

ROMANIA – RIGHTS AND OBLIGATIONS AFTER 10 YEARS FROM JOINING THE EUROPEAN UNION

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Abstract

On the 1st of January 2017, Romania celebrated 10 years of being a member of the European Union. The European Union is both, a major and important subject of international law and an international organization, which created a legal system that regulates economic, political and social issues, binding 28 members. The main purposes of becoming a part of the European family include a significant growth of living standards, a strong accent on the respect of fundamental rights and equity between the citizens of the European Union, of social politics, environment protection and nevertheless support in developing a country's economy. After the fall of communism, Romania saw the opportunity of becoming a member of the European Union and started the long process of joining this organization. After 10 years from the completion of the accession process, the results can be interesting. So, the purpose of the following paper is to highlight the advantages and disadvantages of being a member of the European Union and the objectives are to determine which were the conditions that Romania had to fulfill in order to become a EU member, how this membership changed our legal system, which are our rights and obligations as a EU member today and which are the effects from 2007 and now.

Keywords: rights, obligations, European Union, Romania, member

Introduction

The following paper's objective is to analyze the road that Romania had to walk on and to adapt to in order to become a full member of the European Union, with all the rights and obligations that come with this status. As a country with an emerging economy and with a history that changed so much the power mechanism, after the 1989 Revolution, Romania had the opportunity to fast forward onto being a part of the European family. Steps toward a relationship with the European Economic Community were made since the 1970's. Both the Socialist Republic of Romania and the EEC¹ were interested in concluding agreements, still Romania saw this entity as if it were another subject of international law, such as a country, but with much more to gain from, seeing its foundation and with no intention of being a part of it. Through this article, we will try to present, explain and comment the last 10 years and more since the EU-Romania relationship has started, going over the starting conditions that this country had to fulfill in order to become a member, the harmonization process of the Romanian legislation, the rights and obligations that came along with the new status and, in the final, some conclusions on all the facts and information presented above.

Taking into consideration the current context, the turning and evolution of the EU in the present and, also, the fact that it is a decade long since Romania took a step to be a part of the European family, the studied matter tends to create an overall on Romania's past, present and future and tries to underline the importance of its actions regarding the EU. In the highlight of

Winston Churchill's famous speech at the University of Zurich, when he said, and we quote, "We must build a kind of United States of Europe...The structure of the United States of Europe, if well and truly built, will be such as to make the material strength of a single state less important...If at first all the States of Europe are not willing or able to join the Union, we must nevertheless proceed to assemble and combine those who will and those who can.", we are able to observe that, in order to obtain the final stage of unification, each country plays an important part. So, it is a matter of will and ability, two attributes that a state can choose to have or not. After 10 years, Romania can still make a choice in any direction, taking into consideration the current circumstances and, even though, it isn't a major actor on the political scene of the European Union, it can make a difference.

We will try to approach as many sources as we can in order to achieve a fully documented research and, for that matter, a series of relevant conclusions.

The studied subject, as presented in the article's title, "Romania – rights and obligations after 10 years from joining the European Union" has a quite recent approach, because the decade anniversary was on 1st of January 2017. You will find that the article's content has a variety of specialized literature references, but all in all, the object and final conclusions of the article are marked by a personal touch.

Paper content

"The moment of our integration to the European Union will probably be celebrated as a sensational event and, the politicians, officials and other major

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¹ EEC = Economic European Community.

players with our emotions will present to the Romanians this historical victory as the result of their generosity and heroism. In fact, the becoming of our country as an EU member and of each of one of us as a European citizen is the result of the efforts, aspirations and endeavor of each and all of us"². This quote features two important ideas, which are found kind of antagonistic and these are: firstly, the idea that, at the surface, only the politicians, officials and other major players on the political scene have contributed to our realizations as a nation towards an united European future and secondly, that the entire populations, each and one of us as individuals have played our part in Romania's current status. In our opinion, both ideas have their root in truth. Mainly, because, essentially, our country's interests were, and still are, represented by the people we elected to do so and these people carried on the negotiations, meetings and official talks that led us to where our country is today and also because, the effects of the entire integration process have been felt by every Romanian citizen. Reasons for this come from the fact that laws have been changed in order to assimilate the European *acquis*, consequently new rights and obligations have been created and also some already existent have been modified.

