



UNIVERSITATEA
„ALEXANDRU IOAN CUZA“
din IAȘI



**UNIVERSITATEA LIBERĂ INTERNAȚIONALĂ DIN MOLDOVA
FREE INTERNATIONAL UNIVERSITY OF MOLDOVA**



***UNIVERSITAS EUROPAEA:
SPRE O SOCIETATE A CUNOAȘTERII Î
PRIN EUROPENIZARE ȘI GLOBALIZARE***

***UNIVERSITAS EUROPAEA:
TOWARDS A KNOWLEDGE-BASED SOCIETY
THROUGH EUROPEANISATION AND GLOBALISATION***

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Ilian GALBEN, Assoc. Prof. Dr.
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**Distinguished Partners,
Esteemed Colleagues,
Dear Participants,**

For over 32 years, the Free International University of Moldova (ULIM) has proudly hosted and coordinated international scientific forums. These events have brought together a diverse range of participants, including university leaders, senior academic staff, higher education and research stakeholders, international colleagues and partners, research organizations, public authorities, representatives of international organizations, and young researchers, fostering a global exchange of knowledge and ideas.

Among these initiatives, the annual conference titled “*Universitas Europaea: Towards a Society of Knowledge through Europeanization and Globalization*” stands out as a flagship event. Now in its eighth edition, this conference was first introduced during the celebration of ULIM's 25th anniversary and has since affirmed the value of academic dialogue in promoting true universitas—a space of shared knowledge and scholarly collaboration.

In today’s rapidly changing and increasingly complex global landscape, universities face growing challenges and uncertainty. Institutions and their leaders are under increasing pressure to swiftly adapt to a wide range of expectations. In this context, this conference underscores the critical role of values in guiding universities in their decision-making, ethical practices, and meaningful engagement with society. Furthermore, conference sessions will also explore how these values help address the pressing challenges societies face.

These challenges transcend borders, affecting universities worldwide, regardless of size, tradition, culture, or operational approach. From a social and moral standpoint, academic leadership is under growing pressure to respond to issues of equity, equality, and access. Universities are expected to play an active role in fostering just and sustainable societies, in line with the UN 2030 Agenda and its Sustainable Development Goals (SDGs).

Universities have long played a pivotal role in shaping the fundamental values of education and culture. In today’s rapidly evolving world, they must adapt to new realities by positioning themselves as dynamic hubs of innovation and problem-solving. The transition from traditional research paradigms—focused on the production, transmission, and application of knowledge—to more integrated approaches, where knowledge production intertwines with action and the shaping of human understanding, demands bold academic initiatives. Embracing this shift, universities can transform into central spaces for intellectual and societal progress.

At the same time, rapid technological advancements, especially in generative artificial intelligence, are having a profound impact on education, research, and collaboration. These innovations present both unprecedented opportunities and significant challenges across all disciplines. As a result, there is an urgent need to reevaluate academic engagement, as well as the production and dissemination of knowledge.

In this context, contemporary academia faces increasing expectations. A comprehensive process of academic renewal is imperative, encompassing structural reforms, modernized methodologies, and a reimagined relationship between teaching and research. This evolution must bridge the gap between theoretical knowledge and practical skills, fostering alignment with the complex socio-cultural and professional realities of our time. Eastern European societies, including Moldova, are actively working to harmonize with global trends by aligning their educational and research systems with European objectives. Within this dynamic context, the European Union serves as a crucial platform for showcasing and advancing these efforts, particularly in South-Eastern Europe.

Research remains a realm of boundless intellectual freedom—a space to ask questions, explore hypotheses, and develop innovative solutions. Over the next three days, we invite you to engage actively in this intellectual journey through our workshops and thematic sessions. I am confident that today’s Plenary Session will lay the groundwork for meaningful discussions, providing conceptual insights that will shape and inspire future dialogues.

I would like to express my heartfelt gratitude to our distinguished keynote speakers, whose presence and expertise lend exceptional value to this gathering. Your contributions set the tone for what promises to be a meaningful and inspiring exchange of ideas.

I also warmly welcome our partners, esteemed colleagues, and all participants who have joined us, whether in person or virtually. Your engagement and shared commitment to advancing knowledge are what make this conference a dynamic and impactful platform for collaboration.

Together, let us explore innovative ideas, deepen our understanding, and build bridges between disciplines, cultures, and communities as we navigate the challenges and opportunities of Europeanization and globalization. Thank you once again, and I look forward to the continued success of our collective efforts throughout the conference.

Wishing you all a successful and productive conference.

Thank you.

THE EUROPEAN PATH OF THE REPUBLIC OF MOLDOVA

Sorin BOCANCEA

<https://orcid.org/0009-0006-2987-677X>
„Petre Andrei” University of Iași, Romania

Abstract

Romania also made the leap from mythologies and indecision on its way to the European Union. Romania submitted its application in 1995 and it took 12 years to sign the accession treaty. The Republic of Moldova, even if what I am saying seems phantasmagorical to some people, will need fewer years for accession because it is now closer to the European Union than Romania was in 1995. We see that today, various chapters are being negotiated in Brussels, step by step, in which the EU is telling you that if you do this homework, if you complete this chapter, you will receive the next funds. Because, after all, this is the pragmatic component that the father of the European Community conceived. Not declarations, but concrete measures.

Keywords: Republic of Moldova, collective volume, European integration, EU Association Agreement, European citizenship.

In the following, I will present you the conditions of the publication of a volume on the European project of the Republic of Moldova, its coordinates and history, because the first version appeared in 2016 (Bocancea, Sorin și Radu Carp, coord. *Calea europeană a Republicii Moldova*. Iași: Editura Adenium, 2016). and the second in May 2024 (Bocancea, Sorin și Radu Carp, coord. *Calea europeană a Republicii Moldova*. De la mitologii și indecizii la acțiune. Iași: Editura Polis Books, 2024). Comparing the two versions of the work, we can read the steps that the Republic of Moldova has taken on its way to European integration.

The purpose of the collective volume, which I coordinated together with Professor Radu Carp from the University of Bucharest in 2016, was to bring together the opinions of specialists in political science, law, international relations, geopolitics from Romania and the Republic of Moldova on the stage the Republic of Moldova has reached on its way to the European Union. The idea arose as a result of events that had a great influence on the recent history of the Republic of Moldova. We remember the excitement surrounding the Vilnius Agreement, when it seemed that the Republic of Moldova's European path was unstoppable, only to be dealt a heavy blow: the theft of the billion.

Many said then that Moldova will never recover from this fall. In the text I wrote for the 2016 version, I pointed out that the Republic of Moldova would have the power to regenerate. I was optimistic and, fortunately, I was right. After a pro-Russian government, a pro-European government has returned, and the European path has no longer unfolded as it did until 2016, that is to say, more through slogans and the affirmation of desires, but with concrete measures. That is why the new variant of the volume is subtitled "from mythologies and indecisions to action", because during this period things have happened that few thought we would see.

In both versions of the volume, we have a section on the history of the Republic of Moldova, because it has had a turbulent history, being situated between two geostrategic fault lines. It has always been on the edge of a country or on the edge of an empire: it was on the edge of the Tsarist Empire, on the edge of Romania and then on the edge of the Soviet Union. Now we are talking about the edge of the European Union. Romania is still at the edge of the EU, but when the Republic of Moldova will be integrated into the European Union, it will not be at the edge, because Ukraine will be there. Ukraine's entry into the EU will also solve a problem for Romania: it will no longer be on the margins, but in the geographic center of the EU, because with the territory that Ukraine has, we will suddenly find ourselves in the middle, which somehow envelops us: we will no longer feel on the margins, but in the center of this political entity.

I was telling you that in 2016, when we produced the first version of the volume, the messages were centered on that great coup that was the theft of the billion, which happened under a pro-European government. That was the strength of the coup, because if the theft happened under a pro-European government, there was no surprise, because there was no expectation and, consequently, no disappointment. But the disappointment came precisely from the fact that the pro pro-Europeans made it possible for the pro-Russians to steal the billion. Well, after all, in these days of election campaigning, for the referendum that will decide the constitutional possibility of EU membership and for the presidency of the Republic of Moldova, the billion is

coming home in the form of money with which the Russian party is buying votes. This is also a form of capital repatriation.

Returning to the volume under discussion, the part concerning the history of the Republic of Moldova has been preserved in the 2024 version, the contributions gathered in that part rendering episodes from the turbulent history of the Republic of Moldova. There are elements of history that many people are not familiar with, because we are all inclined to think in schematic terms: if it has been said one way, that's the way it is, there is no point in complicating things. However, if we do not know the history of this country, we cannot understand the hesitations it has had over the years on its path towards the European Union.

Romania also made the leap from mythologies and indecision on its way to the European Union. Romania submitted its application in 1995 and it took 12 years to sign the accession treaty. The Republic of Moldova, even if what I am saying seems phantasmagorical to some people, will need fewer years for accession because it is now closer to the European Union than Romania was in 1995. At that time, Romania had a government which was largely duplicitous: it showed that it was for the European Union but was facing eastwards. It was a long time before some radical decisions were taken in terms of the path towards NATO, in the context of the war in Yugoslavia, when Romania clearly staked its bets on NATO, from which there was no turning back. NATO membership followed, an extremely important step towards integration into the European Union.

After these decisions, a pragmatic process followed, consisting in the realization of the Romania-EU Association Agreements, marked by the principle of conditionality of accession: take a step, you get more resources; if you haven't done your homework, you wait. This principle of conditionality has been a great driving force for European integration, just as it will be for the Republic of Moldova. We see that today, various chapters are being negotiated in Brussels, step by step, in which the EU is telling you that if you do this homework, if you complete this chapter, you will receive the next funds. Because, after all, this is the pragmatic component that the father of the European Community conceived. Not declarations, but concrete measures.

Europe had no shortage of declarations until 1952, when the first community, the European Coal and Steel Community, was created. All countries declared that they wanted to be together in a Europe of peace, during which time Europe was the world's most war-torn continent, the continent that spawned two world wars. Until the European powers adopted the path of pragmatist functionalism, which was proposed by the great international relations theorist David Mitrany (i.e. David Mitran, a Romanian who left Romania at 18 and went to the UK, where he later became a professor at Princeton University). That theory was taken up by Jean Monnet and applied to the building of a community Europe step by step, through pragmatic integration. Europeans have learned that peace is more beneficial than war. The Republic of Moldova is also entering this path of pragmatism, in which it will have to put something on the table and will receive something in return, which will, in turn, go towards development and so on. Romania did the same, as did all the countries that have joined the EU.

In this path also traveled by Romania, the difficult part was the assumption of the *acquis communautaire*, i.e. the whole legislative baggage that takes precedence over national legislation. The advantage of the Republic of Moldova is that this baggage is ready to be translated into Romanian and is very easy to take on board, and the Republic of Moldova has already made important steps in many areas. This is why, I repeat, it is closer to the EU today than Romania was when it submitted its application for accession. It will not need 12 years to integrate, because it has already taken steps through reforms which we can, of course, criticize. Romania's reforms have not been flawless either, but they have been carried out - for better, for worse, with leaps forwards and backwards. The same will happen in the Republic of Moldova.

Just like Romania, on its path towards the European Union, the Republic of Moldova will be struck by nostalgia, as if after the fall of communism, it had fallen from heaven into hell when, in fact, it has come out of hell. In Romania, too, such projections are being entertained today, as if we had strayed from the straight and narrow path in the last 30 years. We have not. If we look at the figures in the *Statistical Yearbook*, they show that things are radically better, from the gross domestic product to the counterbalancing evidence (as the philosopher D. D. Rosca said). We see what Romania looks like today and remember what it was like 30 years ago. But there are elements that maintain in the minds of some of our fellow human beings the myth of a golden age that would have been under communism. But, if it was so good under communism, why did we throw it down, why did we run away from it?

What does European integration come with? With something in addition to national citizenship, with the status of European citizenship. This is what the citizens of the Republic of Moldova who have not left the country so far must understand. This status is also enjoyed by the Russian-speakers and Russians in the Republic of Moldova, to whom Romania has granted citizenship. This little trick of President Bănescu's led to a large number of Moldovan citizens being European citizens before the European integration of the Republic

of Moldova. They too walk around the EU with the same rights as any other European citizens. The European Union cannot be indifferent to their fate.

For the Republic of Moldova, as well as for Romania, these citizens have had and still have a great role as agents of acculturation, because they, living and working temporarily in EU countries, returned to their country with new behaviors and practices that they learned there. Thus, also thanks to them, society got far ahead of the state, became more Europeanized than the state then managed to Europeanize itself. Those who have gone to the EU will teach those back home Europeaness, so that propaganda from the East will no longer have much of an appeal by maintaining stories about a society that was never as it presents it.

To sum up, Moldova's European path will be shorter than Romania's, precisely because of these phenomena that have been unfolding for more than a decade. When I made the 2024 version of the volume, one of the contributors asked me whether it would not be better to make the volume in 2025, after the parliamentary elections. I said that the volume should come out before, to generate debates so that citizens understand the processes they are part of. And I believe that, as they have demonstrated in recent years, the citizens of the Republic of Moldova increasingly understand the stakes of their country's European path.

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OPPOSITION TO POLITICAL CORRECTNESS AS METADISOURSE. MAPPING THE TOPOS OF THE “FREE SPEECH CRISIS” IN WESTERN RIGHT-WING DISCOURSE

Alexis CHAPELAN

<https://orcid.org/0000-0002-8990-6188>

EHESS, Paris/Bucharest University

Abstract

The concept of “Political correctness” (abbreviated PC) has become in the last two decades a salient features in contemporary (meta)discourses on the evolution of Western culture and language. Even though the term has now thoroughly infused our cultural and political lexicon, it remains a floating signifier which is hard to define and which conceptual borders are in constant flux. Acting as a symbolic glue, opposition to political correctness emerged as a general framework for engaging critically with some of the fundamental issues of post-materialist modernity: multiculturalism, racial inequality, sexual citizenship or education. The debate about PC is located within – and possibly at the very heart of – the shift to “cultural politics”, the politics of recognition, of identity and difference. It is important to grasp both PC and its critique as part and parcel of the much broader societal tectonic shift enacted by post-materialism. Using a Discourse-Historical Approach (DHA), the paper investigates the historical background of the emergence of the anti-PC discourse, as a backlash against the mainstreaming on US campuses of gender- and race-critical theories rooted in French (post)structuralism. It then focuses on a contemporary example of such discourse, analyzing a series of YouTube videos by the conservative Canadian academic and subsequent bestselling author Jordan Peterson. The case study highlights the manner in which anti-PC discourse capitalizes on liberal themes such as freedom of speech to articulate an anti-modern and anti-establishment critique.

Keywords: free speech crisis, metadiscourse, political correctness, IDW.

Introduction

Political correctness is a concept that is constructed through language, and that lends itself to various kinds of rhetorical manipulation. It also functions as a metadiscourse, a discourse about language, its role and its power to (re)shape reality. It is therefore surprising to see the topic garnered scant attention in discourse studies. We are particularly keen on refining a multi-level methodological approach that captures how anti-PC repertoires are created and circulated in media spaces and how they interact with other anti-establishment discourses. On a macro level, a conceptual history approach drawing on Reinhart Kosseleck and the Cambridge School will historicize and map the PC debate onto a broader study of conservative political culture and its shifting relationship to “freedom of speech”.

On a micro level, we will attempt to understand how anti-PC functions as a mobilizing discourse. Drawing on Ruth Wodak’s Discourse Historical Approach we aim to explore what discursive cues and strategies are used to construct positive self-presentations and negative other-presentation within the context of the controversy on political correctness. Our article will focus on the United States and North America as a case study.

The diversity of the three political spaces will offer the opportunity for conducting a comparative and contrastive analysis. What stands in the foreground is the manner certain discursive topoi have transnational trajectories well beyond their ideological birthplace (in the case of anti-PC, the North American campuses). The “free speech crisis” is therefore a prime example of a global language ideological debate (Blommaert et. al., 2010). In each new contexts, it manages nonetheless to graft itself onto specific national mythemes and representations – a process we labelled “ideological glocalization”. This synergic interplay of the global and the national, observable both at the macro and micro level, will be a sustained focus of our research. This is particularly interesting in the case of discourse analysis, because it forces us to also take into account linguistic differences and similarities between the three languages of our corpus, and engage with challenging issues such as the transposition of foreign concepts into national vernaculars. The translation of the term “political correctness” in itself constitutes an interesting axis of investigation.

Methodology

As a rhetorical shorthand for dissatisfactions with political and cultural modernity, we believe political correctness merits scholarly scrutiny. Furthermore, the relevance of the controversies around “PC culture” for discourse studies is enormous. The polemic around free speech, political correctness and hate speech is one of

the most salient contemporary metalinguistic debates. It questions on a fundamental level the way language works as an interface between the symbolic interface between different competing groups and ideologies. As such, we consider that the PC controversy offers an insightful and provocative case study into how social change is advocated, negotiated and, in this particular case, opposed through discourse. Methodologically, it invites a fruitful synergy between linguistic analysis and the broader field of intellectual history. Drawing on a rich and diversified methodological toolbox, our paper adopts a resolutely inter-disciplinary analytical framework based on the principle of triangulation. Triangulation implies that the research object is approached in a quasi-kaleidoscopic manner, from a variety of complementary theoretical perspectives such as history, sociology, political science or linguistics (see Cicourel; Cohen & Manion; Wodak & Riesling). We also understand triangulation as a way to systematically connect analysis across levels of scale and context, by integrating micro-level features such as lexicalization (vocabulary) or grammaticalization and macro-level structures such as themes, topics, topoi, narrative or socio-historical context. At an intermediate level, we also take into consideration a meso class of structures (such as *labels, tropes, speech acts* or *discursive strategies*) that bridge local and global structures.

Since the 1970s, the increasing cross-pollination of discourse studies and intellectual political history has opened up a new avenue of research. The two major “turns” that revitalized intellectual history – the “linguistic turn” and the “cultural turn” – have made the discipline keenly aware of the fundamental discursive nature of politics. Inasmuch as it is built upon legitimacy rather than pure brute force, politics can be seen as a “struggle to entextualize authoritatively and hence, in one relevant move, to fix certain metalinguistic conceptions on texts and discourse practices” (Silverstein and Urban). Such a perspective informs a wide array of analytical methods, such as Foucauldian archaeology of knowledge (Foucault), the Cambridge School’s historical contextualism (Skinner), Reinhart Kosseleck’s *Begriffsgeschichte* (Kosseleck), Hyden White’s metahistory (White) and, at last but not least, Ruth Wodak’s Discourse-Historical Approach (Wodak & Riesling).

The latter in particular marshals a remarkably robust theoretical apparatus for grasping discourse and its socio-political embeddings. Its meticulous and step-by-step approach offers a detailed roadmap for researchers of discourse.

The topos of silencing in right-wing discourses: a diachronic perspective on the notion of political correctness and its shifting usages

The emergence and development of anti-PC repertoires in the US

Any conceptual genealogy of the notion of political correctness can be fuzzy at best. Far from the conceptual highways of political history, it takes the researcher along some of its winding byways. While the origins of the term “political correctness” are uncertain, most authors (Isserman; Perry; Hall; Esposito & Finely) seem to point out to some surprisingly benign origins: the term was adopted semi-facetiously by the American New Left to refer mockingly to those activists who exhibited a rigid self-righteousness in all aspects of their everyday life. It was jokingly used in contexts such as “I know it’s not politically correct, but I’ll shave my legs for that date tonight” (Perry). According to Maurice Isserman, himself an antiwar and far-left activist in the 1970s, it “was always used in tone mocking the pieties of [the Radical Left’s] insular countercultures” (Isserman). And if by accident someone adopted the phrase “straight-up, without irony, without self-mockery”, then it was immediately “picked up and parodied by the sceptics, the anarchists, the individualists - whoever was worrying about the constraints of dogma” (Perry). This parodic tone was kept in works such as James Finn Garner’s *My Politically Correct Bedtime Stories*, which were chiefly concerned with the potential for absurd humor to be found in PC culture (Garner).

But this gleeful streak was increasingly absorbed and sidelined by the altogether more acrimonious debates of the following decade. During the late 1980s and the early 1990s, “political correctness” became an integral part of the lexicon of the neoconservative right. The Reaganian Conservative Revolution, mainly orchestrated by the neoconservative movement, constituted the intellectual matrix of a right-wing pushback against political correctness and the corrosive values it allegedly stood for. Neoconservatism was essentially a form of liberalism fueled and radicalized by opposition to the New Left counterculture, frustrated with the abandonment of the “bread-and-butter issues” of the white proletariat in favor of marginalized ethnic and sexual minorities (Vaïsse). In the 1960s and 1970s, the neoconservative doctrine matured around two main axes: on the one hand, the rejection of countercultural moral relativism and multiculturalism; on the other hand, a staunch anti-totalitarianism which revitalized the anti-communist crusade of the 1950s, both domestically and on the international stage. Reacting to the perceived ideological hegemony of the New Left in crucial spaces of political socialization such as university campuses, they had a very astute sense of the urgency of wresting back cultural influence from their opponents. They set up an extensive network of think tanks,

pressure groups and NGOs, which organized the broad intellectual push-back against left-wing radicalism. In 1982 was held the first meeting – with a keynote speech from the neoconservative “godfather” Irving Kristol – of the Campus Coalition for Democracy, which later became the National Association of Scholars (NAS). Rapidly, the NAS and its journal *Academic Questions* became the epicenter of the anti-PC campaign in education, publicizing stories of victims of alleged academic abuse by “tenured radicals” (Friedman). Before long, NAS was no longer fighting a lonely battle. A network of like-minded groups, such as National Alumni Forum, the Association of Literary Scholars and Critics, the American Academy for Liberal Education or the Foundation for Individual Rights in Education, was established to uphold freedom of speech in universities against the perceived threat of intellectual conformism, speech codes and the marginalization of conservative voices in humanist departments. Allan Bloom’s *The Closing of the American Mind*, Roger Kimball’s *Tenured Radicals: How Politics Has Corrupted Our Higher Education* and Dinesh D’Souza’s *Illiberal Education* were the three major salvos which laid the groundwork for the anti-PC discourse and lend it an incontestable intellectual weight. The end of the Cold War and the disappearance of communism as a geopolitical threat didn’t appease the debate. Irving Kristol, writing in the *National Interest* in 1993, declared:

There is no ‘after the Cold War’ for me. So far from having ended, my Cold War has increased in intensity, as sector after sector has been ruthlessly corrupted by the liberal ethos. Now that the other Cold War is over, the real Cold War has begun. We are far less prepared for this Cold War, far more vulnerable to the enemy, than was the case with our victorious war against a global Communist threat. (Kristol)

The lexicon of anti-communism was updated and absorbed into the anti-PC discourse. Initially oriented towards communist autocracies outside, the neoconservative’s anti-totalitarian ethos turned inwards towards the “new class” (Kristol) of academics, intellectuals, activists and bureaucrats who had forsaken the values of liberal America. Political correctness was portrayed as the newest instrument of indoctrination and mass control devised by the foes of democracy. Allan Bloom’s (in)famously thundered that “whether it be Nuremberg or Woodstock, the principle is the same”. He elaborates at length on his reasoning:

The fact that in Germany the politics were of the Right and in the United States of the Left should not mislead us. In both places the universities gave way under the pressure of mass movements, and did so in large measure because they thought those movements possessed a moral truth superior to any the university could provide. Commitment was understood to be profounder than science, passion than reason, history than nature, the young than the old. In fact, as I have argued, the thought was really the same. The unthinking hatred of “bourgeois society” was exactly the same. (Bloom)

Similarly, Thomas Sowell argued that political correctness seeks the “one-way enlightenment of the benighted” through the means of “propaganda courses, but also through active suppression of alternative viewpoints via cultural *Gauleiters* in the dormitories, restrictive speech codes and [...] storm trooper tactics against outside speakers.” (Sowell) The *Conservative Review* mused that the enthusiasm so many liberals felt towards the Totalitarian Left in the 1930s and in the 1960s is now mirrored by their “present insistence on political correctness.” (Murphey) Dennis O’Keeffe affirmed that “PC shares in the extremism, the hostility to the real world, the implacable resentment, the paranoia and the ideological instability which mark totalitarianism proper.” (O’Keeffe). In *Thought Prison: The Fundamental Nature of Political Correctness*, Bruce G. Charlton describes the “PC society” as follows:

Just as with the cruder totalitarianism of the mid-twentieth century, PC has created a population that lives in fear: fear of being denounced and losing everything – fear of committing (or indeed merely being accused-of) a thought crime or uttering a hate fact for which there is no defense; fear of the sanctions which range from social ostracism, through loss of job, financial penalties, up to directed mob violence and imprisonment. (Charlton)

While the anti-PC discourse is rife with parallels with both national-socialism and communist, it is unsurprisingly the later which features more prominently. Political correctness is often likened to the Stalinist theatrics of trials, confessions and public apologies that do not spare even the most devout followers. Charlton pushes the comparison the furthest:

In this respect PC is more like communist than fascist totalitarianism: under fascism membership of and ‘courageous loyalty to’ the in-group usually brings safety [...]; but under communism anybody was vulnerable to denunciation – friends and enemies of the government alternated with bewildering rapidity: nobody was safe. The highest member of the PC elite is only a single gaffe away from disaster. (*idem*)

The anti-PC imaginary also integrates, besides the historical totalitarian regimes of the XXth century, literary dystopias such as Orwell's *1984* (whose concept of newspeak was immediately added to the anti-PC vernacular) or Huxley's *Brave New World*. Annette Gomis van Heteren defended a doctoral thesis unambiguously titled *George Orwell, Prophet of "political Correctness"*. John Reed contended that "We have been treating political correctness as an annoying minor issue. It is not. It is Newspeak. That was the modified English mandated by the dictator Big Brother in George Orwell's 1949 novel 1984." (Reed). This topos enters into popular conceptions of political correctness, as proved by the multiple threads on message boards such as Reddit bearing titles such as "Do you find newspeak being slowly introduced where even sayings such as, "Moron" are being disapproved and seen as racist?" (u/funnyjormoyable) or "1984 and how it warns us about Political Correctness" (u/mewtwo245).

Another key element in the post-Cold War discourse economy of anti-PC is the notion of "cultural Marxism". The emergence of the debate on political correctness and its effects on Western culture have to be mapped onto post-Cold War anxieties of a covert return of the vanquished. In the 1990s, right-wing ideological entrepreneurs such as Pat Buchanan or William S. Lind the consensus over free-market capitalism was misleading; traditional values and morality was the new locus of the political contest, a struggle the "real" America was losing. The creeping advance of politically correct speech was invariably diagnosed as the symptom of this abdication (Buchanon; Lind; Kimball).

This argument finds echo not only in neoconservative and right-libertarian circles, but also amongst radical right movements and figures: the paleoconservatives in the 1990s and 2000s, now the Alt-Right. William S. Lind is often credited with pushing the Cultural Marxism theory in the political mainstream. In *"Political Correctness": A short history of an ideology*, Lind purports to establish the intellectual genealogy of the political correctness phenomenon:

"Political Correctness" is in fact cultural Marxism – Marxism translated from economic into cultural terms. The effort to translate Marxism from economics into culture did not begin with the student rebellion of the 1960s. It goes back at least to the 1920s and the writings of the Italian Communist Antonio Gramsci. In 1923, in Germany, a group of Marxists founded an institute devoted to making the translation, the Institute of Social Research (later known as the Frankfurt School). One of its founders, George Lukacs, stated its purpose as answering the question, "Who shall save us from Western Civilization?" The Frankfurt School gained profound influence in American universities after many of its leading lights fled to the United States in the 1930s to escape National Socialism in Germany. (Lind)

The "Cultural Marxism" hypothesis was blending legitimate if unoriginal intellectual analysis of the shifts within Marxism with the conspiracy narrative of a global elitist endeavor to destroy Western civilization. By casting an obscure (at least to the average American voter) foreign movement, presented with all the trappings of a quasi-esoteric sect, as the main antagonist, it constructed political correctness as an outside, fundamentally un-American concept thrust on an unsuspecting, innocent public. The potential antisemitic implications of the theory – as Lind himself stressed, "these guys were all Jewish" (SPLC) – brought into the fold of the anti-PC rhetoric extremist movements which saw an opportunity to build ideological bridges with mainstream audiences while updating and reviving the archetypal narrative of a Jewish cabal against Western culture. The Neo-Nazi website *Daily Stormer* stresses the "historical fact that the modern "woke" culture is rooted entirely in the Frankfurt School [...], and that all we are witnessing now is the blooming of a hundred-year-old plan by the Je (sic) – by the European-style socialists – to overthrow traditional European society." (Anglin). Contrary to most anti-PC conservatives' activists, the radical publication does not hesitate to place Jews at the center of the plot. Political correctness is seen as derived from the victimhood culture Jews created around the Holocaust, weaponized to guilt-trip Whites into submission: "You need to resist reality, goyim. And also, transform your entire your entire society – because of the six million." (Sol)

However, such rhetoric constitutes relatively isolated pockets of radicalism. The anti-PC narrative functions as a "symbolic glue" that allow for far greater ideological convergences than openly racist or exclusionary ideas. Since the 1990s, the anti-PC campaigns remained ideologically broad-based and undoubtedly helped expand the audience of conservatism by creating strategic alliances with liberal-libertarian circles concerned with the new constraints on speech created by anti-discrimination legislation. Major figures of the anti-PC crusade were sitting at odds with the image of WASP conservatism: Kristol and many of the neoconservatives were Jewish; Allan Bloom was Jewish unmarried gay man, who presumably died of AIDS (Poletti); Dinesh D'Souza was a Bombay-born immigrant, who was naturalized American the same year he published *Illiberal Education*. The 1990s were a turning point in the complex and sinuous history of American conservatism, bringing a heavy but paradoxical infusion of libertarianism. In the right-wing political

imaginary, the growing focus on political correctness was accompanied by a focus on the Constitution, enshrined as the symbol of an embattled Western tradition. This was not always the case: the Right long viewed free speech as an empowerment tool for degenerates and radicals, with Reagan famously castigated student activists in the 1960s as “filthy speech advocates” (Reagan); by the early 1990s, a new conservative orthodoxy coalesced around the shared sense of a looming free speech crisis. Of course, this shift in the free speech narrative has not been unilaterally driven by the Right. Since the feminist backlash on pornography in the 1970s, left-wing activists exhibited an increased wariness of free speech, championing cultural change through more constraining protective legislation for sexual, religious and ethnic minorities (see Ramond). A new discourse space thus opened up, and conservatives and disappointed libertarians occupied it with little opposition from the Left. The notion of political correctness soon seeped into mainstream political vernacular; *The New York Times* found over 10.000 occurrences of the term in American press in 1993, a 1000-fold increase from 103 in 1988 (Staples). It was there to stay.

A populist revolt?

Anti-PC discourse appears as a remarkably stable configuration, with the main pieces of its symbolic repertoire falling into place early on. However, after the initial surge in the early 1990s, it hit a plateau. But Donald Trump’s presidential bid pumped new blood into the debate. In the wake of his victory, a new generation of global anti-PC activists took centerstage, using social media to broadcast their message. Trump was not the first presidential candidate to rail against political correctness, but what set his campaign apart was a marked anti-establishment, populist tone. His rejection of PC was central in many ways to the construction of the Trumpian maverick persona (Esposito & Finley). The discourse economy of populist anti-political correctness is organized around two main axes: *self-victimization* and *transgressive bonding*. Victimhood is at the core of both left-wing and right-wing populist storytelling: the canonical dichotomy between pure people/corrupt elite supposes an *asymmetrical* power relation of exploitation and victimization (see Mudde; Al-Ghazzi). Political entrepreneurs worldwide rouse support through claims of being wronged, hunted and, crucially, silenced, by a wide array of actors: the media, large corporations, the political elites, intellectuals, etc. Anti-PC discourses are better understood, within the broader radical right populist repertoire, as *discourses of silencing* (Schroter). The silencing frame activates an anti-establishment scenario in which (left-wing) media and political elites abuse their alleged discourse hegemony to suppress ordinary people’s freedom of expression, while the populists are the underdogs standing up and speaking truth to power. If the first frame antagonizes the elite out-group, the second one helps create in-group solidarity. Transgressive bonding builds upon exclusionary banter and impoliteness (Cameron). Politically incorrect humor is therefore employed to convey a counter-hegemonic orientation and a rejection of the elite ethos. The “Us” is simultaneously reinforced in the form of virile plebeian solidarity, which emphasizes traditional values seen as incompatible with PC culture: toughness, stoicism, brutal honesty, the ability to “take a joke”. Following Wodak et. al., we can also contend that transgressive language offers a strategic means of performing authenticity, as impoliteness carries implications of unscripted, genuine speech as opposed to the elite’s hypocritical “wooden language”.

The ideological nomadism of anti-PC rhetoric

The growing subfield of global conceptual history brought to the forefront the ideological flows, the transfers, the translations or the entanglements which define the current ideoscape (Pernau & Sachsenmaier; Appandurai). Political correctness constitutes a salient example of these fast-globalizing concepts that percolate national borders and attach themselves to a wide variety of debates in different political contexts. Anti-PC rhetoric unsurprisingly first found echo in other English-speaking contexts beyond the United States. Within the common language community shared by United States, Canada and the UK, the challenges posed by rapid linguistic change (such as the adoption of neutral pronouns or the abandon of racially-laden terms) were felt with similar urgency. Furthermore, the porosity of Anglo-Saxon intellectual milieux allowed anti-PC influencers to circulate freely: figures such as British medical doctor Bruce G. Charlton or Canadian professor Jordan Peterson gained much larger audiences in the United States than in their own country of origin. Crossing into other language communities was however a slower process. Western Europe grappled since the 1990s with the notion of PC, but it was often perceived through the lens of American (negative) exceptionalism. In the French magazine *Vacarme*, Philippe Mangeot observes that the expression “*politiquement correct*” sounds like a “bad translation”:

This blatant anglicism betrays the original sin of the notion. As if, since its importation to France in the early 1990s, one would have tried to ward off the threat: this must be a way of thinking too bizarre to take root in

Europe. The “PC movement” was looked down upon with the fashionable indignation with which we received almost everything from across the Ocean. In France, political correctness was seen as fundamentally American. Watch out! Yankee imperialism is again after French traditions and culture! (Mangeot)

Journalist Jean-Francois Ravel, who in the 1970s was an outspoken critic of left-wing totalitarianism, gloomily evoked the “American concentration campuses” (Ravel). In *Les Echos*, Véronique Richebois denounced the rising “new winds of McCarthyism”: “The way the new wind of McCarthyism that blows over America and is now reaching France is leaving me speechless. This is the end of the libertarian spirit of a people that made the 1789 revolution. I sense a society increasingly docile to political correctness.” (Richebois). The reference to McCarthyism, very salient in anti-PC French discourse, antagonizes the US (painted as historically a land of paranoid intolerance) and Europe, notably France and its Voltairean tradition of tolerance and wit. Isabelle Berbéris comments in the leading conservative newspaper *Le Figaro* that there is something “very north-american” is the melodrama of “guilt and its spectacular expiation on the pyre” (Berbéris). Geraldine Smith, an US-based French essayist and novelist, published in 2018 a book titled *Vu en Amérique, bientôt en France* (2018) in which she takes aim at how political correctness drives the Americanization of French society. *L’Opinion* starts off a piece on identity politics in the French private sector with a sly reference to the popular *Asterix The Gaul* comics: “The small village of indomitable Gauls (still) holds out against anglo-saxons invaders” (Lombard-Latune). The fear of a dissolution of French identity into an American-led global ideological magma is also conveyed by the rejection of vernacular translations for many of the new buzzwords of the anti-PC lexicon: “wokisme” (a somewhat awkward term that fuses the English root word with the French suffix), “cancel culture”, “deplatforming”, “SJWs”. Thus, the concepts stand out in any French-language texts as alien, foreign, superficial. But the very fact that the conservative intellectual elites were so quick to pick on the anglo-saxon anti-PC repertoire is significant, albeit slightly paradoxical. This lexicon trickles in via specific bicultural networks and nodes which highlight the growing interconnectedness of transatlantic cultural spheres.

However, there are also efforts to naturalize the vocabulary of anti-PC and thus reclaim the “Frenchness” of its critique; the term “*bien-pensance*” (“good-thinking” in literal translation), used since the early XIXth century to mock a pharisaic and doctrinal adherence to dominant norms, is increasingly gaining currency. The phrase is found in a famous essay by George Bernanos, *La grande peur des bien-pensants*, a vitriolic attack on bourgeois society and a pamphlet in favor of populist antisemitic agitator Eduard Drumont. It has also been used in the French version of George Orwell’s 1984 as a translation for the newspeak word “goodthink”. The rich background of the notion of “*bien-pensance*”, referencing both the anti-bourgeois sentiment of the interwar radicals and the Orwellian anti-totalitarian canon, demonstrate a quest by anti-PC activists to construct a new intellectual genealogy for their discourse, outside and beyond the all-encompassing reference to the US. Particularly in the wake of the brutal murder of a history teacher by a radicalized 18-year-old Chechen refugee, the offensive against the influence of the alleged intellectual enablers of radical Islam (dubbed *islamo-gauchistes*) in higher education overlaps with anti-PC rhetoric. France appears therefore as a paradigmatic case study into the dynamics of conceptual glocalization: the process is complete when the import concept has fully entered the vernacular and it has attached to homespun ideological debates and mythemes at the national level.

Moving further towards the periphery of the Western ideological ideoscape, perception of political correctness gets tangled in the complex historical conditions – such as the lived experience of communist regimes – which alter the terms of the political conversation. For a while, Eastern Europe was caught into democratic transitions and remained largely unreceptive to the PC debates. However, in the early 2010s, the rise of populist radical right parties and the *anti-gender* backlash brought to the forefront anti-PC rhetoric, often coupled with a strong neocolonial and anti-Western frame (see Patternote & Kuhar; Kreko & Enyedi). The “Cultural Marxism” thesis also found predictably fertile soil in post-communist countries. Political correctness, especially when linked with political themes such as feminism, LGBTQ rights, secularization or European integration, was read as a neocolonial project through which Western hegemonic thinking is imposed on traditional societies, dissolving their values and cultures. The anti-elitist narrative is oriented both outwards against Brussels bureaucrats, and inwards towards the young, urban, educated elites who naively and enthusiastically give in to all Western foibles. Therefore, anti-PC discourse is embedded into the broader discourse apparatus of neo-nationalism in Hungary, Poland, Romania or Russia.

In the USA, anti-political correctness embraces the narrative of an embattled American civilization besieged on all sides by foreign menaces, in a striking reworking of the Cold War topoi and themes. The perspective is however inverted in non-Western countries; anti-PC rhetoric builds upon the desire to preserve national purity against the decadent, corrosive values of American and Western modernity. It is precisely this

plasticity which allowed anti-political correctness – arguably an empty signifier – to become in the last 30 years one of the more recognizable new entries in the right-wing lexicon.

Case study: the “Intellectual Dark Web” (IDW) and anti-PC discourse in the United States

As the ideological matrix of the political correctness debate, the North American space has seen the most elaborate and sophisticated arguments against “PC culture”. The salience of the topic in media is also greater than in Europe. As a result, most of the ever-growing semantic field associated with political correctness – “wokism”, “PC culture”, “cancel culture”, “Social Justice Warriors”, “virtue signalling” or “snowflakes” – is rooted linguistically and culturally, within English-speaking contexts. As previously exposed, this vocabulary was fitting the binary mode specific to the Cold War, with politically correct activists replacing communists as the ontological threat to America’s essence. In the US, the opposition to PC culture also had a far more robust legal framework; the Constitution’s strong emphasis on freedom of expression and religion, as enacted in the First Amendment, creates both in legal and in symbolic terms a political culture fundamentally averse to restrictions on speech. Furthermore, the strong liberal tropism of American political culture encouraged a conceptualization of public discourse spaces as “marketplaces of ideas” where freedom of circulation was as essential as in the economic realm.

Jordan Peterson

This liberal bent has been notably articulated by a loose group of intellectuals and media figures informally known as the “Intellectual Dark Web”. The IDW, as opposed to far-right ethnonationalists (“alt-Right”) or cultural conservatists (“alt-Light” or “alt-lite”), is harder to situate on the political spectrum, but seems to find a shared identity in a form of liberal individualism. This philosophical position consequently drives a strong defiance against “identity politics” and any restrictions on freedom of speech (Weiss). Jordan Peterson, a clinical psychologist and self-help author, built the largest audience amongst the IDW network: his book *12 Rules for Life* was a bestseller in Canada, the United States and the UK, selling over 5 million copies worldwide (Penguin Random House); his official YouTube channel boasts 4.31 million subscribers and close to 280 million views (YouTube); likewise, his Twitter account has 2.1 million followers (Twitter), not to mention a series of unofficial tribute channels with names such as “Jordan Peterson Quotes” that garner themselves tens of thousands of subscribers (Twitter, 2021b). Peterson rejects forcefully any association with the far-right and claims a “classical liberal” position (EuropeFuture), but many of his positions on marriage, family (Peterson), parenting (Dose of Truth), masculinity (Bowles) or tradition (Bite-size Philosophy) indicate a clear leaning towards cultural and moral conservatism.

Jordan Peterson broke into public consciousness in September 2016 with a 3-installments YouTube series named “Professor against Political Correctness”. The title itself efficiently frames the debate as an “underdog narrative” – one of the most potent mobilization narrative archetype (Vandello et al.) – which casts Peterson as a whistleblower figure against a powerful “underground apparatus” of radical activists, incompetent nomenclaturists and ill-intentioned ideologues. The consistent use of the first-person pronoun not only enhances the emotional proximity with the audience, imparting an almost confession-like feel. The combined use of the first-person and of verbs and adjectives of emotion such as “scared”, “nervous”, “concerned”, “worried” not only humanize the discourse but also aim to highlight what Peterson constructs as an eminently moral gesture.

So, I’ve been informed by a couple of things this week that has really been bothering me. I am very concerned with what’s happening in the Universities [...] I wasn’t sure what to do about that. So, I’m making this video because I don’t really know what else to do. [...] All of this scares me, I guess [...]. (Peterson)

While Peterson is keen on highlighting the alleged risks of speaking up (“It scares me when I see decent people, and people who are more courageous than average, frightened into submission and considering altering their career paths” (*idem*), he also frames this choice as the only moral and coherent option available: “In order for me to teach, I have to say what I think is true, and I can’t do that if I am afraid [...] I’ll stop talking, you know...” ([...]). The professional identity of Peterson as a “professor” evolves into a political and moral identity as an intellectual whose duty is to speak truth to power – a conceptualization that reflects not only the whistleblower topoi but also the canonical definitions of the *public intellectual* who steps out of his narrow field of scholarly expertise to make a relevant contribution to the greater good (Laymarie). Peterson makes it clear his legitimacy as an intellectual is triple: first, as a social scientist, he “knows something about the way that totalitarian and authoritarian political states develop” (Peterson) and cannot help but draw parallels; secondly, as a clinical psychologist, he has infield experience of the cognitive dissonance allegedly

caused by PC culture (“I say that as a clinician with some experience in this matter” Peterson); thirdly, as a teacher and an educator, he has a moral duty to pass on a set of values and truths. It is however interesting to note that Peterson’s use of the first-person deixis to convey vulnerability and affective proximity extends to the construction of his intellectual persona. Rather than projecting at all time certainty and absolute infallibility, he casts himself as a thinking man in doubt, searching relentlessly and humbly for truth:

I’ve already decided that I’m going to tell people that I’m going to tell people what I think to be the truth, even though it’s the truth that I think that, but not saying that what I think is true. I mean, who know what’s true? (idem)

He also often draws the audience in through admissions of his limitations, engaging them to prolong and continue his reflections:

Well, that’s what I have been think about intensely – more intensely than usual – for the last eight month. And I’ve got it boiled down to something approximating 15 minutes, which is a bit short (lough), a period of time that’s a bit short for dealing with such things but I would certainly invite you at least to think about it because I don’t see...I haven’t been able to figure out any way other than what I have presented to you [...] I don’t think I formulated my argument as perfectly as I could have today, but I’m getting close (lough) to getting it down to like 15 minutes, a solid 15 minutes (Ideacity)

Peterson proves to be very apt at creating a complex, multilayered legitimation strategy that plays on multiple registers. Weaving together the language of expertise and capability and the language of vulnerability, authenticity and relatability, he taps into the reservoir of sympathy the underdog figure evokes but also into the reservoir of trust his professional identity grants him.

Peterson’s main thrust against political correctness is to locate it within what he perceives as a larger, but rather ill-defined, ideological configuration, that seems to incapsulates Marxism, totalitarianism and Postmodernism. Asserting that Postmodernism and Marxism tend to be aligned and jointly produce PC culture, he identifies resentment as its principal driver, just as it was for totalitarianism in the past (*idem*). For Peterson, political correctness is fundamentally not a “progressive” but a revolutionary and utopian ideology, directed against Western civilization as a whole. Peterson’s vocabulary is infused with themes and motifs borrowed from the anti-totalitarian school of thought of the 70s and 80s. He defines ideology as “parasitic on religious substructures” (Rogan) echoing Raymond Aron’s and Alain Besançon’s views of ideology as secular theologies or gnosés. When he states that “economical engineering was insufficient: what emerged as well was the overarching totalitarian desire to remake man and woman as such, the longing to restructure the human spirit” (Peterson), his critique of utopia draws on Solzhenitsyn, whose *Gulag Archipelago* he forwarded in 2018. But the emphasis on political correctness drives also an emphasis on metalinguistic themes: repeatedly, Peterson insists that “speaking is thinking” and that communication restrictions invariably amount to a policing of thought (*idem*). He argues that language is the chief locus of struggle in ideological conflict:

The issue is that when you cede linguistic territory, especially by legislative fiat, to you ideological opponents, they win, and as far as I am concerned, they are not going to win by getting me to say what they want me to say, because I am not going to say what they want me to say. (Ideacity)

At the core of this adversarial (and ironically post-modernist) view of language as a site of struggle lies the topos of compelled speech, itself is mapped onto the central topos of tyranny:

I’m talking about compelled speech. There’s a difference between saying that there is something you can’t say and saying that there are things that you have to say. And I regard those made-up pronouns, all of them, as the neologisms of radical PC authoritarians. Do you understand that? And I am not a fan of that sort of person, and the reason I am not a fan of that sort of person is because I’ve done my homework. I read everything I can get my hands on in the development of authoritarian political systems and I know the literature inside out and backwards. And I am not going to be a mouthpiece for language that I detest. And that’s that!” (Jordan_Peterson_quote)

Politicizing PC culture also entails identifying and naming the “politically correct Other”. His focus is on the academic field, where he blames “radical left political activists departments” for spearheading the movement (Rogan). Peterson employs aggressive nomination strategies that immediately casts certain actors – dubbed “radicals”, “extremists”, “ideologues” – outside of the realm of moral acceptability. The deprecatory use of the term “Marxist” further bridges the political identities of historical left-wing totalitarians and those

of present-day progressive activists. Peterson constructs the later by means of negative predications (*idem*). The topoi of the dichotomy between science and activism (or the corruption of science) is salient in anti-PC discourses, forming the grounds of Peterson's delegitimization of the "academic left": "They have done nothing in the last 30 years [...] but produce a never-ending stream of ideologically-minded counter-civilization political activists" (*idem*). Rhetorical questions and direct addresses are further rhetorical micro-strategies contributing to enemy-building; their sarcastic tone, the use of the second-person deixis and of deprecatory terms of endearment such as "sunshine" are fitting the informal nature of the podcast format.

"Oh, that wasn't real Marxism! That's what the bloody Marxists always say. How many millions of people have to die before you are convinced that's real Marxism. And I know what they mean by that. They mean: 'Hey, if I was the Marxist dictator, things would have gone a lot better.' It's like: 'Hmmm, you should think again sunshine, if you were the Marxist dictator things would not have gone a lot better'. So if you're the sort of person that thinks that if you were in control, things would have been a lot better, then you are exactly the sort of person that should never be in control. (Rogan)

Such dynamic, quasi-pugilistic tone draw the contours of what certain observers of the "Peterson phenomenon" have deemed as a *populist style* (Kelsey; Illing; Dueck). The Intellectual Dark Web has key elements of populist storytelling baked in its identity and in its very name: the binding narrative that developed around Peterson and the IDW is of a group of misfits and intellectual renegades, excluded from mainstream intellectual spaces by the dominant left-wing dogma, overcoming all odds and dishing out – though the power of alternative media – a well-deserved lesson to legacy media and establishment intellectuals (Rubin Report). But a more attentive analysis reveals that if Peterson frequently uses populist discursive devices, his core messaging is organized around a set of conservative-libertarian values. In a classical Millean argument, Peterson evokes human epistemological limitation to justify freedom of speech: "Who knows what's true? That why we have freedom of speech, to sort out what's true" (Peterson). He posits that only a free marketplace of ideas can provide satisfactory political education ("If you shut someone up, that does not change their mind because partly the way you change your mind is by talking and thinking and communicating with other people" [*idem*]) and further contends that "shutting this avenue" of free speech drives people to aggression and violence (*idem*). In painting PC culture as essentially encouraging racism, discrimination and sexism rather than eradicating them, Peterson deploys one of the three macro-strategies identified by Albert Hirschman in "The Rhetoric of Reaction": the perversity thesis, or the thesis of unintended consequences (Hirschman). Therefore, if at the micro level Peterson uses a series of populist strategies to better connect with his audience and construct his *renegade intellectual* persona, his critique of PC culture is conceptually anchored in a genuine conservative-liberal worldview rooted in individualism and anti-utopianism.

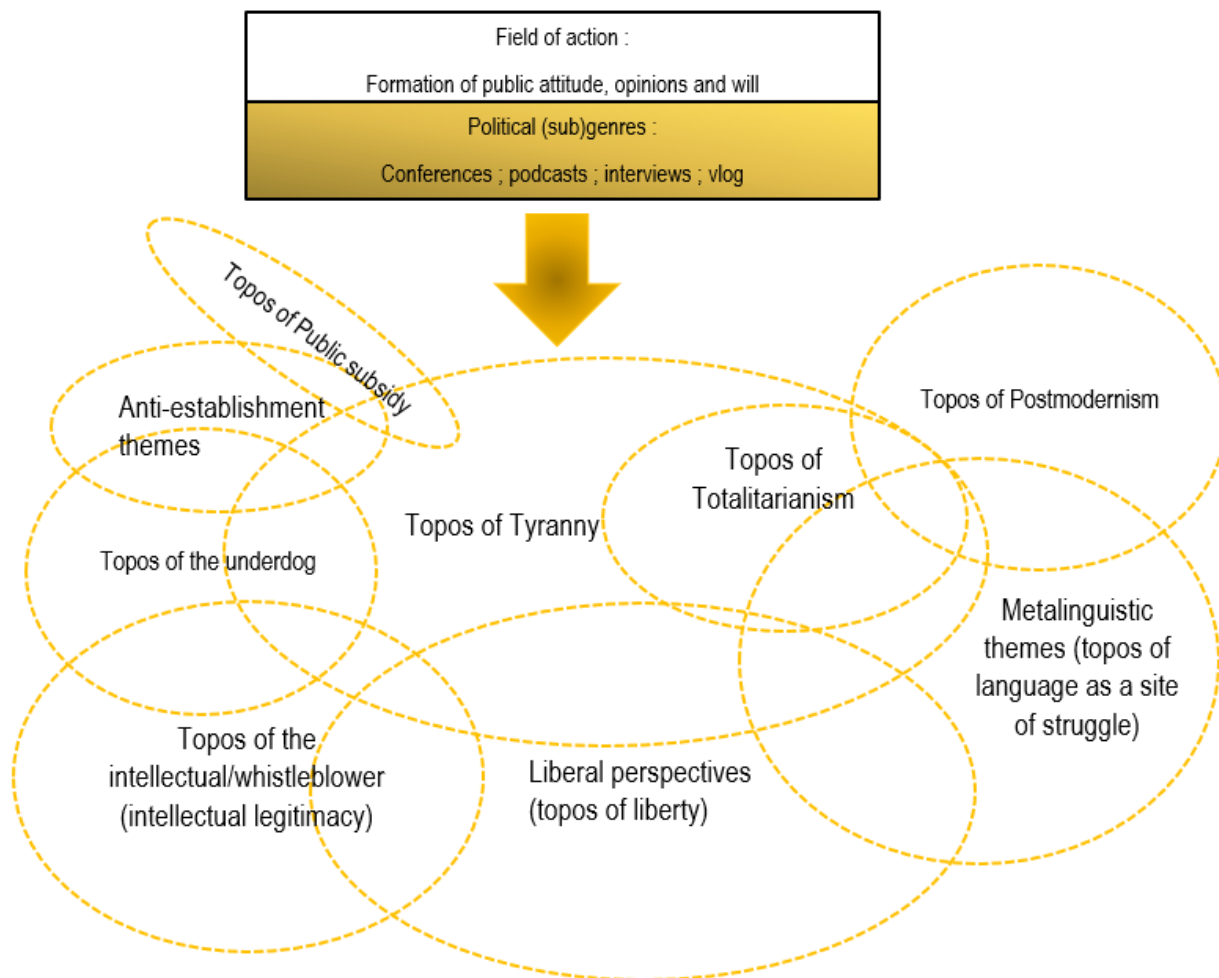


Fig. 1: Conceptual map of the Jordan Peterson corpus. Each oval represents a main theme or topos; the size of the oval corresponds to the relative salience/frequency of the theme in the corpus. Overlaps signify that the topoi or themes appear interconnected in the same fragment of text.

Conclusion

“Political correctness” (abbreviated PC) has become in the last two decades one of the most salient fault lines in the new culture wars. Even though the term has now thoroughly infused our cultural and political lexicon, it remains hard to define and its conceptual borders are constantly shifting. Acting as a symbolic glue (for the concept of “symbolic glue”, see Eszter Kováts and Maari Põim), opposition to political correctness emerged as a general framework for engaging critically with some of the fundamental issues of post-materialist modernity: multiculturalism, racial inequality, sexual citizenship or education. As highlighted by Norman Fairclough, the debate about PC is located within – and possibly at the very heart of – the shift to “cultural politics”, the politics of recognition, of identity and difference. It is important to grasp both PC and its critique as part and parcel of the much broader societal tectonic shift enacted by post-materialism.

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THE ROLE OF EUROPEAN PRIVATE UNIVERSITIES IN PROMOTING INNOVATION AND INTERNATIONAL COLLABORATION. CHALLENGES AND OPPORTUNITIES IN THE AGE OF DIGITALIZATION

Emanuel- Ștefan MARINESCU

<https://orcid.org/0000-0002-9051-8166>

“Danubius” International University, Romania

Vasile BOGDAN

<https://orcid.org/0009-0006-9436-0825>

“Danubius” International University, Romania

Abstract

Private universities are the main outpost of higher education in this era of innovation, marked by digitalization and globalization. Without any doubt, these institutions are characterized by greater flexibility in the decision-making process, having a clear advantage over public universities both in terms of adapting the curriculum to the requirements of the labor market and in the application of innovative educational solutions. Private universities of Europe are centers of academic vocation and excellence in a highly competitive environment adapted to respond quickly and efficiently to labor market signals. Currently, more and more voices highlight the existence of risks involved in the integration of technological effort in education, all the more so as the opportunities involved in digitalization far exceed expectations.

Thus, private universities have the responsibility of integrating these elements under the conditions of maintaining a high-quality level, maintaining a climate of academic performance and excellence, in order to obtain a university output capable of leading society towards a harmonious and sustainable development, conscious professionals, the true leaders of Europe from tomorrow.

Keywords: globalization, digitalization, promoting innovation, international collaboration, innovative educational solutions, academic excellence, sustainable development, educational process, aware professionals.

General Statements

The vision of this article reveals an interesting perspective that allows the exploration of some topics specific to the private university environment, among which the following can be mentioned: the flexibility and adaptability of private universities in responding to the demands of the global market, the existence of unique international partnerships and collaboration initiatives in research and education, innovative and sustainable financing models applied in private universities, far from the traditional management model, becoming an alternative to the traditional model regarding the established organization of learning (Senge, 2006), the specific challenges faced by private universities in the competition to attract international students and the recognition of the respective institutions at a global level, as well as digitalization – conceived as an engine for the modernization of educational and administrative processes. Innovative and far-reaching working conditions are outlined for the development of the capabilities of human beings along with the effort of team learning according to a common vision.

In a practical way, it is intended to highlight the distinct contribution promoted in the European educational landscape by private universities, making known their role in shaping the academic and economic future at an international level. Practically speaking, the development of the freedom to choose the path of tomorrow's progress is amplified and supported, together with reducing dependencies induced by the previous systems and increasing the forcefulness of the new path of the future (Taleb, 2012). The complex analysis regarding the role of European private universities in promoting innovation and international collaboration must contain a number of aspects that can be highlighted with relative ease, such as collaboration between universities in different European states to promote innovation, joint educational and research initiatives at European level, the importance of digitalization in facilitating international academic cooperation, the involvement of European universities in training students for a globalised labour market, together with good practice examples and successful international partnerships.

The flexibility and adaptability of private universities in responding to the demands of the global market refer to the considerations according to which private universities, unlike public ones, tend to be more agile, both in their organizational structure and in the ability to implement rapid changes, from the desire to align with the changing demands of the global economy and society. We can interpret all the above from the

point of view of effective management and constructive leadership (Hamel: 2012). Private higher education institutions are key players of globalized education. They will always have the power to adapt to the demands of the labor market as well as to the needs of students, always faster, more efficient and much better than some of the public universities.

The flexibility and adaptability demanded by private universities manifests themselves in several ways – an effective management, a personalized and innovative curriculum, an immediate reaction to global trends, dynamic partnerships, the main focus on practical skills. Benefiting by a more flexible management structure, the private institutions have the opportunity to make faster decisions regarding the allocation of resources, the development of new programs or investments in digital infrastructure. They have the means to quickly adapt and respond swiftly to current labor market demands. Private universities can rapidly integrate new technologies. They are always the first to adopt in-demand skills or apply for the emerging research areas. Not having the constrain of bureaucratic issues, private universities can and will rapidly adopt new educational instruments as courses in digitization, artificial intelligence or sustainability, a.s.o. to respond more effectively to the challenges and opportunities in the global economy. Also they can more easily establish strategic partnerships with companies, international institutions and other universities, developing educational and research programs that are highly relevant to the global labour market and create opportunities for international collaboration. Private universities are interested in emphasizing the development of student practical skills and establishing direct collaborations with the industrial segment, agreeing on internship programs set up to better prepare their graduates for the challenges of the global economy.

Collaboration provided by partnerships and initiatives

Collaborative efforts ensured by partnerships and initiatives in the field of research and education are addressed to all higher education institutions, whether public or private. For successful collaborative achievements, it is important to define the strategy to be followed, considered as setting goals and objectives to be followed in the long term, with the activation of feasible courses of action and the provision of the necessary resources (Chandler, 1990). Of course, under these conditions, some specific aspects can be highlighted at the level of private universities as extended freedom and autonomy facilitated by the more flexible management structure and true financial autonomy that allows private universities to negotiate and establish international partnerships in a faster and more adaptable way. The state of affairs facilitates them to build unique collaborations, specific to their educational mission and the needs of the global market. Private universities also tend to be more innovation-oriented and adopt strategies that enable them to be more internationally competitive. The mentioned aspect may encourage private universities to seek unique partnerships (such as double degree programs or collaborations with top universities in other countries) to attract international students and increase their global visibility. In addition, thanks to their more flexible structure and market orientation, private universities can enter into partnerships more quickly and access financial resources in a much more flexible manner, being able to initiate international collaborative research and education projects in a much shorter time than some of public universities, which are constrained and have a longer execution chain in time, more involvement and network nodes in the regulations necessary to implement the decision, due to the legal framework, their own regulations, as well as the bureaucracy of the working environment in which they act. Private universities can be and usually are proactive and oriented towards unique partnerships due to the structural and financial advantages presented, although public universities also frequently engage in international collaboration initiatives. Those advantages consist in the presence of specific levers that give private educational institutions flexibility and autonomy in decision-making, access to resources and rapid adaptation to changes in the academic environment and the competitive labor market.

The highlighted advantages can be as well structural and financial, but with the ability to be situated in relation to multiple competitive university institutions existing on the meridians (Porter).

The autonomy in decision-making is basically a structural advantage taking into consideration that compared to public universities, they are not dependent on government regulations or bureaucracy. This allows them to implement innovative policies, to adopt specific study programs or make changes in their academic structure, all of these without facing lengthy approval processes. We also must take into consideration the fact that the organizational structures of private universities are generally more flexible, allowing them to react quickly to the demands of the educational market, introduce new technologies, adapt the curriculum to global trends or form international partnerships with ease. Private universities are more rigorously oriented towards the needs of the market, both in terms of employers and students. In order to remain competitive and attractive for students and being motivated to adjust their programs, they are offering specializations that respond quickly to changes in the range of professional and technological requirements. The universities take a more

personalized approach to student relations, emphasizing an individualized educational experience through smaller classes, dedicated mentors, and support programs for rapid integration into the labor market.

We must not forget the financial advantages. Mainly, these universities obtain their funding from tuition fees, but also from donations, sponsorships and collaborations with private companies or international institutions. The expansion and diversification of funding sources gives them greater control and stability over the budget, as well as the ability to make rapid investments in infrastructure or in the development of new, high-performing programs. Having access to a diverse palette of funding sources, private universities present fewer constraints regarding the use of financial resources. Unencumbered by bureaucracy, they can strategically decide on ways to invest funds, either in research or in infrastructure development, without being subject to the restrictions imposed by government funds. As well, private universities have the possibility of building close partnerships with companies, a way that can bring additional resources through applied research projects, sponsorships or scholarships for students. The stated collaborations are also beneficial for the development of educational programs that directly respond to the needs of companies.

They can invest more quickly and more easily in modern technologies, educational and digital infrastructure or in building attractive campuses, which contributes to a learning environment that includes equipment and adaptations to current and future needs. The above mentioned highlighted structural and financial advantages offer private universities dynamism and competitiveness, the availability of rapid and innovative mutations, as well as the ability to polarize the interest of local and foreign students, by offering innovative educational programs adapted to the requirements of the competitive global labor market and offering partnerships strategic. Depending on the case, the adopted strategy can be planned or emergent, sometimes both variants can exist (Mintzberg).

Contribution to increasing the resilience of the state and society

The times we are going through are tumultuous, tense, rapidly changing, characterized by large-scale political upheavals, aspects that intervened at the global level. There is intense discussion about sustainable development, a context in which it is normal to make references to resilience.

The osmotic link that is established between the resilience of a state and private education can be analysed from the perspective of the essential role that education plays in the economic, social and cultural development of an international actor, the decisive involvement of education in shaping the future of a nation. Private institutions of higher education will always have a significant contribution to the resilience of a state because of simple diversification the system. They foster innovation, promote competition and entrepreneurship, are consistently more flexible and eager to adapting to emerging needs. This will reduce the pressure on public system of education. The state can prepare more robustly to compete global challenges and maintain a sustainable economy and a dynamic society. Private education is coming with an alternative to public education and diversifying the educational offer in a competitive educational market. Certainly that can increase the economic resilience of the state, especially in the context of rapid technological changes and globalization. Also, private institutions have the ability to respond quickly and perfectly adapted to the newly intervened economic and technological requirements, introducing study programs in emerging fields as information technology, artificial intelligence, sustainability and/or entrepreneurship. The new developments contribute to the formation of a well-trained structured workforce, capable of adapting to changes in the global market, constituting a crucial factor in increasing the economic and societal resilience of a state. One of the most interesting contributions of private education consist in reducing the pressure on public educational institutions, offering additional solutions for the education of young people and contributing to building a more balanced and resilient educational system in the context of crises that weaken and make states vulnerable. During hard times, economic crisis, pandemic or even worse, private universities offer students additional infrastructure and study alternatives. With a strong focus on innovation and entrepreneurship, they provide students with access to valuable resources, innovative programs, start-up competitions and partnerships. Such support for innovation will eventually lead to the creation of new businesses and new technologies that will contribute to economic growth and solutions to adapt in difficult economic contexts.

Private education always tends to be more oriented towards international partnerships and academic exchanges, being very attractive for students and teachers from various countries. This contribute to the creation of a global network of knowledge and collaborations, an approach that can increase the state's ability to constructively use international good practices and connect to accessible global resources. Such international openness can strengthen a nation's resilience by diversifying knowledge sources and penetrating international markets. Facing random crises such as economic ones, pandemics, geopolitical hybrid conflicts, the private higher education can implement rather quickly innovative solutions, such as switching to online education, adjusting curricula or developing specialized programs to meet new training requirements. The measures

contribute to maintaining the continuity of education and training specialists capable of handling future challenges. Largely based on private investment, on tuition fees and donations, private education reduces the reliance on public funding and provides additional resources in developing educational infrastructure. Financial independence in higher education can and will increase the state's resilience, as private universities manifest a reduced vulnerability to government budget cuts in times of economic crisis.

Increased role of digitization

Digitization is considered to be a driver of the modernization of educational and administrative processes, having a significant impact on the way educational institutions operate and fulfill their mission. Digitization makes higher education more accessible to a greater number of students, regardless of their geographic location. Online learning platforms, digital classes and open educational resources allow students to conduct distance learning, participate in international courses or study at their own pace, while practicing a trade, anywhere on the meridians. Through this vision of learning, physical and social barriers are removed, promoting a more inclusive education. E-learning platforms, simulations, augmented reality, artificial intelligence or other digital tools can transform the way of teaching and learning. Thus, more interactive, adaptive and personalized learning is possible, which can increase student engagement and performance. Real-time feedback and automated testing allow for rapid assessment of student progress. Digitization of higher education simplifies and automates administrative processes, reducing red tape as well as the human error. Managing the enrollments, issuing certificates and diplomas, managing funds and communicating with students can be done more efficiently through integrated IT systems. This saves time and resources, allowing staff to focus on more important activities. The process facilitates real-time collaboration between students, teachers and institutions around the world.

Communication platforms, video conferencing and online collaboration, allows international students to collaborate on projects, regardless of distance. The digital solutions eliminate geographical and temporal barriers, stimulating the exchange of ideas and best practices at an international level. Digital technologies allow the collection, storage and analysis of large amounts of data about students, their performance, educational requirements and administrative operations. Effective use of data helps to make informed decisions, optimize resources and improve educational processes. Through data analysis, private universities can identify problematic curricula and make the necessary adjustments to increase teaching effectiveness and optimize cognitive gains. Although digitization requires significant investments, those can and will lead to significant savings in the long term, by reducing administrative expenses and costs related to physical materials as various manuals, papers, posters, typed, a,s,o. The process allows the optimization of the educational infrastructure, reducing the need for physical spaces and multiple traditional resources. It is generally admitted that all digital technologies allow institutions to quickly adapt to changes, such as the risk insurance for global crises or new demands on the labor market as well as to distance learning. The pandemic of COVID-19 represented a clear example of how digitization allowed education to continue, despite the difficult circumstances and limitations imposed on the well-known physical contact / proximity between the professor and the student. In fact, the ability to adapt and offer quick solutions, offers digitalization the dimension of an important vector of the expansion and modernization of higher education. We must admit that it opens up new opportunities for innovation in education, such as the use of artificial intelligence, machine learning and educational analytics to personalize learning experiences. The innovations involved help create more effective, more relevant and fully embedded educational experiences for students.

When we discuss about digitization we focus on the new engine of modernization in higher education because it makes educational and administrative processes more efficient, it improves access and the learning experience, stimulates innovation and contributes to cost reduction. Digitization offers educational institutions more flexibility, better preparation and development of the educational process, increases the capacity of private higher education institutions to face current and future challenges, making major contributions to the development of a modern and competitive education at the global level. It must be taken into account that it can be about the innovation of the final product (achieved objectives) or the innovation of the process (the didactic act). Or both, performed in a synchronized manner (Bergek et al.). Digitization of higher education leads implicitly to prosperity.

Different approaches upon prosperity

Overall, the prosperity of a EU university is a combination of academic excellence, financial sustainability and positive impact on the community and society. We must admit that a model, even a performing one, should not be preserved for a long time in the way of success achieved at a given moment, but always to be improved, in accordance with the new mutations in the labor market and teaching practice

everywhere (Onufrey, Bergek). A prosperous European university offers high-quality educational programs that meet the market demands and student needs, with well-trained teaching staff and adequate educational resources. A prosperous university has a stable, diversified financial base that allows it to invest in the development of infrastructure, programs and staff. A prosper private university is engaging in international partnerships, in student exchanges and research collaborations, thereby enhancing the reputation and global appeal. The local community is always appreciating the European university which is actively contributing to the social and economic development of the region in which it is located.

We must underline that a successful EU university always maintains a positive learning environment, supporting the personal and professional development of students, leading to a higher graduation rate and employability. At the next level, a thriving EU institution of higher education always promotes diversity among students and staff, ensuring an inclusive and accessible environment for all. That university is nationally recognized, internationally accepted in academic networking, with a positive impact on university rankings and attracting students from around the world.

A comprehensive view regarding the perception of the prosperity of private universities

A logical approach to the perception of university prosperity should be comprehensive, integrating both economic and social and cultural dimensions. It must be emphasized on the two varieties that must harmonize, intertwine, have a common path, intelligently outlined: exploitation (following the old course) and exploration (opening up new possibilities) in the future (Bergek).

A logical approach to the perception of prosperity in the context of private universities involves an integrated view, combining several essential dimensions as well as a holistic view, a diversified assessment, based upon sustainability, responsibility, adaptability, transparency, accountability. Prosperity should not only be always measured in financial terms, but also by the quality of education provided, the ability to produce competent and well-trained students.

Private universities contribute to community development, promoting social cohesion and civic responsibility.

Meeting the expectations

The objective will allow private educational institutions to better respond to the needs of students and society, promoting a sustainable and responsible vision of higher education.

The private university seeks to increase student engagement for several fundamental reasons that relate to improving the educational experience, academic performance, and long-term success of students and the institution.

Students who are actively involved in the educational process tend to achieve better academic results because their engagement in the classroom and participation in extracurricular activities, interactions with teachers, contribute to deeper learning and better retention of information. One of the important goals of universities of today is to reduce the dropout rate.

Students who feel engaged and connected to the academic communities are less likely to drop out. Increasing engagement creates a sense of belonging and support, helping students overcome academic or personal difficulties. The active engagement helps students to develop not only academic competencies, but also essential interpersonal and professional skills such as communication, collaboration, problem solving and critical thinking, extremely valuable skills in the job market, contributing to students' career success. A more positive and enjoyable educational experience is essential to student satisfaction. When students are actively involved in academic life, they feel that they are contributing to their own education and are motivated to participate in classes, volunteer activities, academic and social events. This improves their perception of the university and their own learning experience, more engaged and more likely to collaborate with each other, to participate together to strengthens the identity and cohesion of the university community.

The institution with a high level of student engagement is more likely to develop successful graduates who, in turn, contribute to the university's reputation. The university with engaged and high-performing graduates will attract new students, qualified teaching staff and international partnerships, thus strengthening its prestige. Young people of today's generation have different expectations of university education, wanting a more interactive, flexible and personalized educational experience.

Universities that encourage student engagement better respond to these expectations, helping to modernize and adapt educational processes. Increasing student engagement is an essential strategy for private universities, as it positively influences not only academic results, but also the long-term success of graduates, the reputation of the institution, and the development of a strong and innovative educational community.

Active student engagement creates a cycle of continuous development beneficial to both students and the institution itself.

The challenge of digitization - ensuring accessibility and equity

The biggest challenge of digitization in higher education is ensuring accessibility and equity for all students. It is understandable that not all students have access to the necessary devices or a stable Internet connection, which can create disparities in the ability to participate in online courses or access educational resources. More over, not all students and teachers have similarly developed digital skills, making it difficult for them to adapt to new platforms and teaching methods.

We also must take into consideration that digitization can reduce opportunities for face-to-face interaction, which is essential for the development of social relationships and emotional support for students. Students also may encounter difficulties in staying motivated and focused in online learning environments where distractions are more common. That is why the private universities must supply adequate technical support both to students and teachers, to solve at least a part of the technical issues, in order these not to become a barrier to the educational process.

Digitization also involves managing large amounts of personal data, and universities need to ensure that it is adequately protected. Therefore, ensuring accessibility and equity in the context of the digitization of higher education is a complex challenge that requires a comprehensive and collaborative approach from educational institutions, governments and civil society. Addressing this challenge is essential to fully harness the benefits of digitization and promote quality education for all participants.

Advantages and opportunities of digitization

Private universities have some significant advantages in the age of globalization and digitization because can respond more quickly to market changes and student demands by adapting their programs and curricula. These institutions often have greater financial resources, allowing them to invest in technology, research and modern facilities. Private universities can promote innovative educational methods and integrate emerging technologies into the learning process, such as online learning and hybrid courses.

Thanks to a more flexible framework, private universities can establish international partnerships more easily, facilitating student exchanges and joint projects. Most of private universities work closely with industries to develop programs that meet market needs, thus preparing students for successful careers. These institutions can offer a wide range of programs and majors, including in emerging fields, attracting students from diverse backgrounds. Private universities can offer more personalized educational experiences with greater attention to individual student needs also having usually at their disposal state-of-the-art facilities and technology, enhancing the educational experience.

Digitization can contribute to reducing the consumption of physical resources (such as paper, part of didactic logistics) and to promoting more sustainable practices in education and research. Online training and certification opportunities for professionals, enabling them to improve their skills and adapt to the demands of the labor market.

Access to platforms that facilitate finding jobs and internships, connecting graduates with employers. Therefore, we appreciate that the age of digitization offers many opportunities for improving education, research and professional development. The opportunities not only facilitate access and collaboration, but also contribute to innovation and efficiency, with the potential to fundamentally transform the way we learn and work.

Conclusions

The continuous process of innovation and international collaboration is essential for the development and prosperity of EU private universities in the future. The efficient development of innovation and developments regarding international collaboration can ensure and even maintain the competitive advantage of private universities, by outlining prestigious achievements in the modernization of the educational offer, increasing the attractiveness of the didactic act, expanding digitization and meeting the expectations of the educated.

Likewise, private university institutions can improve their operational efficiency, reduce costs and increase revenues, they can achieve the desired prosperity, through the mechanism of exploiting well-known forms and that of exploring new aspects. Innovation makes it easier for organizations to be competitive for long periods, avoiding being left behind, by creating a modern educational offer, the increased efficiency of the didactic act, which extensively satisfies the requirements of the future, according to the changes in the competitive labor market.

Private universities must generate new ideas or training solutions, to facilitate entities with educational needs to explore different training perspectives, to generate new ideas, to identify new opportunities and solutions to knowledge problems. Through innovation management, universities will identify areas in which they have multiple chances of success, selecting new innovation opportunities in areas where they have a competitive advantage or can differentiate themselves from competing university institutions. Where potential threats are identified, emerging strategies must be developed to mitigate impacts and maintain attractiveness.

Innovation management is an essential attribute of private universities in order to remain competitive in the current and future academic environment. Therefore, it is necessary to create a true culture of innovation, which encourages and supports the creation and development of new work ideas, didactic processes and cognitive products. An environment open to change and experimentation will need to be fostered, with well-thought-out assumption of inherent risks. The imposition of innovation must be carried out in accordance with the needs of the training participants, the products and services having to respond to an extended palette of needs of the educated.

Establishing a realistic vision, clear goals and values are essential for effective management of didactic innovation and international collaboration. Thus, it will be possible to focus the management of private universities on the development of products, actions, activities and services that are in full agreement with the established strategic objectives. Investing in innovation requires resources, funding, time, energy and talent. High technologies and digitization are essential for the efficiency of innovation. New technologies, artificial intelligence, machine learning and big data analysis, can effectively support innovation, reduce costs and develop products and services demanded in the market.

Innovation requires collaboration and the inventive merging of many options, points of view, constructive proposals of decision-makers and high-performance teaching teams. The human factor represents the most valuable asset of private universities, indisputably based on knowledge, innovation and international collaboration, forming a highly sought-after binomial. Inventive behavior, by its very nature, represents an indisputable form of competitive advantage.

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QUEEN CARMEN SYLVA AND WOMEN TRANSLATORS: AN EXAMINATION OF CULTURAL, GENDER, AND LITERARY INTERSECTIONS

Ramona MIHĂILĂ

<https://orcid.org/0000-0003-2406-7616>

Dimitrie Cantemir Christian University, Bucharest

The National Agency of Equal Opportunities between Women and Men

Abstract

Queen Carmen Sylva (Elisabeth of Wied, 1843–1916), known for her literary achievements as a queen consort, poet, and novelist, is a significant figure in both Romanian and European literary history. Her writings, which include poetry, essays, and novels, reflect her deep engagement with Romanian culture, national identity, and the plight of marginalized groups, particularly women. This paper explores the dual legacy of Queen Carmen Sylva as both an author and a translator, emphasizing the pivotal role that women translators played in bringing her works to a global audience. Through a close examination of selected translations and the biographies of women involved in these processes, this study offers insights into the intersections of gender, translation, and literary history, demonstrating how Sylva's works gained international recognition and became a crucial part of the European and American literary tradition due to her translators, respectively Emma Rutz and Florence Earle Coates.

Keywords: Queen Carmen Sylva, women writers, women translators

Introduction

Queen Carmen Sylva, born Elisabeth of Wied, is primarily remembered in literary circles as a Romanian royal consort who not only championed national culture but also left a lasting literary legacy. Though she is perhaps most famous for her poetry, her diverse works—ranging from novels to plays to translations—paint a portrait of a woman deeply invested in both personal and social transformation. Her engagement with various cultural traditions, particularly those of her adopted Romanian homeland, shaped her literary production and influenced her role in the European cultural milieu.

Sylva's works often explore themes of national identity, the struggles of marginalized communities, and the condition of women, making her writing relevant in both the Romanian context and across European literary traditions. However, it is through translation that Sylva's work gained a truly international audience. Crucially, the translators who brought her works to new linguistic spaces were overwhelmingly women, and this paper focuses on how these translators navigated the challenges of rendering her poetic language and national identity into diverse languages, all while negotiating the gendered dynamics of literary production and reception.

Queen Carmen Sylva: The Writer and Her Work

Carmen Sylva's literary career was shaped by her royal duties and her intellectual pursuits. Born in Germany as Elisabeth of Wied, she married Prince Carol of Hohenzollern-Sigmaringen in 1869, who later became King Carol I of Romania. Despite her royal status, Queen Carmen Sylva pursued a literary career that intersected with Romanian nationalism and European cultural movements of the time. Her writings—chiefly poetry, but also short stories, novels, and philosophical essays—were a means of expressing both personal introspection and broader national concerns.

Her first literary works were written in German, her native language, but her passion for Romanian culture and language led her to learn Romanian, and much of her later poetry reflects this deeper connection with her adopted country. Her literary output was vast, but she is most recognized for her poetry collection *Poezii (Poems)*, 1870, which explores themes of love, death, and nature, all deeply infused with Romanian folklore and national consciousness. Additionally, her works on social issues, especially concerning the status of women, resonated with European intellectual circles during a period of burgeoning feminist discourse. The poetry of the Queen focuses on nature, rural life, idealized love, and melancholy, as well as feelings of national belonging and the desire to express universal emotions.

The book reflects the Romantic style of the time and is considered one of the fundamental works of Romanian literature from that period. Queen Carmen Sylva was an admirer of nature and the beauty of the Romanian landscape, and many of her poems are inspired by these themes. She was also a supporter of women's education and their rights, and through this volume, she managed to combine her personal and public life.

The volume was translated into several European languages. In these translations, the Queen's poetry was received and appreciated in European literary circles, especially in Germany. Unfortunately, there is no standardized table of contents reproduced for every edition of the volume, and the versions published in different languages may vary. However, many of the poems by Queen Elizabeth in this volume focus on the following themes: nature and the Romanian landscape, Carmen Sylva expresses her love for Romania's nature, with particular attention to mountain and floral landscapes; love many of the verses were dedicated to idealized and mystical love, in the Romantic style; melancholy and longing reflecting feelings of melancholy for the ephemeral beauty of life, as well as reflections on death and the meaning of existence; patriotism and connection to Romania: While not overtly political poems, Carmen Sylva expresses a deep love for Romania, evoking national symbols and imagery.

The book is a combination of personal lyricism and a desire to express a national and universal spirit. Despite a relatively small literary reception compared to other contemporary authors, *Poezii* remains an important piece in Romanian literature and a significant example of Queen Elizabeth's contribution to Romanian culture.

While Sylva's works have been lauded for their emotional depth and lyricism, their reception beyond Romanian-speaking audiences was largely facilitated through translation. The role of women translators in rendering her Romanian, German, and French works into other languages, especially English, German, and French, underscores the role of gender in literary reception and translation.

The significance of women in the translation of Carmen Sylva's works goes beyond their linguistic prowess; it reflects broader cultural and social dynamics, particularly in the late 19th and early 20th centuries. The role of women in translation during this period was often fraught with both opportunity and constraint. On one hand, translation provided a space for women to actively engage with intellectual and literary traditions that were typically dominated by men. On the other hand, women translators faced specific challenges in gaining recognition for their work, as their contributions were often overshadowed by the male-dominated literary establishment.

Emma Rutz and the German Reception

Emma Rutz (May 30, 1845, in Germany – March 23, 1922, in Switzerland) was a notable figure from the late 19th and early 20th centuries, educated in Germany, where she received a solid foundation in literature, languages, and the arts. As a young woman, she became interested in the cultural and intellectual movements of the time, particularly those involving poetry and literature. Her literary talents and interest in culture led her to cross paths with prominent figures across Europe.

Emma Rutz was closely associated with Carmen Sylva and played a significant role in her literary and social circle, as a friend and confidante of the queen. Rutz was involved in various cultural and literary activities, and she shared a deep interest in the arts, much like Carmen Sylva. Their friendship blossomed due to their shared love for literature and the arts, and Emma became an important figure in the Queen's literary salon, a gathering of like-minded intellectuals and writers.

Rutz's involvement with Carmen Sylva extended beyond socializing; she was also involved in some of the literary works and philanthropic endeavors of the queen. In particular, Emma Rutz helped Carmen Sylva with her writing projects, providing feedback and companionship as the Queen worked on her poetry and prose. Carmen Sylva, who was known for her connection to Romanian culture and her efforts to promote Romanian national identity through literature, often sought the company of intellectuals like Emma Rutz.

Their relationship exemplified the blending of intellectual exchange and cultural collaboration. Emma Rutz's friendship with Carmen Sylva is an example of the cross-cultural and intellectual connections that were prevalent among the European elite during that time. She was one of the earliest and most notable female translators of Sylva's works. Her translation of *Poezii* (*Poems*), 1874, into German was instrumental in introducing Queen Carmen Sylva's poetry to German-speaking audiences. Rutz, who was an accomplished writer and translator herself, faced the challenge of maintaining the lyrical qualities of Sylva's Romanian verses while adapting them to the phonetic and cultural nuances of the German language.

Rutz's translation was praised for capturing the spirit of Sylva's emotional and lyrical content. Her work not only introduced the queen's poetry to German readers but also played a key role in establishing Sylva's reputation as a poet of European significance. Rutz's introduction to the translation emphasizes the universality of Sylva's themes of love, nature, and death, positioning her as a poet whose works transcended national boundaries. Her translation was not merely an act of linguistic conversion; it was also an intellectual engagement with Sylva's themes. Rutz herself was a progressive thinker, and she saw in Sylva's work a shared emotional and intellectual kinship that could appeal to a wider European audience. Her role as a female

translator was not just to bridge the linguistic gap, but to bring the deeper cultural and intellectual currents of Sylva's work into the German literary world.

While Emma Rutz did not achieve widespread fame as an individual writer, her legacy is closely tied to the cultural salons of her time and the literary circles she participated in, especially those surrounding Carmen Sylva. She was a significant part of a network of women writers and intellectuals in 19th- and early 20th-century Europe, contributing to the rich cultural environment of the period. Her role as a writer and a cultural companion helped support the creative work of those she was connected to, especially Carmen Sylva. Her life exemplified the intellectual exchange between different European cultures and the role women played in shaping the cultural landscape of that era. Her exact works are not as widely known as those of her famous friends, but Emma Rutz remains an interesting figure due to her intellectual and cultural contributions.

Florence Earle Coates and the English Reception

Another prominent woman translator of Sylva's work was the American poet and translator Florence Earle Coates (1850–1927), a philanthropist known for her lyrical and deeply emotional poetry. She was a prominent figure in the literary circles of her time and is considered one of the notable American women poets of the late 19th and early 20th centuries.

Coates was well-educated, attending schools in the United States and Europe. She studied at Miss Watson's School for Girls and later attended Radcliffe College, an affiliate of Harvard University. Her education played a key role in shaping her intellectual and artistic abilities. In 1873, Florence married Edward Coates, a successful businessman and philanthropist. The couple had two children, but Florence's personal life was marked by significant challenges. The family endured the loss of her daughter, which had a profound effect on Florence, influencing much of her later poetry, particularly works filled with themes of grief, loss, and love.

Coates began her writing career in the 1880s, and her poetry gained significant attention for its emotional depth and lyrical quality. She wrote poems that were often introspective, dealing with themes of love, death, nature, and spirituality. Her poetry was recognized for its formal craftsmanship, as well as its heartfelt expression of personal experience.

Her first major poetry collection, *Poems*, was published in 1895, and it received a positive reception. In subsequent years, she published several more volumes of poetry, including *Poems and Sonnets* (1903) and *The Songs of a Woman* (1911). Coates also contributed to various literary magazines, and her work was frequently included in anthologies of American poetry. Florence Earle Coates' poetry was often compared to that of her contemporaries, like Edna St. Vincent Millay and Sara Teasdale, though her style was more formal, and she focused on a more traditional poetic form.

In addition to her literary work, Coates was actively involved in social causes. She was a strong advocate for women's rights and played a role in various charitable organizations. She was particularly involved in the American Red Cross during World War I and worked to support wounded soldiers and their families. Her philanthropic work paralleled her writing career and added a layer of social consciousness to her personal legacy.

Coates, a prominent figure in the early feminist movement in the United States, was instrumental in bringing Sylva's poetry to English-speaking readers. Her translation of *Poezii* (*Poems*) into English was highly regarded for its attention to the rhythm and emotional depth of the original text, even as she struggled with the cultural differences between Romanian and American audiences. Coates' role as a translator highlights her interest in promoting cross-cultural understanding and her belief in the power of literature to transcend national boundaries. By bringing Carmen Sylva's works into the English-speaking literary world, Coates not only introduced a new voice but also furthered the cause of women's literary voices during a time when many female poets were still struggling for recognition in their own countries.

Her translations were praised for their clarity, grace, and attention to the nuance of the original works. Coates' translations of Carmen Sylva contributed to the literary recognition of the Romanian queen and poet in Western literary circles, thus strengthening the cultural exchange between the United States, Romania, and Europe.

Coates's translation was deeply influenced by her own feminist sensibilities. She was particularly drawn to Sylva's reflections on the role of women, both in society and in the literary world. In her preface to the translated work, Coates discussed the parallels between Sylva's struggle as a woman in a male-dominated world and the broader struggles of women for greater social, political, and intellectual recognition. Her translation, then, can be seen as a feminist act, emphasizing the importance of women's voices in the global literary conversation.

Coates's work reflects the period's rising interest in women's writing and feminist discourse. Her decision to translate Sylva's work was not just an intellectual pursuit but also a political act, contributing to the larger movement for women's rights. Coates' introduction to the translated volume highlighted the intersection of gender and literature, underscoring how Sylva's exploration of women's lives could resonate deeply with contemporary readers.

Florence Earle Coates and Carmen Sylva were friends and corresponded during their lifetimes, with Coates being a notable admirer of Carmen Sylva's literary work. Florence Earle Coates, who was particularly active in promoting women's causes, wrote a letter to Carmen Sylva in 1896, expressing admiration for her literary achievements. Coates praised Sylva's poems for their emotional depth and their embodiment of feminine strength and sensitivity. In return, Carmen Sylva responded warmly, expressing her gratitude for the support and admiration she received from Coates. Their letters often discussed not just their poetry but also the challenges they faced as women in the literary world and their shared experiences of navigating societal expectations. Both women were part of a network of writers and intellectuals who were deeply engaged in the cultural and social issues of their time. Their bond was formed not just by their mutual respect for each other's literary accomplishments but also by shared ideals about the importance of women's voices in literature and society.

One of the notable examples of this collaboration is Coates' translation of Carmen Sylva's poem "*The Song of the Dead*" (*Cântecul morților*), which is part of the collection *Poezii* (1870). Coates was deeply moved by Carmen Sylva's work, and through her translations, she introduced Sylva's lyrical poetry to an English-speaking audience. "*The Song of the Dead*" is a haunting and poignant piece that reflects themes of death, memory, and the passage of time, common in Sylva's writing. Coates' translation preserved the melancholic tone and rhythm of the original Romanian while making it accessible to English readers.

In her translation work, Coates not only conveyed the poetic beauty of Sylva's words but also captured the emotional depth, reinforcing their shared interests in topics like nature, love, and the inner world of human emotions. Here's a passage from *The Song of the Dead*, translated by Florence Earle Coates: "*The dead are not forgotten, / Though their faces are turned to the dust; In the heart of the living, / Their memory is a sacred trust.*" This translation exemplifies the connection between the two women, showcasing their mutual dedication to literature and their understanding of each other's poetic expression. The poem's themes resonate with both the personal and universal, reflecting a deep, shared appreciation for the emotional power of poetry.

Carmen Sylva, as the Queen of Romania, had the advantage of a royal platform that she used to promote Romanian culture and advocate for various social causes, including women's rights and the arts. In contrast, Florence Earle Coates, though not royalty, was also a notable figure in American literary and social circles, particularly known for her poetic works that often focused on love, nature, and grief, as well as her philanthropic efforts.

Both Coates and Carmen Sylva were concerned with the conditions of women in their respective societies and advocated for women's roles in the arts and public life. Their writing reflected a deep emotional sensitivity, and both writers gained recognition for their poetic contributions, especially among women readers.

Carmen Sylva wrote a great deal of poetry and prose that was recognized for its lyrical beauty, exploring themes of Romanian identity, nature, and spirituality, often conveying deep emotions about her experiences as a woman and queen. **Florence Earle Coates**, similarly, created poetry that was marked by its formal craftsmanship and emotional resonance, touching on themes of love, loss, and the human condition. Coates was also involved in charitable work and supported causes related to women and children, which aligned with the philanthropic efforts of Carmen Sylva.

Although there is limited documentation about the specifics of their correspondence, it is clear that the two women maintained a connection. Carmen Sylva's poetry was translated into several languages, including English, and **Emma Rutz**, a German writer who was also involved with Carmen Sylva, translated much of her work. It is likely that Coates, being an avid reader and a poet herself, became familiar with Carmen Sylva's writing through these translations. Both women were part of a broader movement of women who sought to elevate women's voices in the literary world, and their connection through friendship and shared literary interests represents a unique chapter in the history of female literary influence during the late 19th century.

Gender, Translation, and Reception

These translators worked in an environment where literary translation was often seen as a women's activity, especially when it came to works with emotional or lyrical content. The translators' roles were often deeply gendered, with women seen as more attuned to the subtleties of emotion, nuance, and psychological depth, qualities that made Sylva's poetry especially compelling.

Starting from the assumption that translation is often perceived as a straightforward process, this perspective has historically led to the marginalization of the translator's role (Bassnett 16). Women translators, in particular, have been overlooked or rendered invisible within the field (Venutti 21). Furthermore, despite their significant contributions, these translators have faced challenges in keeping pace with evolving linguistic changes, which are essential for maintaining active engagement with language (Branîște 86). As a dynamic form of linguistic mediation, translation plays a crucial role in introducing shifts in discourse, destabilizing established meanings, and offering alternative views of reality. It facilitates the creation of new representations and identities, thereby contributing to the reconfiguration of cultural and social frameworks (Tymoczko 1).

In addition, many of these women translators were members of intellectual and artistic circles that valued the contributions of women in culture. The act of translating Sylva's works was, for many of them, a way of asserting the importance of female authorship and the relevance of women's voices in both the national and international literary arenas.

The relationship between gender, translation, and reception of Sylva's works is complex. On one level, the role of women translators in disseminating Sylva's writings can be seen as part of a broader feminist project of asserting women's voices within literary traditions that were often dominated by male authors. Women's involvement in translating her works reflects the broader cultural movements of the time, including the women's suffrage movement and the intellectual movements advocating for women's rights in both Eastern and Western Europe. On another level, the gendered nature of translation itself is important. As many feminist scholars have pointed out, translation is not a neutral process. It involves interpretation, negotiation, and sometimes the repositioning of the author's voice to fit the expectations of the target audience.

In the 19th century, women translators played a pivotal role in shaping feminist political discourse (Iliuță 270), often using their translations as a platform to challenge societal norms and assert the intellectual presence of women in the public sphere. These translators navigated the intricate web of terminology (Niculescu-Ciocan 165) that reflected both the limitations and potential of women's roles in society. By carefully selecting and adapting literary terms, they not only preserved the essence of the original texts but also infused them with new meanings, subtly altering their poetic implications to align with feminist ideologies.

Through their translations, many women writers and intellectuals engaged in a silent but powerful form of resistance, elevating women's voices and advocating for political and social change. Their work, although often overshadowed by the dominant male literary canon, was integral to the evolving feminist movement, providing an early foundation for women's participation in global literary and political debates. These translators became cultural mediators, crafting literary meanings that challenged gendered constraints and expanded the boundaries of what was considered acceptable or possible for women in the 19th century.

For women translators of Carmen Sylva's works, the task was not only one of linguistic conversion but also of cultural mediation. They worked within the constraints of both their own gendered roles as translators and the cultural expectations of the societies in which they operated.

Caroline Bland and Hillary Brown agree with the fact that "new research placing women's writing in its European context is emerging in part thanks too impulses from comparative literature and translation studies. Translations, for example, have often been dismissed in the past as ephemeral and uncreative. However, since the 'cultural turn' in translation studies in the 1990s, translation has come to be seen as a highly significant activity. Critics regard translations as products of their cultural context and emphasize the impact they can have on native literary traditions." (Bland & Brown 111)

Conclusion

Queen Carmen Sylva's literary legacy, which transcends national borders and linguistic barriers, was shaped significantly by the women who translated her works into various languages. These women translators not only provided access to her poetry but also became instrumental in shaping the global reception of Sylva's voice in the broader European literary tradition. Their contributions are a testament to the power of translation as both a literary and political act, demonstrating how women writers and translators have historically played critical roles in the cultural and intellectual exchange between nations.

By examining the role of women translators in bringing Sylva's works to the international stage, we gain a deeper understanding of the intersection of gender, culture, and literary production. Their efforts not only enriched the global literary canon but also illuminated the ways in which gendered dynamics continue to shape the translation process and the reception of literary works. Ultimately, Queen Carmen Sylva's enduring legacy is a reminder of the transformative power of literature and the vital contributions made by women to its global dissemination while as Luise von Flotow concludes translation and translation studies have to some extent resisted reference to performance theories, work on the production of gender through discursive

and material structures within and through translation may well produce stimulating new insights. Given the deliberate act that is translation, and given feminisms' history of social activism, the performance paradigm, though perhaps implicit, is there, enhancing and complicating the very fertile area of women and translation (von Flotow 16).

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RELATIONAL PEDAGOGY AND INCLUSION IN HIGHER EDUCATION

Angela BONEHILL

<https://orcid.org/0000-0003-2892-6115>

CU Coventry University, Coventry, United Kingdom

Maria IORDAN

<https://orcid.org/0009-0008-0963-0929>

CU Coventry University, Coventry, United Kingdom

Abstract

This paper explores the concept of relational pedagogy, a teaching approach that emphasises the importance of the relationship between teachers and students in fostering a meaningful learning environment in higher education. Drawing from the work of Nel Noddings and Bell hooks who highlight the significance of care and respect in the teacher-student dynamic, the paper examines how relational pedagogy surpasses traditional teaching methods by focusing on qualities like mutual trust, empathy, and collaboration. This approach is grounded in philosophical traditions, from Aristotle to contemporary thinkers like Paulo Freire and John Dewey, who underscore the transformative power of relationships in education. The paper further explores the challenges of implementing relational pedagogy in higher education, particularly in the context of massification, neoliberalism, and the post-pandemic shift to online learning. It discusses how relational pedagogy can promote inclusion, co-creation of knowledge, and a sense of belonging, crucial for student retention and success. The paper also highlights the impact of technology and AI on teaching, as well as the importance of creating an environment where teachers and students engage as "co-constructors" of knowledge. By fostering critical thinking, reflexivity, and open dialogue, relational pedagogy offers a framework for addressing the systemic barriers in higher education and preparing students for an interconnected, diverse world. Ultimately, this paper emphasises that relational pedagogy is essential for creating inclusive, empowering, and transformative educational experiences, particularly in a time when students' sense of belonging is increasingly threatened by external societal pressures.

Keywords: relational pedagogy, higher education, inclusive practice, inclusion

What is Relational Pedagogy?

In the Foreword of the book 'No Education Without Relation' (edited by Bingham and Sidorkin), Nel Noddings emphasized the utmost importance of relations that are formed within teaching profession. The central relation that forms and counts is the one between the student and the teachers. Even though this has been known and researched from different lenses, it is still needed to be analysed in the new technological and globalised era. As positive examples, Noddings uses the famous stories of Eleanor Roosevelt and Hellen Keller as beneficiaries of high quality relational pedagogy from their teachers, Marie Souvestre, respectively, Anne Sullivan. The counter examples she used were the ones of George Orwell, Winston Churchill or Robert Graves, whose memories of their teachers were more than negative, leading to the renowned author affirming: 'we have no idea how many children have been lost because of pedagogical aloofness or cruelty' (Bingham and Sidorkin, VII). Noddings considered that both teachers and students should benefit from a successful relational pedagogy.

Although difficult to agree on a common definition, it is clear that among important aspects of relational pedagogy, we need to include: creating an environment where self-esteem is enhanced and the care for others is in high regards, where our pedagogical choices convey from an intrinsic motivation and desire to see all our students thrive. Noddings ends by affirming the importance of understanding the diversity of the relations that 'ranges from highly abstract ontological discussions to the ultimately practical concerns of teaching' (idem, VIII).

In spite of the fact that it is currently considered as one of the new approaches, there is a long philosophical tradition of considering relations as the core of human progress, starting with Aristotle and continuing with more recent thinkers such as Dewey or Heidegger. Nel Noddings introduced the relational thinking in American mainstream educational theory while Paulo Freire explores the complexity of socially determined and inter-humans relations as part of the critical pedagogy concept (Bingham and Sidorkin 2).

More recently, Biesta argues that relational pedagogy is more than a ‘process of communication’, explaining that education happens due to an existing and necessary gap between the teacher and the student: ‘A pedagogy of relation should therefore acknowledge and affirm the uncertainties and risks and the possibilities that are at stake in this gap’ (11). Hickey and Riddle agree with Biesta’s assertion and explain that:

It is the encounter between teachers, students and knowledge that is important, and from which the locus of educational enactment is found. Relational pedagogy emphasises the significance of the encounter and the relationships that are made possible in the moment of interaction (2).

Any type of ‘pedagogical encounter’ is defined by the relationship between students and teachers and it creates the space where opportunities for inclusive, participatory and dialogic engagement can flourish. A relational pedagogy is, from this point of view, a ‘*teaching-learning encounter*’ where both the students and the teachers interact and create knowledge as ‘engaged participants’ (Hickey and Riddle 2). The pedagogical relationship between teachers and students is complex and needs to be reflected upon considering all daily encounters that are beyond what Brookfield called ‘teaching innocently’ (1). Moll considers the relational pedagogy as an instrument that fosters engagement of both teachers and students in inclusive modes of encounter and that in this encounter both parties should value and acknowledge their own positionality.

Relational Pedagogy in Higher Education

According to Bovill relational pedagogy in higher education mainly consists on building positive and meaningful relationships between teachers and students which will lead to an effectiveness of both teaching and learning experiences. It is a mutual consensus that this pedagogical approach transposes the traditional teacher-student dynamic as it encompasses notions such as trust, respect, empathy and understanding which are foundational pillars of a productive learning environment.

What is more, relational pedagogy alongside co-creating knowledge and learning will lead to co-creating teaching, emerging from shared respect, values, and democratic dialogue. However, Bovill (2020) argues that there are certain challenging factors that would make difficult for staff members to foster a sense of belonging and feeling valued to all student in large-sized classes of higher education environments and one of these factors is the system massification.

Consequently, Hickey and Riddle highlight the three different dimensions of relational pedagogy: relations students-students, relations students-teachers, and relations students-teachers-learning spaces. A supportive learning environment offers the opportunity for teachers to become facilitators and create opportunities for students to feel they belong and can engage with each other and the teacher, as an integrated approach to learning and assessment.

However, in the current context of higher education, where wider participation became a strong narrative within the marketisation of the field, with visible effects of high living cost and austerity in the post-Covid 19 pandemic, it is necessary to reconsider the way we address the concept of relational pedagogy. Andreas Chatzidakis, Jamie Hakim, Jo Littler, Catherine Rottenberg, and Lynne Segal, the authors of the book ‘*The care manifesto: the politics of interdependence / The Care Collective*’ propose a new approach where ‘*the role of care in our everyday lives, making it the organising principle in every dimension and at every scale of life*’ would become the essential key to move towards a more inclusive and responsive world. Thus, in a contemporary society, where we need to better attend the relationship between students-teachers, we must consider care as the core element of nurturing environments. But how is this going to be possible when students are now considered customers of what universities offer? Kinchin argues that this would be rather difficult to achieve as ‘the dominant narratives currently offering critique of the neoliberal university suggest a professional environment that is both uncaring and unhealthy’ (171).

What is more, we need to consider the elements within the relational pedagogies, such as authenticity, meaningful connections and a high level of responsiveness (Gravett & Winstone), from a new perspective, influenced by the dominance of technology and artificial intelligence as components of our new reality. It is important to acknowledge the changes we faced during the recent years, where isolation and teaching from behind the screen of a computer lead to alienation of the relational pedagogies which has been well highlighted by Gravett et al.:

The long periods of physical staff-student isolation during the Covid-19 pandemic, with connection via computer screen and virtually, has further intensified the focus on and practices of relationality and engagement. However, current framings of staff-student relations and the theoretical underpinnings of relational pedagogies continue to rely on long-standing cognitivist and humanist traditions. Such framings fail to consider how educationally

engaged human relationships are entangled within the spaces, places, contexts and environments with which they occur, and do not take account of how objects, bodies and materialities impact upon learning, teaching and connection. (388)

Why Relational Pedagogy Matters in Higher Education?

Relational pedagogy focuses on the significance of relationships between teachers and learners and how these are transformative, emphasising mutual respect, understanding, and collaboration.

The classroom remains the most radical space of possibility in the academy... As a teacher, I believe it is crucial that we create spaces where we collectively imagine ways to disrupt and transform domination. (Hooks).

In higher education, this approach fosters connections by creating a learning environment where students feel valued and engaged, enabling deeper intellectual and personal growth. This environment allows students to take intellectual risks, ask questions, and express their opinions without fear of judgment. Such an atmosphere encourages meaningful dialogue and active participation. As Freire emphasised dialogue in the classroom is the cornerstone for building a critical consciousness.

When teachers form authentic connections with students, they are more likely to engage with the material and demonstrate a genuine interest in students' perspectives making learning more relevant. This contributes to a sense of belonging which is essential for retention and success which Tinto and later Bean and Eaton highlighted the correlation between relational support and coping strategies for students in academia.

Relational pedagogy can be thought of as an intentional practice whereby learning builds connections and positive relationships for learning purposes. By supporting students to be co-constructors in their learning using a Vygotskian pedagogy and a micro-genic strategy, a reciprocal relationship can be established between the student and teacher as the student struggles to understand the task and the teacher develops an understanding of the student's thinking. Similarly to Vygotsky's (1978) zone of proximal development (ZPD), in which a teacher uses scaffolding and builds on what a student already knows and can do and the teacher or peer guides the student to the next level. Lemov (2015) gives us a range of practical suggestions to use in the classroom: open-ended instruction, integrated learning, inquiry learning, differentiated instruction, experiential learning, cooperative learning, assessment and evaluation of student learning, peer teaching, case studies and locus of control. Therefore, the personal encounters between teachers and students influence the relational pedagogy (Bingham & Sidorkin, 2004; Noddings, 1984 Cited in Chika-James 2020).

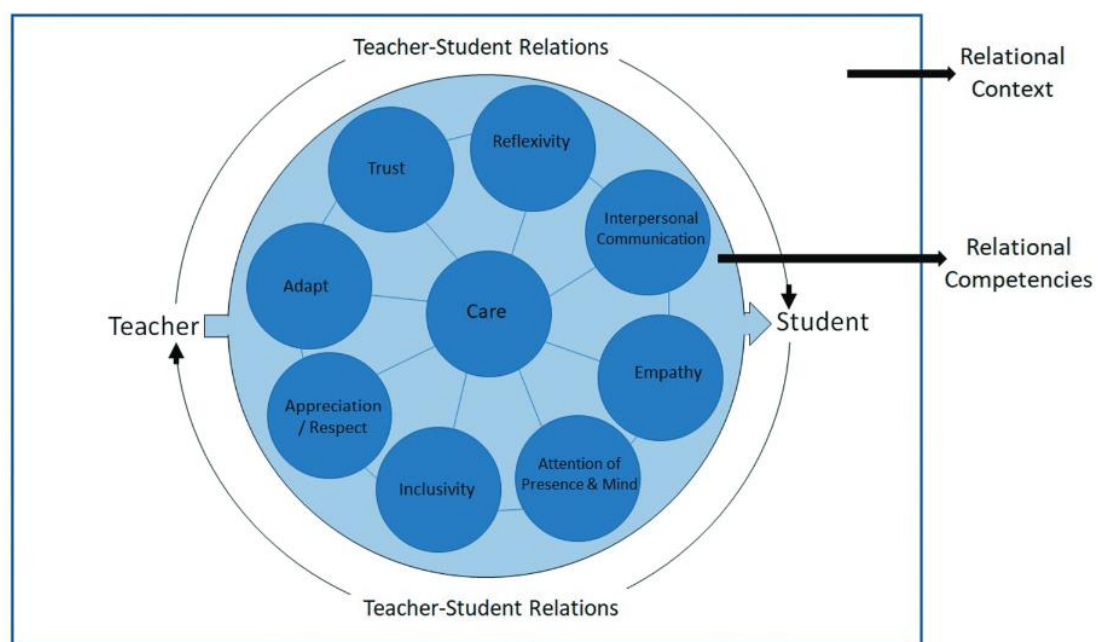


Figure 1. Interrelated sub-elements of teacher's relational competencies.

(Chika-James, 2020)

In Chika-James model the elements of relational interactions are demonstrated, the contextual relational space where interaction takes place and each element depends on the interaction of the teacher and student, interestingly the centre image emphasises that care is crucial to the relationships. Margonis and Thayer-Bacon discuss how the reciprocal relationship of concern and interest are essential for this relationship to develop. They discuss the key attitudes and behavioural responses that are essential for the relationship to develop. They, along with Noddings clarify the role of the teacher in channelling the interactions and attainment of their students.

Relational pedagogy develops connections between students and a learning environment planned with the intention of forging and nurturing learning relationships. This democratic power structure is in contrast to the traditional concept of the teacher-student relationship, but in a relationship that is grounded in trust, reciprocity and belonging, an open environment where teachers and students are learning from each other (Cook-Sather et al.).

Relational pedagogy emphasises the importance of teachers reflecting on their practices, as this reflexivity fosters critical thinking and deepens the teacher-student relationship. Brookfield identifies four lenses through which teachers can critically examine their teaching and research interpretations. By scrutinising observations through these lenses, teachers can uncover flawed or incomplete assumptions, prompting further analysis and exploration. This process helps teachers become more aware of the biases influencing their interpretations, even when they feel confident in their self-awareness and understanding (*idem*). By combining relational pedagogy with this critical lens framework, teachers can create more inclusive and empowering learning environments that prioritise collaboration, empathy, and shared understanding. This approach not only enriches the educational experience but also builds stronger, more meaningful connections between teachers and students.

However, to practise relational pedagogy the teacher needs to have professional subject knowledge and be willing to develop meaningful connections and relationships with students, Felton and Lambert (2020) clarify that meaningful connections are essential for students experiences in education especially in higher education. This situation can both have an impact on teachers workload and the growing pressures in higher education, the broader findings of increasing casualisation of academic roles and rising workloads can negatively impact on the wellbeing of teachers and the meaningful student teacher relationships. Unfortunately, consumerism views higher education as transactional rather than in relational terms, due to students being situated as consumers which drives quality. Hence the satisfied customers become an important metric for universities.

Relational Pedagogy and Inclusion in Higher Education

Defined as ‘an ethical obligation, grounded in notions of equity and social justice for all groups and at all stages of education’ (Koutsouris et al. 879), inclusion is one of the principles embedded in UNESCO Salamanca Statement and the UN (2015) Sustainable Development Goals, two of the international and global agendas. In higher education, traditionally seen as an ‘*exclusionary and elitist*’ (*idem* 879) space, the notion of inclusion has become more predominant due to internationalisation, diversification and promoting the wider participation in the last decades. The latest social and political movements, such as Black Lives Matter, decolonisation of the curriculum and #MeToo have led to a more influential narrative around inclusion agenda in all spheres of societies, including higher education.

