

THE EVOLUTION OF THE ROMANIAN POLICE FROM THE MILITIA DURING THE COMMUNIST PERIOD

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Abstract

During the last decade Romania has undergone major political transformation from communist regimes to democratic forms of government. Despite changes--introducing police ranks, changing uniforms, prohibiting party affiliation, police find it more difficult to persuade citizens that they have really changed. The article details the modifications that came about in tandem with the evolution of the Romanian Police following Romania's 1990 political upheaval. The relationship between socioeconomic shifts and the corresponding modifications to law enforcement agencies has received special attention. These modifications range from renaming the Militia to the Police to altering its personnel, organizational structure, and legal framework. The Romanian Police is a professional organization that serves the public and is commemorating its 202nd anniversary in 2024.

Keywords: *police; militia; international structures.*

JEL Classification: O15.

1. INTRODUCTION

Throughout the 50 or so years of communism, the 'militia', as the police used to be called, was employed as a powerful instrument to crush any individual or collective protest the powers that be. For many years, Romanians associated the police with the secret services (the 'Securitate') and feared both equally. After December 1989, the names of the two institutions were changed (the militia became the police and the Securitate became the Romanian Intelligence Service), each having their own duties established by law.

However, both are still militarized, as are other special services, including the Foreign Intelligence Service, the Guarding and Protection Service, and the other secret services. This means, among other things, that their internal rules and regulations are classified as secrets, that they benefit from numerous material privileges, and that only military prosecutors can investigate potential abuses; if indicted, the perpetrators can be tried only in military courts.

2. SUMMARY OF THE ROMANIAN POLICE HISTORY

Records confirm the presence of the Mare Vornic, who is currently the minister of interior, since the Middle Ages (Stefan, 2022). The Mare Vornic was chosen by the Voievod, or monarch, and oversaw maintaining law and order, resolving conflicts, and operating guard services. Under the Mare Vornic's leadership was the Master Hunter (vâtaf de vânatori), the forerunner of the Police Chief, whose duties included monitoring marauders and the homeless, suppressing poachers, and maintaining control over travellers staying in the local inns, particularly foreigners. The Agia, the Romanian Police Service, received a seal and flag bearing the Annunciation emblem on March 25, 1834. The Annunciation is a significant Christian feast in Romania and serves as the police force's spiritual guardian. The National Guard was later given extensive civilian, political, and military powers by the ruling prince Alexandru Ioan Cuza on February 7, 1864, as part of the law on the organization of armed power in Romania. The National Guard's goals were to safeguard law enforcement and institutions, maintain national order and independence, and watch over and protect the entire country (Romanian Police)

The Law on the Organization of Central Administrative Service, of 19 April 1892, which provided for the establishment of the Directorate for the General Administration of Personnel and of the Security Police, as well as the Bureau for General Security, played a significant role in defining the position of the Ministry of Interior within the Romanian state administration. Considered the founding father of the modern Romanian Police, Vasile Lascăr, was the interior minister who started a significant reform process of the police institution at the beginning of the 20th century (Școala De Agenți De Poliție Vasile Lascăr Cămpina, 2024).

In 1923, the Constitution was adopted and the reorganization of law enforcement institutions began implementing the separation of the powers of the state. Consequently, the Law on the Organization of the General State Police was passed on July 21, 1929, designating the General Directorate of the Police as the principal state body responsible for directing, coordinating, and preserving public safety and internal order throughout the entire country. At the start of Communist control in 1949, the Ministry of Internal Affairs underwent a reorganization at both the central and territorial levels, marking a significant turning point in the ministry's history. The central apparatus was divided into twelve regional directorates, the Directorate for the Security of the Capital City, the General Directorate of the Militia, the General Directorate of Penitentiaries, the General Directorate of the People's Security, the General Political Directorate, and the Command of the Troops of the Ministry of Internal Affairs (Ministry of Internal Affairs, 2024).

After the communist system was overthrown in December 1989, the Romanian Police's operations were reorganized along new principles. One of

the initial steps was the institution's complete de-politicization, which served as the catalyst for a process that reshaped the institution's constituent parts as well as the legal framework that oversaw them. Prior to 1989, law enforcement officers were known as "militiamen". The militia, the organization of which they were a part, was established by the Ministry of the Interior in January 1949 and was established with the stated purpose of "maintaining order on the territory of the Romanian People's Republic, defending the rights and freedoms of citizens and their personal security" (article 1). From the beginning, the organization was directly under the control of the Communist Party. They all held military ranks as employees of the Ministry of the Interior (Siani-Davies, 1995).

