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“Advancing Belarus, Moldova and Ukraine for the European
Environmental Governance Reforms” project



Living document

Achieving Good Environmental Governance: analysis and recommendations for action

Position Paper – Moldova

This publication is issued by the “Advancing Belarus, Moldova and Ukraine for the European Environmental Governance Reforms” project, which is supported through the EaP CSF Re-granting Scheme and is implemented by the consortium of UNENGO MAMA-86 (Ukraine), the Association EcoContact (Moldova) and Public Association “Ecohome” (Belarus).



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Preamble

At the 4th EaP CSF Assembly in 2012, the Statement “THE NEED for BETTER ENVIRONMENTAL GOVERNANCE” was adopted. It followed the conclusions of two assessments¹ held by the EaP CSF WG3 covering Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine and included common for EaP countries trends stipulating that by that time:

- Environmental strategic planning and annual reporting has improved in advanced Association Agenda negotiating countries;
- The administration reforms were weakening administrative structures and procedures for environmental governance;
- Deregulation was undermining an informed decision making process on environmental matters (including elimination of the EIA procedures);
- Mechanisms and procedures for public participation on environment were often ignored in other sectoral policies decision-making processes (e.g. energy, transport, agriculture and industry);
- Environmental policy integration was generally not backed up with legislation (for instance, SEA Protocol remained ungratified except Armenia, no specific national laws adopted), limiting efforts to green economies and improve resource efficiency;
- The potential of the Shared Environmental Information System (SEIS) for improving the quality of information for environmental decision-making was underused.

Based on the 2012 European Integration Index findings², CSOs stressed in the Statement an alarming situation regarding the state of the environment in the six EaP countries, inter alia that the natural area under protection in majority of EaP countries is too little to effectively protect biodiversity and related ecosystem benefits and services. The Statement called for clear targets for EaP countries on key achievements required in Environmental Governance to improve the State of Environment. In conclusion, it called the EU Member States and the EaP countries for the inclusion of Environmental Governance into the political agenda of the EaP Summit in Vilnius in order to promote forceful action on environmental reforms in the EaP countries.

Vilnius Declaration of the 2013 EaP Summit first time (since the regional process was established) stressed the importance of environment as one of priority areas for cooperation that is mutually beneficial for the EU and the partner countries both from an environmental and economic point of view. The Declaration highlighted the need to pursue the process of regulatory approximation and policy convergence in strategically important fields of environment and climate change with particular attention to be paid to the green economy, biodiversity, a shared environmental information system and environmental assessments, the integration of environmental concerns into other sectors and the significant role of civil society.

After the Vilnius Summit, fundamental changes took place in the EaP region. 3 countries concluded Association Agreements with the EU: Georgia (was signed in June 2014 and entered into force on July 2016), Moldova (was signed in June 2014 and entered into force since July 2016), and Ukraine (was signed in June 2014 and entered into force on September 2017). Armenia and the EU have signed the Comprehensive and Enhanced Partnership Agreement (November 2017). Azerbaijan and the EU have renewed in 2017 their engagement and dialogue, including through the launch of negotiations on a comprehensive new agreement (previous bilateral agreement was concluded in

¹ <http://www.eesc.europa.eu/sites/default/files/resources/docs/assessment-of-ep-eng--2.pdf>

² http://archive.mama-86.org/images/stories/reports/WG3_Report_2013_Eng_short_Mama.pdf

1996). Belarus and the EU are also gradually approaching the agreement though clear timer-table and conditions were not set up yet.

The Fifth meeting of the Informal Eastern Partnership Dialogue took place on 29th June 2015 in Minsk with the sector session focused on Environment. This meeting represented the first comprehensive discussion on environmental issues at ministerial level since the creation of the EaP in 2009. The meeting offered the opportunity to discuss openly the implementation of SDGs within the EaP as well as to identify areas of common interests and common challenges and ways to improve our cooperation on environment. It was agreed at the meeting to continue the discussion and took on the requests by EaP countries to continue the meetings at ministerial level suggesting a formal EaP Ministerial on environment with all EU Member States.

