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MILITARY ART AND SCIENCE

A VIEW ON THE BLACK SEA REGIONAL COOPERATION

Gheorghe CALOPAREANU

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ABSTRACT

At the Black Sea region level, the cooperation instruments designate not only solving some particular security issues at the beginning of the XXI century, but also some older disputes, some of them even historical, such as establishing sea borders, continental platforms, exclusive economic areas between riverside states.

During the Cold War, cooperation was a rather foreign concept for the countries belonging to this region, as they were divided in countries under the USSR influence and Turkey, a state beyond the communist area, situated in the southern extremity of the Black Sea. Each period of time has given this region a certain importance. Throughout the years it has been the witness to the competition between the great powers of the time and to their domination, one by one, of the Bizantium Empire, the Otoman Empire and, finally, the Russian Empire. The Cold War period isolated it, at a certain extent, from the rest of the world. Except for Turkey, the Black Sea was surrounded by the Soviet Union and its satellite states and was isolated from the Western civilization.

**ANALYSIS OF MODERN HUMANITARIAN OPERATIONS CONCEPTS AND
PARTICIPATION OF MILITARY UNITS**

Sevdalina DIMITROVA

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ABSTRACT

The armed forces of the different countries are called upon to perform a wide variety of contingency operations, which in practice have proved to be operations other than war. These operations include humanitarian operations, in many cases, the military units may be tasked to support these operations for an extended period of time and depending on the current situation they may be the main or even sole insurance authority. The report is an attempt for analysis of the concepts of modern humanitarian operations and the participation of the military units, determined by the changes occurring in some of the tasks of the armed forces as a result of implemented tasks related to support civilians seeking help and protection.

**PRESENT AND PERSPECTIVES OF THE MANNER OF REGULATING THE
OFFENCES AGAINST MILITARY ORDER AND DISCIPLINE**

Camelia SERBAN MORAREANU

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ABSTRACT

The imminent entrance into force of the new Criminal Code – adopted by Law 286/17 July 2009, published in the Official Gazette No 510/24 July 2009 – brings along a series of modifications regarding the offences against military order and discipline.

Today, these offences are grouped in Section I of Chapter 1 (called “Offences committed by militaries”) of Title X “Offences against Romania’s capacity of defence”. The actual Criminal Code settles six such offences, namely: unjustified absence (Art 331 C. Code), desertion (Art 332 C. Code), transgression of orders (Art 333 C. Code), and insubordination (Art 334 C. Code), hitting a superior (Art 335 C. Code) and hitting an inferior (Art 336 C. Code).

The new Code does not particularize offences against military order and discipline. They are included in a single chapter – “Offences committed by militaries”, part of Title IX of the new regulation, called “Offences against the capacity of combat of military forces”. In this chapter are also found the offences committed on battlefield, without being emphasized in a section, as it is in the actual Code. Also in the chapter called “Offences committed by militaries” are stated three offences new for the Romanian criminal legislation, namely: leaving the orders or command, constraint of a superior and abuse of authority.

POST-CONFLICT RECONSTRUCTION AND HUMAN SECURITY INSURANCE

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Loredana NEAG

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ABSTRACT

More than ever, at the beginning of the millennium, human security has become a social desideratum generating contradictions and intense debates when the states project their own security strategies. All security components are subjected to the concept of human security.

The work definition aimed at for human security is as follows: the objective of human security is to protect people’s lives from ubiquitous critical threats, in a way in which a long-term agreement should exist, and to guarantee a set of vital rights and liberties for all people, without unjustified compromising their capacity of pursuing other goals.

Human security, as a concept, has evolved since 1994, when it was for the first time defined within The United Nation’s Human Development Report. This one defined human security as a universal concern centered on people, based on reality interdependencies within society, concentrating more upon early threat prevention than on intervention within critical situations. This concept provides a new framework for understanding security, in the broadest sense, through the challenges within the global environment.

STRATEGIC COVERAGE. THE STRATEGIC DEFENSE OPERATION

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ABSTRACT

In the general analytical context, specific to the Military Arts field, strategic coverage has become known as a complex of deterrence and security activities, attached exclusively to strategic defense.

The theoretical association of the concept pertaining to strategic coverage, strictly to the one defining strategic defense, was shaped, in particular, by the influence of the relation of forces [1] law in armed confrontations. Objective determinations of this law have imposed, naturally, the idea that, headquarters that project defensive dispositions must develop and coordinate measures and actions to protect their elements and potential targets in the specialized infrastructure, against future offensive strikes.

A thorough analysis, however, on the definition of strategic coverage, the physiognomy and purpose for which it is planned and conducted, as well as the study of the special complexity of the processes intended to the achievement of strategic offensive dispositions, reveals that both conceptually and practically prevention and security measures, which give content to strategic coverage, are enclosed, constantly, within the strategic offensive as well, with a clearly superior spatial and temporal scale to that configured in the context of strategic defense.

SOCIAL-BEHAVIOURAL SCIENCES

RISKS MANAGEMENT INTO THE INTERNATIONAL TRADE IN TOURIST SERVICES

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ABSTRACT

The international status of the tourist makes him more vulnerable towards the disloyal treatment of the different providers in tourist services and against the unforeseen events, also.

