

THE CONNECTION OF THE REPUBLIC OF MOLDOVA TO THE CIRCULAR ECONOMY CONCEPT¹

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Abstract

European legislation on the circular economy has registered an accelerated promotion in recent years. The European Commission has adopted a package of measures and legislative proposals to stimulate sustainable growth and help Europe make the transition to a more circular economy. The transition to a circular economy involves abandoning the linear economic model and focusing on reducing energy and raw material consumption. However, the pandemic generated by COVID-19 calls into question the importance of circular economy legislation at European level and in particular the need to achieve its objectives in reality. Thus, the new action plan for the circular economy adopted on 11 March 2020 by the European Commission is part of the main blocs of the European Green Pact, a new European agenda for sustainable growth and an EU growth strategy to achieve climate neutrality until 2050. It presents a forward-looking agenda for the circular economy, aimed at achieving the goal of a cleaner and more competitive Europe, in collaboration with economic actors, consumers, citizens and civil society organizations. In this article, the authors aim to report on the actions

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¹#This study was developed within the State Program 20.80009.0807.22 Development of the mechanism for the formation of the circular economy in the Republic of Moldova.#

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of the EU and the Republic of Moldova in the field of circular economy from a legislative perspective and analysis of international experience, but also the impact of existing programs and projects to produce lasting effects in society. At the same time, the main barriers to the circular economy transition in the Republic of Moldova are highlighted, as well as the first progress made. This study was developed within the State Program 20.80009.0807.22 Development of the mechanism for forming the circular economy in the Republic of Moldova.

Keywords: *circular economy, green economy, recycling, reuse, repair, sustainability, waste hierarchy.*

JEL Classification: Q54, Q57, Q58

I. Introduction

Moldova in 2015, committed to implement the *2030 Agenda for Sustainable Development*. Solution SDG no. 12 directly represents the transition to the circular economy. At the same time, the transition to the circular economy will allow the Republic of Moldova to find solutions for SDG no. 6,7,11,13,14,15, all these are directly related to quality of life, environmental protection, sustainable economic growth, modern innovations and technologies, objectives that are also found in the *National Development Strategy "Moldova 2030"*.

The transition to the circular economy is also part of the priorities stipulated in the *Waste Management Strategy in the Republic of Moldova for 2013-2027*, in the *Concept of cluster development of the industrial sector of the Republic of Moldova, Program for promoting the "green" economy in the Republic of Moldova for 2018-2020*.

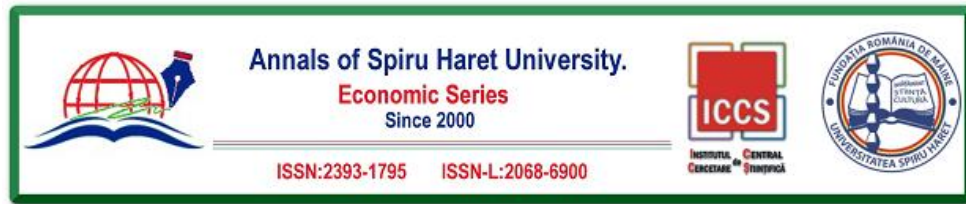
Sustainable development and the promotion of the green economy are development priorities for the Republic of Moldova as well. These can be found in the main policy documents of the Government, especially in the *National Development Strategy Moldova 2030, Energy Strategy-2030, Development Strategy of the SME Sector for 2012-2020, Roadmap for Improving Competitiveness, Agriculture Development Strategy 2013 –2020, Environmental Strategy 2014–2023, Program for the Promotion of the Green Economy in the Republic of Moldova for 2018-2020*. They are also part of the Republic of Moldova's commitments to the country's development partners abroad.

The Association Agreement with the European Union expressly aims to ensure sustainable development and promote the green economy in the Republic of

Moldova. By signing the Agreement, the Republic of Moldova undertakes to harmonize national legislation with European legislation and to ensure the integration of environmental protection provisions, through rational use of resources and energy efficiency, eco-labelling, eco-innovation, in all sectors of the national economy and social life. In order to achieve the objectives of promoting the principles of the green economy, environmental management in enterprises, eco products and services, the Ministry of Economy and Infrastructure and the Organization for Small and Medium Enterprise Sector Development (ODIMM) developed the *SME Greening Program* (approved by the Government in November 2019), and launching its practical implementation started in the first half of 2020 and was presented at the Launch of the SME Greening Program Conference on June 3rd, 2020.

