EUROPEAN NEGOTIATIONS
A CASE STUDY: ROMANIAN ACCESSION TO THE EUROPEAN UNION

VASILE PUSCAS
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A case study: Romanian accession to the European Union

by

Vasile Puşcaş

I.U.I.E.S.
International University Institute for European Studies

I.S.I.G.
Institute of International Sociology – Gorizia
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INTRODUCTION

Negotiation is an objective necessity, an outside imposition, a style in achieving aims. Everything it entails is carried out to maintain positions, to expand, to defend, to manage relations with neighbours.

Essays and research produced by ISIG have highlighted increasingly often that negotiation is indispensable in the resolution of conflicts. The parties come to the table to conclude a period of conflict, and they do so negotiating on individual practical matters made up of small things in a range of territorial, economic, social, human and cultural operational environments. In the desire to resolve a conflict there is an overall aim (the end of the conflict), followed by practical matters which unravel into the practical and operational points to be negotiated over varying periods of time.

The formation of the European Union has introduced a new way of constructing Europe, with the generic European Union in the background and on the negotiating table the practical matters on which agreements and directions have to be found. Negotiation is a revolution in international politics, but above all in the international economy, international society, international culture and international law.

Negotiation for the construction of a future which is better than the present, and in any case peaceful, is a great new discovery precisely because it is produced not by urgent constraints to unify (as a result of imperialist expansion or the will of elites which do not necessarily pursue the interests of their own countries) but by a general aspiration (to be part of a single Europe) and by specific drives reflecting the interests and needs of each country participating in the negotiation.

In short, this new way of constructing Europe breaks down the problems of negotiating into a great many specific and independent factors, requires a new form of professionalism on the part of the negotiator(s), lays down principles according to which not everything can be obtained - and not immediately - from partners, high-


lights other principles whereby something must be conceded or at least expectations must be reduced (in the short and medium term too), and produces institutional and organisational instruments which implement the results of the negotiation.

These and many other aspects of negotiation are discussed in “European negotiations. A case study: Romanian accession to the European Union” by Vasile Puşcaş. The book provides a cross-section and in-depth analysis of European negotiations based on the experience of Vasile Puşcaş as Chief Negotiator for Romanian accession to the EU and on the work of theorisation carried out by Professor Vasile Puşcaş as a university lecturer in International Relations.

Herein lies the originality of the book we present to the reader of international and European negotiations, because in it the author enters the very heart of the way of being Europe which the EU has come to embody. Negotiation is not simply the process by which a country achieves accession to the EU, it is the everyday life of the European Union itself, lived through building consensus around small things which then give substance to great things, objectives and goals.

Puşcaş’ book is also a contribution for scholars working with ISIG - the Istituto di Sociologia Internazionale di Gorizia - in its “Permanent Forum for Peace Actions”.

But the book stands above all as a textbook for students of the research doctorate in Transborder Policies for Daily Life and the Masters’ degrees as International Peace Operators and in Methods for European Policies organised by the IUIES - International University Institute for European Studies. It is from this study of negotiation that they learn theoretical and empirical elements and operational and technical skills regarding negotiation practice in cross-border cooperation, in the formation of EU policies and in managing the resolution of conflicts.

It is for these reasons that I wish to express my deepest gratitude to Professor Vasile Puşcaş, who in “European Negotiations” has skilfully synthesised his experience as Chief Negotiator in Romania’s accession process to the EU with his wisdom as a thinker in and teacher of international relations.

Alberto Gasparini
President of IUIES
NEGOTIATION AS A METHOD OF BUILDING EUROPE

In Europe increasing interest is being shown in accession negotiations with the EU, provisionally closed chapters and chapters still under negotiation and the future positioning of a future Member State within an enlarged EU. Of course it is clear that accession negotiations are only a small part of the daily European negotiation process in Brussels and in Member States’ capitals. From this perspective, in the media and in analytical and political circles, the way Europe will function in the European and global plan is a frequently discussed subject (Smith 2004). This interest is undoubtedly a positive factor for societal involvement in the European integration process.

However, we also have to take into account the way the EU attitudes are built, and in this regard the way a Member State will understand how it is to make its presence felt in the European decision-making process. Finally, when we refer to the EU, do we have to take into account only rational or selfish interests? Are we speaking of a process of accommodating interests among Member States? The answer must be seen from the perspective of the EU as an enormous negotiation process (Meerts 2003) in defining the European interest. What are the lessons offered by the European construction process thus far and in what way could they be used to optimise state-institutional and Community behaviour after 2007?

When we speak of the EU as an enormous negotiation process, we refer mainly to negotiations over the nature of the EU, negotiations within the EU (internal negotiations) and negotiations of the EU (external negotiations). In other words, negotiations focusing on different national interests (with regard to EU development or accession to the EU), internal negotiations that include comitology, multiple institutional frameworks, different sectoral coalitions, different
cultural approaches and the negotiations of the EU in the international framework as a single actor (Pfetsch 1998).

In this respect, this paper will not focus on identifying the interests of each Member State or the evolution of their interests in key moments of European construction, but rather on identifying the ways which negotiation processes specific to the Union have influenced and still influence new developments in the European construction process.

In other words attention will be paid to the interactions between negotiation processes and the EU’s diachronic evolution, the interdependences between processes of harmonising Member States’ interests and processes of internal reflection on the functionality of the European construction.

**Accommodating interests among the Founding Fathers**

The European process is clear. In 50 years it has developed from sectoral bilateral cooperation to a political and economic structure with legal and political identity, in which Member States are willing to identify best possible European solutions. The starting point in this European construction process was the plan conceived in 1950 by Jean Monet and proposed by the French Foreign Minister Robert Schuman. The plan envisaged the harmonisation of France’s and Germany’s interests in a sector considered essential for their economic and political development: coal and steel production. The transfer of sovereignty in favour of joint decision-making became an essential condition for membership.

Subsequently four other states immediately began negotiations: the Benelux countries and Italy. Due to divergent perceptions of the future of this integration process, import issues (trade patterns) and conservative attitudes toward the transfer of sovereignty, Great Britain refused France’s invitation to participate to this project. For the same reasons the UK did not participate in negotiations for the Treaty of Rome (1957).

In other words, at the very outset the European integration process and European construction bore the mark of evaluating the chances of harmonising participants’ interests from national and Community perspectives.
The classic method of enlargement - applicability in EU negotiations for enlargement

To emphasise the role of negotiation in building Europe, special attention has to be paid to the enlargement process and the elements of continuity in European construction - in other words, to the processes that presuppose the consensus of participants. Of course, the starting point of a general perspective might include “the Community method”, the continuous shift between “deepening” and “enlargement” or the “spillover” theory. From the negotiation perspective, the starting point in the diachronic analysis is the classic method of enlargement, an integral part of the Community method.

As far as the logic of enlargement is concerned, a consistent pattern is registered not only with regard to formal accession procedures but also with regard to the implicit assumptions and the principles that shaped the expectations of participants in the negotiation process (Preston 1997).

What do we mean by formal accession procedures? They represent an entire formalised process, which includes procedures referring to the accession negotiations (Art. 237 of the Treaty of Rome), submitting the application for membership, preparing the Opinion of the European Commission, its adoption by the Council, taking into account the opinion expressed by the Commission (in the case of Greece, although the Commission recommended an extension of the pre-accession period, the Council decided for the immediate beginning of accession negotiations), conferences on accession, accession negotiations, and the preparation and ratification of the Accession Treaty.

Generally, the basic rule is that of integrating new members into a club with an ongoing agenda. In more concrete terms, the main idea looks to the way in which one part (the future Member State) will apply the rules of the club. This issue also affects the dynamics of the accession negotiations through the transfer of responsibility for adjustment (implementing the acquis) to the future Member State. The latter has a strong incentive to conclude negotiations as soon as possible due to the benefits resulting from accession and the need to avoid “prolonged” costs of adjustment.

According to Moravcsik and Vachudova (2002), these benefits are mainly economic and geopolitical. The cost dimension is a com-
plex one, referring especially to the costs of implementing the *acquis* and costs determined by the international strategic framework in which the candidate negotiates. In other words, the longer the accession negotiations last, the higher the costs of adjustment will be for the candidate. In this context, as an initial conclusion accession negotiations, as part of the EU internal negotiation process could be seen as a “waiting game” (Brücker, Schröder and Weise 2003). That means the EU (and consequently its Member States) is willing to wait longer to accept a better-prepared member, while the candidate strives for faster accession without great internal costs (determined by the necessity to implement the *acquis*).

In this respect, beyond the unique institutional perspective (that concentrates a mix of supranational and intergovernmental bodies, as well as policy networks), the EU can be seen also as a mechanism to define the proper behaviour of the actors. Major disagreements in accession negotiations will be avoided until accession (Preston 1997). Once the candidate is in “the club” and has full voting rights and involvement in the decision-making process, these disagreements will be internalised.

There is generally a continuity between certain principles specific to the EU negotiation process and components of the classic method of enlargement: the adoption of the entire *acquis* (exemptions are not allowed), the establishment of new political instruments to replace the old ones (rather than reforming the existing instruments), use of enlargement by Member States to follow own interests [the decision to provisionally close a negotiation chapter must be voted unanimously by Member States; some states use these opportunities to extract marginal concessions in exchange for votes (for example, Greece received funds through the Integrated Mediterranean Programmes in exchange for de-blocking the 1986 enlargement)], exclusive focus of the accession negotiations on practical issues, preference for negotiating with groups of states that already have close relations, etc.

The process of accommodating the actors’ interests regards firstly the possibility of maintaining the existing formal or informal agreements in the same form. For example, the budgetary problems caused by the UK’s trade relations resulted in renegotiation of the accession terms in 1975, and the budget dispute was partially solved in 1984; the pressures of Member States on Spain over agriculture and fisheries
have since determined the adoption of a rigid position by Spain in these two sectors in the context of other enlargement waves (Preston 1997).

**From the Founding Fathers to the EU of 25 members**

The first enlargement must be examined in the context of the strategic interests of the UK, France and Germany, of different visions of economic development models and of European projects (The European Coal and Steel Community [EcsC], The European Free Trade Association [Efta]). Moreover, we must also take into account the harmonisation of interests of the UK and the other three candidates (Ireland, Denmark and Norway) with the interests of “the six”.

What is evident from the first enlargement is the fact that the negotiation process in the EU means not only interaction at the negotiating table between states on political or sectoral issues, but also internal negotiations within states. In other words, consequences are found both in the external and internal negotiation environment. No matter how ingenious, the final agreement has to be sold to the internal environment (Puşcaş 2003). In this respect, the UK (which requested the renegotiation of accession due its negative economic impact) and Norway (where accession was blocked twice through referendum) are eloquent examples.

The first enlargement made clear the necessity of building a stable internal negotiation environment when negotiating accession (the case of Norway with regard to its referendums) and the evident interaction of the closer interdependences between Community rules and the interests of Member States and candidates as the European project registers progress (the case of the UK budget contribution, the case of Ireland and its special economic problems, the case of Norway with regard to fisheries). We must also take into account the external negotiation environment (for example, discussions within the EC over the budget, Common Agricultural Policy and Common Fisheries Policy had direct effects on the accession negotiations of the four candidates). In practical terms the interests of participants in the negotiation process become more and more coherently expressed and orientated as European construction develops.

Furthermore, Member States look for arrangements to match their own interests before new members are admitted. In the case of the
first enlargement (1973), France insisted on the introduction of the “own resources” system in financing the EC budget, thus positioning itself as a net beneficiary (during the Georges Pompidou presidency).

The external (impact on accession negotiations and on candidates mainly) -internal (accommodating interests of Member States on special segments) interaction has become increasingly evident and it is sometimes hard to distinguish between the two elements. An example is Spain’s accession to the EU, where the negotiating process was complicated by internal Community negotiations (the temporary framework to adopt the *acquis communautaire*) as well as the special interests of some Member States - specifically, the French stance on agriculture, the Greek position on Mediterranean issues and the British concerns regarding budget corrections.

In this respect, the pace at which the Union progresses with regard to enlargement is directly related to the speed with which the deepening process takes place and, ultimately, to the speed of accession negotiations. Hence the determination of some candidates to postpone more controversial debates until after accession.

The link between transition periods and implementation of the *acquis*, as an element of the classic method of enlargement, has proved its viability even in moments of uncertainty over the future of the European integration process. Greece is a clear example. Of course, distinguishing between internal European debates and the overall EC evolution has determined costs. These are visible both in the cases of Greece and the EC. As regards Greece, that meant a more flexible position in accession negotiations due to fears of delay and an eventual coupling with Spain and Portugal. As regards the EC, that meant a stronger position in the negotiations. Moreover, enlargement brought the risk of internalising the Greek structural economic problems before adequate policy instruments could be developed to solve them.

The Greek request for financial compensations (in March 1984) through the Integrated Mediterranean Programmes as a trade-off for accepting the accession of Spain and Portugal (Preston 1997) demonstrates how quickly Member States can learn to use their economic characteristics to their own advantage during internal European negotiations. It also demonstrates inherent differentiations between Member States and candidates in the Community negotiation
system. Compared with the transitional aid of 700 million ecu for Portugal, the main Greek sector received 2000 million ecu especially for restructuring and coping with competition in the Community market. The implications of this negotiating technique were later understood by Spain (after becoming a Member State), which approached the next enlargement with a similar strategy (Eea, Efta).

Furthermore, in the negotiations over the nature of the EU (related to enlargement), there has been a tendency to establish new institutional mechanisms within the EC rather than revising the existing ones: for example, Greece’s negotiations over the budget (in the first phase Greece calculated [in December 1978] that during the transition period it would be a net contributor). That led to the establishment of a transitional reimbursement mechanism which ensured Greece would be a net beneficiary, even in the context of Vat contributions to the EC budget. In effect the time-frame of Greece’s accession negotiations was not determined exclusively by the complexity of the acquis and the need to harmonise the interests of the main Member States, but by the special attention the EC paid to the negotiations due to the precedent set by Spain’s and Portugal’s accession negotiations. That indicates the attention of Member States for future EC orientations, in the context of maintaining their own interests on the same coordinates in the European plan.

Spain’s and Portugal’s accession negotiations demonstrate the implementation by the EC of a dual transitional arrangement (two phases) meant to solve the complexities of negotiations. In other words, enlargement determined or constituted the opportunity to launch procedures to facilitate the EC functional success even in the context of structural changes. The final terms comprised elements of “classic” transition (up to seven years and involving mutual reductions of tariffs and quotas) and a second transition phase (extended up to ten years), covering sensitive products (especially Mediterranean agricultural products).

The contribution to the EC budget had to be regulated over a period of more than six years, in which the contributions and funds received by Spain were equal, whereas Portugal was a net beneficiary. The differentiation between Spain’s and Portugal’s terms of accession reflects the different impact of these states on the EC in sensitive economic sectors and implicitly of the producers’ internal lobby
groups. Again, we might emphasise the importance of the internal-external relation in European negotiations as well as the ways in which European decision and solutions are influenced by pressure groups.

According to Lisa Dominguez, the dual transition was used as a mechanism to “protect the EC from Spain and Portugal from the EC”. In other words, the longest transitional periods for Spain appeared in the sectors in which Spanish exports were highest (fruits and vegetables), and the shortest in the “Nordic” sectors: dairy products and cereals.

The 1995 enlargement with Austria, Finland and Sweden raised questions about the desirability of EU enlargement, especially from the perspective of the impact of European integration on national internal development processes. At that time the programme for completing the Internal Market (of 1985) and the plans for the Emu in the Maastricht Treaty, with elements of liberalisation and supranational coordination, threatened to jeopardise the autonomy of national policies even more. In the case of the 1995 enlargement, these debates became more evident, especially in Austria and Sweden (liberalisation versus welfare and social security programs, Cfsp development versus neutrality).

On average, the Efta group’s accession negotiations were shorter than those for the other enlargement waves. That was because the candidates had already adopted approximately 60% of the *acquis* during the negotiations for the Eea. Both technically (in term of the *acquis* implementation structures) and substantively (in terms of the overall policy alignment), a high level of convergence existed even before the start of negotiations. Moreover, Member States did not have special interests to protect (although it was appreciated that agriculture and fisheries could raise problems in the final phases of negotiations).

An exception to all the other enlargement waves was the issue of environmental standards. It was appreciated that the higher standards in the Efta group could have effects on the free movement of services. The final compromise aimed to maintain the Efta rules for a period of four years, while the enlarged Union would revise the sectoral *acquis* towards harmonisation. Here the EC demonstrated greater flexibility in interpreting the *acquis* than in previous cases (adapting structural funds, accepting the Efta environment standards,
continuing the state monopoly in retail alcohol sale).

Preoccupation with the EU internal agenda became more evident with the start of accession negotiations with twelve new candidates. It was confined to the first of the two phases, however, and differentiations in the pace of negotiations gradually diluted as the internal preparation processes for accession registered progress.

As regards the enlargement-deepening dimension, in October 1999 the European Commission adopted a new accession strategy. It stipulated the acceleration of the enlargement process, aiming to ensure that accession negotiations would advance at the same speed as the candidate’s preparation for accession. The new EU approach aimed to provide a better overview of the whole process, to stimulate candidates’ preparation efforts and to allow each state to join, provided that Copenhagen criteria are fulfilled (1).

The same accession strategy brought important changes in the process of accession negotiations. The Commission proposed that instead of opening an equal number of negotiation chapters simultaneously, “the nature and the number of negotiating chapters to be successively opened with each candidate country will be determined by the EU applying the principle of differentiation, i.e. taking full account of each candidate’s progress in preparing for membership under the Copenhagen criteria” (2). That meant that the EU could decide to start negotiations on a certain chapter only after analysis of the progress registered by the candidate in the respective field (according to the Copenhagen criteria).

This new type of approach was meant to make sure that negotiations would progress at the same time as the internal preparation for accession. The same principle was applied to the ongoing negotiations: no chapter could be provisionally closed unless the preparation of candidates was in accordance with the commitments made. The objective was to avoid a situation in which political pressures to complete negotiations overrode the need for a systematic preparation.

Moreover, in the European Council Conclusions, the “catching up” principle (the possibility to catch up states that had already start-
ed negotiations) took the floor, provided that sufficient progress was registered in the preparations. In fact, “catching up” means not only progress in negotiations, but also in political, economic and administrative preparation - in other words, economic and social convergence (Delhey 2001).

A common element with the classic method of enlargement was emphasis on the fact that progress in negotiations must be accompanied not only by progress in incorporating the *acquis* into national legislation (legislative harmonisation) but also by the implementation of the *acquis*.

With regard to transition periods, the difference between this wave of enlargement and previous ones was, after completion of the Internal Market, the opportunity for the EU to operate without border restrictions (Andrews 2000). In this respect, the Commission’s intention was to draw a clear distinction between sectors related to the functioning of the Internal Market (the regulatory measures had to be rapidly implemented; transition periods should therefore be few and quite short) and sectors where considerable adaptation was needed. The latter needed considerable efforts, including substantial financial expenses [such as environment, energy, infrastructure; the transition periods could cover limited periods provided that candidates could demonstrate that detailed and realist alignment plans were being employed (3)].

According to the classic method of enlargement, accession could take place when the EU was ready. Two sectors were particularly important for enlargement and the deepening of integration: agriculture and structural funds. In this respect, agricultural production was concentrated on products already sensitive in the EU (meat, dairy products, cereals). The productivity was much lower than in the EU, so direct application of the Cap could have led in the EU to surpluses in products that were already a problem, and in the candidate countries to inflation due to higher food costs - in countries where income percentages spent on food exceeded those in the EU. The reform of structural funds was automatically coupled with the refusal of existing beneficiaries to give up funds for candidates in order to allow enlargement to take place under the same budgetary conditions (George and Baiche 2001).

In the accession negotiations of the twelve candidates with the EU, compromises in implementing the acquis have been seen on both sides. In this respect, a novelty is the transition period required by the EU (2+3+2 years) in the field of the free movement of workers. Furthermore, sustained efforts have been made by candidates in return for recognition of their particular characteristics (for example, Estonia in energy, taxation, free movement of persons).

Another particular factor, also visible in the framework of the Mediterranean enlargement, is the unitary character of the enlargement wave: Romania and Bulgaria are an integral part of this enlargement. During the Greek presidency of the EU Council, Member States declared their support for the accession of Romania and Bulgaria to the EU in 2007, Romania and Bulgaria being supported in their efforts to complete the negotiations in 2004. The Strategy Paper accompanying the 2003 Country Report underlined the Commission’s support for signing the Accession Treaty with Romania and Bulgaria in 2005, and at the Brussels European Council in December 2003, the EU expressed its support for Romania to complete negotiations in 2004 and join the EU in 2007. Differentiations from other enlargement waves are visible, determined not only by the evolution of negotiations over the nature of the EU, but also by internal negotiations and the way the EU has progressed and asserted itself as an actor in the European and international arena.

Due to the European integration progress, demands made of future members are considerably higher than in previous years (1973, 1981, 1986, 1995). From this perspective, the fact that the candidates have manage to transpose most of the acquis (consolidated down the decades) into their national legislation (in only few years) represents a great achievement. Comparing this enlargement with the previous ones, a greatly increased volume of acquis had to be negotiated (Ludlow 2004). Many new policy areas were not approached when the EU was negotiating with the Mediterranean wave: the Internal Market, environment policy, Cfsp, Jha etc. These twelve candidates had to fulfil much more complex criteria without being long-standing democracies or having experience of a market economy.

As a conclusion, keeping the “classical” negotiation positions by the EC/EU is not related to any principle to postulate the need for continuous actions within the European integration process. The
main cause is linked to the importance of accession negotiations in
the arena of EU negotiations: accession negotiations are in the first
place (EU) internal negotiation processes, in the sense of the need for
consensus among Member States.

Due the complexity and fragmentation of the issues in discussion
and internal negotiation, the result is a loss of flexibility in the ex-
ternal phase of negotiation precisely because the EU negotiation
positions cannot easily be changed. Of course, reconfiguring the EU
negotiating position is possible, but the costs so incurred by the can-
didates would be substantial, according to internal political and
economic agendas and the time allotted to the reconfiguration. The
negotiable elements are the transitional arrangements and the me-
thods of implementing the *acquis*.

Projecting Europe as an actor with 27 members

In the evolution of the European integration process, negotiations
clearly represent an essential instrument in European construction, in
building Europe. According to Frank Pfetsch, negotiations are central
elements in the development and dynamic functioning of the EU,
being regarded as the predominant policy method and the main
source of the EU’s successful functioning (Pfetsch 1998). In fact, no
enlargement of the EC/EU was a simple incorporation of the can-
didates into an exercise of respecting certain existing practices. The
EU is much more than that. The EU is presently the result of an
integrated negotiation model.

To foresee the medium- or long-term evolution of the EU, special
attention should be devoted not only to the way in which processes
of coagulating interests and preferences of the multiple actors on the
EU scene might undergo changes, but also to the impact of the
interactions among different governing levels. In other words, due to
the complexity of the policies and processes within the EU, scenarios
could yield credible results only if they were focused on sectoral ne-
gotiation processes. That means looking especially at the context in
which European construction is directly related to the increasing im-
portance of polyarchic networks (as formal and informal interactions
between actors) and negotiations as defining elements of the EU
(Pfetsch 1998).
Beyond the EU’s institutional framework, routine procedures and actors’ responsibilities - elements that pre-determine the decision-making process - negotiation is a central element of the EU. And that consists not only of daily diplomatic activities, mutual accommodation processes, diplomatic adaptation and anticipated convergence of the negotiating positions. The internal negotiation process became more transparent in the 1990s (Pfetsch 1998), once the EU opened more to the public, to the social sphere. With this openness, the tendency to involve even more actors (state and non-state, public and private, at local, regional, national and international level) is much more visible. Clearly, interactions and relations established between these actors and around certain sectoral issues determine the formation of networks that transcend national borders.

Of course, these networks cannot ignore the Community spirit, the Community institutions, European values and the determination to build a Europe that is open and energetic in its attitude and actions. We will continue to have a Europe where intergovernmental dynamics are correlated with supranational ones, where the formation of coalitions continues to influence the EU’s internal and external agenda. EU enlargement, however, also highlights the need to maintain flexibility in EU negotiations.

Conclusions

The enlargement-deepening (of the European integration process) relationship came to the attention of states and centres of strategic analysis not only as a result of the complexity of accession negotiations, but also because of its effects within the EU: consolidating an Internal Market to comprise all EU and Efta members, which in practical terms led to the extension of the EU internal negotiation agenda. Simply put, the interconnection looks for processes of negotiation regarding the nature of the EU and internal negotiations within it.

In the context of the increasing number of Member States, the internal negotiation process will grow in complexity and the EU positioning in subsequent accession negotiations might become more rigid. According to Friis (1998), the development of the enlargement process denotes a clear delimitation between EU low and high politics as regards the flexibility of EU membership (ever more reduc-
ed), accession negotiations (ever more technical) and the possibility to postpone accession (ever more probable) etc. In this respect, the EU position in accession negotiations is in the first place the result of internal negotiations (within the EU), of accommodating and harmonising the interests of the Member States before the EU comes to the negotiating table with an outsider. Indeed, as the number of Member States increases, there is a proportional increase in the attention of members for the Union’s functional efficiency and the fulfilment of accession criteria in order to safeguard the EU’s future.

Clearly, negotiation as a way of achieving and transposing the results of interactions within and between networks will remain one the EU main characteristics for a long time to come. It is very probable that these networks, comprising civil society actors (parties, interest groups), will have an increasing influence on European decision-making in the context of vertical and horizontal channels of negotiation and communication. In other words, beyond the phases of pre-negotiation and agenda-setting, their importance will increase in the phase of taking decisions and implementing them. Moreover, the balance between the supranational and the intergovernmental, transposed into the European institutional structure, will remain stable in the near future (Pfetsch 1998).

A possible simplistic interpretation of the Harvard 3D negotiation model described by D. Lax and J. Sebenius, transposed to the EU negotiations, indicates that we need to extend the negotiation analysis beyond the preferences of the actors involved, to understand the perceptions and the institutionalised logic of actions that give sense to the binary enlargement-deepening relationship.

From 2007, Romania will be part of a complex negotiation process in which the attention of Romanian diplomacy and society will have to be oriented not only toward promoting national interests in distinct sectors, but also toward promoting European interests overriding national interests. We must pay attention not only to horizontal and vertical interactions, to formal and less formal negotiations (within European institutions, Member States, civil society) but also to the substance of the ongoing process, the result of European construction. After identifying the interests of the actors involved, attention has to be focused on their sequencing process so to optimise our behaviour in the European and international framework.
Negotiation as a method of building Europe

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PREPARING THE INTERNAL ENVIRONMENT

1. Youth policies in the perspective of Romanian accession to the EU (1)

The enlargement of the EU, globalisation and transition towards a knowledge-based society raise fundamental questions that we must address directly. The September 11th attacks show us that only solidarity and common values can help us build a more tolerant, more democratic and more prosperous world. Only by working together can EU Member States and the candidate states fulfil the goals put in place at the Lisbon European Council. The goals are “by 2010 to make the EU the most competitive and dynamic knowledge-based economy in the world, capable of achieving sustainable economic growth, followed by a qualitative and quantitative improvement of work and a greater social cohesion”. The Lisbon Council stands an important event, setting objectives such as a substantial growth in Member States’ investments in human resources, halving the number of young people leaving school without qualifications and the development of new knowledge and skills for all. At the Lisbon Council it was stated that alongside the responsibilities of each state to coordinate its own educational policy, Member States should cooperate in the formulation of common educational policies.

The Stockholm European Council marked another important step by establishing the common objectives of educational policies in the EU: improving the quality of and facilitating access to educational and training systems, while at the same time opening them up to the

world. This implies the opening of education and research beyond borders so that Europe will be transformed into a realm of excellence. Also required is the opening of educational and training systems to society in the broader sense of the word: the research and scientific community, companies and factories and also actors of civil society. This increasing need for openness towards the whole society, including the market, derives from the need for competitiveness at a local, national, European and global level. Universities and the educational system as a whole are becoming an increasingly crucial factor of social modernisation, a factor for progress and linkage to the new global values. The human factor is our priceless capital and that is why only competent people who have acquired the necessary abilities to act competitively on the EU labour market and the global market can contribute to the modernisation of Romania. Romanian universities must meet a set of curricular standards, compatible with the European standards, built in parallel with the requirements and performances of the market and scientific research. The Romanian educational system will have to offer graduates the skills to integrate in the local labour market but also in the EU and world market. It is absolutely necessary for universities to shed their elitist aura and adapt their curricula to the needs of the market. An outdated system will never manage to deliver competitive graduates.

Without human capital, the modernisation of Romanian society and accession to the EU single market will not be possible. To progress we need intelligence, management and work. We already have the intelligence we need; now we must build a managerial body able to perform efficiently and we must work hard. The competitiveness of professionals derives not only from adapting curricula but also from the ability of the graduates of a certain training system to perform in market conditions. Students who turn towards training fields that offer them the opportunity to enter the labour market effectively and efficiently can exert the pressure needed for this change. This is where student organisations such as Aegee should intervene, offering Romanian students the opportunity to interact directly with the mentalities and working methods of their fellows in the European Union, as well as with the requirements to perform on a competitive market. Through these student networks, Europe contributes to the modernisation of Romanian society as a whole, by spreading its in-
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fluence at both national and local level. In the context of EU accession, Romania needs well-trained experts in various fields from engineering to economics and agriculture to be acquainted with European policies and able to connect the Romanian economy to the European Union market. The Community’s educational programmes can make the direct contact with these policies, which will help Romanian students to acquire the knowledge and abilities needed to perform in the EU market. For instance, a student in agriculture in the EU will know better what knowledge is required to build an efficient management of rural development as it is configured in the new Common Agricultural Policy, and an EU-trained IT student will have better knowledge of the European Union policies in the field of information technology. Once they return to Romania, these young people also bring the necessary know-how to adapt the Romanian economy to European policies. The Community programmes Leonardo, Socrates and Tempus under way in Romania have allowed several thousand students and professors to interact with European educational programmes and with efficient European policies. These programmes, worth over 20 million Euro, have enabled these young students to be more competitive and have modernised universities.

Interaction with EU economic policies can also be brought about by effective participation in the European Union labour market on the basis of degrees and other qualifications obtained in Romania. In the framework of Chapter 2 - Free movement of people, we are currently negotiating issues related to diploma recognition which are closely related to Chapter 13 - Social policy and employment. In 2000, the chapters on Education, professional training and youth and Science and research were provisionally closed. Much still remains to be done in diploma recognition and Romanian students’ access to the European labour market and European students’ access to the Romanian market. In the position paper for Chapter 2 - Free movement of people, it is stated that Romania will have an institution specialised in degree recognition until 2004, and by the time of accession, all restrictions based on nationality, residence and language, as well as the right to practise regulated professions, will be eliminated. Moreover, simplified procedures will be applied in services in the field of recognition of qualifications. After Romania’s accession to the EU, Romanian graduates will benefit from the
recognition of their degrees and will be able to work in the European Union under the conditions set in Chapter 2 - Free movement of persons. The transitional period required by the European Union for new member States is 2+3+2 years.

In order to achieve an educational system which is competitive in Europe, that should provide real integration opportunities on the European labour market and constitute a good starting point in negotiating the above-mentioned chapters, the government programme has set several priorities:

- Adapting specialisations to the needs of the labour market
- Developing scientific research in universities
- Encouraging the return of young people studying abroad
- Integrating recognised private universities into the Romanian higher education system
- Strengthening international partnerships
- Encouraging new types of academic study, such as distance learning.

The government aims at encouraging universities to come closer to the labour market, not only by training specialists but also by creating new technologies and equipment as the product of research. In order to facilitate the entry of young people into the labour market, the government’s programme also establishes several priorities, which include:

- Creating a system that facilitates the direct post-graduate entry to the labour market for young graduates (by involving them in private business structures, including the granting of loans and tax incentives; by initiating and supporting information, professional counselling and orientation programmes for young people)
- Specialisation in the field of modern computing and technology
- Establishing centres aiming to make the most of young people’s creativity
- Developing pilot business projects and centres for the development and efficient use of human resources
- Stimulating activity in the field of IT and activity for young people with talented
- Establishing information centres for young people and involving them in the decision-making process
- Fostering the development of youth associations, especially in civil society
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- Supporting young people’s participation in international youth activities and integrating national youth structures into international ones
- Encouraging international student exchange programmes and promoting young people’s mobility in the European area.

In order to give the opportunity of adaptation to those who have already completed their education, the government has established lifelong learning projects as one of its priorities. This type of society (knowledge-based society, to give it its EU name) supposes that two apparently divergent priorities are to be reconciled: education for everybody and education for each individual.

To this end, we will initiate and develop:
- Broad access to education and training services
- Life-long learning
- Extending the scope of society’s educational role (from school and university to the media, the family environment, communities, institutions, enterprises and NGOs)
- Delaying the selection process and exclusion from the learning system
- Education that is better adapted to individual interests and skills.

Putting these objectives into practice has to take into account the context of this globalisation age, in which geographical spaces are made irrelevant by new technologies. One could paraphrase Francis Fukuyama’s opinion, that the fall of the Berlin wall was in fact “the end of history”, by saying that the Internet can be considered “the end of geography”. Romania has decided to align with EU policies and strategies in the field of eLearning and, to this end a complex programme has been elaborated comprising measures to promote the information society through developing electronic communications structures, encouraging centres of initiative, promoting computer-assisted management etc. Facilitating access to modern computing was the first step in this direction, made by endowing schools all over the country with over half a million computers and by establishing connection centres to the Ministry of Education and Research network RoEduNet in every county. Computer literacy rates have improved in Romanian schools, thus bringing them closer to the requirements of the European Union. Another manner in which young students are stimulated is through fiscal incentives granted by the
state, including lower taxes for young graduates in informatics and for companies hiring young graduates. The Ministry of Communications and Information Technology has announced it will support young informatics graduates by awarding prizes of Usd 1,000 for their best ideas.

In the future, the government plans to stimulate young people’s participation in the new programmes in information and communications technology so as to prepare future experts in the Initiative Centres in Computer Assisted Learning. We are also pursuing the development of software and multimedia educational packages regarding the concepts of “learning by doing” and “how to do it?”, as well as that of digital TV over the Internet for distance learning programmes. In the field of research, the government promotes a policy of integrating the Romanian scientific community into the European science and technology system, as well as connecting academic research to the economic system and to market requirements. A government policy has also been devised to encourage Romanian companies to support research and education in Romania. For example, why buy expensive operating licenses from abroad instead of turning to Romanian research, to the universities in the country, to acquire licenses which are just as good and much cheaper, and at the same time supporting the educational system and university competitiveness? This is a question that companies and universities alike have to ask themselves in an attempt to join in a mutually profitable activity.

Young people’s entry to the labour market according to their acquired qualifications is another concern of the government. This is why strategies have been devised to continue de-centralisation and develop partnerships between universities and the community, public authorities and business, thus encouraging young people’s participation the labour market starting from their academic careers. Young people are also encouraged to develop private initiatives. In this regard, those starting small and medium-sized enterprises are given incentives such as tax reductions through the establishment of the National Fund for Guaranteeing Credits for SMEs. Co-financing programmes will also be implemented, with a view to gaining access to and efficiently using financing sources, micro-credits will be granted and participation in EU programmes will be encouraged. The government has also decided to support the development of a business
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infrastructure network, business incubators, innovation centres and technology parks to sustain SME research and innovation as well as technology transfers to SMEs and the use of information technology by enterprises. In order to encourage the employment of young people, the state grants low-interest credits to SME so as to encourage the creation of new jobs, of which at least 50% are meant for unemployed people. The original SME credit funds of 100 billion lei had increased almost tenfold by 2001, reaching a total of 975 billion lei. Training courses will be organised so as to ensure a 60% employment rate for graduates in the first 6 months after graduation.

Romania is making significant efforts to create a favourable environment for students to learn, to find jobs and to contribute to the modernisation of society in the context of the EU accession process. To make an effective contribution to modernisation and the enhancement competitiveness in the European market, universities have to come up with educational programmes and curricula that are suited to market needs. Moreover, interaction with the experience and way of thinking and working of young people in the European Union is beneficial to Romanian young people in terms of their intellectual, professional and social development. Associations such as Aegee, linking students in member and candidate countries, have a particular role in the building of new mentalities in the countries of Central and South-Eastern Europe, and in their modernisation process, and it is to be hoped that such initiatives will continue to develop.

