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EDITORIAL

NEW TIMES / NEW ACTORS (II)

The first decades of 21st century emphasize – given the impact of modern technologies – new concepts regarding the preparation and conduct of confrontations, the preoccupation of most states for making predictions with respect to the evolution of weapon systems, conceiving programs of measures that might allow them to face any probable threats and avoid being surprised. The evolution of technologies meant tremendous progress in military equipment and in the military domain generally speaking, substantially modifying their mobility, speed of reaction, rapid decision-making process.

The changing paradigm of conflicts, no matter their types, is due to technical and scientific progress, which represents a unique process of qualitative alterations in the system of contemporary technical and scientific knowledge (especially in natural sciences and technical sciences). As a unique process of qualitative changes, the contemporary scientific and technological revolution, foreseeing a „crusade” towards the future, has opened the door to a world in which cyclotrons are like cathedrals, Mathematics are like a Gregorian chant, in which transmutations are made not only in matter but also in brains, and the characteristics and nature of micro-electronics create nowadays a completely different situation which defies the traditional understanding of technology, development and industrialization.

Nowadays we can no longer talk about exclusively ground or naval confrontations, but rather about air-ground, air-sea and air-space operations, fact which proves the omnipresence and omnidirectionality of the vertical



dimension in all military actions. The foreseeable future consists in an increasing role of the vertical component, of the air-cosmic space, of the air-space research systems, warning, alert and high precision strikes. Keeping under control and acquiring air dominance are going to be decisive for ensuring forces' freedom of maneuver. Within military actions, each category of armed forces conducts missions in all environments, engaging in creating an integrated battlespace.

Regardless of their organic subordination, the actions of all forces and means are successful only if they are integrated conceptually and actionably, both at combined and joint forces level. The contemporary military phenomenon has well highlighted the amplitude and importance of the vertical component, with its two distinct sides – air threat and air defense, without which we can no longer even speak of land or maritime operations.

The new stage of scientific and technological evolution is essentially a technologized revolution, based on micro-electronics, automatization, informatics, robotics, artificial intelligence and communications, which determine important consequences that are not only industrial, economic, and social, but also military.

The revolution taking place in the military domain, through the radical, qualitative transformations in technical means, has led to a structural redefinition of all the notions of strategy known so far (the moment of starting the war, the time needed for mobilizing material and human resources, the force ratio, respectively establishing the „superiority” and „inferiority” of one or another of the belligerents, the rear, the borders, the neutral territories and so on), new methods of waging wars, conducting combat actions, new organizational structures of the troops, etc. The development of social, political, economic, and other kinds of processes at the beginning of the century allows us to predict that, at the beginning of the current millennium, they are going to continue to evolve and will require redefining international relations, having direct implications upon European states' security in general and upon Romania's space of interest, especially.

In the future decades, significant changes are going to keep on happening in the social, economic, and military environments. The features of military, non-military and non-violent risks and conflicts are going to be increasingly diverse; yet there is a certain likelihood that they may degenerate into violent confrontations with unpredictable consequences.



„Nowadays the layout of the world’s civilizations is different. Tomorrow’s world is going to be divided into three contrasting and competing civilizations – the first, still symbolized by the plough; the second, by the assembly line; the third, by the computer... Each civilization has its own economic requirements, hence the political and military ones”¹. *In conclusion, the emergence of a new civilization is going to result in profound mutations in the military domain.* „A military revolution takes place only when a new civilization emerges to defy the old one, when the whole society transforms itself, forcing the Army to change at all levels simultaneously – from technology and culture, up to organization, strategy, tactics, training, doctrine, and logistics. When this happens, the relationship among the military, economy, and society changes, and the military balance of power on Earth is broken”².

The start of the 21st century is witness to new concepts of warfare (military conflicts). Leaving out the types of unconventional warfare (nuclear, biological, chemical), legally prohibited, the psychological, information, economic, etc. components are sufficient proof for arguing that a military confrontation is and will keep being different than in the past.

The modern military phenomenon has shown that the employment of all military means in an armed confrontation, as well as the continuous upgrading of their possibilities of action (range, precision, effects etc.) are leading to a new physiognomy of combat. Consequently, we perceive the objective necessity of studying possible variants of conducting military actions in the first decades of the third millennium.

The continuous and equally accelerated evolution of the air-cosmic, ground, and naval threats in the perspective of the 3rd millennium is going to take place against the backdrop of a powerful impact of technical-scientific revolution, performing technology, precision, speed and transfer of information.

The current developments of military equipment and technology are but a natural sequel, a follow-up in the military domain, of the technological developments in natural sciences, modern Physics, Mathematics, Chemistry,

¹ Alvin Toffler, “Război și anti-război”, București, 1995, p. 45.

² *Ibidem.*



Astrology, Cybernetics Electronics, and other sciences that have found specific applications in the military field.

Thus, the future is going to offer us „the development of weapon systems and categories, with an enormous power of destruction, capable to act through carrying vectors in the four environments (ground, air, sea, and space), hit targets and objectives at impressive distances, in a short time, and maximal precision, in any weather conditions”³.

Obviously, „modern military confrontation is going to acquire an increasingly integrating aspect, the battlefield of the future being characterized by new dimensions and features to be found in discontinuous fronts, different centers of gravity with vertical extension, swift planning and execution of maneuvers, simultaneous striking of forces and targets, both at contact and in depth”⁴.

The features of warfare have always been connected to and conditioned by economic systems. Not directly, of course, but decisively, the economic aspects influence the political ones, and war is always a continuation of political decision. We are not referring here only to the military action as such, but also to the complex configuration of war, its economic, political, social, and military dimensions. For the foreseeable future, most countries are going to begin restructuring the industrial economic system in order to make the transition towards another one which is already known to us as information national system.

The agricultural economic system generated the first type of warfare, mainly characterized by a military confrontation between forces and means reduced in number, in a preponderantly ground space and on a rather small surface, which made victory usually be decided in a single battle or in a succession of extremely violent clashes. The industrial economic system created the conditions of emergence of the second type of warfare, characterized especially by taking confrontations outside the military domain.

The use of huge task groups of forces and means, endowed with modern combat means, in a battlespace that gradually grew up to

³ Toma Gheorghe și colectiv *Arta operativă între contrarii*, Editura AISM, București, 2001, p. 39.

⁴ *Ibidem*, p. 79.



continental and even planetary values, the armed combat taking place in all environments (ground, air, and sea), which significantly prolonged the duration of war. This system also included obtaining victory through a series of actions, operations and strategic battles, in many cases building up different campaigns. We also need to mention the existence of huge human, spiritual, and material costs which, given the results obtained, did not every time justify the efforts made and the resourced spent in these types of wars, as there were mass civilian casualties which may label warfare as irrational. The newly emerged information system announces a third type of warfare, characterized by increasing confrontation among non-military domains and a more rational employment of armed combat by using task groups of hyper-specialized forces and means of modern warfare.

It is well known that in the history of mankind there were several periods in which facts overcame scientific activity, at least in certain domains of society, just the same as there are sufficient situations in which science overcame reality. From this point of view, the military domain went through both situations.

At present, in the field of military art, especially regarding the preparation and conduct of military actions, simultaneously with rapid evolutions, there are significant preoccupations and accomplishments of specialists as well as a certain delay of the scientific component as compared to the faster development of military events. Some of the causes of this situation can be found in the tendency of evolution, at fast pace, of technologies, in general, and of technologies with applicability in the military domain, especially, other cases can be identified in extra-ordinary events (such as disasters, terrorism, drug and strategic materiel), at global or local levels, which took place at the end of the 2nd millennium and the beginning of the 3rd millennium. We estimate that the situation can be encountered in most modern countries although there are places or punctual military domains in which this estimation is not valid.

The events happening at the beginning of the century marked the initial stage of a new era of profound transformations at every level. Most states, whether or not taken by surprise by the dynamics of events that followed, started a process of analyzing, reviewing, and adapting their foreign policies and their national and military strategies of security. Romania's firm commitment to the model of European security promoted



by NATO triggered the reform of the military system as a main direction of the political-military integration goal. In these conditions, the military phenomenon is subject to changes, just as society as a whole, or the security environment; in its turn, the military phenomenon is also affected by its own, internal processes, which caused the considerable enlargement of its sphere of action and the diversification of military decision makers' preoccupations for finding solutions to the newly emerged issues.

The Central and Eastern European space, affected as it is by global and regional processes, has in addition its own characteristics and lack of balance and crisis, both economically and socially and at security level. By separating the economic integration process from the military integration one, the new NATO member states found an open path towards economic and social development, towards individual and collective prosperity. This state of facts favors the emergence of new states of tension and uncertainty which might escalate into conflicts, including military ones, which may seriously affect the positive general evolutions of constituting a new architecture of security in Europe and in the world.,,The European security environment, predictable for the 3rd millennium, needs to find Romania and its Army ready to face any challenges, offering it the chance of active participation in all the actions representing its national and security interests”⁵.

At the end of the 2nd millennium and the beginning of the 3rd one, despite all the favorable signs of relaxing international relations, the independence and sovereignty of a country will not be ensured exclusively through political means, without owning a modern defense industry in the structure of the security system. The issue of technological revolution and its impact upon the military potential, in the current conditions, represents a sphere of research of great interest, of inter-disciplinary kind, at the crossroad of technical, military, and economic sciences.

Just as the whole contemporary social process, especially mobile in its evolving coordinates, in the new technological age, military thinking and practice have known an accelerated process of development. On the whole, the evolution of military science and art is remarkable through the

⁵ Mândru Mircea, *Interoperabilitatea operațională - obiectiv strategic al Armatei României*, Editura AISM, București, 2000, p. 30.



profoundness, vastness, and diversity of problematics approached, through the rhythm of accumulating knowledge, as well as through cutting down the cycle of renewing it, of replacing significant parts of its ideas, considered obsolete, with new theories and ideas, according to the social-political considerations within which the military phenomenon manifests itself.

The conclusions drawn from the latest local conflicts have fully shown that the winner is usually that country (group of countries), that efficiently use state-of-the-art technologies, both in the economic and in the military domains. The only reason of being of military structures in a democratic society is that of making, defending, and keeping peace. This is accomplished first and foremost by creating and maintaining operational a sophisticated combat arsenal together with the forces needed for preparing and conducting the actions.

The impact of contemporary technological revolution upon the military domain has led mankind to the situation in which the upkeep of a modern and efficient Army is a luxury for most states. Thus, small and middle-size states cannot afford to keep up with the financial and human needs implied by the latest modern military potential and are compelled to line up around the power cores in the global arena, seeking to valorize, as efficiently as possible, the intelligence capital they have available in exchange for a plus of security.

Yet, despite the great technological performances made, man is bound to remain the main factor, as a modern military structure needs to comprise smart soldiers, much more than smart weapons and munitions.

At present, we are witnessing a considerable extension of the concept, expressing the increasing interaction of political, economic, technological, juridical, and – last but not least – military factors. In this regard, we need to say that, after the end of the 2nd World War, a global system of security was initiated, together with the adoption of United Nations Charter and the establishment of the United Nations Organization. Though imperfect, this system is clearly a progress from the perspective of international security as it instituted a sanctioning frame against the states that break the legal order and impede upon national security. Certainly, the term *sanctions* has special significance, in the sense that their application do not aim at punishing the state they are directed against, but first and foremost re-establishing international peace and security.



We also notice another tendency with an indirect impact upon the security domain; the transformation of contemporary international law from a states' law into a people's law, thus becoming the immediate recipients of certain specific norms.

The impact besides security is derived from the fact that public opinion created a trend in favor of ranking international law norms in the sense that those regulating human rights have superior juridical power and, implicitly, they would legitimate force interventions where these rights are violated. The problem is not the concept itself, but the risk of being used as a pretext covering political purposes, corroborated with the older habit of using different solutions for similar situations.

At the same time, we notice that international relations have started to experience new difficulties, among which: the forceful imposition of solutions, the ultimate character of negotiations and, furthermore, the projection of certain political settlements for one of the sides to the detriment of the other side/sides.

At the same time, we notice a process of restructuring and remodeling of security organizations, in trend with the new international realities, endeavor that presupposes the use of treaties, both in order to perfect internal structures and mechanisms, and in order to optimize cooperation among organizations and ensure rightful openness for integrating Central and Eastern European countries.

We need to say that the beginning of century and millennium are also characterized by certain dramatic and profound changes regarding military evolutions, changes that reflect indirectly on the system of international security.

In general, with respect to changes, the European ones occupy the primordial position, fact which led to the emergence of a new geopolitical and geostrategic context, characterized by a high degree of complexity. Undoubtedly, this is now in a process of transition, having radically modified parameters aiming at the configuration of centers and resources of power, the intra- and inter-state relations, the conceptual and operational models of the security process.

These rapid changes have also unleashed conflicting forces in a manner yet unknown in the last half of century. That is why, the discussions



regarding re-shaping Europe and relations among nations are going to also continue at the beginning of this millennium.

International security is strongly conditioned by the security in the Euro-Atlantic area, be it only for the reason that this area shelters most military forces and equipment, including the nuclear arsenal. That is the reason why there are so many organizations and institutions in this area that participate in building the security architecture: UN, NATO, OSCE, EU and European Council. This is a genuine architecture whose project presupposes two components: creating a security circle within which nations may feel secure and stable; maintaining a difference only among the different security organizations in order to create a larger institutional framework.

We may state that the fate of Europe and of the world in general is going to depend on the capacity and ability of power poles – both current and upcoming – to cooperate with maximum of efficiency in the global issues they are confronting and to harmonize interests in various areas.

At the same time, we need to specify that a potential elimination or diminishing of the role of power pole is going to necessarily lead to the failure of security architecture in Europe, irrespective of how favorable and generous the geopolitical scenario it was projected on. Will the actors, be they current or old, accomplish these goals? And yet, what is the future holding out for us?

Brigadier General (ret.) Professor Gheorghe Toma, PhD

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**UNELE CONSIDERAȚII CU PRIVIRE
LA INCOMPATIBILITĂȚI ȘI IMUNITATE,
PREVĂZUTE DE CONSTITUTION ROMÂNIEI**

**ASPECTS REGARDING INCOMPATIBILITIES AND IMMUNITY
STIPULATED BY THE ROMANIAN CONSTITUTION**

Brigadier General (ret.) Petru Țăgorean, PhD

Tenured member of the Academy of National Security Sciences,

E-mail: tpetrut@gmail.com

Rezumat: *Constitution conține - pe lângă normele juridice propriu-zise -, principiile fundamentale de organizare și funcționare a statului și instituțiilor sale. Între normele juridice și principiile Constituției nu pot exista contradicții sau neconcordanțe.*

Separarea puterilor în stat proclamată la nivel de principiu constituțional nu poate fi încălcată prin dispozițiile Constituției.

Incompatibilitățile sunt prevăzute de Constitution pentru a garanta exercitarea corectă a atribuțiilor puterilor statului – fără imixțiuni din partea celorlalte puteri.

Imunitatea parlamentară este un mijloc de protecție a membrilor puterii legislative împotriva unor eventuale șicane sau abuzuri. Imunitatea protejează mandatul în sine - iar nu titularul acestuia -, fiind considerat a avea un caracter obiectiv. Imunitatea parlamentară nu se poate extinde la celelalte puteri ale statului.

Este necesară revizuirea Constituției României pentru eliminarea cumulului mandatului parlamentar cu cel ministerial, după modelul celorlalte state de drept europene.

Cuvinte cheie: *stat de drept; Constitution; incompatibilități; imunitate; revizuirea Constituției; control parlamentar.*

Abstract: *The Constitution includes, beside its specific legal provisions, the fundamental principles on which the state and its institutions are organized. There cannot be contradictions between the legal provisions and the fundamental principles. The separation of powers is established in the Constitution and this principle cannot be violated by any of its own provisions.*

Incompatibility is stated in the Constitution in order to guarantee the lawful use of state power without any influence or interference from other powers. Parliamentary immunity is a means by which members of the legislative power are protected from possible abuses. Immunity is granted to the position of Parliament Member and not to incumbent of this position, being considered objective by nature. Parliamentary immunity does not extend outside the legislative power.



There is a need for revising the Constitution in the sense of eliminating the possibility of overlapping mandates – of Parliament Member with that of Minister in the Romanian cabinet, following the model of law governing the European states.

Keywords: rule of law; Constitution; incompatibilities; immunity; revising Constitution; parliamentary control

Introduction

If we paraphrase the words of great revolutionary figure Nicolae Bălcescu, the one who said that history is the most important – the defining – book of each nation, nowadays, in a rule of law state, the Constitution has the same fundamental importance. Maybe that is the reason why Constitution is also called the „fundamental law” of a country. Besides the juridical norms as such, Constitution also includes the fundamental principles of organization and functioning of the state and its institutions. That is why, as a principle, Constitution needs to be an extremely clear and coherent act, leaving no place for misunderstanding or interpretations. These are all reasons why the fundamental law must not include contradictory provisions or elements that are counter to the principles stipulated in it.

An ambiguous constitutional text does nothing but generate conditions for the occurrence of juridical conflicts of constitutional nature. Certainly, in such cases, the Constitutional Court or other competent authorities – according to the juridical system that is characteristic to each country – through the decisions adopted – but only when there is an intimation – can intervene in such situations to clarify the manner in which constitutional provisions need to be interpreted or applied. Still, the intervention of such an institution, especially if it has political roots, should be as little as possible. For this to happen, the constitutional provisions need to be coherent so as to ensure an even understanding of legal norms by those that need to apply them.

At present, Romania still has a young Constitution, only 30-year old, and the experience accumulated in applying it – and not only – should make an object of study and analysis, in order to eventually bring substantial alterations to the Constitutional text, able to ensure it a higher coherence, including at the level of principles proclaimed by the fundamental law.

Other states, that have represented and at present still are a model to Romania, have tackled more often such legal endeavors, the initiative of



initiating Constitutional reforms pertaining in most cases to the governing parties or the head of state. Thus, for example, the French Constitution – it is true, adopted in 1958 – has been revised 24 times until now. On average, this means revising it every two years and a half¹! Interestingly enough, this happens while it is considered a “rigid” one due to the difficult revising procedure.

On the separation of state “powers”

One of the principles proclaimed by the current Romanian Constitution from the very first article (paragraph 4) is that of separation of state powers. According to the Constitutional text, *„The state is organized according to the principle of separation and the balance of powers (our underlining) - legislative, executive and judicial - within the framework of Constitutional democracy”*. Which are these “powers”, though? A first observation is that of the incoherence of the Constitutional text, due to the fact that Title III of the fundamental law no longer refers clearly to the „powers” mentioned in the text quoted from art.1, but to „public authorities”. Similarly, in stipulating the role of the President of the republic, the Constitution states that *„he exercises the function of mediation among state powers as well as between state and society”*. We consider that such a situation in which state „powers” are mentioned, but they are neither enumerated, nor defined, is under the level of rigorousness that should characterize a Constitutional provision, so a possible revisionist endeavor should address these aspects too.

The first state authority mentioned in Title III is the Parliament, defined by the fundamental law as *„the supreme representative body of the Romanian people and the unique legislative authority of the country”*. Obviously, being the first authority mentioned by the Constitution, it is beyond any doubt that this is actually the most important of state „authorities” – the legislative power – the very place where laws are made. The Constitution specifies that the Parliament is bicameral and the members of the two chambers are elected through universally, equally, directly, secretly, and freely expressed ballots, according to the electoral law (art. 62,

¹ The latest change came into effect on January 1st, 2015, according to Constitutional Law no. 2008-724 of July 23rd, 2008.



para.1). Thus, the members of the two chambers are citizens who fulfill the provisions of the law and are especially designated through the electorate ballot to be part of the legislative power, namely the one that adopts the laws of the state, respectively the rules generally valid in society, which must be obeyed by all citizens of the state (according to art.1 para.5, 2nd thesis) and in front of which all citizens are equal, without privileges or discriminations (according to art. 16).

On incompatibilities

If the legislative „power” is made up of a single, bicameral „authority”, the „executive” one is made up of several „authorities”, among which, the President of Romania and the Government. While the President is elected, the Government is made up of people appointed as Ministers. Undoubtedly, any of these authorities have exceptionally important attributes for the good functioning of the state and, in order to guarantee their correct application – without interferences from the other „powers” – the founders of the Constitution instituted a series of incompatibilities, for both the members of the Government and those of the Parliament.

Thus, in art.71, para. (2) the Constitution unequivocally states: *„The position of deputy or senator is incompatible with exercising any public functions of authority, except for that of Government member”*. In the same vein, in art.105 para. (1), the Constitution states that the *„function of Government member is incompatible with exercising any other public function of authority, except for the one of deputy or senator”*. In other words, a person that was chosen deputy or senator in the Romanian Parliament – namely, the only legislative authority – can be at the same time appointed in a ministerial position or can be even Prime Minister! In other words, a person participating in elaborating, amending, and adopting laws is called upon – at the same time – to make sure the respective laws are applied. Or, the same situation regarded from a different perspective shows that the one who should apply the law is exactly the one who does so. Certainly, he/she is going to do it according to his/her wish (the one who needs to apply it), not to have difficulties doing so. We consider that such a situation is obviously contrary to the principle of separation between state powers, clearly specified from the very first article of the Constitution.



Furthermore, this legislative lack coherence from the highest regulating level (between the principle mentioned in the first article and the text of the Constitution) leaves meaningless article 109 of the Constitution referring to the responsibility of Government members. How could it be understood and especially applied, since the respective Constitutional provision stipulates that „*The Government is politically responsible only in front of the Parliament for its entire activity*” given the fact that, according to a customary practice, Prime Minister is the president of the political party that makes up the Parliamentary majority? Thus, in case of a clearly defined Parliament majority, it would be useless to imagine a situation in which Parliament members might hold responsible their own chief of party.

The situation may become even more acute in case of a simple motion and especially in case of a censure motion. It is known that the censure motion is the main Constitutional instrument the Parliamentary opposition has to cause the Government resignation. A sole vote in the Parliament in favor of the censure motion may mean the resignation of the Government. In case the Government members are at the same time members of the Parliament too, the opposition’s chances to succeed in a possible attempt to dismiss the Government would truly be endangered, turning the Constitutional instrument in a simple harmless toy.

On the other hand, another matter of principle may be brought up: if the Government, as an „authority” of executive power answers to the Parliament, how can this responsibility be accounted for if the same people elected as Parliament members also belong to the executive authority? It is obvious that such a responsibility cannot be manifested, therefore the exception to the rule of incompatibilities stated in art.105 para. (1) of the Constitution actually bereaves of efficiency the provisions of art.109 regarding Government responsibility. For a juridical exercise, let us imagine the situation of an absolute Parliamentary majority and a Government made up of deputies and senators, led exactly by the head of the majoritarian political party: in this case who answers to whom? The Prime Minister in front of the Parliament or the members of the Parliament majority to the Prime Minister – the one who had put them on the list of candidates for Parliamentary positions?

