



Occupations introduced in the Classification of Occupations in Romania at EIR's request

We have the pleasure to announce that in July 2010, the European Institute of Romania received, from the Ministry of Labour, Family and Social Protection, the notice in favour of updating the Classification of Occupations in Romania (COR), by introducing the occupations of **linguistic reviser**, **legal reviser**, and **terminologist**.

The occupations of linguistic reviser and terminologist will be included in the Basic Group 2444 "Linguists, translators and interpreters" and will be given the code numbers 244409 and 244410, respectively.

The occupation of legal reviser will be included in the Basic Group 2429 "Legal experts unclassified in the previous basic groups" and will be given the code number 242915.

The above codes may be used provisionally until the publication of the Joined Order of the Minister of Labour, Family and Social Protection and of the President of the National Institute of Statistics in the Official Gazette of Romania, Part I.

The introduction of these occupations is beneficial to the whole translations community – practicing translators, theorists, students. At the same time, an act of justice is done regarding these highly sensitive professions, which are necessary on the labour market, not only in the sense of filling some positions but, especially, in the specialised training for such positions. We are convinced that our initiative is going to add professionalism and quality on the translations market, which, in the end, means added value.

At present, the Translation Coordination Unit (DCT) of the European Institute of Romania is working on the occupational analysis in order to draw up the professional standards, a complex operation which involves taking interviews, elaborating questionnaires, observing and recording specific activities.

We would like to take this opportunity to thank universities, professional institutions and associations for their support in our initiative of updating the COR by introducing the occupations of linguistic reviser and legal reviser, terminologist, and to invite those who are interested in translations to collaborate in the elaboration of the professional standards.

Translation Coordination Unit

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Agnes Nicolescu, *Noul concept strategic al NATO – Un test pentru relațiile transatlantice/ NATO's New Strategic Concept – A Test for Transatlantic Relations, Working Paper IER Series, no. 26, Institutul European din România Publishing, Bucharest, 2010, 54 p.*

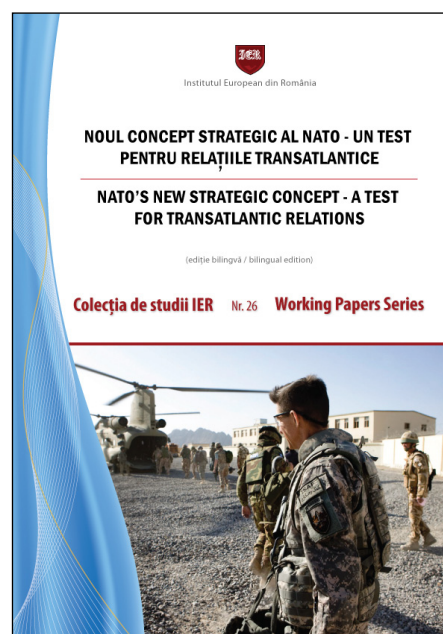
NATO's credibility and efficiency are directly influenced by the manner in which its new strategic concept tackles and proposes solutions for managing the fundamental and structural issues that will affect the short and medium term engagements of the North Atlantic Alliance. The major challenge of this new strategic concept is to find that sensitive balance between ensuring the capacity of deterrence and defence against potential aggressors and providing security guarantees credible to member states as well as Russia, Alliance's main partner. The present work addresses both the experts and the general public, non-specialised, but interested in the international security issues, presenting a clear and synthetic perspective upon the factors that influence the taking of decisions in sensitive fields such as the relations with Russia, out-of-area defence and nuclear deterrence.

The current transatlantic relations play an important role in drafting the new strategic concept, relations marked by a discrete presence of Europe on the international arena and by developing a global perspective upon the current security dangers. The European Union has to reinvent itself in terms of security level, as it often has a discordant approach, inconsistent with its long and medium term strategic interests. That is manifest in the co-operation, or, more appropriately, in the lack of co-operation, between NATO and EU in conflict areas, where the military operations (engaged by NATO) and the civilian ones (engaged by EU) are not coordinated.

