

Proposals

**of a group of Environmental NGOs, coordinated by
Focus Eco Center (Zoltan Hajdu)**

**for the Romanian Partnership Agreement on the
European structural and investment funds 2021-2027
and the National Recovery and Resilience Plan
for contributing to a climate-neutral EU**

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Contents

1. A Short General Description of the Partnership Agreements on the EU Funds.....	2
2. Enabling Conditions in the PAs.....	3
3. Enabling conditions for the National Recovery and Resilience Plan.....	4
4. The Main Principles of the Commitments in the Romanian PA and NRRP concerning the Climate and Environment.....	5
5. Enabling Conditions for the Partnership Agreement and National Recovery and Resilience Plan of Romania. 7	
Indicators.....	7
Institutional and regulatory framework.....	7
Environmental democracy, public participation, environmental information.....	9
Access to justice.....	12
Non-regression principle.....	12
Economic Instruments.....	13
Green investment and innovation.....	16
Air quality.....	17
Biodiversity protection and financing.....	17
Agriculture.....	20
Water management.....	22
Energy.....	25
Transport.....	29
Waste management.....	31
Environmental risk prevention.....	34
6. General references.....	35
Annex 1.....	36

1. A Short General Description of the Partnership Agreements on the EU Funds

The partnership agreements (PAs) on the European structural and investment funds are strategic documents, containing a plan of each Member State which outlines their objectives and investment priorities. As legally binding documents signed by the European Commission and national governments of EU Member States (MS), PAs define the conditions and ways of using EU Funds for the concerned 7-year financial period (the Multiannual Financial Framework, MFF). In regard to the increasing danger of accelerating climate change, the content of the PAs is of utmost importance for the processes aiming to achieve the EU's climate and environmental targets.

The main principles of the preparation of the PAs are laid down in the so-called Common Provisions Regulation (CPR). The CPR for the next MFF (2021-2027) is still under negotiation between the European Parliament and the European Council, a proposal¹ by the Commission is available. The proposal aims to modernise Cohesion Policy by laying down common provisions for seven shared management funds² for the next Multiannual Financial Framework period. The concept of the currently available legislation draft is to deliver the next 7-year EU funding through a shared management, create commonly set, simplified and consolidated rules while reducing administrative burdens for authorities and beneficiaries.

One of the main objectives of the proposed regulation is to align the programmes of these Funds more closely with EU priorities and increase effectiveness, setting up more meaningful enabling conditions that need to be maintained throughout the implementation period. The 11 thematic objectives of the previous MFF (2014-2020) have been simplified to 5 clear policy objectives, including a greener and low carbon Europe. In this Proposal, the Commission aims to reflect the importance of tackling climate change in line with the commitment of the EU to implement the Paris Agreement and the United Nation Sustainable Development Goals. The Commission proposal for the next (2021-2027 MFF) sets a more ambitious goal with increased EU expenditures in order to contribute towards the climate objective. Concentrated focus is needed in setting up meaningful enabling conditions from this aspect, too.

2. Enabling Conditions in the PAs

As fundamental legal documents of the implementation of the MFF, the PAs define enabling conditions (that are the replacement of ex-ante conditionalities of the 2014-2020 period) for Member States in regard to their access to EU Funds.

The new CPR proposal of the Commission states the following: *“To ensure the necessary prerequisites for the effective and efficient use of Union support granted by the Funds, a limited list of enabling conditions as well as a concise and exhaustive set of objective criteria for their assessment should be established. Each enabling condition should be linked to a specific objective and should be automatically applicable where the specific objective is selected for support. Where those conditions are not fulfilled, expenditure related to operations under the related specific objectives should not be included in payment applications. In order to maintain a favourable investment framework, the continued fulfilment of the enabling conditions should be monitored regularly. It is also important to ensure that operations selected for support are implemented consistently with the strategies and planning documents in place underlying the fulfilled enabling conditions, thus ensuring that all co-financed operations are in line with the Union policy framework.”*

According to the CPR proposal, enabling conditions *“are fewer, more focussed on the goals of the fund concerned and – in contrast to the 2014-2020 period – monitored and applied throughout the period. The*

¹ Proposal for a Regulation of the European Parliament and of the Council laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, and the European Maritime and Fisheries Fund and financial rules for those and for the Asylum and Migration Fund, the Internal Security Fund and the Border Management and Visa Instrument, COM(2018) 375 final, 2018/0196 (COD), <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2018%3A375%3AFIN>

² Cohesion Fund (CF), European Maritime and Fisheries Fund (EMMF), European Regional Development Fund (ERDF), European Social Fund Plus (ESF+), Asylum and Migration Fund (AMIF), Border Management and Visa Instrument (BMVI), Internal Security Fund (ISF)

principle will be strengthened: Member States will not be able to declare expenditure related to specific objectives until the enabling condition is fulfilled. This will ensure that all co-financed operations are in line with the EU policy framework.”

In accordance with the CPR proposal and other related legislation, the enabling conditions in the Romanian Partnership Agreement shall be clear, controllable and in full conformity with the EU’s environmental and climate goals and priorities. Compliance with enabling conditions shall be based on SMART indicators: specific, measurable, attainable, realistic and timely. Enabling conditions shall be accompanied by concise and exhaustive set of objective criteria for their assessment.

The CPR proposal states that *“The Commission shall assess the Partnership Agreement and its compliance with this Regulation and with the Fund-specific rules. In its assessment, the Commission shall, in particular, take into account relevant country-specific recommendations.”* Accordingly, the Romanian Partnership Agreement shall be in full conformity with the Country-Specific Recommendations (CSRs, Country Reports³).

3. Enabling conditions for the National Recovery and Resilience Plan

The NRRP it is considered by the European Commission as a main instrument to operate structural reforms!

“To help repair the economic and social damage caused by the coronavirus pandemic, the European Commission, the European Parliament and EU leaders have agreed on a recovery plan that will lead the way out of the crisis and lay the foundations for a modern and more sustainable Europe.”⁴ The financial basis for implementing this plan will be “the NextGenerationEU initiative, which is a temporary instrument designed to boost the recovery, will be the largest stimulus package ever financed through the EU budget. A total of €1.8 trillion will help rebuild a post-COVID-19 Europe. It will be a greener, more digital and more resilient Europe.”⁵ The European Commission has already prepared for Proposal for a regulation establishing a Recovery and Resilience Facility (RRF)⁶ which sets out the rules for the use of this new financial instrument.

This means that in addition to the “normal” MFF, there will be an enormous amount of “recovery money” which, together, could be an unprecedented opportunity for the European Union to help address the many challenges we are all facing and fix some persistent inefficiencies. However, unfortunately, there is also an imminent danger that – as it has often happened in the past – much of this money will be used to maintain and promote unsustainable activities. In order to avert such a tragedy, there shall be very strict enabling conditions for the use of the recovery money, and if these conditions are not met by the MS concerned, then funding shall not begin, or it shall be suspended immediately.

According to the Commission’s RRF Regulation Proposal, *“The recovery and resilience plans shall be consistent with the relevant countryspecific challenges and priorities identified in the context of the European Semester, in particular those relevant for or resulting from the green and digital transition. The recovery and resilience plans shall also be consistent with the information included by the Member States in the national reform programmes under the European Semester, in their national energy and climate plans and updates thereof under the Regulation (EU)2018/1999 21, in the territorial just transition plans under the Just Transition Fund²², and in the partnership agreements and operational programmes under the Union funds.”⁷ As the Romanian NRRP will probably be adopted before the PA, in order to ensure the consistency, the NRRP, too, shall contain all the enabling conditions which must be fulfilled to receive EU funding.*

**In the "country specific recommendations" for Romania in 2020 it is underlined:
"Focus investment on the green and digital transition, in particular on sustainable transport, digital service infrastructure, clean and efficient production and use of energy and environmental infrastructure, including in the coal regions."**

³ https://ec.europa.eu/info/publications/2020-european-semester-country-reports_en

⁴ https://ec.europa.eu/info/strategy/recovery-plan-europe_en

⁵ Ibid.

⁶ Proposal for a Regulation of the European Parliament and of the Council establishing a Recovery and Resilience Facility – COM/2020/408 final, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2020:408:FIN>

⁷ Ibid. Article 14(2)

4. The Main Principles of the Commitments in the Romanian PA and NRRP concerning the Climate and Environment proposed by the authors of this document

The rapidly deteriorating state of the environment requires immediate and effective measures. EU funding from the MFF and/or the RRF shall be provided to Romania (as well as to any EU government) only if it plans and implements such measures. The measures set forth in the table below are mostly based on official documents of the European Union, OECD, and Romania. (These documents have been approved by the Romanian Government, too).

The following basic conditions shall be fulfilled to receive EU funding (the most important in bold):

- 1. Enabling conditions concerning the climate and environment shall be explicit and detailed: exact goals and numerical performance indicators, and proof of financial feasibility (among others, proof that there will be financial resources for long-term operation and maintenance even after the end of the project) shall be defined.**
- 2. Explicit deadlines shall be set for the fulfilment of environmental enabling conditions. There shall be basic conditions which must be fulfilled before receiving any funding, all the others shall have clear, feasible timelines and deadlines in line with the latest science.**
- 3. Sustainability criteria shall be applied for any investment: the use of low-carbon, environmentally-sound, natural materials, local resources, social inclusion criteria, alternative technologies and nature-friendly solutions shall be obligatory.**
4. An inventory of environmentally harmful subsidies (including the subsidies due to the non-internalisation of external costs) shall be prepared, and these subsidies shall be removed.
5. There shall be neither EU nor national public funding for polluters, in accordance with the list provided by the Green10.⁸
- 6. Discretionary funding (i.e. funding decided by individual choice or judgment in public offices) to enterprises shall be drastically reduced. Such funding shall be provided almost exclusively to enterprises performing public services and for R&D and innovation.**
7. Resource- and energy efficient production and independent, standardised life-cycle assessments shall be mandatory, project selection criteria on environmental good performance (material, energy, water saving) shall be introduced. Emissions and waste shall be reduced as much as possible, and for the remaining output, the environmental impact shall be monitored and controlled by independent experts and mitigated.
- 8. The strengthening of local economy and local supply chains shall be a dominant priority of economic development. The loop shall be closed locally in terms of circular economy especially in the case of the food production.**
9. The Operational Programmes (OPs) shall be aligned with the National Framework Strategy on Sustainable Development (NFSSD) in accordance with the UN Sustainable Development Goals⁹: Romania shall base the Operational Programmes' goals and target areas on the NFSSD and the observations of the Monitoring Reports of this Strategy (the most recent from 2018). Monitoring shall be based accordingly on a targeted set of indicators linking economic activity and social welfare with environmental performance.
- 10. The coherence of programme objectives and funding shall be ensured to make projects sustainability-proof. Programmes shall (i) foster synergies across economic, social and environmental policy areas, (ii) identify trade-offs and reconcile policy objectives, and (iii) address the negative spillovers of policies.**
11. The implementation of Strategic Environmental Assessments, SEA shall be strengthened by applying it systematically to all spatial plans and territorial development concepts concerned by the EU funding, as well as to all government policies and programmes with a potential environmental impact.