Art.111 para. (1) of the Constitution institutes „*Parliament control*” over the Government and the other public administration bodies, which are



compelled to submit the information and documents required by the Deputy Chamber, Senate, or Parliament commissions. In case the same people, deputies or senators, are Government members, the Parliamentary control cannot be exercised in a real manner; the respective minister is not going to present himself/herself with the respective information or documents, as a Parliament member! Or he/she is going to do so in an entirely formal manner, out of courtesy for the other colleagues in the Parliament, not because he/she feels under their control.

Last but not least, we should notice that the exceptions to the rule of incompatibility between the position of Parliament member and that of member of executive power (stipulated in art. 71 para. (2) and, respectively, art.105 para. (1) of Constitution) implicitly lead up to the situation in which the Parliament – respectively a part of it – gets to cumulate the legislative and executive functions, a situation which is incompatible with the principle of separation and balance among state powers, stated in art. 1 para. (4) of Constitution, an unpermitted state of facts, already ruled as such by decisions of the Constitutional Court². As a Government member, a minister needs to ensure the adoption of normative acts leading to the application of the law, not normative acts with primary regulating character, as the case is for the laws adopted by the Parliament.

According to provisions in art. 102 para. (1) of Romanian Constitution, the Government „ensures the accomplishment of the internal and external policies of the state and provides general leadership to public administration”. As it can be noticed, the Constitution allowed cumulating the holding of a Parliament mandate only with the highest rank of executive power, that of minister, in other words with exactly the one meant to make important, relevant decisions at national level. We may ask ourselves rhetorically – of course – whether the Constitution includes exceptions to the principle of separation of state powers stated in art. 1, admitting the cumulating of Parliament member mandate with that of executive power mandate, why would it not be possible to admit cumulating the Parliament member mandate with that of member of judicial power, such as that of High Court of Cassation and Justice or that of General Prosecutor at the

² For instance, Decision no. 457/2020, published in Romanian Official Gazette (Monitorul Oficial) no. 578 of July 1st, 2020.



Prosecutor's Office next to this court? Similarly, but in a reversed sense, if it is not allowed to cumulate Parliament membership with that of judicial power member, why should Parliament members be allowed to occupy positions in the executive power structures?

On immunity

Just like other Constitutions, in its article 72, the Romanian Constitution institutes „Parliamentary Immunity”, according to which *„deputies and senators cannot be held accountable before a court of law for the votes or political opinions expressed during their mandate”*. In principle, immunity „is a manner of ensuring protection against possible heckling or abuse³”, that Parliament members might be subject to lest they should be prevented from accomplishing the mandate they received from the electorate.

Well, the problematic issue in this regard is whether a deputy or senator that is also a member of the government benefits from the provisions of this article or not. The answer should be a negative one, as – in the manner in which the text of the Constitution is formulated – through name as well as through mentioning the *„votes or political opinions expressed during their mandate”* the quality of Government member is categorically excluded. The very name that this particular immunity has includes its unequivocal characterization: *„Parliamentary”*; in other words, we are not dealing with a regular type of immunity, or a universal type of immunity, that might also benefit other people than Parliament members. On the other hand, the Government is not the place, nor the body in which votes are made or political opinions are expressed so as to benefit from this immunity. Thus, according to the provisions of article 38 para. (1) thesis II of Government Emergency Ordinance no.57/2019 regarding Administrative Law⁴, the acts of the Government, namely *„decisions and ordinances are adopted by consensus”*. If consensus is not built, the decision belongs to the Prime Minister. Actually, the previous normative act regulating the organization and functioning of the Romanian Government and ministries –

³ Prof. univ. Bogdan Deaconu – for the site „Ziare.com”, Sunday, September 25th, 2016, at 12:30.

⁴ Published in Romanian Official Gazette (Monitorul Oficial), Part I, no. 555 of July 5th, 2019.



Law no.90/2001⁵ - adopted before revising the Constitution in 2003 included the same rules regarding the organization and functioning of the Government. On the contrary, the Parliament is the place where laws are voted and political statements are made.

On the other hand, Parliamentary immunity is a particular juridical situation, an exception to the rule of each person taking responsibility for his/her acts; this makes the juridical norm be strictly of interpretation and application, that is, to exclude the possibility to extend immunity to other categories than the members of the two Parliament chambers. An additional argument in this regard is also the fact that the Constitution law-maker did not find it necessary to regulate any kind of immunity or another cause of removing responsibility for Government members but, on the contrary, established in article 109, „The responsibility of Government members”, resulting in Law no. 115/1999 regarding ministerial responsibility⁶.

However, in practice, it can be noticed that in case of senators or deputies who are also members of executive power, no clear distinction is made between the deeds done as a minister and those performed as Parliament member. We often notice how quickly and arduously the ministers who are also Parliament members hide behind Parliamentary immunity in order to be exempt from taking responsibility of their acts as ministers. In fact, this is nothing short of a distortion of the meaning of Parliamentary immunity and a perverted interpretation of a means of protection that is exclusively addressed to the Parliament. It is exactly as if you used an umbrella that you are given to protect you from rain in order to hide yourself from public eye while doing something reprehensible!

All of these were added the argumentation⁷ of a Constitutional Court decision which, in our view, is profoundly flawed, since – as it is generally applicable (according to article 147 para. (7) of the Constitution) – it extends Parliamentary immunity to members of the executive body, „for political opinions or the actions taken in order to elaborate or adopt a

⁵ Published in Romanian Official Gazette (Monitorul Oficial) no. 164 of April 2nd, 2001.

⁶ Republished in Romanian Official Gazette (Monitorul Oficial), Part I no. 200 of March 23rd, 2007.

⁷ We are referring mainly to reason no. 81.



normative act assimilated to a law”⁸. Adopted with a majority of votes and despite a well-documented, exhaustive argumentation made by the judge who formulated a separate opinion, the decision stipulates that Parliamentary immunity might be applicable *mutatis-mutandis* also to Government members in their activity of elaborating and adopting simple or emergency ordinances. Unfortunately, the Court does not take into account the fact that, according to the Constitution, the activity of the Government as a “delegate law-maker” is subject to Parliamentary control and, therefore, no equality sign can be put between the quality of Government member and that of member of the Parliament, not even when the executive adopts acts which are as powerful as the law.

All these debates could be completely left behind if the fundamental law were to forbid cumulating the Parliamentary mandate and the quality of member of executive power.

Proposals

So, what is there to be done? A reform of the Constitution is probably the only feasible variant. Except for the proposal of revising the Constitution, adopted in 2003, until now there have been no less than nine other legislative initiatives referring to the revision of the fundamental law, of which two initiatives belonged to the citizens, all of which eventually failed. However, we should specify the fact that the initiatives to revise the Constitution have until now have bypassed those aspects fundamentally related to what the rule of law actually refers to, namely a real separation of state powers. Even if such an initiative⁹ was also related to article 71 of the Constitution, the revision proposed referred to the interdiction of cumulating the mandate of National Parliament member with that of European Parliament member – a proposition which we also consider more than welcome.

⁸ Decision no. 68/2017, published in Romanian Official Gazette (Monitorul Oficial) no. 181 of March 14th, 2017.

⁹ We are referring to the Law Project regarding the Revision of Romanian Constitution, initiated upon the proposition made by the Government, submitted to Constitutional Court by memorandum no. 1.172 of June 9th, 2011, upon which the Court pronounced its Decision no. 799 of June 17th, 2011, published in Romanian Official Gazette (Monitorul Oficial) no. 440 of June 23rd, 2011.



With respect to another such initiative¹⁰, the Constitutional Court stated¹¹ - probably on the basis of an insufficiently argument-supported analysis – that the Parliament actually has the obligation to make a correlation of laws in the sense that the same conditions should apply to the position of Government member as to the position of Parliament member. Furthermore, in this case, the Constitutional Court emphasized the „compatibility” between the two „public functions” stipulated by [art. 71 para. (2) and art. 105 para. (1) of Constitution] and, at the same time, the necessity that the exponents of the two powers of the state benefit from similar conditions of access to the respective functions, so as to avoid situations in which, *„although compatible at Constitutional level, the two functions become incompatible through the effect of an infra-constitutional legislation”*, namely, through the law-enforcement of conditions specific to each category of dignitaries, so that they might not be fulfilled simultaneously.

In other words, instead of a critical and thorough analysis regarding the compatibility of the Parliamentary function with that of member of the executive power – from the perspective of the separation of state powers principle – the Constitutional Court sought to eliminate *ab initio* a possible debate upon this topic.

Other states, among which France, which we have already used as an example and whose juridical and Constitutional system has represented a model for Romania, has already long proceeded to a true Constitutional reform, by forbidding cumulating Parliamentary mandates with executive ones, in order to ensure an effective and efficient control over the executive power. Regarding the incompatibility between the position of member of the Parliament and that of member of the Government, the French Constitution was clear, abiding by the principle of separation among state powers ever since it was adopted in 1958, so that it specifically states in article 23, that ministers are forbidden to *„exercise any Parliamentary mandate”*, as well as any function of professional representation at national level and any type of employment or professional activity. In addition, the French Constitutional

¹⁰ The citizen’s legislative proposition for revising the Constitution, registered at the Permanent Office of Deputy Chamber as no. 651 of September 21st, 2018.

¹¹ Decision no. 222/2019 of April 9th, 2019, published in Romanian Official Gazette (Monitorul Oficial) no. 425 of May 30th, 2019.



text specifically mentions that the Parliament member who accepts a minister position is replaced from his/her legislative position (article 25).

In a similar manner, the Constitution of Federal Republic of Germany stipulates, in article 66, regarding the incompatibilities for members of the Government that neither the chancellor (Prime Minister) nor the ministers in the Federal Government may occupy another public remunerated function, or have an industrial or commercial profession or job; they cannot be part of the Administrative Board of such an enterprise without the Parliament's approval. Even if such incompatibility is not specifically established for the members of Federal parliament, the limitations established for the members of the Government exclude the possibility of a person cumulating the legislative and the executive function.

The analysis made leads to the conclusion that there is a strong need for a renewal of Parliamentary deontology and public life, by improving the legislative function, revalorizing the Parliamentary function, endowing the opposition with real rights and efficient instruments of action, as well as consolidating the power and control means of the Parliament upon the executive power. Thus, the essential state institutions might be re-balanced.

In our view, article 105 para. (1) thesis I should be revised, first of all by eliminating the current exception, so that to stipulate that the mandate of Government member is incompatible with any other function or any other professional activity, except for the didactic one. Accordingly, the exception to be found in the content of provisions made by article 71 para. (2) of Constitution should be eliminated.

We could find sufficient arguments in favor of such a revision of Romanian Constitution as can be seen below.

A strong country needs a Parliament that fully exercises its function of "sole legislative authority", but also that of „Parliamentary control” upon the Government and the other public administration bodies. On the other hand, it is necessary that the members of the Government be fully committed to the difficult tasks presupposed by „the country's internal and external affairs” as well as by “the general management of public administration”, stipulated by the Constitution.

We consider the change of the current situation an imperative necessity: on the one hand a better functioning of ministries is needed and,



on the other, it would lead to increasing the confidence people have in those they elected in the Parliament.

A revision of the Constitution regarding the incompatibility between the status of Parliament member and that of minister is a true Constitutional reform, in accordance with the principles included in the first article of the fundamental law, as well as with the European practices in this domain.

Exercising a ministerial function requires from the incumbent of the respective position a complete and permanent commitment in the sense of accomplishing the Government Program endorsed by the Parliament. As a member of the Government, the minister contributes first and foremost to defining the policies of the state in its domain of competence, as well as to ensuring their implementation, through dialogue with the main economic and social actors, whom they also need to explain the decisions made, which requires allotting the whole working time to the ministerial function. Practically, one cannot be a minister only a few hours a day and a Parliament member for other working hours. Also, the cabinet of the dignitary should not be understood as a structure that is entrusted with solving the tasks of the incumbent; nor should another person be designated to replace him/her, especially hired to substitute for the minister missing from his/her job. A minister who cumulates the governmental function with the legislative one risks not being able to perform appropriately in either!

As stipulated by art. 69 para. (1) of Constitution, Parliament members are „in service of the people”, making this position too important to be assimilated to the ministerial position – which is also very important – and thus be cumulated and exercised as such by politicians. A Parliament member is, before anything else, a law-maker, having as primary obligations debating and amending law projects as well as voting laws, not to mention the increasingly important duties that Parliament members have in relation to elaborating European legislation.

At the same time, the Parliament’s exercising the function of controlling the activity of the Government should not be regarded as being less important than the legislative one. As it is the „supreme representative body of the Romanian people”, as stipulated in art. 61 para. (1) of the Constitution, Parliament members have to ensure a permanent, efficient, and efficacious control over the Government, in accordance to the expectations of the citizens it represents.



Such a Constitutional reform will result in a reform of Parliament activity, which is not adapted to the needs of the current times: citizens' aspirations are poorly reflected at the level of Parliament chambers; the Parliament does not control the activity of the Government, nor does it make a true evaluation of the public policies it promotes; the legislator votes too many laws, it often causes an over-regulating or inflation of normative acts, which often comes to the detriment of the juridical norm.

That is why we consider that a Constitutional reform is absolutely necessary, in order to ensure the improvement of the Parliament's legislative function, its turning into a veritable power capable to control the executive one as well as strengthen the guarantees offered to opposition within censure or simple motions.

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3. *** Decizia nr.68/2017, publicată în Monitorul Oficial nr. 181 din 14 martie 2017.



TRIPTICUL SECURITATE, APĂRARE ȘI MANAGEMENTUL CRIZELOR

SECURITY, DEFENSE AND CRISIS MANAGEMENT TRIPTYCH

Colonel (ret.) Professor Ion MITULEȚU, PhD

Tenured member of the Academy of National Security Sciences,

E-mail: mituletuion@yahoo.com

Rezumat: Mediul internațional de securitate cunoaște o dinamică fără precedent și schimbări semnificative ale condițiilor geopolitice, geostrategice, militare, economice și de mediu, fapt ce presupune dezvoltarea unei gândiri reziliente care să permită redefinirea modelelor de prognoză strategică și de planificare a apărării.

În acest context, securitatea națională este un concept complex care presupune răspunsul credibil, dedicat și instituționalizat pentru protejarea și apărarea intereselor fundamentale în condițiile manifestării unor riscuri și amenințări maligne.

Conceptul de apărare este o dimensiune a securității naționale și instrument de putere și vizează întrebuițarea forțelor armate în vederea descurajării, respingerii/neutralizării oricărui atac ostil la adresa suveranității, independenței, unității și integrității teritoriale a României.

Managementul crizelor este o dimensiune a securității naționale și vizează răspunsul interinstituțional pentru prevenirea, limitarea și înlăturarea efectelor acestora.

Pandemia cu noul coronavirus SARS-CoV-2 a generat o criză multiplă cu consecințe grave în domeniul securității naționale.

Abordarea integrată a conceptelor de securitate națională, apărare și managementul crizelor trebuie să genereze un nou model de gândire asertivă și rezilientă care să asigure luarea unor decizii eficiente pentru un viitor incert.

Cuvinte cheie: securitate națională, apărare, managementul crizelor, grup de reflecție strategică, analiza strategică a apărării, sistem de management integrat al crizelor.

Abstract: The international security environment is experiencing unprecedented dynamics and significant changes in geopolitical, geostrategic, military, economic and environmental conditions, fact which requires the development of resilient thinking to redefine strategic prediction and defense planning models.



In this context, national security is a complex concept that requires a credible, dedicated and institutionalized response to the protection and defense of fundamental interests in the face of malicious risks and threats.

The concept of defense is a dimension of national security and a tool of power and aims at the use of armed forces in order to discourage, repel/neutralize any hostile attack on the sovereignty, independence, unity and territorial integrity of Romania.

Crisis management is a dimension of national security and consists in the inter-institutional response to prevent, limit and eliminate its effects.

The pandemic caused by the new SARS-CoV-2 coronavirus has generated a multiple crisis with serious consequences in the field of national security.

The integrated approach to the concepts of national security, defense and crisis management must generate a new model of assertive and resilient thinking that ensures effective decision-making for an uncertain future.

Keywords: *national security, defense, crisis management, strategic think-tank, strategic defense analysis, integrated crisis management system.*

National security

The international security environment is going through unprecedented dynamics caused by interconnected risks and threats that generate uncertainty and instability, which results in a reconfiguration of strategic relations and interests among actors at local, regional, and global levels¹.

In this context, the crisis generated by the new coronavirus SARS-CoV-2, the disruptive effects of climatic changes, as well as the exponential tendency of development of emergent and disruptive technologies produce changes of perspective in approaching national security, a multidimensional concept, with complex architecture.

The concept of *multidimensional national security* refers to all the actions undertaken at inter-institutional level in order to promote, protect, and defend strategic values, interests and objectives confronted with all the traditional and emerging risks and threats within the international environment.

Thus, national security may be analyzed in three hypostases: *function; state; process; system.*

¹ *Strategia Națională de Apărare a Țării pentru perioada 2020-2024*, București, 2020, p.18.



As a *function* of politics, national security ensures promoting and defending strategic interests, stability, harmonious development and citizens' safety.

The role of *state* a of national security presupposes ensuring a climate of safety, peace and order within society.

As a *process*, national security has a dynamic, flexible, credible, adaptive, committed and competitive role in ensuring the protection of citizens, promoting and defending the fundamental interests of the state.

As a *system*, national security comprises strategic objectives, institutions, power instruments, action mechanisms and functional relations, being integrated and interconnected to NATO and EU security systems.

In this sense, national security has an integrating role, being structured on *components (dimensions)* and on *levels*.

The components (dimensions) of national security are the following: military (defense); public order; intelligence and counterintelligence; economic, financial and energetic; crisis management and civil protection; environmental; societal; critical infrastructure; cyber.

On levels, national security refers to the citizen, local communities, and the state.

National security is achieved through the following *instruments of power: political/diplomatic; military; economic; civil*².

The national instruments of power comprise institutions, structures, plans, and integrated procedures in order to ensure the stability and security of the state.

Ensuring state security is the result of the coherent, integrated, credible, and competitive action at the levels of dimensions, instruments and institutions designated to prevent and counter potential risks, threats, and vulnerabilities in the area of Romania's strategic interests.

The potential threats to national security are classified as *traditional, asymmetric, and emergent*.

Traditional threats aim to re-establish a balance of power among competitors with opposing strategic interests, geostrategic re-evaluations, as

² SMG-3, *Manualul de planificare a operațiilor*, București, 2016, pp. 11-12.



well as pressures or influencing and challenging actions by using political and military power instruments³.

Asymmetric threats are connected to the terrorist phenomenon, insurgence, proliferation of weapons of mass destruction and carrier vectors.

Emergent threats refer to cyberattacks, propaganda and disinformation, hybrid actions, illegal migration, climate changes and pandemics⁴.

Similarly, the exponential tendency of development of emergent and disruptive technologies using 5G, the artificial intelligence, autonomous weapons, military space systems, quantic technology etc. create new challenges and opportunities of national security.

Risks are probable events that affect the normal functioning of state institutions, the integrity and safety of communities and citizens.

Vulnerabilities represent functional, systemic, and structural deficiencies which may cause serious imbalances to state institutions, with implications upon the integrity of citizens and local communities.

Taking into account all these aspects, we may say that national security can be approached on two domains, namely *hard* and *soft*.

The hard domain comprises the dimensions of defense, public order, intelligence and counterintelligence, cyber and crisis management and involves the use of specific instruments, institutions, structures, plans and specific procedures in order to prevent and counter potential threats and risks to national security.

The soft domain comprises the economic, financial, energetic, societal, critical infrastructure and environmental dimensions and involves the use of specific instruments, institutions, plans and procedures in order to prevent and counter vulnerabilities at the structural, systemic, and functional levels of the state.

For performing the analysis and assessment of the security environment as well as for providing the integrated expertise to political-military decision-makers, the *Strategic Reflection Group* was founded,

³ *Strategia Națională de Apărare a Țării pentru perioada 2020-2024*, București, 2020, p. 19.

⁴ *Ibidem*, p. 19.



under coordination of National Security Department within the Presidential Administration⁵.

The group of experts need to have an assertive and resilient thinking, based on the capacity of delivering strategic estimates which might ensure obtaining the competitive advantage and credible inter-institutional response to the fundamental dilemmas in the international security environment.

Thus, the specialists' expertise consists in evaluating the manner in which the complexity and dynamics of international environment influences national security.

In this regard, we consider that a manner of strategic estimate regarding the dilemmas of global security aim at analyzing the following issues: geopolitical evolution; military dimension; economic dimension; climate and environmental trends; tendency of manifestation of epidemics (pandemics).

The geopolitical evolution of the international security environment relies on concepts that refer to the areas of confrontation of different actors, the balance of power, the tendencies of some states to become regional hegemony and disputes over areas of interest, control and influence among competitors.

Regarding *Asia-Pacific area*, we notice a re-establishment of force lines and disputes on multiple plans between the U.S.A. and China.

Thus, China dominates South-Eastern Asia due to becoming an economic and military power in the region and, at the same time, an active competitor at the scientific level and at the level of using top technologies.

China's tendency to become a regional hegemon generated a reaction of hostility from the U.S.A., so at present we are witnessing a real cold war between the two states.

Moreover, China's upwards tendency in the region and the possible contesting of border status-quo generate hot spots in Hong Kong, Taiwan and South China Sea.

Facing this situation as well as the crisis provoked by the new coronavirus COVID-19, the U.S.A. is repositioning its forces and redefining

⁵ *Strategia Națională de Apărare a Țării pentru perioada 2020-2024*, București, 2020, p. 40.



its strategic interests in Asia-Pacific region in order to limit China's ascension and support its allies.

Russian Federation continues to be a threat to both NATO and the EU in two strategic hot points, Baltic Sea and Black Sea, at the same time with conducting active military campaigns that include a wide range of conventional and unconventional actions.

In this sense, a line of demarcation was created between NATO and the Russian Federation, uniting the Baltic Sea and the Black Sea, while the states situated on the Eastern flank of the Alliance (Latvia, Lithuania, Estonia, Poland, and Romania) are subject to emergent pressures and threats (cyberattacks, hybrid actions, influencing, propaganda, and disinformation, media and anti-access measures).

North Korea continues to develop the system of ballistic missiles of various types and improve the nuclear capabilities, constituting a permanent change for the states in North-Eastern Asia.

Iran is a state with political and military ambitions in the Middle East and the main „active sponsor” of international terrorism.

In this regard, we would state that *the Middle East* is a space marked by conflicts, where the evolutions of instability and insecurity are continuing, while the U.S.A. is engaged in the fight against terrorism in Afghanistan, Iraq, Syria, North of Africa and Central Asia.

Moreover, the Islamic world, rich in energetic resources, represents the convergence space of strategic interests of world great powers such as the U.S.A., Russian Federation, and China as well as regional actors such as Iran, Turkey, Israel, or Egypt.