The European Defence Agency, through its structure and objectives, is able to complement NATO in those areas where the Alliance is lacking, such as: research, armaments co-operation, creating a competitive European military market, developing the Community defence capabilities. Moreover, the European Defence Agency enjoys a positive perception, and is able to intermediate the relations between the former Cold War enemies, respectively Russia and NATO.¹

Nuclear weapons still remain a political option both strategically and economically, allowing to avoid very destructive conventional wars and a costly conventional arms race². They must not be ignored when elaborating the NATO strategic concept. Even though the nuclear weapons function only in relation to rational actors, there is a powerful pressure in the favour of maintaining a force of utmost deterrence. It is desired that the emphasis fall upon the importance given to the nonproliferation and control of the nuclear weapons, without overlooking the mutual security commitments. Without minimizing these new directions of the NATO policy, the nuclear deterrence should remain an important aspect of the transatlantic security under the lack of efficiency of the non-proliferation regime with various state and non-state actors. Moreover, the new NATO

member states „consider that the presence of the American nuclear weapons in Europe is vital for demonstrating the earnestness of the US commitment towards the security of the Alliance.”³



In an interdependent world, NATO must take into account the other global actors, such as China or countries from South-East Asia. China's military consolidation causes concern at global level, putting pressure on the guarantees offered by the American security system. In this global game of security relations, the opinions and comments stated by the countries from the "New Europe" have a more and more important role. Poland is an active player of the Alliance, providing a theoretical framework of analysis marked by its geopolitical experience and sensibilities. The major challenge, in the Polish opinion, consists of understanding the fact that "the allies perceive security in a different way". Russia continues to be a subject of interest to Poland, to the entire transatlantic community as well.

This paper manages to coherently synthesise the main arguments expressed at the level of the North Atlantic Alliance, offering a well documented starting point for future debates organised at national level, referring to the future of the Alliance.

Mihai Sebe

European Studies and Analysis

¹ Agnes NICOLESCU, *Op. cit.*, p. 11

² Kenneth WALTZ, *Peace, Stability, and Nuclear Weapons*, Policy Papers, Institute on Global Conflict and Cooperation, UC Berkeley, 1995, <http://escholarship.org/uc/item/4cj4z5g2>

³ Agnes NICOLESCU, *Op. cit.*, p. 17

The issue of *EU-27 Watch*, no , July 2010

In July this year, the **Institut für Europäische Politik** in Berlin published the 9th issue of the *EU-27 Watch*, publication which comprises contributions from all Member States of the European Union, including Romania. The publication offers a perspective upon the current national debates with regard to the European policies in the 27 member states and four candidates,

on a set period of time, respectively December 2009 – May 2010. The themes tackled in the 9th issue of *EU-27 Watch* refers to: implementing the Lisbon Treaty, enlarging the EU and the European Neighbourhood Policy, the financial crisis and the economic policy, as well as the environment and energy policy. The Romanian contribution to this publication was drafted by the European Institute of Romania, the sources used to write the material are official documents, written press and analyses and reports elaborated by civil society representatives.

EU 27-Watch has been monitoring the debates concerning EU policies for 12 years, providing a series of documents with regard to the national perspectives on European issues and it represents a unique source for analyses and opinions. The Romanian contribution at the 9th issues presents the major discussion themes emphasized at level of the Romanian society, such as: implementing the Lisbon Treaty and the institutional changes it brought about; the perspectives and limits of the EU enlarging process; the modernisation possibilities provided by the Eastern Partnership for the Republic of Moldova and Ukraine; the financial crisis and

its reverberations in South-Eastern Europe, the Europe 2020 Strategy and the debate raised by the objectives assumed by Europe concerning the reduction of greenhouse gas emissions. The last section, dedicated to the Romanian contribution, mentions the constitutional review, the anti-missile defence system and the Danube Strategy as relevant themes for the Romanian public discourse in the analysed period of time. This section, unlike the previous one, where there were the themes

proposed by the editors, offered the authors the possibility to include the subjects they considered most interesting and representative for the Romanian society.

