

ENERGY SECURITY

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ROMANIA'S LEGISLATIVE FRAMEWORK ON ENERGY SECURITY IN RELATION TO EU POLICIES

Abstract:	<i>European energy policy has transformed and evolved significantly over the last decades, responding to the global and regional challenges brought about by geopolitical, economic and geo-strategic changes. In terms of European legislation, the Union has developed a robust regulatory framework designed to respond to the challenges in the energy field, with a particular focus on the integration of the internal energy market and the promotion of renewable energy sources. For Romania, integration into the European Union has meant a series of adaptations of national legislation to European standards, with the aim of improving energy efficiency and increasing the security of energy supply. Measures include creating a diversified system of energy sources, interconnecting energy transmission networks with those of neighboring countries and developing energy storage capacity. In this paper, we aimed to identify the points of intersection between national and EU policies in the field of energy security. The identification of the rules that give this field a public character (in terms of overriding interest) and of the national legislative framework that would prioritize/not prioritize European policies, constitute two other points of interest for this paper.</i>
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Introduction

Energy security is an important pillar not only in national security, but also at EU level and, like any other field, it based on a legislative framework¹. Starting from this premise, we set out to analyze the legal norms that regulate the field of energy security and therefore, being topical for at least a decade, we have summarized important aspects of the situation in Romania, compared to the EU legislative structure at the European Union scale. It is essential to note from the outset that the subject itself is a challenge for us, since the field of energy security involves complex interdependencies between several national, regional and international regulatory levels, technological and geostrategic changes that have a direct impact on the stability and fluctuation of the energy system².

European energy policy has transformed and evolved significantly over the last decades, responding to the global and regional challenges brought about by geopolitical, economic and geo-strategic changes³. In

¹ Benjamin Sovacool, *Energy Security*, Vol. 4, SAGE Publications, London, 2013, p. 311

² Michèle Knodt, Jörg Kemmerzell, *Handbook of Energy Governance in Europe*, Springer International Publishing, Cham, 2022, p. 14

³ Daniel Yergin, *The New Map: Energy, Climate, and the Clash of Nations*, Penguin Press, New York, 2020, p. 25

terms of European legislation, the Union has developed a robust regulatory framework designed to respond to the challenges in the energy field, with a particular focus on the integration of the internal energy market and the promotion of renewable energy sources. For Romania, integration into the European Union has meant a series of adaptations of national legislation to European standards, with the aim of improving energy efficiency and increasing the security of energy supply. Measures include creating a diversified system of energy sources, interconnecting energy transmission networks with those of neighboring countries and developing energy storage capacity. A well-developed external energy policy also includes strategic partnerships with countries that have abundant energy resources and have also advantages from the stability and diversification of their markets, both European and international. A collaborative approach can therefore maximize economic and national security benefits. In this context, energy security becomes a multidimensional framework, including economic (referring to the impact on changes in the country's macroeconomic indicators), industrial and, finally, legislative aspects, or we cannot discuss an area without having some 'black and white' regulation to which we can refer. We appreciate that the legislative doctrine in the field of energy security is restricted, which makes us analyze the normative texts without starting from a pre-existing interpretation.

In this paper, we aimed to identify the points of intersection between national and EU policies in the field of energy security. The identification of the rules that give this field a public character (in terms of overriding interest) and of the national legislative framework that would prioritize/not prioritize European policies, constitute two other points of interest for this paper.

It is essential to find out whether, in terms of legislation on energy resources, the state has retained its authenticity, or whether we are talking about a transposition of legal norms from the regional to the restricted national card, where resources are elective in relation to other EU Member States. In other words, is it or is it not balanced to “transplant legal rules” regarding the constitution, development and exploitation of resources, as long as we cannot equalize their value at the level of EU Member States? Or, by transposing legal norms from other legal systems, we risk losing the essence of our own convictions in order to build a genuine legal foundation. The need for legal modernization, together with the lack of domestic legal resources, has also prompted legal importation. The urgency of building and consolidating the Romanian unitary national state and a pressing need for international legitimacy completed the panoply of causes of the Romanian “legal transplant”¹. Starting from these challenges, we will try to see whether we can still speak of a national identity, corroborating the context of the state's energetic resources with the legal norms, to be able to state that identity is not just a set of colors of one's own being, reflected through the mirror in the hands of the other.

