

## Implementation the concept of social responsibility from the european legislation in national legislation

**PhD. candidate Irina Loredana VOICU ( STĂNCULESCU )**

Titu Maiorescu University  
*veliscuvio@yahoo.com*

### **Abstract:**

*The concept of social responsibility has become known since 1970, although various related issues were integrated concept within the scope of organizations and governments since the nineteenth century.*

*At EU level social responsibility is understood as a concept through which a company voluntarily integrates concerns about the social and environmental issues in business operations and in their interaction with our stakeholders.*

*As states and international institutions have realized that the adoption of social responsibility principles by companies serving the objectives of sustainable development emerged and the need for international standards to define the social responsibility.*

**Keywords:** *Social responsibility, concept, European Union, national legislation.*

### **1. Introduction**

As it said the concept of social responsibility has become known since 1970 , although various related issues were integrated concept within the scope of organizations and governments since the nineteenth century .

Since the beginning social responsibility was focused mainly on the business sector at international level, the term corporate social responsibility (CSR) is better known than social responsibility (SR) [1].

Organizations around the world are becoming increasingly concerned with the need, but also the benefits of a responsible approach to society.

Whatever form the organization its performance is closely related to the degree of development of the communities they serve and the social environment in general. Environmental impact of business organizations has become an extremely important and reflects the concern to preserve human ecosystems and pollution prevention.

The implication go further and relate to matters such as social equity and good governance organizational policies.

Besides its significant impact on social development and they have businesses, they also have a responsibility that extends beyond a simple algorithm on profit.

At European Union level social responsibility is understood as a concept through which a company voluntarily integrates concerns about the social and environmental issues in business operations and in their interaction with our stakeholders.

As states and international institutions have realized that the adoption of social responsibility principles by companies serving the objectives of sustainable development emerged and the need for international standards to define the social responsibility.

This framework was accompanied by a number recommendations and principles to guide states and local authorities in the formulation of public policies that promote, ensure transparency and to support social responsibility initiatives.

## ***2. Social responsibility concept in European and international legislation***

Social responsibility is part of the European and international concept of sustainable development [2] that was initially linked to environmental issues and resource crisis, especially energy, but gradually evolved and was imposed in 1992 after the Conference on Environment and Development organized by Nations United in Rio de Janeiro.

The starting point in raising this was the Stockholm Environment Conference 1972 that addressed the first issue of environmental damage due to human activities. We appreciate the perpetuation of such a situation that threatens the very future of mankind [3].

Therefore United Nations General Assembly established in 1983, the World Commission on Environment and Development (WCDE) - Bruntland Commission. Its role was to follow closely the issue of sustainable development (Sustainable Development).

Everything is for the Commission definiște most complete concept so pursuing sustainable development involves meeting the needs of the present without compromising the ability of future generations to meet their needs.

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At the Sustainable Development Summit in Johannesburg in 2002, problems were taken and analyzed the progress made during this period.

In the international context, and given the close link between issues of environment, society and economic activities, especially in the long term, a new concept was imposed, namely that of social responsibility [4].

In Romania, the concept of social responsibility is still in the early stages of development. Multinational companies are those that have brought with them the concept of "mother countries", and then took the large Romanian companies that started to develop gradually its own culture of social responsibility. The concept is in its infancy in our country at small and medium enterprises and to the public authorities at central, regional and local almost always find a disinterest in promoting the benefit of communities.

Increasing popularity of this concept in Romania was felt with the integration into the European Union. The European Union was and is interested in expanding the concept of social responsibility and among the candidate countries.

The need for social responsibility activities of companies is highlighted by the realization that between them and society there is a symbiotic relationship, that means their condition depends on the company and vice versa.

European Commission's concerns regarding social responsibility though very stringent and pulse are relatively recent. European Council in 2000, the Heads of State and Government in Lisbon, proposed a strategy designed with the aim of making Europe by 2010 "the most competitive and most dynamic in the world, based on knowledge, capable of sustained economic growth with more jobs and greater social cohesion " [5].

This strategy put accountability in public administration authorities realize they have an obligation to show greater openness to social dialogue with entrepreneurs and social partners, and on the other hand, to create the necessary legal framework to

promote a socially responsible approach and prevent negative effects the activities of organizations on communities and society as a whole.

Legal framework of the promotion and application of the concept of social responsibility at national level is a key factor for promoting economic development, sustainable development of communities and society.

The work of promoting the concept of the European Union went through a broad information campaign among Member States.

Thus in 2001 of publication of the European Commission Green Paper on Corporate Social Responsibility 2002 / C 86/03 "Promoting a European Framework Programme for Corporate Social Responsibility". The aim was to launch an open debate on the concept of social responsibility, but also to identify those ways of achieving a partnership to develop a European framework program and promoting social responsibility [6].

Action to promote the concept of European Union institutions and thus continued in the document Integrated Guidelines for Growth and Jobs (2005-2008), the EU Council recommended that Member States should "encourage enterprises to develop their social responsibility".

To this are added other documents that highlights the European social responsibility, such as Regulation no. 761/2001 of the European Parliament and of the Council of 2001 on the voluntary participation by organizations in a Community eco-management and audit scheme (EMAS); European Commission Communication COM (2006) 136 European Parliament, the Council and the Economic and Social Committee: Transforming the Europe a pole of excellence on Corporate Social Responsibility; European Commission Communication COM (2009) 400 European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: Mainstreaming sustainable development into EU policies: Analysis Report for 2009 Sustainable Development Strategy of the European Union [7].

In recent years, the high recognition of this concept was the end of 2010, when it was officially launched in Geneva, ISO 26000 International Standard on Social Responsibility.

The standard was developed by the International Organization for Standardization (ISO) to be applied by all types of organizations, not just by companies.

