

## LEGAL ASPECTS OF IMPLEMENTATION STRATEGY FOR SUSTAINABLE DEVELOPMENT IN ROMANIA

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**Abstract:** Sustainable development is the wish to accomplish a stability, a compound between the desire of citizens, the community on which it depends and by which it is defined and the context that allows self-realization. This balance starts with human, a main actor who seeks a personal balance and sympathetic circumstances to achieve it. Favorable circumstances are influenced by the whole society that have to pole and inspire it and by the habitat through which it finds itself and can find its equity. The role of the government in the context of sustainable development is to help achieve this equity, not only for the people of today, but also for the generations to come. The essential pillars underlying the concept of sustainable development relate to the economic environment, the social environment and the protection of the environment. The activities included in this concept refer to agriculture, industry, innovation, infrastructure, business environment, nutrition, health and well-being, education and partnerships to achieve goals. All of these being closely related and connected to each other in order to achieve the objectives that support sustainable development.

**Key words:** sustainable development, legislation, strategy, objectives, national program

### INTRODUCTION

On June 20, 2012, the United Nations Conference on Sustainable Development entitled *Rio+20* took place. This Conference is essentially a continuation of the 1992 Summit also in Rio known as the United Nations Conference on Environment and Development. The document that resulted in the Conference *Rio+20* resumed the commitments assumed by the participating states at the previous summits and also establishes new directions to follow. Also within this document were recorded the main results as a result of the conference, namely: launching a process that would lead to the establishment of sustainable development objectives; the creation of a " high-ranking forum" responsible for monitoring sustainable development; strengthening the United Nations Environment Program and broadening its mandate; defining the green economy; adoption of the ten-year programming framework on sustainable consumption and production patterns (10YFP); initiating processes regarding the sustainability of companies and measuring prosperity and well-being beyond GDP; recognition of the role of subnational authorities and establishing a register of voluntary commitments.

On September 27, 2015, in New York, the UN Summit on Sustainable Development took place, in which Romania also took part. During this event, a document entitled *Agenda 2030 for sustainable development* was adopted, including a unique set of Sustainable Development Goals (SDGs) at the global level. The adoption of the 2030 Agenda is the culmination of a long process of dialogue and negotiations involving both government representatives and non-state actors, which was launched in June 2012 at the Rio+20 Summit [20].

The national strategy for the sustainable development of Romania 2030 was adopted by the Government on 09.11.2018 by Government decision no. 877/2018, which was later amended and completed by Government decision no. 754/2022. Both normative acts refer to the National Action Plan for the implementation of NSSDR 2030.

## MATERIALS AND METHODS

The materials used to write this work consist of normative acts and web pages. The methods used are legal, namely the formal method, the comparative method, the logical and sociological method and the analytical method. The use of these methods had the role of carrying out a systematic analysis of the information from the studied sources in order to elaborate the points of view, the results of the research carried out and the conclusions.

## RESEARCH RESULTS

Romania, as a state party within the UN Summit of September 25/26, 2015, undertook to introduce into the national legislation the objectives established in *the 2030 Agenda for Sustainable Development* [22]. These objectives, 17 in number, refer to : *without poverty* – the eradication of poverty in any context; *zero hunger* – eradicating hunger, ensuring security of food; *health and prosperity*; *quality education* – guaranteeing a quality education and promoting lifelong learning opportunities for all; *gender equality* – achieving gender equality and empowering all women and girls; *clean water and sanitation*; *clean energy at affordable*; *decent work and economic*; *industry, innovation and*; *reduced inequalities*; *sustainable cities and communities*; *responsible consumption and production*; *climate action aquatic life*; *terrestrial life*; *peace, justice and efficient*; *partnerships to achieve the objectives*.

The national strategy for the sustainable development of Romania 2030 was adopted by the Government on 09.11.2018 by HG no. 877/2018. Through this strategy, Romania establishes its national framework for supporting the 2030 Agenda and implementing the set of 17 ODDs. The strategy supports Romania's growth, evolution and development on three essential and major pillars, specifically: economic, social and environmental. These pillars are oriented to citizens and focused on innovation, optimism, resilience and the trust that the state serves the needs of every citizen, in a fair, efficient way and in a clean, balanced and integrated environment [10].

