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START for 2019: The Romanian Presidency of the Council of the EU



photo source: www.mae.ro

On 24 October 2016 took place the launching event of the public debates' campaign concerning the Romanian priorities along the Presidency of the Council. The event "START for 2019: The Romanian Presidency of the Council of the EU" sought to unfold the official discussions concerning the 2019 momentum, when Romania will hold the Presidency of one of the most important European institutions for six months.

Holding the Presidency of the Council means that, in the first half of 2019, Romania will be the country responsible for ensuring the political leadership of the Council, conducting negotiations and managing the working agenda (between 2 500 and 3 000 meetings are expected to take place), and for facilitating the political compromise both among the member states and between the Council and the European Parliament ... **p.2**

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Rebuilding the EU. German and Romanian views

Mrs. **Gabriela Drăgan**, Director General of the European Institute of Romania, participated to the fourth edition of the Romanian-German European roundtable in Berlin (13-14 October 2016). This edition of the Forum, on the topic: „Rebuilding the EU. German and Romanian views”, was organised by the Friedrich-Ebert-Stiftung (FES), in cooperation with the German Institute for International Politics and Security (SWP), the European Institute of Romania, with the support of the German MFA and the Romanian Embassy in Germany.

Mrs. Drăgan has concentrated her speech on the difficult general context, a tense and complicated one, aggravated by the refugee crisis and Brexit, characterized by the decrease of the political cohesion among EU political leaders. In this new framework, where concerns are real and justified, the debate should focus on maintaining the internal political cohesion within a more divided than ever Union.

The discussions also strengthened the hope that the bilateral cooperation between Romania and Germany will be further enhanced and will also support a better, transparent and honest communication to the citizens, in order to avoid growing populism and Euroscepticism at European level.

... Regarding the launching event from 24 October, the official session was opened by Mr. **Dacian Cioloș**, Romanian Prime-minister, who affirmed that “holding the presidency of the Council will represent a **maturity test** for our country, 12 years after joining the EU, and it is important for all Romanians to fully understand the significance of this moment”. Also, we need to consider that Romania will act as an *honest broker*, which will mean that our country will not actually lead the European Union, but will only moderate the meetings related to the presidency of the Council of the EU.

Following the above, Mrs. **Anca Boagiu**, President of the European Affairs Committee of the Romanian Senate, pointed out that the **Parliament plays an important role in all stages of assuming the presidency** and the Senate has already started the preparations in this regard (meetings scheduled with other states that have held the Presidency). Moreover, she specified that this leadership exercise should represent a proof of lucidity, especially when it comes to prioritizing the themes and the fair representation of all Member States’ interests. Not to mention that Romania has many competitive advantages still insufficiently capitalized, and now we have the opportunity to change this state of affairs.

”The Euroscepticism, the migration crisis, the terrorist phenomenon, the cyber war or the prolongation of instability poles in the neighbourhood of the European Union have the potential to be as up-to-date in 2019 as today” said Mrs. **Ana Birchall**, President of the European Affairs Committee of the Chamber of Deputies, referring to the **complex and unpredictable context which is foreseen for 2019**. Regarding the priorities related to the Romanian presidency of the Council, Mrs. Birchall said that they are strongly connected to the major issues of the moment: the elements of reform, re-energizing the European project post-Brexit, the reconstruction of the European leadership and bringing the decision-making process closer to the citizens.

Mr. **Leonard Orban**, Presidential Adviser for European Affairs, went on with the series of interventions, by arguing that holding the presidency will **represent a good opportunity to refresh the Romanian administration** in times when the number of employees that have expertise on European issues has decreased significantly. The same applies to the political class because “there is a limited number of politicians who know very well what European affairs mean, what is being discussed in Brussels, which is the outcome and which are the effects of the decisions taken among the European institutions”.

The Foreign Affairs Minister, Mr. **Lazăr Comănescu** recalled that given the European Parliament elections in mid-2019, we will basically have only four months to ensure the continuity of the EU’s work in the Council. It is very important for **Romania to pursue objectives that can be easily translated in strengthening the European project** as a whole, both in terms of EU’s global role, and by paying a special attention to the European Neighbourhood Policy. Furthermore, we should take into consideration that in 2019, Romania will be a guest of honour at the International Festival Europalia (Brussels), where for about 4 months it will promote the cultural heritage, traditions, the creative potential and the cultural industries from Romania.

Also, Mr. **Cristian Bădescu**, Head of the Presidency Preparation Unit within the Romanian Government, affirmed that the 2019 momentum entails two dimensions:

- a) Brussels - where we will be chairing the ministerial councils and the Committee of Permanent Representatives and more than 150 working groups; In this context, the Romanian experts should understand and identify compromise formulas, and then to come forward with that position in the European Parliament;
- b) Romania (Bucharest) - where ministers will gather in informal meetings on specific topics (it remains to be seen what Romania is considering to advance on the agenda, topics of interest to us and for Europe);

The second part of the event focused on the opportunities and challenges deriving from holding the Presidency, respectively the priorities Romania should consider to ensure a successful leadership. In this regard, national institutions representatives debated together with other guests involved in the civil society and in the academia.

The **European Institute of Romania** has been represented by Mrs. **Gabriela Drăgan**, Director General, who outlined three possible directions Romania could follow in delineating the Presidency: a Creative Europe (the creative industries can be correlated with a reindustrialization of the country), a Greener Europe, correlated with the rural development and a Younger Europe, correlated with the EU’s demographic problem.



The main ideas which were presented during the two panels were:

