

E-ISSN: 2360 – 6754; ISSN-L: 2360 – 6754

# European Journal of Law and Public Administration

2018, Volume 5, Issue 2, pp. 171- 178

<https://doi.org/10.18662/eljpa/53>

## ANALYSIS OF DIPLOMATIC RELATIONS BETWEEN ROMANIA AND DENMARK

*Marilena-Oana NEDELEA*

Covered in:

CEEOL, Ideas RePeC, EconPapers, Socionet,  
HeinOnline

---

Published by:

Lumen Publishing House

On behalf of:

STEFAN CEL MARE UNIVERSITY FROM SUCEAVA,  
FACULTY OF LAW AND ADMINISTRATIVE SCIENCES,  
DEPARTMENT OF LAW AND ADMINISTRATIVE SCIENCE

# ANALYSIS OF DIPLOMATIC RELATIONS BETWEEN ROMANIA AND DENMARK

Marilena-Oana NEDELEA<sup>1</sup>

“Diplomatic relations are more than just those two-state relationships that involve a desire to collaborate in one field or another; they give the qualitative note of maturity and complexity of the relations that exist between the respective states; marks expression of availability for co-operation in all areas”.

(Ion M. Anghel) [1: p. 47]

## Abstract

*The dynamics of diplomatic relations between Romania and the Kingdom of Denmark determine the development of economic, cultural, and educational relations between the two countries on the basis of a series of important treaties and agreements concluded over time. In the last years there has been a development in the field of education supported by the increasing number of scholarships offered through bilateral agreements, the support of economic exchanges by attracting investments, but also by the increase of imports-exports between the two states.*

## Keywords:

*Diplomatic law, Kingdom of Denmark, diplomatic relations*

**JEL:** F13, F19

---

<sup>1</sup> Ph. D. Lecturer, Faculty of Law and Administrative Sciences, “Ștefan cel Mare” University from Suceava, E-mail: marilena.nedelea@fdsa.usv.ro

The use of the name Denmark, the “Danish border area”, dates from the 9<sup>th</sup> century. The decline of the Carolingian Empire determined the unification of the Danes' territories, a process of unification that was concluded by King Harold I (X<sup>th</sup> century).

Between the years 1563-1720, six armed confrontations with Sweden took place, for the supremacy of the Baltic Sea. “Following the wars, Denmark lost all territories of the Scandinavian Peninsula (except Norway) and the Baltic Sea area (except Bornholm Island).” [15]

Another armed conflict took place in 1864, with Prussia. At the end of the conflict, Denmark lost its southern territories, Schleswig and Holstein.

Between 1620 and 1869, Denmark held territories in India (Tranquebar), “on the Danish golden coast (Ghana) between 1658 and 1850, and in America (the Virgin Islands) between 1671 and 1917.” [6]

In World War I, Denmark adopted the principle of neutrality.

The Nazi army occupied Denmark on April 9, 1940. In April 1945, Denmark was released by British troops.

The structure of minorities in Denmark is composed of: “new minorities” (mainly in Copenhagen), Germans (in Jutland), inhabitants of the Faroe Islands, Greenish / Inuit (in Greenland). [7]

The “King's Law” is the first *Constitution* of Denmark enacted in 1665, being one of the first European constitutions to replace the feudal system. [2: p. 439]. The end of the absolutist regime in Denmark is marked by the introduction of the *Constitution of 1849* which established the principle of bicameralism and the form of government of the state - the constitutional monarchy.

On June 5, 1953, the current *Constitution of Denmark* enforced the right to the throne for women and modified the structure of the Parliament by going into the unicameral organization. The current Constitution is structured on 11 parts and 89 articles, in this respect Professor S. G. Barbu states: “The *Danish Constitution* is one of the most elliptical, with a limited number of norms”. [2: p. 439]

Article 3 of the *Constitution* states that

“Legislative power is exercised collectively by the King and the Parliament.

Executive power is exercised by the King.

Judicial power is exercised by the courts.” [4]

In the second part of the *Constitution* it is stated that “the King must be a member of the Lutheran Evangelical Church, which is the national church of Denmark.” [4]

Article 13 governs that “the King enjoys immunity, his person is intangible and sacrosanct.” [4]

The appointment and dismissal of the Prime Minister and ministers is the responsibility of the King. Ministers are part of the State Council, which is chaired by the King and has as main task the discussion of important governmental drafts and measures.

In accordance with art. 28 of the *Constitution* – the Parliament is unicameral with a structure of “179 members, two of whom are elected from the Faroe Islands and two others from Greenland”. It should be underlined that parliamentarians are elected by universal and direct vote for a four-year mandate. [4]

Article 59 governs the organization of the High Court of the Kingdom. This body is “made up of a maximum of 15 of the earliest ordinary members of the Supreme Court of Justice of the Kingdom and an equal number of members appointed for a six-year term by Parliament.” [4]

Article 71 governs individual liberty which is regarded as inviolable. “No Danish citizen can be deprived of his liberty in any way because of his political or religious beliefs or origins.” [4]

In Article 73, the right to property is enshrined as inviolable.