Koutsouris et al. consider that ‘inclusion relates more generally to society and economy than just education – with inclusive education being the translation of inclusion values into education’ (880). Thus, inclusion can be discussed from different lenses, starting with the model of disability (see UNESCO Salamanca Statement, 1994), continuing with ethical requirements and finishing with values such as democracy, respect, social justice, equity. In educational process, all learners should have a place, therefore, it is important to see how inclusion is translated into practice.

Gravett et al. discussed about the importance of teachers recognising the ‘*micro-moments of learning and teaching*’ in order to identify and further ‘*foster more ethical ways of working and to seek to create more affirmative relationships in higher education*’ (14). The process of teaching and learning will not be possible without inclusion, seen not just as a policy requirement but reclaiming the equity in supporting students in the process. Relational pedagogies rely on principles of mutual respect, shared values and democratic dialogue, that would foster a strong partnership in co-creating knowledge and learning. Inclusion and relational pedagogy are therefore intertwined and hard to be defined separately as they are governed by similar principles.

In summary, applying these principles, teachers not only address systemic barriers within higher education but also model the relational skills necessary for students to navigate a multicultural and interconnected world. This transformative approach makes higher education a space where all students,

regardless of their background, can find relevance, connection, and empowerment. Relational pedagogy strengthens connections in higher education through trust, engagement, collaboration, belonging, reflexivity, and inclusivity. It underscores the power of relationships in fostering meaningful and transformative learning experiences

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ECOEUROREGIONAL MODEL ANSWERING COMMON CHALLENGES OF GREEN DEAL, 3 SEA INITIATIVES AND EU STRATEGY FOR DANUBE REGION

Zinoviy BROYDE

<https://orcid.org/0009-0004-9032-3352>

Chernivtsi Regional State Administration, Ukraine

Abstract

Promoting Sustainable Territorial-Resource and Spatial-Security Development in Ukraine Centre “EcoResource” provides Transborder Cooperation directed to balancing economic growth with environmentally sound “Circulatory Development” in pilot UA-RO-MD Euroregion “Upper Prut”, including EcoEuroRegional model for Carpathian – Danube -Black Sea area, answering European Green Deal and more general macroregional Green Banana zone for Central-Eastern Europe embodied in the Three Seas Initiative (3SI) accordingly to common Statement of Presidents of Ukraine and Moldova of 12.01.2021.

It needs proper coordination on intergovernmental level and with EU institutions based on Geo-Spatial Information Systems (GIS) demonstrated by the largest RO-UA-MD LSP “EAST AVERT”. For the new TEN-T corridor “Baltic – Black Sea – Aegean Sea”, approved by the EU on 22.12.2023, we propose more capacity and multimodality environmentally friendly solutions along the entire life cycle of the construction and operation of transnational & local transport systems. This will make possible to attract funds from European programs to ensure Mobility, Green Energy and other elements of Green Infrastructure, as well as using most suitable forms European Grouping for Territorial Cooperation (EGTC), creating new jobs and stimulating local economy. implementation of forecasting, planning and design systems, including environmental monitoring, based on GIS & best available technologies (BAT). Simultaneously they will stimulate more active involvement of Ukrainian and Moldavian municipalities and communes into EU mainstream Next Generation and Just Transition facilities.

Keywords: Mobility, Green Energy, TEN-T corridor, transborder cooperation, Three Seas Initiative.

This paper is aimed to summarize presentation & discussions on the International Conference “Universitas Europaea: Towards a knowledge-based society through europeanization and globalization” in Chişinău on 16.10.2024, as well as - following deliberations in CFR Călători Iaşi next day and on the RO-UA-MD Forum in Iaşi 25.10.2024, which partly are reflected by Moldova Invest and.

Centre “EcoResource” promotes Sustainable Territorial-Resource and Spatial-Security Development in Ukraine and for Transfrontier Cooperation with neighbors & EU countries. This activity is aimed to balance economic growth with environmentally sound “Circulatory Development”. Since the first years after USSR “destroyka” such developments were initiated for the Carpathian – Danube – Black Sea area, basing on the core decisions of the Rio-1992 World Summit on Sustainable Development, UNECE AGTC-1991 Multimodal Transportation & CoE CEMAT Spatial Planning principles and also on Centralized-Decentralized Energy Life Cycles vision, as well as on multidimensional understanding of nowadays Security issues.

After their initial canvasses in 1993-1994 with USA, France & EU VIP-missions and taking into consideration experience of participation in establishing of the euroregions “Carpathian”, “Bug”, “Lower Danube” and “Criş – Mureş -Tisa”, the integrated Trans-territorial Cooperation approach as the key interior & international cohesion element both for Regional Development and for European & Euro-Atlantic Integration, was embodied in the pilot UA-RO-MD Euroregion “Upper Prut”.

This approach has been supported on the highest level by the bilateral and multilateral Summits, e.g. in Izmail (1997), Chişinău (1998), Chernivtsi (1999), CEI Summit in Budapest (2000). It also includes new EcoEuroRegional model for Carpathian – Danube -Black Sea area, answering today main aims of European Green Deal. And it was manifested in 2001 by CEI special WG meeting in Warsaw and in Declaration of the Bucharest Summit “Environment & Sustainable Development for Carpathian – Danube Region” of 30.04.2001(which initiated further establishment of the Carpathian Convention & EU Strategy for the Danube Region), as well as by UA Presidential Decree of 25.05.2001. On this ground, after discussions in the frameworks of the UA Prime-minister A.Kinah visits to Chişinău and Bucharest, President of Romania formulated the main strategic objectives through visit to Kyjv.

Basing of these developments and appropriate decisions of the Council of the Euroregion “Upper Prut” and common appeals to the Presidents & Governments. It was elaborated more general macroregional vision of the Central-Eastern European development Green Banana zone (following previous EU enlargement in Blue

Banana for Western Europe and Red Banana for Central Europe). This general vision, which further was proclaimed by the EU Council for Baltic & Danube macroregional strategies, today practically embodied in the Three Seas Initiative (3SI).

On this ground on 12.01.2021 Presidents of Ukraine and Republic of Moldova proclaimed in their common Statement between main joint aims: “to achieve strategic goals of our states as regards full membership in the EU and being part of the Three Seas Initiative”, which first stages were achieved in a 1,5 year. Therefore, answering nowadays War and systemic Global Energy, Food, Mobility and Climate crisis challenges, it’s necessary to multiply efforts for proclaimed in the Statement “cooperation and gradual sectoral integration in the areas of digital economy, energy, transport and environment, launching new infrastructure projects, facilitating transit & transportation and further cooperation in the energy sector in order to strengthen energy security in the region”.

But absence of proper coordination on intergovernmental level and with EU institutions still doesn’t allow to realize any of such multilateral strategic project. Some success was demonstrated by the first steps to Geo-Spatial Information Technologies (GIS), which were made for pilot implementation of wide spectrum of prognosis, planning and risk management goals in the framework of the largest RO-UA-MD Flood Risk prevention & Water Management project (LSP EAST AVERT). On the same cause – lack of coordination – its continuation is still very vague.

Main roads (e.g. new A7 along historic Moldova) and parallel railways passing Euroregion “Upper Prut” are the key elements of the new TEN-T corridor “Baltic – Black Sea – Aegean Sea”, approved by the EU on 22.12.2023. They are also crucial for the implementation of the European Green Deal in our area, answering essential objective set by Commissioner A.Vălean on 11.12.2019: “As part of the EU Green Deal our aim is to move a significant part of the inland freight done by vehicles to rail and inland waterways. More capacity and multimodality solutions are needed”.

It is important that large-scale infrastructure projects, such as the mentioned A7 highway are developed in line with Sustainable Development principles, integrating environmentally friendly solutions along the entire life cycle of the construction and operation of these transport systems.

The need for environmentally friendly development of such multimodal connections in the 3SI space should be satisfied by the Strategic Environmental Assessment (SEA) and Environmental Impact Assessment (EIA) with compulsory transborder consultations, foreseen by international and national legislation, they will help to minimize environmental risks for aquatic ecosystems, fauna, etc., including the rehabilitation of areas affected by construction.

Also, the transition to transport technologies that comply with the European Green Deal will make it possible to attract funds from European programs to ensure electric mobility of transportation, the development of green energy and other elements of Green Infrastructure.

Simultaneously, the intensification of goods and passenger (touristic) flows promotes development of relevant services, the construction industry and economic clustering, strengthening the internal unity of all our countries. At the same time it will crucially affect inter-territorial cooperation with the regions of EU, as well as other interested counties (e.g. Türkiye) in the Baltic – Mediterranean area using most suitable forms European Grouping for Territorial Cooperation (EGTC).

Thus, the development of modern transport infrastructure contributes to the creation of new jobs and stimulation of the local economy.

The EcoResource actively cooperates with local and regional authorities, as well as with State and International structures to promote environmentally-directed infrastructure development.

The basic approach is the utilization of already mentioned Geo-Information Technologies (GIS) and the exchange by Geo-Spatial Information between distributed databases. This approach is the most promising for joint planning, design, construction and life support of territorial development, including national and transboundary environmental monitoring and interaction for emergency situations. For instance, trans-territorial collaboration, using such toolkit and EGTC potential, has to be utilized not only for cooperation along new TEN-T corridor, but also for common river basins, e.g. Prut and Dnister/Nistru.

EcoResource was one of the initiators and creators of the pilot Euroregion “Upper Prut” elaborated vision of systemic sustainable development and greening of transport, energy and water systems as the main priorities. Since the formation of the “Upper Prut” in 2000, EcoResource ensures the functioning of its Working Commission on Technogenic and Environmental Safety, Environment Protection, Sustainable Development and EcoEuroRegion issues. The Council of the Euroregion and its Working Commissions interact with the central authorities of the states. For instance, in the meeting of the Council on 29.05.2010,

when our 3 countries joined the EU Strategy for the Danube Region, were participated Minister of the Cabinet of Ministers of Ukraine and 4 State Secretaries from key ministries of Romania.

One of the goals of the EcoResource Center is the implementation of forecasting, planning and design systems, including environmental monitoring, based on GIS. With their help, such parameters as air, water and soil quality are integrated into the systems of state and municipal management and interaction with civil society, combining long-term forecasting, monitoring of impacts on nature and human health with planning of appropriate corrective actions.

In the long term, mentioned developments can contribute to the transition to a circular economy, where resources are used optimally and sustainably, thereby reducing waste and pollution by revealing & implementation of the best available technologies (BAT). Simultaneously they will stimulate more active involvement of Ukrainian and Moldavian municipalities and communes into EU mainstream Next Generation and Just Transition facilities.

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INTERNATIONALIZATION OF HIGHER EDUCATION AND THE ROLE OF VIRTUAL INTERCULTURAL EXCHANGE

Valentina CIUMACENCO

<https://orcid.org/0000-0003-4936-0659>

Free International University of Moldova (ULIM), Chisinau

Abstract

In response to the pandemic, higher education institutions (HEIs) have increasingly embraced virtual exchange (VE) as a key tool for internationalization, particularly as traditional study abroad opportunities were limited. VE has expanded access to global learning experiences, helping institutions maintain their international connections. Given the rapidly evolving workforce demands, this article argues that HEIs should prioritize VE as a core institutional strategy for enhancing teaching and learning, while fostering global competence as part of their commitment to student success. VE offers all students the opportunity to develop essential 21st-century skills -such as teamwork, digital literacy, global engagement, and intercultural competence - that are critical for thriving in today's interconnected world.

Keywords: internationalization, virtual exchange, higher education, digital transformation, collaborative learning, global citizen, intercultural competency

The world is constantly evolving, and discussions about change and transformation are always relevant throughout human history. However, in recent years, a series of significant events have triggered profound shifts, particularly in higher education and, more specifically, in the internationalization of higher education. Some of these events were sudden and unexpected, while others were more predictable. The impacts of these events varied - some were intense but short-lived, while others were more gradual yet enduring. What makes it especially important to discuss the future of internationalization now is that these events occurred within a relatively short timeframe and their effects are deeply interconnected.

In the past few years, five major factors have notably influenced the internationalization of higher education: the COVID-19 pandemic, digital transformation, the global push for sustainable development, shifting geopolitical dynamics, and evolving societal demands. These factors are so intertwined that it is nearly impossible to address one without referencing the others. While much has already been written about the COVID-19 pandemic and its impact on internationalization, there is no need to revisit the entire debate here. However, three years after the pandemic's onset, as the global health situation stabilizes, it's important to highlight that many disruptions to internationalization were temporary, and most activities have since resumed. For example, student mobility has returned to pre-pandemic levels in many countries (IAU Horizons). That said, the return to "normal" does not mean everything is exactly as it used to be. The pandemic led to long-lasting changes, and even when things appear to be returning to their former state, subtle but significant differences remain. One such change is the evolving rationale for internationalization. While the economic incentive of recruiting international students remains strong, the pandemic has also fostered new global partnerships and promoted innovative educational models, such as virtual exchanges and Collaborative Online International Learning (COIL). These approaches have placed greater emphasis on "internationalization at home" in many institutions. Additionally, virtual communication tools have transformed how students and higher education institutions interact, further reshaping the landscape of international collaboration.

Virtual exchange has been defined as "a practice, supported by research, that consists of sustained, technology-enabled, people to people education programmes or activities in which constructive communication and interaction takes place between individuals or groups who are geographically separated and/or from different cultural backgrounds, with the support of educators or facilitators" (EVOLVE). It is based on the assumption that bringing students into contact through structured curriculum, it offers them the possibility to develop intercultural and linguistic competence as well as a variety of soft skills that are fundamental to participating in a globally interdependent world. There are some models of virtual exchange that have been developed in foreign language education over the last two decades, where it is more commonly known as "telecollaboration" (Belz) or "online intercultural exchange" (Dowd et Lewis).

Second language acquisition has long held that conversational interaction facilitates language acquisition as it connects input (what learners hear/read) and output (what they produce) through negotiation of meaning and adjustment (Long 419).

Foreign language learners are generally motivated by the need to achieve communicative fluency, which requires interactions with others. Therefore, a perceived lack of progress in communication skills

contributes to decreased motivation (Busse et Walter 445). While traditionally interactions involve communication with the teacher and peers within the classroom, the development of online classroom, opened up more opportunities for interactions outside the class. According to Mackey and Gass, Computer Mediated Communication has the potential to promote learning as it amplifies “opportunities for students to pay attention to linguistic form as well as providing a less stressful environment” (63).

Learning involves fusing existing states of understanding with understandings brought by others through dialogue in order to enlarge their interpretative repertoire and to fuse their current understandings with new possibilities. Language is not then simply a tool for learning in the Vygotskian sense but also part of a mutual process of making sense of each other’s contribution (the subject matter) and at the same time each other (the person). Scarino and Liddicoat (2016) argue that language learners are interpreters in multiple senses as they are interpreters of a new linguistic and cultural meanings and also interpreters of the experience of learning itself (*apud* Liddicoat 2020).

In terms of intercultural communication and constructive engagement with divergent worldviews, the great potential of virtual exchanges is seen as presenting an alternative application of communication technologies to foster the building of positive relationships across cultures and engagement with people from a wide range of backgrounds. It is also recognized as a means of developing transversal skills such as intercultural communication, teamwork, problem-solving, foreign languages, which are seen to be fundamental for employment. Yet virtual exchange is no panacea: the design and implementation of virtual exchange projects requires time, resources, experience and support.

The European Union supports multilingualism as part of the cultural heritage of its citizens and nations, and has developed a number of policies supporting multilingualism, based on shared beliefs about the benefits of a multilingual and linguistically diverse society.

Under the European policy, virtual exchange it is not seen as a replacement for student or youth mobility, but rather as a complement, since it fosters exchanges of all kinds and interaction among participants, facilitates students’ international learning and stimulates the development of language skills.

While the focus on international mobility of students remains, and is likely to remain high, the pandemic clearly demonstrated that technology and online interactions can serve as a highly effective complement - and, in some cases, even a viable substitute - for physical mobility. This experience has changed the landscape permanently, enriching internationalization options by leveraging the growing potential of online resources and teaching methods. As digital content and pedagogical approaches improve, offering truly interactive and engaging experiences, virtual exchange can effectively support diverse learners. This shift, coupled with ongoing efforts to internationalize curricula, could significantly expand access to international education, making it available to a broader range of students worldwide.

At the same time, the pandemic and the rise of digital technology have opened up new avenues for academic cooperation and exchange, while also catalyzing a shift away from the competition - driven model of internationalization that dominated the past two decades. Movements such as “Internationalization at Home”, “Internationalization of the Curriculum”, “Comprehensive Internationalization”, and “Internationalization for Society” are pushing for a broader, more inclusive vision of internationalization -one that extends beyond the small percentage of students who are mobile to include all learners, regardless of their ability to travel.

Technology has thus played a pivotal role in the internationalization of higher education (IHE), facilitating virtual exchange, cross-cultural interactions, and global collaborations without the need for travel, while creating new opportunities to further integrate international perspectives into academic life.

Virtual internationalization has become crucial for institutions seeking to enhance global engagement and educational opportunities.

In this context, the experience of the Free International University of Moldova and the University of South Florida St. Petersburg (USA) in launching a virtual international collaborative research project during the spring semester of 2022 offers valuable insights. Students from both partner institutions participated in joint classroom sessions and small group discussions, utilizing technology to engage effectively. As part of the project, students presented their research posters at conferences in both the USA and Moldova and published their findings in academic journals. The project, a comparative legal research assignment, was integrated into a course on U.S. Constitutional Law, specifically focused on "U.S. Constitutional Law" and "Civil Liberties and Civil Rights." In line with UNESCO's 2024 guidelines, the traditionally U.S.focused curriculum was adapted to provide students with a broader perspective on human rights issues by comparing frameworks in the U.S. and Europe, while also collaborating with international partners.

This partnership offered an opportunity to assess how students developed key global citizenship competencies, such as enhanced intercultural communication skills and a greater appreciation for diversity,

through their participation in the project. The impact of the global engagement initiative was evaluated using anonymous student surveys and qualitative review of students' written reflections.

The findings indicated that students who took part in the project not only honed their research and writing abilities but also learned how to work effectively in teams, improved their oral and written communication skills, gained a deeper understanding of the course content, and enhanced their time management skills. Furthermore, students developed greater intercultural awareness, cultivated respect for diversity, and gained insights into the culture, country, language, and traditions of their international peers. By creating this global classroom experience, the project effectively internationalized the curriculum and enabled students to build meaningful relationships with classmates overseas (McLauchlan 3).

Creativity is the limit, and there are now accessible resources that were previously unavailable. New cooperation initiatives that connect regions and global actors have emerged.

The need to balance virtual and in-person activities is becoming increasingly important. Universities need to find ways to provide engaging international experiences. A paradigm shift in IHE is needed to align with sustainable development and promote greater equity with equal opportunities, particularly for those with fewer resources or no online access. Universities must actively create opportunities for underrepresented and marginalized groups to participate in international programs. They also need to recognize the role of internationalization in addressing pressing global challenges such as climate change, poverty, and inequality.

The pursuit of sustainable development, which was significantly hindered by the pandemic, is now more urgent than ever. Too often, the relationship between internationalization and sustainable development is oversimplified, focusing mainly on student mobility and environmental protection (IAU Horizons). While these are important considerations, they represent only a fraction of the broader conversation. A growing number of higher education institutions around the world are adopting a more comprehensive approach, framing their strategies around the United Nations Sustainable Development Goals (SDGs). In this context, internationalization is increasingly seen as a tool to advance sustainable development and create a more equitable and inclusive global future.

Academia has long been engaged in discussions about how to best internationalize the curriculum to better prepare students for their roles as global citizens (Shaw 2016: 1; Lamy 2007: 112; McLauchlan 2024: 2). In fact, many universities now include the goal of educating "global citizens" in their strategic and accreditation plans.

As the world becomes increasingly interconnected and the challenges we face more urgent (Global Citizenship Foundation 2024), it is more important than ever for students to learn how to contribute meaningfully to both their local and global communities (UNESCO 2024). In support of this, the United Nations' Sustainable Development Goal 4 (Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all) includes Target 4.7 (Education for sustainable development and global citizenship), which calls on all nations to ensure that education is relevant and aligned with the need to build a peaceful and sustainable world. This goal emphasizes the importance of fostering the knowledge, skills, values, attitudes, and behaviors necessary for individuals to make informed decisions and take active roles at local, national, and global levels (Global Citizenship Education 2024).

To help prepare students for global citizenship, UNESCO recommends adjusting curricula to incorporate knowledge about the world and the interconnected nature of contemporary challenges. This includes fostering a deep understanding of human rights, geography, the environment, systems of inequality, and the historical events that have shaped current global issues (UNESCO 2024).

Education for Sustainable Development (ESD) programs aim to foster understanding, awareness, and skills related to sustainability challenges, such as environmental protection, social equity, and economic viability. Within the broader scope of ESD, three key concepts are especially pertinent to international education: (i) *social responsibility*, where students learn about human rights, social inequalities, poverty alleviation, and community engagement; (ii) *cultural diversity*; and (iii) *global citizenship*, encouraging students to recognize their roles and responsibilities as global citizens and to contribute to positive change on a global scale. The growing emphasis on the Sustainable Development Goals in primary and secondary education is also pushing higher education institutions to adopt ESD in order to meet the expectations of incoming students.

At the Free International University of Moldova, various interdisciplinary programs place a particular focus on sustainability. These programs bring together students from different disciplines to collaborate on projects that address the complex interconnections between environmental, social, and economic systems. ESD curriculum methods at ULIM emphasize collaborative learning, which helps students develop teamwork, intercultural communication skills, and problem-solving abilities. The approach also creates opportunities for leveraging knowledge diplomacy in practical, real-world contexts.

ULIM's educational programs are designed to provide a range of opportunities for cross-cultural exchange, encouraging all students to engage in learning experiences that involve deep reflection. Through this reflective process, students examine their own actions and thoughts, allowing them to synthesize their learning and integrate new insights into their personal and professional development.

With over 100 global partners, ULIM strives to foster diverse, multilateral, interactive, and collaborative learning opportunities for students at all levels of study.

Beyond formal training, which includes courses focused on diversity, equality, and inclusion, ULIM promotes intercultural awareness and understanding through its internal environment. The university hires international faculty and staff and enrolls a significant number of international students - whether for degree programs, exchange opportunities, or other mobility periods. This international presence strengthens ULIM's ability to nurture a spirit of intercultural engagement and develop the skills needed for effective cross-cultural encounters, as long as international members are thoughtfully integrated into the broader university community.

Despite temporary setbacks such as the war in Ukraine and the pandemic, today's universities are increasingly interconnected with international partners. These global connections offer a wealth of internationalization opportunities for students, faculty, and staff, and contribute to efforts aimed at easing global tensions. For instance, ULIM collaborates with universities in China through the Confucius Institute, and with universities in South Korea through the Sejong Institute, providing a wide range of internationalization opportunities. As a member of various networks and consortia, ULIM enables cross-border collaboration, knowledge exchange, and learning experiences that transcend geographical boundaries.

It is worth highlighting ULIM's most recent involvement in the TransFrontEU consortium, which includes 20 higher education partner institutions. Among these are three leading Andalusian universities: Malaga (UMA), Cadiz (UCA), and Huelva (UHU), which have come together to form a new collaborative framework. This consortium aims to expand and strengthen ties and exchanges with universities in Asia and the Eastern Neighbourhood, leveraging the geographic advantage of its border locations to foster deeper international cooperation and engagement.

The main focus of the TransFrontEU consortium is on the need to improve cross-border relations in multiple geographical areas where conflicts exist for various cultural or socio-economic reasons. From a thematic point of view, a set of working areas in the field of cross-border relations have been established, namely: Globalisation / Interculturality; Sustainable Development, including technological transformation; Governance among Higher Education Institutions; and Equality / Inclusion. This consortium is currently involved in running the Erasmus+ KA171 project: "Learning Mobility of Individuals with third countries not associated to the Programme" which provides opportunities for students, professors and administrative staff to gain academic and professional experience abroad. Our institution aligns well with the goals of this project, and we believe it will bring significant benefits to all parties involved. The key objectives - promoting dialogue and mutual understanding through staff and student exchanges, fostering synergies, and sharing best practices in higher education - are fully in line with our internationalization strategy.

Diversity and cultural sustainability are both cross-cutting principles, which feed into all collaborative actions. Embracing diversity is presented as the foundation of overcoming local and global conflict.

As a private university committed to the broader educational reforms in Moldova, we at ULIM are proud to contribute to the country's efforts in advancing the UN Sustainable Development Goals and promoting university engagement with these global objectives. A significant milestone in this commitment was reached on January 24, 2020, when ULIM became a member of the United Nations Academic Impact (UNAI) initiative. By joining this network, ULIM stands alongside 1,300 prestigious academic institutions and research centers from over 130 countries. Notably, ULIM is the only institution from the Republic of Moldova to be part of this network, which plays a pivotal role in addressing global challenges and fostering solutions through a unique international framework of dialogue and cooperation.

UNAI is a program of the Information Division of the United Nations Department of Global Communications. The purpose of UNAI is to align higher education institutions with the United Nations initiative and to create an international academic community that supports and promotes the 10 principles of the United Nations. UNAI members are committed to promoting the UN principles in the campus and in the communities, by involving the faculties, the university staff and directly the students, in the realization of the annual activities that are focused on the approach of the principles of the United Nations and the implementation of the Sustainable Development Goals. This network facilitates cooperation, intercultural and peer-to-peer learning, joint events, and the sharing of good practices for sustainable development.

What unites all members of the United Nations Academic Impact initiative, including ULIM, is a shared commitment to intellectual and social responsibility. In recognition of ULIM's role in this regard, it is worth noting that our university has been included in the World University Impact Rankings, which highlight the contributions of universities to the United Nations' 17 Sustainable Development Goals.

The Rankings measure the positive social and economic impact universities are making globally, covering areas such as climate action, gender equality, and good health and wellbeing. Unlike traditional university rankings, which focus on metrics like reputation and research prestige, the World University Impact Rankings emphasize tangible actions towards global sustainability and societal well-being.

Higher education institutions worldwide are increasingly called upon to align their internationalization strategies and activities with these global demands. As a result, issues such as diversity, equity, inclusion, and social justice have become central to the internationalization agendas of many universities around the globe.

In January 2023, the International Association of Universities (IAU) launched the sixth edition of the global survey on internationalization to gather data on these trends and transformations, Free International University of Moldova as a full IAU member contributed to this survey as a respondent (IAU Global Survey Report). The survey received replies from 722 HEIs in 110 countries and territories all around the world. It provides some answers to various questions, by investigating at the same time the realm of virtual internationalization, exploring institutions' engagement with such opportunities, both globally and regionally.

At the global level, the resonance of virtual internationalization becomes evident. 77% of the respondents affirm their institutions' engagement with virtual internationalization opportunities, while only 23% indicate non-participation. In the question that surveyed which types of virtual internationalization activities HEIs are engaged in, the majority indicated offering virtual exchanges, collaborative online international learning and online preparatory courses, but not Massive Open Online Courses (MOOCs) and online degree programmes offered by the institution to students in other countries. The most common activity is virtual exchanges (69%), and the least online degree programmes offered by the institution to students in other countries (45%).

This widespread engagement reflects the growing recognition of the value of virtual opportunities in enhancing global interactions and expanding educational offerings. The varied approaches to virtual internationalization highlight the complex interplay of institutional context, strategic priorities, and technological preparedness. Nevertheless, the overall trend indicates that virtual internationalization has become a standard practice at the majority of higher education institutions across all regions of the world.

Conclusion

As outlined earlier, the world has undergone significant changes due to the COVID-19 pandemic, digital transformation, the pursuit of sustainable development, shifting geopolitical dynamics, and evolving societal demands. In this new reality, internationalization strategies and activities must be revised and rethought.

The complexities of today's global landscape challenge us as educators to rethink traditional assumptions about internationalization, particularly regarding student mobility, and to move beyond conventional approaches. As the global economy continues to evolve, it is essential for educators and institutional leaders to recognize the value of virtual exchange as a strategic tool for preparing students for the demands of the Fourth Industrial Revolution. By embracing VE and proactively addressing social inequities and institutional barriers, higher education institutions can promote educational equity, inclusivity, and accessibility, thereby driving sustainable institutional change.

This paper has argued that universities play a critical role in engaging with virtual internationalization, fostering a sense of global interconnectedness, and cultivating intercultural competencies. Through teaching, collaborative international research, and community engagement, HEIs can nurture intercultural understanding and collaboration. These efforts will contribute to the development of global citizenship and social responsibility, both within and beyond national borders.

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SYNCHRONIZATION OF THE POLICIES AND NATIONAL RULES OF THE REPUBLIC OF MOLDOVA IN THE FIELD OF HOME AFFAIRS WITH THE REGULATORY FRAMEWORK OF THE EUROPEAN UNION

Cristina LESNIC

<https://orcid.org/0009-0007-1673-2491>

University of Political and Economic Studies "C. Stere" (USPEE), Chisinau

Abstract

The European Union is the most important economic, commercial, financial, currency and cultural center. As part of Moldova's efforts to align with European standards and prepare for accession to the European Union, the state must fulfill the Chapter 24 "Justice, Freedom and Security", which is part of the European Union's *acquis communautaire* and one of the 33 chapters addressing key EU policy areas that Moldova is expected to negotiate with each EU member country. Moldova has continued reform efforts to strengthen democracy and the rule of law despite multiple challenges.

During the last years Moldova adopted and reviewed a wide range of national and thematic development strategies in the field of home affairs such as: National Development Strategy Moldova 2030; Strategy for the Development of the Internal Affairs System for the years 2022-2030; Six Sectorial Programs for the years 2022-2025 that were revised and approved. The functional analysis of the General Inspectorate of Carabinieri was performed.

The EU-Moldova Association Agenda (2021-2027) sets the medium-term priorities for joint work towards achieving the objectives of the EU-Moldova Association Agreement. The key points of the EU-Moldova AA are: rule of law; good governance; cooperation and good neighbourhood relations; independent judiciary; legal cooperation; cooperation on migration; border management; fight against organised crime, corruption, terrorism, money laundering and illegal drugs.

On December 14, 2023, the European Council decided to initiate accession negotiations with Moldova – a historic milestone for the country, that involved synchronization of the policies in the field of home affairs with EU regulatory framework.

Keywords: home affairs, EU, justice and security, policies, synchronisation, framework, Chapter 24.

Current context of the Republic of Moldova

For several decades the Republic of Moldova oscillated between East and West, with an unpredictable process and a robust economy, after the liberalization of the visa regime for the Moldovan citizens with the EU. The benefits of visa free regime were felt by Moldovan citizens, offering them the freedom of movement in the EU space, the advantages of the Deep and Comprehensive Free Trade Agreement, initiatives and projects offered through EU funds. The Republic of Moldova has gone through different approaches in the process of realizing the various European differences, from the country that is part of the Eastern Partnership with an approach focused on the principle of "first come, first served" to new ones, with complex tasks.

The cooperation between Moldova and the EU is traced back to the Partnership and Cooperation Agreement signed in 1994. In 2004 the European Neighborhood Policy covered Moldova and the EU-Moldova European Neighborhood Policy Action Plan laid out the strategic cooperation objectives. The Association Agreement (AA) and the Association Agenda (27 June 2014) contributed to deepening the political and economic relations between Moldova and the EU.

The Budget Support Programme "Support to Police Reform (2016-2020) in the Republic of Moldova" reflected the police reform needs and was strongly interlinked with the national strategic priorities of Moldova, EU policy framework on security reform and EU - Moldova Association Agreement, that create space today to continue the synchronization of national polices to the EU regulatory framework. The Programme was engaged in supporting the police development process in Moldova and targeted mostly home affairs covered by Chapter 24 "Justice, Freedom and Security".

In the context of the implementation of the Budget Support Programme mentioned, several areas of home affairs were developed, such as: mainstreaming human rights policing; enabling secure voice and data communication network to facilitate intelligence-led policing; implementation of the anti-corruption and anti-money laundering policy and tools within the police; integration of zero tolerance to corruption in the police; women promotion and empowerment within the police system and other relevant issues, that served as a ground for more resilient system. This tool accelerated the transformative agenda in the home affairs field, after the visa free regime.

Nowadays, the Government of the Republic of Moldova is working on the EU reform agenda and on dealing with the consequences of refugee flow on its territory. It took steps to improve the transparency of decision-making and democratic accountability mechanisms.

The European Union is the most important economic, commercial, financial, currency and cultural center. Moreover, on December 14, 2023, the European Council decided to initiate accession negotiations with Moldova – a historic milestone for the country, that involved synchronization of the policies in the field of home affairs with EU regulatory framework.

Along this process Moldova faced major challenges over the last few years: the Covid 19, the energy crisis, and the mass-displaced flows of refugees following Russia's military invasion of Ukraine, which starkly exposed the vulnerabilities of Moldova.

The EU regulatory framework refers to the set of rules and regulations established by the European Union to govern various sectors within its member states or for the states who want to join the EU.

The EU Partnership Mission in Moldova (EUPM) was established on 24 April 2023 under the Common Security and Defence Policy. The EUPM has an important role for the strengthening of Moldova's crisis management structures and for enhancing its resilience to hybrid threats, including cybersecurity, and countering foreign information manipulation and interference.

The Moldova Support Platform was established as a response mechanism to the consequences and crises generated by the ongoing war in the region. The main goal is to mobilise, focus and coordinate political, technical and financial support of the international partners for Moldova.

Synchronization of the polices and national rules in the field of home affairs with EU regulatory framework

The crucial goal of implementation of all activities recognized within Chapter 24 – Justice, Freedom and Security is to enable the free movement of people, while guaranteeing their security.

This framework includes a wide range of issues starting from the European Union external borders' management, through judicial cooperation in civil and criminal matters, to the issues and areas within the fight against organized crime, terrorism, extremism, money laundering, to visa, migration and asylum issues.

Home affairs priorities integrated in the new Strategy for development of the Internal Affairs and the subsequent thematic programmes include a number of areas where EU's contribution is of utmost importance, not only for the country and institutions, but also for consolidation of the law enforcement and regional security capacities and combating cross-border crime.

There is a great potential for further EU contribution to the Home Affairs considering the new status of the Republic of Moldova in relation to EU.

Moldova adopted and reviewed a wide range of national and thematic development strategies in the field of home affairs such as: National Development Strategy Moldova 2030; Strategy for the Development of the Internal Affairs System for the years 2022-2030; Six Sectorial Programs for the years 2022-2025 that were revised and approved. The functional analysis of the General Inspectorate of Carabinieri was performed. However, the steps undertaken are not sufficient to align all national policies according to the Chapter 24.

The negotiation framework proposed by the EU for the Republic of Moldova includes a set of indicators, which highlights the merit system of the Republic of Moldova, essential contribution for providing an added value for cohesion and effectiveness, political commitment, full implementation of reforms and legislation, in specific areas of the rule of law, judicial reform, the fight against corruption and organized crime, human rights, strengthening democratic institutions, public administration reform.

The starting point, Chapter No. 24 "Justice, Freedom and Security" is part of the *acquis communautaire* of the European Union and represents one of the 6 clusters and 33 chapters that cover important EU policy topics, which the Republic of Moldova is going to negotiate with each member country of the EU. The Republic of Moldova cannot negotiate the community *acquis*, but it can agree on the transition period. One of the 6 clusters, Chapter 24 "Justice, Freedom and Security" and Chapter 23 "Justice and Human Rights" are part of the fundamental ones, along with public procurement, financial control and statistics. The field of "Justice, Freedom and Security" becomes all the more important, as the progress in this field will be evaluated and reported twice a year by the European Commission to the European Council.

Accession to the EU involves acceptance of the rights and obligations attached to the Union and its institutional framework, known as the "acquis" of the Union. Moldova will have to apply the *acquis* in its existing form at the time of accession. In addition to legislative alignment, accession implies, in particular, the effective and timely implementation of the *acquis*.

The explanatory screening process is the first step in accession negotiations. The screening process is a procedure designed to assess the state's level of progress in adopting the community *acquis*. It is carried out

jointly by the European Commission and the candidate country and refers to 33 chapters of the EU acquis. In this sense, explanatory screening in the field of home affairs took place recently. The European Union's response to the position documents of the Republic of Moldova must arrive by the end of 2024 or at the latest beginning of 2025. Until the official position of the EU is adopted, additional information or clarifications can be requested from the state in order to better understand the information and the evidence provided.

An important aspect regarding the field of justice, freedom and security, membership of the European Union implies the full acceptance, at the time of accession, of the entire acquis in this field, including the Schengen acquis. Chapter 24 "Justice, Freedom and Security" is closely interdependent with the "Fundamental Values" Chapter, and depending on the progress achieved, it can influence the speed of the negotiations.

This explanatory screening is an important one, because each chapter that is to be opened for negotiation when the European Union will consider that the Republic of Moldova has reached a minimum level of adoption of European legislation in the field. The negotiation process refers to the adoption by the Republic of Moldova of some regulations similar to the European ones and the presentation of a detailed program of the adoption of the entire acquis in the field.

In order to carry out the accession process of the Republic of Moldova to the EU, the national authorities must draw up and send to the EU a position document or a roadmap corresponding to each negotiation chapter. Through the Position Papers (roadmap), in the field of home affairs, the progress achieved in the adoption and implementation of European legislation is to be understood, as well as the calendar for the continuation of the process of legislative or policy approximation with the acquis, through synchronization. The practice of other states that have gone through similar EU accession processes, provide for two situations in which, on certain subjects and due to objective circumstances, either "transition periods" (postponement for a limited period) or "derogations" (non-imposition of in practice of certain regulations on the territory of the Republic of Moldova), which they would later negotiate with the European Union. These transitional measures could be accepted by the EU provided that they are limited in time and scope, and are accompanied by a plan with clearly defined stages for the application of the acquis. Or, such measures related to the field of home affairs related to an unresolved conflict on the territory of the country can be one of the practical situations.

We can observe that the Republic of Moldova aims to accelerate and intensify preparations for accession to the European Union, here referring to the establishment of a new governmental structure responsible for accession to the EU - the Office for European Integration, the organization of the first intergovernmental conference between the Republic of Moldova and the EU in the context of the accession process, which will provide policy guidance and a forum for policy dialogue on the reform process.

The EU accession strategy and vision, accompanied by roadmaps, are extremely important to succeed. The preparation of accession negotiations for the field of home affairs also involves decisive measures to combat IT threats, protect the fundamental rights of citizens, strengthen resilience for security, public order and the rule of law, overcome legal, organizational or resource-related challenges. After the legislative alignment, an important role belongs to the capacity of implementation, taking into account the complex security environment, which requires that law enforcement institutions and those in the security sector of the Republic of Moldova be better prepared to be able to deal with border security.

The legislation of the Republic of Moldova is partially aligned with the EU acquis in the field of home affairs, although law enforcement authorities are strengthening their fight against organized crime with the support of EU bodies such as Frontex and Europol, Cpol, or through the EUBAM Mission. Although certain achievements have been registered in the field of policy documents, through the adoption of the Strategy for the Development of the Internal Affairs System for the years 2022-2030 and the 6 sectoral programs, but those acts need to be constantly monitored to observe the level of implementation.

Modernizing border management, improving infrastructure and optimizing processes in response to hybrid threats are current challenges to which the Republic of Moldova must intervene with solutions transposed into policies, legislative acts and applicable tools. The subject of financing the reforms is an essential issue to speed up the processes. Bringing national surveillance systems closer to the European Border Surveillance System (EUROSUR) will improve information exchange and international cooperation.

Preventing, fighting and investigating criminality is an extremely important subject for being part of the European family. For the EU, the field of organized crime must not be profitable for criminals, and the state must be very adept at intervening and adopting policies and tools, even when criminal organizations will try to avoid the law. Moldova is a party to a series of international treaties that engaging in combating transnational organized crime.

In the field of financial crimes or money laundering, the Republic of Moldova should make substantial efforts regarding effective beneficiaries, access and exchange of information regarding their transactions and

accounts, access to financial information, exchange of information, recovery of criminal assets, rules and procedures for investigations parallel finances.

From another perspective, cybercrime that threatens national or EU security become an interest in synchronizing policies with the EU regulatory framework. Likewise, online sexual abuse and exploitation, human trafficking, arms and ammunition trafficking, drug trafficking are other essential priorities on the agenda of legislative approximation and the application of EU standards. The creation of the early warning system is one of the measures that must be found in the regulatory framework and at the level of applied standards. In this context cooperation with EU agencies, such as the EU Drug Agency (EUDA) can be an opportunity.

According to Ministry of Internal Affairs (MAI aproape de UE) and in line with the Chapter 24, the biggest number of actions related to home affairs are 32 actions (combating organized crime), 15 actions (community security), 19 actions (integrated border management), 16 actions (integrated migration management), 9 actions (IT processes).

Another key sector is aimed at preventing and combating terrorism and radicalisation. Consolidating critical infrastructure is crucial to being resilient.

International police cooperation and judicial cooperation are an indispensable part of Chapter 24 and Chapter 23. Information exchange and participation in EU projects are important. Cooperation within Europol, Frontex or EMPACT are just some of the tools that allow the expansion of cooperation in the field of internal affairs.

An element of stability for human safety and national and European security cannot be conceived without a reliable migration and asylum system, especially in the context of the influx of refugees hosted in the Republic of Moldova. Given that the beneficiaries of various forms of international protection are found in the Republic of Moldova, the state must offer strong and friendly policies on the one hand, and be a guarantor of national and international security on the other hand. Hosting capacity influences the security system, especially in the context of a legal pathway to long-term integration or reintegration. Another aspect, illegal migration and readmission is a process that the EU monitors and has expectations that the citizens of the Republic of Moldova will comply with the rules of stay and will not serve as a crossing point to reach the EU for other non-EU citizens. Thus, the visa system, the visa information system, travelers, travel documents, other aspects are part of the internal affairs system that must be in accordance with EU standards and EU values.

Combating corruption in the field of home affairs and justice is anchored in the desire to ensure a sector of security, freedom and justice suitable for EU aspirations. The role of integrity and membership of strong and credible institutions is the foundation of EU membership.

Therefore, joining the European Union, the Republic of Moldova will assume certain obligations that must be strictly respected towards the European community, a fact that is reflected in the practical activity of the state and its institutions.

The key challenges in the EU accession process are multiple, from the way when the accession vision is accepted, understood and shared to the mobilization of the institutions to achieve this process, the human and financial resources, the capacities and the critical infrastructure developed.

Correlating these key challenges with the trends of moving closer to the EU, it is vital and strategic that the map of the benefits of EU membership is well explained and understood within law enforcement institutions and outside them, communicated correctly and understood by citizens who can contribute, the creation of a fair and credible dialogue with the civil society and the academic environment that can support the realization of the EU accession roadmap.

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PROMOTING THE WOMEN PEACE AND SECURITY AGENDA IN THE REPUBLIC OF MOLDOVA THROUGH STRATEGIC COMMUNICATION

Elena MĂRZAC

<https://orcid.org/0009-0009-5606-8630>

State University of Moldova, Chisinau

Abstract

UN Resolution 1325 emphasizes the importance of women as central actors in building sustainable peace and security. The WPS Agenda aims to create an inclusive framework in which both women and men actively participate in decision-making processes related to peace and security. In the current context of a complex information environment, the implementation of the WPS Agenda requires the identification of sources of misinformation and dominant narratives for a proper assessment of communication and influence capacities, along with an efficient allocation of resources to combat them. In the Republic of Moldova, the National Program for the Implementation of Resolution 1325 for the period 2023-2027 is a major step towards the integration of women in the security and defense sector. To implement these policies effectively, profound changes in social mentality and institutional structures are needed. The success of the WPS Agenda in Moldova depends on the strong commitment of the authorities, the support of the international community and the active involvement of civil society. In order to achieve the desired results, strategic communication needs to be tailored to Moldova's security context, taking into account hybrid threats, regional conflict and gender discrimination, thus contributing to a more peaceful, inclusive and resilient society. This article explores the relevance of the Women, Peace and Security (WPS) Agenda in the Republic of Moldova, highlighting its benefits for effective security sector governance, the current challenges in promoting gender equality in the security sector, and the essential role of strategic communication in the effective implementation of the WPS Agenda.

Keywords: strategic communication, UN Security Council Resolution 1325, Women's Agenda, peace and security, Security Sector Reform (SSR), stereotypes, the Republic of Moldova

Introduction. In the context of an international security environment characterized by active conflicts and the use of hybrid warfare instruments, human rights violations, the use of violence, especially gender-based violence, refugee rights, the need for security sector reform in the Republic of Moldova to address these challenges and good governance of the security sector arises, the need to integrate a gender perspective in all aspects of security and to promote the wider involvement of women in this field is recognized, in line with UN Security Council Resolution 1325 (2000). The agenda plays a key role in achieving the goals of conflict prevention and sustainable peace (A Security Sector Governance Approach to Women, Peace and Security). Accordingly, the international community and national decision-makers should have common, mutually reinforcing PSF and security sector governance in both policy and sector strategies, implementation processes and structures, as well as in monitoring and oversight (United Nations Security Council Resolution 1325).

UN Resolution 1325 promotes women as central actors in building sustainable peace and security. Security sector reform in the Republic of Moldova is a process aimed at strengthening the effectiveness of security institutions, as well as promoting democracy, transparency and accountability. The Women, Peace and Security Agenda aims to create a more inclusive framework in which both women and men actively participate in decision-making processes related to peace and security.

According to UN research, countries that promote gender equality are less likely to resort to internal or external violence. The symbolic involvement of women in the security sector is also a significant problem, both in Moldova and globally (REPORT on gender equality in EU foreign and security policy). According to research conducted by international organizations such as the Institute for Security Studies and the United Nations, many of the initiatives aimed at integrating women into security and peace processes are limited to formal participation, without giving them a real and substantive role in decision-making. The Global Study on the Implementation of Resolution 1325 (2015) emphasizes that while progress has been made in women's presence in armed and security forces, they are often placed in administrative or symbolic roles with little impact on security policies. The UN Women report also indicates that women's participation remains at the level of 'presence' rather than influence in many security structures, marginalized in critical decision-making processes.

The 2020 OSCE Report on Gender and Security shows that women's symbolic involvement has limited effects on security sector reform which shows that women's symbolic involvement has limited effects on security sector reform and does not lead to significant changes in gender equality. This contributes to

perpetuating gender stereotypes and underestimating women's ability to contribute to national and international security (Annual Report 2020).

In recent years, global attention on gender issues and the role of women in the security and justice sectors has intensified (Implementing the Women, Peace and Security Resolutions in Security Sector Reform). Gender balance has improved in many institutions, with women in leadership positions and more robust oversight mechanisms to combat gender discrimination, harassment and abuse.

In the Republic of Moldova, national security and defense policies have traditionally been formulated from the perspective of conventional threats to the country's independence, sovereignty and territorial integrity. These state-centric policies have often neglected human security aspects and fundamental human rights, including the rights of underrepresented or marginalized groups in society. The lack of a people-centered approach in the security and defense sector particularly affects women, who are frequently excluded from decision-making processes related to peace, security and defense. This exclusion ignores women's unique experiences and perspectives, resulting in policies that do not respond to their specific needs and do not value their contribution.

With the deepening of relations with the European Union (EU) and the start of accession negotiations, the Republic of Moldova has made commitments to respect the fundamental rights of its citizens, including gender equality. Security Council Resolution 1325 - is one of the focus areas of the European Union's (EU) most recent Gender Action Plan (GAP III) (How the women, peace and security agenda is integrated into the EU's gender action plan). It is expected that the inclusion of women, peace and security as a thematic area in its own right will allow for a more holistic EU approach to gender equality and complement the efforts of some EU Member States that have adopted feminist external policies.

As a result, the EU and the Republic of Moldova will exchange best practices in implementing commitments on women's peace and security. They will continue to work closely together to ensure gender equality as a political and security priority and to strengthen joint responses to current and evolving security and geopolitical changes (Security and Defense Partnership between the Republic of Moldova and the European Union). According to research, 7 out of 10 people believe that women actually want family fulfillment, even though they may have a job, according to the 2024 Perceptions and Attitudes towards Equality survey. Currently, about one-quarter of the Moldovan population believes that only men should work in security institutions (Lucru în progres. O analiză a percepțiilor generale despre reprezentarea femeilor și bărbaților în sectorul de securitate și apărare). These stereotypes become more pronounced in the case of some institutions, such as the General Inspectorate for Emergency Situations (IGSU) - 40.8% and the Army - 32.7%. The lack of women's full participation at all stages of discussion and decision making leads to a diminished feminist vision of national security and defense, ignoring women's security and defense needs and the inability to realize their professional potential, advance in their careers and contribute to the dialogue.

The key element of the information environment in the Republic of Moldova for the formation of a framework in which Resolution 1325 can be implemented is the interconnectedness of the media, social media, access to information, external influences, the political context and the role of civil society. In the current information environment, an essential role in the process of implementing the WPS Agenda is to identify the sources of disinformation and dominant narratives for an accurate assessment of the capacities to communicate and influence public opinion and public policy, and to allocate resources effectively to counter and annihilate them. Communication on Agenda 1325 occurs place on four levels: public institutions, international institutions, civil society and the media. The first three provide content, while the media, according to the comments, distribute the information provided by the institutions.

Historically, women in Moldova have faced substantial barriers to meaningful participation and leadership in the economic, social and political spheres. Although Moldova has made significant progress in gender equality and women's empowerment in recent years, particularly in terms of political participation, Moldovan women continue to face major challenges, including discrimination and high levels of domestic violence and sexual abuse. These difficult conditions are caused by widespread patriarchal attitudes reflected in public perceptions of women's roles. A 2018 Moldova Gender Barometer survey showed that 38.3% of men and 29.4% of women believe that women are afraid to take on major responsibilities. Such attitudes are present on both sides of the Dniester. In a 2019 gender survey conducted in the Transnistrian region, 25% of men agreed that the main obstacle to women's participation in politics is their inability to make decisions because of their gender.

The National Action Plans on WPS Agenda, implemented since 2018 with the support of UN Women and NATO, aim to increase women's representation in all security and defense sectors, improve mechanisms to prevent violence, and facilitate the equal involvement of women and men in all stages of conflict resolution. Despite regressive attitudes towards women's leadership, women in Moldova have made significant progress

in political representation due to legal provisions. With the reintroduction of a double quota system in 2019, which requires women to represent at least 40% of the top ten positions on a party's candidate lists, women won 40.6% of parliamentary seats in 2021. Data shows an increase in the number of women participating in local elections in 2023, with women winning 24.1% of mayoral positions, a 2% increase from previous elections (Womens inclusion in peace processes: global lessons for Moldova).

The Republic of Moldova launched on March 22, 2023 the second Action Plan to implement this resolution. However, the need for this Resolution continues to be debated on the public agenda, reflecting concerns about the relevance and impact of its implementation. The Government of the Republic of Moldova has taken the decision to develop an NPA based on the commitments undertaken in the Individual Partnership Action Plan (IPAP) Republic of Moldova - NATO for the years 2014-2016 and 2017-2019. An Action Plan strictly for the implementation of the UNSCR 1325 on Women, Peace and Security was adopted in 2018 with the approval of the National Program for the Implementation of the UN SC Resolution 1325 on Women, Peace and Security for the years 2018-2021. This was the first instrument establishing the implementation actions, expected results and indicators for the implementation of UNSCR 1325 at the Government of the Republic of Moldova and national levels.

The Second National Program for the implementation of UNSCR 1325 (2023-2027) represents a significant step towards the integration of women in the security and defense sector. However, public communication on the WPS Agenda remains fragmented, limiting the clarity of its objectives and results. The lack of a well-defined and proactive narrative reduces the understanding of the positive impact that the WPS Agenda can bring to the empowerment of women and society as a whole. To achieve the desired results, strategic communication must address Moldova's specific security context, including hybrid threats, regional conflict and gender-based discrimination, thereby promoting a peaceful, inclusive and resilient society.

The role of strategic communication in the implementation of the WPS Agenda

Strategic communication is a sum of coordinated actions, messaging, images and other forms of signaling or engagement to inform, influence or persuade selected audiences in support of national objectives is one of the ways in which the WPS Agenda can be promoted and raised awareness in society. It can empower citizens in a sustainable and strategic manner and strengthen cooperation and cohesion in the realization of strategic goals at governmental and societal levels. The WPS Agenda needs to be promoted in a systemic and diverse way and multiple ways of impact need to be identified to address existing stereotypes. Strategic communication (StratCom) contributes to the success of actions in public policies, strategies, namely: strategies and plans in ensuring that policy/project actions are realistic, appropriate to the security and information environment, cultural, social and political conditions, effective perceptions through awareness and understanding between members/partners of the strategies/program and their beneficiaries (Albu 6).

The lack of clear strategic communication amplifies gender stereotypes and inequities, perpetuating the idea of under representation of women in the security and defense sector. Strategic communication is crucial to the successful implementation of the WPS Agenda. A clear, proactive and well-crafted narrative is needed to explain to the general public, as well as to institutional actors, the importance of women's involvement in the security and defense sector.

Strategic communication should aim at:

- Raising awareness about the role of women as decision makers and agents of change;
- Overcoming harmful stereotypes by promoting successful role models and examples of good practice;
- Creating an open dialog with civil society to get feedback and adjust policies accordingly.

Strategic communication as a process ensures coordination and consolidates specific target groups (women and men in the security system, the general public, youth, etc.) around a common narrative on the role of women in peace and security processes. At the level of institutions (ministries, armed forces, police), StratCom is an organizational development strategy tool that answers questions such as "why do we need women in the armed forces", "how do women and men contribute jointly in the security sector", "how is human security ensured by the Ministry of Interior", "how the Agenda will raise awareness of the importance of "what are the benefits of women's participation in peace enforcement", "how do we encourage women to engage in police bodies, armed forces, internal affairs, peacekeeping missions including/especially in decision-making positions" etc.

The importance of strategic communication in the successful implementation of the WPS Agenda

Communicating and explaining the purpose of activities and decisions taken is the obligation of democratic governments and is an indicator of good governance. Just as strategic communication is aimed at "winning hearts and brains", one of the main purposes is to contribute to the positive image of the security sector, counter stereotypes and gain support for the actions taken by the institutions, including gender issues.

Institutions implementing the NAP should analyze lessons learned and best practices in the area of training and capacity building on gender mainstreaming. The experiences shared by male champions and female role models are particularly useful in promoting change in society. Finally, relevant institutions and civil society should regularly research the perceptions of women and men in the sector in order to gain a better and more up-to-date understanding of the topic. The information resulting from this research should serve as the basis for action plans, policies and other activities Strategic communication concepts to promote the WPS agenda (which will approach communication in a strategic way, promoting not only the objectives and results of the Program, but also the importance of its impact on the role of women and girls within the security and defense sector (*ibidem*). All actions will aim to raise the awareness and sensitization of the target audience on the importance and necessity of working together to create an inclusive, participatory and women-friendly security and defense sector. There is also a need to work with civil society organizations to develop this strategic communication concept, with a focus on the role of women as "women as agents of change" and not simply as victims.

Public and internal communication during the implementation of the First National Program was often fragmented and lacked clear narratives and messages, which led to a low understanding of the value the program brings to society and the process of women's empowerment. The adoption of the Second National Program requires a strategic approach to ensure the mainstreaming of the human security concept and the interoperability of sectoral documents. The main goal is to integrate the gender perspective into national security and defense policies and practices, thus increasing the institutional and technical capacity to respond to the security needs of women and men.

The implementation of effective strategic communication for the Women, Peace and Security Agenda in the Republic of Moldova is essential to ensure a coherent, effective and inclusive approach in promoting the objectives of this agenda. In this context, the Strategic Communication Plan, elaborated on the basis of the Strategic Communication Concept for the WPS Agenda, aims to raise awareness, promote the WPS Agenda and encourage more active participation of women in security and defense processes, thus contributing to the creation of an inclusive and participatory sector.

General Objective 6 of the Program aims to ensure effective communication and obliges the Government to improve transparency procedures through strategic communication, including minimum requirements for speeches, consultations and sectoral interventions in the field of security and defense. In this regard, this document supports the implementation of Objective 6 and details the vision of the Strategic Communication Concept applied to promote and increase the visibility of the WPS Agenda policies. It includes the formulation and explanation of the key themes, linked to existing issues in the sector, and the statement of actions needed to realize an effective, inclusive and gender-sensitive communication strategy.

The analysis of the publications and communication actions leads us to the conclusion that there is a lack of proactive and, therefore, strategic communication. Communication remains fragmented, with messages often contextual and issues confusingly fragmented, messages. Even if a strategic approach can be seen on some of the nominated dimensions, it is diluted by the flow of information and not supported by the other actors involved. Another problem is that most of the communication takes place through the official websites of the Ministry of Internal Affairs, the Association of Women in the Police, the Association of Women in the National Army, the Association of Women in the Prosecutor's Office, other institutions and organizations, which have a traditionally modest access rate. There is evidence of confusing institutional transparency with communication. In this type of communication, the focus is on isolated projects, figures or statements of intent, and women and the impact of the actions undertaken on them and on security are not included in the full complexity of the term.

Issues identified in the process of developing the Program include: lack of resilience and capacity of civil society and women's professional associations, insufficient awareness and understanding of the WPS Agenda, and the need for stronger inter-agency collaboration. It is essential to promote engagement between government, public authorities/public institutions, women-led organizations in the security and defence sector, and local women's rights organizations, women activists and women opinion-formers, volunteers, and to position the WPS Agenda as a feminist political project, emphasizing gender equality and equal participation in leadership positions. This includes mainstreaming the WPS Agenda into security policies and raising awareness of societal changes.

Among the vulnerabilities to be addressed are: Misinformation by demonizing gender equality movements; Propaganda that confuses the public (irrelevant, false, but a lot of information); Hybrid warfare involving external informational and economic influences, which leverage on local groups or parties and try to turn the WPS Agenda into a pretext for undermining internal stability in the country; Exploiting political polarization and mobilizing conservative movements; Institutional vulnerabilities and corruption; Lack of coordination and division of advocacy efforts (Bordeianu 3).

Thus, in order to ensure the success of the WPS Agenda, a unified and coherent communication strategy is needed that clearly conveys the goals, activities and results of this program and that is able to positively influence public perceptions and contribute to greater involvement of women in the security and defense sector (*ibidem*).

The relevance of strategic communication in promoting and implementing the WPS Agenda

The overall objective of the StraCom Plan is to increase the awareness and sensitization of security and defense institutions as well as the public on the importance of creating an inclusive and women-friendly security and defense sector. As political will is a key factor for implementation, there is still a need to encourage decision-makers to support this agenda by avoiding the "glass ceiling" phenomenon. While we recognize that it takes time and effort to change perceptions and behavior (particularly in defense establishments), there are some immediate actions that could provide some basic knowledge on gender mainstreaming in the security sector.

The strategic communication concept and plan of the Strategic Communication Plan for the WPS Agenda, are based on the following strategic objectives in promoting the WPS Agenda:

- Increase the level of information and awareness of security and defense sector actors on the WPS Agenda.
- Promote an open dialogue between institutions, non-governmental organizations and the general public.
- Highlight women's contribution to security and defense and encourage their active participation in decision-making.
- Eliminate gender stereotypes and promote a positive image of women in the security sector.

In conclusion, the implementation of the WPS Agenda is not only a necessity for the consolidation of peace and security, but also a requirement of good international practice, aligned with national European integration objectives. Ensuring security in a democratic state is impossible without the equal participation of women and men, and the implementation of effective strategic communication for the WPS Agenda in the Republic of Moldova is the guarantee of a coherent, effective and inclusive approach in promoting the objectives of this agenda.

An important outcome is the increased participation of women and marginalized groups in decision-making processes in the security sector, accompanied by increased societal awareness of the values of diversity and inclusion in maintaining peace and security. This contributes to the formation of a more equitable and inclusive security policy, capable of responding to the real needs of diverse groups in society for the improvement of the communication process and increased impact in promoting gender equality in the security and defense sector in the Republic of Moldova.

Recommendations

1. Intensify strategic communication efforts to promote the WPS Agenda, emphasizing the importance of women's participation in decision-making processes.
2. Active involvement of civil society in the development and implementation of public awareness campaigns on the importance of the SPF Agenda.
3. Develop a clear action plan to remove institutional barriers and promote greater gender inclusion in the security and defense sector.
4. Improve inter-institutional cooperation so that gender equality policies are mainstreamed in all areas of security sector activity.

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ACCESS TO INFORMATION - AN OBLIGATORY CONDITION IN THE REPUBLIC OF MOLDOVA'S STEPS TOWARDS EUROPEAN INTEGRATION

Olesea MOISEEV

<https://orcid.org/0009-0007-4797-3423>

Free International University of Moldova (ULIM), Chisinau

Abstract

The study reflects some aspects related to the issue of access to information and its effects on citizens. The inability to identify public information sources and resources, as well as the superficial presentation of public information content make it difficult for the information-consuming public to satisfy their information needs, hinder the possibilities of taking action, benefiting from services and making vital decisions in everyday life. The culture of access to information in the Republic of Moldova stems from the mass culture of contemporary society in which citizens are preoccupied with their individual worries, poverty, lack of opportunities and lack of desire to get involved in societal processes. Thus, more often than not, they show indifference or ignorance, unwillingness, sometimes even distrust towards state institutions and the mass media. Information, however, is a dimension of existence and an important resource for thought, attitude, manifestation, persuasion and involvement of contemporary man. The value of public information can increase thanks to the organization of an efficient information activity through which the transmitted message will reach the public in an operative and qualitative (undistorted) way. The involvement of the media institution in this process makes the organization of information and communication activities more efficient, raises the quality of the use of public information resources, facilitates and expands access to information of public interest. According to their competences, public authorities, libraries and the media are the institutions that can effectively contribute to ensuring access to information and facilitate the Republic of Moldova's steps towards European integration.

Keywords: Access to information, information of public interest, public opinion, social demand, information activity, mass media, socialization, European integration.

The Republic of Moldova is the country that declared its independence on August 27, 1991. The country's membership of the United Nations on March 2, 1992 meant official recognition of its statehood.

Since then, it has embarked on a path of democratization that can be followed by ensuring access to information, which means that everyone can inform themselves in order to satisfy their vital information needs, to be able to participate in public life, to respond to the challenges and daily problems they face, etc. The holders of information of public interest, public authorities, information providers, information intermediaries, representatives of info documentary institutions and media institutions unanimously advocate the democratic state, the rule of law. Moreover, the thesis advocated and vehemently promoted in the public discourses of officials, journalists, librarians, lawyers, and the intelligentsia as a whole is centered on the fundamental democratic human right to have unimpeded access to information. This disenfranchisement is also always declared by citizens. In a democratic state, however, citizens are not restricted in their right to know, to be informed, to express their opinion and to be involved in management and social cohesion processes.

Therefore, the National Action Plan on Human Rights (NPAHR) was drafted in order to monitor actions to ensure fundamental human rights and freedoms, including the right to information, an official document approved by the Parliament of the Republic of Moldova (www.justice.gov.md). The legal framework on access to information of public interest is particularly important as it represents.

The legitimate basis for the activity of information producers, information mediators and information users. On June 9, 2023, the Parliament of the Republic of Moldova approved a new law on access to information of public interest, which eliminates most of the obstacles that hindered the access of the press and citizens to information. However, the expectations of the journalistic community to reform the media legislation are proof of the awareness of the need to revise and draft the rules of public communication action in the light of European standards (Law on access to information of public interest // *Lege privind accesul la informațiile de interes public*, 2023).

In terms of the relevance of the changes in the legal provisions on access to information, we can state that this law opens the way for media action and reduces the problems in the exercise of timely and qualitative information of the public on issues of public interest, as it provides greater openness of public authorities, but also public entities in general. At the same time, the potential of the media to establish effective communication with public institutions is also taking shape, and their collaboration is expected to be productive and efficient.

At the same time, a new concept, proactive transparency, has been regulated, which means that the publication of information of public interest on the official websites of public authorities will be carried out operationally, permanently and continuously, ex officio. The Directorate for Human Rights and Cooperation with Civil Society of the State Chancellery will monitor the implementation of the law and will present an annual report on the official website of the State Chancellery (www.cancelaria.gov.md).

Since approaching the subject of the research through media communication theories, reveals the values of the media, which must ensure the free fulfillment of the right to communication, to sum up all media and messages broadcast, independent and unbiased, to propose practices or models of action and societal thinking, to ensure openness and willingness to work with civil society and the public of citizens, to develop social solidarity (Marin 126), informing the public promptly and accurately through the media becomes the fundamental principle of responsible journalism.

Moreover, the wish of the media to have adequate, rigorous and timely legislation that is appropriate to the professional actions and commitments to perform their duties in accordance with their competences is supported by the Council of the European Union, which considers that "Freedom and pluralism of the media are a vital part of democracy and of the fundamental rights of EU citizens. True democracy cannot exist without a free media that keeps those in power under scrutiny" (Freedom of the Media in the EU (www.consilium.europa.eu/ro/policies/media-freedom-eu/)).

As the Republic of Moldova, a candidate for accession to the EU, is adjusting the national legislation on access to information to European standards and norms, and the new law on access to information is a proof of this, the Independent Journalism Center (IJC) published in June 2023 a journalistic material explaining the reasons for the adoption of the new law on access to information of public interest. In the Action Plan for the implementation of the measures proposed by the European Commission in its Opinion on Moldova's application for membership of the European Union, it insists on the adoption of the official act, which thus guarantees the right of citizens to information of public interest. The harmonization of the national legislation with the Standards of the Council of Europe Convention on official documents, subsumed by the Tromsø Convention was ratified by our country in 2013 and entered into force in 2020 (Center for Independent Journalism. <https://cji.md/noua-lege-privind-accesul-la-informatie-ce-s-a-dorit-ce-s-a-votat-si-ce-va-urma/>).

We also recall that on November 17, 2015, the General Conference of UNESCO established the International Day for Universal Access to Information on September 28. This year, in Moldova, on September 28, 2024, the International Day for Universal Access to Information was marked under the theme "Conventional access to information and participation in the public sector". UNESCO was designated as the custodian for global monitoring to fulfill the commitments to respect public access to information and protect the democratic right and freedom of access to information and documents.

The series of events dedicated to the International Day of Access to Information continued, in Ghana, from October 1-2, 2024. (www.stiri.md) Best practices on access to information and innovative trends on transparency in decision-making, diversification of techniques and methods to facilitate access to information are some of the objectives supported and promoted intensively by the UN UNESCO agency and its partners (www.stiri.md).

In essence, the right to have access to public information implies that any person has the right to request and receive information managed by public institutions or from those managed by private institutions and organizations that receive the public side of their missions. Access to information public is free and unhindered, which implies that any person has the right to apply to any public institution to obtain information. This wording should be understood in the sense that public information will be provided by public institutions also to persons who are not citizens of the states to which the institutions concerned by this obligation belong (Burciu 186).

It is obvious that it is journalists who most often request public information in order to be able to fulfill their functional obligations to inform the public opinion with up-to-date and viable information in a fair, impartial and impartial manner. At the same time, the media are facing various challenges, which is why compliance with the legal framework and ethical rules is the determining factor in the fairness of journalists' behavior in relation to information sources and the public.

Also, the Law of the Republic of Moldova on access to information of public interest "Article 10. Other ways of dissemination of information of public interest. Providers of information may also carry out other forms of active information of citizens and mass media, such as dissemination of information: a) in television or radio programs; b) in publications or press articles; c) by displaying on information boards; d) by other ways of disseminating information" (Gotisan Victor, Ionel Natalia. Why access to information is still a problem in the Republic of Moldova) means the principled commitment of journalists to verify any

information and to supervise that the information process is carried out at a high, qualitative level. The process of European integration is a complex, laborious and lengthy process. Citizens' public beliefs, their behavior, their way of receiving, perceiving and understanding public information, their decision-making are slowly changing. It is a process with contradictory elements: on the one hand people (society) want change, on the other hand, by virtue of inertia of thought and attitude, people (society) are not ready to bring about change. On the one hand there is a social requirement determined by current needs, on the other hand the mechanisms and instruments for achieving societal change are not ready to meet the social requirement. It follows that the transformation of 'public awareness' and 'civic awareness' through knowledge of and respect for the rights to information of public interest and the possibilities of using it in everyday life is a social commitment to cooperation and collaboration between public authorities, the media, info-documentary institutions and citizens.

Researcher V. Saca asserts that public interest practices of the transition to democracy in the former Soviet space are specific to the targeted community and possess unique character of manifestation and correlation (Saca Victor 16). Hence, the prerogative of efforts to persuade the public to aspire to the transformative processes of European integration are concerned with the unconditional provision of information to citizens. To this end, several actions have been undertaken in our country to promote and legally support citizens' right to information. The contribution of public libraries to community life is to facilitate direct communication and contacts between individuals, social groups and institutions. Relevant services in this respect include meetings of public interest with local authorities, organizing debates on community and group issues, active involvement of libraries in supporting refugees "Libraries in Aid of Refugees", providing assistance in applying for government programs such as "Help on the Count" etc.

Important is also the signing of the Agreement on the participation of the Republic of Moldova in the European Union Framework Program for Research and Innovation "Horizon Europe" 2021-2027 on October 27, 2021 in Brussels. [Or, strengthening the relationship between the library institution and the public (community) represents the responsible involvement and the fundamental role that info documentary institutions play in the formation of "European behavior" of the public in the Republic of Moldova. Likewise, the diversification of programmes for children and young people include activities aimed at promoting the fundamental values of the European Union (www.mec.md). The strategic document which directly targets the contribution of libraries in societal edification in support and realization of the National Development Strategy European Moldova 2030", expressly proves the commitment of the library community to active participation in the process of integration of the Republic of Moldova into the European Union (www.gov.md).

In conclusion, we note that our country obtained the status of candidate country for accession to the European Union on June 23, 2022. This is a sign of the intensification of the media's constitutive role, as it represents the reference element for the information-using public, which wants truthful and qualitative information. Communication media researchers argue that contemporary journalism is tending to become social and quality journalism. However, research into the media institution from the point of view of ensuring access to information is a subject that continues to be of interest, topical and, therefore, the subject of research.

Successful implementation of the rules on access to information and compliance with them; increasing and promoting the culture of access to public information reveal two key dimensions: institutional strengthening of public institutions (holders of public information), capacity building for communicating with citizens in an open and transparent manner; and ensuring that the media work with civil society and public authorities. In the Republic of Moldova, respect for the principle of access to information will ensure an independent and responsible journalism, which will place at the center of its activity the correct information of the population and the presentation of news of public utility (www.mass-media-a-patra-patra-putere-corupta-in-stat-sau-su-a-patra-putere-corupta-in-stat/).

In the conditions of democratic governance, access to information becomes a prerequisite for the Republic of Moldova's steps towards European integration. Access to information practices need to be drafted and adjusted in such a way as to ensure citizens' freedom of information, communication and expression of opinions.

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WOMEN LEADING THROUGH CRISIS: PROVEN STRATEGIES FOR SUCCESS

Diana MOLODILO

<https://orcid.org/0009-0009-1809-087X>

Defense Language Institute Foreign Language Center, Monterey, California

Abstract

Effective female leadership during crises is crucial for organizational success. This article explores strategies employed by female leaders in military academic institutions to find common ground during organizational crises, highlighting intentional leadership actions, emotional intelligence and adaptability. The article also explores the leadership dilemma faced by many female leaders in the military field. As an example, the story of Jennifer. Stories like Jennifer's are quite common among female leaders, in that the higher they climb in their military career, the more evident it becomes how different their styles are versus what is expected of a leader. Many women in characteristically male-dominated environments are faced with the question of whether they must adopt the top-down approach, leave the military, or attempt to transform it; it appears that there is very little middle ground when it comes to crisis management in the military. Jennifer's story represents the leadership dilemma faced by many women in male-dominated environments with traditional leadership approaches. The author presents a few key strategies for effective female crisis leadership.

Keywords: crisis management, crisis leadership, female leadership, military organizations, common ground.

Introduction. When people are asked to name outstanding leaders from the military organization, rarely, if ever, do they name female leaders. Although more women now serve, the military remains a largely male-dominated profession, which colors its command-and-control leadership style. Here is a story that represents the leadership dilemma faced by many female leaders in the military field. Jennifer is a female service member with over 10 years in the military. As an officer in the Army, an inevitable part Jennifer's military life was getting new leadership assignments every two years. She was first appointed as head of department at a Military Academy and later transferred to the policy department. The higher she climbed in her military career, the more evident became to her the challenges and limits women continue to confront in the military setting.

Like many female service members, Jennifer never had many female role models in her career, let alone leaders whose management style differed from the military's prevalent top-down decision-making. Jennifer has spent over 10 years in the military and recognizes the trend toward more balanced gender representation. However, it has also become clear to her that it has very little effect on the balance between men and women in positions of power, nor on the diversity of management styles deemed acceptable within the military structure.

Jennifer's own personal experience suggests that the current and most prevalent leadership style might not be the only effective approach. Very early on, her mother modeled a different way of making decisions and building consensus during crisis situations. She would manage work or family crises and conflict with patience and emotional intelligence. She would consider everyone's input and equity, ultimately driving alignment to ensure that everyone bought in to the next steps. Her approach to defuse tension made a strong impression on Jennifer. As a result, Jennifer took this approach as her model, and over time it has proven successful in her professional career, including in the military.

Although building alliances and relationships from the ground up at times felt foreign in the military, as a senior leader in her organization, Jennifer continued to experiment and refine her leadership style over the course of her career. She would manage organizational challenges, internal crises and build a team culture where people shared ideas and discussed concerns openly without fear of repercussions. This practice enabled her colleagues to stress-test ideas, speak up and identify gaps so they could be addressed in a timely way to avert crisis. She relied on the idea of reciprocity, which meant that if she received help from someone, she would be inspired to give back, triggering a chain of communal support leading to a more equal and responsible workplace.

Stories like Jennifer's are quite common among female leaders, in that the higher they climb in their military career, the more evident it becomes how different their styles are versus what is expected of a leader. Many women in characteristically male-dominated environments are faced with the question of whether they must adopt the top-down approach, leave the military, or attempt to transform it; it appears that there is very little middle ground when it comes to crisis management in the military. Jennifer's story represents the

leadership dilemma faced by many women in male-dominated environments with traditional leadership approaches.

Although the discrepancies in leadership styles between women and men in a still male-dominated field persist, a trend toward a more gender-balanced leadership style is having a noticeable effect; namely, more and more women today are showing determination to overcome these barriers and rise through the ranks. These active, inspiring female leaders remind us that it is possible to claim a seat at the table, create a successful personal image, make a crisis a positive phenomenon for their organizations and build common ground through passion and commitment.

Crisis Management in Military Organizations

“In the midst of chaos, there is also opportunity”
Sun Tzu

Crisis and crisis management are common and unavoidable incidents in organizations. Events, such as the coronavirus pandemic and the resulting economic recession, highlighted the need for prompt decision-making and effective leadership, which according to some researchers (Brockner 95) are crucial during times of crisis. No organizations are exempt from crises, whether facing external forces such as the current COVID-19 pandemic or internal situations such as employee misconduct or conflict with interest groups (Bailey, p.4). Military institutions are also affected by a variety of organizational crises, and it is imperative to find positive ways to emerge from these difficult situations.

Military organizations are very specific with a unique culture that distinguishes them from the rest of the society. According to many researchers (Bucher-Koenen), (Soeters), military culture is characterized as a masculine and high-stress culture that emphasizes values such as complete compliance, teamwork, and self-sacrifice. Yet, according to Soeters, military organizations are also exposed to different types of organizational crises, such as budget cuts, miscommunication, sexual harassment, etc. and leading them in a crisis can be extremely stressful. Researchers have indicated that women are preferred as leaders during these types of crisis (Ryan).

Female leadership in crisis. There are different opinions on who makes an effective leader during a crisis. Pearson and Sommer argued that in a crisis, effective leadership requires critical thinking, use of creative ideas, and intuition (Pearson 29). According to Hausmann and Güntürkün, women demonstrate more of these qualities than men (Hausmann 270). In 2011, Ryan et al. conducted three studies that examined gender and leadership in successful and less successful companies, finding that women are preferred as leaders during crises and times of uncertainty. Some scholars have claimed that transformational leadership can be associated with female leadership, while transactional leadership has more of a masculine approach. For example, Burke and Collins conducted a study in 2001 and looked at female accountants' leadership styles, it was found that leadership styles of female accountants are different from the leadership styles conveyed by male accountants, with women being more likely to use a transformational leadership style (Burke 250). On the other spectrum, researchers such as Andersen and Hansson, Powell and Bartol argue that there are no major distinctions in performance between female and male executives. Regardless of gender of managers, no consequence on leadership performance arises.

The study of leadership is advancing. However, there are still areas that are neglected, remain under-researched, or have shortcomings, for example, there is little data on effective female leadership styles in male-dominated environments. Also, insufficient research has been done on the glass ceiling effect, i.e., the obstacles that prevent women from reaching top management positions in military organizations.

Key Strategies for Effective Female Crisis Leadership. The common ground literature identified three core competences that leaders have in finding common ground during a crisis and are effective in crisis management: (a) communication, (b) collaboration, and (c) trust. Following the data collection from two military academic institutions in California, US and using the core competences approach identified by the common ground literature, the following eight key strategies are identified for effective female crisis leadership:

Strategy #1: Consistently listen to employees with an open heart and open mind. At various stages of crisis management, it is important to engage the group in meaningful communication, where members of the group feel they can be heard and, more importantly, they can hear one another (Coombs, 1995, p. 130).

Strategy #2: Create a psychological safe space for open, honest, and courageous conversations. Communicating and finding common ground during organizational crisis can be extremely difficult because of opposing ideas, negative emotions (e.g., fear and anger upon losing one's job), hurt feelings, misinterpretations, etc. A leader's responsibility in this context is to strengthen a climate of psychological safety where team members can have an open and honest conversation. During organizational crisis, a leader's

job is to foster the type of conversation that will help all parties find shared understanding of the problem. This means creating supportive conditions, such as respect for other's opinion, equality, open debate, encouragement of new ideas, empathy for the feelings of others, etc., so that everyone can participate and find common ground.

Strategy #3: Engage in a clear and transparent communication to reduce anxiety about the unknown. At all times, but particularly during crisis, transparent and clear communication from leaders is crucial. Wooten and James considered that what often damages an organization in crisis is inefficient communication and lack of transparency. During times of uncertainty, it is essential to communicate with all the stakeholders and do so early, even if the information is incomplete, to avoid rumors and speculations and provide specific guidance on what to do and how to do it, which reduced anxiety and maintained order.

Strategy #4: Constantly invest in building and maintaining social relationships throughout the organization. The driving factor behind successful collaboration and finding common ground during crisis is building and maintaining effective teams. During the times of uncertainty, relationships are the key to resolving the crisis, paving the way for finding common ground.

Strategy #5: Achieve unity in efforts among the various stakeholders by being the integrator in the organization. A key collaboration practice in finding common ground is to act as an integrator during crises: an integrator of ideas, beliefs, and emotions who engages continuously with all stakeholders, identifying opportunities and aligning resources toward finding common ground.

Strategy #6: Encourage employees to take ownership of the problem. When employees are encouraged to take ownership of the problem, they are more prone to look for compromise and became more determined and motivated to find common ground. Organizations where leaders teach their employees how to overcome challenges and instill a desire to accept ownership of the problem are successful in managing crisis and finding common ground.

Strategy #7: Create and nourish an organizational culture where everyone has a voice. Cultivating an open environment is not always an easy task in military organizations, because people in these organizations have a set of defense mechanisms that makes them careful around people in authority positions. A continuing relationship based on authority exacerbates the uncertainty and makes it more difficult to find common ground. Female leaders who promoted "speak-up" culture in their organization are able to make their employees feel valued, included, and comfortable sharing their opinions without fear of repercussion. Doing so set the stage for finding common ground and managing crises effectively.

Strategy #8: Foster an organizational culture where employees feel connected to the leader both physically and emotionally. What promotes a leader's crisis communication skill is his/her ability to involve emotionally and physically with employees and create a safety net for finding common ground. Connecting to people, both physically and emotionally, is critical for building trust, finding common ground, and managing organizational crises.

Recommendations

1. Competence I: Communication:
 - a. Consistently listen to employees with an open heart and open mind;
 - b. Create a psychological safe space for open, honest, and courageous conversations;
 - c. Engage in a clear and transparent communication to reduce anxiety about the unknown.
2. Competence II: Collaboration:
 - a. Constantly invest in building and maintaining social relationships throughout the organization;
 - b. Achieve unity in efforts among the various stakeholders by being the integrator in the organization;
 - c. Encourage employees to take ownership of the problem.
3. Competence III: Trust Building:
 - a. Create and nourish an organizational culture where everyone has a voice;
 - b. Foster an organizational culture where employees feel connected to the leader both physically and emotionally.

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THE IMPORTANCE OF INCLUSIVITY WHEN USING ONLINE ANONYMOUS SURVEYS

Deborah NYE

<https://orcid.org/0009-0006-6125-9501>
University of Wolverhampton, United Kingdom

Abstract

The importance of inclusivity in the design and implementation of online anonymous surveys is paramount to ensuring accurate, representative, and equitable data collection. As online surveys have become a primary tool for gathering information across various fields, including research, market analysis, and public opinion, it is critical that these surveys are accessible and inclusive to diverse populations. This paper explores the role of inclusivity in survey design, addressing issues such as language accessibility, demographic representation, and the mitigation of biases that may inadvertently exclude or marginalize certain groups. We examine how survey platforms can accommodate participants with varying levels of technological proficiency, disabilities, and diverse linguistic backgrounds, ensuring that responses reflect the full spectrum of perspectives. Furthermore, the ethical implications of inclusivity are considered, highlighting how inclusive survey practices promote trust, reliability, and the validity of the data collected. Through a review of best practices and case studies, this paper demonstrates that an inclusive approach not only enhances the quality of survey results but also fosters a more equitable research environment. Ultimately, the paper argues that inclusivity in online anonymous surveys is not merely a technical requirement but a fundamental principle for ethical and comprehensive data collection.

Keywords: inclusivity, online anonymous surveys, ethical data collection

Introduction

This paper will investigate the research design journey within a thesis that explores the lived experiences of people with Dyslexia and the challenges of inclusivity within online surveys.

Ethical considerations

Human rights and societal responsibility underpin equality and inclusivity (Xuan & Ocone, 2022). As academic researchers, students, and professionals in psychology, education, and disability studies, promoting and integrating inclusion into research perspectives is crucial. This is the only way to achieve the improvements needed to address today's research concerns (Guyan and Oloyede (2019). Watharow (2021) discusses that research with participants with a disability is 'about' them and is rarely 'with' them, which contradicts the very nature of inclusive research. Inclusivity reassures participants that their unique identities and viewpoints are acknowledged without fear of judgment or discrimination, signalling that all voices matter. Challenges to inclusivity must be explored at each stage, reflecting on the process and analysing the level of inclusivity throughout to find ways to break down the challenges and ensure equal access to participation for everyone involved.

Persons with disabilities include those who have long-term physical, mental, intellectual, or sensory impairments which in combination with various barriers may hinder their full and effective participation in society on an equal basis with others" (Article 2: United Nations Convention on the Rights of Persons with Disabilities 4).

The development of research design enables qualitative research from a more inclusive perspective by listening to the lived experiences of a broad range of participants (Smith et al.). However, BERA (2024) states that researchers should also ensure that all participants understand what is involved in a study and provide complete and informed consent. Arguably, Moore et al. established that it is harder to determine whether the participant is sufficiently informed and fully understands the consent process when working online. Anonymity is the process of gathering data without obtaining any personally identifying information (Vainio). Of course, in an online survey, this means the researcher may never meet or communicate directly with the participant.

Added to this, within the United Kingdom, participants of research categorised as having a disability fall within a protected group (a group of people who are protected from discrimination under the law) of the Equality Act (2010). Elliot et al. reported a noticeable rise in using qualitative techniques in disability research where the participant's voices needed to be heard. Much of the data collection in social science engages in

experiential (interpretive) qualitative research (Braun & Clarke, 2013). There is a strong focus on social justice, inequality and power balance.

Anonymous surveys are vital tools for gathering data from a larger audience. Nevertheless, it is important to acknowledge that the validity of research can be built upon through the broader picture and exploring societal views of a phenomenon before the deeper analysis begins. However, their effectiveness hinges significantly on their inclusivity. Watharow et al. highlighted substantial gaps in the literature on inclusive qualitative research, a substantial concern within the data collection stages. Consequently, researchers are responsible for being open to and considering different qualitative methodological techniques that may be more practical, less daunting, and more interesting for a wide range of the population (Thomas et al.).

Case Study: Thoughtful research design

This Case study follows the journey through the initial stages of a thesis data collection. The process has challenged the ideology of an anonymous survey and inclusivity. When exploring the lived experiences of people with disabilities as participants, the research design presented ethical challenges related to inclusivity. For this case study, the disability explored is Dyslexia. The participants' voices, lived experiences, and unique perspectives are at the heart of this research, making them integral to the process.

The participants' life stories during the pilot stage emphasised the importance of inclusivity throughout the data collection process. The contributors highlighted the importance of empowering the participants' voices as experts on their disability. The research must be constructed from theoretical understandings and methodological and empirical reflection, constantly challenging positionality, assumptions, and processes to create trustworthy research, minimising bias and societal beliefs (preconceived notions or stereotypes held by society). So, firstly, additional opportunities were added to the survey to expand on the answers provided through open-ended questions. This enabled the participants to add their own experiences to the questions asked, adding a narrative to the data (Holland & Christian, 2009). This reflexive technique developed from reflections on inclusive practice within the research, forming a more inclusive tool for all people but without those barriers to participation (Braun & Clarke, 2024).

Thomas et al. considers that establishing informed consent and the desire to engage within surveys requires easy-to-understand, plain, concise language, whether written or video. It is necessary to acknowledge the challenges often experienced by people with Dyslexia that impact their engagement with written items that require written responses, such as a survey. The researcher plays a crucial role in breaking down these barriers and creating a more inclusive platform. Using verbal or video recording is a way to do this. Due to the anonymity of the survey, it is also a form of connection for the researcher to explain consent and the right to withdraw entirely. The video is an opportunity to share the background of the research and the contribution to knowledge and then demonstrate the researcher's understanding of dyslexia (Denscombe). This enables the development of a level of trust through experiencing the holistic view of the researcher, and this could include not only the visual representation of the person but also an insight through non-verbal communication. To support the video, the questions were added with verbal recordings for participants to access. Thus creating a choice for participants and a way of supporting understanding and informed consent.

Many participants accessed the video and voice recordings throughout the data collection timeframe. This demonstrates the importance of these considerations within the inclusivity platform (Nalavany et al.). Observing such a high uptake of the supporting technology has been the basis of the importance of this paper and how, moving forward, the emphasis on inclusion needs to form part of all research practice.

Conclusion

The research from this exploration was not the original focus of the Thesis. Being inclusive with anonymous surveys is not just a matter of equality. It is also essential for collecting accurate and meaningful data. However, this contribution to research knowledge is powerful when looking at social qualitative research holistically to enable making informed and equitable decisions. In an ever-changing platform for qualitative research in the modern world, valuing the power of inclusivity is increasingly important.

If researchers do not address this within our data collection, we are at risk of using data that has an unconscious bias and is ethically flawed. Whether we are aware of participants who are disabled or not when cascading an anonymous survey, it is essential good practice to acknowledge and incorporate these inclusive practices.

While the anonymous nature of the survey may empower some participants (Braun et al., 2021), it can also make it difficult for researchers to ascertain whether people need further support. However, embedding these practices in all research minimises unconscious exclusion. One in five people is reported to have dyslexia,

which highlights the possibility of biased data collection that does not adopt inclusive practices. By recognising and valuing diversity, researchers can ensure that their surveys truly reflect the voices of all participants, driving positive change and fostering trust in their commitment to inclusivity.

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STRATEGIC COMMUNICATION – A TOOL TO COUNTER HYBRID THREATS IN THE CONTEXT OF ACCESSION TO THE EUROPEAN UNION

Rodica PANȚA

<https://orcid.org/0009-0003-7993-0357>

Free International University of Moldova(ULIM), Chisinau

Abstract

The Republic of Moldova's EU accession, initiated in 2022, faces hybrid threats, including disinformation and propaganda, targeting public opinion. Strategic communication plays a pivotal role in countering these threats by delivering coherent, tailored messages aligned with national interests. Unlike propaganda, it prioritizes audience needs and fosters public resilience. Effective strategic communication integrates narratives, emphasizing Moldova's European integration benefits while addressing misinformation. The establishment of Moldova's Strategic Communication Center in 2023 institutionalized efforts to combat disinformation, yet the approach remains reactive. For EU accession success, Moldova must adopt proactive, synchronized messaging supported by concrete actions and coordinated across government, media, and civil society. Strengthened communication will enhance societal resilience and align perceptions with national and European aspirations.

Keywords: strategic communication, European Union, hybrid treats, dezinformation, narratives, Republic of Moldova.

The Republic of Moldova applied for membership of the European Union in March 2022, at least for a month since the start of the war in Ukraine. Symbolically, with this event, a new stage of relations starts between the Republic of Moldova and the European Union that began earlier with the signing of Partnership and Cooperation Agreement in 1994. The accession phase was launched by granting candidate country status for the Republic of Moldova on 23 June 2022. During this period the Republic of Moldova had to deal with a succession of crises: the refugee crisis and the energy crisis, but also with a multitude of hybrid threats, a good part of which were set to influence public opinion in an unfavourable manner to integration into the European Union. Disinformation, but also the corruption of voters during this year's electoral campaign reflected in the results. Almost at the limit – 50.46% of the population voted for the amendment of Constitution and the inclusion of integration into the European Union as a strategic objective. Within this article we will take a look at the strategic communication as a tool to counter threats in the context of accession to the European Union.

The concept of strategic communication

There is no universal definition of strategic communication. Thanks to its flexibility and adaptability, different states, organizations or companies define strategic communication differently. Rather we can talk about certain components and common elements that are adapted to the context than together from what researchers call strategic communication. Strategic communication is first of all a communication process that in its classic form has its main purpose transmitting certain messages from the sender to the receiver. Communication becomes strategic in case if: the key messages that are conveyed are adapted to the different target audience they are addressed to (the public is segmented according to age, visions, values, ethnicity, etc.) and together with the decisions and government actions are aligned and coordinated in a unitary manner to achieve strategy; communication is continuous over a long period of time (and not just related to certain events); the communication is adapted and takes into account the interests and needs of the recipients of the messages (in this way it differs from propaganda that is built on the needs of the initiator) (Goldman). It's a fact that, undoubtedly, strategic communication, through its purposes, aims not only to inform the target audience, in the sense of objective, neutral transmission of information, but also has the intention of convincing in relation to the interests of one state in the society/public opinion of another state. Strategic communication presupposes the existence of a cause–effect relation among communicatiin activities and achieving the objectives. This means that communication programes contribute to carrying out strategic activities in an measurable manner.

Strategic communication is also a tool through which strategic objectives of a state/organization/institution and influence the behavior, perceptions or public attitudes. Initially it was considered that this form of communication is intended only for external audiences, later it was realized that it can be successfully applied to the domestic audience to gain the support of the population for various reforms, actions or foreign policy directions in accordance with the national interests of the state. In the process of

strategic communication, it is necessary to coordinate strictly, consciously and continuously the messages so that the purpose of communication is achieved. This characteristic of strategic communication has led researchers and practitioners to recognise that this form of communication can be an important tool in countering the disinformation and the promotion of national interests. Through strategic communication national resilience can be strengthened and state security strengthened, through the participation of governance, which must assume, design, coordinate and synchronize strategic communication at the highest level and to be transposed into life through proactive strategic narratives.

Strategic communication is also a mindset, as it involves adopting long-term visions, in which each communication action is evaluated according to the impact on the organization's objectives. An important role in this is played by narratives which are increasingly used in strategic communication, as a result of the evolution of the information environment and the need to adapt to the changes that have occurred in the current international context. Strategic narratives aim to change and influence behaviors of the masses, according to their own interests. A narrative with the meaning of story (2) is a way in which an institution, organisation or country communicates strategically, using storytelling and visual symbolism to convey controlled and targeted messages (Ciornei 88). Through these elements, a narrative becomes a powerful tool for strategic communication, capable of motivating, emotionally engaging and directing behaviors within a state/organization/institution.

The better these narratives are structured and framed in certain patterns, the more they can be important tools in countering hybrid threats. In their formulation one must take into account the following components: future (it can refer to the past or present but have a purpose for the future), to be tight correlated with either national or regional identity on a specific issue, on a field or the place of the state either regionally or internationally, its content should be a social dynamic product and in continuing change, not a fixed one, it can be inspired by historical experiences, especially with reference to symbolic and powerful historical moments, emotionally and last but not least, to be intended for both domestic audiences and external (*ibidem* 89).

Strategic communication – a tool to counter hybrid threats

There are several definitions of hybrid threats, but most authors consider these to be complex tactics and at the same time represent a combination of conventional and unconventional, the most common of which are: disinformation attacks, propaganda, interference in the internal politics of the state or other forms of war, informational and economic. Whatever form they take, hybrid threats aim to destabilize, undermine or influence states/organizations/populations in a subversive and often unclear way. The fundamental characteristic of a hybrid aggression is that it is intended to exploit weaknesses and vulnerabilities in the political, economic and social systems, as well as in the critical infrastructures and information environments of the target state (Trincu 45). When hybrid threats fail to be detected in time or no reaction occurs, they can turn into a hybrid war (Sili 8), their purpose is to create a state of ambiguity, both among the target population and on the international community in order to mask what is really happening and to create an obscure situation. A first step in countering hybrid threats is for each state to know its own vulnerabilities and also have the ability to identify any changes in the public and informational environment, which could constitute elements of a foreign information interference campaign.

An effective institutional framework for countering hybrid threats must address four interconnected areas of action: (1) countering disinformation; (2) Security cybernetics; (3) the resilience of critical infrastructure and supply chains; and (4) management and defense in crisis and emergency situations. Strategic communication from this perspective plays an important role in the fight against disinformation, providing opportunities to halt the evolution of certain tendencies, to strengthen public resistance to disinformation campaigns and promote among the population certain basic messages regarding the national interests of the state. The Baltic States are a successful example of the use of strategic communication to counter the hybrid threats through various public information companies that have contributed to the increasing society's resilience and countering disinformation from the Russian Federation (Voltri).

Within the European Union, the issue of hybrid threats has appeared much more actively on the agenda, starting with the annexation of Crimea in 2014 by the Russian Federation, the Union's strategic communication being directed, if we refer to the Eastern neighbourhood, towards the development of positive and effective messages on EU policies towards this region, which would give citizens the opportunity to easier understand the fact that the political and economic reforms promoted by the EU can, over time, have a positive impact on their lives (Trincu, *op.cit*).

European integration of the Republic of Moldova from the perspective of strategic communication

The idea of the European integration had been held in proportion of 60 - 70 percent by the population of the Republic of Moldova, starting from 2003 to present. The year 2007 is the year when the European vector of Republic of Moldova registered the highest scale – 76% (Cepoi, p.25). On November 2011, the results of the Barometer of Public Opinion showed that 47% of the population of the Republic of Moldova would go for European integration. Within this public survey, the moldovian citizens were asked to choose among EU and Customs Union, further results showing that 45 % are for the Customs Union and 34% for the EU. Between 2003 and 2013 the information about the successes registered in European integration rarely reached the population, all of its information being limited at just press communication. Experts proposed to overcome this situation by beginning of an instructive field of informing, which should include, first of all, elaboration of a rich and efficient multidimensional strategy of communication.

The process of European Integration of the Republic of Moldova began to intensify closer to the summer of 2013, while the phase of preparation for the signing the Association Agreement with EU, when The Ministry of Foreign Affairs and European Integration started to elaborate a new intern strategy of communication about european integration, temporary being framed into the operiod of July 2013 – July 2014. The decision, which has never been made public, was constituted from two chapters divided by Vilnius Summit: information ante - Vilnius and post - Vilnius. After Vilnius, the intern communication was based on two subjects: the liberalization of visa regime and free European zone with EU. The Ministry of External Affairs and European Integration launched an information compaign through the television and radio channels, press articles etc. Information about the European Union is more a success of the strategic communication of the European Union in the Republic of Moldova carried out by the Delegation of the European Union, opened in Chisinau in October 2005.

In order to respond to the challenges associated with fake news and propaganda, in July 2023, it was decided to create the Center for Strategic Communication and Disinformation Combat. After a long period of choosing an identity name fort his center, and the involvement of civil society, it was decided to remove from its title the word 'patriot' that was initially found. In accordance with Law on Center for Strategic Communication and Combating Disinformation and Modification of Certain Acts, Article 5, its mission is to strengthen and improve the efforts among institutes in the fight against disinformation, manipulation of information and coordinates for the dissemination of messages, narratives, communications, regardless of their origin, that cause a danger or may jeopardise the achievement of national interests (Lege privind Centrul pentru Comunicare Strategică și Combatere a Dezinformării și modificarea unor acte normative). To do this, the Center might: coordinate, plan, develop and implement strategic communication interinstitutional framework: to develop and implement measures to ensure the security of the space in the face of disinformation, manipulation and foreign interference; develop, coordinate and implement measures to increase society's resilience to threats on information space; d) develop partnerships with civil society, media institutions, the private and academic in order to achieve the Center's mission; e) to develop international cooperation in order to combine efforts, exchange information and increase capacities to counter information manipulation and foreign interference (Hotărâre privind aprobarea Concepției de comunicare strategică și contracarare a dezinformării, a acțiunilor de manipulare a informației și a ingerințelor străine pentru anii 2024–2028).

In 2023, the Strategic Communication of the Republic of Moldova was not only institutionalized but also conceptualized through the approval by the Parliament of the Decision on the Concept of Strategic Communication and countering disinformation for the years 2024-2028 (*ibidem*). This document argues the need for institutionalised and integrated approach to strategic communication and countering disinformation in the context of external and internal threats faced by the Republic of Moldova, especially on behalf of the Russian Federation. The vision is to "support, strengthen and contributing to the achievement of national interests which are the foundations of the idea of the Republic of Moldova as a state of the 21st century, a democratic, European republic, well anchored in the network of political, economic, social and security policies of advanced democracies and developed economies, with a well-defined national identity, with an international prestige to match" (*ibidem*). The conception has general objectives: developing the institutional capacities of the state and society to communicate effectively and combat disinformation. The main thematic areas addressed are: European integration, social cohesion, economic resilience, strengthening of the national security in the regional context.

Also in 2023 in accordance with the Government decision on the amendment and the repeal of some Government decisions (structural reorganization of some public authorities) decided to create the Office for European Integration, headed by the Minister of Foreign Affairs and which is to manage the European accession process internally. This Bureau is also responsible for coordinating strategic communication and training policies in the field of European integration. Between July and September 2024, the Government

carried out the information campaign "Europe for You" which included several information and communication actions through which it was desired that citizens know more about EU projects and funds as well as the advantages of accession. The results of this campaign are quite modest and would certainly have required a much longer period.

Analysis of the information environment of the Republic of Moldova.

False narratives about European Union

As part of the Hybrid Threats research. A Strategic Communications Perspectives developed by experts of Excellence Center for Strategic Communication we find that the first step in the communication process strategy is the understanding of the information environment that in the Republic of Moldova abounds in the elements of anti-Western propaganda and manipulation (especially about the European Union and NATO) and in the detriment of the national interests of the Republic of Moldova. Narratives circulating in space (especially online) are strongly influenced by geopolitics, the regional security, the war in Ukraine, and have increased substantially in the context of the electoral campaign in this year. Social media is certainly fertile ground for the spread of misinformation. Fake news spread through social media can have a significant number of negative effects on national and human security, caused by the degree of influence they can exert on public opinion.

Most of them emphasize Moldovans' fear that the Republic of Moldova will join the EU will lose control over resources, that it will no longer be able to make decisions on its own, its Sovereignty will be affected. There is also fear of Russia due to the geographical proximity still dependent on Russian resources or massive retaliation from the Kremlin if we join the European Union. Among the false narratives regarding the activity of NATO and especially the EU that have been found, were: "the European integration of the Republic of Moldova is equivalent to the loss of neutrality and thawing of the Transnistrian military conflict"; "the order will be given for the Moldovans to go to war in Ukraine"; "it is wanted for the Republic of Moldova to join NATO and to unite with Romania". Some of the most prominent narratives spread by pro-Russian actors in Moldova, in accordance with the Declaration of the Pre-Electoral Evaluation Mission of the National Democratic Institute, presidential elections and constitutional referendum: "Moldova is ruled by foreigners and Western powers", "The pro-European government installs a dictatorship", "Maia Sandu represents war", "The current government is not really pro-European, but it uses the EU to cover its illegal activities", "Accession to the EU makes Moldovans lose their moral values and become homosexuals", "Moldova will lose its sovereignty if it joins the EU", "The next referendum EU accession is illegal", and others (Declarația Misiunii de evaluare preelectorală a Institutului Național Democratic pentru alegeri prezidențiale și referendumului constituțional).

Despite the existence of several false narratives about the European Union, we have not found a narrative strategy on the EU to be distributed by all state institutions in a coordinated and synchronized, rather some reactive strategic communication actions have been observed that have its aim to dismantle false narratives and not to prevent. Or to deter hybrid threats it is necessary to take a series of proactive measures (inoculation, awareness campaigns (awareness campaign), networking, including cross-border networking) and reactive (awareness campaigns) dismantling (Marzac 16).

Conclusions

Strategic communication is an important tool in countering hybrid threats and can contribute to the protection of national security and the integrity of the state. Like fast-adapting hybrid threats that combine disinformation, attacks and other forms of subversive influence, strategic communication is flexible and adaptable and allows states to anticipate, react and respond effectively to them.

The Republic of Moldova is at an early stage of strategic communication. Our opinion is that has been at least 10 years late in conceptualizing and institutionalizing it, and its manifestation is more reactive than proactive. The latter being characterized by dissemination of appropriate messages and the use of digital technologies, thus countering propaganda and disinformation. If false narratives continue to propagate without intervention, the EU risks being perceived negatively in the society. The EU's image could become synonymous with a threat to sovereignty and the country's resources, which will affect diplomatic relations and European support for Moldova.

The efficiency of the strategic communication of the Republic of Moldova will increase when the messages on the European Union will be coherent and supported by concrete actions, audiences will be well defined, and efforts will be systematically coordinated, integrating the views of those targeted by public policies. The effectiveness of the strategic communication of the Republic of Moldova in the process of accession to the European Union requires the identification and coordination of all government instruments

(political leaders, decision-makers, strategic actors, communicators, implementation actors, official diplomacy, business, public, media operations, public-private partnership, military diplomacy, communication, interdepartmental public relations), as well as societal instruments (media, NGOs, private communication entities, academia, cultural institutions, the public figures, influential authors, scientists, the diaspora etc.).

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THE GEOPOLITICAL INFLUENCES ON AFGHANISTAN AND THEIR IMPACT

Şabnam-Cristina PAKNEHAD

<https://orcid.org/0000-0002-6613-4795>

Free International university of Moldova(ULIM), Chisinau

Abstract

This article has touched several key historical events and geopolitical factors related to Afghanistan's complex history.

Afghanistan has been coveted by many great empires over the centuries, being situated at the crossroads of Central and South Asia. Even if the King Zahir Shah's ascended the throne at a young age, he managed to keep peace for about 40 years. The Union of Soviet Socialist Republics' (USSR) invasion marked the beginning of a long conflict because of the strong resistance from Afghan fighters that caused significant damage to Afghanistan. The 9/11/2001 attacks, when the terrorists hijacked planes, brought the United States of America' (USA) response with a global campaign against terrorism, which largely focused on Afghanistan.

The article hints at the broader geopolitical motivations behind the USA's invasion, particularly Afghanistan's natural resources. While the official narrative focused on combating terrorism, there were also significant strategic interests related to the mineral wealth and its location as a buffer state in a region rich in resources.

Despite two decades of the USA's military presence, is noted that Afghanistan's situation has not improved. The Taliban have returned to power, and the country remains in a state of turmoil. The human rights are severely violated, and this situation highlights the challenges of rebuilding a nation after prolonged conflict and foreign occupations.

This article provides a critical look at the ongoing struggles in Afghanistan, emphasizing how foreign interventions have shaped the country's history and current state.

Keywords: conquests, Taliban, minerals, human rights, despair.

Introduction

The XX Century could be considered as one of the bloodiest and tumultuous centuries, by underscoring the immense human cost of global conflict because of the two World Wars and the Cold War. But the author's focus shifts to Afghanistan's position within this broader historical context, as its people have experienced the impact of foreign invasions and internal strife. The author's decision to write about Afghanistan's history is deeply personal and has an emotional perspective, as her father was born in Afghanistan in an Afghan family.

The author has used the fresh accessible sources from the Internet and has discussed with her father about the Soviet-Afghan war (who personally witnessed it). This combination of modern research methods and traditional oral history signals an attempt to provide an interesting view on the mentioned topic, as the Internet offers a wide range of global viewpoints, while the father's testimony adds depth and authenticity to the narrative.

Let's meet Afghanistan

This section provides a culturally overview of Afghanistan, highlighting the country's geographical, demographic, and cultural characteristics, as follows: the current political structure -Unitary Islamic Theocracy- suggests that religious principles, specifically Islamic law (Sharia), play a central role. Afghanistan's position in Central Asia places it at the crossroads between several neighbouring countries (Tajikistan, Uzbekistan, Turkmenistan, Pakistan, Iran, and China) with the capital in Kabul. "Afghanistan is administratively divided into 34 provinces" (Wikipedia). Beside the capital, Kandahar, Herat, Mazar-e-Sharif, Kunduz, and Jalalabad are considered the biggest cities of the country. "The current population of Afghanistan is 43,051,665. The total land area is 652,860 km²" (Worldometer). The country is predominantly Sunni Muslim, but there are smaller communities practicing Sikhism, Christianity, Judaism, Baha'ism, Hinduism, and Buddhism. The Zoroastrianism is considered the oldest religion in the region, thus reflecting the rich and ancient history of Afghanistan, which was once home to the ancient Persian Empire and other early civilizations. Afghanistan is a multi-ethnic society. Dari and Pashtu are the two main spoken languages. The author's father was born in the Faryab province, and his mother tongue is Dari.

Afghanistan's culture has developed over thousands of years, influenced by India, Pakistan, and Persia (nowadays Iran). The mix of these cultural influences is reflected in various aspects of Afghan life, from music to cuisine. The *Palaul Kabuli* is the national dish with a blend of local ingredients and regional influences. The *fried lamb kebabs* and *Doogh* (a yogurt-based drink with mint) are also noted as popular foods. *Cricket*,

football, and *basketball* are the most popular sports in Afghanistan. The traditional clothing for men is the *Pashtun attire*, while women wear the *Firaq Partug* dress and pants. Afghan carpets are known for their intricate designs and exceptional craftsmanship, often winning international awards for their beauty and artistry.

Short History of Afghanistan

Afghanistan's history is marked by a series of invasions and foreign influences, as well as periods of internal conflict and struggle for independence.

Darius the Great (representative of the Persians), during the VI century B.C., sought control over the region, but the Afghan tribes fiercely resisted this domination.

Alexander the Great (representative of the Macedonians), in the IV century B.C., defeated the local resistance and established Greek rule in the region, but faced difficulties in maintaining control due to local resistance.

The Kushans between the I and IV centuries A.D. rose to power and ruled much of Central Asia, including Afghanistan, during a period that saw the spread of Buddhism and trade along the Silk Road.

The Arabs invader, in the VII century A.D., brought Islam to Afghanistan, changing the religious and cultural landscape of the region.

Genghis Khan and Tamerlane from the XIII till XIV centuries A.D. left lasting scars on the region, with widespread destruction.

Ahmad Shah Durrani (1747-1773) is considered the founder of the modern Afghanistan. After the collapse of the Mughal Empire, Durrani unified the various tribal regions of Afghanistan and established the Durrani Empire.

In the XIX century A.D. Afghanistan became twice a target of imperial ambitions of the British Empire.

After years of British interference, Afghanistan finally achieved full independence on August 19, 1919, and ending British control over Afghan foreign policy.

King Muhammad Zahir Shah ruled from 1933 until 1973, providing stability and peace to Afghanistan for these four decades. He was educated in France, and his reign saw efforts to modernize the country, including the establishment of a constitution that turned Afghanistan into a modern democracy, with significant reforms, including women's rights. "In '59 he allowed Afghan women to take off their veils" (Ejov/Eжov 192, 438). Despite facing political challenges, Zahir Shah managed to keep Afghanistan neutral during World War II. But "in July 1973, while being in Italy for medical eye treatment, a coup by Soviet sympathizers proclaimed the republic, anticipating the Red Army invasion, from 1979, and the more recent tragedies of Afghanistan, which led to its complete destruction" (Enea).

The USSR invaded Afghanistan to prop up a communist government, triggering a brutal conflict that lasted until 1989. The mujahideen, Afghan resistance fighters, received support from the USA and other countries. The Soviet forces eventually withdrew, but Afghanistan was left in ruins, leading to ongoing conflict and eventual rise of the Taliban in the 1990s.

The classification of the Soviet-Afghan War' periods

The Soviet-Afghan War is a critical chapter in Afghanistan's modern history. This conflict involved the USSR intervening in Afghanistan to support a communist government facing a growing insurgency. The war could be divided into distinct periods based on the evolution of the conflict, the involvement of international actors, and key developments on the ground.