The first EaP Partnership formal Ministerial meeting on environment and climate change took place on 18th of October 2016 in Luxembourg, where the EU and the Eastern Partner countries (Armenia, Azerbaijan, Belarus, Georgia, Republic of Moldova and Ukraine) adopted Ministerial Declaration on cooperation on environment and climate change. The Ministerial meeting tasked the EaP Panel on Environment and Climate Change to steer the implementation of the Declaration. EaP CSF called for clear targets for EaP countries on key achievements required for Good Environmental Governance to improve the State of Environment including both, effective environmental policy and institutions.

The Luxembourg Declaration on cooperation on environment and climate change aimed to improvement of environmental governance, including:

- ensuring transparency, accountability and support evidence-based decision-making, good environmental data in line with Shared Environmental Information System (SEIS) principles, including monitoring and reporting the implementation of SDGs;
- support the involvement of civil society in decision-making, strategic planning and implementation, and results' monitoring of environmental policy, programmes and plans, in line with the Aarhus Convention;
- facilitate discussions between the EU, national governments and CSOs on setting and achieving concrete objectives of environmental reforms in the EaP countries;
- ensure the effective integration of environment into other policies thus support mainstreaming of environment, climate change and sustainable development objectives into all policy areas and enhance cross-sector and inter-Ministerial cooperation; adoption and effective implementation of SEA and EIA procedures at national level and in a transboundary context in line with the Espoo Convention and its Protocol on SEA.

The EU Document “Eastern Partnership — 20 Deliverables for 2020. Focusing on key priorities and tangible results.” defined set of EaP countries achievements during 2017–2020, which included Chapter 16. Environment and adaptation to Climate Change containing targets for Integrated Water Resources Management, Green Economy, Sustainable Forestry, Adaptation to Climate Change, SEIS and Emerald Network.

Good Environmental Governance concept in general includes better institutions, better policy, better involvement of citizens (and various stakeholders) for increasing the effectiveness of nature protection and natural resources use. Good Governance is a new, more horizontal mode of governing in compare with traditional, hierarchical, state-centred style. It also means rules, processes and behaviours that affect the way in which powers are exercised particularly as regards openness, participation, accountability, effectiveness and coherence. It is about how things could and should be done.

In 2018, the Second EaP Partnership formal Ministerial meeting on environment and climate change will take place, where countries will report on their achievement in implementation of the Luxembourg Declaration.

This paper is devoted to snap-shot analysis of the governance status in Moldova, as well as recommendations to the EU, Governments and EaP CSF on actions to support the environmental governance reforms. This is living document, which will continue to be discussed with EaP CSF National Platform, Ministry of Environment, the Government and the EU Delegation.

1. Introduction

The process of European integration of the Republic of Moldova presents a challenge for the environmental sector and includes two main action directions: harmonization of national environmental legislation with the EU acquires in this field and institutional reform, which implies the development of an institutional mechanism capable to enforce the newly adopted legislation. The Environmental Strategy for the years 2014-2023 (2104) covers exactly these challenges and aspires to be the key strategic planning document for the actions to be taken in the following decade.

The „Environment” Chapter of the Association Agreement provides for the concrete commitments and activities of the Government of the Republic of Moldova in the field of environmental protection, such as:

- a) elaboration of legislation, norms and standards harmonized with the EU directives, institutional capacity building and the establishment of new required structures;
- b) elaboration of a national Environmental Strategy that would include institutional reforms planned, within the established time frame, for the implementation of the environmental legislation and compliance;
- c) elaboration of sectoral strategies for water, air, biodiversity conservation, climate change adaptation and mitigation etc.;
- d) strict and clear separation of competences between the environmental authorities at national, regional and local levels;
- e) integration of the environment into other sectoral policies, promotion of the green economy development and of eco-innovations.