<p><i>The Migration Dossier</i></p>	<ul style="list-style-type: none"> - the profound crisis will require an increased involvement from the European institutions; - the future Government of Romania will have to intensely prepare to try to position itself as a solution generator, both in terms of revising the Dublin legislation and regarding the entire legislative package in force;
<p><i>Communication with the citizens</i></p>	<ul style="list-style-type: none"> - it is crucial for Romania to find an efficient way of transmitting a unitary and easy to understand message towards the citizens - <i>“we wish the EU to remain solid”</i>; - a wave of nationalism/Euroscepticism is noticed covering many parts of the Union, and the national/European institutions should react against this trend and ensure that citizens do not lose touch with the institutions of the European Union; - The European Commission is experiencing hurdles in communicating directly with the average citizen; - the European project which has been functioning for 10s of years is facing a lot of difficulties and in the wake of even greater challenges, it can shatter;
<p><i>The contribution of the academia in preparing the Presidency</i></p>	<ul style="list-style-type: none"> - there is a great need for the human resource to be prepared for all the meetings which will take place during the Presidency; the Romanian universities can very well contribute to the grooming of specialists who will be needed to organize the corresponding reunions;
<p><i>The contribution of the NGOs in preparing the Presidency</i></p>	<ul style="list-style-type: none"> - the support platform aimed at promoting of the Presidency - http://ro2019.ga/ - is built on 3 directions: identifying and supporting the Romanian Presidency priorities; development of capabilities for Romania; promoting Romania’s image in Europe;_ - the priorities to be considered for the Presidency are: democracy and the rule of law; The Black Sea (from the perspective of the Black Sea NGO Forum, organized annually); The Western Balkans (the enlargement process) and social entrepreneurship;
<p><i>The European Neighbourhood Policy and the Enlargement Policy</i></p>	<ul style="list-style-type: none"> - Romania has specific interests in these areas and it is important to affirm them during the Presidency period, as well;
<p><i>Possible principles for the Presidency</i></p>	<ol style="list-style-type: none"> 1. Leadership - Romania should be a leader on a key topic (IT&C - where there is an important market potential; the justice area, where there has been a formidable level of expertise developed during recent years; The Danube Strategy) 2. Innovation - how can we contribute to the reshaping of the cohesion policy or the 4th Energy Package? 3. Capacities - how well are we preparing the human resource so that we avoid potential mistakes during this exercise?
<p><i>Climate change</i></p>	<ul style="list-style-type: none"> - current economic models need an update and there is a call to transform the general framework under which we will evolve in the coming years; - in the EU, there are already policies for a transition towards a greener economy (but we need to come, for example, with new ways of doing agriculture); therefore, one of the priorities should be on the topic of sustainable development;
<p><i>The Next Multiannual Financial Framework</i></p>	<ul style="list-style-type: none"> - given that there will be changes regarding the cohesion policy, Romania will need to advocate even more for a single-gear Europe.

The European Institute of Romania is actively engaged in the public debates’ campaign, aimed at identifying the future priorities of the Romanian Presidency of the Council, by organizing a series of thematic public events until June 2017.

Romanian Journal of European Affairs – Winter Issue 2016

In the winter issue of the Romanian Journal of European Affairs, the contributors bring to our attention several topics such as: the forgotten lessons of the German Reunification and the ways they could relaunch the European Union project; the EU external migration policy; the nature of the EU-Asia Pacific trade relations; the comparative analysis of the participation of Austria and Hungary in the EU Framework Programmes for Research and Technological Development; the climate policy of the EU and the expectations from the Paris Agreement; and the mass media perception of the EU in Kazakhstan.

In his article, **Florin Bonciu**, PhD, University Professor within the Romanian-American University and Senior Researcher within the Institute for World Economy in Bucharest draws a parallel between the European Union's attempt to assist the member states and their regions in their effort of reducing the development gaps and the German reunification process after 1990, process that was successful due to a combination of clear goals, substantial funding and the rigorous implementation of well-designed plans. Starting from this parallel, the author proposes a possible plan for the relaunch of the EU project which takes into account the already existing economic strategies (like those referring to the transport infrastructure), the low cost of money specific to the current international situation, as well as the goal of achieving a healthy economic growth and the creation of sufficient jobs, especially for the young generation.

Fulvio Attinà, Professor of Political Science and International Relations at the University of Catania, studies the response of the EU institutions and leaders to the inflow of irregular migrants from 2011 to 2016. After a synthetic presentation of the migration drivers of our times at the global and local level, he focuses upon the citizens' perception of the migrants as a threat and on the border control and immigration policies of the European Union. The author also presents an analysis of several scenarios of European management of the current migration crisis. The analysis shows that EU leaders response to the migration crisis has not been well timed and acceptable to all, not even articulated at times, causing prejudice to the credibility in front of the citizens.

Beatriz Pérez de las Heras, Professor of European Law at the University of Deusto, Spain, analyses in her article major current trends in EU trade policy and their impact on the Asia-Pacific region. She concentrates on EU's current focus on negotiating bilateral Free Trade Agreements with countries in the Asia-Pacific area, while important and competing trade initiatives are also emerging amongst these nations. She stresses upon the necessity for a more flexible global dialogue with these countries and also for a joint EU policy in the region, given the sometimes divergent trade agendas of the EU's Member States.

Ágota Dávid, PhD candidate at the Pázmány Péter Catholic University (Doctoral School of Political Theory), draws up a comparative analysis of the participation of Austria and Hungary in the Framework Programmes for Research and Technological Development of the European Union. The article shows a short summary of the framework programmes' history, an analysis of the statistics on participation, success rates and financial contribution in retained proposals and



the difference in those success rates that might derive from factors such as: public and business expenditure on R&D, number of researchers, governmental support schemes or the involvement of innovative small and medium-sized enterprises.

In their collective article, the team conducted by **Wadim Strielkowski**, Research Associate at the Cambridge Judge Business School, University of Cambridge, aims at evaluating the provisions of the EU climate change and policies to reduce greenhouse gas emissions as well as articulating the EU's position with regard to sustainable development. In particular, the authors analyse the provisions and the outcomes stemming from the "Paris Agreement" that sets a reasonable path to follow for the EU's climate policy. The authors stress the importance of the provisions for the existing EU Member States, as well as for the countries aspiring to become EU members. Climate protection, emission reduction, and the shift to the renewables constitute very important provisions that need to be tackled.

The team led by **Bakyt Ospanova**, who works in L.N. Gumilyov Eurasian National University, Kazakhstan, explores in their article the mass media perception of the European Union (EU) in Kazakhstan through the content analysis of major mass media outlets. The paper examines news reports and periodical articles from four major national Kazakh newspapers. The research suggests that mass media generally perceives the EU in a positive manner, as most publications emphasize the positive role played by the EU in the region and Kazakhstan. Additionally, the initiation of the EU strategy for Central Asia led to wider coverage and therefore wider public recognition of the EU in Kazakhstan. However, the discourse analysis of publications authored by the EU and Kazakhstani elites indicates substantial variation in depiction of the European Union and its engagement in Central Asia and Kazakhstan in particular.

Full articles are available at <http://rjea.ier.ro>.