The first period (December 1979–Spring 1980): the war began on 12/24/1979 when the USSR invaded Afghanistan in response to a request for military aid from the People's Democratic Party of Afghanistan (PDPA), the communist government struggling against a growing insurgency led by Islamist and tribal forces. The Soviets quickly captured key cities, and installed Babrak Karmal as the new Afghan leader. This period saw heavy air and ground assaults on Afghan resistance strongholds. The invasion was met with widespread condemnation. The USA and other countries, such as Pakistan and China, began supporting Afghan resistance groups, known as the mujahideen or guerilla fighters.

The second period (1980–1982): the initial USSR assumption that could easily suppress Afghan resistance quickly proved wrong. Afghan guerrilla fighters, supported by international powers, mounted fierce resistance. The mujahideen began to receive significant military support (weapons, training, and funding) from the USA and its allies. The USSR focused on urban centers, but the rugged mountainous terrain made conventional warfare increasingly difficult. The USSR military attempted to implement search-and-destroy

tactics and operations in rural areas, which only strengthened the Afghan resistance and alienated the civilian population.

The third period (1983–1985): by 1983, the USSR had committed more troops to Afghanistan in an effort to suppress the resistance. This period saw heavy fighting, especially in the countryside. Major battles were fought around key towns and supply routes. The Soviets began to focus on controlling strategic areas, while the mujahideen launched attacks on Soviet convoys and bases. The USA's assistance to the mujahideen escalated, particularly with the introduction of more advanced weaponry, which allowed the Afghan fighters to target Soviet helicopters and aircraft. This severely weakened the USSR air superiority.

The fourth period (1986–1988): in 1985, Mikhail Gorbachev became the USSR's leader and began to reassess the costly and unpopular Afghan war. The Soviets were facing severe economic difficulties and increasing international pressure. In 1986, Gorbachev declared next: "We have been fighting in Afghanistan for six years. If we don't change the approach, we will fight for another 20-30 years" (Botis). The Soviets began their official withdrawal in May 1988, but they left behind a weakened and unstable Afghan government that was unable to defend itself against the mujahideen.

The fifth period (1989): the USSR withdrawal was completed on 2/15/1989, marking the end of direct Soviet military involvement in Afghanistan. However, the PDPA government remained in power for a few more years before ultimately collapsing. The mujahideen continued to fight against the Afghan communist government. The government was unable to hold power in the face of continued insurgency and internal fragmentation. The PDPA government collapsed in 1992, leading to the rise of a chaotic civil war and the eventual rise of the Taliban in the 1990s.

The President of Afghanistan Mohammad Najibullah declared during his speech at the UN General Assembly in 1988 "that since the beginning of the conflict in the country 243,900 people had been killed, another 77,000 were injured. The number of the dead in the war in Afghanistan is not known" (*ibidem*). It has been circulated also the information "that the Soviet intervention in Afghanistan led to the death of more than 1.5 million of Afghans, and another 5 million of Afghans became refugees" (*ibidem*).

The Bush's international campaign against terrorism or ... there is something else?

The Bush Administration's international campaign against terrorism began in the aftermath of 9/11/2001 attacks on the USA. This campaign, led by the President George W. Bush, was primarily a response to the devastating attacks by the extremist group al-Qaeda on American soil, which killed nearly 3,000 people. However, the motivations and scope of the campaign were broader, involving a wide range of military, diplomatic, and intelligence efforts.

Below are presented some key aspects of the Bush Administration's War on Terror.

The immediate response to 9/11/2001: the invasion of Afghanistan in October 2001 was an initial military response to dismantle al-Qaeda and remove the Taliban regime from power. The Taliban had been harbouring Osama bin Laden, the leader of al-Qaeda, who had masterminded the mentioned attacks.

The expansion beyond Afghanistan: while the initial military focus was on Afghanistan, the Bush Administration expanded the campaign to a global initiative aimed at combating terrorism and preventing further attacks. The invasion of Iraq in 2003 became one of the most controversial aspects. As part of the War on Terror, President Bush enunciated the doctrine of pre-emption, which justified USA military intervention in situations where threats were perceived to be emerging, even before those threats were fully materialized. This doctrine was used to justify not only the invasion of Iraq but also a range of other preventive actions around the world.

Terrorism as a Global Security Threat: the Bush Administration expanded its anti-terrorism efforts by targeting terrorist groups worldwide. This included efforts to disrupt terrorist financing, target leaders of al-Qaeda and affiliated organizations, and coordinate with other nations to fight terrorism at the international level. In the wake of 9/11/2001, the Patriot Act that has "the purpose (...) to deter and punish terrorist acts in the United States and around the world, to enhance law enforcement investigatory tools, and other purposes (...)" (Financial Crimes Enforcement Network) was passed, being considered controversial due to concerns over civil liberties and privacy rights.

International partnerships and multilateral efforts: the USA led a coalition of North Atlantic Treaty Organization (NATO) allies and regional partners in its military campaigns. It was the first time in its history that NATO engaged in a combat mission outside of Europe. The Bush Administration sought to build a broad international coalition to fight terrorism and increase diplomatic efforts to combat state sponsors of terrorism, such as Iran or Syria.

Human rights and civil liberties: is considered one of the most controversial aspects of the war on terror because it's a practice in which terrorism suspects were captured by the USA and sent to other countries for detention and interrogation, often in locations where torture was more widely practiced.

The legacy and criticism of the war on terror: while the initial campaigns were successful in ousting the Taliban and Saddam Hussein, the subsequent efforts to stabilize Afghanistan and Iraq were less successful. The prolonged military engagement in Afghanistan also led to significant financial and human costs.

Obama Administration and the war on terror: it was ended the Iraq War in 2011 and authorized the death of Osama bin Laden in 2011, which was a major symbolic victory.

The Afghan President Hamid Karzai stated that "Afghanistan never was a sponsor of global terror. Afghanistan was a victim of global terror. The Afghan people are the greatest victims of terrorism" (Petersmann). Actually, these words highlight the complex and multifaceted nature of Afghanistan's position in international politics.

While the above-mentioned official narrative behind the USA invasion was the elimination of al-Qaeda and the Taliban, and the promotion of democracy, some political analysts and economists have suggested that the geopolitical and economic interests of the USA in Afghanistan's vast natural resources may have also played a role in shaping the intervention.

20 years ago, a team of American geologists working discovered that the Afghan soil is hiding a wide variety of valuable minerals. "Afghanistan's untapped mineral deposits could be worth up to \$3 trillion" (Reuters), including: iron, copper, uranium are among the largest deposits in the world; significant reserves of niobium; gold; silver; gemstones (emeralds, sapphires, and rubies); the lithium deposits are so huge that could help Afghanistan in developing and exit from the severe poverty.

These data shows that the natural resources could also a very serious reason of the USA's invasion on the territory of Afghanistan.

The return of the Taliban – the collapse of the Afghan dream of freedom

The return of the Taliban in 2021 marked a tragic and unsettling chapter in Afghanistan's modern history, and the collapse of the Afghan dream of freedom is a poignant reflection of the deep sense of loss felt by many in the country and around the world. The dramatic events that unfolded in the wake of the USA military's withdrawal from Afghanistan in August 2021 were a devastating blow to the aspirations of millions of Afghans who had hoped for a future of peace, stability, and progress.

For two decades, Afghanistan had been a battleground for competing forces. Following the 9/11/2001 terrorist attacks, the USA and NATO intervened in Afghanistan, overthrowing the Taliban regime, and trying to set the stage for a new, democratically elected government.

However, the Taliban never fully disappeared. They regrouped, continued to engage in insurgency, and exploited local grievances.

"The 20th anniversary of the attacks would probably have made little difference to this virtual historical oblivion. But then President Joe Biden linked the US' withdrawal from Afghanistan to the fateful date of September 11. He said that all US troops would have left the country by that date (...). He probably did so in a bid to suggest that the mission had been brought to a successful conclusion" (Pohl).

The withdrawal of the USA forces in 2021 left the Afghan government and security forces in a precarious position, ultimately leading to the swift collapse of the government and the return of the Taliban to power. Tens of billions of USD have been spent by Washington to train and equip the Afghan army, which has been left demoralized since the USA's retreat, with most of its soldiers choosing to side with the Taliban, surrender or flee.

"According to *The Washington Post's* Afghanistan Papers project, out of the 352,000 soldiers and police counted as members of the Afghan security forces, only 254,000 could be confirmed by the former government.

Commanders not only created "ghost soldiers" to pad their payrolls but also skimmed the pay of serving soldiers and failed to deliver necessary supplies" (Shams).

When the Taliban entered Kabul on August 15, 2021, it was a deeply symbolic moment that represented the collapse of Afghanistan. The sight of Afghan civilians desperately trying to flee, many clinging to the sides of planes, revealed the deep fears and uncertainty.

For many Afghans, particularly the younger generation, the fall of Kabul marked the death of hope. Women are once again largely confined to their homes, the girls above the sixth grade are prohibited to attend school, and freedoms of expression are severely restricted. The Taliban's harsh interpretation of Sharia law stifled any remnants of the more progressive culture that had begun to take root in Afghanistan. For young

people who had grown up with the belief that Afghanistan could become a modern, prosperous nation, the return of the Taliban was a crushing disappointment.

The return of the Taliban, international sanctions, frozen reserves outside Afghanistan, and soaring inflation halted much of the foreign aid that Afghanistan had relied on, creating a severe economic and humanitarian crisis. Thus, basic goods became unaffordable for most Afghans and many young people found themselves trapped in an increasingly impoverished and unstable environment.

Maryam Marof Arwin (the founder of a charity organization for women and children in Kabul) said in a phone conversation with DW: “To be honest, I feel like I’m living a nightmare. It’s hard to comprehend what we’ve been through in the last (...) years. (...) I don’t really understand where the hope came from that the Taliban had changed or even become better. (...) We always knew that with the Taliban in power, we would lose everything we had achieved. Twenty days before they came to power, we, women activists and civil society representatives in Kabul, organized a press conference to once again make the world community aware of our situation. (...) We said, “Look at the areas that were already controlled by the Taliban at that time and see how they despise women’s rights.” But no one would listen to us” (Von Hein).

The sociological analysis shows that most Afghan women and men consider their lives to be a great suffering. Tens of millions of people live below the poverty line and suffer from chronic hunger.

Conclusion

The courageous men and women who have fought for decades against foreign invasions, internal strife, and return of the Taliban find themselves in an endless struggle, where their hopes for a better future are constantly thwarted by war, political betrayal, and oppressive rule.

The land that should have been a symbol of hope and resilience is now a place where millions of Afghans live in poverty, facing daily hardships, and watching their rights and freedoms vanish under the weight of extremism. For women and girls, the promise of education, equality, and opportunity has been replaced by fear and isolation. The young people have broken spirit. And for the elderly, who have witnessed the cycles of war and change, there is a growing sense of despair.

Afghanistan’s wealth in resources has long been overshadowed by the political instability and constant conflict that prevent it from flourishing. Despite the billions of USD invested in military aid, development projects, and infrastructure, the country remains tragically unblest by lasting peace or prosperity, even by owning the anthem called “This is the Home of the Brave”.

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INTERACTIVE LEARNING STRATEGIES IN HIGHER EDUCATION: CHALLENGES, OPPORTUNITIES AND RISKS

Elena RAILEAN

<https://orcid.org/0000-0002-7893-9742>

University of Political and Economic European Studies "C. Stere", Chisinau

Abstract

Nowadays, learning ought to be an active process that takes place inside the state of the lifelong learner capacity of learning how to learn through all of life and is impacted by the learner(s) capacity to learn, learning objects, and their surroundings. The problem is that learning occurs in a variety of learning environments, which are physical, digital, and virtual. This article examines the foundational literature on interactive learning strategies in higher education, emphasizing the definition of key terms, the design of teacher-centered and/or learner-centered learning environments, and the active engagement of students in lifelong learning processes. It explored concepts of learning strategies, diversity of learning strategies, and interactive learning strategies from the perspective of global challenges, opportunities, and risks. Additionally, this article is a crossroads publication: it remains the reader of the imperative to review the concept of interactive learning strategies in higher education, taking into account the dynamicity of learning theory and knowledge management models and the evidence of key findings from theory to practice of the impact of artificial intelligence on learning capacity. This commitment to theory and practice will enable an understanding of the importance of interactive learning strategies in and beyond higher education.

Keywords: learning strategies, realness, interactivity, interactive learning strategies, tactics, artificial intelligence in education.

*Anyone who stops learning is old, whether at twenty or eighty. Anyone who keeps learning stays young.
The greatest thing in life is to keep your mind young (Henry Ford)*

Introduction

In the discourse surrounding educational research, the term "interactive" is used in two different contexts: pedagogy and new technologies in education. As digital technologies pervade higher education worldwide, it seems likely that it would be fruitful to explore, both theoretically and at the level of data, links between the concepts of "interactive", "learning strategies" and "interactive learning strategies". Previous research of the scientific literature concerning learning strategies in higher education has revealed a variety of ideas, considered to be involved, with several common elements suggesting a scale of interactive learning strategies from "enhanced learning" to "team-based learning" (Railean 2024).

Strategies for successful learning can be characterized from the viewpoints of philosophy, pedagogy, cybernetics, psychology, sociology, knowledge management, and more. However, specialists in epistemology are concerned with teaching philosophy, the concept of teaching, students' goals, and ideal learning outcomes, teacher-student interactions, teaching methods and strategies, methods for measuring improvement, and professional development. Educational psychologies, on the other hand, established their vision of learning strategies starting from behaviorism, cognitivism, and/or constructivism paradigms. Advocates of behaviorists state that a learning strategy refers to "behaviors and thoughts in which a learner engages and which are intended to influence the learner's encoding process" (Weinstein and Mayer) and that an effective learning strategy may impact the student's interest, motivation, curiosity, etc. in the way in which the learners select, compare, organize, summarize, evaluate, or develop new knowledge, attitudes, or/and aptitudes. Moreover, through coaching, imaging, summarizing, and problem-solving students can solve simple or complex tasks. The capacity to learn involves applying a learning strategy.

For adepts of cognitivism, the "learning strategies can be defined as the behaviors of a learner that are intended to influence how the learner processes information. Examples include underlining of key ideas in a passage, outlining of the ideas in a lecture, or trying to put some newly learned information into one's own words" (11). In the opinion of Nisbet and Shucksmith, the term "learning strategies" are related to the capacity of learning to learn. Examples of such strategies are planning, monitoring one's performance, check-in, and self-testing. These strategies can be characterized as a) *macro-strategies*, which are highly generalizable, but could be improved in dependence on demands they make upon the learner's knowledge of himself, and

learning aptitudes; b) *mind-management strategies*, which determine the success and c) *micro-strategies* and skills able to alter affective and motivational characteristics of the learner.

Advocates of the constructivist learning strategies (i.e. Jean Piaget, Lev Vygotsky, and John Dewey) emphasize the importance of understanding the learner's prior knowledge and experiences and active participation in the learning process, which is “socially” constructed in a diversity of learning environments. Bada and Olusegun note that constructivism is predicated on the idea that learning is the outcome of mental construction. Learning is an active process. Students’ previous knowledge, experience, attitude toward learning, and the context in which the idea is taught are the conditions for successful learning. For learning, students need to explore new things and reflect on their own experiences. According to Tam, learners learn through interaction with others. The following are the fundamental traits of constructivist learning environments: a) teachers and students will exchange knowledge; b) authority will be shared between educators and learners; c) the teacher's function is to guide or facilitate and d) learning groups will be made up of a small number of heterogeneous students.

In cybernetics, interactivity is related to feedback and, therefore, is a feature of the communication channel between the sender and recipients of a message. Interactive communication is a dynamic and interdependent process. Adepts of cybernetics pedagogy explore interactive learning strategies through the lenses of instructional design/learning design and/or evolution in instructional systems and environments. They go beyond behaviorism and constructivism and focus on planning, organization, and control of the teacher-student(s) or student(s)-student(s) communication in a digital environment for learning.

This article aims to describe the scope of interactive learning strategies, taking into account the dynamicity of learning environments. This article proceeds in two main steps. Firstly, it begins with the identification of global trends in the dynamicity of understanding the concept of learning strategies, and identifying what is believed to be the most active area of research. The epistemological assumptions of the scope of teaching, learning, and assessment strategies are contrasted alongside, which holds to observe very different views of the concept of “interactive learning strategies” and its practical applicability in higher education. Secondly, the concept of “interactive learning strategies” is critically appraised to identify some of its problems and limitations imposed on teaching and learning in higher education. A debate related to the challenges, opportunities, and risks of the adoption of interactive learning strategies in higher education is initiated to understand the worth of various classifications of interactive learning strategies.

Methodology of research

Dynamicity in the concept of “interactive learning strategies” and its main classification can be identified and represented by Google Ngram Viewer. This is a search engine, provided by Google. The search methodology is as follows: frequency of any set of search terms is plotted by this online search engine using an annual count of n-grams from printed materials produced between 1500 and 2022. The books that are digitized and accessible through Google Books comprise its corpus. In this research, we look for pertinent metadata from 1960 to 2022 because 1960 is related to the emergence of interactive learning environments. The search query includes 1-3 terms (i.e. words or phrases).

The search engine method is completed by the metasytem’s methodology of identification of the ideal type. This includes the identification of reference concept for the related domain, which may be considered and analyzed as a metasytem (in our case the *interactivity*), the identification of the subdomains that study the proposed concept using the method of two-step ideal type (in our case, interactive learning, interactive learning strategies (i.e. teaching strategies, learning strategies, assessment strategies)); a comparative analysis of specific features that characterize each concept that together forms the state-of-art in an analyzed metasytem. The metasytem is an interactive system of systems with an intelligent mechanism of self-regulation in which “the whole is more than the sum of systems” (Aristotl).

Results of research

1. Diversity of learning strategies

The learning strategies can be classified as teacher-centered, learner-centered, or interactive. Teacher-centered learning strategies are planned, organized, and evaluated by the teacher. The teacher is the expert in teaching material and, therefore, chooses the topics, presents well-structured information, monitors and corrects students' work, and evaluates performance and evidence of learning within or/and the end of the course. Students’ minds are viewed as empty vessels that need to be fulfilled with good knowledge or as intelligent cognitive machines, that perceive information and do exercises to transfer data from short-term to long-term memory. In a constructivist learning environment, which is considered an active learning strategy, students answer teachers’ questions.

In learner-centered learning strategies the teacher is the information resource, but more with the function of coach or facilitator of students learning, while students embrace a more active and collaborative role in their learning. The focus is shared between the teaching strategy of teachers and the learning tactics of students, who may have the right to choose the same topics, especially for their research projects. Following planned didactical activity in a well-structured curriculum, students work in pairs, in groups, or alone and are evaluated at exams. In sum, “*learner-centeredness meant moving away from a subject-centered orientation that emphasized the learning of prescribed sets of data, information, and knowledge, and instead placing increasing attention on learners' active participation, their diverse needs, personal preferences and goals, as well as ensuring more equal possibilities for decision-making in the learning process through power sharing*” (Jakonen and Duran). The main instructional interactive strategies are discussion, interactive lectures, brainstorming, role play, simulation, debate, project-based learning, enquired-based learning, etc.

Interactive learning strategies use the power of digital technologies to plan, organize, and control the learning processes and their outcomes. They are based on the capacity of students to self-regulate their learning in an interactive learning environment and maintain this capacity throughout all life (Figure 1).



Fig. 1. Diversity of learning strategies

One of the interactive learning strategies, which considers the dynamicity and flexibility of the student’s capacity to learn in a diversity of learning environments, is the “instructional dynamic and flexible strategy” (Railean, 2014).

2. Prevalence of the learning strategies concept and interactivity

In the theory of instruction, strategies for learning are classified as teaching strategies, learning strategies, and assessment strategies. The term “teaching strategies” describes methods, techniques, and plans that teachers use to assist students in learning new knowledge and developing skills and competencies. The main examples of teaching strategies are play-based learning, flipped instruction, project-based learning, discovery learning, authentic learning, modeled teaching, direct instruction, prompting, scaffolding, rote learning, differentiation, and student-teacher conferences. In most cases, the effectiveness of teaching strategies is verified by assessment strategies. It is expected that students use learning strategies to learn provided instructional material. However, learning strategies are very different and depend on task difficulty. Weinstein and Mayer note that the major categories of learning strategies are:

- rehearsal strategies for complex learning tasks (i.e., copying, notetaking, underlining, or shadowing the material presented in class);
- elaboration strategies for complex tasks (i.e. paraphrasing, summarizing, creating analogies, question answering, describing how new information relates to existing knowledge);
- organizational strategies for complex tasks (i.e. outlining a passage in a two-dimensional diagram, creating a hierarchy of concepts);
- comprehension monitoring strategies (i.e. checking for comprehension failure);
- affective strategies (i.e. to help overcome test anxiety).

Assessment strategies aim to evaluate students’ knowledge. However, the focus of the assessment strategies could be different. Thus, the focus is to assist students’ learning at the beginning of a new module, then it is used diagnostic assessment. If the focus is to assist learning outcomes, then is used summative assessment, defined as an assessment of learning. In this way, the method of formative assessment is the case of active learning methodology, defined as assessment for learning.

The prevalence of the concept of learning strategies after 1990 can be demonstrated by using Google N-Gram Viewer to analyze global trends in teaching, learning, and assessment strategies (Figure 2).

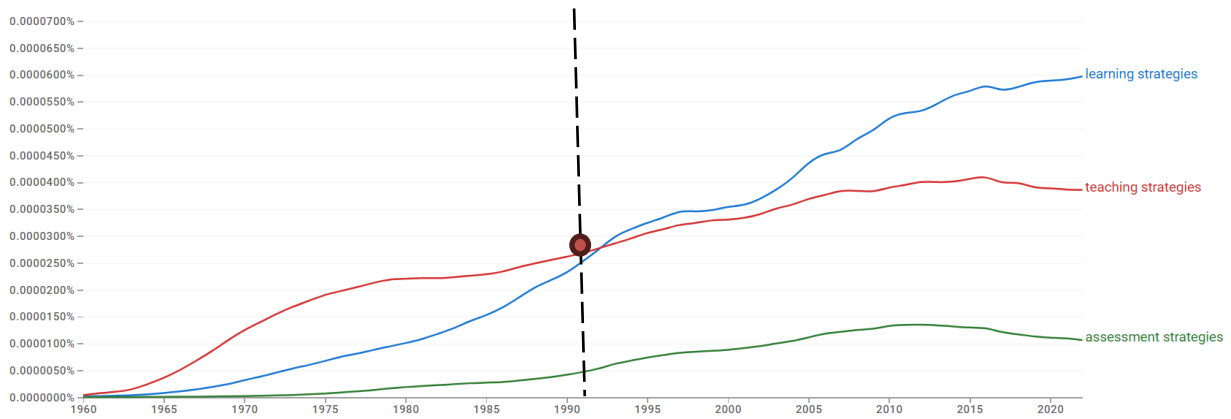


Fig. 2. The prevalence of the concept of learning strategies in international research trends

One possible explanation is the emergence of the idea of interactivity in higher education. As was observed by Beauchamp and Kennewell, the term ‘interactive’ appears in two distinct strands of educational research discourse: one concerning pedagogy and the other concerning new technologies in education. Several common elements suggest a scale of interactivity ranging from ‘authoritative’ to ‘dialogic’. In sum, shifting the balance of interaction in classrooms towards the dialogic end of the scale would bring improvements to the learning process and consequently to attainment outcomes.

Kiousis observed that the concept of interactivity is associated with new communication technologies, especially the Internet and the World Wide Web. However, a valid literature review on interactivity is difficult due to the large number of implicit and explicit definitions created by scholars from a wide range of academic and professional backgrounds. Interactivity conceptions are associated with both communication and non-communication perspectives. Scholars emphasized the object dimension of interactivity and the intellectual perspectives, even if the same categories may overlap (Fig. 3).

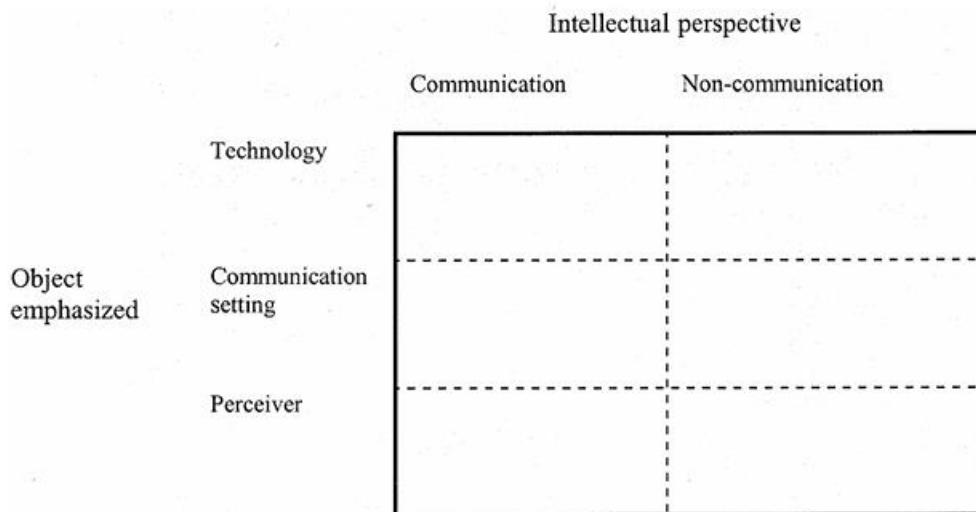


Fig. 3. Interactivity definitions (according to Kiousis 358)

Thus, the object-emphasized dimension of the interactivity definitions from the perspective of communication theories sees interactivity as a function of a medium (i.e. learning environment) or as a result of the perception of those who participate in the instructional process. Moreover, it is important to distinguish between “human” and “media” interactivity and between “content” and “interpersonal” interactivity. A six-dimensional definition of interactivity includes “complexity of choice available; an effort that users must exert, responsiveness to the user; monitoring of information use (when a system can track user for example); ease of adding information; and facilitation of interpersonal communication” (*ibidem* 361). Variables of interactivity include: “playfulness, choice, connectedness, information collection, and reciprocal communication”(idem).

A five-dimensional definition of interactivity comprises direction of communication; timing flexibility; sense of place; level of control; responsiveness and the perceived purpose of communication (*ibidem* 362).

Non-communication definitions of interactive learning strategies are more related to the dynamicity of the “interpersonal” concept in psychology and, therefore, the effectiveness of an interactive learning environment depends on how closely it approximates the interpersonal and design of the learning environment. Interpersonal communication is about communication between people and/or people and the environment. This type of communication could be face-to-face or remote, real or virtual. From this perspective, planned interactive learning strategies of teachers need to be associated with the tactics of students to exclude stratagems. The problem is that interactive communication may occur in technologically-mediated environments and/or unmediated contexts and based on immediate feedback. As was noted by Jensen, “In communication studies, it [interaction] refers, among other things, to the relationship between text and the reader, but also to reciprocal human actions and communication associated with the use of media as well as (para-social)interaction via a medium” (110).

“Interactivity can be defined as the degree to which a communication technology can create a mediated environment in which participants can communicate (one-to-one, one-to-many, and many-to-many), both synchronously and asynchronously, and participate in reciprocal message exchanges (third-order dependency)” (Jensen 372). A crucial factor is a medium's capacity to create a space that, in the minds of those involved in the communication, transcends the real physical surroundings.

3. Interactive learning strategies, metaverse, and artificial intelligence

The convergence of new technologies with artificial intelligence in education blurs the boundaries between traditional and new media. One example is *metaverse learning*, which refers to learning in a virtual realm where teachers and students can connect, interact, and explore a digital universe represented by avatars. Artificial intelligence may change the meaning of the concept of interactivity in favor of prevalence the of *metacognitive learning strategies* in the complex processes of self-directed learning. In this model, the learner is the responsible owner and the manager of his knowledge, attitudes, and aptitudes. Motivation, volition, and control of setting learning goals are the main variables, that need to be investigated. “Meta-” means more comprehensive or transcending strategies. The milestone of AI in education related to interactive learning strategies may be attributed to 2015 (Figure 4).

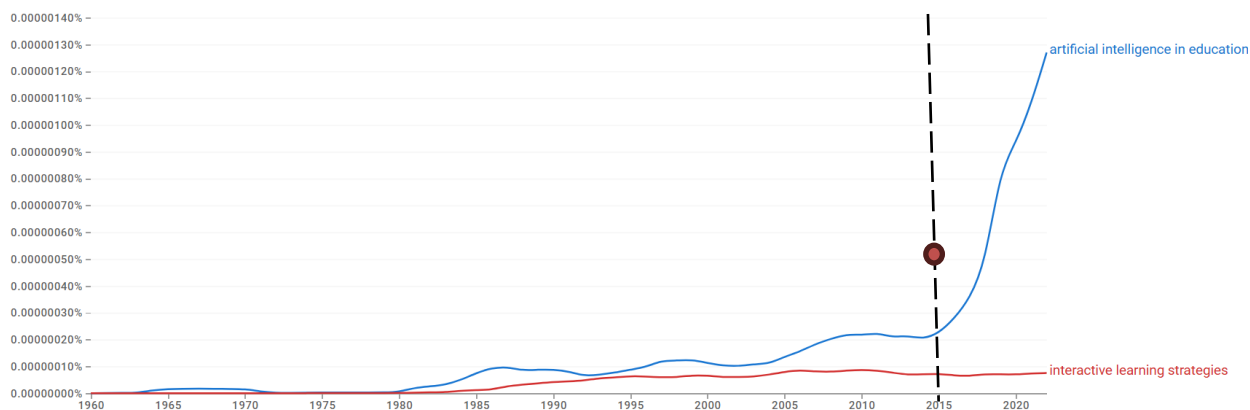


Fig. 4. Artificial intelligence in education

Conclusion

Interactivity is an evolving concept. Relating to higher education, interactive learning strategies are evolving from enhanced lectures to team-based learning in physical learning environments and/or extended reality. Extended reality is only a medium with augmented reality, mixed reality, or virtual reality. The focus in planning, development, and control of interactive learning strategies should be on cognitive, metacognitive, and affective strategies, but also on student’s curiosity, volition, and motivation to learn new things and maintain this capacity through all life.

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DIPLOMACY IN THE DIGITAL AGE: CHALLENGES AND OPPORTUNITIES FOR THE DIPLOMATIC SERVICE

Iuliana VÎRLAN

<https://orcid.org/0000-0002-0822-4055>

Universitatea Liberă Internațională din Moldova, Chișinău

Abstract

Diplomacy in the digital age is undergoing significant transformation, presenting both new challenges and opportunities for the diplomatic service. Advances in information and communication technologies (ICT) have radically altered the dynamics of international relations, enabling instant communication, the rapid exchange of information, and the global reach of diplomatic efforts. However, these technological developments also introduce risks, including cybersecurity vulnerabilities, the spread of misinformation, and potential threats to national security. The proliferation of digital platforms and social media has further complicated the diplomatic landscape, requiring diplomats to navigate an increasingly complex and fast-paced environment. On the one hand, digital diplomacy offers unprecedented opportunities for greater transparency, efficiency, and inclusivity, allowing for real-time engagement with both international stakeholders and domestic audiences. It also facilitates the promotion of soft power and the strengthening of bilateral and multilateral relationships. On the other hand, it challenges traditional diplomatic practices, demanding new skill sets and innovative strategies for effective engagement in the digital realm. In this context, the diplomatic service must adapt by investing in technological expertise, updating training programs for diplomats, and developing strategies that address the dual challenges of cybersecurity and global interconnectedness. Ultimately, adapting to the digital age is essential for maintaining relevance and effectiveness in foreign policy, ensuring that diplomats are equipped to manage both the opportunities and risks posed by digital technologies.

Keywords: digital diplomacy, communication, social networks, dissemination, information, public.

Many of the traditional elements of diplomacy are as relevant today as they were a few years ago. Dialogue with other states or organizations, negotiating agreements and signing them are all done according to the same diplomatic custom and in accordance with international law. There can be no doubt that these activities occupy an important place in the international diplomatic arena. At the same time, the speed of dissemination of information has changed. Along with access to information, the views of public opinion have also changed, and these demands must be taken into account by diplomats. Public opinion wants to know the position of diplomats with regard to certain events, demands more transparency in the diplomatic process, wants to understand the decisions of international actors with regard to world issues. We have to note that part of the services for citizens are being provided online, and we can see that diplomacy could not lag behind. The answer to these legitimate demands is the introduction of these tools in the work of diplomats, be it about the use of web platforms to provide information or consular services.

In a world in constant political, economic and technological transformation, a world in which there is no shortage of hybrid or military threats, international relations work is becoming increasingly intense and requires a proactive and effective response, and digital diplomacy has proven to be an essential tool in managing these situations.

According to the Encyclopedia of Diplomacy, digital diplomacy is also known as e-diplomacy. It refers to the totality of ways in which new media and the internet can lead to the achievement of diplomatic objectives and can be a tool of public diplomacy that can measure the immediate impact of addressing an audience. The way in which certain interests are promoted or how an audience is made to resonate with the concept increases the importance of the visual message used by the sender. Currently, digital diplomacy is characterized by decentralization and horizontality, with diplomacy becoming increasingly public and diffuse. These aspects make control and centralization of external actions almost impossible. In the process of analyzing digital diplomacy, it is necessary to contextualize it according to what each individual state is pursuing. Corneliu Bjola, the author, puts forward the idea of small states using digital diplomacy to communicate and strengthen relations with their diaspora communities, due to the economic interest derived from remittances to the diaspora. However, digital diplomacy is not only about disseminating information to an audience, but also about how to manage it effectively in the international system (Duganciu 210).

A new type of digital diplomacy, known as diplomacy 2.0, is taking shape in its second decade. The transition from diplomacy 1.0 to diplomacy 2.0 incorporates certain elements, namely, continuous engagement between a foreign ministry and its followers, without delimitations as to the time or subject of discussion. It can thus be seen that some online communities are being created around them. We can notice the shift from

one element to another, i.e. the adoption of a listening architecture among the ministry, which perceives the comments of the platform users as relevant information on the perception of the foreign public. Following the diversification of communication tools specific to new media, a new stage of diplomacy has been reached, known as diplomacy 2.1. This calls for a strategic approach to communication, as each message transmitted becomes accessible to the public and can generate immediate reactions. In this context, there is a risk that information can be distorted or hyperbolized, which can lead to misinformation and produce significant negative effects. As a result, in the case of diplomacy 2.1, we see flexible and bi-directional communication tailored to the target audience. However, whatever type of digital diplomacy we refer to, it needs to be underpinned by a strategy, i.e. long-term objectives that ensure continuity in foreign policy.

In Gilboa's view, diplomacy 1.0 refers to the passive presentation and consumption of content, mainly through e-mail and websites. This format characterized the digital diplomacy used under President George W. Bush. Diplomacy 2.0, created in 2008, refers primarily to interactivity, the distribution of user-generated content through platforms such as blogs, forums, Wikipedia, Flickr and the social media networks Facebook, LinkedIn, MySpace, YouTube, Twitter, Instagram and Google+. In diplomacy 1.0, communication was vertical and only one-way, from governments downwards; in diplomacy 2.0 it was interactive and horizontal (Gilboa).

Those who believe that diplomacy can only be achieved by using traditional techniques will be overtaken by those who understand the new dynamics of the field's development. Digital diplomacy is linked to the realization of foreign policy, whether we are talking about ideas, information or networks. Scholars interested in the study of diplomacy perceive diplomacy as a method of managing change within the confines of norms that shape a certain type of behavior among international actors, with the success of relations between them being influenced by diplomats' ability to be aware of evolving power dynamics.

Judiciously interpreting an international actor's aspirations in light of contextual circumstances or the significance of Kissinger's historical lessons, carefully evading the limits of adaptability to change and enlisting the help of others in resisting change championed by Clinton through the insistence of clarity of communication are just some of the elements that have shaped diplomatic relations to date. Diplomacy is particularly well suited to managing international change because at its core it is a way of understanding that envisions the plural character of human existence and treats as axiomatic the proposition that relations between groups are different from those within them.

In the context of change, Wendt emphasizes the crucial importance of diplomacy. He suggests that diplomacy embodies the only tool by which we can expect to steer change in certain ways, to minimize the severity of the outcomes, and even to achieve beneficial results. And digital diplomacy makes it easier to disseminate the message to the general public, in a shorter timeframe and at lower cost, thus helping to bridge the change management gap. Digital diplomacy is also advocated as the use of media in diplomatic means, which can change the way diplomats engage in practices related to information management, public diplomacy, strategic planning, international negotiations or crisis management, but with certain limitations, as the collection and analysis of data from foreign audiences is done by listening to speech on the ground (Bjola).

Table 1. The effects of technology on modern diplomacy

Effect	Explanation
Instant global connectivity	The accelerated development of the internet has lowered communication costs and increased the amount of information that can be transmitted and accessed simultaneously at very high speeds. This has allowed for greater connectivity between individuals, institutions and states, speeding up the decision-making process, but also making it more difficult, and the need for diplomacy to respond to events in real time.
Knowledge management	As more and more services move online, the direct relationship of foreign ministries with the public, at home and abroad, becomes critical. Thus, we are talking about e diplomacy platforms for disseminating foreign policy information and e-consulates for resolving consular problems online
New threats, new opportunities	The states of the world find themselves in a dilemma. Using new technologies has obvious advantages. At the same time, their relatively easy access by malicious individuals or states is a problem that requires action by the international community. Cyber-warfare, cyber security, cyber control of the internet are on the cyber agenda of diplomats.

Media capacity to cover real-time events from anywhere in the world	Public opinion in (almost) every corner of the world is connected in real time to events tens of thousands of kilometers away. Moreover, information accompanied by images has a greater capacity to influence public opinion. However, we cannot help but wonder to what extent is it capable of analyzing and interpreting events correctly?
Easy access to information	Cheap access to information also means that information has become abundant. The Internet accelerates the free dissemination of information, whether it is real or not. From the point of view of the individual, this means a difficulty in deciding between relevant, irrelevant or fake-news. From the foreign ministry's point of view, it means that the diplomat alone can no longer make this selection, requiring investment in artificial intelligence and data-mining machines.

Digital diplomacy is constantly evolving and its importance is growing with the digitization of foreign ministries and technological progress. Its expansion into more areas of diplomatic work encourages research into the impact of what is being done through it and how it can be improved. Non-digital diplomacy encompasses several areas that digital diplomacy cannot currently cover.

The United States was the first to mention the importance of using new technologies to better meet the expectations of an informed public, but also to disseminate information quickly to different corners of the world the values they believe in. On its website, the State Department explains its diplomatic strategy for the 21st century: We are adapting our foreign policy leadership to reform the diplomatic service and develop the diplomatic agenda to meet old challenges in new ways, using one of the assets the United States is recognized for around the world: innovation. This is the strategy for the 21st century: complementing traditional foreign policy tools with new, innovative and tailored ones that will link networks, technologies and people in an interconnected world (Duganciu 212).

Although, the US is the world's leading adopter and most intensive digital diplomacy organization, Gilboa points out that looking only at the US experience can miss significant national and cultural differences and idiosyncrasies (Gilboa).

The UK, through the Foreign and Commonwealth Office, recognized in 2012 the importance of the internet as part of modern diplomacy, expressing its decision to use digital services alongside traditional tools in the delivery of its foreign policy. To this end, a communication strategy has been adopted and human resource skills have been developed to integrate the new tools across all departments (Cercel 103).

Two interesting cases demonstrate the power of digital diplomacy to disseminate foreign policy objectives in the virtual world. First, Kosova, as an entity not yet recognized by all states of the world, is considered one of the most active users of new tools to promote its statehood online. The second example is Iran, which has tenaciously used Twitter posts during the negotiations between Iran and the five members of the Security Council plus Germany (P5+1 or EU3+3) to win public opinion on its side and soften the positions of others in reaching the Joint Comprehensive Plan of Action agreement (*ibidem* 104).

The advantages of the digital age are obvious:

- It provides a rich space of open-source information that can and must be analyzed. Huge amounts of information (big data) of all kinds require the involvement of multiple actors in the analysis process and, in particular, the use of advanced computing and Artificial Intelligence;
- It allows diplomats and decision-makers to convey a personal perspective on the issues at stake. This does not mean a departure from the official positions expressed, but merely a reinforcement of the message, perhaps rephrased in language more accessible to the general public or tailored to a particular target audience, making the message more credible and easier to understand. However, we note that the practice has been, and continues to be, uneven across foreign ministries, depending more on the talent and communication skills of the person posting, but also on the openness of each country to this new diplomatic channel of communication;
- It offers technical capabilities for target audience segmentation, so that specific messages reach different audiences. Moreover, through the same communication channel, the target audience feedback is also obtained, allowing for a possible adjustment of the message over time. This two-way communication is a revolution in diplomacy;
- It increases the transparency of diplomatic action. Diplomatic demarches do not only take place behind closed doors, with the public actively participating (or at least having the feeling that they are actively participating). At the same time, it also has a negative side: the emergence of a large number of opinions in the public arena polarizes debates and hinders or delays the decision-making process;

- It brings new ideas to the diplomats' table. The internet and social media provide a rich environment for exchanging ideas. Even if not all of these ideas are useful, diplomacy cannot ignore the debates that are taking place and, what is more, it can influence them by calibrating its messages according to the characteristics of the groups participating in these debates;

- It allows official positions to be tested before being released to the media, or to express positions on the actions of other states that could not be released through official channels.

In conclusion, we can say that digital diplomacy marks a revolution in diplomacy and we are only at the beginning of this revolution. The Internet has allowed an exponential increase in the ability to penetrate public messages in real time (potentially to the entire world), by increasing their addressability to target groups (which in traditional diplomacy cannot be reached) and adapting them to the characteristics of each target group in terms of language, language, preferred channel of communication. The advantages of digital diplomacy are undeniable and make a substantial contribution to increasing the transparency of diplomatic efforts. However, it should be noted that at state level, the practice has been and continues to be uneven, depending both on the resources available to diplomacy and on the openness of states to making part of diplomatic activity more transparent, and above all on their willingness to include technology and social media tools in the professional activities of diplomats.

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RESEARCH ON DEVELOPMENT PATHS AND OPTIMIZATION STRATEGIES FOR INTEGRATING CHINESE INTO THE MOLDOVAN NATIONAL EDUCATION SYSTEM

Jing WANG

<https://orcid.org/0009-0006-3463-4206>

*Northwest Normal University (NWNNU), Lanzhou, China
Free International University of Moldova (ULIM), Chisinau*

Abstract

Incorporating Chinese into the national education system of foreign countries is a critical step in building international communication capacity for the Chinese language. This article distills and summarizes the developmental pathway and optimization strategies for incorporating Chinese into Moldova's national education from the perspective of regional Chinese international communication. The inclusion of Chinese in Moldova's national education system exhibits distinctive characteristics, has great potential for growth, and follows a developmental path comprising macro-level policy support, meso-level structural conditions, and micro-level implementation, supported by a tripartite collaboration. Based on this, we propose an optimized pathway for incorporating Chinese into Moldova's national education system: first, establishing a joint influence of "push" from the source country and "pull" from the target country from an external perspective; second, promoting inclusion through a dual approach of official and grassroots channels; third, achieving in-depth and sustainable development of Chinese teaching in Republic of Moldova by covering all educational stages, aligning Chinese with employment opportunities, and enhancing the language's value and status to achieve high-quality development of Chinese education in Moldova.

Keywords: Incorporation of Chinese into the National System, Republic of Moldova, development path, optimization strategies

I. Introduction

The incorporation of Chinese into the national education system of each country means that each country incorporates Chinese into the basic national education system through the promulgation of decrees, decrees, syllabus and curricula, etc. (State Language Commission, 2009). Li & Zhuang expand this concept to mean that overseas countries carry out Chinese language education at all levels of the national education system through the enactment of decrees, syllabus and other forms of teaching and learning, and by means of courses in schools and universities, senior high school exams, professional education and civil service exams, etc. The inclusion of Chinese language in the national education system is an important factor in the integration of Chinese language into the international education system. The incorporation of Chinese language into the national education system is an important symbol of the enhancement of the international status of Chinese language, and also an important reference for the communication value and cultural value of Chinese language to be gradually recognized by the world. By the end of 2022, more than 30 million people worldwide are learning Chinese, and 81 countries have incorporated Chinese into their national education systems. It has been shown that the incorporation of Chinese into the national education system reflects that the value of Chinese is recognized by the governments of various countries, and that Chinese language education in these countries has gained more room for development, which has become an important foundation for the localized and high-quality development of Chinese language education (Curdt-Christiansen; Yinghui Wu; Valuable Li, Xiaowen Wu).

However, we should recognize that the 81 countries and regions included in the national system only account for 45% of the 180 countries where Chinese language teaching takes place, and Chinese language education is facing difficulties and challenges in the process of "not included - degree of inclusion - sustainable development" in terms of the depth and breadth of effective strategies for inclusion. In the process of "not included - degree of inclusion - sustainable development", Chinese language education also faces difficulties and challenges in terms of effective strategies, depth and breadth of inclusion. Therefore, it is of great value and significance to explore the issues of paths, mechanisms, and promotion strategies for Chinese language integration into the national system. Research on the paths, mechanisms and strategies of integrating Chinese into the national education system will help to find effective strategies and intervention paths to promote the international dissemination of Chinese on the one hand, and help to clarify the internal factors and deep-rooted reasons for the integration of Chinese into the national education system on the other hand.

The Republic of Moldova is located in the east of Europe, neighboring Romania and Ukraine, along the Silk Road Economic Belt, and is the bridge and window connecting the two major political and economic blocs of the CIS and the European Union, with obvious geographic advantages. 2009, China's Northwestern

Normal University and the Free International University of Moldova set up the Confucius Institute, which, after 14 years of rapid development, gradually formed a full-level Chinese language teaching network from pre-school to postgraduate education, training more than 11,000 students so far. After 14 years of rapid development, it has gradually formed an all-level Chinese teaching network from pre-school education to postgraduate education, and has trained more than 11,000 students so far. However, Chinese language education has not yet been incorporated into Moldova's national education system, which has led to the problems of no Chinese language teachers, fewer official credit courses, and constraints on the further development of Confucius Institutes and Chinese language teaching. For this reason, this paper takes the path and mechanism of Chinese language integration into Moldova's national education system as the object of research, with a view to exploring effective strategies to promote the integration, providing scientific basis and rationale for enhancing Moldova's Chinese language international communication power and realizing the deep and sustainable development of Moldova's international Chinese language education.

II. Abstract of studies on the integration of the Chinese language into the national education system

The expression „the Chinese language into the national education system of other countries” appeared as a note on the situation of Chinese education in the country, rather than as a separate object of study. From the viewpoint of scholars' articles, Cai Yongqiang was the first to study the entry of Chinese into the national education system of Ireland, but the attention of scholars has always been low. After the “Opinions on Strengthening and Improving Humanitarian Exchanges Between China and Foreign Countries” put forward in 2017 to “support more countries to include the teaching of the Chinese language in the national education system”, the integration of Chinese into the national education system has gradually become a major issue in the field of international Chinese language education. Since 2018, three research projects on the integration of Chinese into the national education system have been approved by the National Social Science Foundation of China. Based on the search of the China Knowledge Network database, there are about 10 articles on the integration of Chinese into the national education system. Although the number of research results is not large, there are both theoretical explorations and case presentations, and they cover both the overall situation and micro-cases, which initially constitutes a system of research on the integration of Chinese into the national education system.

However, the existing research mainly focuses on the exploration of the characteristics of the integration of different country regions after the integration of Chinese into the education system, as well as the motivation for the integration, the challenges faced and the corresponding strategies proposed, etc., and pays insufficient attention to the research on the non-integration of Chinese into the education system, with fewer researchers, insufficient theoretical support and fewer research cases. There is a single research perspective, mostly status quo-decision-making research, with fewer innovative and practical suggestions for countermeasure research. On the basis of existing studies in the academic world, this paper, based on the combing of existing studies, tries to take Moldova's inclusion path and optimization strategy as the object of study, and tries to answer the following two questions: (1) What is the path for Moldova's Chinese language to be included in the national education system? (2) What are the optimized facilitation strategies for the current situation of inclusion?

III. Paths of development of the integration of the Chinese language into the Moldovan national education system

3.1 Integration into the pathways framework

Scholars have conducted in-depth studies on the motivation and characteristics of Chinese language integration into the national education system, but there is a lack of discussion on the paths and initiatives of integration. In this study, in response to previous studies (Li, Valu, and Zhuang, Yao-Yao, 2019, 2021; Meng, Yuan, et al.; Yin, Dong-Min, et al.), the ways in which the Chinese language is incorporated into the national education system are sorted out and categorized into three scenarios and six types of characteristic ways or important initiatives. The three stages are macro, meso and micro, i.e., issuing decrees and signing memorandums of agreement are "macro" policy guarantees; formulating syllabi and implementing brand-name programs are “meso” conditions; and setting up elective and mandatory courses, establishing departments and specialties, and including them in examinations and subjects are “micro” conditions. The establishment of compulsory and elective courses, faculty specialties, and examination subjects are the “micro” specific implementation. Among them, many basic pedagogical support, long-term policy promotion and stage-by-stage important projects are also landmark progress. In the process of incorporating Chinese language into the national education system, various types of initiatives have been carried out in a variety of ways, sometimes launching macro, meso and micro initiatives individually, and sometimes launching a number of cross-cutting

initiatives at the same time. Generally speaking, although the starting point may be different, the follow-up and promotion of these initiatives are carried out in a multifaceted and integrated manner.

3.2 Macro - policy guarantees

In terms of macro policies, there are two main ways to realize the integration of the Chinese language into the national education system, which is also the most important symbol and the most effective way of integration. One way mainly refers to the fact that governments or education authorities in various countries have systematically launched Chinese language teaching in specific school segments and on a large scale through the promulgation or amendment of decrees and ordinances relating to Chinese language teaching, or the formulation or release of language education plans relating to Chinese language teaching, or public announcements, statements and initiatives by leaders. Such initiatives are of great symbolic significance and value. Generally have a certain legal effect, top-down into a system to promote the implementation, is conducive to the coordination of domestic educational resources, good long-term planning layout, which leaders announced, decisions or announcements, etc. also has a strong social effect. For example, at the end of Saudi Arabia's Crown Prince Mohammed bin Salman's visit to China in 2019, the Saudi government announced that Chinese language would be included in the curriculum of all educational stages to make its education more diversified. Another way is for the education departments of the two countries to sign cooperation agreements or memorandums of understanding, in which both sides reach an agreement on cooperation in teaching planning, teacher needs, textbook development, exchange programs, etc. For example, in 2020, China and Egypt signed the Sino-Egyptian Cooperation Agreement. For example, in 2020, China and Egypt signed the Memorandum of Understanding on the Integration of Chinese as an Elective Second Foreign Language in Primary and Secondary Schools in Egypt.

In terms of macro-policy support, with the support and promotion of China and the Moldovan Ministry of Education, the Confucius Institute at the Free International University of Moldova was established in 2009, marking the formalization and systematization of Chinese language teaching in Moldova, Mo. As of May 2023, the Confucius Institute in Moldova has a total of 20 Chinese teachers (including 3 native teachers), 14 Chinese teaching sites, 67 teaching classes, covering 3 kindergartens, 7 secondary schools and 4 universities, with 1,050 enrollments, initially forming a multi-level, diversified and wide-coverage pattern. With regard to the integration of Chinese language into the national education system, the Confucius Institute has been in contact with the relevant officials of the Moldovan Ministry of Education and Parliament, and has reached a preliminary consensus on the integration into the national system. The Ministry of Education of Moldova has put forward the conditions for the completion of the Chinese language syllabus at all levels in Moldova and the systematization and scaling up of Chinese language teaching in Moldova, and the two conditions for inclusion have been realized.

3.3 Meso - Conditional Support

The development of teaching curricula and the implementation of brand-name programs provide support for the conditions of the "Chinese perspective". The formulation of teaching programs mainly refers to the fact that governments or education authorities in various countries, either directly or by commissioning relevant teams of experts, on the premise of conforming to the framework of local foreign language education and in accordance with the planning of Chinese language teaching in the relevant school segments and scopes, formulate corresponding Chinese language teaching programs and outlines, and clearly define the objectives, contents and tasks of Chinese language teaching and serve as an important criterion for the preparation of textbooks, the implementation of teaching and the testing of quality. For example, in 2020, the Bulgarian Ministry of Education and Science issued a ministerial decree promulgating the Chinese language curriculum for basic and secondary education (grades 1-12).

In terms of syllabus preparation, the Confucius Institute in Moldova has directly or entrusted the relevant expert team to formulate the syllabus and outline of Chinese language education courses from preschool to undergraduate education, from interest classes of Confucius Institute to Chinese academic education, based on the Common European Framework of Reference for Languages, under the premise of conforming to the framework of local foreign language education, as the basic requirements for subsequent preparation of teaching materials, carrying out teaching, checking the quality of teaching. In accordance with the Common European Framework of Reference for Languages (CEFRL), the Confucius Institute has formulated the syllabi and outlines of Chinese language education programs from pre-school education to undergraduate education, and from Confucius Institute's interest classes to Chinese language education programs for academic purposes, clearly defining the objectives, contents, tasks and other basic requirements

of Chinese language education, which serve as an important criterion for the preparation of teaching materials, teaching and testing of the quality of teaching.

The implementation of brand-name programs mainly refers to the efforts of governments or education authorities to enhance the effectiveness of Chinese language teaching and to increase the influence of Chinese language teaching, by means of Chinese-foreign cooperation, such as the establishment of Chinese language classes for improving Chinese language teaching or the implementation of Chinese language programs for cultivating excellence in Chinese language teaching. The creation of important brand-name activities is conducive to the formation of a demonstration effect, attracting more students to learn Chinese and encouraging more social resources to participate in the support.

In terms of brand programs, the brand activities of the Confucius Institute in Moldova include cultural promotion activities and Chinese academic activities. Cultural promotion activities include: Confucius Institute Cup Moldova National Wushu Championship, International Table Tennis Invitation Tournament, Moldova Chinese Summer Camp, and regular Chinese cultural theme activities - Chinese Bridge Competition, Mid-Autumn Festival, Chinese New Year, Cultural Promotion of Teaching Centers and Confucius Institute Day. Chinese academic activities include the National Seminar on Chinese Language Teaching in Moldova. The implementation of a series of cultural and academic exchanges is also the basis for the integration of the Chinese language into the national education system, as well as the implementation of the brand building program for major social groups on the premise of the popularization of the Chinese language teaching.

3.4 Micro-implementation

“Micro” implementation includes the selection of compulsory courses, the establishment of faculties and specializations, and the inclusion of examination subjects. Setting up compulsory courses and faculty specializations means that, with the encouragement and support of the governments or education authorities of various countries, higher education institutions in their own countries or with the cooperation of Chinese institutions. The inclusion of Chinese as an examination subject mainly means that governments or education authorities link Chinese language with national education system examinations, and include Chinese language as an important examination subject in students' senior high school examinations and university entrance examinations, which also signifies that Chinese language as a foreign language has been included in the examination system of national education.

With regard to the selection of compulsory courses and faculty specializations, since 2012 the Free International University of Moldova has opened under the Faculty of Foreign Languages the B.A. and M.A. programs in English-Chinese Interpreting and Translating, with the Confucius Institute in charge of the teaching of Chinese language courses. The program includes courses in English-Chinese translation, Chinese reading, text analysis, HSK course coaching, interpreting, professional translation and simultaneous translation. Some of the best English-Chinese interpreting graduates have entered China to pursue master's degree programs in Chinese language through the Chinese National Scholarship and Confucius Institute programs. At present, the Chinese language program is offered as a second foreign language elective course for all students at the Free International University. In terms of the subjects to be included in the exams, the exams with credits are mainly the semester tests of the compulsory courses of the faculties. Other Chinese language tests are the HSK and HSKK Chinese Proficiency Tests, which are held four times a year at the Confucius Institute of the Vrije University.

Micro initiatives are conducive to promoting the high-quality implementation of the integration of the Chinese language into the national education system. At the tertiary level, universities with the necessary conditions can set up Chinese language departments and majors, and organize undergraduate, master's and even doctoral degree programmes, so as to establish a system of Chinese language learning for all levels of study, raise the level of Chinese language teaching and research, facilitate the training of local Chinese language teachers on a large scale, and enhance the self-blood-supporting capacity of Chinese language education in each country, so as to promote the sustainable and high-quality development of Chinese language education in the respective countries.

IV. Optimizing strategies for promoting the integration of the Chinese language into the Moldovan national education system

4.1 Otherness perspective

“The same and the other” refers to everyone and everything outside the self. The perspective of the other refers to the advantages and disadvantages of integrating Chinese into the national education system from the perspective of the other country that integrates it into its national education system. The popularization and

deepening of Chinese language education overseas requires the combined effect of the “push” of the exporting country and the “pull” of the target country, and the incorporation of Chinese language into the national education system of the target country requires the active introduction and cooperation of the target country. The “going out” of Chinese language education is not a one-way willingness, but also lies in whether other countries have the willingness and demand to accept it, and whether this matter is beneficial to their own core interests (what is the value of learning this language), etc. The reason behind this lies in China's growing power and the fact that the Chinese language has become the most popular in the world. This, in turn, is closely related to China's growing national strength, its rapidly developing economy, and its influence and role on the world stage. Therefore, even if it “goes out”, it may not necessarily be able to “go in”, and “win-win” is the only orientation. In the future, international Chinese language education should be adjusted more from the perspective of the needs and acceptance of other countries (Fang Ying).

Moldova is strategically located along the Silk Road Economic Belt, connecting Central and Eastern Europe. China and Moldova have good diplomatic relations and bilateral cooperation has been steadily advancing in recent years. Memorandum of Understanding between the Ministry of Commerce of the People's Republic of China and the Ministry of Economy of the Republic of Moldova on Strengthening Cooperation on Building the Silk Road Economic Belt within the Framework of the Intergovernmental Economic and Trade Cooperation. Against the background of the regional economic cooperation "Belt and Road", the demand for talents with the ability to speak Chinese, English, Romanian and Russian is increasing. In recent years, Moldova's ruling party is politically pro-European Union, and Russia has imposed harsh economic sanctions on it, so Moldovan domestic enterprises have been seeking a new way out, and China's huge economic market is undoubtedly the most ideal target, and the economy drives the culture, which is the feasibility of promoting Chinese language in the perspective of the others.

4.2 Dual-channel promotion

Dual-channel refers to the two-pronged approach of official channels and private channels. In the existing Chinese language has been incorporated into the national education system of the countries experience shows that the language policy support is the prerequisite for the Chinese language into the national education system of the target country, only to get the support of the target country, in order to realize the Chinese language from the "going out" to the "going in" change. Only by getting the support of the target countries can we realize the transformation of Chinese language from "going out" to "going in". Therefore, it is necessary to strengthen the policy communication with Moldova's Ministry of Education and relevant departments of the Parliament. The education policy support, financial support and public opinion support of the target country is a strong guarantee for Chinese language to be included in the national education system of the target country. Firstly, to establish a mechanism of policy and planning exchange with the language and writing institutions of key countries in Southeast Asia, and to promote the inclusion of language and writing exchanges and cooperation into the mechanism of intergovernmental humanistic exchanges and the "One Belt, One Road" cultural exchanges and cooperation construction project. Secondly, we will strengthen high-level consultation with Moldova and open up multi-level language and cultural exchange channels. We will promote cultural exchanges and cooperation through the implementation of the Chinese Bridge Project and seminars on Chinese language teaching in Moldova.

(c) Continue to improve the development and promotion of private channels represented by Chinese language educational institutions. Chinese language educational institutions represented by Confucius Institutes are not only effective supplements and powerful supports for academic Chinese language education, but also important platforms for non-academic Chinese language education and helping Moldovan people to understand China. We should give full play to the demonstration and base function of the Confucius Institute of the Free International University of Moldova, scientifically plan the country and regional layout of the Confucius Institutes/Classrooms, make full use of the driving and radiating effect of the characteristic model of "one institute and many points", promote the interconnection of Chinese education resources and the cultivation and mobility of Chinese education talents in Moldova, so as to build a network that benefits all the people of Moldova and to build an educational system that can help them to understand China, By connecting the dots to form lines and lines to form a surface, we will build a Chinese language education network benefiting more regions, so as to promote the effective integration of Chinese language into the national education system of the country.

4.3 Sustainable development

The promotion of Chinese language into Moldova's national education system is a long-term and systematic project, which should continuously promote the interface between the teaching of Chinese language

in Moldova and the market demand, improve the value of Chinese language use and economic attributes, and promote the sustainable development of Chinese language into Moldova's national education system.

Native teachers should be the mainstay of Chinese language teaching in each country, just as English language teaching is dominated by Chinese teachers in China. Although this has been realized in some countries, such as Vietnam, where the scale of Chinese language teaching is very large and the teachers are basically native Vietnamese teachers, and these teachers can meet the needs of Chinese language teaching at all levels, this is only an isolated phenomenon. The actual situation is that the number of Chinese language learners around the world is constantly growing, while the local Chinese language teachers around the world are far from being able to meet the needs of Chinese language teaching at all levels in schools and the society, and the export of a large number of Chinese language teachers is inevitable for the Chinese language to the world for quite a long time, and also is the demand of many countries (Wu Yongyi). Assisting Chinese language master and doctoral graduates to realize employment and promoting the transformation of scientific research results is an efficient path to improve the quality of Chinese language education and guarantee its sustainable development. On the one hand, we should improve the localized employability and vocational ability of Chinese language talents, realize the conversion of talent resources into real productivity, promote the transformation of Chinese language learning and research results into Chinese language teaching resources, and continuously improve the teaching ability and quality of local Chinese language teachers.

The common destiny of the community requires a common language (Lu Jianming). International Chinese language education and communication is a basic project for building a community of human destiny. The incorporation of Chinese into the national education system of overseas countries provides new ideas and realization paths for the development of international Chinese language education and communication. By analyzing the development path and optimization strategy of Chinese language integration into the national education system of Moldova, it helps to recognize the development stage of Chinese language education and communication in Moldova, grasp the development mechanism affecting the integration of Chinese language into the national education system, and is of great significance in promoting the development of international Chinese language education and communication and enhancing the influence of Chinese language and Chinese culture.

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THE ROLE OF CHINESE EDUCATION AT THE CONFUCIUS INSTITUTE OF THE FREE INTERNATIONAL UNIVERSITY IN MOLDOVA

Yifeng WANG

<https://orcid.org/0009-0001-2502-7272>

Northwest Normal University (NWNNU), Lanzhou, China

Free International University of Moldova (ULIM), Chisinau, Moldova

Abstract

The Confucius Institute at the Free International University in Moldova (ULIM) serves as a pivotal platform for Chinese language education and cultural exchange between China and Moldova. This article provides an in-depth overview of the Institute's initiatives aimed at enhancing the quality of Chinese education in Republic of Moldova. The efforts include strengthening the teaching staff to meet the growing demand among Moldovan students and language enthusiasts, enriching teaching methodologies, and expanding curriculum resources. Beyond language instruction, the Confucius Institute actively promotes cultural activities to foster mutual understanding between the two countries. Additionally, by exploring cooperation opportunities with local institutions and expanding collaborative channels, the Institute contributes to local economic and educational development. A significant objective is to integrate Chinese language courses into Moldova's national education system, thereby ensuring the sustainable growth and long-term impact of the Confucius Institute's mission in the region.

Keywords: Confucius Institute, Chinese education, Chinese language, Chinese Teaching Syllabus, exchange and cooperation, Free International University of Moldova.

1. The History and Status of Chinese Education in Moldova

I believe that most of you do not know there is a Chinese village in Moldova. But indeed Moldova has such a small village near Orhei, named as Lucaseuca. In 1900, The two Moldovan soldiers lost their way in North-East of China. They wanted to go back Moldova by through Russia. So they found a young boy, 12 year old, to lead the way for them. His name is Zhang Qingshan. After they came back Moldova, Zhang lived this small village all the time and married a Moldova girl. He began to teach local people Chinese Language and told them some traditional Chinese cultures until he died in 1968. This maybe the earliest time that Chinese Language and cultures were introduced into Moldova. But unfortunately, there were no formal Chinese education institutions before the establishment of the Republic of Moldova until Confucius Institute established in 2009.

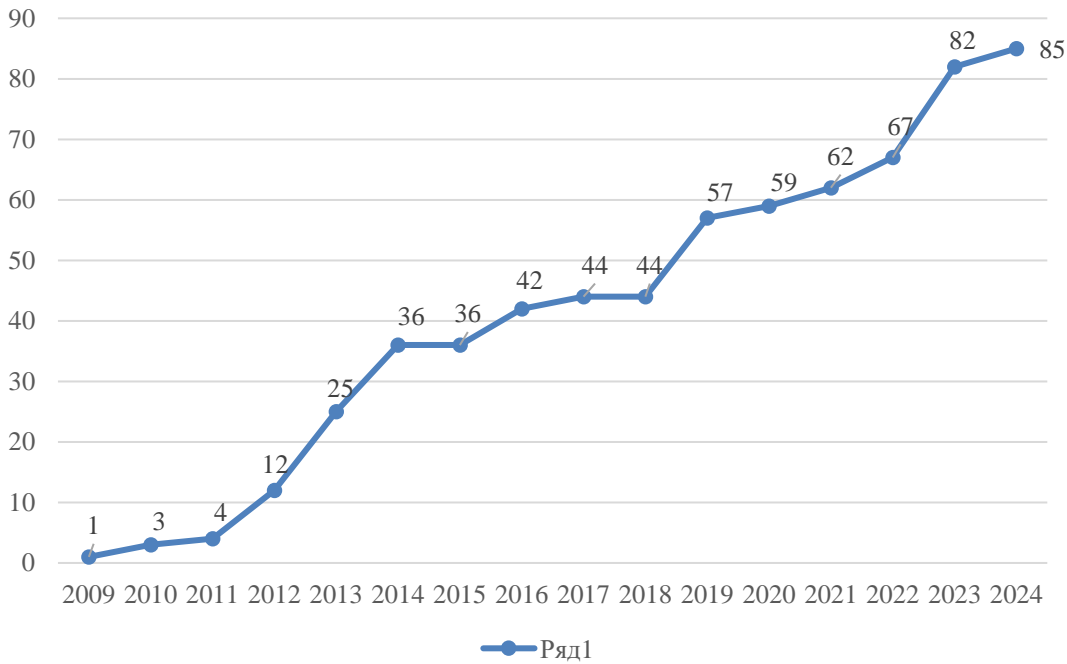
After the Republic of Moldova established in 1991, there was no formal learning platform and people can just only learn Chinese through various folk channels until 2007. In 2008, the National University of Moldova firstly began to offer Chinese language courses, but it was closed in 2013. Since the establishment of Confucius Institute of the Free International University of Moldova in 2009. Moldova has had a real place for learning Chinese Language. The Confucius Institute at the Free International University of Moldova (CI of ULIM) was founded in 2009, with its inauguration in April and enrollment starting in September of the same year, remains the only Confucius Institute in Moldova.

So far, Our Confucius Institute has 1 Chinese and 1 local director, 8 Chinese teachers, 9 volunteer teachers, 3 local teachers, and 4 overseas volunteers. Additionally, we have 1 part-time accountant, 1 cashier, and 1 full-time secretary, totaling 29 faculty and staff members.

As of May 2024, Our Confucius Institute has a headquarter and 16 Chinese teaching centers outside the headquarter, it has a total of 82 Chinese teaching classes, 3 Wushu groups and 1,400 registered students, including 24 classes in 5 universities, 41 classes in 9 primary and secondary schools, and 11 classes in 3 kindergartens.

Changes in the number of classes and students are shown in the following charts:

历年班级数number of groups from 2009-2024



历年学员人数number of students from 2009-2024



2. The Role of the Confucius Institute at the Free International University in Chinese Education in Moldova

Through the above introduction, everyone has a preliminary understanding of the basic situation of Moldova and the Confucius Institute at the Free International University of Moldova. After 15 years of

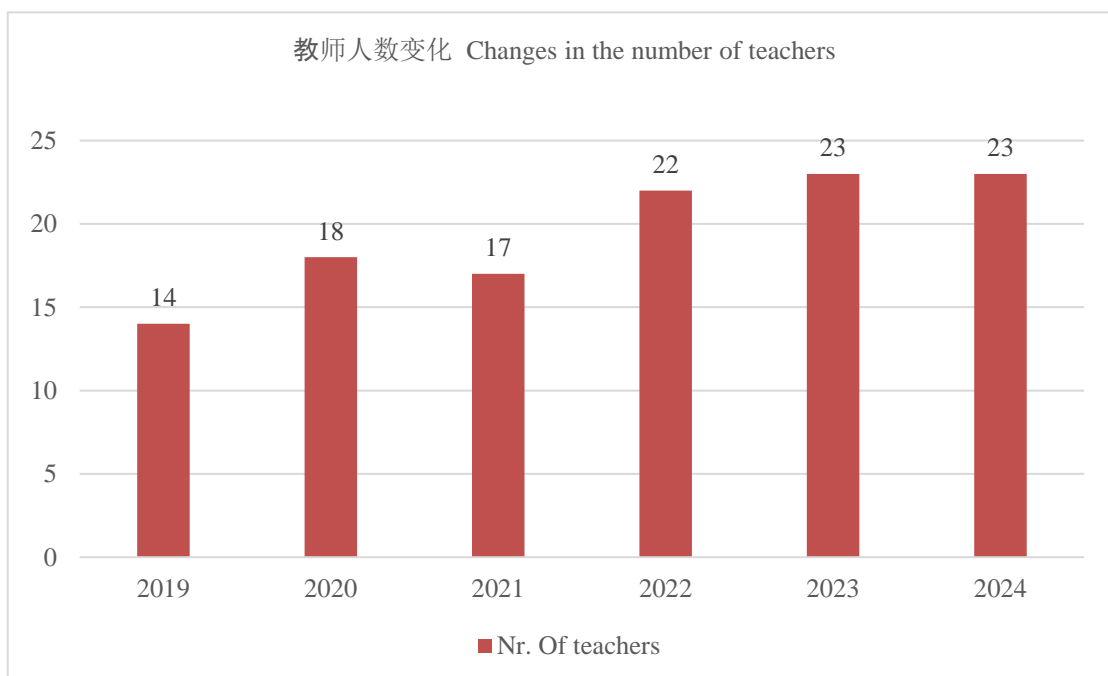
construction and development, the Confucius Institute in Moldova has reached a certain scale. As the only Confucius Institute in Moldova, it not only meets the needs of the students and Chinese enthusiasts in Moldova to learn Chinese, but also plays an important role in promoting mutual learning between the civilizations of China and Moldova and in the social and economic life of Moldova.

It mainly includes the following 4 aspects:

1. Strengthening the teaching staff construction, improving the teaching quality, and meeting the needs of Chinese language enthusiasts in Moldova to learn Chinese
2. Actively carrying out cultural activities to promote cultural exchanges between the two countries
3. Exploring cooperation resources, expanding cooperation channels, and serving to promote local economic development
4. Strengthening the construction of curriculum outlines, striving to incorporate Chinese education into the national education system of Moldova as soon as possible, and ensuring the sustainable development of the Confucius Institute and Chinese teaching.

2.1 Strengthen the teaching staff construction, improve the teaching quality, meet the needs to learn Chinese:

Currently, out of 23 teachers, 2 have doctoral degrees, 19 have master's degrees, and 2 have bachelor's degrees, including 4 local teachers. The relatively stable faculty, pre-service and in-service training for teachers, and regular teaching seminars provide a guarantee for improving teaching quality.



The Confucius Institute in Moldova currently offers various types of courses, including English-Chinese translation courses for undergraduate and postgraduate education (13 compulsory Chinese courses and 6 elective Chinese courses), Chinese credit courses for primary and secondary schools, and interest classes for kindergartens, young children, primary and secondary schools, adults in society. Additionally, business and tourism Chinese courses are specially offered for enterprises, as well as interest classes for traditional Chinese medicine and martial arts, etc., to meet the different needs of Chinese enthusiasts in Moldova in learning Chinese.

In 2019, the Confucius Institute independently completed the assessment by the Center for Language Education and Cooperation (formerly Confucius Institute Headquarters). In 2023, it assisted the Free International University of Moldova in passing the European ARACIS evaluation. During 2023-2024, it passed the evaluation by the Ministry of Education of Moldova (including the English-Chinese Translation program assessment). Meanwhile, the Institute actively organized teaching research, applying for one key project of the Center for Language Education and Cooperation in 2022. This project helped complete the "Chinese Teaching Syllabus for Moldovan Kindergartens (Chinese-Romanian version)" and the "Chinese Teaching Syllabus for Moldovan Primary and Secondary Schools (Chinese-Romanian version)". Five teaching papers were completed, two of which were officially published, and two are under submission. One popular science

monograph was completed. Through regular self-evaluation, assessments by educational authorities, and the implementation of teaching research, the Institute has achieved the goal of improving teaching quality through evaluation and research.

2.2 Actively carrying out cultural activities to promote cultural exchanges between the two countries

2.2.1 Creating Confucius Institute Cultural Brand Projects to Enhance Local Influence

Over the years, the Confucius Institute in Moldova, either independently or in cooperation with the Moldovan Wushu (Martial Art) Association, Moldovan Table Tennis Federation, Moldovan Tai Chi Association, Moldovan National Children's Library, Moldovan National Children's Center, Moldovan Musicians' Association, and Moldovan Academy of Arts, has organized numerous cultural activities. These activities have established several Confucius Institute cultural brand events, including the Chinese New Year Cultural Experience, the "Confucius Institute Cup" Moldovan National Table Tennis Invitational Tournament, and the National Wushu Championship, attracting a large number of Moldovan citizens and expanding the Institute's influence locally. The Confucius Institute in Moldova has become a window for mutual understanding between the peoples of the two countries and a platform for cultural exchange. The 2024 Chinese New Year cultural performance alone attracted nearly 900 local residents.

2.2.2 Joining in the cultural activities organized by the Chinese Embassy in Moldova

Our Confucius Institute has joined in the cultural activities organized by Chinese Embassy to make up the lack of manpower, because it is a complete institution. Expanded the channels for the Confucius institute to carry out cultural activities and promoted cultural exchanges between the two countries. Chinese music concert played by Moldovan musicians, Annual Embassy Charity Sale, National Children's Book Fair in Moldova and European Museum Day and etc. were included.

2.3 Exploring cooperation resources, expanding cooperation channels, and serving to promote local economic development

2.3.1 Establishing a Platform for Intergovernmental Exchange and Cooperation to Expand Influence and Scale

Over the years, the Confucius Institute has maintained multi-channel contact and communication with the Chinese Embassy in Moldova, the Moldovan Embassy in China, and Moldovan government officials, establishing a platform for intergovernmental exchange and cooperation. At the same time, it has collaborated with government departments and educational institutions to expand cooperation channels, thereby enhancing the Institute's influence and scale of operations.

2.3.2 Cooperating with Regional Chinese-funded and Local Enterprises and Organizations to Broaden Educational Channels

Moldova is a small country in Eastern Europe, with relatively slow economic development, especially Chinese-funded enterprises. However, leveraging regional advantages, the Confucius Institute has cooperated not only with the only Chinese-funded enterprise in Moldova, Huawei, and the Moldova-China Chamber of Commerce and Industry, but also with Chinese-funded enterprises in Romania. It has established internship bases for Chinese language students within these enterprises and organizations, collaborated in training Chinese-speaking tour guides, and offered Business Chinese courses for enterprises, receiving sponsorship and support from these companies. Through cooperation with enterprises, the Confucius Institute has broadened its educational channels while serving the local economy.

2.4 Strengthening the construction of curriculum outlines, striving to incorporate Chinese education into the national education system of Moldova as soon as possible, and ensuring the sustainable development of the Confucius Institute

Incorporating Chinese education into the national education system of Moldova is the guarantee for the sustainable development of the Confucius Institute in Moldova. Over the years, the Institute has relied on Moldovans pursuing PhDs in Chinese Language and Literature in China and local teachers with master's degrees from the Institute to compile the necessary Chinese teaching syllabus for inclusion in the Moldovan national education system. Relying on reviews and modifications by Moldovan education experts and experts from the Northwest Normal University, the Free International University of Moldova, as the main applicant, along with various teaching centers, has submitted the application to the Moldovan Ministry of Education and provided the required documents. The aim is to incorporate Chinese education into the national education system of Moldova as soon as possible.

3. The Prospects for the Students Learning Chinese Language

1.To cultivate the interest of students in learning foreign language.

2.To enable more students to study for their bachelor, master and doctor in China by through various scholarship programs.

3.To train future sinologists in which know China and Chinese cultures well.

4.To expand students' employment opportunities in the following areas:

To work as a Chinese translator or tour guides,

To engage in trade between China and Moldova,

To work as Chinese teachers in Moldova,

To work as a foreign language teacher or engage in trade in China,

To engage in the promotion of traditional cultures between China Moldova.

4. Conclusion

Language is national and also global. The diversity of language and cultures creates a colorful world. People should learn about different languages and cultures. And we should enhance mutual understanding through language and build a harmonious and beautiful world together.

The Chinese Education at the Confucius Institute of the Free International University in Moldova plays an important role in Moldova.

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A COMPARATIVE ANALYSIS OF CIRCULAR ECONOMY LEGISLATION IN ROMANIA, MOLDOVA, AND THE EUROPEAN UNION

Andreea Adam (WEISNER)

<https://orcid.org/0009-0002-9076-6183>

West University of Timisoara, Romania

Abstract

This study offers a comparative review of circular economy (CE) legislation in Romania, Moldova, and the European Union (EU), emphasizing regulatory alignment, operational challenges, and the role of the private sector in CE implementation. Romania, an EU member, is legally committed to CE standards, while Moldova, a non-member, is voluntarily aligning its policies through an Association Agreement with the EU. This research examines CE's integration within waste management industries in both countries, focusing on Romania's Green Group—a leading recycling company—to assess how legislative support, financial incentives, and infrastructure impact the effectiveness of CE practices. Findings show Romania's progress in harmonizing with EU standards, while Moldova faces barriers due to limited infrastructure and economic constraints. The study calls for tailored, regional approaches to CE that account for the economic capacities and infrastructural needs of each country.

Keywords: Circular Economy (CE), Legislation, Waste Management, Regulatory Alignment, Infrastructure, Romania

1. Introduction

The circular economy (CE) has become a cornerstone of sustainable development strategies globally, particularly within the European Union (EU). The EU's Circular Economy Action Plan (CEAP) of 2020 outlines specific objectives aimed at fostering a more sustainable economic framework (European Commission, 2020). CE strategies prioritize resource efficiency, waste reduction, and the extension of product lifespans, creating an economic model that minimizes environmental impact while maximizing resource utilization (Bakker et al.). For EU member states, the integration of CE principles is not optional; national policies must align with EU directives to ensure compliance. In contrast, non-member states like Moldova adopt the CE framework on a voluntary basis. However, Moldova has demonstrated its commitment to sustainability by expressing its intent to integrate EU environmental standards through its Association Agreement with the EU (European Commission, 2017).

Waste management plays a crucial role in the circular economy, as it facilitates the closure of product lifecycle loops through recycling and resource recovery (Stahel, 2016). Romania's proactive approach to complying with EU waste management directives has catalyzed growth within its recycling sector. The Green Group, for instance, has emerged as a leader in recycling and environmental innovation, showcasing the effectiveness of regulatory alignment in promoting sustainable practices. This company exemplifies how strategic compliance with EU standards can lead to significant advancements in recycling capabilities, effectively transforming waste into valuable resources.

In contrast, Moldova faces significant challenges in developing its waste management infrastructure. The country lacks the necessary facilities to support extensive recycling efforts, which is compounded by financial constraints and low public engagement in sustainability initiatives (Moldovan Ministry of Environment, 2021). These barriers hinder Moldova's ability to fully embrace circular economy principles, limiting its progress toward sustainable development. To address these challenges, Moldova must focus on building a robust waste management system that aligns with CE principles. This involves increasing investments in infrastructure, enhancing public awareness, and fostering community participation in recycling initiatives. Moreover, collaboration with EU member states can provide Moldova with valuable insights and resources to strengthen its waste management framework. By learning from Romania's experiences and leveraging regional partnerships, Moldova can develop tailored strategies to overcome its unique barriers and advance its circular economy objectives.

In Abstract, the circular economy is central to sustainable development, particularly within the EU, where clear objectives guide member states toward compliance. Romania's successful integration of CE principles has fostered growth in its recycling sector, exemplified by the Green Group's innovations. Conversely, Moldova faces significant infrastructural and financial challenges that limit its ability to adopt CE

practices. By prioritizing waste management and engaging in regional cooperation, Moldova can enhance its capacity for sustainability and progress toward a more circular economy.

This study aims to:

- Assess Romania and Moldova’s CE legislation, focusing on how each country aligns with EU regulations.
- Highlight the role of waste management in achieving CE objectives, with a specific case study of Green Group.
- Identify policy gaps and potential for regional collaboration to support sustainable CE practices.

2. Methodology

This research uses a mixed-method approach, including a legislative review, quantitative data analysis, and case study examination:

1. **Legislative Review:** This aspect assesses CE laws in Romania and Moldova, focusing on Romania’s adoption of EU waste directives, particularly the Waste Framework Directive (Directive 2008/98/EC), and Moldova’s national waste policies as guided by its Association Agreement (Romanian Ministry of Environment, 2022; Moldovan Ministry of Environment, 2021).
2. **Quantitative Analysis:** This segment explores data on recycling rates, resource productivity, and waste generation, using sources like Eurostat and national statistics (Eurostat, 2021; National Institute of Statistics Romania, 2022).
3. **Case Study:** The Green Group case study exemplifies CE practices, providing insights into the private sector’s role in Romania’s CE efforts (Green Group, 2021).

Data were sourced from EU documents, national environmental reports, corporate sustainability reports, and interviews with stakeholders in the recycling industry (European Investment Bank, 2022; Ellen MacArthur Foundation, 2019).

3. Results

3.1 Legislative Progress in Romania

Romania has made steady progress toward integrating EU CE standards, reflected in a recycling rate of 46%, which is nearly in line with the EU average of 47% (Eurostat, 2021). EU structural funds have been essential in improving Romania’s waste management infrastructure, particularly in urban areas, where facilities are better equipped to handle waste collection and recycling (European Commission, 2020). However, challenges persist in rural regions, where low waste collection rates and insufficient infrastructure limit CE integration (Romanian Ministry of Environment, 2022).

3.2 Challenges in Moldova

Despite efforts to align with the EU, Moldova’s CE progression is hindered by low recycling rates, limited infrastructure, and financial constraints. With a recycling rate of only 14%, Moldova faces significant barriers in establishing an efficient waste management system, as underfunding and limited public awareness programs affect waste collection and sorting practices (Moldovan Ministry of Environment, 2021; United Nations, 2018).

Table no 1 Recycling rates

Country	CE Legislation Compliance	Recycling Rate (%)	Resource Productivity (EUR/kg)	Waste Generation (kg/capita)
Romania	Yes	46	1.23	261
Moldova	Partial	14	0.82	340
EU Average	Yes	47	2.23	505

Source: Own processing

3.3 Case Study: Green Group in Romania

Green Group stands as Romania’s largest integrated recycling company, playing a central role in the country’s CE efforts. The company processes around 120,000 tonnes of plastic waste annually, transforming waste into new materials for industrial use, including recycled fibers and PET (polyethylene terephthalate) bottles (Green Group, 2021). By employing a closed-loop recycling model, Green Group minimizes resource

extraction and reduces environmental impact, aligning closely with EU CE standards (Zink and Geyer; Bocken et al.). In 2021, Green Group's recycling initiatives saved approximately 80,000 MWh of energy and reduced carbon emissions by 30,000 tonnes, showcasing the environmental benefits of effective waste management (Green Group). Financially, Green Group generated €60 million in revenue from recycled goods, demonstrating that profitability and environmental responsibility can be aligned within a CE framework (*ibidem*; Ellen MacArthur Foundation, 2019).

Green Group's impact extends beyond environmental and economic benefits, creating significant social value through job creation and community engagement. Its operations support a diverse workforce, from collection and sorting roles to advanced technical jobs, while its educational programs promote environmental awareness and recycling participation within local communities (Clark et al.; Circle Economy, 2021). However, Green Group faces several challenges that highlight broader issues within Romania's waste management sector. Inconsistent municipal waste collection results in a variable supply of recyclable materials, constraining Green Group's ability to expand and scale operations. The company has advocated for improved local waste collection systems to secure a more stable stream of quality recyclables, a critical factor for operational efficiency and CE growth (Romanian Ministry of Environment, 2022). In compliance with EU's Extended Producer Responsibility (EPR) directive, Green Group encourages producers to take accountability for their products' full life cycle, from production to disposal. This alignment with EPR facilitates CE by incentivizing product designs that are recyclable, while simultaneously enhancing Romania's progress toward meeting EU recycling standards (European Commission, 2020; UNEP, 2020).

Green Group also invests in technological advancements, such as automated sorting systems, which enhance recycling efficiency by reducing contamination rates and improving sorting accuracy. These technologies help meet high EU recycling standards, underscoring the role of innovation in CE (Stahel; Saavedra et al.). Furthermore, Green Group's public engagement campaigns educate consumers on sustainable practices, contributing to a culture of recycling and resource conservation (Clark et al.).

By collaborating with government bodies, Green Group advocates for regulatory frameworks that support CE, promoting policies that incentivize recycling while ensuring long-term environmental benefits. Such partnerships are essential for building a supportive regulatory environment that encourages CE practices and aligns with EU standards (Wijkman and Skanberg).

4. Discussion

Romania's alignment with European Union (EU) circular economy (CE) regulations has played a crucial role in advancing its national waste management goals. This is particularly evident in the case of Green Group, a prominent recycling company that exemplifies the successful integration of recycling innovation and regulatory compliance. By adhering to EU standards, Green Group has developed a comprehensive recycling model that not only boosts efficiency but also contributes significantly to environmental sustainability. This model serves as a benchmark for other businesses, demonstrating how effective collaboration between the public and private sectors can lead to substantial improvements in waste management practices.

In stark contrast, Moldova faces considerable infrastructural and economic barriers that severely limit its CE development. Despite efforts to align its policies with EU regulations through various agreements, the country struggles with inadequate waste management infrastructure and limited financial resources. These challenges hinder Moldova's ability to implement effective CE practices, which are essential for addressing the growing environmental concerns associated with waste disposal and resource depletion. This situation highlights the urgent need for targeted policy interventions and international support to help Moldova overcome these obstacles and accelerate its transition to a circular economy.

To enhance Moldova's CE capacities, regional cooperation will be vital. Partnerships with companies like Green Group could provide valuable expertise and resources that Moldova desperately needs. Such collaborations could facilitate knowledge transfer and help local businesses adopt innovative recycling technologies and practices that align with EU standards. Additionally, leveraging international networks and organizations can create opportunities for funding and technical assistance, enabling Moldova to build the necessary infrastructure to support sustainable waste management.

Furthermore, fostering regional cooperation can promote the sharing of best practices among countries facing similar challenges. By learning from Romania's successes in implementing CE principles, Moldova can develop tailored strategies that address its unique economic and infrastructural needs. These collaborative efforts can pave the way for more effective waste management systems that not only comply with CE regulations but also foster economic growth and environmental protection.

In Abstract, Romania's alignment with EU CE regulations has significantly advanced its waste management objectives, as exemplified by Green Group's successful recycling model. In contrast, Moldova's

progress is hampered by infrastructural and economic limitations, underscoring the necessity for targeted policy interventions and international collaboration. By engaging in regional partnerships and leveraging the expertise of established companies, Moldova can enhance its CE capabilities and move towards a more sustainable future that aligns with its national and regional goals.

5. Conclusion

The comparative analysis of circular economy (CE) practices in Romania and Moldova reveals notable contrasts in their integration and implementation, with Romania demonstrating significant advancements supported by European Union (EU) structural funding and regulatory alignment. As an EU member state, Romania has made substantial strides in adopting CE principles across various sectors, particularly in waste management. The alignment of its legislation with EU standards has facilitated access to financial resources and technical expertise, enabling a more robust framework for sustainable practices.

One of the key players in Romania's CE landscape is Green Group, a leading recycling company that serves as a prime example of the potential for private-sector engagement in CE initiatives. Green Group's innovative approach to recycling and waste management showcases how compliance with regulations can drive sustainable development. By leveraging technology and fostering partnerships with local authorities, the company has created effective systems for recycling materials that not only comply with legal standards but also contribute to broader environmental goals. This model illustrates the crucial role that the private sector can play in advancing CE, highlighting the importance of innovation and regulatory support in achieving sustainability targets.

In contrast, Moldova faces a more complex set of challenges that hinder its ability to adopt CE practices effectively. Although Moldova is working towards aligning its policies with EU regulations through the Association Agreement, the implementation process is fraught with difficulties. One of the primary obstacles is the lack of adequate waste management infrastructure, which is essential for the successful integration of CE principles. The country's limited financial resources further exacerbate this issue, making it challenging to invest in the necessary facilities and technologies to support sustainable waste management practices. To overcome these barriers and support Moldova's CE objectives, targeted investments and cross-border partnerships are essential. Collaborations with EU member states can provide Moldova with access to funding, knowledge, and best practices that are crucial for building a solid foundation for waste management. Such partnerships can facilitate technology transfer and capacity building, enabling Moldova to develop a more resilient waste management system that aligns with CE principles. Additionally, engaging with international organizations and NGOs can help mobilize resources and expertise to address the specific challenges faced by Moldova in its CE journey.

Future research should prioritize exploring regional cooperation opportunities, particularly focusing on waste management systems that cater to Moldova's unique economic and infrastructural needs. Investigating successful CE practices in other countries with similar contexts can provide valuable insights and actionable strategies that Moldova can adapt to its local environment. Furthermore, examining the social dimensions of CE—such as public awareness and community involvement—will be vital in fostering a culture of sustainability that permeates all levels of society.

In conclusion, while Romania has made significant progress in integrating circular economy principles through regulatory alignment and private-sector engagement, Moldova's journey remains complex and challenging. Addressing the infrastructural and economic constraints that hinder CE adoption will require targeted efforts, including investments and cross-border collaborations. By fostering partnerships and learning from regional successes, Moldova can pave the way for a sustainable future that aligns with its CE goals, ultimately contributing to a more sustainable and resilient regional economy.

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THE LEGAL DETERMINANTS OF CIRCULAR ECONOMY REPORTING AND THEIR IMPACT ON FINANCIAL PERFORMANCE: A CRITICAL REVIEW OF LISTED COMPANIES 'PRACTICES

Andreea Adam (WEISNER)

<https://orcid.org/0009-0002-9076-6183>

West University of Timisoara, Romania.

Cristina Mihaela NAGY

<https://orcid.org/0000-0002-6891-5720>

“Tibiscus” University of Timișoara, Romania

Abstract

This literature review investigates the legal frameworks influencing circular economy (C.E.) reporting and their effects on the financial performance of publicly listed companies. With the increasing emphasis on sustainability within regulatory environments, understanding how legal requirements shape corporate reporting practices and their financial implications is essential. This study employs a systematic review methodology, analyzing peer-reviewed articles, policy analyses, and industry reports from 2010 to 2023. It synthesizes insights regarding how diverse legal structures impact C.E. reporting and the metrics used to evaluate financial outcomes. The analysis reveals notable differences across jurisdictions, emphasizing the role of regulatory frameworks in promoting or obstructing transparency in C.E. initiatives. Despite existing research highlighting the connection between legal compliance and financial success, gaps persist in understanding the long-term financial effects and the need for standardized regulations. The findings advocate for enhanced legal clarity and the development of sophisticated financial assessment tools to better evaluate the impacts of C.E. practices on corporate financial health.

Keywords: Circular economy, legal frameworks, financial performance, sustainability reporting, corporate governance, regulatory compliance, listed companies, transparency, financial metrics.

1. Introduction

The concept of the circular economy (C.E.) promotes sustainability by transforming the traditional linear economy—which typically follows a 'take-make-dispose' model—into a closed-loop system where products and resources are reused, recycled, or regenerated (Geissdoerfer et al). This paradigm shift is essential for addressing global challenges such as resource depletion, waste management, and climate change. As environmental issues increase, businesses worldwide strive to mitigate their impacts on the planet while enhancing resource efficiency (Ellen MacArthur Foundation, 2020). Consequently, there is a growing expectation for publicly listed companies to disclose their C.E. practices, driven by regulatory obligations and stakeholders' rising demands for transparency and accountability (KPMG, 2021).

This literature review explores how legal frameworks influence C.E. reporting and the subsequent implications for financial performance. The review concentrates on mandatory reporting frameworks, focusing on the Corporate Sustainability Reporting Directive (CSRD) in the European Union, which requires large public-interest entities to disclose relevant sustainability information, including their C.E. practices. This directive represents a significant step towards enhancing corporate accountability about sustainability, as it sets a clear requirement for companies to report on how their activities impact the environment and society (European Commission, 2021). Furthermore, the review contrasts the stringent regulatory landscape of the E.U. with voluntary reporting practices prevalent in regions such as the United States and Australia. In these jurisdictions, companies often engage in self-regulation, where they adopt frameworks like the Global Reporting Initiative (GRI) or the Sustainability Accounting Standards Board (SASB) standards to guide their reporting on C.E. practices (Sullivan & Mackenzie).

Through a comprehensive examination of existing literature, this paper synthesizes data from various industries and jurisdictions to analyze how legal structures shape C.E. reporting practices and, in turn, the financial outcomes for listed companies. Prior research suggests enhanced transparency and accountability in sustainability reporting can improve financial performance. For instance, studies have shown that investors often perceive firms exhibiting strong sustainability practices more favorably, leading to increased access to capital and potentially higher stock prices (Eccles, Ioannou, & Serafeim, 2014). Additionally, the alignment of corporate strategies with C.E. principles can reduce operational costs, drive innovation, and enhance brand loyalty, further contributing to positive financial outcomes (Wang, Gunasekaran, & Spalanzani).

Moreover, understanding the interplay between mandatory and voluntary reporting practices is essential for identifying best practices and areas for improvement. By comparing the CSRD's mandatory disclosures with the more flexible voluntary frameworks, this review seeks to provide insights into how different regulatory environments can influence corporate behavior regarding C.E. practices. It also highlights the potential for harmonizing reporting standards across jurisdictions to improve the comparability and reliability of C.E. disclosures, fostering a more robust and transparent market for sustainable investments.

In conclusion, this literature review underscores the critical role of legal frameworks in shaping C.E. reporting practices and their potential impact on financial performance. As stakeholders increasingly demand accountability and transparency, understanding these dynamics will be essential for companies aiming to thrive in an evolving business landscape focused on sustainability.

2. Legal Determinants of Circular Economy Reporting

2.1 European Union: Corporate Sustainability Reporting Directive (CSRD)

The European Union (E.U.) has established itself as a frontrunner in advocating for the circular economy (C.E.) through the implementation of stringent legal frameworks, notably the Corporate Sustainability Reporting Directive (CSRD), which is set to become effective in 2025. This directive builds upon the foundational principles of the previous Non-Financial Reporting Directive (NFRD), expanding its scope to include all large corporations and listed small and medium-sized enterprises (SMEs). Under the CSRD, these entities must disclose comprehensive and detailed information regarding their sustainability practices, including initiatives promoting circular economy principles (European Commission, 2020).

The CSRD emphasizes the standardization of reporting metrics by establishing the European Sustainability Reporting Standards (ESRS). This approach seeks to enhance the transparency and comparability of sustainability reports, facilitating clearer benchmarking and accountability among firms across various sectors (European Commission, 2020). By adopting standardized metrics, the CSRD aims to improve the quality of sustainability information provided to stakeholders and enable investors to make informed decisions based on reliable data.

Several studies have revealed that companies adhering to the CSRD are reaping notable financial advantages. A report by KPMG (2023) highlights that notable firms, such as Nestlé, Heineken, and Siemens, have demonstrated improved financial performance metrics—specifically higher return on equity (ROE) and return on assets (ROA)—that are directly correlated with their robust C.E. reporting practices. This positive correlation underscores the business case for sustainability, advocating that environmental initiatives can serve as strategic levers for financial performance enhancement (Hahn & Kühnen).

To illustrate the financial and environmental impacts of C.E. reporting compliance, Table 1 provides a comparative analysis of 20 companies across diverse industries.

These organizations exemplify how effective C.E. reporting, in alignment with the CSRD, engenders substantial improvements in financial metrics and environmental stewardship. For instance, Schneider Electric has reported a 9.5% increase in ROA, attributed to its circular supply chain management innovations. In comparison, Philips has achieved an 8.5% ROA improvement by integrating product lifecycle management practices within its business strategy (KPMG, 2023).

The enhanced financial performance of these companies may be primarily attributed to increased investor confidence stemming from their transparent and responsible sustainability practices. Stakeholders increasingly prioritize Environmental, Social, and Governance (ESG) criteria, which align closely with the circular economy principles (EY, 2024). By demonstrating a commitment to sustainability and responsible resource management, these firms cultivate a competitive edge that resonates with a growing segment of conscious investors and consumers, enhancing their market positioning and long-term viability.

Furthermore, the proactive alignment of C.E. reporting with evolving regulatory frameworks fosters resilience against potential regulatory shifts. Firms that embed sustainability into their core business operations are better positioned to adapt to changing regulatory landscapes and societal expectations, ensuring their continued relevance in an increasingly sustainability-focused economy (Porter & Kramer).

Table 1: Financial and Environmental Impact of C.E. Reporting Compliance by E.U. Companies Across Different Industries.

Company	Industry	ROA Increase (%)	Waste Reduction (%)	Market Capitalization Impact (%)
Nestlé	Consumer Goods	7.5	30	10

Heineken	Food & Beverage	8.1	21	12
Siemens	Manufacturing	10	28	15
Unilever	Consumer Goods	6.2	35	11
Danone	Food & Beverage	7.8	29	13
L'Oréal	Personal Care	6.0	22	9
Schneider Electric	Energy Management	9.5	31	14
Volkswagen Group	Automotive	8.0	27	10
BMW Group	Automotive	7.0	30	12
BASF	Chemicals	6.8	32	10
Philips	Electronics & Healthcare	8.5	26	13
Adidas	Apparel & Footwear	5.5	20	8
Carrefour	Retail	6.9	24	9
IKEA	Retail & Manufacturing	7.2	28	11
TotalEnergies	Oil & Gas	9.3	33	14
Engie	Utilities	8.2	29	12
Vodafone	Telecommunications	5.7	21	9
ArcelorMittal	Steel & Mining	9.1	34	15
ABB	Electrical Equipment	8.6	27	13
Veolia	Waste Management & Utilities	7.9	32	12

In Abstract, the CSRD represents a transformative legal framework that not only obliges companies to adopt transparent C.E. reporting practices but also unlocks significant financial advantages for those entities willing to engage in sustainable business practices proactively. Integrating C.E. principles into corporate strategy enhances organizational performance and contribution to ecological sustainability, reinforcing that responsible business is good.

3. Financial Performance Implications of Circular Economy (C.E.) Reporting

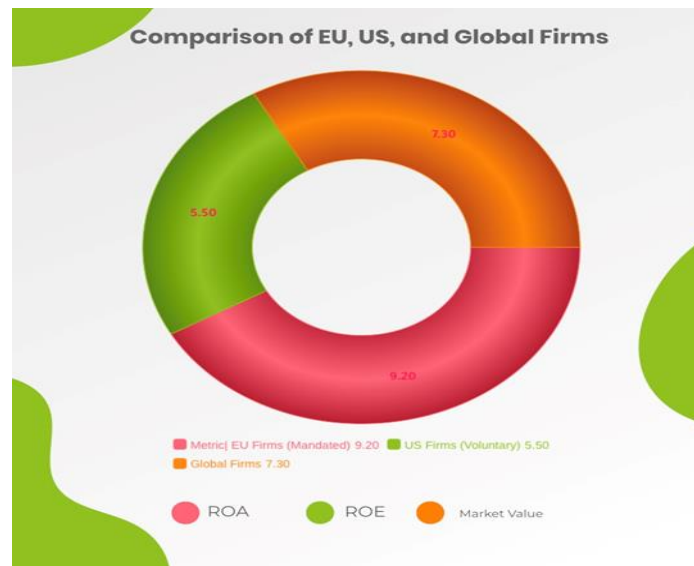
3.1 Positive Correlation Between Reporting and Profitability

A growing body of empirical research demonstrates a strong positive correlation between comprehensive Circular Economy (C.E.) reporting and improved financial performance. Notably, firms that comply with the Corporate Sustainability Reporting Directive (CSRD) in the European Union have shown marked improvements in various financial indicators, including Return on Assets (ROA), Return on Equity (ROE), and overall market valuation. These gains are largely attributed to the transparency, accountability, and enhanced stakeholder engagement facilitated by mandatory reporting frameworks like the CSRD. The requirement for detailed disclosures on environmental, social, and governance (ESG) factors drives corporations to adopt more sustainable and efficient practices, which in turn leads to greater operational resilience, risk management, and long-term profitability. The increased trust from investors and consumers, spurred by improved corporate governance and alignment with sustainability objectives, further enhances market competitiveness and financial outcomes (European Commission, 2020).

Recent data illustrates the differences in financial impacts of C.E. reporting between firms in various regions.

Table 2: Comparison of EU, US and global Firms.

Metric	EU Firms (Mandated)	US Firms (Voluntary)	Global Firms
ROA Increase (%)	9.2	5.5	7.3
ROE Increase (%)	8.4	4.9	6.6
Market Val. Gain (%)	12.5	7.8	10.2



The figures indicate a markedly higher return for firms in regions with mandated C.E. reporting.

Companies like Volvo and BMW have illustrated these benefits by integrating C.E. principles into their operational models. Both firms have reported increases in financial performance associated with their strategic commitments to circular practices, including incorporating recycled materials in production and implementing end-of-life vehicle recovery initiatives (Siemens; Johansson). Such practices not only enhance operational efficiency but also bolster brand reputation, further driving profitability (Wang et al.).

3.2 Challenges in Global Standardization

This review provides a thorough examination of the legal factors that influence circular economy (C.E.) reporting, with a particular focus on how regulatory frameworks impact corporate sustainability practices. Central to this discussion is the Corporate Sustainability Reporting Directive (CSRD), a key piece of European Union legislation. The CSRD mandates extensive corporate disclosures on sustainability, driving greater transparency and accountability. By requiring companies to align their operations with comprehensive C.E. reporting standards, the CSRD significantly improves the sustainability profiles of businesses. This alignment also has notable positive effects on financial performance, as firms benefit from improved resource management and operational efficiency. Additionally, companies that lead in sustainability efforts gain reputational advantages, strengthening their position in competitive markets.

The review also highlights the role of voluntary reporting practices, particularly in regions with less stringent regulatory requirements, such as the United States and Japan. In these areas, market dynamics and societal expectations play a crucial role in encouraging businesses to adopt circular economy principles. Companies in these regions often pursue sustainable practices driven by the pursuit of competitive advantages, consumer preferences, and a desire to meet social expectations around environmental responsibility. Even without formal legal requirements, these businesses use sustainability reporting to enhance their public image, improve relationships with stakeholders, and secure long-term market positioning. However, the review identifies a key gap in the global landscape: the lack of standardized international frameworks for circular economy reporting. The absence of consistent reporting standards presents challenges for multinational corporations, which must navigate various regulatory environments. This fragmentation increases compliance costs and makes it difficult to compare sustainability data across different countries. Without standardized metrics, investors and stakeholders face challenges in accurately assessing corporate performance, which hinders informed decision-making based on environmental, social, and governance (ESG) factors. To address these challenges, the review advocates for the creation of a globally harmonized circular economy reporting framework. Such a framework would reduce compliance burdens for companies operating across multiple jurisdictions, improve the comparability of sustainability data, and provide more reliable information to investors and other stakeholders. A unified global system would enhance corporate accountability, making it easier for stakeholders to make informed decisions based on consistent and transparent sustainability metrics. Additionally, standardizing C.E. reporting practices would likely increase investor confidence in sustainability data, leading to stronger integration of ESG factors in financial decision-making.

In conclusion, this review emphasizes the need for global consistency in circular economy reporting standards. Harmonizing reporting requirements across countries would streamline compliance processes, improve corporate accountability, and enhance the quality of decision-making for stakeholders. Future research should focus on developing pathways for global standardization of C.E. reporting and examining its effects on corporate governance, financial performance, and investor relations.

4. Policy Implications and Recommendations

This review critically examines the legal determinants shaping circular economy (C.E.) reporting, highlighting the significant influence of mandatory regulatory frameworks on corporate sustainability practices. A focal point is the Corporate Sustainability Reporting Directive (CSRD), a key piece of European Union legislation that mandates corporate disclosures concerning sustainability. The CSRD plays an instrumental role in fostering corporate transparency, accountability, and compliance with circular economy principles. By aligning corporate operations with stringent C.E. reporting requirements, the CSRD not only enhances the sustainability profile of corporations but also leads to improvements in financial performance metrics. This regulatory-driven alignment serves to strengthen reputational capital within competitive marketplaces, where companies demonstrating leadership in sustainability gain a distinct advantage.

In contrast, the review also recognizes the importance of voluntary reporting frameworks in jurisdictions with less prescriptive legal requirements, such as the United States and Japan. In these regions, market dynamics and socio-cultural expectations serve as powerful motivators for corporate engagement in sustainable practices. Corporations in such contexts frequently adopt C.E. strategies driven by factors such as competitive advantage, consumer demand, and the desire to meet societal expectations for environmental responsibility. Even in the absence of formal legal mandates, these companies engage in sustainability reporting as a strategic tool for enhancing corporate image and ensuring long-term market positioning.

Despite the positive impact of both mandatory and voluntary reporting mechanisms, this review identifies a significant gap in the global landscape: the lack of standardized international frameworks for C.E. reporting. The absence of globally consistent reporting standards poses considerable challenges for multinational enterprises, which must navigate a fragmented regulatory environment. This regulatory fragmentation not only increases compliance burdens but also hinders the comparability of sustainability data across different jurisdictions, complicating the ability of investors and stakeholders to assess corporate performance accurately. To address these challenges, this review advocates for the establishment of a globally harmonized circular economy reporting framework. The introduction of such a standardized system would not only reduce compliance complexities for corporations operating across multiple jurisdictions but would also enhance the quality and comparability of sustainability data. A unified global framework would improve corporate accountability, providing stakeholders—including investors, regulators, and consumers—with more reliable information upon which to base decisions. Furthermore, the standardization of reporting practices would contribute to greater investor confidence in sustainability metrics, thereby facilitating a more robust integration of environmental, social, and governance (ESG) considerations into financial decision-making processes.

In conclusion, policymakers are encouraged to prioritize the development of consistent global C.E. reporting standards. Harmonization across borders would not only streamline regulatory compliance but also drive greater corporate accountability and contribute to more informed, sustainability-oriented decision-making by a wide range of stakeholders (Ellen MacArthur Foundation, 2022). Future research should explore the pathways to achieving such a global standard and examine the implications of its adoption on corporate governance and financial performance.

5. Conclusion

This literature review provides an in-depth analysis of the legal determinants governing circular economy (C.E.) reporting and their consequential impacts on corporate financial performance. Through a comprehensive examination of existing regulatory frameworks, the review highlights the pivotal role that such regulations play in promoting transparency, accountability, and sustainability within corporate entities. A central focus is the Corporate Sustainability Reporting Directive (CSRD), which emerges as a critical legislative instrument in the European Union. The CSRD not only enhances corporate disclosures on sustainability-related matters but also reinforces the alignment of corporate activities with broader environmental, social, and governance (ESG) objectives. The directive serves as a benchmark for other regulatory regimes, underlining the importance of legally binding standards in advancing corporate environmental responsibility.

In addition to mandatory reporting requirements, the review underscores the significance of voluntary disclosure practices, particularly in regions where regulatory oversight is less stringent. Voluntary mechanisms often serve as a means for corporations to demonstrate their commitment to sustainability beyond regulatory obligations, fostering a culture of proactive environmental stewardship. These practices can also enhance corporate reputation and attract sustainability-conscious investors, thus creating a potential positive feedback loop between environmental performance and financial returns.

A critical gap identified in the literature, however, is the absence of globally standardized frameworks for circular economy reporting. This deficiency presents challenges for both corporate governance and investor decision-making, as inconsistent reporting metrics impede the comparability and reliability of sustainability disclosures. The lack of standardization undermines the ability of stakeholders to assess corporate performance accurately, thereby limiting informed investment decisions that consider ESG factors. To address this gap, future research should focus on the development of harmonized global C.E. reporting frameworks. Establishing such standards is essential for improving corporate governance, ensuring accountability, and enhancing the financial performance of firms engaged in sustainable practices. Moreover, further studies should investigate the potential impacts of these frameworks on corporate behavior and investor relations, particularly in light of the increasing integration of ESG considerations into financial decision-making processes. The evolution of these frameworks will be instrumental in shaping the trajectory of corporate sustainability in a globally interconnected economy.

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JUDICIAL PUBLIC INTEREST AGREEMENT AND PLEA AGREEMENT PROCEDURE - REGULATIONS AND ENFORCEMENT

Eduard BULAT

<https://orcid.org/0009-0001-1204-6925>

Consultant of Prosecutor, Moldova

Abstract

Ensuring the quality of justice by simplifying the criminal procedure is one of the objectives of justice reform. The improvement of special procedures existing in criminal proceedings as well as the completion of proceedings with new such special procedures are measures that contribute to the achievement of the reform objectives. The legislator amended the procedure of Plea Agreement, making it more attractive to the parties, presenting a real and effective tool for simplifying the criminal proceedings. At the same time, the legislator instituted the procedure of the Judicial Public Interest Agreement, which is a new special procedure applicable only to legal persons. The new regulations establish the scope and conditions of this special procedure application, the role and obligations of the accusation side and the defense side when concluding and executing the agreement, terms as well as legal effects for legal persons whom this special procedure has been applied to. Although these two procedures are different, there are some similarities - the fact creating confusion for practitioners.