Thus, the *SME Greening Program* provides information support, consulting and mentoring and ecological training. Through Greening economies in the Eastern Partnership countries (EaP GREEN) program, the Organization for Economic Cooperation and Development published in 2018 the *Environmental Policy Tool for greening SMEs in the EU Eastern Partnership countries*, in which they are presented policy recommendations for the Republic of Moldova. As a result, within the Inter-Ministerial Working Group for the Promotion of Sustainable Development and the “Green” Economy, the Program for the Promotion of the “Green” Economy in the Republic of Moldova for 2018-2020 and the Action Plan for its implementation were developed.

ODIMM is in the process of implementing several projects in this field where SMEs will practice this component or will contribute to greening or will implement this sustainable economic model in its activity. A special compartment is reserved for the non-reimbursable financing of greening actions for SMEs and the development of access and expansion capacities on international markets. At the same time, in the process of promoting the green economy, the Ministry of Economy and Infrastructure joined international programs and platforms in the field of green economy, such as the EU Program "Greening the economy in the Eastern Neighborhood", the Eastern Partnership (Greening economies in the Eastern Neighborhood Countries, EaP GREEN Program (2014-2017), Platform for Green Industry, UNIDO Country Program (launched in 2019), participates in the GREEN Action Program, OECD and, in partnership with the Ministry of Agriculture, Regional Development and Environment, is the coordinator and beneficiary of EU Action - EU4Environment - European Environment Union (2019-2022).



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II. Promoting the circular economy in the Republic of Moldova by adjusting to European legislation

The subject of the circular economy in the Republic of Moldova is a topic of imminent importance. In front of researchers and decision makers is a task to create an effective transition mechanism. This transition is a difficult and systemic process, which cannot happen suddenly, overnight, so the awareness of the whole society of its essence is paramount.

The main objective for the researchers and practitioners is to develop a national model of the circular economy, which will be based on a complex exercise, starting from the analysis of the main pillars of the circular economy and identification of the main innovation instruments, which will allow reducing the existing knowledge gap regarding the mechanism of circular economy formation.

In order to meet the challenges of the transition to the circular economy, active involvement in public policy and political commitment is needed. At the same time, incentives are needed to facilitate and stimulate the transition from linear to circular production models.

The analysis of the European experience allowed the highlighting of some categories of policy instruments promoted by Governments to stimulate the transition to the circular economy. First of all, these are *regulatory tools in the form of strategic documents or roadmaps* that are very effective for obtaining strategic goals, or specific results.

First of all, in the Republic of Moldova **there is a need for a strategy for the development of the circular economy accompanied by a roadmap**. This manifesto should not be part of another more general strategy, but should be a separate circular economy strategy.

At European level, the implementation of strategies or action plans for the circular economy is achieved through a process of consultation of all stakeholders being coordinated by the central public environmental authority. For example, in the Netherlands, Spain, in this regard, inter-ministerial working groups have been set up to implement the concept of the circular economy. In 2017, the Italian government published a strategic document on the circular economy, which is accompanied by a “manifesto” of support signed by several private companies. In Finland, the national plan for the circular economy was adopted in 2017, which started the development of regional plans for the circular economy. In 2018, France adopted a roadmap on the circular economy. This approach has stimulated the emergence of strategies at regional and local level (for example, the Paris Circular Economy Strategy).

Other tools that are useful in promoting the mechanism of a country's transition to the circular economy may be **the prohibitions imposed by law.**

The European Commission is guided by the so-called *mini-package on the circular economy*, the first major action of which was the adoption of a European strategy on plastics: *Communication: A European strategy on plastics in a circular economy Brussels* - this strategy lays the foundations for a new plastics economy, in which the design and production of plastics and plastics products fully meet the needs of reuse, repair and recycling and where more sustainable materials are developed and promoted. The strategy contributes to achieving the priority set by the Commission on an energy union with a modern, low-carbon and energy-efficient and resource-efficient economy, and will make a tangible contribution to achieving sustainable development goals for 2030 and in compliance with the Paris Agreement.