2. The contribution of civil society to Romanian accession negotiations with the European Union (2)

In accession negotiations with the EU, harmonising interests mean respecting and involving the interests of all the citizens in this process in order to enlist their support for fusion with the new European society.

From this perspective, Romania attaches great importance to the annual report of the European Commission, a working document for the Government of Romania. Together with the social partners and

Romanian society as a whole, efforts are made to rectify the deficiencies signalled in the Report.

The 2001 Regular Report on Romania is much more favourable than the previous one, which included Romania among the candidate countries that had made significant progress in the EU accession process. Emphasis is placed on progress made in both political and economic criteria.

In certain areas administrative shortcomings and insufficient implementation of specific strategies are criticised. At the same time, the Commission remarks for the first time the serious and efficient approach of the government in making reforms in these areas.

Romania must further focus on the negotiation chapters related to a functioning market economy, strengthening administrative capacity and establishing a stable legislative environment. In the framework of restructuring and modernising industry, special attention is given also to the reduction of inflation and exchange rates.

The objective of opening the chapters of negotiation in 2002, also feasible from the perspective of the Delegation of the European Commission in Bucharest, demonstrates that the government takes on realistic commitments and does its utmost to fulfil them. For the fulfilment of these commitments and the success of the whole accession negotiation process the support of society is needed.

At this stage, an indicator is given by opinion polls. Romanians and Bulgarians are the most EU-enthusiastic applicant nations, according to a survey conducted by Taylor Nelson Sofres Factum in 11 applicant countries. Respondents were asked to give their opinion on EU membership, and the survey found that a large majority of Romanians (81.2 per cent) would vote in favour of EU membership in a referendum. This is 9.3 percentage points more than last year.

The dissemination of further information on the European integration process is needed both in member and candidate states. And an important role on this issue, beside that of the authorities, is held by non-governmental organisations.

NGOs are playing an active, well-coordinated role in local community development and in initiatives that promote public participation.

What aims should these NGOs achieve in order to make a valuable contribution to the process of integrating Romania in the European Union? For NGOs to participate effectively in communities and
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assume key roles, they

- must possess organisational capacities including legitimacy, consistency, sustainability and credibility
- must have adequate staff with competitive skills
- must take on their role in relation to their communities/constituency.

Before detailing the role NGOs have in the accession process of Romania to the EU, I should like to make a few remarks on the role NGOs have in the social framework.

Of the non-profit activities in Romania, those related to culture and entertainment are by far the best represented (34% of employment). For some, this reflects the strong regional traditions of associative movements and their links with traditional communities. Intellectuals or artists eager to develop vehicles for promoting social or cultural change have initiated other NGOs, active in the cultural field.

Education is another field where the development of NGOs has been rapid. The Romanian higher education system has faced increasing demands as a consequence of social change and mobility. The boom in private higher education institutions has involved intensive negotiations with state authorities in order to set quality standards for the sector. NGOs have filled a gap and have become legitimate partners in the debate on the future of educational services.

The National Delegation for Negotiating Romania’s accession to the EU has so far discussed all the negotiation chapters with representatives of NGOs, trade unions, employers, parliamentary political parties, etc. These discussions are meant to ensure the transparency of the accession negotiations.

At this point NGOs have also a crucial role in disseminating information and projects concerning European integration. In Romania the drive for European integration has become the focus for democratic and economic reforms and the reference for defining the legitimacy of policies. NGO expertise can be more efficient because it brings together citizens’ expectations and transposes them into solutions to everyday problems. Information, expertise, impact studies or traineeships can be extremely useful for our work concerning Romania’s accession negotiations. We must not forget that Romania’s accession to the EU concerns all of us, that involvement should include not only the political class, but also civil society and every citizen, as an entity and an identity.
Political obstacles to EU entry are the least problematic. Romania has already made progress in addressing potential problems such as the rights of the ethnic Hungarian minority. More recent priorities laid out by the EU include improving the situation of the large numbers of orphans in the country and the Roma situation. In the field of minority protection, after the adoption of the Government Strategy for Improving the Roma Condition, institutional and administrative measures were taken for implementing its provisions, starting from the assumption that Roma community protection is a European issue. In this regard, an important contribution was made by civil society, not only in creating the strategy but also in implementing it.

Regarding civil and political rights, I would like to point out that Romania is the first Eastern European country to have anti-discriminatory regulations across the board, following a Government Order (137/2000) on the prevention and punishment of all forms of discrimination.

In the field of legislative framework convergence, the Romanian government is focusing on implementing modern and complete legislation in the field of justice and home affairs, including the enlargement and diversification of work in the prevention and combating of crime. As regards aligning the Romanian Police with European Union standards, the policies and programme of the Ministry of the Interior focus on transforming this institution to the benefit of individuals and local communities.

In this context, I would like to emphasise consultations with the Prodemocraţia Association, an NGO network with highly specialised expertise and an important role in shaping Romanian public opinion. This is only one example, because consultations developed within the negotiation process involve the whole civil society. For example, for the position paper on Transport and Energy, consultations were also held with the German Democratic Forum of Romania.

The presence of NGOs in the social services is also significant. The social security system in Romania underwent rapid changes after 1989. Transformation within the evolving process toward a functioning market economy cannot be achieved without a permanent dialogue with social partners. Business associations and trade unions have an important role in defining and implementing policies. In this context, consultations with consumer bodies and trade unions are obvious for
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The chapter of Social Policies.

Trade unions are also involved in the accession process, their aim being that of achieving a greater transparency on the costs and advantages coming from the process of European integration. A caravan with representatives of trade unions and ministers involved in the process of European integration was organised to explain further the procedural aspects of accession negotiations, costs and benefits. The result is that European integration is not seen as an elite project but one involving the whole civil society.

We met recently with NGOs working in the environment field. This event, one of the first in involving and consulting civil society in the process of preparing negotiation documents, aimed to discuss the position paper for Chapter 22, Environment. The importance of an intensified institutional dialogue with civil society was emphasised, as the actors involved are the main contributors to and beneficiaries of increased environmental protection. Another point of discussion was the involvement of governmental factors in respecting the principle of sustainable development and introducing environmental policies in sectoral strategies. At this stage this dialogue continued and further consolidated awareness of the need to implement measures for improving environmental quality.

Romania is continuing reform of the administrative system in accordance with Community directives and norms. Progress has been made in decentralising the decision-making process in favour of local authorities and increasing levels of autonomy (significant for the strategies of local sustainable development as regards the socio-economic field).

Romania’s efforts with regard to economic issues and their social consequences are outlined in a medium-term development strategy. The measures included in this strategy aim to promote a functioning market economy compliant with EU standards. The following strategic objectives have been set:

- ensuring economic growth through increased domestic and foreign investments;
- implementing policies compliant with EU standards;
- devising a business environment fostering market competition, stable and transparent rules and low transaction costs;
- improving public utilities;
implementing long-term strategies for reducing environmental risks. The activity of political institutions can be visibly improved by working together with NGOs and international organisations. The main advantages of this partnership are:

- complementarity and synergy when actors come together in different ways (but complementary to each other), based on advantages following common objectives;
- “win-win” arrangements, easier to identify and achieve
- benefits exceed costs, especially when the relationship is based on comparative advantages and existing resources.

Conventional thinking would assume that as long as Romania fulfills the economic criteria for EU accession, all other aspects of Romania’s development challenge - such as good governance and human development - will automatically trickle down or take effect.

“One of the fundamental prerequisites for the achievement of sustainable development is broad public participation in decision-making. Furthermore, in the more specific context of environmental and social protection, and development, the need for new forms of participation has emerged”. Broad public participation is not only reaching educational goals or mitigating negative attitudes towards decisions in controversial matters, but often allows the prevention of significant errors which might cause problems with policy implementation.

The expertise of NGOs is also valuable in the following fields, related to the accession process of Romania into the European Union:

- comparative reports on each negotiation chapter, regarding the status of accession negotiations;
- analysis of the implementation of the Community *acquis* in the Romanian legislation for different negotiation chapters;
- minorities and human rights: conditions and impact;
- economic issues: anticipated economic, social and political impact of EU enlargement;
- financial issues: the impact on the distribution of the Structural Funds between Member States, future contributions and obligations;
- functioning market economy: privatisation, restructuring, employment and social cohesion.

Many consider the role of civil society and NGOs crucial for the accomplishment of these objectives. The European democratic model
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contains many elements of participatory democracy. It is designed as a model for cooperation and allows room to formulate new types of participation, while retaining many elements of representative democracy.

NGOs are affected by the declining/reforming state of the economy, which dramatically reduces their funding options. On the other hand, a booming economy could mean that many people would focus on individual strategies and seek to maximise their economic gains, leaving aside community-based action.

NGOs are also affected by the flaws and risks of contemporary representative democracies: disaffection with mainstream politicians, lack of interest in the public good, the atomisation of society, populist temptations and the disappearance of traditional public debate forums. In this respect, the task of NGOs is to enhance and update democracy so that it will continue to prevail as an ideal, while the institutions inspired by it function effectively.

In the long run it will be essential to establish a more comprehensive legal and non-formal framework concerning public participation in policymaking, including international funding institutions and the activities of international corporations. NGOs are generally promoting new models of cooperation, especially in relation to the flow of information and the right to participate in decision-making processes.

NGOs clearly have a role in supporting public institutions to provide better and more citizen-oriented services, that is to say in enhancing good governance. To succeed, NGOs must possess organisational capacities including legitimacy, sustainability, credibility and consistency. Communication strategies are a crucial part of implementing public policies, and NGOs can help by bringing political institutions, private interests and experts to the same table.

Because they can gather information and develop civic activism, NGOs can help make decision makers in the administration and the private sector more accountable. Promotion of civic education is strongly correlated with improving institutional accountability. Another role would be that of improving the efficiency of public services and innovating institutional development procedures. Because they are more flexible than public administration institutions, NGOs can innovate and develop the type of procedures and instruments that are needed to improve public services, test them and monitor their impact.

NGOs can provide valuable long-term research, focusing on
consequences, analysing trends and evaluating options and costs and making their results available to a large number of actors and decision makers.

In modern societies, the pace of technological and social change is accelerating and many communities risk become marginalised and progressively losing their ability to influence the events affecting them. In Romania, which must confront the daunting challenge of devising a development policy and progressively integrating into European structures, the management of these risks is crucial for the success of public policies. The legitimacy of public institutions, economic reform, the protection of human rights, social constraints, social integration, foreign policy, poverty and identity questions are at stake and are all bound to collective choices in the near future. One cannot overstated the need for a pluralist, actively involved, well-informed community of citizens in formulating, understanding, devising, implementing and evaluating these choices.

The recent past has shown that reform policies have been unsuccessful when they have failed to mobilise public support or when they have produced unexpected and unmanaged side effects. Tomorrow’s development challenges will require the continuous formation of an information-sharing environment where active citizens will be able to master and manage collective efforts to reshape their society and reassess their needs.

NGOs have an increased importance through supporting participation, involving more Romanians in more decision-making processes through different associations that can represent their point of view in policies affecting ordinary citizens. Bringing citizens into touch with public institutions really denotes the important role NGOs have in developing a new Romanian society, integrated in the European space.

The way Romanian society progresses and integrates new market rules and new technologies will depend on the role, the importance and the promotion of a public space open to all citizens. This open space, civil society, must become an arena for exchanging knowledge, information and opinions, of comparing ideas and building consensus on public choices.

In this regard, bearing in mind that the accession of Romania is not an elite project but a process involving the whole of society, any
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observations, studies, analyses and suggestions concerning negotiations with EU can be sent to negotiator.sef@mie.ro. Also, the position papers for the negotiation chapters sent to the Council of the European Union, for which negotiations have been opened or provisionally closed, can be found on www.mie.ro, on the link marked Negotiations.

I would like to launch an appeal to the non-governmental organisations active in Romania for setting mixed partnership committees, consultations, discussions, round tables or seminars on the topic of Romania’s accession negotiations. These partnership-programmes will be very useful if they are developed together with the civil society in Member States. It will be a real contribution for the fusion of various interests and will provide the accession of Romania to the European Union with the support of the whole society.

3. How can public support in candidate countries be built? (3)

There are several issues to take into account with regard to EU enlargement. Firstly, the process is not solely about political and economic issues, despite their paramount importance. Secondly, we cannot think of enlargement without considering its social and cultural sides. We are aware of the fact that EU enlargement is not an elite project but a process that involves an entire society. This is the very foundation on which European integration should be built.

This hypothesis is directly related to the results of EU enlargement: structural changes, competitiveness and modernisation in both EU member and candidate countries (particularly in Central and South-Eastern Europe). The latest developments have gone beyond the outmoded dimensions of the previous enlargement processes. We have to look now beyond historical, political, economic and cultural issues and give a clear shape to the new elements. At this moment, due to the evolution of enlargement towards modernisation and Europeanisation, the essential issues primarily affected are at societal and infrastructure levels.

Thus, modernisation can be visualised as a domestic and external

process that imposes new and different challenges. We recognise this, because all of us share many of these challenges. As I have said, the modernisation process is one we all must undertake.

When speaking about the EU enlargement process, we usually refer to candidate countries, EU Member States and the European institutions as abstract identities. We should stop for a moment, look further and focus on the involvement of public opinion and civil society, in order to develop a comprehensive and legitimate approach. The connection between citizens and governmental structures must be improved in order to avoid failures in support for enlargement (Nice and Irish public opinion) and address public expectations.

In the accession negotiations, governments must take on realistic commitments and recognise that the support of society is needed for their fulfilment. The recent past has shown that reform policies have been unsuccessful when they have failed to mobilise public support or when they have produced unexpected and unmanaged side effects. In this respect, the following questions arise. Do we have to face an issue of legitimacy in the enlargement process? How can public opinion be involved in order to improve the benefits of the enlargement process? What strategies and means to achieve it must be designed?

When involving civil society, two main instruments must be used: communication and information. The main questions regard not only popular support for European integration, but also the advantages and disadvantages of the process, accession negotiations, the responsibilities deriving form the EU membership, and EU institutions and policies. The intended result is related to the legitimisation of the process and shaping an attitude in order to increase support for the integration process, and thus the participation of every citizen in the decision-making process. How can we achieve a high level of participation? By creating a direct link between the ordinary citizen and EU institutions (the cycle going from citizens to expectations, NGOs, political authorities, decisions, results, and back to citizens). At this moment, the EU is taking more decisions affecting daily life than national authorities.

Furthermore, communication and information should not be objectives in themselves (communication for the sake of communication or communication for information), but the appropriate tools for the fostering of certain attitudes to EU enlargement and reform.
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Taking these attitudes into consideration will give transparency and legitimacy to the European Union (and its policies and institutions) and will result in an increased participation of citizens.

An intelligent information campaign (keeping messages to the point and provoking citizens to express their attitudes, while the communication channels are opened) will produce participation, an appropriate acknowledgment of the European integration process (attitudes, actions and positions that will help decision-makers to align their decisions to citizens’ expectations and act with their support) and will eliminate inhibitions, misunderstandings and prejudices with regard to the European integration process.

Citizens’ participation does not mean only positive attitudes. We must especially take account of criticism that will be expressed on certain issues. It is most welcome. By analysing such constructive criticism (the structure of argumentation, needs and negative points) we will be able to revise and improve our policies. Negative criticism has to be rationally approached and later expressed in messages to combat emotional points of view. Thus, transparency and legitimacy will be main characteristics of European integration once we have involved European citizens in the decision-making process.

Communication cannot be a one-way street. The communication and information strategy cannot be confined to a national level. Furthermore, in order to provide fruitful benefits, after the design and implementation of communication strategies in the EU member and candidate countries, cooperation has to be developed in order to create a single European communication strategy, not only as a mix of strategies, but also as a result of a common interest: creating a new Europe.

At this moment, at European level perhaps only Euronews can be called a single European TV voice, and that only in terms of news broadcasts. This initiative must be extended in order to cover other concrete and pragmatic issues of interest to all Europeans, citizens of member or candidate countries. From this point of view, consolidating European newspapers and radio stations is an idea worthy of mention. Direct results would be related to improved communication among citizens of member and candidate countries and the opportunity to create a European public sphere.

The need for increased communication among national public opinions will further improve the state-citizen relationship with re-
gard to the European integration process and will finally create a European public opinion. The first steps, which may be identified in examples such as ARTE (extending cooperation between France and Germany) or 3SAT (a TV station broadcasting in German-speaking areas) are clear trends of the increasing need for a European space.

How can we achieve this objective? Partnerships must be created among governments, civil societies, mass media and local authorities at European, regional, national and local level in order to release information at a decentralised grassroots level. Furthermore, European information centres should also act at local level, together with local authorities. Connections between the European institutions and local authorities must be further improved.

In this way, a single perspective can be developed between the external and internal communication. The dynamics of enlargement are related not only to elites and government institutions, but also to the whole society. Further dissemination of information on the European integration process is needed both in member and candidate states. And an important role in this regard is played not only by the authorities but by non-governmental organisations. NGOs have a clear role not only in supporting public institutions to provide better and more citizen-oriented services, but also in enhancing good governance. Consulting them is thus a natural thing to do in the field of accession negotiations. Communication must also be improved with social partners, political parties, the academic environment and the mass media.

Public opinion polls and other instruments for assessing the support of citizens for the integration process have to interpreted and used as basis for further improvements of communication strategies and increasing the level of participation. These must focus on increasing support and de-blocking/releasing inhibitions with regard to certain issues. Thus, specific messages and themes for specific target and support groups must be identified in order to address negative attitudes within target groups and spread the information through the support groups.

From the cultural point of view, Romania has traditionally belonged to the European family, spreading the same cultural values and sharing a common history with states that are at present prominent members of the EU. The drive for European integration has be-
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come the focus for democratic and economic reforms and the reference for defining the legitimacy of policies.

The majority (more than 80%) of the Romanian population support integration into the European Union, but they are not very well aware of all the consequences, costs and benefits of this process. They are well informed about the European institutions (75% know about the European Parliament and 63% know about the European Commission, the second highest percentages among the citizens of the candidate countries).

In order to maintain this level of internal support, we are considering cooperation and consultations with other candidate countries and Member States alike. We must acknowledge that a higher level of support is also necessary in Member States. Cooperation will thus bring mutual benefits and provide further legitimate support for the enlargement process. As part of the internal preparations for accession to the EU and internal communication strategy, the government of Romania has given a special attention to NGOs, trade unions, business associations and other representative organisations of the civil society, due their increased importance in supporting participation, involving citizens in the decision-making process and bringing them in contact with public institutions.

In order to assure the transparency of the accession negotiation process, all chapters of negotiation were discussed with NGOs representatives, trade unions, parliamentary political parties, etc. At this point NGOs also have a crucial role in disseminating information and projects concerning European integration. NGO expertise may be more efficient because it brings together citizens’ expectations and transposes them into solutions to everyday problems.

Trade unions are also involved in the accession process, their aim being that of achieving greater transparency on the costs and advantages coming from the process of European integration. A caravan with representatives of trade unions and ministers involved in the process of European integration aimed to explain further the procedural aspects of accession negotiations and costs and benefits resulting from integration into the European Union. The caravan travelled through five major cities in Romania (Iaşi, Craiova, Timişoara, Braşov, Bucharest). The main approach of the Ministry of European Integration has not been technical, but more a comprehensive
one, aimed at increasing the citizens’ understanding of various issues.

Further attention has been given to ethnic diversity and cultural pluralism as interrelated issues, speaking with one voice: that of integration into the EU. Recently, the ethnic minorities living in Romania have signed a statement supporting the accession of Romania to the European Union. At the same time, in order to preserve consistency and coherence in his approach, the Government of Romania has encouraged the establishment of mixed partnership committees, consultations, discussions, round tables and seminars on the topic of Romania’s accession negotiations. We are well aware that these partnership-programmes will be very useful if they are developed together with member states’ civil societies. It will be a real contribution to the fusion of various interests and will provide Romania’s accession to the European Union with the support of the whole society.

A communication campaign has already started, taking into account the experience of and initiatives from the Ministry of Public Information, Ministry of European Integration, polls carried out in Romania by specialised institutions (Metro Media Transylvania, Irsop, Curs), as well as media and non-media activities on the subject of the EU.

Its objective is to disseminate information on the accession negotiations of Romania with the EU, to familiarise Romanian citizens with day-to-day life in the EU and responsibilities deriving from membership, and to increase their level of participation in the decision-making process with regard to European issues.

The main support groups are envisaged special institutions and NGOs, opinion leaders (editors, political analysts, TV producers, cultural and scientific personalities), politicians, business associations and trade unions. In approaching the main target groups, the communication strategy is combining the principle of an overall blanket impact on the Romanian public with that of addressing individual target groups within the population. At the same time, the projects associated with the communication strategy contain a main theme chosen on the basis of what subject the opinion surveys indicate as requiring further discussion with the population.

Each specialised institution will establish its own distinctive messages for different target groups and sectoral issues and will address the main issues at stake. The strategy also includes an evaluation of citizens’ knowledge concerning the European Union and Ro-
mania’s accession to the EU, as established by polls. In order to implement the strategy, ministries and the local and national public administration have to contact the support groups in order to establish concrete initiatives to spread information.

Romania will also issue a “Citizen’s guide”, presenting the rights and obligations of the Member States’ citizens, organise special shows, contests etc. using the press, TV and radio. In this direction, special attention is given to the dissemination of information on accession negotiation and issues related to the chapters of negotiation through close relations with main TV and radio stations, press agencies, direct and indirect contact with support groups, and the Internet.

We must not forget that accession to the EU concerns all of us, and that not only the political class should be involved, but also civil society, every citizen, as an entity and an identity. This open space, civil society, must become an arena for exchanging knowledge, information and opinions, and for comparing ideas and building consensus on public choices.

Efficient results in developing a European vision are achievable only through viable and strong cooperation among states that share the same values - economic and political, social and cultural. In this puzzle, cooperation must start from the citizens (education and cultural background) to the state and vice versa. Furthermore, this is also achievable through good cooperation among the local, state and regional levels; inter-state cooperation can be truly successful within the complex interdependence of these comprehensive horizontal and vertical axes. Tomorrow's development challenges will require the continuous formation of an information-sharing environment where active citizens will be able to master and manage collective efforts to reshape their society and reassess their needs.

4. Universities, impact studies and Romanian accession negotiations (4)

The motto Economic convergences in the European Union, chosen by the organisers of the present event, is one very dear to me; I

think discussing economic convergence from the point of view of the preparation process for accession to the EU and the European integration process is extremely important for our interests. I take the liberty of emphasising the word “interests” because as a negotiator I try to pursue Romanian interests as related to the interests of the European Union. From such a perspective it is normal to focus also on the approach of convergence.

I fully agree with this motto and I would like to congratulate you for choosing it. From the point of view of competitiveness and the global evolution of the economy there is a need for modernisation, which comprises convergence as the first defining factor of economic characteristics. In the 19th and 20th century we talked about symmetry, now the concept of convergence is more appropriate.

From a different perspective I would like to express my frustration at not being able to participate in all the interesting presentations and debates I have seen in the programme of the present session, but I hope that you will share with me the conclusions you reach. As I was just telling my colleagues earlier, despite the fact that I did not have the honour of being a student of your distinguished institution, I try to fill this gap every three months by consulting the extraordinary books you publish. I will honestly tell you why the negotiation team needs so many impact studies. In the position papers we produce sectoral and national strategies are transposed, but so are the commitments Romania is taking on in fulfilling the specific criteria. These criteria can be fulfilled in a certain amount of time starting from the present status of the Romanian economy, or from 2000, the point at which the negotiations were started.

Every decision taken by the government, any commitment included in the position papers or the negotiations - because as I said, we negotiate and we work towards harmonising the interests of Romania with the interests of the EU - must be based on certain impact studies. In general within all government systems, what are known as evaluations are made, documents that can be consulted by everyone. Such studies are in a way the father to what I call impact studies. I have the expectation of impact studies when I speak about the argumentations presented and the commitments made by the Romanians. From this preoccupation of mine derives my interest for your scientific “products”.
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I also would like to tell you that in the research done in the economic sciences and from the point of view of impact studies, I have observed a new tendency in techniques, methods and methodologies. I was curious to find out what will be discussed at the present meeting, mainly because I observe a renewal of technology in approaching the themes you have proposed, and this renewal of technology makes me believe that, considering what the future decisional framework will imply at the macroeconomic or microeconomic level, we will have the qualified people required. More precisely, we will have not only competitiveness but also convergence with the EU area in terms of human resources.

Such convergence seems to me to be completely natural and I refuse to apply it only at the economic level. I would say that it is an essential coordinate for Romania at the moment, and this is why I warmly and respectfully salute your initiative, which is also present in the didactic process, not only at the scientific level. At the moment we are in the full negotiation process, in a phase of work challenged by difficult chapters which particularly regard aspects related to four liberties that shape the structure of the functional market. We hope that in the next year we will get closer to the so-called difficult triangle of the negotiation. This triangle refers especially to the fields related to massive financial support and very important budgetary projects.

You have probably observed that at the moment the European Commission is increasingly concentrating on negotiations with the states that are most advanced in complying with the accession criteria. One should not forget that just few weeks ago Mr. Verheugen was saying: «Until now we have negotiated, it was a kind of waltz; now reality time is here. The European Commission can allocate 42 billion. We still hope» he went on, «that with this sum we can expand the Union with approximately or up to ten more states, not more and not less».

From this point of view I have analysed what you proposed as discussion subjects. I would like to tell you that from the point of view of economic theory, but also from the point of view of the functional economy, I highly appreciate your concerns. I have in mind especially the elements dealing with the concept of competitiveness. From our perspective, the negotiation of our interests with the interests of the EU represents a “win-win” situation, where both parties
should be winners. From the point of view of the negotiation process with the EU, a negotiation process is a little bit different from diplomatic negotiations or traditional negotiations. I think your occupation of the public communication space would be extremely beneficial. After all, what interests us all is mutual profit, its accumulation in a temporal, chronological and geographical space that should correlate with events happening in the global sphere.

We say that we have to be competitive, to be able to face competition at the internal level of the EU, but actually we have to be aware that the EU itself has its own extremely consistent dynamic, related to the characteristics of global competition. So-called trade wars, product wars or economic wars are nothing else but clashes between such groups of economic, cultural and commercial interests. I repeat that your presence in the public space would be extremely important also from the point of view of public opinion and in educational terms. I think we need a new kind of culture that should support us in the accession process, a culture that should necessarily include the concept of education for competition. One of the chapters we are negotiating right at this moment refers to industrial policies, and I can offer you a very recent analysis that focuses exactly on elements of convergence of some fields of industry with a major impact on the economic system, but also on the future internal market of the EU.

In the EU, in recent years extremely important changes have taken place in energy policies and the energy market, and these changes will continue this year and especially next year. Some specific problems arise concerning Romania. What must be done in terms of specific primary energy consumption in order to achieve convergence? What is the situation regarding energy sources, including the risks they can pose not only for production but for the entire economy, including the environment. Environmental policies are nowadays closely related to economic status. What are the energy consumption percentages per industrial sector in each state, and what is the situation in Romania during the transitional process we are now undergoing?

All these are elements which we must take into account in our negotiating arguments in order to advance on that specific chapter. One much-discussed chapter, extremely important for us in terms of the decisions to be taken, is chapter 7, Agriculture. I would like to
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find some constructive answers even here at this meeting. This is a very difficult one from the perspective of the complexity of the structure of the *acquis communautaire*, mainly because approximately half of European legislation refers to agriculture, makes reference to industry as related to agriculture, and other services connected to agriculture. From this perspective, we have to deal with an extremely interesting situation and I truly hope to find some of the answers in the papers that will be presented during this conference. In the EU the principles of the new CAP are already codified, and this new CAP finds us in the situation where we were just starting to adapt to the old CAP. How are we going to make the changes so as to pass as soon as possible to the new CAP?

We are at an advanced stage in Chapter 4 concerning the free movement of capital and we hope to close it provisionally during this year. We have emphasised the capital market because without it one cannot advance towards a functioning market economy.

Last, but not least, I would like to inform you that I have tried to include you in the accession process, in the effective negotiation, to reach accession and full entry into the European integration process. The responsibility belongs to the negotiator. Whoever takes on this responsibility will be affected by it throughout his entire life, because he will never know whether all the decisions he took were the best ones. I try to negotiate as well as possible. I hope that what you are doing will be warmly accepted by the public and the NGOs, who will put your experience and expertise to good use. I hope you will remain for the future participatory events forming an active part of the process of preparing our accession into the European Union.

5. Constitution revision and the European idea (5)

The Constitution, as a fundamental law of a state, is immanently linked both to the evolution of the judiciary and the transformation of the political, economic and social life of a state. In this context, it is natural that we should relate the internal legislative-judicial system to the vital requirements and objectives of Romania’s foreign policy.

European and Euro-Atlantic integration. The main objective is to participate in an enlarged European area, sharing common rules and administrative procedures which entail the stability and transparency of the internal legislative system.

Any discussion of the stability of the internal legislative system should mention the fact that Romania has a democratic tradition of constitutional organisation, a key moment being the adoption of the 1923 Constitution.

A product of the 1866 Constitution (itself based on the 1831 Belgian Constitution), practically the most democratic and one of the most valuable in Europe at the time, the fundamental law of 1923 meant first and foremost the confirmation of the European path chosen by Romania. This must be considered not only from the historical perspective in the context of the great unification of 1918 and the inter-war period, but also from the European perspective, especially from the point of view of the cultural, academic, economic, and political Romanian elites. A clear example in this regard is given by the European movement around the European Idea publication run by Constantin Radulescu-Motru, a movement comprising the modernisation and development of Romanian society in a European direction.

From this perspective, the 1923 Constitution not only represented an advanced stage in the evolution of Romanian law, but also a scale for the conception and assessment of any democratic constitution, compliant with a society linked fully to the contemporary evolutions of the European arena.

Another milestone in Romanian constitutionalism is the Constitution of 1991 (at the time of its adoption it represented a true gateway to democracy and the rule of law, reflecting the need for transition from a totalitarian regime and Communist dictatorship to a free, open, pluralist and democratic society).

As can be seen from this short review of Romanian constitutionalism (focused on the European idea), for the preparation of new Constitutions the aim was to identify the organisational formula conforming to European and international democratic standards, as well as to follow the same European path. Thus it may be noted that the most substantial projects to revise/modify the Romanian constitutional framework have been drafted pursuant to mutually beneficial
interactions with the European area.

Romania has stepped decisively onto the path of European integration. The following elements are essential in drawing Romania’s recent path into this process: the European Agreement (which was signed in 1993 and entered into force in 1995), Romania’s formal request to join the EU (1995), the position of the European Union concerning Romania’s request for membership and the start of the enlargement process of the EU (1997) and the recognition of Romania as a candidate country for the EU (1999).

The issues concerning the Romanian constitutional framework have to be analysed both from an internal and external point of view. In this context, from the historical point of view, Romanian fundamental laws have complied with the latest developments of the democratic European area.

The idea of European unity and identity is currently related to the European debate concerning the preparation of a European Constitution as an expression of the enhancement and deepening of the integration process. Politically and academically influential voices say that the adoption of a European Constitution will contribute to the consolidation of the spirit of European identity and also to the more pointed definition of the European role in the international arena.

The starting point for the development of this European idea is the transposition of the principles of the current common judiciary order based on the consent of Member States. Certainly, the process of enlarging the EU is regarded by the specialists as the main instrument to achieve the European idea: the creation of an extended space of freedom, justice and security. Moreover, this process favours the construction of the European identity, a possible objective within the context in which European nations hold an essential set of common values, thus creating a common universe of symbols and significance.

Furthermore, this construction that aims to fulfil the European idea inherently implies a reform of the community institutions as well as a European social reform. These two things are interconnected, as institutional reform reflects the concomitant changes occurring in mentalities and expectations in the European space.

Romania needs a reform of its society as a whole, a modernisation of society. This is a characteristic of the very evolution of the
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country, and not only a requirement for EU accession; it is a requirement imposed by the need to ensure a future for our country. The actors need to be adapted to the framework created by the European integration, and the main instruments can be found in the political arena - institutions, the economy and society. In the political arena, this means the modernisation and proper functioning of the entire political system, the coherent manifestation of the rule of law. It is true that this is a long-term process, and a difficult one, but at the same time it is vital for the profound and irreversible modernisation of the entire society, a modernisation that implies the alteration of the fundamental law of the state. Internal preparations for accession are clearly connected to institutional and political restructuring (including the alteration of the Constitution) and a change of mentality.

In the economic arena, this means the consolidation of a functional market economy on a solid basis, which will perform and produce the expected outcome. This can be done by changing mentality - the concept of collective benefit divided for each member is gradually replaced by individual responsibility for the well-being of the entire community.

Consequently, preparation for EU accession represents a process that is concomitant with the process of altering the constitution and modernisation, thus implying a radical change institutionally, behaviourally and of mentality.

Adapting constitutional provisions to the requirements of European integration represents a mature process of reflection that involves Romanian and foreign experts, and a convergence of the various dimensions of the executive and legislative branches with civil society in order to crystallise opinions regarding a new Constitution.

The proposals to modify the Constitution in the light of EU accession negotiations envisage the following areas:

1. One alteration may regard the equality of the rights of Romanian citizens and EU citizens as regards the right to vote and be elected in local public administration, as well as to take public office, except high official posts. The current text of the Constitution provides that public office and positions of authority, civil or military, can only be held by Romanian citizens, and only Romanian citizens with the right to vote (who have reached 18 years, election day included) can do so. Alteration is necessary within the
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context of the negotiations for Chapter 2 - Free Movement of Persons and Chapter 30 - Institutions. The reasoning for granting such equality of rights under the Treaty of Amsterdam was that local elections regard not so much political objectives but rather the household business of the local authorities from which resident foreigners cannot be excluded.

2. Currently, the condition of having Romanian citizenship for land acquisition is incompatible with the right of establishment provided by the Treaty of Amsterdam, which enables the acquisition of land and use of agricultural land on the territory of a Member State by the inhabitant of another Member State. Romania has made a commitment to harmonise this provision within the negotiation for Chapter 4 - Free Movement of Capital.

3. In the position paper for Chapter 24 - Justice and Home Affairs, an alteration was envisaged of the Constitution article referring to the ban on the extradition of Romanian citizens, for the Convention on extradition between EU Member States cannot be rejected on the grounds that the person in question is a citizen of the Member State which solicited the extradition. In 1997 Romania ratified the European Convention on extradition, stipulating that Romanian citizens and persons granted asylum in Romania could not be extradited. The proposed alteration envisages the withdrawal of the reservation stipulated in 1997.

4. Under Chapter 28 - Financial Control, Romania undertook to introduce into its Constitution a provision regarding the independence of the Court of Accounts, observing the provisions of the international organisation INTOSAI, to which Romania is party.

5. One last aspect related to the revision of the Constitution discussed under Chapter 11 - Economic and Monetary Union refers to the alteration of the article providing that the national currency is the Leu, the sub-unit of which is the Ban. An alteration is therefore needed in the event of Romania joining the Euro zone.

The debate regarding the revision of the Constitution also envisages other proposals. I will not go into detail here, as they do not relate directly to the EU accession negotiations, except to say that they are more a consequence of the experience acquired during the 10 years of implementation of the current constitutional provisions.

We must understand that the revision of the Constitution does not
represent a repudiation of the values and principles it is founded on, but reveals the necessity for the fundamental law to maintain its viability by adapting to new situations and the requirements involved in the EU accession process and implicitly by making it compatible with the judiciary organisation promoted by Member States. Such change reflects adaptation to internal modernisation at an institutional, political, economic and social level, of mentality, behaviour and the expectations of civil society.

To conclude, I would point out that action to revise the Constitution is a necessary process. Any judicial instrument, especially the fundamental law of the state, must adapt to the transformation occurring in society and the experience acquired in seeking the most adequate institutions and norms to guarantee universal democratic values. The legitimacy of the Constitution stems only from the validity given by meeting citizens’ expectations. Following the same reasoning, it is my belief that Romanian citizens will join Member States’ citizens in the process of constituting the European identity, an identity which is in great part given by the future European Constitution.