Keywords: special procedure, criminal case, legal person, criminal liability, crime, judicial agreement, Plea Agreement, alternative procedure.

The quality of the act of justice has been and will further remain determined by the period it is carried out in, as well as by the efficiency and effectiveness of the legal mechanisms that make up the justice system as a whole. The way justice is implemented directly influences the fundamental operating coordinates of society, such as legal security and economic development, and a functioning justice system ensures that citizens and businesses can fully benefit from their rights, strengthens mutual trust and contributes to the creation of a favorable investment environment. Starting from these findings mentioned in the text of the *Strategy on Ensuring the Independence and Integrity of the Justice Sector for the Years 2022-2025*, in order to ensure the quality of justice, it was proceeded to identify solutions for simplifying judicial procedures, making them more effective (specific objective 2.1.3. of the Strategy).

In this regard, lately, the procedural-criminal legislation of the Republic of Moldova has been supplemented with some new provisions aimed at simplifying and making the special procedures that regulate the conduct of the proceedings according to different general procedure rules more effective, what was designed as a solution to determine all parties in the proceedings to a collaboration and interaction in order to reduce the expenses incurred as well as the time which proceedings are conducted in under general conditions. Legislative practice in most countries has known the so-called „*special proceedings*” of prosecution and trial in cases where there exist factors justifying the urgency of the criminal proceedings conduct, identifying special guarantees for the protection of certain categories of offenders, the relevant solemnity of the defendants holding public dignity positions, etc (Criminal Code of the Republic of Moldova 50). Special procedures are ways of conducting criminal proceedings, different from the usual procedure, consisting of a complex of complementary and derogatory norms, which means that, in case of their application, the criminal proceedings are conducted according to common rules, only to the extent which no special provisions that take precedence exist (Criminal Procedure Code of the Republic of Moldova 74).

Until 2023, the national procedural-criminal law regulated two procedures in which the accusation side and the defense side could agree on the way the criminal trial shall be conducted: *the Plea Agreement Procedure* (art. 504 of the Criminal Procedure Code) as well as *the procedure of case trial based on the evidence administered at the criminal prosecution stage* (art. 364¹ of the Criminal Procedure Code). The application of these procedures was inefficient and did not correspond to the purposes which these special procedures were included in the procedural-criminal legislation for. In particular, the Plea Agreement, in the form which it was previously regulated in, did not represent the institution that would have facilitated the conduct of criminal prosecution by reducing costly time and expenses, being due to the fact that for the conclusion of a Plea Agreement, a multitude of procedures had to be used, practically automated and bureaucratic, which in the essence are not applicable (Dumitrescu 31). At the same time, due to the fact that the procedure for judging the case based on the evidence administered at the criminal prosecution stage offered more advantageous conditions for reducing the penalty in relation to the Plea Agreement procedure, the application of the aforementioned special procedure has been substantially reduced, which required legislative

intervention to restore the state of things. Thus, according to the findings of the report on the activity of the Prosecutor's Office for 2023, a dynamic in essential decrease of the cases of application by prosecutors of the special procedure of the Plea Agreement is noted, as follows: in 2021 - 151 cases, in 2022 - 87 cases and in 2023 - 81 cases.

Currently, the legislation on Plea Agreement has been amended and supplemented with other special procedures, such as: *Cooperation Agreement procedure* (art. 509³ of the Criminal Procedure Code), which is applicable only in criminal cases given in the jurisdiction of specialized Prosecutor's Offices; *Judicial Public Interest Agreement procedure* (art. 523¹ of the Criminal Procedure Code), which is applicable only to legal persons. In this article, having in view some similarities that generate confusion, only the issues related to *the Plea Agreement* and *the Judicial Public Interest Agreement* will be discussed.

Ab initio, it should be mentioned that the necessity of the criminal proceeding's completion with *the Judicial Public Interest Agreement procedure* has as starting point the finding that, unlike in cases of natural persons, in cases of legal persons there were no alternative procedures for prosecution and trial. If the offence is committed by a natural person as alternative procedures, the application of Plea Agreement procedure would be possible (art. 504-509 of the Criminal Procedure Code), or the trial based on the evidence administered at the criminal prosecution stage (art. 364¹ of the Criminal Procedure Code) which significantly reduce the duration of criminal proceedings before the courts and the penalties applied (Law on Amending Certain Normative Acts No.83 dated April 14, 2023 38). This model was inspired by Anglo-Saxon practice, but also by the experience of French law, being argued that the Judicial Public Interest Agreement ensures *the celerity* of the criminal proceedings, being faster in relation to a trial according to the general procedure.

Another argument, which was taken into account when including this procedure, was that the Judicial Public Interest Agreement ensures *inflows* to the state budget by the fine's voluntary paid by the legal person, the amount of which exceeds the fine established under the criminal law. Moreover, it is worth mentioning that this procedure has an impact on the national economy, which was invoked by the authors of the initiative to amend and supplement the procedural-criminal legislation, referring to *the non-affected of the economic environment and the stability of the economic market*, because the application of the Judicial Public Interest Agreement excludes the application of the penalty in the form of liquidation of the legal person.

The above allow us to ascertain that, although both proceedings represent transactions between the accuser and the accused, the first difference between the Plea Agreement and the Judicial Public Interest Agreement relates *to the subject* which they apply to. In the first case, the subject of the agreement is the accused natural or legal person, and in case of the second proceeding, the subject is only the legal person accused who is represented by his legal representative or by the representative appointed.

In this regard, these two procedures differ in the conditions that the subjects must meet. Thus, the procedure provided for by art. 504 of the Criminal Procedure Code applies if: the limits of the penalty have been approved in writing by the hierarchically superior prosecutor, with the mandatory participation of the accused and his defender; on the basis of the evidence administered, it turns out that the acts were committed by the accused and it follows the establishment of his/her guilt; the accused at the time of committing the crime has reached the age of 16; the accused is charged in committing crimes which the prison sentence is applied for, providing a term up to and including 15 years, except as provided for in art. 135 (*Genocide*) and 135¹ (*Crimes Against Humanity*) of the Criminal Code; the person shall not be charged with the creation of a criminal group or criminal organizations.

In case of the procedure regulated by art. 523¹ of the Criminal Procedure Code, the Judicial Public Interest Agreement is concluded if: the limits of the public interest fine were approved in writing, by the hierarchically superior prosecutor, with the mandatory participation of the defender and the representative of the legal person; the legal person has not previously signed a Judicial Public Interest Agreement; the legal person is charged with committing the crimes referred to in art. 243 (*Money Laundering*), 244 (*Tax Evasion of Enterprises, Institutions and Organizations*), 325 (*Active Corruption*), 326 (*Influence Peddling*), and 334 (*Bribery*) of the Criminal Code; the representative of the legal entity voluntarily cooperated with the criminal prosecution bodies and helped to establish the circumstances of the crime committed.

In the case of both special procedures, the initiative to conclude the transaction can come from both the prosecutor and the defense side. At the same time, the special rules governing these procedures do not contain express regulations as to the way the prosecutor will react at the initiative of the defense side concluding the agreement, although in this case the legal conditions for the transaction conclusion are not met. This request of the defendant, legal representative of the legal person or the defender will materialize in a written request, which the prosecutor will reject under the provisions of art. 244-247 or, where applicable, the provisions of art. 295 of the Criminal Procedure Code.

Another criterion, which differentiates these special procedures, is *the object of negotiations* at the moment of transaction conclusion. In case of the Plea Agreement, the defense side negotiates with the prosecutor *the category, amount and manner of penalty serving* that will be imposed by court, in return expressing consent to admit the guilt, to accept the legal classification of the act and the manner of penalty serving. Thus, in case of a Plea Agreement, the limits of the penalty provided for by criminal law are reduced by one third (art. 80 para. (1) of the Criminal Code). When negotiating the penalty, the amount as well as the manner of its serving, the prosecutor takes into account the following circumstances: the willingness of the accused to cooperate at the criminal prosecution stage; the admission of guilt and the freely expressed will; the nature and gravity of the charges brought; the public danger presented by the accused; the public interest in a more expeditious trial at lower costs; the conduct of the accused in repairing the damage caused by the crime. In case of a Judicial Public Interest Agreement, the object of interest for the defense side in negotiations with the accuser is *the prosecutor's renouncement to refer the criminal case to court* in exchange for the recognition by the accused of the fact of crime, the legal classification of the facts, but also the commitment of the legal person to perform certain obligations set out in the transaction. It is also relevant to mention that, unlike the Plea Agreement, the conclusion of the Judicial Public Interest Agreement *is not conditioned* by the admission by the legal person of guilt in the commission of crime, i.e. this aspect cannot be the subject of negotiations at the conclusion of the transaction.

Another criterion that differentiates the two procedures is *the procedural stage* which these agreements take effect in. In case of the Plea Agreement procedure, it takes effect at the stage of conviction of the person, the limits of the penalty being reduced by the court, the person being considered convicted. *Per contrario*, in the case of the Judicial Public Interest Agreement, if this transaction has been confirmed by the Court, the criminal case is maintained at the pre-trial stage, the prosecution being conditionally suspended by the prosecutor for a period of three years, during which the monitoring of the legal person by the institution responsible for monitoring is carried out. During this period, the agreement confirmed by the court is published on the official website of the Prosecutor's Office and the institution responsible for monitoring the legal person. Currently, the power to monitor the legal persons accused of committing corruption crimes, which concluded a Judicial Public Interest Agreement, has been attributed to the National Anticorruption Center, with no regulations on the organization and conduct of the monitoring process (6). In addition, it is noted that the national legislation does not contain any regulations, as regards the establishment of the institutions responsible for the monitoring of the legal persons accused of committing the crimes provided for by art. 243 and 244 of the Criminal Code, which have concluded a Judicial Public Interest Agreement (Law on the National Anticorruption Center No. 1104 dated June 06, 2002 42).

If upon expiration of the three-year term, the prosecutor ascertains that the legal entity has fulfilled all the obligations set out in the agreement, he/she will order, by an Order, the termination of criminal prosecution, because according to the provisions of the art. 59¹ of the Criminal Code, the conclusion of the Judicial Public Interest Agreement constitutes basis for the exemption of legal person from criminal liability. Consequently, in respect of the legal person who has concluded such an agreement, being confirmed by the court, the complementary penalties cannot be applied, such as liquidation of the legal person or deprivation of the right to exercise a certain activity. It is also important to mention that the Judicial Public Interest Agreement does not exclude liability for damages caused by the crime and the return of the illegally obtained profit.

As regards *the obligations* established in respect of legal person through the Judicial Public Interest Agreement for a period of 3 years, they have a cumulative character and refer to the following aspects: to pay a public interest fine in the state budget, the size of which is set within the limits of 3 minimum fines provided for the offense committed, up to 30% from the average annual turnover calculated over the last 3 years until the date of initiation of criminal prosecution; to be subject to a monitoring program for a period of maximum 3 years, under the supervision of the responsible institution; to bear the expenses for experts or qualified persons who will assist the institution responsible for monitoring the accused legal person, as well as the expenses for conducting legal, financial, tax and accounting analysis necessary for the monitoring mission; not to commit other crimes during the monitoring period; to remove from management the persons who participated in the commission of the crime; return the illicit profit obtained by the crime commission as well as repair the damage caused by it.

Another aspect that differentiates the two special procedures regulated by the provisions of the art. 504 and 523¹ of the Criminal Procedure Code is the way in which they pass *the filter of judicial control and appreciation*. As regards *the Plea Agreement*, after the case is brought to trial under this procedure, at the stage before the hearing, the court shall verify whether the agreement corresponds to the provisions of art. 504 para. (7) of the Criminal Procedure Code, which refers to the obligation of the prosecutor to sever in a separate case (in case of offences committed with participation) the criminal case in respect of the person who

concluded the Plea Agreement. At the same stage of the proceedings, the court will check whether the agreement meets the requirements of the art. 506 of the Criminal Procedure Code, which stipulates: *the content of the text of agreement, the way of the defender's statements certification as well as the way of presentation of the case file materials to the defense side*. If any omissions are found, the court provides a term of 10 working days for their remedy, and after the omission is remedied, the court will proceed to the assignment of the case for judgment. The Plea Agreement is accepted by the court after ascertaining at the hearing that the defendant: understands what crime he/she is charged for; admits guilt; concluded the Plea Agreement voluntarily and knowingly in the presence of a defender; understands the consequences of the Plea Agreement concluded, the penalty imposed and supports his/her position regarding the agreement concluded.

According to the amendments of the procedural-criminal law that came into force on August 16, 2024, in case of acceptance of the Plea Agreement, the court cannot change *the legal classification of the act, punishment negotiated in the agreement or the manner of penalty serving* (Păvăleanu 84). Thus, through the new regulations, the value of the transaction concluded between the prosecution side and the defense side was increased, this procedure becoming more attractive for the parties, due to the high degree of predictability. On the other hand, if the court finds that the conditions provided for by art. 504 para. (3) and (4), art. 505 para. (2) and (3), art. 508 para. (1) regarding all the facts that were subject of the Plea Agreement are not met or if the court deems that the legal classification of the act is wrong, that the penalty provided for by law or the manner of its serving (which the agreement was reached on) is established contrary to the law or that the solution which an agreement between the prosecutor and the defendant was reached on is unjustifiably mild in relation to the seriousness of the crime or the personality of the defendant, a solution for rejecting the Plea Agreement will be adopted.

As regards the Judicial Public Interest Agreement, after the prosecutor has notified the court for the confirmation of this agreement, the court at a public hearing with the mandatory participation of the prosecutor, the representative of the legal person and its defender, will check *whether the legal conditions for concluding this agreement have been complied with, whether the amount of the public interest fine has been set within the legal limits, as well as will verify the proportionality of the obligations established in relation to the advantages of the Judicial Public Interest Agreement*. The court will confirm the Judicial Public Interest Agreement if it was concluded under the law as well as will ascertain that the public interest fine and the obligations established are proportional to the seriousness of the crime committed.

If the court determines that the legal conditions for the confirmation of the Judicial Public Interest Agreement are not met, or the legal person has waived its declaration to conclude this agreement, the court will return to the prosecutor the request for confirmation of the agreement, for the continuation of the criminal prosecution. In the context of this court solution, it is relevant to highlight two important issues that follow the refusal to confirm the Judicial Public Interest Agreement and which effectively return the parties to positions prior to the conclusion of the transaction, as follows: the legal person is refunded the public interest fine paid on the account of the state budget; the information obtained during the negotiation of the Judicial Public Interest Agreement cannot be used as evidence in any criminal proceedings.

Conclusions

The Plea Agreement and the Judicial Public Interest Agreement are two distinct procedures, which differ in relation to several criteria, being intended to intervene at different stages of criminal proceedings.

The Plea Agreement procedure is intended to simplify criminal proceedings and obtain a reduction of costs and time of its conduct, avoiding lengthy court hearings. At the same time, the amendments made to this procedure allow the accusers to use this transaction as a more effective tool in administering the evidence on complex criminal cases, being possible the hearing as a witness in another trial of the person in respect of whom the case was examined in the procedure of the Plea Agreement.

The procedure of the Judicial Public Interest Agreement provides for the possibility for legal persons accused of committing a crime to conclude a transaction with the prosecutor, under which the legal person is conditionally exempted from criminal liability; this allows the legal person to show an active position in determining the solution to terminate criminal prosecution and refer the case to court, or possibly, terminate criminal prosecution in respect of him. However, it is a new procedure for the national criminal proceedings, requiring further improvements and regulation in the process of monitoring the legal persons accused of committing the crime who have concluded a Judicial Public Interest Agreement.

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THE PROHIBITION OF COLLECTIVE EXPULSIONS ACCORDING TO PUBLIC INTERNATIONAL LAW

Alexandr CAUIA

<https://orcid.org/0000-0002-1952-5734>

Free International University of Moldova(ULIM), Chişinău

Tatiana PUIU

<https://orcid.org/0009-0009-6519-6511>

Free International University of Moldova(ULIM), Chişinău

Abstract

Migration may create economic and social opportunities that benefit both migrants and host countries. At the same time, it can pose significant challenges to national identities, political stability, and the legislative and governmental policy framework. The development of the international human rights protection system, especially at the regional level, has played an essential role in guaranteeing a minimum level of rights for migrants and in limiting the sovereignty of states to control the movement of people across borders. The strengthening of the human rights protection system, both universally and regionally, has coincided with a constant influence on mechanisms for the protection of migrants and refugees. Collective expulsion is prohibited under international law through several binding international instruments in the field of human rights protection and the safeguarding of fundamental freedoms, and the presence of complaint and rapid intervention mechanisms constitute an essential foundation for the protection of migrants against collective expulsions and for imposing responsibility on states to comply with the relevant international legal framework.

Keywords: asylum, refugee, migrant, collective expulsion, human rights.

Mass migration may provide diverse economic, social and humanitarian opportunities for both migrants and host states. At the same time, it can pose huge challenges to national identities, political stability, laws and government policies, and has arguably led to a “politicization of migration issues” in public debates and national and international jurisprudence. The evolution of the international human rights protection system, especially at the regional level, has played a key role in protecting a minimum of migrants’ rights and limiting the sovereignty of states to control the movement of people across borders. (Reimer 311)

Guy S. Goodwin-Gill and Jane McAdam emphasize through the work “The Refugee in International Law” the fact that collective expulsions are a clear violation of the positive obligations of states regarding the protection of migrants and refugees. The authors explain that such a practice contravenes not only European law, but also wider international instruments, such as the International Covenant on Civil and Political Rights, which states in Article 13 that any person residing lawfully in the territory of a state may be expelled only following a fair trial. (Goodwin-Gill, McAdam 15).

Also, Vincent Chetail, in “International Migration Law”, explores the impact of collective expulsions in the context of international migration and highlights the obligations of states to respect human rights, including correct process and protection against arbitrary expulsions. He states that collective expulsions are often used as a reaction to migratory pressures, but they violate the fundamental rights of migrants and refugees (Chetail 134)

A strengthening of the human rights protection system at both universal and regional level naturally overlapped with a constant “influence” of the migrant /refugee protection mechanism. We can unequivocally state that the “astral hour” in this sense is the adoption of the UN Charter in 1945 by which it was decided *to reaffirm the belief in fundamental human rights*, followed by the adoption of the Universal Declaration of Human Rights on December 10th, 1948, *the right to asylum* being enshrined in art. 14. (Universal Declaration of Human Rights 14)

Considering the specifics of the field examined in this article, it is necessary to refer to a legal instrument of indisputable relevance in the refugee protection process, which has exerted and continues to exert a significant influence on the entire migrant protection system. Thus, the 1951 Convention relating to the Status of Refugees (also referred to as the Geneva Convention) provides a set of fundamental standards and a reference tool for any actor of international law in the context of refugee protection. (The 1951 Refugee Convention)

An essential aspect enshrined in the 1951 Convention refers to the codification of the principle of *non-refoulement*, which prohibits states from returning a refugee or an asylum seeker to territories where his/her life or freedom would be in danger for reasons of race, religion, nationality, membership of a certain social group or political opinion. (Sir Elihu Lauterpacht, Daniel Bethlehem 52) Broadly speaking, this principle states that no refugee should be returned to a country where there is a risk of persecution or torture. (Гай146)

Although it does not explicitly regulate collective expulsions, the 1951 Convention relating to the Status of Refugees reinforces the principle of *non-refoulement* (art. 33) (The 1951 Refugee Convention 33), which prohibits the return of persons to a place where their life or freedom would be in danger for reasons of race, religion, nationality, membership of a certain social group or political opinion. This principle is fundamental and imposes a procedural obligation on states to analyze each case individually, thus providing an indirect protection against collective expulsions.

Collective expulsion is prohibited in international law by various binding instruments intended to protect and guarantee human rights and fundamental freedoms. According to article 4 of Protocol no. 4 of the European Convention on Human Rights (ECHR), collective expulsion is defined as an arbitrary measure by which a state removes a group of persons without carrying out an individual assessment of each case. This provision was introduced to prevent abuses against migrants and to ensure fair and equitable treatment, regardless of their legal status. The said article clearly stipulates that every migrant must benefit from the right to an individual assessment and a fair trial before being expelled. Thus, in the case of *Čonka v. Belgium* (2002), the Court ruled that the expulsion of a group of Slovak Roma citizens constituted a collective expulsion because the Belgian authorities did not examine the personal circumstances of each individual before the expulsion. (*Čonka v. Belgium*) This case was instrumental in reinforcing the standard that any expulsion decision must be based on an individual assessment and provide affected individuals with access to an effective remedy.

Also, Article 13 of the European Convention, which provides for the right to an effective remedy, is often invoked in cases of collective expulsion. In the case of *Khlaifia and others v. Italy* (2016), the Court found that migrants detained on the island of Lampedusa and deported to Tunisia without an individual assessment and without access to a lawyer were victims of a collective expulsion, contrary to Article 4 of Protocol no. 4, in combination with article 13. (*Khlaifia and others v. Italy* 272) The decision emphasized the importance of guaranteeing access to justice for each individual.

A central element of ECtHR jurisprudence in the matter of collective expulsions is the fact that expulsion procedures must not only be individualized, but also transparent and fair. In the case of *Sultani v. France* (2007), the Court reiterated that any member state of the Council of Europe has the obligation to ensure that each expulsion decision is based on the specific circumstances of each individual, taking into account the personal and family situation and the risks to which he/she could be exposed in the country of origin. (*Sultani v. France* 83)

In the context of Europe's migration crisis, the Court has become an essential forum for migrants and refugees, offering them an avenue of appeal against restrictive policies adopted by member states. The ECtHR has consistently emphasized that mass expulsions, without individual assessment of each case, represent a serious violation of fundamental rights. In the case of *Georgia v. Russia* (2014), the Court found that Russia had collectively expelled Georgian citizens without examining individual circumstances, thereby violating Article 4 of Protocol No. 4. (*Georgia v. Russia* 175)

An example of collective expulsion is the *Hirsi case Jamaa v. Italy*, where the European Court of Human Rights (ECtHR) ruled that the return of a group of migrants from Italy to Libya without the individual analysis of each migrant's case constituted a collective expulsion, thus violating the ECHR. (*Hirsi Jamaa and Others v. Italy* 206)

The role of the ECtHR is strengthened through the mechanisms for monitoring and implementing its judgments, including through the Committee of Ministers of the Council of Europe, which oversees the implementation of the Court's decisions. Thus, the ECHR not only establishes clear legal standards, but also ensures the responsibility of member states in case of violation of the rights provided for by the Convention.

In the light of the above, we emphasize that the relevant jurisprudence and specialized studies emphasize the fact that the prohibition of collective expulsions constitutes a fundamental component of the human rights protection, imposing on states the obligation to take measures to guarantee that each migrant benefits from an individual assessment. This is essential to prevent unfair treatment and to ensure that the economic, social and political rights of migrants are respected.

Collective expulsion and individual expulsions differ essentially in terms of procedure, purpose and protection degree of the fundamental rights of the affected persons.

Unlike collective expulsion, individual expulsions involve a personalized analysis of each case before making an expulsion decision. In accordance with the international legal framework, in particular the

provisions of Article 13 of the International Covenant on Civil and Political Rights, any person residing lawfully in the territory of a State may not be expelled except following a process that respects the principles of justice and provides the person concerned the right to challenge the decision before one competent authorities. (International Covenant on Civil and Political Rights 13)

Individual expulsions respect each person's right to a fair trial, which requires authorities to consider the specific circumstances of each case, including legal status, humanitarian grounds or risks of human rights violations in the migrant's country of origin. This individualized approach aims to provide increased protection against abuses by the state.

While collective expulsions are prohibited and constitute a violation of the fundamental rights of groups of migrants, individual expulsions allow states to exercise their right to control immigration in a manner that respects correct process and human rights.

In addition to the ECHR and the 1951 Convention, other relevant international and regional legal instruments may be mentioned.

Collective expulsions are also prohibited in the context of the European Social Charter, which promotes respect for the fundamental rights of vulnerable people, including migrants. (Social Charter European Revised) The European Committee for Social Rights (evaluates whether countries respect the rights set out in the Charter) takes its definition of collective expulsion from Article 4 of Protocol no. 4 of the ECHR, which is "any measure which compels aliens, as a group, to leave a country, unless such a measure is taken on the basis of a reasonable and objective examination of the particular case of each alien in the group". (COHRE) against Italy 155-156) The Committee also extends to the Charter the interpretation given by the ECtHR in *Conka v. Belgium* (2002), according to which, when a large number of persons of the same origin are expelled, there are reasonable grounds for suspecting that the expulsion it could be collective.

With regard to procedural safeguards in the matter of expulsion, the Committee refers to the judgment of *Connors* (2004), in which the Court held that "the procedural guarantees available to the person will be particularly important in determining whether the respondent State has complied with the margin allowed by appreciation, when it established the regulatory framework. In particular, the Court must examine whether the decision-making process that led to the interference measures was fair and was likely to properly respect the interests guaranteed to the physical person by article 8" (INTERIGHTS) against Greece, 37-38).

Article 19 para. (8) of the Charter binds States Parties to prohibit by law the expulsion of migrants who are legally residing on their territory, unless they represent a threat to the security of the State or contravene public order or good morals (Conclusions VI-1 (1979), Cyprus).

One of the most important conventions in terms of protection against arbitrary and implicitly collective expulsions is the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment (1984).

This requires states to prohibit the expulsion, return or extradition of a person to a state where there are reasonable grounds to believe that he or she would be at risk of being subjected to torture. Although it does not explicitly refer to collective expulsions, this principle, known as *non-refoulement*, is considered a fundamental element that prevents states from carrying out collective expulsions without individual analysis. The risk of torture or degrading treatment should be examined on a case-by-case basis, and not in the context of arbitrary collective decisions.

The interventions of the European Committee for the Prevention of Torture (CPT) are also important. The CPT, an independent body established within the Council of Europe, is mandated to monitor places of detention in member states, including migrant detention centres. During its visits, the CPT investigates the conditions in which migrants to be expelled are held and ensures compliance with the principle of *non-refoulement* and other fundamental rights. CPT interventions are essential in preventing the inhuman or degrading treatment that often accompanies collective expulsions.

CPT reports are published and made available to the public and national authorities, and this helps to create pressure on states to remedy problematic situations. For example, the CPT has criticized states such as Greece (Council of Europe anti-torture Committee (CPT) again calls on Greece to reform its immigration detention system and stop pushbacks) and Hungary (Report to the Hungarian Government on the visit to Hungary carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment) for the way they managed the waves of migrants and implemented expulsion measures.

1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families represents another essential instrument that contributes to the prohibition of collective expulsions. Article 22 of the Convention states that any expulsion of a migrant worker or a member of his/her family must be based on an individual decision taken in accordance with the law. The right to challenge the expulsion and to benefit from a fair and impartial assessment is also guaranteed. This convention emphasizes

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PAULINE ACTION IN ROMAN LAW

Nicolae FALĂ

<https://orcid.org/0000-0003-0228-9269>

Free International University of Moldova(ULIM), INJ trainer, Chisinau

Abstract

The distant precursor of modern obligations is to be found in that sphere of social relations in archaic societies, which today we call civil torts. The essence of these relations was personal liability for injurious actions, resulting from the sense of revenge of the victim or his relatives. The gradual abandonment of the primitive forms of enforcing creditors' rights by forced execution during the period of the Law of the Twelfth Table and the construction of patrimonial liability for debts also had adverse effects, the main one being the fraud of creditors' rights, in particular by alienating property before the lawsuits for debt recovery were filed. The name *actio pauliana* naturally derives from the name of the praetor *Paulus*, as it is referred to in the Digeste, as a means of protecting creditors and combating fraud. The purpose of *the Pauline action* was to re-establish the situation prior to the conclusion of the fraudulent act and, implicitly, to restore the property fraudulently disposed of, which is why it is logical that the person liable should be the owner of the property from which the creditors can draw. The effect of admitting the action was to revoke (deprive of legal effect) the legal act concluded to the detriment of the creditors. This is the source of inspiration for modern legislation, which calls the action in question a "revocatory action".

Keywords: paulian action, revocation, creditor, debtor, claim, fraud.

Instead of introduction. Revenge as a tool for the management and development of society

By virtue of the obligatory relationship, the creditor is entitled to require the debtor to perform a certain obligation and the debtor is bound to perform it. The civil obligations known to modern law are the result of a long evolution of archaic social relations. The distant forerunner of modern obligations is to be found in that sphere of social relations which today we call torts. The essence of these relationships in archaic societies was personal liability for wrongful actions, which in turn resulted from the victim's or his or her relatives' sense of revenge. Revenge was the source of a strong personal bond between the perpetrator and the victim. Gradually, however, in order to avoid the harmful consequences of revenge, it was replaced by a ransom agreement. Payment of the agreed sum released the offender (debtor) from personal liability towards the victim (creditor), who was obliged to refrain from revenge. In the event of non-payment of the ransom, the offender continued to be personally liable to the victim and the victim's next of kin (Покровский 234) . Although obligatory relations have evolved a great deal, it is the idea of revenge that underlies the debtor's personal liability for non-performance. This is why in archaic societies, the condition of the bad debtor is extremely difficult.

The period of the Law of the XII Tables

Old Roman law during the period of the Law of the XII Table knew only *the personal liability of debtors for non-performance of obligations*. This liability was distinguished by its increased severity. The Roman author *Aulus Gellius* reproduces the text of Table III, which regulated a specific form of levy of execution, namely the way in which creditors satisfied their claims if they were not paid on the due date (Авл Геллий 373-384). Thus, a debtor against whom a judgment had been handed down ordering payment of the debt or who acknowledged the debt was obliged to execute the debt voluntarily for 30 days. Otherwise, the creditor had the right to detain the debtor (*legis actio per manus iniunctionem*) in order to bring him before the court, where the debtor was assigned to the creditor (*addictio*). The status of the *addictus* was similar to that of a slave. After the adjudication of the *addictio*, the debtor was usually taken to the creditor's house and forced to work to pay off his debt. If the creditor did not receive payment for 60 days after the pronouncement of the *addictio*, the creditor had the right to expose the debtor three times to public sale. In order to make persons close to the debtor aware and induce them to help him by paying the creditor, the debtor was brought to the market three times on days when fairs were held, where the amount of his debt and the possibility of buying him as a slave (Тарашкевичь 9) was publicly announced. If no one bought the debtor or paid on his behalf and the debtor in the meantime failed to pay the debt himself, the creditor had the right to kill the debtor or sell him to pilgrims "after Tiber". In the case of several creditors, the debtor could be physically divided among them.

The harsh forms of foreclosure described were instituted in the social context of the Roman state during the period of the Law of the XII Table. In ancient times, the value of the human personality was considered indivisible, which is why foreclosure *fell on the entire personality*, including its patrimony . That is why the

condition of the debtor who did not pay when due was *total slavery*, regardless of whether the creditor left him in his house to work until the debt was fully paid or sold him (Мальшев 5).

Personal pledge (*nexum*).

In line with these conceptions, in ancient Roman law the debtor's personal pledge was known as the pledge of the debtor's personal pledge together with the members of his family *nexum*. Most of the debtors were plebeians, very poor people, who largely resorted to *nexum* in order to obtain credit, and their person was practically the only value in the primitive economy (ibid). The *Lex Poetelia Papiria* of 326 BC abolished the rudimentary form of personal pledge *nexum*. This law forbade the chaining of debtors while they were in the creditor's house, and those debtors who under oath guaranteed to creditors that they had sufficient assets to meet their obligations were released. As a consequence, at least for wealthy persons, the principle was established that it was not the debtor's person that was liable for debts not paid when due, but his or her assets. It is true that even after the adoption of the *Lex Poetelia Papiria* the practice of forcibly bringing debtors who defaulted on their debts to the creditors' house for forced labor on account of the debt was still in force (Муромцев 30). This was an important step in the transition from personal to patrimonial liability. The attenuation of the harsh forms of forced execution during the period of the XIIth Table Law is largely due to the establishment of the institution of the Praetor.

Researchers of Roman law affirm that already during the period of the Law of the Twelfth Table Enforcement was not limited to the debtor's person, but also to his assets. It was precisely because of the rigid forms and very harsh consequences prescribed by the Twelfth Table Law that, in most cases, execution was only enforced when debtors had exhausted their entire assets. Thus, in situations where the creditor received or seized certain of the debtor's assets on account of the debt, it was necessary to *establish their cost* (valuation). In a primitive economy such as that of ancient Rome in the period under consideration, valuation was a very difficult task. One way or another it was necessary to sell the goods to third parties in order to be able to pay the price received for the debt. As far as possible, the debtor's assets were sold separately, but more often than not the debtor's assets were of interest to potential buyers only in the complex.

***Venditio bonorum*.**

The sale of the entire patrimony to the third party was called *emptio* or *venditio bonorum* (ibidem 7-9). It should be noted that in addition to debt enforcement based on a court judgment or its substitutes (acknowledgment of debt by the debtor), the *venditio bonorum* procedure was also applied in other cases. In particular, *venditio bonorum* was the usual method of enforcement of tax debts, where the praetor ordered the bailiff to take possession of the debtor's assets for subsequent sale at public auction (Тарашкевич 9). For the most part, the development of the forms of the *bonorum venditio* procedure was due specifically to the fiscal (public) needs of the Roman state, which later began to be granted by the praetor to private individuals as well. This speaks to the common character of the *venditio bonorum* procedure.

Prior to the auction sale of the debtor's assets, an important means of provisional protection of creditors' rights was the *missio in bona* or *missio in bona servandae causa* (Муромцев 168), which consisted in the authorization by the praetor for creditors to take temporary possession of the debtor's assets. In the specialized literature, *missio in bona* is assimilated to the modern-day seizure of security (Мальшев 8-9). We consider it important to note that the creditor who obtained *missio in bona* was not obliged to notify other creditors of the proceedings. This followed from the fundamental principle of Roman law that every free man must look only after his own interests and not serve as an instrument for the realization of foreign interests (Мальшев 22). However, the information about the auctioning of the debtor's assets (*proscriptio*) was made public, so that other creditors of the debtor being pursued could learn about the execution and have the possibility to intervene in the process (Франчиози 101). Once in possession of the debtor's assets, creditors did not acquire any rights over them, being limited to *custodia et observatio*, i.e. supervision for the purpose of preserving the assets forming the debtor's assets and preventing fraud by the debtors (Мальшев 21). A *magister* or *curator bonorum* was chosen from among the creditors to administer and sell the debtor's property at public auction. Over time, however, a third party could also be appointed as *curator bonorum*.

If the debtor or another person in his place failed to pay benevolently, creditors were entitled to sell all the debtor's assets at public auction (*venditio bonorum*), and the debtor remained dishonored (*infamis*) (ibid 24). The buyer of the assets of the debtor *bonorum emptor* was assimilated to a successor by universal title, which is explained by the purchase of the entire patrimony and the negotiation with the creditors of the part of the debt which *the issuer* was obliged to pay. Thus, initially, *the issuer* was nothing more than a speculator seeking to realize a profit from the difference between the purchase price of the debtor's assets as a whole and the separate sale price of the assets, taking into account the agreement with the creditors as to the part of their claims that it was obliged to pay (Франчиози 101). Where the bankrupt debtor's estate had its own claims against other persons, remedies for *bonorum emptor* were given by praetoriam, namely *actio Rutiliana* (action

with substitution of subjects) if the debtor was alive or *actio Serviana* if the debtor was deceased (Муромцев 168).

From an evolutionary point of view, the transition from personal liability for debts to patrimonial liability was marked by the tendency to strike a balance between the interests of the pursuing creditors and those of the debtor. Reflecting this tendency was the establishment of the *cesio bonorum* by the *Lex Julia de bonis cedentis* which allowed any debtor, irrespective of the cause of his inability to pay, to assign his entire patrimony to creditors and thus avoid being detained and forcibly brought to the creditor's house for labor on account of the debt (Тарашкевичь 9). But this created conditions for abuse by debtors. They resorted to the prior alienation of assets to third parties in order to evade payment of debts, being safe from *manus injectio* and *addictio*, with the retention of only those assets that they themselves did not need (Мальшев 34). As a reaction to debtors' abuses the scope of the *cesio bonorum* institution was limited only to those debtors who became unable to pay for reasons beyond their control. From that time onwards, providing remedies to creditors against fraudulent acts committed by debtors became an objective necessity.

Cesio bonorum, however, had some major drawbacks, one of which was the infamy of the debtor, or *bonorum venditio* in this very case attracted the "patrimonial death of the debtor" - he was practically removed from economic life as *persona suspectta* (*idem* 38). On the other hand, the *cesio bonorum* and its subsequent sale by means of the *venditio bonorum* procedure was not exactly advantageous for the creditors, who realized their claims to a lesser extent, and the debtor was *a priori* deprived of the possibility of keeping the surplus after the payment of the debts. This is why the individual sale of the debtor's assets - *distractio bonorum* - was found to be the optimal solution for all those involved in the enforcement of the debtor's assets. The application of *distractio bonorum* to debtors was also made possible by the replacement of the *wholesale* purchaser of the debtor's assets (*emtor bonorum*) by the manager of the debtor's estate called *curator bonorum*, who was a provisional administrator of the debtor's assets (Шишмарева 11). The literature mentions the advantages of the *distractio bonorum* procedure, namely the larger share of the claim received by the creditors due to the separate sale of the debtor's assets (Мальшев 38-39), the exclusion of *missio in bona* and the debtor's infamy (Гарсия 208).

The legal novation of Praetor Paulus.

The gradual abandonment of the primitive forms of enforcement of creditors' rights during the period of the Law of the XII Table and the introduction of patrimonial liability for debts also had adverse effects, the main one being the fraud of creditors' rights, mainly by alienating assets before the filing of lawsuits to enforce the restitution of the debt. In order to combat such fraud and abuse, which had harmful consequences for creditors, the praetor Paulus granted injured creditors an action whereby: all actions by the debtor against creditors could be annulled by the court and the property, by a legal fiction, was deemed to be returned to the debtor's estate (Тарашкевичь 9). The identity of the Praetor Paulus is not certain (Otetelişanu 11), but some authors believe him to be the renowned *Lucius Aemilius Aemilius Paullus*, son of *Aemilius*, conqueror of Macedonia, who held the public offices of Praetor in 191 BC, Governor of Spain in 182 BC, Consul in 186 BC and Censor in 164 BC (Тарашкевичь 9). **The *Actio pauliana*** is based on the praetorian edict with the following content: "*Ait Praetor: Quae fraudationis causa gesta erunt cum eo, qui fraudem non ignoraverit, de his curatori bonorum vel ei, cui de ea re actionem dare oportebit intra annum quo experiundi potestas fuerit, actionem dabo idque etiam adver sus ipsum qui fraudem fecit servabo*" (D 42, 8, 1).

The name *actio Pauliana* comes naturally from the name of the praetor *Paulus*, as it is referred to as such in the Digeste (D 22, 1, 33, 4). Some authors, however, consider that the name is not accurate, and if it had been titled after the name of the praetor Paulus it should have been called *actio Paulina* (Longinescu 494). Other authors consider that *actio Pauliana* is in fact the generic name for fraudulent actions (Гримм 13). In this chapter, the literature also states that the Paulian action reflected in Title 8 of Book 42 of the Digests is a compilation of the other means of defense against debtor frauds known to Roman law until Justinian, namely *vindicatio utilis*, *integrum restitutio ob fraudem*, *actio in factum* and *interdictum fraudatorem* (Дернбург 373). These controversies, however, did not prevent the creation of an articulated regulation which consequently led to the recognition of the so-called Roman system or model of the Pauline action (Гримм 13). Thus, Justinian's compilation, taking into account its casuistic character, sufficiently clearly lays down the conditions for the exercise of the Pauline action, which have been largely **transposed into modern legislation without substantive changes**.

Particularity of the Roman model of *actio pauliana*.

One of the particularities of the Roman model of the Pauline action is that the named action was historically formed against the background of the defense of the patrimonial interests of creditors in bankruptcy and only later extended to individual actions. Thus, the same system of rules was applicable to both collective and individual actions (*ibid*).

According to the Digests, the active procedural capacity to exercise the Pauline action was recognized in favor of the *curator bonorum* (D 42, 8, 1). The same fragment, however, also refers to the possibility of granting this action to other entitled persons - *vel ei, cui de ea re actionem dare oportebit*, but it is thought to be an interpolation of Justinian (Дигесты 249). The Roman jurists' choice to grant the *curator bonorum* the right to exercise the Pauline action is explained by the need to first of all send the debtor into possession, to prove that the debtor's assets are not sufficient to cover all the debts, and then to proceed to annul the acts fraudulently performed by the debtor (Otetelişanu 19). Another fragment of the Digests recognizes in favor of the creditor's heirs the right of action - *haec actio heredi ceterisque successoribus competit* (D 42, 8, 10, 25). On the other hand, however, the Digests say nothing about the debtor's right of recourse to the Pauline action. With reference to *ex contractu* creditors whose obligation is conditional or time-bound, the doctrine states that they can request the revocation of fraudulent acts if the condition has been fulfilled or if the time limit has expired (Pârâianu 12).

The question of the circle of persons against whom the Pauline action may be brought is a complex one. In accordance with the general rule, the Pauline action is brought against subjects participating in the fraud of creditors' rights - *qui fraudem non ignoraverit* and *qui fraudem fecit* (D 42, 8, 1). The quoted fragment gave grounds for recognizing simultaneously the passive procedural capacity of both the debtor and the acquiring third party (Тарашкевичь 25-26). Another fragment establishes the applicability of *the Pauline action* to a person who, knowing of the debtor's fraudulent conduct, accepts the debtor's performance (D 42, 8, 6, 8). Thus, we can say that, in essence, the Pauline action was directed against the acquirer of the debtor's goods alienated in fraud of creditors. Now, the purpose of *the actio pauliana* was to re-establish the situation prior to the conclusion of the fraudulent act and, implicitly, to reconstitute the goods fraudulently alienated, for which reason it is logical that the holder of the goods from which the creditors can draw is the one to be held liable. For the reasons given, an acquirer who is unaware of the debtor's fraudulent intention is not liable (D 42, 8, 6, 8). Likewise, an acquirer who, with the consent of the creditors, bought something from the debtor in bad faith was not held liable (D 42, 8, 6, 9).

In the case of gifts, the donee's knowledge of the fraud was irrelevant. The person who does not know is not considered to be subject to an injustice, or he is deprived of an advantage and does not suffer a prejudice. However, the bona fide donee is bound to make restitution only to the extent of his enrichment and no more (D 42, 8, 6, 11).

The bona fide master was held liable for the acts done by the slave who knew of the fraud, but only to the extent of what he had acquired and only to the extent of the peculium or what was used in his interest. Similarly answers *the bona fide pater familias*. The master (*pater familias*) in bad faith answered in his own name (D 42, 8, 6, 12).

According to the *actio pauliana*, the acquirer at a diminished price who knew of the debtor's fraudulent intent is also liable (D 42, 8, 7).

If the bad faith acquirer, who has purchased an asset from the debtor whose assets have been sent to the creditors, subsequently disposes of the asset to a *bona fide* sub-acquirer, the latter shall not be liable for fraud. The same rule applies if the bona fide acquirer buys outright from the debtor. In this situation only the bad-faith acquirer who subsequently disposes of the asset to the *bona fide* sub-acquirer is liable (D 42, 8, 9).

In another excerpt from Book 42, Title 8 of the Digests, the liability of the acquirer who does not (yet) participate in the fraud but who, at the sale, is informed by the creditors of the inadmissibility of the sale is provided for (D 42, 8, 10, 3).

The Digest also regulates the situation of a minor who does not know about the fraud although his guardian does. Thus, the solution is in favor of the creditors, the knowledge of the fraud by the guardian being imputable to the minor or the incapable person to the extent that they have enriched themselves (D 42, 8, 10, 5).

In certain cases the creditors themselves are liable according to the rules of *actio Pauliana*. Thus, the creditor who has caught the fugitive debtor and has taken from him the payment of his claim, will be liable depending on the moment of *missio in bona*: if he has succeeded previously, then he is not liable, if later, then he is liable (D 42, 8, 10, 16).

Actio pauliana can also be brought against successors (D 42, 8, 10, 25).

Finally, the debtor in bad faith could be liable under the rules of *actio pauliana*. Although doubts are reflected in the Digeste on this point due to the fact that after the sale of his goods, it is unfair for him to be held liable in the absence of patrimony. If, however, the fraudulently alienated goods cannot be recovered, an action will still be brought against him, because it is considered that in relation to the debtor without patrimony the praetor will consider not only the utility of the action, but also the penalty (D 42, 8, 25, 7).

Consilium fraudis.

The general condition for exercising the Pauline action was *animus* or *consilium fraudis*, based exclusively on the bad faith of the debtor (Дернбур 373). It has been noted in legal doctrine that one of the peculiarities of the Roman model of *actio pauliana* is the consistent observance of the principle that the objective fact of the injury to creditors by the debtor's acts was never of autonomous importance. The objective harm was relevant only in the context of the debtor's intention to harm the creditors or at least his awareness of the prejudicial character of his acts in relation to the creditors. It follows, *inter alia*, that only creditors who had this status prior to the fraudulent act were entitled to have recourse to *actio Pauliana*.

With reference to the assessment of bad faith, *Ulpianus* writes that it is manifested by the acquirer's knowledge of and participation in the fraud. If he only knows that the debtor has creditors, he will not be liable according to the rules of the *actio Pauliana*, but it is sufficient that he participates in the fraud (D 42, 8, 10, 2). The same rule is found in another fragment, which states that he who knows about a person's creditors and enters into a contract with him without knowledge of the fraud will not be liable (D 42, 8, 10, 4). In addition, it is stated that knowledge of the fraud of one creditor and ignorance of the others is sufficient for *actio Pauliana* to be applicable (D 42, 8, 10, 7).

Deminutio patrimonii.

Another essential condition for the exercise of *actio pauliana* was the diminution of patrimony by the debtor - *alienatio* or *deminutio patrimonii* (Longinescu 494). The Digeste sets out at length examples of acts by the debtor which represent a diminution of patrimony to the detriment of creditors (Шишмарева 23-24):

- alienation of goods (*rem alienavit* - D 42, 8, 1, 2);
- forgiveness of debt (*vel pacto aliquem liberavit* - D 42, 8, 1, 2);
- release of daj (*pignoria liberet* - D 42, 8, 2);
- granting preference to one creditor (*alium in fraudem creditorum praeponat* - D 42, 8, 2);
- granting an exception to a third party (*praeburit exceptionem* - D 42, 8, 3);
- assuming new obligations to the detriment of creditors (*se obligavit fraudandorum creditorum* - D 42, 8, 3);
- making a payment (*numeravit pecunia* - D 42, 8, 3);
- willful loss of the trial (*gesta fraudationis causa* - D 42, 8, 3, 1);
- donation (D 42, 8, 6, 11);
- sale at a reduced price (D 42, 8, 7);
- omission of the limitation period (*vel a debitori non petit, ut tempore liberetur* - D 42, 8, 3, 1);
- loss of usufructui or the right of servitude (*aut usum fructum vel servitutem amittit* - D 42, 8, 3, 1);
- renunciation of property rights (*et si rem suam pro derelicto habuerit* - D 42, 8, 5);
- performs the obligation in advance (*in diem deberetur, fraudator praesens solverit* - D 42, 8, 10, 12);
- early restitution of the dowry (*soluta matrimonio praesentem dotem reddidisset, quam statuto tempore reddere debuit* - D 42, 8, 17, 2);
- conclusion of the fraudulent agreement with the neighbor of the pledged fund (*in fraudem creditoris cum vicino de finibus pignori dati fundi pactus est* - D 42, 8, 21);
- the remission of the debt by the fideiussor with his consent (*si fraudator fideiussori suo scienti acceptum tulerit* - D 42, 8, 25);
- fraudulent partition (D 42, 8, 10, 11);
- advance payment (D 42, 8, 10, 12);
- pledging an older claim (D 42, 8, 10, 13).

It has been stated in the doctrine that *the paulian action* could be brought even **against the judgment** rendered as a result of the fraudulent actions of the debtor in agreement with the third party by which he recognizes the action (Тарашкевичь 55).

Challenging the debtor's action/inaction.

It should be noted that in Roman law, not only the actions but also the inactions of the debtor could be challenged, such as willful omission of the limitation period, fraudulent failure to participate in the judicial process.

The actions of the debtor that can be challenged by Pauline action are set out in the Digeste exemplifying (case-by-case), which shows that *the actio pauliana* could be exercised against any fraudulent actions of the debtor that injure the creditors, the rule being that the action is applied in situations where the debtor diminishes his patrimony, not in those where a patrimonial advantage is lost (D 42, 8, 6).

It is important to note that acts by which the debtor diminished his patrimony could not be challenged by way of *actio pauliana* unless and to the extent that the creditors were prejudiced. *Ulpianus* says that acts concluded for the purpose of defrauding creditors will be revoked only when the fraud has been successful (D 42, 8, 10, 1). Therefore, the *actio pauliana* does not apply when the debtor has paid the creditors against whom

he concluded the fraudulent acts (D 42, 8, 10, 1). In the specialized literature, *eventus damni* is considered to be one of the indispensable conditions for the exercise of the Pauline action, and it is by reference to the actual damage suffered that it is possible to justify the interest in bringing an action (Тарашкевичь 26-27).

Time limit for bringing *actio pauliana*.

The period within which the *actio pauliana* could be exercised was one year (D 42, 8, 6, 14; D 42, 8, 10, 18; D 42, 8, 10). This period was calculated from the day of the sale (*ex die factae venditionis* D 42, 8, 6, 14). In another fragment we see that the one-year period was calculated from the day of the sale of the debtor's assets at auction (*ex die venditionis bonorum* D 42, 8, 10, 18). It is practically unanimously recognized that the one-year period for the exercise of the action by the *curator bonorum* began to run from the day of the sale of the debtor's assets (Otetelişanu AI 22). The quoted fragments have generated controversy in the doctrine, which is due to the specificity of the Pauline action in Roman law, which is the result of the combination of several defenses intended for both individual and collective actions. Thus, the controversy centers on the time within which this right can be realized by individual creditors (whose right of action is itself a matter of controversy) (ibid).

Effects of the admission of the *actio pauliana*.

The study of the Pauline action in Roman law would be of no practical interest without considering the effects of its admission. According to the general rule, the effect of the admission of the action was the revocation (the deprivation of legal effects) of the juridical act concluded to the detriment of the creditors (*revocanda ea, quaecumque in fraudem eorum alienata sunt* D 42, 8, 1, 1). This is in fact also the source of inspiration for modern legislation, which calls the action under study a 'revocatory action', even though revocation in the technical sense is not an effect of the admission of the Pauline action in modern law.

The consequence of the revocation of the fraudulent act was the situation before the fraud was committed (*ex hac actione restitutionem fieri oportere in pristinum statum* D 42, 8, 10, 22). In the case of alienation of property, it is to be returned together with all its accessories (*res restituit debet* D 42, 8, 10, 19). Doctrine interprets the Roman texts in the sense of the existence of the legal fiction of the transfer of ownership of the alienated property back to the debtor, thus re-establishing the situation prior to the fraud (Тарашкевичь 84). When the property is returned, the fruits are taken into account, and not only the fruits harvested, but also those that could have been harvested by the debtor in bad faith, but the expenses incurred will be deducted (D 42, 8, 10, 20). Another fragment provides that not only the fraudulently alienated land is to be returned, but also the fruit, which at the time of the alienation was (still) attached to the land, because it was in the estate of the bad faith debtor, as well as fruit picked after the lawsuit was filed. The exception is fruit picked by the acquirer in the meantime (D 42, 8, 25, 4).

In the case of obligations, the effects of the admission of the *actio pauliana* are manifested by the restoration of the obligation to its original state as if the release from the debt had not taken place (*ac si liberatio facta non esset* D 42, 8, 10, 22). Subsequently the income forgone because of the remission of the revoked debt must be restored. If the obligation was conditional, it was restored together with the condition, if conditional - then together with the stipulated term (D 42, 8, 10, 23).

Landmarks for the legal nature of the Pauline action.

A review of the conditions for the exercise of the Pauline action in Roman law makes it possible to address the question of the legal nature of this action. The landmarks in this respect are the effects of the admission of the action, namely the revocation of the fraudulent act and the restoration of the situation prior to the commission of the fraud. In doctrine it has been stated that the Pauline action is not only an *arbitrary* action, but also an action *poenalis* and *rei persecutoria* on the one hand and *in personam* on the other (Longinescu 498). The determination of the personal or real character of the action has generated controversy. In doctrine several theories have been developed (Тарашкевичь 17-19), the starting point for which was a fragment from the Institutes of Justinian which treats the Pauline action as real: Inst., 4, 6, 6 - *Item si quis in fraudem creditorum rem suam alicui tradiderit, bonis eius a creditoribus ex sententia praesidis possessis permittitur ipsis creditoribus rescissa traditione eam rem petere, id est dicere eam rem traditam non esse et ob id in bonis debitoris mansisse*. However, the vast majority of authors (Otetelişanu 18, Тарашкевичь 18-19) advocate the personal character of the Pauline action, an approach which has remained current to the present day, having been transposed into the modernized Civil Code. An idea that deserves attention in this context is the attribution of the real character of the Pauline action when the personal effects are not sufficient, i.e. in the case of the protection of the debtor's creditors against the personal creditors of the third party acquirer (Pârâianu 24). Without going into too much detail, we note that the question of competition between the debtor's creditors and those of the third party acquirer remains a delicate one even in modern law.

In conclusion. The revival of the *actio pauliana*.

This is broadly the Roman model of the Pauline action, developed by the Roman jurists during the reign of Emperor Justinian. After the fall of the Roman Empire, the rules of the Pauline action, along with the other institutions of Roman law, were forgotten for a long time, and the relations between creditors and debtors in default returned to primitive remedies. It was not until the Renaissance, which in fact began with the acceptance of Roman law in the countries of Western Europe (Муромцев 27), that French common law appropriated the paulian action, applying to it the rules developed by praetorian law in Roman law, and in this form *the actio Pauliana*, also known as *revocatorie*, was included in the French Civil Code of 1804 (Code Napoleon) (Тарашкевич 10), as well as in the other major laws of the century. XIX.

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TACTICS OF CRIMINAL PROSECUTION ACTIONS WITHIN PROCEDURAL ACTIVITIES IN CASES INVOLVING MINORS

Ernest GAVZER

<https://orcid.org/0009-0000-4969-3408>

Free International University of Moldova(ULIM), Chisinau

Abstract

The article analyzes the tactics of criminal prosecution actions in cases involving minors in the Republic of Moldova, highlighting their specific vulnerabilities and the need for an adapted approach. It emphasizes the importance of the national and international legal framework that protects children's rights, as well as the application of fundamental principles such as the best interests of the child, confidentiality, and promptness of procedures. Specific methods, such as using accessible language, involving specialists, and audio-video recording of hearings, are essential for protecting minors. Additionally, collaboration with educational institutions and ensuring procedural rights, such as the right to defense and information, contribute to the reintegration and harmonious development of minors in society.

Keywords: tactics, children's rights, legal protection, hearing of minors, specific vulnerabilities, criminal justice.

"By protecting children today, we build a healthy society tomorrow"

Introduction

Criminal cases involving minors present particularities that require a tactical and procedural approach tailored to their specific needs. Minors may appear in the criminal justice system as victims, witnesses or suspects, each role requiring special attention from the prosecution. Their ongoing physical and psychological development, lack of experience and increased influence are factors that may affect how they perceive and interact with the justice system. The tactics of prosecution in such cases must take into account the fundamental principles laid down by Moldovan and international law, such as the protection of the best interests of the child, confidentiality and expeditious proceedings.

Adapting methods of investigation and hearing, using communication techniques appropriate to the age and level of understanding of the minor, and working with psychologists and social workers are essential to ensure fair justice. In this context, in this article I aim to analyze the tactical aspects of prosecution in cases involving minors, highlighting the importance of a multidisciplinary and child-centered approach. By examining the existing legal framework, guiding principles and practical methods, the aim is to provide a useful tool for legal practitioners and those involved in the protection of children's rights.

Particular features of criminal cases involving minors

The specific vulnerabilities of minors in criminal cases in the Republic of Moldova are a major concern for the judiciary and society. Minors, being in the midst of their physical and psychological development, are exposed to a number of risks that may affect their ability to understand and participate adequately in criminal proceedings. First, the incomplete cognitive and emotional development of minors makes them more susceptible to external influences and less able to anticipate the consequences of their actions. Lack of life experience and psychological immaturity can lead to difficulties in understanding the complexities of court proceedings and their legal rights.

Another key issue is socio-economic vulnerabilities. Many children in the Republic of Moldova come from disadvantaged backgrounds affected by poverty, parental migration and family disintegration (UNICEF Moldova Report 12). The massive migration of labor abroad leaves many children in the care of relatives or even without adequate supervision, putting them at risk of abuse, neglect or involvement in criminal activities. Lack of access to quality education and social exclusion also contribute to children's vulnerability. Early school drop-out and low educational attainment limit children's ability to know and exercise their rights (Dropout Report 30).

This makes them more susceptible to manipulation and exploitation by adults or criminal groups. The influence of entourage and environment plays a significant role in the behavior of minors. The desire for belonging and social acceptance can lead children to engage in deviant or illegal behavior. In the absence of

positive role models and parental supervision, minors may be drawn into criminal circles. Participation in criminal proceedings can have a negative psychological impact on minors. Dealing with authorities, interrogations and the judicial environment can generate stress, anxiety and emotional trauma. Without an approach tailored to their needs, minors may suffer long-term consequences for their mental health.

Lack of knowledge of legal rights and procedures is another critical vulnerability. Minors, unfamiliar with the legal system, may be intimidated or may give self-incriminating statements without understanding the implications (Ombudsman Report 31). It is essential that they receive legal assistance and the presence of a legal representative or psychologist during proceedings. In addition, stigmatization and social marginalization can affect the reintegration of minors into the community. Labeling as a "delinquent" or "offender" can lead to discrimination and limited access to education and employment opportunities (International Labour Organization study). This can perpetuate the cycle of delinquency and hinder a child's healthy development.

Analyzing the legal, theoretical and conceptual framework

In the Republic of Moldova, the protection of minors in the criminal justice system is regulated by a comprehensive legal framework, in line with both national legislation and international treaties to which our country is a party. The United Nations Convention on the Rights of the Child, ratified by the Republic of Moldova by Parliament Decision No 408-XII of December 12, 1990, is the international foundation that stipulates the rights and protection that children must enjoy in all areas, including criminal justice. At the national level, Law No. 338 of 15.12.1994 on the Rights of the Child is the main normative act laying down the principles and special guarantees for the protection of children's rights.

This law requires the authorities to ensure that the best interests of the child are respected in all actions and decisions concerning him or her (Article 6) and that special measures must be taken in the event of minors being involved in legal proceedings (Article 53). The Criminal Code and the Code of Criminal Procedure contain specific provisions on the criminal liability of minors and special procedures applicable to them. For example, the Criminal Code provides for reduced sentencing limits for offenses committed by minors and the possibility of applying educational measures (Art. 83-88). The Criminal Procedure Code lays down special rules for hearing minors, the need for the presence of a psychologist or pedagogue and protection against disclosure of personal data.

140/2013 on the special protection of children at risk and children separated from their parents establishes intervention and assistance mechanisms for vulnerable children, including those involved in the criminal justice system. This law promotes inter-institutional collaboration to ensure child well-being and prevent child victimization. As a whole, the specific legal framework in the Republic of Moldova imposes on criminal prosecution bodies and other institutions involved the obligation to adopt special measures to protect minors. These include ensuring confidentiality, respecting the right of defense, adapting proceedings to the child's needs and promoting social reintegration.

Prosecution tactics in cases involving minors

In handling criminal cases involving minors, the criminal prosecution authorities of the Republic of Moldova must comply with certain tactical principles aimed at protecting the rights and best interests of the child. The best interests of the child is a central concept in national and international child rights legislation. According to Article 6 of Law No. 338 on the Rights of the Child, all actions and decisions concerning the child must have the best interests of the child as a priority.

In the context of criminal proceedings, this principle requires judicial bodies to take measures to prevent any physical or psychological harm to the minor. The application of this principle is manifested by adapting the hearing procedures to the child's level of understanding, avoiding situations that may cause emotional trauma and ensuring a safe and friendly atmosphere. It also calls for cooperation with specialists in psychology or pedagogy who can facilitate communication with the minor and provide the necessary support.

Protecting confidentiality in cases involving minors is essential to prevent stigmatization and to facilitate their social reintegration. According to Article 10 of Law 338/1994, the child has the right to the protection of his or her privacy, and the disclosure of personal information without legal consent is prohibited. In practice, this principle translates into holding court hearings behind closed doors, anonymizing data in public documents and restricting media access to information that could lead to the identification of the minor. Prosecuting bodies must ensure that all information collected during the investigation is handled with discretion and in accordance with data protection legislation.

Speed of criminal proceedings in cases involving minors is vital in order to minimize the negative impact on minors and to ensure the efficiency of the administration of justice. According to Article 20(1) of the Criminal Procedure Code, the prosecution and trial of cases involving minors shall be carried out as a matter of priority and without undue delay. Delays in criminal proceedings may increase stress and anxiety of minors, affecting their psychological and social state. It is therefore incumbent on prosecuting authorities to conduct investigations promptly, avoid unnecessary delays and complete proceedings within a reasonable time.

sound and image so that there is no ambiguity in the interpretation of statements. In addition, the equipment should be installed in a way that does not intimidate or distract the minor.

Constantin Scripcaru, an expert in forensic psychology, emphasizes the importance of the appropriate arrangement of the hearing space, so that the presence of technical equipment is discreet and does not affect the comfort of the child. The audio-video recording of hearings also facilitates inter-institutional cooperation, enabling relevant information to be shared between prosecution bodies, courts and social services (23). Cooperation between prosecuting authorities and educational institutions plays a crucial role in handling cases involving minors. Schools and other educational institutions can not only provide relevant information about the social and behavioral background of the juvenile, but can also significantly contribute to the process of reintegration of the juvenile into the community.

Educational institutions can provide essential information about the minor's educational history, school performance, presence and behavior in the academic environment. This information can help prosecutors to better understand the child's personal circumstances and factors that may be associated with criminal behavior. According to Law no. 152/2014, educational institutions are obliged to collaborate with other public institutions in order to ensure the best interests of the child, teachers and school counselors may also provide psycho-pedagogical assessments and observations on the emotional and psychological state of the minor, and the school psychologist may collaborate with the judicial bodies to ensure appropriate support for the minor.

Educational institutions have a fundamental role in the reintegration of the minor into the community, as after involvement in a criminal trial, the minor may have difficulties in returning to a normal life, being at risk of stigmatization and social exclusion. Schools and educational institutions can implement educational and psychological support programs aimed at facilitating the child's readjustment. The expert Nicolae Mitrofan, in his work 'The psychology of juvenile delinquency', points out that social reintegration is essential for preventing recidivism and promoting the harmonious development of minors, and that inter-institutional cooperation is also encouraged by the national and international legal framework (51).

The Beijing Rules on the Administration of Justice in Juvenile Cases stipulate the importance of involving the community and educational institutions in the rehabilitation process of minors. These rules recommend the development of educational and vocational programs that offer children real opportunities for reintegration. In practice, schools can organize extra-curricular activities, individual and group counselling, as well as mentoring programmes to support minors in overcoming their difficulties. Schools can also work with parents and the local community to create a supportive environment and combat stigmatizing attitudes, while it is important that the confidentiality of information provided by schools is respected.

Ensuring the procedural rights of minors

Minors, being in a vulnerable position due to their age and level of maturity, require special protection measures and assistance from the authorities. Two of the fundamental rights that must be guaranteed are the right of defense and the right to information. Minors have an indisputable right to qualified legal assistance throughout criminal proceedings. Under Article 16 of the Code of Criminal Procedure, every person has the right to a defense, and in the case of minors, this right takes on added importance. Article 67(2)(c) of the same Code stipulates that the participation of a lawyer is mandatory when the accused is a minor. Qualified legal assistance ensures that the minor understands the charges against him or her, their consequences and his or her rights in the trial.

The role of the lawyer is to represent the interests of the minor, to advise him and to protect him against possible abuses or procedural violations. According to Prof. Ion Neagu, in his work 'Treatise on Criminal Procedure', the presence of the lawyer in cases involving minors is essential for the balance of the criminal trial and to ensure the adversarial principle (54). The authorities must ensure that the minor actually benefits from this right. If the minor or his or her legal representatives cannot afford a lawyer, the State is obliged to provide free legal assistance, according to Law 198/2007, which stipulates that minors have the right to legal assistance guaranteed by the State in all criminal cases in which they are involved. Also, the lawyer must be

specialized or at least familiar with the particularities of cases involving minors, a sensitive approach and knowledge of the specific needs of the child are essential for adequate representation.

In his study on juvenile justice, Victor Popa emphasizes the importance of training for lawyers working with minors in order to ensure effective protection of their rights (74). Minors should be informed in an accessible and age-appropriate manner about their rights and the proceedings in which they are involved. Article 64 (2) of the Criminal Procedure Code provides that the accused and the defendant have the right to be informed about the nature and cause of the accusation, and in the case of minors, this information must be adapted to their level of understanding. Adequate information contributes to the dignity and autonomy of the juvenile in the criminal proceedings. Under Article 12 of the UN Convention on the Rights of the Child, children have the right to be heard in any judicial or administrative proceedings affecting them, directly or through a representative.

For this right to be effective, the child needs to understand the context and implications of his or her participation. Prosecutors and other authorities involved have a responsibility to communicate with the minor in clear and simple language, avoiding complex legal terminology. The IRPM's Practical Guide to Hearing Children in the Criminal Justice System recommends the use of child-friendly information materials and the involvement of specialists in communicating with children. The child should be informed about the possibility to express his or her views, to challenge decisions affecting him or her and about the protection mechanisms available. This information not only respects children's rights, but also enables them to participate actively and consciously in the process, which can contribute to their rehabilitation and social reintegration.

Conclusions

In concluding this analysis, it is important to mention that the tactics of prosecution in cases involving minors in the Republic of Moldova are essential for ensuring fair justice and protecting the fundamental rights of children. The current situation in the Republic of Moldova highlights the urgent need to adapt criminal proceedings to the specific needs of minors, given the vulnerabilities they face in the country's socio-economic context. Minors in the Republic of Moldova are often exposed to the risk of social marginalization, the negative influence of the entourage and the lack of adequate family support, factors exacerbated by parental migration and poverty.

These realities require prosecuting authorities to adopt sensitive and tailored tactics that take into account the specific context of each case and the psychological particularities of the minors involved. The implementation of methods such as the use of accessible language, the involvement of hearing specialists and the audio-video recording of statements is crucial to avoid re-traumatization of minors and to ensure that truthful information is obtained. In addition, close cooperation with educational institutions and social services in the Republic of Moldova is essential to provide the necessary support to minors and to facilitate their reintegration into the community.

Ensuring the procedural rights of minors, especially the right to defense and the right to information, must be a priority for the Moldovan authorities. In the current context, it is vital for the state to provide qualified legal assistance and to ensure that minors understand the proceedings in which they are involved. This is underpinned by the national legal framework, such as the Criminal Procedure Code and the Law on the Rights of the Child, which impose special protection measures for minors. In light of the current challenges in the Republic of Moldova, such as labor migration and the socio-economic impact of the COVID-19 pandemic, it is imperative that the criminal justice system effectively responds to the needs of minors.

Investing in the training of judicial staff, developing adequate infrastructure for hearing minors and promoting child protection-oriented policies are necessary steps to improve the situation. A regular assessment of how the justice system responds to the needs of accused or suspected juveniles is necessary to ensure fair and effective justice for all members of society. By adopting a child-centered approach and strict respect for fundamental principles, the Republic of Moldova can move forward in ensuring a criminal justice system that not only punishes, but also protects and rehabilitates. This contributes to the development of a fairer and more inclusive society where the rights and interests of minors are fully respected and promoted.ⁱ

Specific methods and techniques in hearing minors

When interviewing minors in the criminal justice process, it is essential to use interviewing techniques appropriate to their age and level of cognitive and emotional development. The use of simple and clear language and the avoidance of complex legal terms help to create an environment in which the minor feels safe and encouraged to communicate openly. The prosecuting authority has an obligation to formulate

questions in a way that is accessible to the juvenile, taking into account his or her age and ability to understand. Adapting the communication style involves not only simplifying the language, but also using an empathetic and patient tone.

The Romanian judicial psychologist Tudorel Butoi emphasizes the importance of establishing a relationship of trust between the interviewer and the minor, by showing a friendly and non-threatening attitude (134). This can be achieved by approaching the subjects in a way that respects the child's sensitivities and by avoiding pressure or intimidation. The use of interviewing techniques that encourage the free expression of the child, such as open-ended questions and narrative methods, is also recommended. According to the Guidelines, developed by the IRPM, these techniques allow the child to relate events in a personal manner, reducing the risk of influencing or contaminating statements.

The involvement of a child psychologist can facilitate communication and ensure that the emotional needs of the minor are met. Avoiding re-traumatization is a crucial aspect of hearing minors, especially in cases where they are victims of crime. Law 140/2013 stipulates the need to protect the child from any form of abuse or violence during judicial proceedings. Thus, the number of hearings must be reduced to the minimum necessary and the environment in which the hearing takes place must be friendly and free from stressful factors. It is also essential that the minor is informed about his or her rights and about the proceedings in a language he or she understands.

According to Prof. Dr. Mona Pivniceru, respecting the right to information helps to reduce anxiety and increase cooperation on the part of the child (68). This includes explaining the role of the participants in the process, the purpose of the hearing and how the information provided will be used. In the criminal justice process, the use of specialists in the hearing of minors is essential to ensure the protection of children's rights and to obtain relevant information in a way that does not prejudice their welfare. The involvement of psychologists, pedagogues or other child development experts contributes significantly to adapting court proceedings to the specific needs of minors.

The UN Convention on the Rights of the Child stipulates in Article 12 that States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child. The presence of specialists during the hearing ensures that the child's opinion is properly understood and valued. Professor Ioan Banciu, in his work 'Judicial Psychology', emphasizes the importance of the intervention of psychologists in legal proceedings involving minors, he points out that psychologists can identify external influences or pressures to which the child is subject and can assess the credibility of the child's statements.

Psychologists can also provide emotional support and create an environment where the child feels safe to communicate openly. Law 140/2013 provides for inter-institutional collaboration between law enforcement and social services. Social workers can provide information about the minor's family and social background, identify protection needs and propose appropriate measures to ensure the minor's well-being; their involvement is crucial in cases where the child comes from disadvantaged backgrounds or is at risk of victimization. They can play a key role in training prosecutors on the particularities of communicating with minors.

This interdisciplinary collaboration is essential to adapt the justice system to modern child protection standards. The audio-video recording of hearings of minors in criminal proceedings is an important practice for protecting their rights and ensuring the integrity of the evidence obtained. This method contributes to avoiding re-traumatization of the child by eliminating the need to repeat statements before different authorities or courts, the hearing of the minor can be audio or video recorded with the consent of the minor or his/her legal representative and the recording becomes an integral part of the record of the hearing.

The use of audio-video recordings also ensures that the principles of fairness and transparency of the criminal proceedings are respected. The recordings allow the court and the parties involved to access the minor's accurate statements, reducing the risk of misinterpretation or alteration of information. According to Professor Gheorghe Nistoreanu, in his work *Criminalistica* (34), audio-video recording is an effective way of preserving evidence and protecting vulnerable persons involved in the criminal process. This practice is supported by international standards in the field of juvenile justice. The UN Convention states in Article 3 that in all actions concerning children, the best interests of the child shall be a primary consideration.

The recording of hearings helps to protect the best interests of the child by reducing the stress and anxiety associated with multiple questioning. However, the implementation of audio-visual recording must comply with certain legal and ethical standards. It is important to ensure the confidentiality of the recordings and to prevent unauthorized access to them. Law No 133/2011 on the protection of personal data imposes the obligation to protect personal data and to process them in accordance with the principles of lawfulness and

transparency, thus recordings must be stored securely and used exclusively for the purposes provided for by law.

It is also essential to obtain the informed consent of the minor or his or her legal representative before the recording is carried out. According to the IRPM's Practical Guide to Hearing Children in the Criminal Justice System, a clear explanation of the procedure and purpose of the recording helps to build trust and respect the rights of the child. The technology used for recording should be of high quality to ensure clarity of

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Note:

¹In the current context of the criminal justice system in the Republic of Moldova, the tactics of prosecution in cases involving minors is a complex challenge that requires a balanced and tailored approach. This article suggests a multidimensional analysis of this topic, exploring national legislation, international conventions, psychological and social particularities of minors involved in criminal proceedings. It emphasizes the importance of respecting the rights of minors and the need to apply fundamental principles such as the best interests of the child, confidentiality and expeditious proceedings. In addition, it addresses recent challenges and developments in this area, including the importance of progressive hearing techniques and inter-institutional cooperation as guiding principles for the fair and humane treatment of minors in the criminal justice system.

THE CAUSES AND CONDITIONS THAT FAVOR THE COMMISSION OF HUMAN TRAFFICKING OFFENSES

Irina GAVZER

<https://orcid.org/0009-0006-6598-4241>

Free International University of Moldova (ULIM), Chisinau

Abstract

Human trafficking is a serious violation of human rights, resulting from the complex interaction of economic, social, and institutional factors. In the Republic of Moldova, poverty, unemployment, and lack of job opportunities lead to the migration of vulnerable individuals, exposing them to risks of exploitation. Gender inequalities and discrimination contribute to the increase in the number of victims, while legislative deficiencies and lack of administrative capacities hinder the identification and prosecution of traffickers. Political instability and weak law enforcement facilitate the activities of organized criminal groups. A detailed understanding of these causes is essential for developing effective prevention and intervention strategies, ensuring the protection of vulnerable individuals and the efficient combating of the phenomenon.

Keywords: human trafficking, poverty, unemployment, vulnerability, gender inequalities, discrimination, organized criminal groups

"By protecting vulnerable lives today, we stop human trafficking tomorrow."

Introduction

Human trafficking is one of the most serious and widespread human rights violations in contemporary society. This complex and multidimensional phenomenon affects millions of people globally, with devastating consequences for the victims and the communities they come from. It is not a phenomenon with a singular cause, but rather the result of an intricate combination of economic, social, cultural and institutional factors, which interact to create vulnerability among certain segments of the population. Economic factors play a significant role in amplifying the risk of human trafficking. Extreme poverty, lack of employment opportunities, economic inequality and low levels of economic development drive many people to seek alternatives to improve their living conditions.

This desperate search makes them susceptible to traffickers' false promises of seemingly legitimate jobs abroad or educational opportunities. Social factors include discrimination, social exclusion, domestic violence and lack of access to education and basic services. This article proposes a detailed analysis of the risk factors that facilitate these crimes. The Republic of Moldova, being a country of origin for victims of trafficking, faces various challenges in combating this phenomenon. Persistent poverty, high unemployment and labor migration create an environment in which trafficking in human beings can thrive, including economic factors specific to the Republic of Moldova, such as the significant wage differentials between the country and neighboring states, which lead many citizens to seek job opportunities abroad, sometimes through insecure channels.

Analysis of factors that facilitate crime

One of the main causes of human trafficking in Moldova is the precarious economic situation. Statistics show that the poverty rate in rural areas is significantly higher than in urban areas, which creates fertile ground for trafficking networks that promise well-paid jobs abroad. According to the NBS, about 38.2% of the rural population lived below the poverty line in 2019, compared to 9.6% in urban areas. Economic disparity drives many rural residents to seek opportunities abroad, making them vulnerable to exploitation.

The precarious economic situation is aggravated by the lack of jobs and adequate incomes, leading many citizens to make desperate decisions. Valentina Buliga, former Minister of Labor, Social Protection and Family, emphasized that mass migration affects family and community structure, creating a vicious circle of poverty and vulnerability (47). Many families are affected by the migration of their members, who often do not return, as continued migration reduces local economic opportunities and creates dependence on remittances from abroad, increasing vulnerability to traffickers.

Massive migration in recent decades, caused by lack of jobs and adequate income, has led to the separation of families and an increasing number of children left without parental supervision. The International Organization for Migration estimates that more than 100,000 children in Moldova have at least one parent abroad, increasing the risk of abuse and exploitation. These children left behind, without adequate parental support from one parent, are often forced to take on adult responsibilities, affecting their educational and emotional development. Young girls are often the most at risk, being recruited for sexual exploitation, while boys may be forced into exploitative labor.

Ana Revenco, director of La Strada International Center, says the lack of parental supervision makes children extremely vulnerable to the promises of traffickers (83). Education plays a crucial role in preventing trafficking. Lack of access to information about the dangers of illegal migration and the recruitment methods used by traffickers contributes to the vulnerability of the population. In many rural communities, educational programs are insufficient and information on the risks of exploitation is limited. Maria Dinu, an expert in sociology, emphasizes that preventive education is crucial to reduce the number of victims of trafficking (45).

Awareness-raising campaigns organized by NGOs have had an impact, but they have not been enough to significantly reduce the phenomenon. Poor education in rural areas creates a lack of trust in the authorities and ignorance of fundamental rights. Victor Moraru, a Moldovan academic, highlights the need for educational programmes that include training teachers and parents to recognize signs of vulnerability in children (61). Thus, traffickers can manipulate information and promises, taking advantage of victims' lack of knowledge. Corruption is another major factor favoring human trafficking. In the Republic of Moldova, corruption among authorities is considered a systemic problem. Transparency International Moldova reported that the high level of corruption affects the capacity of institutions to prevent and combat it.

The lack of resources and adequate training for law enforcement means that some trafficking cases are not properly investigated and traffickers go unpunished. Corruption among police or judicial authorities undermines any progress made in preventing trafficking. Alexandru Gorgan, a specialist in criminology, says that traffickers take advantage of weaknesses in the system and rely on bribes to carry out their activities without fear of being caught (13). Efforts to combat corruption are essential to ensure that laws are enforced and to demonstrate that trafficking will not be tolerated. Social norms and stereotypes about the role of women in society contribute significantly to the vulnerability of women and girls to trafficking. In many communities in the Republic of Moldova, women are seen as the main caretakers of the family and household and are often deprived of opportunities for personal and professional development.

This traditional perception limits women's access to higher education and well-paid jobs, amplifying gender inequalities (Mărgineanu 24). This makes offers of work abroad seem extremely attractive, especially when presented as a chance to escape poverty and provide a better future for the family. Traffickers take advantage of these vulnerabilities by promising well-paid jobs or educational opportunities abroad, which later turn out to be exploitative traps. Traditional gender roles and gender discrimination limit women's access to economic and educational resources. Law 5/2006 aims to eliminate gender discrimination and promote equality in all spheres of life. However, the effective implementation of the law faces difficulties, especially in rural areas where traditions and social norms are deeply rooted.

As a result, many women accept seemingly legitimate offers of work abroad, which later turn out to be false, making them victims of exploitation. The lack of economic and social alternatives leads them to take risky decisions without critically assessing the possible consequences. The stigmatization of victims of trafficking who return to the community also exacerbates the problem, as they are often marginalized instead of receiving support and reintegration assistance (Cebotari 32). Human trafficking in the Republic of Moldova is largely controlled by organized criminal groups with international links. These networks exploit the economic and social vulnerabilities of the population and use various methods to recruit victims, including false promises, extortion or even kidnapping. Article 165 of the Criminal Code criminalizes trafficking in human beings and provides for severe penalties for those involved.

However, law enforcement is often hampered by lack of resources and the complexity of cross-border networks. Data provided by the interior ministry shows that more than 100 trafficking networks with cross-border activities have been identified in recent years, highlighting the international nature of the phenomenon. Traffickers collaborate with groups in other countries to facilitate the transportation and exploitation of victims, which complicates the authorities' efforts to effectively combat trafficking. To address these problems, it is essential to implement comprehensive strategies that include prevention, victim protection and punishment of traffickers. Education and public awareness of the risks associated with trafficking in human beings are crucial. Information campaigns and educational programmes can help reduce the vulnerability of women and girls by providing them with the knowledge to recognize and avoid dangerous situations.

Strengthening the legal framework and ensuring effective enforcement of existing laws can also help reduce the phenomenon. International cooperation is vital in combating cross-border trafficking networks, allowing the exchange of information and resources between countries to dismantle criminal groups and protect victims. These trafficking networks operate in several countries, facilitating the coordinated recruitment, transportation and exploitation of victims. Traffickers use a variety of intimidation and extortion tactics to keep their victims under control, including threats of physical violence, detachment from family and coercion through false debts. Close links with other international criminal groups allow these networks to hide their illegal activities and operate effectively without fear of repression. Criminal organizations, through their complex and hierarchical structures, ensure a continuous flow of victims and resources necessary to maintain and expand their operations.

Many of the victims are taken to countries in the European Union, where they are forced to work in inhumane conditions in various sectors such as construction, agriculture and the sex industry. According to the Annual Report of the International Organization for Migration, in 2023, more than 3,000 Moldovan citizens have been identified as victims of trafficking in EU member states. These victims are subjected to economic, physical and psychological exploitation, often kept in conditions of captivity and lack of access to basic services. Although the Republic of Moldova has adopted a number of laws and strategies to prevent and combat trafficking in human beings, their implementation remains problematic. For example, Law 241/2005 is well conceived, but effective implementation has been hampered by a lack of financial and human resources as well as weak coordination between responsible institutions. In addition, the Ministry of Justice has identified a shortage of specialized staff in law enforcement and the judiciary, leading to a large number of cases being handled inefficiently.

Reintegration measures for victims are often limited and support is not sufficient to prevent re-victimization. Social welfare services provide temporary shelter and psychological counseling, but resources are insufficient to meet the needs of all victims. Non-governmental organizations (NGOs), such as the International Centre "La Strada", have developed reintegration programmes that include vocational training and psychological support, but these initiatives are limited in capacity and often depend on external funding. International cooperation is essential in combating cross-border human trafficking networks. The Republic of Moldova works with various international agencies, such as Europol and INTERPOL, to exchange information and coordinate operations to stop trafficking.

Regional cooperation projects, funded by the European Union, have helped to improve capacity to investigate and monitor trafficking, but challenges remain in terms of interoperability of systems and rapid exchange of information. National and international legislation plays a crucial role in combating trafficking in human beings. The Republic of Moldova is a signatory to the Palermo Convention on Preventing, Combating and Punishing Trafficking in Persons, Especially Women and Children. This convention requires states to adopt legislative, administrative and police measures to prevent trafficking, protect victims and prosecute traffickers. However, effective enforcement remains a challenge due to endemic corruption and lack of adequate resources. Education and public awareness are key to reducing the vulnerability of women and girls to trafficking.

The information campaigns run by the Ministry of Labor and Social Protection and NGOs have had a positive impact, but these efforts need to be intensified to reach isolated and vulnerable communities. Educational programs in schools and communities can help raise awareness about the risks of trafficking and the rights of victims, thus contributing to the prevention of forced recruitment. Human trafficking in the Republic of Moldova is a complex phenomenon, fueled by economic, social and institutional factors. Tackling it requires a deep understanding of the root causes and concerted action by authorities, civil society and the international community to protect the rights and dignity of vulnerable women and girls. Legislative reforms, strengthening institutions, increasing allocated resources and promoting gender equality are essential steps to effectively combat this social and human scourge.

The lack of adequate support for victims of trafficking in human beings is one of the most serious vulnerabilities that puts them at risk of re-trafficking. Many victims return to their communities of origin without the necessary resources to rebuild their lives, leaving them vulnerable to exploitation and abuse. Comprehensive social assistance, which includes psychological counselling services and labour market reintegration programmes, is essential to prevent re-victimization and to help victims regain self-confidence and personal autonomy. Social care needs to be integrated and accessible, offering support both immediately after release and in the long term. Psychological counseling plays a crucial role in healing the trauma suffered by victims, helping them to overcome emotional trauma and regain their mental equilibrium.

Integration into the labor market is another fundamental pillar, as it offers concrete opportunities for earning and financial independence, thus reducing the risk of victims being repeatedly lured into the circle of

traffickers because of economic needs. Combating trafficking in human beings is a global challenge that requires close cooperation between the Republic of Moldova, international organizations and other states. International partnerships are vital for exchanging information, coordinating operations to stop trafficking and implementing effective prevention strategies. International organizations, such as the European Union and the International Organization for Migration, play an essential role in supporting the Republic of Moldova by funding projects and training programmes for personnel specialized in combating trafficking in human beings.

Non-governmental organizations play a crucial role in preventing human trafficking, providing direct support to victims and organizing awareness-raising campaigns to raise public awareness. NGOs such as the International Center "La Strada" and the Association "Pro-Via" provide essential services, including temporary shelters, medical care and legal support to victims of trafficking. These organizations are actively involved in identifying victims, offering them the support they need to rebuild their lives and reintegrate into society.

However, cooperation between authorities and NGOs can be improved to ensure a more effective response to this phenomenon. Inadequate funding is a major obstacle to providing adequate services and expanding the capacity of NGOs. In addition, the lack of a stable framework of cooperation between state institutions and NGOs limits the effectiveness of interventions as they often operate in isolation and without strategic coordination. International partners contribute through funding and exchange of best practices, but a better coordinated strategy is needed to maximize the impact of prevention and victim protection efforts.

International partnerships must be based on close and continuous collaboration, facilitating the exchange of information and resources between states and organizations. EU and IOM-funded projects have contributed significantly to building local capacity to combat trafficking in human trafficking, but there is a need to expand these initiatives to cover all vulnerable areas and to ensure the long-term sustainability of victim support programs. Education and public awareness are essential components in reducing the vulnerability of women and girls to trafficking.

Information campaigns run by the government and NGOs help to raise awareness about the risks of human trafficking and the methods used by traffickers to recruit victims. Integrated educational programmes in schools and communities help to identify early signs of vulnerability and provide the necessary resources to prevent forced recruitment, training of social workers is essential to recognize and intervene in risk situations, thus ensuring more effective protection of the vulnerable.

Conclusions

In concluding this analysis, it is essential to emphasize that trafficking in human beings remains a deeply complex problem in Moldova, fuelled by an interplay of economic, social, cultural and institutional factors. Combating this phenomenon requires a concerted effort by the authorities and non-governmental organizations. A comprehensive approach, integrating measures to prevent, protect victims and punish traffickers, is fundamental to mitigate the devastating impact of trafficking on society. Improving legislation and ensuring its effective enforcement are crucial steps in the fight against trafficking in human beings.

There is also a need to raise awareness among the population about the risks and recruitment methods used by traffickers. This can be achieved through public information and education campaigns targeting both urban and rural areas. Effective coordination between national institutions and international partners is vital to prevent trafficking and to provide adequate support to victims. Such cooperation should facilitate the exchange of information, resources and best practices, helping to dismantle cross-border criminal networks and protect the vulnerable.

In order to improve the capacity to combat trafficking in human trafficking, the creation of an accessible platform for reporting human trafficking will encourage victims and witnesses to report these crimes without fear of repercussions. The multidimensional approach must include economic and social as well as political and cultural measures. Only through such an integrated approach can we build a society where human rights and dignity are protected and respected for all citizens. Through sustained efforts and active partnerships, the Republic of Moldova can make significant progress in eradicating human trafficking and promoting a fairer and safer society for all.¹

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ⁱHuman trafficking is a major threat to fundamental rights in the Republic of Moldova. Tackling it effectively requires close cooperation between the authorities, non-governmental organizations and international partners. It is essential to strengthen the legislative framework, increase resources and implement effective reintegration programs for victims. Education and public awareness also play a crucial role in preventing forced recruitment. Through concerted efforts and integrated strategies, Moldova can make significant progress in combating trafficking and protecting human dignity

COMPARATIVE ANALYSIS OF BANKRUPTCY AND ITS FORMS IN ROMANIA AND THE REPUBLIC OF MOLDOVA

Cristina Mihaela NAGY

<https://orcid.org/0000-0002-6891-5720>

“Tibiscus” University of Timișoara, Romania

Abstract

This study comprehensively analyzes insolvency trends in Romania and Moldova from 2019 to 2024, utilizing a mixed-methods approach that integrates quantitative and qualitative data. We systematically examine quantitative data from reputable official sources, including the National Institutes of Statistics, Eurostat, World Bank, and the International Monetary Fund (IMF), and qualitative insights from semi-structured interviews with industry stakeholders. Our investigation focuses on critical insolvency metrics, including the number of insolvent firms, the duration of insolvency processes, rates of successful reorganization, and the consequential impacts on employment levels. The findings indicate a notable increase in insolvency rates, particularly in the aftermath of the COVID-19 pandemic, which has underscored sector-specific vulnerabilities across both countries. The research highlights the imperative for targeted policy interventions to mitigate these challenges.

Furthermore, we offer a comparative analysis of the insolvency landscapes in Romania and Moldova, considering their distinct economic structures, sectoral dynamics, and regulatory frameworks. This study aims to enhance the understanding of insolvency mechanisms in these countries, providing valuable insights for policymakers, businesses, and scholars interested in economic resilience and recovery strategies. Through this in-depth exploration, we aspire to inform future research and facilitate discussions on effective measures to mitigate insolvency risks and support sustainable economic growth in the region.

Keywords: number of insolvent firms, the duration of insolvency processes, rates of successful reorganization, and the consequential impacts on employment levels, National Institutes of Statistics, Eurostat, World Bank.

Introduction

Insolvency represents a critical threat to economic stability, profoundly affecting business operations, employment levels, and overall economic health (McCormack, 2020). The present study delves into the trends of insolvency in Romania and Moldova from 2019 to 2024, a timeframe significantly shaped by substantial economic disturbances, including the COVID-19 pandemic, inflationary pressures, and geopolitical tensions. Although both countries share geographic proximity and historical connections, their insolvency trends diverge significantly, driven by distinct economic conditions and regulatory environments (OECD, 2022).

The Romanian economy relies heavily on small and medium-sized enterprises (SMEs), which have encountered many challenges from the pandemic. The crisis precipitated considerable disruptions in supply chains, alterations in consumer preferences, and a general decline in economic activity, adversely impacting many SMEs (Coface; Goss). Notably, the construction and retail sectors experienced significant increases in insolvency rates due to these pressures. Despite a gradual recovery in economic activity, ongoing challenges such as inflation and rising raw material costs continue to afflict these businesses, resulting in further insolvencies (Ziarul Financiar, 2023).

Conversely, Moldova's economy predominantly relies on agricultural exports, rendering it susceptible to external shocks. Adverse weather patterns and fluctuating global market prices have precipitated substantial disruptions in agricultural output, thereby increasing the risk of insolvency within this sector (National Bureau of Statistics of Moldova, 2023; Mihăilescu & Istrate). The limited diversification of Moldova's economic activities exacerbates its vulnerability to global supply and demand changes, further heightening the incidence of business failures.

This research employs a mixed-methods approach that integrates quantitative analysis of insolvency rates with qualitative interviews of industry stakeholders. This methodology provides a holistic perspective on the factors contributing to insolvency trends in Romania and Moldova. The study emphasizes sector-specific vulnerabilities and geographic disparities, aiming to clarify the complex dynamics that influence insolvency rates and identify potential policy solutions.

The results underscore the urgent need for tailored policy measures that account for Romania's and Moldova's unique economic contexts. Policymakers should prioritize support for vulnerable sectors, particularly SMEs in Romania and the agricultural industry in Moldova, to reduce insolvency risks and foster

sustainable economic development in the region. This research offers meaningful insights for scholars and practitioners interested in the complexities of insolvency trends within transitional economies.

2. Methodology

This study adopts a sequential explanatory mixed-methods design, integrating both quantitative and qualitative approaches to comprehensively analyze insolvency trends in Romania and Moldova from 2019 to 2024. The mixed-methods framework enhances the validity and reliability of the research findings through data triangulation, as Creswell and Plano Clark (2011) recommended.

The research employs a sequential explanatory mixed-methods approach, commencing with collecting and analyzing quantitative data, followed by qualitative data collection and analysis. The initial quantitative phase aims to identify trends in insolvency rates through rigorous statistical analysis, thereby assessing the macroeconomic factors influencing these trends. The subsequent qualitative phase contextualizes these findings by exploring stakeholder perspectives and the factors contributing to the observed trends.

A diverse range of data sources was utilized to ensure a thorough analysis:

- **National and International Databases:** The study draws on data from the National Institute of Statistics (INS) of Romania and the National Bureau of Statistics of Moldova, supplemented by Eurostat for comparative insights within the EU framework. Reports from the World Bank and the IMF provided additional macroeconomic perspectives, enriching the analysis.
- **Industry Reports:** Sector-specific analyses from reputable consulting firms, such as Coface, Deloitte, and PwC, were included to furnish insights into insolvency trends and forecasts relevant to specific industries.
- **Academic Literature:** The research incorporates findings from peer-reviewed journals and conference papers addressing insolvency law, economic conditions, and recovery strategies pertinent to both Romania and Moldova.
- **Expert Interviews:** Semi-structured interviews were conducted with insolvency practitioners, legal experts, and business leaders, yielding valuable qualitative insights into the complexities of insolvency processes and the challenges faced by various stakeholders.

The study employs both quantitative and qualitative dimensions to present a holistic view of the insolvency landscape:

- **Quantitative Data Collection:** Data on insolvency statistics from 2019 to 2024 were meticulously compiled from national statistical agencies and international organizations. Additionally, tailored surveys were designed to gather in-depth information from SMEs regarding their experiences and challenges during insolvency proceedings.
- **Qualitative Data Collection:** The qualitative phase involved semi-structured interviews with 15 stakeholders from critical sectors, including construction, retail, and manufacturing. Each interview lasted between 30 and 60 minutes, facilitating in-depth discussions while ensuring participant confidentiality. Transcriptions of these recordings were analyzed thematically to uncover sector-specific challenges and insights regarding the insolvency process.

The research employs both quantitative and qualitative methodologies to derive nuanced insights into financial distress across sectors and regions.

This comprehensive methodological framework aims to provide a well-rounded perspective on insolvency, contributing to academic knowledge and practical insights for stakeholders and policymakers.

3. Results

3.1 Romania

In examining the economic landscape of Romania, it's imperative to consider the shifts in insolvency rates within the nation, which have undergone significant transformations in recent years. This analysis aims to elucidate the trends in insolvency rates, highlighting a concerning upward trajectory from approximately 3,000 instances in 2019 to an estimated 5,600 by the year 2024. Such a substantial increase demands a nuanced understanding of the underlying factors contributing to this rise.

The period of the pandemic, spanning the years 2020 to 2021, stands as a critical juncture that exacerbated existing vulnerabilities within various economic sectors, precipitating a discernible acceleration in the rate of insolvencies. The causative relationship between the pandemic and the spike in insolvency rates can be attributed to a constellation of factors. These include, but are not limited to, disruptions in the global supply chain, prolonged periods of business closures, and a drastic reduction in consumer spending. Each of

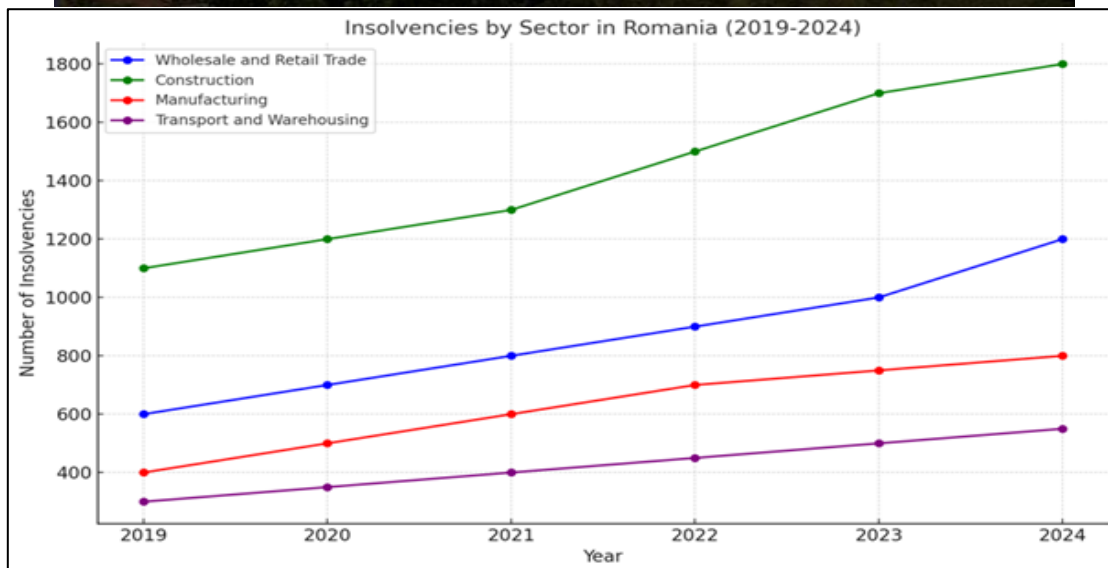
these elements served to compound the financial strain on enterprises, significantly elevating the risk of insolvency.

Moreover, the pandemic-induced economic downturn illuminated the fragility of certain industries, which were disproportionately impacted. For instance, the tourism and hospitality sectors, pivotal to Romania's economy, faced unparalleled challenges, contributing substantially to the overall increase in insolvency cases. This sector-specific vulnerability underscores the need for targeted policy interventions aimed at bolstering economic resilience.

Additionally, the broader implications of these rising insolvency rates on Romania's economic health cannot be overstated. Beyond the immediate financial distress to affected businesses, there's a cascading effect on employment, consumer confidence, and the investment climate. Hence, understanding these trends is crucial for policymakers, stakeholders, and scholars in crafting strategies to mitigate such economic shocks in the future and to foster a more robust economic framework that is capable of withstanding unforeseen global crises.

In conclusion, the significant uptick in insolvency rates in Romania, particularly following the COVID-19 pandemic, provides a stark illustration of the pandemic's profound economic repercussions. This analysis not only sheds light on the immediate impacts but also sets the stage for a deeper exploration of the systemic vulnerabilities that were laid bare by the crisis. Addressing these challenges requires a concerted effort to reimagine and reinforce the structural underpinnings of Romania's economy.

Table 1: The trend in insolvency rates across various sectors in Romania from 2019 to 2024



Source: <https://my.visme.co/editor/a0NCN2ZPNGFqdy91a1UwOVVhcEVWUT090jpSL0dKMU96WHcwZmM2enJqeWxOb2xBPT0=/basics>

Sectoral Analysis: This section examines insolvency trends and sector-specific figures in Romania from 2019 to 2024, highlighting economic changes and their consequences.

General Insolvency Trends:

- 2019: Romania's economic environment was relatively stable, with around 3,000 insolvencies recorded, primarily in the wholesale and retail trade and construction sectors.

- 2020-2021: During this period, insolvency cases increased by 20%, largely due to the effects of the COVID-19 pandemic, which particularly impacted the services sector.
- 2022: The upward trend continued, with approximately 4,800 insolvencies recorded. The construction sector faced substantial challenges, resulting in around 1,446 insolvencies, while the wholesale and retail sector accounted for 1,000 insolvencies.
- 2023: Total insolvencies plateaued at approximately 5,300, with noticeable shifts in sectoral impacts; the wholesale and retail sector experienced an increase to 1,200 insolvencies due to reduced consumer demand.
- 2024: An anticipated rise in total insolvencies to approximately 5,600, with the construction sector projected to account for about 1,800.

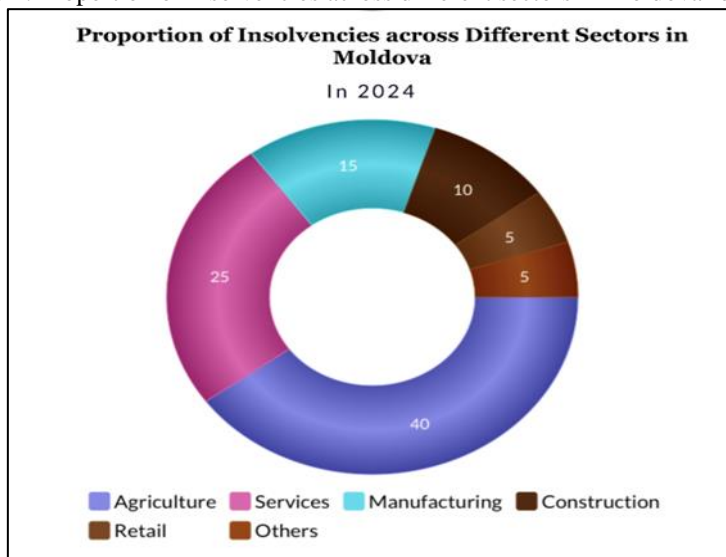
Sectoral Insights:

- Construction Sector: In 2024, the construction sector faces significant challenges, evidenced by the projected 1,800 insolvencies attributed to rising material costs and labor shortages. Interviewees highlighted an inability to complete projects due to financing difficulties.
- Retail Sector: The retail sector witnessed fluctuations in insolvency rates, with an estimated 1,200 cases in 2024 driven by shifting consumer preferences and e-commerce competition.
 - Service Sector: The service sector’s vulnerability became evident, particularly in hospitality and tourism, where insolvencies rose significantly in 2020. With projections of 1,500 insolvencies in 2024, the ongoing repercussions of the pandemic persist.

3.2 Moldova

In examining the general trends within Moldova’s economic landscape, it becomes evident that the country has been grappling with persistently high insolvency rates. In the year 2019, the recorded instances of insolvency stood at approximately 1,200 cases. This figure is significant, indicating a noticeable strain within the business sector and potentially reflecting broader economic challenges. Looking forward, projections suggest a substantial increase in these rates, with estimates indicating that the number of insolvency cases could surge to around 2,500 by the year 2024. This anticipated rise underscores a critical need for in-depth analysis and possibly the implementation of strategic interventions to mitigate the adverse effects on Moldova's economy. The trend signals potential vulnerabilities within the market and underscores the importance of developing robust mechanisms to support business sustainability and economic resilience in the face of such challenges.

Table 2: Proportion of insolvencies across different sectors in Moldova for 2024



Source: <https://my.visme.co/editor/YzI4eklvNzY2d0VCeUF6cEZwemVzdz09OjowZUhuOUInTHc1Q2RmTEc2djZ2dE1nPT0=>

Sectoral Analysis:

- Agriculture Sector: Agriculture accounted for around 40% of total insolvencies in 2024, driven by adverse weather conditions and international market fluctuations. Its economic dependence on agricultural exports makes it particularly susceptible to external shocks.
- Service Sector: The service sector exhibited an increase in insolvency cases from 250 in 2019 to approximately 700 in 2024, primarily influenced by the pandemic’s impact on tourism and hospitality.

- **Manufacturing Sector:** The manufacturing sector's insolvencies increased from 100 in 2019 to an estimated 400 in 2024, primarily attributed to supply chain disruptions and rising costs.

The comparative analysis reveals that Romania and Moldova have experienced increasing insolvency rates from 2019 to 2024, yet the underlying factors and sectoral impacts diverge significantly. Romania's increased insolvencies in the retail and construction sectors illustrate the fragility of these industries in the face of economic disruption. Conversely, Moldova's agricultural dependency reveals the vulnerabilities of its economy to external shocks and market fluctuations.

The data suggest that Romania's relatively diversified economy has helped mitigate some risks associated with sector-specific insolvencies, while Moldova's reliance on agriculture exacerbates its vulnerabilities. This distinction highlights the importance of economic diversification for enhancing resilience to external shocks.

To address the rising insolvency rates in both countries, targeted policy interventions are necessary. Policymakers should focus on the following:

- **For Romania:** Implement support mechanisms for SMEs, particularly in sectors hardest hit by the pandemic. Providing access to credit and enhancing digital transformation can facilitate recovery.
- **For Moldova:** Diversification strategies are crucial to reduce reliance on agriculture. Investment in alternative industries, alongside initiatives to bolster agricultural resilience against climate change, is essential.

4. Case Studies

4.1 Euroconstruct Trading 98 (Romania)

Background:

Euroconstruct Trading 98 is a notable construction company in Romania that has been operational since the early 1990s. Despite its initial success in completing various significant construction projects, the company faced insolvency in 2022 due to adverse factors affecting the construction sector.

Factors Contributing to Insolvency:

- **Economic Downturn:** The construction sector in Romania experienced a significant downturn during and after the COVID-19 pandemic, leading to a sharp decline in investments and numerous project cancellations. According to the Romanian National Institute of Statistics (2023), the number of completed construction works fell by approximately 15% in 2021, directly impacting firms like Euroconstruct.
- **Increased Costs:** The pandemic resulted in soaring raw material costs, including steel, cement, and timber, which are vital for construction projects. Additionally, supply chain disruptions limited the availability of essential materials, exacerbating financial strain. A report by Coface (2022) highlighted that the average increase in material costs was around 25% in 2021, leading to tighter profit margins for construction companies.
- **Failure to Adapt:** Euroconstruct faced challenges in adopting modern construction technologies and sustainable practices. As competition increased, the inability to innovate led to a decline in competitiveness. Ziarul Financiar (2023) reported that companies embracing technology and sustainability were better positioned to secure contracts and maintain profitability, further marginalizing those who did not adapt.
- **Inadequate Financial Management:** The company's financial management practices failed to account for the rapid changes in the economic landscape, leading to poor decision-making regarding investments and project financing. Analysts noted that the lack of liquidity management contributed to cash flow issues that precipitated insolvency.

Conclusion:

An economic downturn, rising costs, failure to innovate, and poor financial management culminated in Euroconstruct Trading 98's insolvency. The case underscores the need for construction firms to proactively adapt to changing market conditions.

4.2 Vinăria Bostavan (Moldova)

Background:

Vinăria Bostavan is a well-known winery in Moldova that is recognized for its quality wines. Established in the early 2000s, the winery thrived for several years but encountered insolvency in 2023, primarily due to various external and internal challenges.

Factors Contributing to Insolvency:

- **Climate Variability:** Adverse weather conditions in 2022, including late frosts and drought, heavily impacted the winery's production, leading to significant losses in grape yield. According to the National Bureau of Statistics of Moldova (2023), total grape production in Moldova decreased by 30% that year, severely affecting revenue for wineries reliant on consistent production.
- **Dependency on Exports:** Vinăria Bostavan's reliance on international markets for revenue made it vulnerable to fluctuations in global demand and economic pressures. The COVID-19 pandemic led to restrictions that hampered exports, resulting in substantial revenue losses. Coface (2023) reported that Moldovan wine exports fell by approximately 20% in 2022 due to these market disruptions.
- **Lack of Diversification:** The winery's limited diversification in product offerings restricted its ability to respond to changing consumer preferences, particularly toward healthier and alternative alcoholic beverages. Mihăilescu (2023) noted that wineries that diversified their portfolios were more resilient during economic downturns, while those like Vinăria Bostavan struggled to adapt.
- **Financial Mismanagement:** Similar to Euroconstruct, Vinăria Bostavan experienced financial mismanagement, particularly in inventory control and cost management. Ineffective forecasting led to excess stock and increased holding costs, further straining their financial resources.

Conclusion:

Vinăria Bostavan's insolvency highlights the vulnerability of agricultural businesses to environmental factors, the risks associated with export dependence, and the importance of product diversification. This case illustrates the necessity for wineries to adopt flexible business strategies to successfully navigate changing market conditions.

5. Discussion

The insolvencies of Euroconstruct Trading 98 in Romania and Vinăria Bostavan in Moldova illustrate the critical impact of economic factors and sector-specific vulnerabilities on rising insolvency rates. The analysis highlights several implications for policymakers and businesses.

5.1 Implications for Policymakers

1. Economic Resilience:

Policymakers should develop strategies that enhance economic resilience to external shocks, such as the COVID-19 pandemic and climate change. This includes fostering a diversified economy to reduce dependence on vulnerable sectors.

2. Infrastructure Investment:

Increased infrastructure and logistical support investment is essential, particularly for the construction sector. Improved infrastructure can facilitate supply chains and stimulate economic activity.

3. Regulatory Adaptation:

Regulatory frameworks must be adjusted to support vulnerable sectors through flexible financing options and technological investment and diversification incentives.

4. Climate Adaptation:

Implementing climate adaptation strategies in agriculture is crucial. Investments in resilient crop varieties

Moreover, sustainable practices can mitigate the impact of climate variability on producers.

5.2 Implications for Businesses

1. Risk Management:

Businesses should prioritize strategic risk management to identify vulnerabilities and enhance resilience. This includes diversifying product offerings and markets.

2. Innovation and Sustainability:

Embracing innovation and sustainable practices is essential for competitiveness. Companies should invest in modern construction methods and environmentally friendly agricultural practices.

3. Financial Management:

Effective financial planning is vital for navigating economic challenges. Companies must focus on cash flow management and building liquidity reserves to withstand downturns.

5.3 Limitations and Future Research

This study is limited by its focus on two case studies, which may not represent broader industry trends. Future research should consider a larger sample size across various sectors and include longitudinal analyses

to understand long-term insolvency patterns. Additionally, examining the role of technological innovation and consumer behavior could provide valuable insights for businesses and policymakers.

6. Conclusion

This study reveals distinct insolvency patterns in Romania and Moldova, reflecting diverse economic structures and sectoral challenges. The findings highlight a rising trend in insolvency rates with significant employment and economic recovery implications. The results underscore the need for targeted policies that enhance financial resilience and support businesses in navigating insolvency complexities. Further research should explore the long-term impacts and develop strategies to mitigate risks.

