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The most important challenges of Romania for the sustainable development of the freedom, security and justice space in the European Union

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Abstract**:** *In a European area of security, freedom and justice, all citizens have the right to move freely, anytime and anywhere within the European Union and to choose the place where they work or live, without any restriction regarding nationality. They shall enjoy protection against organized crime at an international level and also enjoy equal access to justice and fundamental rights, wherever they may be in any of the European Union member states. According to Security Strategy, Romania must strengthen the security model, based on EU principles and values, namely: human rights and fundamental freedoms, rule of law, democracy, dialogue, tolerance, transparency and solidarity. It is recognized that "zero risk" does not exist, but despite this, Romania, like all EU countries, must create a safe environment where all people feel protected. More than that, the necessary mechanisms should be established to maintain a high level of security, not only in Romania and the European Union, but also, to an extent when citizens travel to third countries, or when they are in virtual environments, such as the Internet. It is vital for Romania that the Internal Security Strategy of the European Union, can adapt to the needs of their citizens and the challenges inherent, dynamic and global of the XXI century. In the context of Europe's Internal Security Strategy, Romania should effectively exploit potential synergies related to European and international cooperation in law enforcement, integrated border management and mutual consolidating criminal justice systems. In fact, these areas of activity within the European area of justice, freedom and security are inseparable, so that the Internal Security Strategy of the European Union should ensure that they complement and reinforce each other. Current evolution of the European Union as a whole and each country, takes place in the implementation of the Lisbon Strategy, which sets out, landmarks and essential ways for the construction of the new economy, that of the knowledge economy. Human dignity, freedom, democracy, equality and the rule of law are core values of the European Union, set in the first few pages of the Treaty of Lisbon. These values must be common to all Member States and any European countries that wish to join the Union must respect them. Promoting these values, along with peace and welfare of EU citizens, is now the main objective of the European Union. These general objective is underpinned by a series of specific objectives such as promoting social justice and protection and the fight against exclusion and discrimination. Achieving these objectives requires, for all professionals, multiplying the exchange of experiences and best practices, especially on ethical as well as training and joint exercises.*

Keywords**:** *area of freedom; security and justice; knowledge-based economy; mutual trust; exchange of experiences; best practices*;

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Introduction

From the beginning I must point out that, in the opinion of European leaders, the necessity and intentions to join the European Union, were not in a position to exercise strong and effective influence upon Romania. Basically, from the date the initiation of negotiations for the acquisition of a full-fledged member of the European Union was accepted in 1999, Romania was considered "*a country that not at all prepared for this process, fact that was definitely evidenced in 1997, by the European Union, when they evaluated the progress of reform in each of the Eastern European countries which had also endorsed the accession*" [Tom Gallagher, 2010, p. 1]. In our opinion, this issue is real and is completed at the same time by the fact that Romania was already regarded as the weakest of the States urging accession, since 2000, when a target date for joining the UE, later than other candidates, respectively 2007, compared to 2004, established for ten other candidates, was established.

Annual reports of the European Union, on the theme of Romania's progress, still presented a pretty bleak picture, in terms of its ability to cope with Member responsibilities, due to bureaucracy and the widespread problem of endemic corruption as well as ineffective measures to counter these phenomena. In the same report it was noted also that the chronic deficiencies of public administration in Romania represent barriers which prevent the country to make preparations for accession. Furthermore, as a result of the problems mentioned, the European Union has given the Romanian Government severe warnings, because his actions were more promises, which were to be observed at an unspecified time, in the future, even after the date of accession, but effective actions for the implementation of the Community acquis, and each time the possibility of suspension of the negotiations was invoked. Also, since the end of 2004, Romania has been threatened with a "*safeguard clause*", because it did not maintain the pace of reform in crucial areas, such as the judiciary system.

In time, Romania has benefited to a degree quite small from the changes in better, that some other European countries have had after becoming a full-fledged member of the European Union, since in preparing for membership, the communist history of Romania, which formed the basis of some problems deep-rooted in the memory and habits of the population, has not been taken into account. Thus, it should be noted that, in practice, in the UE circles, Romania still has "*a reputation for producing documents that sound nice, but which remain only on paper*" [Tom Gallagher, 2010, p. 140], thus calling into question, including the availability of State authorities towards the new constructive approaches of the European Union, because a large part of the staff of public institutions represents a strong barrier against any type of change.

