - PRINCIPALE TRIBUNE DE LA DOCTRINE ET DE L'ART MILITAIRE ENTRE LES DEUX GUERRES

Hervé COUTAU-BÉGARIE

À la fin de la Grande Guerre

Dans le premier numéro de la revue „România Militară“, après la Grande Guerre, apparaît l'article 1916-1920, une analyse de la participation roumaine à la conflagration.

«L'histoire» consacra un chapitre spécial pour montrer comment notre pays (la Roumanie n.n.) au lieu d'être aidé par le plus proche allié (la Russie), a été trahi.

La lenteur pratiquée par les troupes russes pour entrer dans le pays au début de la campagne, le retard, l'égarement volontaire et même la destruction des matériels de guerre provenant de la France pendant leur passage à travers la Russie, l'inaction et la passivité de certaines grandes unités (des corps d'armée et des divisions) russes qui, pendant les combats, assistaient l'arme au pied, près du champ de bataille et sans intervenir, en voyant les Roumains engagés dans des combats terribles, enfin l'essai de bolcheviser le peuple et l'armée (roumaine n.n.), resteront parmi les plus détestables et tristes pages de l'histoire de notre guerre (...). Les grands commandements de l'armée (roumaine n.n.) (...) devaient résoudre les problèmes difficiles de la conduite des opérations et, au surplus et en même temps, les problèmes encore plus difficiles créés par nos soit disants alliés, les Russes »¹ (des pillages, l'abandon des secteurs de combats, les attaques contre ... les unités roumaines, contre les localités roumaines etc. n.n.).

Les pertes humaines de l'armée et de la population civile roumaine représentent 10% de la population totale «proportion qui n'a été atteinte par aucun des pays participants à la guerre ».

La Grande Guerre, pour la Roumanie, se termine le 05.08.1919, par la défaite de la Hongrie,

l'occupation de Budapest et la capitulation des dernières divisions hongroises cernées par les Roumains: le 03.08.1919 (4 divisions) et le 05.08.1919 (2 divisions).

La pensée roumaine. Une voix à entendre

Dans le même numéro, 1, de la revue „România Militară“ est publiée une étude importante, «Les armées du futur», signée par le colonel Al. Rizeanu². Il considère que «Les États victorieux sont fatigués tout comme les vaincus». L'auteur met l'accent sur la nécessité de rebâtir l'économie et l'armée. Il propose la réduction des effectifs militaires et du stage militaire «dans le but du redressement économique le plus rapide». Il croit que «au moins pour le moment une conflagration à grande échelle, pareille à celle qui vient de finir, est peu probable».

Il fait une analyse objective et claire du contexte géopolitique européen à la fin de la Grande Guerre, en doutant du futur pouvoir de la Ligue des Nations et du «réalisme» des projets de maintien de l'ordre et de la paix internationale: «Qui garantit la durée à l'infini de l'entente; qui connaît avec précision les intentions de l'Allemagne; qui peut préciser que deviendra la Russie quand les luttes internes prendront fin? Qui peut garantir que le nouveau statut de l'Europe Centrale, bâti sur le socle de l'ancien empire autrichien - hongrois, restera définitif ou, dans le cas le plus heureux, n'engendrera pas de conflits entre les héritiers qui apparemment semblent contents? Et, enfin, qui peut savoir si la sphère des intérêts américains reviendra vers la théorie de Monroe, ou cherchera à s'étendre davantage en Europe?» L'auteur a l'intuition que les États vaincus (restés/laissés avec un important potentiel économique et militaire) cultiveront et développeront l'idée de la revanche.

En anticipant que «la Ligue des Nations, malgré toute son activité, aura un pouvoir très

limité», Al. Rizeanu apprécie: «Si le désarmement n'est pas possible, dans l'avenir prochain il est nécessaire que les armées soient organisées d'une telle manière que le redressement économique soit facilité au maximum».

L'esprit de sa logique sera confirmé, dans 20 années, lors du déclenchement de la deuxième guerre mondiale. Il arrive à la conclusion que la résolution de ce problème appartiendra à chaque pays, en fonction de ses conditions spécifiques: «Pour nous, davantage, par rapport à la France, la situation est telle qu'il faut toujours être prêt à l'affronter, dans toute circonstance, avec nos propres forces ».

À peine terminée la Grande Guerre et le colonel roumain Rizeanu, par son étude, fondée sur l'analyse de l'expérience de la première conflagration mondiale et sur l'analyse du nouveau contexte géopolitique créé par celle-ci, projette l'image de ce qui va suivre.

C'est une réalité que, dans l'Occident, les facteurs de décision soit l'ont ignorée, soit ils ont été incapables de la comprendre, soit l'ont comprise et ont agi, en connaissance de cause, dans le sens du déclenchement de la deuxième tragédie mondiale.

Dans le cas de certains peuples, parmi lesquels le peuple roumain, cette tragédie a été perpétuée 50 années, en redoublant le nombre des victimes, par la plus condamnable conséquence de la politique des Alliés: le communisme.

Plusieurs articles sont consacrés aux différentes catégories d'armes.

Bien que très attaché à son arme, la cavalerie, pour laquelle il demande un rôle toujours important, le colonel Ilasievici³ fait quelques observations importantes.

«Les conditions dans lesquelles s'est déployée la Grande Guerre ont donné aux opérations un caractère totalement changé, par rapport à celles du passé».

En analysant les trois facteurs du combat (l'homme, l'armement et le terrain) l'auteur considère qu'ils se sont manifestés «dans des formes quelquefois anormales», résultant de la durée et des énormes effectifs face à face.

Fidèle au concept traditionnel d'identité de la cavalerie et à son rôle dans le conflit, le colonel Ilasievici est capable de comprendre certaines réalités nouvelles de la guerre. Il fait une comparaison, en ce qui concerne la cavalerie,

pendant la Grande Guerre, entre les Français, les Autrichiens – Hongrois, les Russes, les Allemands et les Roumains.

À l'égard de la forme de combat de la cavalerie il dit:

«La cavalerie a été surprise, au début de la guerre, par la grande puissance de feu et le cramponnement de l'ennemi dans le terrain ». Cela a imposé aux cavaleries des pays belligérants l'adaptation et l'appropriation de nouveaux procédés de combat, un armement plus fort et la transformation des formations rigides en formations flexibles, « capables de s'adapter au terrain».

La tradition et la doctrine du combat par choc cèdent en faveur d'une nouvelle forme de combat: «à pied ».

«La cavalerie roumaine, instruite et préparée selon les idées du temps, ne concevait, au début de la guerre, que l'action par choc (...). Devant la cavalerie allemande et autrichienne - hongroise qui n'acceptaient pas le combat à cheval et après quelques expériences négatives, malgré tout son enthousiasme et son esprit de sacrifice, elle a dû renoncer au combat exclusivement à cheval (...) ».

L'auteur ne peut pas ignorer la diminution du rôle de la cavalerie, mais il croit nécessaire «la conservation de l'esprit de la cavalerie». Cet esprit, selon lui, représente « un caractère "d'offensive" et d'impulsivité, qui a eu une grande influence sur le champ tactique et stratégique».

«La cavalerie allemande, utilisant pendant la guerre seulement le combat à pied, avec la tendance de travailler presque toujours près de l'infanterie, bien qu'elle ait remporté de beaux succès tactiques, elle n'a pu jamais obtenir un résultat à caractère décisif.

La cavalerie française malgré son infériorité numérique, grâce à la conservation de son esprit de cavalerie, temporise presque toujours l'avancement des masses de cavalerie allemande, en les empêchant d'exploiter les succès remportés par leurs armées.

Sur le front russe seulement à cause de l'esprit impulsif de la cavalerie russe, la cavalerie allemande, si magistralement utilisée par Ludendorff, n'a pu obtenir de succès décisifs (...).

Ni sur le front roumain, en l'automne de l'année 1916, le corps de cavalerie allemand Schmettow, malgré toutes les occasions favorables qu'il a eues, n'a pu remporter de résultats décisifs

et l'armée roumaine a pu continuer ses opérations (...). La cavalerie roumaine réussit, grâce à son esprit de cavalerie, à faire front à ce corps de cavalerie allemand parfaitement organisé (...).

Il offre les exemples des batailles de Rusii lui Assan et Padurea Nebuna Velea entre la 2^{ème} Division de cavalerie roumaine contre la Division hongroise de Szeklers (10.000 hommes) ou l'action entreprise à Monastir, contre les Bulgares, par la Brigade 4 cavalerie française, à l'ordre du général Franchet d'Espèray.

Le colonel Ilasievici voit, dans l'utilisation de la cavalerie, la force offensive, mais reconnaît que «l'arme de la cavalerie est, avant tout, une arme d'effet moral» à laquelle il faut ajouter la caractéristique «d'arme ayant un important coefficient matériel».