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EUROPEAN INITIATIVES IN THE FIELD OF TRAINING FORENSIC EXPERTS IN THE DIGITALIZATION OF MEDICINE

Constantin PISARENCO

<https://orcid.org/0000-0001-5548-4653>

Free International University of Moldova(ULIM), Chisinau

Abstract

The article discusses European initiatives aimed at training forensic experts to handle challenges introduced by the digitalization of healthcare. With the integration of electronic health records, telemedicine, and wearable devices, digital tools are enhancing healthcare efficiency and access. However, this shift also brings significant concerns about patient data security, as cyber threats increase. There is a critical need for specialists trained to protect data confidentiality and integrity within this digitalized healthcare landscape.

European programs like Erasmus+ and Horizon 2020 are pivotal in developing the interdisciplinary skills required in this field. Erasmus+ fosters academic mobility and the exchange of best practices, enabling well-rounded training in digital skills for future forensic experts. Horizon 2020 supports research and innovation in advanced technologies, such as artificial intelligence and blockchain, which are essential for data protection and forensic investigations in healthcare.

Despite progress, the article notes challenges, particularly limited funding and discrepancies in national educational standards that hinder a unified training approach. Harmonizing educational standards could improve technology integration and training quality. Moreover, collaboration with industry partners could provide students with access to advanced equipment and real-world case experience, essential for practical skills development.

In conclusion, these measures could build a strong educational network, effectively preparing digital forensic experts to meet the challenges brought about by healthcare digitalization.

Keywords: Digitalization, Telemedicine, Cybersecurity, Erasmus+, Horizon 2020, Interdisciplinarity, Blockchain.

Introduction

The digitization of medicine is one of the most significant and dynamic areas of modern healthcare, having a fundamental impact on traditional methods of healthcare delivery and patient data management. The introduction of innovative technologies such as electronic health records (EHRs), telemedicine and wearable devices are helping to improve the efficiency and accessibility of healthcare services. EMH gives physicians quick access to a patient's disease history, simplifying the exchange of information between different healthcare institutions. This improves the coordination of patient care, reduces the likelihood of medical errors and enables more efficient management of medical resources (Global Digital Health Strategy). In the context of rapidly increasing volumes of medical data, an important task is the processing and analysis of this data, making the EMH not just a repository of information but a tool to support clinical decisions.

Telemedicine opens up new opportunities for healthcare delivery, allowing remote consultations and monitoring of patients' condition. This is particularly important in the context of pandemics, when access to traditional healthcare is limited and for residents in remote regions where specialized care is not available. The development of telemedicine technologies increases access to qualified specialists, improves patient adherence to treatment and reduces healthcare costs by reducing the number of visits to healthcare facilities (Topol 107).

Wearable devices such as fitness trackers, heart rate monitors and other gadgets play a key role in continuously monitoring patients' health. They collect data on vital signs in real time, which expands the possibilities for prevention and early detection of diseases. Analyzing this data using artificial intelligence makes it possible to predict risks and take timely action to adjust treatment, making medical care more personalized and adaptable to each patient's needs.

However, in addition to these significant benefits, the digitization of medicine also poses significant challenges related to data security and the protection of patients' rights. Leaks of confidential medical information, falsification of medical documents and manipulation of digital records are becoming increasingly common problems that compromise both patients' personal data and the overall security of healthcare systems. data confidentiality, but also lead to fatal medical errors when data manipulation leads to incorrect diagnosis or treatment (Coventry & Branley 50). This emphasizes the need to develop and deploy new cybersecurity approaches and technologies focused on protecting medical data and preventing breaches.

According to the European Cyber Security Agency (ENISA), the number of attacks on healthcare systems has increased significantly, confirming the need for stronger data protection methods and effective

incident investigation strategies (Healthcare Threat Landscape). Healthcare data is one of the most valuable types of information and its leakage can lead to serious legal, social and financial consequences for both patients and healthcare institutions. Leaked medical data can be used to blackmail patients, fraudulent insurance payments or even to forge prescriptions and prescribe unnecessary treatments.

The development of digital technologies in medicine sets the task of training specialists able to combine medical, legal and technological knowledge to solve modern challenges.

The aim of the study is to analyze European educational initiatives for the training of forensic experts in the context of the digitization of medicine and to identify effective approaches for training specialists working with digital medical data.

Material and methods

This study is based on the analysis of European educational initiatives aimed at training forensic experts in the context of the digitalization of medicine. The material used data from the Erasmus+ and Horizon 2020 international educational programmes, as well as World Health Organization (WHO) and European Cybersecurity Agency (ENISA) reports on digitization of healthcare and cybersecurity. The main research methods were a comparative analysis of educational approaches and content analysis of publications considering the introduction of advanced technologies, such as artificial intelligence and blockchain, in forensics and healthcare data protection.

Results and discussions

The new generation of professionals must be prepared to integrate medical, legal and IT skills to work effectively in the context of the digitization of healthcare. This underlines the need for an interdisciplinary approach in education, including not only medical and technical skills, but also a deep understanding of the legal aspects of the use of digital technologies in healthcare. European educational programs such as Erasmus+ and Horizon 2020 play a key role in the development of such professionals by providing training and research resources aimed at developing interdisciplinary skills. The Erasmus+ program supports academic mobility, which facilitates the exchange of best practices and knowledge between universities across Europe, enhancing the training of specialists who will be able to effectively tackle the challenges of digital medicine (Erasmus+).

Horizon 2020 focuses on supporting scientific research and innovation by funding projects that aim to develop new technologies, such as artificial intelligence and big data analytics, that can be used to detect cybercrime and protect medical data. This enables not only the development of new forensic methods, but also their introduction into the educational process, thus increasing the level of training of future specialists. Thus, European educational initiatives not only improve the qualifications of specialists, but also contribute to the creation of a single educational standard aimed at improving the safety and efficiency of healthcare services in the context of digitalization.

Issues and challenges in education

Despite the significant contribution of European educational programmes such as Erasmus+ and Horizon 2020 to the training of specialists to work in the context of the digitization of medicine, there are a number of significant problems that limit their potential and effectiveness. One of the main problems is the lack of funding, particularly for highly specialized courses in digital forensics and cybersecurity. Software and learning materials often become outdated faster than educational institutions can update them. Limited financial resources prevent regular updates, which negatively affects the quality of training. It is also difficult to attract top industry specialists and experts who are able to teach relevant courses and share best practices (*idem*).

Financial constraints also affect the ability of educational institutions to provide students with access to modern technologies such as big data analytics systems and advanced tools for investigating digital crime. This is particularly important in an environment where cyber threats are constantly evolving and methods to counter them require in-depth technical knowledge and practical skills. Insufficient funding limits the ability of students to take practical courses on modern equipment, which reduces their preparedness for real work in a professional environment where a prompt and accurate response to cybercrime is required.

Differences in national educational standards and legal approaches are also a significant obstacle to the unification of training at European level. Different EU countries have their own regulations governing the use of medical data and the investigation of cybercrime, leading to significant differences in teaching methods and approaches to learning. Evidence than the other, complicating the formation of uniform educational standards. This poses challenges for international cooperation, especially in a globalized environment where forensic scientists have to work with evidence collected in different jurisdictions (ISO 21043-1:2018).

The difference in standards also hinders the exchange of experience and knowledge between educational institutions and professional communities. At the same time, the lack of uniform approaches and standards leads to a fragmentation of knowledge and skills, which reduces the overall effectiveness of training specialists, especially in the field of cyber security and digital forensics. Harmonization of educational standards at EU level could significantly improve the quality of training by allowing the integration of best practices and approaches into the educational process.

Rapid changes in technology put additional pressure on educational institutions, forcing them to constantly update curricula and adapt them to new challenges. Technologies that were relevant just a few years ago can quickly become obsolete, requiring regular revision of course content and updating of the technical base. However, due to lack of resources and insufficient funding, educational institutions often do not have the time to adapt curricula to new realities, jeopardizing the quality of specialist training, but also increases the risk that graduates will be insufficiently prepared to tackle modern digital medicine and forensic problems (Malkoc 12).

In addition, teaching staff need regular retraining to master new technologies and approaches in digital forensics. Educational institutions often face the challenge of not having enough qualified teachers who can teach students the latest methods of working with digital evidence. This requires continuous advanced training courses and the involvement of industry experts, which creates additional financial and organizational challenges.

The gap between theoretical knowledge and its practical application remains one of the most acute problems in the educational sphere. Despite the interdisciplinary approach, many educational programs still focus on theoretical aspects, not giving students enough opportunities to work with real digital data and cybercrime cases. In the context of digital medicine, this is particularly problematic, as professional tasks require deep understanding and skills in working with specific digital tools and evidence.

The lack of practical experience makes it difficult to train specialists who are prepared to work in real environments and highlights the need for closer cooperation between educational institutions and the professional community, including law enforcement agencies, private companies and research centers (MediCrime). Greater involvement of industry professionals in the educational process could help bridge this gap by providing relevant knowledge and skills in demand in the labor market.

Thus, overcoming the existing challenges in the educational sphere requires an integrated approach, including increased funding, harmonization of educational standards, adaptation of curricula to new technologies and strengthening the practical training of specialists. These measures will create a more effective and sustainable system for training forensic experts who are able to work effectively in digital medicine and counter cyber threats.

Impact of educational programs on the development of digital forensics

European educational initiatives such as Erasmus+ and Horizon 2020 play a key role in the development of digital forensics by integrating cutting-edge technologies into the training of specialists involved in the investigation of medical crime. These programs promote the adoption of technologies such as artificial intelligence (AI), machine learning and blockchain, which significantly expands the possibilities for investigating digital crimes. Powerful tools to automate analysis of the large amounts of data generated during the healthcare process, such as electronic medical records and data from wearable devices. The application of AI allows criminologists to identify anomalies and suspicious patterns associated with possible criminal activity, such as medical document forgery or prescription fraud. This significantly speeds up the investigative process, increases its accuracy and reduces the impact of the human factor, which is extremely important in the context of increasing volumes of data and the rise of cybercrime in medicine (Horizon 2020).

The use of AI in forensics also involves the development of machine learning algorithms that can learn from large datasets and improve their ability to detect anomalies. For example, algorithms can analyze millions of medical records to identify inconsistencies or suspicious activity, such as incorrect drug prescriptions or inconsistencies between diagnosis and therapy. Automating routine tasks not only speeds up investigations, but also frees up resources for more complex analysis, which is particularly important when the number of digital health crime incidents is on the rise. The development of such algorithms allows criminologists to identify new ways to commit crimes and develop methods to prevent them, which increases the efficiency of law enforcement agencies and other organizations involved in healthcare data protection.

Blockchain is another key technology that is being actively developed in educational programs. Due to its decentralized and immutable nature, blockchain provides reliable data storage, making it resistant to tampering and unauthorized changes. In the context of digital medicine, blockchain is becoming an important tool for ensuring the integrity and authenticity of medical records, which is crucial for the admissibility of this

data in court. It tracks every change in the record, creating a transparent and immutable history of interactions, which is essential for forensic scientists working with digital evidence. The technology also opens new avenues for the use of smart contracts that automate data authentication and access control processes, significantly improving the safety and security of healthcare systems against cyber threats (Ruberg 107).

The inclusion of blockchain technologies in educational programs allows future specialists not only to master the skills of working with this innovation, but also to better understand its potential in the fight against cybercrime, including in the field of medicine. The use of blockchain in digital forensics expands the possibilities to create new approaches to investigation, such as managing data access through smart contracts, which allows for more effective protection of medical data against unauthorized access and manipulation. This is especially true in the face of an increasing number of attacks on healthcare facilities, where traditional data protection methods are becoming inadequate.

The exchange programs and internships supported by Erasmus+ have a significant impact on the professional development of criminologists, giving them access to top research centers and opportunities to work with advanced technologies. Such programs allow students and professionals to broaden their knowledge and gain practical experience that cannot be gained through traditional education. Internships at international institutions offer forensic experts a unique opportunity to familiarize themselves with the latest achievements in the field of digital forensics, learn how to apply the latest methods of analysis and work with real cases, which significantly increases their level of training and preparedness for professional activities in the face of global cyber threats.

Data analytics and AI courses offered under Erasmus+ enable forensic scientists to develop their own algorithms and models to automatically identify suspicious patterns in medical data. This is particularly important given the rapidly growing volumes of data and the limitations of traditional investigative methods, which are not always able to effectively cope with new challenges. Medical records that indicate possible fraud or forgery, which significantly speeds up the investigation process and increases its accuracy (Erasmus+).

Thus, European educational programs such as Erasmus+ and Horizon 2020 create favorable conditions for training specialists in the field of digital forensics, providing access to modern technologies and interdisciplinary knowledge. These programs contribute not only to the development of skills in working with the latest tools and methods, but also to the formation of a unified approach to the investigation of digital crimes in medicine at EU level. The introduction of such technologies into educational processes makes forensic scientists more prepared to solve complex cybersecurity problems and enables them to effectively counter modern threats in the healthcare sector, ensuring reliable protection of medical data and patient safety.

Recommendations for improving specialist training

Proposals to improve the training of forensic and digital medicine specialists require a comprehensive approach, including increasing funding, harmonizing educational standards, strengthening the practical component of training and developing partnerships with industry. One of the key measures is to increase the funding and resourcing of educational institutions, in particular for highly specialized courses in digital forensics and cybersecurity. Expanded funding will improve the technical equipment of educational institutions, which is essential for creating relevant and practice-oriented training programs. Investments in modern equipment and software will enable students to work with real data and tools that are used in professional practice. For example, improving the technical base will allow universities to introduce technologies such as big data analytics systems, blockchain and artificial intelligence tools, which are already being actively used to investigate cybercrime in medicine, into the educational process (Horizon 2020).

Adequate funding will also increase access to specialized courses, workshops and seminars that will focus on the latest advances in digital forensics. This will help students and professionals not only learn the basics, but also learn how to work with the latest tools and technologies, which will significantly increase their competitiveness in the job market. Moreover, the additional resources will make it possible to organize regular internships and placements in leading international centers, providing access to unique knowledge and technologies that are often not available in the traditional educational process.

It is also important to note the need for harmonization of educational standards at EU level. Currently, different European countries have different approaches to the training of digital forensic specialists, which creates obstacles in unifying knowledge and skills, as well as complicates international cooperation. requirements of the international professional community. This is particularly important in the context of globalization, when criminologists need to be prepared to work in different jurisdictions and have the opportunity to interact with colleagues from other countries at the same level of competence. The harmonization of educational standards also contributes to improving the quality of education, as it allows for the integration of advanced approaches and best practices in the educational process, regardless of the country

of study (ISO 21043-2:2018).

The harmonization of educational standards helps to create a unified approach to the training of specialists, which facilitates the exchange of knowledge between universities, research institutes and professional communities. Unified curricula will help to reduce the barriers associated with differences between national education systems and enable criminologists to adapt more quickly to international requirements. The introduction of common standards will also simplify the process of recognizing qualifications and diplomas, which is particularly important for professionals working in cross-border investigations or international projects. This will help to create a unified educational ecosystem where knowledge and skills will be standardized and the quality of education will remain high.

Strengthening the practical component of training is also one of the key recommendations for improving the training of specialists. The inclusion of real cases in the curriculum, as well as the ability to work with data and digital tools used in professional practice, will help students to acquire the necessary practical skills that are difficult to obtain in traditional theoretical courses. The practical training, including simulating real investigations, analyzing fingerprints and interacting with modern data protection systems, allows students to better understand how to apply theoretical knowledge in real-life conditions. This not only increases their preparedness for professional activities, but also bridges the gap between academic training and actual practice, which is one of the main problems of modern digital forensics education (MediCrime).

Practical, problem-oriented activities help students develop critical thinking and the ability to respond quickly to changing conditions. The use of real cases from practice not only reinforces theoretical knowledge, but also helps to develop important skills such as teamwork, analyzing complex data and making decisions under uncertainty. This is particularly important for the training of specialists who need to be able to act quickly and accurately in real investigations, where an error can have serious consequences.

Developing partnerships with industry also plays an important role in improving the training of specialists. Close cooperation between universities, research centers and private companies active in the field of digital forensics and medicine will allow the integration of the latest technologies and practical cases into the educational process. The partnership with industry not only contributes to the exchange of knowledge and experience, but also gives students the opportunity to carry out internships and participate in real projects, which significantly increases their level of training. Industry partners can provide access to modern technologies and data as well as help develop training modules that reflect current trends and market requirements. This is particularly important in an environment where technologies and methods for investigating cybercrime are changing rapidly and educational institutions often do not have time to adapt their curricula to new challenges. Including industry representatives in the learning process allows educational institutions to stay ahead of the curve and train specialists who will be in demand on the job market (ENISA).

Cooperation with industry also enables universities to access real data and modern technologies, which greatly expands R&D opportunities. This partnership helps universities and research centers stay at the cutting edge, making their educational programs more relevant and in demand. Industrial partners, in turn, have access to talented students and graduates who can become valuable staff for their organizations. Mutually beneficial cooperation allows us to create educational programs that meet the current demands of the labor market and contribute to the development of the professional community in the field of digital forensics.

Thus, a comprehensive approach to improving the training of digital forensic specialists, including increasing funding, harmonizing standards, strengthening practical training and developing partnerships with industry, will create a more effective and sustainable educational system. This will provide graduates with the up-to-date knowledge and skills needed for successful work in the context of the digitization of medicine and the fight against cybercrime, which will ultimately increase the level of data security and protection of patients' rights in healthcare.

Conclusion

European educational initiatives, such as Erasmus+ and Horizon 2020, play a key role in the training of forensic professionals, helping to adapt educational standards to the new challenges of digital medicine. These programs support the introduction of advanced technologies, such as artificial intelligence, machine learning and blockchain, into educational processes, enabling the formation of interdisciplinary skills and providing a higher level of training for specialists. However, in order to realize the full potential of these programs, a number of existing challenges related to limited funding, differences in national educational standards and the gap between theoretical preparation and practical skills need to be overcome.

One of the main tasks is to expand funding for highly specialized courses in digital forensics and cybersecurity, which will improve the technical equipment of educational institutions and introduce modern technologies into the educational process. The harmonization of educational standards at EU level will

contribute to the creation of harmonized curricula, which will facilitate international cooperation and exchange of best practices between countries. The introduction of flexible and adaptable curricula that respond rapidly to changes in the technological landscape, as well as increased interaction between the academic community and industry, will create conditions for constant updating of the knowledge and skills of specialists. Close cooperation with industry will enable the integration of the latest technologies and real-life cases into the educational process, providing students with relevant practical skills that are in demand in the labor market.

To achieve the sustainability and effectiveness of the forensic training system, it is essential to strengthen the practical component of educational programs, providing students with access to real data and the opportunity to work with advanced digital forensic tools. The training should include modeling real investigations, analyzing digital traces and working with modern data protection technologies, which will enable graduates to be prepared to solve complex problems in the context of the digitalization of medicine.

European forensic science has the potential to become a world leader in investigating digital health crime, ensuring a high level of data protection and security in healthcare. Improving educational programmes and strengthening international cooperation will be key factors contributing to the development of a sustainable system for training specialists who will be able to effectively counter the new threats and challenges associated with the digitalization of medicine. The introduction of modern approaches to the education and practical training of specialists will enable European forensic science not only to adapt to rapidly changing conditions, but also to form standards and best practices by which professionals worldwide will be guided.

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EUROPEAN LEGAL STANDARDS: APPROACHES OF THE EU, THE COUNCIL OF EUROPE AND THE OSCE

Nicolae SEDLEȚCHI

<https://orcid.org/0000-0001-7494-4790>

Universitatea de Studii Europene din Moldova

Abstract

This article explores the protection of freedom of conscience in the EU, including its legal and political-diplomatic significance. Key documents, such as the EU Charter, are reviewed and the decisions of the EU Courts of Justice are analyzed. The focus is on law enforcement, anti-discrimination, support for human rights defenders and EU foreign policy measures. The article also compares EU approaches with international standards and practices, offering recommendations for human rights, international law and diplomacy professionals.

Keywords: freedom of conscience, human rights protection, European Union, international legal instruments, EU foreign policy activities.

Introduction. In the modern world, freedom of conscience and protection against intolerance remain one of the key aspects of the international legal order, reflecting the deep connection between human rights and the sustainable development of global society. This article aims to explore the relationship and effectiveness of universal and regional international legal instruments in protecting freedom of conscience and to identify their role in preventing intolerance and discrimination in contemporary society.

Research methods. This study employs a variety of methods to comprehensively analyse the protection of freedom of conscience in the European Union. The main focus is on document analysis, including key EU legal acts such as Treaties, Charters, and Directives, as well as decisions of the EU Court of Justice on freedom of conscience. Comparative analysis assesses the EU's approach to this topic in the context of international standards and practices of other organisations such as the Council of Europe and the OSCE. The legal analysis focuses on law enforcement practice and on assessing the justification and legality of restrictions on freedom of conscience. Diplomatic and political analysis examines how EU foreign policy actions reflect the principles of protection of freedom of conscience. Case studies of specific cases of violations and successful examples of EU policy implementation are conducted to gain a deeper understanding of the topic. Interviews with experts and EU representatives as well as public opinion surveys are also planned to identify perceptions of freedom of conscience and the EU's human rights activities.

Study outcomes. The results of the study demonstrate the complexity and multidimensionality of the European Union's approach to the protection of freedom of conscience. The analysis of legal norms and practices shows that key EU documents, including Charters and Directives, provide a high level of protection for freedom of conscience rights. However, there are gaps in their implementation. An assessment of the effectiveness of policies identifies both successful initiatives and problem areas for improvement. Comparative analysis with international practices helps to identify the strengths and weaknesses of EU approaches and to propose recommendations for improvement. Identifying problems and gaps in the realisation of freedom of conscience rights allows for developing concrete proposals to address shortcomings. Documenting both the successes and failures of EU policies serves as a basis for future research and development, contributing to the further improvement of approaches to the protection of freedom of conscience.

Freedom of conscience, as freedom of worldview choice, is a fundamental element of the system of human rights, playing the role of a system-forming right (Perry 105). Historical experience demonstrates that violation of freedom of conscience is inevitably accompanied by authorisation of power, massive violations of human rights, and increased instability in international relations, thus giving rise to global threats. These phenomena are observed not only in individual countries but also in the context of the entire human civilisation.

The evolution of theoretical and legal concepts of freedom of conscience goes from the early concepts of religious tolerance, originating in the ancient world, to more complex ideas of religious freedom and free thought, which began to take shape in the era of feudalism. These ideas were consistently developed in the political and legal teachings of the 15th and 20th centuries and have reached maturity in modern doctrine, reflecting the global transformation of social relations.

Modern challenges, including the need to transition to sustainable development and overcome ethno-confessional conflicts, require an effective mechanism for realising the right to freedom of conscience and ensuring worldview neutrality at the international and domestic levels. Worldview neutrality, also known as

secularism, is closely related to the concept of freedom of worldview choice, an integral part of individual freedom. Individual freedom, in turn, is realised through human rights, which are guaranteed by law as the basic capabilities of the individual. The worldview neutrality of states and other subjects of international law is the most important guarantee of human rights, including freedom of worldview choice.

Given the current challenges, it is relevant to analyse the effectiveness of universal and regional international legal instruments regulating freedom of conscience and protection against intolerance. Intolerance, as the antipode of tolerance, represents a significant social danger, creating conditions for violations of the principle of equality, which leads to discrimination and violations of human rights.

A key moment in the development of international protection of freedom of conscience was the adoption of the Declaration of International Human Rights in 1929. This document established the obligation of the nations to recognise the religious beliefs of all persons within their territory. A major strengthening of the international legal foundation occurred with the signing of the Declaration of the United Nations on January 1, 1942, which became the basis for the creation of the United Nations. The Declaration emphasised the need to protect life, liberty, independence, and religious freedom, as well as the preservation of human rights and justice.

The UN Charter of June 26, 1945 established the framework for the modern universal international legal protection of human rights, including freedom of conscience. UN member states have pledged to promote international co-operation in solving humanitarian and social problems and in promoting respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.

The positions of the Council of Europe, the OSCE, and the European Union are in line with universal international legal instruments and reaffirm participating states' commitment to the values embodied in international legal norms. The 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms and the European Court of Human Rights play a key role in countering racism, discrimination, and human rights violations.

The 1995 CIS Convention on Human Rights and Fundamental Freedoms and the 1981 African Charter on Human and Peoples' Rights [5] also uphold the values of freedom of conscience and protection against discrimination but have weak implementation mechanisms. In this regard, it seems necessary to strengthen the consistency of regional instruments with universal standards in order to ensure more effective protection of human rights and freedoms, including freedom of conscience.

The Organisation of American States Convention on Human Rights of 1969 contains provisions consistent with universal international standards against racism, discrimination, xenophobia, and intolerance. In 2012, member countries of the Association of Southeast Asian Nations (ASEAN) adopted a declaration that proclaims the rights of every person and their protection under the law, regardless of sex, race, age, language, religion, political opinion, national or social origin, economic status, birth, disability, or other status. In particular, the declaration affirms the right to freedom of thought, conscience, and religion, as well as the need to suppress all forms of intolerance, discrimination, and incitement to hatred based on religious beliefs. Education, the document emphasises, should promote respect for human rights and freedoms, foster understanding, tolerance, and friendship among different nations and religious groups, and improve ASEAN's peacekeeping activities.

However, the document has generated considerable debate as the realisation of human rights in the document is subject to various political, economic, legal, social, cultural, historical, and religious contexts at the regional and national levels.

The Asia-Pacific Declaration on the Human Rights of Individuals and Peoples, adopted in New Delhi in 1988, affirms the right to respect for and observance of all human rights and freedoms regardless of race, nationality, religion, sex, or level of development. The document provides for the right to freedom of thought, conscience, and religion, but its realisation is also context-dependent.

Islamic documents such as the Cairo Declaration on Human Rights in Islam of 1990 and the Arab Charter on Human and Peoples' Rights of 2004 contextualise the implementation of human rights in the area of freedom of conscience with Islamic Shari'ah doctrinal standards. The 2005 International Muslim Conference Outcome Document and the 1981 Universal Islamic Declaration of Human Rights emphasise the importance of Muslim unity and the resolution of religious differences within Islam but maintain a limited approach to religious tolerance.

The documents of intergovernmental and non-governmental Islamic organisations often do not comply with the principles of universal international norms and do not contribute to the full realisation of freedom of conscience and the fight against discrimination and intolerance. The lack of a unified conceptual framework leads to a division in Islamic society between fundamentalists, who seek to restore tradition and limited religious tolerance, and supporters of modern approaches to human rights.

In order to overcome religious barriers and strengthen global security, further development of international law, including the enshrinement of the principle of secularism at the international level, is necessary.

The principle of secularism of the state, representing worldview neutrality, is a key guarantee for the realisation of freedom of conscience and protection against intolerance and discrimination. However, this principle has not been duly reflected in international legal instruments. Ignoring secularism creates preconditions for human rights violations and provokes the emergence of conflicts, which underlines the need for a deeper understanding of its role in international law.

The lack of understanding of contemporary social relations and unresolved theoretical and legal issues lead to a delay in scientific analysis, which negatively affects universal international legal instruments in the field of human rights. As a result, their effectiveness is significantly reduced, and in some cases, they become completely ineffective. This emphasises the importance of reforming universal international legal instruments in the area of freedom of conscience and bringing regional norms into conformity with them.

To increase the effectiveness of these documents, it is necessary to create an adequate system of guarantees for the realisation of freedom of conscience, based on the principle of worldview neutrality of states and other subjects of international law (Bielefeldt 46).

Moldova, being a member of a number of international organisations, demonstrates its aspiration for integration into the international community and active cooperation at the global level. Among the key organisations where Moldova is involved are:

1. The United Nations (UN): Moldova became a member of the UN on March 2, 1992, and actively participates in various bodies and committees of the organisation.
2. Council of Europe: Accession to the Council of Europe on July 13, 1995, allowed Moldova to participate in European initiatives for the protection of human rights, democracy, and the rule of law.
3. Organisation for Security and Co-operation in Europe (OSCE): Moldova has been a member of the OSCE since January 30, 1992, contributing to security and stability in the region.
4. World Trade Organisation (WTO): Accession to the WTO on July 26, 2001, contributes to Moldova's integration into the world trading system.
5. International Monetary Fund (IMF) and World Bank: By becoming a member of these organisations on August 12, 1992, Moldova gained access to financial support and technical assistance for economic reforms and the development of social projects.
6. Black Sea Economic Cooperation Organisation (BSEC) and GUAM: These regional organisations promote economic cooperation and political interaction with neighbouring countries.

These international organisations provide Moldova with platforms for cooperation, development, and promotion of national interests in the international arena.

The main international standards on freedom of conscience and religion are enshrined in a number of universal documents and treaties, which define the obligations of states to protect these rights. These standards are the foundation for ensuring freedom of conscience at the international level, but their implementation requires further improvement, including a clearer consolidation of the principle of secularism of the state in international legal acts.

The main international instruments and standards for the protection of freedom of conscience and religion include key instruments such as the Universal Declaration of Human Rights (hereinafter the UDHR) and the International Covenant on Civil and Political Rights (hereinafter the ICCPR). Article 18 of the UDHR establishes the right of everyone to freedom of thought, conscience, and religion, including the freedom to change one's religious beliefs and to manifest one's religion, individually or collectively, in public or in private, through teaching, worship, and observance. The ICCPR, in its Article 18, reaffirms these provisions, adding that no one shall be subjected to coercion that would impair his freedom to choose his religion or belief. It also emphasises the importance of respecting the rights of parents and guardians to educate their children religiously and morally in accordance with their own beliefs. Article 27 of the ICCPR provides additional guarantees for persons belonging to ethnic, religious, or linguistic minorities to profess and practice their religion in community with other members of their group. General Comment No. 22 to Article 18 of the ICCPR provides clarification, noting that freedom of thought, conscience, and religion includes the right to reject religious beliefs.

The Convention of the Rights of the Child (hereinafter CRC) also contributes to the protection of freedom of conscience and religion by enshrining in Article 14 the right of the child to freedom of thought, conscience, and religion. The States Parties undertake to protect the rights of parents and legal guardians to guide the child in the exercise of this right in a manner appropriate to the child's age and level of development.

The UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on

Religion or Belief (1981) recognises that freedom of thought, conscience, religion, and belief is a fundamental right and calls on states to take the necessary measures to eliminate discrimination based on religion or belief. In addition, the UN Human Rights Council regularly adopts resolutions and recommendations aimed at protecting freedom of religion and belief and appoints special rapporteurs on these issues.

The basic principles and obligations in the area of freedom of conscience and religion include several key aspects. Firstly, everyone is granted the right to freely choose, change, and practice a religion or belief without fear of persecution or discrimination. This means that freedom to choose and practice religion is an inherent right that must be protected at all levels (Donnelly 35).

Non-coercion is another important principle. No one should be subjected to any form of coercion that would diminish his or her freedom to have or adopt the religion or belief of his or her choice. This principle emphasises the importance of the voluntary and informed choice of religious or philosophical beliefs.

Also important is the right to the public and private manifestation of religion. This includes the ability to manifest one's religion or belief, either individually or in community with others, in public or in private. This principle ensures freedom to practice religion in a variety of forms and settings.

States are also obliged to respect the rights of parents to educate their children religiously and morally in accordance with their beliefs. This obligation emphasises the importance of family values and the role of parents in shaping the religious and ethical standards of the younger generation.

Non-discrimination is also central to the protection of freedom of conscience and religion. Any discrimination based on religious or philosophical beliefs is prohibited, and states are obliged to take measures to prevent and combat such discrimination.

It is also crucial to respect the rights of minorities. States are obliged to protect the rights of religious and linguistic minorities to profess and practice their religion. This principle seeks to ensure equal rights and opportunities for all groups, irrespective of their size or social status.

Ultimately, restrictions on freedom of conscience and religion are permissible only when they are prescribed by law and are necessary to protect public safety, order, health, morals, or the rights and freedoms of others. This obligation strikes a balance between individual rights and the public interest, ensuring that freedom is not abused to the detriment of others and society as a whole.

International universal standards on freedom of conscience and religion form a sound legal basis for the protection of these fundamental rights (Nowak 85). States are responsible for upholding these standards by guaranteeing the right of everyone to freedom of thought, conscience, and religion and by taking measures to prevent discrimination and intolerance based on religious beliefs. These standards contribute to the creation of a more tolerant and just society where the rights and freedoms of every individual are respected.

International standards serve not only as a guideline for public policy but as a foundation for regular monitoring and evaluation of their implementation in practice. The Universal Periodic Review (hereinafter UPR) plays an important role in verifying compliance with the rights and freedoms enshrined in international instruments.

The UPR is a unique process whereby the UN Human Rights Council assesses the respect for human rights in all UN Member States. Moldova regularly undergoes this process and is provided with recommendations to improve the protection of human rights, including freedom of conscience and religion.

In 2016, the UPR made key recommendations for Moldova to strengthen the protection of the rights of religious minorities and ensure their equal participation in public life without discrimination. It was further suggested that laws strengthening the protection of freedom of conscience and religion should be adopted and effectively enforced. In this context, it was emphasised that legislation should comply with international human rights standards, including the provisions of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.

To combat discrimination, Moldova was recommended to develop and implement a national strategy to prevent and combat discrimination based on religious beliefs. Particular attention was given to ensuring access to justice for victims of religious discrimination and taking measures to prevent impunity. Promoting interreligious and intercultural dialogue to foster tolerance and understanding among different religious communities was also an important aspect of the recommendations. Support for initiatives aimed at promoting a culture of peace and respect for religious diversity was also considered necessary.

In the field of education and awareness-raising, Moldova was encouraged to introduce programs aimed at raising awareness of the importance of freedom of conscience and religion. Civil servants, law enforcement officials, and judicial officers were recommended to receive training on religious freedom and non-discrimination. In addition, the recommendations emphasised that an important element in protecting religious sites from vandalism, violence, and desecration is the effective investigation and punishment of perpetrators of attacks on such sites.

In 2022, the UPR provided updated recommendations for Moldova, emphasising the strengthening of institutional mechanisms. Recommendations included the establishment or strengthening of national bodies responsible for monitoring and protecting human rights, including freedom of religion and conscience. It was also suggested to introduce regular reports on the status of religious freedoms and measures taken, as well as to develop monitoring systems to effectively track violations of freedom of conscience and religion.

Active cooperation with international organisations and experts on the protection of religious freedoms was considered important for the implementation of best practices and compliance with the recommendations of international human rights bodies. Attention was paid to issues of social inclusion, with a proposal to take measures to prevent marginalisation of religious minorities and ensure equal access to education, health care, and social services for all religious communities.

Cooperation with international organisations and the implementation of their recommendations highlights the need to adapt national practices to international standards. The Organisation for Security and Co-operation in Europe (hereinafter OSCE) plays a special role in this process.

The OSCE actively supports and protects freedom of conscience and religion, recognising its key importance for security, stability, and prosperity in the region. The OSCE standards in this area establish core obligations for participating States to protect this fundamental right. These standards emphasise the need to ensure equality, non-discrimination, and respect for the rights of all people, regardless of their religious or philosophical beliefs. Implementing these standards requires active measures such as legislative reforms, rights monitoring, awareness-raising campaigns and dialogue between different communities.

The OSCE has established a number of instruments and standards binding on member states. The Helsinki Final Act of 1975, containing the Principles of the Helsinki Final Act, enshrined commitments to respect human rights and fundamental freedoms, such as freedom of thought, conscience, religion, and belief. This act was a milestone in the establishment of international human rights standards.

In 1983 in Madrid, as part of the discussions on security in Europe, participating states reaffirmed their commitment to recognise and respect individual freedom to manifest religion or belief. They undertook to take the necessary measures to ensure this right and to consult with religious associations, institutions, and organisations within the constitutional framework of their countries. In addition, states have committed to give favourable consideration to requests from religious associations seeking to obtain the legal status provided for religious denominations and organisations.

At the Vienna meeting in 1989 dedicated to security in Europe, the participating States reiterated their commitment to respect human rights and fundamental freedoms, including freedom of thought, conscience, religion, and belief, regardless of race, sex, language, or religion. They pledged to take effective measures to prevent discrimination based on religion or belief and to ensure equality between believers and non-believers. The promotion of mutual tolerance and respect between different religious communities and the creation of conditions for their participation in public dialogue were also emphasised.

States were obliged to ensure that religious associations had the rights to organise worship, administration, and funding in accordance with their own standards and agreements. They were also required to guarantee the opportunity to receive religious education in the language of their choice and to recognise the right of parents to the religious and moral education of their children. It was important that religious associations be able to acquire and use holy books and other materials related to their faith and to produce, import, and distribute religious publications and materials. The participation of religious organisations in public dialogue through the media was also to be viewed positively.

States parties recognised that the exercise of the rights to freedom of religion or belief could be limited by law and was compatible with international obligations. They undertook to ensure the full and effective implementation of these rights in their laws and administrative regulations.

A significant milestone in the development of OSCE standards for the protection of religious freedoms was the adoption of a document at the Copenhagen Conference on the Human Dimension in 1990. This document reinforced the participating states' commitment to protect the right of everyone to manifest their religion or belief, either individually or in community with others, in public or in private. It also emphasises the need to prevent discrimination on religious and philosophical grounds. An expansion of these commitments came at the 1991 Moscow meeting, which emphasised the issue of non-discrimination and equality before the law.

In 1994, at the Budapest meeting, state parties reaffirmed their commitment to freedom of conscience and religion. In chapter VIII, paragraph 27, they emphasised the need to create a climate of mutual tolerance and respect between different religious communities and between believers and non-believers. Meanwhile, concern was expressed about the use of religion for aggressive nationalist purposes.

The Document of 2004 provides contemporary guidelines and standards with recommendations for

the effective protection and promotion of freedom of conscience and religion. This document emphasises the importance of equality and non-discrimination, including the right of everyone to freely choose, change, and practice their religion or belief without fear of persecution. Coercion in matters of religion is prohibited, and the right to religious practice includes the ability to practice both publicly and privately.

Protection of the rights of religious minorities receives special attention, ensuring they can profess their religion and participate in religious life without discrimination. Freedom of conscience and religion also includes the right to participate in religious organisations and communities, as well as the right to religious education. In addition, states are obliged to protect religious sites from acts of vandalism, violence, and destruction, thereby ensuring the safety of religious sites.

The Council of Europe's standards on freedom of conscience and religion play a key role in a legal system striving to protect human rights, democracy, and the rule of law. The fundamental document in this area is the European Convention for the Protection of Human Rights and Fundamental Freedoms. Article 9 of the Convention affirms the right of everyone to freedom of thought, conscience, and religion, including the opportunity to change their religious beliefs and practice them both individually and in the community. However, freedom of religious confession may be subject to restrictions if they are provided for by law and are necessary to protect public safety, order, health, morals, or the rights and freedoms of others.

The Council of Europe also issues recommendations aimed at protecting freedom of conscience and religion. For example, Recommendation CM/Rec (2010)5 emphasises the importance of protection against discrimination on any grounds, including sexual orientation and gender identity. Recommendation CM/Rec (2008)12 highlights the need to create legal and administrative conditions for the free functioning of religious communities. Resolution 2036 (2015) of the Parliamentary Assembly of the Council of Europe stresses the importance of protecting freedom of religion and belief, while the report "Freedom of Religion and Beliefs and Religious Education in Public Schools" (2011) underscores the need to respect the diversity of religious beliefs and adopt an inclusive approach to religious education in public schools.

The Council of Europe's standards on freedom of conscience and religion set out key principles for protecting human rights and ensuring respect for tolerance and pluralism. Member states must follow these standards by creating conditions that ensure the free and safe expression of religious and philosophical beliefs. The European Court of Human Rights plays a central role in upholding these standards, handling cases of violations of freedom of conscience and religion, and ensuring justice and protection of citizens' rights.

In turn, the European Union actively supports and defends freedom of conscience and religion as fundamental human rights. Various EU instruments and policy initiatives, along with the jurisprudence of the European Court of Human Rights (ECHR), secure these rights. Although the ECHR is not an EU body, it significantly influences human rights standards across Europe.

As an important international player, the European Union cannot remain aloof from addressing these issues. According to Article 2 of the Treaty on European Union, the Union is founded on the values of human dignity, freedom, equality, and human rights. By expressing its commitment to these values, the EU seeks their real protection, which requires the development of legal and diplomatic instruments within the framework of international law. Therefore, analysing the protection of freedom of conscience in the activities of the European Union is of utmost importance.

This topic has two key aspects: legal and political-diplomatic. Its relevance in both aspects stems from the need to maintain peace and the rule of law and to prevent discrimination, hatred, and violence related to issues of freedom of conscience. The complexity and multidimensionality of these issues are evidenced by both jurisprudence and the practice of international relations.

It is necessary to identify the place of freedom of conscience in the EU legal space. While it is not necessary to analyse in detail all EU acts regulating freedom of conscience, it is important to refer to the main documents addressing this topic. As already mentioned, the Treaties on European Union state that one of the fundamental values of the EU is respect for human rights. Article 10 of the Charter of Fundamental Rights of the European Union secures freedom of thought, conscience, and religion, including the right to change one's religion or belief and to manifest it individually or in community with others, in public or in private, in teaching, worship, and observance. Furthermore, Article 21 on non-discrimination prohibits any discrimination, including discrimination on the grounds of sex, race, ethnic origin, genetic characteristics, language, religion or belief, political or other opinion, membership of a national minority, property, birth, disability, age, or sexual orientation.

These instruments have the direct effect of conferring rights and obligations directly on all persons under the jurisdiction of the EU. Thus, it can be concluded that in the European Union, freedom of conscience, along with other rights, receives attention at the level of primary law, although EU member states are also parties to the 1950 Convention for the Protection of Human Rights and Fundamental Freedoms.

Analysing the significance of the protection and promotion of freedom of conscience in the foreign policy activities of the European Union, it should be noted that the Union acts in the international arena based on the principles laid down in its founding documents and seeks to promote these principles throughout the world. This is reflected in Article 21 of the Treaty on European Union, paragraph 1.

This aspect of the EU's foreign policy strategy is set out in more detail in the document "EU Guidelines on the Promotion and Protection of Freedom of Religion or Belief" of June 24, 2013. The adoption of this document confirms the Union's commitment to the principles of universality, indivisibility, interconnectedness, and interdependence of human rights and demonstrates its readiness to protect freedom of conscience and religion in relations with third countries and international organisations, as well as to combat violations. The principles of the document provide EU representatives with clear and practical guidance on how to prevent, analyse, and respond effectively to violations of freedom of conscience.

The document consists of two parts: an introductory section and a section containing specific guidelines. It also includes an annex that lists international instruments (both universal and regional, binding and recommendatory), with relevant articles, which can serve as a reference point for the EU in its interactions with third countries.

The introductory part of the document explains the reasons for its adoption, its objectives, and its scope of application. Particular attention is paid to defining key concepts related to freedom of conscience, with emphasis on the norms set out in Article 18 of the 1948 Universal Declaration of Human Rights and the 1976 International Covenant on Civil and Political Rights.

The Guidelines section emphasises that freedom of conscience encompasses two main aspects. The first aspect is the right to have, hold, modify, or renounce beliefs, including the right not to hold any beliefs. While the practice of such "nihilism" may be difficult, international law emphasises the need to protect this freedom.

The second aspect of freedom of conscience encompasses the right to manifest one's religious or philosophical beliefs, either individually or in community with others. This freedom is manifested in both the private and public spheres, including worship, rituals, practices, and teaching. The main purpose of this dimension is to ensure that people can freely express and realise their beliefs in a variety of forms.

The rights established in the first aspect are definite and not subject to limitations, but they may be restricted by law in strictly defined cases, such as the protection of public safety, order, health, and morals, provided that such restrictions are non-discriminatory and reasonable and are aimed at achieving legitimate aims.

These restrictions are in line with the standard European legal tradition of permissible restrictions on rights. The principles cover both religious and non-religious beliefs, including theistic, non-theistic, and atheistic beliefs. It is important to realise that the terms "religion" and "belief" are to be interpreted broadly without being restricted by traditionalism or the presence of institutional features specific to traditional religions.

The document provides legal guidance for diplomacy and foreign policy, especially in the areas of human rights and humanitarian law, as well as in international relations related to the rights of religious minorities. The Guidelines emphasise the importance of protecting the rights of religious minorities, as religious affiliation is often a key element of the identity of members of small peoples. Discrimination on the basis of religion violates their right to preserve their identity.

In order to understand the principles and areas in which the EU acts to achieve the goals of democracy, equality, and anti-discrimination, it is necessary to refer to the second part of the document, which contains the main principles of the measures taken.

According to the analysed document, the protection and promotion of freedom of conscience and religion are important aspects of the European Union's foreign policy activities (Koutsou 156). Here's a closer look at the key principles and areas the EU focuses most attention on:

- Principle of universality: This principle emphasises that freedom of conscience belongs to everyone, regardless of the content of their beliefs. The EU insists that this freedom be recognised and protected in all countries, ensuring equal rights for all.
- Individual and collective dimensions: Freedom of conscience encompasses both individual rights and the rights of groups committed to certain beliefs. The EU recognises that both the individual rights of individuals and the rights of groups to manifest a religion or belief collectively need to be protected.
- Role of states: States play a key role in ensuring freedom of conscience. They are obliged to establish and maintain effective legal mechanisms to protect this freedom and to ensure that they are applied in real life. This includes not only preventive measures but also establishing accountability for violations of rights.

- Indivisibility of human rights: The EU emphasises the indivisibility of human rights and condemns the use of beliefs as an excuse for human rights violations. This includes the rights of women and members of religious minorities.

The main aspects to which the EU draws attention are:

- Violence: The EU expresses deep concern about violence based on belief. This can be by state actors as well as private individuals. The EU condemns such acts and demands immediate accountability for perpetrators. It supports governments and public figures working to highlight and address such violations. At the same time, the EU opposes instigating messages and calls for violence.

- Freedom of expression: The EU emphasises the relationship between freedom of conscience and freedom of expression. Freedom of conscience is impossible without the ability to discuss and disseminate beliefs, and freedom of expression is meaningless if certain topics are taboo. The EU condemns restrictions and censorship on religious and philosophical beliefs and demands that any restrictions be justified and do not violate the rights to freedom of expression. The EU also supports the promotion of dialogue and the use of all means of communication to defend and criticise beliefs.

- Restrictions on freedom of expression: The EU considers two cases: when a statement leads to violence and when freedom of expression is restricted in favour of certain beliefs. In the first case, the EU insists on investigation and judicial proceedings, while in the second case it opposes the criminalisation of critical statements and supports the free flow of information. The EU also emphasises that restrictions on freedom of conscience should be strictly justified by law and applied only in cases provided for by international law.

These principles and measures aim to create conditions for the free and safe expression of religious and philosophical beliefs and are part of the EU's wider strategy for the protection of human rights and the maintenance of peace and security in international relations.

In line with these provisions of the document, the European Union is taking comprehensive measures to protect and promote freedom of conscience and religion in its foreign policy activities. The EU strongly recommends the decriminalisation of certain offences, especially those related to religious or philosophical beliefs. The EU strongly opposes penalties such as the death penalty, corporal punishment, or long-term imprisonment for belief-related offences. This approach reflects the Union's commitment to humane standards and human rights.

The EU encourages states and non-state actors to co-operate to reduce tensions between adherents of different beliefs. This includes adopting legislation and practices that promote a culture of peace, dialogue, and tolerance. The EU is willing to use financial resources to support projects and initiatives that promote diversity and tolerance. This shows the link between the defence of human rights and economic aspects, which opens up opportunities for further research in this area.

The EU actively supports the fight against discrimination, especially against women, children, and migrants. This includes access to education, employment, and participation in public life, as well as family and property rights. The EU supports the efforts of non-governmental organisations working in the field of freedom of conscience protection by providing them with financial assistance. This demonstrates the importance of the role of civil society in promoting and protecting human rights. The EU emphasises the issues of change of religion and belief. It condemns legal provisions that penalise or discriminate against change of belief, especially if it involves severe penalties. The EU is also against coercive measures concerning the choice and practice of religion.

The European Union's policy on freedom of conscience and religion demonstrates a comprehensive approach to protecting human rights and countering discrimination. The EU actively uses its diplomatic and economic instruments to promote these rights and protect religious freedoms, both domestically and internationally. Article 17 of the Treaty on the Functioning of the European Union (hereinafter TFEU): The EU shall maintain an open and transparent dialogue with ecclesiastical, religious, and non-religious organisations, as prescribed in Article 17 TFEU. This ensures that the needs and views of different groups are taken into account when shaping EU policy, contributing to a more balanced approach to the protection of freedom of conscience.

The EU has adopted a sufficient number of directives in the field of freedom of conscience and religion. Directive 2000/78/EC: this directive aims to promote equality in employment by prohibiting discrimination on grounds of religion or belief, disability, age, or sexual orientation. It obliges employers to create an inclusive working environment and to prevent discrimination. Directive 2000/43/EC: it establishes the principles of equal treatment irrespective of racial or ethnic origin, covering areas such as employment, education, and access to social services. This contributes to the creation of a just society and the protection of citizens' rights.

While it is not necessary to analyse in detail all EU acts governing this area, it is important to refer to

key documents such as the Treaties on European Union and the Charter of Fundamental Rights of the European Union. These instruments enshrine freedom of thought, conscience, and religion, including the right to change religion or belief and to manifest it publicly or privately. Article 21 on non-discrimination prohibits any discrimination on grounds of religion or belief. These instruments have direct effect, conferring rights and obligations directly on all persons under the jurisdiction of the EU. Thus, it can be concluded that in the EU, freedom of conscience, along with other rights, receives attention at the level of primary law.

Analysing the importance of protecting and promoting freedom of conscience in the EU's foreign policy activities, it should be noted that the Union acts in the international arena based on the principles laid down in its founding documents and seeks to promote these principles throughout the world. This is reflected in Article 21 of the Treaty on European Union, paragraph 1, which emphasises the EU's commitment to high standards of human rights and equality.

The EU criticises practices that make the realisation of human rights dependent on state control, such as the compulsory registration of religious organisations or the banning of unregistered groups. The EU also condemns the unlawful confiscation of religious property and excessive administrative requirements that may restrict freedom of conscience and assembly. These measures underline the EU's commitment to protecting human rights and freedom of conscience in the international arena. The Union actively uses diplomatic and economic instruments to promote tolerance and combat discrimination and supports civil society in its efforts to defend human rights.

The European Union actively defends freedom of conscience and religion both in its internal affairs and in the international arena. The EU encourages states to ensure the protection of sites associated with religious heritage and activities. This includes protection against vandalism, desecration, or destruction. In the case of such incidents, the EU and its diplomatic missions take action to draw public attention to the incident and to put pressure on the relevant authorities to bring those responsible to justice.

The EU actively uses its diplomatic channels to help restore and protect religious sites and defend the rights of believers, especially in cases where religious sites are under attack. The EU reminds states of the obligation to respect the right to conscientious objection to military service. This right includes the possibility of alternative civilian service. The EU strongly recommends that alternative services should be accessible and appropriate so that they do not restrict the rights of individuals. The EU attaches great importance to the protection of human rights defenders and their work. When their rights are violated, the EU responds through various diplomatic means, including placing violations of freedom of conscience on the agenda of political dialogues. The EU actively monitors trials in which persons are charged for exercising freedom of conscience, including visits to court hearings and to prisons where these persons are imprisoned. This underlines the EU's commitment to the protection of human rights defenders and respect for human rights.

The European Commission and the European Parliament regularly publish reports analysing the human rights situation. These reports formulate recommendations to improve the protection of religious freedoms and help monitor human rights in different countries. The EU Foundation for Human Rights and Democracy funds projects aimed at protecting human rights and promoting freedom of conscience and religion. This covers both domestic and international aspects, supporting community rights and enforcing rights to education in accordance with parents' beliefs.

The European Union actively protects freedom of conscience and religion through a number of key mechanisms and initiatives, working with international organisations and nation states. The EU ensures that legislation on the registration of religious organisations does not become an instrument to restrict freedom of conscience. The EU condemns practices that place excessive administrative barriers on such organisations. The EU takes action against states that illegally confiscate property intended for religious purposes. This includes action to protect such properties and ensure their lawful use. The EU opposes disproportionate administrative burdens that may restrict freedom of conscience and religion. This includes support for mechanisms that promote respect for the rights to freedom of religion and belief.

There is a legal practice in the EU Court regarding the protection of freedom of conscience and religion within the European Union:

- *Achbita v. G4S Secure Solutions* (2017): The court ruled that it was acceptable to prohibit the wearing of religious symbols under certain conditions, given the need to ensure neutrality in the work environment.
- *Egenberger v. Evangelisches Werk für Diakonie und Entwicklung eV* (2018): The court decided that discrimination on the basis of religion is impermissible if religion is not a key requirement for the job.
- *Cresco Investigation GmbH v. Markus Achatzi* (2019): The court determined that providing extra days off for Catholics only was discriminatory.

- Bougnaoui and ADDH v. Micropole SA (2017): The court held the dismissal of an employee for wearing an Islamic headscarf was unlawful where a client's refusal to work with her was not a legitimate ground for dismissal.

Conclusion. In conclusion, the study underscores the complex nature of protecting both freedom of conscience and freedom of religion not only within the European Union but also on a global scale. These fundamental rights are enshrined in various international legal frameworks, yet their full realisation remains uneven. In the EU, key documents such as the Charter of Fundamental Rights and various Directives provide significant protection for both freedom of conscience, understood as the right to hold personal beliefs, and freedom of religion, encompassing the right to practice one's faith. However, gaps in the implementation of these protections indicate that more work is needed to ensure these rights are uniformly respected across all member states.

The challenges surrounding the protection of these rights are not limited to the EU. On a global scale, freedom of conscience and freedom of religion face obstacles, particularly in regions where religious intolerance, discrimination, or lack of secular governance hinder their full expression. International instruments like the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights lay out the foundations for protecting these freedoms, but their application varies significantly between countries. The lack of secularism, or worldview neutrality, in many states can exacerbate religious tensions and limit the ability of individuals to freely choose or change their beliefs.

The analysis of the policy of the international organisations and EU in the area of protection of freedom of conscience and religion reveals the main principles and approaches to ensuring human rights in this area. The European Union, along with the UN, the Council of Europe, and the OSCE, actively defends freedom of conscience through legal mechanisms, diplomatic efforts, and financial support. These actions emphasise the importance of both the legal and political-diplomatic aspects of the need to preserve peace and the rule of law and to prevent discrimination, hatred, and violence.

The key aspects are the universality of the right to freedom of conscience, the protection of both individual and collective rights, and the fight against discrimination and violence. The EU supports freedom of expression and condemns all forms of discrimination, including discrimination based on religion. Judicial decisions such as the Achbita and Bougnaoui cases emphasise the importance of upholding these standards.

Regional frameworks, such as the CIS Convention on Human Rights and the African Charter on Human and Peoples' Rights, also aim to protect freedom of conscience and religion, but their effectiveness is often undermined by weak enforcement mechanisms. In some Islamic regions, for example, legal norms influenced by religious doctrine create barriers to full freedom of religion, leading to restrictions on religious pluralism and the right to change one's faith.

To address these challenges, the study highlights the importance of refining both international and regional legal frameworks to better protect freedom of conscience and religion. This includes promoting secularism as a key principle, ensuring that states remain neutral on matters of personal belief and religion, which is essential for the equal protection of all individuals' rights. Strengthening education on human rights, fostering tolerance, and encouraging international cooperation are also crucial steps toward ensuring that everyone, regardless of their beliefs, can fully enjoy their right to freedom of conscience and religion.

By closing the gaps in current policies and fostering a deeper commitment to these fundamental rights, both the EU and the global community can contribute to a more inclusive, tolerant, and just society.

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INTERCULTURAL AND CONTEMPORARY VALUES IN THE EXERCISE OF THE PARLIAMENTARY MANDATE

Igor SOROCEANU

<https://orcid.org/0000-0002-8719-0454>

„Ion Creangă” State Pedagogical University, Chisinau

Abstract

The activity of deputies can sometimes arouse various interpretations, such as: that the holders of the mandate entrusted by the electoral body deviated from the purpose of the mandate as a political-legal empowerment, which also implies responsibility for their actions, that they would hide behind immunity parliamentarian. In the given work it is shown that the parliamentary mandate is an authorization given by the electoral body to the representatives appointed through elections, in order to achieve national sovereignty through representation. Given that each deputy represents the nation, the parliamentary mandate is endowed with specific features, such as: generality, independence and irrevocability. And humanity and incompatibility are means of constitutional protection of the mandate, and not individual privileges of the deputy. In order to achieve the proposed goal, in this work we have drawn the following objectives: the definition of the parliamentary mandate; the identification of its legal nature, the identification of the characteristic features and, consequently, the protection of the parliamentary mandate.

Keywords: constitutional law, legislative forum, public dignity, parliamentary mandate, general, independent, irrevocable, etc.

Parliament is a representative state body, whose main function in the system of separation of powers consists in the exercise of legislative power. The values that are imposed in compliance with this mandate regulate a distinct category of fundamental social relations aimed at the formation and functioning of the Parliament.

The word „parliament” comes from the French „*parler*” – which in translation means „*to speak, to express the opinion*” (Arseni, Ivanov, Suholitco 87). The historical origin of this institution lies in the very old practice of gathering the members of a community to make decisions. The practical reason for the existence of the parliament is to elect trustworthy and competent people to make decisions in place of the people and on their behalf.

The degree of investigation of the problem at the present time, the purpose of the research. At the present time, the importance and the purpose of the elaboration of this scientific approach, appears from the author's intention to highlight some doctrinal and legislative benchmarks in the field of analysis of the conceptual benchmarks of the parliamentary mandate. At the same time, there is also the urgent need to carry out an extensive analysis regarding the essence of the research subject.

Materials used and methods applied. In the process of elaborating the scientific article, we were guided by several and various scientific research methods that made it possible to properly investigate the titular subject, among which we can list: the analysis method, the synthesis method, the deduction method, the systemic method, the historical method, as well as the comparative method.

The theoretical-legal basis of the scientific approach includes the defining material such as the national normative framework, bibliographic sources of national and international specialized works – which directly or indirectly, address the essence and content of the subject under research.

The results obtained based on the scientific analyzes carried out. *Parliamentary law* is an institution of constitutional law because it includes legal norms that regulate a distinct category of fundamental social relations aimed at the formation and functioning of the Parliament. The notion of parliamentary law appeared at the beginning of the 19th century. It is the legal institution of constitutional law that regulates the entry into exercise of the parliamentary mandate and its expiration, the content and conditions for the exercise of the parliamentary mandate, the parliamentary activities related to the performance of certain actions or the adoption of certain acts (Guceac 29).

The notion of the parliamentary mandate. The term „*mandate*” derives from the Latin „*mandatum*” which means „*that which is entrusted, indicated, ordinance*” (Deleanu, p.46). Starting from the close genus, the notion of „*mandate*” implies a power of attorney given to a person by another to represent or defend his interests.

Neither the Constitution of the Republic of Moldova, nor the Regulation of the Parliament nor the Law on the status of the deputy define the notion of „*parliamentary mandate*”, this concern is related to the doctrine of constitutional law (ibn.idsi.md). Basically, the „*parliamentary mandate*” is also a power of attorney to

represent (dreptmd.wordpress.com). But this time it does not intervene in the sphere of civil legal relations, but juridically it signifies a public office with which its holder is vested by elections, the content of which is predetermined by law. At the same time, it does not result from a contract, but „*is a convention between the voters and those who aspire to acquire the mandate, based on an electoral platform*” (Deleanu 230).

The parliamentary mandate is defined as a „*power of attorney given by the people to certain persons in order to represent them in the process of exercising state power, a power of attorney that turns into an elective, nominative public position or dignity, endowed with certain powers and guarantees for effective participation to the free exercise of the Parliament's functions, as the representative authority of the people*” (Constitution of the Republic of Moldova). We note the importance of the value of *freedom*, general human and intercultural value, as a result of the „empowerment” obtained and consolidated for the purpose of representing the people.

From the context of art. 68 paragraph (1) of the Constitution „During the exercise of the mandate, deputies are at the service of the people”, it appears that „the parliamentary mandate has a very general content and expresses the relationship of the parliament with the whole nation, but not only with an electoral constituency” (Prelot, Boulouis 86).

Given that national sovereignty is inalienable, what is transmitted to the „representative bodies” (par. (1) art. 2 of the Constitution) is only „its exercise”. And by „representative bodies”, the Constitution understands all those bodies that „act on the basis of a popular investment...” (Călinoiu, Duculescu 6).

The nation, as the holder of sovereignty, has its own will, but this will in the given case is expressed through its representatives. Thus, the parliamentary mandate is national because „it takes on a collective form (in contrast to civil law) in consideration of the general interest” (Călinoiu, Duculescu 70): another intercultural value, ensured by the national element of collectivity.

The national doctrine of constitutional law, including the main sources of constitutional law, does not interpret the notion of parliamentary mandate. However, it can be defined by the following:

- the parliamentary mandate is an intermediary between the people as holders of national sovereignty and their representatives in the legislative body of the state;
- the holders of the parliamentary mandate are called deputies. In systems with bicameral parliaments, one chamber is called the *Assembly of Deputies* (of representatives), and the other – the *Senate*, its members being called senators;
- the parliamentary mandate results predominantly from the parliamentary elections. Deputies are elected by universal, equal, direct, secret and freely expressed vote;
- the content of the parliamentary mandate is determined by the rules of constitutional law included in the Constitution, by the Law on the status of the deputy in the Parliament, by the Regulation of the Parliament;
- the parliamentary mandate is general: due to this fact, its exercise is not conditioned by the need for the approval of each act by the voters;
- the termination of the parliamentary mandate takes place depending on the electoral system applied in the process of forming the Parliament or, in other cases, strictly determined by the legislation (Guceac 304-305).

Summarizing the above, we consider that the parliamentary mandate is a public dignity that results from the manifestation of will of the electoral body in order to exercise national sovereignty through representation based on the powers established by the Constitution and laws in the spirit of democracy and the rule of law.

The legal nature of the parliamentary mandate. The „*parliamentary mandate*” results „from a manifestation of the collective will of a determined subject (the electoral body) made in order to produce an effect of constitutional law” (Deleanu 24). Precisely in consideration of the fact „that each parliamentarian represents the nation as a whole, the parliamentary mandate has a specific legal nature, from which its characteristics result” (*idem*).

From this follows the legal nature of the „parliamentary mandate” which is representative, a fact directly indicated in art. 68 paragraph (1) of the Constitution of the Republic of Moldova, according to which „in the exercise of the mandate, deputies are at the service of the people and any imperative mandate is null” (Constitution of the Republic of Moldova no.1 of 29.07.1994).

The mandate is representative (not imperative) and as such is constituted in the absence of any revocation procedure. Each parliamentarian represents the nation as a whole.

The parliamentary mandate is not a civil law mandate because it does not intervene in the scope of civil legal relations and does not result from a contract. It is the result of the manifestation of the collective will of the electoral body. The parliamentary mandate is a mandate of constitutional law. It has the following main features:

The parliamentary mandate is general, the parliamentarian being the representative of the entire nation and for all its interests. The given characteristic found its confirmation in art.68 (par.1) of the Constitution of the Republic of Moldova which enshrines: „In the exercise of the mandate, deputies are at the service of the people”.

The parliamentary mandate is independent. The independence of the mandate implies that the deputies (senators) do not act on the basis of instructions given by the voters. They act according to their beliefs. The decisions of the elected representatives do not require the approval of the people to acquire legal value.

The parliamentary mandate is irrevocable. It is an additional guarantee of independence and implies the impossibility of recalling deputies or senators elected before the expiration of the mandate. Article 68 (par. 2) of the Constitution of the Republic of Moldova, the Law on the status of the deputy in the Parliament (art. 2) establish that „Any imperative mandate is null” (Guceac 307).

The parliamentary mandate has a predetermined content, the rights and obligations of the parliamentarian being established by the Constitution and laws.

The duration of the parliamentary mandate. The Law on the status of the deputy in the Parliament stipulates that deputies enter into the exercise of their mandate from the moment of their election and subsequent validation. The document confirming this right is the certificate issued by the Central Electoral Commission. At the same time, deputies have a deputy's ID card and a deputy's badge, issued by the Permanent Bureau after the legal establishment of the Parliament. During the period of exercising the mandate, the deputy is issued a diplomatic passport (*idem*).

The term of office differs from one constitutional system to another. In Australia and Sweden three years, in England, France, Italy it is five years. In the Republic of Moldova, the duration of the parliamentary mandate is four years. Thus, in article 1, paragraph 3 of the Regulation of the Parliament it is stipulated: „The Parliament is elected by universal, equal, direct, secret and freely expressed vote, for a mandate of 4 years”. The duration of the mandate can be extended by organic law in two circumstances: „in case of war or in case of catastrophe”.

In the Republic of Moldova, the capacity of deputy ceases on the date of the legal meeting of the newly elected Parliament, in case of resignation or death. In case of resignation or death, the deputy's mandate becomes vacant. The request for resignation is submitted to the President of the Parliament. The Parliament, by its decision, will take note of the deputy's resignation request and declare the mandate vacant. In case of death, the Legal Commission for Appointments and Immunities of the Parliament will draw up a report. The Parliament, by its decision, will take note of the commission's report and declare the mandate vacant. The vacant mandate will be assigned to the next substitute on the list of the party, social-political organization or electoral block for which the deputy whose mandate was declared vacant ran. If the deputy mandate obtained by an independent candidate becomes vacant, the vacancy in question is filled by restoring the descending row, excluding the number corresponding to the respective candidate and including the next number in the row. The Constitutional Court, within 30 days from the declaration of the vacancy of the deputy mandate, will validate the next mandate (Law no.39 of 04.07.1994 on the status of the deputy in the Parliament).

Protection of the parliamentary mandate. Deputies, being the representatives of the people and exercising national sovereignty on their behalf, must enjoy certain guarantees and specific conditions that would allow them to freely exercise their high office. Their activity must be carried out without any pressure both from within the country and from outside it. The realization of the principles of autonomy, independence and transparency in the activity of parliamentarians is directly related to the degree of protection of the mandate (Popa 94). As long as the deputies will be subject to an influence, regardless of its source, we cannot speak of the exercise of sovereignty in the name of the people.

A normal functioning of the entire political and legal system requires the effective protection of the parliamentary mandate, being imprinted by the three values, transferred from the sciences of education to the legal science. The category of protective measures includes: allowances, incompatibilities and immunities.

1. *Allowances or other forms of material support*. Parliamentarians are in the exercise of a public function, therefore they are remunerated for the work done. If for ordinary citizens allowances serve as payment for work done, for parliamentarians they are also considered as forms of mandate protection. Parliamentarians' allowances are divided into two categories of payments: one fixed (salary) and another variable (related to participation in meetings).

The composition of the allowances of the deputies of the Republic of Moldova includes:

- *basic salary*. It is established by the Law on wages;
- *the increase for seniority*, the amount of which is established by the decision of the Parliament;
- *increase for a scientific degree*, the amount of which is established by the legislation in force;
- *the daily allowance for participation in plenary, committee or permanent Bureau meetings*;

- *per diem*, the amount of which is established by the Parliament.

Deputies who do not have housing space in the municipality of Chisinau are provided with a service apartment for the duration of their mandate.

In the case of not having a service apartment, the deputy is granted a non-taxable monthly allowance for rent (Law no.39 of 04.07.1994 on the status of the deputy in the Parliament). Deputies in the Parliament of the Republic of Moldova have the right to annual paid leave, leave for personal interests and medical leave. During the exercise of the deputy's mandate, the employment contract is suspended. After the expiration of the mandate, the deputy is guaranteed his previous job (service), and in his absence (in case of liquidation of the unit, its reorganization, reduction of staff status, etc.) he is granted a job (service) equivalent to the same unit or another, with his consent. After the expiration of the mandate, the position of deputy in the Parliament is assimilated to the first rank public positions provided by the Law on the public service. The deputy is awarded the rank of „State Councilor of the Republic of Moldova of the first class” for life.

2. *Incompatibilities*. The incompatibility with the position of parliamentarian is established by virtue of the theory of separation of powers in the state. Those who hold positions in the legislative power cannot hold positions in other branches of state power. If we admit that the deputy would simultaneously occupy some positions in the public or private field, there would be some negative consequences: absence from some meetings of the Parliament, insufficient time for the examination of draft laws, material dependence on the cumulative position, etc. (Popa 97).

According to article 70, (paragraph 1) of the Constitution of the Republic of Moldova, „The quality of deputy is incompatible with the exercise of any other remunerated position, with the exception of teaching and scientific activity”.

The law of the Republic of Moldova on the status of the deputy in the Parliament (art.3) stipulates that the mandate of a deputy is incompatible with:

- a) the position of President of the Republic of Moldova;
- b) the position of member of the Government;
- c) the position of parliamentary lawyer;

d) the exercise of any other remunerated position, including the position granted by a foreign state or international organization, with the exception of the didactic and scientific activity carried out outside the program established by the Parliament Regulation.

The deputy who is in one of the cases of incompatibility provided, will resign within 30 days from the date of validation of the mandate, from the position incompatible with the mandate of deputy. Within 30 days from the validation of the mandate, the deputy must declare to the Permanent Bureau any extra-parliamentary activity that he will continue to carry out. At the beginning of each legislature, the Judiciary Commission for Appointments and Immunities examines the declarations of the deputies under the aspect of the incompatibility of the activity.

Immunities. They are established by constitutional norms and laws. They have an imperative character, a deputy or a group of deputies cannot renounce them. Immunities should not be confused with privileges. The law on the status of deputies in Parliament (art.9) establishes that parliamentary immunity aims to protect the deputy in Parliament against legal proceedings and guarantee his freedom of thought and action.

In the theory of parliamentary law, two forms of immunities are recognized and legislated: inviolability and legal irresponsibility.

Irresponsibility. Article 9, paragraph 2, of the Law on the status of deputies in the Parliament provides: „The deputy cannot be persecuted or held legally responsible in any form for the political opinions or votes expressed in the exercise of the mandate”. As a rule, this model of irresponsibility excludes both criminal prosecutions and civil actions with harmful interest filed against a parliamentarian. The rule of irresponsibility applies only to acts directly related to parliamentary functions: proposals, amendments, interpellations and votes expressed in plenary sessions and in committees, reports submitted on behalf of a committee, acts carried out within the framework of a mission entrusted by the bodies of the Parliament (Guceac 317).

Inviolability. Article 70, (paragraph 3) of the Constitution of the Republic of Moldova enshrines: „the deputy cannot be detained, arrested, searched, except in cases of flagrant crime, or sent to court without the consent of the Parliament, after hearing it”. The request for detention, arrest, search or referral to criminal or contravention proceedings is addressed to the President of the Parliament by the General Prosecutor. The President of the Parliament brings it to the attention of the deputies in a public meeting within 7 days at most from its receipt and immediately sends it for examination to the Legal Commission for Appointments and Immunities. This, in no more than 15 days, will adopt a decision that will establish the existence of solid reasons for approving the request. The decision of the commission is adopted by the secret vote of at least half

plus one of its members. The commission's report is subject to examination and approval in the Parliament immediately, within 7 days at most from its presentation.

The Parliament decides on the request of the Prosecutor General with the secret vote of the majority of the elected deputies. The criminal action against the deputy can be brought only by the General Prosecutor. In the event of a flagrant crime, the deputy can be detained at home for a period of 24 hours only with the prior approval of the Prosecutor General. He will immediately inform the President of the Parliament about the detention. Inviolability is limited by the duration of the parliamentary mandate. When it expires, the deputy becomes an ordinary citizen (Guceac 318).

The disciplinary regime. A problem that may raise some discussions is that of the disciplinary responsibility of the deputy during the exercise of the mandate. For example, if during the plenary session of the Parliament, the deputy expressing his opinion allows himself to insult other deputies, violates the regulations, does not want to leave the microphone, he can be held responsible (Prelot, Boulouis 104) .

The Parliament Regulation establishes the disciplinary sanctions applicable to their members as well as the sanctioning procedure.

This regulation (art. 116) provides for the following sanctions for deviations from their provisions:

- the warning,
- the call to order,
- withdrawal of the word,
- removal from the meeting room.

The provided sanctions are applied by the president of the meeting.

The disciplinary regime of MPs refers to the set of rules and procedures that govern the behavior and responsibilities of MPs within a legislative institution.

In general, the disciplinary regime for Members of Parliament is intended to ensure integrity and accountability within the legislative process and to protect the reputation and credibility of the legislative institution.

The content of the parliamentary mandate. The content of the parliamentary mandate means all the rights it confers and the obligations it entails. The rights and duties of members of parliament are established by the Constitution, the Regulations of Parliament and the Law on the status of members of Parliament.

The rights of deputies include:

- the right to participate in the collegial and free examination of issues related to the competence of the Parliament, in the debate and adoption of the projects put on the agenda of the Parliament session;
- the right to participate in the decision-making by the Parliament. Deputies benefit from the right to vote deliberatively on all issues examined by the Parliament;
- the right to participate in the formation of the Parliament's internal bodies, the formation of other state bodies or the appointment of persons with public duties;
- the right to carry out parliamentary control;
- the right to legislative initiative;
- to request the necessary information from any state body;
- the right to maintain relations with voters (Guceac 308-312).

The law on the status of deputies in the Parliament established the following obligations for deputies:

- the deputy is obliged to strictly respect the Constitution, laws, ethical and moral norms;
- the deputy is obliged to be worthy of the trust of the voters, to contribute by personal example to the strengthening of state discipline, to the fulfillment of civic obligations, to the assurance of human rights and to the observance of the legislation;
- the participation of the deputy in the meetings of the Parliament and of the permanent committee of which he is a part is mandatory.

The deputy exercises his rights and fulfills his duties for the entire duration of the mandate for which he was elected.

Conclusion. In conclusion, it should be mentioned that the parliamentary mandate represents a political-legal empowerment granted by the electoral body through elections to some representatives for the purpose of exercising national sovereignty, a constitutionally protected mandate attracting the moral and political responsibility of the holder of the mandate. In the attempt to shape the human personality in the spirit of democratic values and principles, intercultural values become a priority for the education of the citizen, regardless of the function assigned at a given time, constituting values that govern the approach of society: *freedom, responsibility, open to dialogue, to listen and to adequately represent the diversity and needs of their country's citizens, acting in the public interest and avoiding undue influence or conflicts of interest.*

Exercising the parliamentary mandate is a solemn and vital responsibility, involving representing and serving the interests of citizens with integrity and responsibility. MPs are invested with the power to make decisions that affect the direction and future of the nation. It is essential that they are open to dialogue, listen and adequately represent the diversity and needs of their country's citizens. Transparency and accountability are fundamental in all aspects of the exercise of the parliamentary mandate, ensuring public trust and understanding. Members of Parliament must act in the public interest and avoid undue influence or conflicts of interest. Their role in Parliament is to oversee the Government, create and debate laws and policies for the common good. The parliamentary mandate is a privilege granted by citizens and must be treated with respect and dedication by those who hold it. It is therefore essential that MPs are guided by high ethical and moral principles in all their actions.

Finally, the exercise of the parliamentary mandate must be aimed at serving the general interests of society and promoting transparent and accountable governance.

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THE LEGAL INSTITUTION OF ARTIFICIAL REAL ESTATE ACCESSION

Tatiana STAHI

<https://orcid.org/0000-0001-9120-4006>
Technical University of Moldova, Chişinău

Abstract

This article proposes an analysis of real estate acquisition in contemporary times, starting from a brief history of acquisition and legal regulations, in particular it examines the legal nature of artificial real estate acquisition. The issue of the existence of two properties with different owners was resolved in Roman law through the ruling that one of them could acquire ownership rights, a solution that has been adopted and developed by modern legislation. Analyzing the institution of accession from a historical perspective, highlighting the legislative provisions and how accession operates in terms of establishing a new property right, allows for a deeper understanding of the institution within the Civil Code and the modifications that have occurred. To understand how this principle operates, we will emphasize the defining features of accession, its operating mechanism, as well as the explanation of specific notions related to accession.

Keywords: real estate accession, artificial real estate accession, natural real estate accession, property, real estate.

The problem of artificial real estate access, namely this mechanism of acquiring the right of ownership, has given rise to some controversies. The existence of two goods with different owners, accompanied by the solution of acquiring the right of ownership from one of the owners, has been imposed since Roman law, which represented a huge treasury of legal thought that was capitalized and adapted to the new socio-economic realities of later civilizations, taken over and developed in Romanian law, including the law of the Republic of Moldova.

The codification of civil law over the years was carried out in close correlation with the evolution of society, the Romanian law constituting the point of departure and major influence on legal institutions. Each stage has left its mark on artificial real estate acquisition, in the current context emphasizing, in particular, the influences of European Union law on the internal regulatory framework.

The forms of accession existing in modern law were known in Roman law as three distinct ways of acquiring property: confusion (*confusio*), specification (*specificati*) and accession (*accessio*) (Ştefănescu 125).

Currently, confusion and specification are cases of chattel accession. These assumptions of accession are not very often encountered in practice by specialists and also do not generate an important case law at the level of courts. Unlike the other two ways, accession (*accessio*) was defined as the incorporation of the accessory thing into the main thing, the latter being the one that kept its individuality after the union with another thing. Thus, even from Roman law, the case of uniting an immovable thing with a movable thing was recognized in the sense of acquiring property (Bicheicean 17).

In Moldova, in 1646, was published – *Pravila lui Vasile Lupu* (Vasile Lupu's Rule). Also, a few years later, in 1652, the correction of the Law was printed – *Pravila lui Matei Basarab* (Matei Basarab's Rule) in Vallachia (Duţu, A, 2018: 10). These two rules were characterized by the laconic way of presenting the existing legal institutions in Moldova and Vallachia. We draw attention to them because, for the first time, we find information about the artificial real estate accession.

Although the legal institution of artificial real estate accession is not expressly nominated in the rules, legal rules have been introduced regarding those who build on the land of a third party. For example, *Pravila lui Vasile Lupu* (Vasile Lupu's Rule) regulates the notion in the tenth case, entitled "*for those who will build or plant on another's place*".

These rules allowed the establishment of written and uniform rules, as accessible as possible to all. After their fall into obsolescence, during the Phanariot reigns, the rules of Byzantine origin were applied with discretion. Often, the way of applying these rules was contradictory in the two countries.

Later, two new codes were adopted, *Codul lui Calimah* (Calimah Code) in Moldova and the *Legiuirea Caragea* (Caragea Legislation) in Vallachia. The *Calimah Code* includes the first express reference to accession, entitled "*for the acquisition of ownership of things by increase or addition*" (Duţu 13).

With regard to the first assumption of the accession, respectively of the works made with foreign materials, the *Calimah Code* (art. 562) returned to the principle expressed by the Romans in the sense that the ownership of the work will go to the owner of the land. The latter will have the obligation to compensate the

owner of the materials with the price of the material. If bad faith is found, the code expressly states that the landowner will return the value of the materials and damages for the damage caused.

The current Civil Code of the Republic of Moldova regulates artificial real estate acquisition in Book III "*Real Rights*", Title III "*Property*", Chapter II "*Acquisition of the right of ownership*". Art. 521 of the Civil Code of the Republic of Moldova establishes the rule that the accessory good loses its individuality by its incorporation into the main good, so that the accessory good belongs to the owner of the main good if there is no contrary provision.

French civil law regulates accession in Book II "*On property and the various modifications of property*", Title II "*On property*", Chapter II "*On the right of accession relative to immovable things*". Distinct from the 2009 Civil Code, the French Civil Code begins the description of the institution by presenting cases of artificial real estate acquisition.

Spanish civil law regulates accession in Book II "*On property, property and its modifications*", Title II "*On property*", Chapter II "*On the right of accession*", Section 2 "*On the right of accession relative to things immobile*". The succession of articles related to the accession of the Spanish Code begins with the description of the hypotheses of artificial real estate accession, continues with the cases of artificial natural accession and is completed with the movable accession. The arrangement established by the legislator emphasizes the importance and frequency of cases of artificial real estate acquisition.

Italian civil law deals with accession in Book III "*On Property*", Title II "*On Property*", Chapter III "*On the Ways of Acquiring the Right of Ownership*", Section II "*On the Right of Accession, Specification, Union and Mixture*", art. 934-947. Likewise, the Italian Civil Code begins the description of the accession by presenting the hypotheses of artificial real estate accession.

Analyzing the considerations already presented, it appears that the institution of accession can be found in the chapter "*About property*", an aspect that confirms the idea that accession allows the acquisition of property under the conditions described by the Civil Code. Regarding the division into sections, the detailing of the accession respects the three forms encountered: movable, natural and artificial real estate accession.

The legal doctrine established real estate acquisition as an original way, because the right of ownership is born directly in the owner's patrimony, unlike the sale-purchase contract which involves a legal transfer between different people. Legal doctrine offers us a multitude of definitions of artificial real estate accession as an independent legal institution. The common defining elements, which the specialists have in mind, follow the phenomenon of material incorporation, as well as the existence of two goods, where one is more important than the other. These two elements are accompanied by a third element, namely the condition of the existence of more distinct owners (Pena, 2022: 23; Bîrsan, 2017: 377).

Also known as *incorporation*, artificial real estate accession means the union of a real estate with a plantation or a construction carried out on the real estate. As a result of the artificial accession, the owner of the building has the vocation to become the owner of the plantation and the construction as well (Bîrsan, 2022: 417).

Also, in the legal dictionary, accession is defined as the material integration of a less important thing and by virtue of which, if the two things belonged to different owners, the owner of the more important thing also acquires the right of ownership over the incorporated less important thing, under certain conditions, the owner of the incorporated thing is entitled to receive compensation (Muscalu 11).

The author A.M. Diaconu (213) mentions that accession is an original way of acquiring the property right, by invoking which, the owner of the more important asset, considered principal, also becomes the owner of the less important or accessory asset, according to the *accessorium sequitur principale* principle.

The Romanian doctrinaire, V. Stoica mentions that in practice, the regulation of this type of access is applied, most frequently, with reference to constructions and plantations. However, other works may also fall under the scope of the regulation, so that, for reasons of terminological simplification, the notion of work is used as a generic term for constructions, plantations and any other works carried out on a building (321). Also, although the aforementioned author usually mentions, the works are carried out on land, it is not excluded that the regulation of artificial real estate access also applies to works carried out on a building, so that the expression works carried out on a building is more comprehensive, including in its scope both situations. The legislation of the Republic of Moldova in this sense regulates very clearly, namely in art. 521 para. (1) CC of the Republic of Moldova the fact that by works is understood the planting, as well as the improvements brought to a land that are not permanently incorporated into it.

In the same way, if the owner of the land only decided to use some materials that do not belong to him for construction or plantation, but in reality does not incorporate the materials into the building, we cannot talk about acquiring the right of ownership by way of accession, even if the materials would find out on the ground.

In this particular situation, since the materials are not incorporated into the building and retain their individuality, the artificial real estate accession will not take place and their owner can request their return.

In the legal doctrine, it is argued that assigning ownership of the new asset to a single person is a practical necessity considering that the separation of assets is often a difficult process, often even impossible, which causes major damage to the separated asset. In such conditions, assigning the property to a single owner out of the two is the most optimal solution (Vrânceanu 23).

A legal or rational consideration can be added to this justification, a consideration developed by the Romanian authors, namely that if the union of the two things is total and complete, when a new thing appears, it is natural to attribute it to the owner of the previous thing more important, because its characteristics are those that dominate the new object (*ibidem* 32).

Although, the accession is mainly defined as the right of accession, yet the doctrine and the jurisprudence, have either summed up to consider that this right is an attribute of the ownership of the land, or have simply ignored it. However, the right of access is not confused with any of the prerogatives of the right of ownership (Stoica 46).

The doctrinaire, V. Stoica states that the right of accession was qualified as a "*potential right through the prism of the right of option that the property owner has in relation to the options made available to him by the legislator through the Civil Code and the consequences produced by it*" (Stoica 297). We consider the qualification offered by the doctrine in the hypothesis of artificial real estate acquisition to be well founded because the owner of the building is the only one in a position to decide on the chosen option, without being able to be constrained by the author of the work (*ibidem* 229).

In this sense, art. 521 para. (5) and para. (6) CC of the Republic of Moldova describes the solutions offered by the legislator to the building owner, who has the right to choose between: (5) *Instead of keeping the constructions or works done by a third party, the owner has the right to demand that the author of the work be obliged to buy the land or the portion affected by construction or work at the market value that the land or portion would have had if the construction or work had not been carried out. In the absence of an agreement between the parties, the owner can ask the court to determine the price and issue a decision that will take the place of a sales contract.*

(6) *If the construction is erected partly on the builder's land and partly on a neighboring land, the neighboring owner can acquire ownership of the entire construction, paying compensation to the builder, only if at least 1/2 of the built area is on his land. In this case, he will also acquire a surface right on the related land for the entire duration of the construction's existence. The compensation must cover the value of the materials and the cost of the work, as well as the value of the use of the related land."*

Article 521 para. (7) The Civil Code of the Republic of Moldova describes the solutions offered by the legislator to the building owner in case the works were built by a third party in bad faith. "*The builder in bad faith cannot claim compensation for more than one-third of the amount calculated according to paragraph (6) if he does not prove that the entitled person himself bears part of the blame.*"

So, from the point of view of its legal content, the right of accession has a prerogative of choice that acts in a double sense, namely both with regard to the moment of producing the acquisitive effect, and with regard to the options made available by the legislation.

Through the lens of these considerations and specifications of the power of attorney, we underline the fact that the owner of the building on which constructions, plantations or other works were carried out without right will always have a privileged position in the relationship of forces between him and the author of the work.

Starting from the fact that accession involves a mechanism based on the optional right of accession, the exercise of which requires a unilateral manifestation of will on the part of the land owner, we believe that some clarifications are necessary. First of all, the right of accession, as a potential right of option, has a positive and a negative side. The doctrine dealt with the positive side excellently, the negative side was less analyzed. This structure, which is very complex of the power of attorney, does not depend on the bad faith or good faith of the builder, that is, in any of the two scenarios, the land owner has the option not to become the owner of the construction.

The practical consequence of exercising the negative side of the right of access is that of consolidating the ownership right over the work in favor of the builder, and the relations between the parties regarding the use of the land will be clarified. We consider that always exercising the negative side of the right of accession, as a potential right, implies a renunciation of the accession, with the difference that, if the land owner opts for forcing the builder to buy the land, the renunciation is implicit in this option.

Thanks to the solutions in the Civil Code of the Republic of Moldova, the building owner can refuse the work even in the case of good faith of the author by exercising the right of access in a negative sense by

the regulations of art. 521 para. (4). However, in this hypothesis of good faith, the owner of the building does not have the possibility to request the removal of the work by the author (art. 521 para. (4) CC of the Republic of Moldova), but according to art. 521 para. (5) may compel him to take it over, together with the entire building. At the same moment, the obligation of the author of the work to purchase the building at the market circulation value that the land or portion would have had if the construction or work had not been carried out is born, correlatively. In the absence of an agreement between the parties, the owner can ask the court to establish the price and pronounce a decision that will take the place of a sales contract, a rule described in the general manner of art. 521 para. (6) CC of the Republic of Moldova.

In the legal literature, the question has been asked which is the moment when we establish the value of the materials, namely the moment of performing the work or the moment of granting the compensation, even in the situation of the owner of the building in good faith (Vrânceanu: 103). Indeed, even if the basis of the indemnity is unjust enrichment, it is fair for the owner of the materials to receive their value from the time of payment, thus, if the actualization of the value of the materials is not done, the indemnity is seriously affected and would become illusory, especially because inflationary conditions present in the economy. Even more so, such a solution is required when the basis for the payment of the indemnity is tortious civil liability (Stoica: 38). It is not possible to put the sign of equality between the circulation value of the construction and the updated price of materials and labor on the date of exercising the right of access. Even if the right of claim of the author of the work arises from the unjust enrichment, meaning independent of any fault of the land owner, a real restitution of the enrichment must take into account the way of expressing this value in a certain amount of money (Pena, 2022: 157).

As for the possibility of obliging the author to remove the materials, it was considered that this represents a normal manifestation of the prerogatives of the property right, since a third party author builds works on land or on a building that does not belong to him. This conclusion is also based on the exclusive character of the property right.

In this context, the author A. Vrânceanu believes that it is not in the interest of the owner of the building to be considered the owner simply of it as the work is incorporated in the building because, otherwise, he would be obliged to bear the obligations and duties related to ownership of the work, although they do not benefit from it.

First of all, its owner should bear the risk of the work if he were to be considered the owner of the work, to the extent of its incorporation into the building, according to the adage *res perit domino*.

Secondly, the owner of the building should pay the insurance premium for the building, annually, even though he does not own it.

Thirdly, when the situation of a construction erected without authorization would arise, the owner of the building would be obliged to pay compensation to the builder, but, at the same time, he would be subject to the risk of demolishing the construction (51).

Consequently, considering the owner of the building and the owner of the work from the moment of incorporating the materials into it would be unfair since the owner of the building may be unknown or, although known, was not aware of the work being carried out (Stoica 42).

It is indisputable that, after invoking the accession, an obligatory legal relationship is born between the author of the work and the owner of the building. The builder is the creditor, and the land owner is the debtor. However, it is very important to mention the fact that there is a period between the birth of the real estate acquisition right and the appearance of the property owner's right, which may be shorter or longer. The question is, what will happen during this period with the rights of the author of the work and the owner of the property.

So, until the artificial real estate accession is produced, the builder has a revocable ownership right. It is mentioned that we are talking here about an atypical revocable property because it arises from a legal fact, and not from a legal act. In this sense, the author A. Vrânceanu mentions that, "*between the two moments, the building is in the possession of a person different from the real owner*" (69).

In other words, the majority opinion tilts the balance in the sense of recognizing a revocable ownership right over the work regarding the author of the work, a right that can be provisionally registered in the immovable property register according to art. 432 para. (1) CC of the Republic of Moldova. Regarding the owner of the building, a right of ownership was recognized under a suspensive condition. This suspensive condition consists in the very positive exercise of the right of accession

Therefore, it cannot be said that the author of the work is the owner simply, while he will lose any right to the work if the owner of the building claims ownership of the work as a result of the exercise of the right of accession.

During this period until the moment of exercising the right of access, the author of the work will have the right to use both the construction and the land related to it, and as a consequence, he cannot be obliged to pay compensation for the lack of use (Stoica 301).

Relatedly, regarding the work, the owner of the building acquires a property right simply only from the moment of the manifestation of the right of accession in a positive form, either by concluding an agreement with the author of the work, or by filing a claim action.

We consider that, in the legal content of the right of access, it is precisely the prerogative of the building owner to take over the work at any time in full ownership, in the absence of a contrary agreement.

Consequently, the owner of the building has, between the two moments, a property right under a suspensive condition over the work, and its author has, as I specified above, over the same work, a property right under a resolutive condition (*ibidem* 341). In this situation, the circumstance with condition value is not stipulated in a legal act, therefore, it is not the result of the will of the parties, but follows from art. 521 of the Civil Code of the Republic of Moldova.

The resolvable property theory has been subject to several criticisms. The first position argued that the owner's attitude cannot be considered a resolutive condition in the case of the good faith, the owner who is obliged to take over the construction and does not have the possibility to choose between compensation and the demolition of the construction.

Under these conditions, its attitude is not an event uncertain about its production, as is required in the case of a true condition. Compared to the solutions established by the legislator, the attitude of the owner can be qualified at most as an uncertain term. However, civil law only provides for an extinguishing term, and not a resolutive one, which produces effects for the future. If it were qualified as a condition, this would be a purely potestative condition, which is void according to the CC of the Republic of Moldova.

Secondly, if this opinion were to be shared, it would be admitted that what could not be obtained directly, through the agreement of the parties - the surface right, could be obtained indirectly and unilaterally by the simple fact of erecting the construction on the land to the third party, without any legal provisions in this regard.

Third, in the context of accession, possession is viewed as a state of fact, not a right. In the hypothesis that the builder controls the construction, "*animo sibi habendi*", he enjoys only an appearance in law, which cannot be confused with the very existence of the right and which entitles him only to the effects expressly and limitedly provided by the law (Simbrian 123-127)

Also, in the older specialized literature it was considered that the builder's right on another's land constitutes a dismemberment, which is a burden of the property right. In addition, the opinion according to which the builder would benefit from a patrimonial right, which would determine the inclusion of the construction in the mass of goods to be divided, was also criticized. It was revealed that, if the property is recognized as a patrimonial right, this right must necessarily be definitive, as patrimonial rights can only be either real rights or debt rights (*ibidem*: 132).

The theory of revocable property has also been taken up by more recent doctrine. Criticisms of this thesis have been contested. On the one hand, it was shown that, in the case of good faith, the land owner has a right of option between retaining the construction with the obligation of compensation and not taking over the construction, leaving the builder the owner. On the other hand, the owner of the building has the capacity of creditor and a purely a potential condition on the part of the creditor is valid (Pena, 2022: 36).

It was also shown that, if the theory of atypical resolvable property is accepted until the construction is taken over by the land owner, it is difficult to explain how this property right will be recognized to the author of the construction subject to resolutive condition, more precisely what is the basis for acquiring the right (since the artificial real estate accession is the basis of acquisition for the owner of the land, and not for the builder), and if it is about the acquisition of the right, by the builder, with or without registration in the real estate register.

The author, A. Vrânceanu, believes that "*the acceptance of the theory of resolvable property is beneficial in relation to the legal consequences it could produce, respectively: the possibility of passing on the builder's right through legal documents or by will; the possibility of sharing between builders; the right of builders' creditors to forcibly follow the construction; the builder's right to receive compensation if an expropriation has occurred for reasons of public utility; the builder's bearing the risk of the loss of the asset; the acquisition of the fruits by the builder, etc.*" (223).

Although accession represents the rule in the matter, there are also situations in which the legal phenomenon of material incorporation in the sense described by law does not occur. Thus, accession, as a legal form of acquiring property, does not find its incidence in the situation where the accessory thing belongs to

public property, because this form of property cannot be transformed by way of accession into other forms of property.

Accession is not applicable even in relations between spouses when they, by mutual agreement and through joint contribution, erect constructions on the land belonging to only one of them, a situation in which these constructions become their common property in the case of legal community (Chelaru 410).

At the same time, the accession is inapplicable when there is an agreement concluded between the owner of the building and the author of the work, by which it is established that the works to be built on the building become the property of the author. For example, a convention is concluded whereby the author of the work is recognized with a surface right. In this case, the allowance, which is due to the person who participated in the construction, as representing his contribution, must be established in relation to the circulation value of the construction (Pena, 2009: 47).

However, the simple erection of a construction on another's land, in the silence of the land owner, does not have the legal value of the consent that must be expressed, therefore, it cannot lead to the birth of the right of surface (Stanca: 85). Thus, the alleged agreement of the land owner, manifested by the lack of opposition to the realization of the plantation, cannot justify the acquisition of a surface right, since such an agreement is not found among the legal modalities provided by the Civil Codes, regarding the acquisition of property and, consequently, of the surface right.

Likewise, one cannot speak of accession in the situation where the work in question is destroyed or demolished, naturally, as a result of an earthquake, fire or, intentionally, by the builder's own action before the exercise of the power right. In these situations, the right of access is extinguished and, from that moment, it no longer exists in the property owner's patrimony (Stoica 48).

In conclusion, we could mention that the matter of accession developed naturally, mainly the guiding elements outlined in jurisprudence and doctrine. Although it is a notion of relatively limited applicability, the innovative elements are numerous and have succeeded in modernizing the institution. Thus, the scope of application of the accession was expanded and much more flexible solutions were configured, in accordance with the demands and dynamics of society. The relationship between the author and the owner has been significantly improved through the development of solutions that can be adopted by the owner of the building depending on the attitude shown by the author towards the works, however, adjustments are still needed to simplify the relationship of forces between the owner of the building and the author of the work.

In this context, the validity of the solutions proposed by the legislator remains to be confirmed by jurisprudence and doctrine in solving practical situations that will arise in the future.

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LEGAL APPROACHES REGARDING HERITAGE IN THE REPUBLIC OF MOLDOVA

Angela TĂLĂMBUȚĂ

<https://orcid.org/0000-0002-5038-0959>
Technical University of Moldova, Chisinau

Abstract

The Civil Code or other laws of the Republic of Moldova do not contain a deep definition of patrimony, although numerous legal texts refer to this notion. Thus, according to art. 453 of the Civil Code of the Republic of Moldova „*property represents the totality of patrimonial rights and obligations (which can be valued in money) viewed as a sum of assets and liabilities linked together, belonging to certain natural and legal persons*”. Heritage represents the most important notion in the matter of patrimonial rights, both in terms of real rights and obligations. The patrimonial rights form the active side of the patrimony, and the patrimonial obligations form the passive side of it. „*The active side includes the subjective civil rights, with economic value, which can be evaluated in money, which can also be real rights, such as the right to property and its dismemberment and the rights to claim (personal rights) such as: the right to use the leased property and the right to receive rent for the rented property, the right to return the borrowed sums*”. The article includes a study dedicated to the identification of legal heritage, called to develop and rediscover along with the evolution of society, where the configuration of this legal concept is analyzed from the perspective of the Civil Code of the Republic of Moldova and other normative acts.

Keywords: patrimony, obligations, patrimonial rights, assets.

Analyzing the history of heritage, which is one of the central issues of civil law, appearing about 2,500 years ago, it experienced a special historical evolution, acquiring new adaptations and valences with the succession of historical eras. Over time, however, the practical utility and the doctrinal theorization of heritage have undergone distinct evolutions. Legislators, but especially legal practitioners, in most cases, concerned only with the functionality and concrete, immediate applicability of this extremely useful legal instrument, have dealt less with the conceptual theorization of heritage. At the same time, we note that, despite a flagrant lack of recording the concept of heritage within the regulatory systems, starting even with the oldest legislative mention of it, namely the Romanian Law "twelfth Tables", and finishing with the Civil Code, the Napoleonic law, probably the most important modern document in the matter, the judicial practice and, subsequently, the doctrine, they (re)recognized it, used it and, above all, adapted it according to the needs of each social, political, economic and cultural situation.

It is certain that each of the stages of the historical evolution of the legal civilization knew, at a given moment, depending on the specificities, varied forms, the concept of patrimony (or at least a more or less important aspect of it), sometimes not. even through the prism of theoretical approaches, but almost exclusively through its practical functions and utilities.

The idea of patrimony has always been closely related to the idea of wealth and property, in the classical era of Roman law it led to the birth of the basic elements that shaped the theory of patrimony in private law, which, as we have seen, operates, perhaps at just as well, and in the present (Otgon 57).

The process of abstracting the concept of patrimony was carried out very slowly, considering the fact that, at the beginning, the Romanian jurisconsults, the people in charge of interpreting the law, in the light of the optimal and efficient functioning of legal relations, took into account the fact that, at the beginning, the Romanian jurisconsults, the persons in charge of interpreting the law. he did not attach much importance to theoretical aspects and implications and, above all, to the elaboration of a unitary conceptual system in order to systematize legal notions. The transition from an idea was realized through the set of assets that belonged to the families of a pater (category that included, among others, his close relatives and his descendants (*ibidem* 53), which was transmitted, upon his death, to the heretics, at the value pecuniary of his wealth, for the same idea to be assimilated exclusively to the value of the wealth remaining after deducting the holder's debts, occurred extremely slowly and almost exclusively due to the requirements of the society specific to the respective era.

The development and consolidation of the origins of the forms of Roman property is not an easy one, as the appearance of the concept of heritage is closely related to the appearance of the concept of private property, implicitly it is also related to the existence and development of a complex system of economic circulation of goods, and therefore the problem of the transmission of property, either on an individual level, as determined goods, or in its global form of "wealth", which at first took place exclusively within the same family, almost exclusively for the cause of death. We consider, therefore, that the proximity of goods and their

exchange, the relations between the participants in the life of the fortress in terms of commercial activities and the transmission of property between the living, but especially for the cause of death, were premises. For the development of heritage theory, since the beginning of the formation of law and legal theory, respectively in the early Roman era.

From a strictly chronological - but also terminological - point of view, the notion of "patrimony" appears for the first time, within the legendary Law "of Tables XII", the first material source of law in Ancient Rome. Etymologically, it should be remembered here that the term patrimony has exclusively Latin origins. Structurally, the word has two roots: that of pater, denoting the master of the family (pater families), and men, denoting conservation or preservation. According to the patriarchal organization of the primitive Roman family, the pater, the master, the oldest living man, is the sole holder of rights and obligations, and all others living under the roof of the same domus are subject to his power (potestas) (Law no. 218/2010). The pater, like all sui juris, is practically the only person who can own property. On the other hand, according to other opinions formulated in this regard, it is shown that the legal term patrimonium does not seem to be so old, this being just one word among many others, used, in the era, in the current way, to denote wealth, in its broadest meaning (Baies 83).

A very important element, worthy of mention within this approach, which we no longer find in the modern theory of patrimony, the post-Napoleonic code, is that, in Roman law, the transmission of patrimony between families was fully accepted and recognized. This operation was encountered in practice, most often, in two situations: adoption and marriage cum manum.

We conclude this short analysis from the perspective of the evolution and historical transformations of the concept of patrimony in the framework of Roman law with a clarification that we consider of great importance. As we have seen, it is almost certain that the Romans conceptualized the implications and practical utility of such a legal concept, yet we believe that throughout the history of Roman law no single term was used to denote patrimony.

In the classical era, the term heritage also appeared, with a meaning close to the modern one, with the meaning of "totality of the rights and liabilities of persons liable to a pecuniary value". In the era of Justinian, the patrimony was designated by the word substantia or facilitates, which evokes only the active side of the succession, a fact that makes the French professor Jean-Philippe Lévy argue: "it is not explicitly said that the heritage does not have a passive side; concretely, the Romanians argued that this patrimony includes an asset from which the liability was subtracted, starting, therefore, from the premise that the asset would have always been greater than the liability" (Pop 121).

From the moment the currency appeared, the notion of patrimony took shape, including all goods considered as accounting value, i.e. representing a sum of money: the pecuniary family (Law no. 1530/1993). After the fall of the Roman Empire, the word patrimony did not disappear from current use, but its use became much more semantically diverse than in antiquity and, as a consequence, is increasingly lacking in precision and legal rigor (Ciochina-Barbu 46).

Much later, towards the end of the 18th century, the term patrimony took on its current meaning of a person's "assets".

A study from a historical perspective on the evolution of patrimony cannot avoid a brief analysis of the forms under which this concept was taken over in feudal law. Feudalism can be analyzed as a legal experience spanning several centuries, from the Middle Ages to 1789. Essential to the evolution from the ancient law of landed property to the modern law of private property and patrimony. The usefulness and interest in the correct application of the concept of heritage, in the medieval period, increased with the passage of time, the development of exchange relations, the reopening of the main trade routes and, last but not least, the accumulation of wealth, led to the need for an adequate system for the administration, preservation and transmission of wealth, on the traditional, already existing legal bases. Thus, it is not surprising that, also in this era, the first and perhaps the most important utility of the patrimony was that of transmitting a person's wealth to his descendants, thus, the patrimony is maintained, also in feudal law, mainly in the form of hereditas (Otgon 57).

Over time, legal doctrine formulated several scientific hypotheses on the concept of heritage, out of the desire to formulate a theory, on the one hand, as complete and unified as possible, and on the other hand, as close as possible to practical needs. It was only in the modern era, namely the 19th century, that such a theory began to develop, and with the increasingly important needs of society, what we can now call the scientific foundations of heritage theory were formed.

Being established on the theoretical model of the Roman patrimony, adapted to the specifications of the Middle Ages, the feudal fief recalls, at the same time and absolutely involuntarily, the theory of the patrimony of affectation and, why not, the goodwill specific to trade. justice. And this comparison is only due

to the fact that these modern concepts are based on the same ideational model, abstract but here it is, the valid universe, conceived for the first time two and a half millennia ago by Roman jurists.

We believe that the "epic" of the concept of heritage has not ended, given the conditions of existence of human society at the beginning of the 21st century, taking into account the new economic, social and political imperatives. In our opinion, the historical evolution of the concept of heritage is still far from over. Thus, we are of the opinion that the historical evolution of the concept of heritage is far from being finished, being currently on the threshold of new changes and adaptations.

In current speech, the term patrimony is most often used to denote a person's wealth or possessions. However, this understanding of the term patrimony is not sufficient for the formulation in point of legal vision on the notion of heritage.

The main normative act for the establishment and regulation of the heritage institution in the Republic of Moldova is the Civil Code of the Republic of Moldova. Thus, Title I, from Book II, "Real Rights", of the CCRM, is entitled "Heritage" and includes art. 453-481.

According to art. 453 (1) CCRM "*The patrimony represents the totality of patrimonial rights and obligations (which can be evaluated in money), viewed as a sum of assets and liabilities linked together, belonging to certain natural and legal persons*".

Likewise, the concept of patrimony is used in various special normative acts, which determine the legal regime for certain categories of goods, acts that we will analyze further.

1. Law on the protection of monuments, no. 1530 from 22.06.1993-the law analyzed does not define patrimony, but regulates in art. 2 which includes all the monuments located on the territory of the Republic of Moldova *inheritance on a cultural and natural level and is under state protection*.
2. Law of culture, no. 413 of 27.05.1999- according to art. 2 through *cultural heritage* we understand the totality of cultural values and assets (product of cultural activity whose value can have a monetary price). Chapter IV of Law no. 413 of 27.05.1999 is dedicated to the national cultural heritage of the Republic of Moldova and regulates
3. Museum Law, not. 262 of 07.12.2017- this law establishes the general legal framework for the organization and operation of museums in the Republic of Moldova, it also regulates specific activities for the protection of museum heritage.
4. Mining Code, no. 3 of 02.02.2009- regulates mining relations to ensure the rational and complex use of the subsoil to meet the need for mineral raw materials and other needs of the national economy, protection of the subsoil, ensuring the safety of work on the use of the subsoil, as well as the defense of the rights of natural and legal persons, regardless of the type of ownership and legal form of organization. *Mining Code* in art. 66, also defines and establishes the legal regime of mining heritage. Thus, it is considered *mining heritage*, according to the *Mining Code*, *the assets, created or acquired by the beneficiary of the basement, which directly ensure the process of using the basement and cannot be separated from the basement sector without causing considerable damage to the basement (mining excavations, drilling, fasteners and pipes, drainage and ventilation systems, equipment at the entrance to mining excavations, mining inspection signs, other goods)*.
5. The Law on the Protection of Archaeological Heritage, not. 218 of 17.09.2010 – provides the general legal system for archaeological discoveries and research, as well as the protection of archaeological heritage as part of the country's cultural heritage.
6. Water Law of the Republic of Moldova no. 272 of 23.12.2011- provides in art. 2 that *the state cadastral system of waters* is a state information system that contains records of data related to the hydrographic network, water resources, water withdrawals and returns, *hydrotechnical heritage*, and in art. 4 mentions that water is not just any commercial product, but a *natural heritage*, which must be protected, treated and defended as such. Water is part of the public domain of the state.
7. Law on the protection of movable national cultural heritage, no. 280 of 27.12.2011–legally regulates the goods belonging to the movable national cultural heritage, as part of the national cultural heritage, as well as the specific activities in the field of identification, research, inventory, classification, conservation, security, maintenance, preparation, restoration and promotion of movable cultural goods.
8. Law on the Protection of Intangible Cultural Heritage, not. 58 of 29.03.2012 - establishes the framework for the identification, documentation, research, conservation, transmission, promotion, revitalization and enhancement of the intangible cultural heritage of the Republic of Moldova.
9. Cinematography Law, no. 116 of 03.07.2014-regulates the way of carrying out activities in the field of cinematography (creation, production, financing, distribution and exploitation of films), supporting the development of the cinematographic industry, as well as the administration *the*

heritage of national cinema, one of the essential objectives of the law being the protection, development and enhancement of *national cinema*.

The fundamental institution from which the definition of the notion of patrimony starts is that of the civil legal relationship, the latter comprising three constitutive elements: the parties, the content and the object. The parties or subjects of the civil legal relationship are those legal persons capable of having civil rights and obligations, namely natural persons and legal persons.

The content of the civil legal relationship consists of the rights of the active subject and the obligations of the passive subject. All these rights and obligations can be looked at and researched one by one, but they can be researched in relation to a specific natural or legal person to whom they belong and in their totality. The object of civil law is the patrimonial and non-patrimonial relationships established between natural and legal persons in a situation of legal equality.

Heritage includes only rights and obligations with economic content, i.e. what can be valued in money. Thus, rights and obligations that do not have an economic content and cannot be evaluated in money, such as public or political rights and obligations, non-patrimonial personal rights and state actions, will not be part of the patrimony.

Since the content of the patrimony includes both rights and obligations, it means that it consists of assets and liabilities; rights representing the asset and obligations the liability. Between the two components of the patrimony there must not be an equivalence ratio, the patrimony also exists when the liability exceeds the asset and vice versa.

Conclusion

Appearing as a legal universality and consisting of rights and obligations that make up the content of the legal relationship, patrimony is closely related to the subjects of the civil relationship, natural and legal persons. This connection is so organic that "a person without patrimony neither exists nor can be conceived." Thus, we can conclude that "*Heritage represents the totality of patrimonial rights and obligations (which can be valued in money), viewed as a sum of assets and liabilities linked together, belonging to natural and legal persons*".

