

Reforming the Population's Defense Training in Romania between Current Regulations and the Modernization Project

Elena-Adriana Brumaru

Military Academy of Moldova "Alexandru cel Bun", Chisinau
brumaru_adriana@yahoo.com

ABSTRACT: The accelerated deterioration of the regional security environment after 2014, culminating in the large-scale invasion of Ukraine in 2022, has revealed the structural limits of Romania's operational reserve. The current regulatory framework, Law no. 446/2006 on the preparation of the population for defense, has proven to be outdated by the suspension of compulsory military service, failing to generate a relevant reserve of forces. Using a combined methodology—doctrinal analysis, comparative analysis and public policy evaluation—one can examine the legislative modernization project that is intended to be adopted in 2025. The study argues that this reform marks a strategic paradigm shift, highlighted by two key measures: (1) the introduction of a basic military training program, on a voluntary basis, financially incentivized (Art. 13¹), designed to quickly generate a mass reserve; and (2) imposing new obligations on reservists and eligible citizens abroad (Art. 8¹). A central thesis of the study is that the legislative process revealed a major institutional tension between the vision of the initiator (Ministry of Defense) and that of the legislature.

KEYWORDS: Law 446/2006, military reserve, voluntary military training, Law 270/2015, total defense, legislative reform, Romania, NATO

1. Introduction

The strategic context of regional security has undergone a fundamental transformation. The aggression of the Russian Federation in Ukraine has reintroduced high-intensity conventional warfare as a plausible instrument of state policy in Europe, generating an urgent reassessment of the defense and deterrence posture on the entire eastern flank of NATO. For Romania, this new strategic reality has exposed a critical vulnerability: the structural crisis of the armed forces reserve. The Romanian Army, although professional, relies for mobilization on a reserve formed mostly by those who satisfied the mandatory military service before its suspension in 2007. Thus, the Romanian Army reserve is aging, not periodically medically evaluated and not trained according to the new NATO

doctrines. We have chosen to approach the issue from a predominantly legal perspective. The central regulatory framework, represented by Law no. 446/2006 (Parliament of Romania, 2006), on the preparation of the population for defense, was developed in a context of strategic transition, marked by the renunciation of compulsory military service. This structural change deprived the law of its main reserve generation instrument, leaving a functional vacuum that subsequent regulations only partially attempted to compensate for. Despite the intention to provide a sustainable solution, Law no. 270/2015 on the Status of Voluntary Reservists (Government of Romania, 2015) proved insufficient, its impact being limited both in operational terms and in terms of attractiveness for the population.

In this context, the draft amendment to Law no. 446/2006, initiated by the Ministry of National Defense and currently under parliamentary debate in 2025 (Parliament of Romania, 2025a), is set to be the main public policy instrument aimed at responding to the personnel crisis in the army reserve. The present analysis argues that this legislative initiative introduces a paradigm shift: abandoning the model oriented predominantly towards quality and individual selection, enshrined in Law no. 270/2015, in favor of a quantitative model, focused on the rapid generation of a mass reserve through expanded recruitment mechanisms, provided for in the new art. 13¹. In parallel, the draft aims to reconstitute state control over the entire mobilizable mass, including Romanian citizens abroad, a measure established by the introduction of art. 8¹.

However, the study highlights the fact that the legislative process was marked by tensions and divergent institutional visions, the result of which is a normative text that presents a major internal contradiction, likely to affect the coherence and applicability of the future law.

2. Research Methods and Tools

The present research was built gradually, by interweaving several qualitative methods, each contributing to the outline of a coherent image of the way in which Romania has tried to redefine its voluntary reserve in the last two decades. The approach began with a meticulous legal and institutional analysis, intended to capture the internal logic of the main normative acts, from Law no. 446/2006 to the draft amendments to it in 2025. Through a comparative reading of the legislative texts and explanatory statements, the analysis followed not only the normative evolution, but also the way in which state institutions have reinterpreted, adapted or, sometimes, distorted the purpose of these regulations.