6. European Integration - a project of national consolidation (6)

Romania has the political maturity and the vision necessary for it to identify with and take its rightful place in Europe. In the polarised Europe of the Cold War, until 1989, Romania was unable to make its own choices, but now a historic chance is offered to the country to rightfully take its traditional place in terms of values and mentality. Romania can now clearly express its option for Europe.

Romania is undergoing a process of national consolidation. Romania’s interests need to be defended in this era of changes. In this time of globalisation that is only possible through belonging to a broader framework ensuring more political and economic stability. This framework has to grant the highest possible degree of convergence for the interests of entities freely choosing jointly to promote their interests and create the best environment for economic development and social security. Romania’s integration into the EU means in the first place a process of internal preparation. Harmonisation with

European structures can only take place through a process of internal modernisation of Romanian society, and this modernisation is an essential process for Romania as it is being enhanced by EU accession. From this point of view, the Copenhagen and Madrid criteria best define Romania’s objectives on the internal front: political stability, sustainable economic development, and better performing administration. Once these objectives are fulfilled, Romania will be able to take up its membership of the European Union without diminishing the weight of the specific interests of Romanian society within the community of European nations.

Both the internal modernisation process and the accession of Romania have to be accomplished in a conscious manner, actively involving the entire society. The continuous dialogue we maintain with the NGOs, to take one example, is meant to “take the pulse” of civil society, to keep us close to the opinions and aspirations of civil society, and meanwhile to act as an incentive for the public with regard to the objectives to be achieved, the necessary steps and their status of accomplishment, and the recent evolution of the accession negotiations. Moreover, the active involvement of the social actors in economic reforms offers even more legitimacy to the measures taken with a view to attaining this priority national objective. This is why we received the support of the trade unions in the European integration process, which shows that the effort Romania is making to join the European Union is a rational one and that all citizens have the responsibility to take part in this process as entities assuming their identity.

In its process of preparation for accession, the government of Romania started and is maintaining a permanent specialised dialogue with the business community so as to identify the best solutions to connect the Romanian economy to European economic system, to consolidate the market economy and to gain and maintain their support on the way towards European integration. In practical terms the Romanian economy is now oriented towards EU countries, thus making the business community the main communication channel with the economic environment in the Community area. Our national minorities are also engaged on this road, offering great support to the efforts for the European integration of Romanian society. Last autumn national minority representatives signed a declaration of sup-
port for Romania’s integration into the EU. This declaration is also proof that the entire spectrum of society is involved in Romania’s modernisation efforts, with the aim of acquiring the status of Member State of the European Union.

The attention of civil society for the debate concerning the future of Europe is also noteworthy, especially the focus on the role of Romania in a future Europe. We all have to acknowledge the reasons we want to join the European Union, as well as the implications this process holds out for every citizen from the first moment of Romania’s accession. Romanian citizens need to be aware of the costs and benefits of EU accession. The benefits greatly outweigh the costs - this is the conclusion that lies at the basis of the rational, fully conscious decision of Romania to join the EU. Besides these, we also have to take into account the costs and benefits of non-integration. Romania is in need of a reform for its whole society. This is a condition for the development of our country, not just a requirement for EU accession; it is a requirement for the process of building a secure future for our country. In the political field, this is linked to the modernisation and functioning of the entire political system, of the coherent functioning of the rule of law. It is indeed a lengthy, difficult process, and at the same time it is vital for a thoroughgoing irreversible modernisation of our entire society. The EU accession criteria are entwined with the necessity to restructure state institutions, to project the future positioning of Romania in an enlarged Europe.

In the economic field, EU accession is all about consolidating a functional market economy on a solid base, able to perform and produce results as our entire community and all its citizens expect from it. This, however, is a process requiring a change in mentality. Individual responsibility for the benefit of the entire community has to replace the concept of collective benefit divided for every member of the community. It is no longer the state that has to ensure collective welfare, this is now up to every member of society. Our post-Communist transition, a lengthy process, left deep scars in the conscience of the community. Once it reaches its conclusion, the already visible positive results will become general and the Romanian economy will finally be able to cope with the competitive pressures of the European Union market. Romania’s EU accession process creates this framework to create, coherently and for a very definite purpose, a
connection to a political community of stable democracies and prosperous economies. Internal reform in Romania will also bring about a modernisation of the society and will ease integration into European structures, thus facilitating the accession of Romania to the EU.

To Romania, joining the EU is not only a guarantee of the stability brought about by the continuation of reform, it is also a framework for sustainable development to be acquired. Romania will also have the opportunity to contribute to the decision-making process in the EU, an area where our country can best defend and promote its national interests. These two projects (national consolidation and European integration) have a lot in common, and are complementary in other areas. Both projects go forward with the support of the entire society and with the mobilisation of every citizen to attain EU living standards at home. Romanians are Europeans - we all have to make daily efforts to prove that fact through mind, management and hard work, in order to regain our rightful place in the European family of nations. A lot of changes will assuredly take place in our society. Our status as Romanian citizens will thus be complemented by a new element. From the moment Romania joins the EU we will become European citizens, having equal rights and obligations with all the other citizens of the EU. This does not mean we will lose our Romanian citizenship, it means we will gain something - official recognition that we are part of the same space of unity in diversity. In the conclusion to my thoughts I have to underline one very important fact: our efforts to join the European Union are made with the consent of the entire society; they are supported by the whole political class and by civil society and by the social partners, all of whom have understood that integration into the community of EU Member States is in the vital national interest of Romania. This is an objective that transcends political rivalries, requiring a single involvement of the entire Romanian society.
1. Romania - a future external border of the European Union (1)

The accession of the states in Central and South-Eastern Europe to the EU could be defined as one of the European Union’s most important contributions to the stability, security and welfare of the continent for a long time to come. There are large differences between the current and previous enlargement waves, determining a rethinking of the framework for analysis from the point of view of accession criteria and the impact of enlargement on a regional, European and international scale. First, all the previous enlargement waves have been more modest as far as the number of actors involved in accession negotiations is concerned. Even the Efta member states, experienced in free trade and economic cooperation, joined the EU in three stages: first Denmark and Great Britain, then Portugal and finally Finland, Sweden and Austria. Not even Greece, Portugal and Spain joined simultaneously, even though the integration of this group is compared to the current enlargement process. Second, the EU itself has undergone major changes over time, making the accession negotiations ever more comprehensive and difficult. Whereas Great Britain and Denmark joined a common market, Spain and Portugal joined a community that had made one step forward by establishing the Single Market. Moreover, when Finland, Sweden and Austria negotiated their own accession to the EU, the Community was already evolving towards Economic and Monetary Union.

At present, the applicant countries are negotiating their member-

ship in an ever more integrated institutional structure whose accession criteria go beyond political, economic and administrative dimensions and are determining a process of internal modernisation of society, even from a behavioural point of view. On another hand, the dynamics of the Cold War have been replaced by a need for internal modernisation of society in the candidate countries, a process naturally determined by the need to adapt to the new state of affairs in the international system. Of course, the effects of EU enlargement can be measured in terms of lifting commercial barriers and extending a common regulatory framework to almost the whole of Europe, with a positive impact on European and regional economic development. In this context, I would like to discuss a topic that I am sure is arousing growing concern within Romanian society: Romania as a future Eastern border of the EU. Once the current enlargement process is completed, Russia, Belarus, Ukraine and Moldova will become direct neighbours to the EU. The enlargement of the EU will reconfigure the geopolitical map of Europe.

According to some sceptics this could determine an increase in the intensity of immigration from the East. But we have also to acknowledge that the free access of labour to a common market will generate opportunities and jobs in the new member states. I hope enlargement will bring about a more coherent EU eastern policy, with the main objective of creating a common European economic area and a stable community for cooperation and security, promoting strategies according to the needs of an enlarged Europe: democracy, rule of law, economic welfare. From this point of view, European security policy concerns not only guaranteeing and maintaining security in the European area, it is also connected to the EU objective consolidating a common area of security and justice characterised by economic and social cohesion. EU eastern policy could be defined in general terms as a policy aiming to manage and stabilise the situation in the Balkans (let us recall the Stability Pact for South-Eastern Europe), and to keep a close relationship with Russia on matters related to Cfsp, economic cooperation, trade, transport and energy, the environment, cultural exchange, etc.

Romania’s geographic position is interesting from the point of view of securing the external borders of the EU and promoting European policies and values. Please do not conclude from this that secur-
ing the borders will cause the former East-West dichotomy to be maintained. On the contrary, the focus in EU policies will be on shaping inclusive policies based upon regional and intra-regional cooperation, programmes of cooperation and partnership, transborder investments and stability pacts. What does Romania’s position as a future Eastern border of the EU actually mean? Borders today are more than multi-dimensional, complex phenomena having characteristics determined by international law and European and national legislation. They are also meeting places for individuals and national identities and for administrative, political and educational systems, requiring specific institutional arrangements to facilitate practical cooperation at local, regional, European and even international level.

In this regard, it could be said that Romania will constitute one more obstacle in the way of illegal immigration towards the EU, eliminating its status as a transit country. But I would like to underline that Romania will become the point of contact, the link between EU Member States and the neighbouring areas, the communication channel essential to establish solidarity among all the peoples in Europe and create a realm of freedom, security and justice in Europe. And I am sure Romania not only realises the need to establish such a realm in Europe, but is also taking part in this project aiming to complete the Internal Market and allow the free movement of labour in Europe, while furnishing the necessary means to effectively combat illegal migration, organised crime and terrorism. How will this objective be fulfilled? Through the establishment of a common mechanism for consultation and cooperation.

Thus Romania’s capacity to promote regional stability is very important for the European Union. By extrapolating the issues concerned with the role of external borders, we could compare the EU enlargement process with the shifting of the American border as the country grew in the 19th century. Why? Its external borders had a very important role in stabilising the territories close to it, thus ensuring the security of both the centre and the periphery. In the case of EU enlargement, Romania would play an essential part in the shaping of European identity and common interests not only inside but also outside the EU, through the use of economic, social and cultural instruments and promoting European values and policies at regional and intra-regional level. It is as obvious as it could be, in pursuing
European common security interests, that Romania has proved it has the capacity to stabilise the regional system and to responsibly manage matters of international security.

Romania’s performance in the external system is primarily determined by her internal performance to European standards: political and economic stability, following the rule of law, establishing and consolidating a functioning market economy, order and justice, raising living standards, etc. The result of our efforts in securing our borders will be shown by our entry to the Schengen area, which means more than just enforcing border controls and putting an end to illegal migration. It is also related to common policies in the field of visas, asylum, protection of personal data, judicial cooperation, police cooperation in matters related to fighting organised crime, extradition, fighting people smuggling and drug trafficking. Romania joining the Schengen area is beneficial to our country from more than one point of view: it allows for free movement in the EU for people and goods, services and capital, without hurdles such as passport controls and border guards. Integration in this free movement area means that internal borders will become permeable (eliminating border controls), while the external borders defining the EU’s geographical shape will be more and more difficult to cross illegally. It has to be clearly understood that free movement inside the EU does not entail a reduction of citizens’ security in the context of fears concerning disturbing phenomena such as immigration, terrorism, drugs and people smuggling.

The better we implement an integrated border management, the more we will benefit from the stability extended to the regional and European system and from the connection with the European Single Market. Of course, the government not only aims to adopt the *acquis* (most of the *acquis* in the fields of asylum, border controls, visa policy and immigration has already been transposed to framework legislation), but also to implement it. Thus, the existence of a special visa programme enabled preparation for the border control and visa policy to be analysed in real terms. Positive results are also expected from the elimination of visa requirements for Romanians travelling in the Schengen area, starting from January 1st 2002. Developing a common visa regime means that once foreign citizens acquire a Schengen visa and enter a Member State, they will be able to travel freely from the Arctic Sea in Finland to the shores of the Mediterranean in Spain.
We are all aware of the significance of administrative capacity, especially the human resources policy (including professional upgrading), infrastructure endowment and coordination of the relevant authorities. In this regard, I must underline the fact that the statute of the Border Police has been regulated through specific legislation on organisation and functioning, and that the process of professionalising the border police has already started, there being a plan for all recruits in the border police to be replaced in the near future by personnel under contract. At the same time, progress in the field of JHA also affects cooperation between the customs administration and other agencies, with a view to the fight against customs fraud and tax evasion, corruption and money laundering, to enhance border controls, to fight counterfeiting and the trafficking of counterfeit goods, and to protect industrial and intellectual property rights. In this regard, joint teams of customs and border police officers have been created at border crossing points.

Cooperation has to be extended not only at the level of state actors (with Bulgaria, Moldova, Russia etc.), but also at the level of local communities in these countries, so as to maintain strong intra-regional bonds. In the same field, I would like to draw attention to the European Commission’s proposal to establish a Common European Border Police to efficiently manage the issues of border security. I find this a very welcome prospect which gives us the following message: border security is not only the responsibility of one Member State but of the entire European community. As a first step in creating the European Border Police, the Commission aims to introduce a common manual concerning the methods to ensure the control of EU external borders without interfering in economic and social relations (this latter aspect is of special significance for the neighbouring countries). In the second stage, common standards would be established among member states to carry out border controls and exchange of information between the institutions involved. The third and last stage concerns the establishment of European Border Police Corps, trained in special institutions and financed partly by member states, but also probably by the Community Budget.

I would like to close this short presentation with several issues. First, the position of Romania as a future external Eastern border of the EU means not only border security, but taking responsibility as a
regional factor for stability and the promotion of European principles and democratic values. Second, Romania fully understands its responsibility in creating and strengthening a common area of freedom, security and justice. Efforts are being made to establish these characteristics primarily at an internal level. Third, I believe that Romania has become fully aware of the need to establish her capacity to control all of the 2070 km of EU external border: with Moldova, the Ukraine, Serbia and the Black Sea. At the same time, the main objective is to reduce cross-border crime without harm to the right of free movement of people. Actually, the elimination of visa requirements for Romanian citizens travelling in the Schengen area has beneficial effects especially for young people, the academic and scientific community and also for businesses. Fourth, Romania will have an essential role in developing and consolidating a European identity and promoting solidarity, tolerance and cooperation among state actors at the regional and international level. Rebuilding Romanian identity can best take place through the state’s role as a catalyst for the European space and values conferred through the European identity.

2. We would like to know the precise accession date based on the Romanian negotiation road map (2)

Reporter: The administration in Bucharest appreciated in very favourable terms the way our negotiations have gone with the EU during the last six months of the Spanish presidency. From our standpoint, do you think that maximum efficiency was reached or you consider that more could have been done? Who could have done more?

Vasile Pușcaș: The Spanish presidency was very dynamic and rigorous for Romania. From the point of view of the negotiation process Romania has registered a significant advance in the negotiation process, bearing in mind the number of chapters that were negotiated - twelve, out of which nine are open, three were provisionally closed and two more in which negotiations continued - but also from the point of view of the difficulties and importance of the problems brought into discussion with the negotiations of these chapters. The most difficult ones are the Protection of the environment, Justice and

2. Rompres, 10th July 2002.
Home Affairs, Free movement of goods, Free movement of people, and Energy. We were also negotiating the chapters referring to Institutions, specifying Romanian representation in European institutions, and the chapter regarding social policy and employment, establishing new European relations in the Romanian labour market. Two other significant chapters regarding the fulfilment of the functioning market economy criteria, Economic and Monetary Union and Financial control were also discussed.

At present we have opened 26 negotiation chapters, out of which 12 are provisionally closed. Initially, Romania intended to negotiate 10 chapters during the Spanish presidency, but in the end we succeeded in negotiating more. Spain offered us substantial support in the accession negotiations. We collaborated very well with the Spanish representatives in Bucharest, with his Excellency Mr. Atieza Serna, and also with the representatives of the Spanish presidency, with Minister Ramon de Miguel and with the Spanish representatives at the EU. We also had great parliamentary support. Two weeks ago we met a delegation of the Spanish Parliament that strongly encouraged us to continue with our integration process. Of course, all this support would have not been enough without intensive and systematic preparation at the internal level. From the beginning of the year to end of June 2002 almost 200 laws and government decisions were adopted, all designed to transpose the *acquis communautaire*.

Referring to the last part of your question, there is always room for improvement. I would like you to take into consideration that negotiation means a type of relations with partners sitting on the other side of the table. Last but not least, success in negotiations is influenced by the context where the negotiations take place, at internal, external, European and international level. In any case, I assure you that in my position as Chief Negotiator of Romania I am the first to wish for success in these negotiations.

**Reporter:** The official Romanian documents present the significant progress made in the adoption of the *acquis communautaire*, but considering the opinions clearly expressed lately by the officials of the 15 member states, the implementation of Community norms is not advancing at the same pace. What chances do we have of reducing this gap?
Vasile Pușcaș: As I have already stated, the adoption of the *acquis communautaire* is just the first phase of alignment to the demands of the EU internal market. The most important one is the implementation of the *acquis* that requires on the one side the creation of adequate institutions, and on the other the application of European policies here in Romania. I think that the chances of reducing the gap you were talking about are real. The 2003 budget will take account of the financial requirements for fulfilment of the commitments made in the accession negotiations. Every ministry has estimated the budget necessary for the creation or restructuring of every institution, for the fulfilment of every quality standard, or more precisely for the application of the *acquis*. In some cases, such as environmental protection, agriculture, transport and energy, financing will not come solely from the state budget but also from the contribution of companies, a real partnership between the private and public sectors. The Prime Minister has declared 2003 as the “Year of Europe” and we will try to apply systematically all the commitments Romania has made in the accession negotiations with the EU. I believe that the guarantee of realistic financing for the application of the *acquis* will lead to the strengthening of the administrative capacity of the Romanian institutions, and offer them the opportunity to function as well as EU institutions.

Also concerning the application of the *acquis communautaire*, we should not forget that in this phase the crucial decision-making role does not belong to Bucharest, but the local authorities. I repeat, the application of the *acquis communautaire* must be carried at the local level, and no progress in the negotiations will be possible unless the local authorities are completely aware of this. If the local authorities do not try to attract funds, the advance of the negotiation process will be slowed down.

Let me offer you an example: to close the negotiations for the Taxation chapter we are required to produce alcohol to the European quality standards, including payment of all the taxes and duties to the state. If county and city authorities, the local Financial Guard and the Consumer Protection Office fail to take action, and fail to observe European norms, the advancement of negotiation on this chapter will become difficult. The application of the *acquis* in the field of taxation has reduced tax evasion in Hungary by 10%. I think that if we apply
this European legislation, we will also register the positive effects the other candidate states have experienced and will succeed in converging with the macro-economical indicators of the European market.

Reporter: How do you find the idea - gaining more ground after the Seville Summit - that the next enlargement wave will be postponed by at least one semester compared to the initial date of 1st January 2004? Is the enlargement process endangered?

Vasile Pușcaș: I do not think that the enlargement process is endangered. Delays may happen, perhaps not all the ten states will accede in 2004, but it is still too early to make provisions. One should remember that the enlargement process comprises 12 states, including Romania and Bulgaria. The Danish presidency will have a very difficult task to conclude the negotiations with the candidate states more advanced in the preparation stage, some of which are unhappy with the new European policies, especially with regard to agriculture. The regular report of the European Commission in October will bring supplementary clarifications concerning the enlargement process. We shall see what the Copenhagen Summit decides.

Reporter: Considering that the “digestion” of the new ten members represents a huge financial effort which will be difficult for the Union to bear, do you consider that the European Union will be willing and able to face a new financial shock in 2007, when Romania intends to accede to this organisation?

Vasile Pușcaș: I would like to tell you that despite the fact that enlargement costs seem to be high, mainly due to the large discrepancies between the present and future Member States, studies in the field have that they are not so extraordinary as some Eurosceptics have said. Some studies have shown that integration of the new 10 states will cost every single European citizen 2 Euros per month, a sum that is far from exorbitant and which goes to the EU budget in any case. The modification of the present structure of the budget can only be achieved with the unanimous vote of all the Member States, so the percentage of the taxes received from the citizens of the Union for this purpose will remain constant, irrespective of the enlargement process.

As you can see, the cost of EU enlargement does not represent a high burden for European citizens, especially when compared with
the advantages of the process. Such advantages derive from the enlargement of the single market to over 500 million consumers, and the improved security and stabilisation of the continent, which will generate greater prosperity. It is unquestionable that the European economic boom of the 1990s was due to the partnership with the states in South-Central Europe in the context of their preparation for accession. A more realistic, pragmatic and European view would affirm that the enlargement process, doubled by the deepening of the integration process, will contribute to the creation of a more competitive European Union in the context of the globalisation.

Assuming that the accession of 10 new states does not represent a shock for the old Member States, the acceptance of two more states will not be a big problem either. Romania will enter the calculations for the European budget in the period 2007-2013 and it has already asked to be involved in the negotiations of commitments in preparation for the future budget of the EU, particularly so as to be able to participate in the debates over the future financial framework of which Romania will be part.

*Reporter:* How do you think that our accession negotiations will continue this year, bearing in mind that starting from 1st July the Danes will take over the presidency of the Union? Denmark stated that enlargement will represent an absolute priority. What does the optimum road-map that Romania hopes to obtain from the European Council in Copenhagen look like? Will the final documents of the meeting mention the precise date of Romania’s accession to the EU?

**Vasile Puşcaş:** During the Danish presidency we intend to open all the remaining chapters - Free movement of services, Agriculture, Industrial Policies and Financial and Budgetary Provisions - and close another five to seven chapters. The Danish presidency states that the European enlargement process is one of its priorities and this is why I am convinced that the problems raised by the “group of 10 states”, though extremely complex, will be solved without major problems. I am also confident that the same presidency will devote the attention required for the two other states to be accepted in the EU in 2007 - Romania and Bulgaria. The Danish representatives, especially the Danish premier Rasmussen, have assured Romania of their full support, and
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during the Seville Summit it was decided that in Copenhagen a new road map should be drawn for Romania and Bulgaria, and that it should include the granting of increased financial support.

The best solution would be for our itinerary to cover few presidencies, so that we conclude the accession negotiations in 2004, before the elections to the European Parliament. We would like to have a precise accession date that coincides with the one set by Romania, 1st January 2007. The 2004-2007 period is needed for the drafting and ratification of the Accession Treaty with all 25 member states, but also for continuing our harmonisation with EU standards.

3. Redefining national identity and the European context (3)

It seems to me that globalisation and European integration processes are common features of the 21st-century international system. My assumption is that both processes have determined a certain redefinition of national identity, a concept that can best be described with the help of few notions addressing historical, cultural, political and economic perspectives.

First of all, globalisation and transnational relations make borders more permeable and thus challenges the institution of the sovereign state, at least in terms of the ability of the state to govern its territory exclusively. Secondly, the 21st century has come up with a number of challenges such as poverty, unemployment, ecological crises, armed conflicts and transnational threats, of which terrorism is by far the most worrying.

I am not going to challenge the qualities of a state - sovereign, coherent, legitimate - an entity which has the ability to make its domestic and foreign policy decisions and implement them, an entity with identity, culture and interests. No. What I will say is that the process of European integration alters all these aspects of a state, both at foreign and domestic levels.

By using various positive measures and instruments based on dialogue, diplomatic action and economic cooperation, the European Union has determined changes in the regional and international arena, as solidarity has become a fundamental principle. These changes are par-

particularly visible in the applicant/candidate countries, as shown in four variables important in defining a state’s trajectory and affecting its national identity: geostrategy, geopolitics, geoeconomics and geoculture.

For a clear understanding of how the European integration process has affected the domestic level of state policies we should take a look at how accession criteria have evolved. From the specific dynamics and decisions of the Cold War a more political nature in favour of accession and EU enlargement have become clearer with the Copenhagen and Madrid European Councils. Straightforward accession criteria have been outlined, providing the necessary guidance for applicants: to the political and economic criteria another issue was added, that of developing administrative capacity.

The EU enlargement process soon came to be regarded as the key instrument in creating a new Europe and broadening the area of freedom, justice and security. It might be also said that the enlargement process has a strong impact on the new issues as well - at social and infrastructure levels. Studies on the direct outcomes of the enlargement process mention structural changes and modernisation both in EU Member States and candidate countries (particularly in Central and South-Eastern Europe).

The establishment of the accession criteria to the EU is in full swing, determining changes both in EU Member States and candidate countries. Europeans are aware of the fact that, alongside the historical, political, economic and cultural issues, new additional elements are taking shape: modernisation and Europeanisation, affecting essential issues at social and infrastructural levels.

Mutual effects can be seen in the relationship between national identities and the European integration process. EU enlargement is properly addressed also through the combined contributions of individual Central and Eastern European states. For candidate countries, accession to the European Union is not only a question of preparation for membership or devising strategies for better harmonisation and standardisation. It is a natural result of the transformation of their national identities due to changed conditions both in internal and external arrangements.

As I have mentioned before, the question of redefining national identity can be viewed from many angles - that of geostrategy, geopolitics, geoeconomics, geoculture. Nevertheless, these variables
have also undergone multiple changes over time. Thus, in geopolitics and warfare, speed and logistics have become more important than strategic location in the world and structural economic power more important than military power. Changes have occurred not only within these fields, but also in the relationships among them. Thus geoeconomics (as the analysis of states’ economic strategies) can be viewed as a complement to geopolitics, certainly not as a substitute. Further contributions may be attributed to relations among states, markets, enterprises and NGOs, and to monetary issues, to the increased importance of technology, and to transnational issues.

Let’s take Romania as an example and observe the changes affecting these variables. From the geopolitical and geo-strategic perspective, through enlargement the EU will have Russia, Belarus, Ukraine and Moldavia as direct neighbours. The geostrategic and geopolitical position of Romania as the future EU Eastern external border is obvious. As a result, cooperation with the European Union and these actors will be deepened in the field of combating illegal immigration, securing borders and combating terrorism, thus enhancing regional stability.

From the geoeconomic point of view, Romania follows the European and international trend in the following sense: the European economy has become very dynamic, as new qualitative characteristics have been added by globalisation. In this respect, we can say that the European economy is now greater than the sum of its national economies. Furthermore, with the increasing importance of MNCs and international financial and economic institutions, the European economy is no longer limited to national cultural and political values. In conclusion, economic necessity and shared practical interest within the markets (Romania as the second largest country in both Central and Eastern Europe and the EU internal market) transcend the national and continental framework and will result in regional economic integration and increased welfare level in Romania.

Driven by the necessity of internal modernisation and harmonisation with the EU economic standards, the Romanian government has paid special attention to economic re-integration in European and international affairs. In 1989 Romania inherited an autarchic economy from a divided Europe, which exacerbated the difficulties in preparing for accession. Therefore, its efforts and structural reforms
can be regarded as proportionally more substantial.

I shall dwell on the geocultural perspective from another point of view, that of the combined result of transforming national identities: European identity. And that is because I strongly believe that the process of enlargement, of the unification of Europe, is aiming at more than the construction of a Union.

Even though the EU has not yet succeeded in building a clear identity, it will succeed in time by pursuing and better understanding its interests and promoting its values. But what values are to be paid the same attention in EU and candidate countries? I assume that these values and norms could concern democracy, human rights and welfare. The question is the following one: can we create a shared identity if we follow these values and norms? Can we create a European identity if we, as Europeans, promote democracy, respect human rights and build welfare? I think we will. History will tell how much of this process we manage to achieve over the next ten years. What I believe is that the process of building a European identity has already begun.

Building European identity is not an easy task. But is achievable, as the EU member states and candidate countries have certain things in common: a more or less common history, common views on how shared values can be implemented, a common perspective on the present situation and the road Europe has to pursue, and a common view on the obstacles that European nations have to face. In the search for a European awareness which transcends national awareness, we have to remember common historical and cultural roots and activate consciousness of them.

This common definition of a situation creates solidarity, and that is something I believe we can all agree on. Since the events of 9/11, it has encompassed not only the European and Euro-Atlantic areas, but almost the whole world. Constructing a European identity is possible because all European nations acknowledge a core of shared meanings, thus creating a common universe of symbols and relevances, agreeing on common social conditions of life as well.

What results do you think the creation of a European identity will bring? Personally, in geo-cultural terms, I believe particular ethnic background, culture, religion and history will still constitute important parts of the European identity, of which the main feature is unity in diversity. In geo-economics terms, the EU already looks quite impres-
sive: a large internal market, a major trading partner on a world scale, a strong industrial base, great financial power, good infrastructure. I think that the main result will be the establishment of the European Union as a major player in the international system, not only from the economic and political perspectives, but also in cultural terms, in the sense of promoting its shared values and norms worldwide.

The world’s largest economic block, the EU must further use its most powerful instrument (its economic weight) to orient political outcomes toward peace and stability, at both international and regional levels. Interrelating political stability with positive or negative economic conditionality (conclusion of trade agreements and provision of aid or sanctions and embargoes) will result in an improved process of respecting certain democratic standards outside EU borders.

Assuming the spatial congruence between cultural identity, economic activity and political processes, Romania is also a participant in this process of building a European identity from these perspectives. We have strong arguments for this and I believe there is a mutual interest in Romania’s accession to the European Union. It is in the interest of Romania to accede to a powerful European Union, and it is also essential for the EU to accept an economically powerful and politically stable Romania. I believe that implementing the internal reforms in Romania (in permanent connection with EU Member States) is the best way on the road to an enlarged and reformed European Union. Romania will continue to focus on improving the operation of its market economy, its administrative capacity and implementation of the acquis in order to advance its preparations for accession to the EU. Furthermore, special attention will be given to regional and international stability. In this respect the importance of Romania as a firm and predictable actor is interrelated with a European Union with clear expressions of identity in politics, interests and capacity.

National identity has been described as a changing concept, and this is true because of the challenges of the 21st century. If we, as Europeans, are able to meet these challenges by taking steps towards European integration, I believe Europe will begin to respond positively to the great challenges of the day. Europe’s interests are not limited to Europe alone. We cannot simply assert Europe’s position in the world, we must go further and make a contribution in the world as a whole. European identity has to include the great values and aspirations
of different nations. Pluralism and diversity are the key in achieving a multi-faceted Europe capable of fulfilling its role in the world.

4. The future of the enlargement process - how flexible? (4)

The process of enlargement has generated a debate on the future of Europe as a global actor. The Euro zone will bring together the peoples of Europe in welfare and peace. The European actor will have to prove to be viable, worthy of its makers and valuable for its citizens. It will bring together old and new in the biggest single market, united in its diversity and promoting change based on old grounds.

This new Europe, consolidated through eastward enlargement, will be open to geographical areas that were in the past felt to be less essential or less identified as European. Enlargement is a merger of two historical Europes, the spirit of the 1957 Community extended and adapted to the whole of the continent.

We can ask ourselves: What is the future of enlargement? How flexible should it be? Where should it stop? The answer is related to a paradigm that reflects the present situation and also entails clear signals with regard to the future of Europe.

Firstly, as demonstrated in the working sessions of the European Convention on the Future of Europe, the enlargement process is strongly related to the future of the EU since new ideas and innovations are brought by Member States and candidate countries alike to make Europe more accountable to all its citizens.

Secondly, there is no doubt that the enlargement process has a specific magic: As the candidate countries are coming closer to the conclusion of the negotiations, their perspectives on EU policies are shifting towards deeper visions, those of European identity and internal modernisation as natural processes of evolution on the domestic and external levels. In this respect, vast advantages come to the EU from the perspective of innovative contributions.

We must ask ourselves: What will the united Europe look like? And how do we feel about it?

Will Europe become a melting pot or will we be able to celebrate

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4. The fourth Annual Conference of the European Institute Future Membership in Future Europe - Sofia, 11th of November 2002.
diversity? The way a landscape has mountains and valleys, rivers and sand, is the way Europe should strive to hold on to what it already has and build on it. Learn to ‘vivre la différence’ rather than be threatened by it. It may not be apparent that we may lose it, but sometimes, when we remember the legend of the beautiful Europe, we must never forget to place a high value on our traditions and make the best of them, passing them to the next generation. On the other hand, is our level of preparedness high enough to accept the nouveau, to understand the need for it and find energy to face it? There is certainly going to be resistance to change as there is going to be a clash of various viewpoints, not only on what it is going to look like but on how to get there.

Let me count a few of the Romanian viewpoints:

- A federation of nation-states based on Member States voluntarily transferring competences according to the subsidiarity principle; on national Parliaments involved in European construction; on a consolidated community pillar and a restructured intergovernmental pillar; finally, we want to hold on to a culturally diverse Europe based on tolerance and respect.
- A Constitution. That is what the Americans wrote some two hundred years ago to embody their union. It is our belief that a European constitution can only be beneficial. It must, however, be clear and easy to read for citizens because it is meant for citizens and belongs to them.

The Constitution would comprise:

- A Charter of Fundamental Rights
- The EU objectives - protecting the common values, interests and independence of the Union; promoting the essential balance between the economic and social dimensions; maintaining a high level of environmental protection, encouraging technological and scientific progress, creating an area of freedom, security and justice and developing common policies concerning foreign affairs, security and defence.
- Its principles and values (pre-eminence and direct applicability of Community law, subsidiarity, proportionality, participatory democracy, separation of powers and solidarity).
- The common policies of the Union.

Higher profile and credibility: Europe has to speak with a single voice on the international stage. Let us give the Union a political identity equal to its economic force and let us not trick ourselves into thinking that the Union can prosper continuously without facing the political challenges that globalisation poses.

As a key player on the international scene, the EU has to take on global responsibilities. To this end, the EU’s actions on Cfsp should be strengthened in terms of its contribution to international stability, conflict prevention, the fight against international terrorism, extremism and poverty and the promotion of democracy and human rights.

- Coherent and prompt response of the EU to international events can be given only by setting up a “hard core” for its political action, legitised by a common political will of the Member States. In the meantime it is indispensable to eliminate the shortcomings currently made evident by the fact that one EU body with competences in this area has the power to decide and another one has the means to implement decisions, as well as eliminating the overlaps that currently exist in this field between the Commission and the Council.

- Multilateral cooperation. The EU aims to be the best example of national sovereignty transfer for a common purpose.

- Citizens expect a Cfsp which is not only interest-based, but one that also envisages solidarity, tolerance, engagement, commitment and inclusiveness.

- A Council that reflects the interests of the Member States, where all states are equal - the true European spirit. A rational Council, with clear-cut delimitation of functions, leading to better internal coordination. The Council would continue to establish the guidelines for EU development and it should have decision-making powers in urgent strategic fields. In these conditions it could initiate a multi-annual legislative programme following the recommendations of the Commission and Parliament.

- A Commissioner for each state and a president of the Commission appointed by the Parliament. This would consolidate equality and solidarity among Member States. And since legitimacy and democratic support are words that must prevail in all of our actions, we plead for a Commission President elected by Parliament.

- A stronger position for national parliaments. After all, they are
the ones who understand their peoples best and are directly accountable for representing them. We believe the national parliaments should be involved in the *ex-ante* political control of subsidiarity. They should also have an adequate mechanism for communication - why shouldn’t that be a consolidated Cosac?

I subscribe to the opinion stated at the meeting of government representatives to the Convention on the Future of Europe by the Italian representative, Mr. Gianfranco Fini, that subsidiarity can be defined as an instrument to give more power to Member States where there is too much intervention from the Union, and to consolidate the Union’s power where citizens’ interests are at stake.

We also believe a flexible delimitation of competences to be feasible; reformulating and maintaining Article 3085 in a future Treaty could guarantee this flexibility.

- The extension of qualified majority voting and the co-decision process. A more understandable European Parliament. The lack of transparency and the democratic deficit the European Parliament is often accused of can be rectified through its deeper involvement in all matters directly concerning the citizens of Europe.

- A realm of safety and security for the citizens of Europe. Such a project would involve the unanimous participation of Member States in:
  - the integrated management of the Union’s external borders;
  - fighting cross-border crime and international terrorism;
  - establishing a European Arrest Warrant, together with better cooperation among national police forces;
  - a European Border Police, established through cooperation, collaboration and general recognition of the fact that safety and security issues concern not only border states, but the Union as a whole.

- A realm of economic welfare and peace. Europe must meet both

5. Article 308 of the Treaty states: «If action by the Community should prove necessary to attain, in the course of the operation of the common market, one of the objectives of the Community and this Treaty has not provided the necessary powers, the Council shall, acting unanimously on a proposal from the Commission and after consulting the European Parliament, take the appropriate measures». 
the economic and social demands of its citizens. It is up to us to shape Europe not only for the years to come but for the generations to come. It is up to us to promote a unique, specific, European social model, to balance the single market and the social needs of the people. It is up to us to make sure the principle of sustainable development governs the Union’s policies, through the involvement of decision-making at local, regional, national and European level through the consolidation of a solid bond between a stronger Union and its citizens.

