

# A TOOL FOR A DYNAMIC ADAPTATION OF THE OBJECTIVES AT THE LEVELS OF EUROPEAN UNION, NATIONAL AND SECTORAL, UNDER SECTORAL AND ACROSS SECTORS<sup>1</sup>

Speranța-Liliana NEAGU\*

Motto:

*"You can't understand climate changes in pieces, says scientist Gavin Schmidt. It is the all or it's nothing. In this illuminating talk, he explains how he studies the big picture of climate change with mesmerizing models that illustrate the endlessly complex interactions of small-scale environmental events."*<sup>2</sup>

Gavin SCHMIDT

## Abstract

*Changing of paradigms and realities generated by the dynamism shaping of international relations and the reality, especially determines a necessity of rapid modernization objectives to adapt to new constructs strategies and rules (soft law, common law and customary law, on the other hand). Creating of the conditions to open a chapter of the EU accession, or preparation of the content of acts of delegation or implementation concomitant of provisions of the EU Commission, to achieve the interests of socio-political nations, integrated - must be based on targets set by decisions triangular (COM; PE; CONS<sup>3</sup>) and through the "six thinking hats"<sup>4</sup> – Maltese psychologist Edward de Bono.<sup>5</sup> I created a simple tool for adaptation of the EU, national, sectoral, cross-sectoral objectives comparative for adaptation at dynamic reality. I created a simple tool for adaptation of the EU, national, sectoral, cross-sectoral objectives comparative for adaptation at dynamic reality.*

**Keywords:** *agribusiness intelligence<sup>6</sup>, lateral thinking<sup>7,8</sup>, sheet of analysis of negotiations for the adoption of a legal instrument incidence international / (EU/ regional), cross-sectoral measures, cross-sectoral objectives, plan of action, integrated strategy for sustainable development of legislation.*

## 1. Introduction

"Legislative world" is in a constant change as result of paradigms that need to be adapted to the new relationships and reconfigurations of human communities and the rules that lead the policies and actions. In order to fulfil the proposed goals, the strategies and policies may not have legal value even they are, in principle mandatory within the European Union, for example.

We can use some data in connection with the new information at global level. In this meaning, the agribusiness intelligence represents „a form of support for the business representatives to understand, to be prepared and to act in accordance with the volatile markets; from crop protection and seed, fertilizers and animal health to the production,

manufacturing, trading and regulation of agricultural commodities and food products”<sup>9</sup>.

The implementation of the legislation and diplomatic results need solutions at the expert’s level and decision makers for benefit of the beneficiaries, *lateral thinking*<sup>10,11</sup> being a mode - “the solving of problems by an indirect and creative approach, typically through viewing the problem in a new and unusual light. Contrasted with vertical thinking”<sup>12</sup>.

## 2. Improve the communication on the major negotiations results

After the participation to the working groups of EU institutions other organizations / national and international entities, it could be elaborated forms that could be adapted in accordance with deadlines,

---

\* Counsellor for European affairs, Ministry of Agriculture and Rural Development (e-mail: [sperantaneagu@yahoo.com](mailto:sperantaneagu@yahoo.com)).

<sup>1</sup> This material represents my research hypothesis, and it does not involve the institution I work at.

<sup>2</sup> [http://www.ted.com/talks/gavin\\_schmidt\\_the\\_emergent\\_patterns\\_of\\_climate\\_change](http://www.ted.com/talks/gavin_schmidt_the_emergent_patterns_of_climate_change)

<sup>3</sup> The EU Commission, the European Parliament, the EU Council.