⁸ <https://www.greenrecovery.eu/s/Guaranteeing-a-Green-Recovery-across-Europe-in-Next-Generation-EU>

⁹ <https://sdgs.un.org/goals>

12. The principle of non-regression shall be enforced, i.e. no measures shall be taken which downgrade the existing levels of environment protection.
13. Widespread and effective public awareness campaign shall be planned and implemented with the aim of informing the public about the state and expected changes in the environment and about the methods to improve the situation.
14. **The European Code of Conduct on Partnership shall be fully implemented. Public participation throughout the whole programming cycle shall be ensured early. All stakeholders shall have effective opportunities to participate in the preparation and modification of the programmes as well as in every relevant decision-making procedure concerning the EU Funds. In light of the institutional and financial capacity needs of the participation of partners, the necessary resources shall be provided to the partners to assist them practicing their participation rights.**

5. Enabling Conditions for the Partnership Agreement and National Recovery and Resilience Plan of Romania proposed by the authors of this document

Meaning of the abbreviations in the column “Deadline”:

- Precond: Precondition for receiving any EU funding
- Prep: Deadline for preparing an implementation plan
- Impl: Deadline of implementation

	Enabling condition	Reference/justification	Dead- line
Indicators			
1)	The PA contains a set of well measurable indicators on national level with annual targets.	The indicators with concrete annual targets on national level are indispensable in order to measure progress. For details, see Annex 1.	Precond
2)	The sustainability criteria shall be applied to all financial decisions and measures, in full conformity with the relevant EU legislation, especially	Proposal for a Regulation of the European Parliament and of the Council on the establishment of a framework to facilitate sustainable investment, https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52018PC0353&from=EN Regulation (EU) 2019/2088 of the European Parliament and of the Council of 27 November 2019 on sustainability-related disclosures in the financial services sector, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2019.317.01.0001.01.ENG	Contin- uous
Institutional and regulatory framework			
3)	Romania shall apply appropriate measures to fully comply with EU policies related to the protection of the environment and sustainable development, first of all by the following: (1) A general revision of national legislation and measures shall be carried out. (2) Elaboration of a long term strategy on climate change till 2050 (3) Romania shall create and maintain a situation where no infringement procedures are going on concerning environmental issues.	Charter of Fundamental Rights of the European Union, Article 37 Treaty of the Functioning of the European Union (hereafter: TFEU), Article 11 CPR proposal, Para 1, Article 67 European Climate Pact Climate Action - European Commission https://ec.europa.eu/clima/policies/eu-climate-action/pact_en	(1): Impl: 30/06/21 (2) Impl: 31/12/21
4)	Romania shall fully apply the “Do No Significant Harm” principle in the context of the Recovery and Resilience Facility	https://ec.europa.eu/info/sites/info/files/c_2021_1054_ro.pdf	Continuo us
5)	Romania shall improve the application of the preventive action principle as well as the precautionary principle, in particular by the	OECD (2012), Liability for environmental damage in	Impl: 30/06/21

	<p>following measures:</p> <ul style="list-style-type: none"> • Taking effective steps towards the stricter official practice in environmental licensing procedures. • Restoring the permit requirement for minor environmental use activities. • Improving the legal framework of the environmental liability system. • Defining concrete targets, measures, and monitoring in implementing regulations in cases where the prevention principle already is mentioned. 	<p>Eastern Europe, Caucasus and central Asia (EECCA): implementation of good international practices, http://www.oecd.org/env/outreach/50244626.pdf</p>	
6)	<p>Romania shall significantly increase the efficiency of the work of environmental authorities, in particular by the following measures:</p> <ul style="list-style-type: none"> • Clarify the roles and responsibilities of different authorities related to the environment (water, forest authorities, Environmental Protection Agencies, National Agency of Natural Protected Areas) • Providing necessary training for governmental and local staff in charge of environmental issues. There shall be an effective training strategy developed (training sessions, online training, etc.), with quantitative indicators, where possible. Moreover, appropriate technical assistance (e.g. guidelines, guidance documents, external experts) shall be provided to all the authorities applying EIA/SEA Directives. • Introducing stricter sanctions in frequent or serious environmental non-compliance cases. The deterrent effect of the current administrative fines shall be assessed and the economic benefits of non-compliance shall be eliminated. • Increasing monitoring capacities to control implementation of regulation 	<p>IMPEL Network (2012), Exploring qualitative and quantitative assessment tools to evaluate the performance of environmental inspectorates across the EU, 2011/08, https://www.impel.eu/wp-content/uploads/2016/09/Adopted-Final-Report_Exploring-Assessment-Tools_2012-03-30.pdf</p> <p>EC (2014), Guidance on ex-ante conditionalities for the European structural and investment funds Part II. https://ec.europa.eu/regional_policy/sources/docgener/informat/2014/eac_guidance_esif_part2_en.pdf</p>	<p>Prep: 31/08/21</p> <p>Impl: 31/12/21</p>
7)	<p>Romania shall improve the application of the sustainable development principle, in particular by the following measures:</p> <ul style="list-style-type: none"> • Operational Programmes and major projects shall be reviewed through an ex-ante sustainability impact assessment (SIA) to integrate economic, social and environmental dimensions into investments. • The managing authorities shall prescribe the mandatory application of Best Available Technology (BAT) as well as the compliance with the BAT conclusions for every project funded by at least 10 million EUR 	<p>TFEU, Article 11</p> <p>Charter of Fundamental Rights of the European Union, Article 37</p> <p>BAT conclusions set demanding standards that are really important to reduce emissions. BAT conclusions also include the references to the most advanced techniques for combustion performance, energy efficiency, material efficiency, noise control and for implementing an environmental management system. The SIA aims for policy coherence by assessing the possible effects of the draft regulation or programs on all three dimensions of sustainable development and the public services. The tool has been used with success in countries, like Belgium. https://www.oecd-ilibrary.org/sites/9789264301061-5-en/index.html?itemId=/content/component/9789264301061-5-en</p>	<p>Contin- uous</p>

8)	Romania shall fully ensure that financed operations which fall under the scope of Directive 2011/92/EU of the European Parliament and of the Council are subject to an environmental impact assessment or a screening procedure, on the basis of the requirements of that Directive.	CPR proposal, point e) Para 3, Article 67.	Contin- uous
9)	The government shall ensure clear information on the practical cooperation and coordination arrangements between inspectors, customs authorities, police and prosecutors in tackling waste, wildlife crimes and other environmental offences.	Environmental Compliance Assurance — scope, concept and need for EU actions. Accompanying the document EU actions to improve environmental compliance and governance. Commission Staff Working Document, https://eur-lex.europa.eu/legal-content/RO/ALL/?uri=SWD:2018:0010:FIN	Prep: 30/06/21 Impl: 31/12/21
Environmental democracy, public participation, environmental information			
10)	Romania shall establish an effective and transparent system to identify and select the relevant competent environmental NGOs with a track record to be partner in carrying out larger projects and policy involvement for each programme.	Commission Delegated Regulation No. 240/2014 on the European code of conduct on partnership in the framework of the European Structural and Investment Funds (hereafter: Code of Conduct) Article 4	Impl: 28/02/20
11)	Romania and its managing authorities shall consult with the partners in advance on the process and timetable of the preparation of the programmes	Code of Conduct, Article 5	Contin- uous
12)	Romania shall improve the current regime and fully ensure that the public (including partners and other relevant NGOs) is given early and effective opportunities to participate in the preparation and modification of the programmes as well as in every relevant decision-making procedures concerning the Funds. In the framework of the above, Romania shall ensure <ul style="list-style-type: none"> ● timely disclosure of and easy, low-cost or free access to relevant information and/or background information for assessment of programmes; ● sufficient time for partners to analyse and comment on preparatory documents and draft programmes; ● available channels through which partners may ask questions, may provide contributions and will be informed of the way in which their proposals have been taken into consideration; ● the dissemination of the outcome of the consultation. 	Code of Conduct, Article 5 Directive 2003/35/EC of the European Parliament and the council of 26 May 2003 providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regard to public participation and access to justice Council Directives 85/337/EEC and 96/61/EC, Article 2 Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, Article 6, 7	Prep: 28/02/21 Impl: Contin- uous
13)	In the preparation phase of the programmes, Romania shall ensure effective participation of the relevant partners at least concerning: <ul style="list-style-type: none"> ● the analysis and identification of needs; ● the definition or selection of priorities and related specific objectives; ● the allocation of funding; 	Code of Conduct, Article 8	Prep: 05/03/21 Impl: Contin- uous

	<ul style="list-style-type: none"> the definition of programmes' specific indicators; the implementation of the horizontal principles as defined in Articles 7 and 8 of Regulation (EU) No 1303/2013; the composition of the monitoring committee. 		
14)	<p>(1) Romania shall significantly improve the transparency and efficiency of the monitoring committees.</p> <p>(2) The Romanian Government shall ensure that every monitoring committee has a two-thirds majority of members independent from the government and ensure the transparency of the different committees involved in the EU Funds at national and regional level.</p>	Code of Conduct, Article 11	<p>Prep: 05/03/21</p> <p>(1) Contin- uous</p> <p>(2) Impl: 31/03/21</p>
15)	Romania shall involve relevant stakeholders in the preparation of the progress reports on implementation of the Partnership Agreement, in particular concerning the assessment of the role of partners in the implementation of the Partnership Agreement and the overview of the opinions given by the partners during the consultation, including, where appropriate, the description of the way in which the opinions of partners have been taken into account.	Code of Conduct, Article 14	Impl: Contin- uous
16)	The Romanian Government shall involve the partners, within the framework of the monitoring committee and their working groups, in assessing performance of the programme, including the conclusions of the performance review, including conclusions of the performance indicators and in the preparation of the annual implementation reports on the programmes.	Code of Conduct, Article 15	Impl: Contin- uous
17)	The Romanian Government shall involve the relevant partners in the evaluation of programmes within the framework of the monitoring committees and, where appropriate, specific working groups established by the monitoring committees for this purpose.	Code of Conduct, Article 16	Impl: Contin- uous
18)	The Romanian Government shall examine the need of support for the strengthening of the institutional and/or financial capacity of partners. Where such support is needed, the Romanian Government shall provide the necessary resources in order to enable the partners to effectively practice their participation rights.	Code of Conduct, Article 17	<p>Prep: 31/03/21</p> <p>Impl: 31/05/21, then Contin- uous</p>
19)	Romania shall break down all barriers to disclosure procedures for environmental information, in particular, the unjustified confidentiality of certain relevant data and the unfounded determination of unreasonable costs in connection with data requests.	Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC (hereafter: Access to information Directive), Article 3, 4	15/02/21
20)	Romania shall continue to improve the knowledge of the extent and value of ecosystem services, habitat and soil maps within and outside protected areas. It shall also continue to share (online) sectoral data and shall improve the	<p>Access to Information Directive, Article 7</p> <p>The EU Habitats Directive requires the assessment of any plan or investment that may have a significant impact on any Natura 2000 territory. The analysis is</p>	<p>Prep: 31/05/21</p> <p>Impl: Conti-</p>

