

## Romania

### *1. Industrial strategy (Including Objectives/Goals)*

Romania's industrial strategy is based on several initiatives and guiding documents, centred around the 2024-2030 Industrial Strategy.<sup>1</sup> The country's Industrial Strategy emphasises industrial development in accordance with the broader goals set by the European Union (EU) to achieve the dual digital and green transition.<sup>2</sup> It also seeks to further Romania's industrial development through integration into the EU's industrial strategy, emphasising the achievement of continent-wide synergies through industrial alliances and Important Projects of Common European Interest.<sup>3</sup> An important catalyst to the development of Romania's industrial strategy has been the Russian invasion of Ukraine, emphasising the need for resilience in the energy sector and the leveraging of the country's energy sources and mineral resources.<sup>4</sup> If properly managed, this would allow the country to become an important player in the supply chains for the manufacturing and development of new technology-based goods.<sup>5</sup> Ultimately, Romania's industrial strategy relies on the following broadly-based general objectives:

- Industrial updating by using advanced technologies and the promotion of sustainable innovation, by relying on circular economy principles;<sup>6</sup>
- Resilient global value chain integration and consolidation and further increasing the export of Romanian industrial goods;
- Workforce skills upgrading;
- Facilitating funding opportunities for businesses;
- Ensuring the competitiveness of energy-intensive sectors;
- Consolidating support policies for industrial upgrading.<sup>7</sup>

Romania's broader industrial strategy is further supported by the National Research, Innovation and Smart Specialisation Strategy 2022-2027.<sup>8</sup> It seeks to achieve competitive advantages by increasing the competitiveness of Romanian research (for instance, through increasing the number

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<sup>1</sup> Romanian Government Decision No. 1.470/2024 (3 December 2024) (Strategia Industrială a României 2024-2030 (Romanian Industrial Strategy 2024-2030)).

<sup>2</sup> Idem, 5-6.

<sup>3</sup> Idem, 6. For the EU's industrial strategy, see European Commission, 'Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: Updating the 2020 New Industrial Strategy: Building a Stronger Single Market for Europe's Recovery', COM(2021) 350 final.

<sup>4</sup> Romanian Industrial Strategy (n 1), 5.

<sup>5</sup> Idem, 25.

<sup>6</sup> Similarly, see Government Decision 877/2018 (9 November 2018) (Strategia Națională pentru Dezvoltarea Durabilă a României) (Romania's Sustainable Development National Strategy).

<sup>7</sup> Idem, 54-64.

<sup>8</sup> Romanian Government Decision No. 933/2022 (20 July 2022) (Strategia Națională de Cercetare, Inovare și Specializare Inteligentă 2022-2027 (National Research, Innovation and Smart Specialisation Strategy 2022-2027) <[https://www.poc.research.gov.ro/uploads/2021-2027/conditie-favorizanta/sncisi\\_19-iulie.pdf](https://www.poc.research.gov.ro/uploads/2021-2027/conditie-favorizanta/sncisi_19-iulie.pdf)> accessed 9 June 2025).

of highly cited articles in scientific journals) or increasing the percentage of researchers in the population from 2% in 2022 to 3.2% in 2030.

## ***2. Digital (Development) Strategy***

Digital development plays a major role in Romania's industrial strategy, established as a cross-cutting objective that would further contribute to achieving other industrial development goals. For instance, the lack of digital skills has been identified as an obstacle to achieving the industrial development goals that the country has set for itself.<sup>9</sup> Equally, one of the main goals underpinning the industrial strategy is the use of high-end technology in all industrial sectors in the country.<sup>10</sup> Romanian's National Competitiveness Strategy also establishes as one of its goals the transition towards Industry 4.0 competitive businesses.<sup>11</sup> One way to achieve this is through the development and leveraging of Digital Innovation Centres, an aspect which has led Romania to adopt a specific strategy directed towards this goal.<sup>12</sup> The strategy reflects a vision of industrial policymaking as best adopted and implemented through the leveraging of both public and private actors, addressing Romania's poor performance in this sector.<sup>13</sup>

Romania also follows the EU's Digital Decade policy programme,<sup>14</sup> having adopted a similar one.<sup>15</sup> The programme establishes four main guidelines: ensuring access to digital public services, reaching an adequate level of digital competence within the population, developing digital infrastructure, and ensuring the digital competitiveness of businesses.<sup>16</sup>

Finally, Romania has adopted specific digital development strategies, such as:

- A national AI strategy (following the main guiding principles that the EU has set in addressing AI development, focusing on comprehensively regulating this technology);<sup>17</sup>
- A national cybersecurity strategy;<sup>18</sup>

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<sup>9</sup> Romanian Industrial Strategy (n 1), 39.

<sup>10</sup> Idem, 52-3.

<sup>11</sup> Strategia Națională de Competitivitate 2021-2027 (2021-2027 National Competitiveness Strategy) <<https://economie.gov.ro/strategia-nationala-de-competitivitate-2021-2027/>> accessed 9 June 2025, 46-51.

<sup>12</sup> Strategia Națională pentru Dezvoltarea și Susținerea Digitalizării prin Intermediul Centrelor de Inovare Digitală din România 2024-2027 (2024-2027 Romanian National Strategy for Digital Development and Promotion through Digital Innovation Centres).

<sup>13</sup> Idem, 5.

<sup>14</sup> Decision (EU) 2022/2481 of the European Parliament and of the Council of 14 December 2022 Establishing the Digital Decade Policy Programme 2030.

<sup>15</sup> National Digital Decade for Romania Plan <<https://www.mcid.gov.ro/wp-content/uploads/2024/04/Plan-national-de-actiune-roadmap-pentru-publicare.pdf>> accessed 9 June 2025.