In order to pursue the article's objective, we come back on the initial premises that Romania's EU membership stood on.

We remind you that the first European community was created in 1951, when France, Germany, Belgium, Luxembourg, Italy and the Netherlands signed the treaty that established the European Coal and Steel Community, followed by two other European communities in 1957, when the same states signed the enforcing treaties of the European Economic Community and European Atomic Energy Community. Currently, the European Union is the biggest and most important single market in the world and also a very important actor on the political, social, economical and cultural international scene.

In order to approach this massive and exclusive family, interested countries had to have not only the willing and political ambition to join it, but also they had to adopt a series of standards which entitled them to an eventual candidacy. At the beginning, these standards aimed only the technical and economical domains, but in order to fulfill a proper coordination and to comply with the principles of good practice, much more domains were included as mandatory for reaching standard levels³.

One interesting fact is that Romania was the first country from Central and East Europe to establish

official relations with the European Community, starting with the communism period and to acknowledge it as a single subject of international law. These started around 1970's, when negotiations were initialized in order to sign a series of agreements regarding agro-food products, after that in order to implement a common customs regime and also to undo Romanian products in the EEC space. In this way, in 1974 Romania became the first East European country to be included in the EEC's Generalized System of Preferences (GSP), allowing for easier access of Romanian agricultural products to the EEC market and, in 1980, the only country from the Soviet bloc to sign a comprehensive trade agreement with the EEC⁴. After 1987, the relation between our country and the EEC started to deteriorate due to Romania's unpredictable ruler, culminating with the Council and the European Commission suspending talks with Romania, because its authorities were accused of human rights violation.

After the fall of communism, new diplomatic relations are established between Romania and the European Community. The following period marks a new beginning for both our country and the European family, starting with the adoption of the Maastricht Treaty (1992), which introduced the term of "European Union" and created this new and unique entity that functioned on three pillars: 1. *The European Communities* pillar; 2. *The Common Foreign and Security Policy* pillar and 3. *Police and Judicial Co-operation in Criminal Matters* pillar.

In 1991, the European Commission offers Romania a special guest status along the European Community and also includes it into the PHARE⁵ assistance programme.

In 1993, the *Europe Agreement establishing an association between the European Economic Communities and their Member States, of the one part, and Romania, of the other part* is signed. The main objective of this agreement was to prepare Romania for the integration, focusing on the economical relations and institutionalized political dialogue. Some of the premises that determined both parties to interact were based on one hand on the traditional links existing between the Community, its Member States and Romania and the common values that they shared, the wish to strengthen these links and to establish close and lasting relations, based on reciprocity and, on the other hand, the importance of establishing and enhancing in Europe a system of stability based on cooperation, with the Community as one of the cornerstones, willing to set up instruments of cooperation and economic,

² Ionel Chera, introduction to *Understanding the European Union. A concise introduction*, by John McCormick. Bucharest: CODECS, 2006.

³ Luciana Ghica, *România și Uniunea Europeană* (Bucharest, Meronia, 2006), p. 18.

⁴ Dimitris Papadimitriou and David Phinnemore, *Romania and The European Union: From Marginalization to Membership?* (Taylor and Francis e-Library, 2008).

⁵ Poland and Hungary Assistance for the Restructuring of the Economy - initially described as the international efforts to provide economic support to the emerging Polish and Hungarian democracies - is the EU's main financial instrument for accession of the Central and Eastern European countries. It was launched as a specific EC programme, initiated by Council Regulation No. 3906/89. Its funding is used to channel technical, economic and infrastructural expertise and assistance to recipient states. The aim is to help these countries achieve market economies based on free enterprise and private initiative.

technical and financial assistance on a global and multiannual basis⁶.