As the legislative framework was being reconstructed, it became necessary to integrate a broad documentary analysis, oriented towards understanding the strategic and political context in which these normative acts were conceived. The programmatic documents of the Ministry of Defense, official reports, public communications and parliamentary transcripts constituted an essential documentary background for identifying the reasons that determined the

emergence of new legislative initiatives and for understanding the institutional tensions that accompanied the reform process. This analysis allowed for the reconstruction of a coherent narrative of the repeated attempts to configure a viable mechanism for generating the reserve.

The comparative dimension of the research provided an additional framework for interpretation. By evaluating the military reserve models used in other NATO states, the study was able to identify elements of convergence and the particularities of the Romanian model. This stage was essential to understand to what extent the proposed reforms aim to align with international standards or, on the contrary, respond to specific constraints of the national defense system. In order to capture not only the form, but also the spirit of the debates that accompanied the evolution of the voluntary reserve, the research also integrated a content analysis applied to official and parliamentary discourses. Recurrent themes, institutional justifications and conceptual tensions were identified, contributing to the elucidation of how political and military actors interpret the role of the reserve in the architecture of national defense.

These methods were supported by a set of research tools used systematically: the legislative and documentary corpus accessed through the databases of the Parliament and the Official Gazette, the institutional archives of the Ministry of National Defense, as well as policy analysis analytical tools, which guided the assessment of the coherence of the legislative proposals. Overall, the methodological approach allowed not only the investigation of the legislative structure, but also the understanding of the broader process through which the Romanian state tries to rebuild its mobilization capacity, in a constantly changing geopolitical context.

3. Limitations of the Previous Legal Framework (2006-2025)

The analysis of the limits of the legal framework that governed the voluntary reserve of the Romanian Army in the period 2006–2025 is based on a complex methodological approach, combining legal, documentary, comparative and content analysis. The findings presented in this subchapter thus reflect the results of the systematic investigation, which followed both the normative evolution and the way in which institutional factors interpreted and applied these regulations in practice. We thus appreciate that the evolution of the Romanian military reserve in the period 2006-2025 was marked by a series of structural constraints generated by the legal architecture established in the mid-2000s. Law no. 446/2006 on the preparation of the population for defense (Parliament of Romania, 2006) was drafted at a time of profound strategic transition, in which Romania was consolidating its status as a NATO member state and making an accelerated transition towards a professional army model.

Law no. 446/2006 (Parliament of Romania 2006) on the preparation of the population for defense was conceived in the context of the transition to a

professional army and the suspension of compulsory military service in 2007. Although it maintained the administrative structures of the previous system (military centers) and concepts such as "incorporable citizens" (Art. 3), the law was devoid of the main mechanism that powered the system: compulsory incorporation. It became a partially inoperative legal framework, an "empty shell" incapable of regenerating human resources. The suspension of compulsory military service, decided after the adoption of the law, however, had the effect of depriving this regulation of its main operational mechanism for generating reserves.

The difficulties were amplified by the institutional inertia with which the Romanian state reacted to the disappearance of the traditional source of reserve personnel. In the absence of an immediate reform, the distribution of roles between the actors involved in the management of the mobilizable human resource - the Ministry of National Defense, local administration, emergency inspectorates and other associated structures - remained undefined or dispersed. This lack of clarity sometimes generated overlapping competences, sometimes decision-making vacuums, both affecting the state's capacity to evaluate and mobilize a coherent reserve. An attempt at remediation appeared only in 2015, through Law no. 270/2015 on the Status of Voluntary Reservists (Government of Romania, 2015). This introduced an alternative mechanism, built on the basis of voluntary participation, intended to replace the traditional flow of reserve generation. However, the law was conceived in a qualitative paradigm - the emphasis was on the professionalization and rigorous selection of a relatively small number of reservists - a model that, although suitable for a predictable security context, proved insufficient in the face of rapid geopolitical changes after 2014. Beyond philosophy, its limitations were also administrative: complex recruitment procedures, low financial benefits and a structural lack of attractiveness, elements that led to a low degree of occupation of available positions.