Also, in 2018, other ambitious initiatives were developed in the context of the Circular Economy Action Plan, including the *EU Directive on reducing the environmental impact of certain plastic products*. The Directive proposes main actions for specific disposable plastic articles, taking into account consumer behaviour as well as consumer needs and opportunities for businesses. Other measures include appropriate labelling, raising awareness, voluntary action and establishing extended producer responsibility schemes that would cover the costs of landfilling [17].

In the Republic of Moldova from January 1, 2021, it is prohibited to use and sell plastic bags and utensils, as well as disposable chopsticks, except for biodegradable ones, according to the new amendments that came into force in Law no. 231/2010 on internal trade (art. 20). According to the new amendments, the article has been supplemented by paragraph 4 with the following content: "It is forbidden to use / sell plates, glasses, other tableware accessories and disposable chopsticks, made of plastic, except for biodegradable ones, starting with January 1, 2021."

Also, at the end of 2016, the Law on Internal Trade no. 231 of September 23, 2010 was supplemented with a new article, art. 20 prim, which establishes restrictions in the field of retail trade by prohibiting the use / sale at points of sale of goods: 1) Bags made of plastic, with or without a handle, with a wall thickness equal to or greater than 50 microns, provided to consumers at the points of sale of goods, starting with January 1, 2019. 2) The use / marketing of thin plastic bags with a wall thickness of less than 50 microns is prohibited, except for those used as packaging, from 1 January 2020. (3) The use / market very thin plastic bags with a



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wall thickness of less than 15 microns, except for those used as packaging, from 1 January 2021.

Previously, the Parliament approved amendments and additions to the legislation, which banned in stages, starting with January 1, 2019, the use and sale of plastic bags, and, starting with January 1, 2021 a total ban is established. The Contravention Code of the Republic of Moldova provides for the sanctioning of the use and sale of plastic bags and crockery, the fines being from 3,000 to 4,500 lei for individuals and from 6,000 to 12,000 lei for legal entities.

In addition to the ban on the use of plastic bags and utensils, other examples from foreign experience include **the obligation to use recycled resources and reusable parts in the production process of new products**, such as Japan. Thus, producers are obliged to use recycled resources. The Government of Japan also promotes research and development, mass implementation of educational and advertising programs, and uses a sustainable public procurement program.

The use of tax incentives or the promotion of specific types of business or investment in economic activities is very popular in supporting green economic activities. Regions and cities, within their local taxation system, can apply tax incentives to promote investment in business and circular technologies. For example, tax incentives for incorporating clean technologies into the production process are practiced in the Netherlands, the United Kingdom. In the policy of applying financial incentives, attention should be paid to reducing labour taxes and value added tax on recycled products and, on the other hand, to increasing taxes on virgin raw materials in favour of secondary raw materials.

Environmental taxes are not only a tool of taxation, but also an economic lever with a significant role in solving environmental problems and reducing the negative impact on the environment. Increasing revenues from environmental taxes should be a priority for the Republic of Moldova, especially in the context of the budgetary crisis of recent years and EU recommendations to shift the focus from labour taxation to consumption and pollution taxation. It is a source of revenue in the budget that should not be neglected. For example, the countries with high shares of environmental tax levies in the budget in 2018 were: Latvia (10.9%), Bulgaria (9.8%), Greece (9.5%), Slovenia (9, 4%) and Croatia (9.3%). In the Republic of Moldova in 2019, the revenues from environmental taxes to the state budget were 4.9 billion lei or 2.3% of GDP, and state expenditures for environmental protection were only 200 million lei, or 0.1% of GDP, which means the country with the lowest average investment, relative to GDP, in Europe.

