
ROMANIA ON THE ROAD TO EUROPEAN INTEGRATION

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Abstract

In this article, the authors are concerned about the European path of Romania, on the path of European integration, in the post-accession period. The main milestones that Romania has to undertake in order to align with the European policies, mechanisms and standards are presented. Acceptance of Romania as a member of the European Union was made on the basis of documents, from which the accession treaty is important. The study is structured on the main areas where Romania, after signing the accession documents, has to comply with the European Union standards. Thus, the negotiated chapters on accession, which stipulate deadlines and measures to be taken, are mentioned. The authors highlighted the successes so far, emphasizing what measures should be taken according to the deadlines mentioned in each case.

Keywords: *accession, integration, Romania, European Union, documents*

JEL Classification: *O11, P41*

Introduction

Romania's accession to the European Union was a pleasant and significant moment. The actual integration and especially the „advantageous for Romania” application of the programs of measures is the serious and high responsibility for the governors in our country. The five years that have already passed have shown weaknesses for Romania, a country where the „electoral campaign theme” is a permanent threat in 2012. Although there are promises and guarantees that no negative issues will happen, Microstructure and macroeconomic activity may be destructive as though we are still reserved to consider them. That is why we are putting forward paper on the pre-accession program.

The steps taken to date in harmonizing legislation, the conditions for integration in the European Union have not been accompanied by a concrete post-accession program.

The war „on the Bucharest-Brussels route” or „between the Cotroceni palaces, Victoria and the Chambers of Parliament” did not have an economic and financial effect for Romania precisely because of the lack of an appropriate own program of accessing Community funds and of aligning Economy to Union standards.

Literature review

Klein and Ventura (2009) analyze the dynamic effects of labor mobility, Kennan (2017) is concerned about the same issue under „open borders” policies in the EU and beyond. Popa and Chifane (2013) study the correlation between the absorption of European funds and Romania’s economic situation compared to other states, Gherman (2012) analyzes the impact of European funds on Romania and focuses on the problems and solutions they face. Stoica (2012) addresses a close theme. Hill and Smith (2011) describe international relations at EU level. Mihaiteanu (2014) studies the effects of the financial crisis on Romania’s goal of adopting the euro. Anghelache (2007-2016) describes in detail the economic condition of Romania in the post-accession period. Spiegel (2009) addresses the theme of financial-monetary integration. Anghelache, Anghelache and Anghel (2016) analyzed the evolution of Romania’s foreign trade. Coeurdacier and Martin (2009) are concerned with the geographical distribution of commodity trade. Anghel, Anghelache and Dumitrescu (2016) is concerned with financial tools dedicated to innovative small and medium-sized enterprises, Branten and Purju (2013) are concerned about innovative financial instruments in community funding schemes. Lane (2006) analyzes the real effects of the monetary union approach at European level. Anghel, Manole and Stoica (2016) present a quantitative model describing the link between foreign direct investment and import. Anghel, Dumitrescu, Dumitrescu and Niță (2016) describe the role of the banking system in the absorption of European funds, as a determinant factor for ensuring the stability of the national economy, Manole, Dumitrescu and Dumitrescu (2016), develops on a close theme. Santos Silva and Tenreyro (2010) analyze the past and future of monetary unions. Neculita et.al. (2013) is developing a study on the absorption of community funds at the level of the Central and Eastern European region. Anghelache and Anghel (2014) describe the tools of economic modeling. Anghel (2015) studies the structure of monetary mass in Romania in the post-accession period. Anghelache (2016) describes the use of simple and multiple regression models in analyzing Romania’s economic

growth. Anghelache, Anghel, Diaconu, Badiu and Niță (2016) propose a set of models for analyzing the absorption of European funds. Berezin and Diez-Medrano (2008) evaluate support for European integration.

Methodology of research and data

A realistic presentation of what integration means from the point of view of the program to be followed and the efforts will highlight the urgent need for a concrete post-accession integration program.