2. Recent environmental policy and law development highlights

Like the other countries in the region, Moldova is facing many significant environmental problems. Insufficient management of solid waste leads to soil, air and water pollution; inadequate management of forests and irrational agricultural practices result in soil degradation and biodiversity losses; small rivers and wells are heavily polluted due to agricultural activities, obsolete sewage infrastructure, illegal storage of waste and manure; industrial activities and a large number of old cars cause air pollution in urban areas, whereas the lack of renewable energy sources induces energy insecurity and contributes to climate change.

The National Environment Strategic Action Programme was elaborated and approved by Presidential Decree no. 321 of 6 October 1995. *The Action Plan for its implementation contained activities planned up to year 2005.* Therefore, this document is now obsolete and does not correspond to the contemporary tendencies of socio-economic development and of European

integration. It was followed by the National Environmental Action Plan (1996), developed in accordance with the provisions of the Environmental Action Programme for Central and Eastern Europe.

In 2001 a new policy document – the Concept of Environmental Policy of the Republic of Moldova – was adopted, highlighting a series of new approaches, including orientation towards European integration and promotion of the inclusion of the environmental requirements into other sectoral policies. It is important to mention that the Concept did not determine the establishment of any strategic framework for the environment or the development of any policy documents defining measurable objectives.

Currently, the environmental policy framework it is in a development process and includes several policy papers that reflect objectives and actions in various fields such as waste and chemicals management, pollution prevention, biodiversity conservation, water supply and sanitation, desertification, forestry etc. However, most of these documents contain outdated concepts that have to be updated, whereas for the certain environmental components and aspects (air, soil and useful mineral resources protection) it is necessary to elaborate proper policy documents. Overall, the lack of an environmental strategy framework has caused a deficiency in environmental strategic planning in Moldova, lack of a general vision at the Government level and sector fragmentation.

Recently the Waste Management Strategy for the years 2013-2027 and the Strategy on Biological Diversity conservation for 2015- were approved, establishing a set of objectives and measures regarding the collection, transportation, treatment, recovery and disposal of waste in the Republic of Moldova.

For the implementation of the Association Agreement the following Laws were developed and adopted:

1. *The Law on Environmental Impact Assessment*, of May 29, 2014 No. 86, in force since 04.01.2015;
2. *The law on Strategic environmental assessment approved on no. 11 din 02.03.2017, in force 07.04.2018;*
3. *The Law on energy, no. 174 from 21.09.2017 in force 20.10.2017;*
4. *The Law on the promotion of the use of energy from renewable sources, no. 10 of 26.02.2016, in force 25.03.2018;*
5. *The Law on electricity, no. 107 of 27.05.2016, in force 08.07.2016;*
6. *The Law on waste, no. 209 of 29.07.2016, in force 23.12.2017;*

At the same time, the results of the quantitative evaluation of the National Action Plan for the implementation of the EU-Moldova Association Agreement (NAPIAA II)³ show that a bit more than one third of the planned actions were fulfilled (implementation rate 34.1%) during the first three quarters of 2017. The national authorities have undertaken efforts which are half of their estimated potential. The qualitative assessment of the Report indicates that limited progress has been achieved in the implementation of the commitments under the EU-Moldova Association Agreement. These are the main conclusions of the 2nd IPRE Shadow Report, prepared by the

³ 2nd Shadow report of the EU-Moldova Association Agreement: <http://ipre.md/2017/12/22/al-ii-lea-raport-alternativ-privind-implementarea-acordului-de-asociere-cu-ue-trimestrul-i-iii-2017/?lang=en>

Institute for European Policies and Reforms (IPRE) with the support of Konrad Adenauer Foundation (KAS).