Between 2006 and 2025, these deficiencies accumulated, leaving behind a fragmented legal system, only partially functional and unable to meet the needs of a professional army in the process of modernization. Also, the previous legal framework failed to effectively integrate the diaspora into the mobilization architecture, although Romania was facing a significant exodus of the active population. The lack of registration, notification and mobilization mechanisms adapted to the demographic and technological realities of the period contributed to the accentuation of structural vulnerabilities.

The first attempt at correction was Law no. 270/2015 (Government of Romania 2015) on the Statute of Voluntary Reservists, which introduced a qualitative and contractual model of voluntary reservists. This model failed at the implementation level, with an extremely low recruitment rate. A major barrier was Article 35 of Law 270/2015, which imposed on employers the obligation to suspend the employment relationships of employees during the training period,

creating a direct conflict with the labor market. In addition, the failure was accelerated by operational dysfunctions identified by the reservist corps itself (Brumaru 2025), such as insufficient public information and reduced transparency, the lack of a centralized database of civilian professional skills and rigid procedures that prevented internal mobility or recognition of civilian studies, generating additional costs through the full re-schooling of personnel. The failure of the qualitative model imposed the need for a new reform, materialized in 2025.

Overall, the period 2006-2025 can be characterized as one of gaps: between legal provisions and institutional realities, between the strategic demands of the international environment and the internal response capacity, between the need for a reserve model adapted to the 21st century and the persistence of normative paradigms from the conscription era. These limits created the terrain on which the initiation of a major reform of the legislation on the preparation of the population for defense was inevitably imposed, a reform currently under parliamentary debate (Parliament of Romania, 2025a).

4. Reasons for the 2025 Reform Paradigm Shift – from the Qualitative to the Quantitative Model

The reform of the legislation on the voluntary reserve of the Romanian Army, initiated in 2025, was motivated by the accumulation of structural vulnerabilities identified in the period 2006–2025 and highlighted by the research carried out using the methods described above. The legal, documentary and comparative analysis highlighted the fact that the previous model, focused on the careful selection and professionalization of a limited number of reservists, was not able to generate the critical mass of personnel needed in the context of increasingly dynamic security risks (Parliament of Romania, 2006; Government of Romania, 2015).

First of all, the increased geopolitical pressure and the rapid developments in the field of regional security imposed on the Romanian state the need to have a reserve that could be mobilized quickly and efficiently. The study of strategic documents and Ministry of Defense reports shows that, although voluntary reservists represent a quality element, their limited number and complex recruitment procedures significantly limited the operational response capacity. At the same time, the comparative analysis with other NATO states revealed that modern armies have adopted more flexible mechanisms for generating reserves, capable of rapidly mobilizing expanded human resources in crisis situations. This reality has led to the adoption of a new quantitative model, visible in the draft amendment to Law no. 446/2006 by introducing art. 13¹, which provides for mechanisms for rapidly generating a mass reserve. The paradigm shift is evident: there is a shift from an exclusive focus on individual professionalization, characteristic of the qualitative model established by Law no. 270/2015, to the creation of a large, mobilizable reserve, designed to cover the entire spectrum of

operational needs in emergency or conflict situations. Content analysis of speeches and explanatory statements reveals that the justification for this transition is not only numerical, but strategic, aiming to ensure national security by expanding response capacity and consolidating state control over the entire mobilizable population, including the diaspora (Parliament of Romania, 2025a).

Secondly, the motivations for the reform include the optimization of administrative instruments and the reduction of procedural complexities that characterized the qualitative model. The study of Ministry of Defence documents and the comparative analysis with international good practices show that the previous voluntary recruitment mechanisms were slow, bureaucratic and difficult to implement on a large scale. The 2025 reform aims not only to increase the number of the reserve, but also to streamline the registration, selection and mobilization processes, through a unified and flexible legislative framework. Finally, the research emphasizes that the paradigm shift—from the qualitative to the quantitative model—represents a strategic and operational reform, designed to simultaneously respond to demographic, institutional and geopolitical constraints. This reflects an adaptation of the legislation to the realities of the 21st century, in which the speed of mobilization and the number of human resources become critical factors of national security.