The military dimension knows profound evolutions in the international security environment by developing and diversifying the conventional forces, compensated with emergent, asymmetric, and disruptive technologies.

Thus, the U.S.A. places special emphasis on the development of air forces, special operation forces, and integrating disruptive technologies, based on artificial intelligence, autonomous weapons, and space military systems.

From the military perspective, the U.S.A. considers that it has entered the „drone age”, an age of artificial intelligence and robotics, thus maintaining their status of global hegemon.



We witness at the same time an increase in military capabilities of China and Russian Federation in order to imbalance in the force ratio between them and the U.S.A.

In this regard, China and the Russian Federation claim to be regional powers that might resort to the use of force in the hot spots generated in Taiwan, South China Sea, respectively the Baltic region and the Black Sea extended region.

The local powers (North Korea, Iran) aim to develop the asymmetric capabilities of cyber, ballistic, and CBRN nature, which may result in new conflicts in the Middle East and the Korean Peninsula.

The economic dimension of the international security environment knows spectacular evolutions among competitors.

Thus, the competition between China and the U.S.A. has acquired the features of a commercial Sino-American conflict, regarded as a new economic cold war. Also, we are witnessing China's economic expansion at global level and the collision of its interests with the interests of the U.S.A.

In this context, we notice that the dispute of interests among competitors for ensuring the access to essential natural resources and the control over transport routes becomes a major source of instability in various regions of the world.

Russian Federation uses natural resources as a political weapon in the areas of strategic interest. The fact that Moscow provides energy resources to Western Europe is not well-regarded by the U.S.A. that is very critical to certain Western states (Germany).

That is why we consider that the E.U. is going to have to redefine its economic and security policies in relation to the U.S.A., Russian Federation, China and Middle East Countries.

Climate and environmental trends have a negative impact upon security at local, regional, and global levels, at the same time being sources of tensions and conflicts among states. Thus, we are witnessing the continuous degradation of environmental factors and climate conditions at global, regional, and local levels.

Increasing global temperature and the manifestation of extreme meteorological phenomena seriously affect people's living conditions on short, medium, and long term.



The consequences of climate and environmental tendencies are manifest in intensifying the fight for resources, the massive migration of population and moving the disputes among the great powers in the cosmic space.

The tendency of manifestation of epidemics (pandemics) is becoming increasingly alarming at global level.

At present, the pandemic generated by the new SARS CoV-2 coronavirus has caused a major medical crisis at global level, with huge impact in the economic, social, and military domains.

Similarly, the crisis generated by COVID-19 has made possible the emergence of the following security dilemmas: the U.S.A. is going to redefine its behavior towards the EU; the future of European security is going to depend on the U.S. involvement for protecting EU states; the EU is going to consolidate its political project through solidarity and cohesion or this is going to remain just a market project; the dimension of EU defense is going to develop or it is going to continue to be only a utopian project; NATO will need to decide if it includes epidemics (pandemics) among the threats that need to be managed; the economic crisis is going to affect NATO member states' military budgets and is going to require credible response options.

Taking into account the dynamics and complexity of the international security environment, we would say that there is a need for a *new pattern of thinking and reflection* of defense strategic prognoses and planning, adapted to the significant changes of geopolitical, economic, military, and climatic conditions, in order to formulate efficient response options.

Defense – a dimension of national security

Defense, as a dimension of national security and instrument of power, is a complex and dynamic concept that comprises the amounts of measures and actions taken by the armed forces in order to deter, repel, or block any type of aggression to the sovereignty, independence, unity, and territorial integrity of Romania.

Defense needs to be correlated to the nature of the threat, the national interests of security, the dimension of the armed forces and the military response options formulates at political-military level.



In this context, we consider the *Strategic Analysis of Defense* as being necessary and useful, an inter-institutional political and military process, based on conducting strategic estimates, diagnoses and case-studies, in order to project the vision through which Romania's fundamental interests are protected and defended⁶.

The Strategic Analysis of Defense is made by groups of experts and includes the comprehensive approach of the following domains: an assessment of the security environment from the perspective of Romania's areas of strategic interest; defining its level of ambition; establishing the priority engagements made by Romania; the types of operations the Romanian Army participate in; the dimensions of military capabilities; the procurement for military structures; evaluating the accomplishment of strategic goals and priority engagements.

Assessing the security environment from the perspective Romania's areas of strategic interest is a diagnostic and prognostic process of space interpretation of typology, distribution, and intensity of threats to national security.

Its aim is making an analysis of the political, military, economic, social, infrastructure, and information domain in order to outline the tendencies that may affect Romania's areas of strategic interest.

Thus, the analytical process may lead to highlighting the following tendencies that may affect Romania's strategic interests: Russian Federation's aggressive behavior on the Eastern flank of NATO, where it continues the consolidation of its military potential and the use of the Black Sea as the most important launching platform for its malignant actions⁷; the instability of the Middle East and North Africa is going to perpetuate the terrorist threat, migration, and illegal weapon and dangerous materials trafficking; propaganda actions as well as actions of disinformation and manipulation carried out in the public space (mass-media and the online environment) by state and non-state actors; the integration of emergent and disruptive technologies in cyber, informative, and organized crime actions

⁶ <https://monitorulapararii.ro/analiza-strategica-a-apararii-in-al-doisprezecelea-ceas-1-2524>, accessed on 30.07.2020.

⁷ <https://romania.europalibera.org/a/interviu-generalul-american-ben-hodges-baza-campia-turzii-supravegherea-rusiei-vrem-un-ochi-care-nu-clipeste-marea-neagra-/30726398.html>, accessed on 30.07.2020.



in order to amplify regional instability; the proliferation of weapons of mass destruction and carrying vectors.

The unfolding of this process shows the nature of dangers, the areas that may be affected, fact which facilitates decision-making by formulating the military response options.

Defining the *level of strategic ambition of Romania* has to aim at both protecting and defending the fundamental national interests (sovereignty, independence, unity and territorial integrity), and at participating in completing the commitments made within NATO, EU and UN.

In this regard, the level of ambition needs to comprise the military-strategic vision of Romania that reflects the responsibilities of the armed forces, both internally and externally, according to the engagements assumed.

The way the level of ambition is formulated results in the priority engagements that define the defense policy and the military strategy of Romania.

The priority engagements made by Romania at military-strategic level comprise: national defense; respecting the obligations assumed within NATO; respecting the obligation assumed within the EU (the initiatives specific to the Common Security and Defense Policy); supporting UN resolutions (Security Council); supporting national authorities for the integrated crisis management (emergency situations).

National defense involves the integrated action of the instruments of power in order to protect and defend Romania's fundamental interests.

In this regard, Romania needs to develop and maintain its own individual military capabilities in order to be able to resist in case of an armed attack⁸.

Respecting the obligations assumed within NATO presupposes the right to collective self-defense, in which each member of the Alliance is going to support the party or parties under attack, so as to immediately take, individually or together with the other states, any action considered necessary, including the use of armed force, in order to re-establish and maintain security in the area subject to aggression⁹.

⁸ *North-Atlantic Treaty*, Washington DC, 4 April 1949, art. 3.

⁹ *Ibidem.*



Thus, the fact that the Alliance member states may take any actions they deem necessary, including the use of armed force, does not imply the use from the beginning and in all situations of the military instrument.

Respecting the obligations assumed within the EU (the initiatives specific to the Common Security and Defense Policy) presupposes participating in common actions on the basis of the mutual defense assistance clause.

Supporting the UN resolutions (the Security Council) involves humanitarian actions (peace support and emergency situations management).

Supporting the national authorities for the integrated crisis management (emergency situations) refer to the support function of the Army and the inter-institutional cooperation for crisis management (emergency situations).

Priority engagements determine the following *types of operations* involving the participation of the Romanian armed forces: the operation of strategic defense of the national territory; the operation of deterrence, in allied context; the major NATO operation of collective defense, according to art.5; the common operation undertaken by the EU; the peace support operation, under UN mandate; operations of integrated crisis management (emergency situations) at national or external level; emergent operations (cyber, information, hybrid, asymmetric, counter-propaganda, influencing and disinformation).

The dimensions of military capabilities need to cover the entire range of operations that may involve the participation of Romanian armed forces.

In this regard, within the Romanian Army, we refer to the command and control system and the force structure.

The command and control system at tactical, operative and strategic levels need to be C4ISR type and, in the future, C4ISTAR type, interconnected to NATO specific systems, able to ensure the conduct of military operations in national and multinational context.

The force structure has to comprise: conventional forces; unconventional forces; emergent forces.

Conventional forces include land forces, air force, and navy, communications, IT and cyber defense and logistic support structures.



Unconventional forces include special operation forces and military intelligence.

Emergent forces include structures destined to cyber defense, combating hybrid threats, countering terrorist and psychological threats.

Similarly, on Romanian territory, there are *NATO multinational capabilities* (Headquarters Multi-National Corps South-East in Sibiu, Headquarters Multi-National Division South-East in Bucharest, Multi-National Brigade South-East in Craiova, air force bases in M. Kogălniceanu and Câmpia Turzii, the Ballistic Missile Defense Air Base at Deveselu, the Standing NATO Maritime groups operating in the Black Sea).

Taking into account the extent and intensity of the emergency situations that are going on the national territory, including the pandemic with the new coronavirus SARS-CoV-2, we deem as necessary the development of the *medical capabilities, CBRN defense and logistic capabilities* to support civilian authorities in the integrated crisis management.

The military acquisition and procurement of systems, equipment, and modern materials represent an objective necessity in the current conditions.

In this sense, there are several programs going on regarding the modernization of the command and control systems and of military equipment within the land forces, air force, navy, special operation forces and military intelligence, IT and cyber defense, and logistic support.

Similarly, there is an increased interest for producing and purchasing emergent and disruptive technologies (5G systems, monitoring equipment for air and maritime space, artificial intelligence, autonomous military systems).

That is why we consider that it is necessary to create a unitary national framework in the field of emergent and disruptive technologies, so as they might be integrated in the future in the force structures.

Evaluating the accomplishment of strategic objectives and priority engagements requires undertaking a cognitive process at the level of political-military leadership following certain analytical indicators.

The evaluation process allows a periodical analysis of the stage of accomplishment of the strategic objectives and priority engagements,



highlighting dysfunctionalities and establishing measures for correcting or redefining priorities.

By following these steps, the *Strategic Analysis of Defense* aims to achieve a correct understanding of characteristics the security environment in the areas of Romanian strategic interest and, on this basis, allows projecting the strategic objectives and priority engagements, the dimensions of force structures and the necessities for procurement.

The process of *Strategic Analysis of Defense* provides the methodological framework for elaborating scenarios and hypotheses with response options for each military operation involving the participation of force structures within the Romanian Army.

Crisis management

Crisis management is a dimension of national security and refers to the inter-institutional response for preventing, limiting, and annihilating their effects.

For this purpose, there is a need to develop the inter-institutional framework in order to operationalize the *National System of Integrated Crisis Management (abbreviated as SNMISC in Romanian)*, connected to the crisis management systems at NATO and EU level¹⁰.

SNMISC refers to the management of the whole range of internal or external crises through the composing sub-systems, according to their nature and amplitude.

Thus, crises are serious disruptions of or threats to life, health, environment, and material goods, affecting the security of citizens, local communities, and states.

The SNMISC components are the following:

- national crisis management system;
- national system for the management of special situations and crises in the field of public order and safety;
- national system for crisis management in the military domain;
- national system for crisis management in the field of countering cyber and terrorist threats.

¹⁰ *Strategia Națională de Apărare a Țării pentru perioada 2020-2024*, București, 2020, p. 33.



The national crisis management system is coordinated by the Ministry of Internal Affairs, through the National Committee for Special Emergency Situations¹¹.

The national system for the management of special situations and crises in the field of public order and safety is coordinated by the Ministry of Internal Affairs through the specialized structure.

The national system for crisis management in the military domain is coordinated by the Ministry of Defense through the specialized structure.

The national system for crisis management in the field of countering cyber and terrorist threats is coordinated by the Romanian Intelligence Service through the specialized structures.

SNMISC comprises leadership, execution, and support structures.

The leadership structures of the system as a whole are the Parliament, CSAT and the Government, and, at the level of its components, the operative or operational centers of central public administration with responsibilities in crisis management.

The national operational center for emergency situations ensures the management of civil emergencies.

The national command center for public order actions ensures crisis management in the domain of public order and safety.

The national military command center ensures crisis management in the military domain.

The national anti-terrorist center ensures the management of cyber and terrorist crises.

The operative center for integrated crisis management (COMISC) within Romanian Intelligence Service provides informative support for strategic decision-making¹².

The execution structures are those specified in intervention plans for managing the whole range of potential crises at internal or external levels.

Support structures comprise the systems of information and warning, communications and IT and public communication.

¹¹ OUG nr.21 din 15.04.2004 privind Sistemul național de management al situațiilor de urgență, actualizată în 2020.

¹² <https://intelligence.sri.ro/managementul-crizelor-solutii-pentru-evitarea-surprizei>, accessed on 30.07.2020.



We consider that the pandemic caused by the new coronavirus SARS-CoV-2 has generated a complex medical crisis, with serious repercussions in the economic, financial, social, environmental, and educational domains.

In other words, the COVID-19 pandemic has caused a complex security situation, affecting in larger or smaller measure all its components.

The crisis management measures were taken gradually by the respective structures, the emergency state was instituted, and military decrees were given.

The people in the first line belonged to the structures of the national crisis management system, coordinated by the National Committee for Special Emergency Situations. The commander of action organized and executed the accomplishment of missions received together with the subordinated structures.

In order to execute specific activities, the other institutions with attributes in the management of emergency situations were asked to intervene, including the Ministry of National Defense, that has responsibilities in providing certain support functions.

Subsequently, the state of alert was instituted, the actions being carried out according to intervention plans for emergency situations.

As the pandemic period continued, it was noticed that the center of gravity moved from the authorities to the citizens that need to be aware and responsible for their health and the health of their families and local communities, and act accordingly.

Similarly, it was noticed that, besides the serious effects caused by the pandemic upon people's lives and health, a complex crisis was created – economic, social, educational – with negative consequences at the level of society.

The management of economic and social crisis exceeds the responsibilities of the National Committee for Special Situations of Emergency and presupposes the involvement of the government, through its ministries and the coordination of activities by the prime minister.

In this case, in which crises multiply and comprise more and more fields of activity, returning to the state of normality is going to take place in time, in stages, without anyone being able to say for certain when this is going to happen.



This comprehensive approach justifies the improvement of the institutional framework for developing and operationalizing the National System of Integrated Crisis Management (abbreviated SNMISC in Romanian), as part of the national security system.

A lesson learned results from the manner in which the current pandemic has generated a multiple crisis and may aim at restructuring the SNMISC so as to comprise the following elements: the early warning system; the national command and control center; the council of national integrated system for crisis management.

The composition, conduct, and responsibilities of SNMISC components refer to a laborious analysis executed by political decision-makers, after diminishing the effects of the new SARS-CoV-2 coronavirus and the consequences of the economic, social, and education crisis.

Conclusions

The international security environment has known an unprecedented dynamics and significant changes of the geopolitical, geostrategic, military, economic, and environment conditions, which will lead to the development of resilient thinking that might allow redefining strategic estimate models and defense planning.

From this perspective we might say that the future is going to be uncertain, marked by surprises and strategic dilemmas, in which only the anticipatory capacity and the pro-active behavior of political decision-makers will ensure a credible and efficient inter-institutional response to the challenges of potential crises.

This is the reason why we are saying that national security is a complex concept which requires a credible, dedicated and institutionalized response for protecting and defending fundamental interests on condition that certain risks and malignant threats are manifest.

The defense concept is a dimension of national security and instrument of power and involves using armed forces in order to deter, repel / neutralize any hostile attack to Romanian sovereignty, independence, unity, and territorial integrity.

In this sense, the strategic analysis of defense constitutes a political, military, and inter-institutional process through which the Romanian defense policy is directed, so as to ensure defining the level of ambition,



establishing priority engagements, dimensioning and procuring the armed forces as well as the evaluation of strategic objectives.

The conclusions resulting from the strategic analysis of defense are going to fundament the military strategy of Romania, the scenarios, the hypotheses, the contingency and defense plans.

Crisis management is a dimension of national security and involves inter-institutional response for preventing, limiting, and annihilating their effects.

To this purpose, it becomes necessary to develop the institutional framework for operationalizing the National System of Integrated Crisis Management (abbreviated SNMISC in Romanian) so as it might ensure the management of potential crises to national security.

The new SARS-CoV-2 coronavirus pandemic has generated a multiple crisis which affects several domains of activity that require re-thinking and re-adjusting SNMISC to the new conditions.

Finally, we consider that the significant changes produced in the international environment requires an integrated approach of the concepts of security, defense, crisis management and rethinking the strategic estimate models in order to be able to come up with response options that are both credible and efficient and ensure the protection and defense of Romanian fundamental interests.

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**DE LA ATRIBUȚIE LA MISIUNE.
OPERAȚIONALIZAREA ATRIBUȚIILOR JANDARMERIEI (II)**

**FROM JOB DESCRIPTION TO MISSION. OPERATIONALIZING
THE TASKS OF THE GENDARMERIE (II)**

Professor Țuțu PIȘLEAG, PhD
E-mail: tutu.pisleag@yahoo.com

Rezumat: *Articolul de față aduce în dezbatere relația dintre atribuție și misiune așa după cum sunt ele precizate în legea de organizare și funcționare a Jandarmeriei Române, deși nu se fac distincții clare între acestea și nu este dezvoltată o viziune asupra modului de operaționalizare a atribuției în raport cu circumstanțele situației în care sunt angajate structurile specializate de jandarmi. Totodată, specializarea impune o delimitare clară și asupra domeniului de acțiune, și o definiție a standardelor de acțiune, principiilor și tacticilor speciale. În același timp, o astfel de relație vizează și procesul de planificare, organizare, conducere și executare a unei acțiuni cu finalitate propriu-zisă în misiune (scop, obiectiv), modul cum este proiectat acest întreg proces dinamic și cum se încadrează misiunea în atribuție.*

Cuvinte cheie: *atribuție, formă de acțiune, procedură, misiune, forțe.*

Abstract: *The present article brings into discussion the relationship between the task and the mission as spelled out in the law on the organization and functioning of the Romanian gendarmerie, although there are clear distinctions between them, and there is no vision on the organization of the task in relation to the circumstances of the case in which are employed the specialized structures of the police. At the same time, specialization imposes a clear delimitation on the scope of action, and definition of action standards, principles and special tactics. Moreover, such a perspective also concerns the process of planning, organization, management and execution of an action with proper purpose in the mission (purpose, objective), how this whole dynamic process is designed and how the mission fits the legal vocation.*

Key words: *assignment, form of action, procedure, mission, forces.*

Art in gendarmerie tactics, unlike tactics as a science, „needs applying intuition based on operational experience and cannot be learned solely through study. Leaders practice the art of tactics by balancing study



with a variety of relevant and practical experiences”¹³. If we consider the practice of actions conducted by specialized gendarme structures, we may say that the feature of repetitiveness may become a premise for elaborating a manual or set of regulations, especially as it is stipulated by law that „the forms and procedures of action by which gendarme units fulfill their duties are established by orders and instructions of the Minister of Administration and Interior”¹⁴.

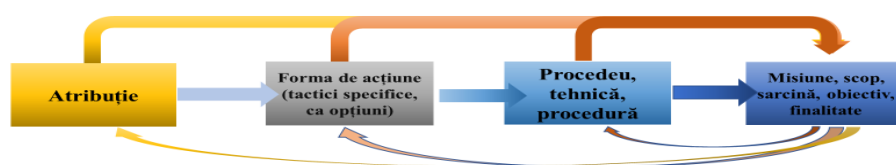


Figure no. 1 Correlation duty – procedure – mission

Returning to the form of action as a modality of engaging forces and means, of displaying (arranging) them, as organic stand-alone structures or constituting posts, teams, squads, patrols, cordons, etc. by the small tactical echelons (platoon, detachment, battalion), this also has to respond to the goals to be achieved. Thus, through this configuration of forces, we have – with respect to the features and overall content of the formation – the attitude adopted as a response to a certain event.

The formation of force and means has to respond to the purpose it was created for, express a certain concept at leadership level, express relations of cooperation, maneuver, support in concrete, simultaneous, successive, or sequential actions. Regarding the attitude that is reflected by the configuration of the formation, the manner to arrange and deploy forces

¹³ ADP 3-90 *Offense and Defense*, Headquarters Department of the Army Washington, DC, 31 July 2019, pp. 1-2.

¹⁴ Art. 54, *Legea nr. 550 din 29 noiembrie 2004 privind organizarea și funcționarea Jandarmeriei Române*, Monitorul Oficial al României nr. 1175 din 13 decembrie 2004, cu modificările ulterioare.



so as to equally respond to the concept and mission at leadership level will result in the form of action. Thus, the attitude can be concretized in prevention, assurance, protection, deterrence, blockage, discovery, rescue, detention, seizing, neutralization. Taking into consideration the characteristics of the terrain, the weather, the time and season, the forces available, the characteristics of the enemy (potential enemy), the form of action is particularized according to all of them.

Given everything mentioned above, we could propose a definition of the form of action as the attitude expressed as a response of a force defined through formation, modality of action by which efforts are correlated and directed for using all the capacities in order to accomplish a goal. Thus, it may be noticed that when a gendarme force at tactical level conducts a tactical action or when the same structure conducts several tactical actions in a certain sequence, or when several tactical level forces conduct several simultaneous or sequential tactical actions, they are examples of tactical operation. Similarly, in order to operationalize a tactical action (operation), it is necessary to conduct a variety of specific measures and activities resulting in its process of organization, planning, and conducting. We also need to refer to the fact that an action is triggered and operationalized either through execution or deliberation. An action of execution presupposes the immediate engagement of available forces through minimal planning and preparation, speed of response in terms of purpose, whereas a planning action usually takes place when the respective situation and circumstances allow detailed organization and planning on stages and sequences, including actions of shaping and appropriate changing so as the action might acquire the necessary end-state. In the case under discussion, we are referring to the management and control of the crowds. The actions triggered by execution necessitate fulfilling the emergency requirements and are, generally speaking, specific to emergency situations. So, we need to keep in mind the fact that, depending on the circumstances, the forces engaged, the contextual factors, gendarme forces act within a tactical operation which, usually, is coordinated at the level of the superior echelon or, as the case may be, it should be run from the level of the structure that has most forces, most competences in the field and, implicitly, a command structure. The most imperative challenge is at leadership level, if the command structure has the capacity and capability to lead.



A very important role is depicted in the institutional concept expressed by the phrase „command and control”, which may be considered as „process, capacity, system or structure. It can also be treated as a whole, *command and control*, with a signification that is different from the ones of the terms in its composition (command and control)”¹⁵ or it can also be treated as a „dynamic and adaptive socio-technical system, configured in order to design and conduct a common action”¹⁶.