The results of **the quantitative evaluation show that a bit more than 1/3 of the NAPIAA II actions were fulfilled within the reference period** (i.e. an implementation rate of 34.1%). Most results are noted in the implementation of measures corresponding to DCFTA provided by the Title V of the Agreement, with the implementation rate of 43.6%, followed by Title VI (Financial assistance and anti-fraud provisions) – with a rate of 34.5% and Title IV (Economic and sector cooperation) – with a rate of 33.9%. The fewest results are noted in Title III (Justice, freedom and security).

The Report also introduces an implementation effort index, which aims at measuring the level of engagement and efficiency of the authorities in implementing the NAPIAA II. According to the authors' estimations, **the national authorities have undertaken efforts which are half of the planned potential**, registering an index of 53%. The biggest effort was made in accomplishing the measures provided for in Title V (DCFTA). The least effort was made to accomplish the objectives of Title II of the NAPIAA II, that refers to political dialogue and reforms.

Summing-up the qualitative assessment of the Shadow Report concludes that **the national authorities have achieved a limited progress** in implementing the objectives in key areas of the Association Agreement as provided in the NAPIAA II, which confirms, to a large extent the quantitative evaluations of the report. Thus, in spite of a moderate progress in the implementation of actions planned in Title V (DCFTA), a limited progress or lack thereof was achieved in the other four Titles of NAPIAA.

Water resources:

TARGET

Ensure, by 2023, the access of 80% of the population to quality drinking water systems and of 65% - to sewage systems.⁴

Sectorial challenges:

- Elaboration of the master plan
- Training of regional operators (3-5)
- Approximation of the EU Directive 91/271/EEC of May 21st 1991 concerning urban wastewater treatment

Waste and chemical substances:

TARGET

Create, by 2023, systems of integrated waste and chemical management to help reduce the amount of landfilled waste by 30% and increase recycling by 20%, by 2023

Sectorial challenges:

- Implementation of the principle of producer's extended liability.
- Creation of the waste management system (8 regions)
- Approximation of EU Directives
- Establishment of the Center for Hazardous Waste

The National Waste Management Strategy for 2013-2027 foresees:

- promoting and implementing selective collection systems in all areas, both in the domestic sector and production, as well as sorting, composting and recycling facilities;
- a 20% increase in the degree of reuse and recycling of packages by 2027.

⁴ Environmental Strategy for the years 2014-2023 (2104): lex.justice.md/UserFiles/File/2014/mo104.../anexa1_301.docx

The Law on wastes, approved by the Parliament in July 2016, introduced extended producer responsibility and new targets for this sector. Article 14 of the Law provides for the following state policy provisions on reuse and recycling of waste:

- By 2018 – introduction of separate waste collection systems for paper, glass, metals and plastic;
- By 2020 – reuse and recycling of at least 30% of waste paper, glass, metals and plastic materials from households and other sources.

Air protection:

TARGET

Create an integrated air quality management system, reduce emissions (compared to baseline scenario) of air pollutants by 30% by 2023, and of greenhouse gases by at least 20% by 2020.

Sectorial challenges:

- Approximation of EU Directives
- Elaboration of the Strategy concerning air
Improvement of the air quality monitoring system

In 2013, the energy sector (including energy generation and transport) accounted for most GHG emissions (65.5%), followed by agriculture (16.6%) and waste (12.2%). GHG emitted in the Republic of Moldova are no longer offset by carbon sequestration.

The Republic of Moldova ratified the United Nations Framework Convention on Climate Change (UNFCCC) in 1995 and the Kyoto Protocol in 2003. In December 2016, it approved the Low Emissions Development Strategy (LEDS) until 2030, establishing an unconditional target to reduce net GHG emissions by 64% to 67% by comparison with 1990 levels (or to 78% with international support) by 2030. Implementation of the LEDS represents an important contribution to addressing climate change mitigation nationally and globally.

Biodiversity conservation:

TARGET

Expand forest areas up to 15% of the territory of the country, and of the protected natural areas – up to 8% of the territory, as well as ensure the efficient and sustainable management of natural ecosystems.