As per the Sighet Memorial, of the 35,000 workers who initially made up the Militia, only 161 held college degrees, 9,600 had completed four classes or less, and 7,800 – six-seven classes. Since 1948, the staff had been subjected to several waves of purges. In July, the State Security Directorate issued an order aimed at identifying and sanctioning "all police officers and agents who actually worked in Security work until March 6, 1945", except for those who "are currently valuable informants, who have files created by informants and who have proven that they conscientiously fulfil their entrusted mission". In the same month, over a thousand employees excluded from the police were arrested and imprisoned. The former policemen remained imprisoned without trial until 1955, when they were sentenced to 8 years in prison based on article (193/1) of the Criminal Code, with retroactive character, defining "activity against the working class and the revolutionary movement (C.N.S.A.S., 2006).

To become militiamen, social origin and attachment to the party were more important than education. Professionalization was done on the fly, at first only by graduating from schools lasting a few months. The Militia Apparatus began transit surveillance and residence control, meaning that by the end of 1952 no urban resident should be allowed to change his residence without the permission of a Militia office. One of the Militia's initial responsibilities was to issue residence permits and later, identity cards. Over time, the Militia's power has increased. The institution's mission was reformulated in November 1969, with the new objective being to "contribute to the defence of the revolutionary conquests of the people, their peaceful work of socialist construction, public and personal wealth, life, freedom and dignity of individuals, the rule of law settled in Romania." The privileges granted by this legislation gave rise to numerous abuses, and the Militia was required by law to defend "socialist property against actions taken by criminals or other persons who harm the public property" (Romanian legislator, 1969).

3. ORGANIZATION OF THE ROMANIA MILITIA

The militia is subordinate to the Ministry of the interior. The headquarters was in the former police headquarters on “Calea Victoriei”. The principal functions of the militia were to conduct investigations and to keep check on foreigners in the country. Investigations were made by a group of seven to eight militiamen, some of whom were in uniform and some in civilian clothes. Investigations were usually carried out by the entire group of militiamen who use the tactics of rapid questioning which did not permit a complete answer to any question. The individual under investigation was subjected to an inhuman harangue, after which a statement was drawn up by one of the militiamen and the accused was forced to sign the statement regardless of the validity of its contents (Central Intelligence Agency, 2016a).

Since July-August 1954, visas for leaving the country were issued by the Foreigners Control Section, located in Room 223 on the second floor of the militia headquarters. Individuals requesting visas for departure from Romania must check through an Information Office at the entrance to militia headquarters where a pass was necessary to enter the building, and to receive the application papers to be filled out in the waiting room. When handing in the papers, applicants were questioned as to their reasons for wanting to leave the country and were discouraged from, such action by the militia employees who describe life outside of Romania being extremely difficult. There were militia headquarters for each district of the city which contains the following sections:

- Office of the Commanding Officer - The Commanding Officer is usually a captain or a major who is selected from the ranks of the Communist Party. Most of the time they wear civilian clothes.
- Economic Militia Section - The Commanding Officer of this section was usually a first lieutenant, assisted by one to two second lieutenants, and a few sergeants. They were concerned only with activities in the commercial field where they conduct investigations and cite to court those accused of irregularities against the communist law.
- Control of Foreigners Section - This section is responsible for keeping records on all foreigners, issues extension visas, and grants permission to change the place of residence. The Commanding Officer of this section was a second lieutenant, assisted by two to three militiamen. The section also issues travel permits, but usually to only those who travel in line of duty. When applying for such a permit, the applicant must present a letter of justification from his employer. The permit was valid for no longer than three days. For longer periods, the applicant must have gone to the main militia headquarters, a procedure which takes about 30 days.
- Evidence of Population Section - In each militia district there is a section which kept a census of the population within its jurisdiction.