How hard is it to accomplish something in Romania, due to the antiquated mentalities, but mostly because of the retrograde forces, which requires, for most of the time, a lot of patience, confidence and perseverance on the part of those with good intentions, it also results from what Rodica Culcer wrote in 22 Magazine, edited by the Group for Social Dialogue, since February 2004: "*The Romanian Government knows that they can play with Brussels cat-and-mouse, and they laugh in the face of the Commissioners, as well as Baroness (Emma Nicholson-n.a.). If the European institutions will not be careful and demanding, they will lose their reputation, because: not the Balkan periphery will be civilized by Europe, but Europe will be compromised by the Balkan periphery*". And this risk, of compromising Europe and its lofty goals, still remains if the forces for a change in better in Romania, do not mobilize in order to allow to be civilized by Europe [Nelu Niţă, 2013].

We further note that, after almost seven years, since Romania became a full member of the European Union, the political system and internal administrative structures seem to be the same, if not more so, as a

result of bureaucracy and corruption, which seem that can no longer be mastered [Cristi Danileț, 2009]. However, we must also note with pleasure, the fact that, following the accession, the European Union, being the dominant element in an asymmetrical relationship, led Romania to bear a gradual and irreversible process of Europeanization, process that has assumed an important transfer of European values, which will allow them, in time, to take advantage of more opportunities and, at the same time, to take on more of the responsibilities which are conferred by the quality of member of the European Union with full rights.

In this context, we appreciate that it depends only on Romania whether she will evolve and be efficient in order to constitute the pride of Europe or will continue to remain a peripheral Member of the European Union, with a permanently uncertain and questioned future. We believe a major challenge in this regard is represented, however, by Romania's answer to the European concepts on the development of the space of freedom, security and justice in the European Union.

1. Aspects of Romania's accession to the European Union

Established in 1957, under the Treaty of Rome by six countries: Belgium, France, Italy, Luxembourg, the Netherlands and West Germany, the European Union expanded through seven successive waves, to 28 countries, including Romania, which joined on the first of January 2007. In these conditions, even in the 21st century, marked by the accented and complex processes of globalization, Europe is facing even more problems on safety and security, which is why the European Union must take effective and efficient measures to ensure the safety and security of its Member States. Internal and external security are two sides of the same coin, namely: *combating terrorism and organized crime* and, at the same time, the creation of an "*area of freedom, security and justice*" in the European Union, where every citizen has equal access to justice and is protected by law, whenever and wherever he is. Successfully overcoming these problems constitute a huge challenge to all European Union States, including Romania, which certainly requires a greater coordination at European level of many of the actions taken by the national authorities.

Mindful of its entire spiritual and moral heritage, the European Union is coordinating its activities solely based on its indivisible and universal values of human dignity, freedom, equality and solidarity, as well as on the principles of democracy and the rule of law, and is placing the person in the center of all its actions.

Over the years, the EU has developed not only quantitatively but also qualitatively, through intense and complex processes of integration and cooperation. Currently, the strategic objective of the European Union is the ***desire to become the strongest global economic group***, taking into account the strong competition at the level of the Triad "U.S.A-Japan-EU", that is, at the same time, a powerful boost factor of progress, but also an important benchmark criterion for the new trends in industrial, economic, technical, scientific and educational development.

For the achievement of this important strategic objective, the European Union must be formed into an integrated economic system, particularly complex and powerful, with constructive and functional parameters, ensuring a promising basis for the most dynamic developments, despite the heterogeneity of the component States and current international mutation.