Évidemment un traditionaliste, en manifestant son appartenance à l'esprit de son arme, le colonel Ilasievici croit que la présence de la cavalerie dans les théâtres d'opérations est justifiée, surtout du point de vue tactique. Pourtant: «En effet, le combat à cheval avec des armes blanches pour les grandes unités, c'est du domaine du passé (...).

Mais, en défendant la cavalerie et son avenir, il ajoute: «(...) nous commettrions une grande erreur si nous nous rapportions seulement aux expériences de la guerre de stabilisation et au pouvoir des machines entrées en jeu».

Adeptes de l'anéantissement de l'ennemi, à la recherche des actions décisives, il propose le mouvement et les manœuvres, car il ne croit pas dans le modèle de guerre «de stabilisation, qui s'est accentué jusqu'au caractère de devenir permanent sur le front occidental». Malgré tout cela il ne parle pas de chars, de leur capacité de mouvement, de pénétration, de feu.

Le lieutenant-colonel Dimitriu Haralamb, dans son étude *L'évolution des idées relatives à l'utilisation de l'artillerie en liaison avec les autres armes*, fait une analyse historique et comparative de la doctrine de l'utilisation de l'artillerie dans des pays différents et sur des théâtres d'opérations différents, à partir de 1870 jusqu'à la fin de la Grande Guerre⁴.

L'article consacré aux troupes de génie dans la guerre est signé par le lieutenant-colonel St. Căţoiu⁵. L'auteur remarque le fait que la Grande Guerre a été caractérisée par «l'utilisation au maximum des moyens techniques»; que tous les États ont été surpris «dans une période de transformation

et d'organisation incomplète des troupes de génie (...). La surprise et l'absence de la préparation ont été causées également, entre autres, par l'aversion des commandements par rapport à l'utilisation des moyens techniques dans le combat qui, à leur avis, annihilait l'esprit offensif des troupes».

Lors de son entrée dans la guerre, l'armée roumaine disposait de 5 bataillons de pionniers de champ et d'un bataillon de pionniers cité; à la fin de la guerre elle avait 21 bataillons de pionniers.

En ce qui concerne la marine, le capitaine de corvette Al. Gheorghiu étudie: **la marine dans la Grande Guerre**, son évolution, les enseignements de sa participation à la guerre; finalement il trace le contour de la marine du futur⁶.

L'auteur partage l'idée conformément à laquelle la domination de la mer a eu un rôle important «toujours, dans l'histoire du monde»; dans la Grande Guerre elle a eu un rôle stratégique. Dans le contexte de la discussion sur «la suprématie de la mer» Al. Gheorghiu précise le sens du terme de marine:

«La marine de guerre et la marine de commerce forment ensemble un entier et l'isolement d'un des facteurs composants signifie l'impossibilité d'atteindre leur raison d'être. Il n'y a qu'une seule marine et seulement comme telle elle doit être vue en tant que facteur de la défense nationale».

Quand il parle de la guerre marine, l'auteur distingue deux grandes étapes: I – «quand l'arme sous-marine n'avait pas de force», II – quand «les sous-marins allemands prennent la forme vraiment offensive».

Al. Gheorghiu accorde une importance particulière aux «flottes en potentialité»; il considère que sans «les flottes lourdes alliées» la «suprématie de la mer» n'aurait pas existé, chose valable, selon lui, pour l'avenir aussi. Malheureusement, il ne peut pas dépasser la limite de son époque et il n'accorde aucune attention à l'aviation dans le contrôle de l'espace maritime.

Une étude dont l'auteur se cache sous des initiales, A.I.P., est consacrée à l'aéronautique militaire et à son évolution depuis la déclaration de la guerre mondiale jusqu'à sa fin⁷.

Toujours d'une manière comparative est analysée l'aviation des pays belligérants de trois points de vue: «1. l'effectif des unités; 2. le matériel et sa spécialisation; 3. l'organisation».

En rappelant que «des unités constituées (escadrilles) apparaissent pour la première fois

lors des manœuvres françaises d'Est» l'auteur, «avec beaucoup de fierté», précise que, la même année, 1911, «aux manœuvres royales roumaines à Roman l'aviation roumaine apparaît elle aussi officiellement avec ses premiers avions pilotés par les pilotes Gh. Negrescu, St. Protopopescu, M. Zorileanu, N. Capșa, P. Vacas etc.».

L'auteur remarque: « De toutes les armes, celle qui au cours de la guerre mondiale a connu le développement le plus grand a été l'aéronautique, parce que la conception même de son utilisation s'est tellement modifiée au cours de la campagne que d'un simple service d'informations elle est arrivée au rang d'arme ». Il considère que l'avenir sera marqué par une compétition acerbe dans le développement de l'aviation, ayant pour but la suprématie aérienne.

La premier numéro de la nouvelle série "România Militară", parue après la Grande Guerre, est remarquable aussi par les considérations sur l'éducation, étude significative pour l'influence française dans la culture roumaine et, également, pour l'appréciation profonde que les Roumains réservent aux Français.⁸

Adhérent déclaré et enthousiaste de la conception de Gustave le Bon («Psychologie de l'éducation»), le colonel Negreanu écrit: «Seulement l'école de guerre française, par les célèbres généraux Bonnal, Maud'hui, Gallieni, Foch, en tant que professeurs, a compris parfaitement ce que ni même les universitaires n'ont su apprécier: le sens de la meilleure définition de l'éducation donnée par Gustave le Bon même:

«L'éducation est l'art de faire passer le conscient dans l'inconscient », que les Anglais – et les chefs de l'état-major général anglais – ont adoptée comme un principe fondamental pour établir une unité de doctrine et d'action dans l'éducation militaire».

La mission et l'œuvre de l'éducateur sont *le crayonnage de caractères, des caractères forts*. Sa conclusion sonne comme implacable, peut-être un avertissement à ses contemporains:

«L'histoire nous montre que par l'affaiblissement des caractères et non pas par celui de

l'intelligence ont péri les peuples. Et la force de l'intelligence ne signifie pas le niveau de la civilisation. Le caractère c'est tout ».

BIBLIOGRAPHIE:

XXX 1916-1920 «România Militară», Bucarest, janvier, 1921.

Al. RIZEANU, *Armatele viitorului*. București, România Militară», janvier, 1921.

HASIEVICI, *Considerațiuni generale asupra întrebunțării cavaleriei în războiul modern*. București, «Romania Militară », janvier, 1921.

H. DIMITRIU, *Evoluția ideilor relative la întrebunțarea artileriei în legătură cu celelalte arme*. București, «Romania Militară », janvier, 1921.

Șt. CĂȚOIU, *Trupele de geniu în război*, București, «Romania Militară », janvier, 1921.

Al. A. GHEORGHIU, *Marina în marele război. – Evoluția ei. – Învățăminte. Marina viitorului*. București, «Romania Militară», janvier, 1921.

A.I.P., *Aeronautica militară. Cum a evoluat de la declanșarea războiului mondial până la finele lui*. București, «Romania Militară », janvier, 1921.

N. NEGREANU, *Problema educațiunei*. București, București, «Romania Militară », janvier, 1921.

C.I. MARINESCU, *La pensée militaire roumaine entre les deux guerres*, Paris, 2005.

NOTES:

¹ 1916-1920. "România Militară", janvier, 1921, p. 8

² RIZEANU, Al., *Armatele viitorului*. "România Militară", janvier, 1921, pp. 15-26

³ ILASIEVICI, *Considerațiuni generale asupra întrebunțării cavaleriei în războiul modern*. "România Militară", janvier, 1921, p. 27 et suivantes

⁴ DIMITRIU, Haralamb, *Evoluția ideilor relative la întrebunțarea artileriei în legătură cu celelalte arme*. "România Militară", janvier, 1921, p. 51 et suivantes

⁵ CĂȚOIU, Șt., *Trupele de geniu în război*. "România Militară", janvier, 1921, p. 61 et suivantes

⁶ GHEORGHIU, Al. A., *Marina în marele război. – Evoluția ei. – Învățăminte. – Marina viitorului*. "România Militară", janvier, 1921, p. 66 et suivantes

⁷ A.I.P., *Aeronautica militară. Cum a evoluat de la declanșarea războiului mondial până la finele lui*. "România Militară", janvier, 1921, p. 78 et suivantes

⁸ NEGREANU, N., *Problema educațiunei*. "România Militară", janvier, 1921, p. 94 et suivantes.

Professeur Hervé COUTAU-BÉGARIE est directeur d'études au Collège Interarmées de Défense - Paris, directeur d'études à l'École Pratique de Hautes Études - Sorbonne, directeur de l'Institut de Stratégie Comparée, Paris, directeur de la revue "Strategie" - Paris.