On 22th June 1995, Romania proceeded to the official application to join the European Union, depositing also its National Pre-Accession Strategy and a declaration signed by the President of the Republic, the Senate and the Chamber of Deputies and the Prime Minister and the leaders of all the political parties represented in Parliament, which expressed Romania's political will to pursue the consolidation and development of the rule of law, political pluralism, the separation of powers, free elections, respect for human rights and the establishment of a market economy compatible with the principles governing the European Union.

The general previewed advantages and disadvantages of joining the European Union foreshadowed were:

1. advantages:

- the growth of the living standard by accessing the single market, which meant new legislation in this area with all the ensuing consequences, new investment opportunities, free movement of goods, services and capitals and so on;

- the adoption of high standards in the social politics domain, which meant underlining the importance of respecting fundamental rights, equality between the EU citizens, non-discrimination, protecting the environment and other;

- gaining the benefits of being an EU citizen, such as free movement of persons, equal access to job opportunities all around the member states, equality in rights and representation in the EU institutions;

- obtaining financial and institutional support in the agriculture domain, as a priority, but also in other important domains, and other.

2. disadvantages:

- even though, economical growth was foreshadowed, the internal administration needed a reform in order to comply with the high standards of the EU legislation, so Romania had to be up to this;

- the lack of administrative capacity and projects on European funds management could have significantly slowed the rhythm of growing the living standard

- another fact that could have affected the process of smooth integration was the lack of professional staff and expertise in pursuing and conducting the stages to reaching the required standards;

- regarding the agriculture sector, farms could have trouble in adapting to the veterinary norms, dictated by the European *acquis*;

- once a member of the EU (and also not forgetting the membership of NATO), Romania's geostrategic policy suffers some changes by becoming a border-state of this organization.

- In 1997, the European Council, at European

Commission's request, issued an official opinion on Romania's accession application. The final conclusions were presented as follows:

- the current improvement in Romania, following the arrival in power of a new government, indicates that Romania is on its way to satisfy the political criteria;

- Romania has made considerable progress in the creation of a market economy, but it would still face serious difficulties to cope with competitive pressure and market forces within the Union in the medium term;

- despite the progress that has been made, Romania has neither transposed nor taken on the essential elements of the *acquis*, particularly as regards the internal market. It is therefore uncertain whether Romania will be in a position to assume the obligations of membership in the medium term. In addition, considerable efforts will be needed in the areas of environment, transport, employment and social affairs, justice and home affairs as well as agriculture. More generally, substantial administrative reform will be indispensable if Romania is to have the structures to apply and enforce the *acquis* effectively.

In the light of these considerations, the Commission considers that negotiations for accession to the European Union should be opened with Romania as soon as it has made sufficient progress in satisfying the conditions of membership defined by the European Council in Copenhagen.

The reinforced pre-accession strategy will help Romania to prepare itself better to meet the obligations of membership, and to take action to improve the shortcomings identified in the Opinions⁷.

The criteria established at the Copenhagen European Council mentioned above aimed those candidate countries of Central and Eastern Europe who wished to become members of the Union and meant meeting the following conditions:

- stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities;

- the existence of a functioning market economy, as well as the ability to cope with competitive pressures and market forces within the Union;

- the ability to take on the obligations of membership, including adherence to the aims of political, economic and monetary union.

After two reports presented in 1998 and 1999 by the European Commission on Romania's progress in meeting the necessary conditions in order to become a member of the EU, the European Council from 1999 decided to convene bilateral intergovernmental conferences in February 2000 to begin negotiations with Romania, Slovakia, Latvia, Lithuania, Bulgaria

⁶ "EUROPE AGREEMENT establishing an association between the European Economic Communities and their Member States, of the one part, and Romania, of the other part", <http://wits.worldbank.org/GPTAD/PDF/archive/EC-Romania.pdf>.

⁷ "Agenda 2000 - Commission Opinion on Romania's Application for Membership of the European Union", http://www.esiweb.org/pdf/romania_EC-Romania%20opinion-1997.pdf.

and Malta on the conditions for their entry into the Union and the ensuing Treaty adjustments⁸.