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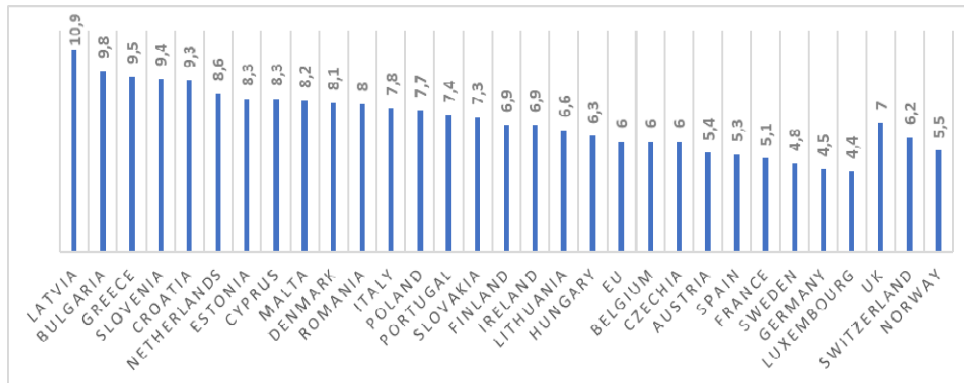


Fig. 1. Environmental tax revenue in EU, as total revenues from taxes and social contributions

Source: data selected from Eurostat statistics

It is important for governments to increase taxes on resources, taxes on air pollution, building materials, energy, food production factors, fossil fuels, metals and minerals, traffic, waste, VAT. Considering the fact that the European Union has developed *the European Ecological Pact* in order to become, by 2050, the first climate-neutral bloc in the world, the Republic of Moldova should not be an exception, if it still declared intention to align with European standards. Achieving this goal requires a joint effort from all actors involved. And if the mechanism for collecting these taxes is inefficient, then solutions must be found to optimize the withdrawal of budget revenues from these taxes. According to the extended producer responsibility, if the damage to the environment has been caused by an operator, the latter must, without delay, inform the competent authorities and take all possible measures to control immediately, limit, eliminate or manage the relevant contaminants; or any other harmful factors, to limit, or prevent further damage to the environment and adverse effects on human health, or subsequent deterioration of services and is obliged to take the necessary remedial measures. The operator shall bear the costs of the preventive and remedial actions [18].

In 2019, the European Commission comes with new important actions for the circular economy, the most important measures are:

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1. Report on the implementation of the Circular Economy Action Plan (2019). The Report sets out adapted sets of measures, which are in the final stages of the legislative process on disposable plastic articles and fishing gear, such as:

- measures to reduce the consumption of food containers and beverage cups, plastic, as well as the specific marking and labelling of certain products;
- the target of including 30% of recycled plastics in beverage bottles from 2030 and 25% for PET bottles from 2025, as well as the target of separate collection of 90% of plastic bottles by 2029, as well as the introduction of design requirements for connecting caps to bottles;
- measures aimed at reducing plastic waste from ships, such as the establishment of a flat rate for waste from ships, etc.

The Commission proposes that EU countries, in order to accelerate the transition to a circular economy, need to invest in innovation and provide support for adapting the industrial base. Over the period 2016-2020, the Commission has stepped up efforts in both directions, providing public funding for the transition totalling more than € 10 billion [20].

2. Communication The European Ecological Pact. The European Commission is proposing a European Green Pact for European Union countries with the aim of: transforming the EU into a fair and prosperous society, with a modern, competitive and resource-efficient economy, with no net emissions of greenhouse gases in 2050 and where economic growth is decoupled from resource use. A roadmap with the main policies and measures is also proposed.

2020 was a year of severe challenges for the entire planet, shaped by the COVID-19 pandemic crisis, with a negative economic and social impact with isolation measures, but which revealed the vulnerability and dependence of the population on raw materials. Thus, the competent institutions must find the necessary measures to transform this crisis into an opportunity for an ecological restart and a sustainable society.

Below there are presented chronologically the actions of the European Commission in 2020:

- January 14, 2020 - The European Commission presented the Investment Plan of the European Green Pact and the Mechanism for a Fair Transition;
- March 4, 2020 - Public consultation on the European Green Pact, which brings together regions, local communities, civil society, businesses and schools. Proposal for a European Climate Law to guarantee Europe's climate neutrality by 2050;

- March 10, 2020, the European Industrial Strategy was adopted, a plan for an economy ready for the future.
- March 11, 2020 - proposal of the EU action plan for the circular economy, focused on a sustainable use of resources;
- May 20, 2020 - Presentation of the EU biodiversity strategy for 2030, which aims to protect the fragile natural resources of our planet;
- July 8, 2020 - Adopt EU strategies on energy system integration and hydrogen to pave the way for a more carbonized, more efficient and interconnected energy sector;
- September 17, 2020 - Presentation of the Plan on climate objectives for 2030.