Our readers are also invited to access RJEa's Facebook page, at: <https://www.facebook.com/romanian.journal.of.european.affairs/>

Oana Mocanu
Studies and Analyses Unit

GLOBSEC Tatra Summit, 27 – 30 October 2016¹



GLOBSEC
TATRA SUMMIT
SHAPING THE FUTURE OF EUROPE

During the period of 27 - 30 October 2016 European commissioners, dozens of ministers and EU officials, hundreds of analysts and scholars gathered in Bratislava to reflect upon the current European problems and find the solutions at GLOBSEC Tatra Summit 2016.

Among the speakers were the Finance Minister of Germany Wolfgang Schäuble, the European Commissioner for Economic and Financial Affairs Pierre Moscovici, the European Commissioner for Budget Kristalina Georgieva, economist Arthur Laffer, the President of Google Europe Matt Brittin and many others.

Over 1 300 representatives of the public, private and non-for-profit sectors from over 50 countries discussed topics such as²:

1) European solutions for current challenges - Financial crisis, migration crisis, crisis of trust of EU citizens towards the common project were debated topics as key European stakeholders discussed how to overcome them, restore ties between EU member states and thus strengthening the future of European project.

2) Migration crisis - In its early stages, migration crisis has divided the European countries in their attitudes towards accepting migrants. Some countries built fences while other were very welcoming. Now it seems that all European countries converge in disillusionment with the policy of open borders, yet they are divided over burden-sharing and future of Schengen and asylum policy as such. Thus topics such as securing EU borders, desirability of a quota system, the future of Schengen system and asylum policy were debated.

3) Economic and Monetary Union - Creating Economic and Monetary Union is one of the most ambitious goals of the European integration process. Recently, a dividing line between 'in' and 'out' Eurozone countries is getting clearly visible. Top EMU stakeholders exchanged their views on the future of the EMU and how to find a common route to its stability.

4) Energy Union - While the implementation of the Energy Union project has already begun, most anticipated results are yet to come. Energy security has been the crucial and most provoking aspect of European energy policy for years, reaching a stalemate of dependence and uncertainty. A platform was thus provided in order to discuss the issues of diversification, foreign policy goals versus energy security and large transit infrastructure projects.

5) Transatlantic relations - The U.S. presidential elections might shape future Transatlantic relations for the years to come. What will be the future of Transatlantic security cooperation, TTIP or coping with the migration flows?

6) Digital Single Market - One of the key efforts in order to boost economic competitiveness of the EU in the 21st century is creating the Digital Single Market. Topics such as removing obstacles in cross-border e-commerce, geo-blocking, compatibility of VAT frameworks, cybersecurity and data protection were covered³.

GLOBSEC Tatra Summit Annual Speech on Europe: "EU at a crossroads"

The pinnacle of the Forum was GLOBSEC European Award ceremony, which was bestowed on Mr. Schäuble thanks to his contribution to a more integrated Europe. In his speech on Europe, "EU at a crossroads", Mr. Schäuble underlined the key challenges that the Union will face in the following period:

1) Migration

"We have to ensure that our external borders are protected, and follow our agreement with Turkey with corresponding repatriation agreements with other countries.

We have to have to be the ones to decide who can come to the EU, and not murderous people-trafficking gangs.

And we need to find a fair and political acceptable way of distributing refugees."

¹ This article is based on publicly available information on the website of the Forum and respects the Chatham House Rule: "When a meeting, or part thereof, is held under the Chatham House Rule, participants are free to use the information received, but neither the identity nor the affiliation of the speaker(s), nor that of any other participant, may be revealed."

² *Politicians and Scholars Introduced Practical Solutions to Prevent Terrorism*, available online at <http://www.tatrasummit.org/tatrasummit2016/news/politicians-and-scholars-introduced-practical-solutions-to-prevent-terrorism> Last accessed on 14 November 2016.

³ *About Globsec Tatra Summit* <http://tatrasummit.org/tatrasummit2016/about-tatra-summit> Last accessed on 14 November 2016

2) External affairs

“We must do more to stabilize our neighbouring regions, including Ukraine.

We have to develop the investment conditions and to improve the prospects of the people in these troubled regions.

If we don’t, the people fleeing to the EU to escape famine, war, violence and poverty will only continue.

This is why we are currently discussing a European Fund for Sustainable Development, to create incentives for investment in these regions, and to fight the causes of migration by improving local perspectives.”

3) Security

“Europe can no longer afford fragmented military structures. We need to strengthen our cooperation here.

We need shared military forces with their own command structures.

And we urgently need to improve collaboration between our intelligence services to tackle the terrorist threat.”

4) Competitiveness

“We have so much potential still untapped in the EU, such as a real digital union, or a proper energy union.

We have to be more intelligent with our investments, as we are doing with the European Fund for Strategic Investments.

In the EU budget, we should move away from path-dependent spending patterns and use the money instead, in a forward-looking way, to help finance the implementation of the political priorities agreed in the European Semester.

We urgently need structural reforms in the EU. Unfortunately, many would prefer to delay making these decisions. But the delays for today only mean more pain tomorrow. That is why it is essential that we stick to the rules we have jointly agreed in the euro area.”

5) Employment and education

“The situation with youth unemployment in the EU is frustrating.

Many companies are desperately looking for people to train. And many young people are desperately looking for on-the-job training.

We need to bring these two sides together, perhaps with a common European initiative.”

6) The euro

“We have already done a lot to stabilize the euro. Now, we have to continue our work to minimize risks in the banking sector and push on with the capital markets union.

But above all, we have to ensure that we stick to the fiscal rules we have agreed together, The rules are there to ensure stability in the euro area.”⁴



GLOBSEC Tatra Summit 2016
photo source: <http://www.tatrasummit.org/tatrasummit2016/photo-gallery>

GLOBSEC Intelligence Reform Initiative (GIRI)

For the first time, GLOBSEC has developed its own original initiative, headed by **Michael Chertoff**, former U.S. Secretary of Homeland Security, addressing the highly topical problem in Europe, terrorism. GIRI offers 4 practical bottom-up solutions which aim at countering terrorist attacks before they occur by reforming European intelligence while cooperating with the best authorities in the transatlantic space.

1. *“Establish a permanent Core Transatlantic Counter-Terrorism Hub in order to provide a secure space for linking existing national counter-terrorism centres with high degrees of mutual trust. Its success would encourage less capable or willing nation states to improve their services to join.*
2. *Set up Operational Case-Based Task Forces within to the Hub, designed to react ad hoc to emerging counter-terrorism challenges. These would promote joint execution of intelligence-led operations and better intelligence/personal information sharing.*

⁴ GLOBSEC Tatra Summit Annual Speech on Europe. Keynote Speech by Dr. Wolfgang Schäuble, German Federal Minister of Finance “EU at a crossroads” at the GLOBSEC Tatra Summit on 28 October 2016, available online at <http://tatrasummit.org/tatrasummit2016/news/1111> Last accessed on 14 November 2016.