What is new this standard is that social responsibility can be accessible to all categories of actors in contemporary society, based on multinational corporations and state companies to small and medium enterprises and non-governmental organizations, trade unions, employers and government institutions.

The emergence of the new international standard officially marks the time of conversion concept of corporate social responsibility (CSR) in the social responsibility (SR), which involves applying the concept both at the public and private sectors.

ISO [8] provides the beneficiary with a clear and practical toolkit necessary: to define a policy of social responsibility; to integrate into its operations the principles of social responsibility; to identify groups of stakeholders and involve them in decisions that may affect them; to report social performance and grow sustainably.

Thus, ISO 26000 encourages organizations in decisions and activities that relate not only legal obligations but to all those social responsibility and the environment [9].

There are still many difficulties in adopting and implementing ISO and responsible behavior, because benefits appear after a long time, which discourages private companies and public services.

Social responsibility should rather be seen as a long term investment, so investment in citizen client of a firm or a public service, but also those living in it and society in general.

These difficulties could be countered by administrative measures correlated between the state and the European Union's Member States.

Implementing the concept of social responsibility in all forms that manifest was taken by all European countries and beyond.

Thus in several articles of the German constitution refers to the principles of justice and social solidarity. For example, Article 20 states that "Germany is a democratic and social federal state" and in Article 1 states that "human dignity is inviolable and all public authorities are bound to respect and protect accordingly."

Article 65, entitled "Allocation of responsibilities", has "fixed the Federal Chancellor policy guidelines and assume their responsibility. Within these limits each Federal Minister conducts his department in an autonomous and its own responsibility".

Belgian Constitution also refers to responsibility: "The law determines who are the agents responsible for violating the privacy of correspondence" [10].

Basic Law of Denmark in art. 13 proclaims: "The King is irresponsible; person is inviolable and sacred; ministers are responsible for their conduct to the government. The responsibility is regulated by law."

Since the first of the Spanish Constitution, identified the principle of social solidarity, social defense, and that all state powers, including the responsibility, emanates from the people "about the objective social needs" [11].

### **3. Conclusions**

As a conclusion we can say that the foundation of accountability is found in the supreme law of each state, a law that enshrines the principles of humanism, solidarity and social defense, equity and justice, equal rights, freedom of will, the concordance between rights and obligations and between power and responsibility.

At the European level social responsibility underpins Europe 2020 strategy for smart, sustainable and including the 75% target for employment. Responsible behavior we encounter when private sector operators provide public services. Aid to mitigate the social effects of the economic crisis, including unemployment, social responsibility is part of an organization.

Social responsibility offers a set of values on which to build a more cohesive society and on which to base a sustainable system transition.

This European approach to the concept of social responsibility is part of the broader context of various international initiatives, such as the United Nations Global Compact (2000), the International Labour Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (1997-2000 ) or the Organisation for Economic Cooperation and Development (OECD) [12].

Internationally we have a series of documents that formed the basis of this concept, such as the Universal Declaration of Human Rights proclaimed by the United Nations; OECD Anti-Bribery Convention (1997), but also a number of regional acts

concerning the implementation of such concept: Compendium of best practices of corporate social responsibility to promote labor market inclusion in Southeast Europe (EU-CSR-SEE ); Annual report on the state level of the United Nations Development Programme (UNDP): Improved transparency and credibility of CSR Practices through Establishment of Monitoring and Evaluation Systems Performance of CSR in the new Member States, 23 July 2010; Baseline Study on CSR Practices in the New EU Member States and Candidate States conducted by the United Nations Development Programme (UNDP), 2007.

The objectives of these documents, both European and international, regarding implementation of the concept of social responsibility are generally in the economic, social, environmental protection and the education and research.

Thus the main objective is to achieve economic and financial strategies for companies as unit and other organizations that wish to strengthen competitiveness and position responsible for maintaining a relationship employees, consumers, shareholders and other stakeholders. In this way, social responsibility does not imply a conflict of interests, but communication between subjects company, in a joint effort to overcome the difficulties and stimulation of sustainable development [13].

In the social sphere primary objective would be to promote and inform people about the concept of social responsibility and increasing the capacity of public authorities and companies to address social needs.

Forbidding us to protect the environment, the objective pursued organizations aims to increase accountability on environmental protection and preservation and extension of the concept in all its activities so as to ensure a minimal negative impact on the environment.

In education and research objectives are focused on increasing awareness and training on the concept of social responsibility and to how organizations show interest in the research and development activities. State-owned companies, especially, have a greater responsibility in this respect and must develop strategies and its own research and development departments.

The negative image of globalization, the international economic crisis, multinational corporations, ownership and emergence of the concept of sustainable development has contributed to raising awareness on the issue of social responsibility.

Basically social responsibility is manifested through transparent and ethical behavior that contributes to sustainable development, health and welfare of society, taking into consideration stakeholders' expectations, but at the same time respect the law and is consistent with international norms of behavior.

Often social responsibility was confused with acts of donation or charitable acts [14], which is wrong, because social responsibility involves developing a strategy for community involvement and partnership of which either private or public company has, in turn, gain.

Social responsibility has become internationally through a variety of standards and labels, which regulates how the company should be directed, administered and coordinated properly.

#### ACKNOWLEDGEMENT

**This paper has been financially supported within the project entitled “Horizon 2020 - Doctoral and Postdoctoral Studies: Promoting the National Interest through Excellence, Competitiveness and Responsibility in the Field of Romanian Fundamental and Applied Scientific Research”, contract number POSDRU/159/1.5/S/140106. This project is co-financed by European Social Fund through Sectoral Operational Programme for Human Resources Development 2007-2013. Investing in people!**

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