“It is in the interest of the society to do well that every able-bodied citizen should be provided with a job capable of ensuring his existence” - a principle governed by Article 75.

The Kingdom of Denmark (in Danish Kongeriget Danmark) is administratively organized in 14 counties (amt) and 275 municipalities (kommune). Frederiksberg and Copenhagen have their own operating and organizational laws having a dual status - of municipality and county.

“Amts and Communes are governed by councils elected by direct vote, and mayors are appointed from board members.” [15]

Beginning with sec. XIV, the Faroe Islands and Greenland are in the Kingdom of Denmark. “Denmark is made up of the Jutland peninsula and 406 islands, known as the Danish Archipelago.” [15]

Denmark has been a member of the European Union since 1973, has not been part of the euro area and has been a member of the

Schengen Area since March 2001. A 50% of the Danish economy is export-oriented. At the level of 2016, 86 billion euros represented Danish goods exports, especially in markets such as Germany, Sweden, Great Britain, Norway, USA, France, and the Netherlands. It should be noted that over 75% of total exports consist of industrial products. [14]

FDI - Foreign direct investments in Denmark are defined as “investments outside the country that represent at least 10% of equity, made to constitute a lasting financial interest in an enterprise and exercise significant influence - but not necessarily control - on the board”. [14]

At the level of 2016, the European Union's expenditure in Denmark amounted to “EUR 1.431 billion, and European Union spending in Denmark - a percentage of that country's gross national income (GNI): of 0.5%. It is also worth mentioning Denmark's contribution to the EU budget amounting to EUR 2.208 billion.” [13]

In the period 1999-2000, a tax reform was implemented in Denmark, which attempted to change the fiscal policy stance by transferring the “tax burden from labour to environmental taxes, on the basis of stimulating employment and increasing private savings.” [13]

The immediate result was an increase in the fiscal pressure, reaching in 1999 to 51.5%. [9]

Professor C. Burghilea appreciates that Denmark, “relatively poor in natural deposits, exploits successfully another resource, the human resource, which leads to significant investments of multinationals.” [3]

In 2013, Denmark was declared in a ranking by the United Nations the state with the “happiest inhabitants in the world.” [3] Professor John Helliwel of the University of British Columbia, believes in a study that the “happy countries have in common factors such as high income per capita, healthy living and lack of leadership corruption.”

Huffington Post has identified a number of factors that make Denmark the country with the happiest inhabitants in the world. Thus, among the established elements we can list: the health field which is considered a civil law and a source of social support; gender equality is defined as a national priority alongside individual and collective responsibility.

In the current economic and geopolitical context, “the Danish government set aside 700 million Danish crowns (about 94 million euros) in its 2019 draft budget to cope with the potential costs it would imply 'Brexit tough', in other words, a Great Britain out of the European Union without any agreement with the bloc.” [10]

In Copenhagen is running the European Environment Agency.

“On December 3, 2015, the Danish government decided, by 53%, to maintain the opt-out in the field of justice and internal affairs.” [15]

A number of elements about the educational system in Denmark should be mentioned. “The key words of the Danish education system are: autonomy, participation, responsibility, trust, well-being and happiness. Every job needs a competent person, regardless of the level of qualification. The whole system is less theorized, focusing on learning by experience” (Peter Nielsen Wellendorf).

*Evolution of bilateral relations between Romania and Denmark*

In 1853, the first diplomatic representation of Denmark in Romania was established in Galati in the form of an honorary consulate. On 1<sup>st</sup> of May, 1917, the diplomatic relations between Romania and Denmark were established.

On December 24, 1892, the first general consulate of Romania was established in Copenhagen, and in 1914 the Honorary Consulate of Denmark was opened in Bucharest.

Starting May 1, 1917, by Royal Decree no. 407, mentions the establishment in Denmark of two diplomatic offices in Copenhagen and Christiania.

The second world conflagration and the occupation of Denmark caused an interruption of the Romanian - Danish relations in 1940, which were restored in 1946.

We mention that on November 24, 1964, the diplomatic representations of Romania and Denmark were elected to rank at the embassy level. [16]

Starting 1<sup>st</sup> of May, 2009, the Danish authorities have liberalized the Danish labour market for Romanian citizens. In this context, we can mention that approximately 28,227 people form the Romanian community in Denmark.