EU enlargement promotes not only changes within institutions, but also the redefinition of EU policies. These new institutions and policies will form the future framework for EU enlargement. These perspectives are providing us with substance, as they are animated by the expectations and the real needs of European citizens. I believe that we have to go further and pay more attention to the citizens of Europe. There is no doubt that the enlargement process is inextricably linked to internal modernisation as concomitant processes, and that the enlargement process helps to better build and shape European identity. These are obvious points. However, the European integration process is primarily addressed to its citizens, particularly because Europe was, is and will continue to be a project for all European citizens.

I believe in the concept of Europe as a spiritual concept, not merely a geographical one. Enlargement has a particular value for me because of its extent and its implications. Not too long ago it was unthinkable, a Utopia, and now we are closer than ever to unifying a whole continent, to bringing together half a billion people. We can do it and we have the will to do it. I find Europe fascinating - what I have learned, what I have read, the people I have spoken to, the places I have visited, the friends I have made, this enchanting diversity I invite you to celebrate.

5. Romanian-Moldovan relations and the European Union neighbourhood policy (6)

Regional space is not only a matter for the attention of national governments, in terms of geopolitical or geo-economic evolution. It

6. CEP Conference Romania and Moldavia on the new Geopolitical Map of the Region - Bucharest, 31st of May 2003.
is also a European subject, to be taken into consideration in the framework of regional and European integration by all actors, whether they belong to the government, civil society or the academic framework. Furthermore, regional evolutions are part of a phenomenon we all can see: integration and globalisation are the processes that most affect and influence the present international system.

As I said earlier, not only are states aware of such effects, international organisations such as the European Union are too, partly because of their internal dynamics, partly because of processes still underway (EU enlargement, the shaping of the Cfsp, drafting a European Constitution). It is evident that regional developments (even at the extended level of the Black Sea, Russia, the Middle East and the Mediterranean) will have a strong impact upon the European Union, not to mention South-Eastern Europe. Stability around the Black Sea will be defined by political and economic developments in Russia, Ukraine, Republic of Moldova and Southern Caucasus.

EU enlargement will bring important changes to the geopolitical framework of Europe: Russia, Belarus, Ukraine and Moldova will become direct neighbours of the EU. The interdependence of the Balkans, Eastern Europe and the European Union is evident. That is why the European Union has turned its attention to developing a strategy regarding relations with this region, in terms of the necessity to establish security and economic prosperity as the key characteristics of dynamics in the near future.

As the Copenhagen European Council (2002) confirmed, enlargement is an opportunity to promote stability and prosperity beyond the new borders of the Union.

In this regard the European Commission issued a Communication (The Wider Europe) setting out a new framework for relations over the coming decade with Russia, the Western NIS and the Southern Mediterranean. These are state actors that do not currently have the prospect of EU membership but which will soon find themselves sharing a border with the Union.

That entails the desirability of implementing inclusive policies in establishing an inclusive Europe, including non-member countries, through stability pacts, regional cooperation and cooperation and partnership programmes, as well as alternatives for building and developing new economic relations (with impact upon geopolitical options).
We appreciate and welcome the partnership promoted by the European Union for developing a prosperous and friendly neighbourhood, as we believe this is one of the important instruments in linking what the EU has to offer to real advantages and preferential relations in a framework differentiated on the basis of each partner’s progress in political and economic reform. Creating a functional market that is open and integrated at a pan-European level, regulated by compatible, harmonised rules, would bring economic advantages as well as other types of advantages, both to the EU and to its immediate neighbours.

Relations with the above-mentioned eastern countries are of a very special importance for Romania, too, not only because of their significance at the level of regional stability, but because Romania is to become part of the EU’s eastern external border in 2007.

Our attention is mainly focused on regional cooperation. We have a permanent dialogue with the Republic of Moldova about the ways to jointly create and give substance to an area of freedom, security and justice. Opportunities for cooperation with Russia and Ukraine are also encouraged in fields aligning to the EU strategy. In this respect, we believe it is necessary to create an effective instrument for promoting stability, security and sustainable development inside as well as in areas bordering on the European Union. In this regard, the solution is to develop an area of welfare and neighbourly relations, of a circle of friendly states dominated by close, peaceful, cooperative relations.

To be successful in this process, we acknowledge that it is not only the EU that is involved in the process of stabilising the region. It is true that the European integration process promotes important reforms from the economic, political and judicial perspectives. These refer to establishing an independent judicial system, strengthening administrative capacity, improving the functioning of financial markets and ensuring respect for the rule of law.

However, these reforms and economic results, added to political and security considerations, are not entirely determined by the prospect of becoming an EU member. In fact, we cannot ignore the will of the candidate states to move beyond transition and achieve progress in their internal and structural modernisation. It follows that we have processes which are interrelated and oriented in the same direction. That is the case with Romania, and the Republic of Mol-
Romania is aware of that it has an important task in monitoring events and developments on the EU’s external border, as a contributor to the EU’s efforts to promote stability and prosperity in the region.

Enhancing bilateral and multilateral cooperation in the regional field is strongly related to the promotion of stability not only in South-Eastern Europe but in Europe as a whole. In this respect, enhancing cooperation with the Republic of Moldova, as part of a regional cooperation mechanism, will bring further stability. This partnership has to be seen as based not only on preferential relationships between Romania and the Republic of Moldova, but through the consolidation of our common spiritual and cultural heritage in line with the norms and the values of integration within a united Europe.

Significant examples of cooperation can be found in many areas; one of them is cooperation on border security, with emphasis on data and information exchange, jointly preparing and performing specific actions for the detection of persons who have committed offences in the joint area of competence, and establishing Joint Border Contact points. We pay special attention to the conclusion of agreements with the Republic of Moldova on the state border regime, cooperation and mutual assistance in border issues.

Taking into account the high standards set by the EU for the candidate countries willing to join the European enlarged family, the Republic of Moldova has proved to be aware of the need to develop functional and efficient strategies and institutions to support economic growth and enhance European democratic values and norms. That is the straightest way towards fulfilling the Copenhagen political and economic criteria. To ensure the sustainability of the economic environment, further consideration must be given to appropriate measures to consolidate macroeconomic stability through the implementation of coherent fiscal and monetary policies to reduce inflation and interest rates.
We already know that considerable efforts are needed to satisfy the criteria for EU membership established by the Copenhagen European Council in June 1993. Romania will strengthen its support and level of cooperation for Eastern and South-Eastern European countries, especially for the Republic of Moldova, in their endeavour to meet these challenges and address the priorities attached to the Stabilisation and Association Process (SAP). In this regard we believe that a further extension of the SAP to the Republic of Moldavia will improve stability in the region and create stimuli and an energising effect in the evolution towards respect for European common values.

6. Cross-border cooperation and the enlargement of the European Union. The case of Romania (7)

This paper attempts to make progress in delineating several thoughts on East-East regional cooperation and its role in the process of European integration. In terms of the relationship between these two phenomena, the process of European integration enhances regional cooperation and cooperation in Eastern Europe is clear example in this respect.

The European integration process is highly influential in the significant changes Europe is undergoing from the institutional (internal dynamics of the EU), geopolitical, geoeconomic (external effects of the enlargement process) and international perspectives. The interdependences among these dimensions are obvious, as enlargement determines changes in the EU’s external role, including an internal institutional reconfiguration, goes hand in hand with the deepening of European integration and represents an opportunity to promote stability and prosperity beyond the new borders of the Union.

The EU enlargement: effects

It is not only the EU that is involved in the European integration process. Candidate countries are also important actors and the prospect of joining the EU determines effects at both internal and external level. In this respect, it is worth mentioning that the prospect of EU membership encourages important domestic reforms from the

economic, political and judicial points of view. These involve the establishment of an independent judicial system, strengthening administrative capacity, improving the functioning of financial markets, reducing deficits in less competitive but important sectors, eradicating corruption and ensuring respect for the rule of law.

Accession to the EU will stimulate economic growth and enhance political stability, with effects to be seen both at national and regional level. It would not be politically accurate to state that these economic and judicial reforms, added to political or security motivations, are entirely determined by the prospect of becoming an EU member. The inner motivations of candidate states to overcome transition and progress in their internal and structural modernisation also have to be taken into account. From this perspective, regional cooperation, encouraged by the European integration process, becomes a natural process.

Of course, several trends at regional level can be observed: the transit from “stabilisation” to “Europeanisation” and an accelerated movement, though at different speeds, towards substantive democracy. Cooperation is another characteristic that could be viewed as a regional element enhanced by the European integration process and the enlargement of the EU.

Importance of cooperation

When analysing the case of Euroregions, cooperation should not be seen as elevated to an art form, extended to a global scale or European level with regard to certain European policies, but as cooperation at regional and local levels. In fact, Euroregions and cooperation are inextricably related elements in the context of European integration. These elements can be viewed in relation to specific factors in applied regional analysis, in terms of regional dynamics (determined also by EU enlargement) and the new EU neighbourhood policy.

Regional dynamics determined by EU enlargement

In the analysis of the regional and local dynamics determined by the enlargement of the EU, several dimensions deserve special attention: first, the reshaped role of the borders and second, regional specificities.

Today, borders do not represent closure or separation, but contact points between individuals and national identities, between different
administrative, political and cultural systems. Furthermore, borders can be seen as complex multidimensional phenomena, with characteristics prescribed by international, European and national law, requiring special institutional arrangements for practical cooperation at local, regional, European and even international level. A comprehensive discussion on regional cooperation should start from the current point of rethinking borders, both as a concept and reality, as borders should be consequent on the fact that cooperation serves the citizens.

In the case of East-East cooperation, the eastern part of Europe presents the most interesting dynamics at present. With regard to the Balkans, the EU and Europe in general pay special attention to regional cooperation. Furthermore, after the current enlargement, Russia, Ukraine, Belarus, Moldova and the Mediterranean states will become the EU’s direct neighbours. That reveals not only their increasing geopolitical and geostrategic importance, but also the necessity for a comprehensive and more coherent EU foreign policy to determine structural changes and regional stabilisation and promote European principles and values in the eastern part of the continent. Indeed, instability (in the former Yugoslavia, for example) could have spread in the Balkans and to Europe as a whole. In this respect, capital investment and positive economic instruments promote stability and democratic principles and reduce the intensity of nationalist manifestations, with an impact on orienting regional political cooperation.

The new neighbourhood policy

The dynamics of the European integration process are seen not only in the domestic and European institutional plan, but also in territories adjacent to the Union. The two-phase approach of the European Commission in implementing the new neighbourhood policy of the Union (“Paving the Way for a New Neighbourhood Instrument”) is highly welcome, as developing a prosperous and friendly neighbourhood will bring more stability to Eastern Europe, especially to the Western Balkans. Moreover, creating a functioning market that is open and integrated at a pan-European level, regulated by compatible, harmonised rules, will bring economic and social advantages both to the EU and to its immediate proximity.

Implementing the new neighbourhood policy of the EU implies paying special attention to inclusive policies in establishing an inclusive Europe, including non-member countries, through stability
pacts, regional cooperation and cooperation and partnership programmes, as well as alternatives for building and developing new economic relationships (with an impact upon geopolitical options).

Furthermore, the EU pays special attention not only to securing its borders, but also to strengthening cooperation at its borders (as stipulated by the draft of the European Constitution), with an impact on regional stability: policies on border controls, asylum and immigration (efficient monitoring of the crossing of external borders, an integrated management system for external borders, common policy on visas); judicial cooperation in civil matters (cross-border service of judicial and extra-judicial documents) based on the principle of mutual recognition of judgements and decisions in extra-judicial cases; for serious crimes having a cross-border dimension, a European Public Prosecutor’s Office will be established; police cooperation including all the Member States’ competent authorities, including police, customs and other specialised law enforcement bodies.

Romania’s role in East-East cooperation

As a Central European country, Romania is located close to Eastern Europe and the Western Balkans. For this reason Romania attaches particular interest to the stability of the region and is aware that it has to contribute significantly to EU efforts to promote stability and prosperity in the near neighbourhood.

As a future Eastern external border of the EU, Romania has great potential to be used in cooperation with our European partners. Of course, cooperation should be developed not only at state level, but at regional and, even more importantly, at local community level. Romania’s geostrategic and geopolitical position is of interest both for securing the external borders of the EU and promoting European policies and values. Inclusive policies based on regional and inter-regional cooperation, partnership programmes and cooperation, cross-border investments and stability pacts are highly welcomed in the regional plan. After the Balkan experiences in the 1990s, the success of enlargement in 2007 (with Romania and Bulgaria) will encourage the Western Balkan actors to consistently pursue reforms, share European values and enlarge the area of security, freedom and justice, and will have a strong impact upon the stability of the European Union, and in extenso, upon the whole of Europe.
Specific cases

Romania - Bulgaria

When analysing this bilateral dimension certain aspects have to be considered: both actors are candidate countries in the process of accession to the EU (a high level of cooperation is already in place in the field of preparation for accession to the EU, including accession negotiations) and both actors register significant progress in preparing for accession to the EU (in terms of political and economic reforms).

Besides cooperation at government level on issues regarding European integration and international politics, cooperation is also under way at regional and local level: the South-Eastern Europe Cooperation Initiative (1997), agreements for inter-regional cooperation (1999-2000) (municipalities of Montana (BG), Dolj (RO) and the Black Sea Conference [within the framework of Phare and Credo European programmes]), agreements for establishing four Euroregions along the entire border area (473 km).

The EU plays a significant role in enhancing cooperation at bilateral level through Community programmes Credo (1999 and 2000), Phare (1999-2000) and Cbc (Cross-Border Cooperation). Though the propensity for economic and institutional cooperation on the part of the two governments should be also emphasised, some initiatives have been developed directly by municipalities. Domains of special interest are regional development, the environment, transport and justice and home affairs.

Currently, certain elements are considered to be of special interest for Romania and Bulgaria [Cbc Romania-Bulgaria 2003-2006]: infrastructure, economic development (business cooperation and business infrastructure [business information, SME marketing actions, tourism activities]), environmental protection and management (nature protection management, flood management and erosion control). With regard to the need to improve infrastructure (only one bridge [Ruse-Giurgiu], a ferryboat line [Vidin-Calafat], several ports and airports), special attention is paid to the development of transport infrastructure, accessibility within the border regions and improving border-crossing management. Furthermore, people-to-people actions follow cultural exchanges, language learning, education, health, the flow of information, socio-economic relations, local employment and local democracy.
Special attention will be also be paid to implementing these priorities and developing other opportunities for cooperation. Romania is well aware that through improvements in infrastructure, businesses will have more chances to interact and develop cooperation. Also, strengthened cooperation between customs offices will lead to increased efficiency in countering transnational threats (organised crime, illegal migration, illegal trafficking in arms, drugs and people). In this respect, intensified communication campaigns will increase awareness in local communities of the benefits resulting from regional cooperation, with an impact on regional development.

Romania - Republic of Moldova

Romania has a permanent dialogue with the Republic of Moldova about ways to jointly create and give substance to an area of freedom, security and justice. Enhancing bilateral and multilateral cooperation in the regional field is strongly related to the promotion of stability not only in South-Eastern Europe but in Europe as a whole. In this respect, enhancing cooperation with the Republic of Moldova, as part of a regional cooperation mechanism, will bring further stability.

Relations with the Republic of Moldova are of special significance for Romanian citizens and the Romanian government carefully monitors the reforms and developments registered on the Moldovan side. Several bilateral cross-border agreements have been signed in the fields of science, education and culture, in the economic field for the mutual promotion and protection of investments and in the field of road transport.

Several opportunities might be identified in cross-border cooperation with Republic of Moldova: improving infrastructure (roads and railways, bridges over the Prut) especially on the Moldovan side, economic cooperation in certain fields (wine production and distribution) and the management of human resources: specialist training, training in European affairs (Community programmes), cooperation on the state border regime, cooperation and mutual assistance on border issues (data and information exchange, jointly preparing and performing specific actions for the detection of persons who have committed offences in the joint area of competence).

On the regional level, further efforts need to be focused on the functioning and the capacity of public institutions, applying the rule
of law and lowering the unemployment rate. Moreover, a reinforced SAP for the Republic of Moldova will increase social and economic cohesion, enhance regional cooperation in countering transnational threats and reinforce border security.

The new neighbourhood policy of the Union ("Paving the way for a New Neighbourhood Instrument") includes cross-border programmes (new planning) with the candidate countries. I believe that with the involvement of Romania and the Republic of Moldova such programmes will prove beneficial not only at regional level (through cross-border cooperation), but also at European level.

What Romania can do - some final remarks

Cross-border cooperation is an important instrument for allaying tensions and bringing prosperity and should thus become a priority on the political agendas of regional actors, whether political or economic. Taking into account the fact that cooperation triggers widespread development processes, enhanced attention should be paid at a regional level to communication with civil society (to increase the level of awareness and the need to communicate and be informed of developments on the regional map). Indeed, the success of cooperation depends not only upon the institutional desire for cooperation, but upon the involvement of socio-economic associations, NGOs and the population as a whole.

Romania has identified opportunities stemming from EU funds and the enlargement of the EU, but these are only external factors. Initiatives should come more from local actors. In this respect, the greatest importance attaches to communication with local and regional actors (administrative-institutional, NGOs) to convince them that overcoming exclusively local interests will have positive effects for European integration and regional development.

As regards cooperation with civil society, local and regional institutions must work together with NGOs in establishing real cross-border cooperation. Local political-administrative actions take into account technical training (to produce specialised experts and institutional operators). Establishing networks between Chambers of Commerce (contacts and links) should be related not only to local dimensions (they must have feedback at national level), but also to the regions. Attention is also paid to the improvement of infrastruc-
tires (to exploit the integrability of the regions) and the involvement of these areas in the European enlargement process to lend political stability to the region, and to rectifying regional mistrust and stereotypes stemming from ethnic tensions or reciprocal mistrust due to the absence of a history of contacts.

In other words, if there are no opportunities (tradition of contacts, linguistic similarities) or strong points (good infrastructure, financial means) to start cooperation from, own opportunities, both internal and external, have to be built.

Romania strongly believes that cross-border cooperation (involving Euroregions) is one of the instruments that will help develop an area characterised by stability, security and prosperity in the near neighbourhood. And this process should involve more not only the European Union (Member States), but also candidate countries and countries wishing to join the EU in the near future. Enhanced regional cooperation will also make an important contribution in extending stability and prosperity in Central and Eastern Europe and will an impact on Europe as well, as benefits cross national borders.
1. The negotiator (1)

_Reporter:_ You are an academic involved in the development of Agora. You are the first professor in Romania to publish courses on international relations. How did you decide to leave the academic world and enter politics? How did you become Chief Negotiator with the EU?

_Vasile Puşcaş:_ I don’t necessarily think that I had a vocation to become a university professor, but it happened that I was preparing a PhD thesis on Cluj University during the interwar period. I didn’t want to prepare a normal thesis on the history of the institution, I wanted to see how people of that time were. I consulted the archives, I studied the life and behaviour of professors and students. I fell then in love with academic life and I believe that if I hadn’t been professor at Babes-Bolyai University, I would have yearned for something like that all the time. I must confess that I still like the Western model and I think that any professor, especially in the international relations field, socio-humanistic sciences or history has to swap the university with concrete reality in order to verify his/her theories. I became a member of the government and Chief Negotiator for Romania’s accession to the EU because the Prime Minister offered me his confidence and I believe in this project: European integration.

_Reporter:_ Your point of view seems interesting because in Romania the academic world seems to be disconnected from reality.

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Vasile Puşcaş: During the period that I referred to and I wrote on, professors were involved in society. Academics were members of Parliament, not only because they belonged to a political party, but because they really served the community they belonged to. I admit that some academics withdrew from the turmoil of life in order to become “rational and logical”. However, in many cases their judgments didn’t match with the real world. Do you know the story of the brilliant professor of mathematics in Cluj who calculated everything, including how to arrange the furniture in his own house? When he moved into another apartment, on the seventh floor, a bedside table fell from the balcony into the street. Without being upset, the man began to work out how this was possible and where he had gone wrong. Another category of professors is those who want to be in university because they want an academic title or consider that this gives them a certain social or cultural status. I call them mandarins.

Reporter: Interesting. Why such an epithet?
Vasile Puşcaş: Because they are not interested in producing! They want to know more, but they don’t have the capacity to share the fruits of their knowledge with others around them. I am among those who like to make journeys into real life. In 1985, I had a special “adventure”: my first book was burned. I was a young assistant, believing that I could write freely on 20th century history and I wrote a paper on contemporary history. After that episode, being “angry” with reality, I enthusiastically entered the libraries. Considering myself an outcast, I shut myself away in the world of books. It was an extraordinary experience. If the 1989 Revolution hadn’t happened, perhaps I would have remained a bookworm. Not only that, I didn’t want to come out after the revolution of the 1990s! I wanted to write, but at the same time I enjoyed communicating with students enormously… I am very close to them now. Here in the Ministry, about 20 students from Cluj are doing their internships. Moreover, a distinguished professor, also a politician - I am talking about Prime Minister Adrian Nastase - told me that we had to try to change something, and such a mission has to be carried out especially by those who are professionals in a certain field; the most important thing is their wish to pledge themselves to do that. So I entered the diplomatic service. From the beginning of 1991 until the end of 1994 I worked in New York and
Principles, institutions and the negotiator

Washington D.C. and I was involved in negotiating the Most Favor- ed Nation Status for Romania. It was one the most fascinating pe- riods of my life, and after I came home in 1995 I published one or two books a year. That was how I came to set up a course on interna- tional relations. I realised how useful it is for students to understand everything that is going on in an international context. At the be- ginning I was against the idea of publishing courses. Subsequently, considering that no bibliography was available and the students couldn’t follow me very well as I wasn’t reading my courses, I agreed to publish the course on international relations that I taught at Cluj University and in other foreign universities.

Reporter: As far as I know, you have given up teaching at “Babes- Bolyai” University.
Vasile Puşcaş: Unfortunately, that’s true. My work as Chief Nego- tiator and member of the Cabinet requires all my attention and con- centration. I would rather do one thing properly than do two things simultaneously but superficially. So I dropped out of the courses, keeping only the PhD programme.

Reporter: Let’s discuss “Romanian falling into the Balkans”, your “Scandal book”, as you like to call it.
Vasile Puşcaş: I conceived this book on the basis of the analyses made by various institutions and Western organisations, from the standpoint of geopolitics and geostrategy at the end of the 20th century. I referred to the ongoing process in this period, including Romania’s preparation for integrating into the European and Euro- Atlantic structures. The concept of Central Europe was used not only in the political discourse, but also transposed into political and organisational action. I pleaded for Romania’s association to the con- cept of Central Europe. The Balkans has a special poetry, an extraor- dinary aroma of coffee, but during the 1990s we had some geostrategic and geopolitical positions and I believe that Romania has cer- tain interests related to the integration process towards the West. This is the reason I talked about “Romania falling into the Balkans”, especially considering that the year 1997 marks our transition to the south-eastern area of Europe, which from geo-political standpoint is frequently associated to the Balkans. Yet our interest was to go as
quickly and as straight as possible to the West, without any detours. In this book, I intended to sensitise and even to annoy people. We have to wake up and go in the right direction. I wouldn’t like to sail on devious routes, and God preserve us from going out of the right orbit!

**Reporter:** You were not interested only in communicating with a small circle of experts, but with the wider public.

**Vasile Pușcaș:** People have the right to be informed and it is our obligation to give them data concerning their future. Those who think of their future only in terms of the past can make mistakes. One can come to an excellent metaphysics, but this is of no use at all to the social structure we want. I really want us to take the road outlined by the European Union at the end of 2000 (at the European Council in Nice), in order to be closer to Western standards. And our people deserve it. I would also like - with the team I’m working with, whose average age is 26-30 - to offer the Romanian government a professional and very efficient “engine”, useful for preparing EU accession. The young people I’m working with are firmly convinced that our way has to lead us into the European Union.

**Reporter:** Since you have been in this position, you have saved a lot of paper. You communicate by e-mail, including with Brussels.

**Vasile Pușcaș:** Even when transmitting official documents, we work electronically. Inter-departmental communication, ”meetings”, as some call them, is done on the Internet. We come here only to take the final decisions. For all the others we draft texts and agree on some articles by e-mail. Since 1990 we have been in continuous transition and the EU has proposed a very deep reform. For Romania, this is a historic opportunity. We have the chance to build programmes harmonised with the EU’s institutional and economic evolution at the same time as we conduct accession negotiations. I am also considering the standard of living here. If we really wish to raise living standards we have to roll up our sleeves and work. I like to apply the formula IE=W+2M, where IE is European Integration, W stands for work, and 2 M for mind and management. In the world we can see several integration processes: one very close to us and another going eastwards. We want the Western one.
Reporter: But what is happening to national identity in the current context?
Vasile Pușcaș: The negotiation we are conducting means harmonising our national interest with EU interests as seen by the 15 Member States and expressed by EU policies. After accession, negotiation will continue by the fusion of our interests and European interests. I want to tell you that all these evolutions will enhance our national specificity. That will not be lost. Our cultural characteristics will remain intact and one can develop local characteristics as part of national characteristics. If someone tells me that our national characteristics mean 19th-century ruralism or idyllic enlightenment that seems very obsolescent to me. Characteristic features are one of the engines that accelerate the integration process. How we can realise that we are different? Are we looking in the mirror? No! Differences appears when we compare ourselves to other actors. The EU is built so as not to affect national characteristics.

Reporter: When do you estimate that we can enter the European Union?
Vasile Pușcaș: As a negotiator I have a very clear technical date: 1st January 2007. All the documents I am preparing refer to that date. The evolution of the European context is very complex and dynamic. Therefore I would ask you to come back to this question when all the chapters are finalised. I’ll be expecting you!

2. Romania’s accession negotiations with the European Union (I) (2)

Romania’s accession negotiations with the European Union stand for the harmonisation and ultimately the fusion of the interests of actors involved (see annex 2).

European integration is clearly addressed by the Government Programme for 2001-2004 as a strategic priority for Romania. The Romanian government is committed to accelerating the pace of internal reforms and the adoption of the acquis.

The new Romanian government has taken the necessary administrative and legislative measures to strengthen its leadership and to make efficient preparation for the process of Romania’s accession to the European Union, as witnessed by its establishment of the Ministry of European Integration.

The National Delegation for Negotiating Romania’s Accession to the EU was created within the Ministry of European Integration, coordinated by the Minister Delegate - Chief Negotiator with EU. The National Delegation comprises sectoral delegations for every chapter of negotiation. Every ministry and institution of the central public administration with responsibilities in the field of acquis is represented in the National Delegation.

The accession negotiations started on 15 February 2000. Romania has unilaterally set the date of 1 January 2007 as a working hypothesis for concluding the preparations for accession to the European Union.

In the first part of 2001 Romania improved its procedural approach, a comprehensive domestic and external consultation framework being established in order to ensure the transparency of the accession process:

- Permanent technical consultations with the European Commission before submitting the position papers (this procedure allows for the identification of specific requirements of the Commission on the various chapters of negotiation right from the preparation stage and, as a result, the preparation of complete and quality position papers).
- Consultations with the Committee on the European Integration of the Parliament of Romania, with specialised parliamentary committees and with representatives of parliamentary groups.
- Internal consultations with labour unions, business associations, political parties and other representative organisations of civil society, in order to involve a broader social spectrum in the negotiation process, to ensure the transparency of this process, to offer a clearer understanding of the acquis and allow for its adoption and efficient implementation.

In the negotiation process, Romania considers the following aspects:

- Negotiations are oriented to the most important chapters regarding the four freedoms (Free Movement of Goods, Free Movement of People, Free Movement of Services, Free Movement of Capital),
chapters which had not been approached at all by the end of 2000.

- Preparation of the position papers for chapters regarding the Single Market, to contribute to the functional structuring of the market economy.
- Preparation of the negotiation chapters regarding the main economic sectors, as well as economic and social cohesion.
- Working ahead on the most difficult chapters - Environment, Agriculture and Regional policies - by preparing position paper drafts.
- Aligning the process of negotiation with the priorities of the EU Council Presidency.
- Keeping the process of negotiation in line with the road map proposed by the European Commission.

At present, the total number of chapters opened with Romania is 15, of which 8 have been provisionally closed.

During the first semester, the National Delegation for Negotiating Romania’s Accession to the EU officially submitted the position papers for the following chapters: Taxation, Industrial Policies and Financial Control.

Between July and October position paper drafts for seven chapters of negotiation were submitted to the European Commission for informal technical consultations. Some of these chapters presented serious sectoral policy concerns - Free Movement of Goods, Free Movement of Services, Economic and Monetary Union and Regional Policy - and others were designated to complete the accession negotiations: Environment, Agriculture and Justice and Home Affairs.

Romania has recently submitted the position paper on Environment to the EU Council. Implementing the acquis on this chapter involves concrete measures for the establishment of the necessary institutional and administrative system, updating and implementing the Action Plan for Environmental Protection. We are witnessing an acceleration in the process of legislative harmonisation, with the criteria for integrating environment policies into sectoral policies and the consolidation of institutional capacity at national and local level as key issues.

A new round of informal technical consultations for the most complex chapter of negotiation, Agriculture, will take place early in November. The position paper for this chapter will be submitted to the EU Council in December. The National Delegation for Negotiating Romania’s Accession to the EU intends to submit the position
paper for the chapter of Financial and Budgetary Provisions during November this year.

In order to improve Romania’s predictability, not only within the process of accession negotiations but inside Europe, the government of Romania intends to have position papers for a total of 29 chapters officially submitted to the EU Council by the end of this year. The objective of opening all chapters by the end of 2002 at the latest will thus turn out to have been a realistic one.

The conditions for following the road map and for the provisional closure of negotiations for all chapters by the end of 2004 can be created by involving every actor and responsible institution and by accelerating the internal preparation process.

For Romania to progress in the accession negotiations, it is necessary that progress in adopting and implementing the acquis be achieved on the basis of solid economic growth which is capable of sustaining the negotiation process.

The existence of a functioning market economy is important both for preparing Romania’s accession negotiations with the EU and opening and provisionally closing essential chapters of negotiation. Special attention is thus given to the following negotiation chapters:

- Economic and Monetary Union regards the essential market economy rules of the European Union, and is the most integrationist policy the EU has ever attempted. Necessary measures will be taken by the government of Romania in order to combat inflation through specific financial and banking means (interest rates, strengthening foreign reserves) so as to be able to join the EMU after accession. Furthermore, the accession of Romania to the EMU will pursue participation in an economic as well as a political Union.

- The Industrial Policy chapter is interdependent with a stable legislative framework: no entry/exit barriers to market for businesses, implementing restructuring measures, completing the privatisation process and returning to viability are key elements in negotiating this chapter. The Romanian government has adopted a strategy for industrial policy - an Action Plan for implementing this strategy has already started to be put into practice.

- Energy and Telecommunication and Information Technology: a priority for Romania is the liberalisation of these markets. In the energy sector further progress in the liberalisation of prices and
increasing the autonomy of regulating authorities is required. Romania has a special interest in developing the IT sector because of the capabilities provided by its human capital.

- Free Movement of Goods, Free Movement of Services and Free Movement of Capital are interdependent with the criteria of a functional market economy from the perspective of developing stable economic systems.
  - The heart of product-related regulation in the internal market, the chapter of Free Movement of Goods also regards the cancellation of duties for products coming from the EU. Further measures for strengthening the institutional capacity for market surveillance and implementing a system of public acquisitions will be taken to better respond to the demands of a functional market economy.
  - As regards financial services, strengthening bank surveillance and enhanced transparency are essential prerequisites which will be achieved by the new amendments of the bankruptcy law. Romania’s fledgeling financial market might find it difficult to raise the capital necessary to underwrite an insurance scheme at EU level immediately.
  - Restructuring and privatisation, consolidating the financial system and promoting investments aim to strengthen the capital market. The fundamental requirements of the acquis for Ch. 4 are the liberalisation of short-term capital movements, amending the legislation restricting foreign direct investments and lifting authorisation procedures.

Macro-economic, legislative and institutional stability have positive influences on negotiating other chapters: Agriculture, Transport policy and Environmental protection.

- The costs of implementing the acquis in these sectors are huge. Thus, in agriculture, by far the most important sector as an employer of labour and in terms of its share of national GDP, strengthening the administrative capacity, rural development, increased competition of agricultural products, improving product quality control are priority directions requiring massive financial resources. Romania foresees the changes that will occur in the CAP due to enlargement and will take measures to increase the efficiency of this sector.
- For transport, costs are related to the necessity of creating and de-
veloping infrastructure in order to connect the Romanian transport network with the European one. Developing and implementing environmentally friendly technology requires substantial investments.

In order to create a sustainable and functional market economy and to support realistically the objectives taken on in the accession negotiation, the Romanian Government acknowledges that further progress is required on the following issues:

- achieving macro-economic stability, a key issue for a functional market economy. This requires structural economic reforms;
- implementing concrete economic policies and participating in the coordination procedures of economic policies within EU;
- political and legislative stability and an improving trend in macro-economic indicators.

At the current stage of negotiations, it is not the number of closed negotiation chapters that determines the chances for rapid accession to the European Union, but the degree of compliance with the membership criteria laid down during the Copenhagen European Council in June 1993. Romania has met the political criteria, is making progress towards meeting the economic criteria and by accelerating reform it will be capable of fulfilling the commitments deriving from future membership of the EU.

It is our belief that the accession criteria for EU membership help to enhance the reform process, but then again, the real challenge for Romania is to perform in order to attain its highest standards.

In other words, we can rely on ourselves in the accession process, and we enjoy and appreciate the support pledged by the Member States in Gothenburg to assist Romania during this time of change.

3. Romania’s accession negotiations with the European Union (II) (3)

In a classic definition of the term, negotiation means a communication process in which partners try to reach solutions satisfying all interests. Negotiation is a process, developed in a chronological framework, with a degree of complexity assumed by the parties. Dia-

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chronically speaking, negotiations with or within the EU has emphasised various political and economic issues, thus building interests backed by states and groups of states. Robert Schuman defined negotiation in terms of harmonisation and ultimately the fusion of the interests of the actors involved. We are at the stage where accession negotiations stand for harmonising interests with the EU, and following the provisional closure all chapters of negotiations preparations will begin for fusion.

On March 31st 1998, the European Union opened accession negotiations with the first group of six Central and Eastern European countries: the Czech Republic, Hungary, Poland, Estonia, Slovenia and Cyprus. On February 15th 2000, a new round of accession negotiations opened with another six countries: Bulgaria, Latvia, Lithuania, Malta, Romania and Slovakia. The simultaneous launching of negotiations for countries within the same group does not mean the same finishing date. Every state is supposed to advance in accession negotiations following its own stage of preparedness and the complexity of the issues which appear in the process (see annex 3).

During 2000 (the Portuguese and French presidencies of the EU Council), Romania opened negotiations for 9 chapters, 6 of which were provisionally closed (Small and Medium Sized Enterprises, Science and Research, Education, Training and Youth, External Relations, Common Foreign and Security Policy and Statistics).

Within the top priorities of the Romanian Government, European integration, acceleration of the pace of internal reforms and adoption of the acquis were clearly addressed by the Government Programme for 2001-2004. New chapters were thus opened during first semester of 2001 - Company Law, Fisheries, Free Movement of Capital, Transport Policy and Customs Union - and one chapter was provisionally closed: Fisheries.

It may be seen that Romania decided for a change regarding its approach to accession negotiations. While previous governments concentrated their “attack” on chapters focusing on political criteria, the current government of Romania decided to approach negotiations as a whole process, with all the negotiation chapters. In this regard, we consider that Romania cannot prepare just for one chapter or another, it must prepare across the board to integrate into the European Union.

Regarding the preparation of position papers and their submission
to the EU, there are still criticisms to the effect that the pace of negotiations is too fast. The commitments of the Romanian government regard not only preparation of the position papers, but also acceleration in every sector in order to develop activity according with the parameters assumed in the back files and position papers. In this respect, the year 2001 regards the effective implementation of standards stipulated in position papers and monitoring effective fulfilment of commitments made.