The main objectives, the European Union is considering, in order to achieve its vision of becoming the strongest global economic group, are as follows:

- ***to promote economic and social progress***, through the implementation of the single market through the launch of the single currency and through the implementation of the Lisbon strategy;

- ***the affirmation of the European identity on the international scene***, through the establishment of a foreign policy and common security, through interventions in the management of international crises, etc.;
- ***instauration of European citizenship***, which supplements national citizenship without having to replace it, what gives European citizens, a number of civil and political rights;
- ***development of an area of freedom, security and justice***, which is dependent on the proper functioning of the single market and the free movement of persons;
- ***the conservation and development of the community acquis***, which stems from all the legal texts adopted by the European institutions and their constituent treaties;

In consideration of the objectives set out, from the date of accession of Romania to the European Union, the provisions of the original treaties and the acts adopted by the European institutions before accession shall be binding on and applicable to Romania under the conditions laid down in those treaties and in the Treaty of accession. At the same time, Romania has adhered to the decisions and agreements adopted by the representatives of the Governments of the Member States, meeting within the European Council. Romania is also in the same situation as the other Member States in respect to the declarations, resolutions or other positions taken of the European Council, as well as in relation to, those concerning the Community or the Union, adopted by the common agreement of the Member States. Therefore, Romania must comply with all the principles and guidelines that result from those declarations, resolutions or other positions taken and shall take any measures which may prove necessary in order to ensure their implementation.

By joining the European Union, Romania has acceded to the conventions and protocols listed in the first annex of the Treaty of accession. These conventions and protocols have entered into force, with respect to Romania, on the date set by the European Council, by decision and were published in the *Official Journal of the European Union*. With regard to these conventions and protocols, Romania has undertaken to introduce administrative measures, and of any other nature, as those adopted, up to the date of accession, by the present Member States or by the European Council, and to facilitate the practical cooperation between the public authorities and organizations of the Member States.

The provisions of the Schengen *acquis* which has been integrated into the European Union by the Protocol annexed to the Treaty on European Union and to the Treaty establishing the European Community and the acts based on it or which are related to it, listed in annex II, as well as any other new acts of this kind, which could be adopted before the date of accession, are binding and are applicable in Romania, since the date of accession.

2. Justice and Internal Affairs in the European area

EU citizens have the right to move freely, at any time and anywhere in the Union, as well as to choose the place where they work or live, without any restriction, including in Romania. Although, at first glance, it seems a fundamental right simple to formulate, we consider that there are still many obstacles which need to be corrected, so that people, regardless of citizenship and country of origin, can fully benefit from this right. It is about creating a ***European area of security, freedom and justice***. In this sense, we must not ignore the fact that, ***all citizens, regardless of nationality, must enjoy protection against organized crime*** at an international level and, also, enjoy equal access to the justice system and have his fundamental rights protected, wherever he may be, in the Member States of the European Union.

As a result, in order to ensure better protection against organized crime, three instruments have been created in order to substantiate the cooperation in the field of Justice and Internal Affairs, such as: *common positions, joint actions and conventions*. Through the ***common positions*** responses to specific questions or problems are determined. Through the ***joint actions*** of all Member States, the objectives that could not be reached by any State, which would act on its own, are achieved. This tool allows for the development of joint programs of co-operation between national police departments, ministries of Justice, Departments of customs control, but also for the adoption of annual arrangements, taking charge of the refugee quota. ***The conventions*** are classical instruments of international law. The adoption and implementation of conventions prove to be quite cumbersome in practice. By way of example, although the creation of EUROPOL (European Police Office) was initiated in 1991, the Convention setting up EUROPOL was adopted in 1995 by all Member States.

The Treaty of Amsterdam (1997), through its amendments, establishes, more precisely and more ambitiously, the terms of cooperation in the field of Justice and Internal Affairs. Thus, these amendments make the processes more democratic and the roles of the various institutions are much clearer. The main aim of the Treaty of Amsterdam was to entrench the free movement of European Union citizens and citizens outside the European Union, as well as, at the same time, to guarantee public security, by combating all forms of organized crime: traffic in human beings, drugs and weapons traffic, exploitation of children, fraud and corruption, etc.