Sectorial challenges:

- Mismanagement of natural resources, especially of forests and green areas, biodiversity and soil, leads to their depletion.
- Small forest and protected natural areas do not ensure the protection and preservation of biodiversity.

The Strategy on Biological Conservation of the Republic **Environmental Impact Assessment and Strategic Environmental Assessment (SEA):**

Tools that aim to prevent environmental pollution

Law no. 86/2014 on the Environmental Impact Assessment

Law no. 11/2017 on the Strategic Environmental Assessment (enters into force in March 2018)

The implementation of both Laws will be the direct responsibility on the Pollution Prevention and Environmental Assessment Department.

The Environmental Impact Assessment will become the responsibility of the Environmental Agency after its establishment.

Sustainable Development Goals / 2030 Agenda "Moldova 2030" Strategy:

Environmental related SDGs:

of Moldova for 2015-2020 and the Plan of Action provide for expansion of state-protected areas to 8% of the country by 2020, with the establishment of the National Ecological Network, in association with the Pan-European Ecological Network. This could be achieved by establishing a trilateral Biosphere Reserve (Danube Delta, Lower Prut) in Romania, the Republic of Moldova and Ukraine, and the establishment of the Lower Nistru National Park. Management plans for protected areas have yet to be developed.

- 6. Ensure availability and sustainable management of water and sanitation for all;
- 12. Ensure sustainable consumption and production patterns;
- 13. Take urgent action to combat climate change and its impacts;
- 14. Conserve and sustainably use the oceans, seas and marine resources for sustainable development;
- 15. Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss.

The National Strategy for Agriculture and Rural Development for 2014-2020 indicates that the organic agriculture sector is underdeveloped. It is included under Objective 2 as a specific measure for the sustainable use of natural resources in agriculture. Objective 2.2, for supporting environmentally friendly production technologies and ecological products, promotes sustainable management of natural resources in agriculture, by applying ecological production technologies and increasing yields of organic products. Organic production will need to be subsidized or supported, and in particular, products that are in demand in international markets. In 2016, the Regulation on Subsidies was completed, with two new measures, "Support for the promotion and development of organic agriculture" and "Consultancy and training services", intended to relaunch support for this sector.

3. Institutional framework for environmental protection

The institutional framework in the field of environment includes the central authority for environmental protection, implementation agencies in some areas, inspectorates, services, state enterprises, scientific institutions. The Ministry of Environment has a mission to ensure the realization of governmental constitutional prerogatives by elaboration, promotion and implementation of the state policy on environmental protection and rational use of natural resources, waste management, use and protection of subsoil, irrigation, water resources management, water supply and sanitation, regulation of nuclear and radiological activities, state ecological control, hydrometeorology and environmental quality monitoring. The central body of the Ministry of Environment has 51 units, 5 profile divisions and 5 services. As sub-divisions it has 7 institutions with regulatory, policy implementation and control functions: State Ecological Inspectorate, Agency for Geology and Mineral Resources, Agency „Waters of Moldova”, National Agency for Regulation of Nuclear and Radiological Activities, State Hydrometeorological Service, Fisheries Service, State Enterprise „Hydrogeological Expedition of Moldova”. Besides, the Ministry

of Environment also coordinates the activity of 7 offices and 3 units for implementation: „Carbon Finance” Office, „Climate Change” Office, „Sustainable Persistent Organic Pollutants Management” Office, „Ozone” Office, „Biodiversity” Office, „Biosafety” Office, „Environmental Pollution Prevention” Office, Water Supply and Sanitation Project Implementation Unit and the Enhanced Environmental Project Implementation Unit.

Although the institutional system for environmental protection seems organized and functional, its activities reveal a series of constraints and problems. They highlight the lack of clear separation of competences in between the Ministry of Environment and its subordinated institutions, namely, the competences of environmental policies’ elaboration, their implementation and control over compliance with the legislation, despite the Law no. 98 of 4 May 2012 on the Specialized Central Public Administration. The situations presented below will provide for relevant examples.