The internationalization process of the tourist consumer protection is the result the tourist social status modification outside their residence country from “out low” to protected person by the national law and both by the general international agreements ones, achieved through diplomatic means, but, also as a consequence by the subscription of some bilateral or multilateral, international or regional treaties regarding the protection of these tourist demanders on the international markets in tourism.

Our paper aims some specific risks categories that the tourists can face during a holiday abroad and the international and operational ways adopted to insure the security and protection of the tourist demanders.

ABUSE OF AUTHORITY

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Mari Claudia IVAN

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ABSTRACT

The abuse of authority has been incriminated for the first time in the new Penal Code of Romania (Law 286/2009) in article 419, Title XI – Offences against the fighting capacity of the armed forces, Chapter I – Offences committed by servicemen.

Although the judicial doctrine and practice did not request for the introduction of such an offence, the Romanian legislator has still considered that certain particular aspects of the abuse of office which had been committed by servicemen should be incriminated separately. Even though the rigour of the military life would have imposed a more severe sanction of the action, the legislator chose the more gentle sanction of the abuse of office. Let us imagine the action of a commander who, in time of war, forces his subordinates to break their job duties and kill the prisoners. In this context, one question arises: besides the abuse of authority as a crime, the incitement to murder or the offence of war against the persons will be also considered?

We may observe that the abuse of authority as being an offence is in fact an abuse of office which will be however designated not according to the article 297 of the new Penal Code, but according to the incrimination stipulated in the article 419 of the new Penal Code.

The authors of this research study made a detailed analysis of the content of this crime so that the addressees of the incrimination rule – the servicemen – would know how to fulfil their obligation to conformation. The research study may be equally an instrument of work for the agencies enforcing the law, in case they will be called to hold the transgressors of the incrimination rule criminally liable.

The authors of this research study have also emphasized the similarities and differences between the abuse of authority and the abuse of office considered as official crimes as stipulated in the Penal Code of Romania in force (1969) so that at the moment of the new Penal Code entering into force (possibly 1st October 2011) the agencies and bodies enforcing the law would be able to make a correct legal classification of the offences committed and which will be placed in the area of transitory situations.

ETHICAL ASPECTS OF MANAGEMENT IN THE CONDITIONS OF THE ARMED FORCES OF SLOVAK REPUBLIC

Jaroslav NEKORANEC

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ABSTRACT

Ethics and morality represent an important value in the life of man. They are inseparable parts of personal management in organizations of private and public sector where they are manifested in form of ethical codices. Applying ethical aspects in the work of managers – commanders plays a crucial role in the Armed Forces of Slovak Republic because they affect the service and labour relationships, atmosphere in the organization as well as behaviour and action of professional soldiers.

TERRORISM WITH A HUMAN FACE? GILAT SHALIT – PROOF THAT ISRAEL NEVER ABANDONS SOLDIERS

Nicolae RADU

pg. 405

ABSTRACT

Action to identify, analyze, and counter terrorism knows, regardless of the form would show, will always be difficult and very complicated, since it seems that terrorism will have in almost all cases, the strategic initiative and preventive efforts will be huge, slow, risky and not always with a predictable ending. Terrorism is not just a product of a sick world, namely, a part of a world that feels beaten, exasperated, desperate, hopeless and without cure. He is also a product of the aggressiveness of the world, of its hidden and revengeful spirit. Therefore we focused in this article on religious terrorism. Although it may seem absurd today, terrorism in the name of religion has become the mainstream of political violence in the contemporary world event, however, not only because nationalism and ideology remain catalysts for extremist behavior.

MANAGEMENT AND ECONOMICS

CHARACTERISTICS OF BUSINESS INFORMATION SYSTEMS AND THEIR IMPORTANCE FOR THE IMPROVEMENT OF LOGISTICAL SERVICE

Vania BANABAKOVA

Atanas PANEV

pg. 413

ABSTRACT

The exchange of information, based and assisted by the information technologies, developed a variety of software applications for processing the information in the organizations, like ERP, ERP II, CMR, BI and other specialized applications. At the same time one of the main indicators for the estimation of the efficiency of the logistical systems and for the logistical planning, is the quality of the service to the customers and here is, where the role and importance of the application of the business informational systems comes forth. The insurance of the logistical system is of paramount importance for the clients. That is why, the aim of the present study is to examine the characteristic features of the basic business information systems and how they are applied in practice to improve the logistical service.

ECONOMIC IMPLICATIONS OF MEDICAL INFORMATIONAL SYSTEMS IN MEDICAL INSTITUTIONS

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Laurentiu CIOVICA

Marian Pompiliu CRISTESCU

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ABSTRACT

Medical assistance is an important industry with which we all interact one moment or another in our life. Medical system is all known for the fact the use the latest technologies and for embracing the newest scientific discoveries in finding new treatments and new ways in prevention methods for death causing diseases. With all this advantages, global medical industries and especially in the USA, it was extremely slow in adopting technology oriented to the need of a good administration and management. Currently the medical system is confronted with many problems, national and international, including rising prices, a tendency towards a preventive environment and with high expectation patients towards technology. Health Management Information Systems focused on the application of IT to replace manual clerical and information-processing tasks as well as to automate information flow models used to simulate well-structured (and not-so-well-structured) organizational and managerial activities in health care. The pieces of the health management information systems (HMIS) puzzle were put together to offer the reader a comprehensive view of how IT can be applied in health care organizations to facilitate efficient operational and tactical planning, administration, and evaluation.