This section issues travel permits to Romanians who need to travel to frontier areas. For this, the applicant must attach two pictures to his request. The Commanding Officer of the section is a second lieutenant, assisted by two to three militiamen or women. This section was also responsible for the issuance of building cards, as well as permits for change of residence. The building card, which is secret was valid only for the person whose name was inscribed thereon. When an individual is hospitalized, the card is picked up by the militia and held until his return home.

- Investigations Section - The Commanding Officer was the first or second lieutenant, assisted by several militiamen. Investigations are carried out in the districts in the same inhuman manner as was the main militia headquarters office.
- Information Office - This office was located at the entrance to the militia district office. Its responsibility was to issue passes into the building.
- Sector Runners - Sector runners are militiamen who oversee one to three streets. They collaborate with "block responsible" in order to get information concerning the inhabitants of each building. They conducted house checks to determine the movements of the inhabitants and to discover unauthorized over-night guests.

Each city is divided into sectors and each sector has a non-commissioned officer known as the sectorist, who travels in civilian clothes. Under his direction he has several agents from among the young workers, who help him control the movements of personnel living within the sector (Comisia Prezidențială pentru analiza dictaturii comuniste din România, 2006). The sectorist and his agents are on the lookout for breaches of economic and political laws and decisions. They also control the papers of any person in the sector, whether a resident or not. The behaviour of sector runners toward the population was very bad and they were disliked intensely (Central Intelligence Agency, 2013). The uniforms of militiamen are of the same colour as the officers' uniforms but are of a cheap coarse material. There were many women in the militia who were dressed as militia officers. A description from another point of view of an external agency that does surveillance of all the countries in the world. This is how the CIA operative described them.

The Director General of the militia was responsible to the Ministry of the Interior (MAI), The militia had the following three branches: Territorial Militia, Railroad Militia and Prison Militia (Comisia Prezidențială pentru analiza dictaturii comuniste din România, 2006). The Territorial Militia was organized by regions, in accordance with the 28 administrative regions in the country. Under the regions there are districts, with a militia assigned to each district. In addition, there are militia personnel assigned to various bureaus, as will be

explained below. The regional militia was commanded by a field grade officer; the district militia was commanded by a company grade officer.

The chiefs and secretaries in the different bureaus are officers and non-commissioned officers, regardless of whether they are male or female. Each district has a group of 6 to 10 mountain militiamen who patrol the public roads. In addition to their horses, they usually have other means of transportation consisting of an automobile, a Praga truck, a motorcycle with side car, and sometimes horse-drawn wagons (Central Intelligence Agency, 2016b). They request additional transportation when the need arises.

Each village has a militia post; each frontier village has a post of four to six people. In mountain villages the militia is especially equipped for climbing, skiing, etc. The uniform is grey with a dark blue patch (Central Intelligence Agency, 2016c). The Railroad Militia wears the same uniform, but the epaulets and caps are red.

The headquarters is in Bucharest and field stations are organized by regions. The Railroad Militia has guard units in communications centers, railroad stations, terminal points of frontier zones, as well as patrol teams of 2, and 4; inside trains travelling in frontier zones. They control the identity card (“Buletin de Identitate”), travel orders, and the permit to travel in the frontier zones. This Militia also guards materiel in railroad warehouses and on trains, and prefers charges against saboteurs, sending these charges directly to a special railroad court for judgment (Andreescu and Berindei, 2009).

The Prison Militia wears the same uniform but with light blue epaulets. Their main duty was to guard prison and concentration camps. The headquarters was in Bucharest, with field stations organized by city. Spot checks were conducted on the fringes of crowds attending national celebrations or in zones where manoeuvres might be conducted. These spot checks may consist of blocking off and surrounding a group of people, instead of checking an entire exposition hall, theatre, restaurant, or park. Such checks were also conducted in the villages (Central Intelligence Agency, 2016a).

The militia collaborates with security forces and helps security troops to make arrests and deportations and to block off mountain passes, forests, etc. They also make periodic checks of isolated houses and cabins (Central Intelligence Agency, 2016b).

4. POLICE REFORMS FOLLOWING 1989

Romania was forced to undertake significant reforms in all its institutions, including the police system, because of the fundamental decision made in December 1989 to uphold a system of values based upon democracy, the respect of citizens' rights and freedoms, the protection of juveniles, dialogue, and tolerance. It was necessary to change the police into a public-serving organization (Hințea *et al.*, 2002).