The new action plan for the circular economy, adopted on 11 March 2020 by the European Commission, is part of the main blocs of *the European Green Pact*, a *New European agenda for sustainable growth* and an *EU growth strategy to achieve climate neutrality by 2050*. It presents a forward-looking agenda for the circular economy, aimed at achieving the goal of a cleaner and more competitive Europe, in collaboration with economic actors, consumers, citizens and civil society organizations.

An important objective of the EU legislation on circular economy is to improve waste management according to the waste hierarchy in the EU. The waste hierarchy and the protection of the health of the population and the environment are obligations and not options. Failure to do so will result in severe fines. Waste managers at the level of producers or waste owners must take concrete steps to respect the waste hierarchy and protect the health of the population and the environment when designing, applying, verifying and analysing the effectiveness of the waste management system in the community or organizations.

According to studies, in Europe, 16 tons of material per person are used annually, of which 6 tons become waste. Thus, the economy loses secondary raw materials, such as metals, glass, paper, etc. Transforming waste into resources is essential in a circular economy. Improving waste management helps reduce health and environmental problems, reduce greenhouse gas emissions and improve local impact.

The European Commission has proposed, in 2020, new targets for municipal waste - the recycling target of 65% of municipal waste generated by 2030 and a target to reduce landfill waste by a maximum of 10% of municipal waste by 2030. These proposals are part of the Commission's package of measures on the circular

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economy, in order to maintain the value of products, materials and resources in the economy for as long as possible [20].

Waste management is one of the important problems facing the Republic of Moldova in environmental protection activities. Currently, the problem of waste is manifesting itself, more and more acutely, due to the increase of its quantity and diversity, as well as of its negative impact, more and more pronounced, on the environment. The urban and industrial development of the localities, as well as the general increase of the living standard of the population, entails the production of more and more quantities of waste (fig. 1).

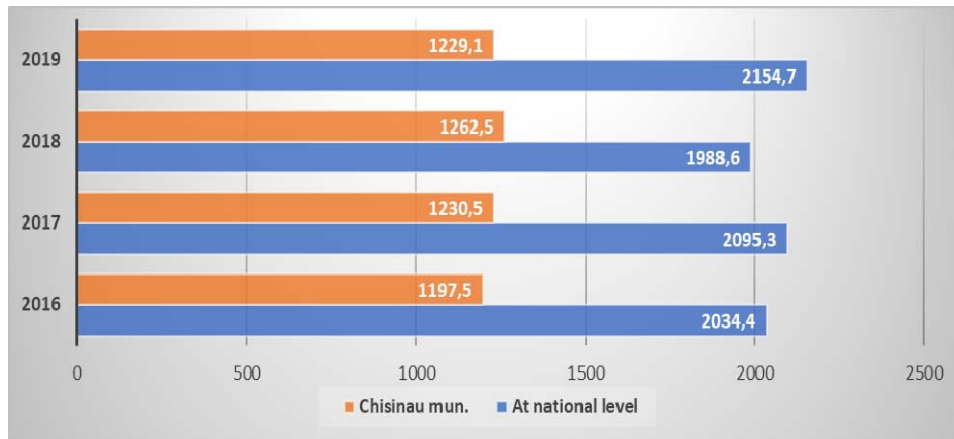


Fig. 2. Municipal waste collected from population, in thous. c.m.

Source: in base of data from National bureau of Statistics

In accordance with Article 91 of the Association Agreement (Chapter 16 - Environment) The Republic of Moldova brings its national legislation closer to EU normative acts and of the international instruments referred to in Annex XI to this Agreement, in accordance with the provisions of that Annex. The European directives to be transposed into Moldovan law determine a new one addressing the waste problem, paying attention to the need to protect and save resources reducing management costs and finding effective solutions to reduce pollution. Thus, in Annex XI to Chapter 16 (Environment) of the Association Agreement are listed EU normative acts to be implemented, as a matter of priority, in national legislation.