3. Introduce a single search interface to enable real time information exchange. The so called ‘hit-no-hit’ single search interface would enable each nation to hold its data but encrypted searches would help identify information or patterns for follow-up.

4. Launch a transatlantic Counter-Terrorism Centre of Excellence to enable joint standardisation and training. This will create a much-needed bridge between intelligence and law enforcement professionals”.

“European Neighbourhood Policy Review One Year After - Challenges To The East”

The European Institute of Romania was represented at this forum by **Mihai Sebe**, expert within the Studies Unit who took part as a discussant to the EU’s Eastern Partnership expert workshop entitled “European Neighbourhood Policy Review One Year After - Challenges To The East”, in the side-lines of the GLOBSEC Tatra Summit 2016.

The expert round-table discussed in more detail what has been achieved in the countries of the *Eastern Partnership* (EaP) within the framework of the review process. The panel took stock of what has already been implemented, what are the deficiencies and opportunities, that should be introduced into the EaP to make it more realistic, clearer and more accessible yet at the same time capable of addressing the challenges EaP countries face today.

The aim of the panel was to initiate discussions about the *ENP Review* in conditions of EaP in areas as highlighted at the EU-EaP Riga Summit (May 2015) prior the next EU-EaP Summit that is supposed to take place in 2017 under the Estonian Presidency in the Council of the EU. It aimed at stronger engagement of the civil society and experts into formulating recommendations for the EaP invigoration within the ENP Review and at the same time increasing the sense of ownership by the EaP countries.

The panel also addressed strengthening of ties between EU and EaP countries, where on one side, the EU seems to be softening its approach (human rights issues) and providing the financial support, on the other is facing many times the issue of tax erosions when it comes to goods & services transported from the East to the West mostly through illicit channels.

For more details please visit www.tatrasummit.org.

Mihai Sebe
Studies and Analyses Unit

Human rights in Iceland

Good practices exchange study visit in Iceland in the field of democracy development project



The European Institute of Romania, in partnership with the *Qyorum* Institute and the Icelandic Human Rights Centre (ICEHR)¹ implemented the project “*Good practices exchange study visit in Iceland in the field of democracy development*”, financed by SEE and Norwegian Grants, through the Fund for Bilateral Relations at National Level².

The general objective of the project was to stimulate the exchange of good practices towards civil society projects in the field of democracy development, good governance and human rights among Romanian entities (one NGO and one public institution) and Icelandic partner from the civil society. In this context on 17-19 October 2016 a study visit was organized in Iceland for the Romanian partners.

The exchange of experience and good practices with the Icelandic partner in the project framework provided a good opportunity to gain further knowledge and understanding of the Icelandic perspective on human rights, democracy and good governance. One of the initiatives promoted by ICEHR

regarding early education on human rights in schools is an example worthy to be emulated in the Romanian educational system. In any democratic state, the early promotion, development and understanding of democracy, good governance and human rights among pupils, will build, on the long term, a strong link between the members of the civil society and the public institutions. From this point of view the Icelandic experience is one to be taken into consideration.

The Icelandic Human Rights Centre is carefully monitoring the changes which may occur in society related to current topics or problems. One topic which is currently high on the public agenda is the likelihood of an increased flow of immigrants. As a result, ICEHR launched a national awareness campaign and training sessions among journalists on hate speech. Regarding the number of immigrants in Iceland, according to Statistics Iceland, on 25 October 2016 in Iceland there were 11.988 citizens from Poland, 1.612 citizens from Lithuania, and 1.526 citizens from Thailand³.

¹ More information about the Icelandic Human Rights Centre (ICEHR) can be found here: <http://www.humanrights.is/en>.

² More information about the SEE and Norwegian Grants in Romania can be found here: <http://www.eeagrants.ro/acasa>.

³ More information about the migrant situation in Iceland can be found on Statistics Iceland: <http://www.statice.is/publications/news-archive/population/immigrants-and-persons-with-foreign-background-2016/>.



During the joint discussions, the Icelandic partner mentioned the importance of the freedom of expression and the freedom of religion for the Icelandic society. All possible abuses of these rights are countered with immediate action, in order to prevent isolated incidents to become a serious problem for the Icelandic society.

After a long “journey”, Iceland succeeded in offering equal opportunities for women and men in public service, e.g. 42% of the members of the Parliament are women, and 40% of the members of the Government are women.

As a conclusion, the study visit was a great opportunity for us, as individuals and professionals, to promote and discuss our initiatives on democracy development, good governance and human rights. The common interest of all the participants was to share and use the best practices in joint projects aimed at promoting and sustaining democracy, good governance and human rights.

Nicoleta Voicu
Projects Unit

The presentation of the study *Romania and the accession to the Eurozone: the question is IN WHICH CONDITIONS!*

The European Institute of Romania and the Romanian Society of Economics - SOREC, with the support of the National Bank of Romania, have organized, on 16 November 2016, the debate on the topic: *Romania and the accession to the Eurozone. Risks and opportunities.*

The debate took place due to the presentation of the research results of the study entitled *Romania and the accession to the Eurozone: the question is IN WHICH CONDITIONS!*, elaborated by a research team coordinated by Professor Daniel Dăianu, and the co-authors Professor Aura Socol (Bucharest University of Economic Studies), Ella Kallai (Alpha Bank) and Gabriela Mihailovici (National Bank of Romania).

The study was developed within the Strategy and Policy Studies SPOS 2016 series coordinated by the European Institute of Romania and had as *objectives* the examination of real and structural convergence, outlining a roadmap for Romania’s accession to the Eurozone and policy recommendations for the decision-makers.

In accordance with the researchers, the Eurozone accession does not need a prior reaching of the GDP/capita Eurozone average, but it would only suffice to reach a 75% of the Eurozone average and the fulfilment of other structural criteria. *“We think that Romania should target a GDP/capita in PPS of at least 75% of the EZ average at the date of accession.”*

Romania would need at least 13 years, if we maintain the average growth rate of 2000-2015, in order to reach the necessary development level for Eurozone accession (75% of the EZ average). The period can be shortened to 9 years’ time if the economy would grow by an average of 5% each year in a sustainable manner.