<sup>4</sup> *prisms in a syncretic mode*

<sup>5</sup> [http://en.wikipedia.org/wiki/Edward\\_de\\_Bono](http://en.wikipedia.org/wiki/Edward_de_Bono)

<sup>6</sup> <https://agribusinessintelligence.informa.com/about/>

<sup>7</sup> [http://www.debonogroup.com/lateral\\_thinking.php](http://www.debonogroup.com/lateral_thinking.php)

<sup>8</sup> <http://www.curteaveche.ro/cursul-de-gandire-al-lui-edward-de-bono-instrumente-eficiente-pentru-a-va-transforma-modul-de-gandire.html>

<sup>9</sup> <https://agribusinessintelligence.informa.com/about/>

<sup>10</sup> [http://www.debonogroup.com/lateral\\_thinking.php](http://www.debonogroup.com/lateral_thinking.php)

<sup>11</sup> <http://www.curteaveche.ro/cursul-de-gandire-al-lui-edward-de-bono-instrumente-eficiente-pentru-a-va-transforma-modul-de-gandire.html>

<sup>12</sup> <http://www.oxforddictionaries.com/definition/english/lateral-thinking>

costs and other relevant issues requested by decision makers - GHG footprint etc. It can be used shades and colours for presentations having in view that visual contact is very useful for the better understanding.

It can be used for example a "3D" or the "AutoCAD" program mainly the method "Pert"<sup>13</sup> to start, conduct and fulfil limits (honouring the obligations of contracts).

### 2.1. Improve the communication at the working groups level

Each meeting or consultation may be finished with a sheet, each representation being coloured with a specific colour, an area with a palette of nuances and the domain illustrated by shades.

The negotiations in the form of a sheet analysis as a stage for adoption a legal instrument with impact at the international level (EU / regional) represents in my opinion an important tool for more countries. It could be a sustainable base to elaborate the national laws with impact on all the actors, workers, employers and policymakers. To a better understanding and application of the future legislation should be consulted experts, politicians, citizens, non-governmental organizations and government authorities. Even if the example in other common market organization, there is the development of a proper legislation to set up trade policies in due time but protecting interests of the people, by setting up periods, quotas etc. and no restrictions to protect domestic jobs or industries, agriculture and so on.

The European Union has a common market/ internal market - *de jure*. Worksheets synthesize priorities and identify all the sensible areas with major impact for some communities could result in rapid changes in regulations and behaviours or even commercial production.

An IT program based on graphic representation with colours to systemic analysis could suggest measures/proposals of "de lege ferenda", at local, national, regional level, European Union and international.

The Medicine Bruno Italian takes the idea launched by Maltese Edward De Bono, "the intelligence itself could even hold you in place in solving problems."<sup>14</sup> As a result of this mode to think more of the trade barriers could be solved by horizontal and cross-sectorial approaches of the experts and lawyers, decision makers and politicians, business people (lobbying).

### 3. Improve the communication on the nation interest

The seminars, conferences on economics organised during the year will bring in attention topics of great importance from different sectors. The demand for major commodities should be part of detailed discussion during this kind of event. At this kind of events should be invited analysts, consultants from all over the world, including experts, economists, bankers and politicians. These seminars serve as a means to bring clients together for informative discussion and debate.

The transparency represents a basic principle for a good communication of the classification information according to national or regional interests. In my opinion, the main elements of each meeting with the aim to negotiate should consist of all the objectives as purpose of the meeting. The conclusions of each session will be in a form of a sheet minute, measures and actions on a small, medium and long term.

The conferences, fairs/exhibitions, seminars organised during the year could be a part of the development of the agricultural sector and food industries. The minute could be in a form of the colouring sheet could visualize the interconnections between sectors. To have a visible information not part of the analysed issues and not exhaustive ones and in the same time with the aim to support the policymakers to have good results. The comments and observations can add certain non-civilian's views of the future decisions and thus may clarify certain cases of dissension.

The application of international law and plans and legal integrated and sustainable development strategies<sup>15</sup> can be achieved by measures cross-sectorial and targets sectors by setting goals and plan with indicators that lead to the development on a base approach of the both sides and also the entire / a holistic<sup>16</sup> method.

<sup>13</sup> [https://en.wikipedia.org/wiki/Program\\_evaluation\\_and\\_review\\_technique](https://en.wikipedia.org/wiki/Program_evaluation_and_review_technique)

<sup>14</sup> "The Intelligence Trap", by Bruno Medicina.