The table below presents the duties of the specialized gendarme structures, as they are stipulated by law. We can notice that there is no clear differentiation between duties and missions, and, furthermore, no tactical echelons other than the organic ones are envisaged to be constituted, namely the gendarme task group (operative gendarme task group), which may be constituted ad-hoc depending on the situation created.

From the analysis of duties /missions of specialized gendarme structures, according to art. 19, it can be noticed that they pertain to the domain of public order and thus, it becomes necessary to identify these actions and implicitly to define them, so that the tactics, techniques and procedures become adequate for the type of action and thus simplify as much as possible complexity and solve ambiguity. In the public order domain, we need to take into account the fact that „law enforcement responds to a wide range of incidents and security operations that are usually managed by a single unit or department”¹⁷ and that „crowds may dramatically vary as size, componce, intentions and behaviors”¹⁸.

Echelon	Manner of accomplishing missions
General Gendarme Directorate of Bucharest	Planning, organizing, conducting, and executing specific missions and fulfilling duties pertaining to gendarmerie in Bucharest.
Special	Carrying out missions meant to ensure and restore public order,

¹⁵ Joint Concept Note 2/17, *Future of Command and Control*, Development, Concepts and Doctrine Centre, 2017, p. 9.

¹⁶ *Ibidem*, p. 11.

¹⁷ Bureau of Justice Assistance, *Managing Large-Scale Security Events: A Planning Primer for Local Law Enforcement Agencies*, p. 33.

¹⁸ Tony Narr, Jessica Toliver, Jerry Murphy, Malcolm McFarland, Joshua Ederheimer, *Police Management of Mass Demonstrations: Identifying Issues and Successful Approaches*, Police Executive Research Forum, 2006, p. 53.



Intervention Brigade of Romanian Gendarmerie	providing protection to fundamental state institutions and neutralizing serious threats against them, independently or in cooperation with other structures of the Ministry of Administration and Interior and with the other institutions within the national defense and security system.
County Gendarme Inspectorate	Planning, organizing, conducting, and accomplishing specific missions and fulfilling duties pertaining to gendarmerie.
Mobile Gendarme Task Group	Organizing and conducting missions of ensuring and re-establishing public order and countering crime in the area of territorial responsibility.
Special Gendarme Battalion	Accomplishing specific missions.
Gendarme detachment, company, platoon, squad	Accomplishing specific missions, independently or under unmediated subordination of gendarme units or major units.
Special gendarme unit	Executing guard or protection and defense missions for certain objectives or targets, assets of special importance, or other missions pertaining to a certain domain of gendarme competence.
Duties of specialized structures and the manner to accomplish them, according to art. 19 of the law	
<ul style="list-style-type: none">- to defend, through the ways and means stipulated by law, the person's life, physical integrity and freedom, public and private property, legitimate interests of citizens, community, and the state;- to conduct missions of ensuring public order;- to execute missions of restoring public order;- to execute, on the basis of cooperation plans, missions of maintaining public order;- to execute, in cooperation with the designated state institutions, missions of ensuring public order during official visits;- to execute, according to legal provisions, upon the request of competent authorities, missions of chasing down and catching fugitives, deserters, and other people;- to execute missions of anti-terrorist intervention regarding the objectives that fall under responsibility of gendarmerie or in order to capture and neutralize people who use firearms or other means endangering the safety and security of people, goods, valuable assets, and special transports;- to provide, according to legal provisions, the guard or protection of transport of significant valuable items, as well as the transport of weapons, munitions, explosives, drugs, toxic or radioactive substances or other hazardous materials or substances;- to participate, in cooperation with the other state institutions designated by law, to missions of prevention and neutralization of terrorist acts;- to participate, together with other designated institutions, in monitoring, controlling, and ensuring protection and preservation of natural hunting and fishing fund, the forest	



supply and environmental protection, through specific prevention and countering measures;

- to participate in ensuring the protection of secret mailing service throughout its transportation;
- to participate in limiting and eliminating the consequences of natural, technological, environmental, or complex disasters;
- to ensure measures of order and protection of the areas in which there have been or there is imminent danger of fires, explosions, or other emergency situations;
- to ascertain contraventions and apply contravention sanctions;
- to conduct surveillance and research activities in order to constitute the operative database;
- to temporarily ensure the protection of people, objectives, particular goods and assets, as well as special transports;
- to perform certain procedural acts.

If we analyze the details mentioned above and correlate them with the other provisions according to which the Gendarmerie „exercises, within legal conditions, the duties regarding defending public law and order, citizens’ fundamental rights and freedoms, public and private property, prevention and discovery of felonies and other trespassing of the laws in force, as well as protection of fundamental institutions of the state and countering terrorist acts”¹⁹, it becomes clear that the representative domain of duties is public order and, at the same time, this provision also represents the mission of the gendarmerie. By corroborating this with article 22 of the law, regarding the duties of gendarmerie during the curfew, mobilization, and at war, also as a component of armed forces, we could say that these are military duties, whereas those stipulated in article 19 and article 21 are civil duties. As public order also represents a social interest recognized and guaranteed as such by Constitution²⁰ it pertains to the exclusive competence of the state. A similar provision can be found in the Spanish legislation: „la

¹⁹ Art.1, alin. (1), *Legea nr. 550 din 29 noiembrie 2004 privind organizarea și funcționarea Jandarmeriei Române*, Monitorul Oficial al României nr. 1175 din 13 decembrie 2004, cu modificările ulterioare.

²⁰ Art. 22, art. 23, alin. (1), *Constituția României*, Monitorul Oficial al României, Partea I, nr. 233 din 21 noiembrie 1991, modificată și completată prin *Legea de revizuire a Constituției României nr. 429/2003*, Monitorul Oficial al României, Partea I, nr. 758 din 29 octombrie 2003.



Seguridad Pública es competencia exclusiva del Estado. Su mantenimiento corresponde al Gobierno de la Nación”²¹.

It is obvious also that any action requires planning, organization, leadership and conduct and although, in general, tactical forces are engaged, the objectives to be accomplished may also be at strategic level. We are rather within the parameters of a tactical operation (police operation). Unlike the „military operations that aim at weakening the military potential of the enemy, police operations are aimed at weakening the military potential of the enemy, the police operations are meant to enforce law and maintain public order and are therefore subject to more restrictions”²² than in case of a military operation.

If we take into consideration actions in the domain of public order, especially public gatherings, these tactical operations are designed on principles of non-confrontation, de-escalation and dialogue, compliance and conformity, through which the necessary conditions for the respective gathering are fulfilled, public order is maintained and implicitly the safety of participants is ensured, anti-social acts are prevented through adequate responses, the protection of certain objectives or vulnerable spaces are ensured etc. Such actions (operations) require adopting certain specific (special) tactics by adjusting, adapting, and uniting the ones established by practice, relying on the principles of action, respecting human rights, the new strategic approaches in the field (acknowledging, de-escalation, communication, facilitating, differentiation etc.) through which to prevent and manage public disturbances. Actually, the mission of dialogue teams is a fundamental one as, through specific (special) tactics these aim to „prevent/diminish conflicts among opposing parties through a pro-active dialogue that overcomes communication gaps and violence rituals, contribute to resolving conflicts through empathy and proposals of alternative solutions that make the role of the police a transparent one and promote a positive image of the police within the public as well as decrease public pressure upon operational (intervention) forces”²³.

²¹ *Artículo primero, Ley Orgánica 2/1986, de 13 de marzo, de Fuerzas y Cuerpos de Seguridad*, Boletín Oficial del Estado núm. 63, de 14 de marzo de 1986 (España).

²² Marco Sassòli, *Legislation and Maintenance of Public Order and Civil Life by Occupying Powers*, *The European Journal of International Law*, vol. 16 no. 4, 2005, p. 665.

²³ *The Anthology GODIAC - Good practice for dialogue and communication as strategic principles for policing political manifestations in Europe*, Polisen, With the financial support from the Prevention of and Fight against Crime Programme of the European Union



In this situation, we are not facing the kind of action in which there is a positioning depending on attitude of own forces and the enemy (potential enemy), as the action of ensuring public order is actually directed towards the safety of participants, irrespective of the goal of the gathering – protests, mass demonstrations, galleries of supporters, other types of public gatherings in which the major requirement is that of management of public gatherings or control over the gatherings (as the case may be), although in reality crowd management and crowd control are inter-changeable. Even the wording of the law – „executes missions in order to re-establish public order” – expresses a combative, repressive attitude hinting at the perceived need of the law-enforcement troops to escalate the conflict; in reality, the purpose is exactly the de-escalation of tense, conflicting situations, especially as „during a riot, an extremely volatile environment is developed”²⁴. Although the combative attitude of resorting to force is also obvious in the phrase „law-enforcement agencies”, we need to keep in mind that in such situations, the norm is to establish a continuum of force in which troops and tactical communication are both fundamental. Such an issue should be solved through initial and continuous training programs adapted to reality, especially as nowadays, Romanian society and not only, tends to become more diverse and, consequently the duties of law enforcement troops become more extended.

In such a tactical action (tactical operation) there are peculiarities in organizing and planning specific actions, in force leadership, in crowd control, in law-enforcement (continuum of force employment, contravention sanctions, arrests, respecting human rights etc.), information management, communication and public relations. Re-establishing public order should be regarded as a subsequent, critical stage, of what was initially understood by crowd management and which should be approached as crowd control. For such situations, we consider that a manual would be very useful so as to offer information derived from the relevant practical experiences of mobile gendarme structures, at national level, as well as from the experience of law enforcement forces in other countries, with rules of conduct, options for

European Commission - Directorate - General Home Affairs and the Swedish National Police Board, HOME/2009/ISEC/AG/182, 2013, p. 74.

²⁴ *Crowd Dynamics in Public Order Ops*, UN Peacekeeping PDT Standards for Formed Police Units, 1st edition, 2015, p. 13.



force employment, levels, principles and standards of force engagement, strategies of negotiated management, facilitation, communication, differentiation etc. Another argument also relies on the fact that „together with the internalization of demonstrations, there is a need for an internationalization of knowledge”²⁵ in the field. Gendarmes that belong to such structures specialized in the field of public order have the same duties, obligations and responsibilities as any other law-enforcement official entity, just like any other policemen.

In the public order field, especially in situations in which there are public gatherings, as stipulated by law²⁶, three situations should be distinguished among, from the perspective of the event involving crowds:

- a) crowd management (before, during, and after the event), with the purpose of maintaining its legal statute;
- b) undeclared (spontaneous) crowd control, with a facilitating purpose;
- c) control and monitoring of civil unrest (riots), with the purpose of eliminating the immediate risks of violence escalation, dispersion, isolation of those committing illegal acts.

Regarding what was mentioned above, we need to specify the fact that “public order should never be the cause that justifies the limitation or restriction of liberties, but their exercising with complete guarantees”²⁷. In the first situation, taking into account the available time, „a desirable behavior of the crowd can be projected”²⁸ through proactive actions. In the second situation, of undeclared public gatherings, to „consider them illegal should happen only when there are no other reasonable alternatives”²⁹ and there is a definite need „to ensure the safety of the public and the police”³⁰.

²⁵ <https://www.statewatch.org/news/2010/nov/eu-policing-protests-godiak-project.pdf>.

²⁶ *Legea nr. 60 din 1991 privind organizarea și desfășurarea adunărilor publice*, Monitorul Oficial al României, Partea I, nr. 192 din 25 septembrie 1991, republicată.

²⁷ Juan Carlos Montalvo Abiol, *Concepto de orden público en las democracias contemporáneas*, Revista Jurídica Universidad Autónoma de Madrid, n° 22, 2010-II, p. 209.

²⁸ C. Martellaa, J. Lic, C. Conradob, A. Vermeerenc, *On Current Crowd Management Practices and the Need for Increased Situation Awareness, Prediction, and Intervention*, 2016, p. 7, <https://www.few.vu.nl/~cma330/papers/SafetyScience.pdf>.

²⁹ Los Angeles Police Department, *Report to the Board of Police Commissioners, An Examination of May Day 2007*, p. 49.

³⁰ *Ibidem*.



In the third situation, actions are reactive, but in this case also predictive tactics can be adopted as a response to crowd behavior.

Regarding crowd control, we consider that „this is interchangeable with crowd management”³¹. Because of this, we consider that modern approaches require another vision depending on the events involving planned or spontaneous crowds, in which gendarme structures need to be considered as public order police forces. In case of planned gatherings, „preparation activities include detailed risk analyses for identifying and prioritizing potential risks, the use and development of the expression *what if*”³². A friendly attitude from the gendarmes regarding the people in the crowd creates a psychological connection meant to decrease tensions, through what is known as the „*meet and greet* strategy”³³ because it is „very difficult to fight against the police if exactly the people in the crowd had just been friendly to some of the officers”³⁴ in the force formation. Besides the fact that for public order forces in the actions of crowd management (control), but especially in case of protests, their work is „difficult, stressful and potentially dangerous, with high margin for error, either the gendarmes (n.n) exercise too much force and there are investigations, or they do not exercise enough force and then suspicions are raised”³⁵.

Taking into consideration the relation among the concepts of duty, procedure, technique, and mission, we should note that in order to define a form of action it is necessary to also take into account the acts of an enemy or potential enemy. In case of a crowd, irrespective of its classification or actions, it should be considered first and foremost as a crowd event. If we refer to the crowd event through the three situations, through corroboration with the constitutional right of assembly³⁶ we are dealing with a police

³¹ Stephen Otter, *Urban Safety Project, Urban Policing in Myanmar*, The Asia Foundation, October 2017, p. 7.

³² C. Martella, J. Li, C. Conrado, A. Vermeeren, *On current crowd management practices and the need for increased situation awareness, prediction, and intervention*, *Safety Science* 91 (2017), p. 381.

³³ *Managing Major Events: Best Practices from the Field*, Police Executive Research Forum, Washington, 2011, p. 7.

³⁴ *Ibidem*.

³⁵ https://www.cleveland.com/pdextra/2010/05/police_crowd-control_tactics_h.html.

³⁶ Art. 39 of Romanian Constitution stipulates that „Freedom of gathering. Meetings, demonstrations, processions or any other gatherings are free and can only be organized in a



operation of crowd control or management including specific action tactics, techniques and procedures based on operational flexibility as compared to the wide range of manifestations of an assembly. In this case, our opinion is that there is a need for a bulletin, report, manual, handbook instead of a set of regulations which might be revised at short intervals of time, every two or three years, depending on the evolution in the manifestation of public gatherings. Such a manual would need to answer the evolutions regarding gatherings as the major requirement is to provide safety for citizens, facilitate and support constitutional rights regarding freedom of expression and assembly. Integrating practical experience at the level of each specialized gendarme structure and, implicitly, from the experience of similar European structures, leads to creating a unitary doctrine visions at national level that can be developed by revision at short intervals.

A set of regulations in the field of public defense, following the rules comprised as specific directives which cannot be ignored as exceptions would create dysfunctionalities in the process of organizing, planning, conducting and leading these operations. Yet, general regulations would be extremely useful at the level of general principles and tactical norms.

Although procedures allow a certain flexibility, they are not limited to a certain number, they can be adapted to the situation and other new ones can be instituted. Function of what happens with them, there is a need for the initial and continuous training be differentiated at the level of execution and leadership, on roles, so as to reflect the same finality, same tactics and strategies, concepts and terms through which a standard common training gets to be defined, both on national and European levels.

The duty to ensure, according to provisions of the law, guard or protection and defense of objectives, special goods and assets, as well as transport of weapons, ammunitions, explosive materials, drugs, toxic or radioactive substances or other hazardous materials or substances, protection of secret mail service during transportation excludes action, as

peaceful manner, without any kind of weapons. In Romanian: „Libertatea întrunirilor. Mitingurile, demonstrațiile, procesiunile sau orice alte întruniri sunt libere și se pot organiza și desfășura numai în mod pașnic, fără nici un fel de arme”. Constituția României, Monitorul Oficial al României, Partea I, nr. 233 din 21 noiembrie 1991, modificată și completată prin Legea de revizuire a Constituției României nr. 429/2003, Monitorul Oficial al României, Partea I, nr. 758 din 29 octombrie 2003.



the relation does not include an enemy, and certain action tactics, techniques and procedures are adopted through which specific action formations are configured with a finality of guard or protection mission. In these situations, we are not dealing with an action manifested in a concrete way against the respective assets, goods, or transports.

There may be emergency situations in which areas or sectors require guard and protection, by applying the provisions of military regulations regarding the guard and protection of areas with special destination.

Regarding the legal provision according to which it „conducts, within legal boundaries, upon the request of competent authorities, missions of chasing up and catching fugitives, deserters and other people”, it is quite clear that in relation to the attitude adopted by „fugitives, deserters, and other people” we are still dealing with a specific tactical action or operation (police operation) in which the following types of action can be adopted: chase, encirclement, pinning down (interior, exterior), searching on different directions, searching through surveillance, whose expression in point of composition and features of the force, tactics, techniques, and specific procedures are particularized according to circumstances. It is obvious that in this case too, certain norms need to be taken into account which might come in handy in various concrete situations, especially as in such circumstances cooperation with other forces is essential.

Executing the missions of „anti-terrorist intervention to the objectives that the gendarmerie is in charge of or for capturing and neutralizing the people who use firearms or other means which might endanger people, valuable goods, assets and special transports” and participating in „missions of prevention and neutralization of terrorist acts” also require a complex police action, expressed by blocking, searching, encircling, chasing.

Surveillance, control, and ensuring protection and preservation of natural hunting and fishing fund, the forested areas and environmental protection through specific means of prevention and countering actually make up particular tactics of maintaining public order, obviously being a purely police duty.

According to the provisions of article 22, the duties of the gendarmerie during curfew, mobilization state or state of war, as a component of armed forces, acquire military valences, implying the



manifestation of an enemy. Thus, the operationalization of gendarmerie duties is acquired through the type of action requiring the interoperability with other military structures, especially as „during the state of war, Romanian Gendarmerie is operationally subordinated to the national military authority at strategic level”³⁷. Hence the need for a manual focused on the role, organization, responsibilities, and goals of the gendarmerie, from the smallest echelons to the (operative) gendarme task group, to cover the need for training of all categories of personnel, equipment, technology able to integrate the practices, procedures, and approaches used at national and even European level.

Following the provision according to which Romanian Gendarmerie participates in „peacekeeping missions, according to international agreements ratified by Romania”³⁸ we have to point out that „as international interventions become more diverse, new terms appear”³⁹. For instance, the UN „traditionally defined peacekeeping as missions involving military personnel, but without competences of repression, undertaken by United Nations Organization, in order to contribute to keeping or restoring peace and international security in conflict zones.”⁴⁰ Similarly, to avoid any lack of clarity in terminology, „a peacekeeping mission has the following objectives: facilitating the application of a peace agreement; contributing to conflict prevention and/or the efforts to consolidate peace”⁴¹.

According to the law, we notice among other things that the duties of gendarmerie fall into three main categories: pertaining to the police domain in conditions of normality, especially in case of events involving large

³⁷ Art. 22, alin. (2), *Legea nr. 550 din 29 noiembrie 2004 privind organizarea și funcționarea Jandarmeriei Române*, Monitorul Oficial al României nr. 1175 din 13 decembrie 2004, cu modificările ulterioare.

³⁸ Art. 3, alin. (2), *Legea nr. 550 din 29 noiembrie 2004 privind organizarea și funcționarea Jandarmeriei Române*, Monitorul Oficial al României nr. 1175 din 13 decembrie 2004, cu modificările ulterioare.

³⁹ Cedric de Coning, Mateja Peter, *United Nations Peace Operations in a Changing Global Order*, Palgrave Macmillan, 2019, p. 9.

⁴⁰ Trevor Findlay, *The Use of Force in UN Peace Operations*, Stockholm International Peace Research Institute, 2002, pp. 3 - 4.

⁴¹ Jaïr van der Lijn, Ivan Briscoe, Margriet Drent, Kees Homan, Frans-Paul van der Putten, Dick Zandee, *Peacekeeping operations in a changing world*, Netherlands Institute of International Relations Clingendael, 2015, p. 6.



masses of people or public order, during the state of emergency and during curfew, upon mobilization and at war. In case of the latter two, gendarme structures can act also as police forces. That is the reason why there is a need to reconfigure the initial and continuous integrated training, on levels of execution and command, which might follow the good practices and strategic principles in crowd management and might be comprised in a manual with clear deadlines for revision, relying on the experience gained in the last thirty years. Initial training needs to have an integrated approach, in which efficient communication be adapted to the available circumstances. A professional gendarme (policeman) „needs to adapt abilities to the continuous changes of his/her workplace environment. Law-enforcement is a continuously evolving vocation, whose followers need to adjust to the dynamic conditions of the street. A comprehensive training is essential”⁴² so as to improvise unpredictable situations as nowadays law-enforcement institutions „have to adjust to the present day and be modernized or reinvented for the future”⁴³.

At the same time, taking into account the evolving aspects of the public order concept in accordance with the evolution of society, it is important to acknowledge and regulate the police character of gendarmerie duties. A new law of organization and functioning of gendarmerie which might render it a modern perspective as a police force would really represent a reform of police forces, especially from the perspective of „contemporary processes of globalization and development of network-based society”⁴⁴, through which new challenges might be identified for police forces, especially as criminality, violence, conflicts never end, being in a continuous process of transformation. Once the character and duties of gendarmerie are clarified, the tactical, operative, and strategic training of gendarmerie personnel can be newly approached.

⁴² John Christian, Matthew Lewis, Scott Gerwehr, Russell W. Glenn, Barbara R. Pantich, Dionne Barnes-Proby, Elizabeth Williams, David Brannan, *Training the 21st Century Police Officer. Redefining police professionalism for the Los Angeles Police Department*, Public Safety and Justice RAND, 2003, p. 121.

⁴³ World Economic Forum, *The Global Risks Report 2020*, 15th Edition, In partnership with Marsh & McLennan and Zurich Insurance Group, p. 15.

⁴⁴ Manuel Castells, *Comunicare și putere*, Editura Comunicare.ro, 2013, p. 16.