As mentioned earlier, while previous governments attached special attention to the so-called “easier” chapters (external relations, education) in the first semester of last year, in the second semester Romania approached economic chapters such as Company Law, Competition, Telecommunication and Information Technology, and Consumer Protection.

Thus, the evolution in the first semester of 2001 clearly established Romania on a new track in the negotiation process. Its pragmatic approach was interrelated with the objective of the Government Programme for 2001-2004 for restructuring and consolidating a functioning market economy. Why this change in approaching the accession negotiations? At that time the political criteria had been fulfilled and a functional market economy had to be established, able to meet European Union standards.

The chapters approached during the Swedish Presidency of the EU Council stood as an even stronger sign that the market was being preparing according to European standards, creating a business environment and connecting it to the international business climate and internal market.

Concluding on the evolution of accession negotiations for the first semester of 2001, I believe that we are in full agreement that this term marked Romania’s entry into the stage of substantive negotiations, not only from the perspective of contributions to GDP, but in terms of the massive financial resources needed.

Romania committed itself to an accelerated short- and medium-term run, in which the interests of Romania and European Union are assessed, evaluated and brought to a common denominator. In accession negotiations, I should stress that Romania followed a gradual approach towards chapters with serious budgetary impacts.

Thus, Romania oriented its negotiations to the most important
chapters regarding the four freedoms (Free Movement of Goods, Free Movement of People, Free Movement of Services, Free Movement of Capital), chapters that had not been approached at all at the end of 2000.

In order to contribute to the functional structuring of the market economy, position papers for chapters regarding the Single Market, the main economic sectors and economic and social cohesion were prepared by the National Delegation.

As you all know, the beginning of the second semester of 2001 found Romania definitely making progress in accession negotiations. Our approach was designed to work ahead on the most difficult chapters: Environment, Agriculture and Regional Policy. In order for Romania to progress, the Government acknowledged the need to continue to advance in adopting and implementing the acquis on the basis of solid economic growth which is able to sustain the negotiation process.

At present, therefore, the total number of chapters opened with Romania is 17, of which 8 have been provisionally closed.

The Romanian government is at present at a stage in accession negotiations where the costs of implementing the acquis in the new sectors approached are huge. In this respect, we should mention not only Agriculture and Environment, by far the most important as a proportion of national GDP, but also chapters related to a functional market economy, such as Industrial Policy and EMU, where necessary measures will be taken by the government in order to combat inflation through specific financial and banking measures so as to be able to join it after accession. Furthermore, the accession of Romania to the EMU will pursue participation in an economic as well as a political Union.

Another strategic element in approaching accession negotiations can be emphasised here. The Romanian government acknowledges the interrelation between chapters such as Free Movement of Persons, Justice and Home Affairs and the other three freedoms, the decision taken at the JHA Council in December 2001 being of great importance. That is why we are in the final stages of preparing the position paper, intending to submit it to the EU Council in December 2001.

Regarding the Justice and Home Affairs chapter, great progress has been made in this field (as acknowledged in October by Otto
Schilly, the German Minister of Interior) and we are optimistic about a positive decision of the JHA Council on 6-7 December. Until then, further progress in the field of securing borders will continue.

We must emphasise that Romania will become the Eastern external border of the European Union and this topic is of interest both for Romania and the EU, especially in the context of sensitising public opinion about immigration from Eastern Europe, Central Asia and Middle East countries.

I mentioned earlier the issue of securing borders. What are the results obtained by Romania in this field? The Ministry of Interior has taken concrete measures and tangible results have been achieved in reducing illegal trafficking and trafficking in human beings, harmonising with the requests of the Belgian Presidency in this respect.

To date, two new laws (on the juridical regime of state borders and organising the Romanian Border Police) have been adopted by the Romanian government, projects for border agreements with all neighbour states have been prepared in harmonisation with the Schengen Agreement and steps have been taken for Romania to bring its visa policy into line with that of the European Union.

Europe needs strong borders. And I mean external borders, because cooperation among member and candidate states must be further consolidated in order to prevent events similar to those of September 11th. In this respect, Romania appreciates the project initiated by Italy for giving institutional form to a joint European border police. This initiative is of great importance not for improving regional stability and for protecting the borders of the new EU Member States.

Romania is interested in developing bilateral cooperation and consultation in securing borders and combating illegal immigration, due to the vast experience Italy has in this field. Cooperation with the highly qualified Italian Border Police and consultations at specialist level (including Schengen issues) will bring benefits for both sides, benefits which will be felt at regional as well as national level.

Romania’s accession process to the EU is of interest to the whole society, not only the government or other socio-professional groups. It is a project for the whole society and we are all interested and responsible for a positive outcome.

Let me state that Romania is facing a double challenge. First, real negotiations have just started. Second, in preparing ourselves for
acquisition, we realistically acknowledge that the capacity to face competition and market actors within the EU is interrelated to a macro-economic framework where actors have the possibility to decide within a climate of a reasonable predictability.

The key issues in negotiations are quite predictable. They include true policy questions in which Romania has a direct interest: reforming agricultural policy and implementing acquis provisions in the field of the environment and a functioning market economy.

Further attention is being given by the Government of Romania both to accession negotiations and consolidating the market economy.

In the field of accession negotiations, the Romanian government will approach all negotiation chapters by the end of 2001. Position papers for 29 chapters will thus be officially submitted to the EU Council.

In this respect, the objective of opening all chapters by the end of 2002 at the latest, will turn out to have been realistic. The conditions for the provisional closure of negotiations for all chapters by the end of 2004 can be created by involving every actor and responsible institution and by accelerating the internal preparation process.

The latter issue implies the second challenge Romania is facing at the moment. In order to create a sustainable and functional market economy and to support realistically the objectives taken on in accession negotiations, the Romanian government recognises further progress on reform, restructuring and modernisation as both challenges and effects of accession.

Let me stop for the moment in order to further delineate the concept of a market economy - fulfilled by Romania at the political and conceptual level - and a functioning market economy. Conceptually, Romania can be perceived as a market economy in full transformation on the basis of the existence of elements defining a market economy: liberalised prices, liberalised trade, property rights and a stable legislative system.

This process entails major changes at a political and economic level, establishing a win-win situation within a social partnership, a restructuring of the social system with social actors and resources generating changes and accelerating investments in human capital.

The benefits of Romania’s accession to the European Union can be viewed through a stable political and economic climate stimulating sustainable development and increased predictability and stability.
of the economic framework. Accession to the European Union will create favourable conditions for further development of trade and facilitate increased access to European capital markets and investments, new informational systems and a single market of great importance.

Not only will Romania benefit from its accession, the European Union will too. It will gain access to the second largest market in Central and South-Eastern Europe, a highly-qualified labour force and a geo-strategic position within Europe.

Let me now come to recent developments in the economic field. I very much welcome the fact that the Presidency of the EU Council and officials of the European Union have appreciated the pace of negotiations. Mr. Guy Verhofstadt, the Belgian Prime Minister, and Mr. Eneko Landaburu, General Director for Enlargement with the European Commission, have emphasised the positive track Romania has taken regarding the fulfilment of pre-accession conditions, and have shown greater confidence in Romania’s capacity to make good the economic gap after accession. Indeed, viewed in comparison to other candidates, Romania has done well, and allow me to mention some figures to exemplify this:

- the foreign currency reserves of the National Bank of Romania (around $4 billion), are more positive than the figures forecast by the IMF,
- the inflation rate has been reduced by a third compared to 2000.

Only continued growth in order to consolidate a functional market economy will help Romania to demonstrate its ability to abide by the rules of the EU and fulfil the accession criteria. Let me say that we have the chance to make up the ground covered by other actors because Romania has the resources and means necessary to obtain special performances.

Romania has developed and consolidated relations with international financial organisations. We view the International Monetary Fund and World Bank as natural partners for development and economic reconstruction. At this point, I must emphasise the role Italy is playing in the economic development and regional stability of Central and Eastern Europe.

Through concerted economic and fiscal policy measures, maintaining strict financial discipline and adequate financing of the budget deficit, the government and National Bank of Romania are com-
mitted to further reducing the inflation rate and increasing the stability of national currency.

Romania is also committed to the creation of a sustainable and functioning market economy and to realistically striving to meet the objectives taken on in accession negotiations, by:
1. Achieving macro-economic stability, a key issue for a functional market economy. This requires structural economic reforms.
2. Implementing concrete economic policies and participating in the coordination procedures of economic policies within the European Union.
3. Political and legislative stability and an improving trend in improve macro-economic indicators.

Ensuring middle- and long-term macroeconomic stability is a priority for Romania, as it is a fundamental element to guarantee the economic growth which will allow convergent evolution towards the level of economic development of the Member States and in the long term the fulfilment of the Maastricht criteria for participation in the Euro zone.

Based on the conclusions drawn at the European Council meeting in Nice and on the framework established at Göteborg and Ghent, the Romanian government has accelerated preparations in order to join the EU. Significant progress in fulfilling the criteria has therefore already been registered.

Romania has met the political criteria, is making progress towards meeting the economic criteria and by accelerating reform, stimulating sustainable growth and creating jobs it will be capable of fulfilling the commitments deriving from future membership of the EU.

Let me conclude by saying that Romania is determined to perform in order to attain its highest standards and to become a reliable EU member.

In fulfilling this process, we emphasise the need to further consolidate bilateral cooperation and improve communication, complementary to developments in European politics. Overall, we consider that road to be travelled by Romania in order to become a reliable member of the European Union will become less difficult as more friends help us. I believe we are in full agreement when I say that Italy is one of our closest friends.
4. The institutional framework of the negotiation process for the accession of Romania to the EU (4)

It must be reasserted that in the view of the new political climate, access to European and Euro-Atlantic structures is a national priority. As such it is mentioned in the government programme and included as a goal in the national sectoral strategies.

We are aware that being part of the enlarged European community implies assuming responsibilities accordingly at national, regional and European level simultaneously. Without proper macro-economic development and alignment to European standards there could be no fulfilment of the above-mentioned goal, and it would not have got beyond the planning stage. The government of Romania is aware of this. We know that to achieve it we need to involve all social structures: state institutions, local and regional authorities, civil society, etc.

The level of participation has been and is still being extended, and this process has been reflected in Romania’s negotiation process with the European Union. In view of the absolute need to intensify the pace of negotiations, for the remaining chapters the Romanian government has decided to restructure their institutional framework. Whereas the European Integration Department was within the Ministry of Foreign Affairs, with a small number of employees, the new approach has involved a total reworking of the institutional concept.

This reworking began in January 2001, through a government decision establishing the Ministry of European Integration as a body comprising the main part of the framework for the development of the process (GD 14/4.01.2001, Off. J. 16 - 10.01.2001). It has been designated to coordinate relations between the other ministries involved (together with the rest of the institutions) and the EU institutions, support/ensure/coordinate when necessary the implementation and observance of the Association Agreement, and coordinate and lead the activity of the National Delegation for the negotiation of Romania’s accession to the EU.

As compared with previous integration structures, there are new departments within the Ministry of European Integration, providing

the necessary connection with the economic environment and other sectors with respect to economic and political accession criteria, as well as the process of harmonisation of Romanian legislation with EU regulations through specialised juridical directorates.

The structure established includes an Inter-ministerial Council for European Integration headed by the Prime Minister, consists of the ministers with responsibilities in the process of European Integration. The direct involvement of the Prime Minister in the process of European integration bears witness to the high priority given by the government of Romania to this process (see annex 1).

An Inter-ministerial Committee for European Integration is chaired by the Minister for European integration and comprises Secretaries of State responsible for European issues and representatives from the other institutions involved. It is an operational body with bi-monthly meetings, that coordinates, analyses and decides upon the process of preparing position papers and other documents, as well as the implementation of accession programmes.

Through a government decision in February 2001 the National Delegation for negotiating Romania’s accession to the EU was established (GD 273/2001, regarding the coordination, preparation and organisation of the negotiation for Romania’s accession to the EU, Off. J. 120 - 09.03.2001).

The National Delegation for negotiating Romania’s accession to the EU evaluates the status of the chapters envisaged, organises the whole negotiation process and monitors the fulfilment of commitments undertaken during negotiations with the European Union.

The National Delegation for Negotiating Romania’s Accession to the EU is headed by the Chief Negotiator of Romania with the EU, a ministerial delegate and member of the Cabinet coordinating the drafting of the position papers and all the other documents involved in the process, their implementation, and the work done by the sectoral delegations.

Inter-ministerial sectoral delegations for each chapter of negotiation represent the main structure of the domestic process for preparing accession negotiations. Every sectoral delegation comprises representatives of all institutions responsible for transposing and implementing the *acquis* in their respective fields. All sectoral delegations must comprise a representative of the Ministry of European
Integration (the coordinating institution of the whole process of Romania’s accession to the EU) and representatives of the Ministry of Public Finances and Ministry of Foreign Affairs.

During the working sessions of sectoral delegations specialists are invited from the Legislative Council, the Economic and Social Council, the Romanian Academy, the European Institute in Romania, and from the academic and research sphere.

The Minister of European integration and the Chief Negotiator are assisted by Secretaries of State, who supervise activity in the field of negotiations (coordinating the directorates for negotiations, evaluation/analysis, cooperation and communication with candidate and member states), development programmes, accession assistance, the internal market and economic and social cohesion.

A new government order concerning the re-structuring of the MEI has been initiated in order to improve the work of the ministry, to improve efficiency and achieve better representation of Romanian interests abroad in cooperation with the Ministry of Foreign Affairs.

The new organisational structure of the Ministry provides better communication with Member States in all the fields involved. It is, in a way, an anticipation of our future membership of the European Union, a proactive participation that involves Romania as a national state with specific characteristics and desires in the future structure of the Union.

Since the beginning of this year Romania has added new dimensions to the accession negotiation process. At the external level these include permanent technical consultations with the European Commission prior to the submission of position papers to the EU Council.

Of great importance are exchanges of views at Chief Negotiator level and between the negotiating teams of the candidate countries (the experience of the more advanced candidate countries could be positive for Romania) and at negotiator level with EU Member States. This approach encourages the development of bilateral relations. Each Member State has valuable knowledge and experience that may prove essentially beneficial for Romania.

In the domestic framework, consultations have been established with the Parliamentary Committee on European Integration, with specialised parliamentary committees and with representatives of the parliamentary groups.
Intensifying the pace of the negotiations includes not only simultaneous approaching several negotiation chapters (widening), but also the deepening of negotiations. It is considered that restriction of involvement to governmental actors is absolutely inadequate, and that social partners must be part of the process. To involve a larger social spectrum in the negotiation process and to ensure transparency of this process, internal consultations have thus been set up with labour unions, business associations, political parties and other representative organisations of civil society.

In order to assure the transparency of the process, at the end of the proceedings when position papers are being finalised, the papers are made the subject of consultations with representatives of the above-mentioned social partners, in the framework of the Commission for Social Dialogue.

Developing this system of communication and cooperation enhances the efficiency of the process of accession negotiations and indicates the role that Romania may play at the moment and in a future Europe.

For the first time, candidate countries have been offered the chance to participate in the development and redefinition of the European Union. Romania is prepared to play an active part in shaping the future Europe. It is an opportunity that Romania will not miss, and the seriousness of the government’s new approach will ultimately bear fruit.

The principles of cooperation and taking responsibility for one’s actions are assuming an increasingly high profile at an international level, and Romania can be and is committed to being part of this process.

It does not have to be a general phenomenon from the very beginning if it is difficult to apply in practice. Twinning and special bonds between local and regional entities need to be further consolidated. It is less efficient if the accession process is approached in a top-down direction - it should be a two-way street.

I am aware that it is not easy to create and consolidate harmonious relationships (economically, politically, socially and also in the security field, in the new international context) between and within all actors involved in the process of enlargement, but in the context of already existing affinities and common goals it will ultimately prove to be functional and efficient.

When I say common goals, I mean the responsible commitment
by society to integration into the EU in the domestic context and the common will of all European actors to create a space of freedom, justice and economic and social cohesion in the external context.

Europe needs the candidate countries as much as the candidate countries need Europe. Ultimately, fusion of the interests of the actors involved in the process of enlargement will create new identities, new approaches, and new views - in other words, a new start for the European community.

Thus, in creating bridges on specific matters we may take Italy as an example. Many Italian investors have come to Romania. They have seen that the economic and fiscal framework is in a full-blown process of consolidation. In this respect, I would like to mention that we have already passed laws encouraging business investments, the economic trend is positive, and the commitment and potential to implement them is appreciated by our foreign partners (see the recent stand-by agreement approved by the IMF).

It is mutually beneficial for our countries to further consolidate bilateral relations, not only in the field of accession negotiations but also in the field of political, cultural and economic cooperation.

This enhanced cooperation and the commitment of the Romanian government to implement coherent measures aiming to consolidate a functioning and competitive market economy on a par with European standards will prove beneficial for Europe as a whole, with impact on regional stability.

5. Accession negotiations with the EU and political-diplomatic action (5)

In 2001 the government of Romania took the necessary administrative and legislative measures to strengthen coordination of the process of preparing Romania’s accession to the EU by creating the Ministry of European Integration and the National Delegation for Negotiating Romania’s Accession to the EU, headed by the Ministerial Delegate, Chief Negotiator with the EU.

In 2001 the negotiating strategy was focused on the global ap-
Principles, institutions and the negotiator

The approach of preparing all the chapters (e.g. chapters linked to the four freedoms, which had not been approached at all until the end of 2000, chapters linked to the single market - Company law, Social policy and employment, Competition - and extremely difficult chapter such as Environment, Agriculture and Regional policy) having as an objective the official presentation of all position papers by the end of 2001. Internally, the global approach of the negotiations ensured the large-scale gathering of the resources of the central administration in a profound and systematic analysis of EU legislation, in identifying the legislative, institutional and financial measures needed for alignment with EU requirements and in preparing programmes for their adoption. Externally, the establishment of a clear timetable of the official presentation of the initial position papers and their communication to Member States and the EU institutions, followed by the strict observance of established deadlines, demonstrated the transparency, credibility and predictability of the process of negotiating Romania’s accession.

The strengthening of the administrative structure responsible for managing the preparation of the negotiation process allowed the fulfilment of the objectives stated, the drafting and official submission of the position papers for the 29 negotiation chapters to the Council of the EU. At present, the number of chapters opened by Romania is 17, of which 9 have been provisionally closed. For the year 2002, the objective is the opening of negotiations on all chapters and the provisional closure of as many of them as possible. The preparation and official transmission of all the position papers thus marked the end of the first stage, mainly quantitative in the internal preparation for negotiations. We now have to pass to a new stage, a new approach, a qualitative one in which the external dimension acquires much more importance.

We consider that the role of Parliament, the Foreign Policy Committee, the European Integration Committee and the specialised committees is essential to ensure and monitor the general setting of the negotiating environment and progress in negotiations. Therefore, besides the direct support of Parliament for accelerating the process of convergence of legislation, we must aim at increasing the use of parliamentary diplomacy instruments for the support of the process of accession negotiations. The general trend towards an increase in the
influence and the role of the European Parliament and the involvement and awareness of national parliaments, an argument in favour of what I was previously saying.

Together with the Ministry of Foreign Affairs, we are working towards:

- Intensifying political diplomatic actions at the level of the Presidency of the Council of the EU, with a view to introducing a greater number of chapters to the negotiating agenda and obtaining the support of the European Commission for an acceleration in drafting the projects for EU common positions.
- The adoption of EU dynamics in the formula of bilateral relations with the Member States and candidate states.
- Intensifying political diplomatic actions at the level of Member State governments to obtain political support for the acceleration of Romania’s accession negotiations.
- Intensifying political diplomatic and technical actions at the permanent missions of the Member States in Brussels in order to obtain their favourable positions in the Enlargement Working Group and Coreper.
- Monitoring the correlation between the missions at the EU of the candidate countries and their embassies in bilateral relations.
- Intensifying political diplomatic and technical actions at the European Commission, at the DG Enlargement and at the level of specialised DGs.
- Optimising of the flow of information from and towards the relevant European institutions (Council of the EU, European Commission, DG Enlargement and specialised DGs) to support and explain the positions already established in the process of inter-institutional internal preparation.

Regarding the dynamics of relations and cooperation with candidate countries, we consider that the practice rehearsed in 2001 with Bulgaria, the Czech Republic, Cyprus and Poland has to be continued and extended. In this respect, for the months of March and April of this year we have already scheduled new consulting sessions with Bulgaria, Poland and Hungary. From the point of view of the role of parliamentary diplomacy in the process of accession negotiations, we consider it necessary to make efforts to prepare the negotiating environment by:
Developing inter-parliamentary bilateral relations through the characteristics and evolution of Community policies.

Establishing an efficient communication mechanism with the parliaments of the member and candidate states.

Monitoring the positions of the parliaments of member and candidate states regarding Community trends and policies.

Intensifying political diplomatic actions in relations with the European Parliament and its specialised committees.

Launching a complex action to prepare the Danish and Greek presidencies of the Council, including actions to raise the level of bilateral cooperation at parliamentary level.

Using the launch of the Convention on the Future of Europe and its powerful parliamentary component as an opportunity for the support of Romania’s process of accession by means of parliamentary diplomacy. Therefore a strategy must be established, as must permanent consultation between the Parliament of Romania and the Ministry of European Integration in the framework of the National Delegation of Romania at the Convention or on ad-hoc basis.

The elaboration of a revised Roadmap in conformity with those declared at the Laeken European Council is of great use for the efficient scaling of the negotiation process and for the determination of the date of accession. We consider that putting this subject on the agenda of inter-parliamentary relations with Member States would be very useful.

Informing the Parliaments of the Member States and influential groups in them of the progress made by Romania in fulfilling the commitments it has made in the negotiations.

I believe that the diversification of methods of action, learning from the experience of more advanced states in the process of accession, the elimination of certain blockages and insularities, and knowledge of the sectoral interests of the negotiating partners, including the development of inter-parliamentary cooperation and the elaboration of an efficient parliamentary diplomacy strategy oriented to the problems of the accession process, will generate an improvement in performance in the process of accession negotiations, in which the support of the Foreign Policy Committee is essential.
6. Negotiation principles and the negotiator (6)

Reporter: Minister, please explain for our readers what the negotiations with the EU mean, your main tasks as Chief Negotiator with the EU and the importance of the accession negotiations in the current international context.

Vasile Puşcaş: The advocates of the classicist school see negotiations with the European Union as the ultimate aim of a process, but other schools consider negotiations as the beginning of a process. Yet another approach offers a vision of negotiations as an engine for developing society. Negotiation is a communication process which by various means leads to the search for a solution satisfying the interests of the negotiating parties. I am a follower of Robert Schuman’s view, which considered negotiation as a process through which one attempts to harmonise the parties’ interests. That should finally lead to the fusion of their interests. In the European Union enlargement process a set of principles has been adopted; those principles must be followed in order to tackle the accession negotiations as a process. Those principles are known as the Copenhagen criteria, but other provisions have since been added. The first set of principles refers to political standards, including the democratic system, institutions, the rule of law, minority rights, etc. The second set refers to the creation of a functioning market economy and the ability of an actor to cope with competition on the EU market. Subsequently, the administrative criterion was added to the others, referring to the capacity of candidate countries’ institutions to implement European policies. Romania began the negotiation process on 15th of February 2000. The accession negotiations comprise 31 chapters, the 31st being a summarising chapter. These negotiation chapters are an across-the-board radiography of Romanian society. In order to carry on the accession negotiations, the Romanian authorities have to write down and submit to the EU Council a position paper for every negotiation chapter. The preparation of the position papers for each of these chapters is done by evaluating the differences between our country’s situation and that of the European Union (where the reference point is the acquis communautaire); we write down what Romania will do

and when in order to adopt and implement the *acquis communautaire*. A background file is necessary in order to prepare a position paper. This file includes all the aspects concerning a negotiation chapter. The position papers have to be short and clear in order to allow the other parties (the European Commission and Member states) to understand the viewpoint of Romanian authorities concerning the situation in Romania in certain fields and what measures have to be taken to harmonise our country with EU policies in those fields. The National Delegation for Negotiating Romania’s Accession to the EU prepares position papers, as well as further negotiation papers; this institution comprises all the central and local institutions dealing with the fields related to the 30 chapters. Discussions are held within the sectoral delegations responsible for every negotiation chapter. Let me give you an example: for Chapter 22 - Environment, 19 institutions are members of the sectoral delegation, including representatives of the Ministries of the Environment, Agriculture, Industry, etc.

The initial position papers were prepared by consulting the social partners, trade union leaders, representatives of business associations and NGOs, parliamentary political parties and specialised committees. The final version, approved by the leaders of all the institutions involved, is submitted for government approval. That document is then submitted to the EU Council. From here, consultations are aimed at finding a suitable solution for both sides. Opening a negotiation chapter actually represents an acknowledgement on the part of the European Union concerning the preparation status of a candidate country as regards that chapter (this involves adopting the legislation, creating the necessary institutions to implement the *acquis* and starting the implementation of the European policies). Other consultations are then carried out, leading to provisional closure of negotiation chapters. This is an acknowledgement by the European Union that an advanced level has been reached in adopting the legislation, creating institutions and implementing the *acquis*. It also bespeaks a clear strategy in implementing EU norms.

If a candidate country cannot fulfil the EU norms by the accession date, it can ask for transition periods (which are limited respites after EU accession) or exemptions (meaning non-implementation of a particular rule). The EU negotiation position focuses on transition periods as limited in time as possible and as few exemptions as poss-
ible, because non-implementation of the *acquis* can distort the internal market of the European Union. In order to achieve a sustainable pace of accession negotiations, the Romanian government set up the National Delegation for Negotiation Romania’s accession to the EU, within the newly-created Ministry of European Integration, which coordinates the negotiation and implementation of the commitments undertaken by Romania to become an EU member. The role of the Chief Negotiator is to lead the negotiation process with the EU, to coordinate the drafting of Romania’s position papers and to establish the agenda for activities to be carried out for effectively advancing in negotiations. Another task is to present reports to the Romanian government and other institutions dealing with the European integration concerning the negotiation process. These reports are based on monitoring the fulfilment of commitments undertaken by Romania during the negotiation process. Also, other tasks are related to monitoring the integration departments in every ministry so that their decisions are in line with EU policies. The Chief Negotiator’s tasks are also related to the training of local authorities for implementing the *acquis communautaire*. Externally, my role is to prepare the negotiation environment by establishing relations with member and candidate countries and to carry out the negotiations with the European Commission and with every Member State as regards transition periods, exemptions and the strategy to implement the *acquis*, etc. I have to specify that the negotiation process means the provisional closure of chapters; the European Union can later adopt a new *acquis* that the candidate countries can adopt or for which they can request new transition periods. In this case, the negotiations are re-opened. Also, negotiation chapters can be re-opened if a candidate country fails to fulfil the commitments undertaken during negotiation. The closure of all the chapters is provisional until the negotiations are complete. So far 27 negotiation chapters have been opened, out of which 13 have been provisionally closed. Romania wants to open all the negotiation chapters by the end of 2002 and conclude negotiations during 2004, so as to become an EU member on 1st January 2007.
7. The accession negotiations of Romania with the European Union. Complexity in approaches and results (7)

The EU enlargement process has become the main device in building a new Europe and broadening the area of freedom, justice, solidarity and security. You might emphasise the various diplomatic and economic instruments through which the EU has positioned itself as one of the key actors in the international arena. Still, I want to address today the particular process of accession negotiations due to its complexity in results and approaches, interests and procedures, and also the pragmatic relationship between Member States and candidate countries that will determine in the near future the way Europe moves ahead (see annex 4).

Why this interest in the accession negotiations process? Answers are to be found both in theory and pragmatic policies. First, accession negotiations are quite different from classic diplomatic negotiations as foreign policy tools, and the technical issues used in accession negotiations stand for that. Second, never before have state actors have involved themselves in negotiations for accession to an international entity that has so many clear-cut multiple choices to shape its future evolution. The impact can already be seen in both EU Member States and candidate countries (particularly in Central and South-Eastern Europe).

In this complex framework, a definition is certainly needed. I believe that Robert Schuman put it correctly: negotiations with or within the EU are defined in terms of harmonisation and ultimately the fusion of the interests of the parties involved. We are at the stage where accession negotiations stand for harmonising interests with the EU, which will be followed, after the provisional closure of all negotiations chapters, by the beginning of preparation for fusion.

Many factors lie behind the complexity of accession negotiations: the number of actors, the continuous evolution of accession criteria and the Union itself, the impact of European integration in Member States and candidate countries, the systematic preparation of candidate countries as concomitant with the internal modernisation and

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7. Conference held at the University of Maastricht, Maastricht, 18th November 2002.
transformation process.

In 2004 it seems that we will have a Union of up to 25 members. This is a clear example of the fact that every accession round has become more complex and comprehensive as the Union has undergone significant changes. Thus, Great Britain and Denmark joined a common market, Spain and Portugal a single market. Furthermore, when Finland, Sweden and Austria negotiated their accession, the European Community had evolved to a political, economic and monetary union. At present, the applicant countries are negotiating their membership of an integrated institutional structure which is still evolving.

As regards the accession criteria, they have passed from the specific dynamics of the Cold War to decisions of a more political nature in favour of accession, which became clearer with the Copenhagen and Madrid European Councils and are in full swing at the moment as new elements have been added in terms of behaviour and social modernisation criteria.

However, to have a clear view of the path the enlargement process is taken, we have to take a look at the Copenhagen and Madrid moments. The Copenhagen European Council (June 1993) outlined clear accession criteria, providing the necessary guidance for the applicants in their quest for EU membership. The Madrid European Council (December 1995) added another issue to these criteria, that of developing administrative capacity.

This is the initial framework that Romania encountered when applying for membership. Ever since, significant changes have determined a continuous adaptation of Romania’s strategies and policies following the start of the accession negotiations on 15 February 2000. For example, differentiations between groups (e.g. the “Luxembourg” and “Helsinki” groups) have disappeared in time and own merits in preparation for accession have taken centre stage.

Changes within the external framework of accession negotiations have determined changes and new approaches in the internal preparation of candidate countries.

Please allow me to give you a general overview of the new approach of the Romanian government, starting from December 2000. This involved a total rebuilding of the institutional and legislative concept of dealing with accession negotiation issues. This reworking initiated in January 2001 through a government decision establishing the Mini-
As regards our accession negotiation strategy, new dimensions were added. At an external level cooperation was strengthened with the EU institutions (European Commission, European Parliament), Member States and candidate countries. Special attention was paid to improving communication and amplification of the consultation process with these actors.

Internally, new chapters were approached and supplementary actions were taken for speeding up adoption and implementation of the *acquis communautaire*. Furthermore, improvements were made in the monitoring methodology, as observance of the commitments made in negotiation has become a key principle of our internal preparation.

Intensifying the pace of the negotiations includes not only simultaneously approaching several chapters of negotiations (widening), but also the deepening of negotiation. It is considered that restriction of involvement to governmental actors is absolutely inadequate, and that social partners must be part of the process. To involve a larger social spectrum in the negotiation process and to ensure transparency of this process, internal consultations have thus been set up with labour unions, business associations, political parties and other representative organisations of civil society.

While former Governments paid special attention to the easy chapters and to those focusing on political criteria, the current government of Romania has approached the negotiations as a whole process. This is because preparation cannot be done just for one or another chapter, order to become a reliable EU member a country has to prepare across the board. The government has thus shifted its attention to chapters that had not been approached at all by the end of 2000, chapters regarding the *four freedoms*, the Single Market, the main economic sectors, and economic and social cohesion. The chapters we have addressed are related to the preparation of the market according to European standards, creating a business milieu and connecting it to the international business climate and the internal market.

I believe we are in full agreement when I say Romania has followed a gradual approach towards chapters with a serious budgetary
impact. From the perspective of contributions to the GDP and the massive necessary financial resources, Romania has entered the stage of substantive negotiations.

In 2002, the year of qualitative preparation for us, efforts focused on opening all chapters of negotiations, advancing in negotiations in the open chapters and provisionally closing as many as possible. At present, we are very close to fulfilling these objectives. By the end of 2000 we expect to open the final two chapters (Freedom to Provide Services and Financial and Budgetary Provisions). The technical conditions to provisionally close other two chapters (Free Movement of Capital and Culture and Audiovisual) have also been met.

The Romanian government is at present at a stage in accession negotiations where the costs of implementing the **acquis** in the new sectors approached are huge. In this respect, we should mention not only **Agriculture** and **Environment**, by far the most important as a proportion of national GDP, but also chapters related to a functional market economy, such as **Industrial Policy** and **EMU**, where the necessary measures have been taken by the government to combat inflation through specific financial and banking measures.

I believe we are all aware that accession negotiations are more than a process in which the interests of Romania and European Union are assessed, evaluated and brought to a common denominator. In fact the dynamics of opening and provisionally closing chapters in negotiations are based on the progress that candidate countries make in fulfilling accession criteria.

While fulfilling political criteria minimises the risk (of candidates) of being refused entry to the EU and later becoming politically unstable, the same is valid for the economic aspect of the accession, when it comes to the existence of a functioning market economy and the capacity to cope with competitive pressure within the EU.

Additionally, progress in fulfilling economic criteria is not just a condition imposed by the EU and which applicant countries are obliged to consider if they want to join the club. It is their main inherent engine toward modernisation. After all, internal economic reform enjoys a high degree of convergence with the EU economic standards. The accumulative empirical experience in the economic field provides first the basis on which the “economic” chapters are opened and provisionally closed and then the framework structure in
which economic reform continues, thus enhancing progress in other chapters.

In other words, in accession negotiations economic preparation remains one of the main grounds for claiming advancement in opening and provisionally closing chapters of negotiation.

When analysing Romania from an economic perspective, it is worth emphasising that economic growth, higher exports, increased industrial production and labour productivity, a lower budget deficit and the investments associated with a substantial reduction of inflation are giving substance to the arguments favouring advancement in negotiations.

Some economic details are necessary here. Despite the world economic downturn, in 2001 Romania registered one of the highest rates of economic growth (5.3%) of all the Central and South-East European countries. That growth continued in the first semester of this year (+4.4% in real terms). A substantial decrease of inflation has been registered this year (at the end of October 2002 the annual average was 18.8%, compared with 34.5% in 2001).

In the same period, higher exports in goods and services (FOB) were registered (+8.8%). Agricultural production continued to grow (in 2001, +21.9%, in the first semester of 2002, +9.1%). An increase has also been recorded in industrial production (+5.2% at the end of September 2002).

Attention is also paid to the creation of a sound and attractive economic environment and giving as many long-term opportunities as possible to all investors. At present, a law covering large-scale investments and providing a combination of special fiscal incentives and measures to improve the business environment is being implemented. The Romanian Agency for Foreign Investments has been created as an interface with investors to coordinate the promotion of FDIs in Romania.

As already stipulated by the European Commission in its 2002 Annual Report on Romania, the economic data indicate that fulfilment of the Copenhagen economic criteria is achievable in the medium term.

The ability of candidate states to take on the responsibilities of EU membership is the third criterion stated in Copenhagen. It is probably the most complex criterion of all, because it implies more than
legislative harmonisation (adopting/incorporating the *acquis* into the national law system), it also means implementation (enforcement).

Transposing the *acquis communautaire* into national legislation is an essential process for Romania’s preparation for EU accession. The adoption of the *acquis* modernises legislation, thus creating the framework for the modernisation of the whole society, making the first step towards full integration into the EU’s rules and methods system. From September 2001 to September 2002 almost 300 legal acts with Community relevance were adopted, of which more than two thirds stand as a direct transposition of the *acquis*.

However, Romania is well aware that internal modernisation means more than adopting legislative acts, it also means effectively applying them at all levels.

The implementation of the *acquis*, an important feature of Romania’s preparations for accession and for its ability to take on the responsibility of membership, strongly depends on the development of its administrative capacity (the criterion added at the Madrid European Council in December 1995).

In order to comply with this sub-criterion, certain adjustments need to be made in the field of institutional building in order to achieve credibility and predictability. This means creating institutions endowed with sufficient openness, transparency, accountability and powers and considerable decision-making independence. At the same time, these institutions have to be subject to specific performance obligations.