It was necessary to create adaptable and functional structures that could effectively guarantee the performance of specified tasks and improve the police's capacity to react to the nation's shifting circumstances of crime and public order (Caparini and Marenin, 2004).

On December 8, 1991, the newly adopted Constitution of Romania came into effect. In addition to incorporating and expressing a new, clear, and reforming vision for democracy and human rights, social justice, and justice and humanity that aims to overcome the oppressive and inhumane measures that history has shown to be ineffective and disruptive of the balance between civil society and the state, it also declared the Romanian State to be democratic and governed by the rule of law.

A first step toward reform was the passing of Law No. 40/1990 On the Organization and Operation of the Ministry of Interior. The Ministry of Interior assumed the role of the main executive branch, with the authority to implement laws pertaining to public order, the defence of fundamental freedoms and rights, public and private property, the prevention and investigation of criminal activity, and the preservation of Romania's independence, sovereignty, and territorial integrity (Romanian Parliament, 1990).

There was a change after 1996, with the police and civil society putting more pressure on the government to carry out changes. However, at that time, the costs of reform outweighed the potential for change, thus the government took a cautious and cautious stance. The Romanian police system currently consists of three forces: the 52,000-personnel in the Romanian Police, 18,000-person in the Romanian Gendarmerie, and 20,000-person Public Guards, who are community police and work under local government. All three forces are responsible for maintaining public order (Caparini and Marenin, 2004).

The reform strategy's primary goals were to improve communication, depoliticize, demilitarize, decentralize, be transparent, partner with the community and encourage it to help achieve its own security, establish an effective and democratic accountability system, uphold professional ethics and human rights, and achieve interoperability with comparable organizations from other European states and beyond (Hințea *et al.*, 2002).

The new Law on the Organization and Functioning of the Romanian Police was enacted in 1994. The 1994 Law (no.26/1994) harmonized the powers, authority and limitations on the police with the provisions of the 1991 Constitution. The 1994 Law on the De-politicization of the Police System included a constitutional clause that forbade police officers from belonging to political parties or organizations. Despite this, the Constitution still protects the freedom to vote. This was another significant step. This notion obviously necessitated the creation of safeguards to guarantee the system's immunity and resistance to any demands from outside political players (Amnesty International, 1998). After the adoption of the Law of 1994, the Romanian

Police thereafter started a major reform program. To prepare for Romania's entry into the European Union and other Euro-Atlantic structures, the main strategic directions included turning the Romanian Police into a civilian institution, improving its operational response capability, altering the organizational culture, maximizing resource utilization, and concentrating international efforts on police reforms (Amnesty International, 1998).

In order to ensure effective logistical support, manage human resources and protect personnel, decentralize decision-making and resource allocation for increased efficiency, modernize working methods to meet the requirements of a democratic society, cooperate with public authorities from various sectors, introduce new efficient instruments for police work management, and increase interoperability with similar bodies of the European Union for regional stability, these strategic activities aimed to achieve these goals. The European Code of Police Ethics was incorporated into Romanian law in 2002 with the Law on the Organization and Functioning of the Romanian Police (Romanian Parliament, 2002). It placed an emphasis on providing services to the public and broadened the police's conventional responsibilities to include stopping and opposing acts of terrorism, illegal immigration, and the trafficking of radioactive materials. Law No. 218/2002 reduced the police's dependence on coercion by transforming their function into a public service mechanism (Romanian Parliament, 2002). The first piece of legislation governing the police officer profession and its relationships with other professional communities was the Law on the Status of the Police Officer.

5. DEMILITARISATION OF THE ROMANIAN POLICE

An unprecedented endeavour in Southeast Europe is changing the role the police will play in Romanian society, i.e., the role of becoming a public service without sacrificing the police's judicial function. It was predicated on the idea that civic values are most likely to be upheld by a police force that competently responds to demands from the public. Furthermore, there are significant differences between the legal responsibilities placed on police in a democratic society to protect an individual's civil and political rights and those placed on military troops (Caparini and Marenin, 2004).

Legislative actions aimed to rebuild the Romanian Police by continuing the reorganisation and restructuring process, eliminating parallelisms and intermediary links among police structures, reducing bloated agencies, and increasing interoperability with similar EU agencies. The goal was also to align the new organisational charts with similar structures of advanced democratic states, as per European bodies' recommendations, and increase operational efficiency through rational personnel redistribution (Pişleag, 2020).