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EFECTELE DEZASTRELOR NATURALE ASUPRA PLANETEI NOASTRE

THE EFFECTS OF NATURAL DISASTERS ON OUR PLANET

Colonel Associate professor dipl. eng. Florin NEACȘA, PhD
Tenured member of the Academy of National Security Sciences,
E-mail: neacsaf@yahoo.com

Rezumat: *Articolul prezintă o serie de date statistice și analize realizate de către cercetătorii Centrului de Cercetări privind Epidemiologia Dezastrelor, CRED (The Centre for Research on the Epidemiology of Disasters), pe baza raportărilor existente în baza de date EM-DAT cu privire la dezastrele naturale și antropice, din perioada 1998-2017. Specialiștii au observat, pentru perioada respectivă că dezastrele naturale au crescut ca număr și intensitate, cele mai afectate fiind țările sărace, care au sisteme de prevenire și răspuns slab dezvoltate, pentru astfel de situații. Se observă faptul că pierderile economice ale țărilor sărace raportate la PIB-ul acestora, are o rată de peste 0,5% din PIB-ul lor, pragul de 0,5 % fiind pragul la care Fondul Monetar Internațional consideră acest lucru ca fiind un dezastru economic major. De asemenea în partea finală a articolului sunt prezentate o serie de date statistice referitoare la activitatea vulcanică și la manifestarea incendiilor de vegetație din ultimii 20 de ani.*

Cuvinte cheie: *dezastre naturale; pierderi economice; persoane afectate și decedate; Cadrul Sendai; vulnerabilitate; risc, incendii de vegetație, activitate vulcanică.*

Abstract: *The article presents a series of statistical data and analyses performed by researchers of the Center for Research on the Epidemiology of Disasters (CRED) based on existing reports in EM-DAT database regarding natural and anthropogenic disasters, between 1998-2017. Specialists observed that – during the analyzed period – natural disasters had increased in number and intensity, the most impacted being poor countries with weakly developed prevention and response systems for such situations. One can also see the fact that the economic loss of poor countries in relation to their GDP has a ratio of over 0.5% of their GDP, the threshold level of 0.5% being the one that the International Monetary Fund considers as a major economic disaster. In addition, the article presents in its final part a series of statistical data regarding the volcanic activity and vegetation fires (wild fires) which occurred in the last 20 years.*

Keywords: *climate disasters, economic loss, impacted and deceased persons, Sendai Framework, vulnerability, risk, vegetation fires, volcanic activity.*



Introduction

The data centralized by specialists show the fact that in the last tens of years (the analyzed refer to the period between 1998 and 2017), there was an increase in the number of disasters caused by climate change and of geophysical origin, resulting in 1.3 million casualties among population, as well as 4.4 billion of people wounded, with their houses destroyed, or that had to be evacuated from the path of terrible natural phenomena. It is true that a significant number of the total loss of human lives was caused by geophysical disasters manifested as earthquakes, followed by tsunami, volcanic activity and dry landslides (earthquake generated) but, of the whole amount of disasters recorded as such and reported in the period between 1998 and 2017, 91% were hydrological in nature, manifested through flooding, wet landslides and wave action, climatological in nature, manifested through storms, extreme temperatures, and fog, as well as climatological in nature, manifested especially through drought and wildfires¹.

It is equally interesting to consider the economic losses reported and recorded between 1998 and 2017, which amounted to 2.908 billion USD. Statistics show that the economic losses caused by climatic disasters represent, in percent, a large weight of their total, more exactly 77%. If we make a comparison with the period between 1978 and 1997, we notice that the economic losses recorded and reported amounted to 1.313 billion USD., of which 895 billion USD. represented losses caused by disasters due to climate changes, namely 68% of their total number. Comparing the two periods of 20 years, we notice a growing percent of 9% for the interval 1998-2017, but if we refer strictly to monetary value, we notice an increase of approximately 40%, which underlines once again the fact that our planet is going through a continuous process of transformation with respect to climate changes².

The data included in EM-DAT databank show that in the interval 1998-2017, most economic changes were recorded and reported, in decreasing order, by the following ten countries: The U.S.A., 944.8 billion USD., because of storms, the second place is occupied by China with 492.2

¹ https://www.unisdr.org/files/61119_credeconomiclosses.pdf.

² Ibidem.



billion USD, because of flooding, the third position is occupied by Japan with 376.3 billion USD because of earthquakes followed by tsunami, on the fourth there is India with 79.5 billion USD, because of flooding, on the fifth there is Puerto Rico with 71.7 billion USD, because of storms, the sixth is occupied by Germany with cu 57.9 billion USD, because of flooding, the seventh position is occupied by Italy with 56.6 billion USD, because of earthquakes, on the eighth place there is Thailand with 52.4 billion USD because of flooding, the ninth position is occupied by Mexico with 46.5 billion USD because of storms, while France occupies the tenth position with 43.3 billion USD, because of storms. We should mention the fact that the calculations made by World Bank show that natural disasters such as hurricanes, flooding, drought, and earthquakes cause damage amounting to approximately 520 billion USD yearly, affecting 26 million people, the most affected being the poor countries or the developing countries³.

In this sense, the top ten countries in the world in relation to the average economic losses caused by climate-related disasters, according to the GDB (Gross Domestic Product), for the period 1998-2017, are the following: the first is Haiti with losses amounting to 17.2% of GDP, because of earthquakes, a poor country, with low income, the second is Puerto Rico with losses amounting to 12.2% of GDP, because of storms, a country with high income; the third is North Korea with losses amounting to 7.4% of GDP, because of storms, a poor country, with low income, the fourth is Honduras with losses amounting to 7% of GDP, because of storms, a country with low average income, the fifth is Cuba with losses amounting to 4.6% of GDP, because of storms, a country with superior average income, the sixth is El Salvador with losses amounting to 4.2% of GDP, because of earthquakes, a country with low average income, the seventh is Nicaragua with losses amounting to 3.6% of GDP, because of storms, a country with low average income, the eighth is Georgia with losses amounting to 3.5% of GDP, because of earthquakes, a country with low average income, the ninth is Mongolia with losses amounting to 2.8% of GDP, because of storms, a country with low income, the tenth is Tajikistan with losses amounting to 2.7% of GDP, because of extreme temperatures, a

³ <https://www.worldbank.org/en/results/2017/12/01/climate-insurance>.



poor country, with low income⁴. This rating shows that they are mostly low-income countries, with two exceptions – Puerto Rico that has high income and Cuba, with a superior average income; this happens as EM-DAT specialists talk about the fact that during 1998-2017, the high-income countries reported losses caused by 53% of disasters, while low-income countries reported losses caused by only 13% of the disasters that took place in the interval of 20 years under analysis⁵. Specialists working for CRED (The Centre for Research on the Epidemiology of Disasters), analyzing the data starting with year 2000, showed the fact that in poor countries, with low income, in case of natural disasters, in the affected areas, out of one million inhabitants, there were on average 130 deceased people, a number approximately seven times bigger than the average of 18 people deceased in the countries with high income.⁶

The increase in number of natural disasters in the last years, resulting in the loss of numerous lives and important material damage, led to certain urgent measures being taken in order to reduce the disaster risk. In this respect, during the UN Conference that took place in 2015, in Sendai-Japan, a Framework was adopted with measures to be taken so as to reduce the risk of disaster in the world by establishing seven strategic goals for the next fifteen years.

These specific goals are connected to a series of indicators for measuring the progress made in reducing the risk of disasters and, together with UN general aims, has durable development as a goal. In this regard, in July 2016, UN Secretary General Robert Glasser launched the „Sendai Seven” campaign through which each of the seven goals might be promoted in seven consecutive years, thus: in 2016, the goal was to reduce the average of global mortality, by 2030, to 100.000, in comparison with the average of the period between 2005 and 2015; in 2017 the goal was that by 2030 the global average of people affected by disasters might decrease to 100.000, in comparison to the average of the interval 2005-2015; in 2018 the goal was to cut down on the economic loss due to natural disasters, in relation to each country’s GDP, by 2030; in 2019, the goal was to achieve, by 2030, a

⁴ https://www.unisdr.org/files/61119_credeconomiclosses.pdf.

⁵ https://www.unisdr.org/files/61119_credeconomiclosses.pdf.

⁶ Ibidem.



significant reduction of damage caused on natural disasters on critical infrastructure and public and private services caused by natural disasters upon critical infrastructures and public and private services of national and local interest (health, education, etc.), as well as increasing their resilience; in 2020, the goal is that most countries build strategies meant to reduce risk in case of disasters; in 2021, the goal is to provide support to under-developed countries through cooperation agreements with the strong, developed countries, so as they might become able to accomplish the goals of Sendai Framework by the end of 2030; for 2022 the goal is to develop the early warning systems for the population in case of disaster and increase the access of population to them, as well as to facilitate access to the assessment reports of their consequences, by the end of 2030⁷.

Statistics clearly show that natural disasters represent a concrete threat to durable development, which needs to be an active concern of the governments of all countries, while their decisions for investment need to include necessarily reducing the disaster risk.

Natural disasters during the interval 1998-2017

Analyzing the EM-DAT database, experts noticed that during the interval 1998-2017, 7,255 natural disasters were reported, out of which 71.6% were caused by floods and storms, and the rest up to 100 %, depending on their number in decreasing order, were caused by earthquakes, extreme temperatures, humid landslides, drought, wildfires, volcanic activities and dry landslides caused by volcanic eruptions⁸.

It can be noticed that floods and storms represent the highest percent from the point of view of the number of events, but the statistics related to the number of people in the world affected by different types of disasters, for the same period, is a little changed. Thus, if on the first position we also find the floods which affected 2 billion people, representing 45% of the total number of people, the second is occupied by the drought which affected 1.5 billion people, representing 33% of the total number of people, the third is occupied by the storms which affected 726 million people, representing 16% of the total number of people, the fourth is occupied by earthquakes,

⁷ https://www.preventionweb.net/files/54917_iddr2017conceptnote.pdf.

⁸ https://www.unisdr.org/files/61119_credeconomiclosses.pdf.



affecting 125 million people, namely 3% of total number of people, the fifth is the extreme temperatures affecting 97 million people, representing 2% of the total number of people, the sixth is the dry landslides affecting 4.8 million people, representing 0.1% of the total amount of people; then the wildfires, volcanic activities and dry landslides which, together, affected 6.2 million people, representing 0.1% of the total number of people⁹.

As it was shown at the beginning of the article, the EM-DAT experts categorize natural catastrophes according to the type of danger triggering them, thus resulting in hydrological, meteorological, and climatologic disasters, known as climate-related disasters and, on the other hand, geophysical disasters. The definition of disaster, according to CRED, is „*a situation or event which exceeds the local capacity, necessitating a demand at national or international level for external activity; an unexpected and often sudden event, which causes significant damage, destruction and human suffering*”¹⁰. Vulnerability is directly proportional with the number of population from an area with a high risk of natural disasters occurring and weak governance, poverty, and environmental degradation.

Experts analyzed the situation of deceased people because of different types of disasters, during the interval 1998-2017, and noticed that most deaths were caused by earthquakes, with a percent of 56% of the total number of deceased people reported in the respective period (747.234 deceased people), so more than half of the deaths caused by the other types of disasters, which were caused in decreasing order by storms, extreme temperatures, floods, drought, humid landslides, volcanic activities, wildfires, and dry landslides¹¹.

If we analyze the data provided by EM-DAT experts, from the point of view of losses caused in the world, on types of natural disasters, we notice that, for the period under scrutiny, 1998-2017 (20 years), the greatest losses were caused by storms with a total of 1.330 billion USD, representing 46% of the whole amount of losses caused in the world, the second place is occupied, almost equally represented by the losses caused by earthquakes amounting to 661 billion USD, representing 23% of the whole number of

⁹ https://www.unisdr.org/files/61119_credeconomiclosses.pdf.

¹⁰ Ibidem.

¹¹ https://www.unisdr.org/files/61119_credeconomiclosses.pdf.



losses and those caused by floods, 656 billion USD, namely approximately also 23% of the whole number of losses, on the third position there are losses caused by drought, 124 billion USD, representing 4% of the whole number of losses, the fourth position is occupied almost equally by damage caused by wildfires, 68 billion USD, and damage caused by extreme temperatures, 61 billion USD, both types of disasters representing each 2% of the whole number of losses; the fifth position is occupied by the damage caused together by humid and dry landslides and the volcanic activity, amounting to 8 billion USD, which represents under 1% of the total losses¹².

The data presented clearly prove that geophysical disasters, especially earthquakes, caused the biggest number of deaths among the population during the period of 20 years analyzed (1998-2017), but we need to specify the fact that, for the analyzed interval, there were two major events resulting in the death of over 200.000 people each, the tsunami occurring in 2004 in the Indian Ocean (following an earthquake, with the epicenter on the West coast of Northern Sumatra and Indonesia), which severely affected 14 countries on the coasts surrounding the Indian Ocean¹³ and the earthquake happening in 2010 in Haiti¹⁴. We also need to specify that the two major events presented above affected poor countries which were not prepared to handle such disasters.

Unlike these, for instance, the earthquake which happened in 2010 in New Zealand, comparable to the one in Haiti, having the magnitude of 7.4 degrees on the Richter scale¹⁵, did not kill any person, but affected 300,000 people; this was possible because of the specific legislation which sets very clear norms regarding the codes of anti-earthquake design of buildings, as well as due to the level of preparedness of authorities, intervention forces, and population. In general, countries that invest in measures meant to decrease earthquake risks, even if they are in countries with high seismicity, have less losses than the other ones, the most representative being Japan, Chile and even Iran. The experts know the areas in the world with high seismic activity and that is exactly why the countries in those areas introduced norms for designing buildings with high seismic resistance; still,

¹² Ibidem.

¹³ https://en.wikipedia.org/wiki/2004_Indian_Ocean_earthquake_and_tsunami.

¹⁴ https://en.wikipedia.org/wiki/2010_Haiti_earthquake#cite_note-bbc100210-11.

¹⁵ https://www.hotnews.ro/stiri-ultima_ora-7755844-cutremur-7-grade-noua-zeelanda.htm.



these are hard to apply in poor countries with low economic power, such as, for instance Haiti or Nepal.

Another important characteristic of disasters caused by earthquakes is the impossibility of predicting major earthquakes; thus, the earthquakes that occur in certain geographic areas, with small magnitudes, can always be followed by earthquakes of high magnitudes, such as the one in 1960 in Chile which had, according to the data recorded by seismographs, the magnitude between 9.4 and 9.6, this being the strongest earthquake that has ever been officially recorded in the world¹⁶.

If the victims of earthquakes can be found, as shown above, in the areas known for their high seismic risk, climate disasters, from the statistics presented by EM-DAT period, for the period 1998-2017, has a non-homogenous distribution in the world, the most representative being: extreme temperatures (heatwaves), which in 2003 led to the death of 72,000 people; severe storms, such as Cyclone Nargis, which in 2008, in Myanmar killed 138,000 people¹⁷, which actually was the highest number of human lives lost during the analyzed period; again extreme temperatures (heatwaves) resulted in the death of 56,000 people in Russia, in 2010¹⁸, and in the same year, drought killed approximately 100,000 people in Somalia¹⁹.

John Hopkins University from the USA made a very interesting study in order to show how temperature and humidity are felt in a large city, in its various areas. This study had as starting point global warming, present in the entire world, but especially in Africa, where, according to specialists, this warming is twice as high as in Europe. Taking into account these aspects and the fact that poor countries are less prepared to deal with such a situation, the study made by the American university was conducted in the summer of 2015-2016, which was one of the hottest years in Nairobi, Kenya, where neighborhoods are very different, with, cu pedestrian streets, tall concrete buildings and green areas specific to business areas, as well as a lot of poor neighborhoods, such as Kibera, the largest slum area in Africa.

¹⁶ <https://www.digi24.ro/stiri/externe/mapamond/chile-lectia-celor-mai-mari-cutremure-din-istorie-573958>.

¹⁷ https://en.wikipedia.org/wiki/Cyclone_Nargis.

¹⁸ <https://www.digi24.ro/stiri/sci-tech/natura-si-mediu/national-geographic-explica-de-ce-s-au-inmultit-episoadele-de-canicula-in-lume-la-ce-sa-ne-asteptam-1152868>.

¹⁹ <https://www.concernusa.org/story/decade-drought-in-somalia/>.



Results showed that the temperature and humidity felt by the population in slum areas are far higher than the way temperature and humidity are felt at the main station, placed in the business area²⁰.

Another study made in the USA shows that the areas inhabited by those with high income are less affected by natural disasters and, at the same time, recover much faster from such situations, in comparison with the areas inhabited by low-income population, which once again shows social inequality²¹.

Experts, analyzing the information in EM-DAT database reported for the period 1998-2017, made some statistics regarding the level at which people are affected by climate-related disasters, at world level, according to the level of development of different countries, but also taking into account the density of population in the affected areas. During the period under scrutiny, year 1998 finds China, on the first position, a country with average-superior income, affected by floods – 239 million people. The maximum value of the period analyzed, for the countries with average-high income, is also to be found China which, in 2002 had approximately 300 million people affected by a sandstorm²². The countries with average-low income, during the period analyzed, had in 2002, 300 million affected people, when India was affected by drought and the maximum value for these countries was that in 2015 when drought affected 365 million people from India, Democratic People's Republic of Korea, Malawi and Ethiopia²³.

Just as EM-DAT experts calculated and it was presented above, for the period under analysis, 1998-2017, the drought caused 4% of total economic losses from all the economic losses at global level²⁴. Although the percent seems to be small, we need to underline the fact that the drought which affected especially the poorly developed countries caused, more often than not, damage that was higher than 0.5% of GDP (0.5% of GDP being the level at which International Monetary Fund considers it as a major economic disaster)²⁵.

²⁰ <https://journals.plos.org/plosone/article%3Fid%3D10.1371/journal.pone.0187300>.

²¹ <https://academic.oup.com/socpro/article/66/3/448/5074453>.

²² https://www.unisdr.org/files/61119_credeconomiclosses.pdf.

²³ Ibidem.

²⁴ Ibidem.

²⁵ Ibidem.



The Food and Agriculture Organization of the United Nations (FAO) made a statistical analysis for the period 2006-2016 which highlighted the fact that natural disasters mostly affected poor countries and especially their most important agricultural areas. If we take into account only climate-related disasters (floods, drought, and tropical storms), the losses and damage in agriculture reach a percent of 26% from all the damage and losses caused by natural calamities²⁶. Of all climate disasters, drought – which usually has a slow but long-lasting action – affects in the most severe manner the agriculture, especially the sectors of plant crops and animal breeding, the percent amounting up to 83% of overall losses and damage. Regarding strictly animal breeding, the drought is the most detrimental disaster, causing 86% of all the damage and losses in this sector. The most severe drought occurred between 2008 and 2011 in Kenya and the Horn of Africa and it caused damage and losses worth of 8.9 billion USD.²⁷ In poorly developed countries, the impact of natural calamities upon agriculture is extremely severe, which may result in affecting the economic performance of the respective countries, famine, disease hotbeds, increasing prices for basic food products, poverty, and mass migration.

Natural disasters cause increasingly severe economic losses in the world; thus, according to EM-DAT experts, it can be noticed that during the interval 1998-2017 the year 2011 was the most difficult from this point of view, a major impact having the earthquake from the East Japan Sea, followed by tsunami, which caused the serious damaging of the nuclear plant in Fukushima (which was subsequently closed), the economic losses amounting in this case to 228 billion USD of the total sum of 400 billion USD of the year 2011²⁸. During the period under analysis, the years with major economic losses were the following: in 2017, of all the economic losses amounting to approximately 330 billion USD, economic losses of 245 billion USD were caused by Harvey, Irma and Maria Hurricanes which affected Texas, Florida and Puerto Rico²⁹; in 2005 of all the economic losses of approximately 260 billion USD., economic losses of 201 billion USD were caused by Katrina, Rita and Wilma Hurricanes which affected

²⁶ <http://www.fao.org/3/I8656EN/i8656en.pdf>.

²⁷ Ibidem.

²⁸ https://www.unisdr.org/files/61119_credeconomiclosses.pdf.

²⁹ <https://edition.cnn.com/2017/09/26/us/response-harvey-irma-maria/index.html>.



the USA, Central America and the Caribbean³⁰; just as in 2008 of the whole amount of economic loss or approximately 210 billion USD, economic losses worth 96 billion USD were caused by the earthquake that happened in Sichuan, China³¹.

Analyzing the statistics for the period 1998-2017, experts noticed that most material damage was caused by storms, which can be seen from the fact that the average material losses caused by them during the respective interval is over half of all the losses caused by the climate disasters, for the same period³².

It is equally true that the EM-DAT database relies on systematic reporting made by all the countries, be they with high or low income, and the countries with low income reports, because of lack of funds for making logistic connections with EM-DAT database, are almost five times lower, for instance countries with high income reported, for the period 1998-2017, economic losses caused by natural disasters in percent of 53%, as compared to countries with low income which reported economic losses caused by natural disasters, in percent of only 13%³³.

Yet, for the interval 1998-2017, experts noticed the fact that, although high-income countries reported 1.432 billion USD worth economic loss, experts noticed that this represents 0.41% of their GDP³⁴. In comparison to this, countries with average-superior income reported 567 billion USD worth economic loss, representing 0.60% of their GDP, average-low income countries reported 194 billion USD worth economic loss, representing 1.14 % of their GDP, while low-income countries reported 21 billion worth economic loss, representing 1.77 % of their GDP³⁵. In all these cases, the value of 0.5% of GDP was exceeded which, as we have shown above, is the threshold which the International Monetary Fund considers as being a major economic disaster, with the only

³⁰<https://eu.usatoday.com/story/weather/2015/08/24/2005-hurricane-season-katrina/32269245/>.

³¹ https://en.wikipedia.org/wiki/2008_Sichuan_earthquake.

³² https://www.unisdr.org/files/61119_credeconomiclosses.pdf.

³³ https://www.unisdr.org/files/61119_credeconomiclosses.pdf.

³⁴ Ibidem.

³⁵ Ibidem.



observation that the difference between low-income and high-income countries is almost 4.4 times higher³⁶.

Other data which come to underline once again the difference between high-income and low-income countries are, according to specialists, related to the situation occurring during the period 2000-2017, with respect to the people who died because of natural disasters in the respective countries. Thus, high-income countries reported 120,339 dead people, which meant a ratio of 18 deaths to one million inhabitants, the countries with average-superior income reported 236,078 deaths, which meant a ratio of 92 dead people to a million inhabitants; the countries with average-low income reported 569,042 deaths, which meant a ratio of 75 deaths to one million inhabitants, while low-income countries reported 285,137 deaths, which meant a ratio of 130 deaths to one million inhabitants³⁷.

In order to notice the influence of climate-related disasters, during 2000 and 2017, with respect to the number of deceased people reported, according to the stage of development of the different countries affected, specialists noticed the following aspects: in countries with high income, 98,649 people were reportedly dead because of climate disasters, which meant a ratio of 16 deaths to one million inhabitants; in countries with superior average income, 101,006 people were reportedly dead because of climate disasters, which meant a ratio of 50 deaths to one million inhabitants; in countries with low average income 242,660 deaths were reported because of climate disasters, which meant a ratio of 62 deaths to one million inhabitants; in countries with low income 51,458 people were reportedly dead because of climate disasters, which meant a ratio of 60 deaths to one million inhabitants³⁸.

Volcanic activity and wildfires

By studying the EM-DAT database have noticed that in the last 20 years the volcanic activity and the wildfires produced less damage in the world in comparison with other types of disasters such as flooding, storms,

³⁶Ibidem.

³⁷ Ibidem.

