

CONCLUSIONS:

For the 2007 – 2013 Structural and Cohesion funding there was a high degree of correlation between areas where significant investment was programmed and where investment was required to achieve compliance. As foreseen according to the timelines these areas continue to dominate the need for investment. Additionally, the need to upgrade the energy transportation network has arisen. In the electricity sector, somewhat ironically, because of the renewables target being met. Although the targets set-out in the Accession Treaty still hold good, much of the concerned legislation has been superseded and more demanding targets set. This is a double blow to countries like Romania as the race is still on to bring the infrastructure up to the levels from which the new targets were originally set. It is highly unlikely that sufficient EU funding will be available in the 2014 – 2020 funding round to meet these challenges. With Bulgaria, Romania has the lowest GDP per capita of all Member States (1/2 average); it is difficult to see that the investments can be made from the national budget either.

Heavy investment required to achieve acquis compliance becomes limited primarily to three areas; energy, environment and transport. The targets to be achieved were and remain largely long-term. The undertakings are large scale and complex. Thus far progress has been variable with good progress in the water domain and less so in the transport sector. The targets are ambitious and, although regrettably, there has been some slippage of the timelines it is not that surprising. The medium-term aims of the EU – say the Europe 2020 strategy – encompass many other domains. Romania has huge potential – say energy and agriculture – and areas where development is required to achieve parity with the old Member States – say infrastructure and tertiary education. In these circumstances it would not be reasonable to simply prioritise investment because it is required to achieve acquis compliance. However given limited funds for investment, choices have to be made as to where investment should be made. Acquis compliance is one of many considerations. In terms of this evaluation which is concerned with the investment needs arising from acquis compliance, overwhelmingly this investment equates with infrastructure development. Whereas the target dates for compliance in Annex VII of the Accession Treaty and some of the new acquis are fixed and should be adhered to others are more open and, in practice, can be adopted as old infrastructure reaches the end of its lifetime and is replaced by new infrastructure. Whether this cycle should be pre-

empted is a matter for policy, or better, the merits of the investment beyond acquis compliance.

Although there is a legal obligation to meet both the Annex VII Accession Treaty targets and the target dates for acquis compliance where given much of the acquis does not have set target date or there are set in the very long term. In such cases acquis compliance is one factor to be taken into account when considering areas to be invested in but it is not the only factor. Certainly efforts should continue to honour the commitments of the Accession Treaty and the new acquis but not at all costs and to the detriment of other domains where investment is needed to secure the future for Romania as a country and productive Member State.

In practice programming for 2014- 2020 will be dominated by the Europe 2020 strategy but within this framework there are opportunities to secure funding to meet acquis obligations.

Table 28 Consolidated recommendations for areas of investment correlated with acquis requirements

| Acquis | Investment |
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| Energy | |
| <p>994/2010 of 20 October 2010 concerning measures to safeguard security of gas supply. Regulation (EU) No. 347/2013 on guidelines for trans-European energy infrastructure (New TEN-E Regulation) Electricity Directive (72/2009/EC)</p> | <p>Interconnection of gas and electricity networks with neighbouring countries;</p> <p>Modernising the energy infrastructure (transport and distribution networks – gas, electricity, heat) to reduce the losses and inefficient energy consumption due to the extended use of existent installations, many passed their projected lifetime; and the commissioning of modern, more efficient power plants;</p> |
| <p>Directive 2009/28/EC of 5 June 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC.</p> | <p>Consolidation of electricity network in order to integrate and accommodate a higher share of renewable energy entering the grid, following the boom of wind farms witnessed since 2008 and are now becoming operational;</p> |
| <p>The recast Directive 2010/31/EU on the energy performance of buildings, („EPBD”) Energy Efficiency Directive 2012/27/EU</p> | <p>Smart metering and development of smart grids;</p> <p>Increase energy performance of buildings (Directive 2010/31/EU requires that until December 31, 2018, all buildings occupied or owned by public authorities should be a „nearly zero-energy building”; and, after 31 December 2020, all new buildings);</p> <p>Increase energy efficiency in final consumption, in services, and in public institutions (Dir. 2012/27/EU).</p> |
| <p>(Directive 2008/98/EC Waste)</p> | <p>Support for energy recovery from industrial discharges e.g. hydrogen emissions from chemicals manufacture.</p> |
| Environment | |
| <p>Directive 2008/105/EC on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council</p> | <p>Expanding public access to water supply services, sewerage and wastewater treatment</p> <p>Support further development of drinking water quality monitoring</p> |
| <p>Directive 2008/98/EC on waste Directive 2013/2/EU of 7 February 2013 amending Annex I to Directive 94/62/EC on packaging and packaging waste - transposition deadline</p> | <p>Further development of waste management infrastructure and related services, including improving integrated systems already implemented by favouring solutions for reuse,</p> |