According to the Governmental Decision no. 695 of 30.08.2017 regarding the organization and functioning of the Ministry of Agriculture, Regional Development and Environment (MARDE)⁵, this new ministry take over all responsibilities of the former Ministry of Environment.

In accordance to its mission, the Ministry of Agriculture, Regional Development and Environment elaborates environmental policies, but also issues authorizations for certain activities (such as waste management or CITES certificates) and performs environmental assessment of draft regulations. On the other hand, the majority of agencies and services subordinated to the Ministry possess cumulative functions of environmental policy and legislation elaboration, implementation and control. For example, the State Ecological Inspectorate carries out supervision and control over compliance with environmental legislation, but also issues certain authorizations that also necessitate compliance control, thus causing conflicts of interests and corruptible actions.

One of the promoted by the Ministry environmental policy components is the protection of the forest fund, forest flora and fauna. However, at the present time, the „Moldsilva” Agency, which is in another category of administrative authorities, provides for the functions of policy elaboration, implementation and control, contrary to Law no. 98 of 4 May 2012 on the Specialized Central Public Administration and Law no. 131 of 8 June 2012 on State Control over Entrepreneurial Activity, which stipulate that only one institution (State Ecological Inspectorate) has the authority to exercise control over forest fund and cinegenic fund.

Without a clear division of functions, powers and responsibilities in the field of environmental protection, avoiding ambiguity, duplication or overlapping, there remains the risk of having fragmentary legislation and, as a consequence, for the risk management to be inefficient and expensive.

Currently, the institutions subordinated to the Ministry ensure its policies implementation just in a few areas (management of mineral resources, water resources and fisheries). However, there is no structure to ensure sectoral policies implementation in the other areas, such as air and soil protection, biodiversity, natural areas protected by state, waste and chemicals management, ecological expertise, environmental impact assessment of planned activities, strategic environmental assessment, integrated environmental authorization, climate change mitigation, etc.

⁵ Governmental Decision no. 695 of 30.08.2017: <http://lex.justice.md/md/371190/>

Another problem in this context is the staff turnover, which reduces the degree of institutional experience, as well as the number of specialists and technical personnel in the environmental field.

It deems necessary to establish linkages between the institutions involved in environmental management, which is a rather arduous process. Inter-ministerial cooperation is based mainly on personal contacts, and after the central public administration reform the ministries and authorities that contained few environmental specialists reduced these functions. The new system of regulatory impact analysis of legislative and normative acts, initiated by the Ministry of Economy, as well as ex ante public policy impact analysis, set the environmental impact assessment of the elaborated normative acts provisions that has to be carried out by environmental specialists, who are currently lacking from the central public authorities.

Commitments under the EU - Moldova Association Agreement

Art. 89 – “(...) planned institutional reforms for ensuring implementation and enforcement of environmental legislation; division of competence for the environmental administration at national, regional and municipal levels (...)”.

Reform of the Central Public Administration (Law no. 136 of 07.07.2017 regarding the Government):

- optimization of the institutional structure of the Government,
- delimitation of the policy elaboration and implementation functions;
- clear division of responsibilities between institutions;
- decrease of administrative functions;
- public service efficiency and costs.

Reform of the institutional framework in the field of regulation by authorization of entrepreneurial activity (Environmental Agency)

Reform of the institutional framework in the field of control (Environmental Protection Inspectorate)

Implementation of the Moldova – EU Association Agreement:

Environmental governance and mainstreaming of environmental aspects in other policy documents – 4 Directives;

Quality of air – 6 Directives;

Quality of water and resource management – 5 Directives;

Waste - 6 Directives;

Protection of nature - 3 Directives;

Pollution and industrial accidents – 2 Directives;

Chemical products and substances – 4 Directive and 7 Regulations;

Climate policies – 2 Directives and 2 Regulations.