ATHE NEW BILLING METHODOLOGY FOR NATURAL GASES, A SURE METHOD OF INCREASING SUPPLIER REVENUES

Ilie MOGA

pg. 422

ABSTRACT

Starting 1 July 2008 the final consumer of natural gas is required to pay a bill after a new methodology for calculating the price and rates. Regulation issued by the competent authority has taken necessary measures to determinate the transition from expression price and charges on lei / unit volume in lei/ unit of energy and gas delivered and the billing services to be made in units of energy of has moved from lei/1000 prices and tariffs expressed in the price of natural gas tariffs in MWH is now a fact for which no adequate provision of technical terms in order to correct measurements of the gas consumed.

EFFECTS OF GLOBALIZATION ON MASS COMMUNICATION

Nicoleta MUNTEANU

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ABSTRACT

Globalization of media discourse by establishing virtual world space, developing communication media has created new patterns of action and new ways of interaction and social relations, which led to a complex reordering of human interaction patterns in space and time, resulting in twentieth century, an increase in public space.

Globalization is now a globalization of media and communications-information companies. These large companies are concerned with growth, which means they must develop relations with other powers in the state. Therefore, can claim to act as the fourth power in the state, with a civic purpose and commitment to denouncing human rights abuses?

Decisive factor that contributed to the expansion of globalization is undoubtedly the media. Mass media have recently taken a magnitude that has never met before. Internet, television, press access to information of all people, regardless of what side of the globe they are, and with great speed. We begin today to speak more than a media culture, which compete with the traditional form of culture.

DELIMITATION OF THE NOTION OF TRANSACTION FROM OTHER CLOSE NOTIONS

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Andreea TABACU

pg. 434

ABSTRACT

Transaction is, for sure, a specific contract concerning litigations and involving a great risk of confusion.

The interest in delimiting the transaction from other close notions is underlined in the Roman law due to its numerous advantages: avoiding the overloading of the courts, uncertainty and slow flow of the trials. These are the interests justifying the special regime of transaction, and especially, the issue aimed by our preoccupations: how do we distinguish the transaction from other close notions?

According to Art 1704 Civil Code, as amended by the doctrine and judicial practice, “the transaction is the contract by which the parties concludes a process already begun or prevent a process which is about to be started”.

The authors consider that there is a transaction when the parties make mutual concessions. Thus, there are three characteristics of the transaction: it is a contract; it assumes a trial (litigation); it assumes mutual concessions. The notion of litigation is fluid and characterizing the mutual concessions is difficult. Even the simplest of the three characteristics, apparently, the contract, can raise difficulties. Because of all this, the identification of transaction is a complex process.

THE AWARD OF CERTAIN CONTRACTS IN THE FIELDS OF DEFENCE AND SECURITY ACCORDING TO DIRECTIVE 2009/81/ECONOMIC

Elise-Nicoleta VĂLCU

pg. 440

ABSTRACT

Directive 2009/81/EC on the coordination of procedures for the award of certain works contracts, supply contracts and service contracts by contracting authorities or entities in the fields of defence and security (hereinafter “the Directive”) has entered into force on 21 August 2011. To ensure its correct application, the Directorate General Internal Market and Services (DG Markt) of the European Commission has published, in October 2010, a Guidance Note for the field of application of the Directive. The Directive establishes in its content the area of application and its exceptions, of the contract for research and development, security of supply, security of information, sub-contracting and compensation. Also, it discusses aspects inserted in the Commission Regulation (EC) No 1177/2009 of 30 November 2009 amending Directives 2004/17/EC, 2004/18/EC and 2009/81/EC of the European Parliament and of the Council in respect of their application thresholds for the procedures for the award of contracts.

Regarding the rule for transposition [1] of Directive 2009/81/EC in the national legislation, it was designed to offer a greater transparency and a higher level of competition, without hardening the procedure of awarding contracts.

TECHNICAL SCIENCES

ANTENNA APPLICATIONS USING MEMS TECHNOLOGIES

Marian PIRLOAGA

pg. 447

ABSTRACT

The developments in MEMS (Micro-ElectroMechanical Systems) have shown a large technological approaches for enhance reconfigurable antenna systems. In this paper discuss some aspects to design reconfigurable antenna and presents new solutions using MEMS technologies like

switches and reconfigurable radiating elements. It is shown the beneficts can be expected with reconfigurable antennas in military domain. The paper reviewed the main research work published and finnaly the MEMS technologies have generated a new class of antennas that are mechanically-steerable. For the future interesting developments are nanotechnologies and nanomaterials, including nanodevices, who can enable a large functionalities on reconfigurable surfaces or in the milimeter-wave frequencies.