The documentation and substantiation of the strategy were made on the basis of reports received from ministries and other central institutions, developed for this purpose, synthesis materials developed under the auspices of the Romanian Academy and other academic scientific forums, accessible data of European and UN institutions, suggestions and the recommendations recorded following public consultations with the business environment, the university environment, national research-development institutes, NGOs and representative exponents of civil society, as well as the contributions of individual experts.

In order to adapt the NSSDR to the new economic, social and relational realities, HG no. 877/2018 was amended and completed in this sense by adopting [12] HG 754/2022 for the amendment and completion of Government Decision no. 877/2018 regarding the adoption of the National Strategy for the sustainable development of Romania 2030 [10]. The normative act is based on: *I.* the provisions of art. 7 para. 2 of HG 379/2022 according to which the strategies are accompanied by an annex containing an action plan - broken down by actions, responsible institutions, implementation periods, expected results and monitoring indicators and evaluation stages [11], *II.* art. 108 of the Constitution - regarding the adoption by the Government of ordinances and decisions [1] and *III.* Government emergency ordinance 57/2019 art. 25 (e) regarding the main attributions of the Government [13].

The NSSDR 2030 is the key document that guides the implementation of the NSSDR 2030, in accordance with the objectives of the 2030 Agenda for Sustainable Development and the strategic documents of the EU, in all policies, for sustainable development on an internal level until 2030. The National Action Plan is the result of an

extensive public consultation process, carried out in 2021 with representatives from central and local public authorities and institutions, the private environment, the academic environment, the scientific, social partners, civil society, as well as with the members of the Consultative Council for Sustainable Development (CCSD). In its content, the PNA establishes 4 directions priority and 12 specific objectives. The 4 directions are: 1. *Consolidation and Expansion of the Governance Framework for Sustainable Development* with the following objectives - development and consolidation of the normative and inter-institutional cooperation framework for the implementation of the SNDDR 2030; internal costs planning structure for the fulfillment of monetary based on SDG (Sustainable Development Goals); support given to local authorities for incorporating the principles and values of the sustainable development concept into local policies and strategies; supporting and stimulating the business environment and civil society in adopting and implementing the principles and values of the concept of sustainable development; strengthening the CDI system to strengthen the anticipatory capacity to develop evidence-based public policies for sustainable development. 2. *Supporting the Implementation of NSSDR 2030 through Education and Training Programs for Sustainable Development* with the following objectives - the training of human resources in the field of sustainable development and the development of specific tools for education for sustainable development in all stages of education. 3. *Promoting the Principles and Values of the Sustainable Development Concept* with the following objectives - promoting sustainable development concepts with the aim of achieving the NSSDR 2030 targets and communication in support of the implementation of the SNDDR 2030. 4. *Monitoring and Evaluation of the Implementation of NSSDR 2030* with the following objectives - mechanism for monitoring and evaluating the implementation of NSSDR 2030; reporting the status of the NSSDR 2030 implementation and the correlation of the implementation of sectoral policies to achieve the NSSDR 2030 targets [15].

Strategic documents at the level of the European Union refer to:

I. *The European Ecological Pact* - Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions, Brussels, 11.12.2019. The Communication reiterates the Commission's commitment to address climate and environmental challenges, which are the defining responsibility of our generation by: transforming a pressing challenge into a unique opportunity; transforming the EU economy for a sustainable future by developing a set of profoundly transformative policies, mobilizing the industrial sector for a clear and annular farm-to-consumer economy: designing a fair, healthy and ecological food system and integrating sustainability into all EU policies .

II. *The European Climate Pact* - Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Brussels 9.12.2020 COM(2020) 788 final. The European Climate Pact is an initiative of the Commission to work with different stakeholders and civil society, aiming to determine their commitment to climate action and more sustainable behaviour. It provides ways for people and organizations to learn about climate change, develop and implement solutions, and connect with each other to multiply the impact of those solutions. The Pact creates a dynamic space to exchange information, debate and act on the climate crisis and also provides support for the development and consolidation of a European climate movement. The European Climate Pact focuses on raising public awareness and supporting action.