As we can observe, negotiations implied a serious changing mechanism that involved a variety of actors and factors which would play an important role in reforming all of Romania's administration policies, institutions and legislation. As we were saying at the beginning of this paper and as we can now deduct, everyone was involved directly or indirectly involved in this process.

Hereinafter, we will resume the main rights and obligations assumed by Romania during the integration process. These rights and obligations are in force to this day, suffering the specific modifications that were applied through the adoption of the following treaties: Treaty of Amsterdam (signed in 1997, came into force in 1999); Treaty of Nice (signed in 2001, came into force in 2003) and last, but not least, Treaty of Lisbon (signed in 2007, came into force in 2009). Even though Romania officially joined the EU in 2007, the amendments made by each treaty produced effects also on our side.

According to art. 26 from the Treaty on the Functioning of the European Union:

“1. The Union shall adopt measures with the aim of establishing or ensuring the functioning of the internal market, in accordance with the relevant provisions of the Treaties.

2. The internal market shall comprise an area without internal frontiers in which the free movement of goods, persons, services and capital is ensured in accordance with the provisions of the Treaties.

3. The Council, on a proposal from the Commission, shall determine the guidelines and conditions necessary to ensure balanced progress in all the sectors concerned. “

- Free movement of goods

The European legislation talks about conformity assessments bodies and accreditation, standardization and market surveillance bodies. In order to develop a functioning market in accordance with the EU standards, Romania had to implement a new mechanism that required, among others, a clear delimitation between the attributions of the organisms mentioned above, a well prepared staff, a procedure improvement and last, but not least, an efficient control system.

The 2005 Comprehensive Monitoring Report on Romania concluded as stated: “Romania is generally meeting the requirements for membership in the field of new approach sectoral legislation and in the non-harmonised area and is expected to be able to apply this acquis from accession. Attention should be paid to ensuring that legislative alignment is completed in the near future and that administrative preparations continue. In the nonharmonised area Romania should continue to remove barriers to trade and implement the mutual recognition principle in its legislation.

Increased efforts are needed as regards horizontal and procedural measures and old approach sectoral legislation. In order to complete accession preparations, Romania must considerably upgrade its administrative capacities in the field of accreditation. Enhanced efforts are still needed to complete transposition of the old approach acquis and to revise marketing authorisations for pharmaceuticals. Particular attention must be paid to completing the alignment and implementation of legislation in the area of foodstuffs. Additional efforts are required to strengthen the administrative capacity of all institutions involved in food safety issues. Public procurement continues to be an area of serious concern. While legislative alignment needs to be completed, substantial shortcomings remain in the implementation and enforcement of legislation. Administrative capacities at all levels need to be urgently strengthened; coordination improved and staff continuity, recruitment and training ensured. Unless legislation is fully aligned, coherent and implemented correctly, there is a serious risk that Romania would not have a functioning public procurement system in place in time.“

- Free movement of people

The basic idea of the free movement of people principle is the elimination of discrimination regarding the conditions to enter a member state, study, travel, work, employment and remuneration.

Currently, the main rights and obligations under *the Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States* are:

- For stays of under three months: the only requirement for Union citizens is that they possess a valid identity document or passport. The host Member State may require the persons concerned to register their presence in the country.
- For stays of over three months: EU citizens and their family members — if not working — must have sufficient resources and sickness insurance to ensure that they do not become a burden on the social services of the host Member State during their stay. Union citizens do not need residence permits, although Member States may require them to register with the authorities. Family members of Union citizens who are not nationals of a Member State must apply for a residence permit, valid for the duration of their stay or a five-year period.
- Right of permanent residence: Union citizens acquire this right after a five-year period of uninterrupted legal residence, provided that an expulsion decision has not been enforced against them. This right is no longer subject to any conditions. The same rule applies to family

⁸ “Helsinki European Council 10 and 11 December 1999 Presidency Conclusions”, http://www.europarl.europa.eu/summits/hel1_en.htm.

members who are not nationals of a Member State and who have lived with a Union citizen for five years. The right of permanent residence is lost only in the event of more than two successive years' absence from the host Member State.