## **Legal framework of diplomatic relations between Romania and the Kingdom of Denmark**

Over the years, a various number of agreements have been concluded between the two countries such as education, culture, environment, sustainable development, economy, and visas. In this regard, we mention:

September 21, 1993, Bucharest - “Agreement on the development of economic, industrial and technical cooperation between the Government of Romania and the Government of the Kingdom of Denmark”;

June 14, 1994, Copenhagen - “Agreement between the Government of Romania and the Government of the Kingdom of Denmark on the promotion and mutual protection of investments”;

February 28, 1997 - “Romanian-Danish Cooperation Program in the fields of Education, Science and Culture for 1997-1999”;

October 26, 1998 - “Annex - Memorandum of Understanding between the Government of Romania and the Government of the Kingdom of Denmark on cooperation between Scandinavian countries on the Scandinavian Airlines System (SAS);”

January 28, 2003, Copenhagen - Memorandum of Understanding between the Government of Romania and the Government of the Kingdom of Denmark on Cooperation for the Implementation of the Kyoto Protocol to the United Nations Framework Convention on Climate Change”;

February 26, 2013, Copenhagen - “Zootechnical cooperation agreement between the Ministry of Agriculture and Rural Development of Romania and the Danish Agriculture Council”;

February 26, 2013, Copenhagen - “The Romanian-Danish Joint Declaration on Green Growth, signed by the Minister of Environment and Climate Change of Romania and the Minister of Climate Change, Energy and Construction in Denmark.” [12]

### **Evolution of trade**

Denmark ranks 23<sup>th</sup> among foreign investors in Romania. In this regard, we mention the most important areas of Danish investment: food, transport, domestic and foreign trade, animal husbandry. [16] “On July 31, 2017, 889 companies with Danish capital (0.42% of the total number of companies with foreign capital) were registered in Romania

with a total subscribed capital of EUR 216.98 million (0.51% of total capital invested in Romania)". [16]

The value of Romanian-Danish trade on 31.05.2017 was 235.63 million euros, out of which 111.76 million euros were exported; importing EUR 123.87 million, the balance of trade balance is negative, of EUR 12.11 million.

"The volume of bilateral exchanges in the first five months of 2017 increased by 13.59% over the first five months of 2016, from which exports increased by 4.86% and imports increased by 22.82%." [16]

In addition to the Romanian embassy in Denmark, honorary consulates also have to be mentioned in the cities Århus, Ikast, Sønderborg.

The study reveals a special evolution of the diplomatic relations between Romania and the Kingdom of Denmark, which is folded over various spheres of cultural, economic, educational, and political life. The intensification and sustainability of diplomatic relations between the two states is also reflected in the agreements and treaties concluded in recent years. The idea was also supported by Prof. Ion M. Anghel's statements. "Relationships between states, whether diplomatic, consular, economic, military or otherwise, are an effective date, being ubiquitous in our day." [1: p. 5].

### **Bibliography**

- [1] Anghel IM. Dreptul diplomatic și consular. București: Ed. Universul Juridic; 2011.
- [2] Barbu, S. G. Constituția Regatului Danemarcei. Retrieved from: <https://constitutii.files.wordpress.com/2013/02/danemarca.pdf>
- [3] Burghilea, C. Modelul dezvoltării durabile. Economie teoretică și aplicată. 2012; Volumul XIX, No. 5(570). Retrieved from: [http://store.ectap.ro/articole/725\\_ro.pdf](http://store.ectap.ro/articole/725_ro.pdf)
- [4] The Constitution of the Kingdom of Denmark
- [5] Knud JV. A History of Denmark (Palgrave Essential Histories); 2011.
- [6] Palle L. A History of Denmark, 3rd ed. Copenhagen: Høst; 1995.
- [7] Pedersen KC. Danemarca și Germania, Minoritatea germane din Danemarca și minoritatea daneză din Germania,



- <http://altera.adatbank.transindex.ro/pdf/2/014Danemarca%20si%20Germania.pdf>
- [8] [https://adevarul.ro/educatie/universitar/modelul-danez-succes-educatie-regula-numarul-unu-elevul-trebuie-vina-placere-scoala-1\\_529b4591c7b855ff565ed5f0/index.html](https://adevarul.ro/educatie/universitar/modelul-danez-succes-educatie-regula-numarul-unu-elevul-trebuie-vina-placere-scoala-1_529b4591c7b855ff565ed5f0/index.html)
- [9] <https://biblioteca.regielive.ro/seminarii/finante/sistemul-fiscal-in-danemarca-264153.pdf>
- [10] <http://www.business24.ro/international/danemarca/danemarca-aloca-in-proiectul-de-buget-pentru-2019-aproape-o-suta-de-milioane-de-euro-pentru-un-brexite-dur-1597355>.
- [12] <https://copenhaga.mae.ro/node/170>.
- [13] [https://europa.eu/european-union/about-eu/countries/member-countries/denmark\\_ro](https://europa.eu/european-union/about-eu/countries/member-countries/denmark_ro)
- [14] <http://www.imm.gov.ro/documents/10197/54575/Danemarca+Indrumar+de+Afaceri+ian+2018.pdf/9e9edc9d-408c-4500-9e22-92680af5e8dd>.
- [15] <http://www.mae.ro/node/1666>
- [16] <http://www.mae.ro/bilateral-relations/1667#810>.
- [17] <http://www.ziare.com/international/stiri-externe/de-ce-este-danemarca-tara-cu-cei-mai-fericiti-locuitori-din-lume-1264287>.