The Law on waste, the Law on water, the Law on environmental impact assessment, and the Law on the strategic environmental assessment have been adopted. Law on chemicals (in Parliament), Law on air (draft, 2017).

4. Environmental Fiscal reform

The accumulated funds and expenditures of the National Ecological Fund have increased significantly in the past decade, without a corresponding impact on environmental quality⁶.

The total number of projects approved in the period 2010-2015 was 1 961, of which 987 (almost 50%) were in the fields of water supply, canalization and waste water treatment, followed by 199 projects in enlarging green areas (including forests) and 64 in the domain of waste management. In 2015, of a total of 400 projects submitted, 350 were funded, of which 267 were for water supply, canalization and waste water treatment. The total cost of the projects approved for financing in 2015 was MDL 426.9 million. Of the total allocation of MDL 345.2 million (formed from an accumulated MDL 233.5 million in 2015 handed out in 2014), MDL 197.6 million was allocated to projects approved in 2015 and MDL 147.7 million in previous years.

The expenditures of the National Ecological Fund (NEF) could be affected by recent legal changes that revised the collection and disbursement of funds as part of the national budget. Provisions related to the NEF in the Law on Environmental Protection No. 1515-XII of 16 June 1993 and the Law on Payment for Environmental Pollution No. 1 540-XIII of 25 February 1998, were modified as of 1 January 2017 and indicate that:

- The NEF is established within the budget to finance programmes for environmental protection and the economic entities calculate and transfer the payments to the budget;
- The national fiscal service supervises this domain.

5. Public participation and stakeholders' involvement into the decision-making on environmental matters

The Republic of Moldova was the first country to ratify the Aarhus convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters. In order to achieve the objectives of of the Convention, it is necessary to create a mechanism for dissemination of environmental information and places of access to such information. Some ministries and institutions have separate databases with information relevant to their field of activity. However, there is no interconnection between these databases, so the information exchange does not have place as it should be.

Water monitoring data are collected, stored, generalized and analyzed statistically by the Environmental Monitoring and Information Management Center of the State Hydrometeorological Service. „Moldova's Waters” Agency has a database on water use and its discharges. A large part of these data is stored on paper and thus become inaccessible to the public. Agency for Geology and Mineral Resources has an archive of all types of geological exploration activities, a database on groundwater and maps in an advancing state of degradation, which requires them to be promptly digitized.

⁶ Measuring the Performance of Green Economic Development in the Republic of Moldova, 2017: http://www.green-economies-eap.org/resources/Report_EN.pdf

The Ministry of Health, through the National Center of Public Health, administers a database with information on the quality of drinking water, on air, soil and persistent organic pollutants. This database is closed to the public, and the information can be presented only on request.

Thereby, the Ministry of Agriculture, Regional Development and Environment and its subordinate institutions possess a number of databases classified by field, but of different format, some information is stored on paper and is not publicly available. So, they do not share information or communicate with each other. In this context, it is absolutely necessary to gradually develop an integrated environmental information system that would make it possible to connect all the existent databases, digitizing databases stored on paper, sharing information between databases of different institutions, electronic data collection. The Ministry is experiencing major difficulties while dealing with the use of obtained environmental data and of information, because of the lack of a system that would be able to collect, receive, process and generate environmental reports.

Public participation in decision making is ensured, but the process is very conservative, proposals from NGOs not always are taken into consideration, thus resulting in low level of trust in the governmental institutions.

6. Conclusions and recommendations

General conclusions concerning the implementation of environmental policy in the country:

- Limited institutional capacity at national and local level;
- Low enforcement;
- Low compliance;
- Limited continuity, sustainability, monitoring and reporting;
- Low awareness and problem understanding;
- External driven (dependent of foreign aid and investments).