Certainly, this article has a subjective focus, and its own perspective found on the legal provisions in the field, as well as other bibliographical sources. Based on these, we intend to highlight important concepts of the developed theme.

Romania's legislative framework in the field of energy security

Like any other work involving a legislative interpretation, regardless of the field of regulation, the starting point will be the fundamental law of the State. In this respect, we have found that there are no express regulations on energy security in the constitutional text, but the content of some of the rules reveals the public nature of the resources that constitute the country's energy potential. This aspect is outlined by the provisions of Art. 136 of the Romanian Constitution on Property, especially (3) part: “The subsoil resources of public interest, the airspace, the waters of national interest with a appreciable energy potential, the beaches, the territorial sea, the natural resources of the economic zone and the continental shelf, as well as other assets established by organic law, are the exclusive object of public property”². This is confirmed by paragraph (2) of the same article. In the same way, we note the duty of the State to guarantee and protect the resources that are subject to public ownership, as it is expressly stated: “Public property is guaranteed and protected by law and belongs to the State or to the administrative-territorial units”³. We mentioned in the introduction of the paper, the role of energy security for the country's economy, or in this case we find a regulation in the content of the fundamental law, as provided by art. 135, relevant being paragraph (2) letter d: “the exploitation of natural

¹ Manuel Guțan, *Rolul transplantului juridic în construcția dreptului public românesc modern și contemporan (teză de abilitare)*, Sibiu, 2017, p. 4

² CDEP, *Constituția României*, <https://www.cdep.ro/pls/dic/site.page?id=339> (25.10.2024)

³ *Idem*

resources, in accordance with the national interest”¹. Attest to the two articles, we note that, on the one hand, the public nature of the rules governing the resources (including energy-generating resources) are of a public nature, and on the other hand, the state has the power to exploit the resources, *per a contrario*, the obligation to use them exclusively in the public interest. We appreciate that the area of public concern in this case will be limited to the territory of Romania, or if we had a strict interpretation, we would ensure compliance with these rules, so that all the resources available to the country, not to satisfy any foreign interest, and in these cases we wonder, what does this foreign interest mean and if we can actually discuss a common interest at the Union level, taking into account Community policies. With Romania's accession to the European Union, the state has undertaken to adapt the legislation and as much as possible to balance the legislative framework so that the concept becomes a whole. Title VI of Romania's Constitution begins with a complex article, which exemplifies with maximum clarity the aforementioned.

Consequently, Romania's entry into the foundational treaties of the European Union, aimed at delegating specific authorities to the Community institutions and jointly exercising the competencies outlined in these treaties with other Member States, will be achieved through a law passed in a joint meeting of the Chamber of Deputies and the Senate, requiring a two-thirds majority of the total Deputies and Senators. Due to accession, the rules of the Treaties that form the European Union and other obligatory Community regulations will override conflicting domestic law provisions, in accordance with the provisions of the Act of Accession. The regulations in paragraphs 1 and 2 shall equally apply, with necessary modifications, to the adoption of the acts amending the Treaties that establish the European Union. The Parliament, the President of Romania, the Government, and the judicial authority will ensure the implementation of the obligations arising from the Act of Accession and from the stipulations of paragraph 2.

The Government will send the draft binding acts to both Houses of Parliament prior to their submission for approval to the European Union institutions. We note that under this Article, once legal norms at the State level are found to be contrary to those at the Union level, we are talking about a priority of the Community ones. In other words, by referring to this provision, we understand to prioritize and apply EU policies also in the field of energy, which finds its place among the activities regulated by organic laws. The assumption of the State's obligation to respect in good faith the treaties to which it is a party is also reflected in the content of Article 11 of the Constitution, as these ratified conventions are recognized as part of domestic law².

Considering the above in relation to the constitutional provisions, in particular with regard to the treaties, and taking into account the status of a Member State of the European Union, we bring into the debate as sources of research for this paper the two fundamental treaties of the Community: TEU and TFEU. We therefore ask ourselves whether we can speak of a purely national or a common legal at the level of the Union in the field of energy. The essence of such an answer is also based on the legal rules, which expressly provide for competence for each area of activity, including energy³.