The main sensitive topics, including for Romania, of the ***community Acquis in the field of Justice and Internal Affairs***, were and still are those relating to: *border controls, illegal migration, drug traffic, money laundry, organized crime, cooperation in police and judicial matters and data protection.*

3. Romania and the Strategy on internal security of the European Union

The European Union, its Member States and institutions, necessarily and mandatory, must defend and ensure freedom and security. ***Europe must ensure respect for human rights, the rule of law and solidarity***. Thus, as a European citizen, anyone can enjoy the right to live, work and study in other European countries than in their own country. In this regard, the abolition of checks at internal borders, in the Schengen space, constituted a step forward, extremely important for Europe. In addition, technological advances have revolutionized the communications modes and their speed, resulting in a new openness, not only of the borders, but also of the institutions and organizations of Member States. At the same time, the opening of borders has led to unprecedented increase of crime and various types of opportunities with criminal character, with consequences of the most seriousness, in all European Union States.

The main criminal risks and threats that Europe faces at present, namely: *terrorism, serious crime forms, organized crime, drug trafficking, cyber crime, trafficking in human beings, sexual exploitation of minors and child pornography, economic crime and corruption, trafficking in arms and cross-border crime*, adapt extremely fast to the scientific and technological changes, in their attempt to illegally exploit and undermine the values and prosperity of States. As a result, the unprecedented development of serious criminal offences and their expansion beyond the limits of the territorial States, is able to determine us to seriously reflect on all criminal phenomena, to analyze them in depth and to formulate extremely pertinent ways in regard to adopting the most effective solutions of mitigation risks and adverse consequences, so that in perspective, "*to be the contemporaries of a "cleaner" world, protected from any kind of injury and impairment of social values of the world that we live in*" [Delia Magherescu, 2012]. Currently, however, it is

clear that the danger is even greater, if we take into account that the most severe forms of organized crime have taken an unprecedented magnitude, reaching the most alarming rates and penetrating the most sensitive sectors of activity. In these circumstances, the concerns of the competent authorities of the States and their active involvement in the promotion of joint projects must weaken the power of organized criminal groups, who are guilty of reinforcing criminal phenomena [Delia Magherescu, 2012].

To limit and eliminate the risks and threats referred to in theory, national security strategy of the European Union, is able to demonstrate a firm commitment to progress in the area of Justice, freedom and security, through a ***European security model***. This security model at an European level, is faced with the following challenges at the level of each Member State: 1. *ensuring and effectively realize the protection of rights and freedoms*; 2. *improvement of cooperation and solidarity between Member States*; 3. *the continuous addressing of insecurity's root causes and not just its effects*; 4. *setting priorities in terms of prevention and anticipation*; 5. *the involvement of all sectors that have a role in public protection (political, economic, social, educational, etc.)*; 6. *informing citizens about the security policies*; 7. *recognition of interdependence between internal and external security,* in establishing a "*global security*" approach with third countries.

It is vital for Romania, that the national security strategy of the European Union, to be able to be adapted to the needs of its own citizens, as well as to the inherent challenges of the dynamic and global character of the 21st century.

In this context, according to the internal security Strategy of Europe, practically, we appreciate that Romania must exploit all potential synergies, relating *to European and international cooperation in the field of law enforcement, the integrated management of borders and the criminal justice systems.* In fact, these activity areas, within the European area of Justice, freedom and security are inseparable. We consider in this connection that the Internal Security Strategy for the European Union ensures that these fields are completed and reinforce each other, at the level of each Member State. Regarding this aspect, Romania must especially pay attention to the area of Justice, where the MCV reports still highlight the various dysfunctions, whose main effect is the distrust and, as a result, Romania's failure to be accepted in the Schengen area of free movement and without checks for people who belong to the States of this space.

Basically, according to the European security strategy, in order to improve confidence, we believe that by giving evidence of good faith and consistency, Romania must enhance its own security model, based on the ***principles and values of the European Union***: ***respect for human rights and fundamental freedoms, respect for the rule of law, democracy, dialogue, tolerance, transparency and solidarity***. It is recognized that, "***crime and zero risk does not exist***", but, yet, despite this, Romania, like all the States of the European Union, must create a safe environment in which all people feel protected. Furthermore, the necessary mechanisms should be established in order to maintain a high level of security, not only in Romania and the European Union, but also, to an extent, when citizens travel to third countries, or when they are in virtual environments, such as the Internet.