III. *European climate law* – Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving

climate neutrality and amending Regulations (EC) no. 401/2009 and (EU) 2018/1999 ("European climate law"). The normative act establishes a framework for the irreversible and progressive reduction of anthropogenic emissions of greenhouse gases by sources and for the increase of absorptions by absorbers regulated under Union law; sets a binding target of achieving climate neutrality in the Union by 2050, with a view to meeting the long-term temperature objective set out in Article 2(1)(a) of the Paris Agreement, and provides a framework for making progress in order to meet the global adaptation objective established in Article 7 of the Paris Agreement and establishes for the year 2030 a mandatory objective of the Union regarding the net domestic reduction of greenhouse gas emissions [16].

IV. *Taxonomy* – 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 investments and amending Regulation (EU) 2019/2088. The normative act regulates the criteria by which it is determined whether an economic activity qualifies as sustainable from environmental point of view in order to determine the degree to which an investment is sustainable from the environmental point of view [17].

V. *FSE+ (European Social Fund Plus)* - is the main financial instrument of the European Union that finances employment in the EU states and promotes economic and social cohesion and is one of the structural funds of the EU dedicated to improving social cohesion and economic well-being. The normative act that regulates the European social fund is Regulation (EU) 2021/1057 of the European Parliament and of the Council of 24 June 2021 establishing the European Social Fund Plus and revoking Regulation (EU) no. 1296/2013 which establishes the objectives of the fund and, according to which the FSE+ is made up of two components: the component with shared management and the component regarding employment and social innovation [18].

VI. *A new Circular Economy Action Plan. For a cleaner and more competitive Europe* - Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, COM(2020) 98 final, Brussels, 11.3.2020. The Circular Economy Action Plan presents a forward-looking agenda to achieve the goal of a cleaner and more competitive Europe, in collaboration with economic actors, consumers, citizens and civil society organisations. The action plan *aims* to accelerate the radical changes required by the European Green Deal, building on circular economy actions implemented since 2015 and *presents* a series of interconnected initiatives aimed at establishing a strong and coherent product policy framework, thanks to which sustainable products, services and business models become the norm, and consumption patterns are permanently transformed, so that the generation of waste is avoided from the very beginning [2].

*ARE YOU COMING. "Getting ready for 55": meeting the EU's 2030 climate target on the way to climate neutrality* - Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, COM(2021) 550 final, Brussels, 14.7.2021 strategy consists a group of interdependent proposals, all pursuing the same objective of ensuring a fair and competitive transition by 2030 and beyond. Where possible, existing legislation has been made more ambitious, and where necessary, new proposals have been put forward. Overall, the package strengthens eight existing pieces of legislation and introduces five new initiatives, across a range of policy areas and economic sectors: climate, energy and fuels, transport, buildings, land use and forestry. The policies chosen to support the strategy represent a balance between pricing, objectives, norms and support measures [3] (Table 1).

**Table 1.**

ESTABLISHMENT OF PRICES	Objection	RULES
1. A more robust system for trading emission certificates, including in the aviation sector	1. Update of the Regulation on the sharing of efforts	1. Stricter rules on vehicle CO2 emissions
2. Extending the trading of emission certificates to maritime transport, road transport and the building sector	2. Update of the Regulation on land use, change of land use and forestry	2. A new infrastructure for alternative fuels
3. Update of the Directive on energy taxation	3. Update of the Directive on energy from renewable sources	3. ReFuelEU: more sustainable aviation fuels
4. A new carbon border adjustment mechanism	4. Update of the Energy Efficiency Directive	FuelEU: greener fuels for maritime transport
<b>SUPPORT MEASURES</b>		
Using revenues and regulations to promote innovation, strengthen solidarity and mitigate impacts on vulnerable people, in particular through the new Social Impact Mitigation Fund for Climate Action and strengthened funds for modernization and innovation.		