The following approach is useful at least through the opportunity to understand the advantages of Romania's accession to the European Union.

We must say that the Romanian Parliament, through Law no. 157 of 24 May 2005, ratified the Treaty between the Member States of the European Union, signed with Romania and Bulgaria, on the other hand, in Luxembourg, on 25 April 2005, expressing the mandate of Romania's legislative to move on.

By this law, a series of regulations are made. Thus, the Treaty between the Member States of the European Union and Bulgaria and Romania is ratified in connection with the accession of Romania and Bulgaria to the European Union, a document signed by Romania in Luxembourg on 25 April 2005.

Secondly, the Parliament, the President of Romania, the government and the judicial authority guarantee the fulfillment of Romania's obligations resulting from the accession act and from the provisions of the constituent treaties of the European Union, as well as from other binding Community regulations.

Also, within the meaning of the Accession Treaty, the Treaty establishing a Constitution for Europe, the Treaty establishing the European Community, the Treaty establishing the European Atomic Energy Community and the Treaty on European Union, as well as other Binding Community rules, the following terms are defined as follows: a State national means a natural or legal person having the nationality or nationality of that State in accordance with its domestic law; By Romanian national means the natural or legal person having the nationality, respectively the Romanian nationality, according to the Romanian legislation.

This law was then promulgated by Decree no. 465 of May 24, 2005, bearing the stamp and signature of the President of Romania.

On the basis of the negotiations for the accession of Bulgaria and Romania to the European Union in Brussels on 31 March 2005, the Accession Treaty and the drafts of other necessary legislative acts and instruments were agreed. This document comprises five parts, namely: Part I - Principles underlying the European Union Constitution; Part II - Adaptations to the Constitution, namely International provisions and other adaptations; Part III

- Permanent provisions, which stipulate the adaptations of the acts adopted by the institutions and others to be harmonized; Part IV - Temporary provisions, focusing on transitional measures, institutional provisions, financial provisions and other provisions; Part V - Provisions on the implementation of the Protocol, with an emphasis on the composition of the institutions and bodies of each State, the applicability of acts of the institutions and the final provisions.

The protocol is accompanied by nine annexes, detailing each point and subpoint.

On 31 March 2005, the Accession Treaty, which includes draft legislative acts and other instruments agreed between the signatory countries, was agreed.

Article 1 states that Romania and Bulgaria become the present Treaty of the European Union. The two countries become part of the Treaty establishing a Constitution for Europe and the Treaty establishing the European Atomic Energy Community, as subsequently amended or supplemented.

The conditions and arrangements for admission are set out in the attached Protocol, the provisions of which form an integral part of the Treaty. The Protocol, its annexes and appendices, annexed to the Treaty establishing a Constitution for Europe and the Treaty establishing the European Atomic Energy Community, shall form an integral part of this Treaty.

In Article 2, it is inserted that if the Treaty establishing a Constitution for Europe is not in force at the date of accession.

Bulgaria and Romania become parties to the Treaties on which the European Union is founded as subsequently amended and supplemented. In that case, Article 1, paragraphs 2 to 4, shall apply from the date of entry into force of the Treaty establishing a Constitution for Europe.

The conditions for admission and the adjustments to the Treaties on which the European Union is based, which arise from accession and which apply from the date of accession until the date of entry into force of the Treaty establishing a Constitution for Europe, are laid down in an attached document To the Treaty.

If the Treaty establishing a Constitution for Europe enters into force after accession, the Protocol referred to in Article 1 shall supersede the act subsequently laid down from the date of its entry into force.

The provisions of the previous Protocol do not produce any new legal effects, maintaining the conditions laid down in the Treaty establishing a Constitution for Europe.

Acts adopted prior to the entry into force of the Protocol under this Treaty or the Act referred to above shall remain in force and shall continue to have effect until such acts are amended or repealed.