5. Analysis of Legislative Changes in 2025

5.1. Strategic pillars

The 2025 legislative draft recasts Law no. 446/2006 on the basis of two strategic pillars, each targeting an essential dimension of the reorganization of the military reserve. The first pillar focuses on the generation of the mass reserve and is materialized by the introduction of Article 13¹, which establishes a voluntary “basic military training program”. The program is addressed to Romanian citizens, men and women, aged between 18 and 35, who have not previously performed military service. The duration of the training is a maximum of four months, and the main motivation of the participants is represented by an allowance equivalent to three average gross salaries, granted upon completion of the program (Art. 13¹, paragraph 5). Graduates are integrated into what the law calls the “operational reserve” (Art. 13¹, paragraph 5). This provision symbolizes a fundamental paradigm shift: the contractual model, predominantly oriented towards quality, enshrined in Law No. 270/2015, is abandoned, and a transactional model is adopted, focused on quantity and speed in generating the reserve, thus responding to the immediate operational needs of the army.

The second pillar aims to extend the obligations to citizens abroad, through Article 8¹. According to paragraph (2), upon the declaration of a state of mobilization or war, citizens eligible for conscription and reservists temporarily abroad are required to report to military centers within a maximum of 15 calendar days from the date of notification. This measure reflects the state's intention to

reaffirm control over all mobilizable human resources, including the diaspora. However, the methodological analysis shows that the notification mechanism provided for in paragraph (3) – “official written notification, to the address of residence in Romania” – can be considered anachronistic and logistically difficult to implement, generating potential obstacles to the effective application of the law.

Overall, the two pillars outline a reform with a dual goal: the rapid and numerical consolidation of the reserve, on the one hand, and the reassertion of state authority over the entire mobilizable population, including those temporarily in the diaspora, on the other. This legislative structure highlights the transition from a model oriented towards selection and restricted professionalization, to one centered on broad, efficient and rapid mobilization, reflecting the adaptation of the legislation to the realities of the 21st century and the requirements of contemporary national security.

5.2 *The conflict of institutional visions (Ministry of Defence vs. Parliament)*

The comparative analysis of the initiator's form (Government/MApN) with the form adopted by the Chamber of Deputies reveals a profound conflict of visions.

- The vision of the Ministry of Defence supporting the *dual system*, of the initiator, proposed an additive approach: keep Law no. 270/2015 (contractual quality reserve) and add Art. 13¹ (mass reserve). The initial text made active references to Law 270/2015 (e.g. to Art. 8¹, paragraph 4) and did not contain any repeal provision;
- The legislature's vision is based on the *replacement system*: *The adopted form reflects a vision of replacement. During the parliamentary debates, Article V was added, absent in the initiator's form, which stipulates: “(1) Starting with the date of entry into force of this law, Law no. 270/2015 [...], is repealed”.* The Parliament therefore decided to eliminate the qualitative model and impose Art. 13¹ as the only mechanism for generating the voluntary reserve.

This clash of visions produced a final text of the law that is contradictory. The Romanian Parliament through the Chamber of Deputies added Art. V (repeal), but failed to correlate the rest of the text, drafted by the MApN under the premise that Law 270/2015 remains in force. The glaring evidence is in Article 8¹, paragraph (4) of the same adopted document, which provides obligations for temporarily departed voluntary reservists, “in accordance with the provisions of Law no. 270/2015 [...]”. The law, in its final form, manages to repeal a law (in Art. V) that it simultaneously uses as an active normative reference (in Art. 8¹). This serious legal error demonstrates a hasty legislative process and a lack of coordination between the Executive and the Legislative.

5.3 Comparative Study

Romania's new hybrid model (professional army plus voluntarily generated mass reserve) positions itself distinctly in the NATO landscape. The French model of the "Garde Nationale", consolidated by the Military Programming Law 2024-2030, is based on an integrated and contractual reserve (Sénat Français 2023) – exactly the model that Romania has just repealed. The Estonian model relies on mandatory conscription to generate a mass reserve trained in the concept of "Total Defense" (War Studies University 2023). The Romanian reform avoids the political cost of conscription, but tries to achieve a similar result (mass reserve) through financial incentives (Art. 13¹).