³⁸ https://www.unisdr.org/files/61119_credeconomiclosses.pdf.



or earthquakes. This is proven by statistics that show us that during 2000-2016, volcanoes and wildfires affected 5.8 million people, causing the death of 1,648 people and 41-billion US dollars' worth damage, in comparison with flooding that affected 1.5 billion people, earthquakes that killed 700,000 people and storms causing material damage amounting up to 802 billion USD.³⁹ Yet, in only two years 2017 and 2018, the situation changes dramatically in the world, the number of deceased people and material damage up to several billion USD. being extremely high.

As we have already shown, the volcanic activity is considered by EM-DAT specialists as a geophysical disaster and usually the regions in the world where volcanos are active are well known, the most active region of the Planet in this regard being the Pacific area where there is the so called "Ring of Fire", in which Indonesia has 20 active volcanoes, the Philippines has 11 active volcanoes, Papua New Guinea has 7 active volcanoes, Vanuatu has 7 active volcanoes and the area of Central and South America where Ecuador has 9 active volcanoes, Colombia has 7 active volcanoes, while Guatemala has 5 active volcanoes. Also, there are still active volcanoes in Africa (for instance D. R. Congo) and Europe (Italy and Island)⁴⁰. We need to specify the fact that most of the time, the places in which volcanoes are active have less inhabitants, thus having a lower impact on people. If, between 2000 and 2017 90 such events were reported, affecting 3 million people and causing the death of 665 people, in 2018, the number of deceased people due to volcanic activity was higher than the deaths caused in all the preceding years of 21st century⁴¹.

In June 2018 volcano Fuego from Guatemala erupted, killing 425 people and affecting other 1.7 million, causing significant material damage (including stopping the activity of the main airport from Guatemala), being considered by specialists the deadliest volcanic eruption in the entire world since 1991 until the present day and the deadliest in America since 1985 (when a volcano eruption taking place in Columbia killed approximately 21.000 people⁴²) and until the present day⁴³.

³⁹ https://cred.be/sites/default/files/CRED_CRUNCH55.pdf.

⁴⁰ https://cred.be/sites/default/files/CRED_CRUNCH55.pdf.

⁴¹ Ibidem.

⁴² https://en.wikipedia.org/wiki/Armero_tragedy .



In December 2018, volcano Anak Krakatau, which erupted on the coast of Java Island from Indonesia caused tsunami waves, leading to the death of 453 people and affecting 48,000 people⁴⁴. This came after an earthquake which had taken place in Sulawesi Island had also caused tsunami waves and killed 4,340 people⁴⁵.

All these events that happened in 2018 show us the destructive potential of volcanic activities in the world, and, statistically, specialists calculated the fact that the yearly average of the people who died because of volcanic activities between 2000-2017 is 37 people, while the number of people who died because of this in 2018 is 878⁴⁶.

A special situation is that of wildfires which are largely spread in the world, covering much larger surfaces in comparison with the volcanic activities which, usually, occur in areas where there are large, forested areas, causing significant material damage, but, fortunately, the number of deceased people was lower, especially because they happen in the less populated areas.

From a statistical perspective, according to the data included in the EM-DAT database, between 2000 and 2016, 199 such events were reported, leading to the death of 983 people; they affected 2.9 million people and caused 40-billion USD. worth material damage⁴⁷.

Beginning with 2017, specialists noticed an intensification of this type of disaster, being closely connected to the heat waves which hit certain areas of the world, thus mentioning 15 such reporting, which caused the death of 165 people and total material damage amounting to 17 billion USD.⁴⁸

The most important such events took place in Portugal, in June and October, when 109 people lost their lives (most of them being taken by

⁴³<https://www.worldvision.org/disaster-relief-news-stories/2018-guatemala-volcano-eruption-facts>.

⁴⁴ <https://ziare.com/stiri/eveniment/a-erupt-vulcanul-anak-krakatau-1606360>.

⁴⁵ https://en.wikipedia.org/wiki/2018_Sulawesi_earthquake_and_tsunami.

⁴⁶ https://cred.be/sites/default/files/CRED_CRUNCH55.pdf.

⁴⁷ Ibidem.

⁴⁸ Ibidem.



surprised in their cars, trying to drive away from fires)⁴⁹, and in October in California, where wildfires killed 30 people and material damage was estimated around 13 billion USD.⁵⁰

In 2018, there was the same rising tendency in the number of such events, recording 10 such events which led to the death of 221 people, affecting 260,000 people and causing material damage, amounting to 23 billion USD.⁵¹ The most devastating were the fire that occurred in Attica region in Greece, causing the death of 100 people⁵² (this being considered the deadliest fire which happened and was recorded until today in Europe by EM-DAT) as well as the fires that took place in California and led to the death of 88 people⁵³ and the reported damage was 24 billion USD.⁵⁴

Taking into account the tendency of increasing the temperatures of the ambient environment, specialists have the opinion that this tendency of increasing the number of wildfires will grow and we also have to emphasize the fact that the fumes and gas resulting from burning large quantities of such materials results in polluting extremely large areas and may affect sensitive people and breathing difficulties (causing their death), as it happened with wildfires that occurred in 1997 in South-Eastern Asia and in 2010 in Russia⁵⁵.

Conclusions

The EM-DAT database is the most comprehensive database related to natural and anthropic disasters taking place in the world since the 1900 until the present day. The specialists of Center for Research on the of Epidemiology Disaster (CRED), in latest years have shown more interest in

⁴⁹<https://www.hotnews.ro/stiri-international-22106542-record-istoric-portugalia-442-000-hectare-fost-distruse-incendii-2017.htm>.

⁵⁰<https://ziare.com/international/america/incendiile-din-california-continua-sa-faca-victime-sunt-31-de-morti-si-400-de-disparuti-1484899>.

⁵¹ https://cred.be/sites/default/files/CRED_CRUNCH55.pdf.

⁵² https://it.wikipedia.org/wiki/Incendi_dell%27Attica_del_2018.

⁵³https://adevarul.ro/international/statele-unite/incendii-devastatoare-california-100000-persoane-evacuate-putin-cinci-murit-video-1_5f40c28f5163ec4271358f2a/index.html.

⁵⁴<https://www.agerpres.ro/planeta/2019/01/08/incendiile-care-au-afectat-california-in-2018-au-provocat-pagube-record-companie-de-asigurari--237497>.

⁵⁵ https://cred.be/sites/default/files/CRED_CRUNCH55.pdf.



prevention and response in case of disasters as well as in vulnerable populations.

Specialists have noticed the discrepancy between countries with high income and countries with low income as the latter – in case of disasters – have the highest number of casualties. We need to state the fact that, since 2015 when Sendai Framework was adopted, until now, over 100 countries were affected by natural disasters (flooding, storms, droughts), which led to the displacement of over 60 million people⁵⁶.

There is the risk of humanitarian catastrophes occurring mostly in poor countries and in those with high risk of natural or anthropic disasters, where most often than not there are numerous and defenseless populations, living in such areas.

Taking into account the large number of natural disasters, the existence of early warning and evacuation of population becomes a priority, especially in areas prone to flooding and droughts, which cause the greatest economic loss.

According to the data held by specialists in the Center for Monitoring Internal Displacement, in 2018, 18 million people were forced to move because of climate disasters (flooding, storms and droughts)⁵⁷.

At the same time, we have noticed lately an alarming increase in wild fires (related to the global warming tendency) and volcanic activities.

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**PARTICULARITĂȚI ÎN DESFĂȘURAREA PROCESULUI
DE PREGĂTIRE INFORMATIVĂ A CÂMPULUI/SPAȚIULUI
DE LUPTĂ (IPB) PENTRU OPERAȚIILE DE STABILITATE**

**PARTICULAR ASPECTS IN CONDUCTING THE PROCESS OF
INTELLIGENCE PREPARATION OF THE BATTLEFIELD /
BATTLESPACE (IPB) FOR STABILITY OPERATIONS**

Colonel (ret.) Professor Gheorghe BOARU, PhD

Tenured member of the Academy of Romanian Scientists
Tenured member of the Academy of the National Security Sciences
Associated Professor at „Carol I” National Defense University,
E-mail: boarugheorghe@yahoo.com

Colonel Valerică PIROȘCĂ

PhD candidate, „Carol I” National Defense University,
E-mail: vali_pir2004@yahoo.com

Rezumat: Rezultatele negative obținute într-o confruntare armată, de-a lungul istoriei, au avut la bază decizii greșite luate de către comandanți, atât pe timpul planificării, cât și pe timpul desfășurării acțiunilor de luptă. Cunoștințele vagi despre elementele câmpului de luptă, avute la dispoziție de către aceștia, au influențat în mod negativ decizia și respectiv rezultatul final al luptei. Avantajul cunoașterii terenului, inamicului și a stării vremii, precum și aprecierea corectă a influențelor acestora asupra câmpului de luptă, au fost și rămân elemente esențiale în procesul de luare a deciziei.

La nivelul începutul secolului al XXI-lea, armatele moderne, prin componenta lor de informații militare, dezvoltă un amplu proces prin care se asigură comandanților o imagine cât mai complexă a câmpului de luptă. Noile tipuri de amenințări, precum și noile spații de confruntare, au generat particularități specifice de organizare și desfășurare a acestui proces denumit Pregătirea Informativă a Câmpului/Spațiului de Luptă (IPB)¹.

Cuvinte cheie: acțiune militară, amenințare, pregătirea informativă a câmpului de luptă, teatru de operații, tehnologii militare.

Abstract: Throughout history, the negative results obtained in an armed confrontation were based on wrong decisions made by the commanders, both during the planning and during the conduct of combat actions. The vague knowledge about the elements of the battlefield made available to the commanders negatively influenced the

¹ IPB - Intelligence Preparation of the Battlefield/ Battlespace.



decision and the final result of the battle, respectively. Knowledge about the terrain, the enemy and the weather, as well as the correct estimation of their influences on the battlefield, were and remain essential elements in the decision-making process.

At the beginning of the 21st century, through their military intelligence section or department, modern armies develop an extensive process that provides commanders with a more complex picture of the battlefield. The new types of threats, as well as the new confrontation spaces, have generated specific peculiarities of organization and development of this process called Intelligence Preparation of the Battlefield/Battlespace.

Keywords: *military action, threat, intelligence preparation of the battlefield, theater of operations, military technologies.*

Introduction

Armed forces generally speaking have developed together with the civil society. The development of civil society relied on the need for security, which required creating and supporting a very well organized and endowed Army, capable to cover this need. The scientific-technological development of society has a significant impact upon armed forces, bringing to the fore new categories of equipment and armament, which, in turn, resulted in new concepts and doctrines related to the conduct of military actions.

The best-known types of combat actions are attack and defense which, over time, have been added a series of actions taken by support elements. For instance, after the invention of firearms, and especially artillery, fire support was generated, constituting one of the important components of military actions.

The stability operation

During the armed conflicts that took place after WW II, special attention began to be paid to the activities undertaken by the armed forces in the post-conflict period, their role being very important in maintaining stability and security in the region or in the theater of operations. Thus, towards the end of 20th century and the beginning of the 21st century, military thinkers started to be more and more interested in post-conflict activities, approaching topics such as stability, support, and reconstruction.

Special attention, in this respect, was paid by American military thinkers who, from a certain point of view, can be called true pioneers of this type of action involving armed forces.



According to FM 3-07, 2003 edition, of USA Military, the stability operation „...promotes and protects US national interests by influencing the dimensions of the threat, political and informational, of the operational environment through a vast array of activities of development and cooperation at peace time and coercive actions in response to crises. The armed forces fulfill stability goals through involvement and response. Military activities in support of stability operations are diverse, continuous, and often long-term. Their goal is promoting and sustaining regional and global stability”².

Later on, in the 2008 edition, further adjusted in 2014, of the same field manual FM 3-07, the Americans completed the definition previously given to the stability operation, considering that this type of operations are „...operations that comprise different missions, tasks, and military activities conducted outside the United States, in coordination with other instruments of national power for maintaining or re-establishing a stable and secure environment, provides essential governmental services, ensures rebuilding critical infrastructure and humanitarian aid”³.

The Land Forces Combat Manual in the Romanian Armed Forces, 2012 edition, mentions that „stability actions are those actions aiming to stabilize a situation and reduce the level of violence, thus imposing security and control over an area engaging military capabilities in restoring services and in support of civil authorities”⁴.

However, we consider that the experience accumulated by the American military in this kind of operations was rendered very well in US Army Doctrine ADP 3-07, July edition 2019, which completed the previous editions mentioning that „A stability operation occurs as part of the decisive action in a joint operation or as an activity often conducted at peace time. The tasks to be performed by armed forces in stability operations are those tasks conducted by a commander for in order to successfully accomplish stability operations, these tasks may be at the core of operation mission,

² *** FM 3-07 (FM 100-20), *Stability Operations and Support Operations*, Headquarters Department of the Army, Washington, DC, 20 February 2003, section 1-2.

³ *** FM 3-07, *Stability Operations*, Headquarters Department of the Army, Washington, DC, October 2008, section V.

⁴ *** F.T. - 3, *MANUALUL DE TACTICĂ GENERALĂ A FORȚELOR TERESTRE*, București, 2012, p. 49.



they can be achieved as specified or implicit tasks in an operation specific to armed combat or may be performed as actions often performed at peace time”⁵.

During the stability operation, the military forces involved will ensure the security of civilians and will support civilian control in the area of responsibility, will ensure the reconciliation between local or regional enemies, will support the proper functioning of political juridical, social, and economic institutions in the area of responsibility and will ensure the hand-over of responsibility to legitimate civilian authorities.

The „civilian” literature dedicated to this phenomenon includes interesting analyses, worthy of being studied, especially as they involve two organizations, the UN and NATO, which conduct actions specific to this phenomenon. Thus, in a particular work, edited by researchers who conduct their scientific activity in the Asian space, stability operations are analyzed and presented taking into account the specific geographic, social, and political aspects related to the nine contributors (Japan, Malaysia, Indonesia, Australia, Singapore, Great Britain).

Thus, the book says that: *„As a few essential NATO member countries experiment advanced stabilizing tactics, other nations that are not equally exposed to these operations remain unaccustomed to the approach of stabilization, resulting in increasing international gaps in doctrine, experience, and knowledge.*

Without impeding in any way upon the requirements of „interoperability” among allies and the demands of increased contribution from NATO made by those outside the Alliance, these gaps in doctrine and experience (not to mention the divergent interests) remain an obstacle in the way of an efficient cooperation. When combined with the changing demography of UN peace operations, these tendencies are added to the complexity and challenges which the domain of international peace operations is currently confronting.

If the nations in Asia-Pacific wish to intensify and contribute more, in an intentional way, to such operations, an analysis of the position of these nations regarding the approaches of the whole Government may thus

⁵ *** ADP 3-07, *Stability*, Headquarters Department of the Army, Washington, DC, 31 July 2019, section 1-1.



provide at least a platform for identifying deficiencies and weak points in conceptualizing and implementing complex stability operations such as those in Afghanistan”⁶.

However, counter-insurgency cannot and should not be combined with peace operations and goes beyond the purpose of this research. Certain relevant lessons can be drawn from the actions conducted by nations in stability missions that are not led by the UN.

These lessons range from the abilities of nations to implement comprehensive approaches of the whole government and civil-military cooperation; niche capacities unfolded, such as the police forces in training; training arrangements before the actual actions in order to face the possible attacks coming from insurgents; reconstruction efforts, such as those made by engineers and medical teams in order to “win the hearts and minds”.

In the same work it is also admitted that, in fact, the main contribution, both theoretical and practical, to stability operations is brought by the US: *„As the book is going to show, the involvement of Asia-Pacific nations in these stabilization operations is not significant, with the exception of the main allies in the region of Americans, such as Australia and South Korea, especially. Therefore, the regional doctrines in stabilization are hardly developed. Again, this allows us to hypothesize that these nations did not have too much impulse to develop doctrines of complete stabilization (including counter-insurgency), as it happened in the United Kingdom or United States”⁷.*

The definition of British Government for the „stabilization” operation is given thus: *„A process that support the states entering, withstanding or exiting a conflict, in order to prevent or reduce violence; protects population and critical infrastructure; promotes political processes and governing structures, leading to a political solution that institutionalizes the non-violent disputes for power; prepares for a durable social and durable development”⁸.*

⁶ Chiyuki Aoi and Yee-Kuang Heng, *Asia-Pacific Nations in International Peace Support and Stability Operations*, first published in 2014 by PALGRAVE MACMILLAN® in the United States— a division of St. Martin’s Press LLC, 175 Fifth Avenue, New York, NY 10010, p.9.

⁷ *Ibidem*, pp. 9-10.

⁸ Chiyuki Aoi and Yee-Kuang Heng, *op.cit.* p.11.



As a process supporting the states in coming up with a durable political solution among competing elites, people and states, the concept is essentially a state construct that implies people protection, as well as key social, economic, and political infrastructures [JDP 3-40 and JDP 05]⁹. This meant the doctrine reversal of an entire range of classical principles of counter-insurgency and, not less important, those nations that get involved in stabilization, therefore, they introduced approaches of the whole government integrating various levers of the Government, from army, police, diplomacy, development, and law.

As a result of nations that have comprehensive approaches, „*there have been certain «clashes of principles», as civil agencies stated that the traditional «operational space» based on neutrality, impartiality, independence needs to be respected*”¹⁰.

Thus, the term „stability missions” or „stability operations” (including counter-insurgency, too) is going to be used in order to refer to Military Operations conducted in Iraq and Afghanistan.

The comprehensive approach is defined in a varied manner by different actors, but we largely conceptualize it as „*an approach that combines the economic measures, the governance and security measures in accordance with the concept of stabilization from the United Kingdom*”¹¹. „The integral comprehensive approach of the government” is the manifestation of such an action and involves, normally, efforts to integrate

⁹ Joint Doctrine Publication 3-40 (JDP 3-40), *SECURITY AND STABILISATION: THE MILITARY CONTRIBUTION*, November 2009; Joint Doctrine Publication (JDP) 05, *SHAPING A STABLE WORLD: THE MILITARY CONTRIBUTION*, 2016.

¹⁰ Hugo Slim, *With or Against? Humanitarian Agencies and Coalition Counter-Insurgency*, Center for Humanitarian Dialogue, Opinion (July 2004). Nicholas Leader, *Proliferating Principles, or How to Sup with the Devil without Getting Eaten*, *The International Journal of Human Rights*, Vol. 2, No. 4 (1998): 1–27.

¹¹ (JDP) 3–40, Chapter 2; *On the European Union’s coherence-based approach*, see *European Security Strategy*, available on: [http://europa.eu/legislation_summaries/justice_freedom_security/fight_against_organised_crime / r00004_en.htm], accessed on 20.10.2020; *NATO has pursued such approach in Afghanistan*, see *NATO summit declarations in Riga (2006) and Bucharest (2008)*. *Riga Summit Declaration*, available at: [www.nato.int/docu/pr/2006/p06-150e.htm]; *Bucharest Summit Declaration*, available at: [www.nato.int/cps/en/natolive/official_texts_8443.htm], both of them accessed on 20.10.2020.



activities in several relevant administrations. For instance, the 3D approach (defense, diplomacy, development).

The IPB Concept

The history of military conflicts demonstrated, since the oldest times, that a very important advantage for commanders on the battlefield, irrespective of the type of military actions conducted, was having significant knowledge about the terrain and the enemy, as well as other factors which influenced one way or another the planning, organization, and conduct of military actions.

Over 2,500 years ago, the great Chinese strategist Sun Tzu stated that *„Well, if the enlightened Prince and the knowledgeable General defeat the enemy every time they get to action; if their achievements overcome the ordinary ones, this is only due to having prior knowledge. ... What is called prior knowledge comes neither from spirits, nor from the Divinity, nor from an analogy with past vents, nor from calculations. It has to be acquired from the people who know the situation of the enemy”*¹².

Still, it is true that, in time, besides knowledge about the enemy, the introduction of new weapon systems as well as doctrine changes generated by them led to the commanders' need for knowledge regarding several factors of the battlefield that may provide advantages and influence decisively the result of a battle. Among these factors we can enumerate terrain, infrastructure, population, hydro-meteorological conditions and any other factors that may have effects upon own actions or enemy actions in the confrontation space.

Within modern armed forces, at the beginning of the 21st century, this knowledge is materialized through a process called (*Intelligence Preparation of the Battlespace/Battlefield – IPB*). This process involves the participation of the whole staff of the military unit conducting the military operation and takes place under the coordination of the chief of intelligence compartment.

In ATP 2-01.3/MCRP 2-3A, of American Army, IPB is defined as *„... the systematic analysis process of the mission variables of enemy, terrain, weather and civilian issues in an area of interest in order to determine their effect upon military operations. IPB is the systematic and*

¹² Sun TZU, *Arta războiului*, Antet XX București, 1993, p. 92.



*continuous process of analysis of the threat and the environment in a specific geographic area*¹³.

In the latest version of this document¹⁴, IPB is defined in a manner that is little different from the one above:

„...the systematic analysis process of the mission variable of the enemy, terrain, weather and civilian issues in an area of interest in order to determine their effect upon military operations. IPB allows commanders and personnel to adopt a holistic approach of the analysis of the operational environment”.

In its Romanian version *„Intelligence Preparation of the Battlefield – IPB is a process of integrated analysis of the enemy, terrain, and confrontation environment in the area of operations. Following the relations established between the analyzed factors, IPB is a dynamic and continuous process that needs to be executed at all command levels”*¹⁵.

Regardless of the type of military operations, the IPB process comprises the following four steps¹⁶:

- defining operational environment;
- describing the effects of the operational environment upon the operation;
- assessing threat;
- determining courses of action implied by the threat.

The latest version of this document¹⁷ comprises the same steps, but included in another secondary chapter.

During the first step, the staff within the intelligence compartment will need to identify the significant characteristics of the enemy, terrain,

¹³ *** ATP 2-01.3 / MCRP 2-10B.1, *Intelligence Preparation of the Battlefield/Battlespace*, Headquarters, Department of the Army Headquarters, United States Marine Corps, November 2014, section 1-1.

¹⁴ *** ATP 2-01.3 / MCRP 2-10B.1, *Intelligence Preparation of the Battlefield/Battlespace*, Headquarters Department of the Army Washington, DC 1 March 2019 section 1-1.

¹⁵ *** S.M.G./Cc.-2.3, *Manualul pentru pregătirea informativă a câmpului de luptă*, București, 2005, art.0101- (1).

¹⁶ *** ATP 2-01.3 / MCRP 2-10B.1, 2014, *op.cit*, section 1-2.

¹⁷ *** ATP 2-01.3 / MCRP 2-10B.1, *Intelligence Preparation of the Battlefield/Battlespace*, Headquarters Department of the Army Washington, DC 1 March 2019, section 1-13.



weather condition and civilian issues. During the second step, there will have to be estimated the effects that characteristics identified in the first stage may have upon own troops' actions. During the third stage, there will be identified the way in which threat may influence own troops' actions, while in the last stage possible courses of action will be elaborated to be adopted by the opposing forces.