PERENITY OR CONCOURSE OF EVENTS ON THE EXTENDED REGION OF BLACK SEA AREA SECURITY ISSUES?

Grigore ALEXANDRESCU, PhD

The security issues regarding Black Sea adjacent area accumulated many known insecurity sources in the last years. This situation affects directly not only the states in the region, but even the global security environment. This study wants to emphasize if the actual situation is singular both in history and the future of the area also.

Although the speciality papers do not conclude, yet, regarding a clear spatial delimitation for “Extended Black Sea Area”, the region was always perceived as an unitarian space through the diversity of the issues confronted within.

Scientific debates, specialty papers and political personalities used more and more during last period, the « extended » syntagm associated with the Black Sea area. This reflects the perception of a geographic *continuum*, which, although is named after it, doesn't limit to the Black Sea acvatory.

If the only criteria for defining the concept would be the toponymical one, Black Sea area must include the states with direct access to the seashore (Turkey, Bulgaria, Romania, Ukraine, Russia and Georgia). The term „extended” pushes the area geographical limits beyond riparian states borders.

The Black Sea could be a distinct geographical entity, but the geographical factor in itself has never been the source of its identity or political and economic power. From this perspective, the concept has bigger and deeper meanings. It designates a region with common political, economic, cultural and spiritual traits, rather than a geographical one.

The Romanian theoretical legacy contains countless witnesses on geopolitical and geostrategic importance of the whole space next to the seashore, its role of turn-table between three civilization areas: European, Asian and Oriental, a passage through them also.

Pontus Euxinus, a confrontation area for the former empires and so called “water support” of the “Silk Road”, after a period of historic calm, gets the world attention again. Nowadays, the variable geometry of space reveals us an area mingled political and economic networks, from Balkans to Caspian Sea, from Central Europe to Middle East.

Without having the in-depth of a very containing definition, “*the Black Sea Extended area*” means the physical and geographical space of riparian Black Sea states: *Turkey, Bulgaria, Romania, Ukraine, Russia and Georgia and also the neighbouring states, directly implied in subregional geopolitics: Greece, FYRoM, Albania, Serbia-Montenegro, Moldova, Hungary, Slovakia, Azerbaijan and Armenia, and over all the relations and interests of mentioned states adding here the interests of supra-state and non-state actors.*

The Black Sea geopolitical area, in an extended mission, was always some kind of “Bermuda Triangle” which inflamed and consumed the large empires aspirations and ambitions. This was later continued, in distinctive manners, by states resulted after the breaks of previous mentioned empires, non-state actors being added, depending on the opportunities, to this picture.

Historical evidences proves that security dynamics of Black Sea adjacent area has influenced in a significant way the entire continent security and stability, leading to temporary transformations, even “ mutations on the Europeans mental map”¹. From this perspective we must note some of the major events in history of civilization:

- *The split of Roman Empire and the designation of Constantinopole as a Capital, transformed the Black Sea area in a major political, economic and spiritual entity in the life of Europeans. The*



result was the emergence of an entire series of risks and threats to region's stability. The authorities tried different types of cooperation in order to combat with. Added to the specific military alliances of that time, regional agreements that were made, especially in order to destroy pirate activities from the sea and commercial routes robbery (Silk Road) proves that efforts were made to achieve a favourable security environment for socio-economical development, even though the concept was not theorized there.

- *The tendency to unify European states as a sine qua non condition for continental unity suffered a step back at the beginning of the first millennium along with the Great Schism process (1054). "The Old Continent", divided and exposed to the newly emerged risks and threats and pushed the Black Sea area under the Ottoman Empire domination, transforming it into a close, interior, sea isolated from Europe.*

- *The following years brought the region in the influences zones share-out, transforming it into a vast battlefield. The Ottoman Empire's expansion became a real threat for Europe and determined "the late crusades" (1366) and the opposition of hungaro-byzantine and hungaro-polish alliances (1395-1397)². In 1696, Russia's armies reached the northern part of the Black Sea. That fact led to some bloody wars with the ottomans for two centuries. This situation determined the Occident to intervene for managing those conflicts, then to quit, trying to isolate the area, leading to a cleavage between the eastern and western part of Europe.*

- *The beginning of industrial era brings a new equation in the Black Sea security geometry: the battle for resources. The following transformations generated insecurity sources that were resolved in different ways, from commercial agreements, navigational regulations, blockades, to wars, unfortunately world wars.*

After the fall of Berlin Wall, and the collapse of USSR, the states in the region, preoccupied by the new emerged situation, created rather a rejection than an attraction for the international community in the area. The perspective of embracing occidental values, appeared like a utopian one in the early 90s.

NATO and EU focused their attention to the central and Eastern Europe wing. Despite the big picture, many western annalists stated that in the last years the euro-atlantic community "allocated little time and political resources for the extended Black Sea region"³. They think that this is possible because "The Occident tend to ignore the issues that have no immediate answer or perspective: respectively those from the 'too difficult to solve'" category. That was possible because of the fear that Moscow could be irritated by this approach regarding The Black Sea area.

The first step was initiated by NATO through the PfP program. The young democracies considered it an opportunity and the program was a success.

Last decade brought two parallel waves of enlargement: NATO and EU enlargement. This way the occidental security space comes closer and closer by the Black Sea shore. Once the central and eastern states were integrated, the specific risks of the area were taken over by those two organizations. Although there are, yet, many variables or not easy to understand for the western taxpayer, the threats in the Black Sea Area have strategic value given not only by their destructive power, but by their longevity and social spheres they are targeting.

For the entire euroatlantic community, Black Sea Area states must assume the responsibility to form the first line for fighting against the major risks and threats: illegal migration, drugs, weapons and human trafficking, organized crime, corruption etc. With these evils must be fought strengthening the regional cooperation and solidarity, by the synergic action of all actors which influence the security of the entire area.

According to some scholars, NATO and EU do not close their doors. It is possible that the next waves of enlargement to include the most part of the extended area of the Black Sea.

Their moment would diminish somehow the strategic value of this area? It is hard to find a quick and sure answer. First, we must found if the area is able to become a part of euro-atlantic space or it remains only a border that will separate Europe from a conglomerate of Asian states?

Anyway, one thing is sure: the strategic importance of the Black Sea region will remain, and its geo-economic value will be kept, as long as a cheaper energetic resource does not appear.



POINTS OF VIEW

To conclude, we argue that a clear, right answer cannot be given at hand. The scientific rigor needs a very pertinent analysis of regional Eurasian entities. Till then the extended Black Sea area could be characterized as a vast territory of questions and an unresolved contradictions area.

NOTES:

¹ Charles KING, **The Black Sea: A History**, Oxford University Press, 2004, p.276.

² Șerban PAPACOSTEA, *Byzance et la croisade Bas-Danube a la fin du XIVe siecle*, în *Revue Roumaine d'Histoire*, XXX, nr 1-2, pp. 3-4.

³ Ronald D. ASMUS, Konstantin DIMITROV, Joerg FORBRIG, **O nouă strategie euro-atlantică pentru regiunea Mării Negre**, Editura IRSI, București, 2004, p.18.

Grigore ALEXANDRESCU, PhD, is the Chief of Research and Studies Section from the Center for Defence and Security Strategic Studies, within the National Defence University. He has published more than 120 articles in national and international security and strategy magazines. He is author or co-author of more than 30 studies, monographies and specialised papers.

He was on missions in Bosnia and Herzegovina.



THE FIGHT AGAINST TERRORISM FROM THE EU PERSPECTIVE¹

Piotr GAWLICZEK, PhD

The terrorist challenge has changed considerably over the past decade and likely will continue to evolve. Modern technology has enabled terrorists to plan and operate worldwide as never before. Terrorists work together in funding, sharing intelligence, training, logistics, planning, and executing attacks. Terrorist groups with objectives in one country or region can draw support from groups in other countries or regions. The terrorist threat of today consists of flexible, trans-national network structures, characterised by loose interconnectivity both within and between groups.

Furthermore, terrorist groups have become increasingly self-sufficient by using criminal activities. Today terrorist organisations not only work from safe havens within the boundaries of a state sponsor, but more and more also from weak or failed states where they can operate with impunity because the central government is unable to stop them or is nonexistent. Furthermore, terrorist organisations may also work from within the western countries they consider as their target or danger may come from certain Islamic populations living in the western societies.