| Acquis | Investment |
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| 30.09.2013 Directive 2011/97/EU of 5 December 2011 | recycling and energy recovery |
| Directive 2000/60/EC establishing a framework for the Community action in the field of water policy (Water Framework Directive) | Reducing risk and flood damage through support ecological restoration of wetlands and floodplain restoration; |
| | Support projects to restore longitudinal connectivity of rivers; |
| | Support projects for the protection and rehabilitation of the coastal zone |
| Air Quality Directive 2008 / 50/ EC (Framework Directive 96/62/EC, 1-3 daughter Directives 1999/30/EC, 2000/69/EC, 2002/3/EC, and Decision on Exchange of Information 97/101/EC.) | Support the development of air quality management plans, implementation of air quality monitoring and pollution reduction measures according to the air quality management plans. |
| Birds Directive (2009/147/EC) Habitats Directive (92/43/EEC) | Implementation of adequate Management Systems for Nature by continuing the development of management plans of protected areas , as well as project implementation support capacity assessment, ecological restoration and biodiversity conservation |
| Horizontal | Support Rehabilitation of contaminated sites through project specific investigation, monitoring and remediation |
| Environmental Noise Directive (2002/49/EC) | Support the development of noise maps and implementation of noise reduction measures; |
| SEA Directive 2001/42/EC EIA Directive (85/337/EEC) Infrastructure for Spatial Information in the European Community (INSPIRE) Directive 2007/2/EC | Support to increase capacity to implement the EIA and SEA , mainly by improving public consultation and cumulative impact assessment. |
| Soil Thematic Strategy (COM 2006) 231 (proposed Soil Framework Directive (COM 2006) 232)) | Support the implementation of risk areas identifications for soil , elaboration of management plans and implementation of preventative measures. |
| Marine Strategy Framework Directive 2008/56 | Support the implementation of measures designed to achieve or maintain Good Environmental Status of marine waters |
| Transport | |
| Directive 2012/34/EU establishing a single European railway area | The continuation of the works on the TEN-T rail IV and IX corridors; Location and developing the intermodal public freight terminals for the integration of the main traffic rail, road, IWW and maritime flows from national level with the local level, for efficient supply in |

| Acquis | Investment |
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| | <p>large urban areas in Romania Developing the efficient rail connections with regional and international airports with intermodal passenger facilities in large urban areas Modernizing rail crossing border connections though removing technical and logistical barriers Developing the European Rail Traffic Management System(ERTMS) level 2 on the rail TEN-T corridors</p> |
| <p>Directive 2008/57/EC on the interoperability of the rail system within the Community ; Commission Directive 2011/18/EU of 1 March 2011 amending Annexes II, V and VI to Directive 2008/57/EC</p> | <p>Modernizing rolling stock and its adjusting the provision to the users exigencies, in terms of energy and financial efficiency Gradual implementation of ERTMS level 1 on the non TEN-T railway network to ensure interoperability</p> |
| <p>Directive 2008/110/EC of the European Parliament and of the Council of 16 December 2008 amending Directive 2004/49/EC on safety on the Community's railways (Railway Safety Directive)</p> | <p>Strengthening the maintenance and repairs system (including materials and equipment recovery) for the railway infrastructure and rolling stock with associated/needed personnel training programs.</p> |
| <p>Commission Implementing Regulation (EU) No 1207/2011 of 22 November 2011 laying down requirements for the performance and the interoperability of surveillance for the single European sky</p> | <p>Modernizing/upgrading the regional airport infrastructure (including info-infrastructure equipment for air traffic management)</p> |
| <p>Regulation EC 1137/2008 and Commission Directive 2007/71/EC of 13 December 2007 amending Annex II of Directive 2000/59/EC of the European Parliament and the Council on port reception facilities for ship-generated waste and cargo residues</p> | <p>Modernizing/ upgrading the maritime and IWW port infrastructure and related rail connections to the national railway network Modernizing the management and monitoring system for IWW freight and passengers traffic flows in ports, in terms of waste and residues securing (including a "one-stop-shop" information system for this purpose)</p> |
| <p>Directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic</p> | <p>Continuing the road infrastructure development</p> |