Source: COM 550/2021 [3]

*VIII. EU Biodiversity Strategy for 2030, "Bringing nature back into our lives" -* Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, COM(2020) 380 final, Brussels, 20.5.2020. Biodiversity is essential for protecting food security both at the EU and worldwide level. Biodiversity loss threatens food systems, thus jeopardizing our food security and nutrition. Biodiversity is also the basis of healthy and nutritious food regimes and improves the means of subsistence in the rural environment and the productivity of agriculture [9]. Biodiversity loss and ecosystem collapse are among the most important threats humanity will face in the next decade [19].

*IX. A New Industrial Strategy for Europe -* [4] Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, COM/2020/102 final, Brussels, 10.3.2020. The industrial strategy for Europe must reflect the values and traditions of the social market economy, European industrial policy based on competition, open markets, world-leading research and technology and a strong single market designed to remove barriers and reduce red tape [5].

*X. A "Farm to Consumer" Strategy for a fair, healthy and ecological food system -* the strategy "From farm to consumer" aims to accelerate the EU's transition to a sustainable food system which: 1. has a neutral or positive impact on the environment; 2. helps mitigate climate change and adapt to its impact; 3. reverses the decline of biodiversity; 4. ensure food security, nutrition and public health, guaranteeing that every person has access to sufficient, nutritious and sustainable food products; 5. maintain the affordability of food products, while generating fairer economic returns, boosting the competitiveness of the EU supply sector and promoting fair trade [21].

*XI. Better legislation: joining forces to improve legislation -* Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, COM(2021) 219 final, Brussels, 29.4.2021. The Better Law-Making System is one of the most advanced regulatory approaches worldwide [14]. EU legislation can bring benefits by making a concrete and positive contribution to the lives of its citizens, facilitating the work of businesses and helping to address current and future challenges [6].

*XII. Compass for the digital dimension 2030: the European model for the digital decade* -, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, COM(2021) 118 final, Brussels, 9.3.2021. The European model towards a digitized economy and society means solidarity, prosperity and sustainability, is based on a greater power of action of citizens and businesses, while guaranteeing the security and resilience of the European digital ecosystem and European supply chains. Digital technologies can contribute significantly to achieving the objectives of the European Green Deal. The adoption of digital solutions and the use of data will contribute to the transition to a climate-neutral, circular and more resilient economy. Replacing business trips with video conferencing allows emissions to be reduced, while in the agricultural, energy, construction, industrial or urban planning and service sectors, digital technologies enable greener processes, thus contributing to the objective which Europe proposed to reduce greenhouse gas emissions by at least 55% by 2030 and better protect our environment [7]. Digitization brings with it new sources of prosperity, enabling entrepreneurs to innovate, set up and grow their own business wherever they live, open markets and invest anywhere in Europe and anywhere in the world and create new jobs at a time when a growing number of Europeans feel their economic security or the environment in which they live is threatened [8].

## CONCLUSIONS

Both the national strategy and the one at the level of the entire European Union constitute a challenge, proposing the transition towards a sustainable development based on the principles and in the spirit of the 2030 Agenda for Sustainable Development. The efforts are substantial because it involves both the modification of existing rules and the adoption of new rules. The legislative measures that must be taken in order to fulfill the obligations assumed by the 2030 Agenda lead to the modification, to a certain extent, of the known rules. Thus, Romania, together with 192 other states, assumed the establishment of the national framework for supporting the 2030 Agenda for Sustainable Development, through a set of 17 Sustainable Development Goals The global action plan, which Romania chose to support, addresses all sectors of activity. The notion of sustainable development has been integrated into the Strategy for an Extended Europe, in a unified strategic vision, having as its general objectives the extended improvement of the quality of life for all generations, for the creation of sustainable societies as communities, capable of managing and using resources efficiently and harness the economy's ecological and social innovation potential to ensure prosperity, environmental protection and social coherence. The economic, social and legislative efforts are considerable, and if they are not taken at the global level, the finality might not be the desired one at the time of signing the 2030 Agenda.

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