For example, as regards the negotiation chapters, the Romanian authorities are currently implementing a programme for strengthening the national system for conformity assessment and ensuring the conditions to sign ECAP (*Free Movement of Goods*). The Centre for Recognition of Professional Qualifications has published the procedures for recognition of professional qualifications, the list of regulated professions in Romania and the authorities responsible. Twelve working groups for the regulated professions have been established and are currently operational (*Free Movement of Persons*). The Working Group for the Identification of Barriers against the Right of Establishment and Freedom to Provide Services has been established (*Freedom to Provide Services*). Compliance with the recommendations of the Financial Action Task Force (Financial Intelligence Unit) is ensured (*Free Movement of Capital*). In order to
prevent and combat counterfeiting. OSIM (the State office for Trademarks) is engaged in the modernisation of the internal IT network, the creation of electronic filing and administration of electronic files and assessment of ways to improve management (Company Law). Further examples can be provided on all chapters of negotiation.

The institutional design issues deserve increased attention as they will determine the success or failure of the effective adoption and implementation of the acquis in the longer term, as well as the dynamics of accession negotiations.

EU enlargement is not an elite project and accession to the EU involves not only the political class, but also civil society and every citizen, as an entity and an identity. Speaking of identities, it could be asserted that accession will benefit the whole society, all its components, of ethnically or politically different nature. The majority of the population and the minorities have the same aim in this respect. Recently, the ethnic minorities living in Romania have signed a statement supporting the accession of Romania to the EU.

Furthermore, as part of the internal preparations for accession to the EU and the internal communication strategy, special attention is paid to NGOs, trade unions, business associations and other representative organisations of civil society, due to their great importance in supporting democratic participation, involving citizens in the decision-making process, and bringing them into contact with public institutions. In approaching the main target groups, the communication strategy combines the principle of an overall blanket impact on the Romanian public with that of addressing individual target population groups. At the same time, the projects associated with the communication strategy contain a main topic chosen on the basis of opinion polls indicating the main interests of the population that need to be discussed further.

Over the last two years Romania’s overall performance has proved that is on a positive trend. Taking this into account, as well as its potential and political will, Romania looks set to become a reliable EU member.

The accession negotiations and the European integration process cannot be viewed only from the perspectives of opening and provisionally closing negotiations chapters, adopting and implementing the acquis, following economic reforms or developing administrative
capacity. They reflect the choice of the entire society to resonate with the European nations. Ultimately, Europe cannot be merely technically connected. A closer interdependence of initiatives on different levels will be decisive for the future. In the end, fusion of the interests of the actors involved in the process of enlargement will create new identity, new approaches, and new views - in other words, a new start for the European community.

8. Looking afresh at entry talks (8)

The EU enlargement process has become the main device for building a new Europe and broadening the concepts of freedom, justice, solidarity and security. Analysis may focus on various political and economic instruments through which the EU has positioned itself as a key actor on the international stage. The accession negotiations have taken on new developments in the accession criteria, EU realities and relations between Member States and candidate countries, thus largely determining the way Europe moves ahead.

Institutional framework

Since Romania applied for membership, significant changes within the EU and candidate countries have determined a continuous adaptation of its strategies and policies. For example, distinctions between groups (e.g. the “Luxembourg” and “Helsinki” groups) have disappeared over time and each country's achievements in accession preparations have taken the lead instead. Changes to the external framework of accession negotiations have determined changes and new approaches in the internal preparations of candidate countries. Since 2001 the Romanian government has approached its preparations in a new way, involving a total rebuilding of the institutional and legislative concepts dealing with accession negotiation issues. The institutional makeover was started in January 2001, through a government decision to establish the Ministry of European Integration as the coordinating body for accession preparations. The institutional capacity of the negotiating team was also strengthened.

New dimensions were added to the accession negotiation strategy.

At an external level, cooperation was strengthened between EU institutions (European Commission, European Parliament), Member States and candidate countries. Special attention was paid to improving communication and expanding the consultation process. At an internal level, new chapters have been approached and supplementary actions taken for speeding up the adoption and implementation of the *acquis communautaire*. Furthermore, improvements have been made to the monitoring system because honouring commitments made in negotiations has become one of the key principles of internal preparations. Intensifying the pace of the negotiations includes not only the simultaneous tackling of several chapters of negotiations (widening), but also a deepening of the process. It is not considered enough to involve actors at government level, it is essential that social partners be part of the process, too. Thus, to involve a larger social spectrum in the negotiation process and ensure transparency, internal consultations with labour unions, business associations, political parties and other representative organisations of the civil society have been established.

Cooperation with these actors has proved to be highly beneficial to the process of preparing position papers for the negotiation chapters. The government of Romania has approached negotiations as a whole process. This is because preparations cannot be made just for one or another chapter, for Romania to become a reliable EU member they must be carried out across the board. So the government has shifted its attention to chapters that had not been approached at all by the end of 2000, chapters covering the four freedoms, the Single Market, the main economic sectors, and economic and social cohesion. In this respect, Romania has followed a gradualist approach towards chapters that would have a serious budgetary impact.

From the perspective of contributions to GDP and the massive financial resources necessary, Romania has entered the stage of substantive negotiations. In 2002, the year of qualitative preparation for Romania, efforts focused on opening all negotiation chapters, progressing in negotiations on the open chapters and provisionally closing as many as possible. Those objectives were achieved: by the end of 2002 all chapters had been opened and sixteen provisionally closed. This year the main aims are to provisionally close as many chapters as possible and continue systematic preparation so as to
obtain the status of a functioning market economy by the end of 2003, to strengthen administrative capacity, to reform the judicial system and to progress in fighting corruption.

**Fulfilling accession criteria**

Accession negotiations are more than a process in which the interests of Romania and the European Union are assessed, evaluated and brought to a common denominator. In fact, the dynamics of opening and provisionally closing chapters in negotiations are based on the progress that candidate countries are making in fulfilling accession criteria. While fulfilling political criteria minimises the risk of being refused membership of the EU and later becoming politically unstable, the same is true for the economics of accession, when it comes to the existence of a functioning market economy and the capacity to cope with competitive pressure within the EU. Progress in fulfilling economic criteria is not just a condition imposed by the EU and which applicant countries are obliged to consider if they want the join the club. It is their engine for modernisation.

After all, internal economic reform entails a high degree of convergence with EU economic standards. Cumulative empirical experience in the economic field provides the basis on which the “economic” chapters are opened and provisionally closed and then the framework structure in which economic reform continues, thus enhancing progress in other chapters. In other words, in accession negotiations economic preparation remains one of the main grounds for claiming progress in opening and provisionally closing chapters of negotiation. When analysing Romania from an economic perspective, it is worth emphasising that economic growth, higher exports, increased industrial production and labour productivity, a lower budget deficit and the investments associated with a substantial decrease of inflation are giving substance to the arguments favouring advancement in negotiations. Attention is also paid to creating a sound and attractive economic environment and giving as many long-term opportunities as possible to all investors.

As already stipulated by the European Commission in its 2002 Annual Report on Romania, economic data indicate that the fulfilment of the Copenhagen economic criteria is achievable in the medium term. The ability of candidate states to take on the responsi-
bilities of EU membership is the third criterion stated in Copenhagen. It is probably the most complex criterion of all because it implies more than legislative harmonisation (adopting/incorporating the *acquis* into the national law system). It also means implementation (enforcement). Transposing the *acquis communautaire* into national legislation is an essential process for Romania's preparation for EU accession. Adoption of the *acquis* updates legislation, thus creating the framework for the modernisation of the whole of society, producing the first step towards full integration into the EU rules and methods system. In 2001-2002 almost 800 legal acts with Community relevance were adopted, of which more than two thirds directly transposed the *acquis*. However, Romania is well aware that preparation for accession means more than adopting legislation, it also means effectively applying and implementing it at all levels. To comply with this sub-criterion certain adjustments need to be made in the field of institution building to achieve credibility and predictability. That means creating institutions endowed with sufficient openness, transparency, accountability, powers and considerable decision-making independence. At the same time, these institutions have to be subject to specific performance obligations. The institutional design issues deserve increased attention as they are determining the success or failure of the effective adoption and implementation of the *acquis* in the longer term, the evolution of internal modernisation and the dynamics of the accession negotiations.

*Relations with EU members and institutions*

Romania is a candidate country which by 2007 will be able to take on all the obligations associated with EU membership and ready to share responsibility for the future political, cultural and social development of Europe. For better preparation for accession, Romania has developed bilateral technical consultations with Member States and the European Commission on various negotiation chapters. The government is aware of the importance of the political support of the Member States and European actors, and special attention is paid to EU evolutions. Our communication strategy is not directed only to European and national political/institutional actors. It also endeavours to communicate in a balanced, systematic, targeted and direct manner with European citizens, to increase the information regarding
Romania, to inform people of the benefits of Romania’s accession to the EU. We want to address Romania’s message to EU citizens, to European public servants, MEPs, NGOs and others, by public diplomacy, direct meetings and conferences. Strong connections between Member States, EU leaders and European citizens are needed to promote cohesion both within the Union and in nearby territories. Besides economic reforms and political initiatives, vertical and horizontal axes of communication are some of the means by which we, the European Union and candidate countries, make steps towards establishing a space of freedom, security and justice and progress in the EU’s quest for a global political and economic role.

9. Accession negotiations and diplomacy (9)

The European Enlargement is without doubt one of the most complex processes our continent has ever experienced. One in which the individual wills of half a billion people with different nationalities, languages, history and cultures coagulate in a single desire for peace security, justice and welfare. For each of Europe’s inhabitants, this objective is symbolised by the EU. In Romania’s case this objective is also embodied in the accession to the EU.

Accession negotiations

The accession negotiations start with several principles that clearly differentiate them from classic diplomatic negotiations. Firstly they are taking place at an internal level within candidate states, between the governments (in the broadest sense of the term) and the various non-governmental actors, just as much as at an external level, between the candidate countries and the EU (represented by the European Commission and the Member States). Secondly, the object of the accession negotiations is different: the acquis communautaire is practically the rule of the game, so the candidates cannot change it. This is why the implementation of the acquis - transitional arrangements and derogations - is negotiated. Thirdly, the result of accession negotiations is different if, according to classic diplomacy, negotia-

tions lead to a compromise between diverging interests, whereas the goal of accession negotiation is, as Robert Schuman said half a century ago, the harmonisation and finally the fusion of interests.

Essentially, the interests of internal economic and social actors have to coagulate so as to elaborate a national position in the accession negotiation which best represents their ability to cope with the new standards of quality, competitiveness and productivity of the Single Market. We have to take into account, on the one hand, the concrete possibilities of internal actors to modernise their activity and contribute to the preparations for accession to the EU and, on the other, their responsibility to become competitive by their own means. What is then negotiated is not the content of laws, but the timeframe for the implementation of the *acquis* in Romania as quickly and as economically as possible.

Much the same happens during the negotiations with the Community institutions and Member States, where it is sometimes less difficult to reach an agreement, since there are only two negotiating actors and the dialogue is conducted in a written form. In this case, it is for Romania to bring solid arguments (precise information, cost evaluation, timetables, strategies etc.) to justify its requests - these arguments are none other than the results of internal consultations. But primacy always goes to the need for modernisation, for free competition in the market. This is why there are rules, such as the rules of competition, that cannot be the object of any transitional arrangement.

*Diplomacy*

Accession negotiations are a technical process that regulates the legislative and administrative harmonisation of a candidate country to the EU. However, technical negotiations are not enough. Respecting the commitments made, achieving objectives and carrying out strategies are only one part of the efforts a candidate state needs to make with a view to concluding the EU accession negotiations. The second part is “selling” these achievements. This is where the role of diplomacy resides.

Today, Romania finds itself in a relatively advanced state of technical preparations for accession. Legislative harmonisation is almost complete and implementation work started almost three years ago, at the same as the transposition of the *acquis*. Public diplomacy
is an essential tool at this point; on the one hand, to make the nation-
al public aware of the developments in negotiations, follow-ups and
the impact of implementation upon the citizens; on the other, to com-
municate at an external level, within the Community institutions and
the Member States, about progress made in Romanian’s legislative
and administrative harmonisation with Community standards.

Romania’s negotiating team has also acknowledged the advantag-
es of dialogue with the states that will join the Union in 2004. The
Ten can provide us with different models and experiences, helping us
to find better solutions. It is for political diplomacy to facilitate their
exchanges and to be able to provide Romania with technical as well
as political support (presidency agenda, negotiations timetables).

What is very important from this perspective is to send as many
messages and as much information as possible, as promptly as poss-
able, at all levels. This ensures a consistent, comprehensive dialogue
between all parties and proves Romania’s political will to speed up
accession preparations and to find and implement the best solutions.

Conclusions

Romania has understood the importance of internal preparations
for accession, with their three stages: legislative harmonisation, insti-
tution building and effective, efficient implementation of the **acquis
communautaire**. Nevertheless, at this stage of adoption and imple-
mentation of the **acquis**, the accession negotiations as a technical pro-
cess need the political support and credibility that only diplomacy can
facilitate.
THE SUBSTANCE OF NEGOTIATIONS

1. Prospects for the accession negotiations (1)

Producer: After participating in the meeting in Brussels dedicated to Romania’s accession to the EU, Romanian Chief Negotiator Vasile Pușcaș talked today to the press about the next steps planned by the authorities in Bucharest with a view to accession.

Reporter: Romania’s representatives are negotiating feverishly with the EU on the concrete conditions of accession. This accession is much desired, but not immediately foreseeable. Up to now 12 chapters of negotiations have been opened and half of them closed. The latest two chapters, opened last week in Brussels, refer to fishing and customs union. As regards fishing, Romania has to harmonise its own exploitation interests with the laws, standards and interests of the EU. As regards customs union, the first great objective of Romania should be the normalisation of the whole system and, of course, alignment with European customs practices, leaving aside the well-known local habits. Looking ahead, Romania’s Chief Negotiator with the EU, Mr. Vasile Pușcaș, seems determined to make good the disparities and to observe the strict timetable of negotiations. He hopes that at the Intergovernmental Conference in Brussels Romania will be able to open three more negotiation chapters, namely those referring to the Free movement of capital, Transport and Consumer protection. We have heard about the need to accelerate negotiations. Here is how the Chief Negotiator of Romania explains the idea of making good the accumulated gaps.

Vasile Pușcaș: Our commitment is to make up for the delays related to the negotiation strategy, and we intend to do that with the help of our

resources and according to our programme. The catch-up strategy is easier to accomplish for other states that have, as I previously said, fewer issues to sustain, demand or correlate. I repeat: personally I prefer the comparison of Romania with Poland from the point of view of structure, problems and general rhythm, as the two countries have the most complex structures. At a certain point, we even experienced a competitive approach (...) and I showed to a colleague of mine the position document of another candidate state, I do not want to mention which one as I do not accept myself this type of numerical competition, which was a page and a half long. Romania’s was 35 pages and not yet complete. The proportion was also different in terms of population, of market correlation, of legal harmonisation and of resources held.

_Reporter:_ It seems that for countries such as Romania, negotiations will become increasingly complicated. The other day, statements of European officials referred to a ranking of the countries according to their readiness in fulfilling the commitments, a ranking in which Romania was not even in the first ten. Vasile Pușcaș tries a different explanation.

_Vasile Pușcaș:_ I will share with you my personal impression: during the negotiation process Romania has not worked to create an environment suitable for its own interest in negotiating with the EU.

_Reporter:_ The Minister Delegate with the EU wishes to convince European officials as well as the Romanian public that the position documents drafted by the Romanian side for this negotiation are not simple papers, but papers based on documented economic and social government policies, as well as on Romanian reality. It remains to be seen how soon the results of the negotiation acceleration attempts will show themselves.

2. **Romania in a future Europe (2)**

_Elements of the future Europe_

From a political, economical and strategic point of view Romania’s option for Europe is fully reasonable. Romania belongs to the
European family and shares the common set of values that define this civilisation. This is an area of democracy and human rights, of social well-being and progress, but also an area of economic solidity, to which the establishment of a single currency brought a valuable stability. This social and economic coherence lies at the basis of a special social solidity. Europe is a continent of science and innovation, of research and law. The European area is also one of cultural diversity in an environment of common principles and values. The European Union encourages all its citizens to participate in this inheritance, favouring student mobility, encouraging artists and researchers.

Internationally, the European Unions’ role is designed to balance the international system politically and economically. The European Union is able to make its voice heard on the international level, thanks to a common foreign and security policy that is cemented by a common monetary policy. The development of the Single Market has brought the Union to the world’s economic forefront, while the Member States’ objective is to render the European economy the most dynamic in the world. Currently the European Union faces a great challenge: enlargement. As Romano Prodi said on 29th May 2001 at the Institute for Political Studies in Paris, enlargement will make the EU a continental power. Enlargement will also mean the reunification of Europe, ending half a century of ideological division and ensuring the Central and Eastern European countries a more influential role within the Union. The new, enlarged Union will mark the triumph of democracy over totalitarianism. The enlarged Union will be strong, but never dominant.

However, the new, enlarged European Union brings the challenge of the necessary institutional reform. At present, Romania is negotiating its accession with institutions that are likely to change substantially in 2004. The current institutional reform proposals vary from creating a federation to establishing a “federation of nation-states”. The process of shaping the future Europe has to take into account, on one hand, relations between citizens, civil society, central and local administrations and the European institutions, and on the other the functioning of the European institutions and relations between them.

The future Europe presupposes enhanced cooperation, access to a single market and ensuring effective competition, coordination of economic policies, setting common regulations regarding the environment
and working conditions, avoiding unfair tax policies, and developing a common policy in the field of migration and asylum. As for the candidate countries, enlargement will bring concessions so as to create the conditions for the market entry of agricultural products, the alleviation of certain financial burdens and bureaucracy, as well as the necessary alignment to quality, environment and food safety standards of the products from the countries negotiating EU accession. In this context, the structural funds will contribute to growing prosperity in the new Member States.

Romania has to harmonise its interests with those of the ever faster-moving Europe, from an institutional as well as political and social point of view. Thus, our role in the future Union must not be quantified just in the number of votes that can be used in the decision-making process for the identification of virtuous compromises. Before building an efficient and coherent policy through which we have to contribute to the future Europe, Romania must implement a strategy for alignment with EU standards. European integration clearly represents a strategic priority for Romania, for the government and Romanian public alike. Therefore, this is not only a political issue concerning taking decisions. A firm pro-European orientation, taking part in regional and sub-regional cooperation, represents the present priorities of Romanian foreign policy.

In this context, based on the guidelines expressed by the Nice European Council and the action plan established in Göteborg, the Romanian government accelerated the preparations with a view to EU integration. An important step forward in complying with the accession criteria had already been made.

For accession to the EU candidate countries have to fulfil several criteria. The first set of criteria refers to political aspects (including the presence of a democratic system, the rule of law, minority rights etc.), the second set of criteria refers to the implementing of a functional market economy and the third set comprises the capability of the actor to enact the policies of the Union from political, administrative, social and monetary point of view.

**Accession criteria**

Regarding the political criteria, Romania put in place institutional structures and the necessary measures to assure alignment with the
political criteria established by the Union for the candidate countries. Parliament’s activity has been reorganised and a new law on the acceleration of legislative procedures has been adopted (in key fields, including the transposition of the *acquis communautaire*). The reform of the judicial system is under way and special measures have been taken regarding the fight against corruption (the Directorate General for the Fight against Organised Crime and Drug Trafficking has been set up in the Ministry of Interior). The Bill concerning the ratification of the Council of Europe Convention on money laundering is almost finalised. In the field of child protection, The National Agency for Child Protection and Adoption is responsible for the implementation of policies in this area (the National Strategy for the Protection of the Child in Need). The report of the European Parliament acknowledged the progress made by the Romanian Government to solve this delicate issue (the adoption of the Child Code of laws and the promotion of adoption, mainly internal).

Concerning political and civil rights, Romania is the first Central and East-European country to adopt a general-purpose law against discrimination (G.D. 127/2000 concerning the prevention and punishment of all forms of discrimination). In the field of legislative convergence, Romania focuses on implementing a modern and complete legislation for justice and home affairs and the prevention and combating of crime. Regarding the alignment of the Romanian Police with EU standards, the Ministry of the Interior policies and programmes have the goal of transforming the institution into one that works for the citizens and local communities. In the field of minority protection, administrative and institutional measures have been taken to implement the Government Strategy for the Amelioration of the Situation of the Roma Minority, taking into account that the protection of the Roma community is a European issue.

Romania is continuing the reform of the administrative system in accordance with EU directives and other Community norms. Progress has been made in decentralising the decision-making process and increasing levels of autonomy (important for local strategies of sustainable development in the socio-economic field). The macro-economic measures taken in the year 2000 have stopped the economic decline which started in 1997 and produced a rise in the GDP. The year 2000 represented a re-launch of the Romanian economy, the
first half of 2001 confirming the upward curve. The unemployment rate has fallen and industry has progressed in real terms. In the framework of general financial policy, budget coordinates have focused on the improvement of the efficiency and transparency of public spending.

The Romanian National Bank continued the implementation of a coherent programme for the strengthening of banking operations in accordance with Government activity and based on the coordinates agreed with international financial bodies. The ability to cope with the competition and market forces within the EU implies a macroeconomic framework where actors can decide in a predictable climate. One of the first indices of Romania’s competitiveness is the degree of commercial integration in the EU market. In 2000, exports to the EU accounted for 60% of all Romanian exports. The performance of the Romanian economy and its capacity to cope with the competitive pressures of the single market are directly related to the quality of the human factor and the structural adaptability of the workforce. In the context of globalisation, Romania has set itself the goal of improving its competitiveness in order to strengthen its capacity to adjust to international market demand and to promote its image acquire a place in Europe commensurate with its potential.

The Romanian Government will focus its attention on the following directions:

- the establishment of an open and viable business environment;
- the development of free and fair market competition;
- the acceleration of structural adjustments (restructuring);
- the promotion of intangibles (efficient management of human resources, research, innovation, standard approximation);
- compatibility with EU environmental protection standards;
- the sustainable development of SMEs;
- the promotion of social cohesion;
- the revision of the role of the central public authorities in economic planning.

This process implies major changes at several levels: philosophical, political and economic, building a new social partnership (a win-win situation), the restructuring of the social system, social actors and the resources generating these changes, the acceleration of investment in human capital.
Conclusions

Romania complies with the political criteria, is making major progress towards meeting the economic criteria and by accelerating the reforms will be able to fulfil its commitments deriving from its future status of EU membership, gaining its place in the future Europe. At the present time Romania has a stable government and a political leadership with a firm mandate, putting out astonishing economic signals since the beginning of its mandate and making major progress in accession negotiations.

3. We have to work hard to get into the EU (3)

Reporter: Please tell us what negotiation chapters will be opened this year and what are the conditions to fulfil in order to open all chapters, as stated by Spanish diplomatic representatives on a recent visit to Romania.

Vasile Puşcaş: I have to tell you first that by the end of this year Romania wants to open all the negotiation chapters and to close as many as possible. At this moment 17 chapters have been opened, of which 9 have been provisionally closed. The position papers for all the 29 chapters were finalised and sent to the EU Council by the end of last year. The 12 chapters for which negotiations will be tackled during this year refer to the functioning market economy (chapters concerning Economic and Monetary Union, Financial and budgetary provisions, Financial Control), freedoms (Free movement of goods, people and services - I remind you that Romania has already opened the chapter on the Free movement of capital), Transport, Agriculture, Environment, Industrial policies, Justice and Home Affairs and Regional Policy.

These are difficult chapters, requiring thorough internal preparation. That implies enforcing some supplementary measures in order to reach a significant level of adoption and implementation of the acquis communautaire, and monitoring the commitments undertaken in the position papers. Also, it is necessary to continue and to enhance our cooperation with political parties, trade unions, business associations, NGOs and academia as regards the arguments for

transition periods in order to find solutions to sensitive problems which will allow us to advance in negotiations. Externally, it is necessary to continue and enhance our cooperation with the European Commission, to organise joint actions, endorsed by MEI and MEA, with the support of Romania’s Mission to the EU and our Embassies in Member States. Under the current circumstances, we are optimistic that the established negotiation strategy will be respected and we will open the negotiation chapters by the end of 2002 at the latest.

**Reporter:** What is the importance of these chapters for Romania’s economic reform?

**Vasile Puşcaş:** One of the EU accession criteria is a functioning market economy. Its existence involves free prices on the market, the existence of a legal system able to protect private property, macro-economic stability, a financial system able to guarantee the efficiency of capital flows, no barriers to the entry/exit to/from the market for economic actors, and a proper working of insolvency and bankruptcy procedures. Meeting the functioning market economy criterion is vital for negotiating some chapters. For instance, the *acquis* relevant to Chapter 11, *Economic and Monetary Union* refers to the fundamental principles of the EU economic system. Negotiations for this chapter are related to Chapter 4, *Free movement of capital*, as the liberalisation of capital flows is a pre-condition for participating in the EMU. For chapter 15, *Industrial policies*, economic progress is an essential condition for opening negotiations. We are going to ensure a stable legislative environment, eliminate barriers to market entry/exit for business actors, restructure the economy and advance in privatisation. For the *Energy* chapter, the main measures aim at liberalising the energy market and prices. For the chapter *Free movement of services*, it is necessary to ensure the stability of the financial system and strengthen banking surveillance and transparency. Strengthening the capital market requires an acceleration of restructuring and privatisation, the mobilisation of Romanian capital and the promotion of investments. Macro-economic stability, a sound legislative framework and a healthy financial and banking system will positively influence other negotiation chapters, such as *Agriculture, Transport, Environment*, where substantial investments are needed. Those investments cannot be made without economic development,
without a functioning market economy that can create supplementary financial resources for these sectors.

For the next period the main macro-economic objective is to reduce inflation and progressively decrease interest rates, while restructuring the real economy. Fiscal reform will focus on creating a tax system able to encourage the business environment. The Bills concerning VAT and excise duties aim to reduce the subsidies granted by other laws, strengthen control measures and avoid tax evasion. Fulfilling the commitments undertaken in the position papers will encourage the economic environment to invest Romania and create a functioning market economy.

**Reporter:** What are the main difficulties foreseen for this year in accession negotiations with the EU?

**Vasile Puşcaş:** The main difficulties come from the fact that this year we will tackle the most difficult chapters, involving great efforts and sustained economic and administrative reforms. It is vital to observe the commitments undertaken in the position papers, because not fulfilling those commitments may have serious negative effects on accession negotiations, leading to the reopening of a provisionally closed chapter or even stopping the accession negotiations. We have to bear in mind that by the end of this year the European Union has to complete the accession negotiations with 10 candidate countries in different phases of internal preparation. That will lead to an increased attention for this process. Therefore it is vital to have a sustainable dialogue with the European Commission and the EU Member States through diplomatic and technical consultations. The most important thing is to avoid creating artificial difficulties. We have to think positively, organise efficiently and work hard to achieve this strategic national objective.

**Reporter:** What are the difficulties related to lifting visas in negotiations with the EU Member States? What are the chances for a definitive visa lifting after a one-month test period?

**Vasile Puşcaş:** As regards the lifting of visas for Romanians travelling to the Schengen area, I want to tell you that in this field conditions are related only to behaviour, not to time. As you know, the JHA Council of Ministers has unanimously approved the lifting of visas. Visa lifting had several supporters among the Member States
Of course, some Member States had some initial reticence. But their doubts were allayed following the decisive measure taken by the Romanian Government for securing borders, fighting illegal migration, fighting trafficking in goods and people, fighting against money laundering, etc. In this field a very important role was played by the Ministry of Interior, which acted internally by taking the necessary measures for lifting the visa requirements for Romanians travelling to the Schengen area. As regards accession negotiations, when the JHA Council’s decision was taken, Romania had finalised the position paper for Chapter 24 - Justice and Home Affairs - and sent it to the EU Council on November 2001. The position paper gave details of the measures taken for lifting the visa requirements for Romanians travelling to the Schengen area and further measures.

One month after that decision was taken, we can say that all the prerequisites for irreversibly lifting visas have been fulfilled. The problems which arose have been solved internally by the Border Police. Thus, out of 125,000 people wishing to travel to the Schengen area, more than 20,000 were banned from leaving the country for not meeting the legal requirements. The control measures are still extremely severe, the Border Police and other institutions dealing with this field permanently monitor all cases of individuals wishing to leave the country. The problems which arose on the Greek and Italian borders were determined by the supplementary conditions established for Romanians travelling there. These problems have been solved through appropriate communication and the government will find solutions every time such a problem occurs. This mission belongs not only to the Romanian government, but also to Romanian citizens. If they respect the EU and Member States’ rules, they will contribute to improving Romania’s image.

Reporter: What are the fields where Romania has been most appreciated and what are those with the biggest deficiencies?

Vasile Puşcaş: Thus far the main document evaluating Romania’s progress is the Regular Report in 2001, issued by the European Commission. According to this report Romania has made remarkable progress concerning political criteria and is continuing to meet its requirements. Thus, progress in consolidating democracy, the rule of
The substance of negotiations

Law, human rights and minority protection (where a strategy for protecting the Roma minority was elaborated) has been registered. Implementation of the child protection system has been accelerated. Laws respecting EU norms concerning property and the status of refugees and asylum seekers have been adopted. The 2001 Regular Report emphasised some deficiencies concerning the fight against corruption (in December 2001 a strategy for fighting corruption was adopted and concrete measures for implementing it were taken). Also, it is necessary to continue the implementation of the strategy for protecting the Roma minority and anti-discrimination legislation.

As regards the economic criteria, the Report shows for the very first time that progress for creating a functioning market economy and reaching a macro-economic stability has been made. Other measures for limiting inflation and the current account deficit have to be implemented. The Commission’s Report shows that structural reforms have been relaunched, especially concerning privatisation and energy prices, but this process has to be accelerated, as I have already said. Recent privatisations are appreciated, thus proving the government’s commitment to create a functioning market economy. At the same time, we have to strengthen companies’ financial discipline and supervise financial services. The European Commission appreciated the legislation concerning money laundering. Measures for eliminating restrictions concerning the free movement of capital will be taken. As regards the agriculture sector, our transposition of the acquis communautaire was appreciated, but it is still necessary to develop the mechanisms for the Common Agricultural Policy and modernise veterinary and food safety inspection.

In the taxation field, progress concerning excise duties is highly appreciated. The European Commission has noted the steps forward concerning social policy and employment, adopting the industrial strategy and important progress made in privatisation. As regards environmental protection, alignment with the acquis communautaire was appreciated, but efforts to strengthen the administrative capacity of the Environment Ministry and the assignment of supplementary resources for this sector are still needed. As regards Justice and Home Affairs, the European Commission appreciated in the 2001 Regular Report that significant progress had been made concerning visa policy and border and migration control, though legislation
concerning data protection still had to be adopted. In the meantime, this law has been adopted, thus creating the prerequisites for signing the cooperation agreement with Europol.

**Reporter:** What is the philosophy concerning accession negotiations to the EU? Which is the candidate country that Romania could be compared with?

**Vasile Pușcaș:** As Robert Schumann used to say, accession negotiations involve the harmonisation and fusion of interests between the Member States and candidate countries. During the accession negotiations, the harmonisation of Romanian and EU interests is being achieved and at the time of accession the fusion of those interests will take place. In accession negotiations the main principle is differentiation, meaning the evaluation of candidates according to their own merits. Under those circumstances one cannot say that we can compare Romania with another candidate country because every state has its own specific characteristics (size, development status, resources, geostrategic position, etc.). Of course, in negotiating different chapters, we use the experience and conclusions of the other candidates (this was the reason for organising meetings at chief negotiator level with other candidate countries). The problems arising during the accession negotiations are different from one country to another. One cannot compare Romania’s problems concerning the economy, industry, social security, agriculture, etc. with (for instance) those of Baltic Countries, which are smaller in terms of size and population. While Romania has a huge agricultural sector, with several problems in implementing the acquis communautaire, Cyprus has a totally different agricultural system, a much smaller one. In this field Romania can be compared only with Poland, but the specific problems arising during the accession negotiations are very different. This is the reason for a different approach to negotiations according to the progress made by each candidate country. Our main interest is for Romania to be well prepared in order to cope with competition in the internal market, to integrate our country into the European institutional and economic system in a positive manner for Romanian citizens and for our negotiation partners as well. Therefore a win-win solution is the only appropriate one and, considering the span of negotiations it will take time, dedication and effort.
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Reporter: Rumour has it that you will be appointed ambassador to Washington or Minister of Foreign Affairs…

Vasile Pușcaș: This is the very first time I have heard such speculation. The problems we have right now are related to the Romania’s accession negotiations with the EU and, believe me, they are very complex and difficult. I haven’t got the time to waste for comments on such rumours…

4. A new roadmap for Romania’s accession (4)

Reporter: The French Foreign Minister Hubert Vedrine’s proposal that EU should co-opt Romania and Bulgaria together with the other candidate states, in 2004, has aroused a lot of discussion in Romania. Was it a simple diplomatic exercise or did his statement mean much more?

Vasile Pușcaș: At that time we received the statement of the French Foreign Minister Hubert Vedrine as a reiteration of the issues discussed at the Summit in Göteborg, referring to supplementary support to be granted to Romania and Bulgaria with a view to their accession to the EU. This happened at the Summit in Laeken where it was decided that the two countries would benefit from a new road map for the accession negotiations. We should mention that Romania has had an atypical position during negotiations. Throughout the period 1997-2000, Romania’s economic evolution registered a dramatic decline, and the documents for the negotiation chapters referring to the functioning market economy, internal market and the four freedoms were not approached in 2000, being forwarded to EU Council only in 2001. Consequently, Romania could not enter the road-map (the itinerary to be covered for negotiations stated by the European Commission). The French Foreign Minister Hubert Vedrine’s declaration accelerated the setting of a road-map for Romania and Bulgaria, representing an acknowledgement of the progresses registered by Romania in terms of economic reforms and the need for supplementary political support. This road map for Romania is extremely beneficial, especially at the current juncture when Romania has proceeded to substantive negotiation.

Reporter: It is well known that when Greece, Spain and Portugal acceded to the European Union, they had not registered very good economic results. Their admission into the EU was mainly an act of political will. Why should this not be applied with other countries, too?

Vasile Puşcaş: We should not forget that Spain, Greece, and Portugal joined the Union during the Cold War, in a period when EU enlargement was considered an act of political will, important in the context of European unification. We are therefore talking about a different geopolitical and geostrategic environment which implied the necessity of persuasion mainly in terms of political decisions rather than economic ones. The current situation is not identical with regard to the reasons and criteria for EU enlargement. The criteria established at Copenhagen in 1993 and other European meetings stressed some political aspects, implementation of the *acquis communautaire*, the functioning market economy criterion, the capacity to cope with competition in the EU internal market, and administrative capacity. Candidate states should meet all these criteria and to prove able to act like EU Member States.

Reporter: What is the current stage of Romania’s accession to EU, at the beginning of 2002?

Vasile Puşcaş: The Ministry of European Integration and the National Delegation of Negotiations for Romania’s Accession to the EU were created by a government decision, therefore ensuring the substantiation and coordination of Romania’s preparation for accession to the European Union, as well as the coordination of the accession negotiations. While the “political” chapters were mainly approached in 2000, with a low volume in terms of *acquis communautaire* (Statistics, Small and Medium-Sized Enterprises, Science and Research, Education, External Relations, Common Foreign and Security Policy) in 2001, the strategy of the National Negotiation Delegation approached all the negotiation chapters, focusing on the economic chapters, which had not been approached in 2000. Consequently, negotiation preparations focused on the essential chapters related to fundamental freedoms, the Free movement of goods, the Free movement of capital, and the Free movement of people. However, the transmission of the position papers for the other chapters
referring to the Single Market meant building a functioning market economy and preparing the negotiation chapters referring to major economic sectors, and economic and social cohesion. Very difficult chapters such as Environmental Protection, Agriculture, and Regional policy and Co-ordination of Structural Instruments were also approached. We planned to integrate as much as possible of the negotiation preparations into the road map proposed at Nice (1999). Moreover, we monitored the level of accomplishing the commitments taken on by the position papers (failure to fulfil commitments undertaken by these position papers can lead to serious consequences, from the reopening a provisionally closed chapter to the interruption of the accession negotiations). In order to become more efficient in the negotiation process at the internal level, the National Delegation of Negotiations for Romania's Accession to the EU had discussions with the Parliamentary parties, the Parliament Committee on European Integration, trade unions, business associations, and non-governmental organisations. At the foreign level, permanent technical consultations took place with the European Commission, at chief-negotiator level and among the negotiating teams of the candidate countries, as well as consultations with the EU member states. In 2001, the focus was on internal preparation, both quantitative and qualitative. We practically demonstrated that Romania was approaching a accession across the board and that we had comprehensively focused both on internal development aiming at preparing accession and on the evolution registered at the EU level, the shift to European policies being considered an essential feature in the European integration process. By the beginning of 2002 Romania had opened 17 negotiation chapters, provisionally closed 9 chapters, and forwarded to the EU Council the position papers for all the 29 chapters defined by the EU. All these factors correspond to an acceleration of the negotiation strategy.