In order to face all challenges and phenomena, like all the other Member States of the European Union taken as a model, we believe that Romania should have their own policies and national strategies in achieving the strategic objectives of the European Union. To this end, Romania, through its institutions, must take into

account the numerous instruments developed at the European Union level, among which the most relevant, refer to:

- ***tools for the analysis of future scenarios and situations.*** The application of these tools aims at ***anticipating the threats.*** Under these circumstances, through collaboration with Europol and other agencies of the European Union, Romania must participate in the implementation of periodic evaluations of threats;
- ***tools regarding the appropriate response to any type of threat***. By applying these tools they need to ensure the effectiveness and efficiency in ***planning, scheduling and management of consequences***. To do so, Romania must take into account the strategies and specific work programs, drawn up at the level of the specialized agencies of the European Union, which permit the methodical approach of dangers to citizens and their concerns, on combating terrorism, drug trafficking, trafficking in human beings, organized crime and civil protection, etc.;
- ***tools on the efficiency of the activity in the field***. The use of these tools highlights the main results from the ***activity of agencies, institutions and bodies***. To this end, Romania has the opportunity of cooperation with a number of agencies of the European Union, among which: ***Europol***, whose main objectives are to collect and exchange information, as well as to facilitate the cooperation between law enforcement authorities in their fight against organized crime and terrorism; ***Eurojust***, which ensures coordination and enhances efficiency of the judicial authorities; ***Frontex,*** which manages operational cooperation at the external borders. Through these institutions, the European Union has created the role of ***coordinator of the fight against terrorism***. Other bodies and networks established to strengthen the cooperation at the European level are also in the areas of training specialists, the fight against drugs, crime prevention, corruption and judicial cooperation in criminal matters;
- ***instruments based on mutual recognition, for sharing information and facilitating investigations and joint operations.*** One of the instruments based on mutual recognition, is, for example, the European arrest warrant. Also databases were set up, such as the Schengen information system (SIS) and networks for the exchange of information concerning criminal records, combating hooliganism, missing persons or stolen vehicles, as well as those relating to issued or refused visas. At the same time, the use of DNA data and fingerprints facilitates investigations by identifying anonymous traces left at the scene. The European Union's legal instruments facilitate the operational cooperation between Member States, such as: *the establishment of joint investigation teams, organization of joint operations and close cooperation in order to ensure the security of international events, including major sporting competitions, etc.*;

4. The effects of globalization on the Treaty of Lisbon concerning the area of freedom, security and justice

The evolution of the European Union as a whole, and of each country in its composition, was held in a first phase, in the context of the implementation of the Lisbon strategy, which firstly established the parts and essential ways of building a new economy: ***knowledge-based economy***.

The Lisbon strategy was adopted, for the first time, at the Summit in Portugal's capital, in 2000, and the essence of the strategy consisted in, "***the continuation and acceleration of structural changes that are already under way***". This strategy had a global strategic objective, namely, "***the European Union to become, by 2010, the most competitive economy in the world, based on Science, capable of sustainable growth and creating new jobs***", as well as a concept, with other four strategic objectives, extremely important for the realization of the vision of the European Union, namely: 1. *building a knowledge-based economy, inclusive*

and dynamic; 2. *production of accelerated and sustainable growth*; 3. *returning to the plenary use of human resources by reducing unemployment at the level of top performing countries*; 4. *modernization of social protection systems*.

The failure in achieving this global strategic objective proved that Europe and, particularly Romania, must face new huge challenges, which are no longer linked only by borders and its own criminal justice system but are challenges arising in particular from: *enhanced globalization of the economy and of the crises affecting it, new trends of demographic evolution, climate changes, the need for sustainable sources of energy and, above all, the extremely serious new threats to the security* [Dragomir Eduard, Niţă Dan, 2009]. In this context, it was noted that Member States of the European Union, are no longer able to cope alone with all of these issues and challenges. As a result, in order to find solutions and to address the various concerns of the citizens, a collective effort is required at European level. To do this, however, Europe needs to modernize, to dispose of theoretical and practical tools that are effective and coherent, adapted and adaptable to the needs of a Union enlarged to 28 Member States, as well as to the rapid transformations, through which today's world goes through. Therefore, it was found that many of the rules that underpin the cooperation of States should be reviewed.