The essence of such an answer is also based on the legal rules, which expressly provide for competence for each area of activity, including energy. Therefore, it is clearly stated in Article 194 of the Treaty on the Functioning of the European Union (TFEU)⁴ that the European Union and its member states share responsibility for energy. Each Member State, however, is still free to set the terms under which its renewable energy resources can be used, as well as the overall composition of its energy supply.

Article 2 of the Treaty on the Functioning of the European Union defines three categories of competences⁵:

The Union and the Member States may enact laws and enact legally binding acts in a particular area when the Treaties grant the Union a joint competence with the Member States in that area. To the extent that the Union has not implemented its authority, the Member States will do so. To the extent that the Union has chosen to stop exercising its authority, the Member States will once more exercise their authority.

¹ *Ibidem*, Titlul IV, Art.135

² CDEP, *Constituția României*, <https://www.cdep.ro/pls/dic/site.page?id=339> (25.10.2024)

³ Anna Herranz-Surrallés, Israel Solorio, Jenny Fairbrass, *Renegotiating Authority in EU Energy and Climate Policy*, Routledge, New York, 2022, p. 51

⁴ EUR-Lex, *Consolidated version of the Treaty on the Functioning of the European Union*, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12012E%2FTXT> (27.10.2024)

⁵ *Idem*

- Within the parameters established by this Treaty, which the Union can establish, the Member States will coordinate their employment and economic policies.
- According to the terms of the Treaty on European Union, the Union will have the authority to establish and carry out a common foreign and security policy, which will include the gradual development of a common defence strategy.
- Without displacing the Member States' authority in certain areas, the Union may take action to support, coordinate, or enhance their actions in specific areas and follow the guidelines outlined in the Treaties. Harmonizing the laws or regulations of Member States is not required by legally binding acts of the Union that are adopted based on the provisions of the Treaties pertaining to these areas.
- The scope of and arrangements for exercising the Union's competences shall be determined by the provisions of the Treaties relating to each area¹.

We note that although the Union can legislate in the energy field, the competence is limited, because the way of exploiting the resources remains within the discretion of the Romanian legislator. Recalling here the state's duty to use energy resources in the public interest, we conclude that if energy security declines, given that the country is in the category of states with potential, this will be due to a lack of responsibility on the part of the competent authorities.

We also mention here the legislative text on energy efficiency and specifically we refer to Law no.121/2014, which expressly provides for: energy efficiency policy (art.2)², procurement by public bodies (art.7)³, energy efficiency measures (art.8)⁴ and provisions on the information and awareness program for end customers (art.13)⁵. The content of art.2 exemplifies the aims pursued with a view to improving energy efficiency and we will mention a few of them listed by way of example in the second paragraph:⁶ The national energy efficiency policy is an integral part of the State energy policy and aims to:

- removing barriers to the promotion of energy efficiency;
- promoting energy efficiency mechanisms and financial instruments for energy saving;
- educating and raising the awareness of final consumers on the importance and benefits of implementing energy efficiency improvement measures;
- cooperation between final consumers, producers, suppliers, energy distributors and public bodies in order to achieve the objectives set by the national energy efficiency policy;
- promoting fundamental and applied research in the field of energy efficiency⁷.

The five goals result, on the one hand, from the state's task to identify the obstacles to the implementation of new technologies in the field of energy security and, on the other hand, to create a favorable environment for private individuals to intervene with innovative proposals in the field. So, to support involvement through financial mechanisms (grants or subsidies). We consider that in this case we cannot see any violation of the public interest to the detriment of the private interest, *per a contrario*, such an incentive could result in ensuring efficiency focused on meeting national needs.

The solutions put forward by natural or legal persons with a view to ensuring energy efficiency should be assessed fairly and effectively. The legislator has mentioned in c let. another purpose which would be aimed at educating consumers, and we believe that one of the ways of implementation would be to organize training and information programs on the use of more efficient equipment. Also promoting policies in the industrial sector, which is one of the target consumers

¹ EUR-Lex, *Consolidated version of the Treaty on the Functioning of the European Union*, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12012E%2FTXT> (27.10.2024)

² Portal Legislativ, *LEGE nr. 121 din 18 iulie 2014*, <https://legislatie.just.ro/Public/DetaliiDocument/160331> (27.10.2024)

³ CDEP, *Decret pentru promulgarea Legii privind eficiența energetică*, Monitorul Oficial No. 574/1 august 2014, https://www.cdep.ro/pls/legis/legis_pck.lista_mof?idp=23940 (27.10.2024)