- Restrictions on the right of entry and the right of residence: Union citizens or members of their family may be expelled from the host Member State on grounds of public policy, public security or public health. Guarantees are provided to ensure that such decisions are not taken on economic grounds, comply with the proportionality principle and are based on personal conduct, among others⁹.

These rights and obligations apply to Romanian citizens to the present, but making a short retrospective we observe the adapting process through the eyes of 2005 Comprehensive Monitoring Report on Romania, which said: "Romania is generally meeting the commitments and requirements arising from the accession negotiations in the areas of mutual recognition of professional qualifications, free movement of workers and coordination of social security systems, and is expected to be in a position to implement this *acquis* from accession. However, the administrative capacity still needs to be further developed. In the area of free movement of workers, Romania needs to ensure that its legislation fully complies with the case law of the Court of Justice regarding access to public sector posts in Romania. Preparations also need to be completed for the introduction of the European Health Insurance Card as from accession." We signal a particular case regarding the possibility of a Member State to apply restrictions over the labor market. In 2007, Ireland decided to impose some restrictions on free movement for the citizens of Bulgaria and Romania, who were the subject to the employment permit requirements which applied before they joined the EU. The Irish Government decided to end restrictions on Bulgarians and Romanians accessing the Irish labor market with effect from 1 January 2012¹⁰.

- Free movement of services

This principle translates the need to ensure that the right of establishment and the freedom to provide services anywhere in the EU is not hampered by national legislation. In order to achieve this objective, Romania's first aims were to harmonize the authorization conditions and the prudential rules, the control in the origin country, granting a single license and the mutual recognition of national supervision standards. In this sector, the pre-accession process was limited to the following conclusion mentioned in the 2005 Comprehensive Monitoring Report on Romania: "Romania is generally meeting the requirements for membership in terms of transposition of the *acquis* in the area of banking, investment services and securities

markets and information-society regulations. Subject to steady progress being maintained both in completing the transposition, implementation of the legislation and administrative capacity, Romania should have functioning systems in place by accession. Particular attention should be paid to the strengthening of the Insurance Supervisory Commission. Increased efforts are needed to meet the commitments and requirements for accession in the areas of the right of establishment and the freedom to provide non-financial services and the protection of personal data. Work must be accelerated to complete the alignment in those areas, as well as to eliminate legal and administrative restrictions to establishment and freedom to provide services. Significant efforts are needed to ensure that the newly established Authority for Personal Data Processing becomes fully operational and is effectively implementing the data protection *acquis* (see Chapter 24 – Justice and home affairs). As regards the insurance sector, weak enforcement of rules on third party liability on motor insurance remains problematic. Increased efforts to enforce motor insurance legislation are now needed in order to ensure that Romania will be ready in this area by the time of accession."

- Free movement of capital

This principle was an effect of the Maastricht Treaty signed in 1992, as a precondition before adopting the single currency. Romania's commitment towards the implementation of this principle aimed to liberalize the capital movements in a gradual matter until its official accession to the EU. This implied changes in our legislation regarding the terminology on capital operations, accounting report, the organization of card payment, the right to establishment and freedom to provide services, investment services, regulated markets and others. The conclusion expressed in the same 2005 report mentioned above: "Romania is generally meeting the commitments and requirements arising from the accession negotiations in the field of capital movements and payments and is expected to be in a position to implement the *acquis* as from accession. It is also meeting the commitments and requirements arising from the accession negotiations in the field of payment systems. Increased efforts are needed in the area of money laundering, where alignment to the Financial Action Task Force standards has still to be completed and enforcement needs substantial improvement."

- Agriculture

Generally speaking, until this day, accession negotiations in the agricultural chapter focus on the procedures for future direct payments, support to rural development or on the need for transitional measures facilitating integration into the EU, taking into account the specific circumstances of the agricultural sector in the candidate countries in the process. The agricultural and rural development chapter includes a large number

⁹ "Free movement of persons", http://www.europarl.europa.eu/atyourservice/en/displayFtu.html?ftuId=FTU_2.1.3.html.