In these circumstances, on December 13, 2007, for the ***relaunch of the Lisbon strategy***, a new Treaty in Lisbon was adopted, whose goal was the establishment of new rules, taking into account the political, economic and social changes, in order to respond at the same time, to the aspirations and hopes of the people of Europe.

The Lisbon Treaty, which entered into force on December 01, 2009, made available to the European Union, modern institutions and optimized working methods in order to effectively tackle the contemporary challenges and at the same time strengthen democracy in the European Union, as well as its capacity to promote, on a daily basis, the interests of its citizens. *Human dignity, liberty, democracy, equality and the rule of law* are fundamental values of the European Union, described in the first pages of the new Treaty of Lisbon. These values must be common to all Member States, and any European country wishing to join the Union, must respect them. Promoting these values, together with the peace and welfare of the citizens of the Union, now represent the main objectives of the European Union. Other specific objectives can be added to these general ones, such as *promoting justice and social protection and the fight against exclusion and discrimination.*

Thus the new Treaty of Lisbon more clearly defines the objectives and values of the European Union regarding peace, democracy, respect for human rights, justice, equality, rule of law and sustainability. This Treaty firmer guarantees that the European Union and individual Member States, in our case Romania, must:

- provide the citizens with an area of freedom, security and justice without internal frontiers within the European Union;
- work towards sustainable development of Europe based on balanced economic growth and price stability, highly competitive social market economy, aiming at total employment and social progress, with a high level of environmental protection;
- combat social exclusion and discrimination, and promote justice and social protection;
- promote economic, social and territorial cohesion, as well as solidarity among Member States;
- uphold and promote the European Union's values around the world and contribute to ensuring peace, security and sustainable development of the planet, solidarity and respect among peoples, ensuring free and fair trade, as well as eradication of poverty;

- help protect human rights, especially the rights of the child, as well as the strict observance and development of international law, including the principles of the Charter of the United Nations;

From the facts presented above, it appears that one of the major challenges for Romania's coming years is to bring an important contribution to building a "***Europe of the citizens***", a "***Europe of the rights***", because the protection of fundamental rights and freedoms enshrined by the Charter of fundamental rights, is a key value of the European Union, which implies the adaptation of Romania's political priorities to these objectives.

5. The requirements of the Stockholm Program on the area of freedom, security and justice

The Stockholm program has been discussed by the Ministers of Justice and Internal Affairs of the member countries of the European Union, on 30 November - 1 December 2009 and was adopted at the meeting of the European Council of 10 and 11 December 2009. This Program, offered the Union a new framework for the policy on asylum, immigration and visas, as well as for cooperation in the field of police and justice for the period 2010-2014. Thus, the new five-year agenda of the European Union in the field of freedom, security and justice, known as the "*Stockholm Program*", is aimed at transforming Europe into a safer space, while guaranteeing the rights of citizens of United Europe.

According to the Stockholm Program, entitled "***An open and secure Europe which serves and protects its citizens***", the European Union must be a unique space in which human rights and fundamental freedoms must be protected. The privacy of citizens must be guaranteed beyond national borders, including with regard to the protection of personal data.

The Stockholm program includes a "***clear, ambitious and complete strategy on the protection and guarantee of fundamental rights***", which enables the guaranty of a solid and global "Europe of rights", generalized to all levels of Government. Creating a genuine space of freedom, security and justice, requires a correct balance between the three dimensions.

In this context, we believe that the policies adopted by Romania, in respect of security, should protect the values of freedom and the rule of law. These policies must be based on the protection of fundamental rights, as guaranteed by the European Convention on human rights and the Charter of fundamental rights of the European Union.

In consideration of the Stockholm Program, the notion of a "***Europe of rights and justice***" cannot be limited only to persons holding the nationality of a Member State, but must be applied to any person who resides in the territory of a State of the Union. Otherwise, the scope of the space of freedom, security and justice, in terms of people, would be incompatible with the values and principles that constitute the Foundation of the European Union, namely: *non-discrimination, equal treatment and solidarity.*

Through the Stockholm program, the commitments made by Romania and the new challenges arising from them, are much more serious and clearer in terms of objectives and targets that are to be achieved, which allows the identification of a set of key indicators, as well as an initial list of goals that should be undertaken and that, practically throughout the program and at the end of it, will permit an objective assessment of the progress achieved.