<sup>15</sup> "Integrated strategy for sustainable development - setting goals and plan with indicators that lead to development to resist and to have as a basic approach that takes into account both sides, and the entire / a holistic method".

<sup>16</sup> „holism s. n. (Phil. ) - conception interprets the phrase irreducibility entire sum of its parts , counting as " integrating factor " of the world and an immaterial principle unknowable . - In fr . holism".

#### 4. Case study - Ro position to topic x, document y<sup>17</sup>

A kind of sheet for the results of negotiations to adopt a legal document with international incidence – is the example with – **ILUC**<sup>18</sup> factor.

Because Romania wants to transition to a greener and more competitive, low-carbon, resource efficient use and resistant to climate change risks, we could put in the table the history and the generally speaking date about agriculture, some figures with a landmark stable like day, month and the year. Also, we will write the stage of negotiation for adopt a legislative act. Another point of view could be the SWOT<sup>19</sup> analysis<sup>20</sup> on a column with the strong and weak points and the line could continue with the Responsible institution, Tariff barriers Non-Tariff Barriers Animal health and phytosanitary standards / text and limits for negotiations /Possible alliances with sensibilities, risks, measures, observations etc. We put within the table the proposed legal text / text of the declaration / agreement international / bilateral, the accepted - “art. 3 is modified as follows (b)at alignment. (4), the second paragraph is modified as follows: (iv)it is added the following letters: (...) (d) to take into account the biofuels, the energy generated from vegetal and others crops in starch, crops of (...), as well as main crops (...) on arable land should not be more than x % from the final consume of energy in transport in member state in year....”

**Position of the state member could be the following – “Romania in accordance with the politic declaration from the moment of agreement the project at the level of European Council will sustain or will not support this project in conditions of the decrease of the limit x% for the first generation of biofuel. “**

**The Arguments for the limits on negotiation are very important for the state and for the citizens - Ex. /A decrease percentage from x% will affect the interests of the Romanian farmers mainly of the producers, having in view, that Romania has a great potential and last year for example the production in comparison with the production obtained in the previous year<sup>21</sup>. In year ..... it was registered .....x tons in year y..... The risk is not sufficient to be quantified in a form of some**

compelling scientific studies and respectively, of some studies of impact in MS of applications of some concepts as factors “Z” to motivate the elaboration of a legislative document with obligations for economic agents that could affect the balance of the national markets and respectively, the national policies of promoting the different types of.....

For conclusions we could put the temporary conclusion of the dossier - at the initiative of institution X at the date .....Graphic representation (if it is possible) results, figures/ ex. imports, exports, amounts resulted from indirect taxes and so on..... Date .....

The graphics and schemes have the major impact for the politics especially, because they are not a lot of time and data for a rapid decision for a new law or government decision.

The final conclusion (if it is the case) at the initiative of institution “X” at the date .....Links, relevant publications and so on /Implications related to the gas emissions (costs) /Carbon footprint.

The footprint of greenhouse gases could be one especially in the new context after signing the agreement in Paris<sup>22</sup>.

E.g. - social media like facebook would be manageable channel issuing general ideas or end bridge for meetings of experts in the field. The degree of transparency or opacity as established in the case of dissemination of data, given the importance of the subject or by speeding communication required or not.

The syncretism in the legislative field can be applied by optimal choice of formula conferences or workshops in which the debates preceded by the newsletter might be intertwined with the business and even direct sales (default pre-contracts or contracts opposable *erga omnes*) and proposals pragmatic of *lege ferenda* leading to simplification of the overall legal framework as well as the specific (eg. vocational education adapted conceptually upgraded curricula and proposals for honorary or monetary rewards for participation in public- private research) .