¹⁰ "Freedom of movement in the EU", http://www.citizensinformation.ie/en/moving_country/moving_abroad/freedom_of_movement_within_the_eu/freedom_of_movement_in_the_eu.html.

of binding rules, many of which are regulations that are directly applicable. The proper application of these rules and their effective enforcement by an efficient public administration is essential for the functioning of the Common Agriculture Policy¹¹. Starting with 1992, until 2007, CAP¹² has been reformed in order to achieve the main purpose of permitting the communautaire agriculture to be more competitive and to positively contribute to the local, national and community efforts of landscaping and protecting the environment.

So, Romania benefited of several funds of the CAP for rural development and direct payments. The main programme before accession was SAPARD (Special Accession Programme for Agriculture and Rural Development) and after becoming a EU member, SAPARD became DRDP (National Rural Development Programme).

The conclusions brought by the 2005 Comprehensive Monitoring Report on Romania were: "Romania is generally meeting the commitments and requirements arising from the accession negotiations, among the horizontal issues as regards the Farm Accountancy Data Network, organic farming and state aid, rural development; in the veterinary field, common measures; and as regards phytosanitary issues. Subject to good progress being maintained in these areas, Romania should be in a position to implement this *acquis* from accession. Increased efforts are needed in the areas of quality policy, trade mechanisms, and all of the relevant common market organisations (CMO); in the veterinary field as regards animal welfare, zootechnics, animal nutrition and trade in live animals

and animal products. Unless efforts are accelerated in these areas, there is a risk that functioning systems will not be in place at accession. Serious concerns exist in relation to Romania's preparations to set up its Paying Agencies and to implement the Integrated Administration and Control System (IACS). Serious concerns exist also in relation to the identification and registration of animals and the establishment of functioning border inspection posts in the field of veterinary control system in the internal market. Furthermore in the veterinary area, similar serious concerns remain regarding TSE and animal by-products (concerning the collection system of cadavers, the absence of rendering plants), animal disease control measures (for Classical Swine Fever) and veterinary public health (the upgrading of agri-food establishments). Unless immediate action is taken, Romania will not be in a position to implement the *acquis* in these areas by the date of accession."

We will resume our presentation at only four of the 31 chapter structures¹³ that were undergone during the negotiations for Romania's accession to the European Union.

An important component of the integration process regards the harmonization of Romania's internal legislation to the EU legislation. Art. 70 from the Europe Agreement establishing an association between the European Economic Communities and their Member States, of the one part, and Romania, of the other part stipulated that "The approximation of laws shall extend to the following areas in particular: customs law, company law, banking law, company accounts and taxes, intellectual property, protection of

¹¹ "Accession negotiations", https://ec.europa.eu/agriculture/enlargement/negotiations_en.

¹² Common Agriculture Policy.

¹³ 1. Free movement of goods.

2 Free movement of persons.

3 Free movement of services.

4 Free movement of capital.

5 Company legislation.

6 Competition policies.

7 Agriculture.

8 Fishery.

9 Transportation policies.

10 Taxation.

11 Economic and monetary union.

12 Statistics.

13 Social policies and employment.

14 Energy.

15 Industrial policies.

16 Small and medium enterprises.

17 Science and research.

18 Education, professional training and youth.

19 Telecommunication and information technology.

20 Culture and audiovisual policies.

21. Regional policies and coordination of structural instruments

22. Environmental protection

23. Consumer and health protection

24. Justice and internal affairs

25. Customs union

26. External affairs

27. Common external and security policies

28. Financial control

29. Financial and budgetary dispositions

30. Institutions

31. Other

workers at the workplace, social security, financial services, rules on competition, protection of health and life of humans, animals and plants, consumer protection, indirect taxation, technical rules and standards, nuclear law and regulation, transport and the environment.”