Facilitating access to justice, is considered paramount, in order to take full advantage of the opportunities given by the European judicial area, in particular with regard to cross-border procedures. In this sense, citizens must be helped to overcome language barriers that can burden the access to justice. For this the followings are necessary: a greater use of machine translation mechanisms, where possible, efforts to improve

the quality of interpretation and translation in the field of justice, the reciprocity of resources available in the Member States, in particular, through the interconnection of databases of translators and interpreters or the use of remote interpretation through videoconferencing, where possible.

European ***E-justice*** portal constitutes an excellent opportunity and a practical means of better informing people of their rights and to give them access to a range of information on the various judicial systems. It is recommended if the recourse permits it to use videoconferencing, to relieve the victims of the unnecessary movements. Certain European procedures, such as: European Payment Order or the settlement of disputes concerning insignificant amounts could, in the medium term, to be made via the Internet. In accordance with the rules on data protection, certain national registers could be progressively interconnected, as is the case of the insolvency register of individuals and societies.

The European Union intends to strengthen its legislation on the protection of offences' victims, by providing increased support through the use of devices that allow bringing concrete aid, notably through the European networks.

For the leaders and actors in the Member States of the European Union to consider the European space, as a natural space of their action, ***the mutual trust needs to be enhanced*** considerably. This requires, in the case of all professionals from the European Union countries, including those from Romania, the multiplication of ***exchanges of experience and good practice***, in particular with regard to ethics, as well as vocational training and joint exercises.

The European Union has also proposed to set up a ***European information model***, which would have as purpose the strengthening of its strategic analysis capacity and operational cooperation, situation in which the architecture of information systems, including those of Romania, will need to ensure interoperability, consistency and adaptation to the needs.

The most important instruments, for the successful implementation of the Program from Stockholm, which represent important challenges for all Member States, but especially for Romania, are as follows:

- ***mutual trust*** between the authorities and services in the Member States as well as among the decision factors, who must provide the basis for effective cooperation in this area. Thus, being recognized in European circles that Romania makes promises without coverage, providing confidence and finding new ways to increase accountability and mutual understanding, with the various systems of the Member States, will represent, for Romania, some of the main challenges in the future;
- giving increased attention to the ***implementation, application and evaluation, full and effective of the existing legal and institutional instruments***. In this context, it is intended, in the future, that the response time to the needs of citizens and organizations, to be as short as possible. To do this, the Member States of the European Union should focus on identifying the needs of citizens and experts, as well as the appropriate responses to these needs. We believe that the development of the necessary actions at the level of Romania, should involve the expertise of the most proficient specialists and should consider a variety of measures, including, non legislative solutions, such as: textbooks, sharing good practices, as well as, where appropriate, participation in regional projects, which address these needs, especially when they can provide a rapid response;
- ***new legislative initiatives*** must be submitted only after verification of compliance with the principles of proportionality and subsidiary, after a thorough preparation, including, after prior impact assessments, which includes the identification of needs and the financial consequences. In this context, we

should appreciate that in Romania the principles of better regulation and lawmaking in the entire decision-making should be reinforced. Also, we consider that it would be useful to make greater efforts for coherently draft the Romanian legislation, in a clear and intelligible language;

- development of ***objective and impartial evaluation***, relating to the implementation of policies in all fields, in particular in order to promote the full application of the principle of mutual recognition. In this respect, we consider that in Romania there should be an effective fallow-up monitoring of the processes and services provided by public institutions, including measures to achieve accurate, objective and impartial assessments of all kinds, in any field;
- accelerating the activity of ***vocational training*** in order to create a modern and genuine European culture in the judiciary field and law enforcement. In Romania, the continuous vocational training must become accessible, consistently for all professions involved in the implementation of the space of freedom, security and justice. This must include: judges, prosecutors, justice personnel, police, customs officers and border police. For the training of judges, prosecutors and staff in the judiciary, I consider it is important to ensure the judicial independence, based on the practical application of the principle of the rule of law and democratic control between powers, in order to maintain the balance between them. We believe also that it is necessary and useful to develop online learning programs and common training materials for the training of specialists in the field;
- implementation and application of ***ways to communicate better,*** to citizens and professionals, the factual findings of the policy on freedom, security and justice space. It is known that, in general, the successes in the field of freedom, security and justice, are of great importance for citizens, organizations and professionals. We believe that Romania must ensure, in practice, more transparency in this regard, through the information provided by all institutions involved in the area of freedom, security and justice;
- conducting ***an open, transparent and permanent dialogue,*** with the representatives of associations and civil society;