Article 3 states that the provisions on the rights and obligations of the Member States as well as the powers and competences of the institutions of the European Union, as set out in the Treaties to which Romania and Bulgaria become Parties, shall also apply in the context of this Treaty.

Article 4 contains a number of emphasis such as: „The Treaty shall be ratified by the High Contracting Parties in accordance with their constitutional rules”, „Instruments of ratification shall be deposited with the Government of the Italian Republic no later than 31 December 2006”.

Under these circumstances, the Treaty enters into force on 1 January 2007, provided that all instruments of ratification have been deposited before 1 January 2007.

There is an exception which provides that if one of the signatory States has not deposited its instrument of ratification in due time, the Treaty shall enter into force for the other State which has deposited its instrument. In these circumstances, the Council, acting unanimously, shall immediately decide on the necessary adaptations.

Without prejudice to the provisions on the deposit of all necessary instruments of ratification, the Treaty shall enter into force on 1 January 2008, if the Council adopts a decision on both adherent States in accordance with Article 39 of the Protocol.

If such a decision is adopted with respect to only one of the acceding States, this Treaty shall enter into force for that State on 1 January 2008.

It is also underlined that, without prejudice to the provisions of the previous paragraph, the Union institutions may adopt, before accession, the measures provided for in order to harmonize legislation. These measures shall enter into force only if and on the date on which the Treaty enters into force for each Party or for all in one place.

Article 5 highlights the fact that the text of the Treaty establishing a Constitution for Europe, drawn up in the Bulgarian and Romanian languages, is annexed to the Treaty. These texts shall be authentic under the same conditions as those of the texts translated into the languages of the other countries already members of the European Union.

The last article states that the Treaty is drawn up in a single copy in the language versions of each of the signatory Member States and all documents in the respective languages are equally authentic and deposited in the archives of the Government of the Italian Republic which will transmit a certified copy thereof to each of them Between the governments of the other states.

Article 3 (3) of the Protocol of Accession of Romania to the European Union clarifies and specifies the Conventions (Protocols) to which Romania becomes a party on the date of accession. These documents become obligatory

for Romania, containing rights and obligations according to which the legislation, but especially the attitude of our country within the Union, must be harmonized.

This category includes new basic documents, along with others (annexes) that have been agreed upon under the main ones.

Convention concluded on 19 June 1980 on the law applicable to contractual obligations, opened for signature in Rome on 19 June 1980. A number of specific documents were subsequently agreed on this document of principles.

The Convention of 10 April 1984 concerns the accession of the Hellenic Republic to the Convention on the Law Applicable to Contractual Obligations, opened for signature in Rome on 19 June 1980. The First Protocol of 19 December 1988 concerns the interpretation by the Court of Justice of the European Communities of the Convention on The law applicable to contractual obligations, opened for signature in Rome on 19 June 1980.

The Second Protocol of 19 December 1988 governs the investiture of the Court of Justice of the European Communities with certain powers to interpret the Convention on the Law Applicable to Contractual Obligations, opened for signature in Rome on 19 June 1980.

The Convention of 18 May 1992 provides for the accession of the Kingdom of Spain and the Portuguese Republic to the Convention on the Law Applicable to Contractual Obligations, opened for signature in Rome on 19 June 1980.

The Convention concluded on 29 November 1996 concerns the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the Convention on the law applicable to contractual obligations, opened for signature in Rome on 19 June 1980, and to the First and Second Protocols on its interpretation of To the Court of Justice. The Convention concluded on 23 July 1990 regulates the elimination of double taxation in relation to the adjustment of profits of associated enterprises.

The Convention of 21 December 1995 envisages the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the Convention on the elimination of double taxation. This document sets out the income tax regime for the associated companies. We also mention the Protocol of 25 May 1999 amending the Convention of 23 July 1990 on the elimination of double taxation in connection with the adjustment of profits of associated enterprises.