In the Romanian contribution of *EU-27 Watch* a special attention was given to the reports on the economic and financial crisis, but also to the debates on the continuation of the EU enlargement process in the future, by Croatia's accession, as well as the analysis of the results of the December 2009 Copenhagen conference. Amongst the aspects tackled in this last chapter we mention the emphasis on the necessity of ensuring an increased independence against the traditional energy sources, as well as the analysis of the real possibilities of Romania to achieve the set objectives at European level for reducing greenhouse gas emissions. Thus, despite the initial expectations, the quota that our country can realistically assume as regards reducing gas emissions is 20%

The new issue of the *EU-27 Watch* publication, which includes the

Romanian country report elaborated by the European Institute of Romania, is available at www.EU-27Watch.org.

Agnes Nicolescu
European Studies and Analysis



¹ EU-27 Watch", no. 9, July 2010, www.EU-27Watch.org, p. 11.

Guide for the translation into Romanian of the case-law of the European Court of Human Rights

The harmonisation of the national legislation with the regulations of the European Union is, at the same time, a purpose and a means for the convergence to the European values. The study of the case-law – that of the Court of Justice of the European Union (CJUE), as well as that of the European Court of Human Rights (ECHR) –, apart from the compulsory character in certain cases, must represent a constant professional preoccupation for the practitioners or theorists of law, as well as human rights scholars. In the context of a legislative ensemble, which is often contradictory, generated by the major changes and by the increasing need for reformation at all levels of social life, the Court has recently pointed out the reasons for the national legal uncertainty, more precisely, “the lack of legislative coherence and the contradictory case-law regarding the interpretation of certain normative aspects”.

The *Guide for the translation into Romanian of the case-law of the European Court of Human Rights* came from the need to render the translation and revision of the ECHR case-law more efficient, a project initiated in January 2009 as a result of the protocol between Romania's Superior Council of Magistracy (SCM) and the European Institute of Romania (EIR). The EIR Translation Coordination Unit's experience of over 10 years in translating and revising the *acquis communautaire* has shown that, besides the professional skills of the persons involved and the advanced technical means, the quality of the translations and the working rhythm largely depend on the existence of common translation and revision rules observed by all those involved in the project.

Although similar in structure to the *Romanian Style Guide for the Use of Translators of the Acquis Communautaire* (introduction to the specific legal context, selection of certain aspects of Romanian usage, specific terminology, annexes, references), this work is conceived with the specific purpose of harmonizing the terminology and the norms of translation and linguistic as well as legal revision of the ECHR case-law translated into Romanian.

The *Guide* is structured in five chapters and six annexes and it does with references and a list of websites which are useful to translators.

The *first chapter*, introduces a series of basic notions regarding the European Court of Human Rights (short history, present situation, issues



of the cases against Romania, identification of cases, as well as some issues regarding the procedure before the Court). The *second chapter* presents the structure of both the decisions regarding admissibility and the decisions regarding the substance. The *third chapter* includes general aspects of Romanian, considered relevant in a translation process, and the *fourth chapter* presents the translation conventions adopted for the terminological and stylistic harmonization. The *fifth chapter* alphabetically lists 754 recurrent terms and phrases from the ECHR case-law, their presentation comprising the indication of their reference in the text of the convention, as well as their thematic classification in the matter of Human Rights.

In the *first two annexes* contain integrally the **Convention for the Protection of Human Rights and Fundamental Freedoms**, as it was modified by additional protocols, including the Protocol No. 14 of 13 May 2004, as well as the Rules of Procedures of the Court, the form in force on 1 June 2010. The modifications are shown by footnotes presenting the previous versions as well as the date after which they were no longer in force.

The *third annex* shows the fundamental rights and freedoms of people provided for in the Convention and in the Additional Protocols No. 1, 4, 6, 7, 12 and 13.

The *fourth annex* comprises, for a better understanding of the mechanisms which govern the Strasbourg Court, three graphs presenting the steps taken for the disposal of a case, the course of an application and the method of application of the decisions.