⁴ Portal Legislativ, *LEGE nr. 121 din 18 iulie 2014*, <https://legislatie.just.ro/Public/DetaliiDocument/160331> (27.10.2024)

⁵ *Ibidem*, Art.13

⁶ *Ibidem*, Art. 2

⁷ *Idem*

EU policies

The Treaty of Lisbon, which entered into force on December 1, 2009, makes substantive changes to the Treaty on European Union and the Treaty establishing the European Community, as well as to the Treaty establishing the European Atomic Energy Community, and provides the Union with the legal framework and legal instruments to meet future challenges and citizens' expectations¹. Article 194 of the Treaty on the Functioning of the European Union stipulates that the Union's policy on energy, in a spirit of solidarity among Member States, shall aim to: ensure the functioning of the energy market; ensure security of energy supply in the Union; promote energy efficiency and energy saving, and the development of new and renewable energy sources; promote the interconnection of energy networks. The measures necessary to achieve these objectives to be decided by the EU Parliament and Council should be without prejudice to the right of a Member State to determine the conditions for exploiting its own energy resources.

The goals of the European Union's energy policy are outlined in Article 194 of the Treaty on the Functioning of the EU. These goals include ensuring the energy market operates as intended, ensuring the Union's energy supply is secure, encouraging energy conservation and efficiency, and fostering the development of new and renewable energy sources².

In December 2019, the European Commission unveiled the *European Green Deal* - its roadmap that aims to make Europe the first climate-neutral continent by 2050³. The roadmap seeks to guarantee a fair and inclusive transition while enhancing the EU's sustainability and competitiveness. Reducing greenhouse gas emissions is one of the EU's commitments, given the requirement that developed nations cut emissions collectively. The "Energy Roadmap 2050" of the Commission⁴ explores the challenges of achieving the EU's decarbonization goal while ensuring security of energy supply and competitiveness.

While aiming for a more effective and coordinated use of restrictive measures, the Union will use all available tools and options to protect its goals and objectives, which includes the territorial sovereignty and sovereign rights of Member States to exploit their natural assets in accordance with international law. It will also protect the EU's and its Member States' ability to make independent decisions on energy policy, rejecting economic restraint and interference from third parties⁵.

The European Commission has conducted a thorough exercise to evaluate the durability of the EU's power supply framework to guarantee energy supply readiness for the winter of 2024–2025. It underwent extensive testing in exceptionally harsh conditions, accounting for the December 31, 2024, shutdown of gas transportation from Russia through Ukraine. The experiment demonstrated that the EU is equipped and ready to handle even the most extreme and improbable situations when it comes to gas supply security. Additionally, it offered data to strengthen the EU's energy assurance framework's resilience⁶.

The exercise tested the measures adopted and reinforced over the last two years and looked at the interactions between the gas and electricity sectors. This 2024 exercise brought together around 70 participants representing most EU countries, as well as, for the first time, Ukraine, Moldova and the Energy Community Secretariat. Transmission system operators for gas and electricity, as well as ENTSOG and the European Network of Transmission System Operators for Electricity (ENTSOE), were also invited. The EU supports diverse and often cross-border energy infrastructure projects that produce, store and distribute energy efficiently. To accomplish our goals for energy and climate policy, this funding helps create an increasingly coordinated energy system. These initiatives help to lessen the EU's reliance on energy imports from foreign nations while also interconnecting energy systems and advancing the integration of clean technology and

¹ European Parliament, *Treaty of Lisbon*, <https://www.europarl.europa.eu/about-parliament/en/in-the-past/the-parliament-and-the-treaties/treaty-of-lisbon> (04.11.2024)

² Ministerul Afacerilor Externe, *Politica energetică a Uniunii Europene*, <https://www.mae.ro/node/1624> (04.11.2024)

³ Helene Dyrhaug, Kristina Kurze, *Making the European Green Deal Work. EU Sustainability Policies at Home and Abroad*, Taylor & Francis, New York, 2024, p. 27

⁴ Comisia Europeană, *Aplicarea în țările UE*, https://commission.europa.eu/energy-climate-change-environment/implementation-eu-countries_ro (02.11.2024)