Reporter: What are Romania's priorities regarding the pre-accession process in 2002?
Vasile Pușcaș: In 2002, and specifically during the Spanish Presidency of the EU Council, our concern will focus on several factors, mainly qualitative ones: opening all the negotiation chapters by no later than the end of 2002, and the provisional closure of as many
chapters as possible, monitoring the implementation of the commit-
ments taken on during negotiations, providing an efficient communic-
ation with Romanian society, EU member states and candidate states, 
and preparing the domestic and foreign negotiation environment. We 
hope that during the Spanish Presidency we will be able to conclude 
egotiations for the following chapters: Free movement of capital, 
Customs union, Culture and Audio-visual Policy. In terms of competi-
tion, the Transport Policy and the IT&C Policy have registered impor-
tant progress. Remarkable progress has also been registered in Taxation 
Policy, and after passing the VAT Law we are to reach the final stage 
of negotiations for this chapter. In order to meet these targets, mea-
ures to be taken at the internal level aim at reaching a significant level 
of adoption and implementation of the *acquis communautaire*, and im-
proving the monitoring of the degree of fulfilment of the commitments 
made in the position papers, including adopting and implementing the *acquis*. We will continue to develop collaboration with the Parliament-
ary political parties, Parliamentary committees, unions and business 
associations, civil society and academia, with a special focus on the 
position papers’ content and on identifying solutions to special probl-
ems, including the transitional periods, which will assist progress in 
negotiations. In political-diplomatic terms, we intend to intensify dia-
logue with the EU, through continuation of technical consultations 
with the European Commission, improving the information flow to-
wards and from the European institutions in order to support and ex-
tend the positions formerly established during the internal process of 
inter-institutional preparation, upgrading the joint actions of the Mini-
stry of European Integration and the Ministry of Foreign Affairs, 
strengthening the institutional capacity of the EU Permanent Mission 
in Romania and of Romania’s Embassies in Member States.

*Reporter:* The annual Country Report issued by the EU for 2001 has 
also been the subject of much discussion. What is the real signific-
ance of this Report?

*Vasile Puşcaş:* The Report issued by the European Commission for 
2001 is a useful instrument for structuring the strategy of Romania’s 
accession to EU negotiations and for the reforms which are to be ini-
tiated in the future. Romania is now considered a credible negotiat-
ing partner. Romania’s 2001 country Report is more favourable than
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The European Commission shows that for the first time Romania is one of the candidate countries registering important progress in the accession process. Progress both in terms of political and economical criteria was stressed. Important progress were also registered in the field of human rights. The reform of child protection is being carried out with visible results, and important new legislation was adopted in the field of property restitution and the treatment of refugees. Important progress was also registered in economic terms. While the 2000 Report stated that “Romania did not substantially improve its economic development opportunities”, in the 2001 Report progress registered in evolution towards a competitive market economy and macro-economic stabilisation was extensively detailed. The economic evolution registered in 2001, the increases in GDP and exports and the reduction of inflation were all considered positive signals transmitted by Romania to the Union. Romania will implement strategies in certain domains, such as agriculture, aiming at strengthening administrative capacity, rural development, productivity and the improvement of product quality. The creation and development of infrastructure in the field of the environment and the implementation of non-polluting technologies are certainly priorities. We will continue to restructure industry and we will extend the privatisation process. The government is also working hard to strengthen the financial and banking system and to improve fiscal discipline, necessary for accelerating negotiations for the next chapters: Free movement of services, Free movement of capital, Economic and Monetary Union. In the government meeting on 17th January 2002 a comprehensive programme was adopted involving all the ministries aiming at accelerating Romania’s preparations for EU accession in accordance with the Commission’s remarks and suggestions. This plan includes specific measures and institutions, and sets precise deadlines. We want Romania to be an important player in the process of EU enlargement. In order to achieve this goal we are ready to make sacrifices and to make commitments which we know we can meet. We have to approach this process responsibly, being aware that we can reach our goal only by work, careful management and intelligence.

Reporter: As of 1st January 2002, Romanians may travel without any visa requirements through West European countries. What do
you consider will be the short and medium term effects of this well-deserved liberalisation of Romanians’ right to travel in Western Europe?

**Vasile Puşcaş:** The lifting of visa requirements has major effects at both the social and economic level. By this liberalisation, opportunities in some economic sectors, such as SMEs and services, will develop, and the degree of mobility among students and scholars will increase. Romanian and foreign investors will easily participate in exchanges of experience, training, and specialisation in the EU states. Consequently, foreign investors will feel encouraged to come and invest in Romania. But the most important success is the fact that Romanians have no reason to feel restricted any more in relation with the EU and other candidate states' citizens. The lifting of visa requirements demonstrates that Romania and Romanian citizens are treated as trustworthy partners. From now on we have to demonstrate that we are capable of honouring this trust and meeting European standards.

5. **EU enlargement - the last hundred metres or the last chance (5)**

“EU Enlargement, the last hundred metres or the last chance?” was the main theme of the annual meeting of chief negotiators from the candidate states, taking place in Maastricht on 4th March 2002. The conference, which also brought together members of the Enlargement Directorate of the European Commission, analysed the situation of the negotiation process during 2001, the problems that appeared and made plans for 2002.

The Chief Negotiator of Romania with the EU, Mr. Vasile Puşcaş, presented the situation of the Romanian negotiation process with the European Union, focusing on the eight chapters presently opened by our country. In his speech “The Romanian position regarding the open chapters”, Mr. Vasile Puşcaş outlined the main positive and negative aspects, and expressed his belief that the institutions and Member States of the European Union will treat the candidate states without discrimination regarding the negotiations and the integration process towards the European Union.

While for the *Free movement of capital* the terminology, defini-

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tion and classification of the capital flow has already been accepted, Romania, like all the other candidate states, must ensure the liberalisation of the market by securing the right to purchase land by citizens of EU Member States. At the moment, only judicial persons with partly or wholly foreign capital have the right to become landlords in Romania. Because this necessitates a modification of the Constitution, Romania has asked for a transition period of 15 years from the date of accession to the EU (a period to be reduced to seven years) for the right to acquire agricultural land and forests by foreigners, and a transition period of 5 years for building land.

Plans for the Competition chapter envisage continuation of the liberalisation, restructuring, decentralisation and privatisation process for public utilities, as well as improvement of the efficiency of the authorities regulating the activities of telecommunications, transport, energy and postal services. For the implementation of the acquis communautaire in the field of antitrust policies a high priority is assigned to strengthening the administrative capacity of the Competition Council.

In the field of Transport a number of problems that appeared during the negotiations process were highlighted; these are related to road transport, the internal navigation system and the granting of licences to air transporters. The cost of completing the road infrastructure was estimated at 15 billion Euros for the period 2001-2015. In the first quarter of the present year two laws will be drafted: one regarding the implementation of the decisions of the European Parliament and Council regarding the development of the Trans-European road transport network, and the other one referring to the modification of the law for local taxation and the continuation of efforts concerning the restructuring and privatisation of the Tarom company.

In Taxation, the biggest problem Romania is facing is that linked with the strengthening of the administrative capacity of the managerial bodies involved. The main measures to be taken by the Government in the period to come will be those regarding the implementation of the VAT Law, the gradual reduction of the number of operations exempted from VAT and those with a zero quota. Excise duties are expected to align gradually with those present in the EU.

Concerning the Social Policies chapter, by the end of 2002 Romania will draft a new Labour Code that will include all the EU laws
existing in this field. The government has already adopted the necessary legislation related to social security, and the Council for combating discrimination has been established. Together with the continuation of structural reforms in the health service, the government’s list of priorities for the first semester of 2002 also contains the adoption of the Law regarding the equality of opportunities between men and women, the Law on Trade Unions and the Law concerning insurance against accidents in the workplace and occupational diseases.

In the field of Telecommunications and IT, Romania has registered progress in the liberalisation of telecommunications services and the postal services. The IT market will be completely liberalised this year (the last restrictions related to voice telephony and rented phone lines will be lifted from 1st January 2003). Romania has already adopted EU regulations regarding the protection of personal data and their access. The second quarter of 2002 includes plans for the establishment of a National Authority for the Regulation of Telecommunications.

In the Culture and Audiovisual field Romanian legislation is at an advanced stage of harmonisation with the norms and regulations existing at the European level, special attention being given to strengthening administrative capacity. Romania participated in the “Eureka audiovisual” programme concerning the organisation and functioning of a European television station.

For the chapter dealing with Customs Union, the *acquis communautaire* can be found almost entirely in the Romanian legislation. The application norms of the simplified procedure for paying customs duties have been reshaped and the Romanian Government will continue to take further actions concerning border security and management, customs cooperation and combating fraud and corruption. Special attention will be given to the implementation of the EU Integrated Tariff through the modernisation of the IT infrastructure and the customs communication system.

At present Romania has opened 17 negotiation chapters, nine of which have been closed, and submitted position documents for all 29 chapters. During his speech in Maastricht, Mr. Vasile Puşcaş assured EU representatives that the Romanian authorities are aware that for quick acceptance into the Union the number of chapters opened is less important than the degree of compliance with the integration criteria that must be fulfilled.
6. EU and Romania - partners in the negotiating process (6)

Reporter: Minister Pușcaș, Romania started this marathon of the integration process from a relatively unfavourable position. At present huge efforts are being made to make good our shortcomings. I would like you to highlight what has been achieved, the chapters of negotiation still open, and those set for discussion in the coming period.

Vasile Pușcaș: At present Romania has opened 24 chapters and provisionally closed 11, which means that we are approaching the stage where all chapters have been opened. This is the objective we stated for 2002. We also hope to close more than half this year. Concerning our preparation, we should not neglect the fact that Romania officially handed in the position papers only at the end of the last year. The drawbacks are not only due to the situation of the economy, legislation and institutions, but also to the bureaucratic analytical process itself. Having delivered the position papers to Brussels we are now starting to accelerate our work. In the two negotiation sessions during the Spanish presidency we succeeded in opening six important chapters, provisionally closing two very important chapters and, of course, negotiations continue in June at ministerial level. What happened during this presidency gave us hope that we are on the right track and this motivates us to accentuate our efforts in this direction. Why am I saying this? We opened negotiations on the Free movement of persons and the Free movement of goods, which coincides with the objective we set for the present year and starts the creation of the necessary framework and market prospects that should help Romania advance quicker towards a functioning market economy.

We also opened the very difficult chapters of Environmental policies and Justice and Home Affairs. The same goes for the chapter on Regional Policies, which is very important due to the implications it has for other chapters. We provisionally closed the chapter dealing with Social Policies, which is positive mainly because it shows that we are prepared to enter the European labour market at standards solicited by the EU. During this session, we also opened and closed the chapter dealing with Institutions. This chapter is important for us because it confirmed, if confirmation was needed, the content of the

Treaty of Nice. For us the Nice Treaty made clear what our institutional destiny will be when Romania becomes a full member of the European Union. Closing such a chapter is very important for our country, especially if we bear in mind the present debate going on in Europe and the fact that European institutions are undergoing a restructuring process. After 2004 Romania will become an active observer, which will bring us closer to European institutions. This is why this chapter is extremely important for us - it helps us better foresee our institutional trajectory until and when we become full members.

**Reporter:** These are technical aspects of the negotiation. I cannot help asking the question: to what extent one can look behind the negotiations? What do you think is the general atmosphere with the European partners in Brussels?

**Vasile Puşcaş:** I would say that everybody is looking to comply with each other’s interests, in the sense of aligning our own interests with those of the European Union. Still, there are moments when the negotiations are extremely intense, partly because European policies are themselves in a very important transformation phase. We should not neglect the debates going on in the fields of Energy and the CAP. We have to cope with EU dynamics, all the distinct voices the member states articulate towards such Community policies and our own dynamics of aligning ourselves with EU policies. This requires a very pragmatic and efficient dialogue with the Member States.

**Reporter:** I would go one step farther: do you have the feeling that these negotiations are carried out with sympathy, reservations or even misgivings. I am interested, let’s say, in their internal “kitchen” concerning our position.

**Vasile Puşcaş:** I personally have the impression that these negotiations are being carried out between partners. This does not exclude difficult moments, but still the general atmosphere is one of partnership and the negotiation style is one of “win-win”, which presupposes that all the parts involved should win. Perhaps this is why we all have to put a lot of energy into the process; it is not easy to find the perfect solution. Our main interest is to have very efficient negotiations based on Romania’s geographical position and advantages in terms of national resources, which may be an asset for the European Union if used correctly. In this context the European Union is adopt-
ing a very analytical and critical view of the developments in our negotiations.

**Reporter:** Minister, recently there have been some critical voices concerning relations between the government and the press. For example, the World Newspapers Association, Medicines sans Frontières and even Amnesty International have made reference to highly sensitive subjects such as the integration of the Roma people, a very special case for Romanian social policy, the problem of institutionalised children and others. To what extent are such criticisms realistic, to what extent is the press overreacting and to what extent are perceptions different from reality?

**Vasile Puşcaş:** As far as the successes or failures of the press are concerned, I hope you are not expecting me to make an evaluation. I personally and the government were expecting a more partnership-oriented relations with the mass media, relations that would better facilitate communication not only with domestic public opinion but also with the international arena. If the two poles of power are having a less than efficient partnership the fault does not lie only with this government. I would like to state that we are sincerely interested in having a strong partnership with the press, as well as with civil society in general, because truly modern and efficient governance implies permanent communication between the actors involved. On the sensitive questions you mentioned I will give you my opinion as a negotiator. I am following all the criticisms appearing in the press concerning economical and social problems, but I also compare them with other parallel analyses and independent figures offered by prestigious research institutions. From the point of view of preparing the negotiations it is extremely important to have accurate information. As a negotiator I am concerned that all the policies we develop in correlation with European policies should have a strong impact here. This implies a constant effort of elaborating a framework of negotiation for each and every chapter. I would like to give you just one example. Recently agricultural problems were discussed. There were some important articles that signalled some very important problems, right at the moment when my team was making the necessary analysis concerning the quota regime that we will negotiate for certain products. In this case the media proved itself to be a great partner.
Reporter: Do you feel that there is a linkage between the partners or are they running the integration marathon independently, opening and closing chapters based on the results each state accomplishes?

Vasile Puşcaş: Concerning the administrative capacity we are evaluated on the Copenhagen and Madrid criteria and each of the candidate states wished to meet them as well and as soon as possible. The 1990s have shown that the international context can easily change and undergo specific developments that can cost Central European countries to varying extents. This is why I would assert that the states prefer to perform independently, but this does not exclude cooperation in areas where they can solve their problems better together. For example with Hungary and Bulgaria we have specific issues that we frequently analyse together, especially problems related to cross-border relations, Euro-regions and some specific questions related to negotiation chapters. Such cooperation leads us to better performances and lower costs. Negotiation is designed primarily to increase the efficiency of the way in which a state integrates. Concerning the actual negotiations I can tell you that one of the main principles is differentiation. I cannot tell you for sure whether the evaluators of the Copenhagen criteria are looking at the same elements when addressing another states. As far as Romania is concerned I can tell you that the evaluation is performed very precisely, one hundred percent in correlation with the accession criteria.

Reporter: To what extent is future European integration appreciated in its real dimensions by the Romanian public? Are there some coordinates that you could draw in this direction or is the EU regarded, as it was in the West, as an economic union, a kind of a creditor that supports the Member States? Is the EU considered an area of values?

Vasile Puşcaş: This perception exists of course in Romania. If we make a sum of the main perceptions regarding the European phenomenon we will observe that the public is interested in the standard of living, economic and social security, general European security problems and the cultural criteria and values attached to the European Union. The degree of interest in cultural ties with the European Union is larger in Romania than in other states, partly because of our neo-Latin features that help us understand our direct connection with the EU.
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From this perspective I would say that this would be one of the main reasons for the acceptability of the EU, even when the costs of integration are known. For us the costs of enlargement are equal to the costs of modernisation and reform. The public understands perfectly that this is the only way towards progress. As the Prime Minister said: what is good for Europe is good for us too, in terms of economic standards but also political criteria. We still have a lot to do concerning communication and certain concrete issues; this is why we address specific target groups. But we should not forget that such problems also exist in the EU and we hope that this strategy of communication will be integrated in our strategy of communication with the EU.

Reporter: Are we not talking here more about the fear of Western public opinion? Such fears existed and still exist, mainly due to concerns about an invasion by a more qualified labour force willing to work for lower wages. This faces the Western states with a serious integration problem. To what extent are you succeeding in assuring our European partners that after accession Romanians won't invade the EU?

Vasile Puşcaş: In 2001 and 2000 we all know what reputation the Romanians had. Even last year when we negotiated the lifting of the Schengen visa for Romanian citizens the fears you are speaking about were still there. They proved to be unfounded. Of course there are exceptions, accidents can be still found, but this is not the rule. In the 1990s the EU had one of its most extraordinary boosts due to the opening towards Eastern and Central Europe, a phenomenon that was accentuated even more in 1993 when the enlargement process was launched. Enlargement also represents a profit for the EU. On the other hand the European Union - and we strongly support this view – must and wants to become one of the most dynamic and valuable players in the context of globalisation. For this they need the dynamism shown the United States, for example, the flexibility this power shows on the market, and for this it also needs such influxes in the labour market. Our view is that enlargement will help the EU very much, not only by adding 500 million inhabitants, but also with economic development and especially commercial development.
7. Accession negotiations with the European Union and the Euro-Atlantic integration process (7)

Romania’s opting for European and Euro-Atlantic integration is relevant not only on a general economic (competitivity, economic stability, an enlarged market, economic welfare) and security level (proximity to the European security and defence policy and system, characterised by stability), but also in cultural and social terms (Romania could become part of a space characterised by tolerance, intercultural exchanges and non-discrimination).

Within the Government Programme, “The National Medium-Term Development Strategy for the Romanian Economy” and “The Economic Pre-Accession Programme”, European and Euro-Atlantic integration are strategic priorities in Romania’s foreign policy, whose fulfilment is related to the concerted efforts of government institutions, civil society, the business environment and every Romanian citizen.

European and Euro-Atlantic integration are becoming convergent processes and few aspects of Romanian domestic and foreign policy remain unaffected by this network of informal and institutionalised consultation and cooperation. The accession negotiations to the EU and the preparation for accession to Nato are distinct and separable issues and, at the same time, part of some processes that cannot be separated. The elements of connection regard questions related to the similarity of accession criteria, complementarity and the interconnection of the process in discussion to specific interest areas (with regard to chapters of negotiation) and instruments to be used. Impact issues are related more to the external framework that affects both the enlargement process and Romania’s preparation for accession to the European and Euro-Atlantic structures.

Connection issues

Diachronically, the EU went to a road unlike that of Nato with regard to its gradual trajectory toward integration and building supranational institutions and decision-making structures. While the Nato military structure was largely defined in the 1950s, the EU committed itself to fulfil a process that started from economic issues in order

The substance of negotiations

The substance of negotiations to fundament a political Union. A larger and stronger Union represents an efficient way of assuring the democratic stability of Europe, an objective similar to that of Nato, itself preoccupied with defence issue.

The EU and Nato eastward enlargement has become the key instrument in creating a new Europe and drawing the stability and security border to the East. Both processes are now involving Central and South-East European actors which under the Cold War rules were not questioned about their historical democratic affiliations and were excluded from the game of configuring the continental map.

Accession criteria

Both Nato and the EU have considerable experience in accepting new members. For the EU, the accumulative experience of accession waves has determined clear rules and procedures for states aiming at member state status, as well as defining preconditions for the economic, social and political reforms necessary to start accession negotiations. The same process is to be seen in the case of Nato, with the addition of the military compatibility criterion.

With regard to the EU, the Copenhagen European Council (June 1993) decided that the status of Member State presupposes the stability of institutions guaranteeing democracy, the rule of law, the observance of human rights and the protection of minorities, the existence of a market economy, the ability to cope with competitive pressures from the EU and the ability to take on the responsibility of membership, including adhesion to the objectives of political, monetary and economic union.

Furthermore, the Madrid European Council (December 1995) referred to the need to create conditions for a gradual, harmonious development of candidate states through the development of a market economy, adjusting the administrative structures and establishing a stable monetary and economic framework.

The Nato internal change and enlargement process was mainly determined by political imperatives (the agenda of democratisation and integration) and less by factors connected to military threats. Furthermore, more creative and less reticent in accepting new members, Nato has developed a series of partnership and stages facilitating the partial integration of aspirant states and maintained a high level of support. Implicit and explicit accession criteria have been
built. The former relate to the functioning of a democratic political system, the democratic control of armed forces, treatment of minorities according to the principles of democratic governance, a functioning market economy and military contribution to the Alliance. Explicit criteria are shaped with regard to contribution to Nato’s ability to bring force to bear in contingency areas, border management (ease of defence), the costs of cohesion with the Alliance and the ability to fulfil missions on consensus basis.

Thus, the accession criteria developed by Nato and the EU might be summarised through:

**NATO accession criteria**

<table>
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<tr>
<th>POLITICAL:</th>
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<tbody>
<tr>
<td>- stable democracy;</td>
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<tr>
<td>- political maturity;</td>
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<tr>
<td>- pluralism;</td>
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<tr>
<td>- respecting human rights;</td>
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<tr>
<td>- respecting minority rights;</td>
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<td>- respecting property rights;</td>
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<td>- respecting the rules of law.</td>
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<tr>
<th>ECONOMIC:</th>
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<tbody>
<tr>
<td>- functioning market economy;</td>
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<tr>
<td>- advanced economic growth rate;</td>
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<td>- rolling privatisation programmes.</td>
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<th>MILITARY:</th>
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<tr>
<td>- logistic and administrative capacity;</td>
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<tr>
<td>- strategic defence capacity;</td>
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<tr>
<td>- civil and democratic control connections between armed forces, MoD and Government, need for civil and military expertise in shaping defence policy, transparent and efficient monitoring by the Parliament;</td>
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<tr>
<td>- interoperability between armed forces: costs of new military structures and command systems, equipment modernisation and improving military infrastructure.</td>
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<th>GEOSTRATEGIC:</th>
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<tr>
<td>- geostrategic positioning (greater importance during the Cold War).</td>
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Certain EU and Nato accession criteria present a high level of similarity, particularly democracy, respect for human rights and minority protection. Specific emphasis is placed on the market economy, compliance with the *acquis* and the development of administrative capacity (political and economic criteria) in the case of the EU and geostrategy and security (military compatibility) in relation to Nato.

<table>
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<tr>
<th>EU accession criteria</th>
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<tr>
<td><strong>POLITICAL:</strong></td>
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<tr>
<td>- democracy and rule of law: Parliamentary activity, Executive activity, judicial system, anti-corruption measures fighting organised crime;</td>
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<tr>
<td>- human rights and minority protection: civil and political rights, child protection, other civil and political rights, economic, social and cultural rights, minority rights and protection.</td>
</tr>
<tr>
<td><strong>ECONOMIC:</strong></td>
</tr>
<tr>
<td>- functioning market economy;</td>
</tr>
<tr>
<td>- ability to cope with competitive pressures and forces from EU;</td>
</tr>
<tr>
<td>- ability to take on the responsibility of membership.</td>
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<tr>
<td><strong>ADMINISTRATIVE:</strong></td>
</tr>
<tr>
<td>- adjusting and developing administrative capacity.</td>
</tr>
<tr>
<td><strong>BEHAVIOUR:</strong></td>
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<tr>
<td>- sharing European values: tolerance, inter-culturality non-discrimination.</td>
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Even though this limited similarity stands for convergence and mutual sustaining power for the enlargement processes, the specific emphases underline the different essences of Nato and the EU: an intergovernmental defence alliance with a security changing mandate on one hand, and an integrated community (economically and socially) with the will to achieve greater political integration, on the other.

The requirements demanded of the candidate states for accession to the EU are much more stringent and difficult to implement than those necessary to accede to Nato, due to the more substantial body of rules, procedures and policies (the *acquis communautaire*) which the EU has accumulated over time and which defines the behaviour of the new member state.
Because Nato membership involves a special level of cooperation, trust and preparation for common operations, new and potential Member States must achieve a high level of inter-operability with the Alliance. The military forces of candidate states are thus analysed (through the Membership Action Plan) according to their ability to contribute to force projection missions, preparedness for actions and border defence.

The complementarity of the European and Euro-Atlantic processes

A point common to both integration processes is the fact that they are not elitist processes involving only governmental or academic elites. The government of Romania gives special attention to NGOs, think-tanks and other representative organisations of civil society. In other words, preparation for both processes is viewed as a societal development, involving citizens in decision-making processes and contact with public institutions. Strategies are devised to disseminate information to the public on the European and Euro-Atlantic processes.

Due to the comprehensive European procedures of evaluation (at a high level of credibility) of the domestic reforms being made by Romania, advancement in accession negotiations to the EU indicates surpluses also in Romania’s preparation for Euro-Atlantic integration. Any progress in preparation for accession to the EU is important for preparation for integration into Nato, and vice-versa. Up to a point, the same criteria apply to both preparation processes. While Nato membership emphasises the capacity of the state in question to project stability at a regional, European and Euro-Atlantic level, accession to the EU involves the existence of a functioning market economy and the ability to cope with competitive pressures from the EU.

Another point common to the European and Euro-Atlantic integration processes is that of mutual benefits - it is in the interest of the candidate states to accede to powerful communities and it is in the interest of Nato and the EU to achieve enlargement for the benefit of security and stability in Europe. Regarding Romania as a future EU and Nato Eastern border, the objectives and interests of both parties (ours and those of the EU and Nato) are convergent, the desired result being that of securing borders and reducing cross-border threats.

The activity of Romania at a regional and international level, including recent Osce chairmanship, have demonstrated Romania’s
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capacity to assume an active role in international peacekeeping missions (UN, Osce, Kfor and Spor), with a positive impact on both integration processes (European and Euro-Atlantic). Moreover, as a regional stabiliser and future EU external Eastern border, Romania is greatly contributing to the stability of Central and South-East Europe (participation in the Stability Pact for South-Eastern Europe, Osce and the Central European Initiative).

Internal preparation

Integration into the European and Euro-Atlantic structures becomes achievable only through the support given by a functioning market economy. Particularly in the EU accession negotiations, Romania has committed itself to implementing the *acquis communautaire* (for normative and functional cohesion within the future enlarged EU), and in the process of accession to Nato attention is focused on fulfilling MAP criteria (Membership Action Plan - strengthening defence capabilities).

Furthermore, in the process of accession to Nato, an important role is played by the foreign policy dimension: concluding bilateral agreements of good neighbourly relations, regulating territorial disputes and extending cooperation with neighbours, effective contribution with peacekeeping forces in Nato initiatives and regional initiatives.

The investments necessary for developing infrastructure and implementing the *acquis* are substantial. It is clear that not all candidate countries are in a position to commence these investments (transport corridors and road networks that will create a new connection system between member and candidate countries at the European level) before the accession time. Considerable demands are being made on national budgets, demands imposed by the continuous restructuring of industry, social expenditure and the privatisation process, investments comparable with costs of national defence (these costs become apparent with integration into Nato).

Romania’s strategy is to establish clear objectives for implementing the *acquis* in the short and medium term, related to the financial capacity and temporary framework in which measures would bring benefits. Foreign financial assistance could change the time-frame of implementing the procedures and rules of the European and Euro-Atlantic integration processes.
Both enlargement processes have a direct impact not only on Nato and the EU, but also on the whole of Europe. As specific features we can note structural changes, the modernisation process promoted at a domestic level (of preparing candidate states for accession to the European and Euro-Atlantic institutions) and emphasis on fulfilling specific “rational” criteria which are very different from the political and ideological dimensions placed at the centre of Cold War politics.

For example, compatibility with Nato forces entails more than just training and equipping the army. For the “Nato compatibility” chapter Romania must also approach command, control, communications, computers, intelligence, surveillance and reconnaissance (C4ISR), its capacity to receive reinforcements (infrastructure), to offer rapid support in certain missions (peacekeeping, peace enforcement, peacemaking), modifying and completing legislation in the field, integrating its information system. Regarding the general framework of harmonising its internal legislation with Nato norms, Romania plans to reform the legal framework for the transit and stationing of foreign troops on its territory.

Interconnections between specific issues of the chapters of negotiation in the accession process to the EU and the accession process to Nato

The necessity of following inclusive policies (political/economic instruments to provide a global approach to the new types of security risks and threats, especially regarding preventive diplomacy and civilian aspects of crisis management through cooperation and stabilisation processes) remains a topical question. Using these policies would represent an efficient way of providing security in Europe.

Given the different structures and means of achieving specific objectives, interconnections between the European (regarding chapters of negotiation) and Euro-Atlantic enlargement processes are at low levels of connectivity and visibility. There is a low degree of technical relation between chapter 27 “CFSP” and issues related to the Nato enlargement process, the interconnection being of an operational nature due to the common objective: the economic and political stability of Europe. In this framework, the harmonisation and efficiency of EU policies in the “EU + 15” format (Nato Member States but not part of the EU and candidate states for accession to the EU) can be more efficiently achieved. In the framework in which the
commitments taken on by EU Member States regarding military capabilities will be implemented, not only will the Union itself be strengthened, but also the European pillar of Nato - the keyword will remain “common action” (duplicated actions will not be in the interest of any party). Furthermore, the political and economic image of the Union would be equally balanced by its military weight.

The EU defence plans stipulate “compatibility with the existing Csdp within Nato”; the Rapid Reaction Force, accordingly designed and sustained, will lead to a much stronger institutionalised partnership between Nato and the EU. The degree of implementing of the EU-Nato institutionalised relationship (sharing responsibilities) on European security and defence and crisis prevention and management will determine the degree of efficiency of the security architecture.

The contribution to the Rapid Reaction Force is giving Romania the status of active participant in the European and regional stabilisation process, with a positive impact on both integration processes. From 2003, Romania will contribute with inter-operable forces to the EU rapid intervention missions. Moreover, it is possible for Cfsp and the Rapid Reaction Force to become the link for EU-Nato institutional cooperation through a common set of references and values. This framework is being redesigned in a context in which European public opinion is becoming more evidently favourable to a common defence identity supported by its own military force.

Another possible connection might be established through elements of Chapter 24 “Justice and Home Affairs” and shaping a space of freedom, security and justice. Strengthening border security policies represents a multiple impact element in both the EU and Nato accession processes. The connecting element is the permeability of the EU and Nato external borders and the increase in importance of the new cross-border security threats. Following Romania’s efforts in the management of illegal migration and securing borders, the IRA Council of December 6-7 2001 decided to eliminate visa restrictions for Romanian citizens in the EU member states as of January 1st 2002.

8. This commitment presupposes an improved package of resources for the EU in creating the Rapid Reaction Force (Rrf). This contribution is to be in agreement with the forces offered for supporting peace operations in Nato missions (another element of interconnection) = 3500 soldiers from all armed forces categories, as well as a series of military capabilities (ships and aircraft).
The events of September 11th 2001 determined a rethinking of national security concepts in view of increasing terrorist threats. Romania appreciates the fact that the anti-terrorism issue receives greater political impulse from the EU in the context of defining its future military capability.

Romania wishes to actively participate in implementing European anti-terrorism policy at a regional and European level alike. In this direction the following measures are considered: freezing financial accounts or other financial resources of persons who might commit terrorist acts, criminalising some acts committed in financial support of terrorist organizations, bringing terrorists to justice and operational information exchanges between member and candidate countries on related terrorist activities.

Chapter 26 “External Relations” represents another connection point between the European and Euro-Atlantic integration processes: developing trade relations to facilitate more solid anchoring into the European economic space. Romania considers that the EU can orient the results of political processes towards stability and peace at both regional and international level, through the setting positive or negative economic conditions (concluding trade agreements and providing aid imposing sanctions and embargoes). The desired result is to improve observance of certain political standards, such as democracy and human rights, outside EU borders.

Developing bilateral economic and political cooperation through the Romania-US Strategic Partnership has profitable results at national and regional level alike. Moreover, through the strategic objectives of the Partnership we can count on support in the preparation of Romania for accession to Nato, economic cooperation and the increasing contribution of Romania in assuring the security of Central and South-East Europe.

Another partnership established at trans-Atlantic level, between Romania and Canada, has connotations not only in bilateral economic relations, but also in the accession negotiations to the EU, drawing a strategic axis in terms of energy resources (the Cernavodă Power Plant and the project of developing a sub-regional integrated energy system), with an impact on the preparation of Chapter 14 Energy.

For Chapter 9 Transport, the inter-operability of land (roads and railways), maritime and air infrastructures has consequences both for
connection to the European transport network and defence policy with regard to the military modernisation process (providing logistics in the inter-operability of Romanian armed forces with those of Nato). Implementing the investment policy in infrastructure also depends on the arrival of additional international funds.

A close correlation between the European and Euro-Atlantic integration processes can also be identified in Chapter 19 Telecommunications and IT. Thus, upgrading IT systems to European standards represents an essential point on the agenda of the C4ISR system, with a direct impact on military security and defence policies. Furthermore, the gradual liberalisation of the telecommunications and IT market might lead to the alignment of Romania to the European (global) effort to develop an information society, since a high level of IT determines a higher capacity to evaluate risks and ensure security.

**Conclusions**

There is no formal causal link between the EU and Nato enlargement processes because whereas Nato is preoccupied especially with inter-operability and strategic and operational issues, the EU is concerned with the democratisation of armed forces in the format of an *acquis* in continuous change and development. Furthermore, considerable differences exist between Nato and the EU regarding the historical and institutional framework.

In the internal preparation plan and the European and Euro-Atlantic integration processes, the EU accession negotiations are relevant to the Nato accession process: the farther we advance in accession negotiations with the EU, the more predictable and credible we will become in the Nato accession process and vice versa, the final result being registered at an international level. Thus, the positive developments registered in the EU accession negotiations by submitting position papers for all chapters of negotiation and fixing clear objectives (opening all chapters of negotiation in 2002 and provisionally closing as many as possible) are also affecting the sphere of Romania’s accession to the North-Atlantic Alliance.

The enlargement processes denote transformations within Europe and determine changes in the candidate countries not only economically, politically and socially, but also in terms of behaviour. The evaluation criteria of candidate country performance in both enlarge-
ment processes have become comprehensive. Furthermore, we can notice a convergence in values, beliefs and actions. The connectivity of the European and Euro-Atlantic structures means that Europe has understood that its security has become indivisible.

Equal and efficient participation and cooperation between these two organisations, coupled with the possibility of launching operations with Nato capabilities under EU political responsibility will lead to a clearer institutionalised formula of the role of Europe in the management of European and international security. Moreover, by developing European military capabilities in key areas, institutionalised cooperation at European and Euro-Atlantic level between the EU, Nato and the Usa will substantially contribute to the sharing of global security responsibilities.

8. Facing accession to the EU. Issues and perspectives (9)

Because of the debate I have had with my advisors in the last few days, I have to start with a confession. I insisted strongly on changing words in the title. Perhaps the word “problems” does not reflect the real sense of the impact of accession. I opted finally for “issues”. Still, after careful consideration, I think “challenges” would be more appropriate. Why challenges? Because Romanians love challenges? This might be one of the answers. My opinion is that the new Romania is much more pragmatic than may be seen from outside.

We know what accession to the EU means. We are aware of the fact that we will have to face costs. On the other hand, we also expect benefits from accession. However, from a rational perspective, the costs of non-integration would be much higher than the costs resulting from accession to the EU.

It is clear that accession to the EU is not based on a cost-benefit analysis. True, one might say that accession to the EU is an essential objective of our policy. This should not be regarded as government policy only. We are not negotiating on behalf of the government only. Accession to the EU is an objective for all Romanians. It is not the responsibility of the government and political parties only. Romanians want to join the EU. That is empirical, concrete evidence,

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not an abstract consideration. It comes partly from the desire to complete transition, to ensure economic security, to increase living standards and to embrace a new level of civilisation.