<sup>17</sup> Revision to the Fuel Quality Directive and Renewable Energy Directive. “On 28 April 2015, the European Parliament voted to approve new legislation, the “ILUC Directive”, which limits the way Member States can meet the target of 10% for renewables in transport fuels by 2020, bringing to an end many months of debate. There will be a cap of 7% on the contribution of biofuels produced from ‘food’ crops, and a greater emphasis on the production of advanced biofuels from waste feedstocks. Member States must then include the law in national legislation by 2017, and show how they are going to meet sub-targets for advanced biofuels.

Key elements of the draft EU Directive/ The contribution of biofuels produced from ‘food’ crops (to the 10 % renewables in transport target) is capped at 7%”, <http://biofuelstp.eu/biofuels-legislation.html>

<sup>18</sup> „The indirect land use change”, “ the estimated land use change emissions that are taking place globally as a result of the crops being used for biofuels in the EU, rather than for food and feed.”, [http://europa.eu/rapid/press-release\\_MEMO-12-787\\_en.htm](http://europa.eu/rapid/press-release_MEMO-12-787_en.htm)

<sup>19</sup> “Strengths and Weaknesses, Opportunities and Threats”.

<sup>20</sup> [https://www.mindtools.com/pages/article/newTMC\\_05.htm](https://www.mindtools.com/pages/article/newTMC_05.htm)

<sup>21</sup> 221.000 tone rapeseeds (2014).

<sup>22</sup> <https://unfccc.int/resource/docs/2015/cop21/eng/109r01.pdf>

## 5. De lege ferenda proposals

The results of data regarding the interim/ final negotiations could be subject of a law or the institutional regulation. Also, in order to ensure the dynamism is need a flexibility a by a special card dedicated to promote quality products recognized internally and/ or required in appreciable quantities/ impact social/ financial/ cultural and so on. The indicators will be set up at nationwide – for example, the duties / taxes for export / production increase with x tones / jobs secured etc.

## 6. Conclusion

The experts in charge with strategies and decisions should base the actions on data and studies. Also, in my opinion, strategies and policymakers could draw inspiration from what says Bunker Roy<sup>23</sup>, to meet the needs of communities when they bring elements of reasoning in drafting new legislation.

Data from large projects such as those under the authorities lines with such prestigious consultant is "OPERA-CLIMA<sup>24</sup>" - gives new force argumnts for changes in the administration and legislation, synchronous with reliable results – from a joint program implemented by the World Bank and the Ministry of Environment, Waters and Forests aims to allow Romania and Europe 2020 goals for preventing and combating climate change and reducing carbon emissions.

**Agriculture** can gather intelligence data useful for the farmers in the view to develop the farm, for example, market reports, political analysis, company presentation, data on imports and exports, prices, supply and demand.

Elegant and simple outlines, on Twitter, Narendra Modi<sup>25</sup> - Indian Prime Minister - "There are no winners and no losers at the end of the Paris Agreement . *Climate justice*<sup>26</sup> has won and we all work for a greener future ."

## Selective bibliography:

### 1. Books

- "Cursul de gândire al lui Edward de Bono - Instrumente eficiente pentru a vă transforma modul de gândire", Colecția: Seria Edward De Bono. Titlul original: „De Bono’s Thinking Course - Powerful Tools to Transform Your Thinking”, Translated by: Manuela Rodica Petricău, 2009;
- <http://www.curteaveche.ro/cursul-de-gandire-al-lui-edward-de-bono-instrumente-eficiente-pentru-a-va-transforma-modul-de-gandire.html>
- Lateral Thinking“, Seria Edward De Bono, Editura “Curtea Veche“, traducător: Sabina Dorneanu, anul apariției – 2011.