Another important fact is that the probability of a terrorist organisation using a chemical, biological, radiological, or nuclear weapon, has increased significantly during the past decade. On the basis of the level at which terrorist organisations operate, one can distinguish three levels or categories. All terrorist organisations also share some kind of basic structural factors. At the basis, underlying conditions such as poverty, religious conflict and ethnic strife create opportunities for terrorists to exploit. Terrorists use these conditions to **justify their actions** and to expand their support. Next, the international environment defines the boundaries within which terrorists can act. As a result of more open borders, this environment unwittingly provides access to havens, capabilities, and other support to terrorists. Furthermore, terrorists must have

a physical base from which to operate. Whether through ignorance, inability, or intent, states around the world still offer safe havens, training areas, communication and financial networks to terrorists. **The capabilities and reach of a terrorist organisation** are determined by the organisation's structure, membership and resources. At the top, the terrorist leadership provides the overall direction and strategy and is the catalyst for terrorist action.

Terrorism is not in and of itself a self-driving concept, or in and of itself an "enemy". Rather it is a tool or a tactic, resorted to almost invariably by the weak against the strong. Therefore, the use of military and law enforcement power, conventionally designed to render strong opponents weak, can only be part of the answer. **The approach in the fight against terrorism** should be global, co-ordinated, comprehensive and long-term and should comprise the use of diplomatic, economic, information, law enforcement, military, financial, intelligence, and other instruments of power.

As complex causes are at the basis of **global terrorism, the right strategy for dealing with it** requires a whole set of complex and multiple tools with effects at short, medium and long term, as well as **operating at four different levels simultaneously**:

1. the terrorist organisations themselves;
2. states and international organisations;
3. protection, internal security and the management of the consequences of a terrorist attack;
4. underlying conditions that generate grievance and general public support for terrorism.

As far as level terrorist organisations themselves is concerned. The best way to defeat terrorists consists in **identifying and locating** them, and in **taking sustained actions against their sanctuaries**; leadership; command, control and communications; material support; and finances in order to disrupt their ability to plan and operate. This will force the terrorist organisations to disperse and when they will try to reconsolidate,



TERRORISM. WAR ON TERRORISM

continued actions should further tighten and isolate them until the terrorist threat has been returned to the domain of common criminality. Knowing the “enemy” is a crucial and essential element in the fight against terrorism. Intelligence and law enforcement services should increase their efforts and capabilities to **identify and locate terrorists** and their organisations **at home and abroad**. This information should then be adequately shared, distributed and exploited. Intelligence and law enforcement agencies **should expand and improve** their national and international relations and co-operation in order to take better advantage of the available information and intelligence. **Once the** terrorists are identified and located, actions should be taken against the capabilities that allow terrorists to exist and operate (sanctuaries; leadership; command, control and communications; material support; finances) in order to destroy the terrorist networks. **Law enforcement capabilities and efforts to capture, detain and prosecute known and suspected terrorists should be expanded**. The sources of terrorist financing should be eliminated. Specific regional strategies to defeat terrorism should be developed and co-ordinated in order to synchronize all efforts.

At the level of states and international organisations, terrorists and terrorist organisations should be denied all access to territory, funds, equipment, training, technology and unimpeded transit. This will weaken their ability to plan and conduct operations. Actions to deny sponsorship, support and sanctuary should be based on the responsibilities of all states to fulfil their obligations to combat terrorism both within their borders and internationally: **end state sponsorship of terrorism**, establish and maintain an international standard of accountability with regard to combating terrorism. On the other hand of importance is the strengthening of international effort to fight terrorism: **increase international co-operation**, provide assistance to those states who are willing to combat terrorism, but do not have the means; **use sustained diplomacy and targeted assistance to persuade those states who are reluctant or unwilling**; **interdict and disrupt material support for terrorists**; **eliminate terrorist sanctuaries**.

While discussing the problems **at the level protection, internal security and the management of the consequences of a terrorist attack**, one should be aware, that democratic societies are free

and open, and therefore very vulnerable to terrorist attacks. **Actions should be taken to strengthen** the internal security, to reduce the vulnerability of society, and to guarantee the self-protection capabilities of its security forces. Terrorist plans should be detected before they mature by improving and co-ordinating the indications and threat warnings at national and international level. **All available threat information should be merged and analysed by one single entity** in order to get the very best information possible. Procedures and systems that facilitate information sharing and reporting across the intelligence world should be improved. Much of the strength of a modern nation is built upon efficient transportation and integrated logistic, information and communication systems. The integrity of those critical infrastructures should be assured. Therefore, these infrastructures should be identified and prioritised and cost-effective practices and standards should be established to maximise security. Border controls and document security should be improved as well. **An effective and integrated incident management capability** should be ensured. This requires planning, enhanced interoperability, and co-ordination, based on and supported by rapid and effective decision-making. Therefore, policies and plans should be developed for alerting, containing, and, if necessary, repelling an attack in progress while ensuring adequate resources are available to support and assist the victims of the terrorist attack. Furthermore, these plans should be trained and exercised by all implicated authorities, services and agencies. National systems for consequence management should be developed in such a way that they allow efficient and effective integration of military and international support capabilities. Legal frameworks should be developed for these trans-service and trans-national supports.

Regarding underlying conditions that generate grievance and general public support for terrorism, there are many countries and people living with poverty and unresolved political and regional disputes. Whereas those conditions do not justify the use of terrorism, many terrorist organisations that have little in common with the poor exploit these conditions to their advantage. The real point of addressing the so-called underlying political and economic causes of terrorism is to neutralise support for terrorists in the communities in which they live, and above all to generate the



TERRORISM. WAR ON TERRORISM

will and the capacity to act against them. Bilateral and multilateral efforts should be made to resolve regional disputes. **Economic freedom, good governance, democratic values, respect for human rights and the rule of law** should be promoted and supported. A strategy to promote cross-cultural and inter-religious dialogue and understanding should be developed and implemented. Finding a solution to the biggest political-grievance issues of today (e.g. Iraq, Israeli-Palestinian conflict, Chechnya, Kashmir) is crucial to the longer term containing of the terrorist threat and is a critical component to winning the war of ideas.

Let us review which is the **EU framework to fight against this threat**. The foundation of the fight against terrorism is laid down in the European Security Strategy. There the terrorism is considered as one of the key threats challenging the whole Europe. It states which attitude is needed in this fight, where to fight and which the more suitable means are. So, the EU has to assume a greater responsibility leading this fight. It has to be more active, trying to act before terrorist acts may be carried in European countries, It has to act together to be stronger and try to maximize the coordination of efforts and work with partners. Europe is both a target and a base for such terrorism. Although its effects will affect mainly European countries territory, the origins can be far away. Then, the concept of self-defence evolves considering “the first line of defence will be often abroad”. That means, preventive actions can be carried out not only in Europe but also where the terrorist groups are harboured. Finally, it establishes that “this threat is not purely military nor can be tackled by purely military means”. Dealing with terrorism may require a comprehensive approach based on a mixture of intelligence, police, judicial, military and other means. Therefore, it may be concluded that the EU is particularly well organized and equipped to respond to such threat.

The Declaration on Combating the terrorism adopted by the European Council in March 2004 is also a key reference in this fight. It welcomed the political commitment of Member States to act jointly against terrorist acts, in the spirit of the solidarity clause contained in the article I-43 of the Treaty establishing a Constitution for Europe. This clause specifies that, if one of the Member States is the victim of a terrorist attack, the Member States shall mobilise all instruments at their disposal,

including military means. Consequently, the EU shall address the terrorism by a global approach applying the full spectrum of its own instruments and those from the Member States, in which the cross-pillar coordination is essential.

The Counter-Terrorism Co-ordinator is a key element to ensure that ESDP contribution on this fight is developed and co-ordinated within the overall EU action. In this framework, ESDP shall be considered as one of the key instruments at EU disposal. In fact, the ESDP involvement was already foreseen in the “Seville Declaration on the contribution of CFSP, including ESDP, to fight against terrorism”. This declaration states some clear and pragmatic principles of the ESDP contribution in the fight against terrorism, within an integral, coordinated and interdisciplinary approach embracing all Union policies. The Declaration concludes with the main areas where there is room for further work: Conflict prevention, deepening the dialogue with third countries, strengthening arrangements for sharing intelligence, developing a common evaluation of the terrorist threat against the Member States or the forces deployed including “the threat posed by terrorist use of weapons of mass destruction”.

Against this background, it may be concluded that the guidance for the ESDP contribution to the EU global approach to fight against terrorism has been clearly and sufficiently set up. Now it is time to start developing a full spectrum of practical measures to implement such a guidance.

In this regard, ESDP has a two-fold role, as a supporting instrument in EU homeland where actions against terrorism should be led by civilian organizations and as a leading actor when preventive actions are needed abroad. **The full range of ESDP measures** should consist of preventive/protection, active, consequence management and cooperation measures. The measures proposed are based on relevant EU documents.