<sup>16</sup> Idem, 27-45.

<sup>17</sup> Government Decision 832/2004, Strategia Națională în Domeniul Inteligenței Artificiale 2024-2027 (2024-2027 National Artificial Intelligence Strategy), especially 4-13.

<sup>18</sup> Government Decision 1.321/2021, Strategia de Securitate Cibernetică a României, Pentru Perioada 2022-2027 (2022-2027 Romanian Cybersecurity Strategy).

- A 5G national strategy.<sup>19</sup>

### **3. Main Constitutional Provisions**

There is no specific Constitutional provision on industrial policy and industrial development. However, Article 135 of the Constitution lays down the main principles that guide state engagement in the economy and arguably represent Romania's basic political economy directions.<sup>20</sup> For instance, this provision establishes that the State is under a duty to ensure, among others:

- The promotion of scientific and technological research;
- The exploitation of the country's natural resources;
- Regional development policies in accordance with the EU's objectives.<sup>21</sup>

### **4. Main Regulatory Provisions and Policy Developments**

Romania is under an obligation to implement or to adapt and implement EU Regulations and Directives that have an impact on industrial policymaking. Nonetheless, there is a number of domestic acts that are relevant for digital industrial development and upgrading:

- The E-Commerce Law;<sup>22</sup>
- The E-Signature and Trust Services Law;<sup>23</sup>
- The Regulation on E-Communications;<sup>24</sup>
- The Cybersecurity and Cyber-defence Law.<sup>25</sup>

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<sup>19</sup> The '5G for Romania' Strategy  
<[https://www.ancom.ro/uploads/articles/file/ANCOM/The%205G%20Strategy%20for%20Romania\\_.pdf](https://www.ancom.ro/uploads/articles/file/ANCOM/The%205G%20Strategy%20for%20Romania_.pdf)>  
accessed 9 June 2025.

<sup>20</sup> Romanian Constitution (approved and entered into force in 2003).

<sup>21</sup> On the horizontal and cross-cutting nature of the EU's Regional Policy (also known as Cohesion Policy) and how it can create synergies with the EU's Industrial Policy, see Francesco Molica, 'Reassessing Cohesion Policy Through the Lens of the New EU Industrial Policy' (2025) 63(1) Journal of Common Market Studies 302.

<sup>22</sup> Law No. 365/2002 on E-Commerce.

<sup>23</sup> Law No. 214/2024 on E-Signature, Time Stamps, and Trust Services.

<sup>24</sup> Government Emergency Order 111/2011 on E-Communication.

<sup>25</sup> Law No. 58/2023 on Cybersecurity and Cyber Defence.

## **5. (Regional) Economic Treaties to which Romania is a Signatory**

Romania is bound by the Treaty on the Functioning of the European Union to observe, and implement, decisions taken by the EU concerning Common Commercial Policy aspects (which includes, among others, trade in goods and services), an exclusive competence of the latter.<sup>26</sup> Nonetheless, certain aspects still remain in the exclusive competence of the EU Member States, such as investor-state dispute settlement when it comes to investment policy.<sup>27</sup>

## **6. Plurilaterals**

Romania has joined multiple plurilateral initiatives. Perhaps the most relevant ones are the WTO's Government Procurement Agreement,<sup>28</sup> the Information Technology Agreement,<sup>29</sup> and the Investment Facilitation for Development Initiative.<sup>30</sup> Equally, Romanian is participating in the WTO's Joint E-Commerce Initiative.<sup>31</sup>

## **7. Proceedings Initiated Against Romania, or by It, Before International Fora for the Adoption/Implementation of Industrial Policy Measures (e.g., Before WTO Panels, the WTO's AB)**

Romania has not been an active user of the WTO's Dispute Settlement Mechanism and there are no relevant cases that touch upon issues pertaining to industrial policy for digital development or sustainable development aspects. Nonetheless, a few investor-state dispute settlement cases touch upon such aspects. Although none turns on digital development considerations, some touch upon sustainable development considerations. This is the case, for instance, with:

- *KELAG and Others v. Romania*, ICSID Case No. ARB/21/54 (the investor initiated proceedings in relation to changes made by the Government to its incentive scheme for investing in the renewable energy sector);
- *LSG Building Solutions and Others v. Romania*, ICSID Case No. ARB/18/19 (similar set of facts).

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<sup>26</sup> Treaty on the Functioning of the European Union, Art. 207.

<sup>27</sup> Court of Justice, Opinion 2/15 of 16 May 2017, ECLI:EU:C:2017:376, para. 305.

<sup>28</sup> Revised Agreement on Government Procurement, Mar. 30, 2012, Marrakesh Agreement Establishing the World Trade Organization, Annex 4(b), 1915 U.N.T.S. 103.

<sup>29</sup> WTO, 'Information Technology Agreement – An Explanation' <[https://www.wto.org/english/tratop\\_e/inftec\\_e/itaintro\\_e.htm](https://www.wto.org/english/tratop_e/inftec_e/itaintro_e.htm)> accessed 9 June 2025.

<sup>30</sup> Investment Facilitation for Development Agreement, Members Parties <[https://www.wto.org/english/tratop\\_e/invfac\\_public\\_e/invfac\\_participation\\_list\\_e.htm](https://www.wto.org/english/tratop_e/invfac_public_e/invfac_participation_list_e.htm)> accessed 10 June 2025.

<sup>31</sup> Joint Statement Initiative on Electronic Commerce, INF/ECOM/87 (26 July 2024).