	accessibility and communication of information to the public. Romania shall guarantee that monitoring of the extend and value of ecosystem services is systematically continuous.	required to cover impacts on soil, air, water, wildlife and the built environment. A lack of localised data on species and ecosystems, particularly outside of protected areas, can limit the extent to which biodiversity is considered in some assessments.	nuos from 01/06/21
21)	Romania shall continue to improve its transparency regarding the data on climate change.	Example on greenhouse gases inventories.	
22)	The government shall improve access to spatial data and services by making stronger linkages between the country INSPIRE portals, identify and document all spatial datasets required for the implementation of environmental law, and make the data and documentation at least accessible 'as is' to other public authorities and the public through the digital services foreseen in the INSPIRE Directive.	Access to information Directive, Article 7 https://inspire.ec.europa.eu/INSPIRE-in-your-Country/RO	Prep: 31/05/21 Impl: Continuous from 01/06/21
23)	Romania shall facilitate and encourage citizens initiatives towards a circular economy. It should particularly revise its legislation to support diversion of organic waste by enabling wide use of various composting methods (community, public).	CECI (2019), Involving citizen in circular economy, https://www.interregeurope.eu/ceci/news/news-article/6384/involving-citizen-in-circular-economy/	Prep: 31/05/21 Impl: Continuous from 01/06/21
24)	The Romanian government shall continuously implement widescale and effective environmental awareness-raising campaigns on energy- and climate-related issues, as well as biodiversity protection by, among others, substantially increasing budgets for them.	Meaningful public participation is possible only if the public is well informed.	Prep: 31/03/21 Impl: Continuous from 01/05/21
25)	Romania shall ensure that there are established public bodies/committees dealing with the environment or climate change and they have a fair NGO representation		Prep: 31/01/21 Impl: Continuous from 01/02/21
Access to justice			
26)	Romania shall ensure that the public concerned (including environmental NGOs) has access to a review procedure before a court of law to challenge the programmes on environmental grounds.	Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, Article 9	Prep: 05/03/21 Impl: Continuous

Non-regression principle

27)	<p>Romania shall ensure that no legislative or other action is taken that leads to a reduction in the current level of environmental protection. Romania shall also ensure that national environmental policies and regulations are not reducing the current level of EU environmental protection regulations and standards. Relevant regulation and any new pieces of law shall be assessed from this aspect and regulation shall continue to contribute to environmental and health protection and shall not worsen pollution or loss of biodiversity. The water management has to respect the WFD and the number of exceptions has to be reduced (in the case of the regulation works and hydro power stations) The above principle of non-regression applies to substantive, procedural as well as organisational rules.</p>	<ul style="list-style-type: none"> ● The Lisbon Treaty (Art.2, para.3) aims at a high level of protection and improvement of the quality of the environment; there can be no derogation from this principle, based on the theory of “acquis communautaire”. (Michel Prieur: Non-regression in environmental law. Surveys and Perspectives Integrating Environment and Society. 5.2/2012, Vol.5,n°2, IUCN Commissions, https://journals.openedition.org/sapiens/1405) ● Any unfair competitive advantage or distortion through undercutting of levels of environmental protection shall be prevented. (Martin Nesbit, David Baldock: Non-regression and environmental legislation in the future EU-UK relationship, 2018 (Institute for European Environmental Policy). https://ieep.eu/uploads/articles/attachments/b951ce87-3dcd-4043-85bd-026119d50628/Non-regression%20and%20equivalence%20-%20October%20corrected.pdf ● The right to life and health of future generations must not be overlooked and measures that would be detrimental to them must not be adopted. (Charter of Fundamental Rights of the European Union, Article 52, 53, 54) https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:12012P/TXT&from=EN ● European Parliament resolution of 29 September 2011 on developing a common EU position ahead of the United Nations Conference on Sustainable Development (Rio+20) https://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2011-0430+0+DOC+XML+V0//EN 	
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Economic Instruments

28)	<p>Romania shall prepare an inventory of environmentally harmful subsidies (including the subsidies due to the non-internalisation of external costs). This shall include also allowing market prices for the public utility services.</p>	<p>These subsidies are creating structural risks to government budgets and the financial performance of all sectors. They encourage wasteful consumption (especially among the wealthier segments of the population), and pushing up harmful emissions. This measure conforms to “the polluter pays” principle (TFEU, Article 191(2)). It will make consumers and producers pay the full social cost of producing pollution thus confront them with these costs. It will also raise substantial revenues for the government which could be used for environmental protection and protecting vulnerable groups of the society. It would also provide huge market incentive for firms to offer more efficient products and services, which cause less pollution. https://ec.europa.eu/environment/legal/law/principles.htm</p>	30/06/21
29)	<p>On the basis of the inventory of environmentally harmful subsidies, Romania shall prepare an annual implementation plan of removing all environmentally harmful subsidies (including the</p>	<p>Same.</p>	30/11/21

	internalisation of all external costs).		
30)	Romania shall remove all environmentally harmful subsidies in accordance with the above plan.	Same.	Substantial removal each year until total removal in 2030
31)	Romania shall improve the application of the polluter pays principle also by ensuring that an external cost analysis shall be carried out before every decision of the funding of concrete individual projects over 1 million EUR financial public (EU and/or national) contribution.	TFEU, Para 2, Article 191. CPR proposal, Para (5) of the Preamble	Precond
32)	The polluter pays principle shall be consistently applied: no EU funding shall be provided for projects which could be financed by the user/polluter.	“The 'polluter pays” principle is enshrined in Article 130(2) of the EU Treaty and serves as the basis of the Environmental Liability Directive, based on the precautionary principle. Therefore, this principle must be applied for all EU funded projects.	Continuous
33)	Romania shall implement a national road toll for all motor vehicles on all roads that will reflect the distance driven, the environmental characteristics of the vehicle, the maximum permitted total weight of the vehicle, the time (e.g. different for peak hours and/or weekends) and other special conditions (e.g. sensitive areas, congested roads). This tolling system will be part of an integrated space use charging system (“Position, Time and Distance” system) which would treat public space use (both moving and parking) in a unified, flexible system. The toll and other pricing instruments shall ensure that all road users pay the full infrastructure and environmental costs caused by them.	The European Commission has highlighted several times in its reports that the cost of the negative externalities caused by transport is not being paid by the transport users in Europe. The national road toll will internalise the external costs of road transport and the revenue generated can be redistributed to the population for further social benefits. This reform has already been successfully implemented in several countries like Iran or Canada.	Prep: 31/06/21 Impl: 01/01/22
34)	Romania shall make it compulsory that parking fees be set everywhere at such a level that will ensure that at any time at least 15% of the on-street parking spaces are free within a radius of 300 meters. However these measures has to be implemented together with the local authorities.	This measure will eliminate traffic searching parking places. Furthermore, it will eliminate illegal parking of vehicles of delivery services. Furthermore, this measure will be an implementation of a basic market principle: the price will properly balance supply and demand.	Prep: 31/06/21 Impl: 01/01/22
35)	Romania shall promote the use of light electric vehicles for a daily use by making it possible for the employers to pay a tax-free, kilometre-based contribution to those employees who travel to work by bicycle, including e-bikes and also to provide a bicycle (including e-bikes) tax-free for any use. The biker`s infrastructure shall be improved.	Electric vehicles increase electricity demand but reduce oil demand and well-to-wheel greenhouse gas emissions. Therefore, for a smooth transition to a low carbon economy, Romania needs a long-term vision and a diversified and adaptive portfolio of policy measures, including new fiscal schemes (as this tax-free, kilometre-based contribution) in order to transition from internal combustion engines to electrified vehicles in the transport sector and stimulate the electric-vehicle rollout in major vehicle markets. Moreover, promoting the use of bicycles to work encourages people to make healthier and more environmentally friendly lifestyle choices.	Prep: 31/06/21 Impl: 01/01/22
36)	Romania shall monitor and evaluate the new institutional arrangements for EPR (Extended producer responsibility) schemes to analyse and address potential longer-term negative impacts.	The necessity of these measures is underlined by the fact that product fees and the new governance system for EPR do not seem to be conducive to improved environmental performance and engagement of the	Prep: 31/06/21 Impl:

	Romania shall prepare a programme for improving it (maybe trying an EPR approach that gives producers managerial or decision-making responsibilities within either a single PRO (Producer responsibility organisation) or competing PRO systems like most of the other members of OECD).	private sector. More information about EPR here: OECD, Extended producer responsibility https://www.oecd.org/env/tools-evaluation/extendedproducerresponsibility.htm	01/01/22
37)	Romania shall ensure that environmental product fees reflect also end-of-life management costs, are predictable and encourage private sector investment (by increasing the number of products covered by the environmental product fee and the regulatory EPR scheme for example). Romania shall include the environmental product fee on each receipt of a product or service, which contains such a fee.	This measure will help to internalize environmental externalities and should provide an incentive for producers to take into account environmental considerations along the products' end-of-life. It is important for consumers to be aware of the price formation and the reasons behind it in order to carry out conscious consumer decisions.	Prep: 31/06/21 Impl: 01/01/22
38)	Romania shall adopt and implement a national action plan for green public procurement.	Green procurement benefits the environment by reducing greenhouse gas emissions, the use of hazardous and toxic substances, and pollution, including plastic waste. It also supports the Romanian economy by creating new markets for innovative products and services. Romania can follow the guidance of the green handbook, for example: European Commission, Support tools for public buyers https://ec.europa.eu/info/policies/public-procurement/support-tools-public-buyers/green-procurement_e .	Prep: 31/03/21 Impl: 01/06/21
39)	Romania shall set up a monitoring procedure of the public procurement market in that EU Green Public Procurement (GPP) criteria and its indicators shall be applied. The GPP criteria shall be applied to resources, products and services imported from non-EU countries, too.	European Commission: Green Public Procurement, https://ec.europa.eu/environment/gpp/index_en.htm	Prep: 31/06/21 Impl: 01/01/22
40)	Romania shall stop to provide direct subsidy or indirect subsidy (e.g. tax allowances) neither from EU funds, nor from the national budget for the following investments or operations: 1. Investment related to the production, processing, distribution, storage or combustion of fossil fuels (Art. 5 JTF); 2. Large and small hydropower, with the exception of investments for the improvement of sustainability of existing installations; 3. Crop-based biofuels and unsustainable bioenergy; 4. Investments in installations for the combustion of waste, whether dedicated incinerators or cofiring in other facilities such as cement kilns; 5. Internal combustion engine vehicles; 6. Expansion of aviation capacity; 7. Expansion of motorways; 8. Chemical manufacturers unless for safe and sustainable chemicals; 9. Textiles industry unless meeting strict sustainability and human rights criteria. 10. Livestock farming, unless organic or extensive (<0.7 LSU/ha); 11. Logging (forestry and sawmills), unless	These investments are especially harmful for the environment. Moreover, such investments must compete on the open market, and if they are subsidized, then they will pose an unfair competition to environmentally beneficial investments. https://www.greenrecovery.eu/s/Guaranteeing-a-Green-Recovery-across-Europe-in-Next-Generation-EU	Precond