The Convention on the Protection of the European Communities' Financial Interests, concluded on 26 July 1995 under Article K.3 of the Treaty on European Union, provides for measures to avoid financial risks and to

protect the interests of the Member States. The document was subsequently harmonized by agreeing three Protocols on the protection of financial interests, namely: the Protocol to the Convention on the Protection of the European Communities' Financial Interests concluded on 27 September 1996 under Article K.3 of the Treaty on European Union; Protocol on the preliminary interpretation by the Court of Justice of the European Communities of the Convention on the protection of the European Communities' financial interests, concluded on 19 June 1997 under Article K.3 of the Treaty on European Union; The Second Protocol to the Convention on the protection of the European Communities' financial interests pursuant to Article K.3 of the Treaty on European Union.

The Convention on the Establishment of a European Police Office (Europol Convention) concluded on 26 July 1995 under the provisions of Article K.3 of the Treaty on European Union was subsequently supplemented and updated by: the Protocol on the preliminary interpretation by the Court of Justice Of the European Communities of the Convention on the Establishment of a European Police Office concluded on 24 July 1996 under Article K.3 of the Treaty on European Union; The Protocol on the privileges and immunities of Europol, members of its organs, deputy directors and employees of Europol, concluded on 19 June 1997 pursuant to Article K.3 of the Treaty on European Union and Article 41 (3) of the Europol Convention; Protocol amending Article 2 and the Annex to the Convention on the establishment of the European Police Office (Europol Convention) done on 30 November 2000 under Article 43 (3) of the Europol Convention; Protocol amending the Convention on the Establishment of a European Police Office (Europol Convention) and the Protocol on the Privileges and Immunities of Europol, its Members, Deputy Directors and Europol Employees, signed on 28 November 2002; Protocol amending the Convention on the Establishment of a European Police Office (Europol Convention), concluded on 27 November 2003 pursuant to Article 43 (3) of the said Convention.

The Convention on the use of information technology by customs services was concluded on 26 July 1995 under Article K.3 of the Treaty on European Union and subsequently supplemented by: the Protocol on the preliminary interpretation by the Court of Justice of the European Communities of the Convention On the use of information technology by customs services concluded on 29 November 1996 under Article K.3 of the Treaty on European Union; Protocol on the scope of the concept of laundering of proceeds from crime in the framework of the Convention on the use of information technology by customs services and on the inclusion of the registration number of means of transport under the Convention, On 12 March 1999 pursuant to Article

K.3 of the Treaty on European Union; Protocol amending the Convention on the use of information technology by customs services for the purpose of establishing a customs files identification database, concluded on 8 May 2003 pursuant to Article 34 (3) of the Treaty on European Union.

On 26 May 1997, the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union was concluded on the basis of Article K.3 (2) (c) of the Treaty on European Union EU.

We also mention the Convention on Mutual Assistance and Co-operation between Customs Administrations, done on 18 December 1997 under Article K.3 of the Treaty on European Union; The Convention on driving disqualifications concluded on 17 June 1998 under Article K.3 of the Treaty on European Union; Convention on Mutual Legal Assistance in Criminal Matters between the Member States of the European Union, adopted by the Council on 29 May 2000 on the basis of Article K.3 of the Treaty on European Union, supplemented by the Protocol to the Convention on Mutual Legal Assistance in Criminal Matters Between Member States of the European Union, adopted by the Council on 16 October 2001 pursuant to Article 34 (3) of the Treaty on European Union.

Conclusion

All these documents (conventions and protocols) have become binding on Romania since the date of accession. Those interested in the detailed knowledge of these documents can consult them on the Internet or in the archives of the European Integration Bureau. The provisions of the presented documents will undoubtedly mark the European course of Romania in the coming period, marked by the economic recovery and the prospect of the changeover to the European single currency. From the study undertaken by the authors, it is concluded that Romania has made efforts in accordance with the annexes established at the signing of the accession protocol in the European Union. It highlights the steps that need to be taken so that Romania can integrate as quickly as possible with all the standards stipulated in the directives of the European Union.

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