The Romanian Police was reorganised into three components: Judiciary Police, Public Order Police, and Administrative Police. New structures were

established, including the Institute for Crime Research and Prevention, the Division for Human Rights, specialised Brigades for Countering Organised Crime, and cross-border crime units. The Road Police Brigade was established to control roads and traffic, and some functions were transferred to other bodies. The national EUROPOL office was established for the Romanian Police to participate in European Community activities for countering organised crime. A National Body of Police Officers will be established as a legal, autonomous, apolitical, and non-profit institution to organise police officers by professionalism criteria and to promote and defend their rights.

The Territorial Authority for Public Order was a new organization created under the Law on the Organization and Functioning of the Romanian Police to include the community in developing its own security framework. The significance of appropriate human resource management is also emphasized by the law. It seeks to replace the outdated image of the police officer as a military, equipped with all tools of coercion and repression and expected to obey commands without question, with that of the police officer as a citizen, who is approachable and possesses human traits. Over half of the Romanian police officers who had served during the communist era left the country after 1989. Most of them retired ahead of schedule and received compensation, while the remaining portion sought to leave the system to pursue other employment opportunities, based on their foundational training from public or private institutions. The only people in the Romanian police who could demonstrate they had nothing to do with the atrocities committed by the Communist Regime were still there (Caparini and Marenin, 2004).

The Ministry of Interior's educational system in Romania underwent a significant reconstruction, transforming the School for Active Officers into a university-level institution, the Alexandru Ioan Cuza Police Academy. The academy offers four-year courses for training police officers, gendarmes, fire fighters, and archivists, with graduates receiving a BA-equivalent degree. It also offers two-year post-university courses and a six-year Ph.D. degree in police specialities. The new Law on the Organisation and Functioning of the Romanian Police emphasized the protective role of the police and established new directions for police work and personnel training, focusing on crime prevention, countering organised crime, humanitarian law, and human rights (Academia de Politie "Alexandru Ioan Cuza", 2012). Efforts were made to balance leadership and line positions, redistribute personnel according to specific problems, decrease personnel's average age, increase their quality and compatibility with tasks and missions, hire minority nationals, and increase the rate of women in the police forces. As a result, the number of Romanian police personnel increased by 68 percent compared to 1989, and relations between police officers and citizens were aligned with European Union standards (Romanian Police, 2014).

6. POLICE ROMANIAN IN DOMESTIC AND INTERNATIONAL RELATIONS

One of the primary role models in society is the police officer, who acts to protect and serve the interests of the populace. Although this line of work is unique, it is a complicated one that touches on many topics, including society. Given that the police are the state's governing authority and the face of law and order, they must maintain constant touch with the public and maintain an outstanding reputation. The crucial role of the police in a community, is that their effectiveness is derived from societal acceptance and support. The need for a high degree of trust and confidentiality to foster cooperative relations between society and the police, is a challenging goal to attain (Paşniciuc, 2017).

Society pays close attention to the actions of police officers and takes strong offense at any divergence in behaviour, no matter how slight. When a citizen attempts to create an opinion about him or the organization he represents, his actions are scrutinized and will carry significant weight. These days, a growing number of police officers have completed law school and are better educated. They interact with judges, prosecutors, and attorneys on an equal footing, understanding the law and the facts of the case. Furthermore, there are more people who are feared because they would never breach the law and will track down those who do, no matter what, and they will hold offenders responsible for their actions (Kadar, 2001).

The public image of the Romanian Police varies among individuals due to personal opinions. With Romania's democratization, trust in the police has gradually increased, improving the institution's image. Several factors influence this perception, and research has been conducted to identify elements that could sway it positively or negatively. Minorities often do not significantly influence the public image of state institutions due to their lack of power. However, studies have shown that minorities can impact societal perceptions, often negatively, as they frequently encounter legal issues or feel disenfranchised, leading to a decrease in trust in the police. Numerous elements contribute to the perception of the Romanian Police, and the public must consider not only the errors committed by those employed by this organization but also the outcomes of the missions these officers have completed. Democracy will, at most, stall or perhaps vanish if faith is lost, and society will no longer be able to advance. Without the assistance of the police, a democratic state is impossible. Criminal organizations will continue to grow and endanger public safety if residents refuse to engage with this agency and have no faith in its services.