Conclusions

In conclusion we can say that the space of freedom, security and justice in the European Union, is the space in which all citizens have the right to move freely, at any time and anywhere in the European Union, in which they can live and work where they wish, without any restrictions what so ever, and at the same time, it is the space in which all citizens, regardless of nationality must enjoy a high protection against criminal phenomena and abuse of any kind on the part of State authorities. In order to guarantee public security and ensure sustainable development of the area of freedom, security and justice in the European Union, Romania, as a full member of the Union, must fully respect and ensure implementation of the principles and guidelines resulting from the Treaty of accession and in other treaties, conventions, protocols, decisions, agreements, resolutions, statements, position papers, etc., to which it is a part of.

In the context of these challenges, it must not be forgotten that the European Union wishes to reinforce the competition between the States, as it wants to make Europe by the year 2020, the most competitive region in the world. The President of the European Commission, José Manuel Barroso, said "*we are obliged to adopt an agenda for growth*".

In its capacity as a member of the European Union, which must bring a contribution to building a "*Europe of citizens*", a "*Europe of rights*", as well as to the competitiveness of the Union, Romania has to face tremendous challenges related to globalization and crises, new trends in demographic evolution and migration,

as well as the new threats brought to safety and security, situation in which the emphasis must be placed on the strengthening of cooperation between States and respect for the rules which form the basis of cooperation.

Romania was criticized, however, consistently, because it has a limited capacity to meet the objectives and responsibilities of membership of the European Union, due to the widespread problems of corruption and ineffective measures to counter this phenomenon, as well as due to bureaucracy, manifested by the existence of chronic deficiencies in public administration. Romania also has the reputation to make promises without coverage and that produces documents that sound nice, but which remain only on paper, which increases even more the distrust in the availability of the State authorities, to implement and apply the new constructive approach of the European Union.

In this context, taking account of all the challenges mentioned above, which we appreciate Romania has to face, we believe however that the biggest challenge for Romania is the *understanding, adoption and strengthening, in practice, of the highest values of the European Union, in order to ensure the consistent fulfillment of the principles of the rule of law and, thereby, the conditions for continued growth of confidence in the ability of the Romanian State institutions, to fulfill all their commitments, in dealing with its internal and international partners.*

We also believe that in order to meet all these challenges, regarding the strengthening of the space of freedom, security and justice, as well as internal and international competitiveness, it is important that Romania, by giving evidence of respect, solidarity and good faith should practically cope with other challenges, just as important, but not as essential, such as: *consistency, efficacy and proven effectiveness of activities to prevent and combat corruption and endemic bureaucracy in Romania*. In this regard, for a sustainable development and to constantly work at maximum parameters, in any situation, we believe that State institutions in Romania, must be urgently reformed and depoliticized, in order to be independent of the political factor and to be strengthened, in the fight for freedom, security and justice. Also, we appreciate that, in Romania, the employees of institutions must not be changed on the political criteria, at each change of political power in the State. In these conditions, the Romanian State must invest a lot in the actual performance of his men, so any change made to them on other criteria than actual performance means losses for the State, through the people lost and useless expenses incurred with them.

Finally, we believe that through its reform, the Romanian State and all its institutions must ensure compliance with the laws and regulations imposed by all its citizens, without any discrimination and concessions. The State and its institutions must take care, especially of citizens who comply with the rules, but at the same time, to determine the compliance with the rules of those who have the temptation to violate or ignore them. We normally believe that law-abiding citizens in Romania should promptly be defended against those who don't comply with it, including against any abuses of right on the part of the State institutions.

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