The National Waste Management Strategy of the Republic of Moldova 2013-2027 states that waste management is still a problematic issue in the country, that should be better organized and for which legislation should be improved. Although environmental protection is governed by 35 legal acts and more than 50 Government Decisions, the regulatory framework for the management of waste is far from being satisfactory. Further are listed the main legislative acts regulating waste domain:

- Law on environment protection, no.1515-XII of 16 June 1993;
- Law on the ecological survey and estimation of impact on the environment, no.851-XIII of 29 May 1996 ;
- Law on natural resources, no.1102-XIII of 6 February 1997;
- Law on the charges for environment pollution, no. 1540-XIII of 25 February 1998;
- Law on the regime of hazardous products and substances, no.1236-XIII of 3 July 1997;
- Government Decision no. 1296 of 20 November 2008 on the procedure of charging environmental payments for import of goods in the process of use, causes environmental pollution and for plastic and /or tetra pack packaging of import goods.
- Government Decision no. 637 of 27 May 2003, approving the Rule on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, and as such transposing the Basel Convention.

The Law on the Waste of Production and Consumption has been replaced by the Law on Waste, which entered into force as of 23 December 2017. The law reportedly aligns the national legislation to EU provisions as stipulated in the Moldova-EU Association Agreement [3].

Promoting the regional approach in waste management planning is essential both for attracting investment necessary, as well as to ensure recovery high costs allocated for the implementation of Waste management strategy in Republic of Moldova for the years 2013-2027. According to the document, waste management should be done through methods and procedures that do not endanger the environment, public health and other living organisms. The competent authorities shall authorize the collection, transport, recovery and disposal of waste, ensuring that it does not present risks to water, air, soil, flora and fauna, does not cause noise pollution or odor and does not affect landscapes or protected areas. The measures provided in the Law on Waste shall contribute to the implementation of the

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commitments assumed by the Republic of Moldova following the ratification of international treaties establishing waste regulation requirements, including by regulating and establishing measures to ban and / or restrict hazardous substances in products or articles. The law also contains provisions that shall contribute to the optimization of the functions of the responsible institution in the field of environmental protection, related to waste management [3].

The general objectives of the Strategy are the following:

1) development of integrated systems household waste management through harmonization of the legislative, institutional and normative to EU standards, based on regional approach and territorial division of country in 8 regions of management of waste;

2) development of regional infrastructure of disposal of solid household waste and transfer stations in accordance with the practices of EU Member States;

3) development of collection systems and treatment of specific waste streams (waste electrical equipment, tires, batteries, etc.) by promoting / implementing the principle of "producer responsibility".

In the Republic of Moldova still persists the problem of low coverage area of localities with sanitation services. Thus, at national level, only 50% of the population benefits from sanitation services, the share in urban areas being about 80% and only 20% in rural areas.

As regarding the recycling process, as long as the foundations for waste sorting are not established, it will not be possible to achieve this goal, which is important in a circular economy. Currently, in the Republic of Moldova, only in Chisinau waste is sorted and recycled. However, more than half of the volume of waste in Chisinau ends up in landfills. During waste transportation process the sanitary norms are not respected, both the soil and the groundwater are polluted.

The same problem is for toxic waste. At present, waste from medical institutions is burned, even by institutions, on their territory, without respecting the rules of environmental protection. At best, the waste is burned in stoves, and some burn it directly on the ground. Such combustion methods are inadmissible because they pose risks to air, water, soil, fauna and flora.