The term "property" is defined under two aspects: economic and legal. From an economic point of view, by patrimony we mean all the goods that constitute a person's wealth, and from a legal point of view, by patrimony we mean all the rights and obligations that have economic value, that is, which are valued separately in money, which belong to a specific natural or legal person.

We believe that the following ideas can be derived from the definition:

- patrimony is first an asset, the rights having the same owner, and the united assets – the same owner;
- the rights that make it up are patrimonial, evaluable from a value point of view. From which it follows that those who do not have such an expression will by their nature remain outside the heritage. This is the case of non-patrimonial rights; not only the public or political rights of the individual, but also private ones, such as those related to parental authority, the right to honor, etc., i.e. those related to personality, are not included in the notion of patrimony;
- patrimony is distinct from the assets that compose it at a given time. It exists regardless of the changes and modifications that occur with the rights and obligations that make up its contents.

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**INFORMATION SECURITY OF THE STATE AS ONE OF
THE MAIN COMPONENTS OF STATE SECURITY****Tatiana ANDREEVA**<https://orcid.org/0000-0003-1822-868X>*Free International University of Moldova (ULIM), Chisinau***Abstract**

The problem of the existence of any state lies in the possibility of ensuring state security by public authorities. A state that is unable to ensure its state security for one reason or another is not viable, and, sooner or later, ceases to exist. Ensuring state security is one of the most urgent tasks facing public authorities. And the understanding by the authorities of the importance of this issue is the basis for further steps in this area.

State security is the state of protection of the state from internal and external threats, in which sovereignty, independence, state and territorial integrity, sustainable socio-economic development of the state are ensured. State security includes the defense of the country and all types of security provided for by the legislation of the state, primarily state, public, information, environmental, economic, transport, energy security, personal security. One of the components of state security is information security. The urgency of ensuring this type of security, based on the development of communications, and primarily the global Internet, is very relevant.

The issue of information security is also relevant in terms of storing information on electronic media. One of the tasks of information security of the state is to provide protective measures for the impact by changing or destroying critical databases used in their life.

Keywords: state security, information security, mass media, information, state information policy.

The concept of information security in one form or another has become relevant from the moment when the very concept of the state arose. The timeliness of delivering information, protecting it from distortion, countering and using information by other states in their own interests have been relevant for a very long time.

In the modern world, ownership and management of information is often a decisive factor in the life of the state. And taking into account the explosive nature of the development, in recent times, of information technologies, communications, information storage, accessibility to information, and the relevance of state information security has increased sharply.

The definition of information security is quite comprehensive. One of them is the definition given in Wikipedia (<https://ru.wikipedia.org>): "Information security (English Information Security, as well as English InfoSec) is the practice of preventing unauthorized access, use, disclosure, distortion, change, research, recording or destruction of information." This universal concept applies regardless of the form that the data can take (electronic or, for example, physical). The main task of information security is to protect the confidentiality, integrity and availability of data in a balanced manner, taking into account the expediency of use and without any damage to the productivity of the organization. This is achieved mainly through a multi-stage risk management process that identifies property, plant and equipment and intangible assets, threat sources, vulnerabilities, potential impact and risk management opportunities. This process is accompanied by an assessment of the effectiveness of the risk management plan.

1. Information security can be divided into two areas: Information security in the field of ensuring the interaction of public authorities, storage and modification of critical databases, regardless of the information carrier, ensuring the functioning of the state, protection of means of communication and systems ensuring their functioning.

2. Ensuring information security within the framework of the state's information policy, bringing reliable and up-to-date information both within the state to citizens and abroad in the interests of the state. This direction provides for work with the media, touches on such concepts as the formation of the information space, as well as the concepts of propaganda and counter-propaganda (Bespalova 65).

In the first direction, information security is based on information protection activities - ensuring its confidentiality, availability and integrity, as well as preventing any compromise in a critical situation. Such situations include natural, man-made and social disasters, computer failures, physical abduction and similar phenomena. While the paperwork of most organizations in the world is still based on paper documents that require appropriate information security measures, there has been a steady increase in the number of initiatives to introduce digital technologies in the state, which entails the involvement of information technology (IT)

security specialists to protect information. These specialists ensure the information security of the technology (in most cases, some type of computer systems). In this context, a computer means not only a household personal computer, but also digital devices of any complexity and purpose, ranging from primitive and isolated, such as electronic calculators and household appliances, to industrial control systems and supercomputers connected by computer networks. The issue of information security in the field of information technology is rather a matter of technical support for this process and affects, first of all, the issue of security of computer networks, means of communication, and differentiation of access to databases.

The solution to this issue lies in the plane of increasing the level of professionalism of specialists who ensure the solution of these issues. Accordingly, the state should be interested in stimulating the improvement of this level, that is, creating conditions for obtaining quality education in this area, as well as material incentives for specialists who perform these tasks in the interests of the state, since competition in the field of the flow of high-level specialists to the private sector is very high.

In the second direction, within the framework of general state security and information security as one of its components, is the issue of forming an information space that works in the interests of the state. A feature of modern society is the fact that a citizen is constantly under the influence of information flows, news, cognitive, entertainment, etc. (Dushkina 125). "Who owns information owns the world." The author of this statement is Nathan Rothschild, the founder of the English branch of the Rothschild banking dynasty. And an example of the ownership and management of information is the mention of how the sons of the first Baron Rothschild made a fortune on information about Napoleon's defeat at Waterloo in 1814. The ability to form, manage and convey information to the object of influence, as well as the ability to effectively counteract information that contradicts the interests of the state, is a factor in the effectiveness of the state in the field of information policy (Lisichkin 84).

To solve the above-mentioned issues, the state must form a controlled information space, primarily to notify its citizens within the framework of the life of the state, to popularize decisions and steps within the framework of the functioning of state authorities and the state as a whole, as well as the possibility of countering unfriendly steps by interested persons and unfriendly states in distorting information.

The information space should be formed both in the global Internet and locally within the state. And here the question arises of the perception of information by a particular citizen.

The means of perceiving information is, first of all, the language in which a person is ready to fully perceive the information received, reading or listening to the content. It may be objected that there is also a possibility of transmitting information through visualization and images. But in any case, for completeness of perception, explanations and clarifications are needed given in the language of communication. That is, one of the factors that must be taken into account to achieve the goal of information impact is the language in which the information is issued. This means that within the framework of the information policy of the state, the national, linguistic and even mental factor of the citizens of the state should be taken into account. And this is very relevant in a multinational state.

Another factor affecting the issue of effective formation of the information space is the issue of delivering information to the end consumer (Kurnosov 48). In recent years, the accelerated development of high-speed Internet access through the expansion of both wired and wireless computer networks, the provision of access to various kinds of services, including news, within the framework of the functioning of these computer networks, partially solves the issue of access to information space, but at the same time complicates the issue of forming an information space within the interests of a particular state. There is fierce competition within the framework of the citizen's interest in getting acquainted with this or that content (Pocheptsov 36). And in connection with this phenomenon, the delivery of multimedia content by means of terrestrial television and radio broadcasting cannot be discounted in any way. Moreover, the development of digital technologies in the delivery of television and radio content through the air makes it possible to use the radio frequency spectrum more rationally by densification (Panarin 47). For example, DVB-T2 technology makes it possible to transmit sixteen TV programs in the same band of the frequency spectrum where one television program used to be broadcast.

An example of the effective formation of its own information TV space is the example of Ukraine. It is no secret that quite recently, literally 15 years ago, Ukraine, like all former republics of the Soviet Union, was in the information space of Russia, which gave Moscow, through information influence, the opportunity to pursue the necessary policy, influencing, among other things, the processes taking place within the state. An effective solution and, most importantly, was found in the shortest possible time. A state program in the field of information policy was adopted (i.e., within the framework of the state's information security). In fact, all licenses for the transmission of TV signals in analog format were canceled. DVB-T2 was introduced as a mandatory broadcasting standard. The state guaranteed free access to 32 TV programs in digital format. The

purchase of DVB-T2 set-top boxes for television receivers was stimulated by direct and indirect subsidies. Propaganda shows aimed at destabilizing the situation within the state were removed from the cable and terrestrial television broadcasting network. In order to increase interest in television channels, the quality of national television content was raised as part of the formation of its own information space. And these measures together have yielded results.

Let's return to the importance of language in the formation of the information space of the state, and hence information security. One of the factors affecting the information security of the state is the issue of the language used in the information space. This issue is very relevant if the state is not mono-national in terms of ethnic and national composition. In the case when a significant part of citizens uses in their communication another or other languages other than the state language, provided that the state authorities do not sufficiently take this factor into account when forming the information space, it leads to the possibility of manipulation of this part of the population, forces interested in destabilizing the situation within the state. That is, in this case, part of the population of the state moves to another information space on the basis of language. And in this case, there is a real possibility, when setting the task of destabilizing the situation within the state, to manipulate these citizens in the interests of other states.

To ensure the information security of the state, such concepts as propaganda and counter-propaganda should not be neglected. An effective method of undermining stability in the state, and therefore undermining its security as a whole, is propaganda in the current sense of the word. One of the earliest examples of propaganda can be considered the preamble to the Code of Hammurabi, which states that these laws were created for the purpose of establishing justice in the country and to protect the weak against the strong.

Wikipedia provides a definition of propaganda: "Propaganda (Latin *propaganda*, literally "subject to dissemination", from Latin *propago* - "I spread") is the dissemination of views, facts, arguments, often rumors, distorted information or knowingly false information, in order to form the necessary public opinion and manipulate public consciousness." The term "propaganda" itself comes from the name of the Catholic organization *Congregatio de Propaganda Fide* (Congregation for the Propagation of the Faith), created by Pope Gregory XV in 1622. Will Irwin wrote in 1936: "Until 1914, the word 'propaganda' was found only in literary dictionaries, and had a dignified, sublime meaning. Before the World War, 'propaganda' meant only the means by which the adherent of a political or religious faith persuaded the unconverted to accept it. Two years later, this word came into use among ordinary peasants and ditch diggers and began to emit poisonous fumes. In the end, this word began to cover up outright lies" (Orlov 57).

Generally speaking, propaganda theories were also the first theories in which attention was focused on the media, their content, influence, etc.: researchers sought to explain how the mass media with the help of this or that information can have an impact on people, as a result of which they will assimilate certain points of view [(ibid.: 57). At that time, the dominant theory was a simplified theory of mass communication of the "stimulus-response" type, according to which the media can deliver to each person a certain kind of stimuli that will be equally perceived by all addressees and cause similar or coinciding reactions in them. Accordingly, the first theories of propaganda were based on the ideas of behaviorism and Freudianism; At their junction, rather pessimistic views arose, within the framework of which a high degree of vulnerability of a person to external psychological influence and the inability of an individual to rational self-control were assumed.

Propaganda was conventionally divided into two types:

- positive (constructive) propaganda seeks to convey certain beliefs to the consumer in an understandable form. The purpose of positive propaganda is to promote social harmony, harmony, and education of people in accordance with generally accepted values. Positive propaganda performs educational and informational functions in society. It is carried out in the interests of those to whom it is addressed, and not of a limited circle of interested persons. Nevertheless, due to the fact that "generally accepted values" are already generally accepted even without propaganda, the true goals of "constructive" propaganda often differ from those declared by propagandists;

- Negative (destructive) propaganda imposes certain beliefs on people according to the principle "the end justifies the means". The purpose of negative propaganda is to incite social enmity, escalate social conflicts, exacerbate contradictions in society, awaken base instincts in people, and so on. This makes it possible to divide people, to make them obedient to the will of the propagandist. The technology of creating the "image of the enemy" makes it possible to rally the crowd around the propagandist, to impose on the crowd beliefs and stereotypes that are beneficial to him. The main function of negative propaganda is to create an illusory, parallel reality with an "inverted" system of values, beliefs, and views. Negative propaganda actively uses the low criticism and suggestibility of the masses in order to manipulate these masses in the interests of a narrow group of people and even individual states.

Let us consider in more detail propaganda in its negative meaning. Today, propaganda has two directions of influence. The first is the information zombification of their own citizens and propaganda aimed at external influence. Joseph Goebbels, a functionary of Nazi Germany, who was responsible for the information policy of this state, clearly characterized the impact of propaganda on the minds of most citizens: "The more monstrous the lie, the more readily it is believed." This principle is still relevant today, and is widely used in totalitarian and authoritarian states to ensure the existence of such regimes and their achievement of their goals outside the states. Given that in the current global world it is impossible to close all sources of propaganda aimed at undermining the statehood of a particular state, the question of the relevance of counter-propaganda arises.

From the current definition of propaganda, in its negative aspect, counter-propaganda, accordingly, is defined as: "Counter-propaganda (from the Latin Contra – against, from the Latin propaganda literally – "subject to dissemination") is a set of measures aimed at combating the ideological propaganda of the enemy."

There are three areas of work in the field of counter-propaganda:

1. Severe restriction of access to sources of information with propaganda content aimed at undermining the security of the state, as well as with alternative analysis of certain events. A striking example of such a policy in the field of counter-propaganda is China's policy in the field of information security. Access to information flows in the field of politics and events in the world is strictly regulated by the state authorities of this state. For example, in China, through local providers of access to the global Internet, you will not be able to access some social networks such as Facebook or YouTube. At the same time, attempts to circumvent the blocking by the telecom operator to content on these sites are severely punished by law. China, realizing that the demand for such a service must be met by supply, has created its own analogues of these networks. And such a phenomenon as Tik-Tok, it turns out, is the development of the Chinese entrepreneur Zhang Yiming not only as an alternative to such services, but also as a new phenomenon in this area.

2. The second direction is, provided that there is relatively free access to sources with propaganda content, the implementation of a policy to expose the lies and half-truths that are present in this content. The main task under this principle of counter-propaganda is to reveal the goals and objectives of those forces that use propaganda to undermine the state, the object of propaganda. Also, in order to achieve the task of countering propaganda, it is important to use the so-called principle of aikido, that is, the use of the opponent's energy against himself. The process of perceiving information for most citizens takes place in such a way that the consistency and structuring (orderliness) of information content is perceived much more effectively than a chaotic flow. And this means that when setting the task of achieving the goals of perceiving the information given, it is necessary to take this factor into account, especially when conducting counter-propaganda. The process of concretization and structuring of the goals and objectives of the party, the sources of propaganda, the analysis and articulation of these goals and objectives, neutralizes the expected effect of propaganda. And the disclosure of falsehood and distortion of the information given out within the framework of propaganda leads to a loss of trust in the source of this propaganda. It is the loss of trust in the source of information that is the end result of counter-propaganda. Reducing the audience of the impact of propaganda is the most effective method of combating propaganda. You can invest millions of dollars in propaganda, but if it is neglected, then, accordingly, the effect will be minimal (Pocheptsov 42).

3. And the third direction is a combination of the first and the second, if they are used wisely. The effectiveness of counter-propaganda is based on the complete collection and analysis of the propaganda that needs to be countered. To do this, you need to answer the following questions:

1. Who is the target audience?
2. What results do propagandists want to achieve?
3. What results have they already achieved? Which of these reports indicate the capabilities, weaknesses, and intentions of the enemy?
4. What intentional or unintentional inaccuracies, inconsistencies, and deceptions are present in the messages we may use?
5. What counterarguments can be put forward, to whom and how?

State security is directly related to the state's ability to protect itself in all aspects of state security. One of the main such aspects is the information security of the state. Neglect or insufficient attention to this issue can lead to an effect when, despite the actions of public authorities in the interests of the state and its citizens, this work can be leveled and even discredited by the tools of negative information

The concept of hybrid warfare has entered our lives. Hybrid warfare is a type of hostile action in which the attacking party does not resort to a classic military invasion, but suppresses its opponent using a combination of covert operations, sabotage, cyber warfare, as well as providing support to rebels operating in enemy territory. At the same time, military operations may not be conducted at all, and from a formal point of

view, a hybrid war can take place at a time, and one of the tools for waging a hybrid war is to undermine the information security of the state, including through the use of propaganda.

That is why the state should pay the most serious attention to information security issues. The relevance of this task with the development of computer and information technologies in general will increase every year.

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INVESTMENT MANAGEMENT IN THE CULTIVATION OF MINT FOR THE PRODUCTION OF DRIED PLANTS FOR MEDICINE

Igor BALAN

<https://orcid.org/0000-0001-8605-5640>

Free International University of Moldova (ULIM), Chisinau

Andrei ZBANCĂ

<https://orcid.org/0000-0003-4441-4662>

Free International University of Moldova (ULIM), Chisinau

Vasile URĂȚU

<https://orcid.org/0009-0004-3162-0621>

Free International University of Moldova (ULIM), Chisinau

Abstract

The purpose of the article is to analyze investment management through the development of the income and expenditure budget in the mint culture. In this sense, the authors developed the budget for the establishment of the mint plantation until fruiting and on the fruit, which serve as an important source of information for the interested parties in the development of the aromatic and medicinal plants sector and can use the information to receive correct decisions based on economic calculations. Conventional mint cultivation in Moldova offers high economic efficiency, with significant profitability. It provides farmers with a substantial commercial margin for dried plants, contributing to income diversification in rural areas. Mint is used in various industries, including pharmaceuticals, food, and cosmetics, with menthol and carvone as key components of its essential oil. Yields of fresh herb are substantial, and drying can be done naturally or artificially. Mint cultivation is largely mechanized, low-cost, and suitable for small and medium-sized farms. The sector holds untapped economic, social, and ecological potential, with organic farming offering higher market prices. Based on the research and analysis carried out, strategic conclusions were formulated for the sustainable development of the mint branch necessary for the implementation by the actors of the value chains in the sector.

Keywords: budget, profitability, sales revenue, cost of sales, gross profit, mint, medicinal plant.

The aromatic and medicinal plants sector is a component of horticulture in the Republic of Moldova and represents a promising sector because it is profitable, its products are in demand on regional and international markets, production factors are favorable, it benefits from support from authorities and donors, and the recorded experience/history facilitates its sustainable development.

The purpose of this article is to conduct sectoral research on the mint branch, and the results of the analyses will inform individuals interested in the sustainable development of mint cultivation. Moreover, these findings will encourage their association/cooperation and integration into value chains through the development of advantageous partnerships.

Mint is the common name for dozens of species in the genus of the same name, with the most commonly cultivated and used being *Mentha piperita* (peppermint), *Mentha spicata* (spearmint), and *Mentha crispa* (curly mint).

Their leaves or the entire plant are used as raw material containing volatile oil (0.5-6% of dry matter), widely used in the pharmaceutical, food, and cosmetic industries, as well as in medicine.

In medicine, mint is used in the following ways: Treating bile disorders (cholagogue and choleric) and gastritis; Spasmodic, antiseptic, and bactericidal effects; Improves brain function and stimulates the central nervous system; Prevents nausea and vomiting; Boosts immunity; Beneficial for allergies; Aids in hair regeneration; Induces drowsiness; Supports oral health; Reduces menstrual pain.

General characteristics and specific aspects of plantation establishment

Mint is one of the oldest known medicinal and aromatic plants. It is a herbaceous, perennial plant with a highly branched aerial part. The plant is notable for not producing fruit and reproducing exclusively vegetatively, through stolons. At the nodes of the stolons, small leaves, adventitious roots, and new aerial shoots form. The stolons branch and grow horizontally, leading to the self-expansion of the bush. Stolons form each year, starting from the flowering period, and ensure the regeneration of the plant's aerial part in the following year.

The stems are erect, and the leaves are large, opposite, short-petioled, oval-lanceolate, with strongly serrated edges, pointed tips, and dark green color. The flowers are grouped in spike-like cymes, located at the tips of the branches, and the corolla is pinkish-violet, blooming from June to September. Oil glands are present on all aerial organs, with a lower density on the dorsal side of the leaves.

Selection of planting material and planting method

Mint is propagated through stolons or by rooting stem cuttings that originate from the nodes of the stolons. The propagation material should come from eco-friendly mint cultures that are being retired. The harvesting of stolons for establishing a new crop must be done according to the planting schedule. Due to their shallow rooting, stolons can be dug up with a fork on small surfaces or, on larger areas, using equipment such as a moldboardless plow, a dislocating blade, or a potato digger. From special plots, 6-8 tons of stolons per hectare can be obtained, and the amount of stolons collected from one hectare can be used as propagation material for up to 6 hectares. If stolons need to be stored over winter, this can be done in specially arranged silos equipped with ventilation systems, and the stolons should be watered regularly to prevent dehydration. Planting is recommended in the fall, as this allows for better rooting and proper plant density in the field. This way, the shoots begin growing earlier in spring, develop faster, and result in better and higher-quality yields. Before planting, vigorous, turgid stolons should be selected, trimmed with pruning shears to a length of 12-15 cm, and any browned sections should be removed. Planting the stolons can be done manually or semi-mechanized using a planting machine. Manual planting requires a large labor force. The recommended distance between rows is 70 cm. Furrows should be opened in time with planting to avoid water evaporation from the soil. Stolons are placed a few centimeters deep in the furrow and immediately covered with soil, either manually with a hoe or by passing a ridger between the rows, followed by light rolling or harrowing to prevent the soil from drying out. The planting rate is 1400 kg/ha of stolons. For semi-mechanized planting, far fewer workers are needed to establish one hectare of the crop.

For farmers, it is important to select mint varieties that ensure competitive yields, with high-quality and high-performance seed material. In the case of competitive mint varieties, the essential oil is of high quality, and the investments in one hectare of planted mint are recovered much faster.

The table below estimates the investments required for planting one hectare of mint using conventional methods and maintaining it during the first two years of growth.

Table 1. Budget for investments in planting and maintaining mint until it starts producing yields in a conventional system

Specification	UM	Amount /ha	Unit price, lei	Total - 1 year	Total - 2 year	Total (until the entrance to the orchard)	
						lei	Structure, %
I. The cost of the means of production	lei	X	X	37.857	12.847	50.704	40,1%
Planting material (scheme 1.6x0.5m)	unit	71.429	0,40	28.571		28.571	22,6%
Planting material filling the gaps (5% bushes)	unit	3.571	0,40		1.429	1.429	1,1%
Organic fertilizers for planting	t		400,00	0		0	0,0%
Total mineral fertilizers:				3.200	591	3.791	3,0%
Diamofos NPK 10:26:26	kg	200	16,00	3.200		3.200	2,5%
Microelement - Poly-Feed 19:19:19 + 6 ME	kg	9	65,70		591	591	0,5%
Chemical substances	lei			2.243	6.984	9.227	7,3%
Herbicides - glyphosate, 540 g/l, salt	l	10,00	224,25	2.243		2.243	1,8%
Herbicides – metamitron	l	1,50	819,00		1.229	1.229	1,0%
Herbicides – chlorpyralid	l	1,50	1.854,72			0	0,0%
Herbicides - quizalofop-p-ethyl	l	1,50	390,00		585	585	0,5%
Insecticide - lambda cyhalothrin	l	0,60	804,78			0	0,0%
Insecticide – acetamiprid	l	1,20	2.311,14		2.773	2.773	2,2%
Fungicides - tribasic copper sulfate	kg	5,00	304,20		1.521	1.521	1,2%
Fungicides – sulfur	kg	3,00	83,52		251	251	0,2%
Fungicides – pyrimethanil	kg	1,00	625,95		626	626	0,5%
Water (when planting and caring for the plantation)	m ³	114	3,00	343	343	686	0,5%

Water (for field irrigation)	m ³	1.000,00	3,00	3.000	3.000	6.000	4,7%
Fuel (field travel)	l	20,00	25,00	500	500	1.000	0,8%
II. Mechanized services	lei	X	X	11.955	2.946	14.901	11,8%
Deforestation and weed challenge	ha	1,0	283,0	283		283	0,2%
Semi-deep plow (35-40 cm)	ha	1,0	1.233,8	1.234		1.234	1,0%
Leveling the clearing plow (2 directions)	ha	2,0	273,5	547		547	0,4%
Transport services (sprinkled water - 2 times)	t/km	4,0	5,9	23		23	0,0%
Introduction of herbicides (2 times)	ha	2,0	177,3	355		355	0,3%
Total cultivation - 2 times	ha	2,0	337,8	676		676	0,5%
Transporting planting material	km	200,0	5,9	1.173		1.173	0,9%
Transporting water to planting and irrigation	t x km	1142,9	5,9	6.702		6.702	5,3%
Fertilizer transportation services	t/km	5,0	5,9	29		29	0,0%
Fertilization by spreading	ha	1,0	214,8	215		215	0,2%
Digging strips for planting	ha	1,0	358,4	358		358	0,3%
Mechanized cultivation between rows - 3 times	ha	3,00	236,04		708	708	0,6%
Transport services (sprinkled water)	ha	6,0	5,9	23	35	59	0,0%
Spraying the fields	ha	3,0	168,3	337	505	842	0,7%
III. Manual operations	lei	X	X	33.055	16.190	49.246	39,0%
Staking out the area for planting	om x day	6,0	400,0	2.400		2.400	1,9%
Mulching with soil	om x day	5,0	400,0	2.000		2.000	1,6%
Planting bushes	om x day	71,4	400,0	28.571		28.571	22,6%
Filling in the blanks	om x day	23,8	400,0		9.524	9.524	7,5%
Cutting the inflorescences	om x day	6,7	400,0		2.667	2.667	2,1%
Loading and unloading of fertilizers	om x day	0,2	400,0	84		84	0,1%
Weeding between bushes in a row (2 times)	om x day	10,0	400,0		4.000	4.000	3,2%
IV. Land tax	lei		110	0	0	0	0,0%
V. Lease Payment	lei	1	0	0	0	0	0,0%
VI. Contingencies (10%)	lei	X	X	8.287	3.198	11.485	9,1%
TOTAL investments (I+II+III)	lei	X	X	91.153	35.182	126.336	100,0%

The total investment for establishing and maintaining one hectare of mint until it starts producing in a conventional system is 126,336 lei, where the cost of production inputs accounts for the largest share at 40.1%, and manual labor operations account for 39% (Zbancă, 2022: 15).

Specific aspects of care and maintenance of the plantation

Mint has a high ecological adaptability and is widespread on all continents. Plant vegetation starts early in spring, at temperatures of 3-5°C, and mint stolons can withstand temperatures as low as -20°C. The optimal summer temperature is 18-22°C. Mint is highly dependent on soil moisture, with water being a limiting factor for production. Throughout the growing season, the plant consumes about 6000 m³ of water. Mint is also sensitive to light, which promotes the accumulation of volatile oil in the plant. It thrives in loose, permeable soils that are well-supplied with nutrients. It is recommended to cultivate it on alluvial and peaty soils with a medium to light texture and shallow groundwater. However, it can be grown on any type of soil under irrigation conditions. It is advised to cultivate mint as an annual plant and include it in crop rotation (Balan 58). If mint is kept on the same land for several years, the density of the stems increases excessively at the expense of leaf and volatile oil production, the soil becomes compacted, weeds proliferate, and pests and diseases multiply. Additionally, in subsequent years, shorter stolon's form in smaller quantities, which cannot be effectively utilized. Mint can also be maintained for two years on the same land. In this case, it is recommended that in the second year, at the beginning of the growing season, the plantation is worked with a cultivator to loosen the soil and control weeds. The best predecessors for mint are legumes for grain, vetch, and cereal grains. It is not recommended to grow mint after alfalfa, clover, or perennial grasses that produce shoots, as they require additional maintenance work. Mint responds well to organic fertilizers because its root system is not very well developed, and the plant grows quickly. The use of well-fermented manure, applied as

uniformly as possible, is recommended. This improves soil fertility, promotes vegetative growth, and increases volatile oil content. Between 25-40 tons/ha of manure can be applied in the fall before plowing, ahead of establishing the plantation. Manure or compost can also be used, applied in furrows at the time of planting the stolons. After early harvested crops like cereal grains or legumes for grain, stubble cultivation should be carried out, followed by deep plowing at 25-30 cm with a plow attached to a harrow. Repeated harrowing throughout the fall helps conserve moisture and destroy weeds. After late predecessors, stubble cultivation should be done, followed by deep plowing, and before planting the stolon's, the soil should be maintained by passing over with a disc harrow to break up clods and eliminate weeds.

For planting, the soil must be very finely tilled and leveled using a disc harrow combined with an adjustable harrow and a leveling bar. If, for some reason, planting was not done in the fall, then soil preparation should be carried out very early in the spring, when weather conditions allow, with 1-2 passes of a disc harrow combined with a tine harrow. After fall planting, no additional work is necessary. In the spring, cultivation between rows and weeding within rows will be carried out to control weeds. In certain situations, it is recommended to harrow perpendicular to the row direction using an adjustable-tine harrow, ensuring the tines are pointing backward to avoid pulling the stolons out of the soil. Cultivation should be performed until the plants reach the branching stage; later, field hygiene will be maintained through repeated weeding operations.

Protection operations: Disease and pest control in an organic system

Disease control (rust, anthracnose) is achieved through preventive measures, including: planting healthy stolons in the fall, thoroughly cleaned of plant debris; rational fertilization with organic fertilizers; eliminating wild mint, especially in areas where water may stagnate and the soil remains wet; and rotating mint cultivation on the same land every 5-6 years. The most common pests in mint crops are mint spider mites, aphids, and mint fleas, which do not cause significant damage and can be controlled through the same preventive methods used for diseases.

Irrigation requirements

In conditions of water shortage, irrigation is necessary. After each harvest, mint must be irrigated. The best irrigation methods are furrow irrigation and drip irrigation. Sprinkler irrigation is not recommended, as it increases the risk of rust attacks, which can compromise the harvest.

The revenue and expense budget for cultivating one hectare of industrial mint in a conventional system is presented in the following table 2.

Table 2. Budget for cultivating industrial mint in a conventional system

Specificare	UM	Recommended technology at 1 ha			
		Quantity / rate per hectare	Unit price, lei	Amount, lei	Consumption structure, %
I. Net sales	lei		X	273.000,0	X
Dried plants	kg	4.200,0	65,00	273.000,0	X
II. The cost of the means of production	lei	X	X	12.635,2	8,85
Mineral fertilizers:				4.191,3	2,94
Diamofos NPK 10:26:26	kg	200,00	18,00	3.600,0	2,52
Microelement - Poly-Feed 19:19:19 + 6 ME	kg	9,00	65,70	591,3	0,41
Chemicals:				4.693,9	3,29
Herbicides – metamitron	L	1,50	819,00	1.228,5	0,86
Herbicides - quizalofop-p-ethyl	kg	1,50	390,00	585,0	0,41
Insecticide - lambda cyhalothrin	L	0,60	804,78	482,9	0,34
Fungicides - tribasic copper sulfate	L	5,00	304,20	1.521,0	1,07
Fungicides – sulfur	kg	3,00	83,52	250,6	0,18
Fungicides – pyrimethanil	kg	1,00	625,95	626,0	0,44
Water (for field irrigation)	m ³	1.000,00	3,00	3.000,0	2,10
Fuel (field travel)	L	30,00	25,00	750,0	0,53
III. The cost of mechanized services	lei	X	X	56.619,1	39,67
Irrigation services	ha	1.000,00	1,70	1.698,1	1,19
Transporting water to sprinkle the fields	ha	10,0	5,9	58,6	0,04
Spraying the fields	ha	4,0	168,34	673,4	0,47
Cultivation between the rows	ha	3,0	236,04	708,1	0,50
Mechanized harvesting of plants	ha	1,0	881,84	881,8	0,62
Harvest transportation	t x km	375,0	5,86	2.199,1	1,54
Processing services – drying	lei/kg	4.200,0	12	50.400,0	35,31
IV. Cost of manual operations	lei	X	X	18.283,6	12,81

Weeding between the rows (2 times)	om x zi	8,00	400,00	3.200,0	2,24
Harvest support	om x zi	21,00	400,00	8.400,0	5,89
Loading and unloading the crop	om x zi	6,00	400,00	2.400,0	1,68
Sorting - production packaging	om x zi	10,50	400,00	4.200,0	2,94
Loading and unloading of fertilizers	om x zi	0,21	400,00	83,6	0,06
V. Other Costs and Fees	lei	X	X	42.205,4	29,57
Plantation Wear (not apportioned to stream)	lei	X	X	42.111,9	29,51
Land tax	lei	1,00	93,50	93,5	0,07
VI. Contingency expenses ((II+III+IV+V)*10%)	lei	X	X	12.974,3	9,09
VII. Variable + fixed consumptions (II+III+IV+V+VI)	lei	X	X	142.717,7	100,00
VIII: Gross margin (gross profit) (I-VII)	lei	X	X	130.282,3	X
IX: Gross margin percentage (VIII / VII*100%)	%	X	X	91,3	X

Note. The proposed budget is a model for entrepreneurs and may vary depending on production factors and the specific conditions of the beneficiary. In the "Other Costs and Taxes" (V) category, the costs include the annual depreciation of the plantation, amounting to 42,111.9 lei. Depreciation is calculated from a financial perspective to recover the investments made, based on their operational lifespan, and its value remains under the entrepreneur's management for the following year (Zbancă, 2022: 22).

Examining the data from the table, we conclude that mint cultivation is profitable in a conventional system, as it allows for an annual gross profit of 130,282.3 lei per hectare (total revenue from sales – 273,000 lei, and cost of sales – 142,717.7 lei).

Table 3. Cash flow for cultivating industrial mint in a conventional system

Specification	1 Total - area, lei	Cash flow by months of the year, lei											
		January	February	March	April	May	June	July	August	September	October	November	December
Initial cash flow	X	0	0	0	-92	-9.313	-14.471	-52.219	-92.468	-94.140	42.269	178.677	178.585
I. Net sales	273.000	0	0	0	0	0	0	0	0	136.500	136.500	0	0
Dried plants	273.000									136.500	136.500		
II. The cost of the means of production	12.635	0	0	83	7.698	2.157	1.280	1.083	83	83	83	83	0
Mineral fertilizers:	4.191	0	0	0	3.797	197	197	0	0	0	0	0	0
Diamofos NPK 10:26:26	3.600				3.600								
Microelement - Poly-Feed 19:19:19 + 6 ME	591				197	197	197						
Chemicals:	4.694	0	0	0	3.817	877	0	0	0	0	0	0	0
Herbicides - metamitron	1.229				1.229								
Herbicides - quizalofop-p-ethyl	585				585								
Insecticide - lambda cyhalothrin	483				483								
Fungicides - tribasic copper sulfate	1.521				1.521								
Fungicides - sulfur	251					251							
Fungicides - pyrimethanil	626					626							
Water (for field irrigation)	3.000					1.000	1.000	1.000					
Fuel (field travel)	750			83	83	83	83	83	83	83	83	83	
III. The cost of mechanized services	56.619	0	0	0	602	932	27.543	27.306	236	0	0	0	0
Irrigation services	1.698					566	566	566					
Transporting water to sprinkle the fields	59				29	29							
Spraying the fields	673				337	337							
Cultivation between the rows	708				236		236		236				
Mechanized harvesting of plants	882						441	441					
Harvest transportation	2.199						1.100	1.100					
Processing services - drying	50.400						25.200	25.200					
IV. Cost of manual operations	18.284	0	0	0	84	1.600	5.400	8.200	1.200	0	0	0	0
Weeding between the rows (2 times)	3.200					1.600		1.600					
Harvest support	8.400						4.200	4.200					
Loading and unloading the crop	2.400						1.200	1.200					
Sorting - production packaging	4.200							1.200	1.200				
Loading and unloading of fertilizers	84				84								
V. Other Costs and Fees	42.205	0	0	0	0	0	94	0	0	0	0	0	0
Plantation Wear (not apportioned to stream)	42.112												
Land tax	94						94						

VI. Contingency expenses ((II+III+IV+V)*10%)	12.974	0	0	8	838	469	3.432	3.659	152	8	8	8	0
VII. Variable + fixed consumptions (II+III+IV+V+VI)	142.718	0	0	92	9.222	5.158	37.748	40.249	1.671	92	92	92	0
VIII: Gross margin (gross profit) (I-VII)	130.282												
IX: Gross margin percentage (VIII / VII*100%)	91												
Final cash flow	X	0	0	-92	-9.313	-14.471	-52.219	-92.468	-94.140	42.269	178.677	178.585	178.585

Note: Depreciation is not included in the cash flow, as the allocated funds remain within the company and are accounted for financial purposes (profitability calculation).

The available cash flow at the end of the year for producing industrial mint in a conventional system will amount to 178,585 Lei, which is sufficient to meet the cash needs for the following year and to provide dividends to the founders.

Harvesting and post-harvest operations

If the raw material is intended for essential oil extraction, harvesting should be done when 50% of the inflorescences are open. If the raw material is intended to be used in teas, as dried material, harvesting should occur when 30-40% of the plants are in bloom. Harvesting of the aerial vegetative mass is carried out by mowing with a mechanical mower. It is recommended to harvest at the pace of distillation to avoid losses of essential oil. Mechanical mowers or windrowers can be used for cutting, which leave the cut vegetation in rows, from where it can be loaded into transport vehicles using a forage loader. Leaf harvesting can begin when the leaves are 5-6 cm in length, and it is done in several stages. Harvesting leaf by leaf ensures the highest quality plant material.

Harvesting should not be done too early, during the budding phase, as the essential oil content is lower and of poorer quality. Harvesting can also be done by stripping the leaves by hand along the stems, but this partially damages the plant material, leading to crushing and loss of essential oil. Harvesting should take place in the middle of the day, between 10 a.m. and 2 p.m., on sunny, warm days without wind, dew, or fog, and the leaves should be dried to maximize their essential oil content.

Profitability is the economic category that reflects the company's ability to generate profit, indicating its performance. Achieving this goal depends on conducting a profitable activity.

The following table presents the main indicators of the economic efficiency of cultivating industrial mint in a conventional system on a unit of land.

Table 4. Analysis of the economic efficiency of cultivating industrial mint in a conventional system

Nr.	The main economic indicators	Calculation formula	UM	Date de calcul (suprafața 1 hectar)
1	The investment budget for the establishment of the plantation	Investment budget	lei	131.335,77
2	Subsidies possible to obtain	Subsidy regulation	lei	10.000,00
3	Sales revenue	Budget per fruit	lei	273.000,00
4	Cost of sales	Budget per fruit	lei	142.717,65
5	Annual gross profit	3 - 4	lei	130.282,35
6	Profitability of revenues (revenues obtained per 1 leu of consumption)	3 / 4 * 100%	%	191,29
7	Economic profitability (profits obtained per 1 leu of consumption)	5 / 4 * 100%	%	91,29
8	Cash flow at the end of the year	Budget per fruit	lei	178.585,46
9	Unit cost	4 / harvest per hectare	lei / kg	33,98
10	Average trading price	3 / harvest per hectare	lei / kg	65,00
11	The gross profit (gross margin) of the production	10 - 9	lei / kg	31,02
12	Investment recovery period (fruitful years)	(1-2) / 5	year	0,93
13	Investment payback period (years from planting)	10 + 2 years vegetation period	year	1,93

Conventional mint cultivation allows farmers to achieve high levels of economic efficiency, with an economic profitability rate of 91.29% for conventional agriculture. The average commercial margin for dried plants is 31.02 Lei/kg, which is beneficial for farmers and supports the diversification of income sources in rural areas.

The industrial cultivation of mint in a conventional system offers a high level of economic efficiency and is advantageous for implementation on farms in rural areas of Moldova (Zbancă, 2023: 887).

Processing and Usage

The raw material can consist of leaves or the whole plant. Mint has a variety of uses in the pharmaceutical, food, and cosmetic industries, and is also included in medicinal teas with digestive, carminative, antiemetic, choleric, or cardiogenic effects. Dried mint leaves contain 0.5-3.5% essential oil, while fresh herbs contain between 0.15 and 0.55% essential oil.

The primary component of the essential oil is menthol for the species *Mentha piperita* (about 75%), while carvone makes up around 40-60% of the fresh herb.

Drying the plant material should be done naturally in the shade (in sheds or attics) for 5-6 days. Leaves and herbs can also be dried artificially at temperatures of up to 35°C. The reception standards specify the following conditions: maximum 14% moisture, no more than 3-5 brown leaves per stem, maximum 1.5% organic foreign matter, 0.5% mineral foreign matter, and at least 1% essential oil content.

Yields can range from 10-20 tons/ha of fresh herb, equivalent to 2.5-3 tons/ha of dried herb or 1-1.3 tons/ha of dried leaves.

Packaging and Storage - after drying, the herb is packed in cloth bags and stored in dry, clean, and well-ventilated spaces, with a maximum storage period of 3 years.

State institutions and donors should focus their efforts on improving the existing framework to stimulate the development of the aromatic and medicinal plant sector, providing much more targeted and determined support for this promising sector, which has untapped economic, social, and ecological potential.

Advantages of Cultivating Medicinal Plants (including mint) in Moldova:

- Dried mint plants are in demand in the pharmaceutical industry and other sectors.
- Farmers can provide high-quality competitive products, directly contributing to consumer protection.
- Business relationships are established between domestic and international producers and processors.
- Mint cultivation is mechanized and doesn't require significant investments.
- Medicinal plant farming is suitable for small and medium-sized farmers, offering important income alternatives.
- Mint can also be grown in organic systems, with dried plant prices being 20-35% higher if certified by international bodies.
- Medicinal plants are highly profitable crops, allowing for more efficient use of production factors such as land and fixed assets.

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TOURIST AND AGROTOURISM PENSIONS IN RURAL TOURISM

Igor BARCARI

<https://orcid.org/0000-0001-5544-2795>

Free International University of Moldova (ULIM), Chisinau

Elena SAVA

<https://orcid.org/0009-0004-9413-1104>

Free International University of Moldova (ULIM), Chisinau

Abstract

Rural tourism is developing in Europe as an essential activity for the revitalization of rural areas and economic stimulation, involving activities related to nature, agriculture and traditional culture. In the Republic of Moldova, rural tourism has gained momentum through projects supported by the EU, such as RURALTOUR, and through the formation of the National Association of Rural, Ecological and Rural Tourism (ANTREC). Various guesthouses in Moldova, such as Hanul lui Hanganu and Eco Resort Butuceni, offer authentic experiences, reflecting the local cultural and natural specifics. Between 2015 and 2024, a significant increase in the number of hostels and accommodation capacity has been observed. Statistics show an increase in the number of tourists, including foreign tourists, contributing to rural economic income. Recent regulations aim to adapt accommodation requirements to rural specifics, promoting sustainable tourist experiences and maintaining local traditions.

Keywords: rural tourism, tourist guesthouses, agrotourism guesthouses, authentic experience, traditional culture, local traditions.

According to the classification of the World Tourism Organization (UNWTO), rural tourism is a type of tourism activity where the visitor's experience is linked to a wide range of products generally associated with nature-based activities, agriculture, rural lifestyle/culture, fishing, and sightseeing. Rural tourism activities take place in non-urban (rural) areas with the following characteristics:

- Low population density;
- Landscapes and land use dominated by agriculture and forestry;
- Traditional social structures and lifestyle (Glossary).

Rural tourism in the European Union is a continuously growing sector, seen as essential for revitalizing rural areas and boosting the local economy. It offers tourists an authentic experience, emphasizing the culture, traditions, and natural landscapes of European regions.

By promoting rural tourism, the European Union aims to reduce economic disparities between rural and urban areas, providing additional income sources for rural communities and reducing population migration to cities. Many member states have implemented programs supporting investment in rural tourism infrastructure, such as upgrading access routes, developing accommodation facilities, and organizing recreational and cultural activities.

Rural development projects are often supported by the European Agricultural Fund for Rural Development (EAFRD), which contributes to the modernization and diversification of economic activities in rural areas. There are also initiatives promoting organic farming and traditional local products, which attract tourists interested in authentic and sustainable experiences.

Rural tourism in Europe also plays an important role in educating tourists about ecological values and encourages biodiversity conservation through environmentally-friendly tourism practices. The European Federation of Rural Tourism (EuroGites) consists of 36 professional and commercial organizations from 28 European countries. It represents the rural accommodation sector, with an estimated total of 400,000 units and approximately 3.6 million accommodation places (Federatia Europeana).

Moldova has been involved in the development of European rural tourism since 1995. Through the EU ECOS OUVERTURE program (Programul ECOS OUVERTURE), the RURALTOUR project was launched, involving central Moldovan districts, the Rioja region of Spain, Lombardy in Italy, and Franche-Comté in France. By Government Decision No. 347 of April 15, 1997, the National Program for implementing the RURALTOUR project was approved, which outlined various organizational, economic, and legal actions (Hotarirea Guvernului). The first tourist service units appeared in Moldovan villages, offering accommodation, relaxation, recreation, and local food.

To support rural tourism development, the National Association of Rural, Ecological, and Cultural Tourism (ANTREC Moldova) was established in 2003. In national statistics and specialized literature, these units are collectively referred to as tourist and agrotourist guesthouses (Asociatia Nationala de Turism Rural).

Some of the most well-known guesthouses for tourists include: Hanul lui Hanganu in Lalova village (Pensiunea Hanul lui Hanganu), Rezina district; Zăvoiul Nistrului Eco Village in Egoreni village (Pensiunea Zăvoiul Nistrului), Soroca district; Sălcioară.md in Hlinaia Mică village, Edineț district; Crama Tudor in Sadova village, Călărași district; Eco Resort Butuceni in Butuceni village (Pensiunea Eco Resort Butuceni), Orhei district; Casa de sub Stânca in Trebujeni village, Orhei district; Vila Roz in Trebujeni village, Orhei district; Gagauz Sofrasi in Congaz village (Pensiunea Gagauz Sofrasi), UTA Gagauzia; Casa Veche in Palanca village, Ștefan Vodă district; Muze Guesthouse in Lalova village (Pensiunea Muze), Rezina district; Manas Yurt Village Guesthouse in Leordoiaia village (Pensiunea Manas Yurt), Călărași district, and others.



Figure 1. Hanul lui Hanganu Guesthouse



Figure 2. Zăvoiul Nistrului Eco Village

Hanul lui Hanganu is a popular rural guesthouse located in the village of Lalova, Rezina district, Moldova. Known for its traditional design, rustic charm, and scenic setting by the Dniester River, it offers an authentic experience of Moldovan culture and hospitality. Visitors enjoy local food, wine, and opportunities for relaxation in a picturesque rural environment, making it a beloved destination for those seeking a peaceful retreat immersed in nature and traditional Moldovan village life.

Zăvoiul Nistrului Eco Village Guesthouse is an eco-friendly rural accommodation located in the village of Egoreni, Soroca district, Moldova. This guesthouse offers visitors an authentic experience surrounded by natural beauty along the Dniester River, promoting sustainable tourism practices. Guests can enjoy traditional Moldovan cuisine, peaceful river views, and a rustic environment that reflects the local culture and lifestyle, making it a popular choice for those interested in eco-tourism and rural relaxation.



Figure 3. Pensiunea Eco Resort Butuceni



Figure 4. Gagauz Sofrasi Ethno Village



Figure 5. Pensiunea Turistica Muze



Figure 6. Pensiunea etnografică Manas Yurt Village

In the development process of rural tourist accommodation units, local experience has also yielded some exceptional results.

Muze.md Guesthouse is the first Rural Art Gallery in Moldova. The guesthouse offers spacious exhibition areas. Over 50 paintings and 5 sculptures are displayed across two exhibition rooms. The first exhibition was launched on September 6, 2020, with most of the paintings featuring monastic themes. The exhibition halls can also be used for other types of events (symposia, seminars, or training sessions). The gallery offers souvenirs and handmade products crafted by local artisans for sale. Artists and craftsmen are invited to present their concepts for future exhibitions, showcasing artwork and souvenirs that align with the guesthouse's overall concept.

The Manas Yurt Village Guesthouse is also unique. For tourists eager to discover new destinations, the ethnographic Manas Yurt Village guesthouse is the perfect place. The yurt camp appeared on the rural tourism map in the summer of 2020 and serves as a true enclave of oriental culture in Moldova, where guests can learn about Kyrgyz traditions and culture.

Over the years, tourist and agrotourism guesthouses, as tourist reception structures with accommodation and, in many cases, food services featuring national and local cuisine, have achieved the following technical performance indicators (Anuarul statistic al Republicii Moldova), as presented in Table 1.

Table 1. Technical Indicators of Tourist and Agrotourism Guesthouses

Indicators	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
1. Units	26	26	28	33	36	38	43	44	56	60
2. Rooms	428	452	409	454	468	492	559	645	729	780
3. Beds	909	955	867	964	999	1061	1221	1430	1632	1680
4. Rooms /Unit	16,5	17,4	14,6	13,9	13,0	12,9	13,0	14,7	13,0	13,0
5. Beds /Unit	35,0	36,7	31,0	29,2	27,8	28,0	28,4	32,5	29,1	28,0
6. Beds /Room	2,16	2,10	2,12	2,10	2,14	2,17	2,18	2,21	2,24	2,15
7. Potential Accommodation Capacity (thousands of beds)	331,78	348,57	316,45	351,18	364,63	387,26	445,66	521,95	595,68	613,20
8. Operational Beds (thousands of beds)	230,75	219,29	266,92	278,96	255,89	203,66	322,62	416,60	591,39	491,88
Technical Index, %	69,55	62,91	84,35	79,28	70,18	52,59	72,39	79,82	99,28	80,21
10. Net Occupancy Rate of Accommodation Capacity, %	10,7	16,1	13,5	13,5	14,3	9,7	12,1	19,5	12,7	14,9

The average number of rooms per tourist and agrotourism guesthouse ranges from 13 to 17, while the number of available beds varies from 28 to 36 per guesthouse. These technical changes have increased both the potential accommodation capacity and the operational accommodation capacity.

From 2015 to 2024, the number of tourist and agrotourism guesthouses grew from 26 to 60 units, with the number of rooms increasing from 428 to 780. The number of available beds rose from 909 to 1,680. The potential accommodation capacity over these years grew from 331.78 thousand to 613.20 thousand places, while the number of operational beds increased from 230.75 thousand to 491.88 thousand places.

A visualization of the potential accommodation capacity and operational bed capacity for tourist and agrotourism guesthouses, based on the data in the table, is presented in Figure 7.

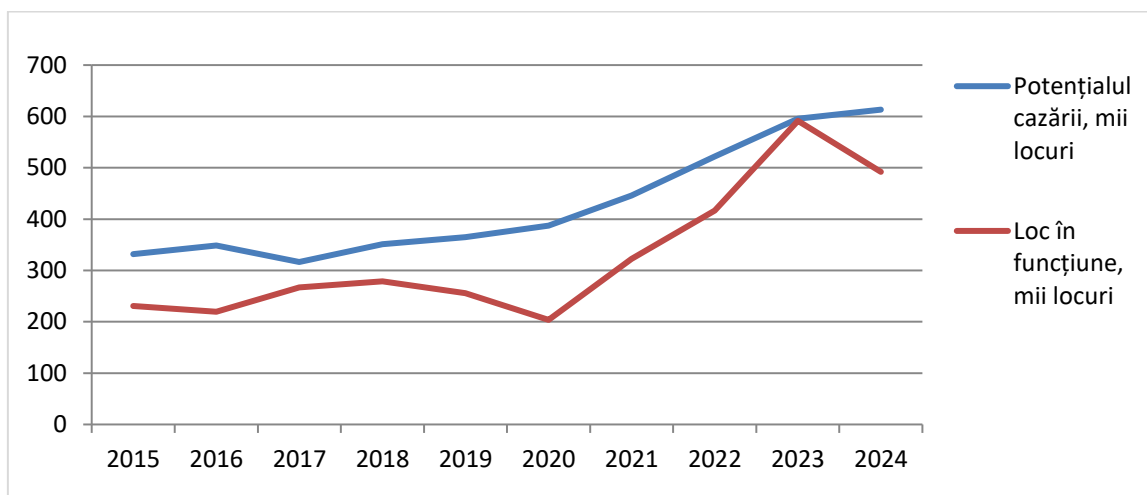


Figure 7. Evolution of Accommodation Potential and Operational Beds in Tourist and Agrotourism Guesthouses, thousands of beds

The operational indicators are presented in Table 2. These include the total number of tourists, both foreign and local, total number of overnight stays, including those by foreign and local tourists, the average length of stay (days), revenue per overnight stay (in lei), and total revenue from accommodation services in tourist and agrotourism guesthouses (in million lei) over the years 2015-2024 (Anuarul statistic al Republicii Moldova).

Table 2. Operational Indicators of Tourist and Agrotourism Guesthouses

Indicators	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
1. Total Tourists, persons	9 283	21 343	20 922	17 709	17 168	14 576	21 411	37 318	46 500	47 200
2. of which: Foreign tourists	1730	2725	3288	6155	6130	1281	3201	8822	13000	13200
3. Local tourists	7 553	18 618	17 634	11 554	11 038	13 295	18 210	28 496	33 500	34 000
4. Overnight Stays, thousands	24,69	35,30	36,03	37,66	36,59	19,75	39,04	81,24	76,20	73,29
5. of which: Foreign tourists	5,33	6,54	9,10	15,75	17,06	3,50	7,53	32,70	20,70	25,83
6. Local tourists	19,36	28,77	27,03	21,90	19,53	16,25	31,50	48,54	55,50	47,46
7. Average Length of Stay, total, days	2,66	1,65	1,72	2,13	2,13	1,35	1,82	2,18	1,64	1,55
8. Foreign tourists	3,08	2,40	2,74	2,56	2,78	2,74	2,35	3,70	1,59	1,96
9. Local tourists	2,56	1,54	1,53	1,90	1,77	1,22	1,73	1,70	1,65	1,40
10. Revenue per Overnight Stay, lei	599	652	679	715	606	780	679	624	726	610
11. Annual Variations, lei	*	53	27	36	-109	174	-101	-55	102	-106
12. Annual Variations, %	*	8,85	4,14	5,30	-15,24	28,71	-12,95	-8,10	16,35	-15,98
13. Total Revenue, mil. Lei	14,79	23,02	24,47	26,93	22,17	15,40	26,51	50,68	55,33	44,71

The data in Table 2 confirm that, over the years 2015–2024, the number of tourists in tourist and agrotourism guesthouses increased from 9.28 thousand to 47.20 thousand. There was a significant increase in

foreign tourists—from 1.73 thousand to 13.20 thousand, or 7.6 times. The number of local tourists grew 4.5 times, from 7.55 thousand in 2015 to 34 thousand in 2024.

For specialists and experts, the variations in revenue per overnight stay, both absolute and relative, over the analyzed period are of interest. These changes result from fluctuations in tourist flow, currency exchange rate variations, the impact of the COVID-19 pandemic, the population’s purchasing power, and other factors.

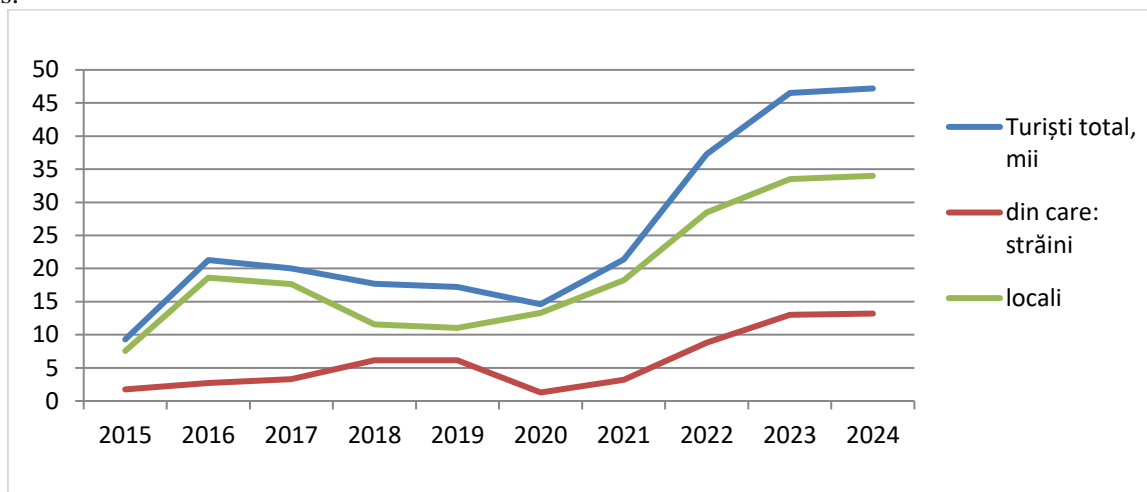


Figure 8. Dynamics of Tourist Flow in Tourist and Agrotourism Guesthouses

Some investigations conducted by the authors regarding the volume of overnight stays in tourist and agrotourism guesthouses confirm an increase in the number of overnight stays over the years 2015–2024, from 24.69 thousand to 73.29 thousand, or approximately threefold. Notably, overnight stays by foreign tourists rose from 5.33 thousand to 25.83 thousand, an increase of approximately five times (4.85). Meanwhile, overnight stays by local tourists grew from 19.36 thousand to 47.46 thousand, or 2.45 times.

This increased volume of physical accommodation services also boosted total revenue in millions of lei. A visualization of this process is presented in Figure 9.

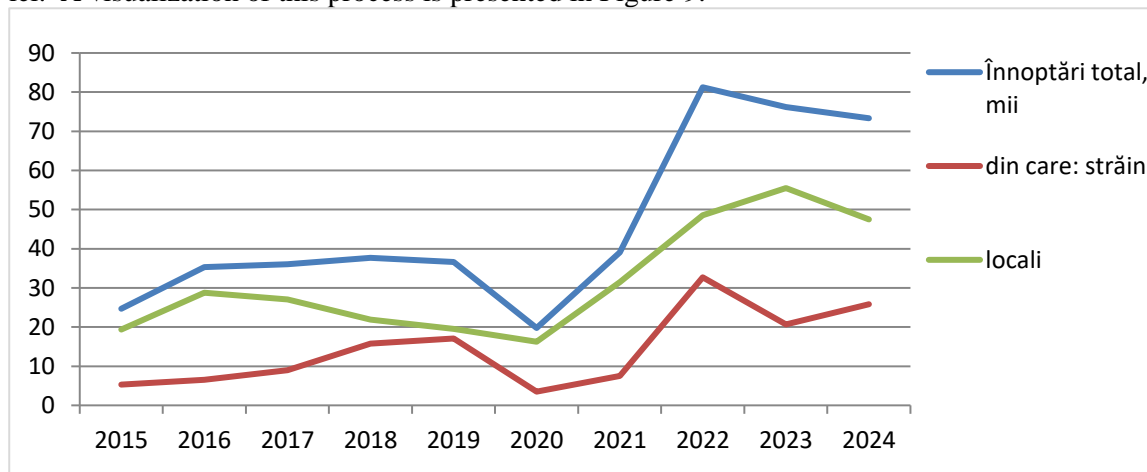


Figure 9. Dynamics of Overnight Stays in Tourist and Agrotourism Guesthouses (thousands of overnight stays)

A new type of unit—the rural house—has also emerged within the rural accommodation system.

According to the Law on the Organization and Conduct of Tourism Activities in the Republic of Moldova No. 352/2006, a new accommodation unit has appeared in the rural accommodation system—the "rural house." This is a type of tourist accommodation, and in some cases, dining facility, organized based on one or more houses and/or structures belonging to a private household within the same rural locality. It features traditional architectural styles (regional, zonal, or local) that provide tourists with an authentic rural experience. Tourist dining in rural houses includes products from local production, either grown in the household itself or sourced from nearby localities.

In Moldovan villages, it is possible to select 5–10 local homes that could be incorporated into the rural house structure, thereby increasing the rural sector’s capacity for unique lodging and tourist services that align with a rustic lifestyle (Legea Republicii Moldova).

Within the Regional Development Agencies (ADR North, ADR Center, ADR South, etc.), the strategies and regional tourism programs must reform the regulatory framework in tourism, aligning with best international practices. This includes adjusting requirements for lodging and dining services provided by rural houses and tourist/agrotourism guesthouses, simplifying and tailoring them to small regional facilities. Specific regulations will be developed and approved for rural and agrotourism accommodation and dining units, including rural houses, agri-guesthouses, and rural guesthouses, tailored to the local characteristics of rural life, culinary traditions, agricultural activities, and authentic tourist experiences.

Rural tourism development as a factor of economic and cultural revitalization in Moldova's rural areas stimulates growth in the number of tourist and agrotourism guesthouses, rural houses, and investments in rural infrastructure, which contribute to attracting tourists and developing local communities. Rural tourism not only stimulates the economy through job creation and the promotion of local products but also helps preserve the traditions and authentic lifestyles of rural regions. Adapting regulations for accommodation and dining facilities supports sustainable growth, offering visitors meaningful experiences and helping to protect cultural and natural heritage.

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MODERN FORMS OF ENTERPRISES ENTERING FOREIGN MARKETS: PROBLEMS, LIMITATIONS, MANAGEMENT FEATURES

Liubovi DOROFEEVA

[https:// orcid.org/0009-0001-5178-2431](https://orcid.org/0009-0001-5178-2431)

Free International University of Moldova (ULIM), Chisinau

Abstract

In the context of globalization and internationalization of the world economy, a very important indicator of the enterprise's activity is the sale of the manufactured product on the international market, as well as the methods and forms of the enterprise's entry into foreign markets, where the main role is played by targeted planning and practical thoughtfulness of the chosen direction.

The international market provides new opportunities for marketing products. The obvious benefits of an enterprise entering the foreign market raise the question of developing an international marketing strategy and organizing a sales system taking into account new realities. This is a particularly difficult task for companies that serve only the domestic market and do not have regular foreign trade relations.

International marketing of products typically takes longer and requires the use of new modes of transport. It is also subject to the influence of not only local, but also foreign legislation. Entering a foreign market and maintaining high positions in it requires a set of measures aimed at studying it.

When entering a foreign market, company management must understand that they will have to face numerous difficulties, one of which is the peculiarities of the economy of the country whose market they plan to enter. Underestimating these circumstances can lead to negative economic consequences.

Despite all the difficulties associated with entering foreign markets, the development of an international product sales strategy is a necessary condition for the success of a modern enterprise in conditions of fierce international competition.

Keywords: global market, competition, export, licensing, franchising, joint ventures, e-commerce.

The modern world market is a market of fierce competition for buyers, and in order to occupy "your" niche in this market and find "your" buyer, constant complex and professional work is required.

Today it is not just concluding one-time transactions, but establishing long-term contacts not only in the sphere of exchange, but also in the sphere of production, i.e. based on international production cooperation.

Companies enter international markets in search of opportunities for growth and development, however, everyone's motivation is different. Below are the main reasons for the internationalization of the company's activities.

Market growth. By entering foreign markets, the company gains access to new consumers. In this way, the company's market share and sales volume can be increased.

Profit. Profit growth is perhaps the most attractive reason for entering new foreign markets. Various factors influence profit growth. First, sales growth itself leads to profit growth. Second, production and distribution costs may be lower overseas. Third, in international markets, companies can set prices higher than in domestic markets.

Economies of scale. By increasing output, the company can further benefit from economies of scale. Reducing costs allows you to either earn higher profits or reduce prices, gaining price advantages over competitors.

Risk sharing. The greater the number of international markets, the less the company depends on changes in one of them (for example, a decrease in demand due to an economic downturn, political instability, changing consumer tastes, etc.). By operating in different markets, the company distributes its risks between them, thereby reducing them.

Unfavorable conditions on the domestic market. The economic situation in the domestic market may lead to a decrease in the solvency of the company's target audience and a reduction in the company's sales. The inability to achieve growth goals in their market forces companies to look for new opportunities.

Extending the product life cycle. If demand in the home market falls, the product becomes obsolete, the company may try to find new consumers. By offering a product on a new foreign market, you can extend its life cycle or launch it into a new stage of development. For example, many mobile phone manufacturers continue to sell outdated models to markets in countries with less sophisticated consumers. As a rule, these are countries with lower per capita income, countries with less developed economies. An "obsolete" product

can be sold cheaper on the foreign market, since the bulk of the company's costs associated with its development and development have already been covered.

Increasing brand awareness. If a company uses a standardized marketing strategy for all its international markets, using the same packaging, advertising, and sometimes the same store design, this can lead to increased brand awareness on a global scale. Increasing consumer loyalty to the brand will influence sales growth.

Legal restrictions. In some countries, legal restrictions on the production, sale and promotion of various goods and services may be less stringent. This allows the company to produce and promote its products at lower costs.

Let's consider the current forms of companies entering foreign markets.

Table 1. Current forms of companies entering foreign markets

Export	Cooperation	Integration	E-commerce
<p>1. Indirect export:</p> <ul style="list-style-type: none"> - Sales through representative offices of foreign companies in the domestic market; - Sales through foreign trade enterprises on the domestic market; - Through export agents, commission agents, etc. <p>2. Direct export:</p> <ul style="list-style-type: none"> - Through foreign agencies and trade organizations in the foreign market; - Through trade organizations created with the participation of local companies in foreign markets. 	<p>1. Vertical cooperation:</p> <ul style="list-style-type: none"> - License agreements; - Franchise rights; - Contract manufacturing; - Contract management, etc. <p>2. Horizontal cooperation:</p> <ul style="list-style-type: none"> - Sales and purchase agreements or associations with partners. 	<p>1. Common property:</p> <ul style="list-style-type: none"> - Joint venture <p>2. Exclusive property:</p> <ul style="list-style-type: none"> - Branch/representation - Subsidiary company 	<p>1. Sales of goods through marketplaces, social networks, websites, etc. to international markets</p> <p>Existing types of interaction:</p> <p>B2B – business to business;</p> <p>B2C – business-to-consumer;</p> <p>C2C – consumer-consumer;</p> <p>B2A – business administration;</p> <p>C2A – consumer-administration;</p> <p>B2B2C – business to business to consumer.</p>

Export is the most common and easiest way to enter foreign markets. Many companies have just begun their global expansion, “establish their presence in other countries as exporters, and later, having achieved sufficient penetration into foreign markets, switch to other internationalization strategies, which allows them to further strengthen their positions” (Ilyina 36).

There are types of direct, indirect and electronic exports. According to Kuchnev, the main advantage of exporting is the ability to avoid the high costs of creating production facilities in a new country (Kochergina 65). Through exporting, a company can realize economies of scale from internal benefits as well as from the experience curve effect. Another important aspect is that by centrally producing goods and exporting them to other national markets, a company can achieve significant economies of scale through its global sales volume (Medvedeva 28).

However, there are also a number of disadvantages of this method of entering world markets. Therefore, the position may be that it would not be profitable for a company to export its products to foreign markets due to the fact that electricity can be produced at much lower costs in other countries. This occurs when a company is able to realize economies of scale by moving its production overseas. In addition, too high transport costs can make this method of entering foreign markets economically unprofitable. The way out of this situation is to produce products in strategically important areas.

Disadvantages also include outsourcing the company's marketing, sales and customer service responsibilities to local companies. This strategy is often used among manufacturing companies that are just beginning to expand into foreign markets. To avoid such problems, the company often creates its own branches in countries with which it works directly (Panasyuk 108).

Despite all the obvious advantages of indirect export (low production costs, low risks associated with entering the foreign market, etc.), we highlight the main disadvantages:

- the more links in the sales chain, the lower the profit and the higher the costs;
- there is no control over the sale of goods in foreign countries. Poor service, unsuccessful promotional tools, inflated prices, failure to comply with manufacturer's rules, etc. All this will negatively affect the image and reputation of the company;
- a disadvantage for the manufacturer itself can be considered the lack of access to international experience. The company becomes limited in communicating with foreign counterparties, in collecting information about the foreign market and its potential, which does not allow long-term planning (Prokushev 21). Some companies prefer this method of entering foreign markets as licensing.

The advantage of licensing is that the licensee independently invests the bulk of sufficient and necessary funds to launch a foreign enterprise (Podkovyrov 85). The main benefit comes from the fact that the company does not have to bear the costs and risks that directly accompany opening a new market.

The licensing strategy for entering foreign markets is particularly attractive to those companies that do not have sufficient capital to conduct business in other countries or, if the company is entering a new country for the first time, it is not profitable for it to first invest significant financial resources in an unfamiliar or politically unstable foreign market. The license is also used on a large scale when the company has intangible assets that can be used for commercial purposes, but the company itself does not want this. The company can then sell its license to the new technology to another company.

The license has several significant disadvantages. This does not provide the company with full control over production and marketing, nor does it allow the firm to follow the strategy needed to achieve economies of local benefits and experience curve effects. Moreover, due to competition in the global market, a company often has to coordinate its strategic efforts in different countries, using the profits earned by the company in one country to strengthen its position in another, as well as to counter its competitors (Shagalov 11).

Licensing also carries the risk of providing new developments and technological know-how to foreign companies. Since innovative developments and know-how are an undeniable competitive advantage for the company that owns them, transnational corporations always try to maintain maximum control over the use of licensed developments.

Franchising is another form of companies entering foreign markets. Not much different from licensing. In essence, franchising is a special form of licensing, according to which the franchise, in addition to the sale of intangible assets (trademarks) to the franchisee, also requires a common origin and strict adherence to the rules applicable to the conduct of business within the framework of this brand.

In most cases, the franchisor helps the franchisee at the initial stage of launching a new business and during its implementation. The similarity with a license is that the franchisor also receives royalties, the amount of which is calculated as a certain percentage of the franchisor's income. If we talk about the benefits of franchising as a form of trade in international markets, it is in many ways similar to the benefits a company receives from licensing. If a company buys a franchise, it automatically gets rid of a large number of costs and risks that cannot be avoided if it independently enters foreign markets. It is the franchisor who takes responsibility for possible costs and risks associated with working in a new market that has not yet been developed.

Thus, the franchisor has an incentive to create the most profitable enterprise as soon as possible. The main advantage of franchising is that a company using this international expansion strategy has the ability to quickly achieve global penetration of foreign markets with minimal cost and risk.

The most important problem of franchising is the impossibility of 100% control over the quality of services provided or goods produced. Since a franchise agreement involves operating under one brand, the brand name automatically sends a signal to customers about quality standards, regardless of where in the world the service is purchased. Of course, the difficulty of franchising is that it is very difficult to provide a completely identical service in different parts of the world due to many factors, such as the cultural characteristics of doing business in a particular country, the originality of consumer thinking in different countries.

If foreign franchisees prioritize purchasing a franchise with maximum profit at minimum cost, without much thought to maintaining uniform quality standards associated with that brand, such conditions may lead,

in addition to a decrease in sales in a particular market, also to the loss of the company's first-class reputation on the international stage. The difficulty of quality control is also due to the fact that the long distances separating the head office from all the companies operating under this brand also complicate the situation.

Joint ventures are another form of companies entering international markets. A joint venture is created by two or more national enterprises with the aim of more effectively realizing the potential of each party and achieving the most profitable economic result of mutually beneficial cooperation. The advantages of forming a joint venture include access to the knowledge of the local partner, transfer of some of the costs and risks of expansion to the partner, and political justification. If we talk about shortcomings, we can highlight such situations as the lack of complete control over technology, the inability to carry out global strategic coordination. Some companies choose to create subsidiaries.

The big disadvantage is that setting up your own company abroad is always a very expensive way to operate in international markets. Huge investments are required and only companies with such financial resources have the ability to use this strategy to internationalize international business. Alternatively, a company can set up its business from scratch in another country if it is already fairly established in some other countries on the international stage.

However, the downside to setting up your own subsidiary in another country is that competitors may enter the market through acquisitions, thereby creating a strong market penetration and presence that can significantly limit the market potential for firms, founded from scratch.

So, let's summarize the advantages, disadvantages and management features that companies have when using forms of entering a foreign market:

1. Export

Advantages:

- working mechanism for the company's development;
- sales growth thanks to new markets;
- reduction in unit cost of production;
- regulation of seasonal fluctuations in the national market;
- increase in profits, including in foreign currency.

Flaws:

- high responsibility for organizing business and supplies;
- possibility of delay in contact with the client;
- processing of all transaction logistics at the organizer;
- willingness to contact the client, if the product is technological, to explain all instructions and rules of use.

Management problems:

- administrative side of export organization (preparation of necessary documentation, obtaining licenses);
- organization of an export sales department that operates regardless of internal circumstances;
- sales processing;
- control over the uninterrupted operation of the logistics network and supplies.

2. Licensing

Advantages:

- the licensee pays for the right to use the license;
- the licensor receives a royalty per unit of product produced/sold under its license;
- the least expensive and risky way to develop new technologies and markets.

Flaws:

- the degree of control decreases;
- lower profit potential;
- the licensee gets the opportunity to master the technology (know-how) of the licensor.

Management problems:

- creation of a licensing agreement;
- provision of technical information to the licensee;
- assistance to the licensee in organizing business processes.

3. Franchising

Advantages:

- a franchise allows you to take advantage of a well-known brand;

- the franchisee uses the services of the franchisor to train its employees;
- the franchisee has the opportunity to receive financial support from the franchisor;
- before concluding a franchise agreement, the company can familiarize itself with the achievements of other franchisees, confirming the feasibility of its acquisition.

Flaws:

- payment for using the privilege;
- control by the franchisor;
- the risk that some franchisees may not keep their promises.

Management problems:

- preparation of a franchise package;
- search and selection of franchisees;
- ways to promote a franchise;
- determination of the subject of promotion;
- determining the scale of promotion;
- determination of promotion strategy;
- sale of franchise;
- finalization of the franchise;
- participation in the fate of the franchisee, assistance with personnel, setting quality standards, training employees, etc.)

4. Joint venture

Advantages:

- by implementing a joint venture strategy, a small company with limited financial resources and insufficient management skills can provide itself with the necessary resources to enter a new market;
- a joint venture reduces political tensions associated with the activities of foreign companies in the national market;
- the joint venture provides access to local markets and distribution channels, local suppliers of raw materials and production facilities;
- reduces the investment risk of a joint venture due to the joint participation of the parties in the project.

Flaws:

- joint ventures are difficult to fit into a global strategy;
- another problem arises when management is inconsistent at the global and local levels. In other words, it can be difficult to manage joint ventures due to the need to participate, take joint actions, especially in cases where the parent companies intend to intervene in the business.

Management problems:

- control of resource flows (technological, raw materials, human);
- creation of a reward system for employees;
- price control;
- financial planning;
- control over the partner's activities and production of goods by virtue of remoteness of the partner, etc.

5. E-commerce

Advantages:

- physical accessibility;
- cost reduction;
- control and analytics;
- risk minimization.

Flaws:

- logistical difficulties;
- great competition;
- the buyer's inability to touch the product or evaluate it visually;
- technical problems.

Management problems:

- organization of presence in the electronic space;
- setting up the correct operation of the site/application);
- organization of an online sales department;

- placement of online advertising;
- organization of delivery of goods;
- pricing.

Therefore, based on the data presented, it is possible to systematize the management features associated with companies entering foreign markets as follows:

- administrative (for example, for export - preparation of the necessary documentation, obtaining licenses);
- logistics (for example, for e-commerce - this is the organization of delivery of goods to the marketplace, for export - the sale of products to intermediaries);
- personnel (for example, for e-commerce - lack of qualified employees in the field of e-commerce);
- technical (for example, for e-commerce – setting up the correct operation of the website/application);
- organizational (for example, for joint ventures - control over the partner’s activities, for franchising - assistance to franchisees with personnel, establishing quality standards, etc.);
- legal (for example, for licensing – correct drafting of the contract);
- marketing (for example, for e-commerce - drawing up a product card, detailed description of the product).

In conclusion, it should be noted that management features vary depending on the choice of form of entry into a foreign market. The greatest difficulty on the part of the management apparatus is joint ventures, since they require increased control and participation in the fate of the enterprise, despite being located in another country. Export remains a less complex form of entering the foreign market.

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SYSTEM OF TOOLS FOR MANAGING THE IMPROVEMENT OF QUALITY OF SERVICES IN PUBLIC ISRAELI HOSPITALS

Dalia DREIHER

<https://orcid.org/0000-0002-4767-8885>

Neve Shalom Elementary School, Beer Sheva, Israel

Olga BLAGORAZUMNAIA

<https://orcid.org/0000-0001-6791-5481>

Free International University of Moldova, Chisinau

Abstract

The integrative quality management path is the most complex due to its comprehensive nature, requiring significant organizational changes and coordination among all components of the healthcare system. This approach integrates tools and methods from various aspects of quality management—structure, process, and outcomes—to achieve optimal service quality and create innovative hybrids. By adopting this path, hospitals can harmonize their organizational structure, streamline processes, and improve clinical outcomes. In Israeli public hospitals, improving service quality is crucial. A proposed system for quality improvement management encompasses methods and procedures to monitor and optimize aspects such as patient safety, care quality, and treatment efficiency. This system aims to enhance hospital performance and service standards. The implementation of such a quality management tool system is vital for ensuring ongoing improvements in medical practice. It reflects a strategic commitment by hospital management to systematically elevate the quality of medical services. By focusing on active quality management, hospitals set themselves on a trajectory for continuous enhancement, aligning their efforts with broader goals of improving healthcare delivery and outcomes.

Keywords: quality management, medical services, instruments, hospital

A system of quality management tools plays a crucial role in translating a hospital's strategic goals into tangible, achievable outcomes. Whether the focus is on structure, process, or results, each approach demands a tailored set of methods and strategies, which are applied through specific tools. The core value of these tools lies in their flexibility to meet the unique demands of each approach. They not only facilitate the implementation of defined tasks but also serve as the driving force behind continuous improvement. By systematically evaluating, monitoring, and analyzing results with these tools, areas needing further optimization and adjustment can be identified.

The authors describe the healthcare quality management tool system as an integrated collection of methods, techniques, procedures, and approaches aimed at ensuring consistency, control, and ongoing improvement of the quality management process in healthcare. This system is designed to systematically meet established quality standards, monitor compliance and identify deviations, and adjust processes to enhance efficiency and satisfaction for all stakeholders, including patients and medical staff. Quality management tools encompass data analysis methods, monitoring systems, audits, and standards, all aimed at achieving a level of quality that aligns with current demands and expectations (Fereday 32).

The system of quality improvement management tools is essential for delivering high-quality healthcare services. It ensures adherence to the chosen approach while enhancing efficiency, quality, and satisfaction for all participants in the healthcare process. Focused on continuous development and innovation (Dreihier 309), this system is designed to maintain the highest standards of quality. The driving force behind these management tools is the need to adapt to and address evolving demands and challenges in the healthcare sector. This system encompasses a wide array of tools, including data analysis, statistical methods, patient feedback mechanisms, and ongoing training for medical staff. These tools work to improve efficiency, safety, and satisfaction, ultimately contributing to the delivery of superior healthcare services.

The authors will provide a detailed description of the section of the mechanism focused on ensuring the quality of medical services, in order to illustrate the structure of quality management tools. This section forms the core of the mechanism, as it establishes the direction for improving the quality of medical services, outlines the path to follow along this trajectory, and identifies the tools that correspond to each specific path, as depicted in Figure 1.

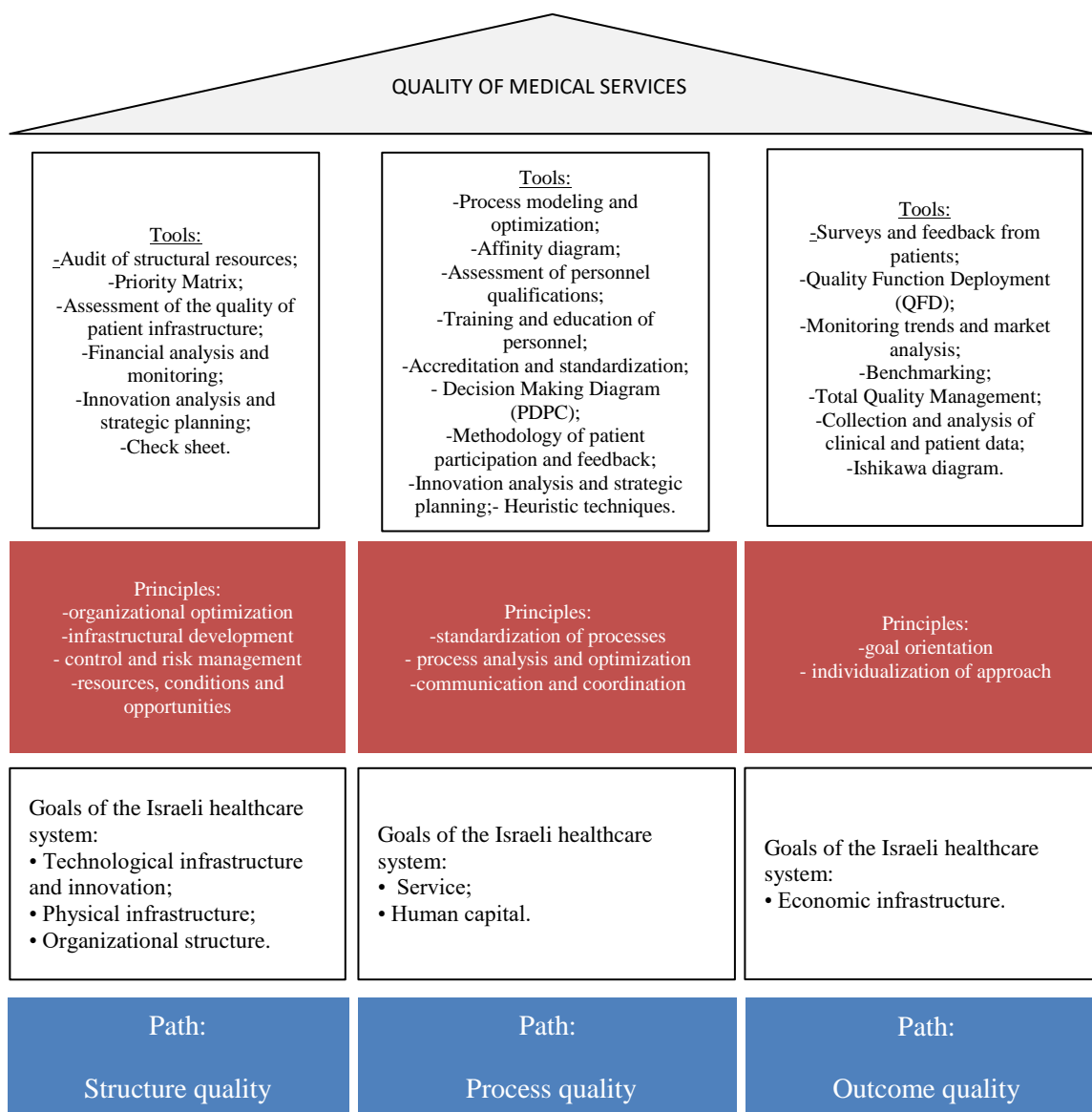


Figure 1. Diagram of management tools for improving the quality of medical services in public general hospitals in Israel

The framework is built around three key paths that hospitals can follow when developing their own system for managing the quality of medical services. Hospitals are not limited to choosing just one path; they can adopt two or even all three simultaneously, depending on their available resources, opportunities, and the impact of internal and external factors.

These three pillars - structure, process, and outcome - form the foundation of healthcare quality. If a hospital is unable to address all three paths at once, it should prioritize the most critical and widespread quality issue within the facility. This approach ensures that the quality management system remains stable until the hospital can address all three aspects. In this case, the hospital would tackle one path at a time, starting with the most urgent issues, and then progressively moving on to the second and third paths, eventually restoring the entire quality framework.

Each path is grounded in principles that the authors derived from the six goals of the Israeli health system (Hirshberg 15): technological infrastructure and innovation; human capital; physical infrastructure; service; organizational infrastructure; and economic infrastructure. These principles should align with the hospital's overall development strategy and quality policies, while also addressing the critical issues the hospital seeks to resolve by building a quality management system for medical services.

The practical component of the framework consists of quality management tools tailored to each specific path. Each path has distinct characteristics and unique challenges, and the selection of appropriate tools is crucial for its successful implementation. These tools act as guides for carrying out management tasks and are key in overcoming obstacles to improving healthcare quality. They include methods for data analysis,

the development of standards, systems for gathering patient and staff feedback, education and training programs, as well as economic tools for cost-benefit analysis (Zhao 645). The effective use of these tools not only helps achieve the goals of each path but also ensures sustainable improvement in healthcare quality, which is the ultimate aim of the management system.

It is important to note that the tools presented in the diagram are not exhaustive—there are many quality management tools available. The authors aim to illustrate how to select tools for a given path in the hospital's quality management efforts, providing examples and describing the correlation between path, principle, and tool.

The authors examine each path individually, detailing its description, the potential tasks a hospital might face, and the tools that can ease the journey. Special attention is given to the unique aspects of each path. This in-depth examination allows for a deeper understanding of the paths and the core principles behind managing healthcare quality.

The "Quality Structure" path focuses on optimizing the hospital's organizational framework, infrastructure, and ensuring the necessary resources and conditions for effective medical practice. Choosing this path recognizes that achieving high-quality healthcare services requires modern, sufficient resources, creating safe and comfortable environments for both patients and staff, and streamlining organizational processes (World Health Organization 67). The core idea is that successful medical practice relies on robust organizational and technical resources, which serve as the foundation for effective care. This includes developing state-of-the-art medical facilities, providing advanced equipment and supplies, and establishing an optimal staffing structure (Lee 133). Additionally, improving processes related to patient flow, resource allocation, and staff coordination is a key focus of this approach. By successfully implementing this path, a hospital can offer superior organizational conditions that enhance the efficiency and quality of medical care, leading to greater patient satisfaction and better treatment outcomes.

The decision to follow this path often stems from challenges within the hospital's structure or medical operations. Common issues include inefficient resource utilization, inadequate hospital conditions for patients, poor budget management, lack of process coordination, an organizational structure that hinders quality goals, or difficulty implementing changes and innovations in healthcare delivery.

However, this path is equally relevant for hospitals that are not facing significant problems but are seeking to improve their organizational structure, enhance coordination between departments, optimize service delivery, and more effectively leverage infrastructure. In such cases, pursuing the "Quality Structure" path remains both relevant and beneficial.

The "Process Quality" pathway focuses on optimizing and standardizing all stages of healthcare delivery, from prevention and diagnosis to treatment and patient follow-up. This approach emphasizes that by improving the medical processes themselves, hospitals can achieve greater efficiency, diagnostic precision, optimal treatment and care, and ultimately, higher patient satisfaction. In following this path, healthcare institutions aim to standardize methods, procedures, and protocols across all areas of medical practice to ensure a consistently high level of care.

This pathway becomes particularly relevant when a hospital faces challenges related to the process of delivering medical care. These problems can encompass a wide range of issues concerning how patients perceive healthcare services and how these services are delivered according to established procedures and standards, as well as specific clinical situations. Although the problems are varied, common examples include a lack of regular training and professional development for doctors, delays in incorporating innovations into medical practices, limited patient involvement in the care process, and the absence of hospital accreditation. This pathway is ideal for addressing such issues and ensuring that healthcare processes are continuously improved to meet both clinical standards and patient expectations.

The "Quality Outcomes" pathway emphasizes achieving tangible clinical and patient-centered results. This approach focuses on measurable indicators such as treatment success, patient satisfaction, and other metrics that reflect the quality of medical care. The central idea is that the quality of healthcare services is best evaluated by the actual outcomes experienced by patients. These outcomes include clinical markers like recovery, improvement, and complication prevention, as well as patient feedback, satisfaction levels, and positive service experiences. This pathway suggests that maintaining and improving clinical performance and ensuring favorable, long-term patient results are essential for a successful medical practice.

Hospitals may need to adopt this approach when the final outcomes of medical care fall short of patient and physician expectations, as well as established standards, regulations, and strategies at both the state and hospital levels. These problems are varied and can involve a wide range of outcomes. Because of their diversity, it is challenging to provide an exhaustive list, but typical issues include a lack of focus on patient experience, failure to adapt to changing needs, unmet patient expectations, over-reliance on numerical quality metrics, and

more. These represent just a few of the common challenges hospitals face in achieving desired results.

The three quality management pathways - “Quality Structure,” “Process Quality,” and “Quality Outcomes” - each represent crucial directions for improving medical care and meeting patient needs. Each pathway has distinct characteristics, focusing on different aspects of healthcare quality, and requires a tailored approach. However, in today's fast-paced healthcare environment, it is often necessary to integrate all three pathways to manage change effectively and strive for excellence. In this context, the integrative pathway stands out as a comprehensive approach, requiring the alignment and harmonization of various quality aspects. The core principles, goals, and tools for managing healthcare quality within the integrative pathway are illustrated schematically in Figure 2.

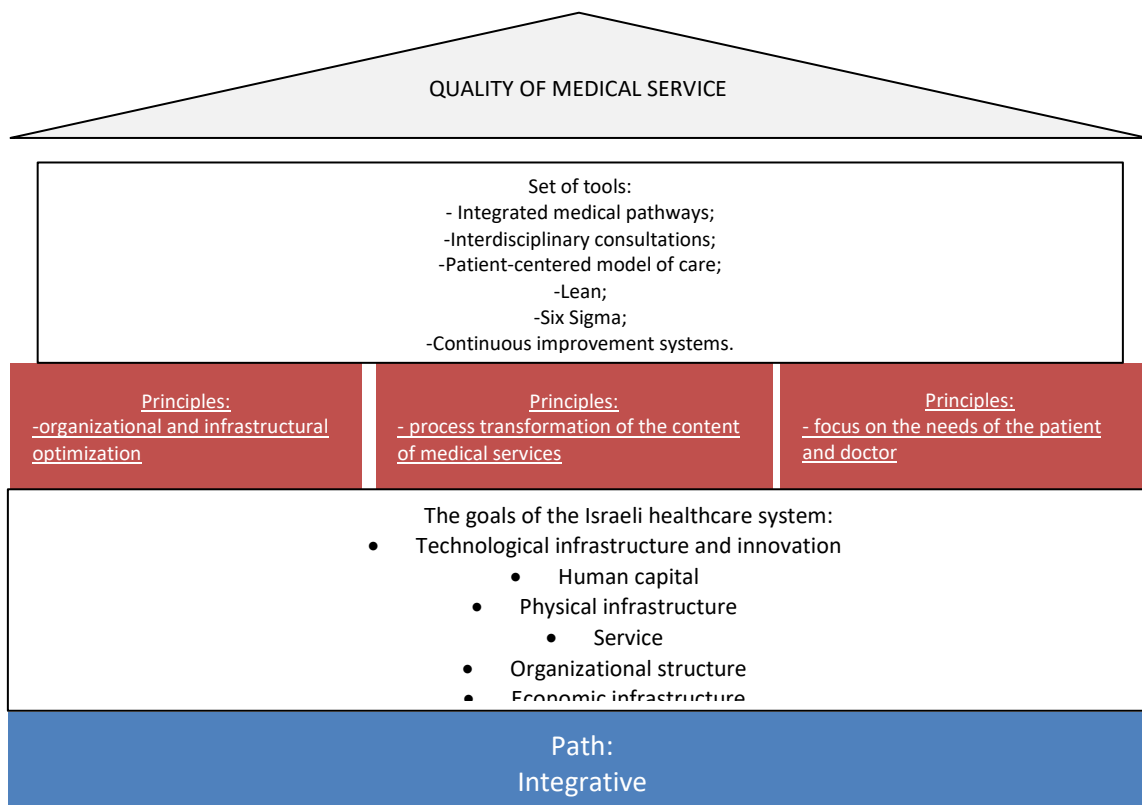


Figure 2. Outline of tools for an integrated management path for quality improvement of medical services in Israeli public general hospitals

The "Integrative" path represents a comprehensive and balanced approach to healthcare quality management by combining the strengths of all three pathways: structure, process, and outcome quality. This approach aims to create a seamless interaction between a well-organized organizational structure, optimized processes, and the achievement of positive patient outcomes. Choosing the integrative approach acknowledges that the quality of medical services relies on the interconnectedness of various elements: the availability of modern resources, efficient processes, and successful clinical results for patients.

This pathway requires considering a broad range of factors, from ensuring a high level of structural resources to standardizing and optimizing processes, ultimately leading to measurable improvements in clinical and patient outcomes. It recognizes that the effective operation of a healthcare organization depends on the interplay of many components, each contributing to overall quality.

The integrative path involves developing and implementing a system that incorporates best practices and tools across multiple areas: organizational structure, process optimization, and outcome analysis. This approach ensures not only the delivery of high-quality medical services but also fosters ongoing improvement and development at all levels of healthcare operations.

The integrative quality management path is the most challenging due to its complexity. This path requires not only addressing individual aspects but also undergoing profound transformations in the organization and coordination of all components within the healthcare system. The difficulties associated with this approach arise from the need for significant and strategic improvements in quality management. By adopting an integrative approach, hospitals can effectively combine various tools and methods to achieve optimal service quality, creating innovative instrumental hybrids (Appendix 64). This approach provides a

comprehensive view of a healthcare facility, encompassing its structure, organization, processes, and outcomes.

Improving service quality in Israeli public hospitals is particularly crucial. To achieve high-quality services, a series of measures are proposed that can be integrated into a quality improvement management system. This system comprises a set of methods and procedures designed to monitor and optimize different aspects of hospital performance, such as patient safety, care quality, and treatment efficiency. The authors developed this tool system and demonstrated its effectiveness in enhancing service quality in Israeli public hospitals.

Given this context, implementing a set of tools for quality management becomes a fundamental element in creating a mechanism that ensures progressive improvements in medical practice. The authors stress that quality management itself aligns with the hospital's strategic focus on enhancing service quality. Consequently, when hospital management commits to active quality management, it positions the hospital on a path aimed at systematically and consistently improving the quality of medical services, thus driving the overall enhancement of healthcare quality.

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ELABORATING MARKETING STRATEGIES FOR A SUCCESSFUL BUSINESS

Stela GUZUN

<https://orcid.org/0000-0002-1047-6753>

Free International University of Moldova (ULIM), Chisinau

Abstract

Developing marketing strategies for business success is an essential process in developing and maintaining a profitable market presence. It involves a series of steps and strategic decisions aimed at attracting customers, increasing sales and building a strong brand image. Marketing strategies are planned plans or approaches to achieve a business's goals in terms of marketing and selling products or services. There are various marketing strategies, and choosing the right strategy depends on a business's specific goals, target audience, and available resources. The online environment has also had a significant impact on marketing strategies, and adaptability and innovation are key to success in an ever-changing landscape. Effective marketing is vital for business success, helping brands stand out. Key strategies include defining a target audience through demographics, geography, psychographics, and behaviors. Personas and market segments allow businesses to create personalized messages that address customer needs. Crafting clear messages and choosing the right marketing channels—like social media, email, and content marketing—enhances outreach. Establishing a strong online presence through a website and SEO is crucial in the digital age. Monitoring performance metrics and adapting based on feedback enable continuous improvement. Together, these strategies build a competitive edge and drive long-term growth.

Keywords: marketing, business, customers, market, social media, strategy, search engines.

Marketing is an essential component for a successful business. Whether you have a small local business or an international company, marketing strategies can make the difference between standing out in the market and remaining in the shadows. Thus, the author lists some key marketing strategies to help the business thrive.

Defining the target audience. One of the first steps in developing an effective marketing strategy is to understand who your target audience is. The more one knows about potential customers, the more personalized messages and offers can be created. Conducting market research means to understand audience needs, preferences and habits.

Defining the target audience is an essential process in the field of marketing and communication, which involves the identification and specific description of the group of people or entities to whom a product, service, advertising message or campaign is addressed. This process helps focus marketing and communication efforts on groups of people who are most likely to be interested in the company's offering or message. Here are some key aspects of defining your target audience:

Demographic. This refers to demographic characteristics of the audience such as age, gender, income, education, marital status, geographic location, ethnicity, etc.

Geographic. This involves identifying the geographic locations where your target audience is located. These can be local, national or international.

Psychographic. This involves assessing the personality factors, lifestyle, values, interests and behaviors of the target audience. This aspect can help to gain a deeper understanding of their motivations.

Behavioral. Here the buying habits and behaviors of the target audience are considered. Groups that frequently buy similar products or services can be identified.

Market Segmentation. The target audience can be segmented into various smaller groups known as market segments. Each segment may have common demographic, geographic, psychographic or behavioral characteristics.

Personas or person. In marketing, one can create a “persona” or fictional character that represents a prototype of a member of the target audience. This can help with deeper understanding and the creation of personalized messages.

Assessing the competition. It is important to analyze and understand the target audience of the competition in order to develop an effective marketing strategy.

Defining the target audience is a crucial step in developing a successful marketing strategy. Once there is a clear understanding of who the people you want to reach are, you can create messages and offers that better meet their needs and interests. This can increase the effectiveness of your marketing efforts and lead to more effective leads.

Creating a clear message. Once the target audience has been identified, it's necessary to develop a clear and concise message that speaks directly to their needs and interests. The message should highlight the advantages of the product or service and be easy to understand so that the message differentiates itself from the competition.

Using appropriate marketing channels. There is not a unique approach of marketing suitable for all businesses. We choose the appropriate marketing channels for the target audience. This could include online marketing, television or radio advertising, social media, local events or other means of promotion. Each channel has its own advantages and disadvantages, so we choose the most suitable for the business.

Using the appropriate marketing channels is essential to reach your target audience effectively and achieve the desired results within a marketing strategy. Here are some important points related to this topic:

1. **Identifying the target audience.** Before selecting the marketing channels, it is crucial to identify the target audience. Knowing the demographics, interests and behavior of this audience will help us choose the right channels to reach them.

2. **Online vs. offline channels.** The decision to use online or offline channels depends on your target audience and marketing objectives. Online channels can include website, social media, email marketing, content marketing, SEO, PPC, while offline channels can include print advertising, radio, TV, brochures and traditional events.

Social media marketing. If your target audience is active on social media, it can be an effective marketing channel. Facebook, Instagram, Twitter, LinkedIn and other platforms can be used to connect with your audience and promote your products or services.

4. **E-mail marketing.** Email remains an effective marketing channel to maintain a connection with existing customers and generate new leads. Through email campaigns, we may provide information, promotions and updates about products and services.

5. **Content marketing.** Creating quality content such as blogs, videos, infographics or podcasts can help attract and engage your target audience and build a strong reputation in the industry.

6. **Paid advertising.** Paid advertising, such as Google Ads or Facebook Ads, allows us to quickly reach our target audience and measure results in real time.

7. **SEO.** If there is a website, we ensure it is optimized for search engines to improve online visibility and drive organic traffic.

8. **Constant evaluation and adjustment.** It is important to track the performance of the marketing channels we use and adjust them accordingly. This will help to efficiently allocate resources and achieve the desired results.

Creating a strong online presence. In today's digital world, a strong online presence is essential. Creating an attractive and easy to navigate website, search engine optimization (SEO) and using social media to promote the business. Creating a strong online presence is essential in the digital age, whether you are an individual, a business or an organization. A strong online presence can help promote your services, build your brand and communicate effectively with your target audience.

5. **Monitoring and results analysis.** Monitoring and analyzing the results of marketing strategies consists of using analytics tools to measure web traffic, conversions, click-through rates and other relevant metrics.

Monitoring and analyzing results are important processes in a variety of contexts, from business and marketing to scientific research and education. These processes aim to collect, record and interpret data to assess performance, make informed decisions and improve outcomes. Here are some key issues related to monitoring and analyzing results:

1. **Monitoring results:**

- ✚ monitoring involves the constant collection of relevant data or information related to a particular process, project or activity.
- ✚ the purpose of monitoring is to keep track of performance, to detect anomalies or problems and to ensure that objectives are followed.

2. **Results analysis:**

- ✚ analysis involves the evaluation and interpretation of data or information collected during monitoring.
- ✚ the analysis may use statistical techniques, modeling methods, specialized software or human expertise.

3. **Importance of monitoring and analyzing results:**

- ✚ these processes are essential in business management to assess profitability, operational efficiency and customer satisfaction.

- ✚ in scientific research, monitoring and analyzing results are used to validate hypotheses, understand phenomena and generate empirical data.
- ✚ in marketing, these processes help evaluate the performance of advertising campaigns and sales strategies.

4. *Techniques and tools:*

- ✚ monitoring and analysis can be done manually or with specialized software such as Microsoft Excel, Google Analytics, Tableau, etc.
- ✚ statistical theory and data analysis methods such as regression, cluster analysis and time series analysis are used to interpret the data.

5. *Feedback and improvement:*

- ✚ the results of monitoring and analysis should lead to informed decisions and, where necessary, changes and improvements.
- ✚ feedback obtained from monitoring can be essential for adjusting strategies, achieving goals and increasing performance.

Depending on the specific field and context, monitoring and analysis of results may have specific features and techniques. It is important to adapt methods and tools to meet the needs and objectives of each project or organization.

Adjusting according to feedback. Obtaining feedback from customers and be open to change.

If it is noticed that a certain marketing strategy is not working as it should, we do not hesitate to adjust it. Listening to your customers and adapting your business to their needs means you'll be better positioned for long-term success.

Feedback can come from peers, supervisors, customers or other sources and can be used to identify weaknesses, make positive changes and achieve set goals.

In conclusion, marketing strategies are essential to promote your business and achieve your development goals. With a clear understanding of the audience, a well-defined message and a strong online presence, it may be created an environment conducive to business success. Constant monitoring and adaptation of strategies will help us stay competitive and develop in the market.

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THE MANAGERIAL CHARACTERISTICS OF ECONOMIC ENTITIES IN THE FIELD OF AGRITOURISM

Alexandru IACHIM

<https://orcid.org/0000-0002-2093-0489>

Free International University of Moldova (ULIM), Chisinau

Aureliu MARGINEANU

<https://orcid.org/0009-0007-7424-9588>

Academy of Economic Studies of Moldova, Chisinau

Abstract

Domestic tourism is one of the few sectors in the Republic of Moldova that experienced growth during the pandemic. However, this was due to travel restrictions abroad, which redirected domestic demand for tourism services to local providers, including those in rural tourism and agritourism. For this sector to continue its growth trend, a joint effort is needed from both service providers and responsible public institutions, including local public administrations. In addition to facilitating access to funding, promoting these services at both national and international levels, improving legislation in the field, and offering tax incentives, there is also a need for training activities for entrepreneurs, managers, and personnel in rural tourism and agritourism. The management of economic entities in agritourism is characterized by a specific approach, as this sector requires a multidisciplinary strategy, combining two distinct activities – agriculture and tourism. While a manager may have sufficient knowledge and skills in the primary field of agricultural operations, once they diversify their business into the tourism sector, they may face new challenges related to marketing, customer relations, the tourist experience, and hospitality services. Therefore, appropriate training tailored to the specific needs of this sector becomes an urgent necessity.

Keywords: rural tourism, agritourism, management, marketing, promotion.

The development of small businesses in any field of activity is a beneficial element for the national economy. In the case of businesses in rural tourism and agritourism, the positive effect can be not only economic but also social. In the context of the depopulation of rural areas, the development of agritourism represents a significant opportunity for the revitalization and economic diversification of rural communities. Moreover, agritourism offers farmers an additional source of income, reducing their economic dependency solely on traditional agricultural activities. At the same time, this activity helps preserve traditional crafts, local customs, and specific gastronomy, attracting tourists interested in authentic rural experiences.

The term "agritourism" is closely connected to "rural tourism." Furthermore, these two concepts are often used interchangeably. One reason for this is that most of the rural population engages in agricultural activities, which often classify rural guesthouses as agritourism businesses. Another reason for the lack of distinction between these two categories in analysis and statistics is their relatively small numbers. According to expert Veaceslav Ioniță, in 2004, there were only 88 accommodation spots in guesthouses in Moldova. By 2010, this number had increased to 743 spots; 906 spots in 2015; 1,061 spots in 2020; and 1,632 spots in 2023. In 2024, the number is projected to reach 1,750 spots. Over the last three years, despite the crises, the number of guesthouses has increased by over 50%. Their share has grown from 0.9% in 2005 to 11.8% in 2024 (Ioniță).

We believe, however, that these two concepts should not be used interchangeably. Agritourism focuses specifically on agricultural activities and experiences related to work on a farm. Agritourism can be defined as "a particular form of rural tourism, more complex, encompassing both actual tourism activities—accommodation, guesthouse services, tourist circulation, program organization, provision of basic and additional services—and the economic activity, usually agricultural, practiced by the hosts of the tourists (productive activities of obtaining and processing agricultural products on the farm and selling them to tourists or through commercial networks, as well as leisure activities)" (Câdea 92).

Rural tourism, on the other hand, is a broader concept that includes not only agritourism experiences but also other activities and attractions specific to the rural environment. It may involve visits to cultural sites, participation in local festivals, exploration of natural landscapes, or engaging in outdoor sports. Rural tourism aims to provide an authentic experience of rural life, with a focus on cultural heritage and local traditions. In other words, agritourism is a subset of rural tourism, one of its forms. Agritourism, as a particular form of rural tourism, should be practiced by farmers as a secondary activity, with agriculture remaining their primary occupation and source of income (*idem*). Based on this definition, the main criterion that distinguishes

agritourism from other forms of rural tourism is the fact that agriculture is the primary occupation and income source for agritourism service providers.

In the following, we will present some distinct elements of agritourism business activities, which have a significant impact on their management:

- **Diversification of core agricultural activity.** In most cases, agritourism guesthouses emerge as an extension of the core agricultural activity. On the one hand, this is an advantage because the manager of the farm already possesses managerial skills acquired through running the agricultural enterprise. However, there is an important distinction between traditional agriculture and tourism, meaning that these skills cannot be automatically transferred from agriculture to agritourism. Agriculture and agritourism operate in completely different markets, each with its own specific challenges. While agriculture is based on the production and sale of tangible goods (such as fruits, vegetables, or livestock products), tourism involves offering intangible experiences. This adds a layer of complexity, as the entrepreneur must not only manage logistics and production but also develop a deep understanding of customer needs, expectations, and satisfaction. For instance, they need to consider how to create appealing experiences that resonate with tourists, which might include guided tours of the farm, cooking demonstrations, or educational workshops about sustainable farming practices. Understanding the nuances of customer service and the expectations of different types of tourists - families, couples, adventure seekers, or cultural enthusiasts - becomes essential in crafting offerings that attract and retain visitors. Moreover, the need to adapt to seasonal fluctuations in tourism demand can pose additional challenges. During peak seasons, the agritourism enterprise may require more staff and resources to handle the influx of guests, while in off-peak seasons, managing costs and maintaining service quality can become difficult. As such, successful agritourism operators must possess a blend of skills, including marketing expertise, customer relationship management, and the ability to innovate and adapt to changing market conditions.

- **Differences between traditional agriculture and tourism.** In agriculture, success is measured by production volumes, process efficiency, and the quality of delivered goods. In contrast, tourism is a sector focused on customer experiences and perceptions. The intangibility of tourism services, such as hospitality, comfort, and atmosphere, requires a specialized approach. Unlike a farm, where market interaction is more impersonal and based on economic transactions, tourism demands direct interaction with customers. Success depends on the entrepreneur's ability to create a pleasant and memorable environment for visitors, which requires friendly service, modern facilities, and an inviting atmosphere—elements not essential in traditional agricultural activities. For example, an agritourism guesthouse must offer more than just accommodation; it must create a holistic experience that includes nature walks, traditional meals, cultural interactions, and recreational activities. Without a deep understanding of tourist behavior and expectations, it is difficult to build a successful business in this field.

- **Customer participation, or co-production.** Tourists are not just passive consumers but active partners in the service delivery process. Co-production requires proper preparation from the entrepreneur. It is essential to develop a culture of hospitality that encourages interaction and collaboration. Additionally, entrepreneurs must be flexible and adjust their offerings based on tourist feedback. This adaptability is crucial to responding to customer needs and preferences. Actively listening to tourists and incorporating their suggestions into activities and services can enhance the overall experience. Ensuring that all participants have a pleasant experience is a key factor in the long-term success of the business, as satisfied tourists are more likely to return and recommend the destination to others.

- **Family businesses: a specific characteristic.** Another distinct aspect of agritourism is that these businesses are often family-run. In a family business, all members can contribute to the daily operations, from managing the guesthouse to interacting with tourists or organizing specific activities. In a family-run business, there is often no well-defined hierarchical structure, and family members end up performing multiple tasks simultaneously. Furthermore, the absence of a clear management hierarchy can complicate decision-making processes. In a traditional business setting, clear lines of authority can streamline decisions and enable more structured problem-solving. In contrast, family businesses may face challenges when it comes to resolving differences of opinion regarding business decisions or the division of responsibilities. These disagreements can escalate into conflicts, particularly when family members are passionate about their roles or have differing visions for the business's future. This can lead to role confusion and overburdening certain members, affecting both efficiency and service quality. Managing a business can also create tensions in family relationships. Differences of opinion regarding business decisions or the division of responsibilities can lead to conflicts, which, without a well-defined management structure, can impact the overall performance of the business.

- **Small and medium-sized businesses in agritourism.** Most agritourism businesses are small or medium-sized enterprises (SMEs), which influences their management style. This practice is favored by

several factors specific to these types of businesses, including the limited range of activities, reduced complexity of processes, and a narrow diversity of managerial issues. These factors lead to considerable advantages, such as a high level of motivation for the owner-manager, as the business's success has a direct impact on their income. Additionally, concentrating information and decision-making processes in one person facilitates quick decision-making and reduces the time required for implementation. Furthermore, the risk of communication distortions is minimized, as there are no intermediaries between the owner and business operations, and cost savings are another significant benefit by avoiding the need to hire a separate manager. However, there are also significant disadvantages associated with this structure. One of the most important is the lack of experience and training necessary for efficient business management. Owners do not always have the appropriate managerial expertise, which can lead to mistakes in financial management, strategic planning, or customer relations.