	<p>continuous cover/close to nature; 12. Aquaculture & processing, unless for extensive semi-natural wetlands or close circuit recirculation systems using fully vegetal feed; 13. Investments in companies with track records of environmental, human and workers' rights abuse and violations, or corruption.</p>		
41)	<p>Romania shall promote resource-saving and circular economy, by supporting financial investments in</p> <ul style="list-style-type: none"> ● cleaner production, resource saving production, ● in industrial symbiosis programmes, ● the re-use sector (particularly setting up network of re-use centres), and ● in the recycling sector (closing the loop locally). 	<p>Romania intend to improve its waste and material management by increasing recycling and recovery. However, its efforts to foster the transition to a circular economy have so far been limited. In terms of material productivity (defined as the amount of economic value generated per unit of material used, or gross domestic product [GDP] per unit of DMC), Romania is below the OECD Europe average. This indicates that the country could use material resources more efficiently to produce wealth.</p>	Continuous
Green investment and innovation			
42)	<p>Public R&D funding shall be increased for environment-related innovation and the efficiency and effectiveness of this funding shall be evaluated. Romania shall specifically target environmentally beneficial transport and agricultural innovations, sustainable building technologies, and energy production.</p>	<p>Romania is far below the EU average in eco-innovation EC (2020) ECO-INNOVATION at the heart of European policies (https://ec.europa.eu/environment/ecoap/indicators/index_en). Eco-innovations are however vital to achieve high employment and equitable income distribution without an irreversible destruction of natural assets and biodiversity. More information on innovation policy for green technologies: UNECE (2013) Innovation Policy for Green technologies: Guide for Policymakers in the Transition Economies of Europe and Central Asia https://www.unece.org/fileadmin/DAM/ceci/publications/GreenTechnology/ECE_CECI_20_web.pdf and here : OECD (2009) Sustainable Manufacturing and Eco-Innovation: Framework, Practices and Measurement – Synthesis Report https://www.oecd.org/innovation/inno/43423689.pdf</p>	<p>Prep: 30/06/21</p> <p>Impl: Continuous from 01/07/21</p>
43)	<p>Research, Technological Development and Innovation Interventions shall specifically aim at the development of resource and energy savings, technologies and prioritise RTDI (research, technological development and innovation) activities in energy efficiency, renewables and climate adaptation.</p>	<p>Research and innovation are critical for delivering the solutions and system transformations for the transition towards climate neutrality by 2050. It also corresponds to the objectives of the programme Horizon Europe.</p>	<p>Prep: 30/06/21</p> <p>Impl: Continuous from 01/07/21</p>
44)	<p>Romania shall apply EU eco-innovation indicators in national strategies and allocate funds for implementation.</p>	<p>EU eco-innovation indicators: Eco-Innovation Observatory (2018), EU Eco-Innovation Index: Technical note, Technopolis Group https://ec.europa.eu/environment/ecoap/sites/ecoap_stayconnected/files/ecoi_index_eu_2018_technical_note.pdf</p>	<p>Prep: 30/06/21</p> <p>Impl: Continuous from 01/07/21</p>
45)	<p>Romania shall establish a platform for broader cooperation between businesses, financial</p>		<p>Prep: 30/06/21</p>

	institutions and other stakeholders to promote development of a circular economy (and to share best resource efficiency and circular economy practices).		Impl: 31/10/21
46)	Romania shall facilitate exchanges among buyers committed to Green Public Procurement (GPP) implementation (if one of the criteria is to make GPP obligatory) by encouraging them to take part in a “Public Buyers for Climate and Environment” initiative.	The “Public Buyers for Climate and Environment” is an initiative from the European Commission to promote collaboration between public buyers in implementing strategic public procurement and pooling resources and demand EC (2020) New policy developments – GPP and the European Green Deal, GPP Advisory group meeting https://ec.europa.eu/environment/gpp/pdf/1.%20Update%20from%20the%20Commission%20-%20GPP%20and%20European%20Green%20Deal.pdf .	Prep: 30/06/21 Impl: Contin- uous from 01/07/21
Air quality			
47)	Romania shall ensure that the mapping of existing and planned infrastructures reflects air quality plans, taking into account in particular national decarbonisation plans.	The World Health Organization (WHO) classifies air pollution as the biggest environmental risk to health in Europe. https://www.who.int/health-topics/air-pollution#tab=tab_1 https://www.eea.europa.eu/publications/air-quality-in-europe-2020-report	Prep: 30/04/21 Impl: Contin- uous from 01/05/21
48)	The government shall prepare a detailed, explicit operational plan for the measures listed in the National Air Pollution Control Program (NAPCP) for better air quality (the improvement of the energy efficiency of buildings, the modernization of heating appliances, the extension of district heating, limitations on the residential use of low-quality solid fuels, decreasing transport emissions using technical solutions and the support of greener transport modalities). The operational plan shall address especially those activities which have the greatest impact on air quality and/ or have been increasing during recent years (such as residential waste burning, residential heating with lignite, and the import of very polluting second-hand cars), and those operational plans shall be reinforced by control bodies. The NAPCP provisions shall align with EU funded building renovation projects. Impacts on air quality (especially PM2.5 emissions) of EU funded building renovation projects shall be reported and monitored.		Prep: 30/04/21 Impl: Contin- uous from 01/05/21
49)	The thresholds of the Romania smog alarm systems shall be reduced and more effective measures during smog alarms shall be introduced.	Besides reducing air pollution and protecting citizens’ health, such a measure would also be very useful for raising public awareness and to link the data to effective measures. https://www.calitateaer.ro/public/home-page/?_locale=ro	Prep: 31/03/21 Impl: 01/04/21

Biodiversity protection and financing

50)	Romania shall ensure that a priority action framework for 2021-2027 pursuant to Article 8 of Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora is in place and fully supports its implementation with all resources.	Directive 92/43/EEC (Current consolidated version: 01/07/2013) : https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:31992L0043&from=EN	
51)	Romania shall reinforce the institutional system of nature conservation at central, regional and local levels equally and ensure their institutional financial autonomy definitively.	The structure of the authorities responsible for the nature conservation has to be adapted to the real situation http://ananp.gov.ro/	
52)	Romania shall ensure sufficient and stable financing conditions in order to fulfill the monitoring and management obligations of EU Nature Directives related to assessment, maintenance or improvement of the conservation status of species and habitats; this includes the improvement of biotic information systems and sectoral data sharing and accessibility, sharing the state and trends of nature with a wide array of the public.	<i>(2011) Investing in Natura 2000, European Union</i> https://ec.europa.eu/environment/nature/natura2000/financing/docs/financing_natura2000.pdf	
53)	Dedicated budgets for nature conservation departments shall be provided to improve the predictability of financing and reduce the risk of shifting short-term priorities.	OECD (2007), Handbook for Appraisal of Environmental Projects Financed from Public Funds, Environmental Finance https://www.oecd.org/environment/outreach/38786197.pdf	
54)	Romania shall better incorporate the assessments of management effectiveness of protected areas and Natura 2000 sites into the existing national biodiversity monitoring system to more effectively track the effects of nature conservation interventions. Both the frequency and geographic extent of management effectiveness assessments should be significantly extended. Romania shall furthermore make valid evaluations of such protected area management effectiveness assessments and feed conclusions into the next cycles of planning and decision-making.	<i>(2011) Investing in Natura 2000, European Union</i> https://ec.europa.eu/environment/nature/natura2000/financing/docs/financing_natura2000.pdf	
55)	Romania shall gradually implement the best practices provided by the European Commission to avoid recurring to soil sealing. Green infrastructure (GI) and nature-based solutions (NbS) shall be an integral part of the solution to soil sealing. Applying GI and NbS to soil sealing in an urban context has additional benefits, e.g. decreased heat island effects, increased resilience and climate adaptation, decreased extreme weather-related risks and damages.	Best practices for limiting soil sealing: EC Environment, Soil: Overview of the best practices for limiting soil sealing or mitigating its effects in EU-27 https://ec.europa.eu/environment/soil/sealing.htm Soil sealing causes an irreversible loss of the ecological functions of soil, therefore, it is necessary to limit its expansion.	
56)	The effectiveness of the National Ecological Network Zone instrument and other spatial planning policies shall be improved by developing regional-level biodiversity indicators and using biodiversity experts to support informed decisions	Link to the BISE website: https://biodiversity.europa.eu	

	(with the help of the Biodiversity Indicators System for Europe BISE).		
57)	Romania shall implement sustainable use of soil for construction projects, and for mining particularly. This entails preventing further soil degradation and preserving its functions, as well as restoring degraded soils. Romania shall set voluntary Land Degradation Neutrality targets aligned with the UNCCD mechanism and with respect to the EU Soil Thematic Strategy.	Soils are the second largest carbon sink in the world after the oceans. Land Degradation Neutrality target setting programme: UNCCD, The LDN Target Setting Programme https://www.unccd.int/actions/ldn-target-setting-programme	
58)	Romania shall avoid the destruction of green spaces and the fragmentation of habitat, including in areas with no formal protection.	Green spaces are essential to reduce heat and pollution (David Suzuki Foundation (2015) The Impact of Green Space on Heat and Air Pollution In Urban Communities: A Meta-Narrative Systematic Review https://david Suzuki.org/wp-content/uploads/2017/09/impact-green-space-heat-air-pollution-urban-communities.pdf) and it also improve the health of the population (NRPA (2017) The Health Benefits of Small Parks and Green Spaces, Heath and Wellness https://www.nrpa.org/our-work/urban-parks/ Moreover, greening urban spaces is one of the objectives of the European Green Deal.	
59)	Afforestation of indigenous species beyond protected areas shall be expanded, Romania shall also increase sustainability certification of forest companies and maintain sustainable forest management objectives.	More information on sustainable forest management: PEFC, What is sustainable forest management? https://www.pefc.org/what-we-do/our-approach/what-is-sustainable-forest-management Example of good practices: CBD (2019) Sustainable Forest Management, Biodiversity and Livelihoods: A good Practice Guide. Montreal https://www.cbd.int/development/doc/cbd-good-practice-guide-forestry-booklet-web-en.pdf	
60)	The government shall continue supporting the mapping and assessment of ecosystems and ecosystem services, and the evaluation and development of natural capital accounting systems, gradually weaving them into decision-making processes, accounting and reporting systems. The government shall support the ecotourism in order to be used as an economic instrument to involve the local communities in maintaining of the ecosystem services.	Target 2 of EU Biodiversity Strategy to 2020 focuses on improving knowledge of ecosystems and their services, covering mapping, assessment of state and economic value of the services, and promoting the integration of these values into accounting and reporting systems. The EU Biodiversity Strategy 2030 also emphasizes the importance of maintenance and improvement of ecosystem services due to their significant importance to several sectors of the economy. The good practices has to be extended https://www.eco-romania.ro/	
61)	The Environmental Impact Assessments (EIA) shall be properly conducted and monitor all phases of mining operation (exploration, project development, mine operation, and mine closure).	More information on EIA: EC, Environmental Impact Assessment - EIA https://ec.europa.eu/environment/eia/eia-legalcontext.htm	
62)	The government shall guarantee that the farmers are respecting the Luxembourg agreement (June 2003).	The Luxembourg agreement had established a set of rules in the environmental, health and animal welfare fields (a set of rules known as "cross-compliance") as a long-term outlook for sustainable agriculture.	
63)	Romania shall commit to supporting civil society organisations in implementing nature protection project by creating transparent and adequate grant	LIFE projects are set to be co-financed in the 2021-27 period at a 60 % co-financing rate (75% for priority areas and species). This can put civil society	