Prevention is the key element in this fight. The aim should be to prevent any terrorist act to be carried out or, in case it happens, to reduce its consequences by reducing the vulnerability of forces, individuals or property. Achieving this goal is based upon an effective, timely and accurate intelligence, which shall guide further actions. There is no doubt that within the EU this task should be directed by police forces. ESDP should support their effort providing information and enhancing



TERRORISM. WAR ON TERRORISM

their own intelligence capabilities in the SITCEN. In the Headline Goal 2010 capabilities process terrorist scenarios should be envisaged in order to identify the required capabilities. Although Nations have the primary responsibility for the defence of their populations and infrastructures, assistance for support in air and maritime protection can be requested in the ESDP framework. Nevertheless, a cross-pillar mechanism at EU level should be established where all information coming from Member States police and military forces, third countries and International Organisations could be gathered and analysed to provide the necessary effective intelligence. In this regard, it has to be emphasised that the current Counter-Terrorism Co-ordinator has not enough manpower, resources and power to carry effectively out his duties. Therefore, this actor should be reinforced by the creation of a EU Counter-Terrorism cross pillar Task Force to enable him a proper performance.

On the other hand, it has to underlined that EU already makes a considerable contribution to prevent terrorism outside the EU. Thus a vast array of actions at EU's disposal are already committed to prevent the occurrence of failed states, to restore law and order and civil government, to deal humanitarian crises and prevent regional crises. All of them can be considered as long term actions to prevent terrorism.

The active measures should be aimed at terrorist groups and capabilities as directed by EU political authorities and in co-ordination with other appropriate bodies. Within the EU, Member States have the sole responsibility for actions against the terrorists groups, seeking the greatest coordination among countries. ESDP can support such actions by providing required capabilities to be employed where there is no specific role for police forces. Control of maritime lines of communications and borders, and close protection of key facilities and infrastructures will be among the more common actions to be undertaken. In this regard, it could be envisaged the organization of mix-units, it is to say, military units with police personnel embedded in order to provide legal status to the military units.

Notwithstanding, when these active measures are more effective is when they are carried out in countries where terrorist groups are based. EU's first approach in such countries should be to avoid the roots of the terrorism, promoting better living conditions and culture, and to train and equip the

country's police forces in order to enable them to fight themselves against the terrorism. ESDP, if so decided by EU's political authorities, can be engaged either as an EU action or supporting the country military forces action directed to terrorist camps and training facilities, financing means such as arms and drugs traffic, and lines of communications. Again, in the Headline Goal 2010 terrorist scenarios should be developed in order to identify the required capabilities, procedures and mechanisms for such actions. Interoperability among Member States forces becomes of utmost importance.

Consequence management measures are aimed at mitigating the destructive effects of terrorist acts and they are a primary responsibility of Member States civil authorities. But according with the Solidarity clause all instruments of Members States shall be mobilised including the military means, if needed. In this case, ESDP has a clearly supporting role within the EU countries and a leading role abroad where European forces are deployed or as a request from the country affected. Should a terrorist attack happen in a EU country, civilian authorities are responsible for directing and coordinating all the efforts needed. EU established a Community Civil Protection Mechanism able to plan, direct and coordinate actions to support national requests. ESDP should focus on the development of modalities, procedures and criteria for making available to this Community Civil Protection Mechanism the content of the data base of military assets and capabilities, including CBRN capabilities, relevant in such situations. Scenarios should be developed to help identifying the relevant capabilities, and interoperability criteria should be set up not only among military assets but with civilian means. If the terrorist attack affects a country where EU forces are deployed, following a request from local authorities, military forces are the best suited to react accordingly since countries capabilities will be diminished. Although EU forces support will be limited to the capabilities provided by the means available and to the arrival of further support from the International Community.

Finally, cooperation measures should be aimed at obtaining the cooperation and support from third countries and/or other multinational institutions (i.e. NATO, UN, OSCE, AU) in all fields of the global fight against terrorism. ESDP such focus its action in areas such as intelligence, deployability,



TERRORISM. WAR ON TERRORISM

force protection.

All the above mentioned measures are worthless if they are not based upon solidarity and collective action of Member States. A shared willingness is the bottom line to act together against terrorism. So, a common understanding among Member States should be fostered by agreeing a common definition of terrorism, setting up common doctrines, procedures and criteria, and enhancing interoperability of military and civilian capabilities inside the EU structures and among Member States. In the area of consequence management there is a need of common system of warning rules for populations and give directions. In this regard, training should be encouraged in instance High Level Crisis Management Exercises based on terrorist scenarios, which could be directed by the PSC. There are no simple solutions to dealing with international terrorism. Maybe it is still not a huge problem in terms of casualties, when compared to civil wars and other threats to human security in the form of hunger, disease and criminal violence. But the issue is huge in terms of the fear and anxiety it generates, the economic loss it causes and the number of casualties terrorists armed with WMD can one day produce.

REFERENCES:

1. *Common Position on the application of specific measures to combat terrorism*, The European Council, 27 December 2001, doc. 2001/931/CFSP.

2. *Conceptual Framework on the ESDP dimension of the fight against terrorism*, Council of the European Union 14797/04, Brussels, 18 November 2004.

3. *Declaration on combating terrorism*, Council of the European Union, Brussels, 15 June 2004, doc. 10679/04

4. *EU Plan of Action on Combating Terrorism*, Council of the European Union, doc. 10586/04

5. Javier SOLANA, *A Secure Europe in a Better World. European Security Strategy*, Brussels, 12 December 2003, <http://ue.eu.int/pressdata/EN/reports/78367>.

6. *Military Advice on the Conceptual Framework on the ESDP Dimension of the Fight against Terrorism*, Council of the European Union 14321/04, Brussels, 9 November 2004

7. *Terrorism in Europe: How does the Union of 25 respond to this phenomenon?*, Remarks by Dr. Javier Solana, EU High Representative for the Common Foreign and Security Policy (Berlin, 7 October 2004).

NOTES:

1 Based on the seminar work presentation delivered 10.03.2005 in CASD Rome in the frames the final module of the Pilot Course of the European Security and Defence College (ESDC), being the result of the cooperation of the team consisting of five persons: Juan Campíns Miralles (Spain), Wilfried Ruyters (Belgium), Georgios Kyriakou (Cyprus) and Gerald Degaetano (Malta) and the author of this paper.

Captain (Navy) Piotr GAWLICZEK, PhD is Professor at the National Defence University, Warsaw.



TERRORISM AND THE DICTATORSHIP OF THE MOMENT

Sorin OLTEANU

“The progress of civilization brings about a terrifying and abject...” These words are used by Brigadier-General (retired) Gheorghe Văduva, PhD, in one of his studies on the terrorist phenomenon. He asserts that, nowadays, terrorism spreads rapidly. Undoubtedly, the development of the potential of defence and counteracting this disease of the XXIst century only has as a result the evolution of the insanity of violent terrorist actions. The modern and elevated solutions designed to protect the society from terrorist threats make terrorist actions more diversified, and, with the help of the latest technological discoveries of humankind, terrorists create chaos through feelings of panic and incertitude at a planetary level.

Terrorism, in all its forms of manifestation, is a phenomenon still hard to define and to categorize in the existent patterns for evaluating an aggression. The difficulty resides in the fact that we use terms and concepts that are not enough to depict this “new” form of manifestation of human violence. Numerous studies and works, dealing with terrorism, underline the complexity of this phenomenon, which, so far, has taken by surprise the XXIst century. It is very important to define and analyse this threat.

We consider that the interpretation of Saïda Bedar¹, which underlines the asymmetrical character of the present terrorist phenomenon- an approach accepted by other political analysts- is relevant for identifying the factor that impedes the correct definition of terrorism.

Asymmetry, which means getting an advantage, or, even a victory in a confrontation, by exploiting the enemy’s vulnerabilities and avoiding his strong points, shows the strategy used by terrorists in order to reach their goals. Using efficient safety, defence and retort measures against the terrorist phenomenon -, which are well formulated and considered to be insurmountable to any aggression- their initiator finds himself in the situation in which his plans (so minutely designed, elaborated in as many

variants as possible) are invalidated by the most unwanted test. The belief that all the possibilities of penetration of a safe system have been taken into account and processed the legitimate belief of the one that has designed and has been responsible for the safety of an objective, regardless of its size and its nature, induce the feeling that nothing can happen, that each possible phenomenon, which might endanger the mission, has been foreseen. These feelings, together with all his efforts to take all the necessary measures make him confident, but the moment an almost impossible terrorist attack takes place, he is shocked. Such a reality creates a state of helplessness, of incertitude, of fear. In fact, such a state results from a distorted perception by an outsizing of this type of aggression, which surpasses the boundaries of human understanding. The terrorist attack is another way of fighting (a fight adapted to the “theatre of operations”) that takes place in conditions determined by the nature of belligerent parts. We must take into account an essential truth: any terrorist attack is not a reaction to a given situation; it is not a way of defending from those enumerated in the UN Chart, but an aggression. Of course, not everybody agrees with point of view, but it tends to become a cruel reality of our present times.