The *fifth annex* is a list of the 47 judges who constitute the European Court of Human Rights. Finally, the *sixth annex* comprises eight models of decisions of admissibility and judgements.

This work is intended to provide translation solutions for concepts and notions of the Romanian legal jargon, which have been through a reverse process of interlingual rendition – Romanian, French and English –, as well as new meanings. Moreover, we offer explanations regarding the choice of certain linguistic constructions and we present the main particularities of wording the ECHR decisions.

Without proposing an exhaustive approach, we are hopeful that this publication will serve its guiding purpose for all those interested in the matter of Human Rights in general, and in the translation of the ECHR case-law in particular.

Costin Leonard Fălcută
Translation Coordination Unit

Guide for the translation into Romanian of the case-law of the European Court of Human Rights, First edition, coord. Laura Ana-Maria Vrabie, authors: Gabriela Andreea Andreica, Costin Leonard Fălcută, Oana Gherăsoiu-Roșu, Alice Anca Olaru, Daniela Livia Rădulescu; foreword Răzvan Horațiu Radu – Under Secretary of State in the Ministry of Foreign Affairs, ECHR Governmental Agent; cover Gigi Mihăiță; European Institute of Romania, Translation Coordination Unit, Bucharest, 2010, 255 p.
ISBN 978-606-8202-01-3

¹ Păduraru against Romania, point 99.

RJEA, tome 10, no 3

The third issue of RJEA in 2010 tackles key issues from themes such as the post-crisis recovery, antitrust law, consumer welfare, WTO, electoral communication, agricultural policies, the Balkans, the Eastern Partnership and religion.

Alain Lamassoure, is Member of the European Parliament - Chairman of the Committee on Budgets, Former Minister with special responsibility for European Affairs (1993-1995) and former Minister with special responsibility for the Budget, and Government Spokesman (1995-1997). He analyses the consequences of the crisis on the European economy. The well known MEP states that the crisis is not the root cause of the collapse of the European Union's economy; it is its revealing sign. The protectionism temptation has not been overcome at the European level, and yet Europe is the right path towards overcoming the crisis. Moreover, Lamassoure argues that the economic policies coordination has to involve National Parliaments.

Elena Isac, graduate of the Academy of Economic Studies and the Faculty of Law from the University of Bucharest, completed a Master in Economic and Legal Studies at Central European University from Budapest. Ms **Isac's** paper investigates the planned damages actions for breaches of EC antitrust law in order to assess their impact on consumer welfare. It first examines the current legal situation and concurs that the European Union needs to regulate damages actions for breaches of EC antitrust law so that a higher number of consumers could be compensated for their losses. The paper concludes that the planned damages actions for breaches of the EC law will be an improvement compared to the current situation.

Costin Rogoveanu analyses the features of WTO dispute settlement with an emphasis of the standing of the European Union. Mr **Rogoveanu** is a professional diplomat, and currently he is a PhD candidate with the Academy of Economic Studies of Bucharest, studying the dispute settlement mechanism of the WTO. According to Mr **Rogoveanu** the WTO has an innovative system of dispute settlement. Another level of analysis endured in this article concerns the standing of the EU in the WTO, in general, and in the Geneva proceedings for dispute settlement, in particular. Upon the author, one of the main challenges of the mechanism is the implementation of decisions. In the view of the cases assessed, while the execution record of the EU is a quite satisfactory one, it is apparent that implementation of decisions in more intricate cases creates difficulties at the Union level.

Marie-Luce Ghib, PhD candidate, and **Marielle Berriet-Sollic** professor at UMR INRA-ENESAD, Cesaer, Paris, conducted a research on the agriculture in Romania. Summarizing their work one can state that today Romania focuses mainly on the restructuring and the modernisation of its agriculture, exactly like the other older member States of the EU in 1962, at the beginning of the CAP. The article draws parallels between different types of production structures in Romania, as they can be defined with the current statistical apparatus, and the objectives aimed by the principal measures



of the rural development policy. It concludes with an analysis of the adequacy of the system chosen in Romania to accompany the modernisation, the restructuring and the reorientation of farm holdings.