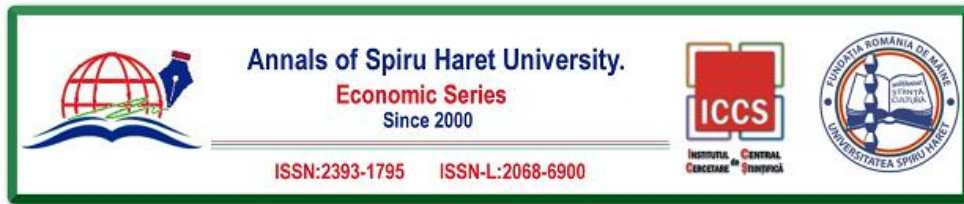
Medical waste is also disposed of in landfills, which is very harmful to the environment because it is very toxic. In some landfills, waste is burned or self-igniting, entering into chemical reactions, emitting harmful smoke, emitting toxins dangerous to health and the environment.

SWOT analysis for the implementation of the Waste management strategy objectives in the Republic of Moldova

| Strengths | Weaknesses |
|---|---|
| <ul style="list-style-type: none"> ➤ financial support and technical assistance granted to country through international donors; ➤ the existence of the National Ecological Fund; ➤ the existence of a functional system capable of ensure the implementation of a sufficient number of programs / projects. | <ul style="list-style-type: none"> ➤ poor collection, transport and disposal of waste infrastructure; ➤ increased amounts of waste produced and stored; ➤ low level of selective waste collection; ➤ insufficient development of the recycling market and recovery of waste ➤ low level of information of the population and economic agents regarding the integrated waste management. |
| Opportunities | Threats |
| <ul style="list-style-type: none"> ➤ developing long-term investment plans, in the conditions of a durable development; ➤ creating an integrated management system of waste; ➤ use EU funds for the improvement of environmental standards. | <ul style="list-style-type: none"> ➤ difficulties of organizational, political and financial nature, determined by the process of regionalization; ➤ high costs for compliance with European standards for the exchange of waste management technologies and use of "best available techniques"; ➤ difficulties in allocating land for environmental infrastructure development, construction solid waste landfills. |

Source: [3]

Although we have a regulatory framework on waste, it must be linked to the legislation of the European Union, through the correct functioning of the legislation in force. The law on waste only provides an overview of waste management but it must provide concrete and workable regulations. Therefore, according to the Waste Law, the targets we had to reach in 2020, according to Article 14 Reuse and recycling of waste, such as at least paper, glass, metals and plastics from household products is increased to a minimum level of 30% of the total mass, by 2020. That is, preparation for re-use and other recovery operations, including backfilling, which uses waste to replace other substances, non-hazardous waste from construction and demolition activities, with the exception of natural geological



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materials, it is increased to a minimum of 55% of the total mass. Unfortunately, these actions were not fully realized in 2020 but will follow in 2021 [5].

Another alarming problem comes with the outbreak of the Covid-19 epidemic on the territory of the Republic of Moldova, which represents an enormous risk to public health and the environment. Concerns are growing both about hazardous medical waste generated in health care facilities and about household waste. And environmental protection authorities must monitor the environmental components in epidemic areas and control bodies to carry out verification actions on how to manage medical waste. There should be a National Action Plan on waste management resulting from medical activity, which will also include regional plans. The authorities must create a functional system for waste collection and then the population will sort it correctly. The most effective way to solve this problem is proper waste management through the existence of a legislative framework that establishes a series of rules on efficient waste management.

Conclusions

The Republic of Moldova has a lot of work to do in this regard related to the circular economy, many objectives have not been achieved even though we are in 2021. Because the pandemic forces us to adapt our daily lives to a regime we would not have imagined until now, it also challenges the authorities to find new solutions for rethinking economic development models. Although there is no doubt that addressing the consequences for public health is a priority, the recovery of other sectors, but at the same time taking into account the principles of circularity, is also important. One concern remains: Will the European Commission's ambitious goals be met in the coming years, when the global economy will have to deal with the consequences of this pandemic crisis?

We see that even in this difficult period, the European institutions have reaffirmed their firm commitment to the long-term goals set out in the European Green Pact. Certainly, it will be necessary to rethink and completely redesign the essential systems - the way we produce and use energy, produce and consume food, produce and reuse waste. It will take a lot of patience, but also civic involvement.

One way to build a sustainable economy is by ensuring a socio-economically equitable transition process that is designed and implemented in the long run. In addition, the investments that will be made to mitigate the economic impact of this crisis should be, and can be, fully aligned with the EC's long-term sustainability objectives.

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