	mechanisms independent of as well as complementing EU project financing (e.g. LIFE programme).	organizations in Romania at a disadvantaged position compared to other countries unless state or local authorities are willing to complement the available EU financing. The lack of other sources of adequate grants for environmental civil society organizations is a serious risk for generating civil society added value in nature conservation and environmental protection in Romania.	
64)	Romania shall elaborate a national brownfield programme to make brownfields more competitive through economic instruments and regulations and therefore encourage investors to prefer brown-field sites to green-field ones for their investments.	Brown-field sites are areas of land, not covered with green surfaces, which have deteriorated due to former industrial or other use. Developers are wary of brownfield sites because they are often much trickier to build on and because they are not sure of what they are going to find. However, revitalising these brownfield sites is an easy solution to avoid the destruction of greenfields and is beneficial for both the environment and urban development. Therefore, Romania needs to encourage the investors through a national brownfield programme. This programme can for instance provide tax incentives for cleanup that is not paid for outright; specifically, cleanup costs can be fully tax-deductible in the year they are incurred.	
Agriculture			
65)	Romania shall significantly increase the share of organic farming (by increasing the funding designated for sustainable agricultural practices under the EU CAP and making more easy and accessible transition towards organic farming)	Organic farming could benefit biodiversity as it can reduce use of chemical or synthetic fertilisers or pesticides and limit livestock density (although additional use of manure may sometimes increase ammonia emissions and nitrate leaching). It is also an economic opportunity for Romania, given market conditions in Europe, existing restrictions on genetically modified organisms (GMOs), and favourable climate and soil conditions for organic farming. Increasing the funding designated for sustainable agricultural practices will also scale up investments leading to increased “green value added” processing by primary producers that would make the agricultural sector more resilient throughout the supply chain. It is also in line with the objectives set out in the Farm to Fork Strategy.	
66)	Romania shall make the creation (or maintenance) of short supply-chain systems a strategic priority for agriculture and create the right incentives for farmers and all stakeholders in order to capitalize on mutual benefits in local economic development, climate protection, social inclusion and employment opportunities and the promotion of regional and local agro-diversity. Monitoring of the short supply-chain systems is also needed. The existing short supply chain initiatives should be supported.	Recommendations on the future CAP and climate policies: EEB, Recommendations on the Future CAP and Climate Policies http://www.ceeweb.org/work-areas/priority-areas/agriculture-and-rural-development/an-unavoidable-step-after-paris/an-unavoidable-step-after-paris-resources/recommendations-of-the-future-cap-and-climate-policies/ There are existing initiatives like ASAT (Asociatia Pentru Sustinerea Agriculturii Taranesti) https://asatromania.ro/	
67)	Romania shall use agricultural direct payments as an instrument that allows farmers to make the necessary steps towards greater sustainability and		

	reward those who deliver on environmental performance, employment and deliver public goods.		
68)	Romania shall ensure that greening regulations more efficiently support the conservation of biodiversity and the regeneration of nature. At least 10% of the area of farmland should be given back to nature, increasing the territory of land withdrawn from the cultivation conserving natural habitats (for example row of trees, hedgerows, ponds). Such regulations should be basic requirements to receive CAP subsidies.	BirdLife International, Advocating for sustainable agriculture https://www.birdlife.org/europe-and-central-asia/programmes/nature-friendly-farming	
69)	Romania shall reinforce the conditionalities linked to water and soil protection for all agricultural payments under the CAP.	Integrating and encouraging the use of eco-schemes (and aligning direct payments with them) by the national CAP Strategic Plan could contribute to both water and soil protection. Guide for using eco-schemes in the new CAP: IFOAM EU (2020) Using Eco-Schemes in the New Cap: A guide for Managing Authorities https://ieep.eu/uploads/articles/attachments/ae96f339-9775-4980-b7a1-43767d1235cb/IEEP_FiBL_Eco-scheme_Guide_Final.pdf?v=63748547905 <i>Soil health policies for CAP and Agri-environment Directives:</i> https://www.soilcare-project.eu/images/images/Policy_Briefs/Policy_brief1_SICS_Final.pdf	
70)	Romania shall effectively integrate eco-schemes in its national CAP Strategic Plan in order to contribute to the CAP's environmental and climate objectives. National envelopes for direct payments shall be dedicated to eco-schemes as much as possible, helping farmers transition to more sustainable farming practices and systems.	Guide for using eco-schemes in the new CAP: IFOAM EU (2020) Using Eco-Schemes in the New Cap: A guide for Managing Authorities https://ieep.eu/uploads/articles/attachments/ae96f339-9775-4980-b7a1-43767d1235cb/IEEP_FiBL_Eco-scheme_Guide_Final.pdf?v=63748547905	
71)	(a) Additional measures in the agricultural sector shall be implemented to reduce ammonia emissions, curb pesticide use and limit cultivation of flooded land (there is scope to expand the use of taxes and charges in these areas). (b) Romania shall address agricultural GHG emissions in a more systematic way, for example, by supporting and educating farmers for a greater integration of agroecological practices; setting ambitious targets for drastically cutting food waste (already on farms); reducing livestock numbers; supporting farmers to manage nutrients optimally; protecting and managing permanent grasslands.	Ammonia emission is one of the main contributors to eutrophication in Romania. Ammonia emissions, although they dropped during the economic slowdown, had almost returned to 2005 levels by 2015. This will make it difficult for Romania to meet its EU target for ammonia (-34% compared to 2005 levels over 2020-29). Also, the cultivation of flooded land is threatening wetlands (which are key carbon sinks). More informations on the advantages of wetlands here: Springer Link (2012) Wetlands, carbon, and climate change, Landscape Ecology https://link.springer.com/article/10.1007/s10980-012-9758-8 Policy brief on the ways sustainable food production, based on agroecological principles, can potentially lead to decreased GHG emissions: EEB, Recommendations on the Future CAP and Climate Policies http://www.ceeweb.org/work-areas/priority-areas/agriculture-and-rural-development/an-unavoidable-step-after-paris/an-unavoidable-step-after-paris-resources/recommendations-of-the-future-cap-and-climate-	a) b)

		policies/	
72)	For the conservation and proper management of protected areas and Natura 2000 sites, Romania shall work out the Natura 2000 land use regulations for other land use categories besides grasslands enforce compliance with rules of the existing and new Natura 2000 land use regulations as well as ensure the necessary financial resources for compensation payments.	BirdLife International, Advocating for sustainable agriculture https://www.birdlife.org/europe-and-central-asia/programmes/nature-friendly-farming	
73)	Romania shall reinforce measures to reduce the abstraction of freshwater through enhanced water use efficiency in irrigation and other agricultural practice	Using for example Best Management Practices NIWA, Mitigation and best practice options - https://niwa.co.nz/our-science/freshwater/tools/kaitiaki_tools/land-use/agriculture/mitigation	
Water management			
74)	Romania shall address the risk of increased flooding and resulting vulnerability of the water supply and sanitation systems through improved engineering and water management practices by increasing funds in this area to achieve the good status/potential objectives set in the Water Framework Directive.	The EU Water Framework Directive https://ec.europa.eu/environment/pubs/pdf/factsheets/wfd/en.pdf EC Directive of the European Parliament and of the Council (2000) establishing a framework for Community action in the field of water policy https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02000L0060-20141120&from=EN	
75)	Romania shall reduce diffuse water pollution from agriculture by promoting sustainable use of fertilisers. In addition to optimal nutrients management, Romania shall encourage and incentivise the integration of alternative farming solutions and practices that help decreasing diffuse water and soil pollution by excess nutrients from fertilisers, e.g. using cover crops, crop rotation, planting nitrogen-fixing leguminous plants, establishing and restoring wetlands and peatlands etc.	To fulfil this criteria, Romania can follow The International Code of Conduct for the Sustainable Use and Management of Fertilizers http://www.fao.org/3/ca5253en/CA5253EN.pdf Reducing water pollution is necessary to attain a sustainable use and protection of water resources which is one of the climate and environmental objective as defined in Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088 (“EU Taxonomy Regulation”). <i>Soil health policies for CAP and Agri-environment Directives:</i> https://www.soilcare-project.eu/images/images/Policy_Briefs/Policy_brief1_SICS_Final.pdf	
76)	Romania shall demonstrate the existence of a water pricing policy that provides appropriate incentives for efficient use of water resources by users and provide an adequate contribution of the different water users to the recovery of the costs of water services, at a rate determined in the approved River Basin Management Plan for the investments supported by the programmes.	Information on the implementation of the River Basin Management Plan in Romania: EC Romania, Environment Water, 2 nd RBMPS (2016-2021), 1 st RBMPs (2009-2015) https://ec.europa.eu/environment/water/participation/map_mc/countries/romania_en.htm	

77)	Romania shall set an indication of potential sources of public financing, when needed to complement user charges in its potential green investment plan.	It is necessary for updating planning for required investments in water and wastewater sectors in order to increase water efficiency.	
78)	Romania shall establish a national investment plan which includes an assessment of the current state of implementation of the Urban Wastewater Treatment Directive (UWWTD) 91/271/EEC and of the Drinking Water Directive (DWD) 98/83/EC and an estimate of investments needed to renew existing wastewater and water supply infrastructure, including networks, based on their age and depreciation plans.	Romania needs to renew its existing wastewater and water supply infrastructure to meet the existent and future demand while undergoing a variety of unsustainable changes like groundwater table sinking, the amount of water stored by lakes decreasing and rivers failing to reach seas as identified in the following document: Urban Water Treatment Directive : https://ec.europa.eu/environment/water/water-urbanwaste/index_en.html Drinking Water Directive : https://ec.europa.eu/environment/water/water-drink/legislation_en.html Smart Water Management towards Future Water Sustainable Networks: https://www.mdpi.com/2073-4441/12/1/58 Rethinking the Framework of SmartWater System: A Review https://www.mdpi.com/2073-4441/12/2/412	
79)	Romania shall make progress towards the digitalisation of water management, both in an urban (along the 'smart city' concept) as well as in a rural (e.g. with regard to agricultural irrigation) context. The increased use of digital solutions in water management can effectively lead to more efficient use of water as an essential resource, to the avoidance of extreme weather-related risks and damages and overall, to the increased resilience of relevant socio-economic systems.	Same.	
80)	Romania shall identify and plan any public investments in its national investment plan, including an indicative financial estimation required to achieve compliance with the UWWTD, including a prioritization with regard to the size of agglomerations and the environmental impact, with investments broken down for each wastewater agglomeration. It shall also be required to implement the DWD Directive on drinking water 98/83/EC and to match the needs stemming from the proposed recast (COM(2017)753 final).	Drinking Water Directive (Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption) : https://ec.europa.eu/environment/water/water-drink/legislation_en.html	
81)	The government shall ensure the implementation of the Urban Waste Water Treatment Directive for all agglomerations, as well as of the Drinking Water Directive and continue to prioritise the investments for UWWT plants.	Urban Water Treatment Directive : https://ec.europa.eu/environment/water/water-urbanwaste/index_en.html Drinking Water Directive : https://ec.europa.eu/environment/water/water-drink/legislation_en.html	
82)	The share of the population connected to the sanitation infrastructure shall be increased and improve access to drinking water fully compliant with EU requirements.	Drinking Water Directive : https://ec.europa.eu/environment/water/water-drink/legislation_en.html	