- **Dependence on the entrepreneur's personality.** Each entrepreneur leaves a strong personal imprint on the management they practice. The type and level of the entrepreneur's training, their experience and talent in entrepreneurship and management, and their personal characteristics—such as temperament, work ethic, observational skills, intelligence, organizational capacity, decision-making talent, risk-taking ability, etc.—vary significantly from one entrepreneur to another and are reflected in the differences between their managerial-entrepreneurial approaches (Nicolescu 62). The dependence on the entrepreneur's personality is a key feature of small businesses, where success is closely tied to the individual's abilities and personal involvement. In agritourism, where hospitality and personal interaction are crucial, the entrepreneur's personality significantly influences the tourist experience. The ability to create a welcoming atmosphere, establish authentic relationships with guests, and respond quickly and effectively to the challenges that may arise are essential skills for entrepreneurs in this sector. Direct interaction with customers contributes to creating positive memories and favorable perceptions of the business. Thus, the entrepreneur becomes the central figure shaping not only the services offered but also the culture and atmosphere of the agritourism unit. This dependence on the entrepreneur's personality can be both an advantage and a disadvantage. On the one hand, a charismatic personality and excellent social skills can attract customers and build a strong reputation. On the other hand, such dependence can create vulnerabilities, as the business's success is closely linked to the entrepreneur's individual performance.

- **Agritourism: a relatively new activity in the Republic of Moldova.** In the Republic of Moldova, agritourism is a relatively new activity, and many farmers are still hesitant to invest resources in this field. This reluctance is primarily due to the lack of experience in managing such a business and the uncertainties regarding financial success. Unlike the agricultural sector, where profitability is easier to estimate based on productivity and the market, tourism is much more volatile and influenced by external factors such as seasonality, tourist preferences, and regional infrastructure development. The investment required to establish and maintain agritourism ventures can also deter farmers. Setting up guest accommodations, developing recreational activities, and marketing the business demand significant financial resources and time. Many farmers may not have the necessary capital or may fear that their investments will not yield adequate returns. This concern is compounded by the perception that agritourism requires an ongoing commitment to quality service and maintenance, which can be a challenge for those already stretched thin by agricultural responsibilities. Furthermore, the success of agritourism depends on the ability to create a unique and attractive experience for tourists. Farmers must think creatively about how to leverage their resources, such as local culture, cuisine, and natural landscapes, to differentiate their offerings in a competitive market. However, without prior experience in tourism development or access to support networks, farmers may struggle to implement these strategies effectively. As a result, farmers are cautious about adopting agritourism as a diversification activity, fearing financial risks and the additional efforts required to create a viable business.

These and other differences create the need for a distinct managerial approach, which poses a challenge for managers of these types of businesses. Management in tourism involves a different dynamic than in agriculture, which can lead to significant challenges for those running agritourism guesthouses.

However, with support from state institutions, training programs, and access to funding, agritourism has the potential to become an important source of additional income for farmers and contribute to the development of the rural economy. Successful examples of rural tourism and agritourism development can be seen in the programs implemented by UNDP in the domestic tourism sector. UNDP has followed the path of economic clustering as a key strategy for strengthening sustainable, digital, and resilient economic competitiveness. In this regard, UNDP has developed a methodology specifically adapted for rural areas in Moldova, organically integrating business micro-clustering and the development of the agro-food-tourism value chain.

This approach has proven to be extremely effective in establishing and strengthening partnerships among actors involved in tourism destinations. The development of the agro-food-tourism value chain involves improving agricultural, food production, and tourism activities in a targeted region. Its goal is to stimulate synergies between the agricultural and tourism sectors, thus contributing to economic growth, sustainability, and local development. These partnerships unite the private sector, local and regional authorities, and potential investors, promoting robust tourism ecosystems. UNDP Moldova has facilitated the creation of three tourism clusters in Cahul, Ungheni, and Dubăsari. These three clusters include 80 tourism entities and serve as platforms for collaboration among local businesses, local public authorities, and research and development institutions, thus amplifying their collective impact and competitiveness in the market (Darie).

UNDP, in addition to offering financial, informational, and other types of support, also provides training activities in various professional fields necessary for effective management and marketing by beneficiaries. UNDP has developed a professional training program in travel, tourism, and leisure called "Developing Tourism Activities in Rural Areas." Initially tested for members of the "Heart of the Nistru" micro-cluster, the program was successfully completed by 26 participants who obtained qualifications as workers in tourist guesthouses. The course, aimed at developing skills in rural tourism, covers aspects such as leveraging local tourist attractions, organizing recreational activities in rural tourism, arranging catering services, and developing marketing strategies. With a total duration of 300 training hours, equivalent to 10 academic credits, the program is set to be expanded nationwide, enhancing the capacities of rural tourism operators across the country (Darie).

UNDP has demonstrated the effectiveness of its business micro-clustering approach, facilitating collaboration between the private sector, local and regional authorities, and research and development institutions. Initiatives such as the creation of tourism clusters in Cahul, Ungheni, and Dubăsari, alongside specialized education programs and managerial and marketing training, show that a well-coordinated strategy can stimulate synergies between agriculture and tourism, thus contributing to economic growth, sustainability, and competitiveness in the agrotourism sector. The national expansion of these professional training programs promises to improve the capacities of rural tourism and agritourism operators, ensuring continuous and successful development in this sector.

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UNIVERSITIES' ACTIVITIES IN THE DEVELOPMENT OF ISRAEL'S INNOVATION ECOSYSTEM BASED ON THE STRATEGY

Milana ISRAELI

<https://orcid.org/0000-0002-3033-754X>
Gordon Academic College, Haifa, Israel

Olga BLAGORAZUMNAIA

<https://orcid.org/0000-0001-6791-5481>
Free International University of Moldova, Chisinau

Abstract

The article examines the role of Israel's higher education institutions in shaping and developing the country's innovation ecosystem, with a focus on the creation and implementation of development strategies. Israel, known as the "Startup Nation," actively leverages the potential of universities and research institutes to build innovative infrastructure. The article places particular emphasis on the development of strategies aimed at integrating academic knowledge with practical skills, which contributes to the creation of competitive technologies and products. The authors identify four strategies for universities as participants in the existing innovation ecosystem. An important aspect is the active involvement of universities in international research projects and programs, which enables Israel to strengthen its position in the global innovation market. The article also addresses the challenges and prospects for further development of the university environment in the context of global trends and digitalization. Additionally, the article highlights the need to strengthen cooperation between the academic sector, the government, and businesses to further enhance the country's innovation potential.

Keywords: innovation, university, activity, strategies, ecosystem

One of the main trends in the development of higher education worldwide is the formation of comprehensive "entrepreneurial ecosystems" within universities. Numerous initiatives are being launched that focus on the development of innovative, technological, and social entrepreneurship. Today, the development of entrepreneurship within universities raises many questions, challenges, and unresolved issues. A significant amount of resources is spent on experimentation, and this experience is not often consolidated. While many universities have implemented certain elements, the lack of a well-structured, logically functioning system prevents them from achieving the desired results.

A university's ecosystem is built as a community of creative individuals, including students, faculty, researchers, administrators, and university partners (employers, alumni entrepreneurs, companies, research institutes, financial and government institutions, etc.). According to the authors, a university's innovation ecosystem represents the integration of various participants into a collaborative network aimed at creating new services, products, and technologies, fostering the generation, development, and exchange of ideas (Israeli 33). The university and the enterprise are two entirely different entities, each with its own culture and mission. The key condition for their cooperation is maintaining a balance, ensuring that neither side dominates. The first creates innovations, while the second implements them in production.

For decades, the State of Israel has been supporting the development of its innovation ecosystem by providing various tools to support industry and university R&D. The State of Israel, through the Innovation Authority, encourages technological entrepreneurship and investment in industrial R&D through a variety of programs. Israel earned the title of "Start-Up Nation" following the success of many Israeli startup companies in the international market in areas such as communications, the internet, medical systems, agriculture, biotechnology, security, water desalination, digital printing, and much more (Innovation Report).

The goal of Israel's innovation policy in the strategic plan "Israel 2028" is to maintain Israel's position at the forefront of global innovation and to elevate the entire economy through technological innovations. Successes in the field of Israeli technological innovations are an essential component of the implementation of the national strategy (Dyduch 273).

Israel's ecosystem consists of government institutions, research units (academic circles), as well as private and public firms. All of these entities represent the business and industrial sectors, aimed at the "production, dissemination, and utilization of knowledge" for economic, social, and political purposes (Wonglimpiyarat 82). The creation of an innovation ecosystem is one of the Six Key Principles for a Long-Run Strategy (Israel 2028).

The continuous growth of the technological sector and the development of traditional industries and services are supported by skilled personnel trained in Israel's educational institutions. Israel is one of the leading countries in science and education. The higher education system fosters innovation and helps to create advantages for Israel compared to other countries. The main distinction of Israeli universities from other educational institutions is their high level of research activity. An effective model of innovation development is based on a well-defined foundation for managing and commercializing intellectual property. Israeli research universities have significant potential to transform fundamental research into technological and social solutions.

Recently, the role of universities has shifted from being sources of academic knowledge generation and providers of educated human capital, embodied in students and graduates, to becoming tools for policymakers that promote growth and innovation through the higher education sector. Consequently, universities are now viewed as key contributors to economic growth, fostering entrepreneurial behavior and innovative activities, thereby benefiting and supporting private sector entities in achieving company-level growth (Cunningham 1451).

The creation and development of an innovation ecosystem facilitate the generation of ideas, their development, and exchange. Israeli universities and their research sectors generally possess everything necessary for designing and building their ecosystems, with professionals in the field of innovation commercialization, alongside pioneering ideas for creating intellectual property.

The innovation framework of Israeli universities has developed intensively. Dozens of high-tech spin-offs and startups have been created, and divisions focused on transferring university technologies to the real economy have emerged. Today, many university-developed technologies are being implemented in production by major industrial companies. Some universities are now becoming hubs for innovative solutions, offering opportunities to engage in numerous research projects and assisting partners in finding the necessary solutions.

University innovation ecosystems enable the integration of research activities with project work, education, and entrepreneurship into a collaborative network. To regulate the process of implementing innovations and transforming universities into sources of scientific innovation, human resources, and knowledge, it is essential for universities to create and manage their ecosystems. This necessitates that universities establish an innovation policy that regulates the relationships between the university, the authors of developments, and the consumers of innovative technology.

The strategy's development views the university as an active participant in the current innovation ecosystem. The integration of universities into this ecosystem can occur through several key avenues:

- 1) Generating new knowledge via research activities and leveraging the potential of emerging technologies;
- 2) Transferring knowledge through education and the cultivation of human resources;
- 3) Contributing to the social and cultural advancement of cities, regions, and the nation as a whole;
- 4) Fostering innovation development at both regional and national levels.

The analysis of the actions taken by universities in various countries as they strive to redefine their roles within the innovation ecosystem enabled the authors to identify four strategies for how a university can operate as part of the existing innovation ecosystem. The authors suggest that these strategies guide the university's approach when engaging with the current innovation ecosystem. Figure 1 illustrates different strategic options for university behavior within the ecosystem at the city, regional, and national levels.

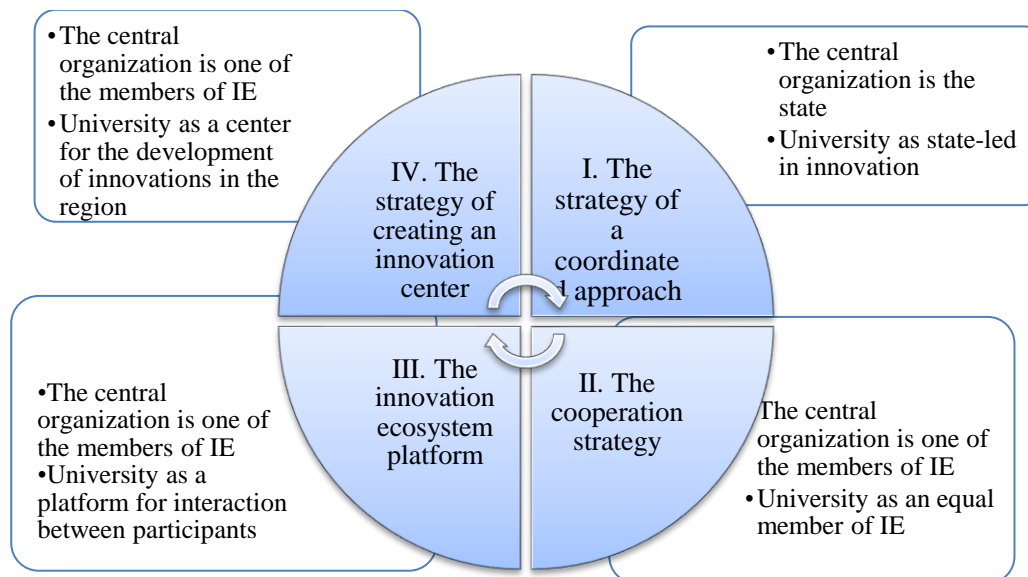


Figure 1. Strategies of the university's behavior as a participant in the existing innovation ecosystem

The strategies outlined in the diagram depict the progression of the university's involvement in the ecosystem, ranging from a relatively passive role to a more active one. The authors interpret the university's innovative activity as the effectiveness of its interactions with other entities within the innovation ecosystem. The focus is on the university's strategic approaches as it integrates into the existing ecosystem.

I. A strategy based on a coordinated approach is feasible when the state plays a substantial role in shaping innovation policies and territorial development and effectively implementing these policies. The government establishes a comprehensive network of university-industry cooperation centers, focusing on universities that are deeply embedded in regional innovation frameworks. Consequently, universities become instruments for executing the state's economic policies. The goal of the coordinated approach strategy is to integrate the university into state-created regional innovation structures, enhancing the effectiveness of scientific research and innovative development.

II. The cooperation strategy outlines a model for the university's role as a participant in an already established regional innovation ecosystem. Currently, universities are viewed as sources of talent and entrepreneurship, and they play a crucial role in driving regional development. This strategy is best suited for economically advanced and politically stable environments where there is a demand for innovations and opportunities for their application in the business sector and society. The goal of the cooperation strategy is to foster new forms of collaboration and to position the university as a leader in innovation creation.

III. The innovation ecosystem platform strategy offers a venue for other participants in the ecosystem to develop their innovative products and services. The platform facilitates interaction and the exchange of groundbreaking ideas among various university departments, high-tech companies, and other stakeholders. The university establishes this platform in regions with advanced scientific capabilities, serving as a hub for diverse ecosystem participants, generating innovative projects sought by the high-tech sector, and providing scientific and methodological support for projects undertaken by enterprises. The goal of this strategy is to attract a range of participants and create favorable conditions for their collaboration, thereby enhancing innovation activities and facilitating the implementation of innovations.

IV. The strategy of establishing an innovation center focuses on positioning the university as the central hub of innovation at the regional level, given its role as a source of talent and ideas in a rapidly evolving technological landscape. Innovation centers in the region are typically entrepreneurial universities, distinguished by their structure, promotion of entrepreneurial activity, diverse funding sources, research and teaching practices, and extensive connections with external communities and organizations. They emphasize a corporate culture that prioritizes innovation, creativity, and interdisciplinary problem-solving. The goal of the innovation center strategy is to serve as a regional hub for fostering entrepreneurship and innovation. This involves mentoring and commercializing research through relevant educational programs (including those focused on entrepreneurship), advancing research activities, and strengthening the regional innovation ecosystem.

Based on the analysis of university behavior strategies in various scenarios—whether as the creator of

the innovation ecosystem (IE) or as a participant in an existing IE—the authors argue that the university's innovation ecosystem strategy outlines the primary development directions needed to achieve its objectives. Developing this strategy should involve setting clear goals and identifying growth points (strategic projects), as well as defining challenges and mechanisms for implementing the innovation strategy for both the university and the region.

The progressive advancement of the innovation ecosystem is driven by a positive trend in innovative activity. Given that the composition of the IE is not static, assessing the system's effectiveness should be based on the level of innovative activity of the university, as a key and permanent element of the system. The level of innovation activity serves as an indicator of the effectiveness of interactions among system participants. A positive trend indicates a successful system, while a negative trend suggests otherwise. Enhancing the university's innovative activity boosts the efficiency of resource use among ecosystem participants and strengthens their connections.

According to the authors, the role of universities in developing the innovation ecosystem evolves throughout its life cycle. The university's innovative activity, which impacts its strategy, ranges from minimal to maximal. The strategies described can be placed on a scale that spans from a relatively passive role to a highly active one (Figure 2).

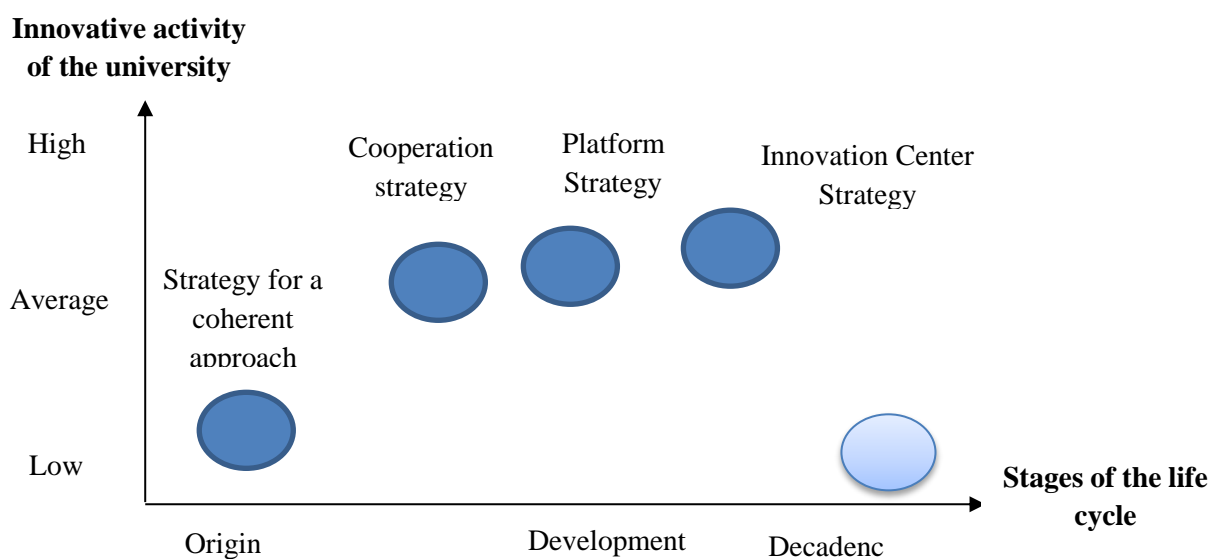


Figure 2. Activity of the university at the stages of the life cycle of the innovation ecosystem within the framework of development strategies

At the initial stage of integrating a university into an existing innovation ecosystem, its level of innovative activity is relatively low. According to the coordinated approach strategy, the university must adapt to the ecosystem's conditions and interaction rules, establish partnerships, and align with the state's innovation policy.

As the innovation ecosystem develops, the university's innovative activity increases. At this stage, each participant in the ecosystem fulfills its role, work methods are established, and communication is nearly at its maximum capacity. The university actively promotes its innovations, possesses adequate resources to support a wide range of knowledge and innovations, and becomes a leading force in regional innovation. Consequently, it influences strategic directions not only for the innovation ecosystem but also for the local economy. The strategies for cooperation, platform creation, and innovation centers are shaped by the university's level of involvement in regional innovation processes, as well as its internal and external environments and its specific goals and objectives.

Universities are currently experiencing a significant shift in their strategic focus, acknowledging the need to adapt and more effectively leverage knowledge in innovation for both the market and society. Entrepreneurial universities strategically position themselves as creators and distributors of new knowledge, organizers of interdisciplinary and innovative initiatives for applying this knowledge, and facilitators of connections between universities and industries. They craft strategies for building and evolving the ecosystem based on their chosen scenarios, aiming to enhance the dissemination, application, and utilization of knowledge and technologies.

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EFFECTIVE SCHOOL LEADERSHIP: LESSONS AND REFLECTIONS FROM A TWELVE-YEAR EFFORT IN A STRUGGLING URBAN SCHOOL

Yfat MENASHKO

<https://orcid.org/0000-0003-2457-8002>

*Free International University of Moldova (ULIM), Chisinau
School Principal and Coordinator in the Pedagogical Administration,
Ministry of Education, Israel*

Nina PESTUSCO

<https://orcid.org/0000-0003-1721-8471>

State University of Moldova, Chisinau

Abstract

In an era marked by heightened competition, economic growth, and financial instability, organizations face complex challenges that threaten their stability. To navigate these crises, they are turning to innovative leadership strategies. This study explores the role of **authentic leadership** in educational organizations, focusing on how school principals' leadership styles influence school performance and teachers' perceptions of their professional competence. The research forms part of a broader doctoral thesis that examines the impact of authentic leadership in education. The study demonstrates that authentic leadership can foster a **positive school climate**, enhance teachers' sense of competence, and drive educational success. These results align with prior research, suggesting that authentic leaders can promote trust, teacher involvement, and well-being, while also fostering ethical behavior. Furthermore, the study underscores the critical need for **adaptability** in the post-pandemic educational landscape, where disparities in student outcomes persist and challenges related to **staff retention and professional development** remain prevalent.

Keywords: authentic leadership, positive school climate, adaptability, staff retention, professional development

In response to contemporary crises, organizations face a period of heightened competition, economic volatility, and financial instability, threatening their sustainability. To address these complex challenges, organizations must adopt innovative, diverse strategies to promote resilience and maintain progress across various domains.

A growing body of research emphasizes the role of organizational leadership in ensuring stability and success. This study, part of a broader doctoral thesis, investigates authentic leadership within educational institutions. Specifically, it explores the leadership styles of school principals, alongside teachers' evaluations of their principals' professional competence, aiming to shed light on the impact of authentic leadership on institutional effectiveness (Omolayo 30).

In today's research landscape, significant attention is given to organizational leadership and the role leaders play in fostering institutional success. This study is part of a broader doctoral thesis focusing on authentic leadership within educational organizations. It specifically examines school principals' leadership styles and teachers' evaluations of their principals' professional competence. The goal is to offer deeper insights into how authentic leadership influences the functioning of educational institutions.

This research employed quantitative methods, involving 153 teachers and 18 school administrators. Data were collected through structured questionnaires and analyzed using SPSS. The sample included schools with both high and low academic performance, as measured by national educational assessments.

The study identified a notable difference between high-achieving and low-performing schools in terms of the principals' perceived levels of authentic leadership. Principals from high-achieving schools were more likely to exhibit behaviors associated with authentic leadership, such as self-awareness, transparency, balanced decision-making, and moral integrity. Teachers from these schools rated their principals higher in leadership competence, highlighting the positive correlation between authentic leadership and institutional success.

Emerging leadership theories increasingly emphasize principles such as honesty, ethics, spirituality, and authenticity, forming frameworks like ethical, spiritual, and authentic leadership. Among these, authentic leadership theory is the most developed, drawing significantly from positive psychology and positive organizational scholarship (Avolio 801). This theory operates on the idea that a leader's ability to understand and align their actions with their personal values and beliefs—being authentic—positively influences the attitudes and behaviors of their followers.

Although the concept of authentic leadership is still undergoing theoretical validation, its practical application began in the 1990s. During this period, several organizational psychologists designed successful training and development programs that placed authenticity and self-awareness at the center of leadership development. These initiatives aimed to help leaders better understand their inner motivations and express them transparently, thereby fostering trust and positive influence within organizations (Ardichvili 619).

The concept of authentic leadership emerged from literature on positive psychology and organizational scholarship. It emphasizes leaders' self-knowledge, adherence to personal values, and alignment between beliefs and actions. Four core dimensions of authentic leadership—proposed by Gardner et al. (Gardner 343)—include:

1. Self-awareness: Understanding personal motivations and their influence on behavior.
2. Transparency: Building trust through openness and genuine interaction with others.
3. Balanced processing: Making decisions based on objective consideration of all data.
4. Internal moral perspective: Adhering to moral standards that guide values and actions.

While initially applied to business and social organizations, authentic leadership has proven effective in educational settings (Algera 118). Principals who adopt authentic leadership foster reforms and positive change within schools by engaging teachers in collaborative efforts toward shared goals.

This study concludes that authentic leadership plays a pivotal role in enhancing institutional productivity and success, even amid uncertainty. It emphasizes the need for adaptable, value-driven leadership in educational contexts, especially in light of post-pandemic challenges (Ilies 373). Effective school leaders must promote flexibility and continuous professional development, ensuring both student and teacher well-being in rapidly changing environments.

The findings contribute to the growing understanding of authentic leadership's value in education management, reinforcing its importance for long-term institutional success.

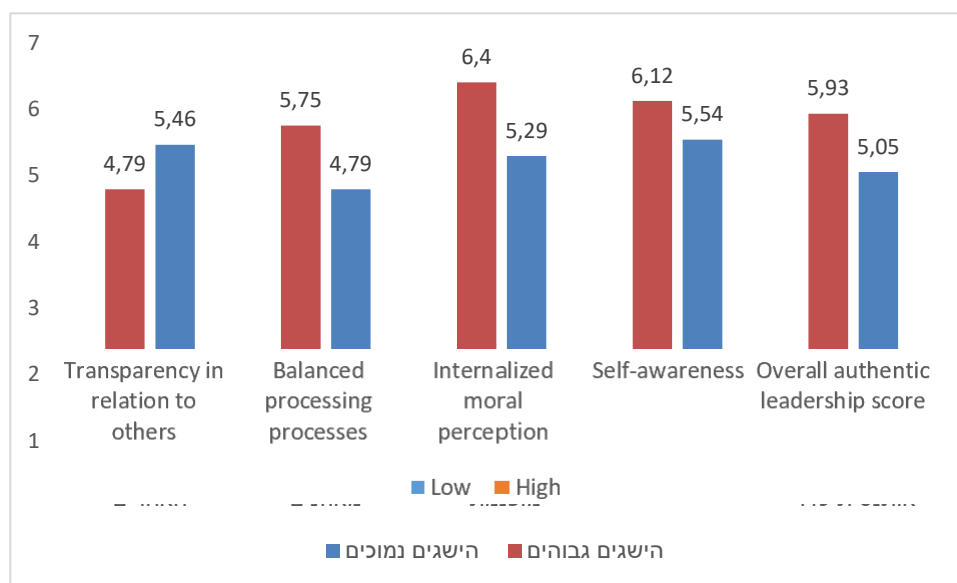


Figure 1. The comparison between principals of schools with low versus high achievements in terms of authenticity scores according to the principals' ratings.

The results reveal notable differences between the two research groups across several variables. The following diagram contrasts the performance of principals from low-achieving and high-achieving schools, highlighting the disparity in authentic leadership. Principals of high-achieving schools demonstrated superior capabilities in key areas such as leadership competence, interpersonal relationships, pedagogical management, fostering a school culture supportive of learning, promoting teamwork, and managing external relations effectively.

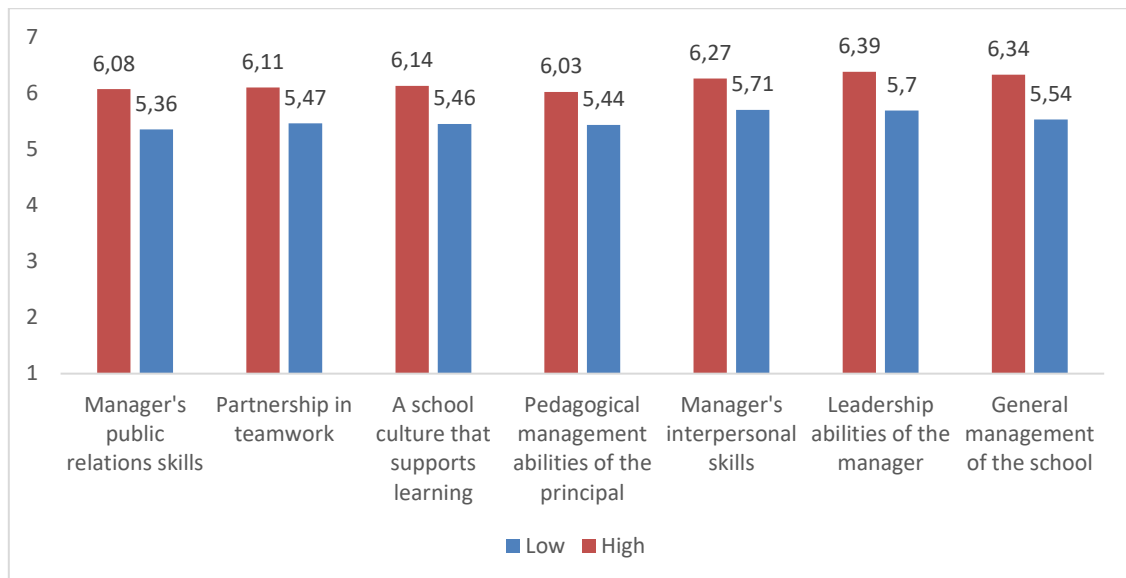


Figure 2. The comparison between principals of schools with low versus high achievements in terms of authenticity scores according to the teachers' ratings

This study explored how authentic leadership influences outcomes in educational institutions with varying levels of performance. The results show that female principals in high-performing schools demonstrate a higher degree of authenticity, including stronger self-awareness, internal moral perspective, and balanced decision-making abilities.

Additionally, teachers in high-achieving schools rated their principals more favorably across several areas, such as general management, leadership abilities, interpersonal relations, pedagogical management, and the promotion of a collaborative school culture. These principals also excelled in fostering teamwork and building effective external relations. Finally, the findings indicate that principals' authenticity has a more substantial positive impact on school climate and teachers' sense of competence in high-performing schools compared to low-performing ones.

This study aligns with prior research, which highlights the positive impact of authentic leadership on key areas such as teacher trust, involvement, commitment, and overall school climate. Other studies have found that principals with a strong sense of authentic professional identity establish an ethical school environment and reduce the use of unethical management practices.

These findings also support the theoretical view that authentic leaders can promote positive psychological development in their staff and influence organizational behavior through psychological processes. The unique contribution of this study lies in providing evidence that authentic leadership directly correlates with higher performance outcomes in schools.

The study has several limitations, particularly regarding the small sample size, especially among school principals. To strengthen the validity of the findings, it is essential to expand future research by including a broader sample of participants to gain a more comprehensive understanding of the subject.

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THE PARTICULARS OF THE ORGANIZATION OF MARKETING RESEARCH FOR COMPANIES PRODUCING WHITE SEA BUCKTHORN

Sergiu MÎRZA

<https://orcid.org/0000-0003-4180-733X>

Technical University of Moldova, Chişinău

Abstract

One of the most important characteristics of any agricultural enterprise concerns the enormous number of decisions it faces on a daily basis. In this way, decisions are made related to the activity of the research and development department, of the marketing, production, financial, human resources, etc. Strategic decisions are taken - of long-term scope and impact, or tactical decisions - narrower in terms of time horizon and complexity. In this complex gear of decisions, those regarding marketing particularly attract attention; through its own philosophy, marketing aiming not only at the simple attraction of customers, but - and only here begins the difficulty of its conception and practice -, ensuring their satisfaction after consumption.

The solution of the difficult problems that the agricultural enterprise faces in the implementation of the marketing spirit in a scientific, modern way is carried out on the basis of a complex set of information, which allows it to correctly orient itself on the market and make the decisions that are optimal for it. Having valuable information, managers make marketing decisions burdened by the lowest dose of risk possible under the given conditions. Marketing research therefore provides precisely the information necessary for the organization to practice the modern marketing concept in its businesses.

Keywords: marketing decision-making process, marketing research area, marketing information system, marketing research providers.

In today's fast-paced economy, information capital is a crucial strategic asset. The external environment of agricultural enterprises is constantly evolving, bringing significant changes over time. When an economic agent succeeds, it quickly attracts attention from new competitors. As competition intensifies, customers' expectations for products increase (Kotler 89). Customers are no longer passive market participants; they have become active forces that exert pressure on companies. They now value more than just product availability, demanding higher-quality offerings. Consequently, the customer is no longer guaranteed or "a given." The mindset of "we have products, demand is endless, and customers will come" has become outdated and ineffective in meeting customer needs and desires (Balaure 65). Attracting and retaining customers has become increasingly challenging and requires focused effort. In this competitive landscape, managers must make strategic decisions regarding opportunities, target markets, market segments, and the design, implementation, and control of marketing programs to achieve success.

This decision-making process is complex and involves the continual interaction of marketing mix elements—product, price, distribution, and promotion. Additionally, these decisions are influenced by external factors, some beyond the company's control (e.g., economic, socio-cultural, environmental, political-legislative, and technological factors) and others that are partially controllable (e.g., customers, competitors, suppliers, and intermediaries).

Marketing research plays a key role by helping managers connect the elements of the marketing mix with external business variables, reducing the uncertainty that surrounds the business environment. All functions within a company must consider external market dynamics to effectively plan and guide their strategies. In other words, obtaining accurate and relevant market information is vital for ensuring profitable and sustainable growth. Although decision-making processes can vary, they share common elements, following a sequence of activities that form a marketing decision-making algorithm (Cătoiu, 2009: 65).

A typical marketing decision-making process can be understood through the DECIDE model (Figure 1), which consists of six steps: defining the problem to be solved and the objectives to be achieved; listing possible alternatives; gathering necessary information and evaluating the potential outcomes for each alternative; selecting the best option; implementing the chosen solution; and finally, evaluating the results and making adjustments as needed.

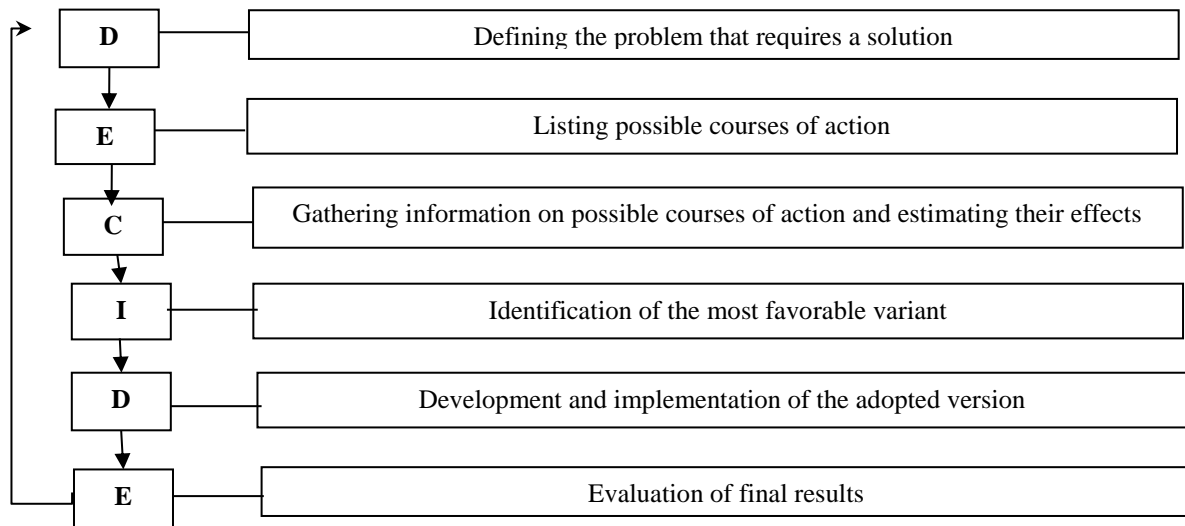


Figure 1. The "DECIDE" marketing decision-making model

To clearly conceptualize and visualize the decision-making problem, a decision tree is created. At the root of the tree lies the issue faced by the agricultural enterprise, while the branches represent the possible courses of action (decisions) and the anticipated outcomes of each decision.

For instance, consider an enterprise that produces white hawthorn and is experiencing a decline in sales. In response, the management identifies several alternative actions, each with its own potential results (Figure 2).

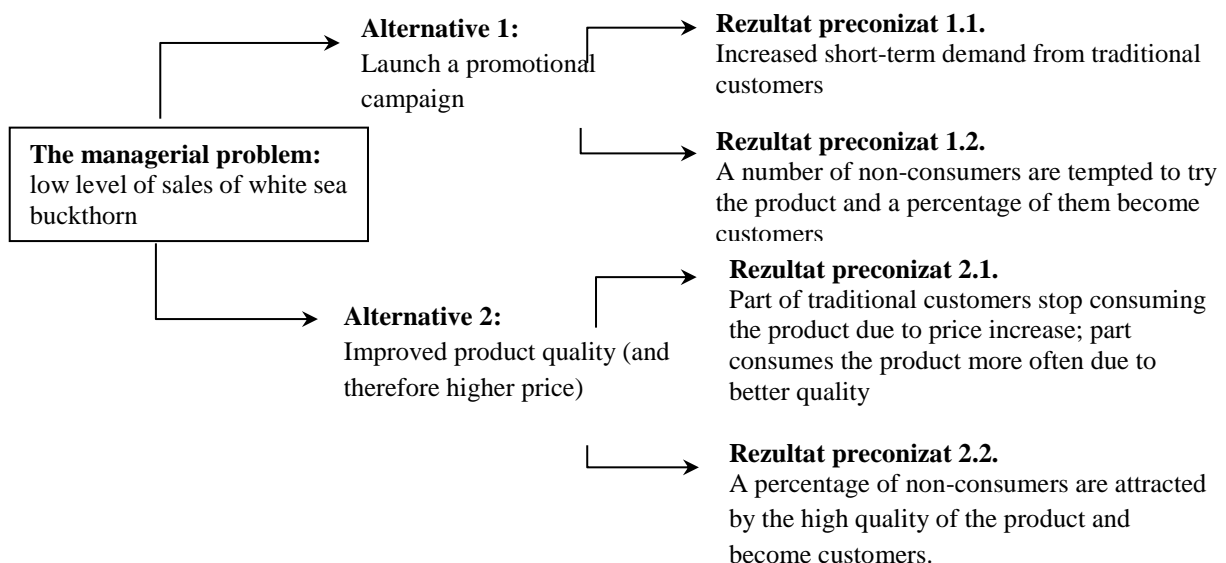


Figure 2. The process of solving a problem in the producing agricultural enterprise white sea buckthorn

To determine the most economically viable option, the manager must answer questions such as: what is the real cause of the sales decline, what is the most likely outcome for each proposed solution, and will the anticipated result be profitable for the enterprise? Even if the manager has assumptions about the answers, relying on incorrect information could lead to a marketing strategy that incurs excessive costs, potentially causing substantial financial losses for the enterprise.

When forecasting outcomes, the manager draws on accumulated experience, company reports, past studies, published data, and direct feedback from consumers. However, predicting possible outcomes is challenging, as unforeseen events may arise between the time of forecasting and the actual realization of results, which are often beyond the manager's control. To mitigate the impact of these unforeseen events, the

manager must maintain a comprehensive understanding of the company's external environment. In this regard, information becomes a critical resource for facilitating sound decision-making. Environmental, market, and consumer data are gathered through marketing research, which reduces uncertainty and minimizes the risk of making poor investments.

The information obtained from marketing research supports the implementation of proactive management in the agricultural enterprise. Unlike reactive managers, who respond only after external changes significantly impact the business, proactive managers anticipate and adapt early. They adjust marketing tactics and develop long-term strategies that align with emerging trends in both the micro and macro environment.

There are numerous definitions of marketing research, each highlighting its complexity, characteristics, and role. One such definition, offered by Romanian specialists, emphasizes the systematic and scientific nature of the process: "Marketing research is the formal activity through which, using scientific concepts, methods, and investigation techniques, marketing information is specified, measured, collected, analyzed, and objectively interpreted to aid the management of the economic unit in understanding its operating environment, identifying opportunities, evaluating alternatives for marketing actions, and assessing their effects" (Cătoi, 2007: 118).

Any economic enterprise that sells products or services needs information about the markets it serves—whether actual customers, potential buyers, business-to-business clients, or final consumers—to determine what it should produce, to whom it should offer its products, and how to deliver them effectively.

Almost all agricultural businesses, in some form, likely engage in marketing research, even if informally, to avoid making misguided decisions. However, relying solely on internal statistics to identify trends and devise strategies may not be enough to secure profitable growth.

For marketing research to fulfill its intended purpose, it must be integrated into all aspects of the marketing function. Some research is continuous, while other studies are focused on specific investigations related to particular projects. The scope of marketing research is broad, encompassing the enterprise, its external environment, and the interaction between the two. Key areas that can be explored through marketing research include:

- **Internal environment research** (within the enterprise). Objectives, strategies, policies, human, material, and financial resources (volume, structure, quality, and availability), the enterprise's ability to mobilize and adapt resources to meet its goals, and the quality of management practices.
- **External environmental research.** General economic and sector trends, competitor activities and marketing policies, the legislative and institutional framework, and the technological, environmental, socio-political, demographic, and cultural context.
- **Market research.** Market characteristics, structure, capacity, dynamics, spatial dimensions, and various phenomena such as supply and demand, pricing, imports and exports, market shares, and consumer segmentation.
- **Consumer research.** Buying habits, product usage, consumer needs and expectations, perceptions of the company's products and competitors, lifestyle and psychographics, purchasing decision factors, customer satisfaction, and loyalty.
- **Marketing mix policy research:**
 - **product research:** product attributes, product line composition, product modifications, new product concepts, competitive analysis, product testing, branding, and packaging.
 - **price research:** pricing levels, differentiation by product line, pricing strategies, discounts, and rebates.
 - **distribution research:** distribution channels, logistics systems, distribution strategies, and services offered to customers.
 - **promotional research:** structure and effectiveness of promotional activities, advertising media selection, message development, campaign planning, product awareness, and company image.
- **Public opinion research.** To gauge general perceptions and attitudes towards the company and its offerings.

In addition to these aspects, marketing research also includes comprehensive analysis and forecasting (short-, medium-, and long-term) to guide marketing programs and activities, and to assess the effectiveness of marketing efforts (Timiraş 126).

Figure 3 illustrates the role of the marketing department within a company's decision support system.

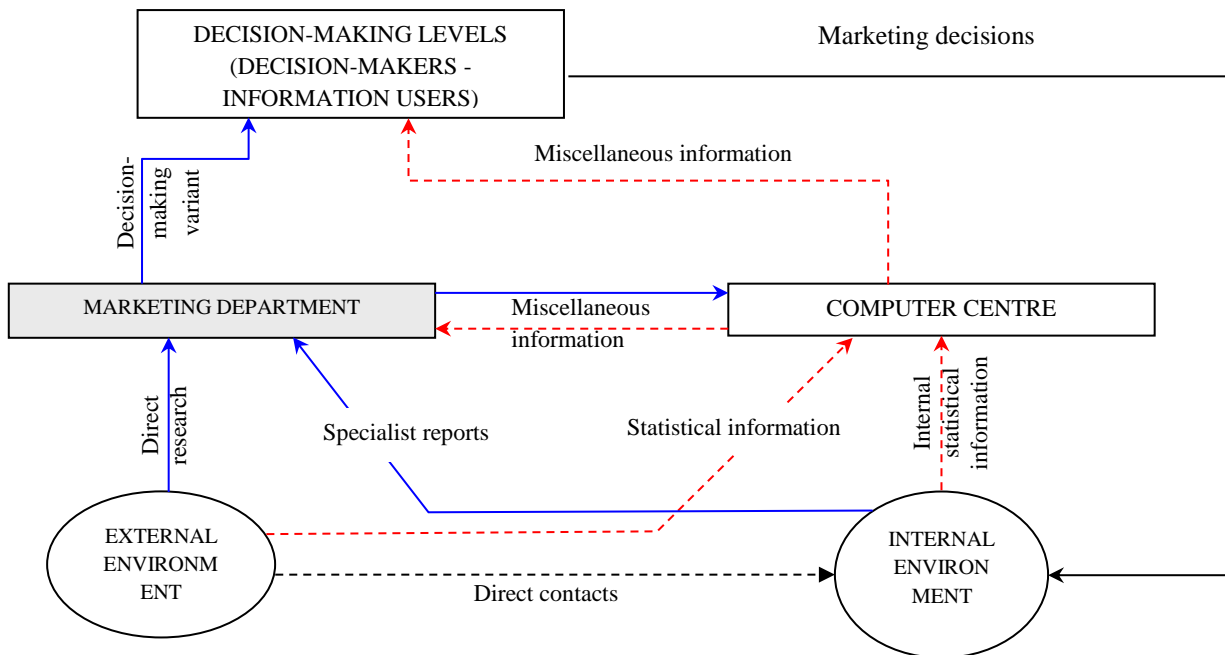


Figure 3. The role of the marketing department in the decision support system

There are notable distinctions between research conducted on industrial markets and that on consumer goods markets. In industrial markets, purchasing decisions are made under completely different circumstances compared to those made by public consumers. Products sold for industrial production purposes are typically highly technical, and even the simplest items are evaluated from a technical perspective by buyers. When conducting research in industrial markets, the researcher must grasp the buyer's rationale and terminology. For specialized markets, the researcher needs to possess both engineering expertise and marketing knowledge. A key responsibility is recognizing that industrial purchasing decisions are rarely made by one individual, so the researcher must skillfully identify and engage with the most qualified people to gather their opinions about the product. Additionally, they must understand business practices, nuances, and have the skill to observe, inquire, and interpret effectively.

Consumer goods market research, although sharing similar objectives, is approached differently. The marketing researcher must collect information from various levels to assist management in creating strategic plans. Data can be gathered through interviews, home visits, letters, street surveys, telephone calls, or at public events. The scope of these surveys can range from a single neighborhood to an entire city, region, or even a national scale, targeting either the general population or specific segments.

Marketing researchers use a variety of disciplines to execute their projects, not only drawing from economics related to production and marketing, but also leveraging fields like sociology and mathematics. These disciplines help create plans for gathering and analyzing specific information to carry out the research effectively.

The role of marketing research has evolved with advancements in computer technology. Initially, research was conducted to provide specific information needed in certain situations (ad hoc research). Over time, it has shifted from occasional projects to ongoing systems that consistently meet information needs in a more integrated manner.

Data obtained from internal reports and conducted marketing research contribute to the company's Marketing Information System (MIS). The MIS can be defined as a system comprising specialists, equipment, and procedures that accurately and promptly collect, analyze, and distribute the relevant information needed by company management to support decision-making, execution, and control.

Although managers can utilize a Marketing Information System (MIS) to gather the data necessary for decision-making, the system has certain limitations: it is reliant on reports, features a rigid structure, is cumbersome to operate, requires specialized software, offers limited flexibility in data presentation, and considers only a limited range of options. To address these shortcomings, a more advanced system has been developed—the Decision Support System (DSS). This system, centered around computer technology, allows managers to access the information they need at any time to support decision-making.

Based on the type of research required, available capacity, and resources, users (research beneficiaries) can either rely on internal research capabilities or seek external providers that offer full or partial research services. Figure 4 categorizes different types of marketing research providers:

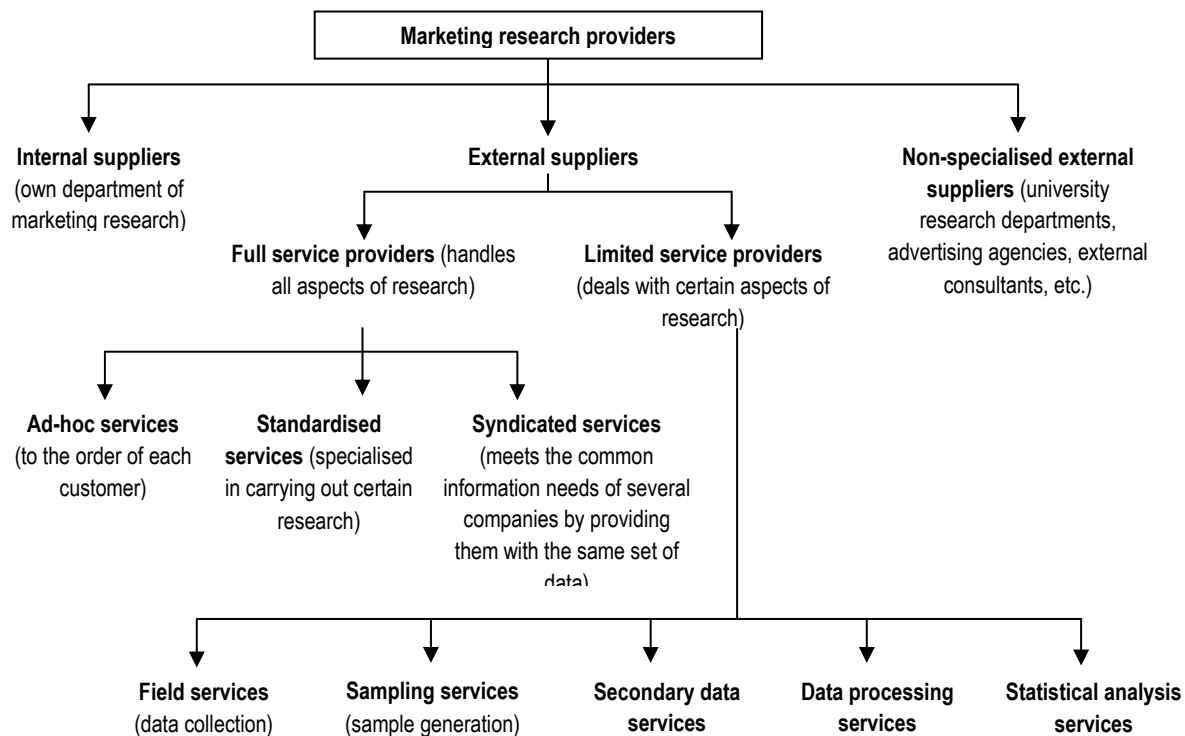


Figure 4. Classification of marketing research providers

In most cases, three key parties are involved in the marketing research process: the researchers (conducting the research), the clients (beneficiaries of the research results), and the respondents (sources of information).

Ethical guidelines define the rights and responsibilities of each party, ensuring a fair and transparent environment for all participants, as well as for society as a whole. International professional organizations (such as the American Marketing Association, the European Society for Marketing and Opinion Research, and the World Association for Public Opinion Research) have established ethical codes to promote integrity, professionalism, fairness, and confidentiality in the industry, protecting the interests of both clients and the public.

Clients are expected to provide accurate information about the purpose of the research and the intended use of the results. It is unethical to publish findings that cannot be substantiated by the data collected during the study. Additionally, requesting a research proposal solely to obtain free advice or to share it with a competing firm is considered improper.

For their part, researchers must conduct studies objectively, without personal bias influencing the outcomes. They are responsible for sharing all collected data, methods, and procedures with the client. Any issues that could compromise the quality or reliability of the research, such as low response rates from certain consumer segments, must not be concealed. Researchers are prohibited from using collected data for personal gain and must maintain confidentiality. It is also a common ethical practice for a research provider not to accept research requests from two competing companies simultaneously.

Respondents have the right to voluntarily participate in research, maintain anonymity, and have their data treated confidentially. They must be respected and informed about the purpose of the study. When these rights are respected, respondents are expected to provide accurate data and be cooperative and honest.

In today's rapidly evolving economy, gathering precise and reliable market data is essential for planning profitable and sustainable business growth. Despite the diversity of decision-making processes, they often follow a similar pattern, involving a sequence of activities that create a genuine algorithm for marketing decisions.

In economic activities, information is regarded as one of the core resources necessary to facilitate decision-making. Environmental, market, and consumer data are gathered through marketing research. The

information provided by marketing research helps reduce uncertainty for decision-makers and mitigates the risk of poor investments.

For marketing research to be effective, it must encompass all aspects of the marketing function. Some research is ongoing, while other studies focus on specific investigations related to particular projects.

To ensure the integrity of the marketing research process, honesty, professionalism, fairness, and confidentiality must be upheld to protect the interests of clients and the public.

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ASPECTS REGARDING THE EFFICIENCY OF THE MANAGEMENT SYSTEM OF THE ENTITY THROUGH THE INTERNAL AUDIT

Mirela MOLDOVAN

<https://orcid.org/0000-0002-2070-5759>

*Free International University of Moldova (ULIM), Chisinau
AVANGARDE BUSINESS GROUP S.R.L., Bucharest*

Igor BALAN

<https://orcid.org/0000-0001-8605-5640>

Free International University of Moldova (ULIM), Chisinau

Abstract

The recent structural changes in the country and worldwide, along with developments in economic growth and the establishment of new management systems, have contributed to the global expansion of internal auditing. The interest in implementing internal audit is shown by both private sector stakeholders and public entities, aiming to assess the efficiency of material, financial, and human resources within organizations. In modern economic entities, adapted to the current demands of society and the labor market, internal audit is not limited to general management functions, providing advice to managers, but also offers recommendations to enhance the efficiency of the activities carried out. This article examines the conceptual framework of corporate governance, highlighting its significance in ensuring effective management and accountability within organizations. The authors highlight the main aspects concerning the optimization of the entity's management system through internal auditing. Various authoritative sources, including the Cadbury Report and OECD, define corporate governance as a system of relationships between stakeholders, aimed at achieving strategic objectives while safeguarding interests. It emphasizes the role of governance structures in promoting transparency, compliance, and ethical conduct. Additionally, the article discusses the importance of adopting best practices and standards to enhance governance effectiveness, thereby contributing to long-term value creation for shareholders and society as a whole. Overall, it underscores the critical nature of sound corporate governance in today's complex business environment.

Keywords: audit, internal audit, internal control, management system, corporate governance.

Internal audit is an independent and objective assurance and consulting activity designed to add value and improve an organization's operations. It helps the organization achieve its objectives by systematically and rigorously assessing and improving the effectiveness of risk management, control, and governance processes. This involves evaluating and ensuring the effectiveness of an organization's internal control system. Implementing the control system within an entity and ensuring that internal control policies are adequate to achieve established objectives is the responsibility of management, while providing management (the entity's leadership) with assurance regarding the completeness, functionality, and adequacy of the internal control system is the responsibility of internal audit. From this, we can deduce the interconnection between internal control and internal audit at the entity level.

Conceptual approaches in this field include international internal audit standards, which focus on risk assessment, control, and governance (Moldovan, 2022: 18). These standards provide a framework for conducting internal audits, including elements such as independence, objectivity, competence, and professional diligence. National standards are issued by a recognized professional body that serves as the authority in the field. These audit standards allow third parties to have confidence that the auditor's opinion will be issued according to uniform quality criteria; they also enable the auditor to define the objectives to be achieved by applying the most appropriate techniques. Audit standards are classified into three categories, covering the entire scope of the auditor's work:

- professional work standards;
- reporting standards;
- general behavioral standards.

It is worth noting that corporate governance is a fundamental element influencing internal audit activities, alongside risk management and the entity's control system (Ghiță 5).

In international literature, corporate governance is presented as a set of connections between an entity's management (in the broad sense) and all other parties interested in its activities (stakeholders) (Jula 8). This corporate governance is founded on principles represented by sets of best practice guidelines for managing

entities and how they interact with third parties, published by the Organization for Economic Cooperation and Development (OECD), with the first version released in 1999 and revised in 2004 and 2015 (Segreto 10).

Guidelines found in the specialized literature are presented under three theories: management theory, corporate theory, and market theory, each addressing various levels of financial and non-financial information within and outside the entity. The pillars supporting these corporate governance principles are integrity, transparency, and the reliability of information. Globally recognized corporate governance models, developed in Table 1, are illustrated in Figure 1.

Table 1. Conceptual Approach to Corporate Governance

Source	Concept
Cadbury Report	Corporate governance represents the system by which companies are directed and controlled. It involves the acceptance by company managers of shareholders' rights, which are inalienable in relation to the company's administrators.
IIA	Governance is a combination of processes and structures implemented by the board to inform, oversee, direct, and monitor the organization's activities with the aim of achieving its objectives.
World Bank	Corporate governance is a set of laws, norms, regulations, and codes of conduct adopted voluntarily, allowing a firm to attract the necessary human and material resources and conduct efficient activities that generate long-term value for shareholders, stakeholders, and society.
Belgian Code on Corporate Governance	Corporate governance represents the rules by which companies are controlled and managed.
OECD	Corporate governance is a set of relationships between management, the board of directors, shareholders, and other stakeholders; it is the structure through which a company's objectives and the means to achieve and monitor them are established. It includes an incentive system for the board of directors and management, facilitating the efficient use of resources.
IFAC	Corporate governance represents a set of practices by the board of directors and executive management, exercised to ensure strategic directions, objective achievement, risk management, and the responsible use of financial resources.
Feleagă N.	Corporate governance represents a set of "rules of the game" by which companies are internally managed and supervised by the board of directors to protect the interests of all participating parties.

This table highlights the multiple interpretations and common elements of corporate governance, such as the protection of shareholders' interests, management oversight, and the assurance of accountability in the use of resources.

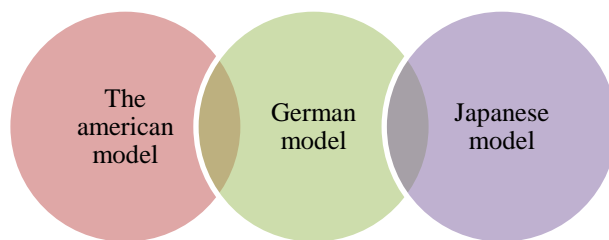


Figure 1. Globally Recognized Corporate Governance Models

It is worth noting that these corporate governance models exhibit both common points in the form of similarities and distinct points as differences. For instance, the German model involves significant capital concentration, while the American model is primarily based on the close relationship between shareholders and the entity. This American model is also the one that most closely represents European companies, focusing on the long-term orientation of strategic plans and the stability of the entity. The Japanese model brings coherence at the entity level as well as within holding structures. In Romania, the corporate governance principles offered by the Organization for Economic Cooperation and Development (OECD) are applied. The

corporate governance system is important because it ensures the effective delineation of tasks between the public entity's management, higher-level entities, local public administration, and users of audit reports (Moldovan, 2022: 64).

Any entity, whether public or private, cannot rely solely on its own internal audit, no matter how effective it is; it is required by law and by shareholders to undergo an annual statutory audit in compliance with International Standards and the Standards of the Chamber of Financial Auditors of Romania. This statutory audit provides the necessary endorsement for the balance sheet and discharge of the board and supervisory council.

In the context of the evolution of the entity's management system, establishing organizational forms of control and internal audit plays a crucial role in ensuring operational efficiency and effectiveness. As the business environment changes and entities grow more complex, it is vital for organizations to adapt their control and internal audit practices to respond to new challenges and opportunities (Boța-Avram 32).

The development of organizational forms of control and internal audit also involves enhancing the knowledge and skills of personnel within these departments to effectively manage risks, ensure regulatory compliance, and add value to the organization by identifying opportunities for process and operational improvements (Păunescu 46).

The evolution of the entity's management system may involve adopting risk-focused approaches, integrating digital technologies to enhance operational efficiency, and expanding the responsibilities of control and internal audit departments to cover areas such as sustainability and corporate governance. Thus, the formation of organizational forms of control and internal audit must consider business environment developments and adapt to meet the changing demands of entities (Țurlea 12).

As entities grow and mature, the needs for internal control and audit diversify and become more complex, necessitating adjustments in organizational structures to address new challenges. It is essential to establish a robust internal control framework aligned with the entity's objectives and strategies. This framework should include policies and procedures that ensure operational efficiency, the reliability of financial reporting, and compliance with current legislation.

With the evolution of the management system, it may be necessary to adapt audit plans, verification processes, and human resources to remain relevant and effective within the entity's changing context (Moldovan, 2021: 142). In a constantly changing environment, internal audit functions need to adjust their approaches to maximize the added value they provide. Furthermore, implementing an effective internal/managerial control system requires periodic evaluations to ensure efficiency in achieving the entity's objectives in an economical, efficient, and effective manner. Organizational structures of control and internal audit must be flexible enough to adapt to changes in the entity's management system while maintaining stability to ensure continuity and consistency in control and audit processes. Thus, entities must continually assess and improve these structures in line with internal and external developments.

Internal audit, through its activities, monitors the implementation of internal audit procedures, risk management, and governance processes.

Legally, Law No. 672/19.12.2002 outlines the general role of internal public audit, including the objectives of economic, financial, and managerial control (Legea 3). Internal public audit also provides the framework within which public auditors can practice (Oprean 62). The audit plays a key role in identifying efficient solutions and supporting the development of the techniques and tools necessary to identify risks. Auditors must possess considerable knowledge and a deep understanding of corporate governance to effectively support and advise management and contribute to the entity's achievement of its objectives.

A widely adopted model, endorsed by the European Commission, uses a "three lines of defense" framework to clarify the role of internal audit.

- First Line of Defense Operational management is responsible for risk management by maintaining effective internal controls and performing daily control procedures. Operational management must oversee risk verification, identification, evaluation, control, mitigation, and guidance on the development and implementation of internal policies and procedures, ensuring that activities align with the entity's goals and objectives.

- Second Line of Defense This refers to risk management and compliance functions that ensure the design, implementation, and operation of the first line of defense, making adjustments to internal control and risk management systems as needed.

- Third Line of Defense The internal audit function, which provides the highest level of independent and objective assurance to the governance structure and executive management on the effectiveness of the risk management, control, and governance system. This third level of assurance is unique to internal audit and cannot be achieved through the first two lines of defense.

Internal audit is a crucial part of an entity's management system, with a vital role in ensuring the effectiveness of processes and identifying potential risks. Key aspects of internal audit's role include (CAFR 5):

- ✓ **Ensuring Compliance and Risk Assessment** Internal audit is responsible for verifying legal compliance and assessing the effectiveness of the entity's internal control system, contributing to identifying and managing operational, financial, and compliance risks.
- ✓ **Providing Independent Assessment** Internal audit offers an objective, independent evaluation of business processes, risk management, and internal control, thus enhancing transparency, integrity, and operational efficiency.
- ✓ **Advisory and Consulting Role** Internal audit can advise management on process improvements, efficiency opportunities, and risk management, acting as a valuable partner in the entity's continuous improvement efforts.

The role of internal audit within the management system is positioned at the interface between executive management and the board of directors, operating independently from the entity's operational functions to ensure objectivity and impartiality in its assessments. This strategic positioning allows internal audit to act as a catalyst for continuous improvement, monitoring the effectiveness of the internal control system and recommending enhancements where necessary. Therefore, internal audit is not merely a supervisory function but a strategic partner in ensuring the entity achieves its objectives in a responsible and sustainable manner.

Internal audit holds a central place within an entity's management system, playing a multifunctional role that contributes to the continuous improvement of processes and ensures compliance with standards. Its most critical role is to guarantee that the entity's internal control processes operate efficiently and effectively, thereby helping protect assets and reducing the potential for fraud and errors. Additionally, internal audit supports compliance, risk management, and provides valuable, independent insights for the organization's leadership. By assessing the risks the entity faces, internal audit provides recommendations for risk management and the optimization of processes within the entity.

By its independent and objective nature, internal audit serves as a trusted advisor to management, contributing to greater transparency and enhancing stakeholders' confidence in the entity's ability to meet its strategic and operational goals. Within the entity's management system, internal audit plays an integral role as part of the supervision and monitoring mechanism, ensuring that management and employees adhere to established policies and procedures and act in alignment with the entity's objectives. Additionally, internal audit can identify opportunities for improvement and innovation, thereby contributing to added value for the organization.

The refinement of internal audit methods and procedures is a complex process undertaken at the entity level to ensure the efficient development of the management system, addressing the following aspects:

Adopting Modern Internal Audit Methods. This involves integrating advanced technologies and using software tools for data collection, analysis, and reporting (e.g., data analytics and Robotic Process Automation, or RPA).

Continuous Auditing. Through systems that enable the ongoing monitoring of transactions and processes, real-time feedback can be provided, supporting proactive control and risk management.

Risk-Based Methodologies. This approach entails performing risk audits and focusing audit resources on high-risk areas, with continuous risk assessment and adjustments to the audit plan as needed.

Risk Matrix Utility. The use of a risk matrix is crucial for prioritizing audit activities, ensuring that resources are allocated efficiently and that focus is maintained on the most impactful areas.

These efforts enable internal audit to function not only as a monitoring body but as a proactive contributor to the entity's sustainable growth and resilience.

The enhancement of internal audit procedures requires attention to documentation and the procedural structuring of internal audit processes. This involves creating and regularly updating a comprehensive manual detailing internal audit processes and procedures, including planning, execution, and reporting. The existence of standardized procedures, tailored for each audit type (financial, operational, or compliance) ensures consistency and quality in the audit process.

Another critical aspect in refining audit procedures is the professional development and continuous training of auditors, as well as knowledge-sharing through auditor participation in conferences, workshops, and professional networks to stay informed on emerging trends and practices in internal audit. Emphasizing the acquisition of soft skills, as cited in both practice and literature, is crucial for improved internal collaboration within the entity. These skills allow auditors to maintain independence and objectivity while building essential relationships.

Communication skills, both verbal and written, must be cultivated and refined to enhance interpersonal relationships across the entity. This enables internal auditors to identify vulnerabilities, understand stakeholder expectations, gather essential data and information for audit missions, and prepare thorough reports and recommendations. Furthermore, these skills are invaluable for discussing audit findings and mediating conflicts or opposing positions, which inevitably arise within any organization.

Evaluating and improving audit processes involves gathering post-audit feedback from audited parties and assessing audit team performance to identify areas for improvement. Periodic reviews of internal audit procedures are also essential to ensure their relevance and effectiveness.

Integrating internal audit into the entity's management system requires alignment with strategic objectives, ensuring the internal audit plan supports the entity's strategic goals. Strategic planning participation involves internal audit in the strategic planning process to identify risks and suggest appropriate control measures (Balan 132). Collaboration with other control functions, such as risk management, ensures an integrated risk management approach, while coordination with compliance ensures adherence to internal policies and regulations. Reporting improvement emphasizes the importance of transparent and clear reporting, with concise, actionable audit reports that provide useful insights for management.

In conclusion, refining and developing internal audit is vital in both public-interest economic entities, where it is widely used, and private entities, where it remains non-mandatory but increasingly recognized for its importance. Necessary steps to sustain and enhance this trend include aligning and updating national regulations, promoting the understanding that best practices in internal audit are more effective than restrictive legislation which is often bypassed due to a lack of understanding of audit's role and continuously advancing the professional training of internal auditors to bolster managerial confidence in their expertise.

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REALITIES AND PERSPECTIVES OF SPORTS TOURISM IN THE REPUBLIC OF MOLDOVA

Mihail ONOI

<https://orcid.org/0000-0001-5555-1705>

*Institute of Physical Education and Sport, Chisinau
„Dunărea de Jos” University of Galati, Romania*

Abstract

Due to a fast pace of life, the modern society that is constantly subjected to different challenges from the globalization process to the environmental ones, seeks to find itself in activities that allow them to integrate and recover quickly. In this context, tourist destinations think of strategies to attract people to get involved and participate in activities that can ensure both maintaining their physical condition and a positive state of mind to face different challenges. This phenomenon is becoming more and more prominent, and tourism, through its various forms, makes today's society find itself and practice different activities that are capable of providing them with the environment that man needs. Thus, of all the forms of tourism, one that imposes itself on the market and is increasingly appreciated by today's society is sports tourism. This fact is also visible in the Republic of Moldova, where sports events are becoming more frequent and are visited by more and more people, and sports parks and buildings are more and more requested by people of different age. But the realities show that this phenomenon must also come with clear development prospects, which ensure at least in the medium term the development of such a form of tourism. Or, the strategies of the Republic of Moldova assume that this form of tourism should be one that promotes the country and can attract not only foreign tourists, but also local ones, eager to exercise or watch a sporting event.

Keywords: sports buildings, sports events, perspectives, development.

1. **Introduction.** The current realities in the field of sports tourism highlight the fact that sport has unique advantages compared to various tourist activities when we talk about the marketing of the tourist product or the authenticity of the tour intended for different categories of tourists (Hinch, Higham, 243), which constantly seeks to identify experiences focused on curiosity, challenges and novel adventures (Kurtzman 281). All this is due to the increase of tourists practicing various sports events and their increasingly important contribution in addressing the growing social and environmental challenges of contemporary life (Higham 64).

In this sense, the trends on the international and national tourist market indicate increases in this form of tourism, which, including financial (González-García, Martínez-Rico, Bañuls-Lapuerta, Calabuig 1) like any phenomenon highlights a series of obvious realities, less described or addressed at the national level. In this sense, in the study we will try to highlight the realities of domestic sports tourism and establish what its prospects are for the coming years. But, all this comes in the context in which the Republic of Moldova is one of the countries that needs the development of this form of tourism in the situation of a certain deficit of classic tourist attractions such as the sea or the mountain, ensuring sustainable development (Platon 51). All this can take place, only with the support of the authorities, who have the capacity to develop sports tourism, using various mechanisms (Noni 151).

2. Material and methods

The purpose of this study is the analysis of the realities of sports tourism in the Republic of Moldova and the identification of its prospects in the coming years.

Research objectives:

1. Analysis of the specialized scientific-methodical literature regarding the realities and perspectives of sports tourism.

2. Identification and characteristics of the realities of sports tourism in the Republic of Moldova.

3. Formulating the perspectives of sports tourism in the Republic of Moldova.

Research methods. To carry out the study, it was necessary to use the following research methods: the analysis of the specialized scientific-methodical literature, the observation method, the statistical-mathematical, tabular and graphic analysis.

3. Results and discussions

Tourism in the Republic of Moldova has recently registered a significant increase in various chapters, except for the pandemic period when this aspect affected the tourism industry not only at the national level, but also worldwide. Many of the existing forms of tourism in the Republic of Moldova, such as gastronomic,

cultural, religious, wine, sports, etc., have attracted many tourists eager for traditional Moldovan cuisine, to participate in exceptional cultural events organized in the Republic of Moldova, to be found in local places of worship, to taste unique wines and to participate in large-scale sporting events as spectators or participants.

The research undertaken by us regarding sports tourism in the Republic of Moldova has led us to identify a series of realities of this form of tourism that highlight, first, that sports tourism in the Republic of Moldova involves two major directions (Figure 1):

1. Sports tourism where the tourist visits the event as a spectator or participant.
2. Sports tourism as a sport where people of different ages practice (pedestrian tourism, mountain tourism, nautical tourism, bicycle tourism, "tourist" sports orientation).

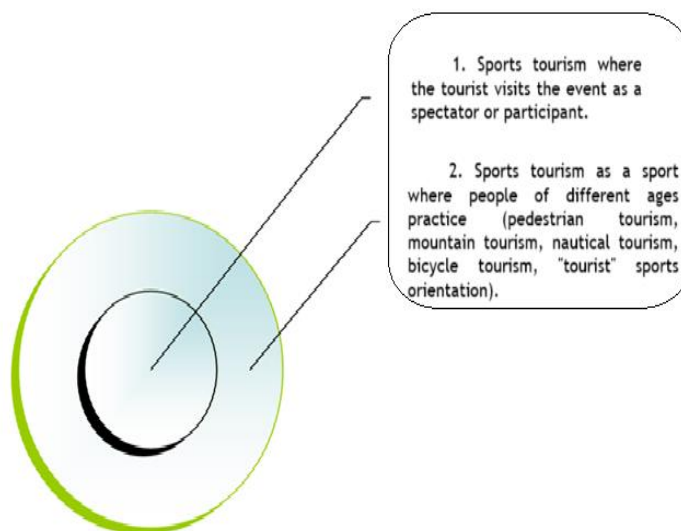


Fig. 1. The forms of practicing sports tourism in the Republic of Moldova at present

The realities of the Moldovan tourism field highlight the fact that sports tourism, which involves visiting sports events by tourists as a spectator or participant, is developing rapidly, a fact demonstrated at the last marathon organized in the Republic of Moldova on September 29, 2024, in which participate more than seven thousand athletes from the country, but also from abroad, more precisely from 28 countries both in Europe and in North and South America. This event is not a singular one, and the series of them continues, thus the Republic of Moldova is the host of numerous large-scale sports events that have the ability to attract numerous microbists of different sports disciplines (athletics, rhythmic gymnastics, weightlifting, football, etc.). (Photo 1.)



Photo 1. Large-scale sporting events that attracted and continue to attract both domestic and foreign supporters

All this is possible in the context in which the authorities of the Republic of Moldova draw more and more attention to sport and the sports infrastructure necessary for its practice, and the developed policies (e.g.: the law of physical education and sport; the strategy for the development of sport in the Republic of Moldova , 2030), denote this fact and come to stimulate not only sport, but also the domestic tourism industry which will directly benefit as a result of the development of this rather important sector from an economic, sanitary, touristic, socio-cultural etc.

Although this form of sports tourism is developing, the realities show that there is still a lot of work to be done on the sports infrastructure for various sports events, which have the capacity and could become attractive for international forums to organize large-scale sports events in the Republic of Moldova (European, World Championships, etc.). In addition, here we can mention the lack of swimming pools that meet all international requirements, the existence of a national stadium for the national football team of Moldova to play its matches, etc. This reality is sadder in the regions of the Republic of Moldova, where very little sports infrastructure has been built or rehabilitated in recent years, which means that all major sports events take place in Chisinau.

Another form of sports tourism, namely that which provides that tourism is a sports event, is mostly active and annually attracts hundreds of lovers of hiking, mountain, nautical, bicycle tourism and especially the "tourist" sports orientation. (Fig. 2)

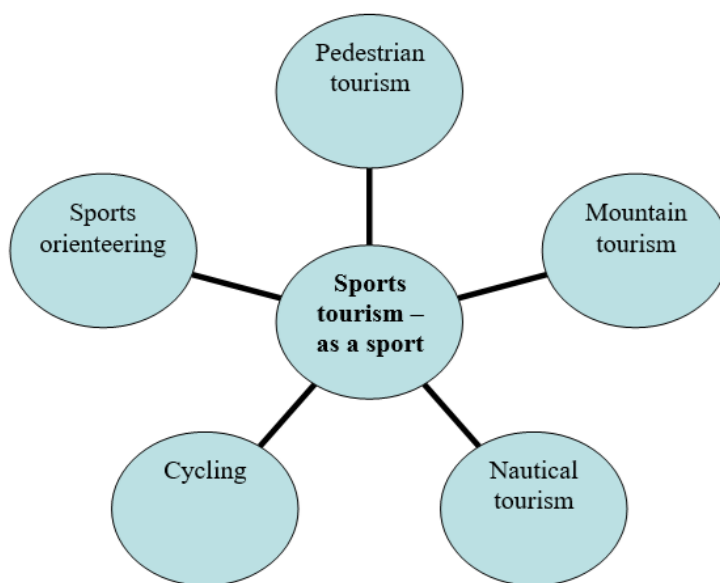


Fig. 2. The types and forms of sports tourism as a sport

The realities of sports tourism when we talk about its aspect as a sports event highlight that at the present time in the Republic of Moldova, competitions are organized every weekend in both pedestrian, mountain and nautical tourism, but especially in the "tourist" sports orientation. The latter is much more popular than the other types and forms of tourism, and this fact was confirmed by the organization in the Republic of Moldova between 21-25.08.2019 of the South-East European Championship, a right offered to the country in the context of the beautiful results obtained by the athletes Moldovans at this competition (Photo 2).



Photo 2. The South-Eastern European Championship organized in the Republic of Moldova in 2019 at the "tourist" sports orientation test

As an example, 9 countries participated in this championship, including: Bulgaria, Romania, Serbia, Turkey, Bosnia and Herzegovina, North Macedonia, Croatia, Slovenia and the Republic of Moldova with a number of participants of over 150 athletes. In this context, the Republic of Moldova only had to gain from the event by providing accommodation structures in the country with tourists (sportsmen), who during the four days also visited various tourist attractions, used public transport services, etc.

The analysis of the other forms of tourism shows that they are organized, but they are not very popular and only attract participants from the Republic of Moldova, the competitions having a regional character (Photo, Figure 3).

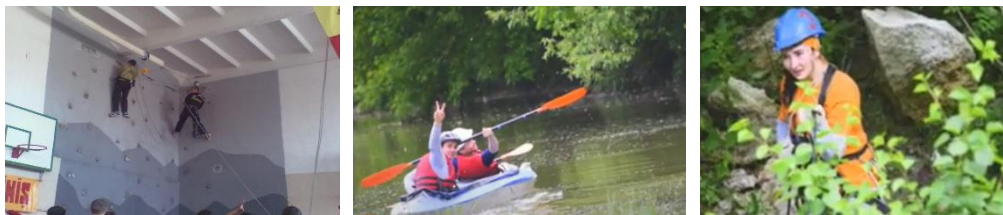


Photo 3. Sports tourism - mountain, pedestrian and nautical tourism organized in the Republic of Moldova

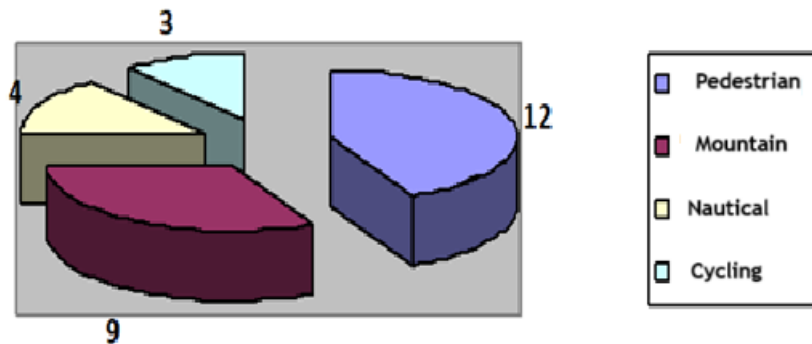


Fig. 3. The number of sports tourism competitions in 2024 by form of tourism (pedestrian, mountain, nautical and cycle tourism)

Source: Adapted by the author after <https://www.fts.md/wp-content/uploads/planul-calendaristic-al-activitat-c4%82%88%9ailor-turistice-%c3%8en-anul-2024.pdf>

The above makes us affirm that there is potential and it is necessary to be exploited in order to attract athletes not only from the Republic of Moldova, but also from countries where these forms have a social impact.

The synthesis of the realities of sports tourism in the Republic of Moldova highlights the fact that the country has potential, and it needs to be developed and exploited at its fair value. In this sense, we believe that sports tourism has a number of perspectives that will be effective if:

1. The existing sports infrastructure (e.g.: Chisinau Arena) will be used to its maximum potential in order to attract large-scale events in various events (weightlifting, rhythmic gymnastics, wrestling, etc.), or other sports buildings that have been built restored in recent years (eg: the stadium in Nisporeni) (Photo 4).



Photo 4. Existing sports infrastructure that has real prospects to host large-scale sports events to attract the supporters of different sports both nationally and internationally

2. Professional federations will be more actively involved in attracting international sports events to the Republic of Moldova.

3. Special attention will be drawn to sports tourism in the regulatory normative acts in the field of tourism and sports of the Republic of Moldova, in order to create opportunities for capitalizing on this form of tourism.

4. Sports tourism will be promoted through the lens of Moldovan athletes who achieve good results at the European, World Championships and the Olympic Games, in order to attract other athletes to participate in tournaments organized in the Republic of Moldova.

5. Implement according to the action program of the stages of the "Sports 2030" development strategy in the Republic of Moldova, which will provide the possibility of rehabilitating the existing sports infrastructure in the regions and the holding of major sports events at the regional level.

6. Both forms of sports tourism will be further developed if, in European countries, tourism as a sport is less valued and can become a factor for attracting tourists (sportsmen) for the Republic of Moldova.

7. In the framework of rural accommodation structures (pension and agro-pension) in the Republic of Moldova, spaces will be set up that involve the practice of sports tourism, which will make the tourist regions more attractive and will increase the number of days spent by foreign tourists in domestic tourist destinations.

From what has been presented, we derive the idea that sports tourism in the Republic of Moldova has real prospects for development, if a series of necessary conditions will be followed to boost the capitalization of this form of tourism, which will have economic, social, sporting, cultural, touristic effects, etc.

4. Conclusions

The current realities regarding sports tourism in the Republic of Moldova indicate that in recent years it is becoming more and more attractive both for citizens of the country, but especially for foreigners, who come to Moldova to watch sports events in which athletes participate, or their favorite teams, or to participate as athletes in various competitions such as: running races, international tournaments in various sports events, European or Southeast European Championships, etc.

The potential of sports tourism as a sport cannot be neglected, which, as demonstrated by the South-East European Championship for "tourist" sports orientation, organized in 2019, is intended to attract various countries and an impressive number of athletes. In this sense, tourism has prospects for development in the Republic of Moldova if some conditions will be met, which are meant to boost this form of tourism and bring benefits to the regions of the country both economically and socially, sports, culturally and touristic.

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THE CONTRIBUTION OF FOREIGN INVESTMENTS TO GROWTH THE NATIONAL ECONOMY

Petru ROȘCA

<https://orcid.org/0009-0000-5300-7394>

Free International University of Moldova (ULIM), Chisinau

Abstract

It is known that foreign direct investment (FDI) plays a decisive role in economic development, contributing to increasing the competitiveness of national economies internationally. FDI is a fundamental aspect of economic growth, whereby a firm or individual in one country invests in assets and businesses located in another country. These investments involve not only capital transfers, but also knowledge, technology and management, contributing to the economic development of host states and their integration into the global economy. The article analyzes the current situation in this field, in particular the main aspects of creating a favorable climate for attracting foreign direct investments in the basic sectors of the national economy in order to increase the country's export potential. Some proposals are formulated on increasing the competitiveness of the national economy of the Republic of Moldova at the international level.

Keywords: investments politics, investments climate, import, export, international trade, efficiency etc.

Investment is an essential factor for the economic development of any nation. The economic policy of the Republic of Moldova, in the medium and long term, aims to increase the volume of investments, both internal and external, and to maintain them at a high level, because they directly influence the economic capacities of the country and the pace of its development.

The investment activity has an important role in the modernization and expansion of the economic infrastructure, by building new objectives and modernizing the existing ones. Investment policy sets economic priorities, aiming to significantly increase output and GDP for each monetary unit invested.

The volume of investment depends on the saving rate, i.e. the proportion of GDP that is saved. There is a direct link between economic growth and the rate of investment. During the transition period, Moldova had a very low savings rate, which led to low investments in fixed capital. The low level of savings cannot provide the resources needed to restructure and modernize the economy, thus slowing down development.

International experience shows that economies with high savings and investment rates of more than 25% of GDP have experienced rapid economic growth. In an analysis of 133 countries, 56 had a savings rate of more than 22% of GDP, and countries such as Finland, China, South Korea and Singapore had very high savings rates associated with strong economic growth (Roșca, 2014: 75).

A favorable investment environment stimulates economic development. Moldova's investment policy provides for the liberalization of transfers and payments, the simplification of customs procedures, a stable tax system and tax facilities. Networks of institutions that attract and stimulate investment have also been created, and links have been established with international bodies and agencies in other countries.

In recent years, Moldova has adopted economic, legal and organizational measures to encourage investments and exports. By collaborating with scientific institutions, the authorities have developed strategies and programs to support the country's economic growth and export potential. But until in this field, essential positive changes are not observed.

Among the main development challenges of the Republic of Moldova, specialists in the field mention three key problems: *the problem of human capital, technological underdevelopment and structural vulnerabilities*. The economy of the republic has constantly suffered from a chronic lack of investment resources, which ultimately generated a technological handicap, causing unfavorable international specialization, loss of global competitiveness and a reduced level of labor productivity (Status Report of of the country 29).

Although, as mentioned in the report on the state of the Republic of Moldova 30 years after the proclamation of independence, of the Independent Analytical Center "Expert-Group" (Report on the state of the country 16). The government, in the last decade, has made considerable efforts to improve the general policy of public investments, their planning and capitalization mechanisms - indeed, a certain improvement of the infrastructure, of the quality of national roads, can be observed. But dubious procurement, conflicts of interest and obscure principles for selecting funded projects have eroded the impact of public resources allocated for capital investment. In the last 30 years, foreign investments have played a key role in the rehabilitation of traditional sectors, such as telecommunications, to completely new sectors, such as the

automotive industry. But FDI still remains insufficient, and in some cases, foreign investments, coming from obscure sources, have made recipient companies vulnerable (banking, energy sector). After the crisis of 2008, net FDI flows constituted about 200 million USD, on average annually as a share of GDP, annual net FDI flows rather followed a decline in the previous decade, oscillating in recent years at the level of 2- 3% of GDP. Having a total share of FDI of about 40% of GDP, the Republic of Moldova, however, places somewhere in the lower part of the international ranking. According to the data of the last decade, the Republic of Moldova lags far behind many countries in the region in terms of investment activity, with a cumulative FDI flow of only 694 USD per capita, very weak to economies in transition and to those in Eastern Europe (Foreign Direct Investments) (Figure 1).

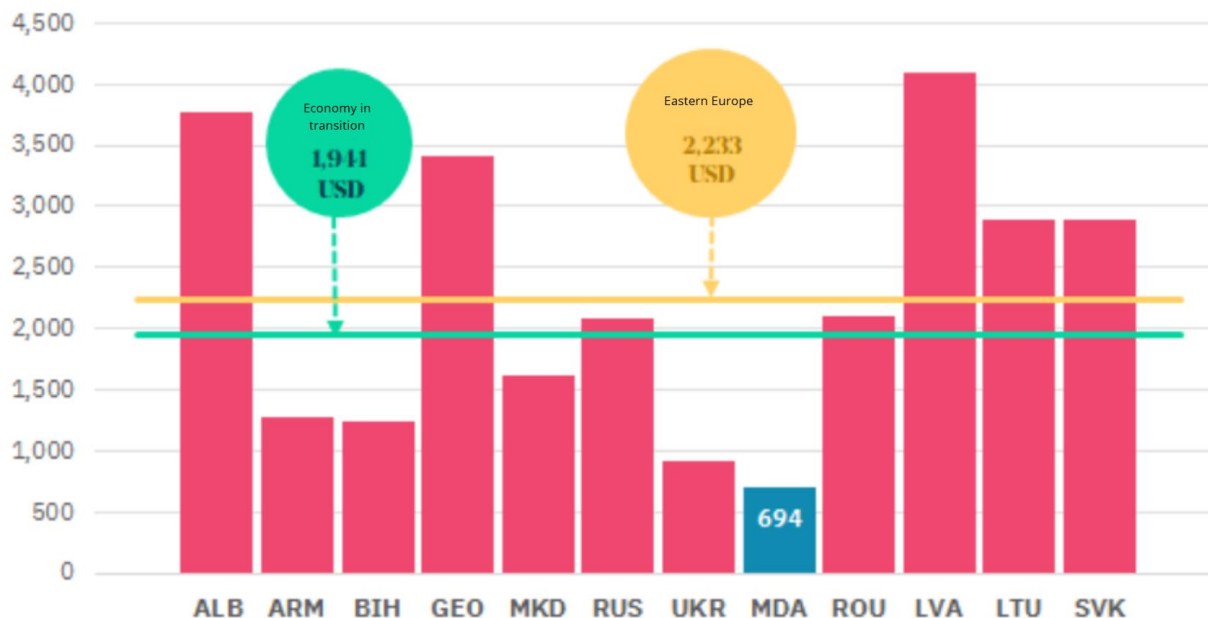


Figure 1. Cumulative flow of FDI per capita: Moldova vs. other comparator countries (2010-2019), (USD per capita)

As mentioned in the UNCTAD report on the "Investment Policy Analysis of the Republic of Moldova" (Investment Policy Analysis), FDI could play a more important role in achieving economic development objectives. For this purpose, a general strategy is proposed that will be consistent with these objectives, by promoting the country's competitiveness. Providing better conditions for the realization of privatization and modernization of the economy and at the same time stimulating the development of the private sector in the country which will contribute not only to attracting more FDI, but also to extracting more benefits from them. The government will need to address skills shortages and improve infrastructure. In order to fully realize its FDI potential, Moldova will have to, in parallel with the reform process, carry out more professional and better targeted investment promotion activities.

It should be noted that the Government has developed and is implementing some strategies in this area. For example, **the Strategy for the development of the information technology industry and the ecosystem for digital innovation for the period 2018-2023**, adopted by Government Decision no. 904 of September 24, 2018 (Strategy for the years 2018-2023), provided that by 2023 a thousand IT companies should be registered in the Republic of Moldova, of which 250 should be with foreign or mixed capital. According to this document, over the course of five years, the IT industry should have employed approximately 12,000 people and revenues reached US\$270 million, with a significant increase in exports by companies in this sector. If in 2016 exports were 79.2 million US dollars, for 2023 a value of 200 million US dollars was estimated. The main objective of the Strategy was to create favorable conditions for increasing competitiveness, diversifying the IT industry, supporting startups and promoting digital innovation in all sectors of the economy. To achieve this objective, measures were implemented in various areas of intervention:

- Among the main directions of the strategy are the creation of a competitive IT business environment, which involves increasing the number of IT companies, increasing the turnover of companies in the sector, developing entrepreneurial ICT hubs, and stimulating public and private investments, including in infrastructure. Also, the strategy capitalizes on the opportunities offered by the innovative legislation, to

strengthen the capacity to implement projects.

- Another pillar is the development of a competitive human capital in the ICT field, by creating the necessary conditions to attract more specialists in the IT sector and to improve their skills. This includes increasing the employment rate of IT graduates, developing networks of ICT Centers of Excellence, promoting digital education from an early age and supporting alternative ICT training programs. Incentives for ICT teachers and trainers are also provided.

- In the field of ICT-based innovation, the strategy aims to increase the number of companies that integrate digital innovations into their business processes, by launching accelerator programs for startups with the support of development partners, and promoting alternative methods of financing, such as seed funding, crowdfunding and the involvement of business angels.

- In terms of supporting IT investments and exports, the strategy aims to expand export markets for IT products and services from Moldova, attract foreign investment in the local IT industry, and increase the presence of companies with foreign capital in the local sector. Although these objectives are well formulated, there is a lack of concrete information about their degree of achievement.

Another example is **the Industry Development Strategy of the Republic of Moldova for the period 2019-2030** (Strategy for the years 2019 -2030), which is mainly based on the following vision: the creation of a competitive industrial environment, supported by investments, productivity growth and technological modernization, with the aim of positioning the Republic of Moldova at an average level comparable to other countries from the region. Improving the business, financial, institutional and regulatory climate in the industrial sector would lead to a significant increase in productivity, profitability, employment and the internationalization of companies in the country. This vision is fully consistent with the main objective of the strategy, which aims to increase competitiveness, productivity, employment and technological innovation in the industrial sector. Also, in order to achieve this vision and the general objective of the strategy, four specific objectives have been established:

1. Improving competitiveness and the business climate;
2. Increasing investment and financing in the industrial sector;
3. Increasing the level of training and employment of the workforce;
4. Development of technological innovation in national industry.

These objectives are part of the expected results, which include:

- increase in the number of industrial enterprises;
- increasing the contribution of SMEs in the industrial sector;
- increasing productivity in industry;
- improving the degree of complexity of industrial production;
- increasing employment in the industrial sector;
- increase in exports of industrial products;
- attracting more investment in the industry;
- increasing added value in the industrial sector;
- full integration of SMEs in international value chains.

It is worth noting that, in recent years, the volume of investments in fixed capital in the Republic of Moldova has been increasing. According to statistical data, in the period 2010-2020, the evolution of fixed capital investment indices fluctuated, reaching an increase of more than 1.8 times. In 2020, investments were made in fixed assets worth 30,089.6 million lei, but this volume was 3.1% lower than in 2019 (in comparative prices). The financing sources of these investments were: own funds – 18 billion lei (59.8% of the total), with a decrease of 7% compared to 2019; budgetary means – 4.4 billion lei (14.7% of the total), with an increase of 1.5% compared to 2019; and external sources, including external credits and loans – 3.5 billion lei (11.6% of the total), up 0.6% compared to 2019. The minimum of FDI stocks was recorded in the year 2015 – 2.904 million USD, while the maximum of the period was reached in the year 2020 in the amount of 4.851 million USD (Figure 2).

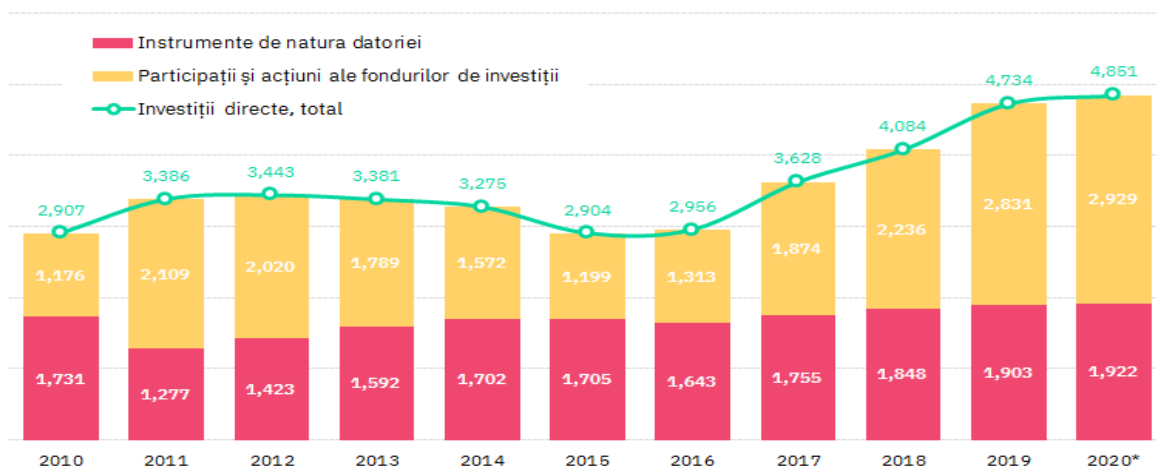


Figure 2. Foreign direct investment stocks at the end of the year (* - *provisional data*)

According to NBM data from the end of 2020 (BNM data, 2020), the main economic activities that have benefited from foreign investment are financial and insurance activities (with 29.7% of the stock of foreign direct investment in the form of equity capital), wholesale trade and retail, motor vehicle repair (25.8%) and manufacturing (18.9%). In 2023, investments generated a negative impact of 4.2 percentage points on GDP dynamics, mainly as a result of the contribution from the stock variation subcomponent (-4.0%). Gross fixed capital formation decreased by 1.3% and generated a -0.3% impact on GDP dynamics. Investments in machinery and equipment decreased by 4.8%, and those in construction contracted by 0.4%. The negative dynamics of investments in the reference period was negatively influenced by regional uncertainty, but also by the maintenance of a high level of interest rates (BNM data, 2024).

According to the preliminary data provided by the National Bureau of Statistics, in 2023 there were investments in fixed assets worth 32.2 billion lei, representing a decrease of 1.0% (in comparable prices) compared to 2022. Of these, investments in tangible assets totaled 31.1 billion lei, registering a decrease of 1.7%, and investments in intangible assets reached 1.1 billion lei, marking an increase of 26.9% (Table 1).

Table 1. Investments in real estate assets by types of economic activities in the Republic of Moldova in 2023

	Achievements, million lei	In % of:	
		the year 2022	total
Investments in fixed assets - total	32246.8	99.0	100.0
Intangible assets	1099.6	126.9	3,4
Tangible assets	31147.2	98.3	96.6
<i>of which:</i>			
residential buildings	3600.9	84.1	11.2
non-residential buildings	5179.8	97.3	16.1
engineering constructions	7030.2	91.0	21.8
machines and equipment	9663.6	105.5	30.0
means of transport	3592.2	108.2	11.1
other tangible assets	2080.5	107.2	6.4

In 2023, compared to 2022, the volumes of investments in the following tangible assets decreased: residential buildings (-15.9%), non-residential buildings (-2.7%) and engineering constructions (-9.0%). At the same time, the volumes of investments for the procurement of means of transport increased by 8.2%, of machines and equipment by 5.5%. The decrease in the volume of investments in real estate assets in 2023 compared to the previous year in terms of funding sources, being mainly determined by the negative contribution from investments from own funds (-5.7%) and from other sources (-0.3%). That impact was

partially mitigated by the contribution from investments from the state budget (4.1%) and the budgets of administrative-territorial units (0.9%). By type of fixed assets, the negative dynamics of investments in immovable assets was mainly determined by the impact of investments in residential buildings (-2.0%), in engineering constructions (-2.1%) and in non-residential buildings (-0.4%). This was partly mitigated by the contribution of intangible assets (0.7%), investments in machinery, equipment, installations (1.6%), means of transport (0.9%) and other tangible assets (0, 4%) (Statistical yearbooks).

It is important to note that the competitiveness and openness of the economy of the Republic of Moldova is intensifying due to the increase in financial flows. External financial resources can enter the country in the form of foreign direct investment, portfolio investment and loans. One of the advantages of the Republic of Moldova's accession to the World Trade Organization (WTO) and the signing of the Free Trade Agreement (FTA) with the European Union is the possibility of increasing the flow of foreign direct investments (FDI), an essential aspect for the survival of Moldovan enterprises and increasing their competitiveness.

Foreign direct investment offers, in a relatively short period of time, the following advantages:

- reaching a new qualitative level in the restructuring of enterprises by introducing modern technologies, advanced methods of production organization and staff training;
- creating new jobs, reducing unemployment (which is around 10% according to the methodology of the International Labor Organization) and increasing the income of the population;
- increasing the competitiveness of Moldovan products;
- increasing the degree of integration of Moldova in the world economy by amplifying the country's export potential.

It is relevant to underline the fact that international experts recognize that the current legislation of the Republic of Moldova is one of the most favorable in the CIS area. It is developed based on a concept that offers foreign investors more advantageous facilities compared to neighboring countries, such as Romania and Ukraine. Foreign direct investment is not only a source of capital, but also a means of attracting advanced technologies in various fields to the national economy. Economic growth is stimulated by the transfer of these modern technologies and know-how, which contribute to increasing the qualification of the labor force and increasing the efficiency of its use.

It is worth noting that direct investments from the European Union dominate the economy of the Republic of Moldova, representing approximately 71% of all investments, according to data from the beginning of 2020. At the end of the same year, direct investments from the EU in the Republic of Moldova exceeded the amount of three billion US dollars. The main sectors that have benefited from these investments are financial activities, trade and manufacturing (Figure 3).

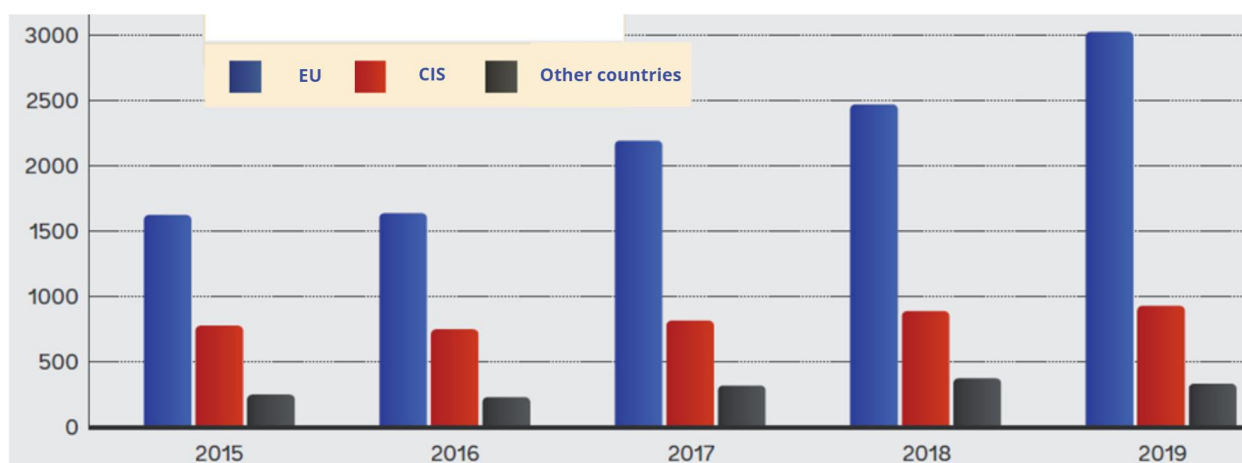


Figure 3. Dynamics of investments from the EU, CIS and other countries in the Republic of Moldova

The most significant foreign investors in the Republic of Moldova come from Russia, Spain, USA, Germany, France, Great Britain and Greece. As with Russia and Ukraine, the main sectors attracting a large flow of foreign capital include gas and water supply, which account for over 53% of the total volume of investment. The manufacturing industry ranks second in attracting investors, followed by the transport and telecommunications sector, as well as retail and wholesale trade.

The areas of increased interest for foreign investors are not necessarily the sectors with the highest GVA in the economy, behind the decisions of foreign investors to enter the Moldovan market there are more reasons than purely financial interest (Table 2).

Table 2. Comparison of the shares of economic sectors in FDI and GVA in 2019, in %.

Economic sectors	SD, %	TVA, %
Production and supply of electricity and thermal energy, gas, hot water and air conditioning	22	2.6
Manufacturing industry	19.4	12.2
Financial and insurance activities	19.1	4.2
Wholesale and retail trade; maintenance and repair of motor vehicles and motorcycles	17.8	17.9
Information and Communications	7.1	5.5
Real estate transactions	5.2	8.4
Transport and storage	3.3	5,6
construction	1.7	9.8
Agriculture, forestry and fishing	1.5	11.7

Considering the interests of our country, the most promising sectors for Moldova's collaboration with foreign partners are: the complete processing of agricultural raw materials, the field of electronics and the manufacture of devices and instruments, agricultural technology, the processing of non-metallic materials, the development of new finishing and landscaping materials of walls, light industry (textiles, clothing, footwear, carpets), infrastructure (telecommunications, energy and water supply, road reconstruction), tourism, including rural tourism, and logistics (storage, packaging and transportation of production, including transit).

In order to more actively attract foreign direct investment into the national economy, it is essential to provide greater incentives to strategic investors, both foreign and domestic, who have made significant investments in the economy. Thus, investors who invested in fixed capital sums of at least 10 million US dollars could benefit from the exemption from the profit tax for 5 years, and those who invested in the development of the infrastructure of the national economy sums of at least 25 million dollars The US could be exempt from corporate income tax for 10 years. The implementation of these facilities in national legislation could attract considerable investment in the country's economy.

In order to achieve the main objectives of the Strategy for attracting and promoting foreign direct investments, it is essential to implement an extensive program to improve the image of the Republic of Moldova. This program should highlight both the geographical location of the country, as a connecting point between the eastern and western space, and its natural, human and technical potential, which is favorable for attracting foreign direct investment. It is also preferable that the entry of foreign investments into the economy is accompanied by domestic investments, in order to create a balanced and competitive business climate, but also for considerations related to national security.

On June 5, 2024, the Government approved **the National Strategy for Economic Development 2030**. The document provides for the redefinition of the national policy in the field of economic development in order to make the use of existing resources and opportunities more efficient in the context of the EU accession process. The strategy contains the following objectives:

- *Creating a friendly environment for entrepreneurs and investors:* Removal of bureaucracy and support to create a favorable business climate.
- *Development of the service sector:* Emphasis on high-value services such as IT, consulting and tourism.
- *Stimulating the innovative industry:* Supporting innovative companies based on advanced technologies can contribute to increasing Moldova's international competitiveness and creating well-paid jobs.
- *Transforming a state with a strong and green economy:* Achieving this goal involves adopting policies and practices that promote sustainable development and environmental protection.
 - *Digitization:* Integrating digital technologies into all aspects of the economy can improve efficiency and competitiveness.

Achieving these goals will create opportunities for people to find a well-paid job, increase incomes, and improve the quality of life.

It is worth noting that in recent years, not only the number of companies with foreign investments has increased, but also the indicators that reflect their economic activity. The volume of goods and services offered on the domestic market by companies with foreign capital has increased. For example, in 2020, the turnover of enterprises in retail trade increased by 4.6%, although this pace decreased by 8.6 percentage points compared to 2019. In the same period, the turnover of enterprises providing services of the population market decreased annually by 15.7%, which represents a decrease of 30.3 percentage points compared to the previous year. In wholesale trade, turnover decreased by 5.6% in 2020 (current prices), which is 20.3 percentage points lower than in 2019. Also, the turnover of enterprises providing market services for other companies it decreased by 15.5% (current prices), 23.7 percentage points below the value of the previous year. Private sector companies hold the largest share in the total sales volume of the organized trade network, representing 67.1%.

It is important to note that domestic trade in the Republic of Moldova, as well as the development of various sectors of the economy, depends significantly on imports. Also, in the foreign trade sector, an alarming situation is observed, since, in recent years, the volume of imports has exceeded the volume of exports of goods and services several times. The data in table 3 illustrate the evolution of foreign trade of the Republic of Moldova in the last decades.

Table 3. Foreign trade of the Republic of Moldova during the years 2000-2023

Year	Export (\$ million)	EU	CIS	The other countries	Import (\$ million)	EU	CIS	The other countries
2000	▲ 471.5	35.05%	58.56%	6.39%	▲ 776.4	53.22%	33.46%	13.32%
2005	▲ 1.090.9	40.62%	50.53%	8.85%	▲ 2.292.3	45.32%	39.49%	15.19%
2010	▲ 1.541.5	47.29%	40.48%	12.23%	▲ 3.855.3	44.20%	32.60%	23.20%
2015	▼ 1.966.8	61.90%	25.03%	13.07%	▲ 3.986.8	49.01%	25.53%	25.46%
2020	▲ 1.636.5	67.0%	15.0%	18.0%	▲ 5.418.8	45.3%	24.1%	30.6%
2021	▲ 3.144.5	61.0 %	14.8 %	24.2 %	▲ 7.176.8	43.9 %	29.6 %	26.5 %
2022	▲ 4.332.1	58.6 %	24.0 %	17.4 %	▲ 9.219.0	47.3 %	23.7 %	29.0 %
2023	▲ 4.048.6	65.4 %	22.2 %	12.4 %	▲ 8.673.7	48.3 %	18.6 %	33.1 %

According to statistical data, the exports of the Republic of Moldova to EU countries have increased significantly, from 35.05% in 2000, to approximately 69% in 2018 (before the COVID-19 pandemic), and 65.4% in 2023. At the same time, exports to the CIS decreased from 58.56% in 2000, to 15.37% in 2018, and 22.2% in 2023 (Statistical Yearbooks).

The year 2020 was marked by a combination of major crises (Covid-19 pandemic and drought), which led to the most severe recession in the last two decades. The estimated Gross Domestic Product (GDP) for 2020 decreased by about 6.5%, due to the negative effects of the pandemic and the deterioration of agricultural production caused by the drought.

The European Union is at the center of the commercial partnership of the Republic of Moldova, with a share of 67% of total exports in 2020 and 65.4% in 2023. Despite the difficulties, exports to the EU had a positive evolution, managing to compensate for the recorded decreases in other markets. More than half of agricultural products and almost 80% of non-agricultural products are destined for the EU market. In 2020, the annual rate of imports registered a decrease of -7.3%, 8.7 percentage points lower than in 2019. This reduction was influenced by the evolution of imports from the European Union and the CIS. The share of imports from the EU was approximately 45.3% in 2020 and 48.3% in 2023, while imports from the CIS decreased from 24.1% to 18.6% and from other countries increased from 30.6% to 33.21% (Figure 4).

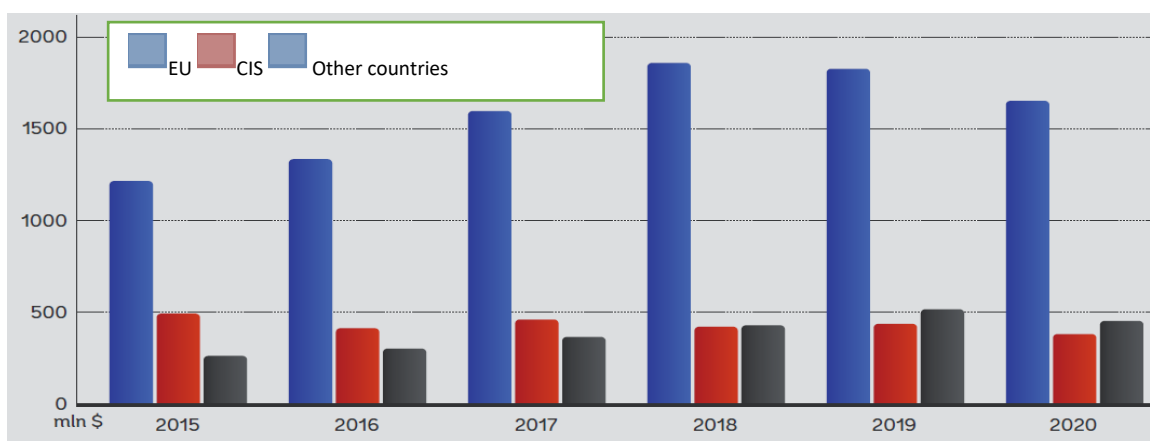


Figure 4. Share of exports from the Republic of Moldova to the EU, CIS and other countries

The main destinations for Moldovan exports include Romania, Italy, Germany, the Russian Federation, Turkey, Poland, Belarus, Ukraine, the United Kingdom, Bulgaria and France. In turn, the main sources of imports are Romania, the Russian Federation, China, Ukraine, Italy, Turkey, France, Poland and Hungary.

Analyzing foreign trade by commodity group, a significant increase in exports is observed for plant products, machinery and appliances, electrical equipment, base metals and derived articles, as well as for minerals and various construction products. Significant shares of exports were also recorded in sectors such as footwear, hats, leather and chemicals.

The increase in the volume of imports is mainly determined by the development needs of the real sector of the economy, the increase in consumption by economic agents and the population, as well as by the increase in the prices of energy resources, which led to an increase in the import of mineral fuels and derived products. Imports of machinery, electrical equipment and vehicles increased, significantly influencing the trade balance.

In the context of the faster growth of imports compared to exports, the trade balance of the Republic of Moldova was constantly negative during the entire transition period, both with the CIS and EU countries. The degree of coverage of imports with domestic exports was 46.7% in 2023, decreasing by 0.3 percentage points compared to the previous year; in the CIS countries it was 55.7%, in the EU 63.2%, and in other countries 21.3%.