Romania’s accession to the Eurozone is not optional, but compulsory and in order to accomplish it we need a reasonable



plan, which takes into consideration the last years’ lessons as well as the major challenges the European Union is dealing with.

The other interventions underlined the need for a cultural convergence based on a continuous effort and not an ad hoc one, a community spirit and not individualism, but also the respect of the previous engagements of contracts and signed Treaties.

Also, Romania must correct its internal development gaps before joining the Eurozone, as the regional disparities are very high and have deepened lately. Moreover it is vital for Romania to have the ability to alleviate the shocks that would occur after the Eurozone accession, if the economy is not sufficiently prepared.

For the full study (only in Romanian) and other relevant materials (executive summary in English), please visit the Publications section of the European Institute of Romania’s website: <http://ier.ro/en/publications.html>.

Mihai Sebe
Studies and Analyses Unit

'More Europe in our Union' take two; 'our incomplete Union'

The 2016 State of The Union speech, given by Commission President Jean-Claude Juncker on 14 September, provided a sharp contrast with the pragmatic tone adopted by his predecessor Jose Manuel Barroso in 2013 (there was no speech in 2014) in relation to concentrating power at the supranational level. President Barroso used his 2013 speech to highlight that the EU should not try to act in all areas, stating that “the EU needs to be big on big things and smaller on smaller things”, a statement that was picked up on by commentators and in some cases described as a sop to the UK and others wishing for a more intergovernmental EU (Morris, 2013). President Barroso’s words preceding this headline-grabbing sound-byte provide more explanation as to what he actually meant: “Not everything needs a solution at European level. Europe must focus on where it can add most value. Where this is not the case, it should not meddle”.



President Juncker, however, has so far used his two State of The Union speeches to promote a more supranational tone, emphasising the need for further empowerment of the EU. In 2015, he stated that: “There is not enough Europe in this Union (...) And there is not enough Union in this Union”, adding that “we have to be more European in our method”. President Juncker returned to this theme in 2016, highlighting the “very visibly incomplete nature of our Union” and labelling the EU as “our incomplete Union”, suggesting he believes there is a need for further transfers of sovereignty to the EU for it to function more effectively. His actions as Commission President would seem to confirm this view: he has suggested a Common European Army (Besch, 2016), and called for the swift establishing of a European Public Prosecutor (Juncker, 2014).

Recent polling by YouGov for Demos think-tank conducted between 23 August and 7 September 2016 suggests that President Juncker may be pushing against popular opinion in pressing for more powers for the EU. A significant number of those surveyed either wanted to leave the EU or reduce its powers: 57% in Sweden; 55% in France; 41% in Spain; 40% in Poland; and 39% in Germany (Demos, 2016). The data should not be viewed as an anomaly, but more as a confirmation of recent trends, highlighting that, as Tony Barber wrote in the Financial Times, “a renewed nationalism is stalking Europe” (Barber, 2016). A ComRes survey conducted in 2015 showed 76% of citizens across the UK, France, Germany, Italy, Spain, Poland, the Netherlands, Sweden, and Denmark supporting either maintaining the current level of EU involvement in their country’s affairs, or reducing the level of involvement (ComRes, 2015), and 2014 saw the lowest ever turnout in elections for the European Parliament, with nationalist parties winning the biggest share of the vote in France and the UK.

The UK’s vote to leave the EU, on 23 June, may have increased the scope for possible fragmentation of the EU (Seifter, 2016). But it would be an oversimplification to suggest in definitive terms that the vote leaves other Member States more likely to head for the exit - since the vote there has been a bounce in terms of support for the EU in certain member countries such as France and Germany (Rose, 2016), suggesting that the UK’s decision to leave may have led to a more clear headed reflection on the overall costs and benefits of the EU by other Member States. Moreover, at this stage it is unclear what sort of relationship the UK may be able to establish with the EU from the outside, which will of course count as a factor that citizens will weigh in when considering whether they are better off in or outside of the EU. But the mere fact that one of the twenty-eight has decided to leave does inevitably lead to a reflection on the future of the bloc as a whole - French President François Hollande has also referred to it in terms of a possible “existential crisis” for the EU (Chassany, 2016). EU Leaders considering what role the EU should play in addressing the challenges they face will need to carefully navigate the nationalist currents at play across much of the EU. Mudde (2016) suggests in the Foreign Affairs magazine that to turn back “the populist tide”, political leaders will need to show “far more dexterity and creativity than they have shown in recent decades”. And in his 2016 State of The Union speech, President Juncker called for European politicians to “forget the rivalry between competences and institutions”. However, in light of a dangerous rise of nationalist sentiments in domestic politics, EU leaders may prove mindful to the balance of competences and to the need for EU institutions to display more flexibility in answering popular grievances related to the division of sovereignty between national and EU level. How might national governments act should they wish to mitigate calls for a further centralisation of power at EU level?

On the short-term, Member States could seek to capitalise on the state of flux caused by the UK's vote to leave the EU to take decisions on an intergovernmental basis, thereby reinforcing the principle of a Member State driven EU. In dealing with the euro zone crisis, Member States adopted an approach that was "overwhelmingly intergovernmental rather than supranational" (Scicluna, 2012), "sidestepping" the European Parliament (Rittberger, 2014). As they did then, the Member States and the European Council could use the current situation to cement their position and set the EU on a path that is more in tune with the wishes of its citizens (although the Commission President is a member of the European Council).

On the longer-term, Member States may want to reach a common position on the use of the *Spitzenkandidaten* process at the next European elections (2019). President Juncker secured his position as head of the Commission through the *Spitzenkandidaten* process, which saw the European Parliament successfully cast itself as the decision-maker in that process (Hobolt, 2014), arguably at the expense of the European Council. As a result, the Commission President could be viewed as indebted to the European Parliament. Westlake (2016) describes the relationship between the Commission and the Parliament as "symbiotic", and if the same process is followed again in 2019, the Commission's future President would be reliant on the Parliament's support in seeking re-election. This reinforces the European Parliament's influence in respect to the Commission, which had been growing even before the *Spitzenkandidaten* process was introduced (Egeberg, Gornitzka, Trondal, 2013). This is a relevant issue for Member States because the European Parliament is more supportive than citizens when it comes to further EU integration (Vitkovitch, 2016), with the MEPs from the EPP, Socialists, and ALDE strongly in favour of European integration (Rose and Borz, 2013). Member States may want to minimise the influence of the pro EU integration European Parliament over the Commission, and this could mean opposing a re-run of the *Spitzenkandidaten* process at the next European elections in 2019, or seeking to place some conditionality around the process, as suggested by Westlake (2016).