In case of operations specific to armed combat, offensive and defensive alike, regarding the threat posed by an enemy that wears a uniform and has the specific insignia of certain armed forces, going through the IPB steps is a relatively natural endeavor, undertaken according to principles and norms of armed confrontations.

In case of stability operations, when the enemy/threat is no longer posed by armed forces, they no longer wear uniforms or specific insignia, they do not act according to norms and principles of armed combat, conducting the IPB process and creating an image that is as complex as possible of the battlefield and the threat, for commanders and their staff, is a real challenge for the personnel within the intelligence compartment.

The goals of stability operations are connected to¹⁸:

- saving lives;
- restoring essential services;
- protecting infrastructure and property;
- restoring and maintaining the proper functioning of the governing act;
- ensuring a climate of security;
- isolating hostile elements from the local population;
- gaining support for the local government;
- providing what is needed in order to cater for local population basic needs.

As it can be seen at a first analysis, none of the goals mentioned above is common to the goals that are specific to armed combat. These goals generated peculiarities specific to stability operations in all their stages.

¹⁸ *** ATP 2-01.3 / MCRP 2-10B.1, 2014, *op.cit.*, section 7-8.



Particular aspects of IPB in stability operations

At the beginning of 21st century, the armed forces of some developed countries were involved in various conflicts, among which the conflicts from the Balkans (former Yugoslavia), Iraq, Afghanistan, Africa, Caucasus and, of late, the Crimean Peninsula and Eastern Ukraine, which, in their final part, turned into operations of stability, support and reconstruction.

We are going to dedicate our analysis to the conflicts in Iraq and Afghanistan – where, besides the involvement of armed forces belonging to developed NATO countries and the employment of weapon systems and modern military technologies, there were also made public a series of materials on the activity of military intelligence structures in support of military actions in these theaters of operations.

In Iraq, upon the outbreak of operation „*Iraqi Freedom*”, *Coalition* forces confronted the Army led by the former Iraqi leader Saddam Hussein, a classical armed force, wearing uniforms, having specific insignia, and acting according to the principles of war. After defeating the troops of the Iraqi dictator, the military actions of the next step were meant for stability and reconstruction.

If the success of *Coalition* forces in the first part of the conflict was based on the products elaborated and delivered by the military intelligence structures, within the IPB process, in the stability phase there were a series of shortcomings generated by a new threat. This threat became more diverse, consisting in elements of certain terrorist groups in the region, among which the Al Qaeda was the most representative. Terrorist elements used different means of action against *Coalition* forces, from ambushes to suicide bombers with improvised explosive devices.

Operation „*Enduring Freedom*” started with a combined action of intelligence structures and Special Operation Forces, with the aim of providing support to local entities manifesting an attitude contrary to the Taliban regime.

Subsequently, armed forces were deployed to support the ousting of Taliban regime, organization of elections and instauration of a democratic regime. Even from the beginning of the conflict, the threat was posed by people who were not wearing uniforms, had no insignia, and did not act according to the principles of armed combat. It was demonstrated afterwards



that the threat / enemy, who was present in this theater of operations, enjoyed consistent support from the local population.

Both during operation „Iraqi Freedom” and operation „Enduring Freedom”, different lessons learned were identified, regarding the manner of action of armed forces during stability operations. These lessons learned were at the basis of elaborating new doctrines, manuals, and tactics, techniques and procedures that would serve as guidelines for the armed forces in future operations. Part of these lessons learned were identified in the field of military intelligence and were based on the failures encountered during these two military operations.

As a very important task of military intelligence structures during stability operations, the IPB process had to provide intelligence products to the commander and his staff so that to enable them to¹⁹:

- understand the causes of instability;
- identify the internal and external support received by insurgent elements;
- understand the connection between insurgents and the local population;
- identify target groups among population that insurgents focus their actions on;
- identify local population groups which are vulnerable to insurgents and determine the causes of their vulnerability;
- understand the insurgents’ motivation;
- understand insurgents’ techniques, tactics, and procedures;
- understand the conditions that insurgents wish to create in order to fulfill the aims they set out to reach;
- provide assessments for all the lines of operations;
- assess the effects and consequences upon the operations conducted by own forces.

Starting from these tasks which differ significantly from those of an IPB process in an operation specific to armed combat, there could be identified a series of particular aspects of IPB process during the stability operation.

The particular aspects of IPB process during the stability operation

¹⁹ *** ATP 2-01.3 / MCRP 2-10B.1, 2014, *op.cit.*, section 7-8.



can be identified within all the components of the battlefield, such as terrain and weather, but we would say that the important differences are made by the enemy/threat and the peculiarities of civilian elements such as administrative-territorial organization, religion, culture, education, attitude towards own forces, infrastructure, economic development etc.).

The most important particular feature of the stability operation, with significant influences in the conduct of IPB process, is determined by the threat /enemy. This has unpredictable manners of organization and action, which generates a lot of uncertainty at the level of military analysts involved in the IPB process. To support them is the ATP 2-01.3/MCRP 2-3A procedure of American Army, which specifies that the main requests for information during stability operation, are connected by the answer to the following questions²⁰:

- *What leads to instability?* – examples include election fraud, legislation issues, religious tensions, credibility of governmental institutions in front of population and others;
- *Which are the nature and type of insurgents?* – who are they and what do they want?
- *Which is the insurgents' strategy?* – how do they intend to accomplish what they wish?
- *Which is the insurgents' motivation?*
- *Which are the insurgents' goals?*
- *Which is the support of the population given to insurgents?*
- *Which are the insurgents' capabilities and vulnerabilities?*

Although at first sight these questions resemble those related to a classical enemy, the possibility to obtain answers for them in case of stability operation is largely influenced by the intelligence available about insurgent elements.

Regarding the influence pertaining to civilian aspects upon IPB process, we would say that have a negative influence directly proportional to the support and affinity of the population towards insurgent elements. For instance, in Afghanistan Theater of Operations, since 2003 up to the present day it was demonstrated that insurgent elements, namely the Talibans, members of international terrorist organizations, have enjoyed the tacit

²⁰ *** ATP 2-01.3 / MCRP 2-10B.1, 2014, *op.cit.*, section 7-7.



support of the local population. This support provided by the local population ensured the facile movement of insurgent elements and setting up various types of attacks upon Coalition forces.

Conclusions

The threats and the aspects pertaining to the civilian background are the two components of the battlefield resulting in a high degree of uncertainty for the informative materials elaborated during the IPB process.

Eliminating this degree of uncertainty requires the existence of a consistent database, as well as the employment of the most efficient means of collecting data and veridical information, in a timely manner, to come to the aid of military analysts, in order to create high quality informative materials, capable to depict a full picture of the battlefield for commanders and their staff involved in the decision-making process.

Another factor which might considerably improve the results of the IPB process during the stability operation is the employment of military analysts who are experienced in such military actions and who have vast knowledge about the asymmetric threats, as well as about the local population. Their experience may bring at any moment some added value which can be exploited by commanders on the battlefield.

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LOCUL INFORMAȚIEI ÎN MANAGEMENTUL PENTRU SECURITATE

THE PLACE OF INFORMATION IN SECURITY MANAGEMENT

Ion-Sorin Moldovan, PhD candidate
„Carol I” National Defense University
E-mail: moldovan.ion.sorin@gmail.com

Rezumat: Pentru a putea face în mod corect evaluări asupra mediului de securitate în sec. XXI, în sensul de a desluși ecuațiile complicate ale interacțiunilor de tot felul de pe scena internațională, locul și rolul real al diversilor actori care evoluează pe această scenă etc., sunt deopotrivă necesare un bun management al informației de securitate, alături de un management bine conceput al întregului domeniu al securității. În cadrul managementului de securitate, o componentă foarte importantă o reprezintă managementul informației, în speță, informația de securitate. Din ce în ce mai des putem constata faptul că în cadrul acestei ecuații deosebit de complicate a securității, un rol cu totul și cu totul aparte îl ocupă domeniul analizei de intelligence asupra informației (pentru securitate), domeniu care este obligat să adopte noi și noi paradigme, în sensul de a asigura performanța calitativă în sistemul de securitate națională. Printre componentele cu rol deosebit în cadrul noilor paradigme ce privesc managementul de securitate se află și următoarele trei: managementul informației pentru securitate, managementul schimbării (sau al adaptării) continue la orice fel de evoluții ale mediului de securitate, și în fine, managementul performanței. Dintre acestea, un loc aparte îl ocupă managementul informației.

Cuvinte cheie: informații, management de securitate, managementul informației, mediu de securitate.

Abstract: In order to be able to correctly make assessments on the security environment in the 21st century, in order to discern the complicated equations of the interactions of all kinds on the international scene, the place and the real role of the various actors evolving on this scene, etc., a good management of the security information is required, together with an appropriate management designed for the entire security field. Within the management of security, a very important component is the management of information, in this case, the security information. Increasingly, we can see that within this very complicated equation of security, a completely and entirely different role is played by the intelligence analysis of information (for security), a field that is bound to adopt newer and newer paradigms, in the sense of ensuring the qualitative performance in the system of national security. Among the components that have a special role in the new paradigms



regarding security management, there are the following three: the management of information for security, the management of change (or adaptation) – continuous in any kind of security environment and, finally, performance management. Among these, information management occupies a special place.

Keywords: *information, security management, information management, security environment.*

Introduction

The issue of security management is increasingly becoming an acute issue of the last years, especially in the context in which there are more and more conflicts on Earth and the global security environment now comprises a series of new threats, part of them atypical. Unfortunately, all these things go beyond the assessments and analyses based on the traditional concepts or paradigms of security. A special place within this management is occupied by (security) information management, with all the auxiliary aspects presupposed by this domain. Security management is practically based on the profile information starting from which an integrating activity is developed so as to coordinate and synchronize a multitude of elements that otherwise behave like independent bodies. Through (security) information and the manner in which the management of this information is performed, it becomes the binder that connects and sets in motion a series of disparate components, which thus become the elements of a system¹.

The creation and development of community security and collective security environment have complicated the rules of the game in relation to security, and the multitude and complexity of information that presuppose the functioning of these community systems have raised even more complicated issued of information management. The simultaneous action of the five dimensions of security resulted in the need to perform in an integrated manner the management of very diverse categories of information, but in such a way so that the outcome of this management leads to obtaining well-correlated information appropriately distributed to the domains in which they are needed. A special component of the information management activity, within security management is the one

¹ Ion Duvac, *Intelligence și securitate națională* (curs), Editura Universității București, 2006.



related to achieving accurate estimates². In order for all these to take place, the first condition is for the (security) information to be well-administered.

Information and performance

The increasingly unexpected and faster and faster evolution of the security environment (at internal and international levels) raise problems that we are going to be required to answer just as fast and just as well, which asks for a better management, of higher quality, including the elaboration of new paradigms and laying the bases of new structures (probably the network type) destined to information management, the whole system thus conceived being necessarily oriented towards high performance.

Thus, there is a need for a type of management adjusted to the condition of continuous change, as long as its functioning should maintain performance criteria. This kind of flexible, adaptive systems should, first and foremost, refer to intelligence structures³, namely those structures participating, at primary level, in obtaining and filtering information for security. As we are permanently shown by the current situation, the contemporary security environment is marked by special dynamics, the changes taking place in relatively short intervals being unpredictable most of the time. In these conditions, it is necessary to have available those instruments of information management, marked by special dynamics, the changes occurring in relatively short intervals at most times unpredictable, conditions in which there is a need to possess those information management instruments able to allow the adjustment to change, with equal speed, so as the data in the external environment be rapidly and correctly perceived by specialized structures⁴ and the results made available to internal decision-makers.

² Luciana Alexandra Ghica, Marian Zulean, *Politica de securitate națională. Concepte, instituții, procese*, Editura Polirom, 2007.

³ Legea 14/1992 privind organizarea S.R.I. în forma consolidată la data de 11 septembrie 2014 prin modificările și completările aduse de către Legea nr. 181 din 9 octombrie 1998; OG nr. 72 din 13 iunie 2002; OUG nr. 52 din 12 iunie 2003 și Legea nr. 255 din 19 iulie 2013.

⁴ Legea nr. 1/1998 privind organizarea S.I.E. republicată în Monitorul Oficial nr. 511 din 18 octombrie 2000.



Fulfilling such conditions require a flexible system, capable to ensure the fast adjustment of the analytical process (this constituting an integral part of the prediction function of management) in such a way that, within information management, to be able to precisely and objectively identify both the center of gravity and the critical points or directions of effort. At all times, at the core of activity there is information and also the manner in which it is managed.

Information and security management in an era of change

The need for adjustment of management can only be related to the need to permanently find ourselves in the information reality of the security environment. We need to stay connected to the objective elements of reality able to permanently present us the real state of the security environment. This happens in case the current context often reveals us a security environment dominated by a multitude of threats acting in a continuous manner, from several directions simultaneously. The manner in which these threats act in an intertwined manner and the increasingly unusual (atypical) shapes they might take often lead to crisis situations (namely the state in which the system at one point becomes unable to generate efficacious / efficient solutions to the problems they confront). Thus, in case of information management experiencing a crisis, its activity is going to become unable to generate the information products related to estimation and prediction, which makes real situation impossible to understand and, even worse, to complete the premises for strategic surprise.

As the security environment at the beginning of the 21st century is showing us a very complex picture and an increasing state of conflict, especially against the backdrop of globalization, we are witnessing the emergence of new actors and the development of completely unexpected manifestations on the international arena. Briefly, we have the picture of a security environment that is becoming more and more complicated and unstable and whose dynamics tends to escape our predictability.

Actually, such a state of facts can only cause a need for modifying the manner of approaching information, in the sense of elaborating new structures (and functions) able to receive data and turn them into information, in domains that have been inexistent so far. The emergence of these new domains and specialized areas, practically corresponding to the



multi-dimension of modern confrontation, leads to the situation in which each dimension of confrontation should have its own system of information management, built on its own rules and performed by specialized personnel. In order to answer such a need, it will be necessary – from an administrative perspective – to conceive a different force allocation, to establish new functions and classify the new types of information managed, etc.

Such a manner of adapting information and its management is only going to cause the change of personnel and its attributes, an aspect that raises most problems, taking into account the inertia characterizing the human factors and the inherent hysteresis that we are confronting from this perspective.

Taking into account these aspects, we cannot forget the fact that at the core and on top of all the actions there is only information⁵. Not only information, but exactly the security information which is especially directed towards the decision-making processes⁶. The pattern of these activities is a complex one and the whole process of collecting data and processing information involves difficulties, especially their filtering and analysis. Performing information analysis means performing the basic activity for fulfilling the foreseeing function within management. A good performance practically means anticipating in a correct and timely manner issues related to the security environment.

This is exactly where the difficulty lies: the security environment (and the conflicting feature characterizing it) has acquired new dimensions in which information needs to be managed, which makes the accurate estimate no longer be related exclusively with the traditional manner of collecting information so far. Yet, of late, the situation of conflict developed in an atypical manner results in the need to move information activity in atypical environments, situation for which – more often than not – we have neither the necessary experience, nor the qualified personnel, not even the framework in which the personnel might be trained. A correct management of security decisions can only be based on an efficient system of information.

⁵ Legea 51/1991 privind siguranța națională republicată în Monitorul Oficial nr. 190 din 18 martie 2014.

⁶ Legea nr. 182/2002 privind protecția informațiilor clasificate, actualizată OUG nr. 16 din 09 martie 2005; Legea nr. 268 din 1 octombrie 2007 și Legea nr. 255 din 19 iulie 2013.



This is how, the role of intelligence structure and their activity of information management are going to be (among others) that of making the connection between the objective elements of the security environment and the subjective environment of human will and decision. Thus, information management ensures processing primary data and obtaining information leading to political decision-making at the end of the cycle. We notice that, in order for such management to be truly efficacious, it has to ensure the reply capacity of the own security system. This means that the (security) information reaches the decision-maker in due time⁷, so as to allow the necessary time for reaction. Actually, it is exactly this aspect (the reaction time) that compels information management to elaborate products before the occurrence of the situation requiring reaction, which means that these situations need to be estimated / foreseen permanently so as there are no delays in reactions. It is exactly this estimate function that becomes increasingly connected to the quality of information management and, from this perspective, the performance of organizational management and especially human resource management influences in a decisive manner the performance criteria of information management.

Such a change in quality of information (security) management would allow the evolution between the reactive type of security culture and the active and preventive type of security culture. Perfecting the mechanism of adjustment and that of qualitative control actually has to do with an appropriate notion of *change management*. Unfortunately, the performance of such a change management can only be made on solid grounds and these grounds can only consist of a special legislation and good functioning/adjustment of the legislative power. One important aspect that legislation should cover with priority is related to the preparation and selection of human resources so as to eliminate as much as possible the effects of corruption. Nowadays, a good system of information management is that capable of ensuring correct estimations, given the dynamics of the security environment and, hence, the speed of change in problematic issues and their parameters. In addition, there is also the need to disseminate within the network the information and decisions connected to them, which further complicates the state of facts, as this network system is practically

⁷ See *National Doctrine of Information for Security - Doctrina națională a informațiilor pentru securitate* - adoptată în ședința Consiliului Suprem de Apărare a Țării din 23 iunie 2004.



called upon to function fast, without synopes or pauses, having appropriate and rapid reactions, including the adjustment capacity when necessary.

Tendencies of evolution

As we approached this subject, we could only notice from the very beginning that the evolution of information management leads to increasing the quality of personnel, in direct relation to increasing the quality of the technologies involved. The technological development and diversification inherently triggers the need to increase the quality of the personnel required to deal with information. This way it becomes clear that just as a low quality activity results in collecting redundant information, so does the completely flawed processing of correct ones and thus elaborating erroneous information products, the inability to perceive reality, sometimes even the personnel's indifference to obtaining correct results and, on the whole, the situation of not being able to provide necessary information to decision-makers.

First and foremost, a qualitative increase of information management starts from the human resource, necessitating measures for changing the manner in which personnel selection and training are performed; actually this is the most difficult stage which, in the specific case of Romania proves to be the hardest to overcome. It is actually very difficult for the Romanian society to drop or at least to reduce or limit corruption mechanisms regarding the ways to select, prepare, and employ personnel. The first thing missing is a clear normative framework and the methodologies accompanying such a normative framework are usually equivocal or contain "glitches" through which all kinds of exceptions to rules may slip in. Selecting personnel according to discretionary criteria allows the deep infiltration of the corruption phenomenon within the system of security information management.

In order to devise a better model of information management, it is necessary not only to reduce or eliminate the corruption factor, but also to elaborate an integrating framework which has actually given rise to lots of discussions lately, besides the attempts to establish the so called „national intelligence community”.

The improved model of information management might be characterized by:



➤ creating a network system capable to stay functional in case of a major crisis, even in case certain parts of the network are destroyed; capable to provide information protection, regarding IT and cyber aspects, for all data bases as well as for the systems/circuits in which processing and disseminating are performed;

➤ creating a powerful C2 system⁸, capable to (re)act given the context of an unpredictable security environment and multidimensional actions;

➤ diminishing corruption mechanisms and performing a correct and adequate selection of personnel, so as to create some highly qualified personnel, also made up of people with a high moral profile;

➤ increasing the importance of research-development segment in order to keep up with the modern technological evolution;

➤ the capacity of this theoretical model to preserve its efficiency even in an extremely volatile security environment.

Conclusions

Taking into account everything mentioned above, we are going to be able to make some observations instead of conclusions:

- little is done in order to diminish or eradicate corruption, which seriously decreases the quality of personnel and the work performed;

- the models of information management applied until now do not take into account, as they should, the new elements produced by the multi-dimensional character of the current confrontation environment and the fulminating technological evolutions accompanying this process;

- we still do not have structures specialized in preventing and combating unconventional aggressions in another regime than NBC.

All these aspects are both real and problematic, proving to be very difficult to approach and solve in the current political context, both internally and internationally. However, a passive attitude is not acceptable, just as it is not acceptable to give up any attempt to make things right.

⁸ Legea 415/2002 privind organizarea și funcționarea *Consiliului Suprem de Apărare a Țării*.



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PROVOCĂRI RECENTE ASOCIATE RĂZBOIULUI HIBRID

RECENT CHALLENGES ASSOCIATED TO HYBRID WARFARE

Lieutenant (Navy) Andrei PAVĂL, PhD candidate
Fleet Command, Navy Staff,
E-mail: andrei.paval@navy.ro

Rezumat: Configurația actuală de securitate din Zona Extinsă a Mării Negre și implicit de pe segmentul sudic al flancului estic al Alianței Nord Atlantice pare să fie prielnică dezvoltării accentuate a elementelor caracteristice războiului hibrid în regiune. Războiul de generație a cincea (5GW) sau războiul SMART (Slow-Moving Action Robust Thunderbolt) presupune atingerea obiectivelor unui actor statal sau non-statal fără folosirea forței armate. Ambiguitatea și incertitudinea create de folosirea elementelor caracteristice războiului hibrid fac ca de cele mai multe ori, entitatea asupra căreia sunt folosite să se autodistrugă prin implozie, cu atât mai mult cu cât entitatea afectată aparține unui sistem aparent „închis”. Războiul hibrid are timpul de partea sa, este robust la reacțiile venite din partea entității atacate și atacul final se produce atunci când actorul statal sau non-statal vizat este cel mai vulnerabil și se așteaptă cel mai puțin. Provocările asociate războiului hibrid sunt dintre cele mai variate și răspândite în principalele medii din componerea unei societăți, în ultimul timp instituțiile de forță ale actorilor statali sau non-statali fiind cele vizate de amenințarea hibridă.

Cuvinte cheie: provocări, hibrid, vulnerabilități, SMART.

Abstract: The current security configuration in the Extended Black Sea Region and at the same time on the North Atlantic Alliance's southern segment of the eastern flank seems to be auspicious to the consistent development of the elements characteristic of Hybrid Warfare in the area. The fifth-generation warfare (5GW) or the SMART Warfare (Slow-Moving Action Robust Thunderbolt) implies achieving the goals of a state or non-state actor with a lack of use of force. The ambiguity and uncertainty created by the application of the elements characteristic of Hybrid Warfare make most of the time the entity on which they are used to self-destruct by an implosion, especially when the affected entity belongs to an apparently „closed” system. Hybrid Warfare has time on its side (Slow-Moving Action), it is robust to the inside reactions from the attacked entity (Robust), and the final attack occurs when the attacked state or non-state actor is the most vulnerable and least expected (Thunderbolt). The challenges associated with Hybrid Warfare are among the most varied and widespread in the essential environments of the society's structure, lately the leading institutions of a state or a non-state actor being those targeted by the hybrid threat.

Keywords: challenges, hybrid, vulnerabilities, SMART.



We have been hearing lately, more and more often, about the association of an event occurring in the economic, military, or information field with a hybrid threat or even with a type of hybrid warfare. The vast majority of society nowadays talks so easily about the characteristics of hybrid warfare and the way it manifests itself, that we tend to say that it is eventually going to become a taboo topic for the whole society. Yet, the more people talk about this phenomenon and the more this last generation warfare is being described, the more ambiguous and less known to the international community it becomes.