83)	<p>Romania shall make Integrated Water Management a strategic priority and make a paradigmatic change in water management. The River Basin Committees has to be reformed in order to ensure the real participation of the stakeholders in the elaboration of the projects and in the decision making process.</p> <p>Romania shall implement integrated and landscape scale management systems by using mutually beneficial solutions, prioritizing water retention, ensuring the space for water in the landscape based on the ability to retain water, especially in case of flood prevention using alternative methods (widening the floodplain, where possible; the regular transfer of water to the floodplains; opening the distributaries; revival of traditional forms of floodplain farming etc.)</p>	<p>https://www.eau-rhin-meuse.fr/comite-bassin-role</p>	
84)	<p>Green infrastructure and nature-based solutions shall be integrated into the water management solutions of Romania.</p>	<p>GI and NbS can effectively contribute to increased climate change adaptation, reduced extreme weather-related risks and damages as well as a better cooling of urban environments and an increased urban biodiversity.</p> <p>Nature-based solutions for urban water management: IWA Publishing (2020) Blue – Green Systems: A review of nature-based solutions for urban water management in European circular cities: a critical assessment based on case studies and literature https://iwaponline.com/bgs/article/2/1/112/71868/A-review-of-nature-based-solutions-for-urban-water</p> <p>FAO UN Nature-based solutions for agricultural water management and food security https://www.preventionweb.net/publications/view/62867</p>	
85)	<p>Climate adaptation criteria shall be introduced for small-scale water management infrastructure.</p>	<p>More information: WWC (2018) Water Infrastructure for Climate Adaption: The Opportunity to Scale Up Funding and Financing. Report https://www.worldwatercouncil.org/sites/default/files/2019-12/WWC-Investing-in-Water-Infrastructure-for-Climate-Adaption_WEB.pdf</p>	
Energy			
86)	<p>NECP (National Energy Climate Plan) shall set more ambitious targets for energy efficiency improvement and for renewables.</p>	<p>The current NECP https://ec.europa.eu/energy/sites/ener/files/documents/ro_final_necp_main_ro.pdf <i>has to be improved as it is</i> stated also in the Commission’s assessment: <i>Assessment of the draft National Energy and Climate Plan of Romania, Accompanying the document Commission Recommendation on the draft integrated National Energy and Climate Plan of Romania covering the period 2021-2030. Commission Staff Working Document, {C(2019) 4417 final},</i> https://ec.europa.eu/energy/sites/ener/files/documents/ro_swd_en.pdf</p>	

		<p>A more ambitious NECP will help to reduce Romania's energy dependence and will boost investments into energy efficiency investments and renewable energy sources. It is also necessary to fulfil the objectives of the Paris Agreement, https://unfccc.int/process-and-meetings/the-paris-agreement/the-paris-agreement</p>	
87)	<p>Romania shall ensure that comprehensive plans describing the national energy infrastructure priorities are in place that contains measures to achieve the objectives of social and economic cohesion and environmental protection, in line with Articles 3.10 of Directive 2009/72/EC and 3.7 of Directive 2009/73/EC. These measures shall include means to combat climate change in the field of electricity energy efficiency, including demand-side management measures. These measures shall also include the provision of adequate economic incentives, using, where appropriate, all existing national and Community tools, for the maintenance and construction of the necessary network infrastructure, including interconnection capacity. Where applicable, Romania shall take measures in order to optimise the use of electricity and gas, for example, by providing energy management services, developing innovative pricing formulas, and introducing intelligent metering systems and smart grids, where appropriate.</p> <p>Thus, Romania shall take the necessary technical and institutional measures to upgrade the capability of the Romanian grid to integrate weather-dependent generators.</p>	<p>Directive 2009/72/EC and Directive 2009/73/EC (Current consolidated version: 23/05/2019) : https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009L0072&from=EN https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009L0073&from=EN</p> <p>The electricity sector is one of the major emission sources of carbon dioxide (CO₂), To mitigate the impacts of climate change over the coming decades and to meet Paris Agreement's goals Romania needs to decarbonize its power systems. To achieve this goal, power generation systems need a transition from a high reliance on coal-fired power stations to a low-carbon energy mix.</p> <p>Example of a transition planning method for a low-carbon economy: ScienceDirect (2018) Electricity network planning targeting Low-Carbon energy transition. Global Energy Interconnection https://www.sciencedirect.com/science/article/pii/S2096511718300690</p> <p>Smart grid is an electricity network that can integrate in a cost-efficient manner the behaviour and actions of all users connected to it, including generators, consumers and those that both generate and consume, in order to ensure an economically efficient and sustainable power system with low losses and high levels of quality, security of supply and safety. It is therefore an appropriate tool to optimise the use of electricity and gas.</p> <p>Moreover, smart grid and other renewable energy grids or systems can be covered by Renewables Energy Financing Mechanism and/or cooperation mechanisms on renewables and so be financed as part as a Cross-border and multi-country projects and/or IPCEI (Projects of Common European Interest).</p> <p>Greening the Grid. Overview of Grid Integration Issues https://greeningthegrid.org/quick-reads</p>	
88)	<p>National incentive shall be introduced to decrease the barrier to entry in the energy market and to encourage investors to invest in renewable energy (especially geothermal).</p>	<p>More information here : ScienceDirect (2019) Breaking barriers in deployment of renewable energy. https://www.sciencedirect.com/science/article/pii/S2405844018354240</p>	
89)	<p>Life-cycle approach shall be ensured by Romania during the assessment of different energy sources (e.g.: impacts of extraction, transport, and infrastructure).</p>	<p>Further environmental and climate benefits are expected by applying life-cycle approaches and design based on circular systems to housing and construction materials. This includes, among others, adaptability, service life extension, reuse of abandoned or unutilised buildings,</p>	

		resilience to climate change and disasters, disassembly and reassembly, reuse and recycling, using materials with recycled content, deploying nature-based solutions (e.g., green roofs, green walls, green and blue infrastructure to combat heat waves and reduce pluvial flooding by retaining and reusing water), and rehabilitating abandoned or contaminated brownfields.	
90)	Romania shall put into place transparent support schemes for renewable energy which means that information on support measures is made available to all relevant actors (consumers, builders, installers, architects and suppliers of heating, cooling and electricity equipment and systems and of vehicles compatible with the use of energy from renewable sources, etc.) consistent with Article 14 (1) Article 16 (2) and 16 (3) of Directive 2009/28/EC.	Directive 2009/28/EC (current consolidated version: 05/10/2015) : https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009L0028&from=EN	
91)	Romania shall put priority in grid access or guaranteed access and priority in dispatching to renewable energy, as well as standard rules relating to the bearing and sharing of costs of technical adaptations which have been made public. It means that national transmission system operators and distribution system operators shall enforce the electricity grids to guarantee the access to the renewable energy and set up and publish their standard rules related to the bearing and sharing of costs of technical adaptations. These measures shall be consistent with Article 14 (1) Article 16 (2) and 16 (3) of Directive 2009/28/EC.	Directive 2009/28/EC (current consolidated version : 05/10/2015) : https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009L0028&from=EN A more sustainable energy system needs a clear strategy performed by the government to accelerate growth of grid interactive renewable distributed generations, especially in Romania where renewable energy is still meagre. It also requires a clear policy framework to ensure that incentives for investments trigger those investments that provide the greatest efficiency gains.	
92)	The government shall ensure that energy efficiency is always prioritised over new energy generation and transmission projects, both on the national scale as well as locally.	https://ec.europa.eu/energy/topics/energy-efficiency/targets-directive-and-rules/energy-efficiency-directive_en	
93)	Measures shall be introduced to ensure proper implementation of the rights of prosumers' and renewable energy communities' rights in accordance with the Clean Energy Package.	It will provide an opportunity for the consumers to be active, participate in flexibility or energy efficiency schemes and get legal recognition. Clean Air Energy Package: EC Energy. Clean energy for all Europeans package https://ec.europa.eu/energy/topics/energy-strategy/clean-energy-all-europeans_en	
94)	Investments in combined heat and power (CHP) and district heating and cooling systems shall be based on so called useful heat demand. This means that Romania shall carry out investments on improving EE and reducing energy demand, in a first step, and only the remaining heat demand should be the basis for investments in CHP and district heating, in a second step. In order to achieve this in a proper way, the investments have to be part of an overall coherent low-carbon strategy.	Issue mentioned by the Guidance on Ex ante Conditionalities for the European Structural and Investment Funds part II : https://ec.europa.eu/regional_policy/sources/docgener/informat/2014/eac_guidance_esif_part2_en.pdf	
95)	Romania shall give evidence that, where appropriate, the following information is made available to final customers in clear and	Directive 2012/27/EU (Current consolidated version: 01/01/2020) : https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?	