Problems outlined in the functioning of institutional and managerial system in the field of environmental protection in Moldova:

- 1) limited capacities for the implementation of the strategic environmental policy documents both at national and local level (policy documents are implemented at 30-40%), whereas for some components, such as air and soil protection, rational use of useful mineral resources policy documents does not even exist;
- 2) the legal framework in force is not enforced, not adjusted to the institutional changes and not covered by budgetary funds;
- 3) discrepancy between institutional framework and the existing requirements and challenges. Attributions of environmental policies' elaboration, implementation and legislation compliance control are not clearly divided between environmental institutions. There are no agencies (ex. Environmental Protection Agency) to deal with environmental policies' implementation in all respective areas. There is a series of confusions and overlapping of responsibilities and competences in the fields of environmental protection with those of other, non-environmental institutions (forest fund protection, soil protection);
- 4) state of environment report is not regularly issued and did not cover all national, UN ECE or EU environmental indicators;
- 5) current economic development strategies neglect the issues of environmental protection;
- 6) the principles of environmental protection and sustainable development are not integrated into all sectoral policies and are not recognised as priorities;

- 7) low level of awareness and environmental education among pupils, students, employees and population;
- 8) lack of programmes, of a school curriculum on environmental education;
- 9) shortage of places of access to environmental information;
- 10) lack of an integrated environmental information system.
- 11) ineffectiveness of the regulatory framework for activities with an environmental impact (for example, the system of ecological expertise and environmental impact assessment does not meet EU standards; mechanism of strategic environmental assessment is not implemented; authorization system does not provide for an integrated approach to environmental pollution control; updated emission and discharge standards have not been approved; self-monitoring requirements are not included in the authorizations or implemented by enterprises);
- 12) environmental taxes and pollution charges system are inefficient and undeveloped, payments being too small compared to the environmental damage;
- 13) there are no economic mechanisms and tools to stimulate polluters to take actions to reduce pollution;
- 14) the system of environmental control, of penalties and environmental damage recovery is not effective, payments being too small, encouraging non-complying agents to pay rather than take measures to avoid pollution, which are, as it is, much more expensive;

Institutional capacity building shall focus on defining or ensuring the followings:

1. clear competences for elaboration of environmental and related legislation;
2. Environmental Protection Agency has to be established;
3. necessary capacities, human resources and sufficient financing to fulfil the tasks;
4. clear and effective procedures for decision-making and further implementation;
5. investments for compliance with EU legislation, especially for these parts that require substantial expenses, and a corresponding financing strategy;
6. integration of environmental requirements in the sectorial policies;
7. environmental reporting has to be done regularly, based on environmental SDGs, GGIs and UN ECE set of environmental indicators;
8. h) review of environmental taxes and pollution charges, and the establishment of a credible timetable for their gradual increase, thus stimulating polluters to take actions to reduce pollution;
9. creation and implementation of a mechanism for the Republic of Moldova to participate in emission allowances trade through establishing environmental emission limits and allowances, the mode of their trade and certain obligations on reducing the quantity of environmental emissions;

Ensure the implementation of Strategic Environmental Assessment process:

1. by identification of the environmental impact of the planned activities in the draft policy documents;
2. by integration of environmental considerations in the process of policy documents adoption;
3. by reduction of negative environmental impact of the measures proposed in policy documents;
4. by increasing the effectiveness of decisions, promoting sustainable development and ensuring environmental security;
5. by ensuring public participation in environmental decision-making.



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The project benefits from the support through the EaP CSF Re-granting Scheme. Within its Re-granting Scheme, the Eastern Partnership Civil Society Forum (EaP CSF) supports projects of the EaP CSF members with a regional dimension that contribute to achieving the mission and objectives of the Forum.

The donors of the Re-granting Scheme are the European Union and National Endowment for Democracy.

The overall amount for the 2017 call for proposals is 290.000 EUR. Grants are available for CSOs from the Eastern Partnership and EU countries.

Key areas of support are democracy and human rights, economic integration, environment and energy, contacts between people, social and labour policies.