The concept of Hybrid Warfare appeared as terminology at the beginning of the years 2000, quickly becoming a largely debated topic within the international academic community and, similarly, a concept to be found in a certain pattern of general literature. Yet, the acknowledgement of the hybrid threat and the attempt to theorize the concept and debate it in the academic environment starting with the 21st century should in no way be associated with the period when it appeared. Part of the current characteristics of hybrid warfare can be observed by looking backwards to the modern and contemporary history of the world, but the vast majority of the current features specific to a hybrid threat have developed especially during the Cold War, when the „impossibility” of a direct armed confrontation between the great powers of the world led to the emergence of new ways of waging war without using armed forces. The beginning of 21st century amplified the phenomenon and led hybrid warfare to other peaks of development, first of all due to the use of internet which, together with the media, make the hybrid threat unpredictable and hard to counter. Regarding the specialized literature in the military field, as well as military terminology, the concept is still going through transformations and different approaches among researchers, especially due to its versatility and its developed capacity of adjustment to the increasingly diverse challenges of the current security environment. However, Romania has taken a firm stand regarding hybrid warfare and this threat which tends to be increasingly present in the Extended Black Sea Region, especially in the Southern segment of the Eastern flank of North-Atlantic Alliance. On the one hand, our country ratified in 2018 The Memorandum of Understanding of Hybrid



CoE – The European Centre of Excellence for Countering Hybrid Threats¹, thus becoming one of its member states and, on the other hand, it has set itself the goal that during 2020-2024 to „increase the level of resilience to hybrid risks and threats, likely to affect Romanian national security”².

According to Hybrid CoE, hybrid threat is „an action taken by a state or non-state actor, in order to undermine or bring prejudice to an entity by influencing the decision-making process at local, regional, state or institutional level”³. Another conceptual approach of the phenomenon is approved at the level of North-Atlantic Alliance following the proposition of NATO military working group for strategic planning and concepts, according to which „hybrid threat may come from a known or potential, including a state, non-state, or terrorist actor, with a demonstrated or probable capacity of using simultaneously conventional or unconventional means adjustable for reaching certain objectives”⁴. In an attempt to approach the concept of hybrid threat from a personal perspective, I consider that it is a continuous and low-intensity action, initiated from a distance by a state or non-state actor, with the purpose of bringing the entity under attack on the verge of collapse and, eventually, to implosion, without the use of force. The main purpose of this type of action is reaching the objectives proposed by allocating and using minimal resources. In a world in which most state or non-state actors speak about world peace and promote this concept within international forums, regional instabilities have never been more obvious than at present, which leads to creating an environment that is prone to propagating the elements specific to hybrid warfare. The attempt to use the means characteristic to hybrid warfare has the purpose of winning a confrontation even before it has been initiated. Moreover, the employment of elements characteristic to new generation warfare is becoming a common practice also due to the “camouflaging”

¹ The European Center of Excellence for Countering Hybrid Threats, set in Finland’s capital city, Helsinki, which functions as a binding platform between NATO and the EU, especially for creating a forum for strategic level talks as well as training and exercises at joint level (<https://www.hybridcoe.fi/who-what-and-how/> accessed on 13.11.2020).

² Administrația Prezidențială, Strategia Națională de Apărare a Țării pentru perioada 2020-2024, București, 2020, p. 16.

³ <https://www.hybridcoe.fi/hybrid-threats-as-a-phenomenon/> (accessed on 13.11.2020).

⁴ United States Government Accountability Office, Hybrid Warfare, Washington DC, 2010, p. 15.

feature of the one using it. The communication channels and the possibilities of infiltration of elements characteristic to hybrid warfare being so diversified and easily accessible to everyone makes the direction of hybrid threat hard to detect and, when the hybrid war is actually started, hard to determine. Once the elements characteristic to fifth generation warfare fail to be applied and the position from which they have been initiated is disclosed, the escalation of the emerging conflict leads to asymmetric actions by using conventional or unconventional means and, at the same time, to a gradual escalation of the conflict up to an unwanted stage. The fact that hybrid warfare implies a long duration and a low intensity makes the entity under attack able to identify but a few of its characteristic elements, but, at most times, unable to react before the moment when nothing can be done.

Starting from the assumption that hybrid warfare is more than an action taken with the purpose of undermining or bringing prejudice to an entity, I consider that this type of warfare is a smart warfare which I would name just as such: SMART Warfare (Slow-Moving Action Robust Thunderbolt), where intelligence is generated exactly due to the gradual manner of applying the characteristic elements specific to a hybrid war (fig. 1.1).

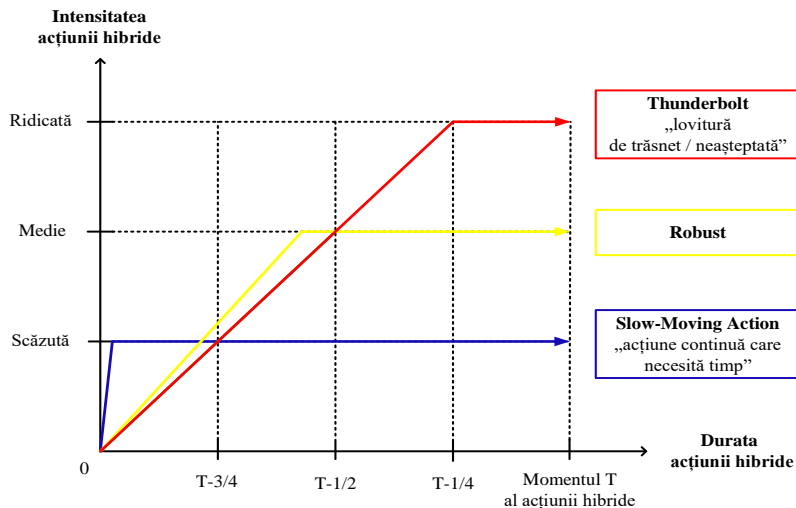


Fig. 1. Diagram of SMART Warfare (Slow-Moving Action Robust Thunderbolt)



The feature of hybrid warfare implying undermining an entity and harming it one way or another is incompletely formulated if we look at it from the point of view of international relations and the outcome of the conflicts involving them that occurred in the past. Undermining and harming an entity may be associated with neutralizing it, thus leaving it affected for an undetermined period of time; yet, in turn, this entity may turn into a possible aggressor in the future. The collapse and implosion specific to SMART warfare make the entity under attack become neutralized, without real chances of rising again and represent once more an obstacle in the way of the aggressor's reaching the goals set.

According to SMART Warfare diagram (fig. 1.1), a first characteristic feature of SMART warfare is that of Slow-Moving Action, which is manifested through a continuous but low-intensity action, with the purpose of hiding the beginning of hybrid action. The low intensity of applying the elements specific to hybrid warfare upon an entity has as a main goal postponing the moment of unclosing hybrid action and delaying the possible reactions to counter it. This is the main feature that makes hybrid warfare so hard to identify by a state or non-state actor, all the more so as it is becoming increasingly obvious that it affects the law-enforcement institutions of the state, therefore the individual as part of society or of an organization. The weakening of the rule of law, both by decreasing the people's trust in law-enforcement institutions of the state and by rebelling against them, as well as by sowing within individuals the feeling of insecurity and erosion of national identity⁵, represents the tendency towards which the current hybrid threat is going.

Another peculiarity of SMART Warfare is represented by the robust character of hybrid action to the reactions coming from the affected entity. The fact that hybrid action is usually discovered too late makes it able to grow deep roots inside it. The damage caused up to that moment within the state actor or the affected organization is usually beyond retrieval, which makes hybrid action powerful and resilient so as to be able to wait for the vulnerable moment to apply the decisive strike. In this respect, among the recent challenges associated to hybrid warfare, our country identified as highest risk „the adjustment of hybrid offensive operation to technological

⁵ <https://intelligence.sri.ro/razboiul-hibrid-arme-si-alarne/> (accessed on 13.11.2020).



evolutions, through a continuous diversification of modalities of action and the coordinated resources, for the purpose of affecting national interests, including the security ones”.⁶ Besides the fact that hybrid warfare is becoming resilient to the actions of the state-actor or organizational-actor targeted by it, its adaptability to the evolutions of the security environment as well as to the countering means developed within the entities performing research regarding the hybrid phenomenon, represents the main concern in relation to the future of hybrid warfare and the “mutations” which may occur within it.

The final peculiar aspect specific to hybrid warfare (according to SMART diagram) is that of striking exactly the point where the targeted entity is most vulnerable and less expecting (Thunderbolt). The unexpected strike most often causes irreparable damage to the whole system and its employment by the aggressor within the SMART warfare occurs in a period in which the system is collapsing because of the repeated and unsuccessful attempts to counter the hybrid threat. The moment in which the system is unexpectedly hit coincides with its implosion because of sheer carelessness, lack of understanding, and lack of knowledge regarding the existence of hybrid warfare.

The most serious and undesirable issue for a system to be affected by hybrid warfare is the weak preparation in early identification and countering of the hybrid threat. In order to ensure these measures, it is necessary to invest first and foremost in the fundamental element any society relies on, namely education. The lack of education or the insufficient education of the vast majority of population makes the vulnerability to the hybrid threat be directly proportional with the lacks to be found in the educational system of a state-actor and, implicitly, at organizational level. Unfortunately, the Extended Black Sea Area (EBSA) also encompasses a wide range of elements favoring the development of the hybrid threat in the region. Poverty, under-development, the high rate of functional illiteracy (Fig. 1.2), the missing middle class at society level, the undermining of economy within under-developed states, corruption, etc. make the elements

⁶ Administrația Prezidențială, Strategia Națională de Apărare a Țării pentru perioada 2020-2024, București, 2020, p. 28.



characteristic for hybrid warfare be increasingly spread on the territory of states pertaining to EBSA.

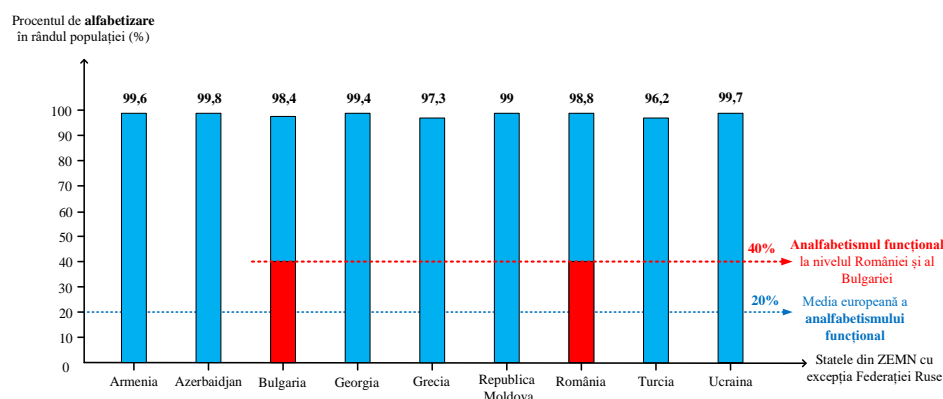


Fig. 2. The literacy process and functional illiteracy in the countries within EBSA, especially in the states to be found in the Southern area of NATO Eastern flank⁷

A worrisome issue for North-Atlantic Alliance may be the high percentage of functional illiteracy among the population of the two member states with a key role in providing security to the Alliance in the Southern area of its Eastern flank. The highest percentage of functional illiteracy in the European Union is found among the population from Bulgaria and Romania; however, states such as Greece (25%)⁸ or Turkey (30%)⁹ are not much better in this regard at global level. This problem related to the high percentage of functional illiterates in Romania does not seem likely to change any time soon, being actually on the rise because of the fact that almost a million children, representing 32% of Romanian pupils did not have access to education for several months because of the situation

⁷ Graph created by making use of the following sources: <https://ourworldindata.org/grapher/literacy-rate-by-country?time=2011®ion=Asia>, <https://www.citypopulation.de/en/world/bymap/LiteracyRates.html>, <https://www.worldbank.org/en/publication/wdr2018>, <https://op.europa.eu/en/publication-detail/-/publication/6d782cc-7cad-4389-869a-bbc8e15e5aeb> (accessed on 11.11.2020).

⁸ Percent of population at the level of 2015 according to <https://knoema.com/atlas/Greece/topics/Education/Literacy/Adult-illiteracy> (accessed on 14.11.2020).

⁹ Percent of population at the level of 2015 according to <https://www.worldometers.info/world-population/turkey-population/> (accessed on 14.11.2020)



generated by COVID19 pandemic¹⁰. All these make the North-Atlantic Alliance be vulnerable to the elements characteristic to SMART warfare exactly in the flank it needs it most. The poor judgement making the difference between truth and lies or between fake and real makes the type of hybrid warfare applied at a certain moment be impossible to identify or associate to other causes diametrically opposed to new generation warfare. Sending fake messages full of contradictory and unreal arguments, through the channels of social communication (written media, online mass-media, TV etc.) by the so-called communication vectors, make population and the law-enforcement institutions of state or organizational actors unable to distinguish reality from illusion¹¹. Thus, society gets divided into two adversary sides which, at most times, are going to focus their effort and energy on each other, while the initiating factors of this “division” within society may freely pursue their goals. Moreover, an aggressive propaganda occurs within the entity under attack amplifying and destabilizing masses so as to lead them onto the verge of collapse and implosion.

When we talk about the recent challenges associated to the new generation warfare, it is important to identify, besides the peculiar aspects of the hybrid threat, the environments/ areas in which they may act against a state or organizational actor, as well as their possibilities of manifestation within each environment separately (Fig. 3). Each environment has its particular characteristics; however, the economic, information, military, political, and social environments are more vulnerable to hybrid warfare than other domains making up a society¹².

¹⁰ <https://www.edupedu.ro/document-oficial-al-guvernului-un-milion-de-copii-nu-au-avut-acces-la-educatie-timp-de-mai-multe-luni-ca-efect-direct-al-inchiderii-scolilor/> (accessed on 15.11.2020).

¹¹ <https://intelligence.sri.ro/razboiul-hibrid-arme-si-alarme/> (accessed on 12.11.2020),

¹² Multinational Capability Development Campaign, Countering Hybrid Warfare Project: Understanding Hybrid Warfare, 2017, p. 13.

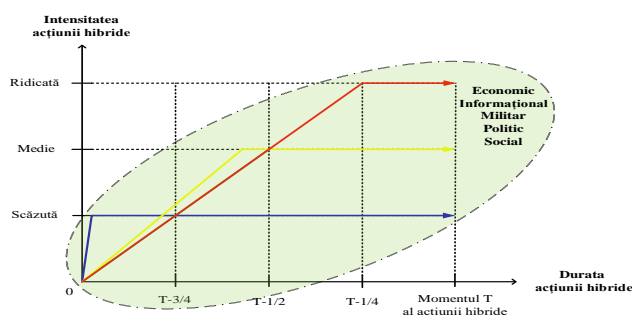


Fig. 3. SMART warfare in the key domains of society

Of late, state-actors have been confronting difficulties regarding the identification and countering of hybrid threats occurring both inside the state and in the international organizations they are part of. The economic domain is one of the main domains affected by the new generation warfare, the use of hybrid actions having the role of preventing the normal course of activity in certain economic sectors, the final purpose being the undermining of the economy and subversion. The prejudice to the rule of law and, implicitly, to international organizations by using these illegal methods are hard to estimate, having an immediate impact in all key-domains of the society or organization. Furthermore, the current context generated by SARS-CoV-2 virus that led to the pandemic and, simultaneously, to significant problems within the world economic system, is going to make state and non-state actors unable to invest in developing the strategies for identifying and countering the hybrid threat. The precarious economic situation, the internal destabilization, and under-development of a state make it vulnerable and at the same time prone to hybrid aggression. An example of new generation warfare manifested in the economic environment with an impact upon the other social environments is the fight over the natural resources of the planet. China, through its permanent membership to United Nations Security Council blocked the sanctions of United Nations Organization against Iran, in order to have access to the largest reserve of natural gas in the world. This act opened the way to nuclear proliferation in the Middle East and, at the same time, dramatically



increased the risk that the nuclear weapon falls in the hands of terrorists¹³. Thus, we notice the possibility that a hybrid action may open the way to an asymmetric or conventional conflict.

Regarding the information domain, it tends to be increasingly used by state or non-state actors, in order to place hybrid elements within an entity from a distance. The perks of using the information domain for placing hybrid elements within an entity are truly countless, the most important ones being the minimal use of resources and the aggressor's possibility to use "camouflage" methods.

The growing development of technology in the information domain makes hybrid warfare acquire unpredictable values regarding the manner of action or the techniques used for reaching certain goals. The technological revolution in the last decade makes hybrid threat use the information domain as a first means of infiltration in an entity. Disinformation, spreading fake news within masses, inciting to violence and creating a parallel reality turn the information domain into an environment in which hybrid warfare is increasingly present in society. Nevertheless, an environment that was left behind due to the accelerated influence of elements specific to hybrid warfare, in the long history of their existence, is the military domain.

As the use of armed force is a characteristic feature of warfare, the fact that it is mission from hybrid warfare makes the latter need to adjust to the specificity of the military domain. The last decade shows us the fact that the elements specific to hybrid warfare are increasingly present in international conflicts and even more so within non-state actors. An obvious example is represented by the North-Atlantic Alliance which, at present, is facing serious issues associated to hybrid warfare even within it. An important feature of SMART warfare is implosion – referring to the destruction of a state or non-state from the inside and, more often than not, using its own weapons. This hypothesis is supported by a recent event caused by French President Emmanuel Macron who, in an interview for the British daily newspaper *The Economist*, warned European states that they can no longer rely on the United States of America for defending the allies

¹³ Peter Navarra, Greg Autry, *China ucide – un apel global la acțiune*, Ed. Niculescu, 2017, p. 18.



of North Atlantic Treaty Organization and also launched in the public space the statement according to which NATO is currently „brain dead”¹⁴.

Moreover, the tensions that recently emerged in the Eastern Mediterranean Sea between France and Turkey when a French frigate under NATO command, trying to inspect a Tanzanian-flagged cargo ship suspected of smuggling weapons to Libya (thus violating UN embargo) was harassed by three Turkish Navy vessels escorting the cargo ship¹⁵, blew up the diplomatic relations between the two Allied States. Last but not least, the dispute regarding the territorial waters in the center and East of Mediterranean Sea between Turkey and Greece make North-Atlantic Alliance increasingly feel the presence of specific hybrid warfare elements right within it. Similarly, the lesson given by the Russian Federation to the entire world through the illegal annexation of Crimean Peninsula by using specific SMART warfare elements make the military domain more and more vulnerable and prone to hybrid warfare.

Regarding the influence of hybrid threat in the political domain, state-actors have lately confronted serious issues regarding the identification and acknowledgement of the presence of specific hybrid warfare elements in the political life. The Strategic Partner of Romania, the United States of America, has been forced to deal with – starting with the presidential elections in 2016 – with challenges associated to new generation warfare, a situation that does not seem to have changed even after four years, the U.S.A. talking about the involvement of foreign entities within its own administration¹⁶. The effects caused by the infiltration in the state’s law enforcement institutions can be felt on long term and have an impact upon all the domains specified above, especially within the social domain.

The recent events occurring globally show us clearly that both allies of Romania are subject to elements that are characteristic to hybrid warfare. On the one hand, the North-Atlantic Alliance seems to have serious issues even within its own internal structure, while the Strategic partner, the United

¹⁴<https://www.economist.com/europe/2019/11/07/emmanuel-macron-warns-europe-nato-is-becoming-brain-dead> (accessed on 11.11.2020).

¹⁵ <https://www.reuters.com/article/us-nato-france-turkey-analysis-idUSKBN2481K5> (accesat 12.11.2020).

¹⁶ <https://www.nytimes.com/2020/11/05/world/europe/russia-media-us-election-trump-biden.html> (accessed on 12.11.2020).



States of America, is facing difficulties in identifying directly the source generating specific SMART Warfare elements. The association of this new generation warfare with capabilities and operating means specific to the Russian Federation places Romania in the position to find itself on the trajectory of hybrid warfare starting from the East towards the Occident. “Russian Federation’s aggressive behavior, the militarization of the Black Sea region and hybrid actions taken by this state, which have the purpose of maintaining a tense climate of insecurity in vicinity of our country, make our country keep going on the firm way of building robust capabilities of deterrence and defense, which started in 2015”¹⁷.

The specific elements to SMART warfare are present in the Extended Black Sea Region, and even more so within the society we live in. For the moment, the SMA (Slow-Moving Action) characteristic feature has been initiated both on national territory and in the Extended Black Sea Region, where elements that were specific to hybrid warfare were identified. The society and identified entities have reached the point of reaction against hybrid threats, thus identifying the robust character of SMART warfare, making its presence quite visible in the key-domains of society.

The question is: *how long will it take hybrid warfare to reach a high intensity and to strike by surprise (Thunderbolt)?* The academic international environment has been doing research on this new type of threat for longer than 15 years, a time during which our country has gained enough terrain with respect to the study, investigation, and punctual identification of the elements characteristic to SMART warfare, as well as their effects upon society.

The natural questions derived from here may be: is Romania capable at this moment to identify and counter hybrid actions coming from the Russian Federation, in its role as vector of stability and security provider for the North-Atlantic Alliance on the Southern segment of its Eastern flank? Should there be a national strategy specific to the actions countering hybrid warfare, taking into account the dimensions reached by this warfare among state or organizational actors? The lesson learned from the recent events occurring at global level, associated to hybrid warfare, are characterized first

¹⁷ Administrația Prezidențială, Strategia Națională de Apărare a Țării pentru perioada 2020-2024, București, 2020, p. 6.



and foremost by adaptability and sustainability. The permanent adjustment of the elements specific to hybrid warfare to the (belated) reactions of the affected entity, as well as the feature – which is characteristic for new generation warfare – to act for a longer period using minimal resources make SMART warfare a type of conflict increasingly present within the society we live in.

In conclusion, hybrid warfare is more than an action undertaken with the purpose of undermining or harming an entity. It is manifested among state or non-state actors, with characteristics that are specific to an intelligent warfare, a SMART warfare, which acts continuously and at low intensity, being initiated from a distance, with the purpose of bringing the entity under attack on the brink of collapse and, eventually, of implosion, without using force.

The actions that are characteristic to SMART warfare gradually grow in intensity through the robust reaction of the attacked entity and reach maximum intensity when they strike unexpectedly. We consider that Romania should go on keeping the same route established in 2018, when it officially took on the role of a state that acknowledges the existence of hybrid warfare and fights against it, the first step being its entering among Hybrid CoE member states.

The process needs to be taken further both through active participation within this European Center of Excellence for countering hybrid threats and through identifying the main threats characteristic to hybrid warfare that are specific to the current security configuration within the Extended Black Sea Area.

Bringing added value within the European Center of Excellence and developing a unitary strategy at national level for countering and responding to the specific SMART warfare elements should constitute a priority for our country in the near future.

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