	understandable terms in their bills, contracts, transactions, and /or receipts at distribution stations: current actual prices and actual consumption of energy; comparisons of the final customer's current energy consumption with consumption for the same period in the previous year, contact information (consumers' organisations, energy agencies or similar bodies, including website addresses) to get information on available energy efficiency improvement measures, etc.	uri=CELEX:32012L0027&from=EN	
96)	The government shall present a diagnosis of the housing sector in each region, presenting the feedback from the 2014-2020 period of the Structural Funds concerning the financing of the energy renovation of housing with ERDF funding; the inventory of the region's social and private housing stock, explaining the needs of both stocks in terms of energy renovation.	This is necessary for well-based planning of future renovation of buildings.	
97)	Romania shall adopt a national long-term renovation strategy to support the renovation of the national stock of residential and non-residential buildings, in line with the requirements of Energy Performance of Buildings Directive 2010/31/EU (EPBD) and the Energy Efficiency Directive 2012/27/EU, and the Directive amending the Energy Performance of Buildings Directive (2018/844/EU).	<p>Directive 2010/31/EU (Current consolidated version: 24/12/2018) : https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32001L0042&from=EN</p> <p>Directive 2012/27/EU (Current consolidated version: 01/01/2020) : https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32012L0027&from=EN</p> <p>Directive 2018/844/EU : https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32018L0844&from=EN</p> <p>This component also supports the European Flagship 'Renovate' by improving the energy and resource efficiency of public and private buildings and contributing to the doubling of the renovation rate and the fostering of deep renovations by 2025. https://ec.europa.eu/commission/presscorner/detail/en/ip_20_1835</p>	
98)	EU funded building renovation projects shall plan and report annually on their energy- and resource-efficiency, carbon footprint, and other non-financial impacts.	Same.	
99)	Romania shall introduce building codes that ensure homes and offices are well insulated and require less cooling.	More information here : BuildingGreen. Heating and Cooling https://www.buildinggreen.com/heating-cooling	
100)	Romania shall ensure that in building renovation, the use of reused/recycled building materials is incentivized.	More information on reusing and recycling materials generated during building construction, demolition, or renovation here : EPA (2009) Recover Your Resources https://archive.epa.gov/greenbuilding/web/pdf/cdbrochure.pdf	
101)	Romania shall prohibit the sale of low-quality coal (especially lignite) for households, and to start a program for replacing the inefficient stoves to	Coal (especially low-quality coal like lignite) used for household heating is a considerable source of emissions of GHGs and air pollutants,	

	efficient heating systems especially in the rural areas.		
102)	The government shall introduce strict requirements for the use of heaters and air conditioners, for example by banning heaters used by cafes and restaurants on outdoor terraces.	Information on the emissions from heaters and air conditioners can be read on the Cooling Emissions and Policy synthesis Report from the UNEP and IEA: https://wedocs.unep.org/bitstream/handle/20.500.11822/33094/CoolRep.pdf?sequence=1&isAllowed=y	
103)	Incentives to switch to more climate-friendly appliances shall be introduced by implementing minimum energy performance standards.	It will help to attain the energy efficiency target of at least 32.5% from The Clean Energy Package which sets new targets for the EU for 2030. More information on the benefits of energy efficiency standards for appliances: EESI (2017) Fact Sheet – Energy Efficiency Standards for Appliances, Lighting and Equipment https://www.eesi.org/papers/view/fact-sheet-energy-efficiency-standards-for-appliances-lighting-and-equipmen#4 and here : https://www.eceee.org/static/media/uploads/site-2/policy-areas/financingenergy_efficiencybriefing1.pdf	
104)	Romania shall take measures to ensure that minimum requirements related to energy performance are in place consistent with Article 3, Article 4 and Article 5 of Directive 2010/31/EU.	Directive 2010/31/EU (Current consolidated version: 24/12/2018) : https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32010L0031&from=EN	
105)	Regarding renewables, there shall be priority for wind, solar and geothermal; biomass conditioned on the protection of ecological services, soil nutrient households and biodiversity.	Increasing biomass use for fuel increases the price of good quality firewood, which can lead to the intensification of energy poverty and air quality deterioration due to the increased use of cheap, low quality solid fuels or the illegal burning of waste. Applicants' Submissions for Annulment pursuant to Art 263 TFEU (04-03-2019) https://www.biomassmurder.org/docs/2019-08-00-eu-biomass-legal-case-main-arguments-english.pdf	July 2021
106)	Support for construction of new solar panels shall be based on strict environmental criteria, especially in order to prevent the use of valuable land for this purpose.	PV sites. Regulatory framework. “Building-integrated photovoltaic technologies and systems for large-scale market deployment” https://ec.europa.eu/research/participants/documents/downloadPublic?documentIds=080166e5acc95e9f&appId=PPGMS	31/12/21
107)	Romania shall create the adequate regulatory framework and incentives for small-scale, community-owned renewable energy and energy efficiency projects, including the financial regulatory framework to access financing for such projects.	Small-scale citizens’ investment is hampered by high transaction costs due to the lack of favourable legal environment. Note Europe (2017) Making the Energy Transition a European Success: Tackling the Democratic, Innovation, Financing and Social Challenges of the Energy Union https://institutdelors.eu/wp-content/uploads/2018/01/makingtheenergytransitionaeuropeansuccess-study-pellerincarlfernandesrubio-june2017-bd.pdf	31/12/22
Transport			
108)	Romania shall ensure that multimodal mapping of existing and planned infrastructures until 2030 is in	This criteria is taken from the annex IV, part 3 (a more connected Europe by mobility regional connectivity)	31/12/29

	<p>place which:</p> <ol style="list-style-type: none"> 1. Includes economic justification of the planned investments, underpinned by robust demand analysis and traffic modelling, which should take into account the anticipated internalisation of external costs. 2. Includes investments in core TEN-T rail network corridors, as defined by regulation (EU) 1316/2013, in line with the respective TEN-T work plans. For investments outside the core rail TEN-T, ensures complementarity by providing sufficient connectivity of the regions and local communities to the core TEN-T and its nodes 2. Ensures interoperability of the rail network, and ensure the consolidation of the national rail network. 3. Promotes multimodality, identifying needs for multimodal or transshipment freight and passenger terminals and active modes 4. Includes assessment of road safety risks in line with existing national road safety strategies, together with a mapping of the affected roads and sections and providing with a prioritisation of the corresponding investments 5. Provides information on budgetary and financing resources corresponding to the planned investments and required to cover operation and maintenance costs of the existing and planned infrastructures. 	<p>from the annexes to the proposal for a regulation of the european parliament and of the council :</p> <p>EC (2018) ANNEXES to the Regulation Of The European Parliament And Of The Council https://ec.europa.eu/transparency/regdoc/rep/1/2018/EN/COM-2018-375-F1-EN-ANNEX-1-PART-1.PDF</p>	
109)	<p>Romania shall ensure that existing and planned infrastructures include measures aiming at promoting alternative fuels, in line with the relevant national policy frameworks.</p>	<p>Alternative fuels have prominent advantages for reducing emissions of greenhouse gases and pollutants. Furthermore, they help alleviating the dependence on fossil fuel consumption in the transport sector. However, the switch from current fuels to the alternative fuels requires a fuel infrastructure change, since most of the alternative fuels are not drop-in fuels (e.g. electricity, CNG, LNG, ethanol, hydrogen) and this change must be plan in the relevant national policy framework.</p>	
110)	<p>The government shall complete the requirements of the EU Directive on the Deployment of Alternative Fuels Infrastructure (2014/94/EU) for electric cars.</p>	<p>Directive (2014) Of The European Parliament And Of The Council Of 22 October 2014 on the deployment of alternative fuels infrastructure https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014L0094&from=EN</p>	
111)	<p>Romania shall identify investment needs and financing sources for implementing the E-mobility Programme, analyse its impact on electricity generation and compare its cost-effectiveness with other options to reduce GHG emissions from transport.</p>	<p>More information: UNEP (2019) GEF Global E-Mobility Programme to help developing countries go electric https://www.unenvironment.org/news-and-stories/press-release/gef-global-e-mobility-programme-help-developing-countries-go</p>	
112)	<p>The government shall modify the legislation on land use and construction in a way that it stimulates the setting up of proper parking installations for bicycles, including electric ones and modify the technical and traffic regulations related to electric bicycles.</p>	<p>Cycling reduces air pollution, ecological footprint, CO2 emission. It is healthy and very inexpensive. Electric bicycles have become more and more popular with their capability to increase the standard cycling commuting distance, it is therefore important alongside as regular bicycles to incentive their utilisation through</p>	

		modification of the current legislation. Moreover, investing in active mobility (walking and cycling, also encouraging multimodal connection with public transport, e.g. through bike parking facilities at public transport hubs) will further improve public health thanks to increased levels of physical activity. This can decrease obesity levels and contribute to preventing cancer, hypertension and other chronic diseases.	
113)	Romania shall make it obligatory for all cities with a population over 50,000 to implement low emission zones (LEZ) in order to reduce air pollution and decrease the import of obsolete used cars. The already existing cars of residents might be temporarily exempted from the restrictions.	More information on LEZ here: (2019) Low-Emission Zones are a success - but they must now move to zero-emission mobility https://www.transportenvironment.org/sites/te/files/publications/2019_09_Briefing_LEZ-ZEZ_final.pdf	
114)	An integrated ITS (Intelligent Transport System) for urban freight transport shall be implemented in order to eliminate unnecessary truck movements (for example, searching parking sites) and empty (or half-empty) runs.	ITS integrates telecommunications, electronics and information technologies with transport engineering in order to plan, design, operate, maintain and manage transport systems. It helps to decrease traffic congestion, air and noise pollution and it increases business efficiency, safety of vulnerable road users and allocation of road space especially in the management of truck movements.	
115)	Romania shall promote the wider use of carpooling.	Carpooling positively affects traffic congestion and the environment by reducing the carbon footprint.	
116)	Romania shall promote car-sharing.	More information on the advantages of car-sharing: EPSUMP (2019) Guidelines for Developing and Implementing a Sustainable Urban Mobility Plan, Second Edition https://www.brightaroundthecorner.com/mobility/benefits-car-sharing/	
117)	Romania shall promote the sharing of light electric vehicles (pedelecs, etc.)	Light electric vehicles sharing is a remedy against high volumes of traffic and air pollution. Moreover, the advantages of this type of transportation can easily challenge established forms of transport in the near future. Indeed, it is faster, cheaper, and more flexible than public transportation, it requires less maintenance and is less expensive than owning a car and can be combined with other means of transport.	
118)	Romania shall promote eco-driving (for example, by promoting the application of electronic eco-driving assistance systems, especially for professional drivers).	More information here: Together On the Move. Benefits of Eco-driving http://www.together-eu.org/docs/102/TOGETHER_Eco-driving_5_Handout_15.pdf	
119)	Romania shall introduce restrictions for the traffic of polluting motorcycles and scooters.	Motorcycles and scooters with internal combustion engines have high emissions of hydrocarbons, carbon monoxide and PM. Therefore, this measure will reduce air pollution, especially in the urban areas.	
120)	Efficient regional contracting entities shall be established, which will order the services from the public transport companies in a way which ensures efficient services in accordance with the unified national transport schedules.	(2020), EUCOM, Communication from the Commission: Guidelines on the progressive restoration of transport services and connectivity https://ec.europa.eu/info/sites/info/files/communication_transportservices.pdf	
121)	A clock-face scheduling of public transport shall be implemented wherever possible.	Clock-face scheduling will increase the attractiveness and versatility of public transport. A constant schedule over the whole day can also improve service during off-	