President Juncker's two State of The Union speeches set out a vision for further transfers of power at the EU level to finish the "incomplete Union". But in light of the disconnect with the views of EU citizens on this matter, Member States may want to consider how to encourage the Commission to pursue a vision more in tune with that of President Barroso, of an EU that is "big on big things and smaller on smaller things". Capitalising on the UK's vote to leave the EU to drive a more intergovernmental approach on decision-making, and adopting a common position on the use of the *Spitzenkandidaten* process during the next European elections may offer two ways to take forward that agenda.

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EU Global Strategy: A shared vision and common action for a stronger European Union

The introductory paragraph of the European Union's first Security Strategy adopted in 2003 (the so-called "Solana strategy") set the main lines of the regional framework in a rather idyllic, if not utopian manner: "*Europe has never been so prosperous, so secure nor so free. The violence of the first half of the 20th century has given way to a period of peace and stability unprecedented in European history*"¹. Said out loud in the current international and regional outlook characterized by multiple crises and a lot of uncertainty, these words may cause perplexity, outrage or sheer amusement. And this is telling not only for the substantive transformation of the global system in a little more than a decade, but also for the profound change in the institutional set-up of EU foreign policy, introduced with the adoption of the Lisbon Treaty on 1 January 2009. As a consequence, the European Council's decision to formally mandate the High Representative for Foreign and Security Policy Federica Mogherini to deliver a new Global Strategy should have come as no surprise.



In the broad sense of the term, a strategy may be defined as a plan for achieving one or more identified goals using the available resources and methods. And, as opposed to tactics, a strategy always portrays a crucial trend. But, according to Professor Anand Menon of King's College, London, the European Union lacks the two necessary elements of any strategy, showcasing a deficit of long-term foreign policy objectives and being unable to develop adequate resources to pursue any meaningful external action.² And the usual suspect for this *status quo* may be the consensus-based decision making process which governs the EU and which sometimes paralyses it, even when it comes to sectorial policies where the European institutions enjoy exclusive competence. Arguably, the primacy of the intergovernmental nature of the decision making process is the clearest in the Common Foreign and Security Policy, where the unanimity principle conditions any action to the lowest common denominator.

¹ The European Security Strategy "A Secure Europe in a Better World", full text available at: <https://www.consilium.europa.eu/uedocs/cmsUpload/78367.pdf>.

² Stratfor, "Does the European Union Need a Security Strategy?", article available at: <https://www.stratfor.com/the-hub/does-european-union-need-security-strategy>.



In trying to reduce the gap between ambitious rhetoric and limited practice, EU High Representative Mogherini launched the EU Global Strategy in June 2016, after 12 months of collective reflection and intense consultations with all the relevant stakeholders involved: national governments and parliaments, the European Parliament, the epistemic community and the civil society. The end result was a 53 page long programmatic document dedicated to consolidating the international role of the European Union in a connected, contested and increasingly complex world.³ A foreign policy and collective security guide whose global nature relates both to its geographical dimension and its inter-sectorial scope.

Starting from the stark, but acutely realistic, premise of a European Union undergoing an “existential crisis”⁴, corroborated by the decline of the liberal world order, the document tracks the main challenges facing the European project, from the ongoing migrant crisis to energy security going through the flaw of transnational terrorism, having as a corollary the idea that never before has the European citizens’ security been more strongly linked to the EU’s foreign policy. The instability surrounding the European Union’s external borders affects the daily lives of EU citizens. The negative consequences of the so-called Arab Spring, in general, and

of the civil war in Syria, in particular, as well as the ongoing hybrid war in Ukraine highlight the necessity of good governance and institutional stability in international relations. At the same time, the migratory pressure coming from the Middle East and North Africa has proven the lacking functionality of the EU emergency crisis response mechanisms, against the backdrop of a surge in nationalistic and xenophobic sentiments. Implicitly countering the accusations of “double standards” and “moral relativity” launched by the Union’s detractors, the Strategy points out that the EU must first protect its normative identity within its Member States in order to project credibility onto others.

After a careful read of the document, it becomes obvious that the favourite themes of the Global Strategy, in terms of shared principles and values, are mostly related to democracy, human rights and the rule of law, core norms of the European Union along with the primacy of peace and the promotion of common prosperity. Another recurring aspect in the text is the EU’s attachment to a global order based on the respect of international laws and treaties, starting with the UN Charter. As such, building upon a principled pragmatism and a multilateral approach to international relations, the EU commits itself to stay united and uphold the respect of international norms, perceived as quintessential elements for maintaining peace, promoting prosperity and consolidating regional and global security.

The European neighbourhood, with its Eastern and Southern flanks, is analysed through the lens of its potential associated risks, while the document clearly states that the Union cannot afford the luxury of focusing solely on one of the two lines of action. Instead, it highlights the need of an integrated approach and distributive involvement. The Strategy shows that many people within the scope of the European neighbourhood wish to build closer relations with the EU, thus confirming the attraction power of the benign conditionality spurred by the Enlargement Policy and the European Neighbourhood Policy, as main instruments of EU foreign policy. However, it remains to be seen if the EU will eventually come to terms with the fact that it does not deal with one “neighbourhood”, but rather with a number of different countries, each with its own ambitions and problems that do not always converge. On a side note, the new programmatic document clearly mentions that its external actions and policies are not aimed against any third country, dropping a hint at Russia, which perceives the Euro-Atlantic expansion near its Western borders as an existential threat.

When it comes to security matters, the Strategy recognizes the primacy of NATO, as the embodiment of the collective defence principle and main framework for collaboration for most of the Member States. Nevertheless, the text brings forth and argues in favour of a greater autonomy in this sector, given the fact that not all EU Member States are also part of the North Atlantic Alliance. “As Europeans we must take greater responsibility for our security. We must be ready and able to deter, respond to, and protect ourselves against external threats.”⁵ More precisely, the authors of the document seem to suggest that a coherent European security strategy, based on the Global Strategy, has the potential to complement the renewed military efforts of the North Atlantic Alliance, becoming a second pillar of the transatlantic security community. But, against the backdrop of President Juncker’s calls for the creation of a European Army⁶, an important variable for the future way of functioning of this security community revolves around the way in which the European Union will deal with the new Trump Administration starting January 2017.

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³ The EU Global Strategy “*Shared Vision, Common Action: A Stronger Europe*”, full text available at: https://europa.eu/globalstrategy/sites/globalstrategy/files/eugs_review_web.pdf.