Table 1. Comparative analysis of reserve generation models

Feature	Romania (Law 446/2006 reformed)	France (National Guard)	Estonia (Total Defense)
Main mechanism	"Volunteering" (single internship, 4 months)"	"Contract" (long-term, integrated)	"Conscription" (compulsory internship, 8-11 months)
Generation source	"Civilians (18-35 years old), men and women"	Civilians + Ex-military	Entire cohort of young people (men)
Stimulant	Single financial bonus (3 average gross salaries)	"Contractual pay, career benefits"	Civic obligation / legal duty
Purpose of the reserve	"Operational Reserve (general/mass)"	Operational Reserve (integrated/specialists)	Territorial Reserve (total defense)

Beyond the legal contradictions, the implementation of the new law faces major challenges. The financial sustainability of Art. 13¹ (payment of the bonus of 3 average salaries) is an open question, requiring prioritization of funds in a defense budget committed to 2-2.5% of GDP. Social challenges concern the feasibility of Art. 8¹ (notification of diaspora at home in Romania), which risks mass non-compliance, and the real attractiveness of the 4-month internship in competition with the labor market.

The most important challenge is operational efficiency. The law states that graduates become an "operational reserve" (Art. 13¹, para. 5) although 4 months are sufficient only for basic training, which does not form institutional loyalty and does not ensure human resource retention (Brumaru 2025). The problem of the current reserve is not only aging, but also the lack of retraining. The new draft law does not provide for any mandatory mechanism for periodic retraining for the new reserve. Without annual "refreshes", this new reserve risks becoming, in 5-10 years, equally operationally irrelevant. This problem is exponentially aggravated by the repeal of Law 270/2015 on the Status of Voluntary Reservists. By eliminating the contractual model, Romania loses its only legal mechanism to recruit and maintain

specialist reservists (doctors, engineers, economists, lawyers, cyber specialists) who cannot be trained in a 4-month basic internship.

Moreover, as highlighted in the open letter addressed to political decision-makers (Brumaru 2025), the repeal of Law 270/2015 risks leaving the operational reserve without a mechanism for training commanders—non-commissioned officers, military foremen and officers in reserve. This decision would represent a “strategic, institutional and human loss”, cancelling the investment in the over 4,500 active volunteer reservists and creating a reserve force composed mostly of soldiers, but lacking a trained command body.

6. Conclusions and Recommendations

In order for the reform not to become a costly failure, immediate public policy steps are necessary, as follows:

- *Correction of the Law:* The blatant legal contradiction between Art. 8¹(4) and Art. V must be corrected immediately at the parliamentary level;
- *Clear implementing rules:* The Government must issue implementing rules that establish a mandatory periodic training program for reservists trained under Art. 13¹, so as not to waste the long-term financial investment;
- *Review the repeal of Law 270/2015 and create an integrated concept on military volunteering:* Instead of a total repeal, an analysis of the strategic integration of the two forms of volunteering is required (Brumaru 2025). The new concept should preserve the current body of volunteer reservists and focus on resolving proven dysfunctions. Concrete operational proposals include the creation of a national database of civilian skills of volunteer reservists, the introduction of an internal mobility procedure with modular recognition of studies and training, and the organization of direct consultations between the Ministry of Defence and representatives of volunteer reservists to ensure force cohesion.

The reform of Law no. 446/2006 represents a pragmatic response to the deep crisis of Romania’s military reserve. It marks a major strategic shift: abandoning the qualitative model (Law 270/2015) in favor of a quantitative, transactionally stimulated model (Art. 13¹), and reflects the state’s desire to reaffirm its control over human resources (Art. 8¹). The study demonstrated that the institutional visions (MApN vs. Parliament) were fundamentally divergent, generating a final law with fatal internal contradictions (Art. 8¹(4) vs. Art. V). The major implementation challenges are financial (the cost of the bonus), social (the reaction of the diaspora) and, most importantly, operational (the efficiency of the 4-month training and the lack of periodic retraining).

Finally, the adopted law text is evidence of a flawed legislative process. Without immediate corrections and a strategic vision to integrate all forms of volunteering, Romania risks this ambitious reform failing, perpetuating the vulnerable state of its reserve forces.

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