A significant increase in the volume of exports remains a crucial issue for the fundamental sectors of the national economy. An essential short-term objective for the Republic of Moldova is faster export growth in relation to GDP.

In order to develop exports of goods and services, it is necessary to implement a complex set of organizational, financial and economy restructuring measures, aligning with market requirements and diversifying export-import operations on different groups of products and services, in accordance with the objectives established in the Investment Attraction and Export Promotion Strategy:

- Development and expansion of preferential trade regimes with Western countries, given the priority of exports.
- Expanding trade with goods and services in relation to the member states of the European Union and of Central and South-Eastern Europe.
- Maintaining traditional markets in the CIS countries and diversifying the export of goods and services to these markets by creating effective distribution networks.
- Consolidation of the legal and technical-material basis in the fields of standardization and certification of products intended for export, adapting to European requirements and norms.
- Development of the service sector infrastructure.
- Stimulating the emergence of new types of services intended for export.
- Ensuring competition in the field of service provision.
- Continuation of promotional actions of the image of the country abroad, as well as of domestic products and services oriented towards export, etc.

In addition to these measures, the financial stimulation of exports is of significant importance. It is essential to improve policies that facilitate access to credit and new financial instruments through collaboration with international financial institutions, as well as to develop export factoring. Providing additional incentives to investors is also crucial, and this can be achieved by radically reforming the current system of subsidizing

sectors of the national economy. It is necessary to develop an effective mechanism based on enterprise performance criteria, such as profitability, efficiency, competitiveness, the export potential of products and services, the use of innovative technologies, the ability to substitute imports, investments in advanced technologies and the transfer of know-how.

The Republic of Moldova can offer various advantages to foreign direct investors (FDI) who wish to improve efficiency within international strategies. However, certain weaknesses limit the attraction of a larger number of investment projects. In implementing the FDI Attraction Strategy, the authorities should focus on eliminating or reducing pressing problems, while capitalizing on the country's strengths. It is important to take into account the existing opportunities, risks and weaknesses, such as: shortage of skilled labor, ineffective intermediation in attracting and developing investments, weak and low-quality infrastructure, high tax burden compared to neighboring regions, and governance of poor quality, which generates business risks.

Free trade zones and industrial (technological) parks in the Republic of Moldova play an essential role in attracting FDI and increasing the volume of exports.

In addition, financial stimulation of exports, improvement of access to long-term bank credits and collaboration with international financial institutions to develop new financial instruments are essential measures. It is also important to provide additional incentives to investors by reforming the national economy subsidy system and creating an effective mechanism based on enterprise performance criteria such as profitability, efficiency, competitiveness, export potential, use of new technologies, innovations, import substitution and investment in advanced technologies.

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ARTIFICIAL INTELLIGENCE AND PERSONALISATION IN EU MARKETING AS A VECTOR OF DIGITAL TRANSFORMATION

Petru ROȘCA

<https://orcid.org/0009-0000-5300-7394>

Free International University of Moldova (ULIM), Chisinau

Larisa TRIFONOVA

<https://orcid.org/0000-0002-2080-9750>

Moldova State University, Chisinau

Abstract

With the rapid development of technologies, artificial intelligence is becoming a key tool for improving the effectiveness of companies' marketing activities in general and marketing strategies in particular in the European Union. This transformation is supported by the EU Digital Transformation Strategy 2030, which aims to create a more competitive and innovative economy, where artificial intelligence technologies play a central role. The strategy's digital compass aims to create a digital ecosystem where citizens are empowered and businesses thrive thanks to digital potential. It points to four main areas: digital skills, reliable and efficient digital infrastructure, digital transformation of businesses and digitalization of public services. This article explores the role of artificial intelligence in the personalization of marketing processes and its impact on consumer behavior. Personalization allows companies to create unique selling propositions that match customer needs and expectations, leading to increased customer loyalty and satisfaction. The article also analyzes key technologies such as machine learning and big data processing that contribute to the active use of artificial intelligence in the marketing practices of companies in the European Union. Examples of successful application of personalization in marketing in well-known companies such as L'Oréal and Zalando are considered, demonstrating their approaches to creating an individualized customer experience. The study raises important questions of ethics and data privacy that arise when using artificial intelligence in marketing strategies. In conclusion, the authors emphasize that the implementation of artificial intelligence and personalization is not only an opportunity to improve business processes, but also a prerequisite for survival in a competitive environment, which emphasizes the importance of strategic digital transformation for modern marketing in the European Union .

Keywords: European Union, digital transformation, personalization, artificial intelligence, marketing .

Digital transformation has become a necessary process for businesses in a rapidly changing market. Artificial intelligence, as one of the key technologies, is actively used in marketing activities to create a personalized experience for customers. In the European Union, companies are increasingly using artificial intelligence to analyze data, predict consumer preferences, and optimize marketing strategies. This, in turn, creates a unique competitive advantage for businesses, allowing companies to better understand the needs and behavior of their customers, as well as adapt to market changes in real time. The implementation of such technologies as part of the digital transformation strategy in the European Union also contributes to increased operational efficiency, reduced costs, and accelerated innovation.

Using artificial intelligence allows companies to automate routine marketing tasks, such as audience segmentation and creation of targeted advertising campaigns, which frees up resources for developing more creative and strategic solutions. Companies can improve the accuracy of their marketing efforts, speed up the process of adapting to dynamic changes in consumer preferences, collect and process customer data and tailor product offers to them. For this reason, artificial intelligence and personalization are becoming integral elements of digital transformation, necessary for business success in today's highly competitive market of the European Union.

The use of artificial intelligence for personalization in marketing has already attracted considerable attention from researchers around the world, including in the European Union. In particular, studies in the field of artificial intelligence in marketing explore aspects such as big data analysis (Chaffey 62), machine learning for predicting consumer behavior (Roland 43), and automation of marketing decision-making processes (Wedel 14). These studies demonstrate that artificial intelligence can significantly improve the effectiveness of marketing campaigns by creating more accurate and personalized offers for consumers.

However, despite the advances in artificial intelligence and its use in business, aspects related to ethical issues and data privacy, especially in the context of strict regulation in the European Union (e.g. General Data Protection Regulation - GDPR), remain less explored (General Data). Research on the impact of personalization on long-term customer loyalty and the possible risks associated with excessive automation of

interactions with consumers also require further analysis (Bleier 16). Thus, the issue of using AI in marketing activities remains relevant and understudied, especially in the context of European legislation and cultural differences of consumers in the EU.

In this regard, the aim of the research in this article is to study the role of artificial intelligence in creating personalized marketing strategies for companies operating in the European Union, as well as to assess its impact on consumer behavior and the efficiency of business processes.

To achieve the stated goal of the study, the authors used a comprehensive approach, including qualitative and quantitative methods of analysis. An analysis of existing theoretical and empirical studies on the topic of using artificial intelligence in personalization in marketing was used. The works of authors such as Dave Chaffey, Fiona, Ellis - Chadwick, Roland T. Rust, Ming – H. Huang, Michel Wedel, P. K. Kannan, Bleier, A., Eisenbeiss, M., to analyze already known approaches and results in this area. The comparative analysis method was used to study practical cases of implementing artificial intelligence technologies in marketing using the example of world-famous companies. The study also includes an analysis of European Union regulations, such as the General Data Protection Regulation, which have a significant impact on the use of artificial intelligence in marketing practice.

In the European Union, the issue of digital transformation has recently become particularly important, as artificial intelligence and personalized marketing have become integral components of strategic business development in the digital economy. The European Union Digital Transformation Strategy 2030 (the strategy) is an ambitious plan aimed at creating an innovative, sustainable and inclusive digital economy. The European Commission has developed a “Digital Compass” that guides EU Member States in achieving key goals in areas such as digital infrastructure, innovation, artificial intelligence, and digital skills of the population. Digital transformation is aimed at strengthening the competitiveness of European companies, including the integration of advanced technologies in marketing, manufacturing, finance and other areas of business.

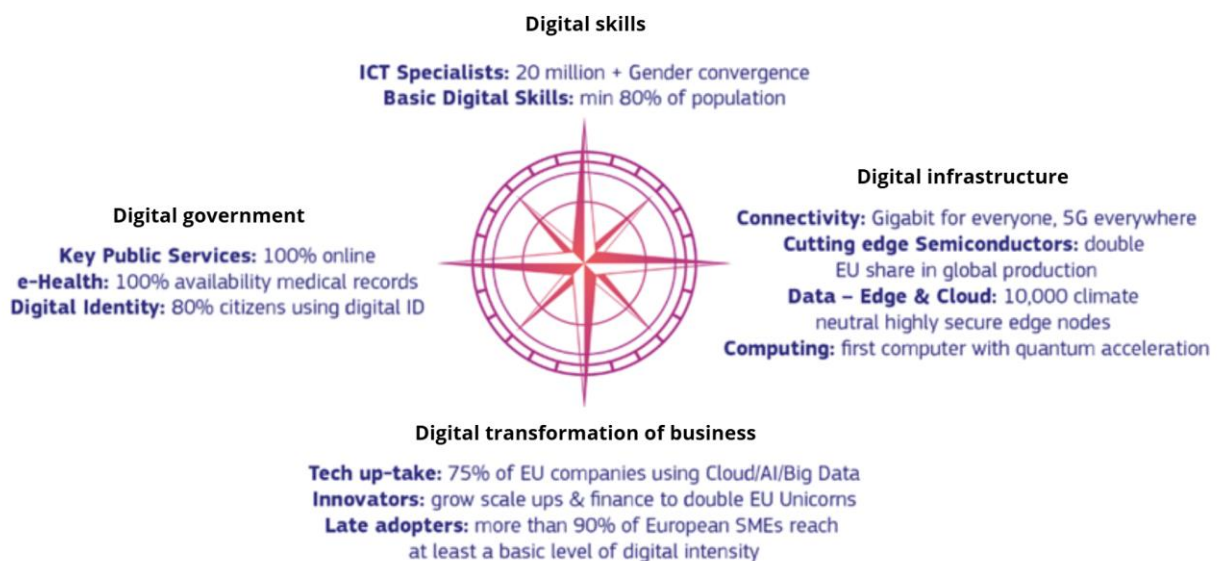


Figure 1. The “Digital Compass” of the European Union’s Digital Transformation Strategy for 2030

As shown in the figure, the Digital Compass of the 2030 strategy identifies four key goals:

1. **Digital skills** – by 2030, it is planned that at least 80% of the EU adult population will have basic digital skills.
2. **Digital infrastructure** – creating ultra-fast, secure and resilient infrastructure, including 5G networks and quantum technologies.
3. **Digital transformation of business** – by 2030, at least 75% of EU companies should integrate advanced digital technologies such as artificial intelligence, big data and cloud solutions.
4. **Digital government** – provision of all key government services online for citizens and businesses.

These goals provide a basis for integrating artificial intelligence into marketing strategies and personalizing customer experiences, helping European companies to remain competitive in the global market. Artificial intelligence has become a key tool for personalizing marketing strategies. Machine learning and big data processing allow companies to collect and analyze huge amounts of customer information, which helps

create customized offers. Personalization is not just targeted advertising, it is a strategic process of creating a unique customer experience.

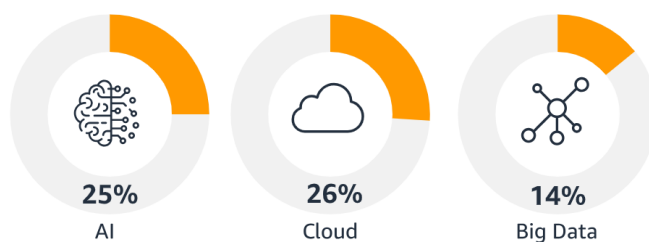


Figure 2. Degree of exploitation of existing technologies by EU companies, 2024

The EU technology sector is growing rapidly, but many companies are not fully taking advantage of existing technologies such as cloud computing. Only 26% of European companies have adopted key technologies such as cloud, 25% artificial intelligence and 14% big data. Implementing digital tools such as customer relationship management (CRM), enterprise resource planning (ERP) or online accounting can improve business productivity by 10–25%.

Using artificial intelligence allows not only to segment customers by their preferences and behavior, but also to predict future interactions with the product. AI has a significant impact on consumer behavior, offering them content and products that best suit their needs. Research shows that 80% of consumers are more likely to make a purchase from a company that offers a personalized experience (Chaffey 85).

AI also allows you to tailor marketing messages in real time based on user behavior on your site or app. This helps improve the user journey, which directly impacts conversion and loyalty.

Table 1. Key factors in the influence of artificial intelligence on consumer behavior and personalization

The influence factor of AI	Characteristic	The effects of personalization in marketing
Increase loyalty	- creation of personalized offers that correspond to the interests and preferences of customers; -increasing brand loyalty.	Personalized recommendations and promotions increase customer loyalty to the company.
Increase satisfaction	-analysis of user behavior and prediction of their needs; -offering relevant content and products.	Personalized experiences increase customer satisfaction with their purchases.
Acceleration process acceptance solutions	-helping consumers find the right products faster by offering them recommendations based on previous purchases and preferences.	Personalization makes the selection process faster and easier, reducing the risk of choosing the wrong product.
Improvement interactions	-improving customer interactions through chatbots and voice assistants, providing instant responses to queries.	Personalized interactions create a positive experience, increasing the likelihood of repeat purchases.
Increase repeated shopping	- personalized offers based on previous purchases motivate customers to return for more purchases.	Regular personalized recommendations maintain customer interest in the company's products.
Optimization marketing expenses	- precise targeting of advertising campaigns, reducing marketing costs and increasing return on investment.	Personalization improves the effectiveness of advertising by targeting it to the most interested audience segments.

Marketing personalization is essential to provide customers with customized offers that not only increase sales but also improve brand perception. Personalized strategies allow companies to more effectively engage with their target audience by providing a unique user experience and tailoring content and unique selling proposition to specific customer needs.

The main goals of personalization in marketing include (Akimov 466): increasing customer satisfaction; increasing loyalty and repeat purchases; reducing customer churn through more relevant offers; increasing revenue through precise targeting.

Artificial intelligence technologies have become an integral part of any business in recent years, opening

up new horizons for data analysis and customer interactions. These technologies, including machine learning and big data processing, allow companies to extract valuable information from huge volumes of data, identifying patterns and trends that were previously inaccessible. With artificial intelligence, organizations can improve the efficiency of their operations, create more personalized and relevant customer experiences, which in turn contributes to increased customer loyalty and satisfaction.

Machine learning and big data processing are key technologies that support artificial intelligence in marketing processes. Machine learning allows artificial intelligence to “learn” from data and build models that predict user behavior (Zyablikov 38). This helps companies analyze their customers’ needs at a deeper level and offer them relevant products and services.

Big data processing allows companies to effectively work with huge amounts of information collected from different platforms. This data is then used to create more accurate customer segmentation models and behavioral predictions.

Other technologies, such as natural language processing (NLP), play a role in personalization, helping companies automate customer communications through chatbots and voice assistants. To illustrate the technologies presented, the authors analyzed the practices of applying personalization in marketing at L'Oréal and Zalando as examples of individualized customer experience.

L'Oréal and Zalando make extensive use of artificial intelligence to personalize customer interactions. L'Oréal has developed an innovative AI-powered skin diagnostics app (L'Oréal website). This app is the result of extensive scientific research aimed at understanding the aging process and its impact on skin health.

With this app, users can receive personalized skin care recommendations based on a detailed analysis of their skin condition. The app uses machine learning algorithms that analyze skin photos, identify signs of aging such as wrinkles, pigmentation, and loss of elasticity, and take into account each user’s unique characteristics such as skin type and lifestyle.

German online retailer Zalando uses AI to personalize shopping. Using machine learning algorithms, Zalando analyzes users’ behavior on the site, their previous purchases, and search queries to recommend products that best suit each customer’s interests. In addition, the service uses natural language processing to optimize product descriptions and improve search quality (Zalando website).

The implementation of AI in practical marketing by companies is associated with important ethical and data protection issues. In the European Union, these issues are regulated by the General Data Protection Regulation (GDPR), which sets strict requirements for the collection, processing and storage of customers' personal data. Companies using AI for personalization are required to comply with the GDPR to ensure data security and the protection of users' rights. Ethical aspects also include questions of transparency of AI algorithms, discrimination and the use of data without users' consent. These challenges require companies not only to technically implement AI, but also to follow legal and ethical standards.

Artificial intelligence and personalization play a crucial role in the digital transformation of marketing in the European Union. The introduction of artificial intelligence provides companies with powerful tools to analyze large volumes of data, predict consumer preferences, and adapt marketing strategies in real time. Thanks to these technologies, businesses are able to understand their customers more deeply, develop personalized offers, and increase their satisfaction and loyalty.

Personalization supported by artificial intelligence technologies goes beyond simple advertising targeting, for example. It becomes an important strategic component that ensures the creation of a unique customer experience. In the highly competitive European market, companies implementing artificial intelligence and personalization gain a competitive advantage, which allows them to retain customers, attract new ones, and build their loyalty. This emphasizes the importance of business flexibility and adaptability in the context of rapid technological progress.

The EU Digital Transformation Strategy 2030 aims to stimulate innovation and create a favourable environment for the implementation of new technologies. This opens up new opportunities for businesses, but is also becoming a prerequisite for survival in a competitive environment. In the future, companies that can integrate artificial intelligence technologies into their marketing processes will lead the market, ensuring sustainable development and long-term profitability.

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THE LINK BETWEEN THEORIES OF COMPETITION AND THE IMPLICATION FOR ECONOMIC POLICY UNDER THE CONDITIONS OF ECONOMIC RESILIENCE

Lilia ŞARGU

<https://orcid.org/0000-0001-7495-0656>

National Institute of Economic Research of ASEM (INCE), Chisinau

Angela TIMUŞ

<https://orcid.org/0000-0002-2556-3198>

National Institute of Economic Research of ASEM (INCE), Chisinau

Abstract

In this article, the authors highlight the relevance of classic theories regarding competition behavior and involvement in the economy. The involvement of competition for economic policy requires the adoption of measures and strategies that promote a healthy, fair and efficient competitive environment in the economic markets. Competition is essential to drive efficiency, innovation and economic growth, and economic policies must be geared towards ensuring conditions that allow competition to function properly. Modern economic policies must balance competition with sustainability goals. This includes promoting socially and environmentally responsible business practices without compromising competition. Engaging competition in economic policy under conditions of resilience involves creating a framework that not only maintains competition, but also uses it as a tool to enhance the economy's ability to cope with and adapt to various shocks. This requires flexible, innovative and coordinated policies that protect consumers, stimulate innovation and ensure the diversity and adaptability of the economy.

Keywords: competition, economic policy, competitive theories, resilience, management

In a competitive market, information is not distributed evenly. Some firms or consumers may have access to better information, which may give them a competitive advantage. Competition, as an economic phenomenon, refers to the interaction between firms or individuals competing for scarce resources such as customers, raw materials, markets, or talent. This is a fundamental force in the market economy and plays a key role in determining prices, the quality of products and services, and innovation. Each firm or individual acts independently, making decisions based on its own business strategy, available resources and market objectives. The decisions of each actor are influenced by the actions of competitors, but are not dictated by them.

Thus, competition implies the existence of several firms or providers trying to satisfy the same consumer needs. Firms compete on the basis of either price, quality, innovation, or adjacent services to attract and retain customers.

In this context we consider competition to be a dynamic process that evolves over time, influenced by changes in consumer preferences, technology, regulations and economic conditions. Firms must constantly adapt to these changes to remain competitive.

Within the economic literature, classical approaches to competition have been developed by several important economists. These approaches define and explain how competition works in economic markets and how it influences the behavior of firms and consumers.

Adam Smith, in his seminal work *The Wealth of Nations* (1776), introduced the concept of perfect competition. He described competition as a market regulating mechanism, where prices stabilize according to supply and demand. Perfect competition is characterized by a large number of producers and consumers, homogeneous products, no barriers to entry or exit from the market, and total transparency of information.

David Ricardo developed the theory of comparative advantage, which explains how nations can benefit from international trade by specializing in the production of goods in which they have a comparative advantage. International competition, in Ricardo's view, stimulates efficiency and the optimal allocation of resources.

John Stuart Mill explored the concept of competition in *The Principles of Political Economy* (1848), discussing the role of competition in determining prices and wages. He emphasized the importance of competition in promoting economic efficiency, but also recognized its limitations in the context of market imperfections.

Léon Walras pioneered the theory of general equilibrium, which describes how all markets in an economy are interconnected and how perfect competition leads to an equilibrium in which demand and supply are equal in all markets. This approach is central to neoclassical economics.

Alfred Marshall, in "Principles of Economics" (1890), developed the concept of elasticity of supply and demand and analyzed how competition influences the prices and quantities of goods traded in markets. He integrated the theory of marginal utility and marginal cost to explain how competition determines market equilibrium.

Joseph Schumpeter argued that innovation is the driving force of economic growth and that it generates dynamic competition as new products, processes and business models replace old ones. In this perspective, competitive advantage is temporary, and companies must constantly innovate to remain competitive. Joseph Schumpeter proposed a dynamic view of competition known as "creative destruction". In his work "Capitalism, Socialism and Democracy" (1942), Schumpeter argued that competition is not static, but a dynamic process by which technological innovations and economic changes destroy old structures and create new ones. This view departs from the classical model of perfect competition, emphasizing the importance of innovation and change in the economy. Schumpeter argued that the economy is best understood through a dynamic lens, where competition is not only manifested through price adjustments, but through innovative processes that destroy old structures and replace them with new ones. This continuous process explains why certain firms survive and thrive while others disappear.

These classical approaches to competition were fundamental to the development of economic theory and continue to influence contemporary economic thought. They provide a theoretical basis for understanding how markets work and how prices are formed, but also for analyzing economic policies designed to promote competition and protect consumers.

The shift from classical to dynamic theories of competition reflects an evolution in understanding how markets work and how economic agents interact in a context that is not static but constantly changing. On the theoretical side, competition is argued by several researchers in different perceptions and circumstances. According to Michael E. Porter "Competition is the determining factor, essential in the success or failure of companies. Competition determines the appropriateness of those activities of a firm that can contribute to its performance, such as innovations, a unitary culture or judicious implementation". The present study tries, but without exhausting the entire issue, to define the concept of competition, through the prism of the approaches of representatives of economic schools over time, as well as the role, functions and typology of competition (Belostecinic 62). The Explanatory Dictionary of the Romanian Language defines the term competition as "an essential feature of the market economy, which reflects the rivalry, the dispute between economic agents to produce and sell similar or substitutable goods and services under the most advantageous conditions for them".

Jay Barney and other authors developed this theory, which focuses on a firm's internal resources and capabilities as a source of competitive advantage. Competitive dynamics are influenced by firms' ability to develop, maintain, and exploit valuable, rare, hard-to-imitate, and irreplaceable.

Authors such as Jean Tirole and Drew Fudenberg have explored how firms interact strategically in a dynamic setting. Dynamic game theory analyzes how a firm's decisions today influence competitors' reactions and future strategies. This theory is particularly applicable in markets with a small number of players and where there is significant strategic interdependence between firms.

Although Michael Porter is often associated with the five forces model, he also discussed dynamic aspects of competition, such as the role of innovation and technological change in competitive strategy. In later works, Porter recognized that the business environment is constantly changing and that firms must adapt and anticipate these changes in order to maintain a competitive advantage.

David Teece, Gary Pisano, and Amy Shuen developed the concept of dynamic capabilities, which refers to a firm's ability to integrate, build, and reconfigure its resources and capabilities according to the changing environment. Dynamic capabilities are essential to navigate an uncertain competitive environment and to continuously innovate.

Clayton Christensen developed the theory of "disruptive innovation," which describes how new technologies can change the structure of the market and create new market leaders. Christensen's dynamic approach focuses on how companies must recognize and adapt to such disruptive innovations in order not to be overtaken by competitors.

Ludwig von Mises and Friedrich Hayek, representatives of the Austrian school of economics, emphasized the idea that competition is a process of discovery rather than a state of equilibrium. Competition enables the discovery of new business opportunities, technologies and production methods. Hayek emphasized the role of prices as signals in this dynamic process, facilitating coordination between economic agents and contributing to the efficient allocation of resources in a complex and decentralized economy.

John Nash and game theory brought a new dimension to the understanding of competition by emphasizing the importance of strategic behavior and the interdependence of decisions in markets where participants have significant market power. This led to a more complex and realistic view of the competition.

These approaches offer varied perspectives on dynamic competition, emphasizing the importance of innovation, adaptability, and the development of new resources and capabilities for maintaining long-term competitive advantage.

Competition is a particularly important phenomenon for economic life, but also for social life, because it is the driving factor that motivates both businesses and people's existence. It is certain that man, from the time he is born until he dies, will try to adapt to the natural, social and economic environment in which he lives, which implies that he will have to know what competition means. First of all, he will compete with himself, to overcome his limits and to place himself in a favorable position in society. Then, he will have to compete with other competitors, highlighting certain skills, which will allow him to be in an advantageous position. If we refer to the economic sphere, an economic agent will have to constantly relate to the other competitors on the market, the game of competition being the one that will determine the competitors' place in the market. Of course, it will not be chance that will determine this position occupied within a market, but all the resources and skills available to an economic agent and which they use in the fight to gain a dominant position on the market.

Whether or not competition is beneficial for society can only be determined to the extent that, on the whole economy - at the macroeconomic level - a significant increase is recorded from one period to another, and at the level of an economic unit - at the microeconomic level - it is observed gaining a better competitive position compared to the previous period. It is known that due to the existing competition in a market economy, there will always be winners and losers.

Therefore, the answer to a question like: "Is competition beneficial or not?" it can be more nuanced. Thus, the "winner" will consider the competition beneficial, because it has allowed him to mobilize all his efforts, resources and skills at his disposal to achieve a superior competitive position by obtaining a definite competitive advantage over the other competitors.

It is obvious that for an economic agent located in the position of "loser", the competition will be less beneficial, because it eliminated him, he failed to win a place in the reference market. But, perhaps paradoxically, it can become beneficial, if this economic agent realizes that he lost due to his own mistakes, from which he will have to learn in the future. The market will be dominated by the one who will know how to use the resources at his disposal most effectively, by the one who will know how to adopt an advantageous competitive strategy. A "loser" may have the chance to imitate the strategies of the winners, thus being able to regain a position in the respective market.

Currently, competition continues to represent a particularly important phenomenon for all fields, being deeply embedded in economic, social, political, cultural life, etc. This concept is considered to be very common and well-known, but also extremely complex, with numerous definitions, adapted to the specific field of use.

Thus, with the development of the economy and the increase in the number of enterprises, this term is increasingly used to describe the market structure, starting with one of the extremes, namely perfect competition, up to pure monopoly.



Figure 1. Contemporary definitions of competition

At the same time, the existence of economic actors capable of facing other competitors on the market means the development of commercial exchanges with other countries, the encouragement of investments and a positive response to the evolution of the globalization phenomenon. Competition should not be seen as a

myth, it should not be seen only as a tool that could solve all the problems that arise in the economy. In the practice of countries with a market economy, the range of instruments and means used in the fight against competition turns out to be extremely wide. From more or less "peaceful" ways, the competitive struggle goes up to harsher forms, which come out of the legal framework.

Competition encourages entrepreneurial initiative and the entry of new competitors into the market, rewarding those who are effective and penalizing those who are not. Competition is therefore an essential engine of competitiveness, the source of the latter being the improvement of efficiency. Market mechanisms do not always work efficiently, there are economic operators that can diminish the role of the competitive process due to their monopoly or oligopoly position, affecting economic growth. However, these failures can be correlated through competition policy, supporting the processes of liberalization and regulation. In this sense, the adopted policy tries to prevent anti-competitive practices, as well as structural changes in the economic field that can facilitate these practices and that appear as a consequence of decisions issued or regulations adopted by public administration bodies that intervene in market operations, influencing directly or indirectly the competition (Kotler 106).

In general terms, the Smithian conception of competition assumes the existence of five conditions necessary for its realization presented in figure 2.

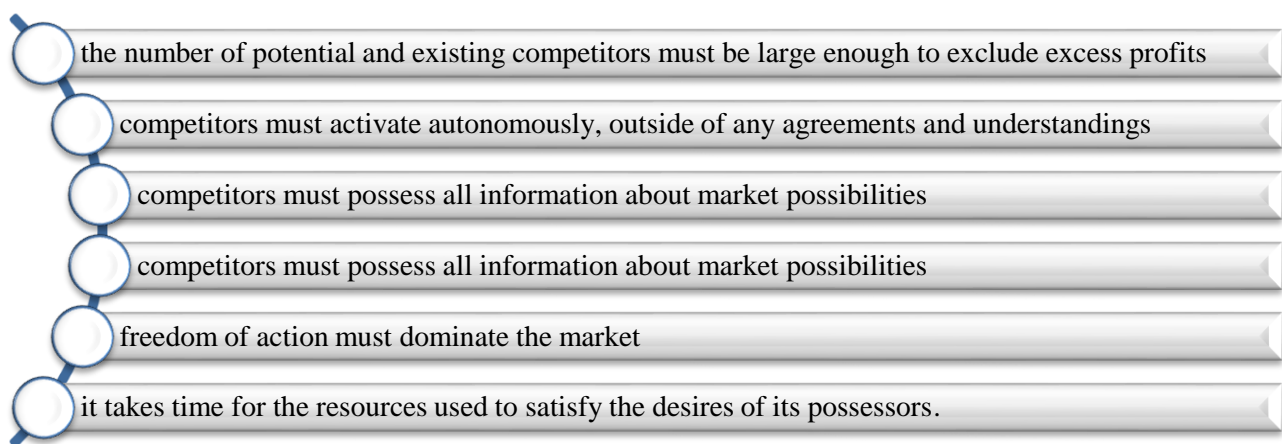


Figure 2. The five classical conditions for the existence of competition

The link between classical and dynamic theories of competition is based on the evolving understanding of economic markets and how competition influences economic development. Although classical and dynamic theories approach competition from different perspectives, they are not necessarily contradictory, but rather complementary, providing a more complete view of how markets actually work.

Although classical theories provide a basis for understanding how markets work in an idealized environment, dynamic theories bring into question the real complexity of markets and the role of innovation (Şargu, 2024: 252). In essence, classical theories can be seen as a description of an ideal situation from which real markets may deviate, while dynamic theories explore these deviations and the mechanisms that lead to change and evolution. The connection between these two approaches is obvious when we consider that markets are not always in equilibrium but are constantly changing. Classical theories may describe a moment of stability, but dynamic theories explain how that stability is reached and how it can be disrupted by innovation and structural change. Dynamic theories complement classical theories by explaining how competition and innovation affect markets in the long run.

Dynamic theories suggest that policies that promote competition and innovation are essential for economic growth. This shows the link with classical theories in that while pure competition may be ideal in theory, in practice economic dynamism requires interventions that enable and protect innovation. Modern theories of competition, inspired by both classical and dynamic approaches, suggest that regulation should be flexible so as to maintain a balance between effective competition and the stimulation of innovation. classical and dynamic theories of competition are linked through the prism of economic evolution and a deeper understanding of market mechanisms. While classical theories provide a basic theoretical framework, dynamic theories explain the variability and transformations that occur within real markets, thereby providing a more holistic perspective on economic competition.

In this context, we believe that the involvement of competition in economic policy are:

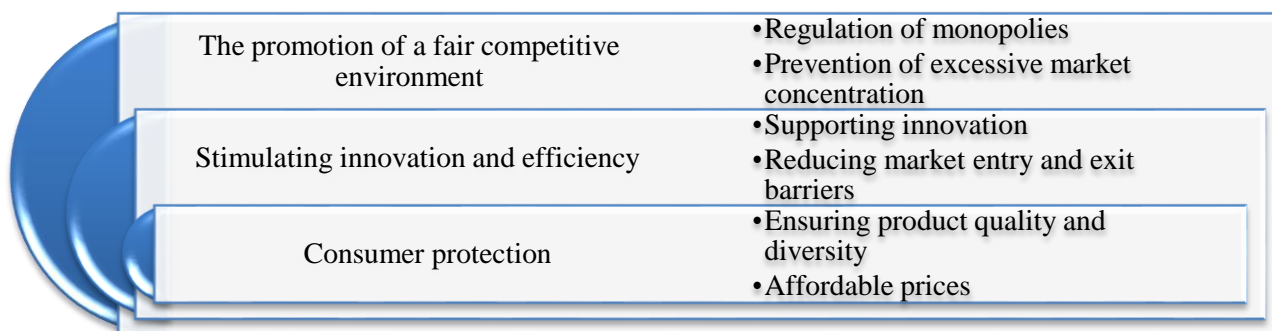


Figure 3. Implications of competition in economic life

Economic policy must prevent the abuse of market power by companies holding a dominant or monopolistic position. This involves regulating the behavior of large firms to prevent anti-competitive practices such as price-fixing, cartel agreements or foreclosing competitors from the market. Antitrust policies are essential to avoid market concentration, which can lead to reduced competition. This includes analyzing and, if necessary, blocking mergers and acquisitions that could reduce competition in the market. Economic policies should create an environment that encourages innovation. This may include funding research and development, protecting intellectual property and supporting entrepreneurship. A competitive environment encourages companies to innovate to gain a competitive advantage. To stimulate competition, economic policies should facilitate the market access of new firms and not prevent the exit of those that cannot compete effectively. Cutting red tape, simplifying regulations and access to finance are essential to maintain a steady flow of innovation and competition. A healthy competitive environment leads to a more diversified and higher quality offer of products and services, which benefits consumers. Economic policies must protect consumers from deceptive commercial practices and ensure access to clear and correct information about products and services. Competition lowers prices as firms compete with each other to attract customers. Economic policies should support market mechanisms leading to supply and demand pricing, avoiding interference that could distort this process.

So, the involvement of competition in economic policy requires the creation of a legislative and regulatory framework that ensures the efficient functioning of markets, stimulates innovation and efficiency, protects consumers and adapts to economic changes. A competition-oriented economic policy contributes to sustainable economic growth and improving the general well-being of society (Şargu, 2024: 15).

Engaging competition in economic policy under resilience means adopting measures and strategies that enable the economy to withstand and adapt to external or internal shocks while maintaining a healthy competitive environment (Meghişan 12). In this context, economic resilience refers to the ability of an economy to cope with and recover from disruptions such as economic crises, rapid technological change, pandemics, or other shocks. Competition policies must include mechanisms that allow a quick and efficient reaction to crises. This may include temporary measures to support competition during crises, such as temporarily relaxing certain regulations or supporting essential businesses.

Classical theories of competition, such as that of perfect competition, assume a large number of market participants, homogeneous products, perfect information, and the absence of barriers to entry and exit. These assumptions create an elegant theoretical framework, but one that rarely reflects the real complexity of markets.

In reality, markets are often characterized by imperfections such as barriers to entry, product differentiation, and information asymmetry. Thus, the classical theory of competition was considered insufficient to explain the real dynamics of markets.

Evolutionary theories of economics, inspired by biology, propose that firms and technologies evolve through a process of natural selection, where the most efficient and innovative survive. This dynamic approach focuses on continuous adaptation and how firms change their strategy according to market conditions.

The shift from classical to dynamic theories of competition can be argued for by the need to capture the real complexity of markets and economic behavior. While classical models provide an important basis for understanding competition, dynamic approaches bring a richer perspective, recognizing the importance of innovation, change and strategic behavior in the economy. These dynamic theories are better equipped to explain and predict how markets evolve over time.

Economic policies must take global competition into account. Opening domestic markets to international trade can increase competition and lead to improved quality and lower prices. However, trade policies must balance opening up to global markets with protecting national interests.

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VIRTUAL EDUCATION AS A NEW TECHNOLOGY AT THE EDUCATION LABOR MARKET

Julia SIROTA

<https://orcid.org/0009-0007-6688-2295>

Carmel College, Israel

Saleh AWADA

<https://orcid.org/0000-0002-1888-3062>

Sajur Atid High School, Israel

Abstract

The Covid-19 crisis in the world, which began in 2020 and influenced greatly all the fields of life, made problems existing at the labor market even more acute. Due to the crisis, both the labor and the academic world had to adjust quickly to transition from working within an organization (like academic institution etc.) to working distantly, usually from home. The rapid pace of change in modern life has made it difficult for traditional education systems to adequately prepare professionals for their careers without leaving gaps in crucial skills. This is especially true for educators, where knowledge of virtual technologies is increasingly vital. As globalization reshapes education, systems worldwide are becoming more standardized, flexible, and international. Technological advancements have transformed teaching methods, with virtual and distance learning tools, such as Moodle, making physical presence unnecessary for many students. To improve education accessibility and quality, virtual teaching tools and online platforms are being increasingly incorporated into higher education, helping students and educators alike adapt to a rapidly changing world. The rise of virtual universities and online schools is part of a growing global trend toward more open, flexible, and technology-driven education. This paper describes advantages and disadvantages of virtual education in the education labor market, especially in Israel.

Keywords: virtual education; education labor market; distant learning; globalization.

In today's fast-changing technological landscape, employers frequently need to adjust their expectations of employees. This highlights the importance of analyzing labor market trends to identify the most crucial and valuable skills that students should acquire. By enhancing the education system and its quality based on these insights, we can better prepare students for the evolving demands of the workforce market. The Covid-19 pandemic, which began in 2020 and had a profound impact on all aspects of life, exacerbated existing challenges in the labor market. As a result, both the workforce and the academic sector had to rapidly adapt to transitioning from in-person work at locations like factories, offices, or academic institutions to remote work, typically from home. There was little time to prepare for such a swift shift, even though remote technologies were already available and partially in use. After being forced into remote work and learning, many students, and even more educators in Israel, expressed dissatisfaction with the limitations of distance tools, though some benefits were also identified. Today, the Israeli Ministry of Education and academic institutions are strengthening their infrastructure to be better equipped for the emerging era of digital, remote, and virtual education. The rise of government-funded virtual universities around the world has become a common trend.

Higher education situation in Israel of 21-st century. Nowadays, lecturers at universities and academic colleges are facing major challenge – they must find a way to bridge between research and teaching. On the one hand, they are required to proceed with their scientific researches which have to be regularly published. On the other, they are expected to be high-quality teachers and to answer needs and expectations of their students. In Israel, the impression is often made that the research is more important than teaching. This claim is supported by the survey which was conducted by the Israeli students union where half of the respondents-students pointed out that the quality of teaching in education institutions is poor, and students' satisfaction with the quality of teaching is reducing. The ratio between the number of students and the number of senior lecturers is getting higher, which means that the availability of the teaching staff to the students' community is quite low, compared to most of the western countries.

Traditional education in Israel and other countries is facing a crisis due to its inaccessibility, conservatism, local constraints, and limitations. The classical teaching and learning model is becoming a barrier to the advancement of education. In today's world, individuals cannot rely on static knowledge; it must be continually expanded, creating the need to navigate an information-rich environment effectively. Educators of the future must be equipped to handle virtual technologies and modern teaching methods (Awada, 2019: 6).

Globalization has led education systems and their staff across different countries and regions to become more standardized, flexible, and international. The Bologna Process, for instance, established common academic and structural standards in higher education, enabling students to study at multiple institutions and in various countries simultaneously. Many universities now offer programs for international students, while others have established branches in foreign countries, sometimes with cultures vastly different from their own (Tange 137). Additionally, technological advancements have transformed teaching methods—virtual courses with large numbers of participants now employ distance learning tools like Moodle, eliminating the need for students' physical presence.

To enhance the quality of teaching and learning, and to make education more accessible to all, the author suggests incorporating innovative virtual education methods in the training of higher education staff. A virtual or online school, sometimes called a cyber-school, delivers education primarily or entirely over the internet. This is defined as "education that utilizes one or more technologies to deliver instruction to students who are geographically separated from the instructor, while supporting regular and meaningful interaction between them" (Allen 14).

The Open University of Israel is one of the few universities in the country recognized by the Council for Higher Education. It stands out from other institutions due to its open admission policy—anyone can enroll in a Bachelor's (BA) program without needing a matriculation diploma, psychometric exam scores, or entrance tests. The Open University employs a blend of traditional and distance learning, leveraging technology to deliver its courses. A degree is awarded once a student successfully completes all required exams and assignments. Proficiency in English is also required. While most of the university's degrees are at the BA level, it does offer a few Master's (MA) programs, which have admission criteria similar to those of other higher education institutions.

Virtual education advantages and disadvantages. According to the Unesco data (D'Antonion), building up national virtual universities allows governments: -to concentrate high-quality technologies and human resources; -to focus attention of a virtual university on current needs of a national labor market and education system; - to use and develop the existing infrastructure of Internet-technologies; - to support development of computer-based learning in traditional institutions; -to compete with foreign programs of virtual learning;- to export education to another countries (Bates 36).

Virtual universities can be classified into the following models:

- consortium model; cooperation of a number of universities, sometimes from different countries, who have common teaching platform, materials and even courses;
- traditional universities which propose e-learning on some specific curricula;
- educational institutions of distant learning;
- virtual universities.

The development of information technologies and telecommunication systems is crucial when creating a distance learning program or institution.

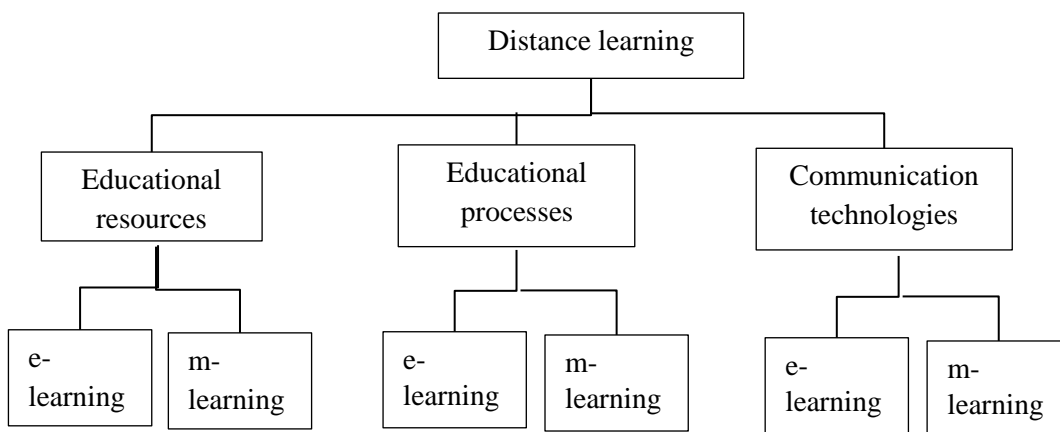


Figure 1. Schematic description of distance learning structure

Figure 1 illustrates the most common model of distance learning. This approach is a complex system that includes educational resources, processes, and communication technologies.

Distance learning is implemented through e-learning or m-learning methods. E-learning technologies can take several forms, including:

- Independent work with electronic materials via personal computers, mobile phones, DVD players, or TVs;
- Receiving remote consultations, advice, and evaluations from experts (teachers, lecturers), allowing interaction across geographical distances;
- Building online communities (social networks) for collaborative educational activities;
- Enhancing the informational culture of an organization's management and sub-groups to boost operational efficiency;
- Implementing innovative pedagogical technologies and assisting teachers in their use;
- Developing educational web resources;
- Providing access to higher education for individuals with special physiological or psychological needs.

Distant learning advantages:

1. Obviously, the major advantage of distant learning over the traditional one is the fact that the number of students is not limited. The same lesson may be distributed for a large group of virtual participants. As a result, teaching hours and physical classes costs are saved, the course materials are available on line all the time (Awada, 2016: 18).

2. Distant learning is a solution for population groups who are far away from the academic institutions and have no chance to get at the class physically (for example, students who combine their studies with work, old people who find it difficult to travel). Learning from distance is very convenient for these population groups, allowing them to preserve their usual way of living (family, career, and geographical distance) with learning. Lessons may be looked over again any time, tasks may be submitted virtually, and a constant connection with a teacher is also possible (Anderson 80).

3. Education is really important today, which sometimes causes inequalities and gaps between different ethnic, religious and socio-economic sub-groups of population. Distant learning may help to reduce these gaps by developing technologies, which is becoming cheaper all the time. For those who are accepted to higher education studies but cannot make it from socio-economic reasons, distant learning may be a solution, making them into virtual students without hurting the teaching quality.

4. Distant learning makes it possible to for each student to study in her own speed, concentrating on the individually chosen issues. If part of material was not so clear during the lesson, a student has an opportunity to get back to it later and to close the gaps. In addition, a student who missed the class, may open it in the virtual version and study the material she missed.

5. Distant learning allows personal interaction between the participants, cooperation and information exchange between students from different cultures and regions. All the global village citizens may be united under common subjects and fields of interests.

Distant learning disadvantages:

1. There is a feeling of isolation and a distance from the social world in the distant learning. A student sitting alone in front of her computer may feel apart from the lecturer and other students, a personal interaction is not created, which could contribute to her success in studies (preparing homework assignments, learning at the lessons together). A student might even feel frustrated and non-belonging since a lack of human closeness and learning brotherhood which sometimes is created during traditional studies. The traditional way of studies makes social skills necessary, when meeting with lots of different people and opinions, and promotes the development of intellectual abilities.

2. Technological barrier – is an obstacle for many students in the era of constantly developing technologies. It is not easy to lots of people to use a computer, requires a period of adaptation and frustrates them causing pressure and anxiety. For these students, a use in distant learning is not efficient and even narrows a number of possibilities for learning. Some researches demonstrate that older population suffers more from this problem, since their adaptation is longer and slower (Giltow 271).

3. Distant learning requires a high motivation, since the learning is mostly made individually. The social pressure of teachers and peers to study is relatively low, the feeling of competitiveness is not present in the distant learning. Students with low motivation to study are able to delay it, since distant learning is “anywhere and anytime”. As a result, a percent of dropping out among students of institutions actively using a distant learning is higher than those that prefer the traditional way of teaching (Fraser 24).

4. Both students and teachers might be hurt from the distant learning. In the traditional teaching, a teacher and a student get to know each other, and the teacher knows the strong and weak points of her student, unlike the distant learning modes, where there is not personal interaction and a teacher cannot recommend a student which are the issues she should focus on. A teacher does not get feedback on her teaching studies materials, since the students cannot evaluate a teacher's abilities and skills. Like the students, some teachers also find it difficult to use computer technologies.

5. There are some disciplines like physics, biology and chemistry, which need a laboratory lesson, making experiments and dealing with materials as an un-separable part of the studies. They are very hard to teach using a distant learning mode. Some developments are made in order to find a solution to this need in the framework of distant learning, however there is no a complete solution yet.

The pace of change across all areas of life is now so fast that traditional education systems can no longer adequately prepare professionals in any field without them eventually facing gaps in crucial skills, due to the difficulty in keeping up with these changes. Proficiency in virtual technologies has become essential for career success, particularly for educators.

There are scientists who claim that technologies' development will eventually have some negative consequences on social competencies' development. There is a threat that working with machines and computers will decrease a development of flexible skills. However, with the growth of technologies' use there are much more professional contacts and collaborations and much more business correspondence. Therefore, the scenario of growing cooperation is more reasonable, meaning that social and communication skills will be in need. The field of higher education will be probably more characterized by increasing the involvement of a student into the educational process, creating additional, the virtual one, infrastructure and realizing there is a need to study all the time.

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THE ROLE OF ESG POLICIES OF COMMERCIAL BANKS IN THE CONTEXT OF NATIONAL STRATEGIES

Ana SPÎNU

<https://orcid.org/0000-0002-9878-571X>

Free International University of Moldova (ULIM), Chişinău

Ecaterina BURLEA

<https://orcid.org/0009-0005-7780-751X>

Center of Excellence in Economics and Finance, Chişinău

Ana-Maria ROMAN

<https://orcid.org/0000-0001-9751-8938>

*Free International University of Moldova (ULIM), Chişinău
Auxilliary School and Foster Home, Iasi*

Abstract

Sustainability for commercial banks means focusing on managing the business responsibly, efficiently, and in alignment with national sustainable development goals. Therefore, the bank must promote the integration of ESG (Environmental, Social, and Governance) criteria into its business model and strategy, considering it a fundamental lever for creating long-term value for all stakeholders. The development and implementation of the ESG policy aims to achieve sustainable growth and development objectives, promote social and environmental responsibility, ensure transparency in the decision-making process, strengthen the bank's reputation and image, safeguard the health and safety of employees, and enhance investment attractiveness and business management quality.

Keywords: policy, environment, social, governance, ESG, bank.

The ESG (Environmental, Social, Governance) policy refers to the environmental, social, and governance criteria that organizations, including banks, adopt to guide their decisions and business strategy. These criteria are used to assess the impact of a company's activities on the environment and society, as well as how they are managed. There are a series of motivations that would compel commercial banks to implement their own ESG policies (Figure 1 Motivations for banks to implement their own ESG policies).

✓ **Social responsibility.** Banks play an important role in society and can positively influence communities through their business practices. ESG policies contribute to sustainable development and the improvement of social conditions.

✓ **Legal regulations.** Many countries already impose regulations requiring financial institutions to consider ESG factors in their investment decisions. Non-compliance can lead to financial or reputational penalties.

✓ **Financial risk.** Integrating ESG principles helps banks identify and manage long-term risks, such as climate change, market volatility, and social issues, which can impact profitability.

✓ **Customer and investor demand.** An increasing number of customers and investors are seeking institutions that demonstrate a commitment to sustainability. ESG policies can attract capital and enhance the bank's reputation.

✓ **Innovation and competitiveness.** Adopting ESG practices can stimulate innovation in products and services, allowing banks to differentiate themselves in the market and better meet customer needs.

✓ **Transparency and trust.** ESG policies contribute to increased transparency in the bank's operations, strengthening public and business partner trust.

All these reasons encourage banks to incorporate environmental, social, and governance (ESG) factors into their operations by developing internal policies, with the primary objective being the promotion of "responsible investments" and the integration of sustainability criteria into the bank's activities.

Thus, banks must focus on integrating environmental, social, and governance parameters into their business model and strategy, considering the impact these parameters may have on the bank's financial performance, as well as on the surrounding environment. Furthermore, banks must commit to continuously increasing their positive impact while simultaneously reducing the negative impact on society and the environment resulting from their activities, products, and services, by supporting the financing of long-term sustainable projects and promoting the development of a green economy.

Therefore, the ESG policy of a commercial bank includes three key factors through which sustainability and the ethical and social impact of the bank's activities can be measured. At the same time, the ESG approach focuses on the following aspects:

- ✓ Environmental protection;
- ✓ Social responsibility;
- ✓ Corporate governance principles.

ESG factors are environmental, social, or governance characteristics that can have a positive or negative impact on the financial performance or solvency of a company, institution, state, or individual (Figure 2).

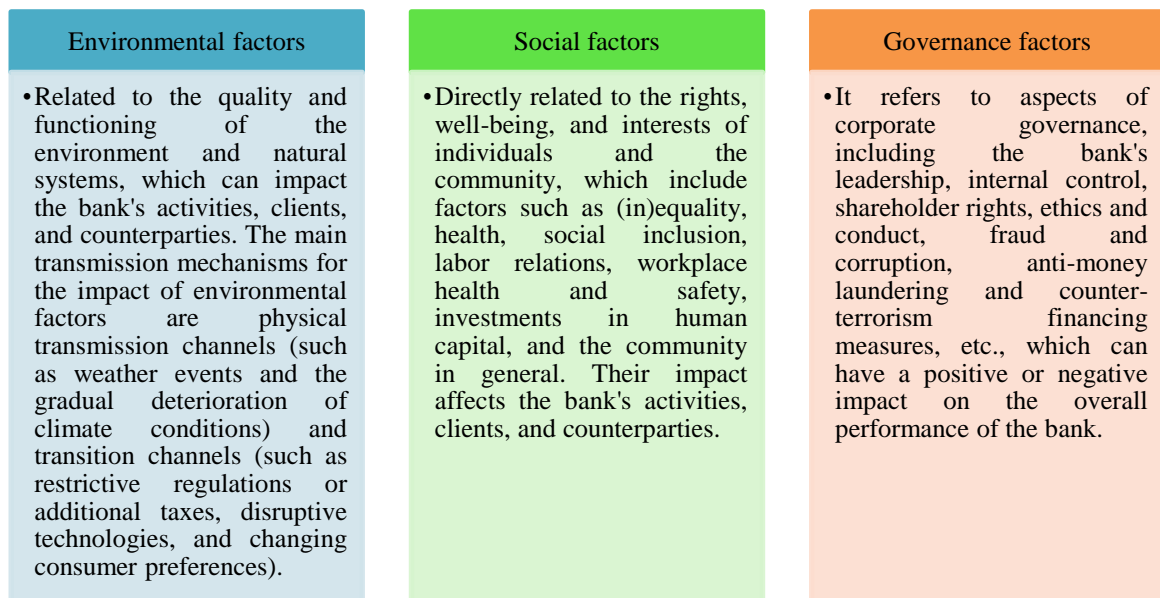


Figure 2. ESG Factors

In the Republic of Moldova, as in other countries around the world, there is a regulatory and legislative framework in the ESG field. This framework includes the following:

➤ The National Economic Development Strategy 2030, approved by Government Decision no. 393/05.06.2024, is a strategic planning document developed to establish a coherent vision for the economic development of the Republic of Moldova. It sets out priority intervention areas for creating a favorable economic climate for the accelerated development of the service sector, including increasing turnover and creating well-paid jobs; maximizing the export potential of service activities; strengthening transportation and logistics infrastructure to capitalize on the country's geographical advantages; and firmly positioning the Republic of Moldova on the map of attractive tourist destinations (National Economic Development Strategy).

➤ The **National Development Strategy "European Moldova 2030"**, approved by Government Decision no. 653/23.09.2022, proposes a development vision centered on people, where individuals are the beneficiaries, not resources or tools of development. The strategy will contribute to defining a series of priority interventions—regulatory, institutional, budgetary, investment, and educational—that will have a direct positive impact on well-being and will leverage the entrepreneurial, educational, cultural, and productive potential of the people (National Development Strategy "European Moldova 2030").

➤ The Energy Strategy of the Republic of Moldova until 2030, approved by Government Decision no. 102/05.02.2013, provides concrete guidelines for the development of the energy sector in the Republic of Moldova, with the aim of ensuring the necessary foundation for economic growth and social well-being (Energy Strategy of the Republic of Moldova until 2030).

➤ The Occupational Health and Safety Law no. 186 of 10.07.2008, which regulates legal relations related to the establishment of measures to ensure the safety and health of workers in the workplace. It sets out the general principles for preventing occupational risks, protecting workers at work, eliminating risk and accident factors, informing, consulting, and balancing the participation of workers and their representatives, as well as general guidelines for applying the mentioned principles (Occupational Health and Safety Law).

➤ The Climate Action Law no. 74 of 11.04.2024, whose main goal is to ensure the gradual and irreversible reduction of greenhouse gas emissions in order to protect human health, the integrity of ecosystems, and biodiversity from the threats posed by climate change. It aims to strengthen adaptive capacity, reduce societal vulnerability to climate change, and enhance climate resilience. The law applies a financial mechanism to set a price on carbon dioxide emissions (CO₂) and adopts the "polluter pays" principle (Climate Action Law).

➤ The **Waste Law no. 209 of 29.07.2016**, which establishes the legal framework, state policy, and necessary measures for environmental protection and public health by preventing or reducing the adverse effects caused by waste generation and management, as well as reducing the overall impact of resource use and increasing the efficiency of their use (Waste Law).

➤ The Law on the Promotion of the Use of Energy Produced from Renewable Sources no. 10 of February 26, 2016, aims to establish the legal framework for promoting the use of energy from renewable sources and to set national objectives regarding the share of renewable energy in gross final energy

consumption, in final energy consumption for heating and cooling, as well as the share of renewable energy in final energy consumption in the transport sector. The law sets the rules for support schemes, guarantees of origin, applicable administrative procedures, covering self-consumption of electricity with energy produced from renewable sources, regional cooperation, access of renewable energy producers to the grids, and other necessary regulations to promote and achieve higher consumption of renewable energy in the national economy (Law on the Promotion of the Use of Energy Produced from Renewable Sources).

➤ The National Climate Change Adaptation Program until 2030, approved by Government Decision no. 624/2023, involves integrating climate change adaptation measures into development planning at all levels and across priority sectors to ensure medium- and long-term climate resilience of economic, social, and ecological systems (National Climate Change Adaptation Program until 2030).

➤ The National Low-Emission Development Program of the Republic of Moldova until 2030, which systematizes sectoral policies and action plans aimed at achieving the objectives for reducing greenhouse gas emissions (National Program for Low-Emission Development of the Republic of Moldova).

➤ Etc.

The core principles of a bank's ESG policy should include the aspects outlined in Figure 3.

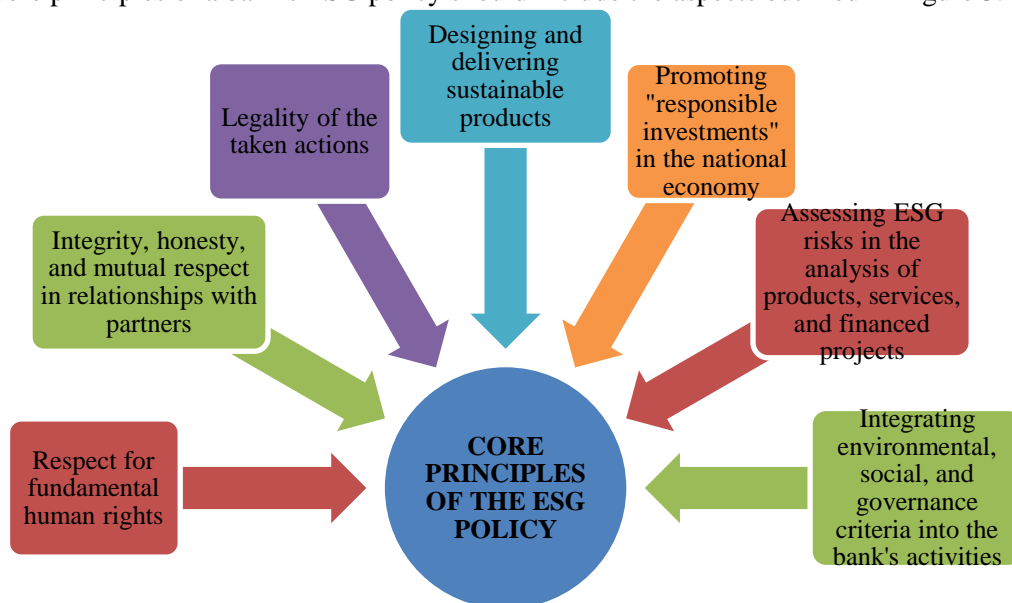


Figure 3. Core Principles of a Bank's ESG Policy

The bank must integrate ESG criteria into its decision-making process using the following approach:

1. **Avoidance** of financing companies whose activities contradict the principles and values of the bank, and financing only those companies that have a sustainable business model and long-term growth prospects.
2. **Analysis** of the ESG practices of companies in relation to their financial indicators, evaluating the impact of the companies' activities on the environment—and vice versa, the impact of the environment on their activities—to identify risks and opportunities.
3. **Engagement** by initiating dialogue with companies on ESG matters, including contributing to the implementation of best practices in the field.
4. **Communication** of its own actions and achievements by providing full transparency on ESG-related topics.

The bank will aim to ensure the integration of the following ESG factors into its operations (Figure 4):

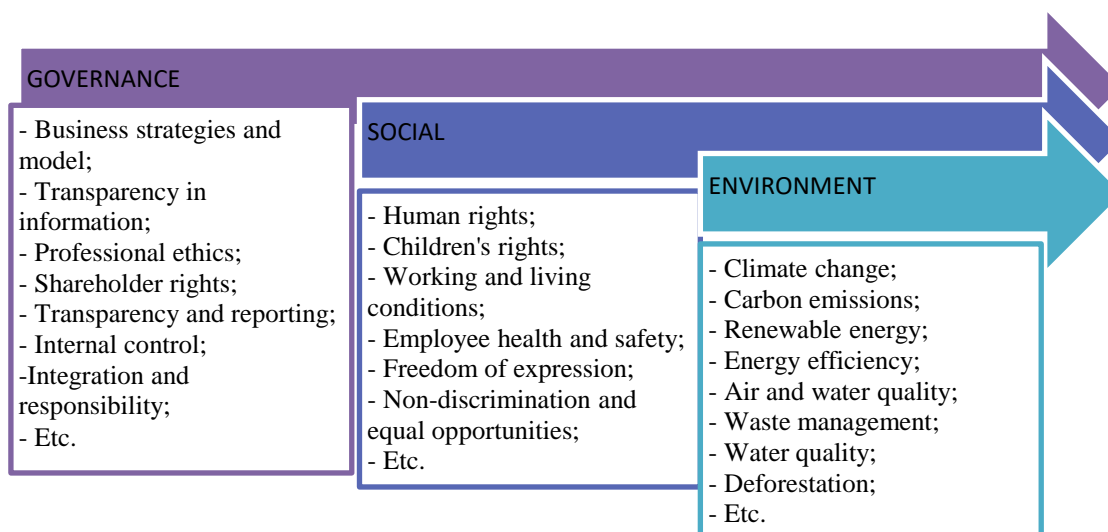


Figure 4. ESG Factors

To ensure *corporate governance*, banks must:

- Establish a robust and effective governance framework, structured in accordance with legal provisions and aligned with best practices.
- Respect human rights protection requirements, discouraging any internal practices that could affect and/or violate the fundamental rights of their employees.
- Present all reports, including financial reports, in a timely manner, aiming to enhance the reliability, clarity, and accuracy of disclosed information, as well as improve feedback mechanisms.
- Fully comply with current legislation and consider the recommendations of regulatory and supervisory authorities.
- Timely and fully fulfill tax obligations and other mandatory payments.
- Apply rigorous standards of ethics and conduct, as well as strict anti-corruption principles.

The main objective of a bank's activity is to improve financial results, taking into account the social and environmental consequences of the decisions made. In the process of collaborating with partners, the bank's goal is to engage in an open and constructive dialogue, considering corporate conduct practices and standards, and adhering to high corporate governance standards.

The fundamental principles that employees must respect in their professional/interpersonal relationships with clients, authorities, or other employees are as follows:

- Moral integrity;
- Impartiality, non-discrimination, and avoidance of defamation;
- Professionalism and loyalty;
- Transparency;
- Compliance with the current legal and regulatory framework;
- Respect for confidentiality and professional secrecy;
- Prevention and combating of corruption, money laundering, and the financing of terrorism;
- Exercising prudent activity;
- Social responsibility; team spirit;
- Protection of the bank's image and reputation;
- Avoidance of conflicts of interest.

In order to ensure *corporate governance*, the bank must not tolerate any form of active or passive corruption. No employee has the right to accept or offer any improper advantage of any kind (incentives), regardless of whether the person offering or requesting such an advantage operates in the public or private sector. Additionally, offering or receiving any form of bribe, or engaging in influence peddling, whether directly or through intermediaries, is strictly prohibited.

The integration of ESG criteria into the bank's organizational structure should be achieved through a flow of information both vertically (in both directions) and horizontally, which allows for:

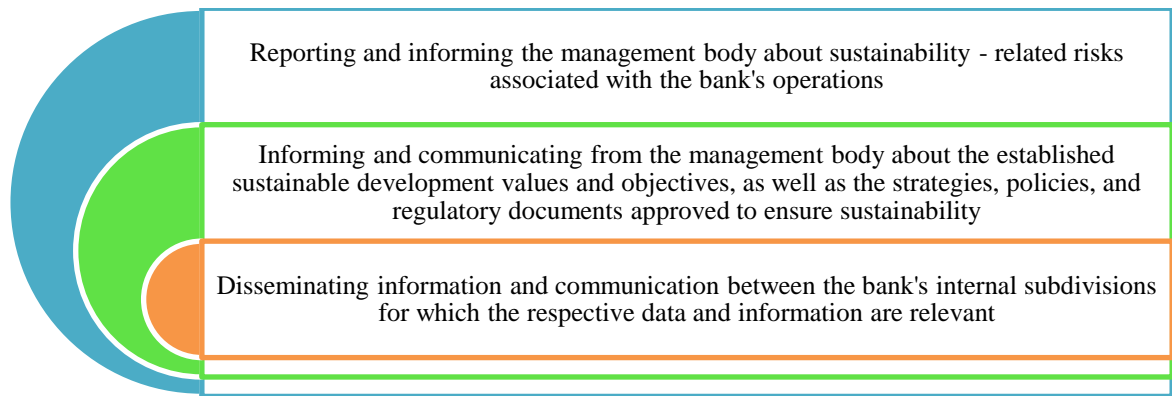


Figure 5. The requirements regarding the information flow for integrating the ESG policy into the bank's structure

In order to respect governance principles, the bank must ensure the confidentiality and security of customer and employee data, managing it transparently and in full compliance with current legislation.

Social responsibility is a key element for the bank in promoting sustainability and ensuring the well-being of people and the community in which it operates. Respect for human rights is a fundamental requirement of the ESG policy. The bank must protect and promote these rights throughout its activities, both in its relationships with its employees and other stakeholders.

The bank's priorities in the field of social responsibility focus on respecting fundamental human rights, labor rights, increasing employee motivation, ensuring workplace protection and health, and improving labor productivity. The bank promotes human rights by providing access to decent work, contributing to high living standards, protecting employee rights, and sourcing goods in a responsible manner.

Banks can make a significant contribution to the respect for human rights as financiers, employers, service providers, and promoters of progress and sustainability. Banks must condemn any form of discrimination, harassment, abuse, intimidation, or forced labor, including child labor and exploitation of individuals. At the same time, they must support social responsibility initiatives, including social inclusion projects, research and development, in partnership with various national institutions/organizations through donations and/or sponsorships in compliance with applicable regulations. Additionally, banks should encourage the voluntary participation of their employees in corporate and charitable actions, supporting employees' volunteer initiatives.

For their employees, banks must provide a healthy and safe workplace where mutual respect is essential and discrimination is not tolerated. With the goal of fostering a corporate culture based on teamwork to achieve strategic objectives, banks should support programs that promote an inclusive economy—one where everyone has "the opportunity and capacity to participate."

Among their employees, banks should promote a healthy lifestyle and conduct safety training to reduce the risk of occupational diseases and workplace accidents. As a responsible employer, and in the context of maintaining social distancing rules, the bank can combine remote work with office-based work, ensuring the implementation of security measures and protection of information.

In order to ensure social responsibility, the following employment principles are identified (Figure 6):

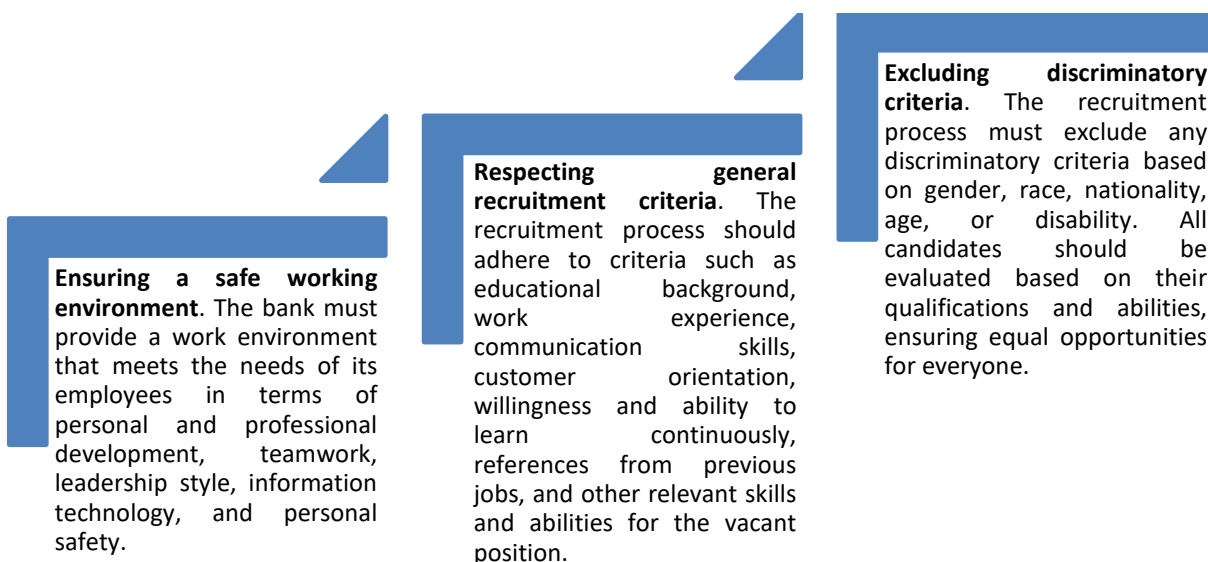


Figure 6. Principles of workforce employment

To ensure professional training and continuous development, banks must consider the following:

a) Investment in employees should be one of the bank's strategic priorities. Through the training programs offered to employees, the bank should directly contribute to enhancing their individual performance, team performance, and, ultimately, organizational performance.

b) Development of bank-wide programs accessible to all employees. Programs should be developed at the bank level, ensuring access for all employees. These programs should be part of a blended learning system, offering a mix of methods and tools such as training, e-learning, tutorials, and podcasts (audio or video recordings), etc.

Training should begin as soon as an employment decision is made, with each new employee undergoing a dedicated onboarding program that helps them familiarize themselves with the bank, their role, and the main aspects related to their area of activity. Subsequently, the bank should implement thematic training programs, offering employees the opportunity to participate in various courses that align with their area of interest and expertise.

The focus on well-being is manifested through the implementation of mechanisms designed to motivate employees, creating an environment where all employees have the opportunity to learn and improve. The bank must ensure fair and competitive remuneration, strictly based on competencies and performance, with two well-proportioned components: the fixed component and the variable component, reflecting relevant professional experience, organizational responsibility, as well as sustainable performance adjusted for risk.

The *environmental policy* can be promoted by conducting activities with environmental responsibility, which includes rationalizing resource use by reducing consumption costs in both the bank's operations and its financing activities for clients.

Banks play a key role in the financial system's transition to sustainability, and therefore, they should encourage the development of products and services for clients that focus on sustainable businesses and projects with high environmental impact. In its operations, the bank should apply principles and methods for the rational use of resources, minimizing and/or preventing environmental pollution, which are financially and technologically feasible and ensure the optimal prevention of adverse effects on the community and the environment.

To this end, the bank must support and promote long-term sustainable investments by setting science- and research-based objectives to mitigate climate change and develop alternative energy sources, as well as energy efficiency projects. The financing options provided by the bank to its clients can contribute to the development of a sustainable society with a positive environmental impact.

Today, banks tend to offer innovative products and services that help clients make more sustainable financial decisions and improve the socio-economic health of the entire community. During the examination stage of financing possibilities, banks will ask the potential client to provide necessary and sufficient information regarding the potential impact of the project on human health and the environment, in line with the criteria established in internal regulatory documents.

In the field of improving energy efficiency and developing green energy, banks promote the implementation of energy-efficient technologies and the development of smart electricity grids, including by:

- a) Harnessing wind and hydro energy (wind power plants, wind farms, small hydropower plants);
- b) Harnessing solar energy through conversion into electricity and thermal energy (photovoltaic parks);
- c) Developing the energy potential of biomass, specifically the production of biofuels from cereals and oilseed crops;
- d) Harnessing geothermal energy (shallow geothermal systems and heat pumps).

Banks must comply with the provisions of technical and legislative standards regarding environmental aspects, based on the principle of preventing and mitigating climate risks.

The bank encourages clients to manage their businesses in a sustainable manner through the banking products and services offered, as well as appropriate risk management, including but not limited to:

- Integrating environmental criteria into lending policies and customer creditworthiness evaluation procedures;
- Purchasing and using products and services with a low long-term environmental impact throughout the entire lifecycle of the products, in compliance with required standards and the principle of profitability;
- Using eco-friendly materials, including recycling or reusing them both in the conduct of normal operational activities and in the implementation of construction and renovation works;
- Promoting the use of renewable energy sources to reduce CO2 emissions and other greenhouse gases;
- Providing financial services to support environmental protection programs and/or the redevelopment of territorial areas. Consciously managing resources while respecting environmental protection, nature, ecosystems, and biodiversity;
- Encouraging digitalization through the use of information systems for internal and external communication;
- Reducing waste by maximizing the amount that can be recycled/reused and ensuring the proper disposal of non-recyclable waste.

We recommend that banks implement an environmental management system, the goal of which would be to improve the bank's internal environmental performance. The environmental management system is based on a list of exclusions that identifies activities considered illegal or with a negative impact on the community and the environment. Thus, banks must exclude from their activities the direct or indirect financing, through financial intermediaries, of projects associated with the following activities, such as:

- ✓ The production or commercialization of any product or service considered illegal according to national regulations or international agreements and conventions;
- ✓ Production or any activity involving forced labor or child labor;
- ✓ Production or activities involving discriminatory practices, or those that prevent employees from exercising their legal rights to association and collective bargaining;
- ✓ The production and distribution of racist or anti-democratic materials;
- ✓ The production or trade of weapons and ammunition;
- ✓ The production or trade of narcotics;
- ✓ Nuclear energy projects, etc.

At the bank level, it is necessary to ensure the implementation of an efficient environmental management system through: efficient use of energy resources; adoption of a proper waste management process; optimization of water consumption; prevention of pollution and environmental risks; development and promotion of informational materials regarding the ecological footprint; compliance with applicable environmental laws and regulations.

In the same context, responsibility towards the environment and the community is one of the core pillars of the bank's activities. Therefore, the bank must:

- Ensure compliance with environmental legislation requirements;
- Identify the negative environmental impact resulting from daily operations;
- Identify and improve both the negative and positive impacts that may arise regarding climate change mitigation through its lending policies;
- Communicate environmental performance internally and externally in a transparent manner;
- Develop the innovation area through employee information and involvement, including through knowledge-sharing mechanisms among employees;
- Identify and implement opportunities for the efficient use of resources, pollution prevention, and minimizing greenhouse gas emissions;
- Minimize and properly manage waste by applying the waste management hierarchy;
- Implement an efficient environmental management system.

In conclusion, we note that an important aspect in the development of ESG policies is the integration of ESG risks, which is driven by the close correlation between ESG factors and significant risks in the bank's operations. ESG factors can become contributing factors to the emergence of financial risk, strategic risk, operational risk, reputational risk, and compliance risk. Proper management of traditional risks serves as a foundation for appropriately managing ESG factors. To withstand these risks, it is necessary to identify and assess the likelihood of their potential impact.

The bank must apply social, ethical, and environmental criteria in its own financing policies and practices. Each client and transaction should be monitored and assessed in relation to the requirements of the internal environmental and social risk framework to ensure compliance and minimize negative impacts on the environment and the community. In this way, the impact on climate and the environment is taken into account whenever a financing decision is made. The bank must ensure that, to the extent that information is available, ESG factors have been properly analyzed and integrated.

Within the sustainability framework, the objective is to identify potential risks related to ESG factors, as well as the opportunities that may arise from these factors. To assess ESG risks, information from various sources will be analyzed, including: environmental, social, and governance indicators reported by clients, specific analyses available from external sources (specialized research institutions), issuance documents, as well as other relevant public information (news, sanctions from supervisory and regulatory authorities, etc.), or reports, policies, and documents published by supervisory and control institutions.

ESG risk management takes into account their appropriate impact to ensure the resilience of the business model in the short, medium, and long term, through the following:

- a) Incorporating ESG risk parameters into the bank's business strategy;
- b) Setting, disclosing, and implementing strategic objectives and/or limits related to ESG risks, including relevant key performance indicators, in line with the bank's risk appetite;
- c) Assessing the potential need to develop sustainable products or adjust the parameters of existing products as a way to contribute to achieving ESG objectives and ensuring alignment with new ESG criteria.

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SUSTAINABLE TAXATION SOLUTIONS RELATED TO FISCAL CONTROL

Angela TIMUȘ

<https://orcid.org/0000-0002-2556-3198>

National Institute of Economic Research of ASEM (INCE), Chisinau

Nicu ȘARGU

<https://orcid.org/0000-0002-3766-4498>

Academy of Economic Studies of Moldova (ASEM), Chisinau

Abstract

This research analyzed the implications of fiscal control in the efficiency of the fiscal system of the Republic of Moldova, by exploring the conceptual, methodological and practical aspects of fiscal control and how it can influence the performance of the national fiscal system. The importance of an efficient tax system and its continuous evaluation was emphasized, highlighting the role of tax control in identifying and correcting deficiencies in tax administration. The ways in which the results of fiscal control can contribute to improving the performance indicators of the national fiscal system were also analyzed.

Keywords: tax control, efficiency, tax system, tax administration

The Republic of Moldova faces various economic and fiscal challenges, including tax evasion, corruption, and a lack of transparency in tax administration. In this context, streamlining the tax system through rigorous and efficient tax control is essential for ensuring the accurate and effective collection of tax revenues, reducing tax evasion, and improving the overall business climate. Additionally, Moldova faces pressure from international partners and financial institutions to enhance its tax system and align with international standards in taxation and financial transparency. In this regard, research on the implications of tax control for optimizing the fiscal system has become a priority for the Moldovan government and tax authorities. Moreover, in the global context of digital growth and rapid technological changes, tax administration and control must keep pace with new challenges and opportunities.

Tax control, essential for monitoring and enforcing tax legislation, primarily aims to ensure accurate tax collection, securing the revenue necessary for public services and projects. Through various forms and processes, it not only improves the efficiency and transparency of the tax system but also fosters a trusting relationship between the state and taxpayers, ensuring fair revenue collection and promoting a healthy economic environment.

The tax system of the Republic of Moldova is a dynamic mechanism, continuously evolving and adapting to market demands (Carașciuc 5). In its initial stage, during the first years of Moldova's independence, the foundational laws regulating tax authorities were established, including (Castraveț 358):

- Law on the State Tax Service (No. 876-XII of January 22, 1992)
- Law on the Fundamentals of the Tax System (No. 1198-XII of November 17, 1992)
- Law on the Procedure for Collecting Taxes, Fees, and Other Payments (No. 633-XIII of November 10, 1995).

These laws set the fundamental economic, legal, and organizational principles for establishing the tax system. They defined types of taxes, the competencies of state bodies, taxpayer rights and obligations, and the responsibilities of tax authorities, also providing protections for taxpayers.

A significant milestone in the tax system's evolution was on December 2, 1992, when the Law on Corporate Income Tax (Ciubotaru 267) came into force. This law imposed taxation on all economic agents, including legal entities, regardless of ownership structure or legal framework, covering foreign-invested enterprises, associations, and international organizations. Agricultural enterprises, except for those of an industrial type, were exempted from income tax on profits from the production and sale of agricultural goods and from selling products derived from the industrial processing of their raw materials.

Another noteworthy law, adopted in April 1992, was the Law on Foreign Investments. It provided income tax exemptions for joint ventures with foreign investments. These tax incentives were later simplified, allowing joint ventures to benefit from the same basic exemptions as domestic enterprises.

The Law on Value Added Tax (VAT) was enacted in November 1994, introducing an indirect tax applied to the added value generated at each stage of production, sales, service provision, and work execution.

Both enterprises and individuals, including foreigners engaged in commercial activities, were subject to this tax, with exceptions for individuals with annual incomes below 400 minimum wages and budget-funded institutions. Initially set at 20% of taxable transactions, the tax rate could be adjusted by Parliament during the approval of the following year's budget (Criclivaia 122).

At the end of December 1994, Parliament adopted the Law on Excise Duties (Criclivaia 119). The taxpayers were individuals and legal entities producing and selling excisable goods, such as alcoholic beverages, tobacco products, and precious metal items. Beginning in 1995, excise duties were set as fixed amounts per unit of goods, replacing the previous percentage-based rate on sales prices. Goods produced domestically and intended for export were exempt from excise duties.

In December 1992, the Law on Land Tax was adopted, along with taxation methods (Cuzimina 54). Taxpayers were individuals and legal entities holding land titles, possession, or usufruct rights. Initially, tax rates were low and differentiated based on soil fertility and agricultural use. From 1995 onward, agricultural enterprises began paying a unified land tax, which also included previously separate property and road taxes. Subsequently, land tax rates increased. According to a decree by the President of the Republic, property tax became mandatory for all legal entities with productive and non-productive assets, as well as for citizens owning buildings and constructions.

The Law on Road Tax, adopted in June 1993, introduced fees for the use of highways, various automotive structures, vehicle purchases, and other means of transport, along with a transit tax and a special road tax (Gherman 84). In 1996, the Law on the Road Fund came into effect, addressing inequalities related to the "equal distribution of road tax" among vehicle owners and non-owners alike.

The second stage in the evolution of the tax system involved the implementation of Titles from the Tax Code and corresponding enforcement laws. On January 1, 1998, Title I "General Provisions" and Title II "Income Tax" (Law No. 1163-XIII of April 24, 1997) were enacted, along with the "Law for the Enforcement of Titles I and II of the Tax Code" (Law No. 1164-XIII of April 24, 1997). These laws laid the foundation for codifying existing tax regulations, establishing definitions used in fiscal legislation and the scope of income tax for both individuals and legal entities. Later, Title III of the Tax Code, "Value Added Tax" (VAT), was adopted and came into effect in July 1998 (Law No. 1415-XIII of December 17, 1997), along with the "Law for the Enforcement of Title III of the Tax Code" (Law No. 1417-XIII of December 17, 1997), containing regulatory norms for VAT application.

To consolidate excise-specific regulations, Title IV of the Tax Code, "Excises" (Law No. 1053-XIV of June 16, 2000), and the "Law for the Enforcement of Title IV of the Tax Code" (Law No. 1054-XIV of June 16, 2000) were adopted, setting standards for excise taxation.

For the centralization of tax regulations regarding other taxes and fees, additional regulatory frameworks were established, as illustrated in Figure 1.

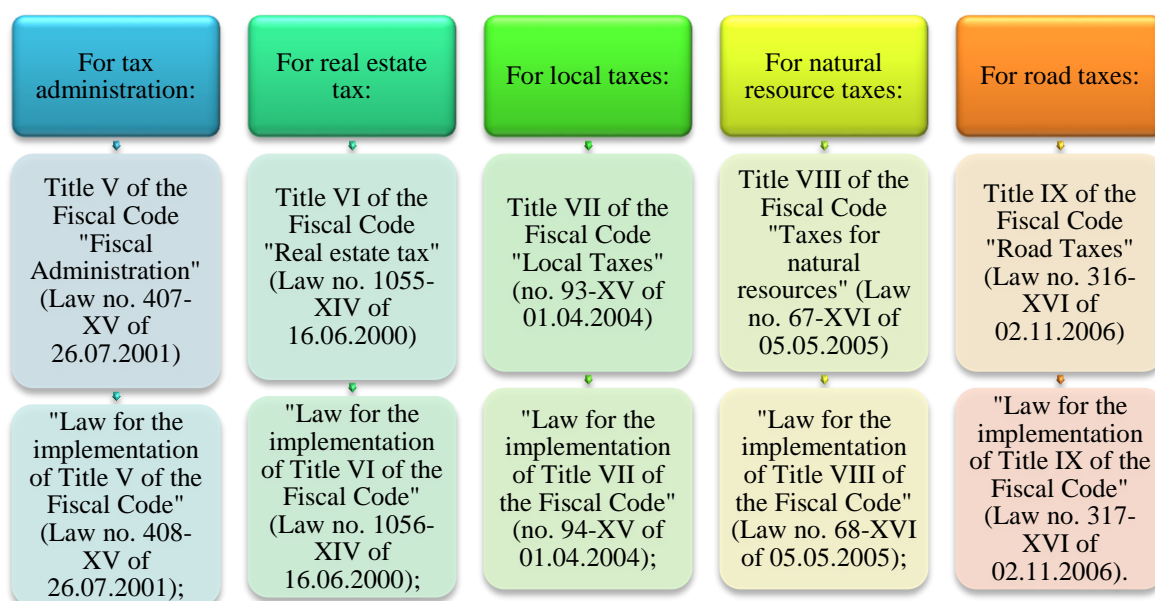


Figure 1. Centralization of Tax Regulations for Other Taxes and Fees

The third stage in the evolution of the tax system focuses on enhancing tax administration mechanisms with the help of advanced information technology. This phase is currently ongoing, aiming to improve interaction, operations, and control within the tax administration (Codul Fiscal). A relevant example of this is the introduction of the "Electronic Declaration" service, designed to simplify reporting for individuals. This service allows all citizens to file tax reports electronically using an authentication electronic signature. Through this tool, individuals can create, verify, and submit income declarations online, eliminating the need to visit tax offices in person. The service is free for individuals, and the electronic signature is valid for five years, exclusively for this service, and is not recognized in other legal contexts (Vragaleva 451).

In terms of international cooperation, the State Tax Service participates in two international organizations: the Coordinating Council of Heads of Tax Services of CIS Member States (CCCSF) and the Intra-European Organisation of Tax Administrations (IOTA). Bilateral treaties have been signed to facilitate collaboration and mutual assistance in tax law compliance, principles for indirect tax collection on exports and imports, and conventions to avoid double taxation and prevent tax evasion related to income and property taxes.

The activities of control bodies operate in accordance with the Constitution, laws on establishment, competencies, principles of activity, and other regulatory acts governing control in Moldova. The legal framework governing fiscal decentralization in Moldova is provided by the Law on Local Public Finances (2003, last amended in 2013) and the Law on Administrative Decentralization (2006, last amended in 2012) (Codul Fiscal).

The primary state control bodies with the authority to inspect the economic activities of enterprises in the Republic of Moldova are (Vragaleva 451):

I. The State Tax Service

This includes the Principal State Tax Inspectorate under the Ministry of Finance, which serves as the highest hierarchical body, the State Tax Inspectorate for the Gagauzia Territorial Unit, and local state tax inspectorates in municipalities and districts (in accordance with Government Decisions No. 1736 of December 31, 2002, No. 786 of June 30, 2003, and No. 1208 of October 20, 2006).

The state tax inspectorates operate as legal entities in line with current legislation and the Regulation on the Operation of the State Tax Service Bodies, approved by Government Decision No. 1736 on December 31, 2002.

The primary responsibility of the state tax inspectorates is monitor compliance with tax legislation, ensure accurate calculation, and timely and full payment of taxes and other legally mandated payments (Vykliuk 303). These tax bodies, responsible for tax administration and organization, carry out their duties in collaboration with public authorities and are accountable for any non-compliance in the exercise of their functions and rights, in accordance with the provisions of the Tax Code, the Public Service Law, and other relevant laws.

II. The Center for Combating Economic Crimes and Corruption

This is a specialized body focused on law enforcement, targeting economic-financial and tax-related crimes, as well as corruption. It operates under the Law on the Center for Combating Economic Crimes and Corruption No. 1104-XV of June 6, 2002. The Center operates according to principles of legality, respect for fundamental human rights and freedoms, and opportunity, employing both public and covert methods and resources. It combines both individual and collective leadership approaches and collaborates with other public authorities, civic organizations, and citizens.

The responsibilities of the Center for Combating Economic Crimes and Corruption include:

- Preventing, detecting, investigating, and halting economic-financial and tax violations and offenses
- Combating corruption and protectionism; countering the legalization of illicitly acquired assets and money laundering

To implement the provisions of Article 7, paragraph (1), letter e) of Law No. 1104-XV of June 6, 2002, the Regulation on Conducting Economic-Financial Audits was developed and approved by Government Decision No. 253 of March 10, 2003. This regulation establishes the organization and conduct of economic-financial audits, the procedure for preparing reports, and the method for utilizing findings resulting from these audits.

III. The Labor Inspection is a regulatory body whose activities are governed by the Labor Inspection Law No. 140-XV of May 10, 2001. Operating under the Ministry of Labor and Social Protection, the Labor Inspection is a central public administration body headquartered in Chişinău. It conducts state control activities to ensure compliance with labor legislation and other regulations across enterprises, institutions, and organizations, regardless of ownership type or legal form, as well as within central and local public

administration authorities. Under its authority are regional labor inspectorates, which operate in each second-level administrative-territorial unit and do not hold separate legal status.

The Labor Inspection's responsibilities include (Vragaleva 453):

a) Ensuring compliance with legislative provisions and other regulations related to individual and collective labor contracts, workbooks, working and rest hours, wage conditions, work discipline, and labor protections for minors and women.

b) Issuing approvals, as per legal requirements, for the manufacturing of technical equipment prototypes and personal protective and work equipment.

c) Investigating workplace accidents in accordance with government regulations.

d) Coordinating employee training, education, and information activities on labor relations and workplace safety issues.

IV. The State Ecological Inspectorate is a regulatory body operating in accordance with Government Decision No. 77 of January 30, 2004. It serves as the public authority responsible for conducting state ecological control to ensure compliance with environmental laws and regulations, under the supervision of the Ministry of Ecology and Natural Resources.

The Inspectorate's responsibilities in the field of state ecological control include (Vučković 129):

- Conducting state control and oversight over compliance with environmental protection laws and regulations regarding the use of natural resources by economic agents, regardless of ownership type, departmental affiliation, or by individuals, including foreign nationals.

- Supervising compliance with ecological standards and requirements, as well as guidelines, recommendations, and norms related to the use of natural resources, and standards for handling hazardous substances and waste.

- Overseeing environmental protection standards in site selection, project design, and construction of facilities, adoption of new technologies, installation of new equipment, and ensuring that economic agents properly utilize funds designated for environmental protection.

- Monitoring the implementation of environmental protection measures by economic agents, including the payment of environmental pollution taxes and fees.

- Enforcing environmental laws and regulations related to the manufacturing, storage, transport, use, neutralization, and disposal of hazardous products, substances, and associated waste.

- Conducting state ecological expertise on project documentation for the construction, expansion, reconstruction, reuse, modernization, repurposing, conservation, demolition, and decommissioning of facilities in accordance with regulatory acts and guidelines.

The State Fiscal Service is focused on the continuous improvement and refinement of fiscal administration processes and procedures. In line with its development objectives, as of December 31, 2021, the State Fiscal Service operates through an optimized structure that includes:

- The Central Apparatus: Responsible for methodological aspects, planning, support, management, and the administration of large-scale taxpayers.

- 8 General Fiscal Administration Directorates: These are divided by geographic regions, including North, South, Central, Chişinău Municipality, arrears, anti-fraud, operational fiscal control, and post-operational fiscal control.

- Regional Taxpayer Service and Service Delivery Directorates: These provide services to taxpayers at the local and regional level.

Fiscal control is an essential tool for the state to monitor and ensure compliance with fiscal legislation by taxpayers. Regardless of the organizational structure or methods used, the primary objective of fiscal control is to ensure the correct collection of taxes and fees owed by taxpayers, in accordance with legal provisions. It serves as a means through which the state secures the necessary revenues to meet public needs and support public services and projects.

Through various forms and processes of fiscal control, the aim is not only to identify and correct potential tax irregularities but also to improve the efficiency and transparency of the fiscal system. Fiscal control is not only a taxpayer obligation but also an essential function of fiscal administration, with the goal of ensuring the application and respect of fiscal laws in a fair and efficient manner. Through fiscal control, the state exercises its authority in the fiscal domain and contributes to maintaining a healthy economic activity while combating tax evasion. It is crucial that this process is conducted in accordance with the principles of fairness, transparency, and respect for taxpayers to ensure correct revenue collection and foster a relationship of trust between the state and citizens.

The evaluation of the effectiveness of a fiscal system involves a series of fundamental concepts and approaches, originating from economic theories and principles of fiscal justice. The basic principles such as

"ability to pay" and "benefit or equivalence" form the foundation of the conceptualization of the fiscal system and its effectiveness evaluation.

The concept of "ability to pay" suggests that those with higher incomes should contribute more to the fiscal system, while the "benefit or equivalence" concept proposes a fair distribution of the tax burden based on the benefits or services provided by the state to taxpayers.

The fiscal system is analyzed and broken down into essential components, including the tax system, fiscal apparatus, and fiscal legislation—interdependent elements that form the core structure of the fiscal system, which must be designed and implemented in a way that fulfills multiple essential functions.

The fundamental functions of the fiscal system include mobilizing budgetary resources, stimulating economic activity, promoting social inclusion and reducing inequalities, as well as ensuring the correct enforcement and collection of taxes and fees. Through fiscal policies and control mechanisms, the fiscal system can contribute to the economic and social stability of a country and improve the well-being of citizens.

In the early years of independence in the Republic of Moldova, essential laws were established that regulate the activities of fiscal bodies, including the law on the State Fiscal Service, the law on the basics of the fiscal system, and the law on the collection of taxes, fees, and other payments. The main state control bodies in Moldova include the State Fiscal Service, the Center for Combating Economic Crimes and Corruption, the Labor Inspection, and the State Ecological Inspectorate, each with distinct responsibilities, acting according to the relevant legislation to ensure compliance with rules and standards in their respective areas of competence.

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FEATURES OF CRISIS MANAGEMENT IN THE BANK SECTOR OF EUROPEAN COUNTRIES

Natalia VORNICOVA

<https://orcid.org/0009-0009-9676-8818>

Free International University of Moldova (ULIM), Chişinău

Abstract

In conditions of economic growth, top managers pay more attention to profit indicators and the bank management strategy is focused on sustainable growth and development, in conditions of crisis, special attention is paid to maintaining financial stability and business activity of the bank. Given the special influence of the banking sector on the economy of any state, governments are called upon to take a special part in crisis management in the banking sector, since the financial security of the state and the possibility of developing the country's economy depend on the banking sector. This is explained by the fact that bank lending is the main source of external financing for companies. In addition, the stability of the banking sector is a necessary condition for the development of the country's economy, since it is through the banking sector that the monetary policy of the state is implemented. Commercial banks can never be completely sure of the results of its outcome, when making a specific transaction, and that is why in the Republic of Moldova, as in most countries, this type of economic activity is the most regulated type of entrepreneurship by the state. Thus, due to the high dependence of national economies on the banking sector, the problem of studying the methods of external crisis management in the banking sector of European countries is relevant. This allows, based on world experience, taking into account national specifics, to develop an effective mechanism of crisis management in the Republic of Moldova.

Keywords: banking sector, crisis management, government control, central bank, prudential regulation, nationalization, Basel Accord.

According to the doctrines of economic theory, each crisis is unique in its nature and requires a special approach to management. The development of market relations is always associated with some instability of individual market indicators, which gives rise to various kinds of uncertainty and danger in any commercial activity. The global financial crisis, the core of which was precisely the banking crisis, negatively affected the financial indicators of most credit institutions.

The banking system is the basis of financial and credit relations in all fields of economic system and an accelerator of scientific and technological progress, but at the same time, banking is one of the most risky activity. The crisis management is a complex management of all elements of commercial banks' activities in order to minimize the risks and their impact, both in the short and long term.

For banking, it is important not to avoid risk in general, but to identify it in a timely manner and carry out measures to minimize it. Risk management is part of daily management activities. It is inseparable from the standard understanding of the process of managing a commercial bank. In addition to current operations and possible problems, the state imposes on banks, among other things, control functions in terms of minimizing fraudulent transactions and illegal operations (for example, when making transfers, a bank employee must check the legality of the transaction, its content compliance with the terms of the agreement and with the types of activities of the enterprise, etc.). Thus, an error made in a routine current operation can cause a crisis in the bank's work.

Crises in the banking sector threaten the effective functioning of not only banking institutions, but also create crisis situations in the redistribution of temporarily free financial resources, thus threatening the economic stability of the state and the development of all sectors of the economy. A banking crisis is a form of manifestation or an element of financial instability in a state, which can subsequently cause an economic crisis in the country (Asimakopoulos). That is why crisis management of banks' activities is the prerogative not only of commercial banks themselves, but also of central banks, since the task of central banks is to ensure the sustainability and stability of the state's banking and payment system.

There are various crisis factors - an event or an established trend indicating the possibility of a crisis, which can be conditionally divided into internal and external (Figure 1).

Causes of a crisis are events or phenomena that cause crisis and risk factors to appear. They have a direct impact on the onset and development of a crisis and have a time frame. Causes of a crisis can also be divided into external (common to the entire banking sector) and internal (specific to each individual bank).

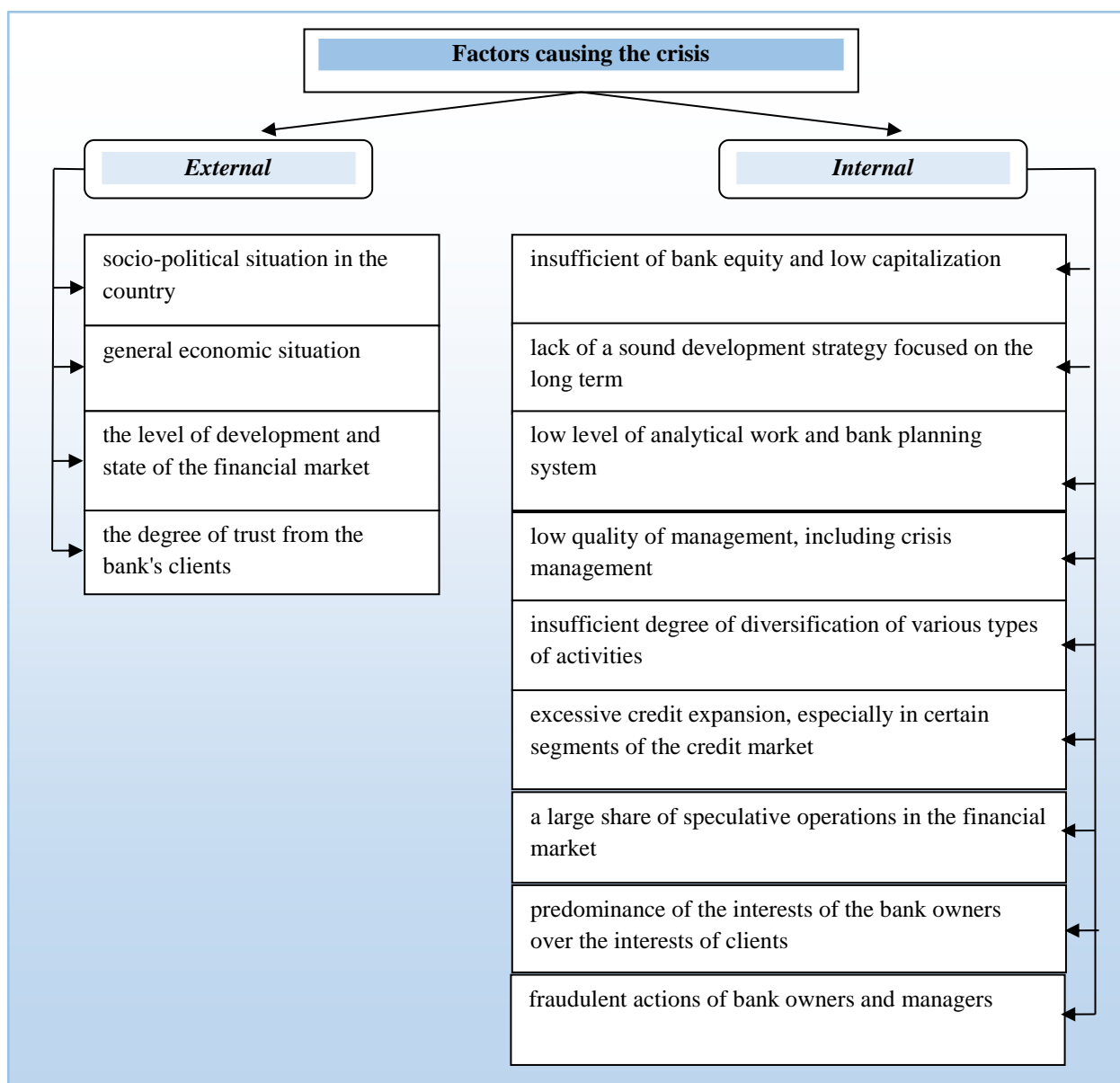


Figure 1. Classification of factors causing banking crises

Knowledge of the factors and causes of banking crises in the presence of an effective administrative staff allows, based on the forecast of crisis probability, to take precautionary measures, to develop a crisis management policies and minimize the consequences of the banking crisis when it occurs.

Based on the special influence of the banking sector on the system of socio-economic relations, it is necessary to carefully develop a mechanism of crisis management of the banking system at the state level.

The support that governments provide to banking institutions through central banks varies depending on the type of country in which they operate.

Governments with a developing economy, typically bail out banks that have become seriously troubled through direct intervention, because market mechanisms do not work efficiently enough, due to their weak development, the legislative framework is not sufficiently adapted to new realities, etc.

Developed country governments use prudential regulation, central bank loans, and private buyouts of troubled institutions. In these countries, bank rescues are usually carried out by the private sector (with some support from regulators) and take the form of a takeover by a larger banking group.

In accordance with this, Standard & Poor's divides governments around the world into three categories (Baranovsky 9) (Table 1).

Table 1. Characteristic features of the relationship of different types of government with the banking sector of the national economy

Type of government	Countries	Characteristics of the relationship with the banking sector of the national economy
Interventionist government	China, India, Israel, Japan, South Korea, Malaysia, Saudi Arabia, Taiwan, UAE	The government is closely linked to the banking sector. This link is expressed in the direct or intermediary participation of the state in the capital of banks, as well as in the active state administration of the financial sector (setting interest rates on deposits, requirements for increasing the size of reserves, etc.). Governments of this category can use the banking sector to stimulate the economic development of the country or achieve certain goals in the social sector.
Government, which provides support	USA, Egypt, Tunisia, Türkiye, European countries (including the Republic of Moldova), Australia	They tend to be interventionist but lack sufficient financial resources to fully support the banking sector or because of its relatively large size. Governments of these countries strive to ensure the normal functioning of the banking system by creating an appropriate financial and regulatory infrastructure that includes some mechanisms to support problem banks. The goal of governments of these countries is to maintain the normal state of the financial system through prudential regulation of banking activities. In such countries, central banks and banking regulators have special powers and the right to intervene in the activities of banks.
Government that is not always willing to provide support	Russian Federation, Argentina	Governments in these countries may intervene when a large private bank experiences problems, but they generally let things play out on their own. Countries in this category often have weak banking regulations. Banking regulators rely on the legal and regulatory framework to ensure that the sector functions properly. Governments hope that market forces, including bank owners, will help them resolve serious problems with private banks.

Maintaining the stability of the banking system is one of the priority areas of anti-crisis management in the United Kingdom (UK) banking sector, which is ensured by:

- ❖ ensuring a sufficient level of current liquidity;
- ❖ providing banks and mortgage organizations with access to new sources of capital;
- ❖ providing banks with sufficient funds to provide medium-term loans.

Other government anti-crisis management measures in the UK banking sector include the fact that the government is participating in a recovery program for eight of the UK's largest banks: HSBC, Royal Bank of Scotland, Barclays, HBOS, Lloyds TSB, Standard Chartered, Abbey and Nationwide Building Society.

The state increased its presence in the banking sector:

- government nationalized the banks Northern Rock and Bradford & Bingley,
- the Royal Bank of Scotland came under government control: the state's share in it reached up to 84%;
- the British authorities gained control over 65% of the shares of Lloyds Banking Group.

Thus, features of anti-crisis management in the banking sector of Great Britain became the leader in the rate of bank nationalization in Europe.

The peculiarities of anti-crisis management in the French banking sector include consistency and commitment to historically established principles of banking sector management that have not changed dramatically over the decades.

In France, the role of the Central Bank is traditionally great, the importance of large banks is also great, but not as much as, for example, in Great Britain.

Back in the 40s of the 20th century, the 3 largest banks of France were nationalized:

- ✓ Lyon Credit (Credit Lyonnais);
- ✓ General Society (Societe Generale);
- ✓ National Bank of Paris (Banque Nationale de Pari).

Now these three state banks occupy a considerable share of the credit market, have almost 4 thousand branches and a significant share of all deposits.

State banks and banks with significant state participation make up about 80% of the entire system.

In addition to the main banks of the country, regional banks operate in different areas (Bank customer)

Some of them operate in their own name, but are controlled by large banks or are part of banking associations, which provides additional reliability and guarantee of stability and, as a result, strengthens the trust of clients in the banking sector (Figure 2).

The features of anti-crisis management in the banking sector in Germany include (Schenin 108):

- ✚ the practice of lending to individuals and businesses has become established, in which borrowers are subject to strict requirements,
- ✚ in times of crisis, German banks reduce the share of borrowed funds denominated in US dollars (this measure is aimed at reducing currency risks during times of unstable dollar exchange rates),
- ✚ increasing the adequacy of Tier 1 capital in accordance with the requirements of capital markets, the regulatory requirements of the European Banking Authority (EBA) and the methodological recommendations within the framework of the Basel Accords.
- ✚ each bank is looking for its own way out of the crisis and can survive the financial crisis without government assistance (for example, issuing and placing additional shares), except for state banks, which seek financial assistance from the government,
- ✚ focusing on lending to small and medium-sized businesses, providing a full range of services to private clients and concluding transactions with industrial real estate.

Peculiarities of crisis management in the Italian banking sector:

- the Central Bank of Italy takes special control over liquidity risk management during periods of crisis,
- minimization of securities issuance operations by banks,
- requirements for recapitalization of Italian banks and a consistent dividend policy (conservative dividend policy - the bank expands financing of its activities from its own funds) (Beccalli 79),
- additional state protection is provided to depositors in addition to the interbank deposit guarantee, which inspires more trust from depositors (Figure 2),
- allocation of small amounts of state resources: stronger banks support weaker ones.

Thus, state crisis management of the banking sector implies the development of a set of measures to counter the negative impact of potential threats on the process of ensuring the sustainability and stable functioning of the banking system and each individual bank.

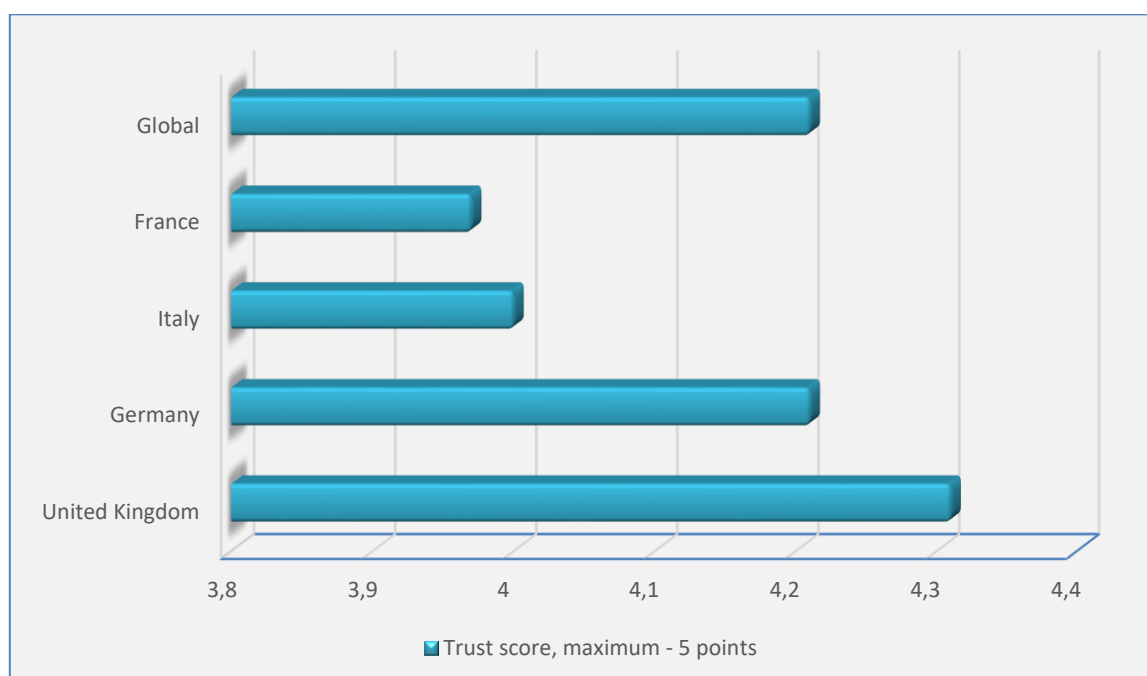


Figure 2. Bank customer trust levels in 2024, by country

Crisis management is a comprehensive management of all aspects of commercial banks' activities in order to minimize risks in their activities, both in the short and long term.

Being under constant control and regulation by banking supervision bodies and simultaneously experiencing pressure from numerous market competitors, each bank is forced to search for and master new

types of services that would be in demand among its clients and, at the same time, would not contradict the interests of society. Thus, banks in the conditions of such instability, a rapidly changing situation are forced to take into account all possible consequences from the actions of their competitors, clients, and also to foresee probable changes in legislation. It is precisely this uncertainty and increased level of risk that is the environment in which banks operate on a daily basis.

Given the special role of the banking sector, both at the macro and micro levels, state control over banking activities is a primary task set before the National Bank of Moldova in order to minimize crises in this area and in the economy as a whole. That is why special attention is paid to crisis management, both at the state level and at the level of each individual bank.

State crisis management of the banking sector involves the development of a set of measures to counter the negative impact of potential threats on the process of ensuring the sustainability and stable functioning of the banking system and each individual bank. In this regard, the problem of measuring the sustainability of the banking sector becomes relevant, since the completeness, effectiveness and timeliness of government decisions on neutralizing the effects of negative factors on the sustainability of the banking sector depend on an adequate assessment of the current level.

Thus, crisis management of the banking system is a developed system of operational and strategic management measures and decisions that operate on an ongoing basis and are aimed at preventing, diagnosing, neutralizing, minimizing and overcoming crises, as well as their consequences at all levels of the banking sector.

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