		peak hours and makes more efficient use of personnel, infrastructure, and vehicles, and can make resource planning easier.	
122)	The government shall take measures to improve the state of the existing bus fleet by using particle filters on medium aged buses, and to ensure better maintenance of the bus fleet.	Many public transport buses operating in Romania are obsolete and emit a huge amount of harmful substances. Moreover, the lack of proper maintenance of the buses is making pollution even worse. In a number of cases, diesel fumes can be smelt even inside the bus. The use of particle filters will help to decrease the PN concentration which inside some buses, have been sometimes measured up to 20 times higher than the background urban pollution.	
123)	Romania shall reduce the environmental impact of road construction and maintenance by using best practice in sustainable road construction, therefore minimizing wasted resources.	More information: https://sustainableroads.eu ResearchGate (2012) Reducing the environmental impact of road construction https://www.researchgate.net/publication/330039291_Reducing_the_environmental_impact_of_road_construction	
Waste management			
124)	The existing EU waste legislation shall be fully implemented (which includes the waste hierarchy, the need to ensure separate collection of waste, the landfill diversion targets, etc.).	EC EU Waste Legislation : https://ec.europa.eu/environment/waste/legislation/index.htm	
125)	Waste prevention, re-use definitions and terms shall be clarified by legislation. Continuous work needed on end-of-waste definitions.	EEA (2019) Waste prevention in Europe https://www.eea.europa.eu/themes/waste/waste-prevention	
126)	Romania shall revise its production related legislation and industrial regulations.	This is necessary to achieve waste prevention and re-use goals, The Waste Framework Directive prescribes prevention whereas prevention is out of the WFD's scope: in case of prevention and re-use products are not in waste status.	
127)	Romania shall enable by revising its legislation the widespread of composting methods.	Current regulation on composting gives very limited entitlement to carry out the activity.	
128)	Romania shall increase the separate collection of waste so that it attains the post-2020 recycling and landfill targets set out in the revised Waste Directives (especially the glass packaging recycling target).	During the last MFF, the EU funds were primarily used to create the infrastructure for waste management (in the framework of the regional masterplans), now the focus has to be the creation of the recycling horizontal infrastructure. Moreover, Romania had still not met the requirements of the EU packaging targets of 2012-14.	
129)	The waste prevention programmes shall meet the following requirements: they are compliant with the waste hierarchy, they set out waste prevention objectives and measures to break the link between economic growth and the environmental impacts associated with the generation of waste and they contain qualitative and quantitative indicators necessary to measure progress in this field.	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2008/98/EC on waste COM/2015/0595 final : https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52015PC0595	
130)	Romania shall assess existing waste collection schemes, including the material and territorial	It will be useful for the Commission to identify further investments needed for Romania to upgrade waste	

	coverage of separate collection and measures to improve its operation, as well as the need for new collection schemes and make an investment gap assessment justifying the need for additional or upgraded waste infrastructure, with an information of the sources of revenues available to meet operation and maintenance costs.	infrastructures.	
131)	<p>Romania shall ensure that Waste management plan(s) are in place in accordance with Article 28 of Directive 2008/98/EC as amended by Directive EU 2018/xxxx and covering the entire territory of the Member State and includes:</p> <ol style="list-style-type: none"> 1. An analysis of the current waste management situation in the geographical entity concerned, including the type, quantity and source of waste generated and an evaluation of their future development taking into account the expected impacts of measures set out in the Waste Prevention Programme(s) developed in accordance with Article 29 of Directive 2008/98/EC as amended by Directive 2018/xx/EU 2. An assessment of existing waste collection schemes, including the material and territorial coverage of separate collection and measures to improve its operation, as well as the need for new collection schemes 3. An investment gap assessment justifying the need for additional or upgraded waste infrastructure, with an information of the sources of revenues available to meet operation and maintenance costs 4. Information on the location criteria for site identification and on the capacity of future waste treatment installations 	<p>Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2008/98/EC on waste COM/2015/0595 final : https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52015PC0595</p>	
132)	Romania shall propose concrete solutions to raise its recycling rate (especially for glass recycling) and to avoid illegal dumping. A deposit-refund system can be used for example.	The deposit-refund scheme for both single-use and refillable beverage containers in Lithuania proved instrumental in raising the collection rate for glass beverage containers from 32% to 73% within a few months in 2016. Door-to-door separate collection of glass or pay-as-you-throw schemes charging users for waste (measured by weight or volume) could also help enhance glass recycling.	
133)	Glass' recycling points shall be more common (and to encourage recycling, Romania shall use a deposit-refund scheme for both single-use and refillable beverage containers, door-to-door separate collection of glass or pay-as-you-throw schemes charging users for waste measured by weight or volume).	In terms of glass recycling, Romania is lagging behind to most of European countries and does not meet the requirements of the Directive 2008/98/EC to increase the recycling rate of glass waste to 50% in 2020.	
134)	Romania shall increase the share of recovered and treated construction and demolition waste. Backfilling shall not be assessed similarly to recycling of C&D waste.	Construction and demolition waste constitute the largest share of waste in Romania, it is therefore important to promote selective demolition to help remove recyclable and reusable parts of C&D waste. Backfilling is not more than disposal, and the inclusion	

		in the recycling target distorts recycling activities.	
135)	The construction of incineration plants (RDF thermic utilisation plants) shall be avoided, especially in areas with high concentrations of particulate matter.		
136)	The policy framework shall be strengthened to speed up the uptake of the circular economy by all economic sectors, especially concerning water and energy savings, waste reduction, the recycling of materials, eco-design and/or the uptake of the secondary raw materials market. Moreover, Romania shall establish an institutional coordination mechanism between the different ministries in charge of the promotion of circular economy	Romania does not have a dedicated policy framework for a circular economy. Instead, several national strategies and action plans address the issue of material and resource management. There is currently no dedicated institutional coordination mechanism between the different ministries for the promotion of a circular economy. However, the transition to a circular economy would require a whole-of-government approach through collaboration between relevant ministries to steer the transition to a circular economy.	
137)	Romania shall set minimum obligations on producers to use secondary raw material as input, in sectors where applicable.	The use of secondary raw material is strongly promoted by the Commission as part of the Circular Economy Action Plan: https://ec.europa.eu/environment/circular-economy/index_en.htm	
138)	Romania shall plan investments in reuse and recycling infrastructure. Romania shall initiate tools and facilities for reusing construction materials (including material passports/databases for reusable construction elements), substituting existing construction materials by more sustainable alternatives (e.g., wood) and using construction materials with recycled content. The support granted shall comply with the conditions defined in the EEAG or the GBER. A competitive, open and non-discriminatory bidding procedure for selecting beneficiaries and determining the level of support shall ensure that aid is limited to what is necessary.	This is necessary in order to reduce the negative environmental externalities associated with energy and resource use for renovation activities. A green public procurement process aimed at selecting the builder and operator of the recycling facility will ensure a transparent and non-discriminatory bidding process and an efficient use of public funds, while taking into account environmental sustainability criteria. While the government will provide support for building the facility (investment aid), the recurrent costs of maintaining and operating the reuse system and tools as well as the recycling facilities should be covered by operator.	
Environmental risk prevention			
139)	Romania shall ensure that national climate change adaptation strategies address the impact of climate change on health, agriculture and forest, biodiversity and ecosystems, water areas, and infrastructures and constructions.	EU Com (2020), EU Biodiversity Strategy, Brussels https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1590574123338&uri=CELEX:52020DC0380	2030
140)	Romania shall make a revision of risky industrial activities next to the streams/rivers in order to prevent the polluted water and the toxic substances getting to the living rivers and lakes.	This measure will not only protect wildlife, but it will protect drinking water supply, as well. SSMP. Best Management Practices For Industrial Storm Water Pollution Control https://waterresources.saccounty.net/stormwater/documents/industrial-BMP-manual.pdf	31/12/25
141)	In its national or regional disaster risk management plan, Romania shall ensure that the measures are prioritized in proportion to the risks and their economic impact, capacity gaps, effectiveness and efficiency, taking into account possible	UNISDR (2017) Global Assessment Report 2015 https://www.preventionweb.net/disaster-risk/concepts/dr-r-drm/	31/12/22

	alternatives.		
142)	Romania shall collect and compile climate change related statistics and introduce an analysis methodology for climate vulnerability assessments.	ECOFYS (2015), Assessing Adaptation Knowledge in Europe: Vulnerability to Climate Change. Final Report https://ec.europa.eu/clima/sites/clima/files/adaptation/what/docs/climate_change_vulnerability_en.pdf	31/12/20
143)	Transboundary flood protection shall be developed that satisfies ecological demands: the government shall focus on natural solutions. The flood protection and water management shall follow new concepts due to the effects of climate change (i.e. water retention and utilization instead of water regulation) which can only be carried out by a coordinated territorial planning between the different sectors.	The areas threatened by floods and inland waters cover a big part of the country. In previous flood protection measures, many urgent interventions against flood risks of small streams primarily in hilly areas have been made in not adequate way which ignored the basic ecological and environmental aspects.	31/12/21

6. General references

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Annex 1

Indicators of progress

The indicators with concrete annual targets on national level are indispensable in order to measure progress. The indicators on project level are necessary but they do not reflect at all the situation on national level. It might happen (and it has happened quite often) that project indicators showed progress while national indicators on the same topic showed regress.

The indicators on which the Member States' performance is assessed should be substantially improved.

- a) Further well measurable indicators showing the progress on national level should also be applied (for example, the Innovation Union Scoreboard, the results of OECD's PISA, the change in the GINI Index, and the change in healthy life years). It is much more important to have indicators on national level than for projects financed by the EU.
 - b) The indicators should be as SMART (specific, measurable, attainable, realistic and timely) as possible.
 - c) In cases where no concrete indicators can be worked out, it should be required that the Member State apply the best practice possible (e.g. concerning legislative and institutional measures to combat corruption and tax fraud).
 - d) The indicators (priorities) must be worked out in a transparent process, involving all stakeholders, and providing for these stakeholders the necessary means for meaningful participation, in accordance with the European Code of Conduct on Partnership. This will guarantee the robustness and public acceptance of the indicators. There are many documents containing indicators that might be used as a basis for the indicators in the Partnership Agreement.
- First of all, the **OECD Green Growth Indicators** can be recommended:
 - <https://www.oecd.org/greengrowth/green-growth-indicators/>
 - https://read.oecd-ilibrary.org/environment/green-growth-indicators-2013_9789264202030-en#page1 (2013)
 - <https://www.oecd-ilibrary.org/sites/9789264268586-en/index.html?itemId=/content/publication/9789264268586-en> (2017)
 - The **United Nations indicators for the targets of the 2030 Agenda (SDG)** are also very important. As a Member State of the European Union, Romanian committed itself to achieve the 17 SDGs (Sustainable Development Goals) by 2030, which are set out in the 2030 Agenda for Sustainable Development. Each of these goals are supported by many indicators (there are 231 unique indicators) that are being used to measure progress towards each target. As far as the environment is concerned the following indicators are most relevant: SDG 11, 12, 13: https://unstats.un.org/sdgs/indicators/Global%20Indicator%20Framework%20after%202020%20review_Eng.pdf.
 - Moreover, the **EU SDG indicator set** is also related to the United Nations SDGs: they are structured along the 17 goals of the United Nations 2030 Agenda and are intended to measure progress towards the SDGs in an EU context: <https://ec.europa.eu/eurostat/web/sdi/indicators>