This reality has many nuances. We have states and alliances that have all the necessary forces and means in order to deal with an armed conflict of huge proportions, and, on the other hand, we have groups of people and organizations that are formed from such groups. These groups have limited, but very advanced technique. The poor technical endowment is compensated by the terrorist’s fanaticism and strong belief that his recourse (a deadly one in its essence) is legal and it is the only way in which he can fight with a superior enemy. Because the terrorist considers his enemy incapable to solve out his problems, an entity that has the decisional power by sheer lacks, insensible to his vital needs (that are a priority and are inflexible). The terrorist is the only one that has to right to the



TERRORISM. WAR ON TERRORISM

attention of the decisional factor.

The sensation of an insuperable situation makes the terrorist to look for new and diverse ways of action. His hatred becomes paroxysmal. His actions surpass the limits of a protest. The terrorist seeks new ways of revenge to get back to the lack of sensibility and understanding of those having power, and of those that support them. That is why; most of the attacks are against those that are not protected by the special services.

The lack of decisional power to put an end to terrorism belongs to the civil community, which accepts the politic of the leading class, and it has to be punished.

We can say that the attacks on civil population are the easiest way out, the only way to hit an enemy (who is an easy target for a successful terrorist action); such attacks have a great impact on the decisional factors, the terrorist attacks real targets. The solutions of attacking the defenceless has appeared the moment the terrorists realized that the direct attacks on personalities were impossible. This was a consequence of some unsuccessful attempts to hit the top of social hierarchies. Searching for new way to manifest his hatred, the attacks on civil population appear to be the best solution. The terrorist's need of revenge, in order to satisfy his need to induce pain on persons that do not share his convictions, addressed to the standards of a better life. For the terrorist the whole world is to be blamed. His actions are to punish the world, which, in his eyes, is guilty.

Unfortunately, the "net" seems to function. The emotional impact on population of the terrorist attacks did nothing else, but helped to the reaching of the goals on terrorist actions. One

of the democratic values, the liberty of the press proved to be a very easy to obtain instrument for the terrorists. The hunger of the mass media for the sensational, in order to get commercial value of the everyday life that leads to the "dictatorship of the moment". Mass-media offered an unexpected support to the terrorist activities.

The instantaneous publicity, free of charge, on the front page, of the terrorist manifestations induces, at international level, a feeling of insecurity, of fear to the public opinion. This, in its turn, influences the decisional factors, who perceive the terrorist attacks maximized by the informational channels, which operate at a global level.

The cooperation with mass-media in the case of terrorist attacks leads to the exploitation of the perception of terrorism and of the fear generated by it. Different groups of people feel the negative consequences of a terrorist act, directly or indirectly, at the same time. The event is perceived with high intensity, on the same people, but in different moments of time. Moreover, the well-known Breaking News is now associated with a new vector of spreading the terror. This terror deeply troubles the everyday life of the society. It announces the world a new terrorist action, a new escalation of violence against those defenceless.

NOTES:

1 Saïda BEDAR, *L'asymétrie comme paradigme central de la stratégie américaine*, Le Débat Stratégique N° 56, May, 2001.

Lieutenant-colonel Sorin OLTEANU is chief of the Secretariate Bureau in the National Defence University. He post-graduated the course of leadership in military educational management organised by NDU in 2004.



BIOTERRORISM - ANOTHER KIND OF WAR

Cornel CUCU

After September, 11, 2001, the threat related to terrorist attacks against the humanity doesn't seem any more just a scenario beyond imagination. The nuclear, chemical or biological terrorism doesn't belong to science-fiction.

According to some experts, the risk of using such weapons is getting bigger and bigger, taking into consideration the increase of inter ethnic and religious violence and the break of human rights. The international treaties that concern such kind of weapons don't offer enough control measures. That is why is necessary for both states and NGOs to involve. With all the US mobilization against the countries considered terrorist, the threat of bioterrorism seems to be a restless one for the future.

Terrorism remains the main threat at a global level, at the beginning of the 21st century and can only be defeated by the raised implication of some military and political structures which should reflect their common interests and values affecting the whole world.

In spite of the attempts to increase the efforts for counteracting terrorism after 11th September 2001, still stand a series of conditions which determine the fact that many countries from Africa, Asia, Central and Southern America, Northern America and Europe to be preferred by the terrorist to set there training bases. Through these conditions can be reminded the poor financial and technical resources, some instability areas and prolonged violence existence, corruption, weak legal and financial systems as well as permissive borders and uncertain coast zones that ease the person and smuggled goods traffic.

In the international context of permanent change, will be varied the means of preparing, promoting and imposing the new geopolitical objectives. Therefore, the hard power that represents the capacity of imposing its own will and commanding, sustained by the military and political force using the traditional power re-

sources for accomplishing its goals, begins to be used, more and more, together with the soft power, given by a state's skills to convince other countries to wish the same thing as the first one wishes, using its own culture and ideology.

Almost all the countries all over the world handed UN reports concerning the taken measures they had taken to act in compliance with the requirements stipulated by UNSCR, No. 1373. This includes the obligation to forbid the terrorists their goods and also to interdict any other entity from that country to offer financial or other nature support to terrorists or their supporters.

After 11th September 2001, the cooperation and extended information exchange between states prevent terrorist attacks, save lives and reveal the terrorist hides.

The progress obtained in the global war against terrorism wouldn't be possible without an intense diplomatic commitment all over the world. Diplomacy is campaign's main key building political will, support and mechanisms that allow law's representatives, Intelligence Services and Armed Forces to act in concrete ways.

With all the international efforts, the terrorist calamity continues to affect the world in all the past years, making victims from Bali to Groznai and Mombasa. In the same time, the global war against the terrorist threat has been very intense in all the regions, with encouraging results. In Afghanistan the Coalition forces managed in setting the population free, eliminating Al Qaida and the Taliban regime from this country, destroying their training infrastructure and establishing a transitional govern engaged in bringing the democracy and economic development in Afghanistan.

Launching some rewards programs for information that could lead to detecting and eliminating any financial system working for the terrorist, many of those persons that used to support the terrorists seem to have given up this activity. The terrorists can't use safely their international banking system.



TERRORISM. WAR ON TERRORISM

The best way to defeat an enemy is to know him very well. This paper set as an objective to answer all the questions many people asked concerning the threat ahead of them concerning bioterrorism.

Bioterrorism means the use or menacing with the use of viruses, bacteria, fungus or toxins, microorganisms, with the declared intention of causing illness or death of human beings, animals and plants for reaching certain objectives. Bioterrorism's effects for the public health are considerable even just in the eventuality that the number of infected people is a little one.

The chemical agent is a substance designated to be used in military operations to kill, to generate severe maladies or to take off the field some combatants. Chemical weapons are cheaper can cause great damages and are very easy to be manufactured. In the 20th century were used in many military conflicts.

In the late 20th century, after HIV, AIDS, EBOLA have occurred, as well as terrorism and after breaking the Convention over Toxic and Biological Weapons, it was clear that there was no analogy between bioterrorism and the menace of nuclear and chemical weapons whose proliferation was stopped in the second half of the last century.

The classic war with the well-known enemies and camps evolved to the terrorism stage. Terrorism or its related activities presume actions as: terrorist attacks; propaganda; recruiting adherents; collecting information or funds; establishing logistics for support and influencing VIPs, politic parties or even political regimes; producing, transporting, selling and consuming drugs; proliferation of WMD and dual technologies; diffusion of ballistic missiles technology, nuclear, biological and chemical weapons.

Bioterrorism was placed in the context of the imposed measures in the public health field for preventing the illness. Under these circumstances, it is natural to focus over defence, under the forms of preventing, monitoring the disease and improving the response capability considering the fact that the efforts of nonproliferation biological weapons are more difficult that the nuclear one and the use of punishment over the terrorist groups is questioned.

According to an American group of experts in the preventing and controlling diseases field the most dangerous microorganisms for the public health are: chicken pox (*Variola major*),

anthrax (*Bacillus anthracis*), plague (*Yersinia pestis*), botulism (*Toxina botulinica*), tularaemia (*Francisella tularensis*) and ulceration fevers (filoviruses/arenaviruses).

These can be transmitted in many ways but only two are tough enough to affect a great number of people: digestive or through air.

Some microorganisms cause the disease more by the toxins actions than their duplication. Toxins are produced by bacteria. Inhaling toxins causes disease. This type of contamination is considered to be 'practical' for the crowded places with water banks where the toxins could be spilt. It is mainly about the botulinic toxin that causes paralysis of the muscles and breathing apparatus.