In order to pursue this purpose, an essential element for the approximation of Romanian laws to the EU norms and standards was the Position Paper. This document had the role to present the existing situation regarding the transposition into the national law, on one hand and to present, in a succinct way, how Romania will transpose the main normative EU acts in the future. The institutions responsible for the correct and efficient implementation were also mentioned in the Position Paper. Another important instrument was the National Programme for accession to the European Union which included the strategic plan of how the accession process will be carried out¹⁴.

Conclusions

Taking into consideration all the facts and information presented in the section above, we can observe that after a period of struggling, Romania's future changed in order to be a part of the big Europe family created starting with 1951. One of many the reasons that determined our country to become a member of the European Union was to obtain several advantages that were offered to all of the member states, including the highly developed countries. A space of security, freedom and justice was promised and considerable efforts were made in order to achieve these objectives. The European Commission final report before accessions, stated: “There has been some progress in the areas of judicial reform and the fight against corruption, money-laundering and organized crime, but further tangible results are needed. This report identifies those issues which require further work. It draws attention to provisions in the *acquis* and the Accession Treaty which are designed to safeguard the proper functioning of EU policies and institutions following accession. In line with the findings of this report, the Commission, after consulting the Member States, will set up a mechanism for cooperation and verification of progress in the areas of judicial reform and the fight against corruption, money-laundering and organized crime. For this purpose, benchmarks have been established which refer to the particular circumstances of each country. The Commission has adopted the necessary legal provisions to ensure the proper management of EU agricultural funds. The report underlines that the existing rules contain the necessary guarantees for the proper management of EU structural funds, and other programmes.(...) Overall, Bulgaria and

Romania have made far-reaching efforts to adapt their legislation and administration to the laws and rules of the European Union. This has largely brought them into line with prevailing standards and practices within the European Union. Sustained support from the European Union will be available for addressing the remaining issues. Sufficient guarantees exist in the *acquis* and the Accession Treaty to ensure the proper functioning of EU policies and institutions. As a result of the progress made, Bulgaria and Romania will be in a position to take on the rights and obligations of EU membership on 1 January 2007. The Commission looks forward to welcoming Bulgaria and Romania as fully-fledged members of the European Union on this date”¹⁵.

What can we say about Romania's outcome after 10 years of EU membership? We have the same rights and obligations as all the other members regarding the free movement of good, persons, services and capital, agriculture policy and other regulated domains by the European Union legislation, any discrimination between European citizens being banned. Romania made great progress in the macroeconomic adjustment and carrying out convergence criteria including in terms of preparation for accession to the euro area. Approaching the standards dictated by the European Union rules and regulations, but also by its principles, Romania placed itself on a new course, reaching out for better living conditions and highly compliance of the fundamental human rights and also for continuing the practice of the rule of law in a democratic state.

This paper aims to realize a balanced report on Romania's pre and post accession general status and it is expected to fulfill a short, but succinct mission in observing the role that the European Union played for our country.

We recommend further research on this subject, mainly because it is a very complex and vast domain and the effects of being an EU member are perpetual and can be approached from different points of view. In 2017, Romania started a new government mandate and even though the popular vote has been clear, people, Romanian citizens, but also from all around the Europe, felt the need to express their public concern about respecting the rule of law in all matters and at all levels, from the simple individual to the president of the country. In this current context, a thorough analyze of how is in Romania the Cooperation and Verification Mechanism for on judicial reform and corruption applied is necessary and recommended.

As a final statement regarding the European Union's current context, in which Romania plays its part as a member state, we will quote Antonio Tajani, the President of the European Union Parliament: “I feel like a sailor who is working hard to survive the tempest, and I'm convinced that we will ride out of the storm, and reach safe harbor”¹⁶.

¹⁴ Augustin Fuerea, *Manualul Uniunii Europene* (Bucuresti: Universul Juridic, 2011), 202.

¹⁵ “Monitoring report on the state of preparedness for EU membership of Bulgaria and Romania”, https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2006/sept/report_bg_ro_2006_en.pdf.

¹⁶ <http://www.euronews.com/2017/03/20/antonio-tajani-there-is-only-one-strategy-responding-to-the-people>.

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