### 2. Periodicals and articles continuously updated

- <http://indiatoday.intoday.in/people/narendra-modi/17737.html>
- “The Intelligence Trap”, Bruno Medicina<sup>27</sup> <http://www.brunomedicina.com/the-intelligence-trap/> 03/12/2011 Remove barriers of thought" , published by Bruno Medicina, <http://blogulspecialistului.manager.ro/a/util/management-si-afaceri/456/eliminati-barierile-de-gandire.html>
- <https://agribusinessintelligence.informa.com/> (website accessed on March 21, 2016

### 3. Links

- [http://europa.eu/rapid/press-release\\_MEMO-12-787\\_en.htm](http://europa.eu/rapid/press-release_MEMO-12-787_en.htm)
- <http://opera-clima.ro/en/>
- <https://unfccc.int/resource/docs/2015/cop21/eng/109r01.pdf>
- <http://www.worldbank.org/en/country/romania/brief/romania-climate-change-and-low-carbon-green-growth-program>
- <http://www.agerpres.ro/mediu/2015/12/13/cop21-justitia-climatica-a-castigat-prin-acordul-de-la-paris-premierul-indian--11-34-21>
- [https://www.mindtools.com/pages/article/newTMC\\_05.htm](https://www.mindtools.com/pages/article/newTMC_05.htm)
- [https://twitter.com/narendramodi?ref\\_src=twsrc%5Egoogle%7Ctwcamp%5Eserp%7Ctwgr%5Eauthor](https://twitter.com/narendramodi?ref_src=twsrc%5Egoogle%7Ctwcamp%5Eserp%7Ctwgr%5Eauthor)
- [https://en.wikipedia.org/wiki/Climate\\_justice](https://en.wikipedia.org/wiki/Climate_justice)
- [http://en.wikipedia.org/wiki/Edward\\_de\\_Bono](http://en.wikipedia.org/wiki/Edward_de_Bono)
- [http://www.debonogroup.com/lateral\\_thinking.php](http://www.debonogroup.com/lateral_thinking.php)

<sup>23</sup> [https://www.ted.com/talks/bunker\\_roy/transcript?language=ro](https://www.ted.com/talks/bunker_roy/transcript?language=ro)

<sup>24</sup> <http://opera-clima.ro/en/>

<sup>25</sup> [https://twitter.com/narendramodi?ref\\_src=twsrc%5Egoogle%7Ctwcamp%5Eserp%7Ctwgr%5Eauthor](https://twitter.com/narendramodi?ref_src=twsrc%5Egoogle%7Ctwcamp%5Eserp%7Ctwgr%5Eauthor)

<sup>26</sup> At the 2007 Bali Conference, the global coalition *Climate Justice Now!* was founded, and, in 2008, the *Global Humanitarian Forum* focused on climate justice at its inaugural meeting in Geneva.” [https://en.wikipedia.org/wiki/Climate\\_justice](https://en.wikipedia.org/wiki/Climate_justice)

<sup>27</sup> <http://www.brunomedicina.com/the-intelligence-trap/> 03/12/2011

- [http://www.ted.com/talks/gavin\\_schmidt\\_the\\_emergent\\_patterns\\_of\\_climate\\_change](http://www.ted.com/talks/gavin_schmidt_the_emergent_patterns_of_climate_change)
- <https://agribusinessintelligence.informa.com/product-category/solutions/insight-and-data/>
- <https://agribusinessintelligence.informa.com/about/>
- <http://www.oxforddictionaries.com/definition/english/lateral-thinking>
- <https://dexonline.ro/definitie/m%C4%83sur%C4%83>
- <https://dexonline.ro/definitie/obiectiv>
- <https://dexonline.ro/definitie/m%C4%83sur%C4%83>