The most amount of botulinic used agents can be aerial transmitted. These ones have the ability to multiply themselves causing the disease after different incubation periods. The greatest risk of contamination a big number of persons, thousands and even tens of thousands, is dissemination in the time of some public or sportive manifestations using planes such as the ones that spray insecticides over crops or using aerosol-like devices.

On January 1999, Craig Venter, the head of the private project for decrypting human genome (already finalized) let everyone know his intention to chemically 'adjust' the new infectious agents. This program was abandoned for ethical and security reasons. Nevertheless, some theoretical aspects have been developed in a program called 'Minimal infectious genome'. There has been drawn the conclusion that for 300 genes are enough to cultivate the microorganisms. Genetically modified viruses could be used as WMD more easily than artificial ones. Still, the first viruses have a lower resistance than the 'wild' ones. Additionally, there does exist the natural enemy of viruses: the bacteria which, in this case, help us. Biological and chemical weapons are the key of the weapons that spread terror. Currently, the 'association' between this kind of weapons and terrorism has become something usual strengthening their psychological effects, generating fear, panic and uncertainty.

The psychological effects of biological and chemical weapons could be analyzed in two different ways, the threat related to their utilization and their actual utilization. There are two different types of biological agents: microorganisms and toxins. The first ones consist of: bacteria that generate anthrax, plague or tularaemia, viruses



TERRORISM. WAR ON TERRORISM

causing diseases as smallpox, Ebola, richettsi 'pathogen agents' that cause a fever and fungus which act, especially, on agricultural crops. Toxins are produced by plants or microorganisms: botulinicum agents and castor-oil plant that can be chemically obtained.

Biotechnology may be used in order to obtain these biological agents at a large scale and genetic engineering can increase their resistance to vaccine and current medical treatments.

An important role is being played by the rapid reaction services: intelligence services, police, gendarmerie or military whose involvement should be visible and credible. The content of information as the terms as well should reflect the situation and its receiver must be provided precise details concerning his future job. This doesn't happen all the time. The way information is being told has to be like a signal warning that life is in danger. These services have to show that they are willing to provide support when the threat is serious, to control the populations' mood bringing it to average limits thus demonstrating their skill to diminish the anxiety. As for their actual utilization is concerned, using chemical weapons in terrorist attacks is a well-known issue. The psychological impact on society make them ideal for terrorists as it was the case of the attack with neurotropic gas, in Tokyo subway, attack initialized and developed by Aum Shinrikyo members. The terrorists left in a train a plastic bag (containing sarine neurotropic gas) which was pierced with an umbrella before their running. The resulted vapors affected 3.796 people and caused 12 deaths.

As well, the high level of toxicity and lethality make the biological weapon to be preferred by the terrorist groups. The related terror can easily generate panic and social riots and the time between the attack and the occurrence of disease diminishes the chance of the authorities to take quick measures.

'Bioterrorism' menace that meaning the use of the biological weapons for terrorist goals in the cities is more stressful. Is normal to expect some panic manifestations on large areas if these weapons will be used or even if the use of such weapons is presumed. It can be anticipated a psychological reaction the so-called sociogenic mass disease. At 29th September 2002, some fumigene released a bioterrorist alarm in a school from Washington when 16 pupils and a teacher

were put in hospital. At 3rd October 2002, over one thousand pupils from many schools in Manila (Philippines) invaded the local clinics having usual cold symptoms: coughing, fevers and medium febrile elements. Everything was a consequence of some rumours spread through mass-media which attributed these symptomologies to some bioterrorist attacks. At 9th October 2002, a man spread an unknown substance in a subway station on Maryland; as a result, 35 persons suddenly had sea-sick symptoms, headaches and disphagia. Future tests showed that the bottle contained some window detergent. The examples referring to the sociogenic disease warn about the risk of uncontrolled amplifying psychological responses to the chemical and biological weapons threats growing their impact.

Intelligence services experts identified three categories of terrorist groups which could use WMD weapons: sectes and religious cults, racist and antigovernmental groups, fundamentalist and extremist organization.

There don't exist 'perfect' biological weapons. For the moment, infectious vectors are sensitive to the known antibiotics. Others, as botulinic toxin, are relatively fragile and uncontagious. In present, the biological weapons use could provoke a certain number of deaths but frightening disease are impossible. It remains the hypothesis of the bacteria resistant to all the existent antibiotics, through genetic manipulation, SF scenario for the time being.

Some countries, as France, took seriously the bioterrorism risks. The 'Biotox' plan created after 11th September 2001 sees the reconstruction of the vaccine stocks against smallpox. An emergency laboratory could work 24/24. Hospitals will have special materials for being able to encounter the chemical and biological risks. Waters chloration rised for neutralising an eventual contamination of the drinkable water. An surveillance institute has the job of detecting as soon as possible the sanitary emergencies and to pick the signs about anthrax, meningites etc.

Countries as France, Great Britain, Ireland and USA practiced, especially in the subway, alert exercises for testing the capacity of reaction to a bioterrorist attack over population.

In the United States, antibioterrorist plans existed at every state level, even before 11th September 2001.



TERRORISM. WAR ON TERRORISM

Other states reconstitute the vaccine stocks. Australia bought in 2002, 50.000 vaccines doses against the smallpox. Israel has a quantity which can permit the vaccination of its entire population. In France, 60 millions persons can be vaccinated in 15 days, if would be necessary. Germany, which had 36 millions vaccine doses against smallpox, became to detain 100 millions at the end of 2003. All these precautions imply huge costs.

The risks are at planetary level. There aren't frontiers for the smallpox or pestilence. The menace is global so the feedback must be global, too. UN appreciates as being fundamental the cooperation between international, regional and sub-regional organizations. The international community must prevent the hold or use of WMD weapons by the non-statal groups or entities.

In February 2003, The Ministers Committee from the European Council adopted a protocol regarding the terrorism repression. European Council, OSCE, United Nations underlined at Geneva, in 2003, the necessity of a common frame for fighting against terrorism in an effective way and called to the intercultural and interreligious dialogue intensification.

UN adopted numerous juridical texts against terrorism, among them, a point referring to the manufacturing and utilization of the biological and chemical weapons prescribed through the Geneva protocol, from 1925, the Convention over the Biologic Weapons or Toxins, from 1972, and the Convention over the Chemical Weapons, from 1993. With all the favourable position of the 146 adopted states, United States opposed to the application of a control system which supervised the respecting of this Convention, fact of capital importance nowadays.

Mondial Health Organization accorded assistance at the national and international level for being able to response the biological and chemical utilization consequences as well as to the epidemics deliberately 'created'. The recent SARS epidemic (severe acute respiratory syndrome) contributed to the acknowledgement acceleration over the biological risks and the impact of the economic damages caused by a disease into a globalized economy. For fighting against this and others infectious maladies, European Union propose the creation of an European Malady Control Centre which will become operational in 2005 and will permit coordinated answers to any epidemic and,

also, to any bioterrorist attack.

Every state should engage for protecting its population in present and future against the terrorism consequences viewing two legitimate objectives: population's life and security with the respect for the human rights and fundamental liberties.

Efficient population protection imposes the national interests exceeding and recognition for an effective fight against bioterrorism consequences in Europe. In the Commission's report over the social, health and family problems sustained in February 2004, in the European Council framework, was agreed the population's protection refuse, on behalf of every state's financial means. Beside the coordinated fight at the entire Europe level which isn't limited to the European Union members, is to be imposed the creation of an European fund meant to supply the lack of financial means of the new European Council members.

Bioterrorism prevention, pursuit and response must be completed with defence methods against some possible threatening scenarios. There exist numerous viruses and bacterium that can provoke the peoples, animals and crops sickness. An effective defence imposes priorities establishment: identification of the menaces in real time and research, discover and response agendas implementation destined for their fighting. The short and long term measures are destined for protection against the most severe menaces which can be seen but they although can be insufficient for combating the provocations on long term. Thus, between USA and Russian was signed an agreement where is stipulated the non-proliferation and reduction the number of the operational strategic nuclear charges until a level between 1.700 and 2.200, in the last ten years. Dialogue and discussions on this theme will be continued for developing of a new strategic context which should permit the both sides to answer the true threats of the 21st century as partners and friends, not like opponents. It was agreed over the cooperation in the antiterrorist fight. For this scope, it was decided to amplify the information and expertise exchange in the bioterrorism counteracting actions and the nuclear materials protection and control for preventing the illegal traffic.

The defence measures against bioterrorism under the forms of prevention, sickness follow and improvement of the response capacity



TERRORISM. WAR ON TERRORISM

remember the thing that the biological weapons non-proliferation efforts are more difficult than the nuclear ones and the penalty use is put under the question sign regarding the terrorist groups.

