

The corruptibility of public policies regarding the use of wind energy in Romania Position Paper

Given the keen interest shown by investors in using wind energy in Romania and the large number of such investments which have already begun;

Being aware that the energy sector is crucial for economic development and that wind is a renewable energy source that may contribute to the sustainable development of Romania, particularly since the current economic and financial crisis should make effective and sustainable actions on a long term compulsory;

Knowing Romania's commitments at European level regarding voluntary targets for renewable energy use, set by Directive 2001/77/EC, and the mandatory targets stipulated in Directive 2009/28/CE and the EU Climate and Energy Package (Package 20/20/20) and the new Europe 2020 Strategy - A European strategy for smart, sustainable and inclusive growth;

Analyzing the current status of national legislation regarding the promotion and use of renewable energy in Romania (particularly wind power);

Taking into account a number of 5 indicators for the evaluation of legislation corruptibility:

- transparency of governmental decisions,
- efficiency of the legal framework,
- effectiveness of legislation,
- government favoritism and
- impact on stakeholders

that have been analyzed in several meetings between NGOs and public authorities in Romania;

Noticing the progression of events at Colceag these last few weeks and being concerned that such events could also occur in other localities, which would lead to decreased investment in renewable energy sector in Romania;

Considering how the Ministry of Economy, Trade and Business has developed the National Action Plan on Renewable Energy (NAP), with a total lack of transparency and avoiding the inclusion of measures that would address real problems that block the use of renewable energy;

ALMA-RO Association urges the Romanian Parliament and Government to take the following steps:

- to reference legislation promoting renewable energy with the requirements of EU legislation, by transposing it in letter and spirit;
- to designate the authorities responsible for implementation of regulations so these are not in potential conflict of interest (e.g. authorities who have both implementation and control roles);
- to carry out regular evaluation of public policy implementation and adjust it if necessary;
- to eliminate the ambiguous wording and interpretation of legislation and to reference regulations;

- to reduce the unnecessary bureaucracy for the approval of investment projects in renewable energy (over 80 permits, certificates and other documents are now required) and implement the European Commission's recommendation to establish a single stop shop office.

ALMA-RO Association calls on the Ministry of Economy, Trade and Business to take the following steps:

- to acquire and apply the instruments of decision-making transparency according to legislation;
- to organize consultations with all stakeholders in renewable energy, concerning the National Action Plan on Renewable Energy and to develop its own database of stakeholders in this field;
- to notify the European Commission as soon as possible regarding the state aid requirements in the field of renewable energy use, which has not been done so far for the Law 220/2008;
- to elaborate a regional strategy for the use of wind energy in Dobrogea;
- to compel Transelectrica to take measures for the improvement of the electricity grid in areas with high potential for the development of renewable energy projects, also through the absorption of available structural funds;
- to elaborate a Guide for Developers of Renewable Energy Projects and a Guide for Local Authorities, together with its subordinated institutions, that should include the logical authorization steps, the institutions involved and the time of approval until the emergence of the single stop shop office.

ALMA-RO Association calls on The Minister of Environment and Forests to take the following measures:

- develop and publish a free cadastral map of areas where wind turbines can not be located;
- to merge this map with that developed by the National Institute of Meteorology and Hydrology regarding the wind energy potential in Romania.

ALMA-RO Association provides the study "The Corruptibility of legislation. Case study – the use of wind energy in Romania" to all individuals and institutions interested in this topic. The study analyses legislation based on the indicators and criteria developed by the association within the project. The study was conducted under the "Corruptibility of legislation. Case study - use of wind energy in Romania" Project, developed by ALMA-RO in partnership with the Foundation for Pluralism and financed by the European Union – The Transition Facility Programme 2007/19343.01.11

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