⁵ *Idem*

⁶ European Commission, *The EU's energy security framework successfully tested to ensure winter preparedness*, 8.11.2024, https://energy.ec.europa.eu/news/eus-energy-security-framework-successfully-tested-ensure-winter-preparedness-2024-11-08_en (17.11.2024)

renewable energy sources into the EU energy system. The Energy Union responds to the main challenges facing the EU in the field of energy. These are:

- climate change: the EU has committed to climate neutrality by 2050, and reducing energy-related emissions is one of the key actions;
- energy dependence: as the world's largest energy importer, the EU needs to reduce its dependence on external markets;
- energy infrastructure: the EU needs to fully integrate its energy markets, modernize its energy infrastructure and ensure coordination of energy prices at national level¹.

In addition to providing EU customers and industry participants with more options and reduced costs, the establishment of a fully operational Energy Union helps strengthen the EU economy, energy security, and climate change commitment. The European Commission reports outline several aspects of Romania's energy security for the current period. It was assessed that the wholesale electricity and gas markets in Romania are strongly influenced by market interventions, which go beyond the expired framework established by the EU on emergency measures. In the identical vein, the Romanian government has put forth new energy security goals, which are incorporated into the Romania 2025–2035 Energy Strategy with an eye towards 2050. This paper lays out the basic goals and describes the vision for the growth of the country's energy industry. The report also lists the national, European, and international standards that impact and guide energy-related policies and choices. Global and regional economic, technological, and geopolitical changes are taken into consideration in the Energy Strategy, along with the main obstacles brought about by the need for a green transition, market volatility, and Romania's border position in the EU and NATO, along with the ongoing wars in the immediate area. Furthermore, the national energy sector must be able to meet all the Republic of Moldova's needs under any circumstances, as Romania's energy security is closely tied to that of the Republic of Moldova. Romania therefore hopes to strengthen its position as a regional energy security pillar². Having a diversified energy mix, Romania has a considerable advantage, having sufficient natural, financial and human resources to modernize the energy sector, aligning it with the community objectives of achieving climate neutrality by 2050. This sector must be prepared to support economic growth and the transformation of the economy, thus contributing to improving the quality of life. All reform and modernization objectives consider accessibility, inclusiveness and economic competitiveness for citizens and industrial consumers that the energy sector serves. Romania benefits from a diversified energy mix, which provides a strong foundation for modernizing its energy sector. With abundant natural, financial, and human resources, the country is well-positioned to align its energy sector with the European Union's goal of achieving climate neutrality by 2050.

The sector must be equipped to support both economic growth and the overall transformation of the economy, thereby improving the quality of life. All reform and modernization efforts are designed to ensure accessibility, inclusivity, and economic competitiveness for both citizens and industrial consumers served by the energy sector. Analyzing the content of the project, we note that there are several directions that focus on making an energy market more efficient, compared to Union standards, optimizing and sustaining heating systems. We exemplify here the third objective with reference to improving energy efficiency (EE) along the entire energy chain, including production, transportation, distribution and end-use of energy, which will generate environmental benefits, reduce greenhouse gas emissions, improve energy security, contribute to alleviating energy poverty and lead to an increase in the competitiveness of economic activity across all sectors of the economy.³ Through the package of reforms recently adopted at European level, consumers throughout the EU and implicitly in Romania will be able to benefit from more stable energy prices, less dependence on the price of fossil fuels and better protection against future crises. As the energy sector undergoes this transformation, it is crucial to ensure a just transition for workers and communities' dependent on traditional energy industries. Social inclusion and the creation of new employment opportunities in the green economy will be essential to achieving long-term success. Strengthening cooperation between the public and private

¹ European Commission, *European Sustainable Energy Week 2025: Commission opens applications to host a policy session*, https://energy.ec.europa.eu/news/european-sustainable-energy-week-2025-commission-opens-applications-host-policy-session-2024-11-05_en?prefLang=ro (28.10.2024)

² Mihai Melinte, *Energy security of the Republic of Moldova in the new international context. Risks and opportunities*, "Legea și Viața", No. 4, Chișinău, 2023, pp. 61-69

³ *Strategia energetică a României 2025-2035, cu perspectiva anului 2050*, p. 4, https://e-nergia.ro/wp-content/uploads/2024/06/Strategia_Energetica_vf_rev_1206-1.pdf (21.11.2024)

sectors, as well as fostering regional collaboration, will be key to addressing challenges and maximizing the potential benefits of this transition. Ultimately, Romania's energy strategy should focus on creating a sustainable, resilient, and competitive energy sector that not only meets the country's climate goals but also enhances the well-being of its citizens and contributes to the growth of a green economy

The key elements of this package, to be transposed or implemented at national level, will need to ensure:

- More stable and predictable energy prices, while ensuring the efficient functioning of the market and avoiding distortion of the Community market;
- Better preparedness for future crises;
- Protecting and strengthening the role of consumers;
- Ensuring security of supply.