Cloning, DNA, biologic weapons. Is there any connection? Can be created by genetic means new infectious agents so peculiar that they could kill at order just the populations with certain anatomic and physiologic attributes? Or, maybe, they were already been created. Is the SRSA's aetiological agent (atypical pneumonia) a spontaneous appeared virus? Or escaped from a research laboratory? Is the humanity without protection in front of the new menaces? It will find the way for surviving? We believe that these questions must be urgently answered. Is the case for the authorities from the majority world's countries to be able to supervise all the results, especially those with bioterrorist potential, with the responsible support of the researchers field. Nothing justifies the experiments in the science name if they endanger the human specie. The unconfirmed or controversial hypotheses about the effects from the exposure to the chemical and biological weapons will become probably the main issues of the scientific speeches and mass media for the next years.

Bioterrorism, part of the international terrorism became the most painful plague of the contemporary world. Anybody can be the victim of a terrorist attack. That's way, fighting against terrorism is in fact a responsibility for everyone. Undoubtedly, the war against bioterrorism will be a long term conflict where the frontline aren't marked and the bioterrorism practitioners blurred intentionally the distinction between combatants and non-combatants. In these conditions, bioterrorism is more than a bomb or a weapon, it is a fight which uses as theatre the politic arena, is an ideas and ideologies war. The fighting against bioterrorism

asks firmness, courage, imagination and ability.

It's a pity that the few studies which appeared don't succeed in filling the knowledge hole of the international security and armed forces field. In the menaces exchange context, a favourable current in present is the security culture development at the Romanian population which we will approach in a future study.

BIBLIOGRAPHY:

*** „A terrorism analyze in the world, 2002”, publication of the USA Extern Ministry, April 2003

** * „National Strategy to Combat Weapons of Mass Destruction”, December 2002

*** „Proliferation Control Regimes: Background and Status”, February 2005

gl. bg. (r) dr. Gheorghe, Văduva, „Contemporary terrorism – risk factor for the national security and defence, in the conditions of the NATO member statute”, NDU's Publishing House, Bucharest, 2005

Lloyd, Andrew; Mathews, Peter, „Bioterrorism, calamity of the 3rd millennium”, Hiperyon Publishing House, Cluj - Napoca, 2002

Conf. dr. Vasile, Paul, dr. Ion Coșcodaru, „World's power centres”, Social and Political Sciences Publishing House, Bucharest, 2003

Cecilia, Sfetcu, Translate and adaptation after „Biotechnology and Bioterrorism: An Unprecedented World”/ (Survival, vol.26, nr.2, Summer 2004), „Military Observatory” no. 3 / 2005

Delia, Petrescu, „Bioterrorism – a real threat”, „Modern Military Spirit” no. 10 /2004,

Gheorghe, Vișan, „Bioterrorism – a threat for the entire civilization” „Military Observatory” no. 41/ 2004

Cezar, Pârlog, „Chemical and biological weapons: a psychic terror?”, „Modern Military Spirit” no. 5 /2004,

Ion, Pleșu, „The strategic implications of terrorism”, „Modern Military Spirit” no. 1 - 2 /2005

<http://www.state.gov/s/ct/rls>

Major Cornel CUCU is officer in the Ministry of National Defence. He is a grader in military sciences and a post-grader of the course of International Relations and a PhD candidate in military sciences.



PRIZES AWARDED TO SOME SCIENTIFIC RESEARCH WORKSHEETS

On April 14, 2005, during the annual session of scientific papers organised by the National Defence University, there was awarded the best paper written by the NDU personnel.

The nominated papers were: “The military art during time” (volume 1 and 2) by General Mihail Popescu, Ph.D., Lieutenant-General (ret.) Valentin Arsenie, Ph.D., Brigadier-General (ret.) Gheorghe Văduva (senior researcher at the Center for Defence and Security Strategic Studies), “Production logistics” by Colonel Benone Andronic, Ph.D., Colonel (ret.) Eugen Siteanu, Ph.D., (researcher at the Center for Defence and Security Strategic Studies).

The winner was the book of Lieutenant-Colonel Ion Roceanu, Ph.D., “Fundamentals of C4I systems”.

The National Defence University’s Printing House published the awarded book last year. According to the author, the book intends “to offer readers the basic theoretical elements in order to create an almost complete image on role, scope and missions assigned to these systems during the modern military actions dynamic”.

Under the new circumstances of carrying out the military actions, the network centric warfare, processing the useful information for commanders and their usage requires integrated C4I systems.

During 274 pages, the author points out the basic principles of the technical and informational structure of C2 systems, the communication infrastructure, the laws, norms and standards ensuring the systems’ interoperability both national and multinational.

The book is structured in ten chapters – The informational dimension of the modern battle space; Information in C4I systems; The roles, principles and structure of C4I systems; The command and control system; The communication system; The informational sub-system; The C4I systems in some NATO member states armies; The interoperability of C4I systems; The information security – and it is useful to read by military analysts and by those ones trying to understand the role of these systems in the 21st century military conflicts.

The scientific approach is sustained by a large bibliography and it is a paper for those ones involved in the command, control, decision and execution processes in the modern battlefield and for the military educators.

Lieutenant-colonel Ion Roceanu, Ph.D., is Professor at the Chair of Military Informational Systems and Defence Information from the Command and Staff Faculty, the National Defence University.

Cristian BĂHNĂREANU



THE ACTIVITIES OF THE CENTRE FOR DEFENCE AND SECURITY STRATEGIC STUDIES

APRIL-JUNE 2005

On 14th – 15th of April, the National Defence University organized the scientific communication session „Threats over the security and strategy at the beginning of the 21st century”, CDSSS having the responsibility of coordinating the „Defence and Security” session. There were invited at this activity VIPs from Ministry of National Defence, Ministry of Administration and Internal Affairs, Ministry of Education and Research leadership, military and civilian specialists. On this occasion there was realized an opinion exchange in fields as: management and education, defence and security, history, geopolitics and geostrategy, e-learning and educational software, military educational systems, electronic war and data's security, military strategy, operative tactic and art, logistics, economy and finances, foreign languages' role in intercultural communication, law, communication and public relations.

Thursday, 26th of May 2005, in CDSSS's organization had place the scientific seminary with the theme: „Network based war and the military actions future”. The problematics, with a large actuality in all the world's armies, was tackled by specialists from General Staff, Armament Department, Euroatlantic Integration and Defence Policy Department, staff services and NDU. The scientific communications were followed by debates where were studied thoroughly the Romanian Army preoccupations in this field the same with perspective of the planned and developed military actions for the new concept applying.

In this period there were elaborated and published a series of reference papers for the field in the Studies and Research Section: “Network Centric Warfare in the new military conflicts physiognomy”, “Methods and proceedings for identification of the weight centers in armed conflicts times”, “Using Air Power at the beginning of the 21st century. Realities, tendencies, implications”, “Cultural differences between Romanian army and society”, “US Military bases redislocation in the Eastern Europe - Romania” and the studies volume “Defence and security” no. III.

On November, 22nd, there will be organized the scientific communication annual session “Security and stability in the Black Sea Area”. The presented papers will be published in a volume.

Meantime, there will be continued the collaboration with the Strategic Studies Institute from National Defence University from Brno, for finalising the study “Role and place of small and medium-sized countries on achieving regional security”, and, meantime, there will be started the cooperation with other similar institutes from NATO members countries.

Irina CUCU



In attention of potential collaborators

The articles sent for publication have to be sent to The Center for Defence and Security Strategic Studies, 68-72 Panduri Street, sector 5, București or by mail to cssas@unap.ro.

There will be mentioned the surname and name of author/authors, speciality, scientific titles, institution (academic/military/civilian).

The articles have to be sent electronically, typed in Word, font Times New Roman, size 12, one line spacing.

The articles should not have been sent for publications to other publications/printing houses.

In order to make the collaboration effective, please mention the contact possibilities (phone, fax, e-mail).

Authors own exclusively the responsibility for articles published.

The manuscripts are not returned.



The Strategic Impact magazine has come to the 15th issue. Each of them is the result of a fruitful collaboration between the Center for Defence and Security Strategic Studies researchers and numerous authors from the Ministry of National Defence, from the General Staff, the National Defence University, the Services' Staffs, the Services' Academies, from university teaching system, from different ministerial, scientific research, military units structures, from NGOs, different companies and media. It is a privilege for our publication to host a large and competent debate on actual issues such as the military strategy, the national security. This debate has proved to be useful and necessary for stimulating the military Romanian thinking in concordance with the new coordinates determined by the status of a NATO member and a future EU one. We remark with pleasure the valuable contributions of the authors for the success of this debate and we warmly thank them.

Editors: Corina Vladu
Issue organizers: Corina Vladu
Designers: Corina Vladu
The National Defence University Printing House