⁴ A term also used by EC President Jean-Claude Juncker in his 2016 State of the Union speech, available at: http://europa.eu/rapid/press-release_SPEECH-16-3043_en.htm.

⁵ The EU Global Strategy.

⁶ DW, “Juncker calls for an EU army”, online article available at: <http://www.dw.com/en/juncker-calls-for-an-eu-army/a-36337676>.

Events in the translators' world

The autumn of the year 2016 has stood out by at least four significant events in the translators' world.

Thus, the *Romanian Translation Forum* took place on 14 October at the Representation of the European Commission in Romania; the event is included in the *Translating Europe* programme, organised by the Antenna of the Directorate-General for Translations of the European Commission, APIT (Professional Association of Interpreters and Translators) and AFIT (Romanian Association of Translation and Interpreting Companies).

The *Translating Europe - Forum & Workshops* programme is intended by the Directorate-General for Translations to encourage cooperation among various stakeholders in the translation world, to share good practice, develop common projects, and promote a diversified and sustainable market for professional translators in Europe.

Data about the event and its recordings are both available on the pages of the Representation of the European Commission in Romania (http://ec.europa.eu/romania/news/agenda/07102016_forumul_traducerilor_2016_ro.htm) and AFIT (<http://afit.ro/evenimente/ft2016/>).

We highlight Ms Monika Popiolek's presentation on the international standard ISO 17100:2015 Translation services - Requirements for translation services and its implications on all translation service providers in order to deliver superior quality translation services. The standard is also adopted in Romania (the English version) and replaces SR EN 15038: Translation services: Requirements for translation services.

Mr Viorel Florean (Directorate-General for Translations, European Commission) also delivered a useful presentation, particularly for public institutions and universities, as it refers to MT@EC, the automated translation system.

Among other subjects that were discussed, we mention: *Difficulties in using subtitling programmes* (Mr Vlad Radulian), *Translator' Status in Romania between the socio-economic conditions, legal tendencies and current practice* (Mr Victor Blănaru), *Tendencies and needs of the Romanian translation market* (Mr George Papadopol), *Students' professional insertion* (Mr Florin Zori).

The "Romanian Translation Forum" is part of the series of workshops taking place in all the EU Member States, complementary to the annual forum in Brussels. The annual

forum *Translating Europe*, organised by the European Commission, took place in Brussels on 27 - 28 October. Photos and presentations from this forum, organised in plenary and parallel sessions, will be available at https://ec.europa.eu/info/events/translatingeurope_en.

In the academic world, one of the most interesting projects was the „e-translating Wikipedia” project (at the Jaume I University in Spain, students translate and edit articles on Wikipedia; the articles are revised by professors and receive likes and comments online; through this project, the students learn, receive marks, and the number of Spanish articles in the online environment grows).

The main conclusion of the forum was that translators will not make it on the market without technologies. Translators will have to rapidly adapt to new technologies and they should see machines/technologies as a help, not as their replacement.

The *Translating Europe* forum was preceded by the ELRC (European Language Resource Coordination) conference, attended mainly by representatives of the public institutions.

The ELRC programme was set up for the purpose of collecting linguistic and mono or bilingual translation data for the development of the CEF.AT automated translation platform, which is intended to eliminate language barriers in order to better serve the current needs of the public services in the EU Member States, Iceland and Norway (30 states).

As the quality of the automated translation system depends on the available language resources, support was asked for contributing qualitative linguistic data.

The last event we refer to took place on 11 November, in Bucharest. The annual videoconference of the Romanian Language Department, Directorate-General for Translations of the European Commission, named "Romanian Language today, tomorrow, but about the day after tomorrow?", represents a continuation and, at the same time, a transformation of the Network for the Quality of Romanian Language in EU Institutions (RO+). The simultaneous videoconference Bucharest - Luxembourg was attended mainly by members of the former RO+ Network, representatives of the Directorate-General for Translations of the European Commission, and students.

Laura Mihăilescu
Translation Coordination Unit

publications

The Need to Comply with the Fair Trial Requirements during Disciplinary Proceedings

The judgment of the European Court of Human Rights (ECHR) in the case of **Tato Marinho Dos Santos Costa Alves Dos Santos and Figueiredo v. Portugal** became final on 21 September 2016. The Romanian version thereof, translated by the Translation Unit of the European Institute of Romania, is now available on the [dedicated webpage of the Superior Council of Magistracy](#) and it will soon be included in the HUDOC case-law database.

The ECHR held, unanimously, that there has been a violation of Article 6 § 1 of the **Convention for the Protection of Human Rights and Fundamental Freedoms**¹ on account of the insufficiency of the *Supremo Tribunal de Justiça*²'s judicial review of the disciplinary proceedings directed against the two applicants, judges Sofia Tato Marinho dos Santos Costa Alves dos Santos and Maria da Luz Figueiredo³. In their applications to the ECHR, the applicants complained of the unfairness of the national disciplinary proceedings, alleging violations of the right to have the establishment of the facts re-examined during the appeal on points of law, as well as of the right to have a judgment pronounced by an independent and impartial tribunal, as laid down in Article 6 § 1⁴ of the Convention.

According to both applicants, the examination of the case by the *Supremo Tribunal de Justiça* (STJ) – the Portuguese Supreme Court, competent by law to decide on appeals on points of law – was improper, especially in view of the impossibility to have the establishment of facts by the *Conselho Superior da Magistratura* (CSM) modified on appeal. In addition, the second applicant complained of the lack of independence and impartiality of the STJ formation, since the judges included in its composition were also under the disciplinary jurisdiction of the CSM.

It should be noted that, at national level, the Portuguese CSM orders the initiation of disciplinary proceedings against judges. A judge at the appellate court, in charge of deciding on the case, established the failures to fulfil her duties of which the first applicant was accused and to which she presented her defence; subsequently, the CSM Plenary imposed a disciplinary sanction. The first applicant lodged an appeal on points of law against the CSM's decision on account of the STJ's unlimited jurisdiction to have it re-examine the facts established by the CSM since, in her opinion, the latter did not make a proper evaluation of all the evidence and documents she had submitted to the file. The STJ dismissed, unanimously, the applicant's appeal on points of law, on the ground that the CSM's assessment of the facts was not within its jurisdiction as its task was limited to verifying whether the impugned decision was affected by a contradictory or arbitrary assessment; specifically, the STJ was competent to assess whether the CSM complied with the principle of proportionality, whose violation was found when the penalty proved to be improper or excessive relative to the established facts⁵.