Kyriakos Kentrotis is Associate Professor at the Department of Balkan Studies, University of Western Macedonia (Florina/Greece). His work on the European Union and the Balkans tackles important issues for both parties analysed. The EU is seeking to establish appropriate functional superstructures extending beyond the narrow confines of trade, the economy and free market rules to accommodate its integral progress as a new force for prosperity, democracy and peace in the world. On the map of the Balkans, the local political actors continue to define their choices in line with their historic experience and stereotypes, especially as regards their neighbours and the Great Powers of the moment. In both cases the actors involved, whether in the EU or in the Balkans, are grappling with the challenges of global politics from their different starting-points, but it is not easy to overcome the boundaries of their national sovereignty.

Alexandra Shapovalova is PhD in International Relations, and Assistant Professor at the Diplomatic Academy of Ukraine. In this issue of RJEA Ms **Shapovalova** presents the political implications of the Eastern Partnership for Ukraine, stating that the Eastern Partnership has significant political implications for the Eastern Europe as a whole and particularly for Ukraine. The author continues on the fact that the EaP contributes to complicating political context for Ukraine without enabling it to solve basic foreign policy tasks. But at the same time it contains valuable instruments which in case of modification of the laid framework and of conceptual approaches underpinning the EaP may be utilized for political stabilization of the European continent.

Stefano Braghiroli is a PhD researcher at the Centre for the Study of Political Change (CIRCaP), University of Siena, Italy. His paper introduces the concept of Web 2.0 and the MEPS – MEP 2.0. The article systematically looks at the nature of MEPS' internet-based "web tools" in the past EP legislature and at the extent to which their features reflect the complex nature of the EP environment ("Europeanization of communication"). To conduct this operation, a variety of structural and graphic features of MEPS' websites have been identified, which have been made statistically analyzable, following a process of standardization and categorization, and were finally collected into a unique dataset.

Mihai Sebe is a Project Coordinator at the European Institute of Romania, European and Analysis Studies Unit. The book analysed by Mr **Sebe** tackles the issue of religion in the European Union and particularly in Brussels. In his book *Dumnezeu la Bruxelles. Religia în spațiul public european* [God in Brussels. Religion in the European public space] **Radu Carp** analyses the present and future of religion within the European framework. Religions and churches are now a part of the European public sphere and their actions influence public opinion. Although the reference to God lack from the EU official documents the influence and lobby of religious entities are powerful.

The full texts of the articles and findings of the authors can be found on the webpage of the *Romanian Journal of European Affairs*, www.ier.ro/rjea

Mădălina Magnusson
RJEA Editor

Autumn courses at EIR

6 – 10 September

GENERAL TRAINING IN EUROPEAN AFFAIRS

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- EU institutions and the decision making process
- Treaty of Lisbon
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- sustainable development
- environment negotiations

- CEES trainers
- language of seminar - French

Financed by the International Organisation of Francophony

27 – 29 September

INTEGRATED SYSTEMS OF WASTE MANAGEMENT IN THE EUROPEAN LEGISLATION CONTEXT *pilot project*

- environment legislation – acquis communautaire in the environment field, legislative harmonisation
- The assessment of the impact upon the environment
- waste management
- integrated systems of environment protection

Programme financed from the EIR budget

22 – 24 September

PUBLIC ACQUISITIONS *pilot project*

- legislation, institutional framework
- the process of public acquisitions
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- special ways of assignment
- documentation of assignment
- opening and assessing offers
- the assignment of the contract of public acquisition
- ways of attack
- SEAP – general presentation

Programme financed from the EIR budget

ALL courses take place in EIR's conference hall, from bd. Regina Elisabeta no. 7 – 9.

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* The texts published in this Newsletter express the authors' opinion and do not represent the official position of the European Institute of Romania.

ISSN 2065 - 457X

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