In this context, the consumer will be empowered as a central actor in energy markets, able to manage their own consumption, produce their own energy or be part of an energy community. Romania's efforts to increase the share of renewable energy sources, increase energy efficiency, strengthen networks and adopt modern and digital technologies, with the goal of providing secure, affordable and clean energy for a competitive national economy, require a strong institutional environment and an appropriate corporate governance framework. This document proposes ways to strengthen institutions, improve corporate governance of state-owned energy companies, strengthen the regulatory framework, and align national policies and regulations with the EU framework¹.

Conclusions

Following the thread of my own work, I will exemplify some personal conclusions regarding the researched topic. Firstly, I found that the field of energy security is a point of interest both nationally and regionally, if we refer to the community framework of the European Union. The economic context of the country has as an influencing factor the development of the energy field. Energy security depends significantly on the interconnection of energy networks with other EU states, or the legislative framework constitutes the foundation of activities specific to the energy infrastructure. European energy policies, as promoted by the European Green Deal and various directives, have a significant impact on the member states, including Romania, in terms of the development and exploitation of energy resources².

These policies aim to reduce carbon emissions, promote renewable energy sources and guarantee security of supply. However, despite these common objectives, each member state retains the right to establish its own conditions for the exploitation of resources, which deepens the interdependence between European energy policy and national needs. Thus, Romania must balance the protection of its own resources with the objectives of the EU, to maximize economic and national security benefits. We state again the idea regarding the relationship between domestic and EU legislation on the energy sector and we consider that based on shared competence, the state will legislate on the mechanisms for exploiting its own resources, and as regards common policies for the creation of a single market, the margin of appreciation of the Member State is reduced to a minimum. Based on the legislative texts invoked, the state has the duty to act in the national interest, or in a contrary hypothesis, we will consider a violation of the constitutional provisions³.

In the body of the paper, we have pleaded the European Union's policies in the energy area and, consequently, those of the Romanian state, as a fully-fledged member state. We are questioning whether there are intersections between the objectives of European energy policy, and in this regard, we mention the following goals applicable at the domestic level, which stem from the premises of the EU policy: the development of infrastructure in the field, the preparation of mechanisms for addressing crisis situations, and reducing dependence on external markets, referring here to third countries outside the European Union. The European Commission unveiled the "European Green Deal" in December 2019, which is a blueprint that aims to make Europe the first continent to achieve carbon neutrality by 2050. As a result, we see tangible progress in this area. According to the rules of the Constitution and the tenets set forth by the Treaty on European Union

¹ Ministerul Energiei, *Plan Strategic Instituțional*, <https://energie.gov.ro/plan-strategic-institutional> (04.11.2024)

² Neil Makaroff, *Turning the European Green Deal into Reality*, "Strategic Perspectives Brief", Brussels, 2022, p. 6

³ Robert Rybski, *Energy in the European Green Deal: Impacts and Recommendations for MENA Countries*, "The Journal of World Energy Law & Business", Vol. 16, No. 2, Oxford, 2023, pp. 128-129

(TEU) and the Treaty on the Functioning of the European Union (TFEU), Romania has obliged to modify its national laws to conform to EU standards in energy security.

Romania has been forced to adhere to a common law that supersedes state provisions that deviate from EU standards because of its procedure of “transposing” European regulations. This highlights how interwoven the EU's energy system is. However, we believe that Romania still retains a margin of legislative freedom and preserves its autonomy over the management of its energy resources within its national heritage. While the European Union creates shared energy security policy, Member States are free to set their own terms for the extraction of renewable energies under Article 194 of the TFEU. Thus, Romania can shape its own national energy policy, but within a European legislative framework that promotes an interconnected internal energy market.

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