<b><u>Annex 1</u> / Analysis sheet for the results of negotiations to adopt a legal document with international incidence – for example – ILUC factor</b>										
History / date	Stage	Elements of position	Responsible institution/ <sup>1</sup>	Possible alliances	Alliances with sensibilities	Tariff barriers Non-Tariff Barriers Animal health standards Phytosanitary standards	Intermediary results year x Final on decade/five years	Risks <sup>2</sup>	Actions measures <sup>3</sup>	Observations, comments /
Day/ month /year		Arguments	MMSC MARD	1. Economics 2. Diplomats 3. Other categories / Business / finances / producer groups / social projects etc.	For analysis	Studies needed	Productions realised of biomass for next year 2016/.../2020/ maintenance of “n” jobs and so on	for analysis	For analysis	staff or required capital / training / amounts allocated / - scheduled monthly / annual / multi-annual / decade
		a. Strong points a1. High potential for soy crops /investments realised/national policies for promoting the using of the biofuels until the concluded of the negotiations a2. It was realised investments		Obs. a						
		b. Weak points The lack of scientific studies until the date of concluded the negotiations. Romania has no scientific research on: - Possibilities of technological development and of market... materials z, from the point of view of Y Ministry, being unforeseeable and insufficient contoured at the international level. - referring to the calculation of the gas emission in the vegetable and livestock sector, Romania sustains the idea that the farmers could be or not prepared to estimate the data (the data could not be estimated even at minimal level on the costs and the implications) b. Weaknesses Lack of scientific studies in Ro at the time of concluded the negotiations, - Possibilities for technological and market development ... z material, from the point of view of the Ministry Y, still insufficiently configured unforeseeable and international level.		Obs. b						

<sup>1</sup> coordonatoare/ competenta partajata.

<sup>2</sup> mitigate risk for ex. - <https://agribusinessintelligence.informa.com/product-category/solutions/forecasting-and-research/>

<sup>3</sup> masuri necesare/ institutia responsabila.

Day/ month /year									
The proposed legal text / text of the declaration / agreement international / bilateral etc. .....					<u>Accepted text</u> Art. 3 is modified as follows: (b)at alignment. (4), the second paragraph is modified as follows: (iv) it is added the following letters: (...) (d) to take into account the biofuels, the energy generated from vegetal and others crops in starch, crops of (...), as well as main crops (...) on arable land should not be more than x % from the final consume of energy in transport in member state in year....”		Limits accepted for negotiations /min./max. <b>Position of SM<sup>4</sup></b> <b>Romania in accordance with the politic declaration from the moment of agreement the project at the level of European Council will sustain or will not support this project in conditions of the decrease of the limit x% for the first generation of biofuel.</b>		
					<u>Arguments for the limits on negotiation</u> Ex. / A decrease percentage from x% will affect the interests of the Romanian farmers mainly of the producers, having in view, that Romania has a great potential and last year for example the production in comparison with the production obtained in the previous year <sup>5</sup> . In year ..... it was registered .....x tons in year y..... The risk is not sufficient to be quantified in a form of some compelling scientific studies and respectively, of some studies of impact in MS of applications of some concepts as factors “Z” to motivate the elaboration of a legislative document with obligations for economic agents that could affect the balance of the national markets and respectively, the national policies of promoting the different types of.....				
<u>The temporary conclusion of the dossier - at the initiative of institution X at the date .....</u>		<u>Graphic representation (if it is possible) results, figures/ ex. imports, exports, amounts resulted from indirect taxes and so on.....</u> Date .....		<u>The final conclusion (if it is the case) at the initiative of institution “X” at the date .....</u>		<u>Links, relevant publications and so on</u>		<u>Implications related to the gas emissions (costs)</u>  <b>carbon footprint<sup>6</sup></b>	

<sup>4</sup> Member state of UE or another international organization or entities.

<sup>5</sup> 221.000 tone rapeseeds (2014).

<sup>6</sup> „A carbon footprint is historically defined as "the total set of greenhouse gas emissions caused by an [individual, event, organisation, product] expressed as CO<sub>2</sub>" [https://en.wikipedia.org/wiki/Carbon\\_footprint](https://en.wikipedia.org/wiki/Carbon_footprint).

**Annex no. 2/ Key words**

1. agribusiness intelligence;
2. analysis sheet of negotiations for the adoption of a legal instrument with international impact / (EU / regional);
3. lateral thinking;
4. cross-cutting measure;
5. objective for across sectors;
6. plan for legislative actions;
7. integrated strategy for sustainable development of legislation.