We know we have to prepare ourselves. We are aware of the challenges ahead. And work does not scare us. Romania started in 1989 from a centralised, autarchic economy and opted for a functioning market economy.

In our journey we Romanians have learned how important competitiveness is. If we do not enter the EU with certain fields in which we are competitive, the costs will be huge. We cannot afford that. In this respect, we have to rely on fields in which we have certain comparative advantage. We have tried to enhance our potential. Romania has oriented itself towards domains in which we have the potential to be competitive, by developing the productive domains and fields with big added value. The success stories developed during recent years in the information technology sectors make us confident in the opportunities and competitiveness of this sector on the EU market.

Another priority is to create better transport, environment and energy infrastructures, to develop human resources and to increase employment and social inclusion. In agriculture, our aim is to diversify the rural economy through higher productivity. The reform of the Common Agricultural Policy and the increased importance given to rural development could be an impetus for Romanian agriculture, for agricultural services, agro-tourism, etc.

Balanced progress in all regions is another objective. By the end of this year we will revise the Law on Regional Development to put in place the administrative capacity to manage structural funds.

During the present government’s term of office, Romania has so far achieved a sound macroeconomic stability. Since 2001 Romania has registered one of the highest levels of economic growth in the region, despite the European and world economic recession.

For 2003, economic growth is expected to increase by 5% compared to last year’s figures. We also expect to register a decrease in inflation to 14% by the end of the year, and the budget deficit is targeted to reach 2.7% of GDP. Investments have increased by 6.7% compared to 2002.

Privatisation has continued at an accelerated pace. We have privatised important state-owned companies such as Siderurgica, Trac-
torul, Aro, and an important part of one of the most important banks, the Romanian Commercial Bank (with IFC and EBRD).

We realise how important a stable business environment is. In this respect, we have focused on enforcing the competition acquis and reforming our administrative procedures. Last week the Romanian government decided upon a timetable to eliminate barriers to the free movement of services.

On 15th October, for the first time during the transition period, the Romanian government concluded a Stand-by Agreement with the IMF, important for maintaining macroeconomic discipline. All indicators are within the targets adopted by the government and agreed with the International Monetary Fund.

The Regular Report issued by the European Commission on 5th of November 2003 states that Romania can be considered as a functioning market economy. I would like to quote here what Commissioner Verheugen said in the European Parliament: by “analysing the structure and the performance of Romania’s economy of today, Romania is a functioning market economy. But we can testify that Romania is a fully functioning market economy only when the present phase of reform is continued in certain areas, so the final certificate will come next year”. In addition, a vigorous and sustained implementation of the structural reform programme should enable Romania “to cope with competitive pressures and market forces within the Union in the near term”. The Report recognises our economic progress and encourages us to continue the reforms.

We have analysed all the recommendations of the European Commission. Tomorrow the government will approve the Action Plan for European Integration (December 2003-December 2004). By the end of November, this plan will be analysed with all political parties in a Forum for European Integration chaired by the President of Romania. The economy is important for Romania. There is no doubt about that.

But we have also focused on the legislative framework, strengthening administrative capacity and consolidating the independence of the judiciary.

In order to ensure the legislative framework for EU accession, we have revised the Constitution. This creates the legal framework for completing the accession negotiations and signing the common Accession Treaty. Several issues dealing with negotiations and ac-
The substance of negotiations

cession to the EU have been taken into account, including the right of EU citizens to vote and be elected in local public administration bodies, and the purchase of land and property. Also, the Constitution provides the right for Romanian citizens to vote and be elected to the European Parliament, and the possibility to replace the national currency with the EU currency. A large majority of Romanian citizens approved the referendum for the revised Constitution, proving the desire of Romanians to join the EU.

On the reform of the judicial system, the new Constitution achieves many of our objectives. It guarantees property rights and states the separation and balance of powers, promptness in dealing with judicial case and fair trials. It also consolidates the Superior Council of the Magistracy and its role in appointing, promoting, transferring and disciplining judges. The same Council also performs the role of a disciplinary court. According to the revised Constitution, the State shall be held economically liable for damage caused by judicial errors. Moreover, the state will not exclude the liability of magistrates, who shall be personally liable for any damage caused by exercising their office in bad faith or with gross negligence. The new strategy for reforming the judicial system and the adopted legislation on judicial organisation ensure independence and impartiality and improve efficiency of judicial acts and procedures.

In recent years significant progress has been recorded in the fight against corruption. We have established the legislative framework and the institutional structures are already up and running. We aim at ensuring transparency in the public and private sectors in order to prevent corruption.

The results achieved by the National Anti-corruption Prosecutor’s Office shows we are making progress. From September 2002 to October 2003 the average weekly number of files under investigation at central level was 350, and at territorial level 450. Other bodies involved in the fight against corruption - prosecutor’s offices, the Ministry of Justice and the police - have obtained good results in this field, even against high-ranking officials.

One of our biggest challenges is administrative capacity. We are interested in deeds as well as words. Special attention is being paid to restructuring public administration. The new legislative package clearly defines the conditions for exercising public functions and
ensures the transparency of the decision-making process. The institutional framework for implementing the Strategy to Reform Public Administration is already operational.

We know much has to be done. It is in our interest to do it. I think that is the only way to reach the objectives proposed: to complete negotiations in 2004 and join the EU in 2007.

The Strategy Paper for Romania and Bulgaria established a clearer framework for signing the common Accession Treaty by the end of 2005, and concluding the accession negotiations in due time before that.

However, to complete accession negotiations in 2004, at the beginning of that year the Commission has to propose a financial perspective for Romania and Bulgaria. The Strategy Paper stated that the Commission’s proposals would be based on the existing acquis as well as on the principles and methodology underlying the financial framework developed for negotiations with the ten acceding countries. The Commission will then propose to the Council common negotiation positions in the fields of agriculture, regional policy and budgetary issues in accordance with that approach.

We are encouraged by the following statement in the Strategy that “Bulgaria and Romania should not find themselves in a net budgetary position on accession which is worse in comparison with their situation in the year before accession as beneficiaries of pre-accession funds”. This approach helps us better to explain internally the costs and benefits related to accession.

It is important for negotiations to continue to be based on the same principles as for the 10 acceding countries. Romania and Bulgaria are part of the same inclusive and irreversible enlargement.

We already know that current enlargement has a positive effect not only on the European Union but also on neighbouring countries, e.g. the Western Balkans.

Implementing the new neighbourhood policy of the EU brings the opportunity to pay special attention to building an open Europe. That includes non-member countries, through stability pacts, regional cooperation, cooperation and partnership programmes, as well as alternatives for building and developing new economic relationships (with impact upon geopolitical options in the region).

The accession of Romania and Bulgaria to the EU will be a suc-
The substance of negotiations

cess story for the Western Balkans and will encourage countries in the region to step up their efforts in preparing for accession.

We are already aware that preparation for accession has to be done at home, by every citizen.

We know how important the support of an experienced partner is. Especially when it shares a lot of common values in our history, culture, economy and politics. And this is obvious when we mention the German minority in Romania, which is a European bridge between the two countries. Or when we take into account economic structures such as the Romanian-German Chamber of Commerce or the Romanian-German Economic Cooperation Council. And these are only two success stories of economic cooperation. I will stop here. But I could go on.

We count on the support of Germany for Romania’s accession to the EU. That is visible not only at the decision-making level. But it may also constitute a possibility to redefine our national identity, to build a new identity, a new Romania, a new Europe.

9. What major accession challenges remain for Romania? What will the accession of Romania mean for the EU? (10)

Allow me to begin by saying that the title of the presentation is quite appropriate, especially when we speak about Romania’s road to accession. I say that because it refers exactly to the situation we face. Accession to the EU is a challenge for all countries involved in the European integration process. And I believe the Romanians can rise to the situation.

When the accession negotiations began we established an accession timetable. We wanted to join the EU in 2007. Let me tell you why, or rather, how we see the accession negotiations and how we understand preparing for membership.

Accession negotiations are not a game for us. They are not mathematical modelling scenarios. Moreover, accession to the EU is not an end in itself. Joining the EU does not mean that we Romanians will stop working.

Instead, accession is nothing but European recognition of the success of our internal reforms. It means thorough economic and political preparation to be part of the future Europe.

We know that joining the EU does not mean only benefits. We are aware of the responsibilities deriving from EU membership. After all, we do not want to join the EU only to benefit from its funds. We have passed through a long period of transition and economic reconstruction, and we did it by ourselves.

What challenges do we see for Romania in the European integration process?

First, I would like to mention three domains in which we are concentrating our efforts: continuing economic reform, judicial reform and the fight against corruption.

As regards the economy, during this government’s term of office Romania has achieved a sound macroeconomic stability. Since 2001 Romania has recorded one of the highest levels of economic growth in the region. In the first quarter of 2004, the GDP increase (6.1%) is far above that recorded in the same period of the previous year (4.4%). This evolution is partly determined by gradual integration into the European market.

Beside sustained economic growth, I have to emphasise that the disinflation process has continued in the first five months of 2004. Thus, rates below 1% were registered for four consecutive months, so that at the end of May 2004 the inflation rate reached 3.1% as compared to 4.8% for the same period of 2003.

The interrelation between negotiations and preparation for accession is evident. For example, the status of functioning market economy, to be addressed in the Regular Report of the European Commission, is of great importance for completing the accession negotiations in 2004. Furthermore, the bankruptcy, competition and state aid laws adopted by the Parliament, the privatisation of the Petrom Company and the ongoing privatisation of the energy sector, as well as economic growth, make us optimistic that we can obtain this status.

Judicial reform is another focal point of our efforts, involving the establishment of the appropriate framework, strengthening administrative capacity and consolidating the independence of the judiciary. Our priority for 2004 is to reform the judiciary (the laws are under parliamentary procedure), to establish specialised courts (com-
The substance of negotiations

...and to upgrade the IT systems in courts.

The fight against corruption is an important priority in the negotiations on chapter 24 - Justice and Home Affairs. Special attention is being paid to strengthening the National Anti-corruption Prosecutor’s Office, functional since 2002. The number of people accused of corruption in 2003 is over 1500. Amongst those convicted of corruption are magistrates, policemen, guards, customs officers, public servants etc. We acknowledge the fact that corruption is not a problem that can be solved overnight, but a process that requires time, education and continuous attention.

We see a strong connection between Romania’s challenges ahead and the impact of European enlargement. We are sure that Romania will join the EU in 2007. That was reaffirmed in the conclusions of the European Council this month. Romania [and Bulgaria] is an integral part of the ongoing round of enlargement that is both “inclusive and irreversible”. Moreover, the Union reaffirms its determination to close negotiations with Romania in 2004, on the basis of own merits.

Practical work on drafting the common Accession Treaty will begin in few days. The Romanian team for drafting the Treaty is already established. We are optimistic about concluding negotiations in 2004, signing the Accession Treaty in 2005 and joining the EU in 2007.

Naturally, our optimism does not only come from the Romanian mentality. It is based on concrete facts. Technically, we are prepared to close negotiations in 2004. Last week the European Commissioner on Enlargement, Mr Günther Verheugen, shared our optimism. We know that much still has to be done.

What challenges do we see in negotiations? Part of the financial package is already negotiated, and we have provisionally closed Agriculture and Financial and budgetary provisions.

For Agriculture, we have focused on obtaining the best results in five strategic sectors: rural development, base areas for cereals, animals, the wine sector and agro-industry (sugar and milk), fields where national incentive measures have also been implemented. We consider that our results are satisfactory. Romania obtained 4.7 billion Euro for agriculture for the period 2007-2009, of which 3.921 billion Euro for Eaggf (Guarantee Section), and approximately 0.8 million Euro estimated for the projects funded from structural funds...
As you can see, the largest amount of funds (3 billion Euro) is oriented towards rural development in order to meet the new CAP criteria and to progressively reduce the disparities between rural and urban areas, to create new jobs through absorption of the unemployed workforce in off-farm sectors (services, industrial processing of agricultural products, agro-tourism, etc), and to develop rural infrastructure.

We still have a huge task ahead. We will pay special attention to increasing awareness and educating farmers and the authorities in matters of agricultural projects, the CAP, and improving the quality of products. Romania now has the appropriate framework for agriculture and has to work very hard in order to establish the required institutions, to meet all the veterinary health standards, to amalgamate land properties, to produce at the level of negotiated quotas and to be competitive.

As regards the financial package, in 2007-2009 Romania will receive a certain amount of money from the EU budget for agriculture, for structural actions and for Community programmes, up to 11 billion Euro in commitments, of which approximately 6 billion Euro in payments. Thus, during 2007-2009, we may have an inflow of funds from the EU budget of approximately 2 billion Euro per year.

According to present estimations, Romania’s contribution to the EU budget will be of approximately 800 million Euro per year in 2007.

We intend to close Regional policy, the other chapter from the financial package, during the Dutch presidency. The institutional framework has been designed and legislation adopted with a view to ensuring, as of 2004, the proper staffing of the structures with responsibilities in this field. The Ministry of Public Finance has been designated as the Managing Authority for the Community Support Framework and the Cohesion Fund. Romania wants to complete the establishment of all institutions for the management of EU funds by the middle of 2006.

As regards the Energy chapter, 40% of the electricity and natural gas market has been opened, and trade in these products has been liberalised.

The 2004 State Budget ensures the necessary financial resources for implementing EU legislation in the field of building up crude oil
and petroleum products stocks, nuclear safety and the coal sector restructuring process. We intend to continue privatisation of the energy sector, restructuring the mining industry, and to reduce the arrears.

In the field of Chapter 3, Free movement of services, we have adopted most of the *acquis* concerning financial services (banking, insurance and financial securities) and started to amend the legislation concerning the investment-services and securities markets. For the next period, other laws are to be adopted by Parliament, and our priorities are on strengthening the surveillance capacity in the field of financial services (regulatory institutions: the National Bank of Romania, the Insurance Supervisory Commission and the National Securities Commission).

For the Competition chapter, the legislation is entirely harmonised with the *acquis*, comprising competition and state aid laws, free zones, the mining law, etc. The competition legislation will prevail over any anti-competitive legislation. The Competition Council is the supreme authority in the field, approving all state aid.

For the Environment chapter, the level of transposition of the environmental *acquis* into national legislation has reached almost 90%. Staffing levels at the central and local authorities responsible for environment protection have been increased, especially at the regional and local level. Special attention is being paid to increasing awareness and educating the public in matters of environmental policies and strategies, as well as increasing the awareness of local authorities and companies regarding environmental project management, in order to build a public-private partnership in this field.

As regards the chapter Justice and Home Affairs, the amendment of the Constitution in October 2003 created the basis for judiciary reform, which will be completed by adopting a number of laws. Furthermore, considering Romania’s position as a future external border of the European Union in 2007, border management is another priority for us. The government has allotted 100 million Euro from the 2004 budget in order to secure the Eastern and Black Sea border.

As you can see, we are technically prepared to complete negotiations. In this respect, it is important for the negotiations to continue according to the same principles as for the 10 acceding countries.

However, we are aware of the fact that in negotiations there are always two sides. Consequently, we have asked ourselves the follow-
ing question: what does the EU stand to gain by completing the enlargement process with Romania and Bulgaria?

On the one hand, Romanians want to join the EU. That is pragmatic, concrete evidence. It partly comes from the desire to end transition and to ensure economic security and a good standard of living.

On the other hand, what are the effects on the EU? We already know that the current enlargement is having a positive effect not only on the European Union but on neighbouring countries, e.g. the Western Balkans. I believe Romania can make a serious contribution in this respect. Furthermore, Romania and Bulgaria’s accession to the EU will be a success story for the Western Balkans and could encourage countries in the region to step up efforts in preparing for their accession.

Effects will also be seen in the EU. Romania’s accession will bring benefits for the EU by increasing the Internal Market (by 22 million consumers), creating new opportunities for European companies (which will find in Romania an economic environment governed by the same rules), and facilitating economic expansion towards South-Eastern Europe, Russia and Central Asia (due to Romania’s geo-strategic position).

What would be the costs of postponing accession in 2007? First of all, it could damage the confidence of economic investors, affecting economic growth and increasing the gap between Romania and EU countries. In addition, Romania has invested in new institutions to implement the *acquis*. Delaying accession would mean important opportunity costs. By postponing the date of accession, the EU will probably experience an increase in the number of migrants to EU Member States from Eastern countries, and greater costs for stabilising the Balkans and other neighbouring countries.

In conclusion, Romania has good reason to observe the commitments made in the negotiations, to keep up the pace of its internal reforms and join the EU in 2007. We have to work hard, not only to complete negotiations and prepare ourselves for accession in 2007, but to continue to prepare for European integration. It is in Romania’s own interest to be very well prepared in 2007 in order to draw the maximum benefit from the first day as EU member.
The substance of negotiations

10. Romania and accession negotiations with the EU (11)

There is no news for anybody: Romania is increasingly seen as an important regional and European actor and that is true not only from a geo-strategic position but also from a geo-economic one.

Nevertheless, this change in stature does not belong only to external dynamics or opportunities. There is no doubt that Romania has worked hard in the last few years. There is a new Romania back home, completely different from the Romania we knew a decade ago; a Romania that is also contributing actively in shaping the future Europe. And I would like to refer here to the signing this month of the European Constitution. Romania made its contribution to the making of it. That is a true indication of the European conscience of Romanian citizens (see annex 5).

But it should not be understood that our connection with Europe is limited only to participating in the project on the future of Europe and signing the European Constitution.

We Romanians are deeply aware of the momentum carrying us towards 2007. In this respect, we understand that we have to work hard in order to be a reliable member of the European Union. These results are recognised in the recent Regular Report.

Which brings me to another point I want to consider. It actually looks more like a dilemma: whether to present the conclusions of the Regular Report, or to give you the guidelines of the way we envisage to act in order to respect the proposed timetable of accession.

Let me refer to both questions. In brief, Romania is an integral part of the enlargement process that was launched in 1997. Moreover, this year’s Regular Reports shows that further progress has been made in implementing the Copenhagen criteria. Romania continues to fulfil the political Copenhagen criteria. The criterion of being a functioning market economy is also fulfilled and the implementation of a structural reform programme should enable Romania to cope with competitive pressure and market forces within the Union.

Practically, taking into consideration the progress achieved, the track record in implementing the commitments assumed in negotia-

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tions, and the preparatory work in progress, the Commission is expecting both Romania and Bulgaria to fulfil the economic and *acquis* criteria and to be ready for membership by 1 January 2007.

Furthermore, the Commission will closely monitor how we meet our commitments made in negotiations. That brings us to the second question, the way we understand the ongoing preparation for accession to the EU.

We are well aware that comprehensive monitoring will continue even after negotiations are concluded. That is not news to us. I believe Romanians will be up to the challenge, mainly because Romanian citizens do not see accession to the EU as an end in itself. Accession will not mean that they will stop working. I think many Romanian citizens are increasingly regarding accession to the EU as a recognition of the success of internal reforms.

That is one of the perspectives that inspired the government in formulating a negotiating strategy. Accession negotiations are neither games nor mathematical modelling scenarios. They respond to the needs of Romanian citizens. In sum, they reflect the thorough internal political and economic preparation made by Romanians. The Regular Report is a clear example in this respect.

The 2004 Regular Report on Romania’s progress towards accession is of great relevance to the conclusion of the accession negotiations in 2004 and consequently, Romania will focus on the implementation of the measures pointed out.

The Regular Report provided effective guidelines for us in preparing a Plan of Priority Measures for the following two years, based on which reforms will continue with a focus on fulfilment of the Copenhagen accession criteria.

I have no doubt that Romania will respect its commitments and, notwithstanding the challenges posed by the electoral campaign, the implementation of the *acquis* will continue for all negotiation chapters.

At present, three chapters are still under negotiation: Competition, Environment and Justice and Home Affairs, as well as some parts of chapter 31 - Other.

What are the timeframes for these chapters and what actions have we taken?

With regard to Competition, steps have been taken to ensure the full harmonisation of legislation in the field (the State Aid law, the
The substance of negotiations

legislation on deprived areas and the Fiscal code were amended) and strengthening of administrative capacity (focusing on specialised training for personnel). Furthermore, special attention was paid to the implementation of the acquis (the results are visible especially in the field of anti-trust regulations and State aid).

As regards Environment, at the September Conference on Accession, the first part of the chapter was provisionally closed and solutions have been found for 5 of the 11 Directives for which Romania has requested transition periods.

A few days ago, on 11th October 2004, Complementary Position Paper II and six Implementation Plans for the remaining 6 Directives (concerning waste management, industrial pollution and water control) were officially submitted.

With regard to Justice and Home Affairs, Complementary Position Paper II was submitted on 15 July 2004. Answers were also provided to additional questions on data protection, migration, terrorism and visa policy and a task force under the direct guidance of the Chief Negotiator was established in order to respond swiftly to any additional questions coming from the European Commission.

Strongly related to developments in the field, on 29th September 2004 the prerogatives of the Ministry of Justice on the independence of the judiciary were transferred to the Superior Council of the Magistracy, thus consolidating the independence of the judicial system and preventing further political interference in judicial matters. In addition to that, specialised courts were established (for example in the field of trade litigation) and special attention is being paid to training magistrates in the field of Community law.

With regard to the fight against corruption, progress is being recorded in the adoption of legislation in the field (prepared in cooperation with civil society: the law on conflict of interests, the law on access to public information) and strengthening the respective institutions. In 2004, the Anti-Corruption National Prosecutor’s Office, the Ministry of Interior and Administration and other institutions initiated trials of almost 5000 corruption cases, involving high-ranking civil servants in central and public administration and the judiciary, business and political environments.

As regards the chapter Other, Romania informed the Accession Conference on its position regarding Schengen and Cash Flow Faci-
lities and asked the EU to return to these issues at an appropriate mo-
ment.

As stipulated in the Strategy Paper, the objective of the EU and Romania is to sign the Accession Treaty as early as possible in 2005 in order for it to enter into force on 1st January 2007.

Practically, that means successfully concluding accession negotia-
tions in 2004. We express our confidence that the European Council of December 2004 (at the latest) will decide the conclusion of the ac-
cession negotiations with Romania.

In this respect, Romania appreciates Austria’s constant support during the negotiation process. Furthermore, we are positive that there will be further support from Austria for concluding negotia-
tions this year and signing the common Accession Treaty as early as possible in 2005.

In fact, work on the Accession Treaty has already begun. In July this year, elaboration of the Draft Accession Treaty was initiated in collaboration with the working groups established at the European Commission and the EU Council levels.

To date, the Romanian side has prepared, verified and submitted to the European Commission a series of elements to be included in the Accession Treaty for 20 acquis chapters. Additionally, following the request of the EU Council, the final agreement of the Romanian side was put forward for a total number of 10 acquis Chapters.

To conclude, we are almost done with the procedural aspects of accession negotiations and are at an advanced stage with the com-
mon Accession Treaty.

However, we know we still have much work to do. Take, for ex-
ample, the economic perspective.

We have come a long way since 2000, in terms of reforms, both structural and economic. In this respect, the status of functioning market economy, granted by the Commission in the recent Regular Report, is not only a recognition of our internal efforts and progress, but equally an important stage in fulfilling the Copenhagen criteria.

This achievement was based on concrete economic developments such as a solid growth rate (on average 5% per year, with almost 7% for 2004), the reduction of arrears (over 0.8% of GDP in the first half of the year), decreasing inflation (from over 40% at the end of 2000 to approximately 9% by the end of 2004). These developments were
also accompanied by falling unemployment rates and the consolidation of the industrial and service sectors. As a result of these evolutions, the Romanian market continued to open gradually. Therefore, over 70% of our commercial relations are oriented to the EU-25.

In terms of legislative harmonisation and implementation of the *acquis*, I would like to mention the implementation of competition and bankruptcy laws, which generate the operational framework for a competitive market economy.

That signals another important point on the government agenda for the next period - the ability to cope with competitive pressures in the Internal Market. For us, this is an ongoing process and Romania’s competitive position has been gradually consolidated as the structural reform program continues.

Special attention will be paid to consolidating the competitive environment, both in terms of institutional capacity and business infrastructure. In order to ensure the predictability of the business environment we will closely follow our disinflation policy guidelines and further consolidate financial discipline.

However, the solution cannot be structured at macroeconomic level only. We have to concentrate also on consolidating the judiciary and strengthening its institutional capacity, as a solid basis for developing a sound business environment. That task does not fall solely to the government. Companies too have to develop new perception mechanisms in order to be able to act efficiently in a dynamic and highly competitive market.

We have found the Regular Report to be a valuable instrument in shaping our internal preparation guidelines. In a few days we will prepare a Plan for Priority Measures to be used during the following two years. We are committed to continuing preparations in order to join the EU 1st January 2007. And this will be successfully achieved only if our preparations are systematically made.

The Regular Report recognised what we already knew. We have made important progress and demonstrated our ability to prepare systematically for membership. We are steadfast in our determination to continue this work.

Of course, preparation for accession is mainly an internal process. However, external support is necessary to keep candidates on the right track. In this respect, Romania greatly appreciates Austria’s un-
stinting support for the enlargement process and particularly Romania’s accession to the EU.

We reassert our commitment to enhance bilateral cooperation on accession negotiations, thus setting the prerequisites for fulfilling the main objective of effective accession in 2007. Last but not least, I believe that the consolidation of bilateral cooperation will help improve the partnership between Romania and Austria, with a positive impact from the regional and European perspectives.

11. Romania and European Union membership (12)

I would like to focus on what has been achieved up to now, as we have achieved much. However, I believe it is more important to give details about our future plans, about the way we understand preparation for EU membership.

Let me point out the progress acknowledged by the Regular Report and Strategy Paper of the Commission, published on October 6th, which shows clearly that the accession negotiations are now at the very end. On this occasion we welcome the support given by Germany to our effort to conclude accession negotiations.

The Report recognises that Romania has fulfilled the Copenhagen political criteria, has a functioning market economy and is expected to fulfil the acquis criteria and be ready for membership by January 1st 2007.

The progress made by Romania is also recognised by the Report of the Committee for Foreign Affairs and Human Rights of the European Parliament, a report which confirms the accession calendar, recommending the closure of accession negotiations this year in order to allow the signing of the common Accession Treaty early next year and accession in 2007.

I believe this report is a balanced one, showing the progress we have made and the efforts remaining to be made. We are aware of the fact that completing the accession negotiations implies a proper status of internal preparation.

What priorities do we have during the period 2005-2007? Simply stated, I believe they can be summed up in three main directions: implementing the acquis, monitoring the implementation of the commitments made in negotiations and communication in our internal preparation for accession.

Our focus on implementing the acquis has been directed especially towards the consolidation of the business environment. Here I would like to mention the implementation of competition and bankruptcy laws, which generate the operational framework for a competitive market economy. Further attention will be paid to consolidating the competitive environment, both in terms of institutional capacity and business infrastructure. In order to ensure the predictability of the business environment we will closely follow our disinflation policy guidelines and further consolidate financial discipline.

The predictability of the Romanian business environment is well understood now by German investors. Clear examples are the 16% increase in trade between Germany and Romania, a 22% increase German exports to Romania, and the presence in Romania of approximately 12000 German firms. These are some of the developments emphasised at the Romanian-German Economic Forum which took place in Essen in November 2004.

Germany is now Romania’s second biggest trading partner and the third biggest foreign investor. We hope Germany will become the top foreign investor and trade partner in Romania. That was the message of Prime Minister Adrian Năstase when he emphasised the importance of passing from political and project-oriented cooperation towards a strategic economic partnership.

We have come a long way since 2000 in terms of structural and economic reforms. That is explicitly manifested through the presence in Romania of German companies like EON Ruhr Gas, Metro Cash&Carry, Media WAZ, EADS, Allianz and Continental.

Moreover, rating agencies (Fitch) have recently included Romania in the “investment grade”, thereby acknowledging the reality of the international financial market.

For this year we envisage economic growth of 8.1% and once the privatisation of Petrom is completed, we expect direct foreign investments to reach €3.3 billion, double the 2003 total. From January to September 2004, consumer prices rose by only 6.6%, that is 3% below
the rate recorded a year earlier, the budget deficit was reduced to 1.6\% and the unemployment rate dropped to 6.0\% in September.

We are aware that internal preparation for accession is a process that will not end with the conclusion of negotiations. Romania will continue to comply with the commitments made in the process of negotiation. We have understood that we still have to make efforts in ensuring the independence of the judiciary, in fighting against corruption and in continuing economic reforms.

In this respect, the prerogatives of the Ministry of Justice on the independence of the judiciary have been transferred to the Superior Council of the Magistracy, thus consolidating the independence of the judicial system and preventing further political interference in judicial matters. In addition to that, specialised courts have been established (for example in the field of trade litigation) and special attention is paid to training magistrates in the field of Community law.

As regards the Law on the Superior Council of Magistracy, it is worth mentioning that the Ministry of Justice benefits from Phare assistance, the twinning partner being Germany.

With regard to the fight against corruption, progress is being recorded in the adoption of legislation in the field (prepared in cooperation with civil society: the law on conflict of interests, the law on access to public information) and strengthening the respective institutions. In 2004, the Anti-Corruption National Prosecutor’s Office, the Ministry of Interior and Administration and other institutions began trials on almost 5000 corruption cases, involving high-ranking civil servants in central and public administration and the judiciary, business and political environments.

We are aware that proper administrative capacity represents the key to full implementation of the acquis and will continue to improve our administrative and operational capacity in all areas for ensuring an effective, stable and transparent administration.

Thus, consolidating administrative capacity represents a major objective for Romania, as it will mean compatible horizontal and vertical reforms.

We still have a long road ahead of us, but we are determined to go on. Germany has always been an important partner of Romania through the twinning programmes, making an impressive number of proposals each year. We hope this cooperation will continue in the
The quality of the proposals has been very good, justifying a high rate of success. Twinning projects are extremely important for us and I think it is essential that they continue in areas where expertise in the private market is lacking, namely in the field of Justice and Home Affairs, the fight against corruption, the banking system and health insurance.

Permanent monitoring is being carried out of implementation of the commitments made in negotiations. We are aware that preparation for accession has to start from the local level. In this respect, we have established departments for European integration in the local administration, with exclusive responsibilities in monitoring the implementation of the acquis. Their information is centralised and reports are made directly to the Prime Minister.

It is generally acknowledged that accession to the EU is not a government task only, but involves the whole society. This principle guided the government in the process of increasing the transparency and the level of information and communication on the subject of accession negotiations, as well as in involving a wider social spectrum.

In this respect, the negotiation team has carried out consultations with social actors: labour unions, business associations, political parties, NGOs and the academic environment. These consultations have produced visible results: clear examples of cooperation are the consultations with the NGOs on Chapter 22 - Environment, with labour unions on Chapter 13 - Social Policy and Employment, with business associations on Chapter 7 - Agriculture.

This form of cooperation and the involvement of the entire Romanian society in the negotiation process took an important step forward through the establishment, in January 2004, of the Consultative Council for Negotiating Romania’s Accession to the EU. At present, more than 100 organisations are in our database, representing political parties, labour unions, business associations, civil society and academia. Twelve meetings have taken place on different chapters of negotiation, helping the negotiation team with feedback on sensitive issues in negotiation.

Two of the negotiation chapters - Ch. 22 (Environment) and Ch. 31 (Others) - were provisionally closed at the Conference on Accession on November 26th. With 29 chapters out of 31 provisionally
closed, we hope to conclude the negotiations in 2004, with a view to
signing the Accession Treaty as early as possible in 2005.

What arguments do we have in our favour? The fact that we are
working hard, and our arguments in this direction are supported by a
solid preparation.

In this process, Germany has been one of our closest friends, sy-
stematically supporting the Romanian effort in the European inte-
gration process. This fact, together with the hope that we will witness
a positive decision in this respect, was also emphasised this week by
the Prime Minister of the Berlin Brandenburg Land and the President
of the Bundesrat, Mr Matthias Platzeck.

As a friend, I thank you for the assistance given in the accession
negotiations so far. And I believe Germany will support us in our
effort to provisionally close the two remaining chapters - Compe-
tition and Justice and Home Affairs - before the end of the year.

We are confident that the ratification process of the Treaty of Ac-
cession, in 2005, will consolidate Romania’s position as a friend for
Germany, this time from within the European Union.
Annex 1

The institutional structure

NATIONAL GOVERNMENT

Consultative Council for European Integration

Commission for Social Dialogue

Inter-ministerial Committee for European Integration

Executive Committee for European Integration

Negotiation Delegation

Romanian Mission to the EU

Parliament

Ministry of Foreign Affairs in Member States and Candidate States

Working Groups (29)

Line Ministries
Annex 2

Romanian accession negotiation with 15 EU member states
Annex 3
Romanian accession negotiation with 25 EU member states
Annex 3
Romanian accession negotiation with 25 EU member states
Annex 4

General framework for negotiation

EUROPEAN UNION

COUNCIL OF EUROPEAN PARLIAMENT

COREPER

RECOMMEND COMMON POSITIONS

ADOPT THE COMMON POSITIONS

NEGOTIATION TEAM

CANDIDATE COUNTRY

EUROPEAN COMMISSION

INTER-GOVERNMENTAL CONFERENCE FOR ACCESSION

FINAL NEGOTIATIONS

PRESENTS OWN POSITIONS TO

NEGOTIATION CHAPTER

There is in direct relation with the candidate country to find the answers to the questions during the negotiation process
Annex 5
Stages of Romanian accession negotiation to EU

<table>
<thead>
<tr>
<th>Presidency of the EU Council</th>
<th>Opened chapters</th>
<th>Provisionally closed chapters</th>
</tr>
</thead>
</table>
| The Portuguese Presidency (sem.I/2000) | Ch. 16 - Small and Medium Enterprises  
Ch. 17 – Science and Res.  
Ch. 18 – Education and Train.  
Ch. 26 – External Relations  
Ch. 27 - Foreign & sec. pol. | Ch. 16 - Small and Medium Enterprises  
Ch. 17 – Science and Res.  
Ch. 18 – Education and Train.  
Ch. 26 – External Relations  
Ch. 27 - Foreign & sec. pol. |
| Total presidency | 5 | 5 |
| Total general | 5 | 5 |
| The French Presidency (sem.II/2000) | Ch. 6 - Competition  
Ch. 12 - Statistics  
Ch. 19 – Telecommunic. and information technology  
Ch. 20 - Culture & audiovis. | Ch. 12 - Statistics |
| Total presidency | 4 | 1 |
| Total general | 9 | 6 |
| The Swedish Presidency (sem.I/2001) | Ch. 4 – Free mov. of capital  
Ch. 5 – Company law  
Ch. 8 - Fisheries  
Ch. 9 - Transports  
Ch. 25 – Customs union | Ch. 8 - Fisheries |
| Total presidency | 5 | 1 |
| Total general | 14 | 7 |
| The Belgian Presidency (sem.II/2001) | Ch. 10 - Taxation  
Ch. 13 – Social pol. & empl.  
Ch. 23 – Consumers and health protection | Ch. 5 - Company law  
Ch. 23 - Consumers and health protection |
| Total presidency | 3 | 2 |
| Total general | 17 | 9 |
| The Spanish Presidency (sem.I/2002) | Ch. 1 – Free mov. of goods  
Ch. 2 – Free mov. of persons  
Ch. 11 – Economic and Monetary Union  
Ch. 14 - Energy  
Ch. 21 – Regional Policy  
Ch. 22 - Environment  
Ch. 24 – Just. and Home Aff.  
Ch. 28 – Financial Control  
Ch. 30 - Institutions | Ch.13 - Social policy and employment  
Ch. 11 - Economic and Monetary Union  
Ch. 30 - Institutions |
<p>| Total presidency | 9 | 3 |
| Total general | 26 | 12 |</p>
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<th>Ch. 15 - Industrial policy</th>
<th>Ch. 19 – Telecommun. and information technology</th>
<th>Ch.20 - Audiovisual policy</th>
<th>Ch. 25 - Customs union</th>
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<td>Ch. 19 – Telecommun. and information technology</td>
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<td>Ch. 1 – Free mov. of goods</td>
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<td><strong>The Italian</strong></td>
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<td>Ch. 2 – Free mov. of persons</td>
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<td>Ch. 28 - Financial control</td>
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<td>Presidency</td>
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