In the second applicant's case, the CSM Plenary imposed a disciplinary sanction, decision which was appealed on points of law by the sanctioned judge. On appeal on points of law, the second applicant disputed the CSM's establishment of the facts and alleged a violation of the right of access to an impartial court, arguing that the judges at the Supreme Court were themselves under the disciplinary jurisdiction of the CSM while at the same time the STJ had jurisdiction over the settlement of proceedings against the CSM's disciplining decisions, a situation which - in her opinion - was likely to affect the appellate court's impartiality. However, the STJ maintained the disciplinary body's decision on account that the judges in the composition of the section dealing with appeals on points of law against the CSM's disciplining decisions were appointed⁶ in compliance with objective criteria prescribed by law; the STJ also reiterated that the relations between the CSM and the judges are not of subordination, as the judges have the benefit of independence not just in relation to other state bodies, but that of "internal independence" as well.

Having become final, the decisions imposing disciplinary sanctions were enforced by the Portuguese authorities.

The ECHR held that, given the restrictive view of the scope of its control powers over the disciplinary activity of the CSM, the Portuguese Supreme Court exercised insufficient judicial review, a conclusion which applied to both cases. Basically, there was no possibility to have the STJ re-examine the facts at the origin of the disciplinary sanction imposed on the two judges. The ECHR held, unanimously, that there was a violation of Article 6 § 1 of the Convention.

¹ Ratified by Romania by Law no. 30/1994, published in the Official Journal (*Monitorul Oficial*) no. 135/1994. See http://www.echr.coe.int/Documents/Convention_ENG.pdf

² By *Secção do Contencioso [do Supremo Tribunal de Justiça]* (Chamber for Contentious Administrative Proceedings of the Supreme Court of Justice)

³ The applicants were judges at the Lisbon Labour Court.

⁴ "In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law."

⁵ It appears from the STJ's assessment in the judgment dismissing the appeal on points of law, as well as from the established case-law of the Supreme Court, that its competence was limited to an examination in law, not in fact, thereby being unable to re-examine the evidence in the file to give a new judgment.

⁶ The judges in the composition of *Secção do Contencioso do STJ*, which hears appeals on points of law against the CSM's decisions, were appointed by the president of the STJ (and CSM) in consideration of their length of office in the supreme court sections.



Since our attention was drawn to certain echoes in the online environment⁷, as to this judgment's potential effects on Romania and the Romanian Superior Council of Magistracy, we'll take this opportunity to review certain aspects pertaining to the organisation of the Portuguese judicial system and to the proceedings before the ECHR, especially in the judgment post-delivery phase, emphasising the effects of ECHR judgments on the States Parties to the Convention.

With regard to the effects of the ECHR judgment, the Portuguese CSM (*Conselho Superior da Magistratura*) is not to be confused with the Romanian CSM, as one might be tempted to do while reading the judgment given the identical acronym of the two bodies. The Portuguese institution, unlike the Romanian one, has powers exclusively with regard to judges in terms of appointment, transfer and promotion within the courts, as well as to the disciplinary liability of the judges⁸.

The Portuguese judicial system also includes the *Conselho Superior do Ministério Público* (CSMP) (Superior Council of Public Ministry), with powers similar to those above, but in respect of prosecutors. This is another form of magistracy, parallel to and independent from the judicial magistracy⁹.

Turning to the proceedings specific to the ECHR, the question arises whether this judgment is binding on Romania (as well); if so, this would require certain legislative amendments. The answer is found in the Convention in its Article 46 § 1 - *Binding force and execution of judgments* [by the ECHR], stating that "the High Contracting Parties undertake to abide by the final judgment of the Court in any case to which they are parties". It appears clearly that the Convention text does not enshrine the *erga omnes* enforceability of the ECHR's final judgments, rather it provides that these are binding under the Convention solely on the State party/ States parties in the case in which that judgment was delivered. Therefore, this is a situation of *inter partes* enforceability and there is no obligation of direct execution incumbent on the Romanian state which might be derived from the ECHR judgment in the *Tato Marinho* case [...] (and which might concern certain legislative amendments for *harmonisation* for the purposes of the ECHR's conclusions), nor any consequence that might affect the way in which the Romanian CSM is currently organised and working.

For legal purposes, Portugal is the only state with execution obligations resulting directly from this judgment. *De facto* however, analysing how the case-law of this European court is being developed, a potential dispute which might concern Romania and might have a similar object to the *Tato Marinho* case would be decided on by the ECHR by referring to the same legal principles relied on in this case. An application¹⁰ lodged at the ECHR that is similar to the two applications at the origin of this case and directed against Romania would have to fulfil all the admissibility criteria in order to be examined by the ECHR.

On the other hand, it cannot be overlooked that, under Article 1 of the Convention, the Contracting Parties undertook the obligation to respect human rights, securing to everyone within their jurisdiction the rights and freedoms defined in the Convention. Therefore, nothing precludes a Contracting State to amend, of its own motion, the potential situations that might be contrary to Convention provisions. Otherwise, should the ECHR find a violation of human rights, the Contracting State concerned will have the obligation to execute the ECHR judgment, and this might entail either awarding a just satisfaction to the injured party or, when possible, a *restitutio in integrum* or even amendments to the law or case-law.

In conclusion, we reiterate that the ECHR is not an appellate court for national courts, as its role is not to substitute itself to those courts; since the Convention has to be applied at the national level, the task of interpreting the national law lies primarily with the state authorities and especially with the national courts.

The Committee of Ministers supervises the execution of the final judgments of the ECHR.

Ana-Maria Georgescu
Translation Coordination Unit

⁷ For more details, please see <http://www.luju.ro/international/cedo/cedo-pune-csm-sub-controlul-iccj-trei-judecatoare-portugheze-sanctionate-de-conselho-superior-da-magistratura-au-reusit-sa-schimbe-practica-in-materie-disciplinara-cedo-a-constatat-incalcarea-dreptului-la-un-proces-echitabil-pe-motiv-ca-instanta-suprema-a?print=1>

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⁸ See the definition of the term "*Conselho Superior da Magistratura*" in the IATE database (ID 166987). See also <https://www.csm.org.pt/csm>

⁹ See <http://ministerio-publico.pt/o-que-e/>

¹⁰ For this purpose, see Article 47 in the ECHR's Rules of Court, as well as http://www.echr.coe.int/Documents/Your_Application_ENG.pdf

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