The International Police Cooperation Centre, under the General Inspectorate of the Romanian Police, is a national authority specializing in sharing intelligence to combat international crime. It ensures operational connections between Romanian authorities and foreign law enforcement through liaison officers and channels like Interpol, Europol, and the Schengen

Information System. The Centre maintains links with the Centre for Law Enforcement in Southeast Europe, funded by the EU or their own projects, are directly accessible to ground-level police officers (Dontu, 2014).

In 2012, the Centre actively participated in the exchange of police information. They brought 1258 people into the country, identified 5966 people and 1834 vehicles subject to Schengen Information System alerts, and located 3843 people in Romania subject to these alerts. They also watched over 1067 people, with 1047 taken on the European arrest warrant and 20 extradited and transferred 191 people to serve penalties handed down by foreign courts (Gerspacher, 2005).

The Interpol National Bureau of Romania, established on January 10, 1973, operates within the General Inspectorate of Romanian Police as a national support point for international police cooperation. It plays a crucial role in overcoming obstacles in international police cooperation due to differences in national police structures, language barriers, and legal systems. The Bureau carries out police operations on national territory as requested by other ICPO - Interpol Member States and provides access to the Interpol General Secretariat's database (Gerspacher, 2005).

The National Focal Point (NFP), established on December 1, 2000, is a specialized structure of the Centre for International Police Cooperation. It ensures operational connections between Romanian and foreign authorities and manages information flow on operations conducted by international police cooperation specialized structures of the Ministry of Internal Affairs. The NFP also ensures operational cooperation between the Ministry and the Ministry of Finance, General Directorate of Customs, and corresponding agencies in states participating in S.E.C.I. (Dontu, 2014).

To intensify cooperation with EU countries, a Cooperation Agreement was signed between Romania and the European Police Office (EUROPOL) on November 25, 2003, ratified by Law no. 197/2004. The NFP was designated as a specialized unit within the Ministry of Internal Affairs to act as the national contact point for Europol according to EU standards on February 15, 2004. On November 25, 2003, a cooperation agreement was signed and ratified between Romania and the European Police Bureau, as per Law no. 197/2004. This law established methods and procedures for the National Bureau of Europol, aiming to align the Romanian Police's institutional and operational capacity with EU standards and implement best practices in policing and combating organized crime. The law defines the purpose, areas of cooperation, information sharing and supply by Romania, provision of personal data by Europol, evaluation of sources and information, confidentiality procedures, representation of liaison officers, responsibilities assumed by Romania, and dispute resolution methods (Gerspacher, 2005).

The Europol National Unit focuses on exchanging information related to various crimes, including financial crimes, drug trafficking, human trafficking, smuggling, murder/kidnapping, serious property damage, trafficking of nuclear and radioactive materials, environmental crimes, theft, and terrorism. Assistance requests can only be made when there is reliable information about the involvement of criminal groups in Romania (Popescu, 2014). Cooperation may also involve other Europol competencies, such as exchanging knowledge, reports, investigation procedures, preventive methods, and providing advice and support in criminal investigations.

7. CONCLUSION

Reforming has not been simple. With all the uncertainties and challenges of a fresh start, Romanians had to relearn democratic principles and learn how to execute them after fifty years of an authoritarian administration that cut Romania off from the democratic world. There were various barriers to overcome, some of which were objective in the form of financial resources and others of which were subjective in nature and stemmed from the attitudes of both the public and police personnel. Other barriers included the lack of a collaborative culture and a model to follow.

The primary causes of the Romanian police's dysfunctions include a lack of management, political influence, slow legislation, and a failure to alter police officers' mindsets. Despite these obstacles, studies showing a 48 percent trust rate, and the police ranked as the fifth most trusted state organization indicate that the reform of the Romanian police is deemed effective.

Romania has a low crime rate per 100,000 people, comparable to democratic nations like Austria, Switzerland, and Germany, demonstrating the effectiveness of the reforms. After overcoming the transitional phase, the changes are almost finished, along with ongoing attempts to integrate Europe and complete the concept of community policing.

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